



City of Nedlands

PUBLIC MINUTES

Council Meeting Minutes

Tuesday, 26 November 2024

These Minutes are subject to confirmation

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



Information

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Public Question Time

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

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

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

Deputations

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

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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Present attendees



Councillors	Mayor F E M Argyle (Presiding Member)	
	Councillor B G Hodsdon (online)	Hollywood Ward
	Councillor B Brackenridge	Melvista Ward
	Councillor R A Coghlan	Melvista Ward
	Councillor H Amiry	Coastal Ward
	Councillor K A Smyth	Coastal Ward
	Councillor F J O Bennett	Dalkeith Ward
	Councillor N R Youngman	Dalkeith Ward

Staff	Ms K Shannon	Chief Executive Officer
	Ms A Alderson	Director Corporate Services
	Mr T Free	Director Planning and Development
	Mr M K MacPherson	Director Technical Services
	Ms M Harika	Chief Finance and Risk Officer
	Ms A Martin	Coordinator Governance Legal and Risk
	Ms S Bloomfield	Governance Officer
	Ms Z Brauer	Mayoral Support Officer

Public There were 9 members of the public present and 0 online.

Press 0

1. Declaration of Opening

The Presiding Member will declare the meeting open at 7:00 pm and acknowledge the Whadjuk Nyoongar people, Traditional Custodians of the land on which we meet, and pay respect to Elders past, present and emerging. The Presiding Member will draw attention to the disclaimer on page 2 and advise the meeting is being livestreamed.

2. Present and Apologies and Leave of Absence (Previously Approved)

Leave of Absence (Previously Approved) None as at distribution of this agenda.

Apologies Councillor M Pollard - Hollywood Ward

3. Public Question Time

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

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

Nedlands Tree Canopy Advocated – Martina Bovell



This question is further to the council resolution of 28 May 2024 supporting the notices of motion carried at the AGM of Electors in April, in particular the request that Council urgently acquires updated tree canopy and heat mapping data for the Perth-Peel region. It's been four (4) years since tree canopy data was collected for the Perth-Peel region and shared with Local Governments. Early this year, the WA Government conducted a new flyover of the region.

1. **Can it be confirmed that this data has been analysed and is available to Nedlands?**

The City is currently working with a consultant to review the Urban Forest Strategy give review and direction to future planting and revegetation. As part of this, data collection was gathered in March 2024. The data is hyperspectral imagery that provides information such as tree health and Urban Heat Index, not just height or canopy spread. This data is understood to be additional to the state government flyover capture, but will be confirmed as part of the consultants work on the strategy.

The City is also a member of the WALGA 'Urban Forest Working Group' and is aware of a spatial mapping project currently underway, to which an update will be provided by WALGA in mid-December.

2. **If so, what is the current amount of tree canopy across Nedlands and how does this differ from the 2020 coverage?**

This is still currently being assessed by the consultants and will be provided as part of the Urban Forest Strategy review, particularly as part of community engagement and within the final strategy document.

3. **If not, why has the release of data been delayed, and when will the City release the updated data publicly?**

The data has been delayed due to limited staff availability to work with the consultant following commission earlier this year, and in particular limited time over the planting season.

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

Deputations by members of the public who have completed Public Address Registration Forms will be dealt with at this point.

Kingsley DIXON FTSE (Ph.D.) spoke for Item – 21.1 Point Resolution Planting Proposal

Tania SYDNEY-SMITH spoke for Item 16.1 - Change of Use – “Office” to “Small Bar” – 136 Stirling Highway, Nedlands

Max HIPKINS

1. 16.4 - Consent to Advertise draft Local Planning Policy 3.4: Tree Retention - R25 to R80
2. spoke for 21.1 NOM46.11.24 - Point Resolution Planting Proposal – Mayor Argyle



3. 21.2 NOM47.11.24 Support for Irrigation of Allen Park Bushland
4. 21.3 NOM48.11.24 Land Tenure Access Arrangements for Greenway Corridors
5. spoke for Item 16.3 - Consent to Advertise Mt Claremont Master Plan

Martina BOVELL

1. spoke for Item 16.4 - Consent to Advertise draft Local Planning Policy 3.4: Tree Retention - R25 to R80

Bill VINCENT spoke for Item 17.1 - Hackett Hall Demolition

Lesley SHAW spoke on behalf of Melon Hill Bushland Group

1. Consent to support Mt Claremont Master Plan
2. Consent to advertise draft LPP 3.4 Tree Retention
3. Point Resolution Planting Program
4. Support for Irrigation of Allen Park Bushland
5. Land Tenure access arrangements for Greenway corridors

Cameron McDIVEN

1. spoke for Item 16.3 - Consent to Advertise Mt Claremont Master Plan
2. spoke for 21.1 NOM46.11.24 - Point Resolution Planting Proposal – Mayor Argyle
3. spoke for 21.3 NOM48.11.24. - Land Tenure Access Arrangements for Greenway Corridors – Cr Smyth

5. Requests for Leave of Absence

Moved by Mayor Argyle, Seconded by Cr Amiry

Cr Pollard has requested Leave of Absence from the 26 November 2024 to 1 January 2025.

This motion was PUT and CARRIED (7/1)

For. Crs. Mayor Argyle, Bennett, Youngman, Brackenridge, Coghlan, Amiry, Hodsdon
Against: Crs. Smyth

6. Petitions

No petitions were tabled at this point.

7. Disclosures of Financial Interest

There were no disclosures of financial interest.



8. Disclosures of Interests Affecting Impartiality

Cr Bennett declared an Impartiality interest for Item 21.1 NOM46.11.24 Point Resolution Planting Proposal, as he is a member of the friends of point resolution.

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

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

Cr Amiry, Cr Bennett and Cr Youngman declared they have not had enough time to consider all the papers provided.

10. Confirmation of Minutes

10.1 Ordinary Council Meeting 22 October 2024

COUNCIL DECISION

Moved by Councillor Coghlan seconded by Councillor Smyth

- The Minutes of the Ordinary Council Meeting held 22 October 2024 are to be confirmed.

Motion put and LOST (3/5)

For: Crs. Mayor Argyle, Brackenridge, Coghlan

Against: Crs. Amiry, Smyth, Bennett, Youngman, Hodsdon

11. Announcements of the Presiding Member without discussion

Mayor Argyle provided an update:

“FOGO, our overall recovery rate is 65.32% deferral from landfill, compared to 47% pre FOGO. We are aiming for a higher deferral rate from landfill rate, and I hope to see this increase with an effective inhouse media campaign. We are currently coming third in the state.

Every two weeks the Mayor’s office meets with the Nedlands Yacht Club, as you may know we have co-funded the building of the World Class Junior Sail Training Facility at the Nedlands Yacht Club right here in our city on the Nedlands Foreshore.

I am very keen to see this building get underway, and we have some good news, construction is set to begin in February 2025 to be completed in August 2025, and at this time The World Class Junior Sail Training Facility will be ready to host the large Australian



Sailing event, known as the Youth Sailing Competition, in September 2025 where we will welcome over 150 Australian junior national sailors to the City of Nedlands.

We have continued to work around the clock. We have held Concept forums, into the future advertising ban, of mega polluters, and the return of Point Resolution to a Banksia Woodland.

The City of Nedlands held a magnificent Remembrance Day Service on November 11. We hosted a round table Lunch for the Ukraine Ambassador, and two senior defence advisors from the Ukraine War Room, in our board room.

Nedlands has been extremely supportive of Ukrainian Displaced People. Our scholar, Ivan from Ukraine has successfully finished his two-year boarding and tuition scholarship at Scotch College, again we would like to thank Scotch College, David Kyle and Dr Alec O'Connell for this outstanding life changing gift. We have also had the pleasure of attending the Seniors Week Afternoon Tea Party and Volunteers Appreciation Event. I would like to thank Sam, Ruth and the team at Community Development for hosting three outstanding events.

Tonight, we will work further for our community, as we bring forward tree protections on private property R25-R80 and move to transform Point Resolution into a Banksia Woodland under the watchful eye of botanist and philanthropist Professor Kingsley Dixon.

Our unique advantage is being a city in nature, and we must continue to capitalise on this.

Thank you".

12. 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.

Cr Youngman made an announcement:

"Thank you, Madam Chair, last week we had an Audit Risk Meeting, a member of the Office of the Auditor General come along and she made a comment about the staffing issues at the City of Nedlands heightening the risk of our Audit.

I was talking to a former staff member yesterday and they said to me there is now 68 staff that they know off that have left the City of Nedlands in the past 6 months that they know of. The FTEs on page 632 which 137 current FTEs that represents 49.6 percent of our staff who have actually left.

We will see a change because there will be a reduced payroll, but we will also see a change in there will be increased consultancy, that was some of the things that came up in the Audit and Risk Committee meeting. It concerns me greatly that we have lost all of our best staff."

Mayor Argyle added:



“Our staff turnover is consistent with the Local Government Sector. In July 2022, Council endorsed the Work Force plan, the vote was 10/1. This was to reduce our FTE at the City of Nedlands to 149, I believe at the time in July 2022, our staff numbers were approximately 30% higher, and this is something you all pay for.

So, I understand according to figures today that were given to the mayor, they are now at 123 FTE. This is outstanding news as we cut back on non-essential services and we return to the business of local government. Indeed, we are a local government. We are not in the Childcare business nor the ageing sector and indeed there is a balance between smart fiscal management and service delivery.

However, I do believe every 12 months we must reexamine staff numbers to find out what service delivery versus staff standard in any organisation. In the City of Nedlands, we have been extraordinarily generous to employees, offering paid university degrees, cars and fuel cards. When someone departs our local government, I can only wish them well, it seems departures are usually personal, simply due to proximity to work, jumping up to a band one council, and or retirement.

People leave for a raft of different reasons and its best we don't take this further because it may damage the reputation of ex-employees. But what I say as the mayor we are in a phase of rebirth, and I am very, very excited about it. I am of understanding we are employing highly educated people with a corporate background, and a strong work ethic.

This is exciting times ahead, as we start to hear people talking about the environment, it means as a local government we are not spending money on staff, but we are spending money, we are getting more money in the bank, and we can allocate that to social capital. And that social capital is spending it on the community, and that is your money and that is what it is meant to be here for.

So, trust us in this process its busy and exciting times, and I am looking forward to a review as we offer a leaner and meaner corporate government, rather than paying for staff. So, thank you so much.”

13. Matters for Which the Meeting May Be Closed

These Confidential items will be discussed behind closed doors at this meeting.

Item 23.1 and 23.2

14. Minutes of Council Committees and Administrative Liaison Working Groups

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

None to be discussed or received.



14.2 Audit Committee Reports

None to be discussed or received.

15. En Bloc

Council members to advise at this point in the meeting which items will be removed from en bloc and considered separately. All remaining items will be passed en bloc.

COUNCIL DECISION (Administration Recommendation)

Moved by Councillor Youngman, seconded by Councillor Smyth

That the officer recommendations for Items 16.2, 16.3, 16.4, 16.5, 16.6, 16.7, 17.2, 17.3, and 20.1 to be adopted en bloc and all remaining items will be dealt with separately.

Motion put and **CARRIED (7/1)**

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

Against: Crs. Bennett

16. Divisional Reports - Planning & Development

16.1 PD68.11.24 Consideration of Development Application – Change of Use – “Office” to “Small Bar” – 136 Stirling Highway, Nedlands

Meeting & Date	Council Meeting – 26 November 2024
Applicant	Sky Lounge Pty Ltd
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Chantel Weerasekera – A/Coordinator Planning Approvals
Director	Tony Free – Director Planning and Development
Attachments	1. Aerial Image and Zoning Map



	<ol style="list-style-type: none">2. Development Plans dated 4 June 20243. Management Plan dated 11 October 20244. Acoustic Report dated 8 August 20245. Traffic Impact Statement dated 19 August 20246. Main Roads WA Referral Advice dated 19 September 20247. CONFIDENTIAL - Schedule of Submissions
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Purpose

The purpose of this report is for Council to consider a development application for a partial change of use to 'small bar' at 136 Stirling Highway, Nedlands. The small bar space will occupy the top floor of the existing office building on site. This application is being presented to Council for consideration as objections have been received.

ADMINISTRATION RECOMMENDATION

Moved by Councillor Youngman, seconded by Councillor Amiry

That Council:

In accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, APPROVES the development application in accordance with the plans date stamped 11 October 2024 for a partial change of use to a "Small Bar" at 136 Stirling Highway, Nedlands, subject to the following conditions:

1. This approval is for the use of the portion of the development outlined in blue on the approved plans, being the entirety of the third storey, as a "Small Bar", as defined in the City of Nedlands Local Planning Scheme No.3. Any alternative use of the premises may require development approval.
2. This approval is for a maximum of 50 patrons.
3. All sound attenuation measures and stipulations contained within the Acoustic Report prepared by Stantec, date stamped 8 August 2024, shall be implemented and undertaken in perpetuity to the satisfaction of the City of Nedlands.
4. Waste collection related to the Small Bar is restricted to 7am and 7pm Monday to Saturday and 9am to 5pm on Sunday and Public Holidays.
5. The small bar shall be limited in operation in the following ways:



1. Every day, between the hours of 11am and 4pm, patrons may only attend the Small Bar by prior appointment. Appointments must be booked and confirmed by the venue management no less than 24 hours prior to the appointment time.
 2. Sunday to Tuesday, the Small Bar may open to the public without a prior appointment between the hours of 4pm and 9pm.
 3. Wednesday to Saturday, the Small Bar may open to the public without a prior appointment between the hours of 4pm and 12am.
6. Prior to the issue of an occupancy permit, a Noise Management Plan for the operation of the Small Bar shall be prepared and submitted to the City of Nedlands for approval. The Noise Management Plan shall be complied with at all times, to the satisfaction of the City of Nedlands.
 7. Prior to the issue of an occupancy permit, the Management Plan document shall be updated to reflect the operational restrictions in Condition 5. The updated Management Plan forms part of this approval and shall be complied with at all times to the satisfaction of the City of Nedlands.

Main Roads

8. No compensation will be sought by the landowner / applicant in respect to the loss, removal or relocation of any improvements arising out of this approval that are within the portion of land reserved for road purposes under the Metropolitan Region Scheme, if and when the identified portion of the land is acquired for any works consistent with the purpose of that reservation (including, without limitation, the upgrading of Stirling Highway or intersection improvements).
9. All signs must be placed on private property and must not overhang or encroach the Primary Regional Road Reservation.
10. The maximum luminance level of the signs shall be in accordance with the requirements below at all times:
 - a. During daytime, the maximum luminance levels shall be 300 cd/m².
 - b. During the night, the maximum luminance levels shall be 150 cd/m².
11. The sign must not flash, pulsate or chase.
12. The device must not contain fluorescent, reflective or retro-reflective colours or materials.

Motion put and CARRIED (5/3)

For. Crs. Mayor Argyle, Smyth, Youngman, Hodsdon, Brackenridge



Against. Crs. Coghlan, Amiry, Bennett

AMENDMENT

Moved by Councillor Coghlan, seconded by Councillor Smyth

That Council:

In accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, APPROVES the development application in accordance with the plans date stamped 11 October 2024 for a partial change of use to a “Small Bar” at 136 Stirling Highway, Nedlands, subject to the following conditions:

- 1. This approval is limited for a period of 12 months, commencing on the date of the liquor license approval, with a new Development Approval required beyond this 12 month period.**

Motion put and LOST (3/5)

For. Crs. Amiry, Coghlan, Smyth

Against. Crs. Youngman, Bennett, Brackenridge, Mayor Argyle, Hodsdon

- 6. The Small Bar shall be limited in operation in the following ways:**
 - a. Every day, between the hours of 11am and 4pm, patrons may only attend the Small Bar by prior appointment. Appointments must be booked and confirmed by the venue management no less than 24 hours prior to the appointment time.**
 - b. Sunday to Tuesday, the Small bar may open to the public without a prior appointment between the hours of 4pm and 9 pm**
 - c. Wednesday to Saturday, the small bar may open to the public without a prior appointment between the hours of 4pm and 11pm.**

Motion put and LOST (2/6)

For. Crs. Amiry, Smyth

Against. Crs. Youngman, Bennett, Brackenridge, Mayor Argyle, Hodsdon, Coghlan

COUNCIL DECISION

Moved by Councillor Youngman, seconded by Councillor Amiry

That Council:



In accordance with Clause 68(2)(b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, APPROVES the development application in accordance with the plans date stamped 11 October 2024 for a partial change of use to a “Small Bar” at 136 Stirling Highway, Nedlands, subject to the following conditions:

1. This approval is for the use of the portion of the development outlined in blue on the approved plans, being the entirety of the third storey, as a “Small Bar”, as defined in the City of Nedlands Local Planning Scheme No.3. Any alternative use of the premises may require development approval.
2. This approval is for a maximum of 50 patrons.
3. All sound attenuation measures and stipulations contained within the Acoustic Report prepared by Stantec, date stamped 8 August 2024, shall be implemented and undertaken in perpetuity to the satisfaction of the City of Nedlands.
4. Waste collection related to the Small Bar is restricted to 7am and 7pm Monday to Saturday and 9am to 5pm on Sunday and Public Holidays.
5. The small bar shall be limited in operation in the following ways:
 4. Every day, between the hours of 11am and 4pm, patrons may only attend the Small Bar by prior appointment. Appointments must be booked and confirmed by the venue management no less than 24 hours prior to the appointment time.
 5. Sunday to Tuesday, the Small Bar may open to the public without a prior appointment between the hours of 4pm and 9pm.
 6. Wednesday to Saturday, the Small Bar may open to the public without a prior appointment between the hours of 4pm and 12am.
6. Prior to the issue of an occupancy permit, a Noise Management Plan for the operation of the Small Bar shall be prepared and submitted to the City of Nedlands for approval. The Noise Management Plan shall be complied with at all times, to the satisfaction of the City of Nedlands.
7. Prior to the issue of an occupancy permit, the Management Plan document shall be updated to reflect the operational restrictions in Condition 5. The updated Management Plan forms part of this approval and shall be complied with at all times to the satisfaction of the City of Nedlands.

Main Roads



8. **No compensation will be sought by the landowner / applicant in respect to the loss, removal or relocation of any improvements arising out of this approval that are within the portion of land reserved for road purposes under the Metropolitan Region Scheme, if and when the identified portion of the land is acquired for any works consistent with the purpose of that reservation (including, without limitation, the upgrading of Stirling Highway or intersection improvements).**
9. **All signs must be placed on private property and must not overhang or encroach the Primary Regional Road Reservation.**
10. **The maximum luminance level of the signs shall be in accordance with the requirements below at all times:**
 - a. **During daytime, the maximum luminance levels shall be 300 cd/m².**
 - b. **During the night, the maximum luminance levels shall be 150 cd/m².**
11. **The sign must not flash, pulsate or chase.**
12. **The device must not contain fluorescent, reflective or retro-reflective colours or materials.**

Motion put and CARRIED (5/3)

For. Crs. Mayor Argyle, Smyth, Youngman, Hodsdon, Brackenridge
Against. Crs. Coghlan, Amiry, Bennett

Voting Requirement

Simple Majority.

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

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

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

Background



Land Details

Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Mixed Use
R-Code	R-AC1
Floor Area	200m ²
Land Use	Small Bar
Use Class	'A'

The site is located at 136 Stirling Highway and is zoned 'Mixed Use' with a density coding of R-AC1 (**Attachment 1**). The small bar is proposed to be located on the top floor of the existing three storey office building on the corner of Stirling Highway and Doonan Road.

History

In May 2021, The City approved additions and alterations to the building at 136 Stirling Highway, including the addition of the third storey 'lounge' space. At the time of approval, there was no proposed change from the existing office use and the third storey lounge was (and currently is) to be used for the occupants of the office tenancies as a meeting or break space. This lounge area on the third storey is the space that is proposed to be converted to a small bar.

Application Details

The application involves the conversion of a lounge space within the office building at 136 Stirling Highway to a small bar called 'The Sky Lounge'. The lounge space is approximately 200m² in size and is located on the third floor of the existing office building.

The 'small bar' use will be a separate business operated by the current owners of the building. The small bar will be open to the public, however, due to the design of the building and location of the small bar on the second floor, patrons will have to be admitted to the bar via a single lift at the discretion of the bar's security staff. The 'small bar' use will allow for the service of liquor over the bar without the need to be seated or have an accompanying meal. The application proposes a limit of 50 patrons.

A small bar land use requires discretionary approval and public advertising. The purpose of this report is to consider the submissions received and provide a recommendation regarding the exercise of discretion to grant approval for the small bar use. Should planning approval for a small bar be granted, the City will ensure that the development approval is consistent with the liquor licence application.

Discussion

Assessment of Statutory Provisions

Local Planning Scheme No. 3

A "small bar" is an 'A' use within the Mixed-Use zone in accordance with the LPS 3 Clause 17 Zoning Table. This means that the use is not permitted unless the Local Government has exercised its discretion by granting approval after conducting public consultation. In considering the approval of a discretionary land use, the proposal must be consistent with the objectives of



the zone. The objectives primarily relate to the facilitation of well-designed development of an appropriate scale which provides a variety of complementary uses that are not detrimental to the amenity of the area.

It is considered that the ‘small bar’ use meets the objectives of the ‘Mixed Use’ zone as the intent of this application is to operate a ‘high-end’ bar which caters to both local residents and the business community. The building has been recently refurbished and presents a modern façade to the street. The application does not propose any external façade changes apart from signage as detailed in this report.

At 50 patrons and 200m², the small bar use is a moderate scale of development that is deemed appropriate within the Stirling Highway Activity Corridor. The controlled nature and limit of the patronage as well as the parking arrangements (discussed further below) will ensure that the use does not adversely affect the nearby residential zone.

The proposed noise minimisation measures negate any adverse effect on the amenity of the surrounding area. A condition is recommended which requires adherence to the recommendations of the Acoustic Report prepared by Stantec (**Attachment 4**) which demonstrates that the proposed use will meet the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations). Compliance with the Noise Regulations is achievable as:

- The use will be integrated within the office building and the majority of the small bar space is enclosed;
- All music is controlled internally and as specified in the management plan and acoustic report, the music will be set to a ‘conversational’ level that will not exceed patron noise;
- Live music will be acoustic (non-amplified) after 7pm and when played will consist typically of a single piano or guitar;
- A Management Plan has been prepared which aims to minimise any impacts to anti-social behaviour through a capacity limit and expected behaviour of patrons; and
- Noise modelling in the Acoustic Report shows that noise from a full capacity small bar will spill northwards into the Stirling Highway corridor, rather than south towards residential development on Doonan Road. The modelling shows that the decibel levels will be within Noise Regulations limits for any residential uses across the highway to the north on Weld Street.

