

Minutes

Special Council Meeting 29 March 2022

Attention

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

Special Council Meetings are run in accordance with the City of Nedlands Standing Orders Local Law. If you have any questions in relation to items on the agenda, procedural matters, public question time, addressing Council or attending meetings please contact the Executive Officer on 9273 3500 or council@nedlands.wa.gov.au

Public Question Time

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

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

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

Addresses by Members of the Public

Members of the public wishing to address Council in relation to an item on the agenda must complete the online registration form available on the City's website: [Public Address Registration Form | City of Nedlands](#)

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

Disclaimer

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

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1. Declaration of Opening

The Presiding Member declared the meeting open at 6.00pm and drew attention to the disclaimer on page 2.

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

Present and Apologies and Leave of Absence (Previously Approved)

Councillors	Mayor F E M Argyle	(Presiding Member)
	Councillor B Brackenridge	Melvista Ward
	Councillor R A Coghlan	Melvista Ward
	Councillor R Senathirajah	Melvista Ward
	Councillor H Amiry	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward
	Councillor F J O Bennett	Dalkeith Ward
	Councillor A W Mangano	Dalkeith Ward
	Councillor N R Youngman	Dalkeith Ward
	Councillor O Combes	Hollywood Ward
	Councillor B G Hodsdon (from 6.02pm)	Hollywood Ward

Staff	Mr W R Parker	Chief Executive Officer
	Mr M R Cole	Director Corporate Services
	Mr T G Free	Director Planning & Development
	Mr A D Melville	Acting Technical Services
	Mrs N M Ceric	Executive Officer
	Mr J D Kennedy-Stiff	Manager City Projects and Programs
	Mr D Thomason	Coordinator Land and Property

Public Gallery There were 16 members of the public present and 9 online.

Press Nil.

Leave of Absence (Previously Approved) Nil.

Apologies Councillor J D Wetherall Hollywood Ward

3. Public Question Time

Public questions submitted to be read at this point.

Nil.

4. Addresses by Members of the Public

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

Mr Andrew Edwards, spoke in opposition to the recommendation for item 8, CPS12.03.22 Lease and Sublease of Lot 502 on Deposited Plan 418496 ('Tawarri').

Councillor Hodsdon joined the meeting at 6.02 pm.

Dr Robin Collin, spoke in opposition to the recommendation for item 8, CPS12.03.22 Lease and Sublease of Lot 502 on Deposited Plan 418496 ('Tawarri').

Suspension of Standing Orders

Moved - Councillor Coghlan

Seconded - Councillor Bennett

That Standing Order No. 3.4 (4) be suspended for the purpose of allowing additional public addresses in opposition to item 8.

CARRIED UNANIMOUSLY 12/-

Ms Irene Tan, spoke in opposition to the recommendation for item 8, CPS12.03.22 Lease and Sublease of Lot 502 on Deposited Plan 418496 ('Tawarri').

Dr Dorothy Collin, spoke in opposition to the recommendation for item 8, CPS12.03.22 Lease and Sublease of Lot 502 on Deposited Plan 418496 ('Tawarri').

Suspension of Standing Orders

Moved - Councillor Coghlan

Seconded - Councillor Bennett

That Standing Order No. 3.4 (5) be suspended for the purpose of extending the public address session longer than 15 minutes to permit the following public addresses.

CARRIED UNANIMOUSLY 12/-

Mr Jon Bennett, spoke in opposition to the recommendation for item 8, CPS12.03.22 Lease and Sublease of Lot 502 on Deposited Plan 418496 ('Tawarri').

Professor Matt Hipsey, spoke in opposition to the recommendation for item 8, CPS12.03.22 Lease and Sublease of Lot 502 on Deposited Plan 418496 ('Tawarri').

Mrs Frances Shaw, spoke in opposition to the recommendation for item 8, CPS12.03.22 Lease and Sublease of Lot 502 on Deposited Plan 418496 ('Tawarri').

Mr Chris Zelestis, spoke in opposition to the recommendation for item 8, CPS12.03.22 Lease and Sublease of Lot 502 on Deposited Plan 418496 ('Tawarri').

Dr Louise Sparrow, spoke in opposition to the recommendation for item 8, CPS12.03.22 Lease and Sublease of Lot 502 on Deposited Plan 418496 ('Tawarri').

5. Disclosures of Financial Interest

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

There were no disclosures of financial interest.

6. Disclosures of Interests Affecting Impartiality

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

There were no disclosures affecting impartiality.

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

Nil.

8. CPS12.03.22 Lease and Sublease of Lot 502 on Deposited Plan 418496 ('Tawarri')

Meeting & Date	Special Council Meeting – 29 March 2022
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995	Nil
Report Author	David Thomason – Coordinator Land & Property
Director/CEO	Mike Cole – Director Corporate & Strategy
Attachments	<ol style="list-style-type: none"> 1. Letter from Minister for Lands dated 25 October 2021 2. Excerpt of Section 3.59 of the <i>Local Government Act 1995</i> 3. Copy of Publicly Advertised Business Plan – Major Land Transaction 4. Net Estimates – Tawarri Head Lease and Sublease Rental Projections over 42-years 5. CONFIDENTIAL Draft Head Lease Agreement 6. CONFIDENTIAL Draft Sublease Agreement 7. CONFIDENTIAL Draft Limited Scope Financial Due Diligence of Tawarri Hot Springs – Moore Australia 8. CONFIDENTIAL Public Submissions – Collated 9. CONFIDENTIAL Secondary Legal Advice – Requests for Further Information

Regulation 11(da) – Council agreed not to proceed for the following reasons - Commercial Risk, inappropriate use of public land, cost of carparking and location inappropriate for such an enterprise.

Moved – Mayor Argyle
Seconded – Councillor Mangano

Council Resolution

Council:

1. in accordance with section 3.59 of the *Local Government Act 1995*, notes that each of the public submissions received during the statutory advertising period of the major land transaction has been considered; and
 - a. requests the Chief Executive Officer not proceed with the major land transaction as proposed; and
 - b. requests the Chief Executive Officer to promptly notify in writing both Tawarri Hot Springs Pty Ltd and the Department of Planning, Lands and Heritage of Council's decision.

2. requests the CEO to commence investigation of alternative options for the Tawarri site; with the primary objective being that the Class A Reserve that constitutes the site remains in the full care and control of the City.

CARRIED 7/5

(Against: Crs. Senathirajah McManus Youngman Combes & Hodsdon)

Recommendation

Council:

1. in accordance with section 3.59 of the *Local Government Act 1995*, notes that each of the public submissions received during the statutory advertising period of the major land transaction has been considered; and
 - a. requests the Chief Executive Officer proceed with the major land transaction as proposed; and
 - b. endorses the Draft Head Lease agreement between the State of Western Australia and City of Nedlands; and
 - c. endorses the Draft Sublease agreement between the City of Nedlands and Tawarri Hot Springs Pty Ltd, subject to the following amendments:
 - i. clause 5.1(2)(b) and 5.3(2) to remedy inconsistencies between notice provisions; and
 - ii. clause 26 to include a 6-month timeframe for a contract for demolition to be awarded; and
 - iii. clause 26 to address circumstances as contemplated by clauses 24.1, 24.2 and 27.2; and
 - iv. clause 27 to include the amended clause 26 (above) within the Essential Terms.
 - d. subject to the Minister for Lands' consent, authorises the Chief Executive Officer and Mayor to execute the agreements and apply the City's Common Seal.

Purpose

Following Council's previous resolution on this matter on 21 April 2021, this report is presented so elected members can consider the public submissions received relating to the proposed major land transaction and to therefore make a final decision on whether the City will proceed with the transaction as proposed.

Voting Requirement

Absolute Majority.

Background

The Tawarri Hot Springs Site ('Site') is located at Lot 253, 120 Esplanade, Dalkeith and is a Class A Reserve vested to the City for care and control. Currently occupying the site is the facility better known as 'The Dome'. The Dome was built in 1957 and operated as the Tawarri Function Centre until 2018 when the previous lease was terminated due to safety concerns with the asset.

The Site was first identified in the Strategic Community Plan 2013-2023 as a prime location for a public private partnership. The appetite to identify a future for the Site was reaffirmed in the Nedlands 2018-2028 Strategic Community Plan ('SCP'). During this time, the Site has been subject to six resolutions of Council with the first being in February 2016 and most recent being in April 2021. For Council's benefit, a summary of each resolution is chronologically detailed below. Also included within the timeline is any detail on where elected members were formally briefed on the project.

Date of Update	Update Type	Update Given
23 February 2016	Report	In consideration of item TS01.16, Council authorised administration to commence an investigation into future options for the Tawarri site.
27 September 2016	Report	In consideration of item 13.5, Council instructed the CEO to call for Expressions of Interest ('EOI') for the future development of the Tawarri site.
7 February 2017	Briefing	The City's Project and Policies Officer gave a verbal update on the submissions received following the EOI process. The briefing included an evaluation matrix and a summary of each submission for elected members.
7 March 2017	Briefing	An on-site briefing was then held on 7 March 2017 by the then City's CEO. Prior to the briefing, arrangements had been made to peg out the site to indicate the boundaries of the existing Tawarri Function Centre Lease Area and also to overlay the extent of the proposed new boundaries for each of the submissions received.
27 February 2018	Report	In consideration of item 13.8, Council appointed a panel for the purpose of assessing formal proposals for the future development and lease of the Tawarri Site.

26 June 2018	Report	In consideration of item 11.1, Council approved Tawarri Hot Springs Pty Ltd ('THS') as the 'Preferred Proponent' subject to Lease and Agreement of Sublease negotiations and instructed the then CEO to undertake relative actions to progress the project including a Business Case for submission to Department of Planning, Lands and Heritage ('DPLH') seeking an amendment to the Class A Reserve
5 February 2019	Briefing	A briefing was held by the then City's Director Corporate and Strategy who gave a verbal update on the progress of agreement negotiations with THS. Elected members were advised of changes to the original design of the proposed development and that arrangements were being made for the preferred proponent and its representatives to present their designs to the original evaluation panel
2 April 2019	Briefing	A briefing was held by the then City's Director Corporate and Strategy and consultant from Adroit Consulting (who was engaged by the City to undertake negotiations with THS). At this briefing, elected members were provided with an update on negotiations with the key components of the Heads of Agreement being discussed.
21 May 2019	Briefing	A further briefing was held with the consultant Adroit Consulting presenting the final draft of the non-binding Heads of Agreement.
27 August 2019	Report	In consideration of item CPS13.19, Council approved the conditions as contained in the non-binding Heads of Agreement relating to the Tawarri Site Redevelopment with a minor amendment to the term and instructed the then CEO to undertake further actions to progress the project which included a Due Diligence Report and negotiations on a draft Head Lease and Sublease document with the State and Tawarri Hot Springs Pty Ltd.
30 June 2020	Briefing	A briefing was held by the then City's Director Corporate and Strategy who provided a verbal update on the project noting that COVID had significantly halted the negotiations process.
15 September 2020	Briefing	A further briefing held by the then City's Director Corporate and Strategy who provided a verbal update on the project with the key point being the difficulty negotiating with the

		DPLH on the rent which may be payable to the State under the Head Lease.
13 April 2021	Briefing	Prior to the Committee meeting, a briefing was held with THS and its representatives providing elected members with an update on the project.
27 April 2021	Report	In consideration of item 17.1, Council noted the updated due-diligence report from Moore Australia and requested the then CEO secure financial and personal guarantees from each of the Directors of Tawarri Hot Springs Pty Ltd. Council also approved the Key Terms of the Head Lease and Sublease draft documents and requested the then CEO to commence advertising of the Major Land Transaction in accordance with the <i>Local Government Act 1995</i> . Confidential copies of the draft Head Lease, draft Sublease and financial due-diligence report by Moore Australia documents can be viewed in confidential attachments 5, 6 & 7
26 October 2021	Briefing	A briefing was held with THS providing Council with an opportunity to ask any final questions they may have to address any concerns with the development.

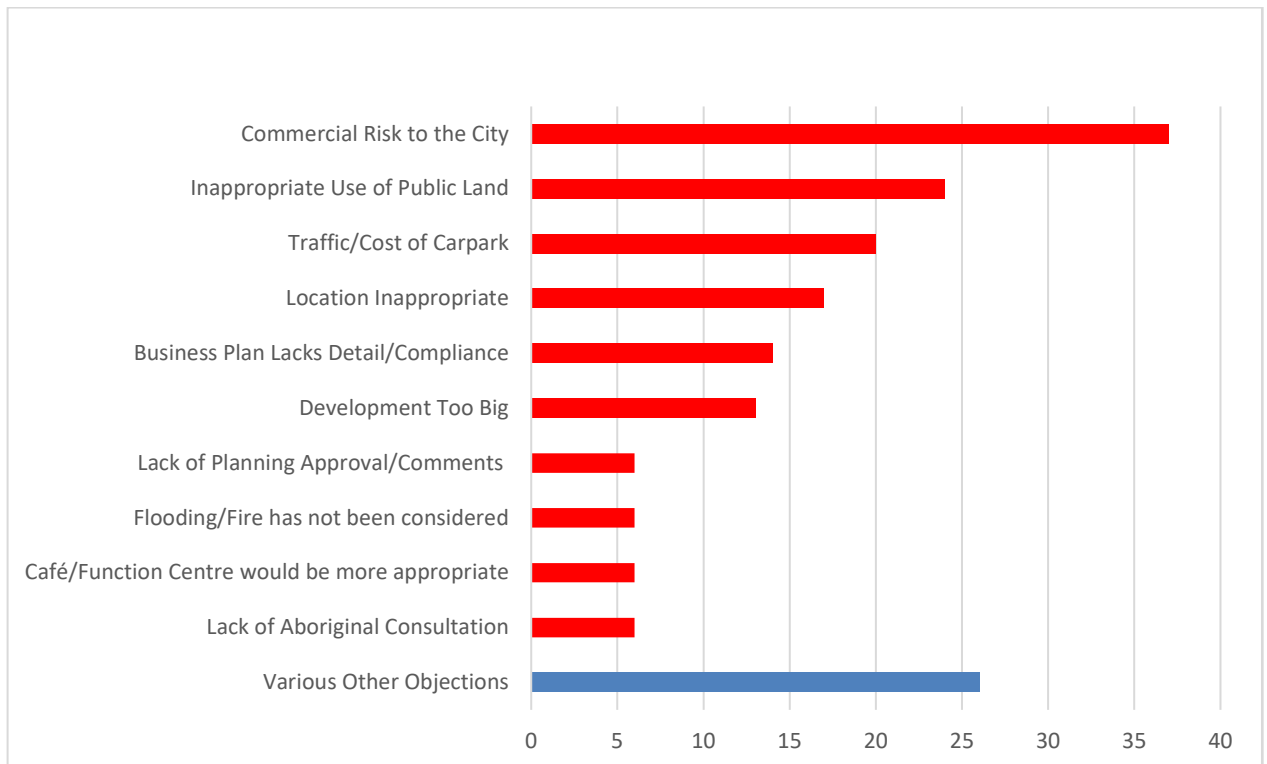
Discussion

Following Council's most recent resolution of 27 April 2021 (Item 17.1), Council requested the then CEO to commence all statutory advertising of the Major Land Transaction in accordance with the *Local Government Act 1995*.

During the Major Land Transaction advertising period, the City received a total of 43 submissions from the public. These submissions have been provided to Elected members in full in confidential attachment 8.

Of the 43 submissions received, 37 were in objection to the development, 5 were in support and 1 was undecided. In addition, only 1 submission was received without any explanation for their support or objection.

The table below shows a breakdown of the types of comments received within each of the submissions.