Local Planning Policy 4.1: Parking

Car parking requirements for commercial uses are defined within the City’s Local Planning Policy 4.1: Parking (LPP 4.1). LPP 4.1 is not clearly applied where a single tenancy contains multiple land uses. For the purposes of this assessment, the 167m² of small bar area proposed (public area excluding toilets) has been considered as detailed in **Table 1**.

Table 1: Parking LPP Assessment			
Land Use	LPP provisions	Required Car Bays	Available on Site
Small Bar	1 per 1.3m ² of bar and public areas (excluding toilets); <u>and</u> 1 per employee.	132	45

It should be noted that the 45 parking bays on site are for all tenants of the building in its entirety and not for the exclusive use of the small bar tenancy. While the proposal results in a car parking



shortfall, the development is considered to meet the objective of the Parking LPP as there is sufficient parking and alternative transport available to facilitate the development.

It is acknowledged that it is not feasible to provide 132 car bays on site for the exclusive use of the tenancy, especially given the patron limit of 50 persons. In this instance, LPP 4.1 requires approximately 2.5 car parking bays per patron for the small bar use proposed, which is excessive and unrealistic. A maximum parking provision of 53 total bays, equating to one bay for each patron and staff member at full capacity, could be considered. Applying this modified parking requirement means that most, if not all, the parking demand from the small bar use is able to be accommodated by the existing parking on site.

The 45 car bays on site are used by the office tenancies from approximately 8am to 5pm on weekdays. A majority of car bays are available for use during weekends and after 5pm on weekdays. The availability of the car park after 5pm on weekdays is demonstrated through security camera footage included as part of the TIS (**Attachment 5**). The Sky Lounge proposes to open from 4pm until midnight. It is anticipated that many office occupants will have left the premises by 5pm, and that the majority of small bar patrons arrive after 5pm, thereby parking conflicts between the office occupants and small bar patrons will be minimal. As part of this proposal, the building owner will introduce a new parking policy for the premises that ensures that the 45 car parking bays are available for patrons, with specific bays allocated for bar staff and clear signage indicating that parking is for use of the Sky Lounge after 5pm (**Attachment 3**).

Parking requirements are further reduced by the nature of the 'small bar' use. Typically, a portion of bar patrons do not drive their own vehicles to the venue but will instead travel to the premises as a group in one car or use a taxi or commercial ridesharing service that does not require on site parking.

Furthermore, there are 13 on-street car bays on Doonan Road for public use directly in front of the building. The public car bays will contribute to the alleviation of any parking issues in the unlikely event that all on site bays are occupied. Public transportation also reduces the need for car bays for the development. The nearest bus stop is approximately 40m from the small bar. There are currently three bus routes that run along Stirling Highway serving a range of destinations. In the evening, between 5pm – 8pm, a bus arrives at the nearest bus stop every 15 minutes. The bus route operates until 11pm.

Given the availability of on-site parking during small bar trading hours, public off-site parking and public transportation routes, the development is considered to meet the objective of the Parking LPP as there is a sufficient parking within the locality to service the use.

Local Planning Policy 2.1: Signage and Advertisements

One sign for the small bar is proposed to be mounted on the third storey wall of the building, facing Stirling Highway. The sign proposed is defined by LPP 2.1 as a 'wall sign'. The sign will have a length of 2.1m and a height of 1.2m, with a total size of 2.5m². The dimensions and placement of the sign satisfy all development provisions of LPP 2.1. Main Roads WA have recommended several conditions of approval related to the signage to ensure that it does not affect road safety.

Main Roads



The site is located on land which is on and abutting a Category 2 ‘Primary Regional Road’ reserve. In accordance with Table 2 (2) of the Instrument of Delegation (2022/03), the proposal was forwarded to Main Roads WA (MRWA) for comment. MRWA supported the application subject to standard conditions being imposed on any approval. The conditions relate to the potential future resumption of the land for road widening, capacity of the venue, and signage requirements. The advice from MRWA can be viewed as **Attachment 6**

Consultation

The development application was advertised in accordance with the City’s Local Planning Policy 7.3: Consultation of Planning Proposals to 509 affected landowners and occupiers within a 200m radius of the site. The application was advertised for a period of 14 days from 26 August 2024 to 9 September 2024. After the initial advertising period, ten submissions were received, eight objections and two supportive statements.

In response to these submissions, the application was amended to update the management plan and on-site parking policy in the following manner:

- Specification that the operating hours of the Small Bar would be 4pm – midnight.
- The parking bays on site will be for the use of the small bar from 5pm onwards.
- Clarifying that access to the Sky Lounge is controlled through security personnel and is via lift only.
- Images of the parking lot after 5pm have been included to demonstrate the availability of onsite parking spaces.

The plans were re-advertised directly to those who had previously made submissions. At the close of the second round of advertising, ten submissions were maintained but had changed to seven objections, two supportive statements and one non-objection.

The comments or concerns raised during the submission period and the response to each concern are below:

Table 1: Public Consultation	
Issue Raised	Officer Comment
There is insufficient parking on the street and on site to accommodate existing land uses in the locality. A new small bar will exacerbate these parking issues.	The management plan for the small bar and the building’s parking policy have been updated to specify that all on site parking bays will be available for use by patrons of the bar after 5pm. Signage will be posted on site to make it clear to drivers that parking for the bar is available on the premises from 5pm. As the use will be subject to a limit of 50 patrons at any given time, the provision of 45 car bays on site is considered adequate to accommodate parking for the bar. The need for on-site car parking is further reduced with the availability of street parking and public transport options.
The small bar may result in excessive noise at unacceptable times of the day or night.	An acoustic report has been prepared which confirms that the use will comply with the noise



	limits set by the Noise Regulations. The acoustic report presents modelling which demonstrates that noise generated by a full capacity bar (including background music) with the roof terrace doors open will be under the required decibel limit when it is perceived by the nearest residential lots on Doonan Road and Weld Street.
The small bar may result in an increase in anti-social behaviour due to inebriated patrons.	The Management Plan submitted includes a code of conduct which specifies a zero-tolerance approach to disorderly behaviour. The code of conduct requires strict adherence to the responsible service of liquor and limiting service to visibly intoxicated patrons. The Management Plan also details the nature of the use in terms of access – ‘walk-ins’ are not possible as all patrons must be admitted to the bar through the lift that is controlled by security personnel on site. This provides the opportunity for the bar staff security to ensure that patrons satisfy the dress and behaviour code as specified in the Management Plan.
The location for the small bar is inappropriate.	The Mixed Use zoning allows for the contemplation of a small bar use provided that the objectives of the zone are met. The small bar is considered to satisfy these objectives as it is a moderate scale of development which complements the mixed-use nature of Stirling Highway. Further, the small bar does not result in an adverse amenity impact in terms of parking and noise.
The small bar is supported.	Noted.

Strategic Implications

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

Pillar Outcome	Place 6. Sustainable population growth with responsible urban planning.
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Budget/Financial Implications

Nil.



Legislative and Policy Implications

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

Decision Implications

If Council resolves to approve the proposal, the use can proceed after receiving necessary clearances and approvals.

In the event of a refusal, the applicant will have a right of review to the State Administrative Tribunal. The Tribunal will have regard to the City's Local Planning Scheme No.3. Similarly, should an applicant be aggrieved by one or more conditions of approval, this can be reviewed by the Tribunal.

Conclusion

The application is referred to Council for determination in accordance with Delegation 9.2.1, being an application for a change of use to 'small bar' that has received objections during advertising. The proposal is considered to meet the objectives of the 'Mixed Use' zone and will not have an adverse impact on the local amenity, particularly with respect to parking and noise.

Accordingly, it is recommended that the application be approved by Council, subject to conditions of Administration's recommendation.

Further Information

Question from Councillor Bennett

Does this have a noise management plan?

Response from Director of Planning & Development

There is an acoustic report that has been submitted and that is shown in **Attachment 4**. One of the proposed conditions, which is condition 3 has a requirement that that acoustic management plan be followed as part of the approval.

A revised officer recommendation is presented to Council as part of this agenda which includes the following conditions;

Prior to the issue of an occupancy permit, a Noise Management Plan for the operation of the Small Bar shall be prepared and submitted to the City of Nedlands for approval. The Noise Management Plan shall be complied with at all times, to the satisfaction of the City of Nedlands.



Waste collection related to the Small Bar is restricted to 7am and 7pm Monday to Saturday and 9am to 5pm on Sunday and Public Holidays.

Question from Councillor Amiry

What are the advantages of having a bar in this building when there are other bars in the area and whether the hours of operation are 4-9pm Thursday to Saturday or longer than that.

Response from Director of Planning & Development

It is not really for officers to answer if a small bar is needed or not. There is the ability to apply for a small bar. Officers understand why business people might like to attend this actual small bar once established, rather than a different premises because it is certainly different to other facilities such as Stev's Hotel or the Claremont Hotel.

In terms of the hours of operation, the management plan which is one of the attachments and is a condition of approval they are required to follow the management plan, that refers to hours of operation being from 4pm – midnight. As part of the revised officer recommendation included in this agenda, an additional condition has been included as follows;

The small bar shall be limited in operation in the following ways:

- Every day, between the hours of 11am and 4pm, patrons may only attend the Small Bar by prior appointment. Appointments must be booked and confirmed by the venue management no less than 24 hours prior to the appointment time.
- Sunday to Tuesday, the Small Bar may only be open to the public without a prior appointment between the hours of 4pm and 9pm.
- Wednesday to Saturday, the Small Bar may only be open to the public without a prior appointment between the hours of 4pm and 12am.

Question from Councillor Coghlan

Can you step through to the Councillors how this came about?

Response from Director of Planning & Development

Officers understanding is when the building was renovated this space was created as a meeting space. Within the space sort at the moment meetings can be held. That was the original intent. Now the landowner is applying for the space to be converted to a small bar. They are going through the process of having the permitted use of that part of the building changed to a small bar, where essentially what it is at the moment is an internal common area although access is restricted to it. If it the space was to operate as a small bar then it would be open to be used by others and would have a different use to what it is currently used for.

Question from Deputy Smyth

What has happened since it went out for comment and how the comments have been calculated into the parking figures?

Response from Director of Planning & Development

There is an addendum to the management plan which has been incorporated into the management plan, which has the hours from 4pm-midnight. The use during the day if that use



is restricted to occupiers of the office building then that wouldn't necessitate any additional parking to be provided during the day.

Street parking is limited to two hours between 8am and 6pm Monday to Friday., with no street parking permitted on the western side of Doonan Road.

Question from Deputy Smyth

On page 87 there is a photo of the car park which shows an adjoining property, the white building. Is that building to the south along Doona Road or to the west and a commercial building or to the south and residential building and have you got any indication if they are the windows being spoken about by My Gallagher?

Response from Director of Planning & Development

Officers understand that white building is looking south to the immediate south of the subject site. The subject building fronts out on to Stirling Highway, we have the building and then the car park area and the white building to the south. Officers understand is the objector how spoke at the Agenda Forum resides on the other side of Doonan Road.



16.2 PD69.11.24 Consent to Advertise draft Local Planning Policy 7.9: Percent for Art

Meeting & Date	Council Meeting – 26 November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest in this matter.
Report Author	Tony Free – Director Planning and Development
Director	Tony Free – Director Planning and Development
Attachments	1. Draft Local Planning Policy 7.9 Percent for Art

Purpose

The purpose of this report is for Council to consider adoption of the draft Local Planning Policy 7.9: Percent for Art (the Policy), found at **Attachment 1**, for the purpose of advertising.

ADMINISTRATION RECOMMENDATION

Moved by Councillor Youngman, seconded by Councillor Smyth

That Council:

- ADOPTS the draft Local Planning Policy 7.9 Percent for Art (Attachment 1) for the purpose of advertising in accordance with Clause 4 of the Deemed Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.**
- NOTES that the upon conclusion of advertising, the Policy will be presented to Council for determination and will be accompanied by draft Guidelines outlining the procedures to be followed in satisfying the requirements of the Policy.**

Motion put and CARRIED EN-BLOC (7/1)

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

Against: Crs. Bennett

Voting Requirement

Simple Majority

Background



Public Art is an increasingly integral part of the built environment in Western Australia and Local Governments across the State have been leading the charge. Since the introduction of the Percent for Art Scheme by the State Government in 1989 local governments have taken inspiration from this scheme to require developer contributions towards public art. The City of Nedlands has not yet had a public art contributions policy and until recently has faced limited large scale development.

The introduction of Local Planning Scheme No. 3 (LPS3) in 2019 spearheaded medium and high density residential and mixed-use development. The number of new buildings and increased residential density brings with it a new streetscape character. The draft Percent for Art Local Planning Policy could greatly enhance the future character of the City by ensuring that large developments make a positive cultural and social impact to the City through the provision of art.

Public art adds interest to the streetscape, can help to create a new identity for an area, reflect existing identities and assist with wayfinding by differentiating areas within the City.

Discussion

Importance of Public Art

Public art improves the built environment and contributes towards a sense of place. Public art can be made up of various mediums designed for public spaces, including sculpture, painting, installations, multimedia, sound, or performance. Additionally, it can be incorporated into architectural features and landscaping.

Public art can also include temporary or ephemeral displays, however for the purpose of this policy, public art shall only include permanent artworks so those artworks required by the policy are more likely to contribute to the community for the life of the developments that they are associated with.

State Government Guidance

The State Government has implemented a Percent for Art Scheme in government projects since 1989. This scheme applies to state government projects and has been the inspiration and guidance behind local government policies that have come since then.

Whilst Percent for Art has occurred around the world and does occur in the eastern states, Western Australia is unique in its proliferation of Percent for Art policies across local government. Local Governments followed the State by introducing Percent for Art policies in the late 1990s and early 2000s. Private developments in Ellenbrook and East Perth have included Percent for Art contributions in the early 2000s.

By 2019 there were 18 of 25 local governments in the Perth Metropolitan Area with Percent for Art Policies. The City of Nedlands remains one of few local governments in the Perth Metropolitan Area that does not have a Percent for Art Policy.



The Percent for Art Scheme run by the State Government follows detailed guidelines that outline the process that government departments must follow in procuring public art. The process covers topics such as procurement, selection of artists and even includes procedures for the maintenance of artworks and eventual decommissioning of artworks if required. Guidelines are necessary to convey important information about procedure, recommendations, and best practice that are not appropriate for inclusion in a policy. Officers are in the process of preparing Guidelines to accommodate the Percent for Art Local Planning Policy. These Guidelines will guide developers in both the cash-in-lieu and on-site contribution options.

Policy Measures

The draft Policy will apply to all development with a cost of development of \$2 Million or more. Exemptions apply to wholly residential developments with less than 10 dwellings, additions and alterations to existing developments which have a cost of development of less than \$4 Million, developments within the Shenton Park Hospital Redevelopment Improvement Scheme Area, development within Metropolitan Region Scheme that is reserved for a purpose other than urban and development comprised solely of demolition, site works or other servicing infrastructure.

Developments will be required to provide public art to a value of 1% of the development cost. Developers may provide the art themselves or provide cash-in-lieu to the City for the City to spend on public art in the area.

The draft Policy sets out the requirements for developers to satisfy either option. This includes the process to gain approval for public art installations and the specifications for the types of art, performance standards and information to be provided with applications.

Officers are recommending that the policy include a discount of 15% on cash-in-lieu for developments with a cost of \$10 Million or under. This discount would encourage developers of such projects to provide a cash-in-lieu contribution where the artworks would otherwise be smaller in size and value. Collection of cash-in-lieu from multiple developments would allow the City to pool funds, allowing the City to procure public art that is of a larger scale, value and impact.

Framework for Public Art Contributions

Development Approval conditions relating to public art have been successfully challenged in the State Administrative Tribunal. Challenges have been successful for a number of reasons including, Percent for Art policies failing to demonstrate how a proposal necessitated public art, how the community benefited and how the approach of the policy was considered and proportionate.

In preparing a Percent for Art policy, the City needs to consider how to make the Policy robust in its requirements. An appropriate supporting framework that explains the need for public art and in particular where and how cash-in-lieu will be spent is crucial. A strategy provides relevance and justification for the policy.



Without a Public Art Strategy guiding the implementation of the draft Policy and spending of cash-in-lieu funds, the Policy may lack the legal weight to require contributions.

Where the City receives funds from developers as cash-in-lieu, the City needs to justify the collection of the funds. A Public Art Strategy would provide a plan for the spending of cash-in-lieu funds over a period of time in a considered way. A strategy would be developed in consultation with the community and identify locations where public art would be beneficial. A Strategy would ensure cash-in-lieu funds are spent responsibly, in a way that has been carefully planned and to which the community has had the opportunity to be consulted on. While the City could negotiate with applicants for desirable public art outcomes, there's no assurance of their implementation or clarity on what might be provided without a Public Art Strategy.

Should Council seek to advertise this draft Policy, the development of a Public Art Strategy will need to be prioritised.

Consultation

The Policy will require developers to make a significant monetary contribution when applications are received for larger developments. It is recommended that the Policy be advertised to the public in order to gauge opinion on the Policy's potential impacts. It is recommended that Council adopt the Policy for the purpose of advertising.

If Council adopts the Policy for the purpose of advertising, it will be advertised in accordance with the City's Consultation of Planning Proposals Local Planning Policy.

Strategic Implications

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

Vision	Sustainable and responsible for a bright future
Pillar	People
Outcome	1. Art, culture and heritage are valued and celebrated.
Pillar	Place
Outcome	6. Sustainable population growth with responsible urban planning. 7. Attractive and welcoming places.

Budget/Financial Implications



The preparation of the Policy and Guidelines is occurring in house and has no budget or financial implications beyond the normal operations of the City.

Advertising and subsequent adoption of the Local Planning Policy has minimal budget and financial implications, but it is expected that once the policy is on operation, the City will receive funds from developers who opt for the cash-in-lieu option to fulfil the Policy's requirements. Funds received through the policy are to be used by the City exclusively for public art projects with spending in accordance with the draft Policy and any Public Art Strategy or Master Plan prepared by the City.

The draft Policy states that funds are to be spent within seven years of their receipt.

Legislative and Policy Implications

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

Following the advertising period, the Policy will be presented back to Council to consider any submissions received to:

- a) Proceed with the Policy without modification;
- b) Proceed with the Policy with modification; or
- c) Not proceed with the Policy.

Decision Implications

If Council resolves to adopt the Policy for advertising, it will be advertised in accordance with the process outlined above.

If Council resolves to adopt the Policy for advertising with modifications, the policy will be amended to include the modifications and will be advertised to the public. If any modifications require approval of the Commission, they will be referred to the Commission for approval.

If Council resolves not to endorse the recommendation, the City will not proceed with the Policy.

Conclusion

The draft Local Planning Policy 7.9: Percent for Art has been prepared to enhance the streetscape and contribute to a sense of place by requiring public art contributions as part of certain developments. It is recommended that Council adopt the Policy for the purpose of advertising.

Further Information



Question from Deputy Smyth

What is the possibility of expanding the functional art component?

Response from CEO

At this stage it is important to have the policy passed in its current form. We propose bring Guidelines to council with the results of the advertising.

I would recommend keeping to policy simple at this stage. The sooner we can have it passed the sooner the City can start collecting contributions for public art from developers.

The concept of Functional Art can be explored at the Public Art committee level in the preparation of the Public Art Expenditure plan or strategy.



16.3 PD70.11.24 Consent to Advertise Mt Claremont Master Plan

Meeting & Date	Council Meeting – 26 November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.
Report Author	Tony Free – Director Planning and Development
Director/CEO	Tony Free – Director Planning and Development
Attachments	1. Greenways Plan – Figure 11 from the Master Plan 2. Draft Mt Claremont Master Plan

Purpose

The purpose of this report is for Council to consider the endorsement of a Master Plan for the wider Mt Claremont area (Attachment 2) for the purpose of community consultation. The Master Plan includes eastern areas of Mt Claremont and smaller sections of Shenton Park, Karrakatta and Floreat.

The Master Plan is a non-statutory document which outlines the City's vision for the area and provides a platform for advocacy associated with elements of the Plan.

ADMINISTRATION RECOMMENDATION

Moved by Councillor Youngman, seconded by Councillor Smyth

That Council:

- 1. ENDORSES the Draft Mt Claremont Master Plan (Attachment 2) for the purpose of advertising, subject to the following changes:**
 - a. Update Figure 4 Master Plan in the Master Plan Text to the Map provided in Attachment 3 and update Master Plan Text and other maps accordingly to reflect the changes.**
 - b. The portion of Bold Park within the City of Nedlands will be added to the Mt Claremont Master Plan Area. Mapping and area calculations will be updated to reflect the addition.**
 - c. The portion of Bold Park within the Master Plan Area will be marked as open space and bush forever in the land use map and the Master Plan Text will be updated accordingly.**
 - d. Amend Figure 1 (Boundary) to remove the 50% transparency filter.**
 - e. Insert two new figures after Figure 2 (Suburb Boundaries) to show the Master Plan Area in context with 1. Nearby Local Government boundary lines and 2. The entire City of Nedlands Local Government Area. Renummer the Figures accordingly.**



- f. Amend the Master Plan Text and Mapping to reflect the name change of HBF Stadium to Perth High Performance Centre (Perth HPC).
- g. Amend Figure 15 (Heritage) to include the Swanbourne Hospital.

2. **NOTES** that the advertising period will be for a minimum of 28 days and that advertising will not begin until January 2025.

Motion put and CARRIED EN-BLOC (7/1)

For: Crs. Mayor Argyle, Youngman, Brackenridge, Coghlan, Amiry, Hodsdon, Smyth
Against: Crs. Bennett

Voting Requirement

Simple Majority.

Background

At the December 2020 Ordinary Council Meeting, Council considered quotations received from consultants for the drafting of a Mt Claremont Master Plan. At that time the City was also undertaking a number of other projects involving Waratah Village and Broadway precinct plans and Council resolved to cease current work on the project pending completion of other priorities.

Work on the Master Plan was halted until subsequent developments renewed the importance for some form of vision document for the area. In early 2021 the State Government received a Market-led Proposal (MLP) for the redevelopment of a portion of the Graylands Hospital site for infill housing and to implement an odour management and solar power solution at the Subiaco Wastewater Treatment Plant (WWTP). This MLP has reached stage 2 of the process with the applicant being invited to lodge a detailed business case to support its application.

The City has not been privy to the details of the MLP although City Officers understand that, at this point in time, the MLP may only affect the southern portion of the Graylands Hospital site. However, the possibility of further development in other locations within the wider Mt Claremont area reinforces the importance for Council to consider endorsing a Master Plan for the area.

Discussion

Mt Claremont is in close proximity to the Fremantle/Airport Rail Line as well as public and private schools and regional playing fields. The Mt Claremont area is unique in its combination of land uses, and includes a Wastewater Treatment Plant, University/CSIRO research facilities, charitable organisations, Council depots, schools, State health facilities, an electrical grid transformer station and a military barracks. The rationale for placing some of these land uses in Mt Claremont no longer applies, and from a pragmatic land use perspective, the area should be re-imaged with a long-term vision.



The Master Plan has been prepared as a high-level planning tool, not a specific statutory instrument. Detailed plans for roads, road width and the specific location of public open space would fall into the domain of structure plans and are also dealt with at the rezoning and subdivision stages of development. The Master Plan comes into play in providing an overall planning context to existing and proposed land uses to guide the merits, or otherwise, of rezoning and structure plan applications. It also helps to identify potential land use conflicts, constraints, and opportunities while setting out Council's vision for the future of the area.

Opportunities

The location and size of the Master Plan area, with significant facilities and local amenity in the form of schools, parks, recreation and public transport, presents substantial opportunities. The plan identifies where urban development opportunities exist and what connections can be made to enhance pedestrian, cycling and vehicle access. It also includes consideration of protecting existing vegetation, and enhancement and establishment of greenways linking Kings Park, Bold Park, Lake Claremont, Shenton Bushland and the Underwood Avenue Bushland.

Constraints

The Subiaco WWTP odour buffer zone is the largest constraint to development as it covers 55% of the Master Plan area and prevents development of sensitive land uses. The Master Plan assumes capping of the WWTP in line with the MLP scenario and has allocated land uses that would allow residential development within the existing buffer area. A reduced buffer for amenity is thereafter maintained through a belt of service commercial, education and community uses. The existing Irwin Barracks also buffers the WWTP. These uses would provide a visual buffer, once odour is controlled. It is unknown how much the MLP would be able to reduce the odour buffer area and so the land use plan is flexible in terms of boundaries between uses.

Additionally, it is not expected nor recommended that the UWA Sports Park, secondary schools and the Christ Church Grammar School playing fields relocate. These facilities are important to retain as they provide valuable open space, recreation, education and fitness opportunities. Facilities like the UWA Sports Park (particularly with the Western Australian Institute of Sport) provide specialised services that can justify high density development and attract visitors to the area.

The Railway Line is another example of a constraint that has a large benefit. The regional connection that the railway offers is an opportunity but also a constraint at the local level due to its separation of the two sides of Karrakatta and Shenton Park suburbs. Improvements to the Active Transport and Vehicle Access networks can help address some of these issues along with upgrades to the stations along the railway line which will need to consider provision of additional overpasses/underpasses outside of the ticketed (paid) concourses.

Greenways



The main purpose of greenways is to provide ecological support for endemic species of flora and fauna that rely on being able to move seasonally between the coast and the river. The protection of greenways and provision of associated infrastructure such as green bridges can facilitate safe movement of fauna through the suburban area, protected from vehicles and people.

The greenways plan (see attachment 1) incorporates existing regional greenways with broad linkages of existing patterns of tree canopy and natural, remnant bushland. These broad linkages are important as they allow the movement of fauna between different habitats promoting genetic diversity. In the master planning process, two broad linkages were identified; between Shenton Bushland and the Underwood Avenue Bushland, and between Lake Claremont and Brockway Road following existing canopy patterns. Two other broad linkages relating to the Western Suburbs Greening Plan have been proposed. The first following Underwood Avenue and Selby Street, and the second following McGillivray Road and Lemnos Street.

Road Links

A key issue to be addressed prior to any future urban development in the Master Plan Area is dealing with the resulting increased traffic flows. Currently there is considerable traffic congestion on Brockway Road resulting from school drop-offs and pick-ups at John XXIII College and to the east on Selby Street where student drop-offs and pickups occur at Shenton College despite its proximity to Shenton Park Station.

The Master Plan proposes the creation of additional east-west road links as well as improved walking and cycling connections throughout the area. Connections to residential areas on the south and the Sports Park in the north need to be improved to prevent the funneling of traffic on Brockway Road. If the Australian Defence Force ever contemplated reducing the size of the Irwin Barracks or introducing high density defence housing, there may be opportunity for an east-west road across the site.

Detailed traffic studies will be required prior to a rezoning of land for urban development and updated as different land uses emerge that may have different traffic impacts. Such traffic modelling would allow full consideration of the traffic linkages necessary for the effective management of traffic in this potentially significant redevelopment area..

Advocacy

The Master Plan will act as a guiding document in the City's negotiations with stakeholders regarding land use, movement networks and green space. It also outlines the context associated with any future rezoning and re-development proposals that may affect the existing and future community. The Master Plan represents a broad planning vision for the area. As development opportunities are contingent on third-party action, and any future large-scale development has the potential to be carried out by State agencies (such as Development WA) with little input from the City, a more fine-grained plan would not be a productive use of resources at this time.



The Master Plan has the potential to be the basis of an advocacy program focused on the following outcomes:

- 1) The reservation of the Underwood Avenue Bush Forever site as “Environmental Conservation” under the Metropolitan Region Scheme.
- 2) Advocacy to the Minister for Transport for the upgrade of Shenton Park, Karrakatta and Loch Street train stations, to ensure full pedestrian access and provision of cycling facilities.
- 3) Funding for the upgrade of the following intersections;
 - Brockway Road and Camelia Avenue / Quintilian Road
 - Brockway Road and John XXIII Avenue
 - Brockway Road and Lemnos Street
 - Underwood Avenue / Hay Street and Selby Street.
- 4) Encourage the use of best practice sustainable practices when landowners are undertaking developments.

Concept Forum 19 March 2024

An earlier version of the Mount Claremont Master Plan was presented to Elected members at the Concept Forum of 19 March 2024. Elected members discussed the Master Plan and several ideas, themes and concerns arose which Officers have sought to address in the Master Plan, including the following;

- More information about road works was requested
 - The Master Plan identifies intersections that require upgrades and treatments. The Master Plan can therefore be further evidence of need when the City applies for grants or other funding for road upgrades.
- More greenways
 - The Master Plan now reflects greenways between Lake Claremont and the UWA Sports Park and between John XXIII College and the intersection of Lemnos Street and Brockway Road. Improvements to the existing greenways plan have aligned greenways to follow existing remnant vegetation, tree canopy and bushland.
- More information about Whadjuk Walking Trails, Greenways and the Underwood Avenue Bushland
 - Information about existing and future Whadjuk trails have been added the Master Plan text. Additional information has been provided on Greenways, and the current protection status of the Underwood Avenue Bushland and heritage sites within the Underwood Avenue Bushland have been identified.
- Defence Housing
 - The Master Plan now identifies suitable locations for defence housing on the south and eastern sides of the Irwin Barracks. These locations will increase the density around Karrakatta Station.
- Identification of further constraints
 - The Fremantle/Airport Rail Line has been identified as a barrier for local connections and recommendations added for upgrades of pedestrian crossings at



stations. The constraints map also identifies areas that will not accommodate development, noting that not all constraints are negatives as some uses will increase in importance as the nearby residential population increases.

- Better integration of Montario Quarter with the vehicle access network
 - The vehicle access plan has been amended to include a new road connecting Montario Quarter to Brockway Road via Bedbrook Place and planned community uses. A shared path will also follow this route.
- Pushback on station closures and advocate for upgrades
 - The inclusion of Defence Housing and the identification of a prime site at the northern end of Stubbs Terrace will assist the City in advocating for the retention and upgrade of Shenton Park and Karrakatta Stations. Loch Street Station is also included in the advocacy recommendations.
- Information about Sustainability
 - The Master Plan Area being relatively unconstrained by existing utilities and service infrastructure makes it a candidate for integrating sustainability from day one. A new section of the Master Plan Text identifies how similar developments have integrated sustainability and how they could apply to the Master Plan Area.
- Seek activation of the northern end of Stubbs Terrace
 - The northern end of Stubbs Terrace being opposite Shenton Park Station and Montario Quarter's Mixed-Use Development means that the area is suitable for high density mixed-use development. The Master Plan also identifies that the location near the border with the City of Subiaco and the Railway line means that a collaborative approach to more detailed planning may be required in this area.

Consultation

As a vision document with no statutory standing, there is no requirement to advertise the Master Plan. However, Officers have considered that given the Master Plan is the beginning step towards a potential redevelopment of the area, the community and affected landowners should have the opportunity to comment.

The use of the Master Plan as an advocacy document means that the document may have an impact on future decisions for the area including for structure planning, rezoning and infrastructure projects. Bringing the community on board prior to any statutory proposals provides the community with an opportunity to provide input on the planning of the area prior to detailed planning and assessment of specific proposals.

Officers recommend the Master Plan be advertised for 28 days. The advertising is to be undertaken with a public notice on the City's Your Voice webpage. In addition, the City will notify all landowners within 200 metres of the Master Plan area and all landowners within the City of Nedlands portions of Floreat and Mt Claremont.

Letters will also be sent to the Town of Cambridge, City of Subiaco, Town of Claremont, State Member for Nedlands and State Member for Cottesloe.

The advertising will not begin until January 2025 in order to avoid advertising over the Christmas – New year period.



Strategic Implications

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

Pillar Outcome	Place
	6. Sustainable population growth with responsible urban planning.
	7. Attractive and welcoming places.
	8. A city that is easy to get around safely and sustainably.

Budget/Financial Implications

The adoption of a Master Plan carries no financial implications for the City.

Legislative and Policy Implications

The proposed Master Plan has no statutory standing. Its value stems from the understanding it brings to the issues confronting residential development in the wider Mt Claremont area, and its use as a guiding document for any City negotiations around significant redevelopment with landowners or the State government. It also provides an appreciation of the short and long-term opportunities for this area to accommodate either residential or mixed-use development. Pragmatically, the Master Plan does not exclude the continuation of some land uses for which relocation is not either contemplated, viable or desirable such as Irwin Barracks.

A Master Plan for Mt Claremont provides useful information to landowners in the locality and any potential developer who would need to gain an appreciation of the opportunity and constraints that affect both their land and the locality.

Following the advertising period, the Master Plan will be presented back to Council to consider any submissions received and to:

- a) Endorse the Master Plan,
- b) Endorse the Master Plan with Modification, or
- c) Not endorse the Master Plan.

Decision Implications

Should Council resolve to endorse the Master Plan, the document shall be advertised to the community for comment.

Should Council resolve to modify the Master Plan, the document will be modified and then advertised to the community for comment.

Should Council resolve not to proceed with the Master Plan, Officers will not proceed, leaving the City with no high level planning document to provide guidance for future development within the wider Mt Claremont area.



Conclusion

The draft Master Plan fulfills an important planning function by providing background information and a broad vision (which also includes indicative land use, movement networks and green space) for the wider Mt Claremont area in the event the current constraints are removed or ameliorated.

A Master Plan for Mt Claremont does not commit Council to future land uses or burden landowners. Endorsement of the Master Plan provides the City with a guiding document to inform decisions on development in the medium to long term in the Mt Claremont area. A Master Plan can be considered a living document and may be updated as circumstances change. It is on this basis that the recommendation includes a provision that it be reviewed at least every five years or as circumstances dictate.

Further Information

At the Concept Forum on 5 November 2024, Council discussed the Mt Claremont Master Plan and recommended some changes be made to the Master Plan. Officers have prepared an updated Master Plan Map (Attachment 3) which includes the Greenways on the Master Plan map, an additional Greenway running north-south on the UWA Sports Park site, a shopping centre land use on the southern portion of the Graylands site and a combination of vehicle and active transport uses on the map for clarity.

Following the Agenda Forum of 12 November the Master Plan Text has been updated with some minor updates including discussion of traffic during events, environmental impacts from the decommissioned landfill site on Brockway Road, more information about infill projects in the surrounding area, more information about sustainability in electricity and water use and discussion about the heritage impacts on the Swanbourne Hospital.

Question from Deputy Smyth

What will the timing of this advertising be and what will the most appropriate timing be for Councillors to comment and make any suggestions?

Response from Director of Planning & Development

It is proposed that the Master Plan be advertised for 28 days. The advertising is to be undertaken with a public notice on the City's Your Voice webpage. In addition, the City will notify all landowners within 200 metres of the Master Plan area and all landowners within the City of Nedlands portions of Floreat and Mt Claremont.

The advertising will not begin until January 2025 in order to avoid advertising over the Christmas – New year period.



Question from Councillor Coghlan

Have we made any progress on speaking to the Department of Defence?

Response from Director of Planning & Development

The City does have an officer following up with the Department of Defence. The engaging the Department of Defence over the future over their land is likely to be somewhat problematic from our previous experience.

Question from Councillor Coghlan

Have you been able to make contact with the Town of Claremont and the City of Subiaco to alert them as well as the State Members of Parliament?

Response from Director of Planning & Development

Letters will also be sent to the Town of Cambridge, City of Subiaco, Town of Claremont, State Member for Nedlands and State Member for Cottesloe.

Question from Deputy Smyth

Referring to Figure 1 Boundary Attachment 2 – Wondering if it would be a good idea to include that part of Bold Park.

Response from Director of Planning & Development

It hasn't been excluded for a particular reason. Ultimately a boundary needed to be found and the road running along that section was chosen as the boundary on that western side noting that this area is already 400ha.

The portion of Bold Park within the City of Nedlands will be added to the Mt Claremont Master Plan Area. The portion of Bold Park within the Master Plan Area will be marked as open space and bush forever in the land use map. The Master Plan Text will be updated accordingly to reflect this.



16.4 PD71.11.24 Consent to Advertise draft Local Planning Policy 3.4: Tree Retention - R25 to R80

Meeting & Date	Council Meeting – 26 November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest in this matter.
Report Author	Tony Free – Director Planning and Development and Keri Shannon – Chief Executive Officer
Director	Tony Free – Director Planning and Development
Attachments	1. Draft Local Planning Policy 3.4: Tree Retention – R25 to R80

Purpose

The purpose of this report is for Council to adopt for advertising the draft Local Planning Policy 3.4: Tree Retention – R25 to R80 (the policy), found at Attachment 1.

ADMINISTRATION RECOMMENDATION

Moved by Councillor Youngman, seconded by Councillor Smyth

That Council ADOPTS the draft Local Planning Policy 3.4: Tree Retention – R25 to R80 (Attachment 1) for the purpose of advertising in accordance with Clause 4 of the Deemed Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Motion put and CARRIED EN-BLOC (7/1)

For: Crs. Mayor Argyle, Youngman, Brackenridge, Coghlan, Amiry, Hodsdon, Smyth
Against: Crs. Bennett

Voting Requirement

Simple Majority.

Background

At its meeting on 26 April 2022, following a Notice of Motion (Item 18.8), Council resolved:



The Council requests the Chief Executive Officer provide a report to Council for the purposes of preparing an amendment to Local Planning Scheme No. 3 to require development approval for the removal of trees that meet certain criteria on all lots zoned R25 to R80 inclusive.

This proposed scheme amendment is to be presented to Council at the 27th September 2022, Ordinary Council Meeting, and no later.

In July of this year Council adopted Local Planning Policy 3.3: Tree Retention. This policy provides a planning mechanism for the protection of regulated trees on Residential lots coded R20 and below within the City. The draft policy seeks to extend these protections to regulated trees on Residential lots coded R25 to R80.

Discussion

In line with the adopted tree retention policy, this policy:

- Sets objectives to guide the City and applicants in promoting and facilitating tree protection throughout all development stages.
- Defines tree damaging activities and identifies regulated trees (i.e., trees covered by the policy).
- Specifies when a development application is necessary and outlines exemptions for tree damaging activities, such as pruning, that do not require City approval.
- Details the information applicants must provide for development applications involving tree damaging activities, including an arborist report.
- Lists the considerations and elements the City will evaluate when assessing development applications.
- Establishes criteria for any new trees required to replace regulated trees.

This policy applies to all Residential zoned land with a density of R25 to R80. It applies to any tree damaging activity involving a regulated tree on affected lots, even if other site works are exempt from approval under *Schedule 2 Part 7 Clause 61 of the Planning and Development (Local Planning Schemes) Regulations 2015*. Therefore, a Single House that meets the deemed-to-comply requirements of the R-Codes Volume 1 would still need development approval for the removal of a regulated tree.

City Officers recommend Council not progress with the draft policy for a period of 12 months. This would allow for a review of the implementation and provisions of the adopted policy. In addition, it would also allow for a review of resourcing required to expand the policy to a larger area of the City.

Alternative Option

Should Council wish to proceed with the draft policy prior to a review of the adopted tree retention policy a proposed resolution is provided below:

That Council adopts the draft Local Planning Policy 3.4: Tree Retention – R25 to R80 (Attachment 1) for the purpose of advertising in accordance with Clause 4 of the Deemed



Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.



Consultation

If Council resolves to adopt the policy for advertising at this stage it will be advertised in accordance with the City's Local Planning Policy – Consultation of Planning Proposals, which involves the following methods of consultation:

- Minimum 21-day advertising period
- Notice in a local newspaper
- Notice on the City's notice board
- Notice on the City's Your Voice engagement portal
- Notice on the City's social media channels

Letters will be sent to all affected owners on land coded Residential R25 to R80.

Strategic Implications

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

Vision	Sustainable and responsible for a bright future
Pillar	Planet
Outcome	4. Healthy and sustainable ecosystems. 5. Climate resilience.
Pillar	Place
Outcome	6. Sustainable population growth with responsible urban planning. 7. Attractive and welcoming places.

Budget/Financial Implications

If the City proceeds with the policy, advertising costs are within the current FY budget. After adoption, there may be instances when the City will need to seek third-party advice on proponents' arborist reports but these will be handled on a case by case basis and are expected to be infrequent.

Legislative and Policy Implications

Clause 3(1) of the Deemed Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 allows the City to prepare a Local Planning Policy in respect to any matter related to the planning and development of the Scheme area. Once Council resolves to prepare a Local Planning Policy, in accordance with Clause 4 of the Deemed Provisions it must publish a notice of the proposed policy for a period of not less than 21 days and seek submissions. Further detail on the advertising of the policy is provided in the Community Consultation section above.



Following the advertising period, the policy will be presented back to Council to consider any submissions received and to:

- a) Proceed with the policy without modification; or
- b) Proceed with the policy with modification; or
- c) Not proceed with the policy.

Decision Implications

Should Council support the Officers recommendation, the policy will not be progressed for a period of 12 months.

Should Council resolve to adopt the policy for advertising, it will be advertised in accordance with the process outlined above.

Conclusion

It is recommended that Council does not proceed with the draft Local Planning Policy 3.4: Tree Retention R25 to R80 for a period of 12 months, allowing for the a review of the adopted Local Planning Policy 3.3: Tree Retention.

Further Information

Question from Councillor Bennett

What about all other land types that don't fit into R20 or R80 that are not public realm?

Response from Director of Planning & Development

The following zoned land would not be covered;

- Residential - R160
- Mixed Use
- Urban Development
- Local Centre
- Private Community Purpose
- Service Commercial
- Special Use Zone

Question from Councillor Bennett

What about schools?



Response from Director of Planning & Development

Schools are not covered by the existing nor the proposed Policy. In some situations, private schools are located on Private Community Purposes, thus could be covered by a Local Planning Policy.



16.5 PD73.11.24 Consent to advertise amendments to Local Planning Policy 4.1: Parking

Meeting & Date	Council Meeting – 26 November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Employee disclosure required where there is an interest in any matter of which the employee is providing advice or a report.
Report Author	Tony Free – Director Planning & Development
Director	Tony Free – Director Planning & Development
Attachments	1. Draft Local Planning Policy 4.1: Non-residential Parking Tracked changes – LPP 4.1: Parking

Purpose

The purpose of this report is for Council to adopt for advertising the draft Local Planning Policy 4.1: Non-residential Parking (the policy), found at **Attachment 1**.

ADMINISTRATION RECOMMENDATION

Moved by Councillor Youngman, seconded by Councillor Smyth

That Council ADOPT the draft Local Planning Policy 4.1: Non-residential Parking (Attachment 1) for the purpose of advertising in accordance with Clause 4 of the Deemed Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Motion put and CARRIED EN-BLOC (7/1)

For: Crs. Mayor Argyle, Youngman, Brackenridge, Coghlan, Amiry, Hodsdon, Smyth
Against: Crs. Bennett

Voting Requirement

Simple Majority.

Background

The City’s current Parking Local Planning Policy was adopted in September 2019. This policy has been reviewed as part of the ongoing schedule of review for the City’s suite of Local Planning Policies.



In 2022 Council considered the process of introducing cash in lieu of parking into the City's planning framework. At the 22 March 2022 Ordinary Council Meeting the Council resolved:

The Chief Executive Officer be requested to present a report to Council outlining the process, requirements and implementations of introducing cash in lieu of car parking as part of the City of Nedlands planning framework.

This was followed by a report to Council at the 23 August 2022 Ordinary Council Meeting outlining the process to implement a payment in lieu of parking plan. The Recommendation below was deferred to allow additional time to consider the implications and opportunities of such a strategy:

That following the finalisation of the Integrated Transport Strategy, consideration be given to the provision of funds for a Car Parking Strategy as part of the preparation of the 2023/24 budget ahead of presentation to Council.

Discussion

In undertaking the review of the City's Parking Local Planning Policy Officers have considered the State Government's Car parking requirements for non-residential land uses in Perth and Peel – draft Interim Guidance document (Interim Guidance). The Interim Guidance was informed by evidence based research and developed to provide consistent provisions for parking ratios across the Perth and Peel region for non-residential land uses.

Change of policy name

The policy name has been updated to Local Planning Policy 4.1: Non-residential Parking to provide clarity and reflect the policy's application to non-residential land uses.

Objectives

The objective of the policy is to support clear and consistent parking provisions associated with non-residential development proposals across the City. The policy ensures suitable parking is provided, appropriate for its location and to mitigate the reliance on on-street parking. The policy also supports the contemporary shift towards active and sustainable transport modes, through consideration of end-of-trip facilities; EV charging and vehicle sharing initiatives.

Non-residential parking ratios

The parking ratios for non-residential land uses have been updated to more closely align with those contained in the State Government's Interim Guidance. Where a ratio has not been listed in the Interim Guidance ratios have been set based on similar land uses, the current policy provision and review of comparable local government local planning policies.

Bicycle parking and End-of-trip facilities

To promote active and sustainable modes of transport requirements for the provisions of



bicycle parking and end-of-trip facilities have been added to the policy. As with the car parking requirements a ratio is provided for each non-residential land use. End-of-trip facilities are required for developments with a Floor Area of 1,500m² or greater, or where 5 or more long-term bicycle bays are proposed. End-of-trip facilities include shower and changing room facilities and lockers for the storage of cycling attire and equipment.