In order to address each of the concerns within the submissions received, Administration have provided the table below:

Issue Raised	Officer Comment
<p>Commercial risk to the City:</p> <p>a) Risk of the proponent defaulting on its lease and leaving the City with annual rent payable to the State</p>	<p>Issues relating to a ‘Commercial risk to the City’ was raised within 37 submissions</p> <p>With any commercial transaction, there is risk. By having a strong Sublease in place which largely mirrors the conditions imposed upon the City in the Head Lease, the City can mitigate as much risk as possible to itself.</p> <p>a) Should the proponent default on the sublease and the sublease is terminated, the rent payable under the Head Lease would remain only until such time as the City has surrendered the Head Lease (using clause 10 of the Draft Head Lease – see confidential attachment 5). This clause was added to the agreement following the Minister for Lands’ letter of assurance as per attachment 1.</p> <p>Should the City swiftly terminate the Head Lease, there will be no cost to the City in this event.</p>

<p>b) Risk of the proponent not finishing the development, leaving the City with a half-built facility.</p>	<p>b) Should the proponent's development not proceed part way through construction, the City may choose to have the proponent remove the facility and return the site so that it is clear and level. This mitigation strategy has been included as a provision within the Sublease through the 'Construction Bank Guarantee' (clause 5) to ensure there will be no cost to the City in this event.</p>
<p>c) Risk of the business not succeeding, leaving the City with a 'white elephant' facility</p>	<p>c) Should the proponent's development not be successful after the construction has been completed and the business becomes operational, and the Sublease is terminated, the City may choose to either have the proponent remove the facility and return the site so that it is clean and level or peacefully surrender the facility to the City for its ownership (clause 26). In addition to this clause, the City also may rely upon clause 21 which relates to an unconditional and irrevocable Bank Guarantee being provided to the City. Both of these clauses mitigate any financial risk to the City in this event.</p>
<p>d) Rent is too low</p>	<p>d) The rent has been negotiated with both the proponent and the State under two separate agreements with the rent payable under the Head Lease being dictated by the State in accordance with the Valuer General's Assessment. In order to minimise risk to the City, the City has therefore included the same rental calculation methods within the Sublease to ensure the City is always in receipt of a profit from the arrangements. Any other methodology would leave the City exposed to possible deficits in rent collected/payable.</p>
<p>e) Business Plan has no details about financial guarantees on an inexperienced operator</p>	<p>e) Further to Council's resolution of 27 April 2021, personal financial guarantees from each Director of Tawarri Hot Springs Pty Ltd were requested by the then CEO. However, the Directors of THS have declined this request on the basis that the proposed Sublease already has numerous onerous protective mechanisms including the Construction Bank Guarantee and the further Bank Guarantee.</p>

<p>f) Possible future mandated rent relief due to the pandemic has not been considered</p>	<p>The Construction Bank Guarantee is a financial guarantee that runs for the duration the construction is being undertaken on the Site. It is set at a dollar amount equivalent to the cost of demolishing all construction works and bringing the Site back to a clean and clear condition.</p> <p>The Bank Guarantee is a financial guarantee that runs for the entire term of the sublease period and is equivalent to 6-months gross rent. The Bank Guarantee may be drawn upon by the City to cover costs or losses incurred.</p> <p>Noting the above and given the City also has negotiated the inclusion of the Early Termination clause within the proposed Head Lease, it is reasonable to assume the City is adequately protected and the personal financial guarantees are not necessary.</p> <p>f) This is a risk that can neither be predicted, nor mitigated as any rent relief will be legislated and the imposition would be out of the City's control. Should the rent payable under the Sublease ever be reduced due to legislation, it would be in the City's best interests to attempt to negotiate similar reductions with the State under the Head Lease</p>
<p>Inappropriate use of public land:</p> <p>a) Loss of natural hot springs and ambience on the foreshore</p>	<p>Issues relating to 'Inappropriate use of public land' was raised within 24 submissions</p> <p>The use of this land is governed by the State as 'landowner' for Crown Reserves. Following the parliamentary process required to propose an excision of the land, (in which statewide advertising occurred), no objections were received, and the State has provisionally agreed to the proposed use of this portion of land for commercial purposes.</p>
<p>Traffic/Cost of carpark:</p>	<p>Issues relating to 'Traffic/Cost of carpark' was raised within 20 submissions</p> <p>The carpark is not part of the proposed Head Lease and Sublease premises. However, it is acknowledged potential traffic and carparking issues could be considered as 'knock on' effect</p>

<p>a) Traffic impact has not been considered</p> <p>b) Cost of potential upgrades to the carpark have not been considered</p>	<p>of the development. The purpose of the Development Application process is to ensure these types of effects are considered. A further report will be presented which relates specifically to the Development Application.</p> <p>a) As noted above, traffic will be considered as part of the Development Application process.</p> <p>b) Within the initial negotiation phases, the City identified that development (through the application or its operations) may trigger a requirement for more bays sometime in the future. Should this be the case, the City and proponent have agreed to the proponent contributing an amount up to \$200,000 towards the additional bays. The City agreed to this contribution as part of the non-binding Heads of Agreement in the report to Council of 27 August 2019. This mitigation strategy has also been included as a provision within the Sublease.</p>
<p>Location inappropriate:</p> <p>a) The type of development does not suit the location</p> <p>b) The development should not be located next to a children's playground.</p>	<p>Issues relating to the 'Location being inappropriate' was raised within 17 submissions</p> <p>The use of this land is governed by the State as 'landowner' for Crown Reserves. Following the parliamentary process required to propose an excision of the land, (in which statewide advertising occurred), no objections were received, and the State has provisionally agreed to the proposed use of this portion of land for commercial purposes.</p>
<p>Business Plan lacks detail/compliance:</p>	<p>Issues relating to the 'Business Plan lacking detail/compliance' was raised within 14 submissions</p> <p>Amongst the submissions received, there were numerous comments about the Business Plan which was advertised, its detail (or perceived lack thereof) and whether it complied with obligations under the <i>Local Government Act 1995</i>.</p> <p>Prior to the City advertising the Business Plan, the City's Solicitors reviewed the document to</p>

	<p>ensure its compliance with sections 3.58 & 3.59 of the <i>Local Government Act 1995</i>.</p> <p>Following submissions received from members of the public questioning the validity of the Business Plan and relative process, the City engaged a second opinion from its Solicitors to comprehensively review the Business Plan and surrounding process. The resultant advice received was that the document and process satisfied the requirements of the <i>Local Government Act 1995</i>.</p> <p>In addition, it is worth noting that a common misconception amongst the submissions was that this document was the business plan for the operations of the proponent's business - this is incorrect. As described within the 'Statutory Implications' section of this report, the Business Plan that the City has advertised relates to the Major Land Transaction and has the sole purpose of satisfying the requirements of the <i>Local Government Act 1995</i>.</p>
<p>Development too big:</p>	<p>Issues relating to the 'Development being too big' was raised within 13 submissions</p> <p>The size of the development within the proposed sublease area will be subject to the Development Application process</p>
<p>Lack of planning approval and comments:</p> <p>a) Planning approval has not been given</p> <p>b) Planning approval comments have not been included within the business plan</p>	<p>Issues relating to the 'Lack of planning approval and comments' was raised within 6 submissions</p> <p>As mentioned previously within this report, the Development Application or planning approval part of this project is subject to further consideration by Council and thus no planning approval comments were included within the Business Plan.</p>
<p>Flooding/Fire has not been considered:</p> <p>a) Has flooding been considered?</p> <p>b) Has fire risk been considered?</p>	<p>Issues relating to the 'Risk of fire/flooding' was raised within 6 submissions</p> <p>The consideration of fire and flooding will be assessed along with the Development Application and planning approval process.</p>
<p>Café/function centre would have been more appropriate:</p>	<p>Issues relating to a 'Café/function centre being more appropriate' was raised within 6 submissions</p>

	<p>A café and restaurant are part of the proposed development. This inclusion was made at the request of the City through the process to select the preferred proponent.</p>
<p>Lack of aboriginal consultation:</p>	<p>Issues relating to a ‘Lack of Aboriginal consultation’ was raised within 6 submissions</p> <p>Any consultation surrounding aboriginal interests in the land is a responsibility of the Department of Planning, Lands and Heritage (‘DPLH’) within the Development Application and planning approval process.</p>
<p>Various other objections:</p> <p>a) How the pandemic has affected the potential business operations has not been considered (4)</p> <p>b) Removal of tree canopy is inappropriate (2)</p> <p>c) Proponents business plan should be made available to the public (2)</p> <p>d) The City of Nedlands should not be involved in running a commercial business (2)</p> <p>e) Development does not match with the sites historical significance (2)</p> <p>f) This proposal is a flawed interpretation of the Strategic Community Plan requirements</p>	<p>There were 26 various other issues identified within the submissions</p> <p>a) The Business Plan that the City has advertised relates to the Major Land Transaction with the purpose of satisfying the requirements of section 3.59 of the <i>Local Government Act 1995</i>. This business plan is not the business plan for the proponents business.</p> <p>b) Council are aware that some removal of tree canopy will be required during the construction phase. However, as part of the Development Application and planning approval process, the landscape and tree canopy will be considered – including details of numbers of new trees to be planted.</p> <p>c) The proponents business plan is commercial in confidence and cannot be made available to the public by the City.</p> <p>d) The City is not running the business, the City is proposing to lease and sublease the land.</p> <p>e) The proposed development is a result of previous Council decisions and subsequent negotiations between the City and preferred proponent.</p> <p>f) The proposed development is a public private partnership with the result being a new facility to utilise the site.</p>

<p>g) There has been no advertising of the Class A land excision</p>	<p>g) The land is governed by the State as 'landowner' for Crown Reserves. Statewide advertising was required as part the State's process to propose an excision of the land. The DPLH have confirmed that no objections were received throughout this process.</p>
<p>h) The financial benefits of the development have been put ahead of community benefits of the space</p>	<p>h) Whilst the City will receive a financial benefit through the rental income and rate revenue, the facility and the proponents business will also offer a benefit to the community.</p>
<p>i) Has damage to the seawall by increased boating traffic been considered?</p>	<p>i) The riverwall is considered an asset of the City. The City has insurances in place for any damage to public property</p>
<p>j) There is no scientific evidence of medical benefits of hot spring treatment</p>	<p>j) The City is not running the business, the City is proposing to lease and sublease the land.</p>
<p>k) The City is not resourced to run such a business</p>	<p>k) The City is not running the business, the City is proposing to lease and sublease the land.</p>
<p>l) Head Lease and Sublease terms are too long</p>	<p>l) The term of the Head Lease and Sublease have been negotiated in order for the proponent to have adequate time to recoup capital costs associated with building the facility. On 27 August 2019 as part of the non-binding Heads of Agreement, the City had actually previously agreed to a term 50-years, however, the term has since been reduced to 21-years plus a further 21-years (42-years) as dictated by the State</p>
<p>m) The profits realised will only lead to higher salaries for CEO and other staff</p>	<p>m) There is no correlation between the rental income the City receives and CEO or staff salaries.</p>
<p>n) The valuation carried out over 12-months ago is invalid.</p>	<p>n) The City has undertaken 2x market valuations. The first was undertaken in August 2018 as part of negotiating a fair rental value with the proponent. The second was undertaken in May 2021, immediately prior to the advertisement of the Business Plan (June-July 2021). As it was undertaken within 12-months of the</p>

<p>o) Has the Audit and Risk Committee vetted the Business Plan?</p> <p>p) The Tawarri Subcommittee of Councillors no longer exists.</p> <p>q) Is Mark Jones a Director of Tawarri Hot Springs Pty Ltd.</p> <p>r) There is no risk assessment included within the Business Plan.</p>	<p>proposed disposition, this second valuation is considered compliant with the <i>Local Government Act 1995</i></p> <p>o) The Business Plan was not vetted by the Audit and Risk Committee because there was no requirement to do so.</p> <p>p) Noted.</p> <p>q) Mark Jones has been listed as a Director of Tawarri Hot Springs Pty Ltd.</p> <p>r) As described above, amongst the submissions received, there were numerous comments about the Business Plan which was advertised, its detail and whether it complied with obligations under section 3.59 of the <i>Local Government Act 1995</i>.</p> <p>A common misconception is that this is the business plan for the operations of the proponent's business - this is incorrect.</p> <p>As described previously within this report, the Business Plan that the City has advertised relates to the Major Land Transaction and has the sole purpose of satisfying the requirements under section 3.59 of the <i>Local Government Act 1995</i>.</p> <p>Prior to the City advertising the Business Plan, the City's Solicitors reviewed the document to ensure its compliance with the act. This action was also repeated after the advertisement of the Business Plan with the same outcome.</p>
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Explanation – Financial Predictions

Amongst the submissions received, there were a few queries in relation to how the rental projections were calculated. Therefore, the dialogue below details the methodology for each year of rent expected.

The rent has been negotiated with both the proponent and the State under two separate agreements with the rent payable under the Head Lease being dictated by the State (i.e. VG Assessment).

In order to minimise risk to the City, the City has therefore included the same rental calculation methods within the Sublease to ensure the City is always in receipt of a profit from the arrangements. Any other methodology would have left the City exposed to possible deficits in rent collected/payable.

On 27 April 2021, in consideration of confidential item 17.1, Council agreed to the Key Terms of the proposed Head Lease and Sublease agreements. As part of that endorsement was an agreeance to the methodology for both the collection of rent from the proponent and payment of rent to the State.

Council will note the complexities of the proposed arrangements lie solely within the first 3-years of the agreement, known as the 'Construction Period'.

Year 1 (Construction Period):

- In year 1, there is no rent payable to the City, as the proponent has negotiated a 22-month rent free period.
- In year 1, there is no rent payable to the State, as the City has negotiated a 24-month rent free period
- The Net Result is \$0

Year 2 (Construction Period):

- In year 2, there is no rent payable to the City for the first 10-months, as the proponent has negotiated a 22-month rent free period.

For months 11 & 12, the rent payable will commence at \$120,000pa + Turnover Rent of 1% of the gross sales in excess of \$2,000,000 per annum up to \$8,000,000 per annum. However, given the unlikelihood of the development being completed within 24-months, it is realistic to expect there will be \$0 turnover during this period.

This results in rent payable being estimated at \$20,000 (i.e. 2-months of a 12-month total sum of \$120,000)

- In year 2, there is no rent payable to the State, as the City has negotiated a 24-month rent free period
- The Net Result is an estimated \$20,000 income

Year 3 (Construction Period):

- In year 3, the rent payable will continue to be \$120,000pa + Turnover Rent of 1% of the gross sales in excess of \$2,000,000 per annum up to \$8,000,000 per annum.

However, given the unlikelihood of the development being completed within 36-months, it is realistic to expect* there will be \$0 turnover during this period.

*This realistic expectation was revised once the pandemic had taken toll on Perth. There is a real expectation that tradespeople and materials will be harder to procure as a result of the pandemic. This has pushed out the estimated construction time for the

development to 36+ months. Should the development be finished faster than anticipated, then the City would be entitled to more rent, based on the Turnover of the business.

This results in rent payable being estimated at \$120,000

- In year 3, the rent payable will commence at \$99,200pa
- The Net Result is an estimated \$20,800 income

The table below shows the rental projections for Year 1, 2 and 3.

Year	VG Assessment	Rent to City	Rent to State	Income
1	\$ 248,000	\$ -	\$ -	\$ -
2	\$ 254,200	\$ 20,000	\$ -	\$ 20,000
3	\$ 260,555	\$ 120,000	\$ 99,200	\$ 20,800

As the methodology of determining the rent payable to the State under the Head Lease was not negotiable, at the commencement of Year 4, the City has negotiated the same rental calculation methods within the Sublease to ensure the City is always in receipt of income for the arrangements.

From Year 4, the projected calculations are much simpler with the City to receive 100% of the Valuer General ('VG') Assessment from the proponent, with the City obliged to pay 40% of that revenue to the State under the Head Lease.

The rent on both agreements will then be subject to a Market Review (based on VG Assessment) every 3-years thereafter. For the purposes of the projection, the VG has been increased each year by a value of 2.5%.

As a visual, the table below shows the rental projections for Years 4-10

Year	VG Assessment	Rent to City	Rent to State	Income
4	\$ 267,069	\$ 267,069	\$ 106,828	\$ 160,241
5	\$ 273,746	\$ 267,069	\$ 106,828	\$ 160,241
6	\$ 280,589	\$ 267,069	\$ 106,828	\$ 160,241
7	\$ 287,604	\$ 287,604	\$ 115,042	\$ 172,562
8	\$ 294,794	\$ 287,604	\$ 115,042	\$ 172,562
9	\$ 302,164	\$ 287,604	\$ 115,042	\$ 172,562
10	\$ 309,718	\$ 309,718	\$ 123,887	\$ 185,831

The City's long-term financial plan details budget implications over a 10-year cycle. Should elected members approve the recommendation as contained within this report, the projected impact to the budget shows the City realising an estimated net profit of \$1.1 million* over the first 10-year cycle of the arrangement.

**This \$1.1 million includes all costs to the City incurred at the time of writing this report. These include costs for solicitors, auditors, surveyors, commercial property experts and valuers totalling approximately \$127,200.*

Extended over the lifetime of the agreement, the City estimates rental revenue of approximately \$10 million. For the complete rental projections table over the 42-year life of the proposed agreements, please see attachment 4.

Explanation – Estimated Rate Revenue

The Business Plan notes the City is able to collect rate revenue. Elected members are advised that rate revenue is very difficult to project over 42-year life. The reasons for this are because the Gross Rental Value ('GRV') has not been determined yet and the GRV can fluctuate greatly throughout the lifetime of an agreement.

However, for the purposes of projection, the City has investigated other venues on either riverfront or beachfront sites and averaged a dollar per square meter rate (\$/sqm).

Based on an average \$21.95/sqm for the 5560sqm site, the estimated rate revenue for Year 1 would be \$122,000. Using a 2% increase annually, the City could best estimate rate revenue of approximately \$7.8 million for the lifetime of the agreement (42-years).

Explanation – Carpark

As described earlier in this report, the carpark is not part of the proposed Head Lease and Sublease premises. The carpark is located on land which is vested to the City for care and control and will remain so regardless of the situation regarding the leasing arrangements.

However, noting the elected members keen interest in the carpark, the City's Technical Services Directorate have provided the below information for consideration;

- The Esplanade was assessed as part of a Road Condition Audit, undertaken at the beginning of 2021. As part of this audit the road was assessed as being in generally average condition, with approx. six years of life remaining.
- As an interim measure the Road Condition Audit recommended the Esplanade be crack sealed within one year, which will be undertaken in the 21/22 Financial Year.
- The City is responsible for rehabilitating this road as part of its annual Capital Works Program, whether any development proceeds or not.
- The road drainage in the immediate vicinity of the All Abilities Playspace and Tawarri Site have been subject to flooding on high tide and high rain fall events. These flooding events damage the road and impact on road user experience. The City will need to rectify the drainage issues in this area to ensure ongoing quality of the road pavement and improve the road user experience.
- Given the complexities and impact to users of undertaking either the road rehabilitation or remediation of the drainage issues, Administration recommends constructing these at the same time to reduce abortive works and minimise construction time. The cost estimate to undertake these works is \$995,000 (±50%).
- The image below shows in magenta, the areas of the carpark and road which require rehabilitation (due to age of the asset) or remediation (due to drainage issues).