Electric vehicle parking

The policy introduces requirements for the provision of electric vehicle parking bays and systems. These requirements only apply to new development proposals.

Parking management plan

A parking management plan template is provided in Appendix 1 of the policy which is required to be submitted by applicants when lodging development applications where a shortfall in the required minimum parking; shared or reciprocal parking arrangements; service bays and/or end-of-trip facilities are proposed between multiple businesses. The Parking Management Plan is a template to assist applicants and officers when considering and evaluating the parking needs of a development.

Cash in lieu policy

Planning and Development (Local Planning Schemes) Regulations 2019

Cash-in-lieu of car parking is governed by Part 9A of the Regulations. Clause 77G(2) states that the Local Government must not impose cash-in-lieu as a condition of development approval unless there is a Parking Plan in effect. In accordance with the Regulations, application of a Parking Plan is limited to:

- Non-residential development;
- A development or use that requires development approval; and
- A shortfall of at least 2 bays is proposed.

It is important to note that the Regulations do not extend to cash-in-lieu for residential development, nor non-residential development which is exempt from development approval. A Parking Plan is valid for a period of 10 years, unless otherwise approved by the Western Australian Planning Commission (WAPC).

Preparation of a Payment in Lieu of Parking Plan

Clause 77J of the Regulations requires a Parking Plan to be prepared in the manner and form approved by the WAPC. Two critical elements of the manner and form is that a Parking Plan must have a sound strategic and financial basis.

Payment in lieu of car parking can be applied for either public parking infrastructure, other transport infrastructure or ancillary or incidental purposes. However, it is important that the need for parking and/or other infrastructure is demonstrated through sound strategic supporting documents. At present the City does not have any strategic documents which



validate a need for parking or related infrastructure. In this regard prior to preparing a Parking Plan, a City-wide Car Parking Strategy is required to be adopted to demonstrate parking demand and opportunities for City-owned parking investment.

Further, a Parking Plan needs to have a sound financial basis and the City needs to include items proposed to be obtained with cash-in-lieu funds within its Integrated Planning and Reporting (IPR) framework. The Parking Plan should also relate directly back to the relevant IPR documents.

Given the above, the City is not currently in a position whereby it could prepare and adopt a Payment in Lieu of Parking Plan in the manner and form approved by the WAPC.

It should be noted that in the event of Council adopting a Parking Plan, this would have no effect in residential areas. Requesting cash-in-lieu via a Parking Plan requires a direct link between the specific development proposed and an identified parking need. A Parking Plan may be effective in areas such as Hampden Road or Broadway.

Residential Car Parking

Part 9A of the Regulations limits application of a Parking Plan to non-residential development only. Car parking for residential development is managed by the Residential Design Codes Volume 1 and 2. There is currently no planning framework applicable for which cash in lieu of residential car parking can be implemented.

Preparation of a City-wide Parking Strategy

A City-wide Parking Strategy would assess the City's management of parking – including the use of the timed parking, the potential for the introduction of paid parking, the use of technology in the enforcement of the City's parking requirements. The Strategy would also identify locations of expansion or improvements of the City's parking infrastructure and other transport related infrastructure. The Strategy would inform the City's Long Term Financial Plan, which illustrates a commitment to the project for which funds can be requested via the payment in lieu provisions of the Parking Plan. The creation of a Parking Strategy would have potential implications for the organisation beyond the creation of a Parking Plan to collect cash in lieu of parking provision.

The City's Technical Services Department have prepared a Parking Management Policy (Item TS34.11.24) which if adopted would provide a framework for the development of a Strategy. It should be noted that as part of this process a review of the City's car parking requirements for particular land uses would be required to ensure they reflect contemporary standards.

Consultation

Should Council resolve to adopt the policy for advertising it will be advertised in accordance with the City's Local Planning Policy - Consultation of Planning Proposals, which involves the following methods of consultation:



- Minimum 21-day advertising period
- Notice in a local newspaper
- Notice on the City's notice board
- Notice on the City's Your Voice engagement portal
- Notice on the City's social media channels

Strategic Implications

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

Vision	Sustainable and responsible for a bright future
Pillar	Place
Outcome	6. Sustainable population growth with responsible urban planning. 8. A city that is easy to get around safely and sustainably.

Budget/Financial Implications

If the City proceeds with the policy, advertising costs are within the current FY budget.

Legislative and Policy Implications

Clause 5(1) of the Deemed Provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 allows the City to amend a Local Planning Policy. Once Council resolves to amend a Local Planning Policy, in accordance with Clause 4 of the Deemed Provisions it must publish a notice of the proposed policy for a period of not less than 21 days and seek submissions.

Following the advertising period, the Policy will be presented back to Council to consider any submissions received and to:

- a) Proceed with the policy without modification;
- b) Proceed with the policy with modification; or
- c) Not proceed with the policy.



Decision Implications

If Council resolves to adopt the policy for advertising, it would be advertised in accordance with the process outlined above.

If Council resolves not to endorse the recommendation, the policy will not be advertised. Doing so will leave the City with parking provisions for non-residential development that is not in line with the contemporary needs of users or State Government guidance.

Conclusion

The policy has been reviewed to provide contemporary provisions for non-residential development within the City. It is recommended that Council adopts the Recommendation to formally advertise the policy.

Further Information

Question from Councillor Bennett

Can the title of the report item and policy be amended to make more sense?

Response from Director of Planning and Development

The title of the report has been modified.

Question from Councillor Youngman

In relation to 5.1.1, 5.1.5 and 6.2 there are comments stating that the carpark number is 'rounded to the next whole number'. I believe the expression 'rounded up' should be used to avoid a proponent rounding down.

Response from Officer

The wording of the applicable clauses of the policy relating to the number of bays required has been amended to read 'rounded up to the next whole number'.



16.6 PD74.11.24 Schedule of Strategic Planning Projects

Meeting & Date	Council Meeting – 26 November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter.
Report Author	Tony Free – Director Planning & Development
Director	Tony Free – Director Planning & Development
Attachments	Nil.

Purpose

This report is presented to Council to outline the current and future strategic planning projects.

ADMINISTRATION RECOMMENDATION

Moved by Councillor Youngman, seconded by Councillor Smyth

That Council RECEIVES the Schedule of Strategic Planning Projects dated November 2024.

Motion put and CARRIED EN-BLOC (7/1)

For: Crs. Mayor Argyle, Youngman, Brackenridge, Coghlan, Amiry, Hodsdon, Smyth
Against: Crs. Bennett

Voting Requirement

Simple Majority.

Background

Council resolved at the 27 August 2024 Ordinary Council Meeting that the strategic projects be listed at every ordinary Council meeting.

Discussion

The current schedule of strategic planning projects for November 2024 is found in the table below. The schedule has been updated to reflect ongoing progress of projects.



Project	Summary	Status / Council resolution of August 2024	Update
LPP 4.1 Parking	Collection of cash-in-lieu requires a parking plan/strategy setting out where the money is to be spent. Policy would update non-residential car parking standards to contemporary ratios	Council resolution of August 2024 for policy to be presented to Council September 2024.	Presented to Council November 2024.
New LPP – Percent for Public Art	Policy to promote public art within development or through developer contributions.	Council resolution of August 2024 for policy to be presented to Council September 2024.	Presented to Council November 2024.
Scheme Amendment 14: Vehicle Access	Restricts vehicle access to a single crossover for corner lots in the R60 areas within the NSHAC Residential precinct.	Advertised for community comment from 6 September to 18 October 2024. Council resolution of August 2024 for policy to be presented to Council October 2024.	Expected to be presented to Council in December 2024, to allow for consideration of community feedback.
New LPP - Natural Ground Level Policy	To clarify natural ground level	Council resolution of August 2024 for policy to be presented to Council September 2024.	Presented to Council November 2024.
New LPP – Verges and Street Trees	Setting out protection of verges and street trees.	Council resolution of August 2024 for policy to be presented to Council October 2024.	Expected to be presented to Council in early 2025 for approval to advertise.
Mount Claremont Master Plan*	Sets out the vision for the future land use, transportation and green networks for the Brockway Road area and surrounds once the Waste Water Treatment Plant is capped.	Council resolution of August 2024 for master plan to be presented to Council October 2024.	Presented to Council November 2024.
Heritage Areas		Completed. Council resolution of September 2024.	n/a



Project	Summary	Status / Council resolution of August 2024	Update
Local Planning Strategy and Scheme Review*	The Strategy and Scheme are to be reviewed every 5 years as per State legislation. Substantial background reports will be required to research housing needs and estimating housing projections.	Council resolution of August 2024 for strategy to commence in February 2025.	Not yet commenced. Important to commence in 2024/25 if desire is to avoid a new scheme.
UWA-QEII Improvement Plan*	Working with the DPLH and City of Perth to create an Improvement Scheme for the area.	Not yet commenced	n/a
New LPP – Construction Management Plans	New policy setting out requirements and processes for construction of new development.	Policy being prepared.	Expected to be presented to Council in early 2025 for approval to advertise.
LPP 3.2: Waste Management	Existing policy sets out waste criteria but is already covered by existing legislation. Policy will not be supported by the WAPC and is redundant. Policy will be revoked with technical specifications for development provided as a publicly available administrative document.	In progress.	Expected to be presented to Council in early 2025 to revoke.
Public Open Space Strategy*	Expand the strategy to include the whole of the City as per the Council resolution.	Commencement dependant on budget.	The cost to undertake this work is estimated to be \$65,000. This is to be allocated in the 25-26 budget and subject to a procurement process.



Project	Summary	Status / Council resolution of August 2024	Update
New LPP: Commercial	New policy setting out built form and other criteria for non-residential development.	Not yet commenced.	Expected to be presented to Council in first half 2025
Scheme Amendment 16: Fast Food	Scheme Amendment making Fast Food an 'X' use within the City.	Will require a Council resolution, which should be considered in conjunction with the commercial policy.	Expected to be presented to Council in first half 2025
Local Heritage Survey and Heritage List*	The LHS and the Heritage List are required to be periodically reviewed.	Not yet commenced	Expected to be presented to Council in first half of 2025.
New LPP: Broadway Public Realm	Establish guidelines for the public realm.	Not yet commenced	n/a
New LPP: Percent for Canopy	Policy to promote tree canopy through developer contributions.	Not yet commenced	n/a
LPP 1.1: Residential Development*	Amended policy reflecting recently gazetted R-Codes changes. Sets out built form criteria for areas not covered by LPP 5.14: Precincts.	Advertised for community comment from 20 September – to 11 October 2024.	Expected to be presented to Council late 2024.
Scheme Amendment: Short-term rental accommodation	Update scheme text to introduce new and revised land use classes and general definitions to facilitate State Government reforms for short-term rental accommodation.	Yet to commence.	n/a

Consultation

Nil.



Strategic Implications

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

Vision	Sustainable and responsible for a bright future
Pillar	Place
Outcome	6. Sustainable population growth with responsible urban planning. 7. Attractive and welcoming places. 8. A city that is easy to get around safely and sustainably.
Pillar	Performance
Outcome	12. A happy, well-informed and engaged community.

Budget/Financial Implications

Some items, particularly the scheme review, will require consultancy work. These items have been included in the draft 24/25 FY budget contingent on Council approval. Should the budget change, the schedule of upcoming projects will need to be modified.

Legislative and Policy Implications

The [Planning and Development Act 2005](#) requires that the scheme and strategy be reviewed every 5 years, and that local planning policies be regularly reviewed.

Decision Implications

The resolution simply noted the proposed schedule of works but does not bind Council or City Officers to maintain the proposed order of work should other priorities arise.

Conclusion

That Council notes the current and future schedule of strategic planning projects.

Further Information

Question from Deputy Smyth

Is that the same as last month or has it been updated?

Response from Director of Planning & Development

Each month the projects are updated to show where they are at. We are not at the stage where we can necessarily deliver on anything else that is not on the current list of projects.



16.7 PD75.11.24 Consideration of Responsible Authority Report for a Mixed Use Development at 95 (Lot 102) Broadway, Nedlands

Meeting & Date	Council Meeting – 26 November 2024
Applicant	Element Advisory
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff involved in the preparation of this report and the proponents or their consultants.
Report Author	Chantel Weerasekera – A/Coordinator Planning Approvals
Director	Tony Free – Director Planning and Development
Attachments	1. Responsible Authority Report and Attachments

Purpose

The purpose of this report is for Council to consider the Development Assessment Panel (DAP) application for the development of a seven-storey mixed use building comprising 60 multiple dwellings and one commercial tenancy at 95 Broadway, Nedlands.

Council is requested to make its recommendation to the Metro Inner Development Assessment Panel as the Responsible Authority. Council's recommendation will be incorporated into the Responsible Authority Report and lodged with the DAP Secretariat by 27 November 2024.

It is recommended that Council adopt the Officer Recommendation to defer the application to allow the applicant opportunity to amend the proposal to achieves the objectives of Local Planning Policy 5.14: Precincts and the R-Codes Volume 2.

ADMINISTRATION RECOMMENDATION

Moved by Councillor Youngman, seconded by Councillor Smyth

That Council ADOPTS as the Responsible Authority the Officer Recommendation contained in the Responsible Authority Report for the development of 60 multiple dwellings and one commercial tenancy at 95 Broadway, Nedlands (Lot 102) Broadway, Nedlands as follows:

It is recommended that the Metro Inner Development Assessment Panel resolves to:

- 1. Defer the consideration of the DAP Application DAP/23/02532 for a period of up to 140 days, in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of City of Nedlands Local Planning Scheme No. 3, to address the following matters:**



- a) Reduce the height of the building to be consistent with the existing and planned character of the area in accordance with the objectives of Local Planning Policy 5.14: Precincts and the Residential Design Codes Volume 2.
- b) Increase the street setback of the development at storeys five and six to be consistent with the established and emerging streetscape as envisioned by Local Planning Policy 5.14: Precincts.
- c) Increase the western (rear) setback of the development at storeys five, six and seven to provide an appropriate transition to the adjoining R60 coded lots in accordance with the objectives of Local Planning Policy 5.14: Precincts.
- d) Modify the setback of the development from the northern and southern lot boundaries to provide adequate building separation at upper levels and increase access to natural light in accordance with the objectives of Element 2.4 Side and Rear Setbacks and Element 2.7 Building Separation of the Residential Design Codes Volume 2.
- e) Increase the amount of deep soil provided on site to be commensurate with the lot size, and support tree growth that will contribute to the established urban canopy within the locality, in accordance with the objectives of Element 3.3 Tree Canopy and Deep Soil Areas of the Residential Design Codes Volume 2.
- f) Modify the development to protect the visual privacy of adjoining lots by increasing the setback from the lot boundary and providing sufficient screening on western facing balconies across levels five and six to achieve the objective of Element 3.5 Visual Privacy of the Residential Design Codes Volume 2.
- g) Modify the parking layout to provide sufficient vehicle manoeuvring and visitor car parking.
- h) Increase the size of balconies provided for the dual-key apartments to ensure that an appropriately sized, functional private open space is available for each dwelling to achieve the objectives of Element 4.4 Private Open Space and Balconies of the Residential Design Codes Volume 2.
- i) Include enhanced energy efficiency initiatives commensurate with the increased scale of development and the City's Local Planning Policy 1.3: Sustainable Design.

Motion put and CARRIED EN-BLOC (7/1)

For: Crs. Mayor Argyle, Youngman, Brackenridge, Coghlan, Amiry, Hodsdon, Smyth
Against: Crs. Bennett

Voting Requirement

Simple Majority.

Background

Land Details

Metropolitan Region Scheme Zone	Urban
Local Planning Scheme Zone	Mixed Use
R-Code	R-AC3
Land area	1760m ²
Land Use	Residential and Office
Use Class	'P' – Permitted Use

The application is for a seven-storey building comprising 60 multiple dwellings and one ground floor commercial tenancy at 95 Broadway, Nedlands.

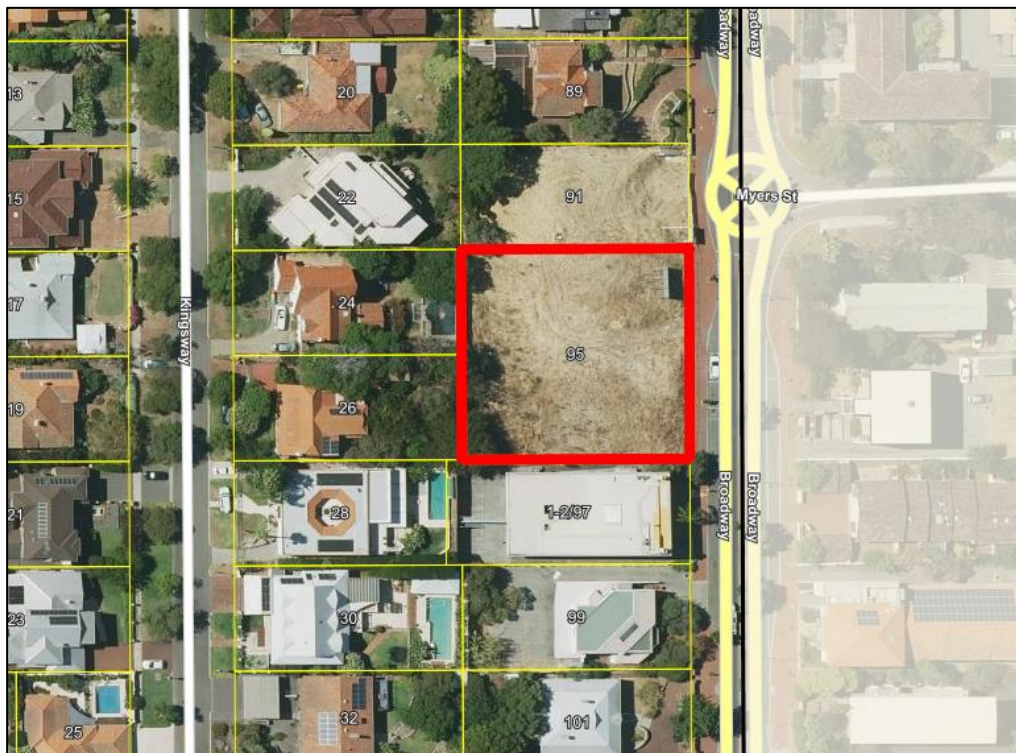


Figure 1: Aerial image

Discussion

Assessment of Statutory Provisions

The proposal has been assessed against all relevant legislative requirements including Local Planning Scheme No.3 (LPS3), Residential Design Codes Volume 2 (R-Codes



Volume 2) and Local Planning Policies. The matters below have been identified as key considerations for the determination of this application.

- Building Height
- Street Setbacks
- Side and Rear Setbacks
- Building Separation
- Plot Ratio
- Orientation
- Tree Canopy and Deep Soil
- Communal Open Space
- Visual Privacy
- Car and Bicycle Parking
- Private Open Space and Balconies

The final plans were received on 20 September 2024 which proposed several significant modifications compared to the plans initially received in July 2023, the modifications are listed below:

- Increase of dwellings from 36 to 60;
- Reduction of setbacks to the east (street) and west (rear);
- Reconfigurations of internal floor plans;
- Reconfiguration of the lobby area;
- Relocation of the communal amenity areas for residents; and
- Increase in floor area on the 7th storey

Despite the changes, the height, plot ratio, side setbacks, landscaping, overshadowing (as it relates to the height), visual privacy and car parking are inconsistent with the Element Objectives of the R-Codes and the City’s local planning framework. For the reasons detailed in the RAR, the application is recommended for deferral.

Refer to the Responsible Authority Report (RAR) in **Attachment 1** for a full discussion.

Design Review Panel

The development was reviewed by the City’s Design Review Panel (DRP) on two occasions. A summary of the Panel’s evaluation of the proposal at each stage of the review process is provided below.

DRP Design Quality Evaluation		
	Supported	
	Further Information Required	
	Not supported	
SPP 7.0 Principles	23 August 2023	7 October 2024
1. Context and Character	Further Information Required	Supported
2. Landscape Quality	Supported	Further Information Required
3. Built Form and Scale	Not supported	Not supported



DRP Design Quality Evaluation		
4. Functionality and Built Quality		
5. Sustainability		
6. Amenity		
7. Legibility		
8. Safety		
9. Community		
10. Aesthetics		

The areas not supported by the DRP include the following:

Landscape Quality

Given the number of apartments and occupants has increased, the landscaping provided is not considered sufficient. The DRP review found specifically that deep soil provision is not adequate and could be improved. Increased deep soil should be provided to the rear of the site and further deep soil zones should be located elsewhere on the lot. Further, the deep soil provided may not have sufficient dimension to support the growth of all the trees proposed. On 11 November 2024, an amended landscaping plan was provided in response to the DRP comments which proposed a new tree species in the north-west and south-west corner of the site. While species selection has improved, there are still concerns regarding the lack of deep soil and dimensions of some on-structure planter boxes to support tree growth.

Built Form and Scale

In both reviews, the DRP have consistently not supported the built form and scale of the proposal as the plot ratio and building height does not respond positively to the existing or desired character of the locality and results in negative amenity impacts for adjoining western lots. Building height, plot ratio and setbacks are discussed further below.

Sustainability

The DRP have recommended further detail, and specific commitments be provided to ensure that the design achieves a 5 Green Star rating. Should the development be approved, a condition of approval will be recommended which requires the preparation of a sustainable design report in accordance with LPP 1.3.

Amenity

In the context of the increased number of dwellings, the DRP have recommended an increase in the communal space provided. Issues have been identified with the southern facing communal space as the area will not have direct access to sunlight and the fragmentation of the communal space means that more apartments will share a common wall with the communal open space. The panel also recommended a re-design that would ensure that the upper floor lobbies and corridors have natural light access.

While the findings of the panel are acknowledged, the provision of communal open space within the development is considered to be adequate and satisfies the relevant Element



Objectives. Whilst the southern communal open space may not have direct access to natural light, the amalgamation of the communal spaces to the northern boundary will result in an additional single aspect apartment having a southern orientation. The communal gym on the southern lot boundary does not necessarily require direct solar access, particularly at the expense of an apartment.

Consultation

Public Consultation

In accordance with the City’s Local Planning Policy 7.3 Consultation of Planning Proposals (LPP 7.3), the original plans received 10 July 2023 were advertised for a period of 28 days, from 2 August 2023 to 31 August 2023 in accordance with Local Planning Policy 7.3: Consultation.

The application was effectively placed on ‘hold’ until August of 2024. Amended plans and materials were provided on 20 September 2024. The amended plans were re-advertised for a period of 14 days from 26 September 2024 to 11 October 2024, in the following manner:

- Letters sent to all previous submitters and all City of Nedlands and City of Perth landowners and occupiers within a 75m radius of the site;
- An advertisement was published on the City’s website with all documents relevant to the application made available for viewing during the advertising period;

At the close of both advertising periods, the City received 13 submissions, 10 objecting one in support and two requesting for further information on the proposal. Key concerns are summarised in the table below, with more in-depth discussion provided in the RAR.

Public Consultation Summary	
Issue Raised	Officer Comment
Height	Height is not supported by officers as it is inconsistent with the desired future scale of the area.
Plot Ratio	Plot ratio is not supported by officers as it is inconsistent with the desired future scale of the area.
Setbacks	Setbacks of the development from the street and from side lot boundaries are not supported as they do not contribute to the desired future streetscape character and do not provide sufficient building separation.
Traffic	The local road network is considered capable of accommodating the increase in traffic expected without adversely impacting safety.
Visual Privacy	Visual privacy is not supported on the upper levels of the building as it does not adequately minimise overlooking.
Landscaping	The proposed deep soil provision is not supported. Increased deep soil to support tree growth is required.
Overshadowing	The proposal is not considered to meet the Objectives of Element 3.2 Orientation with regard to the overshadowing cast by the excess height of the development.
Sustainability	The design guidance in the R-Codes recommends a solar panel system that can provide for at least 1kW energy per dwelling. The Sustainability Statement prepared by Stantec recommends a minimum 30kW system.



Public Consultation Summary	
	City Officers recommended 5 Green Star certification, which aligns with the minimum provisions recommended in the City's Local Planning Policy 1.3 – Sustainable Development.
Parking	The proportion of residential bays provided is a surplus of one bay whereas the visitor bays have not met the minimum (nine required, seven provided). Re-allocating bays from residential to visitors can promote alternate means of transport for residents.
Economic Viability	Economic viability and market conditions of the development are not material planning matters and have not been considered as part of the assessment.
Construction, Noise, Lighting	These elements can be included as conditions of approval should DAP approve the development.

These matters have been addressed within the RAR. All submissions on this proposal have been given due regard in this assessment in accordance with Clause 67(y) of the *Planning and Development (Local Planning Schemes Regulations) 2015*.

Strategic Implications

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

- Vision** **Sustainable and responsible for a bright future**
- Pillar** **Place**
- Outcome** 6. Sustainable population growth with responsible urban planning.

Budget/Financial Implications

Nil.

Legislative and Policy Implications

Council is requested to make a recommendation to the DAP in accordance with Regulation 12 of the [Planning and Development \(Development Assessment Panels\) Regulations 2011](#). Council may recommend to approve, refuse or defer the application.



Decision Implications

Council's recommendation will be incorporated into the Responsible Authority Report (RAR) and lodged with the DAP Secretariat on or before 27 November 2024. The recommendation noted above is the officer recommendation that is also included in the RAR.

In the event that Council does not adopt the officer recommendation, Council's recommendation will be located at the front of the RAR as the Responsible Authority Recommendation and the officer recommendation will be contained in the rear of the report.

In the event that Council does not make a recommendation, the RAR will be forwarded to DAP on 27 November 2024 with the Officer Recommendation only.

Conclusion

Council is requested to consider the proposed development as the Responsible Authority. It is requested that Council makes a recommendation to the DAP to either approve, refuse or defer the application.

The application for a seven-storey mixed used development is not consistent with the R-Codes or the City's current planning framework, particularly LPP 5.14: Precincts, regarding building height, plot ratio, street setbacks, side and rear setbacks, landscaping and overshadowing. There are also outstanding vehicle access and parking issues which require addressing.

For the above reasons, it is recommended Council adopt the Officer Recommendation contained in the RAR to defer the application to provide the applicant the opportunity to amend the development to achieve the objectives of the R-Codes, the local planning framework and community expectations.

Further Information

Nil.



17. Divisional Reports - Technical Services

17.1 TS33.11.24 Hackett Hall – Demolition

Meeting & Date	Council Meeting – 26 November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Matthew MacPherson, Director Technical Services
Director	Matthew MacPherson, Director Technical Services
Attachments	1. CONFIDENTIAL – Indicative Quotations Received 2. Hackett Hall Photo Deck

Purpose

Hackett Hall, Lawler Park, has been dilapidated for a number of years, and was closed to access and full use in January 2023.

A report was presented to the Ordinary Council meeting on Tuesday 22 October 2024, where no position was resolved, hence the report is before Council to reconsider a suitable position.

A decision from Council is required for action regarding Hackett Hall in the short term while long term preparations are made. After recent inspection of the Hall, the dilapidation is such that the building is in worse condition than what was expected after such time, and a immediate decision is advised.

ADMINISTRATION RECOMMENDATION

Moved by Councillor Youngman, seconded by Councillor Hodsdon

That Council Request the CEO:

1. NOTIFY the community regarding the proposed demolition of Hackett Hall, Lawler Park; and
3. INCLUDE as part of the 2024/25 mid-year financial review, a capital budget provision for approximately \$68,500 the demolition of Hackett Hall, Lawler Park.

AMENDMENT

Moved by Councillor Amiry, seconded by Councillor Youngman

2. INVITE suggestions from the community for the use of the land in the short term after demolition.



Motion put and CARRIED UNANIMOUSLY (8/0)

For: Crs. Mayor Argyle, Smyth, Coghlan, Brackenridge, Youngman, Bennett, Amiry, Hodsdon
Against: Crs. Nil.

COUNCIL DECISION

That Council Request the CEO:

- 1. NOTIFY the community regarding the proposed demolition of Hackett Hall, Lawler Park;**
- 2. INVITE suggestions from the community for the use of the land in the short term after demolition.**
- 3. INCLUDE as part of the 2024/25 mid-year financial review, a capital budget provision for approximately \$68,500 the demolition of Hackett Hall, Lawler Park.**

Motion put and CARRIED (6/2)

For: Crs. Mayor Argyle, Coghlan, Brackenridge, Youngman, Amiry, Hodsdon
Against: Crs. Smyth, Bennett

Voting Requirement

Absolute Majority.

Background

Hackett Hall, Lawler Park, (built in 1956) has been in a state of dilapidation for a long period of time, and in early 2023 was in such a compromised state that safety of patrons and public was of sufficient enough concern to warrant closure of the building.

Closure History

- As far back as late 2016, structural concerns arose about the condition of Hackett Hall, at the time prompting a closure and beginning of discussions with elected members.
- Thereafter it is understood that minor works were undertaken from circa 2017 to 2019 in an effort to improve the condition of the building.
- On Friday, 16th December 2022 the Playlovers Inc. provided notification to the City that a Laminated Timber (Glulam) beam within the Hall was showing signs of fatigue.
- The notification also provided copies of a termite inspection report conducted on the 27th June 2022 identifying termite activity in the internal and external timbers, including subfloor areas where timber elements are in direct contact with soil. The Report



recommended that further investigation and treatment be undertaken which was to be arranged by Playlovers Inc under the agreement at their cost. This subsequently occurred and confirmed termite activity.

- On Friday, 6th January 2023, the Playlovers Inc provided notice to the City that the Laminated Timber beam that was showing signs of fatigue had failed, dropping approximately 300mm. The ceiling surrounding the beam also failed due to the movement, with a section falling to the ground. The failure of this beam has also caused damage to the roofing which is now seen as a bow in the ridgeline and creased metal sheeting.
- On Friday 6th January 2023, a Structural Engineer was engaged by the City to review and provide advice for making the area safe the City engaged a Structural Engineer.
- On 9th January 2023 a Structural Engineers report recommended temporary propping of beam to make are safe and closure of the building till further notice. This occurred and the area under the compromised beam and access to the room was restricted.
- On 20th March 2023 City advised Playlovers Inc are no longer permitted to use Hackett Hall from Tuesday, 21 March 2023 but the City has approved non-exclusive use of Dalkeith Hall pursuant to the City's terms of hire for shared use facilities.
- On 21st March 2023, temporary site fencing was installed with boarding up of the windows beginning 24th March 2023. Site access has been restricted since.

Playlovers Inc.

- Hackett Hall was leased to Playlovers Inc for the permitted purpose of Community Hall and uses reasonably ancillary thereto.
- A resolution in respect to Hackett Hall and Playlovers was resolved in July 2019 as follows:



Council Resolution

Council:

- 1. agrees to fund works noted in this report and entitled “Works to Hackett Hall” with total expenditure not to exceed \$10,000 (excl. GST), on the condition that:
 - a. this list of works is identified to enable Hackett Hall to be used by Playlovers Inc only for the purpose of their rehearsals;**
 - b. Playlovers are to oversee the completion of the Works; and**
 - c. any additional works not listed but which arise through applying for occupancy of the hall are to be borne by Playlovers as lessee;****
- 2. requests that Administration pay \$4,000 to Playlovers Inc. as offered in 2016 to honour the offer of support on closure of Hackett hall in 2016;**
- 3. approves the non-payment by Playlovers of utility fees and charges, insurance charges and asbestos remediation costs (total approx. \$15,840) for the period since closure of Hackett Hall; and**
- 4. advises Playlovers Inc. that at the end of their lease term on 14th March 2024, Hackett Hall will return to the City for control and management.**
- 5. Requests the CEO to support Playlovers, if they so wish, with an approach to Shenton College with a view to assisting Playlovers in potentially securing an agreement to use Shenton College Arts Arena for performances while they are unable to use Hackett Hall for such purposes and report back to Council by Nov 2019; and**
- 6. Requests the CEO to work with Playlovers to develop an Exit Strategy from Hackett Hall and report back to Council by July 2020.**

- Point 4 of the resolution of July 2019 outlines that the City did not intend to extend the lease for Hackett Hall to Playlovers Inc. Points 5 and 6 of the resolution were either not undertake, undertaken but not adequately recorded, or not relevant anymore due to the current situation.
- As stated previously, the City worked with Playlovers Inc. to provide alternative accommodation at Dalkeith Hall for rehearsal and storage – which was the main use of Hackett Hall of recent years.
- Playlovers maintain an interest in bespoke theatre seating which is held within the building and unable to be removed given the building’s current state without interim supporting works or action.



- It is understood that the seating may be able to be sold, but will incur a cost to dismantle and re-assemble the seating, which will impact the overall profit which may be realised.
- Discussions with Playlovers Inc. has been ongoing in regard to the seating with previous staff, however, no agreement has been reached prior to those staff departing.
- A report was presented to the Ordinary Council meeting on Tuesday 22 October 2024, however no formal position of Council was adopted.
- The CEO decided to bring this item back to the council to allow the matter to be considered with further information provided which includes recent photographs showing the building in its current state (Attachment 2 refers).

Discussion

Exploring Options

- In June 2023 the City sought indicative demolition and construction costs from several building companies who have delivered renovation and construction works of community facilities for local governments in the metropolitan area.
- A number of broad options were costed, including:
 - Option 1 – a refurbishment of the building to bring it back to a useable and habitable building with minor compliance improvements.
 - Option 2 – A rebuild of the building like for like but to newer standards and materials.
 - Option 3 – A rationalization of all buildings on site – combining separate buildings into a new combined facility
- An additional two options were also considered and priced using figures from the square meter rates of Option 3, and the City's own schedule of rates respectively for Options 4 & 5, being:
 - Option 4 – An upgraded, consolidated building, with additional rooms and facilities on one site.
 - Option 5 – Removal and no replacement of the building.
- Option 4 was included for consideration based on interest for a renewed and expanded facility from a number of current and potential future stakeholders, seeking suitable accommodation for their offices, and may provide ongoing or initial revenue to offset costs.
- When considered from a purely financial perspective, option 5 logically represented the most prudent option. This however did not give consideration to the intangible value a well designed and used facility may bring to the community.
- These were presented to a Concept Forum held 7 November 2023 for Council discussion.



Proposed Direction

- The Hall itself has significant structural defects which will be significant to make good. Combined with the current age of the building, any renewal of certain parts of the building, will lead to renewal of associated portions, effectively making work to retain portions just as costly as re-building them entirely.
- The community has increasingly questioned the status of Hackett Hall, with the most recent, formal position put forth at the Annual General Meeting of Electors held 29 April 2024 and subsequently considered at the May 2024 ordinary Council, where it was resolved that:
 6. **Council Supports motion no. 6 carried at the Annual General Meeting of Electors being: “That Council provide a budget and initial funds to repair and refurbish over time, Hackett Hall and upgrade Lawler Park and the tennis courts associated, within the 24/25 financial year budget.” Noting that a business case is yet to be completed and Council will consider budget allocation on an annual basis.**
- However, due to budget constraints, allocation for refurbishment of the Hall or the nearby Courts could not be facilitated within the 2024/25 financial year budget adoption.
- With this in mind, a step common to almost all the options is demolition of Hackett Hall, and given the inability to fund other options at this time, is before Council to consider.
- Subsequently, a group of interested community members have sought to progress action, and provided the City with a quotation from a reputable demolition contractor. This was provided to the City following a discussion between the CEO, Mayor and community members following the September 2024 Ordinary Council Meeting.
- The CEO had requested further information from the potential contractor, and requested administration obtain additional quotes over the week beginning 14 October with the aim to receive quotations by 18 October.
- At the time of writing, one additional quote has been received from the additional contractors approached, with another quote expected to be received the day of the October Ordinary Council Meeting and will be tabled if received in time.
- The quotes received can be found in Confidential attachment 1 for Council perusal.

Consultation

- At present, no consultation of a widespread or formal nature with the community has occurred regarding demolition. Only isolated discussions between the City and various individuals has taken place and of a broad nature regarding the perceptions and history of the precinct area.
- Council will need to give consideration to notifying and engaging with the immediate community and interested parties as part of this decision process. It is therefore



recommendation that comment be sought from the community pending budget for the demolition of Hackett Hall to allow the community opportunity to be informed.

- The City, since the original item to Council at the October OCM has received at least one additional piece of correspondence from a resident in the community previously not engaged with the City with reference to a previous stakeholder regarding the prospective demolition and the support for that option.
- It is reasonable to assume that the public will continue to express opinions regarding Hackett Hall, and it will be important that the City facilitate such discussion with relevant information.

Urgency of Action

- Recent further inspections which resulted in the photographs as per Attachment 2 indicate that the level of degradation of the roof structure is considerable.
- The compromised beam is being supported by props as much as possible, however, the unfortunate location of the folding seating prevents direct propping of the beam in a conventional manner.
- A visual assumption by officers at a distance is that the original deflection of the hall roofline in early 2023 was approximately 100mm. At present, this deflection looks to be closer to 400mm, an estimated increase of 300mm over a circa 21 month period.
- On a very rudimentary assumption that the roof will continue to sag at a rate of at least 100mm every 7 months, if not more, an immediate decision is required.
- Without professional structural assessment, the Officers have no indication as to what extent the building may remain intact without catastrophic failure, whereby the roof itself will completely collapsed and likely fall in on itself.
- While the Council still has the opportunity to commission a current structural assessment, it may be advisable that any available funds be directed to tangible action.
- There is asbestos present throughout portions of the building, and should collapse occur, there may be a risk of contamination of non-asbestos material or the site.
- Demolition in a managed and planned fashion will allow the risk of any contamination to be mitigated.

Strategic Implications

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

Vision	Sustainable and responsible for a bright future
Pillar Outcome	People
	1. Art, culture and heritage are valued and celebrated.
	2. A healthy, active and safe community.



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

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

Budget/Financial Implications

- Options considered and presented to Council included whole of life costing as estimated for each option based on broad figures and assumptions. Consideration of whole of life costing is considered best practice for long-life infrastructure investment decisions, such as significant renewal of facilities.
- With the implementation of underground power leveraging and maximizing the City's borrowing capacity, it is unlikely that the City of Nedlands will have the financial capacity to undertake significant works to Hackett Hall at Lawler Park until underground power is completed.
- Current estimations indicate the underground power works is estimated to be finalised in the 2026/27 financial year, with the debt trailing until repaid in the years following. Without action now, Hackett Hall will stand derelict for another three (3) to four (4) years at a risk to the community and the City.
- This reality in mind, the City may remove the Hall, and use the coming years to scope the needs for the precinct and examine the options still available in further detail, with the hope to garner funding contributions from interested stakeholders who may become tenants, or seek grants through established programs such as lottery west, or secure funding commitments as part of the 2028 state government or federal government elections with clear project scoping, support and timelines for delivery.
- Pricing received varies due to the uncertain nature of the site, and the extent of damage, asbestos, and overall integrity while attempting to remove remaining equipment. At present, the most competitive submission, with inclusion of an organisational overhead component (20%) and a modest contingency (10%), is approximately \$68,500.
- It should be noted that the exact management of the asbestos on site will need to be carefully considered by the preferred contractor, and whether there is financial, environmental and safety benefit in either attempting to remove asbestos prior to
- Should Council decide to proceed with demolition, a suitable budget allocation will be required to be adopted within the budget, either now or at mid-year budget review.

Legislative and Policy Implications

Nil.



Decision Implications

If adopted as recommended, comment on the future of Hackett Hall will be invited for a suitable period. During which time, refined pricing can be confirmed and a mid-year budget allocation be adopted for immediate implementation and engagement of a suitable contractor.

Council may also wish to proceed immediately with the removal and engage the community at a later and more appropriate date during the development of long-term proposals.

Alternatively, Council may wish to consider the matter further and request additional information to aid their decision.

Conclusion

It is the officer's opinion that at present, the City does not have the overarching strategy or funding in place to pursue immediate action regarding Hackett Hall, other than demolition of the current dilapidated building.

Additional photos taken following the October OCM (attachment 2 refers) indicate the Hall's current condition, however, these photos do not show the full extent of dilapidation and damage which is visible upon closer inspection, and to attempt to do so would merely generate hundreds of photographs.

There is an ever-increasing urgency for action on the site, not just from a risk to the community and environment with the asbestos present on site, but also to the City's reputation regarding the failure of one of its many already compromised assets without pro-active intervention.

There are additional buildings on Lawler Park, which should also be considered long term, and given the Playlovers Inc. presently has alternative arrangements, time permits for the City to take a detailed examination into the needs of the precinct.

Further Information

Question from Deputy Smyth

Summary of what has happened.

Response from Director of Technical Services

Since last time there was a late item that was put forth on the proposed demolition of Hackett Hall. At that particular Council meeting, Council did not arrive at a formalised position so there is yet to be a position determined hence the report has been represented to you this evening with some minor amendments and also a new attachment which is a photo deck of photos taken recently to help Council form their opinion around that.

Effectively in front of Council this evening is an administrative recommendation to notify the community of a proposed demolition of Hackett Hall and also include consideration for that said removal as part of the mid-year budget process for Council to take action accordingly pending the feedback from the Community for the decision to go ahead or otherwise.

Question from Councillor Amiry



I am wondering why we are notifying and not also using this opportunity to ask residents for feedback on some sort of a consultation process and what could go there instead. I recognise the building is unsafe, but I feel we are going through the expense of communicating and this seems to be a good time to ask for feedback and views on what residents would.

Response from CEO

We can certainly take that on board. I think the reason we brought it back this month is when Director MacPherson attended the building, obviously the state of disrepair has worsened considerably and we are concerned it is going to collapse. There is no reason we can ask the community what they would like to see there as well.

Question from Councillor Hodsdon

In terms of the demolition, assuming that is what the community wants, it doesn't preclude something going there in the future should the State or Federal government come to the party.

Response from CEO

Yes, that is correct.

Question from Councillor Hodsdon

Will the equipment, chairs, costumes, seating that they have there be collected?

Response from CEO

Yes, that is correct.



17.2 TS34.11.24 Parking Management Policy

Meeting & Date	Council Meeting – 26 th November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Jana Jegathesan – Acting Coordinator Transport and Development Tina Le - Administration & Business Support Officer
Director	Matthew MacPherson, Director Technical Services
Attachments	1. Public Parking Management Policy

Purpose

For Council to consider adopting a “Public Parking Management Policy,” to balance the needs and benefits of residents, businesses, visitors, and other stakeholders. The purpose of this Policy is to create a clear guideline to be able to regulate, control and manage parking throughout the City of Nedlands.

ADMINISTRATION RECOMMENDATION

Moved by Councillor Youngman, seconded by Councillor Smyth

That Council:

- 1. ENDORSE the draft “Public Parking Management Policy” as proposed in Attachment 1 to proceed to city wide community consultation.**
- 2. REQUEST the CEO report comments received on the Public Parking Management Policy following community consultation for further consideration.**

Motion put and CARRIED EN-BLOC (7/1)

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

Against: Crs. Bennett

Voting Requirement

Simple Majority.

Background



- The City of Nedlands continuously face challenges when it comes to parking, when it comes to the demand across residential, commercial and industrial areas.
- Despite existing regulations under the *Parking and Parking Facilities Local Law 2013*, it is suggested that the City implements a comprehensive guideline to enhance the effectiveness and equity of parking management in the public realm.
- The demand for parking, particularly near key locations, such as UWA, Hampden Road, Broadway and Monash Avenue have a significantly high demand.
- These locations generate a high demand and a need for regular turnover to access the relevant precincts.
- The increased demand for parking has led to vehicles extending onto residential streets, contributing to congestion and raising concerns about pedestrian safety.
- Many other local governments have implemented their own parking policy, which has influenced the proposed “Public Parking Management Policy”.
- It has been proposed that the City implement a series of general parking controls, such as paid parking, time-restricted parking and permit parking to help manage parking in areas that require such demand on a case-by-case basis.
- Currently the City operates time restricted parking, and residential permit parking arrangements, but does not fully detail expectations and processes, nor has any consideration for paid parking.
- To help guide this and improve consistency and transparency, provisions for each type of parking control, as well as conditions and requirements has been identified as a need.
- It has also been proposed that there is guideline and criteria for stakeholders seeking to construct additional parking bays, including provisions for City funding assistance.
- The City has allocated funding to undertake an area wide parking strategy. The key objective of this strategy is to provide a strategic citywide parking framework for the short, medium and long terms. Another objective is to identify a comprehensive action plan (including priorities and order of costs) to assist in the future preparation of parking controls in the City.
- The strategy should help identify:
 - The utilisation of parking that’s available within walking distance to key destinations.
 - Surveying parking demand patterns.
 - The utilisation of paid parking in locations with high demand.
 - The under-utilisation of parking in locations.
 - Greater compliance relating to time restrictions and fees.
 - Potential for more effective technology and traffic/parking management resources in the management of parking.
 - Active Transport solutions to be applied for new and existing developments.
 - Surplus parking income and cash-in-lieu could be used to fund improved access.
 - Encourage end of trip facilities for new and existing developments.