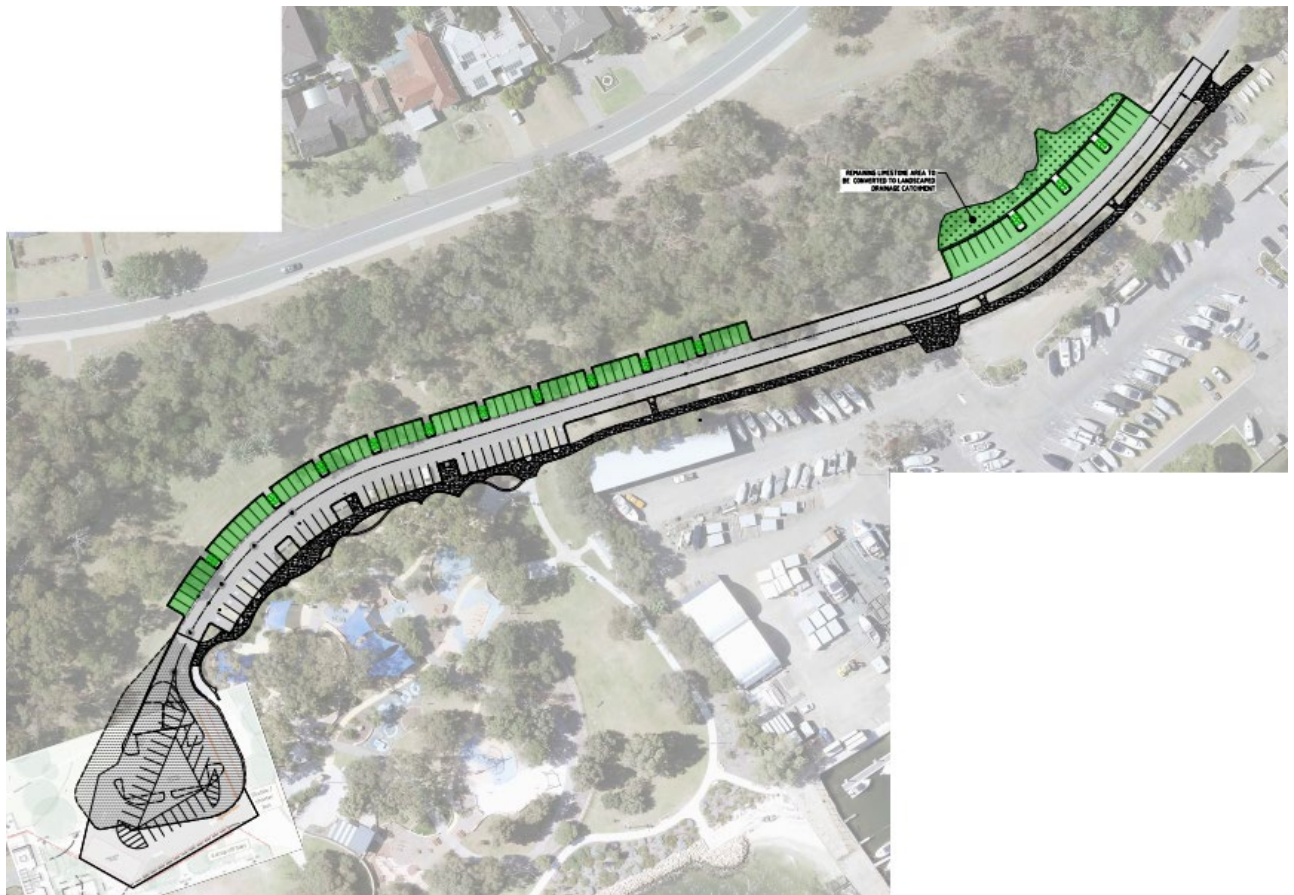
Whilst the carpark is the City's responsibility, it is acknowledged potential traffic and carparking issues could be considered as 'knock on' effect of the development. The purpose of the Development Application process is to ensure these types of effects are considered.

The City's Urban Planning Team have advised that there is adequate existing parking to cater for the projected demand. However, should nearby parking areas become full during peak times, the development proposes a range of parking management solutions and that it will be recommended through the Development Application process that a parking management plan acceptable to the City of Nedlands be prepared in the event of development approval.

In addition, as noted previously within this report – in the event the carpark does require additional capacity sometime in the future, the City and proponent have agreed to the proponent contributing an amount up to \$200,000 towards the additional bays. The City agreed to this contribution as part of the non-binding Heads of Agreement in the report to Council of 27 August 2019. The City's Technical Services Team have estimated the cost to formalise any additional bays (if/when required) would be \$225,000* ($\pm 50\%$).

**estimate was made on the assumption the formalisation of those car bays occurs at the same time as the remediation of the drainage issues and rehabilitation of the current carpark.*

The image below shows in green, the car bays that will be formalised in the event additional bays are required.



In conclusion, the rehabilitation and ongoing maintenance of the carpark and road is the City's responsibility, regardless of the proposed leasing arrangements. The asset is nearing the end of its life and there are documented issues with the drainage – combining to be an estimated cost of \$995,000 ($\pm 50\%$) to repair/rectify.

Consultation

The Business Plan for the Major Land Transaction was available on the City's website, at the City's Administration Building and at both the City's libraries for the period 4 June 2021 – 23 July 2021, a total of 7-weeks. The length of the availability was extended to ensure greater transparency to the City's ratepayers.

In addition, to ensure as many public members as possible were aware of the proposed transaction, the City engaged in social media advertising of the transaction and placed numerous adverts in the West Australian and The Post – details of which are below.

- The Post - 5 June 2021
- The West Australian - 8 June 2021
- The Post - 12 June 2021
- A reminder in The Post - 26 June 2021
- A final reminder in The Post - 10 July 2021

Social Media Reach

Social media reach is defined as *‘a media analytics metric that refers to the number of users who have come across a particular content on a social platform’*.

Throughout the Major Land Transaction advertising period, the City’s ‘Your Voice’, Facebook and Instagram platforms were used to generate interest in the development. Shown below is a summary of each platform’s performance in terms of public members engaged.

1. Your Voice
 - 225 total visitors to the page
 - 83 downloads of the Business Plan
2. Facebook
 - 2x posts, reaching a total of 2160 readers
 - 35 readers engaging with the post (like, comment or share)
3. Instagram
 - 2x posts, reaching a total of 387 readers
 - 22 readers engaging with the post (like or comment).

In addition, significant consultation has taken place throughout the life of this project. See below for detail.

- As noted in the previous report to Council on 27 August 2019 (CPS13.19), Administration advised that the City had published information about Tawarri on its community engagement page, ‘Your Voice Nedlands’ for over a year and released a public media release including information in the Nedlands full page POST advert. One response in objection was received.
- Elected Members have also been kept up to date on the progression of the project through a combination of formal reports, CEO updates and briefings, with determining the future of Tawarri having been identified as a priority in the City Strategic Community Plans since the first Plan was developed and published in 2013.
- As noted in this report, the DPLH have also completed the statutory advertisement for the transfer of tenure in which no objections were received.

Indicative Timeline

The following indicative timeline shows some key milestones.

- Endorsement of Major Land Transaction – March 2022
- Consideration of Development Application – March 2022
- Execution of Head Lease and Sublease Agreements – Estimated mid-late 2022
- Head Lease, Sublease and Construction commencement – Estimated mid-late 2022

Strategic Implications

Values

Great Natural and Built Environment

We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

Great for Business

Our City has a strong economic base with renowned Centres of Excellence and is attractive to entrepreneurs and start-ups.

Budget/Financial Implications

Should elected members choose not to support the recommendation as contained within this report, the following financial position would apply:

Current Costs Associated with the Project:	- \$127,200
Estimated Cost for Carpark and Drainage Remediation:	- \$995,000 (±50%)
Estimated Cost for Demolition of Facility:	- \$45,000 (±50%)

TOTAL NET COST TO CITY: - \$1,167,200

Should elected members support the recommendation as contained within this report, the City would realise a financial benefit over the course of the leasing arrangements. Shown below are the various factors which define that position:

Current Costs Associated with the Project:	- \$127,200
Estimated Cost for Carpark and Drainage Remediation:	- \$995,000 (±50%)
Estimated Rent Revenue (42-years):	\$10,166,459
Estimated Rate Revenue (42-years):	\$7,791,191
Estimated Cost for Additional Car Bays (if required):	- \$225,000 (±50%)
Carpark Contribution from THS (if required):	\$200,000
Estimated Cost Saved for Demolition of Facility:	\$45,000 (±50%)

TOTAL NET BENEFIT: \$16,855,450

Legislative and Policy Implications

Section 3.59 of the *Local Government Act 1995* details the process governing 'commercial enterprises' by Local Governments, including 'Major Land Transactions' ('MLT'). An MLT means the acquisition, disposal (sell, lease or otherwise dispose of, whether absolutely or not) or development of land that is not exempt under the Act and where the total value of:

- The consideration under the transaction; or
- Anything done by the Local Government for achieving the purposes of the transaction;

Is more, or is worth more, than either \$10,000,000 or 10% of the operating revenue of the local government in the last completed financial year.

In accordance with Section 3.59, before a Local Government enters into an MLT, the local government is required to prepare a Business Plan. The Business Plan is to include an overall assessment of the major land transaction and is to include details of:

- Expected Effect on the Provision of Facilities and Services by the City of Nedlands
- Expected Effect on Other Persons Providing Facilities and Services in the City of Nedlands
- Expected Financial Effect on the City of Nedlands
- Expected Effect on Matters Referred to in the City of Nedlands Strategic Community Plan.
- Ability of the City of Nedlands to Manage the Disposal and Ongoing Arrangement
- Any other matter prescribed for the purposes of the subsection.

The *Local Government Act 1995* also requires the Local Government to give statewide public notice that:

- The Local Government proposes to enter into the major land transaction described in the notice;
- A copy of the Business Plan may be inspected or obtained at any place specified in the notice; and
- Submissions about the proposed undertaking or transaction may be made to the Local Government before a day to be specified in the notice, being a day that is not less than 6-weeks after the notice is given.

After all submissions have been received and before entering into any Major Land Transaction, Council is now required to consider all submissions made before deciding by absolute majority whether to proceed (or not) with the transaction.

An excerpt of section 3.59 of the *Local Government Act 1995* is shown in attachment 2. As the Tawarri Hot Springs development is considered a 'Major Land Transaction' under the *Local Government Act 1995*, following Council's resolution of 27 April 2021, in June and July 2021, the City's administration arranged the necessary documents and advertisements to satisfy the City's statutory obligations. Attachment 3 shows a copy of the Business Plan which was made available to the public for examination.

Decision Implications

Should elected members choose to support the recommendation as contained within this report, the following position would apply:

- The City would enter into a Head Lease with the State of WA for the Site
- The City would then Sublease the Site to THS
- The City would realise a net financial return of approximately \$16.85 million throughout the lifetime of the arrangements

Should elected members choose not to support the recommendation as contained within this report, the following position would apply:

- The project would not go ahead
- The City would remain responsible for the remediation of the carpark and drainage issues at a cost of \$995,000 (±50%)
- The City would be required to demolish the current derelict facility at an estimated cost of \$45,000 (±50%)

In addition, should elected members choose not to support the recommendation as contained within this report, elected members must be aware the following may occur:

- The State of WA may choose to lease the land directly to THS (and claim 100% of the rent revenue)
 - In this instance, the City may be able to claim rate revenue only
- However, the City would remain responsible for the remediation of the carpark and drainage issues at a cost of \$995,000 (±50%)

Conclusion

The Site was first identified in the Strategic Community Plan 2013-2023 ('SCP') as a prime location for further investigation. Since then, the Site has been subject to an EOI process, RFP process, and seven (7) reports to Council with the first being in February 2016 and most recent being this report. Council have also been briefed on the matter a total of ten (10) times. In addition to Officers time, the City has spent a total of \$127,200 on the project. It is evident from this information the elected members have long considered this project as a real opportunity for the rate payer.

From 2016 to early 2021, following various media releases, publicly available reports to Council, and extensive information available on its website, the City has not received any negative feedback on the project in any form. However, following the statutory advertising period for the proposed Major Land Transaction, the City received a total of 43 submissions from the public. Of the 43 submissions received, 37 were in objection to the development, 5 were in support and 1 was undecided. In addition, only 1 submission was received without any explanation for their support or objection. It is evident that a small percentage of the City's population have voiced their disapproval of the project.

In terms of the 43 submissions from the public received, and as described in the Discussion section of this report, elected members will need to consider the 'weight' of the comments received. Elected members will note that the City had in place significant mitigation strategies to ensure this commercial arrangement was as risk-free as possible. Elected members will also note that following the statutory period, the City has also strengthened its position with the inclusion of clauses within the Head Lease which allow the City to terminate the Head Lease in the event the Sublease is terminated. It is evident from the above that whilst it is impossible to mitigate all risk in every circumstance, the City is in the strongest position possible with the proposed arrangement.

As described in the Decision Implications section of this report, should elected members choose to support the recommendation as contained within this report, the City would realise a net financial return of approximately \$16.85 million throughout the lifetime of the arrangements.

Should elected members choose not to support the recommendation as contained within this report, the project would not go ahead and the City would be facing costs of \$1,040,000 ($\pm 50\%$) to remediate the carpark and drainage issues and remove the derelict facility.

There is no doubt the Tawarri project has been an extremely lengthy journey for all stakeholders. However, in that time, the City has given itself the best opportunity to allow this project to be successful and financially beneficial for the rate payer. Elected members are now requested to make a final decision on whether the City will proceed with the major land transaction as proposed.

Further Details

Following the Concept Forum relating to this item held on 1 March 2022, eight (8) questions were raised by elected members. Those questions are detailed below, along with further Officer comment.

Request:

Elected members requested a second legal opinion on early termination clause as contained within the proposed Head Lease.

Officer Response:

Following the request for further information by elected members, Officers have obtained independent legal advice – refer confidential attachment 9.

In response to Further Information request 1, elected members are directed to paragraphs 4.1 – 4.5 which detail how the City would invoke the Early Termination Clause as contained within the proposed Head Lease and what effects this would have.

Notably, the immediate outcome would be the cessation of rent payable to the State of WA upon the expiry of the 30-day notice period providing the Sublease was terminated.

Request:

Elected members queried whether the City's drainage design of the carpark has accounted for storm surge.

Officer Response:

The City's Technical Services Team have advised the design provided is at an early concept stage only and no detailed hydrological modelling has been conducted. When the project enters detailed planning and design a hydrological study will be undertaken that will ensure the ultimate design caters for all river conditions including storm surges.

Detailed planning and design is programmed to commence no later than 2026, with construction commencing by 2026.

Request:

Elected members requested further information on the draw down/top up mechanism within the bank guarantee clauses as contained within the proposed Sublease.

Officer Response:

Following the request for further information by elected members, Officers have obtained independent legal advice – refer confidential attachment 9.

In response to Further Information request 3, elected members are directed to paragraphs 6.1 – 6.12 which detail how the City would invoke the Bank Guarantee and Construction Bank Guarantee Clauses as contained within the proposed Sublease.

Request:

Elected members requested legal advice as to whether the City can insist on personal guarantees being provided by the proponent.

Officer Response:

Following the request for further information by elected members, Officers have obtained independent legal advice – refer confidential attachment 9.

In response to Further Information request 4, elected members are directed to paragraphs 7.1 and 7.2 in which advice on whether the City can insist on personal guarantees being provided by the proponent

In short, the answer to the question is no, the City cannot extract such guarantees from the proponent if the Directors of the company do not wish to provide them.

Request:

Elected members requested further information on implications for the City under the proposed Head Lease and Sublease if the proponent was to default and the proposed development required demolition.

Officer Response:

Following the request for further information by elected members, Officers have obtained independent legal advice – refer confidential attachment 9.

In response to Further Information request 5, elected members are directed to paragraphs 5.1 – 5.7 which detail how the City could proceed should the proponent default and the proposed development required demolition.

Noting the issues raised within the further observations of the secondary legal opinion (10.4 – 10.13), the City has requested the proponent consider amendments to clauses 5, 26, 27 and Item 9 of the Schedule (being the amount of the Bank Guarantee).

On 18 March 2022, the proponent advised;

- Proposed amendments in line with the secondary legal advice to clauses 5 and 27 were acceptable.
- Amendments to clause 26 by way of including a timeframe for demolition to be completed and also addressing circumstances contemplated in clauses 24.1, 24.2 and 27.2 were acceptable.
- However, the proponent did not agree to any amendments to clause 26 addressing a default provision or contamination.
- The proponent also did not agree to the extension of the bank guarantee under Item 9 of the Schedule as it was considered commercially unacceptable.

In conclusion, the agreed amendments to the Sublease by the proponent will add a further layer of protection for the City, however, it is evident there is still some commercial risk.

Request:

Elected members queried whether a Specified Area Rate could be applied to the proposed development.

Officer Response:

Following the request for further information on Specified Area Rates by elected members, Officers have obtained advice from the Department of Local Government, Sport and Cultural Industries ('DLGSC')

In response to Further Information request 6, in advice provided of a general nature, DLGSC have advised the following:

'Specified Area Rates under s6.37 of the *Local Government Act 1995* (the Act) are imposed on a defined area within a portion of the district which includes multiple property owners to pay for a specific work, service or facility that it is considered they will benefit from. Based on the information provided, the Department's view is that the proposal would not fit into that category.

Request:

Elected members asked how many major land transactions the City has previously undertaken.

Officer Response:

Following this request, Officers have investigated records as far back as 2008/09, and in this time the City has not undertaken any other major land transactions.

Request:

Elected members queried whether rate revenue could still be received by the City if the State of WA chose to lease the Site directly to Tawarri Hot Springs Pty Ltd.

Officer Response:

Following the request for further information on Rate Revenue by elected members, Officers have obtained advice from the Department of Local Government, Sport and Cultural Industries ('DLGSC').

In response to Further Information request 8 in advice provided of a general nature, DLGSC have advised the following:

'With regard to a rates exemption under s6.27(4) of the *Local Government Act 1995* (the Act), if the use is commercial, all land is rateable land in the district. Commercial land is not listed under section 6.26(2) as an exemption. It is unlikely that the Minister would grant an exemption if used for that purpose.'



**Hon Dr Tony Buti MLA
Minister for Finance; Lands; Sport & Recreation;
Citizenship & Multicultural Interests**

Our Ref: 80-02588
Your Ref: PROJ-453691853-416

Mr Bill Parker
Chief Executive Officer
City of Nedlands

Via email: nceric@nedlands.wa.gov.au

Dear Mr Parker

**TAWARRI HOT SPRINGS DEVELOPMENT - PROPOSED NEW LEASE OVER
LOT 502 ON IOFD DEPOSITED PLAN 418496 – ESPLANADE DALKEITH – CITY
OF NEDLANDS**

Thank you for your email dated 14 October 2021 regarding the proposed lease to the City of Nedlands (City) over the 'Tawarri' site.

Please be advised the proposed lease rental offer to the City contains a 60% reduction to the market rental value as well as an initial two (2) year rent free period. This offer was made in good faith and was considered full and final in the interest of resolving tenure for the proposal and facilitating the Tawarri development.