Discussion

Importance of a Parking Management Policy

An adopted Public Parking Management Policy will provide the following benefits:

1. **Greater clarity and consistency around permits:**

The implementation of parking permits will address the specific needs of both residents and the broader community. Given the limited parking availability due to time-restricted areas,



these permits will provide essential accommodations for those requiring longer parking durations, such as residents and other stakeholders.

By offering residential and visitor parking permits, we enhance resident satisfaction by enabling them to park close to their properties without the concern of receiving penalties for non-compliance with local signage.

Additionally, non-residential and temporary permits will be available for purchase, creating potential revenue for the City, pending upon the approval of relevant applications. This initiative not only generates income for the City but also benefits various stakeholders by facilitating easier access to their businesses, construction sites, or special events.

2. Implementing paid parking encourages turnovers of parking bays:

The implementation of paid parking is expected to encourage consistent turnover of parking spaces and increased availability at any one time.

A constant turnover of parking spaces will support local businesses by increasing foot traffic, as new visitors will have the opportunity to park and explore the area.

Additionally, this approach will optimise the use of available parking, creating greater accessibility throughout the day and welcoming more visitors to the City.

The City may also consider maximising the use of parking areas to transition vehicles off adjoining residential streets that may create access and amenity issues.

3. Revenue income generated:

The City's proposal to offer the first hour of parking free will allow individuals to extend their stay in the parking bays, by paying the applicable fees for any additional hours. This approach is expected to generate a new source of revenue for the City to help improve with any City infrastructure and future projects either for parking amenity or alternative transport.

Additionally, individuals who fail to comply with the paid parking requirements will receive infringement notices for non-compliance.

4. Encouragement for use of active transportation:

The proposed implementation of paid parking controls may encourage individuals to consider alternative transportation methods for community to work, school, or other activities to save money.

Given the rising cost of living, many may opt for more affordable options such as bicycling or public transportation. This shift not only reduce parking demand but also promotes individual health and contributes positively to the environment by improving air quality, lower greenhouse gas emissions, and reducing traffic congestion. The endorsement of the Long-Term Cycle Network will further promote and encourage the use of Active Transport and providing end of trip facilities for developments.

Need for a Policy



It is proposed that the City adopt a 'Public Parking Management Policy' which will help provide guidelines when it comes to regulating, controlling and managing parking, within the City of Nedlands.

General parking controls, such as time-restricted parking and designated parking zones, will be beneficial as it will contribute to efficient space utilisation and reduces illegal parking, ultimately encouraging a more organised and accessible City.

Implementing a 'Parking Management Policy' is essential for the City's growth and sustainability. As urban areas become more densely populated, the demand for limited parking resources increases, leading to congestion, frustration among residents and visitors, and negative impacts on local businesses. A well-structured parking management policy can optimise parking space utilisation, reduce traffic congestion, and enhance accessibility for all users.

The draft policy which provides details on the different Parking Controls that has been proposed, as well as strategies to help manage parking, can be found in **Attachment 1**.

Parking Management Policy Informing an overarching Strategy.

The parking management policy if adopted will help set a positional framework and statement for development of a City wide Parking Strategy. For instance, if there is a general resistance to a specific proposed arrangement with respect to permits, this can be considered in a different light in development of the strategy.

Such an approach will allow the best outcome for the strategy and not spend time investigating options and avenues for positions which the community may fundamentally oppose.

Upon development of the Parking Strategy, a subsequent review of the initial parking management policy would be advised to ensure that there is alignment between the strategy and the policy.

The City has allocated funding to undertake an area wide parking strategy. As previously mentioned, the parking strategy would enable to the City to provide a strategic citywide parking framework for the short, medium and longer terms and help identify a comprehensive action plan (including priorities and order of costs) to assist in the future preparation of Parking Control Areas (PCA) plans.

The strategy development should take into consideration, but not limited to, Council's history and background relating to the management of parking, an analysis of existing and future demand and SWOT analysis. Further, the strategy will help inform how to best utilise existing parking arrangements and how to cater for future demands.

As part of the strategy, it will be essential to conduct an audit that thoroughly addresses the parking challenges in the City of Nedlands. This audit should include a comprehensive analysis of current parking patterns, user behaviour, and peak demand times to identify areas of congestion and underutilisation.

In conjunction with the Integrated Transport Strategy, the Parking Strategy will provide efficient and effective alternatives to car access and a policy/strategy to support sustainable transport



for e.g. the integration of commuter parking with public transport that could reduce dependency on cars and as mentioned previously, the implementation of formalised bicycle paths, quality end-of-trip bicycle facilities including improvements to pedestrian links and access.



Consultation

It is proposed as part of the recommendation to Council that the draft policy provided in attachment 1 be used for the purpose of community engagement to help inform future e decisions and input into Council decision making.

There is no proposal to implement parking restriction changes outside of the regular process whilst the policy is being developed and potentially implanted. Further consultation can be undertaken after the City receives feedback from the draft policy and throughout the development of the Parking Strategy.

Strategic Implications

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

Vision	Sustainable and responsible for a bright future
Pillar Outcome	People 2. A healthy, active and safe community. 3. A caring and supportive community for all ages and abilities.
Pillar Outcome	Planet 4. Healthy and sustainable ecosystems.
Pillar Outcome	Place 7. Attractive and welcoming places. 8. A city that is easy to get around safely and sustainably.
Pillar Outcome	Prosperity 9. A vibrant local economy. 10. Active participation in education and lifelong learning.
Pillar Outcome	Performance 12. A happy, well-informed and engaged community.

Budget/Financial Implications

No financial implications have been identified associated with the recommendation as written.

The City currently has an allocation of \$50,000 in the 2024-25 financial year budget for the development of a City wide Parking Strategy.

Activities relating to compliance and enforcement of the Parking are within the existing operational budget and resource allocation.



Some extremely high-level financial modelling has been developed for a small number of locations and instances throughout the City, but are a 'proof' of concept in effort to develop a model in house. However, confidence in the model with current information is not at the level at which it would be recommended to the Council to aide in decision making.

It is strongly recommended that should Council consider paid parking as a viable policy position, that dedicated modelling occur as part of the development of the parking strategy to provide greater understanding of the benefits and cost of this type of management.

At present however, the sample modelling developed is limited in opportunity for a net positive financial return on investment, although there is opportunity to offset costs, and provide increased benefits with greater parking management options in terms of overall benefit to the community.

For instance current sample usage data for:

- Dalkeith Hall off-street carpark indicates a small overall net profit of \$163 per annum with the introduction; as opposed to an estimated -\$1,884 loss per annum.
- Clifton Street on-street parking indicates the potential to generate an net profit of approximately \$7,500 per annum.
- Charging for additional residential parking permits indicates the potential to generate a net profit of approximately \$4,000 per annum.

Again, this is very high-level modelling, and uses a large range of assumptions pertaining to likely behaviour of patrons. It will be critical to define priority locations and management options, as well as fully understand the cost profile of parking management and create a series of scenarios to assess whether the potential income outweighs the setup costs.

Legislative and Policy Implications

The relevant legislation that has been referred to ensure that the proposed Policy has followed the relevant laws, would be the:

- [Local Government Act 1995](#)
- [Parking and Parking Facilities Local Law 2013](#)
- [Road Traffic Code 2000](#)

The relevant documentation that has also been taken into consideration, would include the [Parking Permit Information](#) Guide, as accessible by the community.

Decision Implications

Should the Council endorse the proposed Public Parking Management Policy, a clear guidance for regulating, controlling and managing parking and vehicles throughout the City, will be implemented.

If the Council chooses to oppose the proposed Public Parking Management Policy, the Council will be able to make amendments to the Policy, and consider it at a later stage.

Council, following feedback from the community, may also wish to implement aspects of the policy in certain isolated locations to help inform the development of the Parking Strategy and



gauge community sentiment toward various avenues like paid parking. For instance, the Council may decide to adopt the policy, and implement paid parking at a location like Dalkeith Hall, or Cooper Street carpark in a manageable way to gain better understanding of implementation and impacts.

Conclusion

Adoption of the “Parking Public Management Policy,” will be beneficial to the City. This Policy is to create a guideline of the City would regulate, control, managing and introduce paid parking.

The introduction of paid parking into the City can enhance accessibility for residents, support local businesses, ad promote efficient use of public spaces. This Policy not only promotes a more organised urban environment but also generates revenue that can be reinvested into community improvements.

Further Information

Nil.



17.3 TS35.11.24 RFT Monash Avenue Roadway Rehabilitation

Meeting & Date	Council Meeting – 26 th November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Paul Kilpa, Project Manager
Director	Matthew MacPherson, Director Technical Services
Attachments	1. CONFIDENTIAL – RFT 2024-25.05 Monash Avenue Roadway Rehabilitation Evaluation Report 2. Reduced Scope of Works Plan – Monash Avenue

Purpose

The purpose of the report is for Council to endorse the evaluation and recommendation of the Contractor Civcon Pty Ltd for RFT 2024-25.05 Rehabilitation of Monash Avenue.

ADMINISTRATION RECOMMENDATION

Moved by Councillor Youngman, seconded by Councillor Smyth

That Council:

1. **accepts the submission for the Rehabilitation of Monash Avenue by Civcon Pty Ltd as the preferred tenderer, and**
2. **authorises the Principal's Representative to negotiate a reduced scope of works for delivery within the current approved budget, and**
3. **authorises the CEO to enter into a contract in accordance with the City's Request for Tender number RFT 2024-25.05 and comprising of that request, the City's Conditions of Contract, preferred tender submission, inclusive of all post tender clarifications and negotiations.**

Motion put and CARRIED EN-BLOC (7/1)

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

Against: Crs. Bennett

Voting Requirement

Simple Majority.



Background

The Monash Avenue roadway rehabilitation project forms part of the approved 2024/25 Capital Works Program. As the City does not have internal resources appropriate for these types of work it has been decided to seek the services of a skilled and experienced contractor.

The Request for Tender was advertised on Tenderlink and was open for submissions from 28th September 2024 to 18th October 2024.

The City received a total of 1 compliant submission(s) from:

1. Civcon Pty Ltd

Discussion

After the Tender period ended, an evaluation panel was formed comprising of three (3) City Projects and Programs team members. The evaluation panel assessed the submitted tenders against the following criteria:

- Relevant experience (40%),
- Key personnel skills and experience (20%),
- Demonstrated Understanding (40%).

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

Civcon Pty Ltd have demonstrated sufficient capability to handle the project and understanding of the requirements by providing a detailed construction methodology process, outlining how they will complete the work.

They have the relevant experience to complete the proposed works on Monash Avenue. Civcon Pty Ltd have completed similar works for other local Councils in the Perth Metro region. They have provided key personnel resumes who all have suitable level of experience, and the panel is confident that the team can complete the works.

The panel have reviewed the proposed methodology and recommend the project is delivered as day works only to ensure the works are completed, in order to minimise disruption to stakeholders surrounding the project site. The Contractor has considered the need to maintain access for business and stakeholders along Monash Avenue during construction. The works are expected to start in January immediately following the public holiday period and be completed by March 2025. This includes civil works (drainage and kerbing) profiling, sealing and asphaltting.

Following the due diligence process, the provided information is of a level that officers are confident that the project will be completed on schedule, safely and with minimal disruption to



road users, local community, and businesses and that Civcon Pty Ltd offer represents value for money to the City.

Consultation

General consultation with impacted stakeholders has occurred as part of the project planning process but no specific consultation has occurred as part of the tender evaluation process.

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**
(delete the options below which are not applicable)

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

Pillar **Place**
Outcome 8. A city that is easy to get around safely and sustainably.

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

Budget/Financial Implications

All tender submissions exceeded the allocated budget for this project. The budget shortfall ranges between \$700,000 and \$800,000.

	Project
Municipal contribution	\$ 1,093,097
Grant Funding (MRRG)	\$ 204,744
Total Budget	\$ 1,297,841

Options to be considered by Council include:

1. Award full scope of works for Monash Avenue to the value of \$2,145,336 to the Preferred Tenderer; and approve additional project budget to total value of \$2.2M.
2. Adopt the Preferred Tenderer and negotiate a revised scope of works to satisfy the Council’s assigned budget of \$1.518M to form a contract.
3. Award no contract, and re-test the market.
4. Award no contract, decline the funding and re-apply in future years.



This project has been allocated \$207,122 in Metropolitan Regional Roads Group Funding and there is a funding shortfall of \$626,784.

However, if this project is delayed, the City risks losing this grant allocation, and if it is not completed on time risks a financial penalty for future funding applications. This funding must be fully expended by 29th June 2025. The works are required to be completed by 30th June 2025, within the 2024-25 financial year.

The section of works covered by the grant is between City of Perth's boundary near Caladenia Cres West and entry point 5 at the Hollywood hospital just west of Clifton St. This is the most deteriorated section of the project and must be addressed.

To meet budget demands, under Option 2, a changed or reduced scope would ensure the budget is not exceeded. City's officers are cognisant of the pressures faced by the Council to achieve renewed assets in line with best engineering practice for road networks whilst responsibly managing the project budget.

Option 2 would allow City's officers to negotiate with the Preferred Tenderer to complete the grant funded portion of the works and achieve quantity works within the current approved budget. This would likely include a reduced work area. Refer to attachment 2 for estimated quantum of works expected.

Whilst desirable to undertake all works, the reduced scope addresses the areas that are most deserving of rehabilitation and subject to funding. Areas excluded from the scope during negotiations will be crack sealed. It is expected that these measures could extend the useful life of the wearing course by up to 2 years. This will allow the City to review the treatment of Monash Avenue in future years, taking into account future proposed development of property toward Smyth Road around the same time.

Alternatively, the Council may determine to re-test the market in the hope of a more favourable outcome for the community. This is not guaranteed, and with only one submission to date, this may increase in value in subsequent submissions. Moreover, the period for the RFT will increase the risk of non-delivery by the funding deadline. Current timeline proposes a March 2025 end date, and beyond this increases weather and rain delays. An estimated re-tender period of 4-6 weeks will push completion back to May 2025, leaving limited time should the unforeseen occur.

Finally, Council may determine that the timing of both the market, the City financial capacity and the nearby developments are not conducive to delivery of the project, and may seek to re-visit this in future.

Legislative and Policy Implications

[Procurement of Goods and Services Council Policy](#)
[Local Government \(Functions and General\) Regulations 1996](#)

Decision Implications

Approving the Monash Avenue tender is crucial for various reasons:



- **Benefit to Community:** Road users, pedestrians, and homeowners/businesses in the area will benefit from improved roads, pathways, driveways, and drainage systems, ensuring safety and high performance.
- **Preventing Future Issues:** Swift intervention is needed to prevent road pavement failure and ensure road user safety. Delaying repairs could lead to long-term road closures and increased reactive maintenance costs.
- **Avoiding Backlog:** Approval now prevents a backlog of projects, ensuring timely completion and reducing the burden on long-term maintenance. Delaying may lead to prolonged completion times and impact the overall road user experience.
- **Securing Funding:** Timely completion is crucial for future grant funding and prevents negative reputational risks with funding bodies. Not completing the works in this financial year could jeopardize future funding opportunities and allocation value.
- **Safety and Maintenance:** Postponing repairs risks road degradation, failure, and higher unplanned maintenance costs, posing safety hazards to the community. Endorsing the report ensures the asset's integrity and community safety.

Conclusion

The City advertised through Tenderlink the **Rehabilitation of Monash Avenue**. Of the two submissions received, one was deemed compliant. The compliant submission was provided by Civcon Pty Ltd.

Civcon Pty Ltd demonstrated that they have the experience, key personnel and understanding to complete the required works on Monash Avenue. They have performed similar projects for both the City, other local governments, and large-scale road construction projects.

With negotiations it is expected that the projects scope can be reduced to meet budgetary demands, whilst maintaining the high level of quality required.

As such the evaluation Panel advises, that Civcon Pty Ltd be nominated as the preferred contractor and awarded the package of works for the delivery of dayworks.

Further Information

Nil.



18. Divisional Reports – Community Services & Development

18.1 CSD09.11.24 Proposed expansion of Tresillian services to Mt Claremont Community Centre

Meeting & Date	Council Meeting - 26 November 2024
Applicant	City of Nedlands (unless otherwise)
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Author	Lisa Macfarlane Reid, Coordinator Tresillian Arts Centre
Director/CEO	Keri Shannon, CEO
Attachments	Nil.

Purpose

This report is being presented to Council in response to NOM44.10.24 which requested the CEO to develop a plan to expand Tresillian services to Mt Claremont Community Centre.

Cr Youngman left the room at 8:48PM

ADMINISTRATION RECOMMENDATION

Moved by Councillor Amiry, seconded by Councillor Smyth

That Council APPROVE the plan and associated costs to run a trial program of School Holiday workshops at Mount Claremont Community Centre, to commence in the 2025 July School Holidays.

Motion put and LOST (3/4)

For: Crs. Smyth, Amiry, Hodsdon

Against: Crs. Bennett, Coghlan, Brackenridge, Mayor Argyle

Voting Requirement

Simple Majority

Background



At the October 2024 ordinary Council meeting, council voted in favour of NOM44.10.24, instructing the CEO and Tresillian management to develop a plan to relocate and or expand Tresillian course offerings to Mount Claremont Community Centre.

Discussion

Since the first discussions to develop the new Council Plan 2023-33, there has been some consideration for expanding Tresillian programming to different locations in the City. Mt Claremont Community Centre could be a suitable location to trial such an expansion as the Tuart Room could be repurposed for art classes. This is the only suitably sized room with non-carpet flooring.

Local Government services are provided to cover a gap and cannot be in competition with private industry in the local area. The only gap identified at MCCC is provision of workshops and courses for children and youth. There are already several programs running at MCCC for adult fitness and language courses.

The school holiday program may engage with the many young families in the Mt Claremont area. A Trial School Holiday program of workshops for July would include weekday workshops from 7 – 18 July 2025. These workshops would be aimed at children aged 5 – 16 years.

Council may like to consider the risks of expanding the Tresillian service, against the benefits of engaging with the families in Mt Claremont.

The School Holiday program at Tresillian Arts Centre is very popular with the community but is the lowest cost recovery area in the Tresillian programme. The school holiday program averages about \$16,000 annual revenue after tutor costs. This revenue does not take into account costs for materials, FTE and other admin costs.

Attendees at the Tresillian School holiday program include residents from the Mt Claremont community. Splitting the program between the Tyrell St Arts Centre and the Mt Claremont Community Centre could potentially split the attendance and reduce the cost recovery further. However, it may make possible a new service for Mt Claremont families who are unable to get to Tresillian during the school holidays.

Consultation

No consultation has occurred for this proposed expansion. The proposed expansion is in response to Councillor request for the expansion. The community has not been engaged for comment on this proposal. The trial sessions of School Holiday programming from July onwards would be a method for engaging community support and interest in the expansion of Tresillian Service Delivery.

Strategic Implications

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



Vision Pillar Outcome	Sustainable and responsible for a bright future People 1. Art, culture and heritage are valued and celebrated. 2. A healthy, active and safe community. 3. A caring and supportive community for all ages and abilities.
Pillar Outcome	Prosperity 10. Active participation in education and lifelong learning.
Pillar Outcome	Performance 12. A happy, well-informed and engaged community.

Budget/Financial Implications

The proposed expansion of Tresillian services has budget and financial implications. There is currently no budget or FTE for this project. Some associated costs/loss of revenue:

- a. Loss of revenue from existing rentals of the Tuart Room estimated at **\$12,500** for 4 quarterly sessions of School Holiday workshops in the 2025/26 financial year.
- b. Cost to set up a workstation and associated IT for a staff member to be based at MCCC. An onsite dedicated staff member is essential for children’s programming as it ensures Duty of Care. **\$6000**
- c. FTE allocation to facilitate the programming and on site duty of care – 0.2 FTE at Level 4 - **\$20,000**
- d. Material resourcing for delivery of children’s art programs - **\$2000**
- e. Promotion resources to promote the new offerings at MCCC - **\$1500**

Initial costs to trial this expansion of services is estimated at **\$42,000**.

The potential revenue from an annual School Holiday program at MCCC is estimated at **\$5,000 - \$10,000**, taking into account the ‘growth period’ required to get numbers up to speed for new programming/engaging with a new community.

Legislative and Policy Implications

The proposed expansion has no legislative or policy implications.

Decision Implications

If Council endorses the proposed expansion of Tresillian services at Mt Claremont, there will be financial implications including loss of revenue from external hire rental, increased FTE, and budget allocation for resources. There is also a risk of splitting the audience for the Tresillian School Holiday program, by spreading attendance across two venues within the City. However,



a new program of school holiday workshops for families in Mt Claremont may support Mt Claremont families who are unable to attend Tresillian Arts Centre.

If Council doesn't endorse the recommendation, the current School Holiday programming at Tresillian Arts Centre will continue to be on offer for all members of the community. There will be no extra budget allocation required to continue Tresillian services at Tresillian Arts Centre.

Conclusion

Tresillian Arts Centre has been in operation for 45 years, with substantial goodwill and longstanding community engagement. Replicating the Tresillian model at a satellite location does not guarantee a sustainable outcome. Council would need to support and commit to the resourcing of trialing this approach. Administration would need to review the trial programming at MCCC over a 12-month period to establish if it is financially sustainable and of ongoing benefit to the community.

Further Information

Nil.



19. Divisional Reports – Corporate Services

19.1 CPS47.10.24 Monthly Financial Report – September 2024

Meeting Date &	Council Meeting – 26 November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Melissa Harika – Chief Finance and Risk Officer
Director	Amanda Alderson - Director Corporate Services
Attachments	<ol style="list-style-type: none"> 1. Statement of Financial Activity – 30 September 2024 2. Statement of Net Current Assets – 30 September 2024 3. Statement of Comprehensive Income – 30 September 2024 4. Statement of Financial Position – 30 September 2024 5. Reserve Movements – 30 September 2024 6. Borrowings – 30 September 2024 7. Capital Works Program – 30 September 2024

Purpose

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

Cr Youngman returned to the room at 8:50PM

ADMINISTRATION RECOMMENDATION

Moved by Councillor Amiry, seconded by Councillor Coghlan

That Council RECEIVES the Monthly Financial Report for 30 September 2024.

Motion put and CARRIED (6/2)

For: Crs. Smyth, Coghlan, Brackenridge, Mayor Argyle, Hodsdon, Youngman
 Against: Crs. Bennett, Amiry

Voting Requirement



Simple Majority.

Background

Nil.

Discussion

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

The attached report shows the month end position as at the end of September 2024. Please note that due to the Disclaimer of Opinion issued for the 2022-23 Annual Financial Statements, the opening position is subject to change as restatements of the prior financial year are completed. The municipal surplus as of 30 September 2024 is \$28,711,666 which is a \$3,500,810 favourable variance, compared to a budgeted surplus for the same period of \$25,084,171.

The operating revenue at the end of September 2024 was \$34,162,896 which represents a \$3,516,862 favourable variance compared to the year-to-date budget of \$30,646,034, primarily in fees and charges.

The operating expense at the end of September 2024 was \$10,445,900 which represents a \$507,901 favourable variance compared to the year-to-date budget of \$10,953,801, primarily in employee costs, and materials and contracts.

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

Operating Activities

Operating grants, subsidies, and contributions

Unfavourable variance of \$25,313 due to timing of grants receipts and budget timing.

Fees and charges

Favourable variance of \$3,551,167 due to upfront billing and monthly budget phasing/timing.

Service charges

Favourable variance of \$68,979 primarily due to budget timing.

Interest earnings

Unfavourable variance of \$71,993 primarily due to budget timing and actual lower interest rates than budgeted.

Other revenue

Unfavourable variance of \$33,787 primarily due to budget timing.

Profit on disposal of assets

Unfavourable variance of \$55,205 primarily due to phasing of disposal and budget timing.



Employee costs

Favourable variance of \$268,197 primarily due to budget timing and lower staff resources compared to budget.

Materials and contracts

Favourable variance of \$161,561 primarily due to budget timing.

Utility charges

Unfavourable variance of \$33,632 primarily due to budget timing.

Depreciation and amortisation

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

Insurance expenses

Favourable variance of \$38,488 due to budget timing.

Interest expenses

Favourable variance of \$12,283 due to budget timing.

Other expenditure

Favourable variance of \$61,004 due to budget timing

Investing Activities

Non-operating grants, subsidies, and contributions

Unfavourable variance of \$27,097 primarily due to timing of grant receipts and budget timing.

Proceeds from disposal of assets

Favourable variance of \$145,872 primarily due to timing of asset disposals and budget timing.

Purchase of property, plant, and equipment

Unfavourable variance of \$332,039 primary due to budget phasing of capital projects. To be reviewed at mid-year review.

Purchase and construction of infrastructure

Unfavourable variance of \$36,005 primary due to budget phasing of capital projects. To be reviewed at mid-year review.

Purchase of right of use assets

Unfavourable variance is \$25,542 due to budget timing of leased assets.

Payments for intangible assets

Unfavourable variance is \$41,922 due to budget timing.

Financing Activities

Repayment of borrowings



Favourable variance is \$100,487 due to WATC loan obtained later than budgeted.

Recoup from self-supporting loans

No variance analysis required as variance to budget is less than \$20,000 and 10%.

Payment for principal portion of lease liability

Favourable variance of \$31,203 due to budget timing.

Transfer to and from reserves

No variance analysis required as variance to budget is less than \$20,000 and 10%.

Rates

Outstanding rates debtors are \$24,961,290 as of 30 September 2024 compared to \$13,743,182 as of 30 September 2023. The increase in the debtors from the prior year is due to the rates notices being issued a week later than the prior year and the increase (7%) of ratepayers opting to pay in instalments compared to the prior year. Breakdown is as follows:

Receivable	30 September 2024 (\$)	30 September 2023 (\$)	Variance (\$)
Rates & UGP	19,278,261	11,726,915	7,551,346
Rubbish & Pool	2,582,357	656,668	1,925,689
Pensioner Rebates	327,467	345,562	-18,095
ESL	2,773,205	1,014,037	1,759,168
Total	24,961,290	13,743,182	11,218,108

Employee Data

Description	Number
Headcount (Active Employees including FT, PT, & Casual)	159
Occupied FTE (FT & PT)	137
Occupied FTE (Casual)	5
No. of contract employees (Temporary/Agency)	5

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

Consultation

N/A

Strategic Implications

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

Vision Sustainable and responsible for a bright future



Pillar Outcome	Performance
	11. Effective leadership and governance

Budget/Financial Implications

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

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

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

Legislative and Policy Implications

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

Decision Implications

Nil.

Conclusion

The municipal surplus as of 30 September 2024 is \$28,711,666 which is favourable, compared to a budgeted surplus for the same period of \$25,084,171.

The operating revenue at the end of September 2024 was \$34,162,896 which represents a \$3,433,848 favourable variance compared to the year-to-date budget of \$30,646,034 primarily in fees and charges.

The operating expense at the end of September 2024 was \$10,445,900, which represents a \$507,901 favourable variance compared to the year-to-date budget of \$10,953,801, primarily in employee costs, and materials and contracts.

Further Information

Nil.



19.2 CPS54.11.24 Monthly Investment Report – October 2024

Meeting & Date	Council Meeting – 26 November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Melissa Harika – Chief Finance and Risk Officer
Director	Amanda Alderson – Director Corporate Services
Attachments	1. Investment Report for the period ended 31 October 2024

Purpose

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

ADMINISTRATION RECOMMENDATION

Moved by Councillor Coghlan, seconded by Councillor Brackenridge

That Council RECIEVES the Investment Report for the period ended 31 October 2024.

Motion put and CARRIED (6/2)

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

Against: Crs. Bennett, Amiry

Voting Requirement

Simple Majority.

Background

Nil.

Discussion

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



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

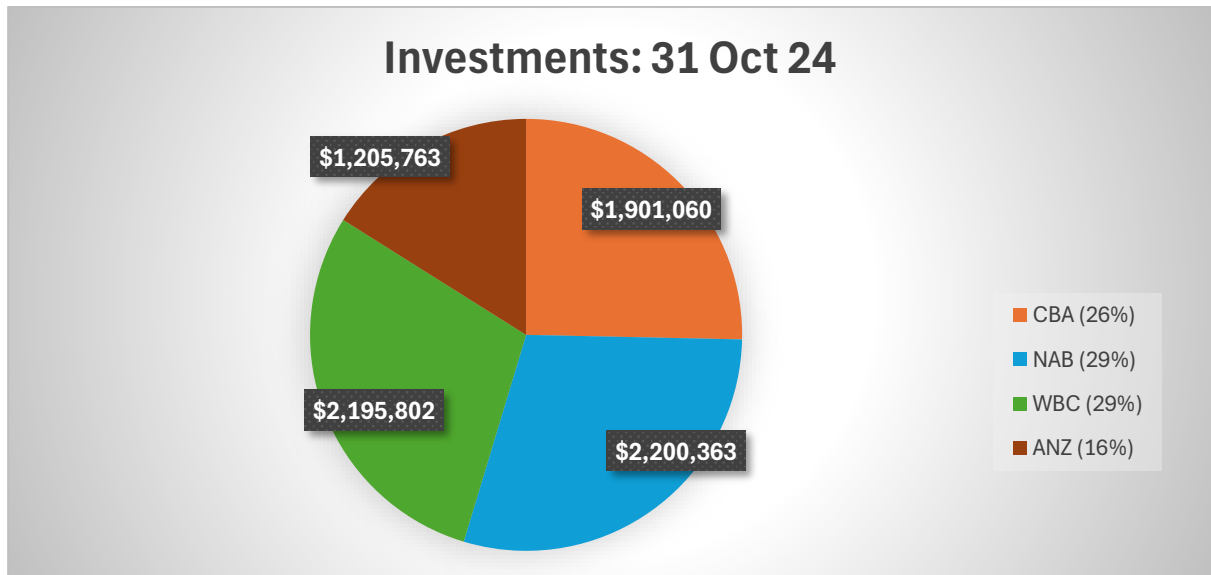
The Investment Summary shows that as of 31 October 2023 and 31 October 2024 the City held the following funds in investments:

Funds	31 October 24 (\$)	31 October 23 (\$)
Municipal	2,015,324	1,916,402
Reserve	5,487,664	8,872,606
Total Investments	7,502,988	10,789,008

The total interest earned from investments during 31 Oct 2024 was \$29,772, comprising of \$8,562 received at maturity and \$21,210 accrued.

The Investment Portfolio comprises holdings in the following institutions:

Financial Institution	Funds Invested	Proportion of Portfolio
CBA	\$1,901,060	25.3%
NAB	\$2,200,363	29.3%
WBC	\$2,195,802	29.3%
ANZ	\$1,205,763	16.1%
Total	\$7,502,988	100.00%



Consultation

N/A



Strategic Implications

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

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

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

Budget/Financial Implications

The October 2024 YTD Actual interest income from investments is \$131,052 compared to the October 2023 YTD Budget of \$150,000.

Legislative and Policy Implications

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

Decision Implications

N/A

Conclusion

The Investment Report is presented to Council.

Further Information

N/A



19.3 CPS55.11.24 List of Accounts Paid – October 2024

Meeting & Date	Council Meeting – 26 November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	M Harika – Chief Financial and Risk Officer
Director	A Alderson – Director Corporate Services
Attachments	1. Creditor Payment Listing – October 2024 2. Credit Card & Purchasing Card Payments – October 2024 3. Fuel Car Payments – October 2024

Purpose

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

ADMINISTRATION RECOMMENDATION

Moved by Councillor Coghlan, seconded by Councillor Brackenridge

That Council RECEIVES the List of Accounts Paid for the month of October 2024.

Motion put and CARRIED (6/2)

For: Crs. Smyth, Coghlan, Brackenridge, Mayor Argyle, Hodsdon, Youngman
Against: Crs. Bennett, Amiry

Voting Requirement

Simple Majority.

Background

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

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



Discussion

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

Consultation

Nil.

Strategic Implications

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

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

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

Budget/Financial Implications

The payments are made in accordance with the approved budget.

Legislative and Policy Implications

In accordance with regulation 13 of the [Local Government \(Financial Management\) Regulations 1996](#) administration is required to present the List of Accounts Paid for the month of May 2023 to Council.

Decision Implications

Nil.

Conclusion

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

Further Information

Nil.





19.4 CPS56.11.24 Report to Adopt Integrity Framework

Meeting & Date	Council Meeting – 26 November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	No officer involved in the preparation of this report has a declarable interest.
Report Author	Keri Shannon – Chief Executive Officer
Director/CEO	Keri Shannon – Chief Executive Officer
Attachments	1. Integrity Framework

Purpose

For Council to consider endorsement of the City of Nedlands Integrity Framework.

ADMINISTRATION RECOMMENDATION

Moved by Councillor Coghlan, seconded by Councillor Smyth

That Council ENDORSES the Integrity Framework as contained in Attachment 1.

Motion put and CARRIED (4/4)

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

Against: Crs. Bennett, Youngman, Amiry, Hodsdon

Voting Requirement

Simple Majority.

Background

The Public Sector Commission (PSC) is responsible for strengthening the efficiency, effectiveness and capability of the public sector to deliver high quality services.

To meet these objectives, the PSC adopted the Integrity Strategy for WA Public Authorities 2020 – 2023. The Strategy focuses on four key improvement areas with actions and controls to promote integrity and help prevent misconduct and corruption. These include –

1. Plan and act to improve integrity
2. Model and embody a culture of integrity
3. Learn and develop integrity knowledge and skills
4. Be accountable for integrity



The PSC has encouraged all public authorities to develop and implement an Integrity Framework.

The implementation of the framework will assist the City to identify any areas of concern, prioritise actions and manage processes across the City.

Discussion

A public authority is responsible to act in the interest of the community and to operate with integrity using its power responsibly for the purpose for which it is intended.

The attached Framework guides the City in providing the highest level of integrity for its community, and brings together the instruments, processes and structures within the organisation that foster integrity and help prevent corruption and misconduct from taking place.

The draft Integrity Framework was developed utilising the PSC's framework resources, and will apply to all employees and elected members.

The Framework outlines the City's approach to act with honesty and transparency, to prevent and address misconduct, and to operate with integrity.

The draft Framework, if endorsed by Council, will be reviewed on a regular basis.

Consultation

The draft Integrity Framework was tabled at EMT in May 2023. It has not been subsequently reviewed or amended since that time.

Strategic Implications

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

Vision	Sustainable and responsible for a bright future
Pillar	Performance
Outcome	11. Effective leadership and governance.

Budget/Financial Implications

Nil.

Legislative and Policy Implications

Local Government Act 1995.



*Public Sector Management Act 1994.
Corruption, Crime and Misconduct Act 2003.
Public Interest Disclosure Act 2003.
Risk Management Policy.*

Decision Implications

The endorsement of the Integrity Framework by Council will ensure the City is compliant with better practices adopted in this area.

Conclusion

The framework provides guidance for the City and aligns the City's practices in this area with the PSC requirements for public sector authorities.

Further Information

Question from Deputy Smyth

Are you able to say a few words about the Integrity Framework?

Response from CEO

The Integrity Framework has been developed by the Public Sector Commission. All local governments have been adopting them. This report was primarily prepared by the previous Coordinator of Governance Ms Kania. It is very standard in terms of the approach that is taken which requires the Council to essentially assess its integrity maturity at different points and report on that. The integrity framework strengthens governance and creates a culture of integrity within the local government framework so I fully endorse it.



20. Reports by the Chief Executive Officer

20.1 CEO46.11.24 Register of Outstanding Council Resolutions

Meeting & Date	Council Meeting – 26 November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	No officer involved in the preparation of this report has a declarable interest.
Report Author	Sara Bloomfield – Governance Officer (Council Support)
Director/CEO	Keri Shannon – Chief Executive Officer
Attachments	1. Register of Outstanding Council Resolutions

Purpose

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

ADMINISTRATION RECOMMENDATION

Moved by Councillor Youngman, seconded by Councillor Smyth

That Council RECEIVES the Register of Outstanding Council Resolutions dated October 2024.

Motion put and CARRIED EN-BLOC (7/1)

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

Against: Crs. Bennett

Voting Requirement

Simple Majority.

Background

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

Discussion



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

The report has been updated by officers when required. Information will be periodically provided to Councillors on previous resolutions of Council that:

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

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

Consultation

Nil.

Strategic Implications

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

Vision Pillar Outcome	Sustainable and responsible for a bright future Performance
	11. Effective leadership and governance.

Budget/Financial Implications

Nil.

Legislative and Policy Implications

Local Government Act 1995.

Decision Implications

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

Conclusion

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



Further Information

Nil.



20.2 CEO47.11.24 Elected Members Information Bulletin

Meeting & Date	Council Meeting – 26 November 2024
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil.
Report Author	Keri Shannon – Chief Executive Officer
CEO	Keri Shannon – Chief Executive Officer
Attachments	1. Elected Members Information Bulletin November 2024

Purpose

To provide an efficient and effective means of communication of Information between the City’s Administration and Elected Members

ADMINISTRATION RECOMMENDATION

Moved by Councillor Amiry, seconded by Councillor Youngman

That Council RECEIVES the Information Bulletin dated 26 November 2024.

Motion put and CARRIED (7/1)

For: Crs. Mayor Argyle, Smyth, Coghlan, Brackenridge, Youngman, Amiry, Hodsdon
Against: Crs. Bennett

Voting Requirement

Simple Majority.

Background

To improve transparency and communicate a high level summary of service activities within the City across the previous month.

Consultation

Not applicable.



Strategic Implications

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

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

Pillar **Performance**

Outcome 11. Effective leadership and governance

Budget/Financial Implications

There are no budget or financial implications in this report.

Legislative and Policy Implications

Not applicable.

Decision Implications

N/A

Conclusion

The discussion points will be noted.

Further Information

Nil.



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

21.1 NOM46.11.24 Point Resolution Planting Proposal

Date of Submission	2 October 2024
Meeting date	26 November 2024
Item title	NOM46.11.2024 – Point Resolution Planting Proposal
Name of elected member	Mayor Argyle
Attachments	4. Point Resolution Planting Proposal

Notice of motion

That Council APPROVES transformation of Point Resolution, Jutland Parade Dalkeith into a Banksia Woodlands at no cost to the City of Nedlands.

Moved by Mayor Argyle, seconded by Councillor Brackenridge

AMENDMENT

Moved by Councillor Bennett, seconded by Councillor Youngman

That Council:

Requests the CEO report to Council by the February OCM 2025 on the following considerations;

- 1. Community engagement of the concept through advertising with one month public comment period.**
- 2. Consultation with residents within a 400m catchment of Point Resolution and Cruikshank Reserve.**
- 3. Budget Considerations for Banksia Woodland project as part of the mid-year 2024-25 financial year budget for targeted delivery in the 2025 planting season.**

Motion put and LOST (4/4)

For: Crs. Hodsdon, Amiry, Bennett, Youngman

Against: Crs. Brackenridge, Coghlan, Argyle (casting), Smyth

COUNCIL DECISION

That Council APPROVES transformation of Point Resolution, Jutland Parade Dalkeith into a Banksia Woodlands at no cost to the City of Nedlands.



Motion put and CARRIED UNANIMOUSLY (8/0)

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

Against: Crs. Nil.

Reason / Justification

Creating the City of Nedlands as it Once was...

The City of Nedlands was built on Banksia woodlands. Today, less than 0.5% remains yet this woodland is the key home for important plants and animals including our endangered Carnabys Cockatoo. Mandyooranup – the Place of the Banksia is a globally significant step towards reinstating our critically endangered Banksia woodland in the City.

Using the world class expertise of the Banksia restoration team from Curtin and The University of Western Australia, 2ha of former Banksia woodland now lawn will be reinstated with a full diversity of almost 150 species that will mature to welcome both the community with superb year-round colour including the first plantings of the iconic WA Christmas Tree (Moodjar).

This represents the most significant attempts at restoration of Banksia woodland in the Australian Metro region by a local government and will be a showcase of five star restoration. The site will be a major resource for local schools to use as nature study sites and to inspire all we can bring back critically important habitat to our urban environment.

Administration Comment

- Point Resolution underwent an irrigation upgrade in 2018.
- Some minor irrigation modifications will be required to accommodate most of the design. The major components of the irrigation must stay in place though, due to pressure requirements.
- A slight adjustment to the proposed woodland area design can accommodate this without a full irrigation re-design and modification to maintain the current hydro-zoning effect.
- Practically, Fewer, larger areas are simpler to maintain.
- The final arrangement and layout should ensure that planting of Black cockatoo foraging plants are kept away from the road due to car strikes.
- To reduce bush fire risk to adjacent properties, consideration will need to be given to fire breaks, fuel load reduction measures and/or potential extent of planting zones near or hard against property boundaries. This may be a concern to residents in need of addressing to garner support.
- The City had an initial proposal as part of the 2018 Enviro-scape Plan. This initial proposal is below:





- There was a different sentiment from the community at the time and thus a reduced plan was introduced as it is today, however the proposal from the Mayor aligns with the original intent.
- The native garden areas will require a much larger amount of maintenance beyond basic turf management as is currently the case.
- Depending on the level of maintenance and quality of woodland, Council may need to consider funding for contract maintenance as current Landscape staff resources are far below the required level to maintain these additional areas.

Park and Sunset Foreshore;

- Paths and other associated assets such as natural area fencing, kerbing to delineate planting areas and so forth, as well as potential bushfire advice may be required to be considered for funding depending on the final agreed scope.
- The extent, scope, maintenance requirements and infrastructure impacts cannot be determined from the concept layout and further investigation will be required to adequately provide Council with a potential cost for consideration and decision making.
- Overall though the proposal will bring environmental benefits if adequately designed, funded and maintained in such a way to not present a risk to the nearby community or the fauna in the area.
- This arrangement would be similar to native areas at David Cruickshank, Beaton

Officers Recommendation

That Council considers improvements to Point Resolution Upper to be converted to a Banksia Woodland as part of the mid-year 2024-25 financial year budget for targeted delivery in the 2025 planting season.



21.2 NOM47.11.24 Support for Irrigation of Allen Park Bushland

Date of submission	14 November 2024
Meeting date	26 November 2024
Item title	NOM47.11.245 – Support for Irrigation of Allen Park Bushland
Name of elected member	Cr Hengameh Amiry

Notice of motion

Council instructs CEO:

To investigate and install a cost-effective water transportation system either through installation of a temporary compressor or otherwise with the aim to enable the Melon Hill Bushland volunteers to water the Allen Park bushland in Swanbourne.

Limit the expenditure to maximum of \$50,000.

Moved by Councillor Amiry, seconded by Councillor Youngman

Motion put and CARRIED UNANIMOUSLY (8/0)

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

Against: Crs. Nil.

Reason / Justification

- The average age of our bushland volunteers is over 65
- In the last few years it has been increasingly difficult for our volunteers to transport water to the top of Melon Hill to maintain our natural bushland.
- Without immediate help this year, the City will lose areas of bushland whose retention is both critical at a time of global warming concerns and also aligns well with the City's UN sustainability aspirations.

Administration Comment

- The City currently provisions the placement of 4 x water containers around the site, indicated by the orange squares in the following image and have been located in proximity to the recent planting areas:



Map 2: Allen Park 2024 planting areas (blue and red areas) - approx. locations for 3800 plants

- These have been used by volunteers and contractors to water.
- Further tanks can be considered to minimise distance travelled, and location reviewed as planting areas change.
- Logistical issues will arise in any system whether it is regarding refilling of the static tanks, fuel for petrol powered pumps, or electrical connections for electrical pumps in addition to sites to draw from.
- Supplemental watering could be provisioned from standpipe connections at City managed buildings where not already present.
- Currently there is limited staff available to fully investigate and provision options, particularly for this summer period due to recruitment being underway.
- Further, there is already an outstanding resolution by Council to source additional funds for environmental conservation, and it is interpreted that this funding for water will be in addition to the required funds for reinstatement of bushland maintenance.
- It would then be advisable that given the current situation, Council attempt to work to a budget figure as opposed to exploring numerous options within a generous budget better utilized for maintenance of the bushland more broadly.
- For instance the following may be reasonable:
 - o the hire of a mobile water trailer with a pump is approximately \$750 for 7 days
 - o it would require staff involvement for fueling and checking as well as cartage for water filling estimated to be \$500 throughout the summer
 - o mobilization is estimated to be \$220 per trailer.
 - o On the basis of 3 additional trailers over the summer season; a total of



- \$29,120 would be required.
- Assuming also a pipe and hose extension may be beneficial, a further \$1,000 may be required each.
- As per the above, adopting a figure of approximately \$34,000 would be a suitable starting figure for at least one solution to compare against and potentially action in a short period by staff.
- This does not exclude the possibility of scheme water installation points, which may prove cheaper and more cost effective but is not able to be estimated at the time of the commentary for the Notice of Motion.
- While a permanent system would be beneficial, the nature of bushland management differs from a permanent irrigation system and thus any infrastructure installed may only be useful for a limited time during establishment.