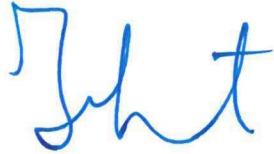
I understand that Tawarri Hot Springs Pty Ltd (THS) will be responsible for all costs associated with obtaining approvals and construction of the development. In addition, it is noted the proposed sublease contains appropriate provisions for THS' obligations on the expiry or termination of the sublease and there are clauses to ensure that the City will continue to generate a profit.

The State's standard lease clauses are there to protect the State should the lessee default on the terms. Nonetheless, the State is required to act fairly and in good faith should there be a default, or in the case where the City chooses to surrender the lease.

Noting the above, the State is unable to agree to waive lease rental for the term of the lease. The Department of Planning, Lands and Heritage would be willing to consider additional clauses to provide the City with comfort that lease rental may not be required should the sub-lessee terminate the sublease.

Should you have any further queries, please contact Mr Max Corr, Assistant Manager, Land Management Metropolitan and Peel at the Department on 08 6552 4728 or max.corr@dplh.wa.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'T Buti', with a stylized flourish at the end.

Dr Tony Buti MLA
MINISTER FOR LANDS

25 OCT 2021

No. 74]
s. 3.59

Local Government Act 1995

Commercial enterprises by local governments

3.59. (1) In this section —

“**acquire**” has a meaning that accords with the meaning of “dispose”;

“**dispose**” includes to sell, lease, or otherwise dispose of, whether absolutely or not;

“**land transaction**” means an agreement, or several agreements for a common purpose, under which a local government is to —

- (a) acquire or dispose of an interest in land; or
- (b) develop land;

“**major land transaction**” means a land transaction other than an exempt land transaction if the total value of —

- (a) the consideration under the transaction; and

- (b) anything done by the local government for achieving the purpose of the transaction,

is more, or is worth more, than the amount prescribed for the purposes of this definition;

“major trading undertaking” means a trading undertaking that —

- (a) in the last completed financial year, involved; or
- (b) in the current financial year or the financial year after the current financial year, is likely to involve,

expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking;

“trading undertaking” means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of “land transaction”.

(2) Before it —

- (a) commences a major trading undertaking;
- (b) enters into a major land transaction; or
- (c) enters into a land transaction that is preparatory to entry into a major land transaction,

a local government is to prepare a business plan.

No. 74]
s. 3.59

Local Government Act 1995

(3) The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —

- (a) its expected effect on the provision of facilities and services by the local government;
- (b) its expected effect on other persons providing facilities and services in the district;
- (c) its expected financial effect on the local government;
- (d) its expected effect on matters referred to in the local government's forward plan;
- (e) the ability of the local government to manage the undertaking or the performance of the transaction; and
- (f) any other matter prescribed for the purposes of this subsection.

(4) The local government is to —

- (a) on at least 2 days, give Statewide public notice stating that —
 - (i) the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction;
 - (ii) a copy of the business plan may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed undertaking or transaction may be made to the local government

before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is first given;

and

- (b) make a copy of the business plan available for public inspection in accordance with the notice.

(5) After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.

* *Absolute majority required.*

(6) If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.

(7) The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.

(8) A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.

(9) A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction

No. 74]

Local Government Act 1995

includes a reference to doing anything that would result in the transaction becoming a major land transaction.

- (10) For the purposes of this section, regulations may —
- (a) prescribe any land transaction to be an exempt land transaction;
 - (b) prescribe any trading undertaking to be an exempt trading undertaking.



City of Nedlands

BUSINESS PLAN FOR MAJOR LAND TRANSACTION



**PROPOSED LEASE AND SUBLEASE
TAWARRI HOT SPRINGS SITE
LOT 502 ON DEPOSITED PLAN 418496
120 ESPLANADE DALKEITH.**

Dated June 2021



City of Nedlands

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6. BUSINESS PLAN ADVERTISING AND SUBMISSIONS



City of Nedlands

1. EXECUTIVE SUMMARY

This business plan details the redevelopment proposal for the land located at Lot 502 on Deposited Plan 418496, 120 Esplanade, Dalkeith, more commonly known as 'Tawarri Hot Springs' ('the Site').

In the 2013-2023 City of Nedlands Strategic Community Plan ('SCP'), the requirement to investigate a public/private partnership to redevelop the Site was identified. The land is owned by the State of WA and should the proposal go ahead, the land can be leased to the City for an annual return which allows the City to then sublease the land to the private developer, also for an annual return.

If ultimately approved by Council, this will lead to a substantial long term revenue stream for the City whilst also delivering on requirements of the SCP.

To satisfy the statutory requirements of the *Local Government Act 1995*, the City is now seeking feedback from the community on the proposed redevelopment which is to be managed via long term Head Lease (from the State of WA) and Sublease agreements before presenting this matter to the Council for consideration.

Submissions close 4pm, Friday 23 July 2021

2. INTRODUCTION

The purpose of this business plan is to:

- Advise the community that the City proposes to undertake a Major Land Transaction ('MLT') via a long-term Lease and Sublease arrangement at the Site;
- Provide the opportunity for the community to make a submission on the business plan; and
- Satisfy the statutory requirements of Sections 3.58 and 3.59 of the *Local Government Act 1995*



City of Nedlands

3. BACKGROUND

Land Owner	State of WA
Land Management	Leased to City of Nedlands
Land Address	120 Esplanade, Dalkeith
Title Details	Lot 502 on Deposited Plan 418496
Land Area	5508sqm



In the 2013-2023 City of Nedlands Strategic Community Plan ('SCP'), the requirement to investigate a public/private partnership to redevelop the Site was identified.

In 2016, a public Expression of Interest ('EOI') was released generating several submissions from parties interested in developing the Site. The EOI was based upon asking the private sector to deliver a development that provided better outcomes to the community and where possible, reduce the cost to the City, increase the revenue for the City and overall, make better use of the City's resource.



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Once the EOI process concluded, three parties were invited to submit a full proposal as part of a Request for Proposal ('RFP') process. A Council appointed panel then selected a preferred proponent.

At the ordinary council meeting of 26 June 2018, Council instructed the CEO to commence negotiations and the preparation of a conditional lease/sublease with both the State of WA and the endorsed preferred proponent, being Tawarri Hot Springs Pty Ltd.

3.1 About the Proposed Tawarri Hot Springs Development

Tawarri Hot Springs Pty Ltd proposes to use the Site for provision of a facility that will provide recreation, relaxation, health and wellbeing for the public through geothermal mineral water bathing.

- Modelled on the highly successful Peninsula Hot Springs, located on the Mornington Peninsula in Victoria, the proposed facility will be built on the site of the historic Dalkeith Hot Pool.





City of Nedlands

- Geothermally heated mineral water, extracted by bore from the Yarragadee Aquifer at a depth of more than a kilometre, will be used to heat a series of pools and water features, such as Vichy Showers.
- The facility also proposes to have a selection of saunas, steam rooms, hammams and cold plunge pools plus offer massages and various other wellness treatments.
- The geothermal mineral waters are likely to prove popular with those who suffer from arthritic and rheumatoid conditions and similar disabilities.
- The complex will also include a café that will service families visiting the neighbouring Jo Wheatley All Abilities Play Space, as well as dog walkers, cyclists and other users of the Dalkeith foreshore.

Whilst primarily designed for the local market, Tawarri Hot Springs Pty Ltd's objective is to deliver a major tourist attraction for Western Australia which would have flow-on economic benefits, as well as providing employment, both direct and indirect, for up to 250 people.

The proposed development will assist the City of Nedlands to deliver upon its identified projects within the City's Strategic Community Plan which was to better utilise the site whilst providing genuine and tangible benefits to the City's rate-payers. In addition, the City will realise significant rental profits throughout the term of the proposed Head Lease and Sublease.





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4. KEY TERMS

4.1 Head Lease Proposal

Key Terms: Head Lease	
Lease Term	Details
Land	Lot 502 on Deposited Plan 418496
Lease Area	5508sqm
Landlord	State of Western Australia
Tenant	City of Nedlands
Commencement Date	To be determined following Council approval
Term of Lease	21-years + 21-years
Permitted Purpose	Construction and operation of a Wellness Spa and Restaurant
Rent	\$99,200 per annum + GST
Rent Reviews	3-years from Commencement Date and then every 3-years. From year 4, Rent to be determined on the basis of Valuer General Assessment for Unimproved Land with the City to pay 40% of that amount.
Outgoings	All outgoings incurred have been passed onto the Sublessee in the Sublease
Insurance	Building Insurance - The Sublessee is responsible for Building Insurance Public Liability - The Sublessee is responsible for Public Liability, however, the City will continue to hold its policy.
Maintenance	All maintenance obligations have been passed onto the Sublessee in the Sublease
Works and Fit Out	N/A
Special Conditions	• Rent-Free period of 24 months



4.2 Sublease Proposal

Key Terms: Sublease	
Lease Term	Details
Land	Lot 502 on Deposited Plan 418496
Lease Area	5508sqm
Landlord	City of Nedlands
Tenant	Tawarri Hot Springs Pty Ltd
Commencement Date	To be determined following Council approval
Term of Lease	21-years + 21-years
Permitted Purpose	Wellness Centre, Day Spa with food and beverage and ancillary uses.
Rent	\$120,000 per annum + Outgoings + GST + Turnover Rent of 1% of the gross sales in excess of \$2,000,000 per annum up to \$8,000,000 per annum and 2% of the gross sales in excess of \$8,000,000 per annum.
Rent Reviews	3-years from Commencement Date and then every 3-years. Rent to be determined on the basis of Valuer General Assessment for Unimproved Land
Outgoings	All outgoings payable by Sublessee
Insurance	Building Insurance - The Sublessee is responsible for Building Insurance Public Liability - The Sublessee is responsible for Public Liability, however, the City will continue to hold its policy.
Maintenance	All maintenance obligations to be undertaken by Sublessee
Works and Fit Out	All fit-outs to be undertaken by Sublessee
Special Conditions	<ul style="list-style-type: none"> ▪ Rent-Free period of 22 months ▪ Subject to Minister for Lands' Consent ▪ Subject to Development Approval



City of Nedlands

5. STATUTORY AND LEGAL REQUIREMENTS

5.1 Major Land Transaction

Section 3.59 of the *Local Government Act 1995* details the process governing 'commercial enterprises' by Local Governments, including 'Major Land Transactions' ('MLT'). An MLT means the acquisition, disposal (sell, lease or otherwise dispose of, whether absolutely or not) or development of land that is not exempt under the Act and where the total value of:

- The consideration under the transaction; or
- Anything done by the Local Government for achieving the purposes of the transaction;

Is more, or is worth more, than either \$10,000,000 or 10% of the operating revenue of the local government in the last completed financial year.

In accordance with Section 3.59, before a Local Government enters into an MLT, the local government is required to prepare a Business Plan. The Business Plan is to include an overall assessment of the major land transaction and is to include details of:

- Expected Effect on the Provision of Facilities and Services by the City of Nedlands
- Expected Effect on Other Persons Providing Facilities and Services in the City of Nedlands
- Expected Financial Effect on the City of Nedlands
- Expected Effect on Matters Referred to in the City of Nedlands Strategic Community Plan.
- Ability of the City of Nedlands to Manage the Disposal and Ongoing Arrangement
- Any other matter prescribed for the purposes of the subsection.



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The *Local Government Act 1995* also requires the Local Government to give statewide public notice that:

- The Local Government proposes to enter into the major land transaction described in the notice;
- A copy of the Business Plan may be inspected or obtained at any place specified in the notice; and
- Submissions about the proposed undertaking or transaction may be made to the Local Government before a day to be specified in the notice, being a day that is not less than 6-weeks after the notice is given.

This Business Plan complies with the requirements of Section 3.59 'Commercial Enterprises by Local Governments' of the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*.

5.2 Assessment of Major Land Transaction

a. Expected Effect on the Provision of Facilities and Services by the City of Nedlands.

The proposed transaction will have minimal effect on the provision of facilities and services as the Site currently houses an unoccupied and derelict facility that cannot be used in its current form.

The annual return received by the City from the Sublease, which commences at \$120,000 per annum + GST + Outgoings + Turnover Rent of 1% of the gross sales in excess of \$2,000,000 per annum up to \$8,000,000 per annum and 2% of the gross sales in excess of \$8,000,000 per annum. This will be reviewed every 3 years thereafter and will provide the City with an additional long term revenue stream which will enhance the City's ability to deliver services and facilities into the future.



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b. Expected Effect on Other Persons Providing Facilities and Services in the City of Nedlands

Given the unique nature of the proposed development, the proposed transaction is not anticipated to have a negative effect on any other persons providing facilities or services within the City of Nedlands.

The development has been supported strongly by Tourism WA and has demonstrated community and economic benefits, whilst also enhancing the amenity and activating a prime city location.

c. Expected Financial Effect on the City of Nedlands

The proposed Sublease transaction, including rent reviews, is estimated within the first 21-year term of the agreement to realise a value of \$5,970,000. When considering the rent payable to the State under the Head Lease, this is reduced to \$3,540,000.

If the Further Term is exercised by Tawarri Hot Springs Pty Ltd. the estimated value of the transaction extends to \$10,165,000 over the 42-year period (inclusive of any payments made to the State under the Head Lease arrangement).

In addition, Tawarri Hot Springs Pty Ltd. will be levied annual rates, or make an annual rates equivalent payment to the City.

At the time of writing this Business Plan, the costs incurred by the City for negotiation and preparation of the Head Lease and Sublease agreements, the land excision and due diligence reports total approximately \$69,000. It is expected that the City will incur no further costs as Tawarri Hot Springs Pty Ltd. will be responsible for site preparation, demolition of the current derelict facility, the redevelopment of a new facility and ultimately site rehabilitation when the sublease terminates. Should the proposal be approved, the Site will be provided by the City to Tawarri Hot Springs Pty Ltd. with vacant possession on an 'as-is' basis.



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d. Expected Effect on Matters Referred to in the City of Nedlands Strategic Community Plan

As noted previously within this Business Plan, the 2013-2023 City of Nedlands Strategic Community Plan ('SCP'), identified the requirement to investigate a public/private partnership to redevelop the Site. The proposed transaction aligns with this detail.

e. Ability of the City of Nedlands to Manage the Disposal and Ongoing Arrangement

The City of Nedlands has sufficiently qualified and experienced resource personnel to manage the proposed disposition by way of Sublease. The City has also provided sufficient budgeted funding to appoint professional consultants and solicitors to advise the City on the transaction.

f. Other Matters Prescribed for the Purpose of this Section.

In compliance with Regulation 30(2a)(c) of the *Local Government (Functions and General) Regulations 1996*, the City confirms the following information in respect of the proposed sublease:

i. Property concerned:

120 Esplanade, Dalkeith (being Lot 502 on Deposited Plan 418496), with an area of 5508sqm.

ii. Names of all parties concerned:

Tawarri Hot Springs Pty Ltd.

iii. Consideration to be received:

The consideration the City will receive in relation to the Sublease is as follows:

- Rent of \$120,000 per annum + Outgoings + GST + Turnover Rent of 1% of the gross sales in excess of \$2,000,000 per annum up to \$8,000,000 per annum and 2% of the gross sales in excess of \$8,000,000 per annum.



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- A rent-free period of 22 months has been granted, consistent with a similar rent-free period under the Head Lease. Rent will be reviewed in accordance with the terms of the Head Lease, which provides for market reviews every three years. In year 4, it is expected the consideration received under the Sublease will be approximately \$267,000 plus GST.
- Local Government Rates: The subleased premises will be rateable and the City will levy and receive rates on the subleased premises.
- The construction of the new facility, which will include a wellness centre, day spa and café. The estimated cost of the development is \$25,000,000 and will be at the full cost and expense of the Sublessee.

iv. Market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition:

The market value of the disposition as carried out by a licensed valuer is \$260,000 per annum.





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6. BUSINESS PLAN ADVERTISING AND SUBMISSIONS

Section 3.59 of the *Local Government Act 1995* requires the City to give state-wide and local public notice of the major land transaction under consideration and to invite the public to make submissions for a minimum 6-week period.

A Public Notice will be placed in 'The Post Newspapers' on 5 June 2021 and in the 'West Australian' on 8 June 2021. The Business Plan will be available at the City's Administration Building, at the City's libraries and also on the City's website (nedlands.wa.gov.au)

In order for the submission to be accepted, submissions are to be made in written form by no later than **4pm, Friday 23 July 2021**.

Submissions can be completed in the following ways:

- Submitted online via the City's Your Voice engagement platform – yourvoice.nedlands.wa.gov.au
- Mailed by pre-paid post to the Acting Chief Executive Officer at PO Box 9, Nedlands WA 6909
- Emailed to council@nedlands.wa.gov.au and addressed to the Acting Chief Executive Officer

Submissions made via email or post are to be clearly marked '**Business Plan Submission – Tawarri Hot Springs**'

Year	VG Assessment	Rent to City	Rent to State	Income	Expenditure	Net Profit/Loss
Before Lease	N/A	N/A	N/A	\$ -	-\$ 127,200	-\$ 127,200
1	\$ 248,000	\$ -	\$ -	\$ -	\$ -	-\$ 127,200
2	\$ 254,200	\$ 20,000	\$ -	\$ 20,000	\$ -	-\$ 107,200
3	\$ 260,555	\$ 120,000	\$ 99,200	\$ 20,800	\$ -	-\$ 86,400
4	\$ 267,069	\$ 267,069	\$ 106,828	\$ 160,241	\$ -	\$ 73,841
5	\$ 273,746	\$ 267,069	\$ 106,828	\$ 160,241	\$ -	\$ 234,083
6	\$ 280,589	\$ 267,069	\$ 106,828	\$ 160,241	\$ -	\$ 394,324
7	\$ 287,604	\$ 287,604	\$ 115,042	\$ 172,562	\$ -	\$ 566,886
8	\$ 294,794	\$ 287,604	\$ 115,042	\$ 172,562	\$ -	\$ 739,449
9	\$ 302,164	\$ 287,604	\$ 115,042	\$ 172,562	\$ -	\$ 912,011
10	\$ 309,718	\$ 309,718	\$ 123,887	\$ 185,831	\$ -	\$ 1,097,842
11	\$ 317,461	\$ 309,718	\$ 123,887	\$ 185,831	\$ -	\$ 1,283,673
12	\$ 325,397	\$ 309,718	\$ 123,887	\$ 185,831	\$ -	\$ 1,469,504
13	\$ 333,532	\$ 333,532	\$ 133,413	\$ 200,119	\$ -	\$ 1,669,623
14	\$ 341,871	\$ 333,532	\$ 133,413	\$ 200,119	\$ -	\$ 1,869,742
15	\$ 350,418	\$ 333,532	\$ 133,413	\$ 200,119	\$ -	\$ 2,069,862
16	\$ 359,178	\$ 359,178	\$ 143,671	\$ 215,507	\$ -	\$ 2,285,369
17	\$ 368,157	\$ 359,178	\$ 143,671	\$ 215,507	\$ -	\$ 2,500,875
18	\$ 377,361	\$ 359,178	\$ 143,671	\$ 215,507	\$ -	\$ 2,716,382
19	\$ 386,795	\$ 386,795	\$ 154,718	\$ 232,077	\$ -	\$ 2,948,459
20	\$ 396,465	\$ 386,795	\$ 154,718	\$ 232,077	\$ -	\$ 3,180,537
21	\$ 406,377	\$ 386,795	\$ 154,718	\$ 232,077	\$ -	\$ 3,412,614
22	\$ 416,536	\$ 416,536	\$ 166,615	\$ 249,922	\$ -	\$ 3,662,536
23	\$ 426,950	\$ 416,536	\$ 166,615	\$ 249,922	\$ -	\$ 3,912,457
24	\$ 437,623	\$ 416,536	\$ 166,615	\$ 249,922	\$ -	\$ 4,162,379
25	\$ 448,564	\$ 448,564	\$ 179,426	\$ 269,138	\$ -	\$ 4,431,518
26	\$ 459,778	\$ 448,564	\$ 179,426	\$ 269,138	\$ -	\$ 4,700,656
27	\$ 471,273	\$ 448,564	\$ 179,426	\$ 269,138	\$ -	\$ 4,969,794
28	\$ 483,054	\$ 483,054	\$ 193,222	\$ 289,833	\$ -	\$ 5,259,627
29	\$ 495,131	\$ 483,054	\$ 193,222	\$ 289,833	\$ -	\$ 5,549,460
30	\$ 507,509	\$ 483,054	\$ 193,222	\$ 289,833	\$ -	\$ 5,839,292
31	\$ 520,197	\$ 520,197	\$ 208,079	\$ 312,118	\$ -	\$ 6,151,410
32	\$ 533,202	\$ 520,197	\$ 208,079	\$ 312,118	\$ -	\$ 6,463,529
33	\$ 546,532	\$ 520,197	\$ 208,079	\$ 312,118	\$ -	\$ 6,775,647
34	\$ 560,195	\$ 560,195	\$ 224,078	\$ 336,117	\$ -	\$ 7,111,764
35	\$ 574,200	\$ 560,195	\$ 224,078	\$ 336,117	\$ -	\$ 7,447,881
36	\$ 588,555	\$ 560,195	\$ 224,078	\$ 336,117	\$ -	\$ 7,783,998
37	\$ 603,269	\$ 603,269	\$ 241,308	\$ 361,961	\$ -	\$ 8,145,959
38	\$ 618,350	\$ 603,269	\$ 241,308	\$ 361,961	\$ -	\$ 8,507,920
39	\$ 633,809	\$ 603,269	\$ 241,308	\$ 361,961	\$ -	\$ 8,869,881
40	\$ 649,654	\$ 649,654	\$ 259,862	\$ 389,793	\$ -	\$ 9,259,674
41	\$ 665,896	\$ 649,654	\$ 259,862	\$ 389,793	\$ -	\$ 9,649,467
42	\$ 682,543	\$ 649,654	\$ 259,862	\$ 389,793	\$ -	\$ 10,039,259

9. PD17.03.22 Comment on State Development Assessment Unit Application for Tawarri Hot Springs Development at 120 Esplanade, Dalkeith

Meeting & Date	Special Council – 29 March 2022
Applicant	Western Australian Planning Commission
Employee Disclosure under section 5.70 Local Government Act 1995	The author, reviewers and authoriser of this report declare they have no financial or impartiality interest with this matter. There is no financial or personal relationship between City staff and the proponents or their consultants.
Report Author	Roy Winslow, Manager Urban Planning
Director/CEO	Tony Free, Director Planning and Development
Attachments	1. Location Plan 2. Development Plans 3. City of Nedlands Car Parking Plan 4. Landscaping Plan

PLEASE NOTE THIS ITEM WAS NOT CONSIDERED FOR THE FOLLOWING REASONS:

Council decided not to deal with the report relating to the State Development Assessment Unit Planning application for Tawarri Hot Springs on the basis that as the lease had not been supported by Council, the applicant had no tenure over the land and thus the planning application is not complete and should not be considered at this time.

Recommendation

That Council advises the State Development Assessment Unit that it supports the proposed Tawarri Hot Springs at 120 Esplanade, Dalkeith as outlined in the development plans date stamped 10 November 2021 (Attachment 2) and recommends the following conditions be considered for any approval granted by the Western Australian Planning Commission:

Traffic and Parking

1. The City of Nedlands car parking plan (Attachment 3) form part of the application/approval. The parking area as shown being constructed and maintained by the City of Nedlands using water sensitive design principles.
2. A traffic and car parking management plan to be prepared by the proponent and approved by the City of Nedlands prior to issue of a building permit and thereafter implemented at all times.

3. A minimum of 10 visitor bike parking bays and 2 bike parking bays for staff and associated end of trip facilities are to be provided prior to occupation to the satisfaction of the City of Nedlands.

Waste Management

4. A detailed waste management plan is to be prepared by the proponent and approved by the City of Nedlands prior to issue of a building permit and thereafter implemented at all times.

Noise

5. An acoustic report is to be prepared by a suitably-qualified and licensed acoustic consultant prior to issue of a building permit demonstrating compliance of the development with the requirements of the Environmental Protection (Noise) Regulations 1997.

Landscaping

6. A landscaping plan for the development site, entry plaza and Esplanade "triangle" is to be prepared by the proponent and approved by the City of Nedlands prior to issue of a building permit and thereafter implemented and maintained at all times to the satisfaction of the City of Nedlands. The landscaping plan is to incorporate landscape screening of the foreshore interface area rather than the proposed bunding and "haha wall". The landscaping plan is to limit sedge selection to: *Baumea juncea*, *Juncus kraussii*, *Lepidosperma gladiatum* and *Ficinia nodosa*.

Building Form

7. Walls and/or fencing of the pool areas/terraces facing the river and foreshore are to be glazed or otherwise visually permeable in a manner that reduces the visual impact when viewed from the river.

Demolition and Construction

8. Prior to the issue of a Demolition Permit and/or a Building Permit, a Demolition and Construction Management Plan shall be submitted and approved to the satisfaction of the City. The approved Demolition and Construction Management Plans shall be observed at all times throughout the demolition and construction process to the satisfaction of the City.
9. The development site is to be fenced at all times during demolition and construction.
10. All trees that are to be retained on the development site are to be protected by fencing or other method approved by the City of Nedlands during demolition and construction.
11. A cliff face geotechnical report is to be prepared by the proponent and approved by the City of Nedlands prior to issue of a building permit. The geotechnical report is to confirm the stability of the cliff face and steep bank to the north and west of the development

site and identify the use of appropriate construction techniques to minimise impacts on the cliff/bank stability.

12. All stormwater generated on site is to be retained on site. An onsite storage/infiltration system is to be provided within the site for a 1 in 100-year storm event. No stormwater will be permitted to enter the City of Nedlands' stormwater drainage system unless otherwise approved.

Other Matters

13. A lease for the development site being finalised prior to a building permit being issued.
14. Appropriate measures being taken to the satisfaction of the City of Nedlands for the management of those portions of the development located outside of the lease area (Lot 253) prior to occupation.

Purpose

The purpose of this report is for Council to provide its comments to the State Development Assessment Unit (SDAU) of the Western Australian Planning Commission (WAPC) on a development application at 120 Esplanade, Dalkeith (Tawarri site). The application proposes the development of a private recreation facility (wellness/spa) and incidental restaurant/café.

Voting Requirement

Simple Majority.

Background

Background to Application

In 1957 a community facility was built which in the 1960s became the Tawarri Reception Centre. This operated until 2018 when the current lease expired. The building has remained vacant since then.

The City of Nedlands called for expressions of interest for future use of the site in late 2016 and undertook a tender process in 2018. In July 2019 a Heads of Agreement was executed between the proponent for the development and the City. This provided for a range of matters, including the provision of car parking for the development on land managed by the City. A long-term lease of the site is currently being finalised as a separate process to this development application.

In order to provide public road access to the site, Esplanade is currently subject to dedication as a road reserve through excise from Reserve 17391.

As leasing arrangements progressed, a development application was lodged with the WAPC for assessment by the SDAU as a 'significant development'. Notwithstanding the application was lodged with the SDAU and not the City, the decision maker remains as the WAPC given the site is located on land reserved by the Metropolitan Region Scheme. The City of Nedlands is acting as a referral body in this instance.

Development Proposal

The application seeks development approval for a wellness/spa facility and incidental restaurant/café. The development plans are included in **Attachment 2**.

The development site is subject to lease negotiations between the proponent and the City of Nedlands. Whilst the lease and planning processes are separate, the proposed development is consistent with the original intent for the site that is subject to the lease arrangements.

The development will rely on car parking provided within the surrounding City-managed reserve and future Esplanade road reserve. This approach is consistent with the Heads of Agreement the City has entered into with the future Sub Lessee.

The building is architecturally designed and has been subject to review by the State Design Review Panel on a number of occasions.

Discussion

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2, Clause 67(2) (Consideration of application by Local Government) identifies those matters that are required to be given due regard to the extent relevant to the application. Where relevant, these matters are discussed in the following sections. Overall, the development is considered to meet these objectives and the impact on the local amenity will be minimal.

City of Nedlands Foreshore Enhancement and Management Plan.

The proposed development complies with the City of Nedlands Foreshore Enhancement and Management Plan. The key element is to redevelop Tawarri site "*in similar style incorporating heritage features*". The development does this by retaining use of the site as a wellness spa utilising the hot springs water. It also proposes detailed design and elements that reflects the history of the site, as well as landscaping that reflects the history.

Car Parking

The Tawarri Redevelopment Heads of Agreement states in terms of car parking there will be a maximum of 115 car bays provided by the City within the vicinity of the premises, serving all nearby uses. If through the DA process or subsequent operation of the business it is deemed that more car parking is required, then additional car parks can be created with payment to be made by the Sub-Lessee in lieu of the number of car parks required by the Planning Approval.

The Sub-Lessee will contribute an amount of up to \$200,000 towards the cost incurred by the City of constructing additional car parking bays.

Should nearby parking areas become full during peak times, the development proposes a range of parking management solutions, including staff parking being located approximately 500m from the site, bicycle parking and the possibility of a valet parking service. Visitation will be managed through a booking system by allocating a fixed number of sessions every half hour for an anticipated average stay of 3 hours. It is recommended that a parking management plan be prepared in the event of approval (refer Condition 2).

There is adequate existing parking in the vicinity to cater for this projected demand. In order to allow for the potential to upgrade the existing parking areas along Esplanade, it is recommended that the car parking plan included at **Attachment 3** is incorporated into the development application. This will allow for the car parking areas to have development approval and avoid the need to obtain a fresh approval at a later date should the City determine the upgrades are required (refer Condition 1).

Design

The design is well-considered and generally indicative of high-quality built form which enables the form of the facility to present as a series of smaller buildings rather than a single mass. This reduces the perception of scale from the river and from the foreshore and allows for views through the site from the car park to the river.

The development is primarily single storied, with two small upper storey portions setback farther from the river. The topography of the escarpment at the rear means the nearby vegetation on the escarpment sits well above the roofline when viewed from the river. The development will be noticeable and prominent but does not dominate or overwhelm the landscape.

The scale steps up gently from the foreshore, with landscaping and the open-aired pools drawing the scale further from the river. A low height, balustrade-level wall fronting the foreshore is largely protected by adjacent vegetation and enables privacy for pool users whilst allowing for passive surveillance of the foreshore footpath.

The overall result is a clear delineation of public realm and the boundary of the facility, with the edges blurred by landscape and building form. The development establishes a new form for the area and will set a new standard for Perth's limited examples of sensitive and well considered riverside development.

The design is considered appropriate for the site and is supported. In addition, the design has been reviewed by the State Design Review Panel on a number of occasions.

Landscape Concept

The landscape concept has been prepared by ASPECT Studios (**Attachment 4**). The design responds to the local context and scale, form and function of the architecture in order to create a dynamic and engaging sequence of landscape spaces. The design develops a series of public landscape spaces that work to unite this project with the Jo

Wheatley All Abilities Play Space and the future redevelopment of the Sunset Hospital site to create a foreshore precinct that meets the needs of residents, visitors and the broader community.

The site is divided into 3 distinct areas:

- Arrival court – planting references conceptually the Tamala limestone and deep waters of the subterranean Aquifers.
- Foreshore promenade – referencing the meandering nature and undulating riverbed of the Swan River.
- Parklands – existing copses of Casuarina and open turfed areas.

Where appropriate Australian native and exotic plant species will create and support an aesthetic and high-quality landscape response. The grassed area and bushland to the north of the development site is contained within the City's river foreshore greenway corridor and the bushland is subject to a bushland management plan that aims to protect and enhance the native vegetation.

A total of 15 trees are proposed to be removed from the development site and 5 trees retained abutting the foreshore reserve. One tree is proposed to be removed for construction of the substation.

The river interface proposes bunding (referred to as "haha wall") to screen the raised terraces and pool areas. The cross section shows a 2m height difference and a 1m high wall above the pool levels. Administration recommends that the visual impact of the area should be addressed by landscape screening rather than the proposed bunding and the "haha wall". The proposed balustrade wall adjoining the pool should also be visually permeable so as to further reduce visual impact. It is also recommended that the landscaping plan be amended to limit sedges to: *Baumea juncea*, *Juncus kraussii*, *Lepidosperma gladiatum* and *Ficinia nodosa* as this is consistent with the species the City uses along foreshore and river wall restoration areas nearby (refer Condition 6).

Development Levels

The development proposes finished floor levels as follows:

- 1.16 AHD Café
- 1.85 AHD Plant and Bin Store
- 2.80 AHD Wellness Centre/Spa and Restaurant
- 3.22 AHD Substation

The Department of Water and Environmental Regulation (DWER) advise that to year 2110 an allowance of 0.9 metres for mean sea level rise should be considered in accordance with State Coastal Planning Policy (SPP2.6)

The Swan and Helena River Flood Study shows the general area affected during major events with the following floor levels expected:

- 1 in 10 (10%) Annual Exceedance Probability (AEP) 2.0m AHD
- 1 in 100 (1%) AEP 2.2m AHD

Based on the floodplain management strategy for the area, the proposed development (ie filling, building etc) is considered acceptable with respect to major flooding. A minimum habitable floor level of 2.7m AHD is recommended to ensure adequate flood protection against the 1 in 100 Annual Exceedance Probability event in the future. This is achieved by the development with the exception of the café area, which will be constructed to accommodate flooding. This is considered to be appropriate as it will allow for the café to be at the same level as the adjacent playground, rather than require external steps, ramps and retaining.

A report was prepared on the river walls west of Perth Flying Squadron Yacht Club (PFSYC) by M P Rogers and Associates in 2015. A new wall was constructed in accordance with this report. Sea level has been factored in for the wall and thus nothing further is required from the development in terms of river wall construction.

Bushfire Management

Bushfire risk on the land surrounding the site will be managed through the City's bushfire management plan. There is no requirement for conditions to be placed on the development relating to bushfire management.

Cliff Stability

An assessment of the cliff stability behind the subject site was undertaken by Golder Associates in June 2015.

It is recommended that a geotechnical assessment be undertaken of the cliff/bank immediately behind the subject site prior to any development on the site. This assessment could be prepared as an addendum to the 2015 report. This will identify any appropriate action and construction methods necessary to minimise impact on the cliff stability. Given that the development is potentially increasing the risk it is considered appropriate for the developer to undertake this assessment prior to any development on site (refer Condition 11).

Use of Reserves Outside of Development Site

The Development Site is being fully developed and the development spills into the surrounding reserved land. These areas include the "triangle" car park that is proposed to be redeveloped as the entry statement to Tawarri Hot Springs and the substation site.

These areas benefit the development but are outside the lease area. Special arrangement should be made with the applicant concerning these areas, including construction and maintenance. A condition is recommended requiring appropriate measures to the satisfaction of the City to manage parts of the development located outside of the lease areas.

The main entrance signage – 5.4m x 2m is proposed in the “triangle”. The proposed signage is designed to be sympathetic to the development and as such can be supported.

Consultation

The City was not required to conduct consultation for this development application. Public consultation in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 was conducted by the State Development Assessment Unit. All submissions received will be considered by the Unit when making its recommendation to the Western Australian Planning Commission as the decision maker.

Strategic Implications

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

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

Values **Great Natural and Built Environment**
We protect our enhanced, engaging community spaces, heritage, the natural environment and our biodiversity through well-planned and managed development.

Priority Area Urban form - protecting our quality living environment

Budget/Financial Implications

There are no direct financial implications associated with the provision of planning comment on this development application. All financial implications of the leasing of the site is contained in a separate report to Council.

Legislative and Policy Implications

The City is not required to make a quasi-judicial decision in this case. The decision maker is the WAPC as the land is reserved by the [Metropolitan Region Scheme](#) and the application has been made through the [State Development Assessment Unit](#) pathway.

Decision Implications

Council is providing non-binding comments to the State Development Assessment Unit. The Unit will prepare a planning assessment and recommendation to the Western Australian Planning Commission for a final determination. As Council is not the decision-maker, it will not be party to any future State Administrative Tribunal matter, should the proponent be aggrieved by the decision.