Officers Recommendation

That Council:

1. Instruct the CEO to increase water provision and supply for the purposes of bushland vegetation management over the 2024-25 summer period in consultation with the Melon Hill Bushland Volunteers to a total of no greater than \$34,000.
2. Allocate as part of the mid-year budget review an additional allocation of \$34,000 toward the management of the Allen Park Bushland for the purposes of improved water provision.



21.3 NOM48.11.24 Land Tenure Access Arrangements for Greenway Corridors

Date of submission	15 November 2024
Meeting date	26 November 2024
Item title	NOM48.11.245 – Land Tenure Access Arrangements for Greenway Corridors
Name of elected member	Cr Kerry Smyth

Notice of motion

With regard to the Greenway Corridor access in Mt Claremont Education and Sports Precinct; Council instructs the CEO to:

1. Progress various land access initiatives that underpin the community vision expressed in the Mt Claremont Master Plan by reactivating dealings with responsible land holders, including but not limited to CCGS, JTC, UWA, WAIS, that will facilitate greenway corridors for recreation and wildlife movement.
2. Provision the extension of the Mt Claremont Oval Bushland Management Plan (2018-2024) to include:
 - a) bushland adjacent to the Mt Claremont Community Centre;
 - b) bushland and parks along Pinetree Lane Heritage Lane and the Marlows escarpment; and
 - c) the network of parks, greenways and bushland corridors that facilitate wildlife movement through the natural environment.

With regard to the Greenway Corridors, Wildlife Corridors and Recreation Access through natural areas within the City of Nedlands, requests the CEO to :

3. Report on land tenure and community access to all parcels of public land along the entire length of the City of Nedlands foreshore to protect and enhance the continuous foreshore Greenway Corridor for community recreation, wildlife movement, as well as increased community awareness of cultural and natural heritage value of the Swan River shoreline by the OCM February 2025.

Moved by Councillor Smyth, seconded by Councillor Bennett

Motion put and CARRIED UNANIMOUSLY (8/0)

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

Against: Crs. Nil.

Reasons



1. The City needs to progress land access initiatives that underpin the community vision expressed in the Mt Claremont Master Plan.
2. The new Bushland Volunteer Advisory Committee supporters indicate that the area of interest in Mt Claremont is extended more widely than just Mt Claremont Oval Reserve.
3. The decommissioned (c1989) Brockway landfill site is located on ancient wetlands between Lake Claremont and Perry Lakes crucial for wildlife habitat and movement. The current landholders are open to environmental restoration initiatives coordinated by the City.
4. There is a need to apply various Bushland and Urban Canopy Strategies and Policies to the Public Purpose zoned land that is generally under management orders with State Ministers and/or Government Agencies.
5. There is a need to apply various Bushland and Urban Canopy Strategies and Policies to the Education and Sport precinct owned by Not For Profit organisations.



Justification

Reference 1 – Petition for Access

OCM 22 November 2022 Item 6.1 Mr Daniel Tydde & 14 others Requesting access to Christ Church Playing Fields from Blenheim Lane.

<https://www.nedlands.wa.gov.au/council-meetings/ordinary-council-meeting/ordinary-council-meeting-22-november-2022/476/documents/2022-council-meeting-minutes-22-november.pdf>

Reference 2 –Mt Claremont Oval Bushland Management Plan

<https://www.nedlands.wa.gov.au/documents/483/mt-claremont-oval-reserve-bushland-management-plan>

Reference 3 – Discussion Paper School Sports Circuit: Kennedy-Stiff July 2022.

Reference 4 – Excerpt from MCOBMP showing extent of bushland inclusion.

Reference 5 – Map showing fragmented land parcels that constitute a network of bushland, parkland and greenways **not** included in Mt Claremont Oval Bushland Management Plan.

4. BACKGROUND

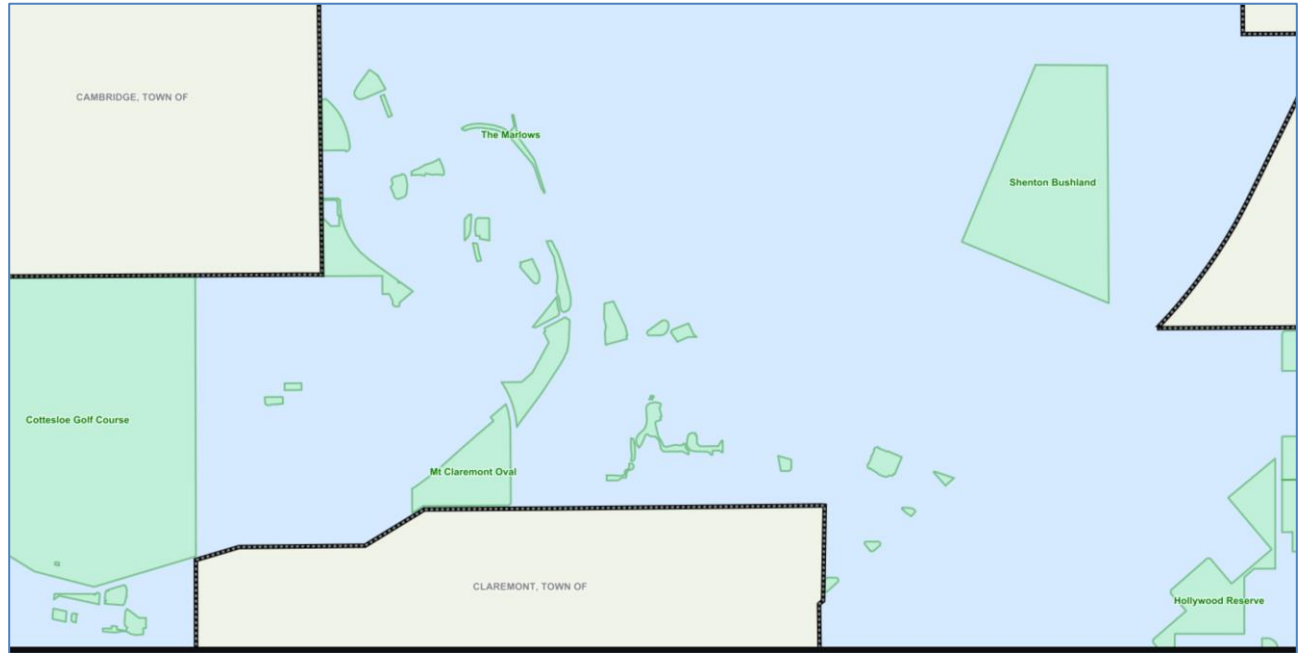
4.1 Study Site

Mt Claremont Oval Bushland is located within the City of Nedlands approximately 7.5 km west of the Perth Central Business District. It is bordered by Cleland Street to the north, Mt Claremont Oval, Alfred Road and Lake Claremont to the south, Lisle Villages to the west and Montgomery Avenue to the east.

The bushland at Mt Claremont Oval Reserve is vested in the City of Nedlands as A Class Reserve 26102 for “Parks and Recreation”. The City of Nedlands has the “Power to Lease” on Reserve 26102 and it covers an area of 2.21 hectares (ha), as shown in Figure 1.

Figure 1: Mt Claremont Oval Bushland







Reference 6 - Blenheim Sump

1. Lot 38 Blenheim Lane Mt Claremont (3,567m²) R48631 (the sump) is not managed by the City to its full potential as POS.
2. This sump has featured in a range of Council strategic initiatives including:
 - a) NE Mt Claremont Structure Plan proposal (2018)
 - a) City of Nedlands Land Investment Strategy proposals (2020)
 - b) Budget submissions (2021-22)
 - c) School Sports Circuit (2016-17)
 - d) Land acquisitions from Water Corp (2019)
 - e) Sump re-purposing program (2019-20)
3. This sump is subject to a licence for access with Christchurch Grammar School, so that public access is facilitated through to their Playing Fields as per their conditions of approval.
4. Access via the sump was the subject of a Petition presented to Council November 2022.
5. The sump is a premium location for tree planting and urban canopy renewal.
6. The 2024-25 Budget directed that:
Council instructs the CEO to allocate \$20,000 of proposed tree planting budget to the eradication of Caster Oil Bush and mass planting of significant eucalyptus trees in R48631 this being the sump located at Lot 38 Blenheim Lane Mt Claremont (3,567m²) R48631 has been the subject of previous budget submissions, land access licences and easement arrangements, and a Petition to Council.

Administration Comment

With respect to the first point, this will require considered staff time allocation and will need to be weighed against other competing priorities.

The extension of the area to be reviewed as part of the Management Plan may have budget allocation implications which have not been fully considered at this time.

Officers Recommendation

That the Chief Executive Officer be requested to consider the implementation of the Mount Claremont Master Plan following Council adoption after the public advertising period.



21.4 NOM49.11.24 Governance Officer

Date of submission	14 November 2024
Meeting date	26 November 2024
Item title	NOM49.11.245 – Governance Officer
Name of elected member	Cr Noel Youngman

Notice of motion

Instructs the CEO to arrange a position seated next to the Presiding Member at all Council Meeting for the Governance Officer.

Moved by Councillor Youngman, seconded by Councillor Bennett

Motion put and LOST (4/4)

For: Crs. Amiry, Youngman, Bennett, Hodsdon

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

Reason / Justification

On the 27 May 2024 the CEO organised a training session with Mr David Price. This meeting was attended by the CEO, Mayor, Councillors Hodsdon, Amiry, Youngman, Smyth, Coghlan and the former Governance Officer Kania.

One of my key takeaways from Mr David Price was that the City of Nedlands Governance Officer should ideally be seated beside the Presiding Member at all meetings such that the Presiding Member can ask them questions or seek clarification.

Currently the Council has been relying solely on interpretations of the Local Government Act (1995) and the Standing Orders by the CEO. The Governance Officer is an expert in these areas.

Administration Comment

There are a range of ways for governance advice to be provided to the Mayor. The CEO has a law degree, Graduate Diploma in Governance from the Governance Institute of Australia and a Diploma of Local Government (Elected Member) from WALGA. All local government meetings have the CEO seated next to the Mayor or Presiding member. The seating order of staff in the chamber is largely an operational matter. Due to the configuration of the City of Nedlands chamber, it is not possible for the Governance officer to sit next to the Mayor as the live minute taker sits between the CEO and the Governance Officer.



21.5 NOM50.11.24 Expansion of Tresillian Adult courses to Mount Claremont community Centre

Date of submission	14 November 2024
Meeting date	26 November 2024
Item title	NOM50.11.245 – Expansion of Tresillian Adult courses to Mount Claremont
Name of elected member	Cr Hengameh Amiry

Notice of motion

Council instructs CEO:

To work with Tresillian management to develop a plan for presentation to Council at the December 2024 OCM to relocate and / or expand the Centre’s adult physical exercise and language courses at the Mount Claremont Community Centre for Term 1 2025.

Moved by Councillor Amiry, seconded by Councillor Youngman

Motion put and CARRIED (5/3)

For: Crs. Amiry Youngman, Bennett, Smyth, Hodsdon
Against: Crs. Coghlan, Brackenridge, Mayor Argyle

Reason / Justification

The Tresillian Centre is a much loved facility at the City of Nedlands. The courses offered are extremely popular and many participants re-enroll resulting in long waiting lists. Provision of additional courses would allow disappointed applicants the opportunity to participate on Tresillian courses.

The Centre benefits from below cost premises on Tyrell st. and with revenue from enrolments making the service effectively cost neutral to the City. The Mount Claremont facility is well maintained and underutilised. Rooms can be made available at similar below cost rates making this expansion cost neutral to the City. There are significant parking and traffic issues around Tyrell st and Edward st because of the popularity of Tresillian courses. The Mount Claremont Centre has dedicated carpark and will help lighten the traffic and parking for residents around Tyrell St.

Foreign language courses and exercise classes should be the first considered for Mount Claremont Community Centre as they have minimal set-up costs and can commence in Term 1 2025.

Administration Comment



There are already exercise classes run at Mt Claremont (both Positive Ageing ones, and also private providers). A Yoga tutor from Tresillian runs a class at Mt Claremont.

We also have language groups run there too (as well as at Nedlands Library) facilitated by volunteers.

The report for the last NOM details this, which is why we recommended trialling school holiday programs.

In regard to other adult courses (Art), the reason for the demand and waitlist is due to the tutor taking the class. For example, one of the Watercolor classes has a lengthy waitlist because it's the tutor that people want to learn from, not the type of class, and this is dependent on their availability.

We are not confident that any old watercolor class (or other type of art class run by a unknown artist) could or would draw the same level of demand or interest.



21.6 NOM51.11.24 Repair of City Playgrounds

Date of submission	14 November 2024
Meeting date	26 November 2024
Item title	NOM51.11.245 – Repair of City Playgrounds
Name of elected member	Cr Hengameh Amiry

Notice of motion

Council instructs CEO:

To affect the repair of all children’s playgrounds in the City to regulatory safe standards.

To report to the Audit committee the progress made on a monthly basis.

Moved by Councillor Amiry, seconded by Councillor Hodsdon

Motion put and CARRIED (6/2)

For: Crs. Smyth, Mayor Argyle, Bennett, Youngman, Hodsdon, Amiry
Against: Crs. Coghlan, Brackenridge

Reason / Justification

1. Several of the playgrounds in the City have been in a state of dis-repair for over 12 months, with some having to be cordoned off for dis-use.
2. During this period of high cost of living costs, families need access to cost effective outings to entertain their children during the long days of the summer months and over the long school break.
3. Lack of ongoing maintenance of our playgrounds deprives residents of their use and risks eventual replacement at much higher cost or removal of the facility at the detriment of the community.
4. Whilst a management plan exists and some maintenance does occur, the current state of is often below regulatory standard. Monthly reporting of progress to Councillors is required to maintain focus and ensure repairs are addressed as a matter of priority.

Administration Comment

- At present there is a number of playgrounds in the City which are at, or past their useful working life. Due to continual replacement of components, however, when assessed from an asset perspective is grouped and not always reflective of the major components i.e.
 - o Structural frame = very poor,
 - o swing, pole, flying fox = excellent
 - o Average condition of playground = good



- An asset condition pickup for parks occurred in FY Q1 and the data is awaiting asset staff replacements to be cleansed to be presented to Council.
- Most maintenance of playgrounds is re-active replacement of individual failing parts. This increases as playgrounds age, and will occur at unexpected times due to the requirement to operate to failure. Much of this can occur as per maintenance under the capitalisation threshold of \$5,000. In instances like the Mason’s Garden soft fall, the cost required a capital contribution in budget.
- It is worth noting that standards are not aligned with condition, there may be good quality playgrounds in condition which have finger entrapment or exposed steel risks.
- Capital Work allocation for the 2024/25 financial year presented as part of the proposed budget was limited to projects which received external funding contribution, and as such had minimal provision for public open space equipment & furniture. The following was deferred and is proposed to be undertaken in the coming years:

25/26	POS Equipment	Improvement	Swanbourne Estate Playground Consolidation	Consultation, design and implementation to improve existing park - Nidjalla loop and reappropriate park area in Birrigoon Loop for other purpose. (Deferred from FY 23/24 & 24/25 inclusive due to insufficient Funding)	\$ 256,850			\$ -	\$ 256,850
25/26	POS Equipment	Renewal	Swanbourne Beach	Remove and construct replacement playground (Deferred from FY 23/24 & 24/25 inclusive due to insufficient Funding)	\$ 173,800			\$ -	\$ 173,800
25/26	POS Equipment	Renewal	Minor Parks Furniture	Swanbourne Beach Gazebos Rectification (Deferred from FY 23/24 & 24/25 inclusive due to insufficient Funding)	\$ 93,687			\$ -	\$ 93,687
25/26	POS Equipment	Improvement	Melvista Child Health Clinic	Replace existing play equipment	\$ 71,500			\$ -	\$ 71,500
Project Count: 4					Financial Year 25/26 Proposed Funding Subtotal:	\$ 595,837	\$ -	\$ -	\$ 595,837
26/27	POS Equipment	Renewal	Hollywood Reserve	Stage 2 - Replace end of life playground with fitness facilities in reserve from EP objectives (Deferred from FY 24/25 & 25/26 inclusive due to insufficient Funding)	\$ 135,000			\$ -	\$ 135,000
26/27	POS Facilities	Renewal	Lawler Park	Stage 3 - Install new play equipment Stage 2 EP	\$ 125,000			\$ -	\$ 125,000
26/27	POS Equipment	Improvement	College Park	Stage 3 - Replace existing equipment as part of EP construction (Deferred from FY 25/26 inclusive due to insufficient Funding)	\$ 115,000			\$ -	\$ 115,000
26/27	POS Equipment	Renewal	Minor Parks Asset Renewal	Renewal based on Condition Audit - Location TBA	\$ 100,000			\$ -	\$ 100,000
26/27	POS Facilities	Renewal	Minor Parks Furniture Renewal Program	Reactive and unplanned Minor Parks Furniture Renewal (Deferred from FY 25/26 inclusive due to insufficient Funding)	\$ 50,000			\$ -	\$ 50,000
26/27	POS Equipment	Improvement	Baines Park Design and Consult	Stage 2 - Consult and design new playground at Baines Park from EP objectives (Deferred from FY 24/25 & 25/26 inclusive due to insufficient Funding)	\$ 25,000			\$ -	\$ 25,000
Project Count: 6					Financial Year 26/27 Proposed Funding Subtotal:	\$ 550,000	\$ -	\$ -	\$ 550,000
27/28	POS Equipment	Improvement	Baines Park Construction	Stage 3 - Replace existing equipment as part of EP construction (Deferred from FY 25/26 & 26/27 inclusive due to insufficient Funding)	\$ 212,000			\$ -	\$ 212,000
27/28	POS Equipment	Improvement	Minor Parks Asset Renewal	Renewal based on Condition Audit - Location TBA	\$ 150,000			\$ -	\$ 150,000
27/28	POS Facilities	Renewal	Minor Parks Furniture Renewal Program	Reactive and unplanned Minor Parks Furniture Renewal (Deferred from FY 26/27 inclusive due to insufficient Funding)	\$ 50,000			\$ -	\$ 50,000
Project Count: 3					Financial Year 27/28 Proposed Funding Subtotal:	\$ 412,000	\$ -	\$ -	\$ 412,000
28/29	POS Equipment	Improvement	Minor Parks Asset Renewal	Renewal based on Condition Audit - Location TBA	\$ 150,000			\$ -	\$ 150,000
28/29	POS Facilities	Renewal	Minor Parks Furniture Renewal Program	Reactive and unplanned Minor Parks Furniture Renewal (Deferred from FY 27/28 inclusive due to insufficient Funding)	\$ 50,000			\$ -	\$ 50,000
Project Count: 2					Financial Year 28/29 Proposed Funding Subtotal:	\$ 200,000	\$ -	\$ -	\$ 200,000

- The proposed projected spend over the next three years therefore is:
- \$595k in 25/26,
- \$550k in 26/27,
- \$412k in 27/28.

This \$1.557m total is on track with the \$1.640m indicated in the adopted asset management plan for Parks, with the majority of this funding being toward playground equipment.

- Upon data review and cleansing there may be additional projects and assets identified in need of renewal or removal, and the delivery of such may defer or bring forward projects to accommodate.
- Currently limited staff availability has meant only visual risk assessments of playgrounds for damaged equipment is undertaken.
- The staff are currently proposing to undertake independent bi-monthly inspections as part of the mid-year budget review for Council to consider.
- It would be advisable that if deemed a risk, the Council resolve by absolute majority to provision an allocation in advance and allow it to begin immediately.
- The estimated cost for a initial full inspection is approximately \$15,000 and bi-monthly inspections for the rest of the financial year would \$14,000 totalling \$29,000
- The results can then be presented to the audit committee and be used during budget deliberations.



Officer's Recommendation

- Considering the above the Officers recommend:

That Council:

- 1. Request the CEO arrange for an initial full safety inspection of all City playground to be undertaken as soon as possible.**
- 2. Include by absolute majority an allocation within the 2024-25 mid-year budget review consisting of:**
 - a. \$15,000 for the initial full playground inspection as requested in 1. above, and**
 - b. \$14,000 for bi-monthly inspections for the remainder of the financial year.**
- 3. Report the results of the initial full inspection back to the next possible Audit Committee meeting following completion.**



21.7 NOM52.11.24 Condition Report on Tennis Court Surface at Lawler Park

Date of submission	20 November 2024
Meeting date	26 November 2024
Item title	NOM52.11.245 – Condition Report on Tennis Court Surface at Lawley Park
Name of elected member	Cr Ben Hodsdon

Notice of motion

That the city prepares a report on the condition, repair and/ or replacement of the tennis court surface at Lawley park by Decembers council meeting.

Moved by Councillor Hodsdon, seconded by Councillor Youngman

Motion put and CARRIED (6/2)

For: Crs. Amiry, Smyth, Hodsdon, Youngman, Bennett, Coghlan
Against: Crs. Brackenridge, Mayor Argyle

Reason / Justification

1. The surface is in what I consider dangerous condition and should be repaired or replaced.
2. It is a well used facility that developed community

Administration Comment

- The officers are able to prepare a report for the December Council meeting, noting that due to the shorter month, it will be brief and likely a late item.
- Should council wish a more detailed consideration of the matter, more time for a fulsome report and assessment would be required.
- Fortunately, the City has already obtained indicative figures in preparation for future budgets to repair the courts through two options;
 - o Option 1 being a minor replacement of pavement and then a general resurface of the entire court area at approximately \$20,000,
 - o Option 2 being a full reconstruction of the pavement and the surface and give considerable further useful life, costed at approximately \$50,000
- It should be noted that option 1 will not address the underlying issues and that further isolated repair work would be required again in the next 5-10 years as root penetration persists.
- Council may need to give consideration to the timing of any tennis court works in conjunction with, or complementary to any long term development of the Lawler Park precinct.
- The Council would be advised to weight the cost / benefit of a long term, whole of life solution against limiting options for a potential relocation and renewal of the facilities at



Lawler Park, that may be better relocated toward the tennis court site, and likewise the tennis courts elsewhere. This can be contemplated within the report.

- Either option will require Council funding, and should Council wish to see more immediate action, an allocation would be required as part of the mid-year budget review.

Officer's Comment

- Considering the commentary and the original intent of the motion, Officers believe a minor amendment to the motion may add value as follows:

That Council requests the CEO to prepare a report regarding the Lawler Park Tennis Courts, detailing

A. the condition; and,

B. the repair and/ or replacement options.

for presentation at the Ordinary Council Meeting in December.

- This would allow Council to add any further desired inclusions and consider a later meeting to allow time for the information to be obtained and provided.



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

This item will be dealt with at the Council Meeting.

Councillor Youngman, Amiry and Bennett left the meeting at 9:36PM

23. Confidential Items

24. Declaration of Closure

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

The meeting closed at 9:47PM.