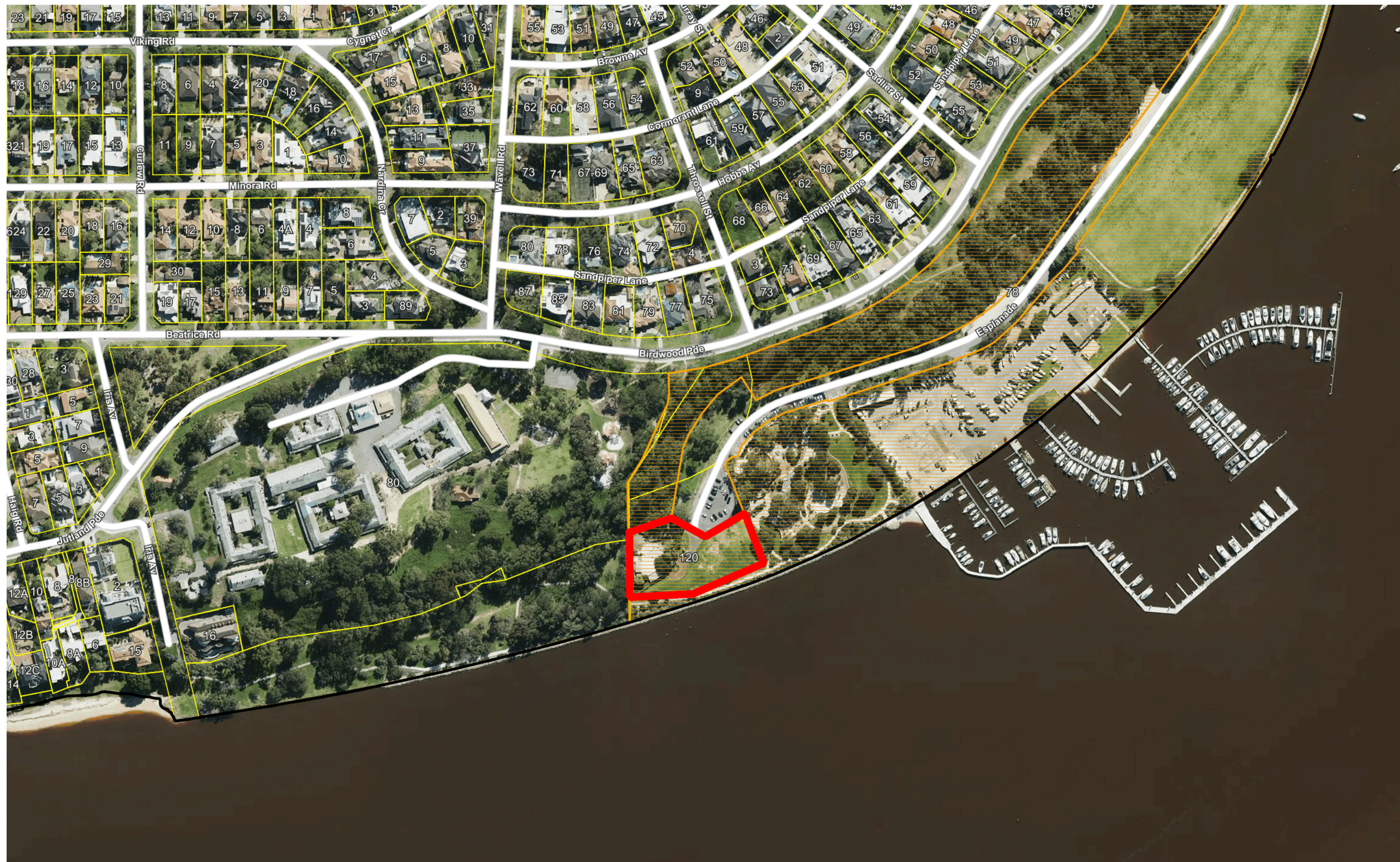
Conclusion

Council is requested to provide comment to the WAPC on the proposed redevelopment of Tawarri Hot Springs. The application seeks development approval for a wellness/spa facility and incidental restaurant/café on the subject site.

Administration recommends that Council provides support to the development application, subject to conditions. Matters related to the leasing of the site are contained in a separate report to Council.

Further Information

N/A.





TAWARRI HOT SPRINGS

120 Esplanade, Dalkeith WA
6009

ARCHITECTURAL DRAWINGS

DEPARTMENT OF PLANNING, LANDS AND HERITAGE	
DATE	FILE
10-Nov-2021	SDAU-036-21

Disclaimer: This document has been prepared as a preliminary set of drawings only. It is subject to town planning approval. The information contained should be verified by the recipient to satisfy themselves of its accuracy and viability. The recipient of this document should verify this document with Plus architecture if received from a third party or indirectly. The recipient should not rely on this document for any reason without seeking expert advice. Plus architecture accepts no responsibility for how this information is interpreted. Plus Architecture reserves all copyright contained in this document.

SITE OVERVIEW

Tawarri Hot Springs is located at the western end of the Nedlands-Dalkeith foreshore, a strategic position between Perth and Fremantle. The location provides:

- The opportunity for a new and unique tourism offer for Perth
- A new destination for the western end of the Nedlands
- Strong connections to water-based recreation; windsurfing/ kite surfing, sailing, catamarans, rock climbing
- Visual links to river based transport, such as the Perth to Rottnest Ferry
- Close proximity to Claremont, Nedlands and the University of Western Australia
- Activation of the river that complements other attractions on the Swan River including Kings Park, Elizabeth Quay, Herisson Island, Perth Stadium, Point Walter, Fremantle and Blackwall Reach
- A unique connection to the underground Yaragadee Aquifer
- The Karda Bidi Whadjuk Trail extends from Shenton Park to Freshwater Bay and passes by the Tawarri site. The trail includes a number of stories told by Neville Collard including a story at the Tawarri site of how the blue Fairy-wren got his colour.

Historically, there were hot pools at Tawarri formed from hot artesian water from a burst water pipe that came from the Yaragadee Aquifer.

Indigenous History

- The Swan River is a significant site for the Nyoongar people with the Mooro Nyoongar's using the site as a hunting ground. The area had an abundance of fish, shell fish, frogs and turtles.
- The Waugal (derived from waug which means soul, spirit or breath) is associated with and equivalent to 'living water' or a vital force of water and is represented in the form of a 'water snake'. The Waugal is believed to have surfaced near to the fresh water spring in the area.
- Mt Eliza in Kings Park is believed to have been the result of the Waugal struggling to the surface before it worked its way back to the sea
- The Nyoongar people still greatly respect the river precinct which has strict codes and ethics that are still observed today

European History

- A bore was drilled in the 1920's to create a pool which was enclosed by locals with limestone walls. This soon attracted many visitors
- It was later moved into a concrete pool by the US Navy during the WW2 which was used for physical training and recreational purposes.
- During the 1940's The Hot Pools became infamous for night time nude bathing. The antics and scandals associated with the pools that were reported in the newspapers at the time eventually led to its closure in the 1950s
- In 1957 The Tawarri Function Centre was built as a destination for social events, weddings, receptions, conventions and Sunday buffets.
- This building still stands today however in a dilapidated state.

DESIGN STATEMENT

Tawarri Hot Springs is to be a world class spa facility where natural systems and human experience are fused together to create an immersive and distinctly Western Australian health and wellness experience.

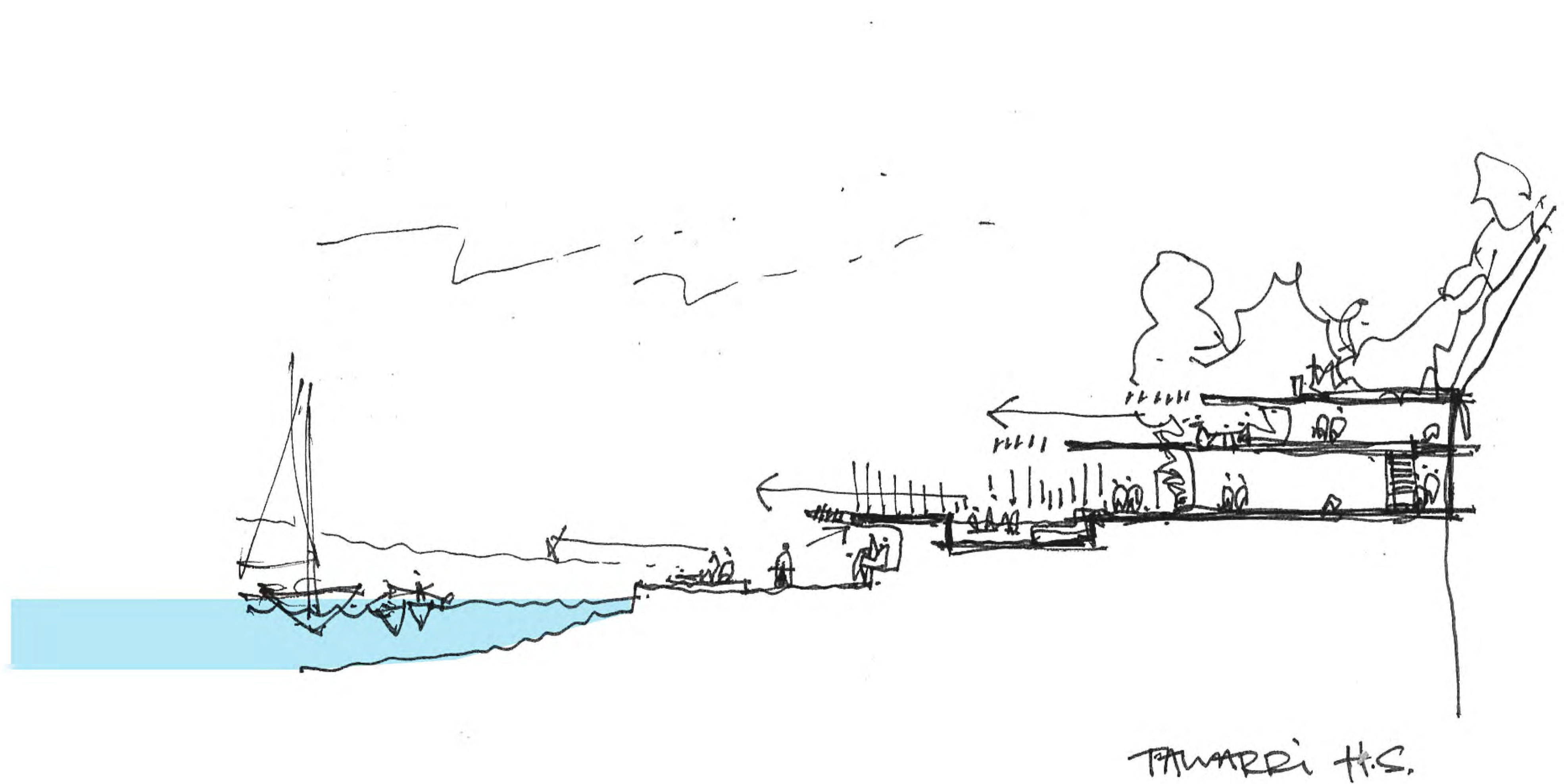
Tawarri has been design benchmarked against other premium facilities around the world including the Therme Vals spa in Switzerland and the Peninsula Hot Springs in Mornington, Victoria.

Through intensive investigation and the design process, the master plan has been developed to be sympathetic to, and build upon opportunities presented in the surrounding landscape and public facilities. We also studied the rich indigenous and European history that accompanies the unique site.

Key principles to achieve this include the following:

- Capitalise on the sloping site opportunities towards the Swan river and capture the fantastic views provided.
- The buildings mass has been nestled into the land with larger buildings hugging the steep escarpment to the North of the site.
- Thoughtful integration of landscape and architecture to create an immersive experience and blur the edges between public and private.
- Inclusivity has been an underlying concept with the building open and accessible to all people. This has extended to the planning of the building which connects to the Jo Whetley play space via a cafe plaza.
- Taking advantage of the naturally found limestone of the site and designing pavilions that symbolize this.
- The garden pavilions help to shape the internal wellness program and generate easy wayfinding for guests.
- Using the Yaragadee Aquifer as a source of inspiration when selecting materials and finishes.
- Preserving and improving the natural and built environment using sustainable strategies including swales, waterwise planting and geothermal technology.

Sustainability and adaptability were key drivers in the planning, construction and maintenance of the proposal. The project aims to create a design that is both elegant and timeless while also being sufficiently robust to withstand future design changes that may be required due to statutory authority feedback and operational requirements. Balancing quality, cost and program while meeting the client's vision is our responsibility as architects. Our aim also is not only to create an award-winning design, but to help deliver a new and successful chapter for Tawarri and an exceptional community experience for generations of visitors to come.

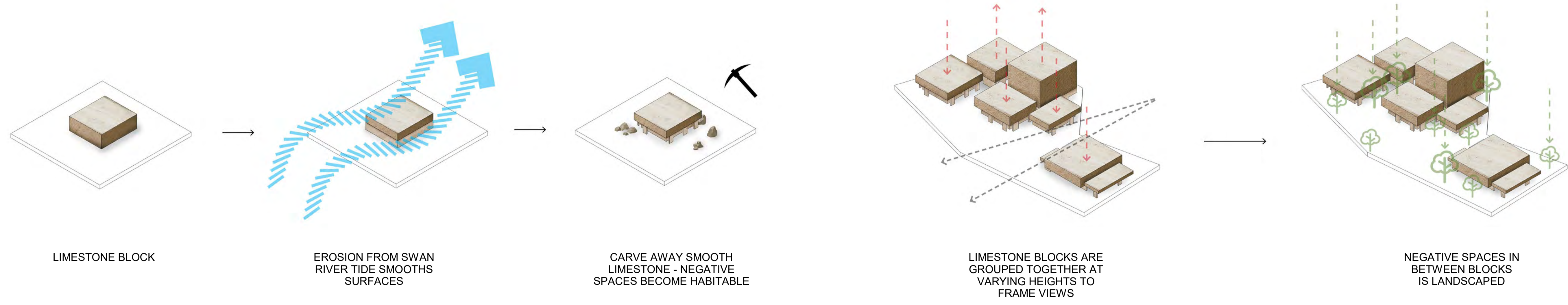


PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA002	DESIGN STATEMENT

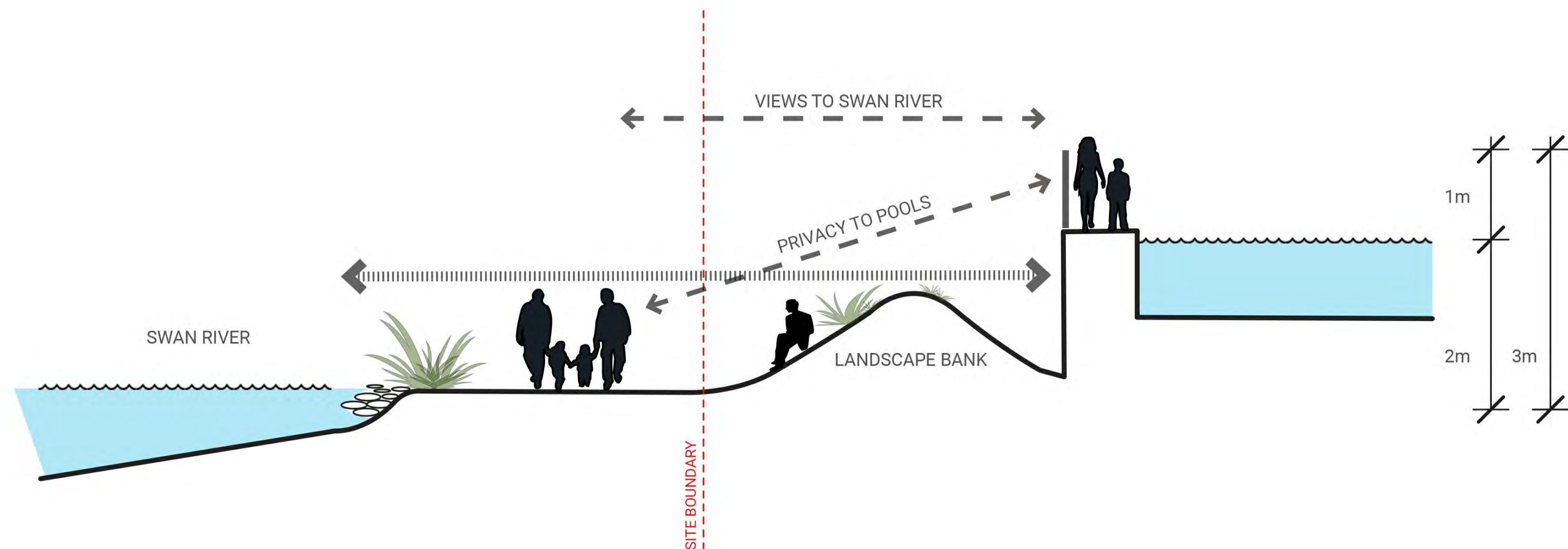
NORTH SCALE



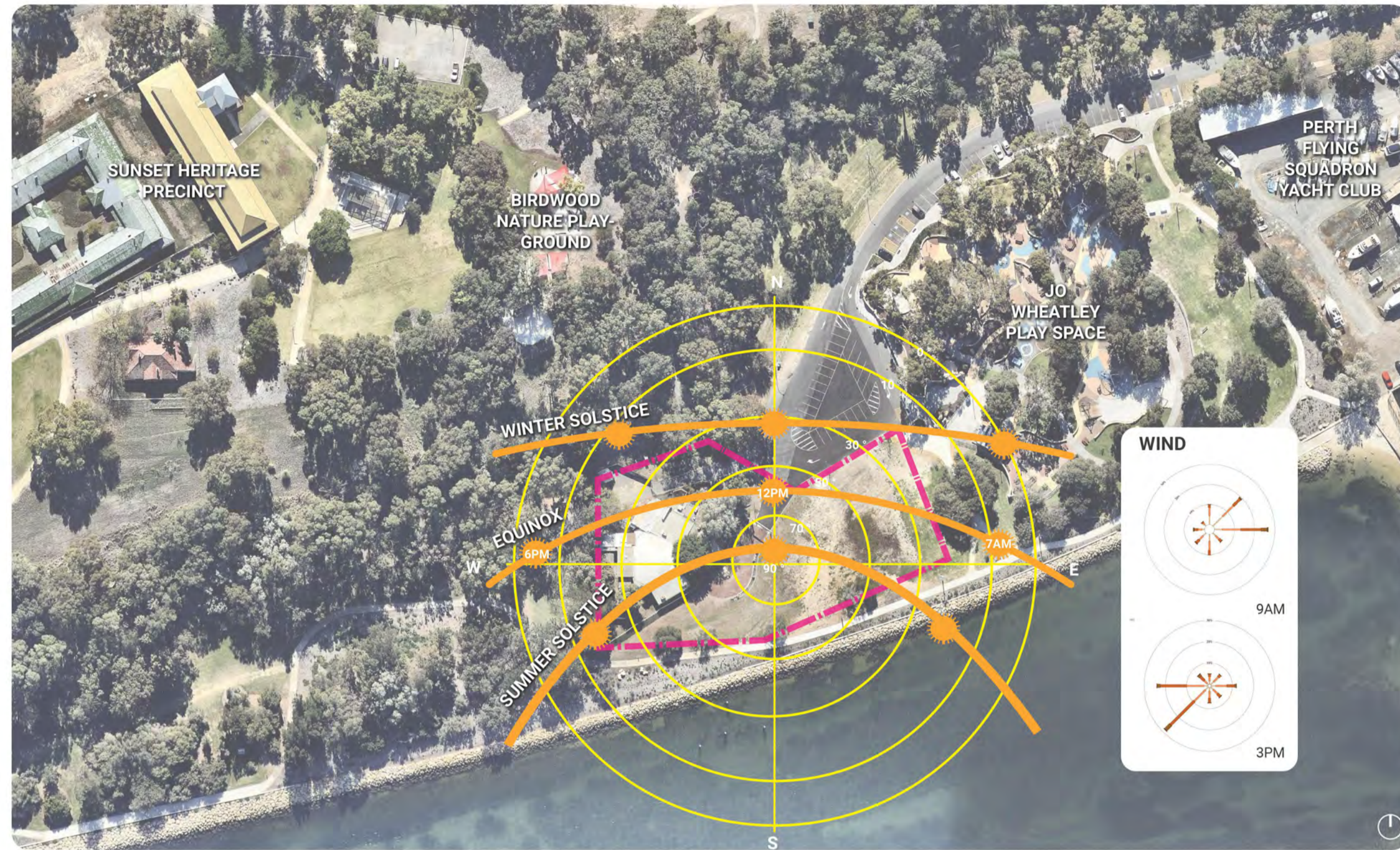
MASSING DIAGRAMS



FORESHORE INTERFACE



CLIMATIC CONDITIONS



- The site is sheltered and will be moderately affected by prevailing winds.
- The site faces South and as such will be moderately exposed to direct sunlight during the morning and evening hours.

LANDFORM AND SETBACKS



- The site is surrounded by trees to the West and North.
- The river is located to the South.
- The land rises steeply behind the site.
- To the East the play space entrance provides a key constraint.
- A 20m setback provides plenty of space within the proposed lease boundary.

EXISTING PEDESTRIAN VEHICULAR MOVEMENT & PARKING



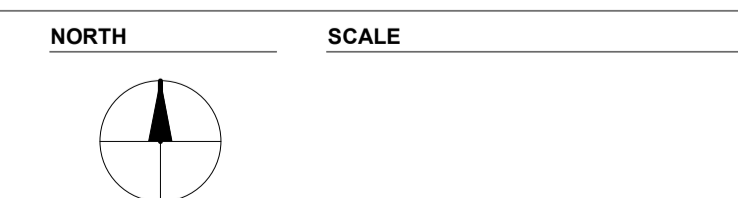
- The car parking numbers in the immediate area are approximately 48 dedicated bays, 8 acrod bays and 65 unmarked bays.
- The total is approximately 121 bays plus 1 bus bay.
- The site is surrounded by many existing foot paths.
- The foot path to the North is very steep and unlikely compliant with DDA/BCA requirements. It is very popular foot and the current termination into the car park should be improved.
- It will be important to enhance and maintain the existing pedestrian routes.

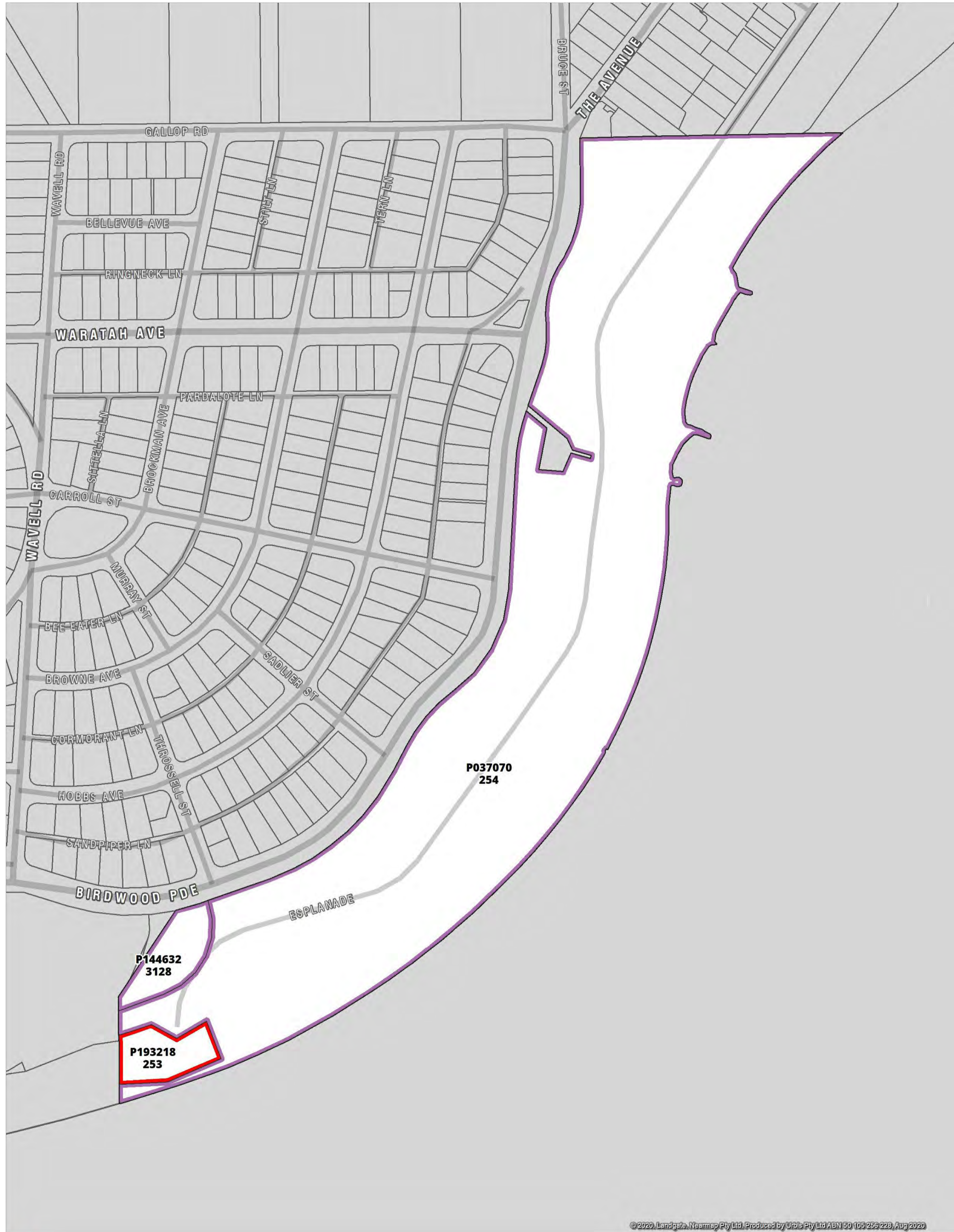
SITE OPPORTUNITIES



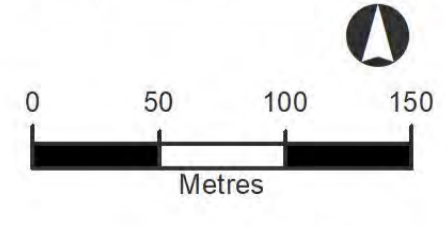
- Create sense of arrival and visual link to river side
- Locate spa buildings to west minimise visual impact
- Break up buildings to reduce visual mass and respond to functional relationship
- Dislocate cafe pod from spa and locate in plaza in close proximity to play space
- Maximise views to river from all of the spa development and separate from public
- Soften edge of development at river wall
- Improve landscaping to public car park

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA004	SITE ANALYSIS

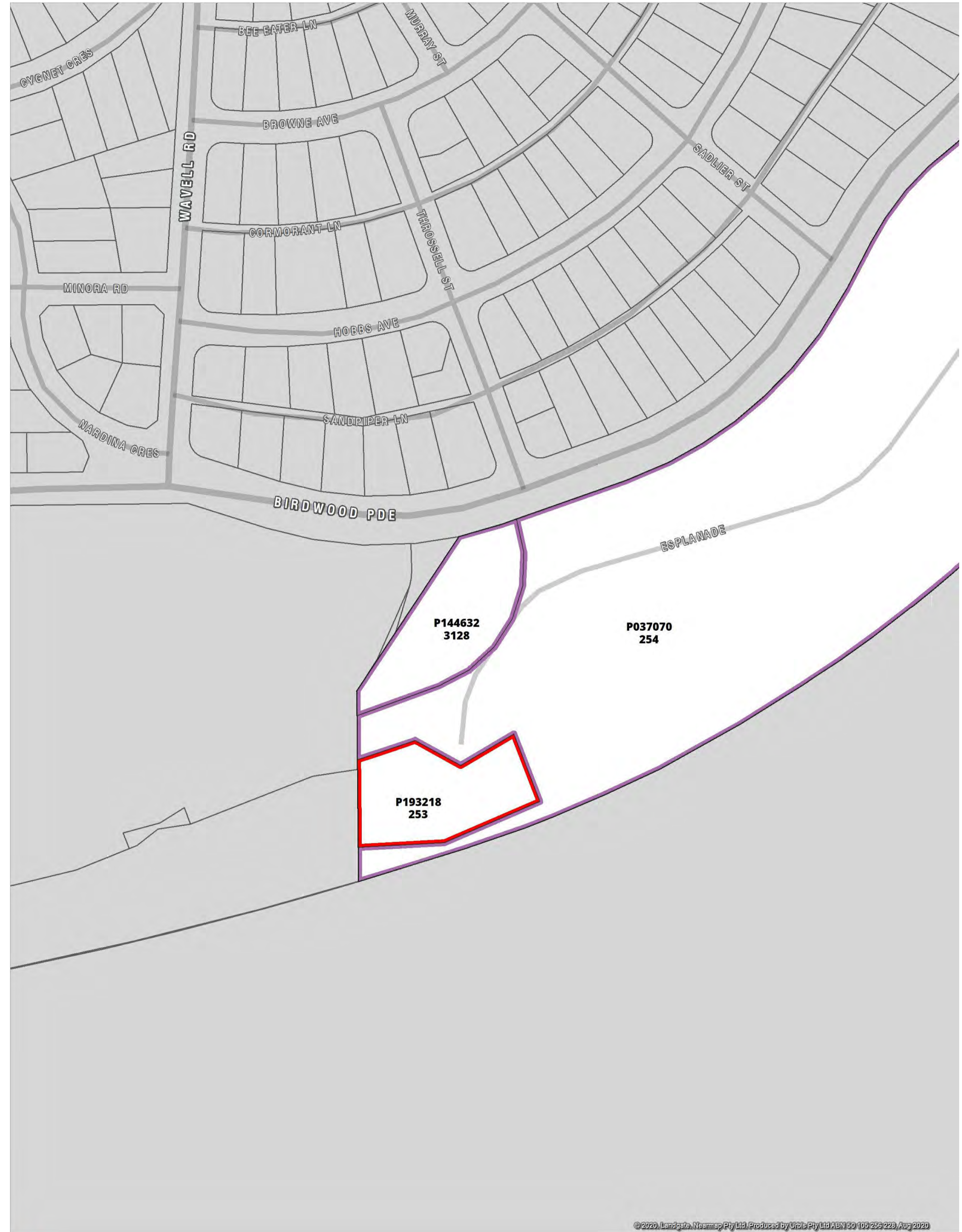




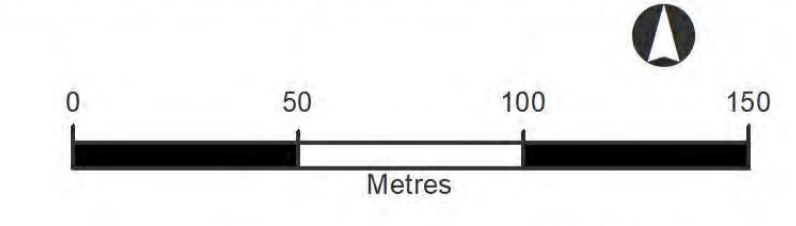
- Tawarri
- Other Affected Lots
- Cadastre Boundary



CADASTRAL

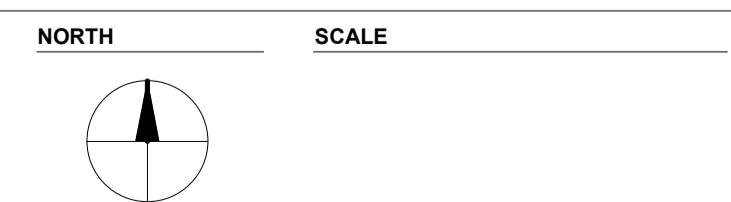


- Tawarri
- Other Affected Lots
- Cadastre Boundary



CADASTRAL

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA005	AFFECTED LOTS



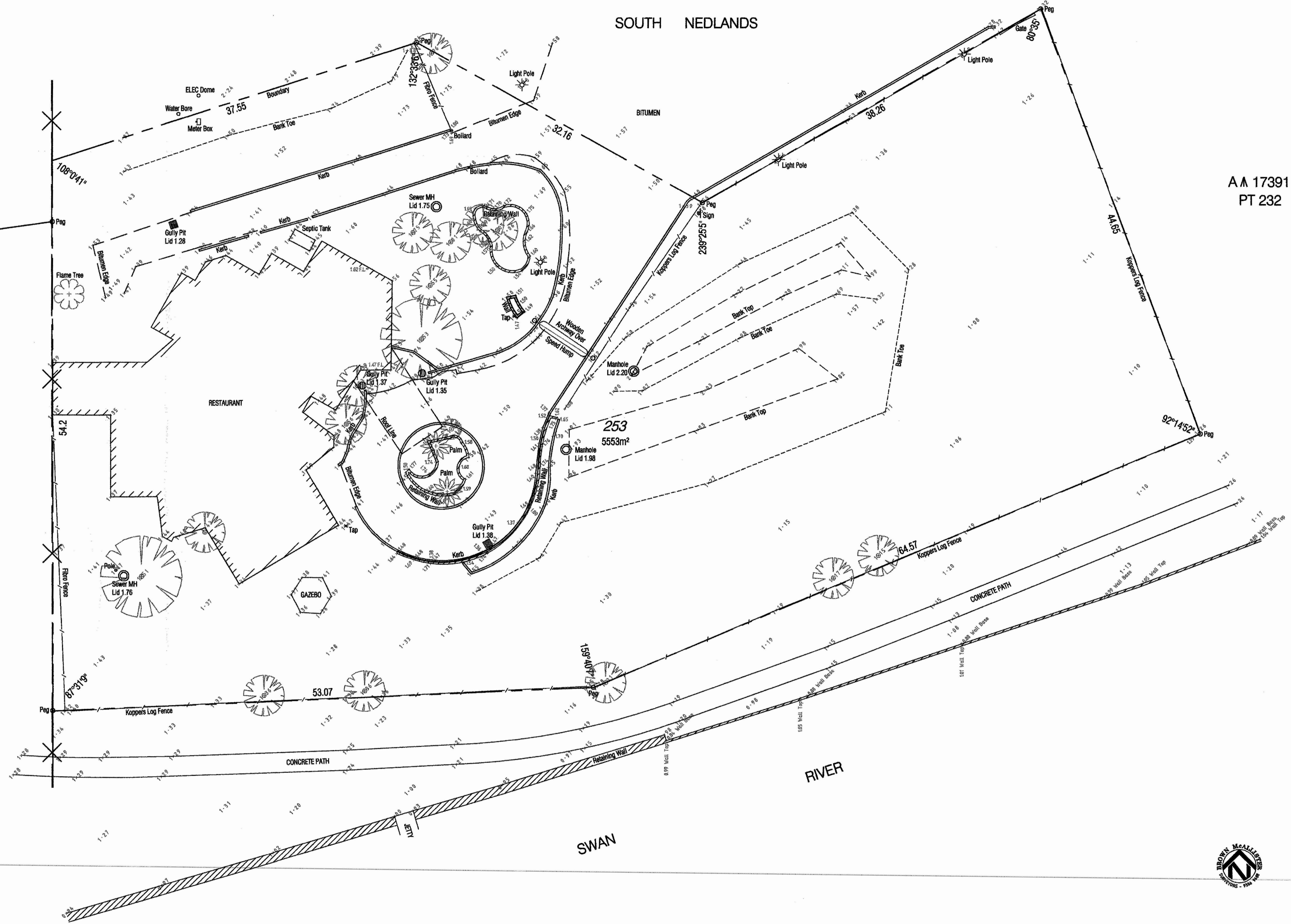
DEVELOPMENT APPLICATION

REFERENCE TO PLAN

AA 1667
9547
DIA 82112

AA 17391
PT 232

AA 29174
8191
O.P. 10592



NOTE : ALL LEVELS ARE BASED FROM THE T.B.M. DECK SPIKE LEVEL 1.705m AS PROVIDED BY CITY OF NEDLANDS.



FEATURE SURVEY OF "TAWARRI" THE ESPLANADE NEDLANDS
Client: City of Nedlands

DATUM
HORIZONTAL - LOCAL
VERTICAL - SEE NOTE
COPYRIGHT OF ALL THIS PLAN IS RESERVED BY BROWN McALLISTER (WA) PTY LTD AND REMAINS THE PROPERTY OF THE AFORESAID AND SHALL BE RETURNED UPON REQUEST. USE OF ALL OR PART OF THIS PLAN IS RESTRICTED WITHOUT PRIOR WRITTEN PERMISSION.

SCALE 1:200
All distances in metres unless stated otherwise
ALL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY AND EXAMINATION
EXISTING BOUNDARY DIMENSIONS AND LOT AREAS HAVE BEEN TAKEN FROM L.T.O. DIAGRAM 93218
THE BOUNDARIES WERE NOT RE-ESTABLISHED AS PART OF THIS SURVEY THEREFORE THIS PLAN DOES NOT GUARANTEE THEIR ACCURACY
FIELD INSPECTION IS RECOMMENDED FOR LOCATION OF SERVICES PRIOR TO ANY EXCAVATION

No.	DETAILS	DATE	DRAWN	CHECKED

Brown McAllister (WA) Pty Ltd
LICENSED SURVEYORS LAND DEVELOPMENT, STRATA CONSULTANTS & ENGINEERING SURVEYORS
43 Broadway, Nedlands, Western Australia, 6009
Telephone (08) 9386 9688
Facsimile (08) 9386 9677
Email: bromac@starwin.com.au
A.C.N. 008 879 538

SHEET	A1
SURVEYED	D.A. Blower - 29/8/2000
FIELD NOTES	LB 226
DRAWN	LL. Poole - 31/8/2000
CHECKED	
REFERENCE	10047F1



PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA050	EXISTING PLAN

NORTH

SCALE
1 : 250





PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	23/09/21	DA052	SITE PLAN AERIAL VIEW - STAGE 1

NORTH
SCALE
1:500



DEVELOPMENT APPLICATION



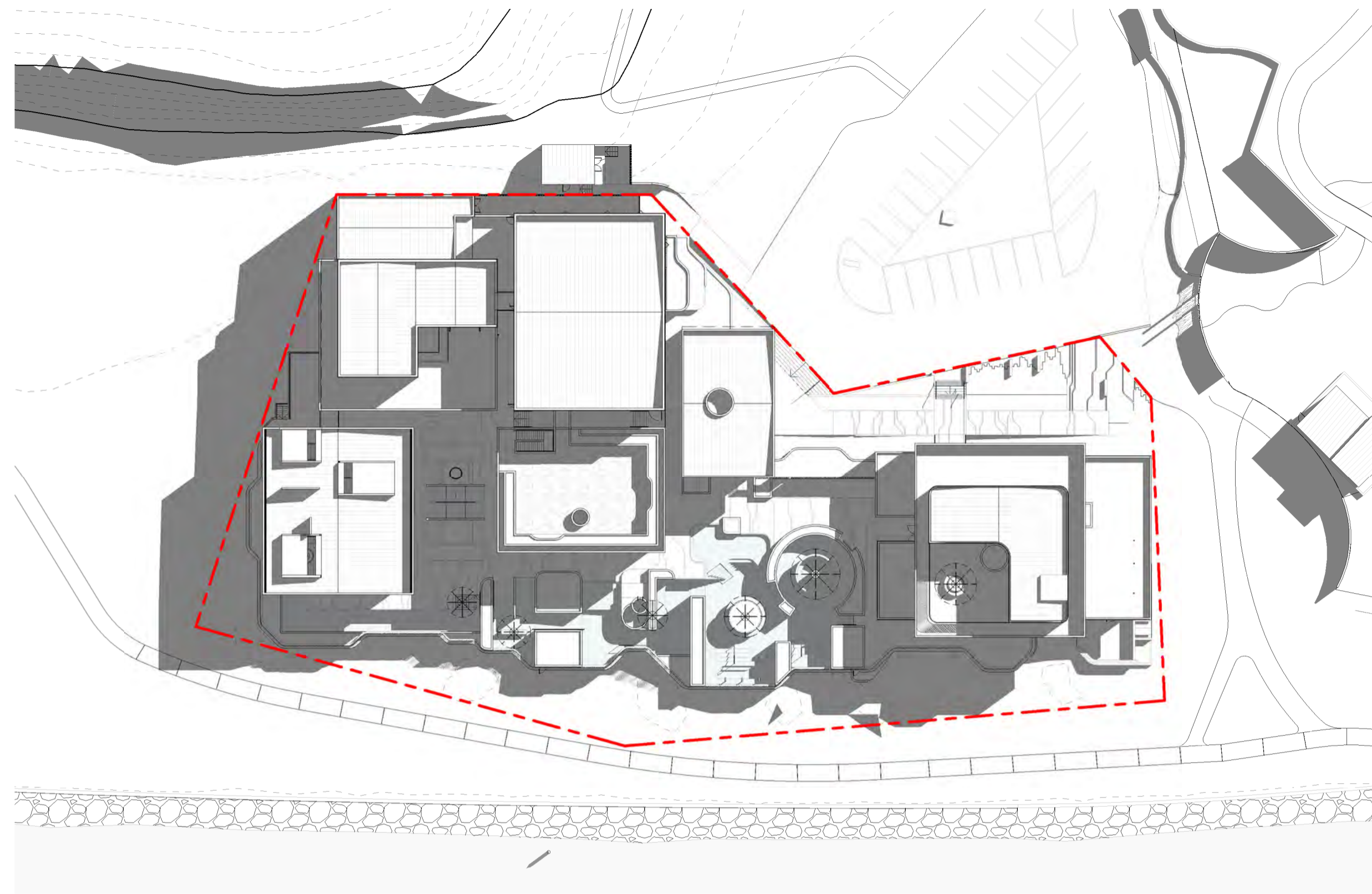
EXISTING PARKING COUNT	NUMBER
FORMAL BAYS	52
DDA BAYS	8
INFORMAL BAYS	82
TOTAL	142

PROJECT: TAWARRRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009
 JOB NUMBER: 80229
 DATE: 16/09/21
 DRAWING No.: DA053
 DRAWING: SITE PLAN - STAGE 1

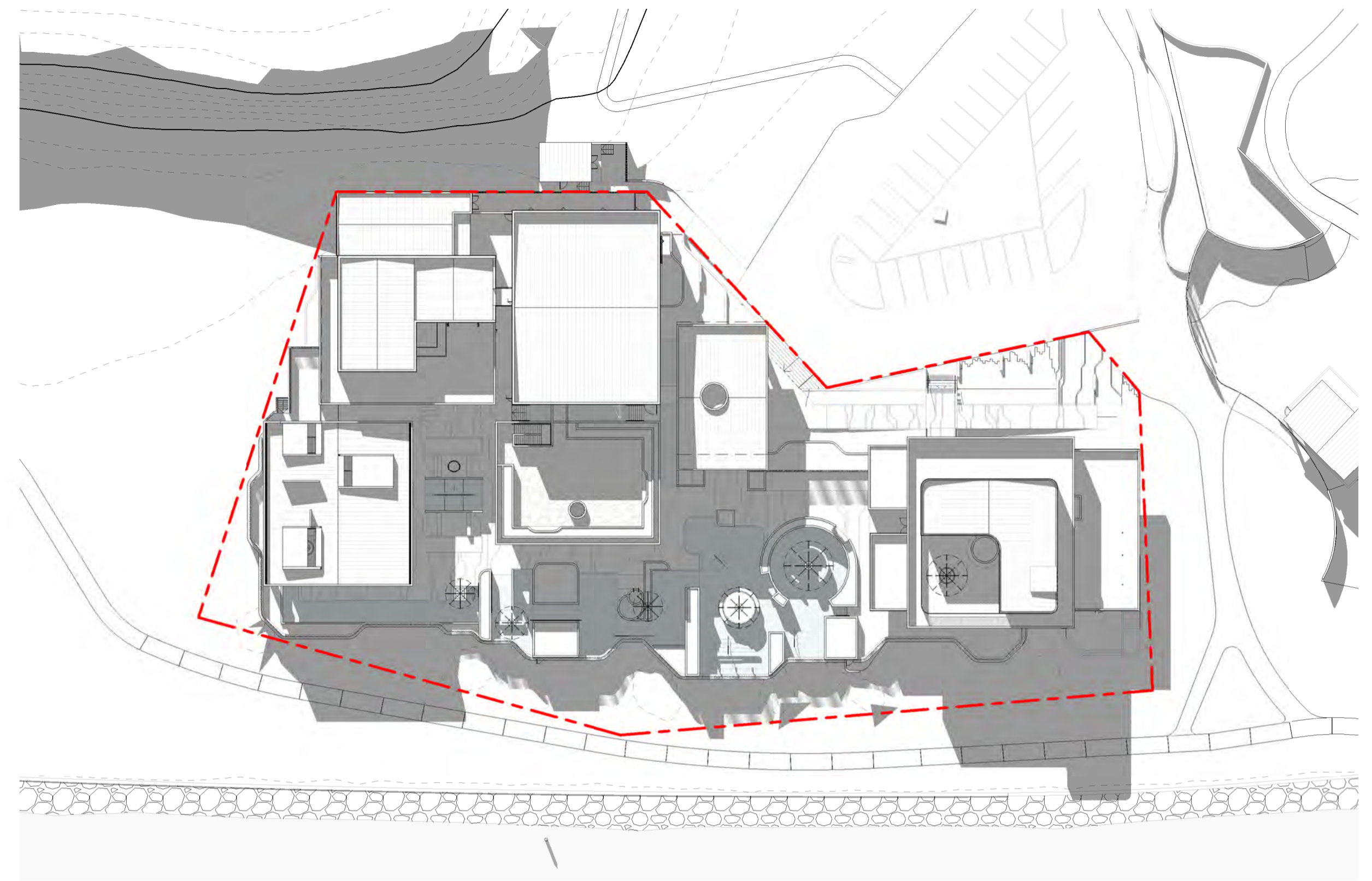
NORTH
 SCALE: 1:500



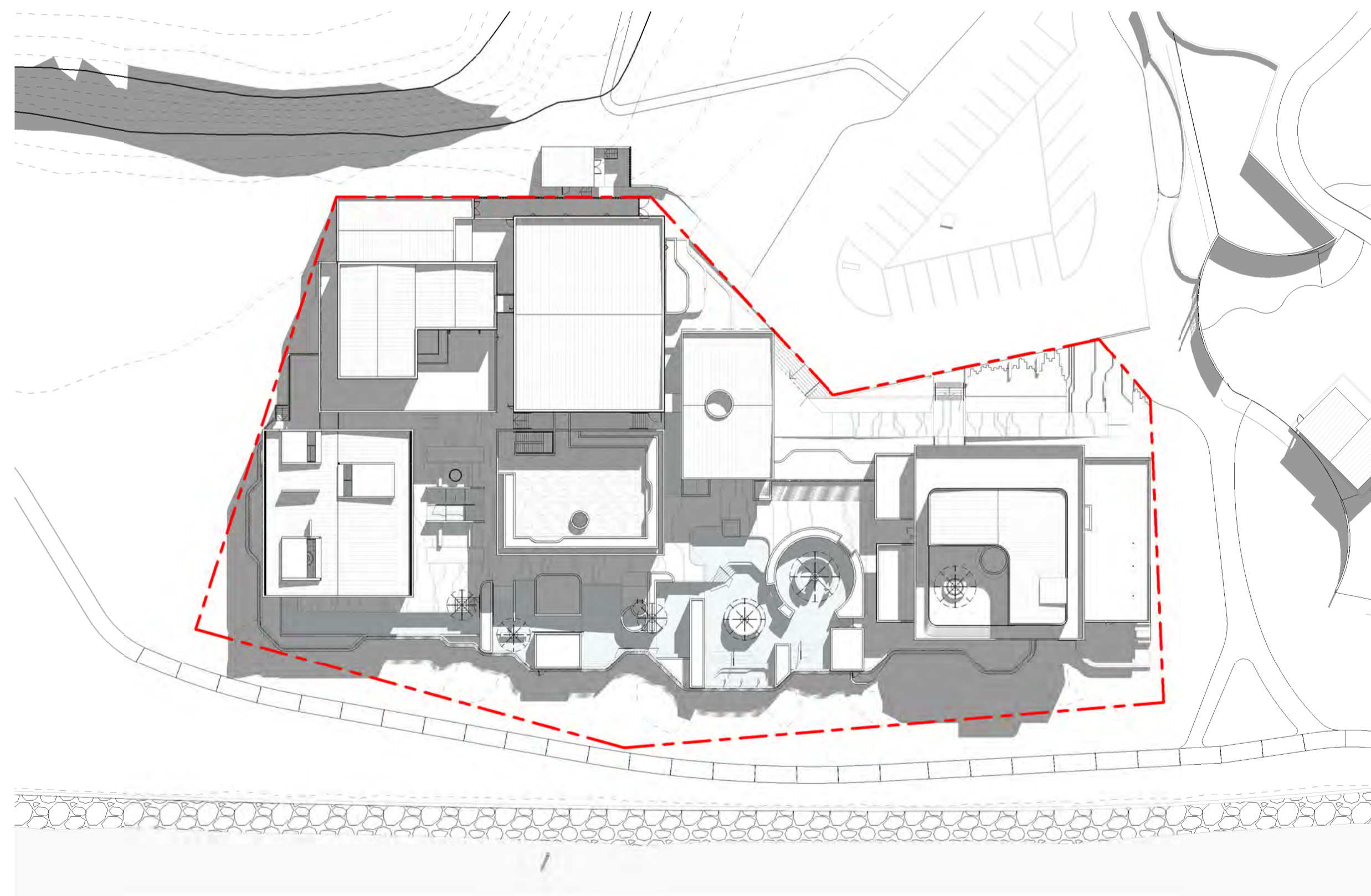
DEVELOPMENT APPLICATION



1 OVERSHADOWING 21st JUNE AT 10AM
A1000 Scale: 1 : 500



3 OVERSHADOWING 21st JUNE AT 3PM
A1000 Scale: 1 : 500



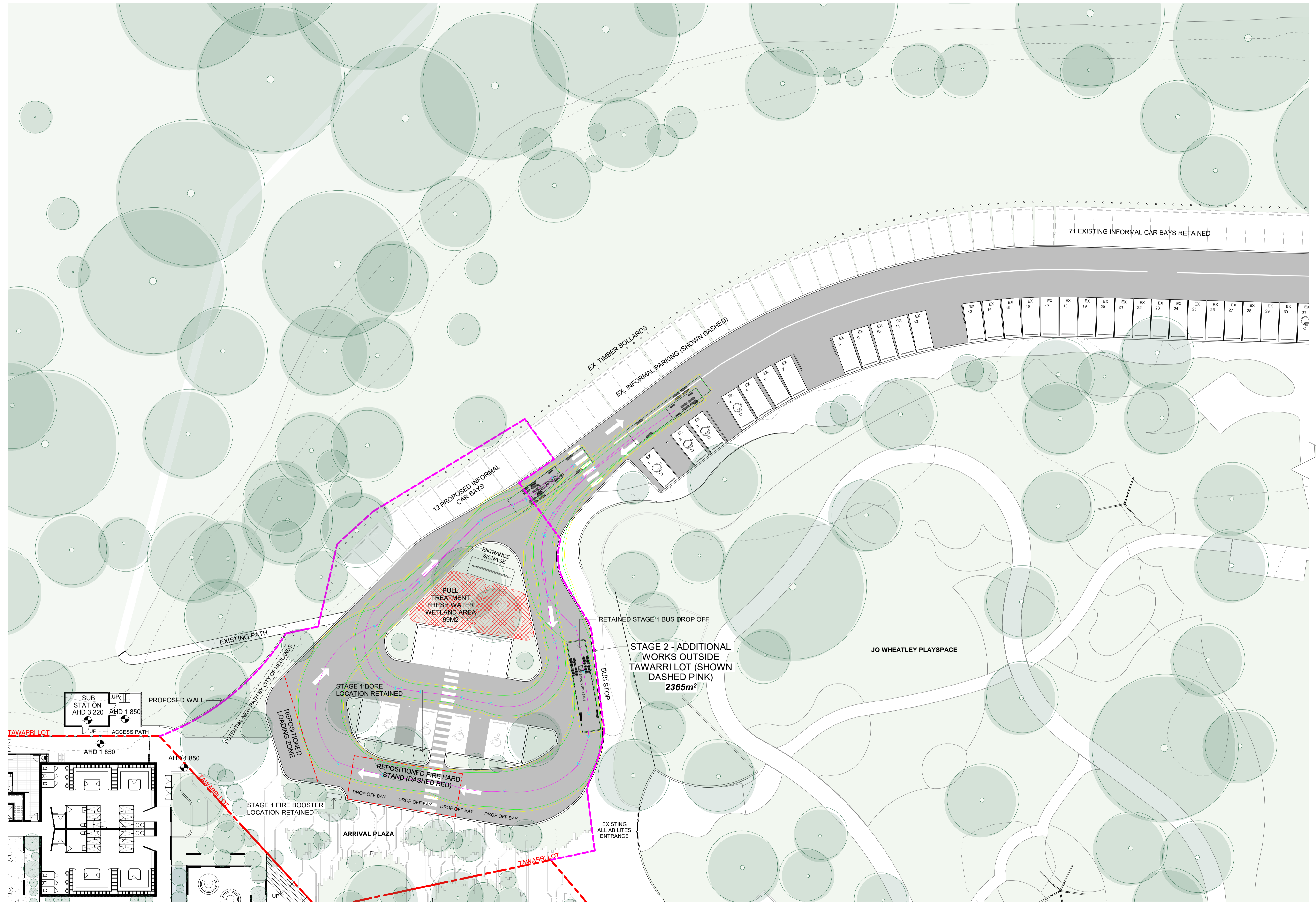
2 OVERSHADOWING 21st JUNE AT 12PM
A1000 Scale: 1 : 500

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA055	OVERSHADOWING DIAGRAMS

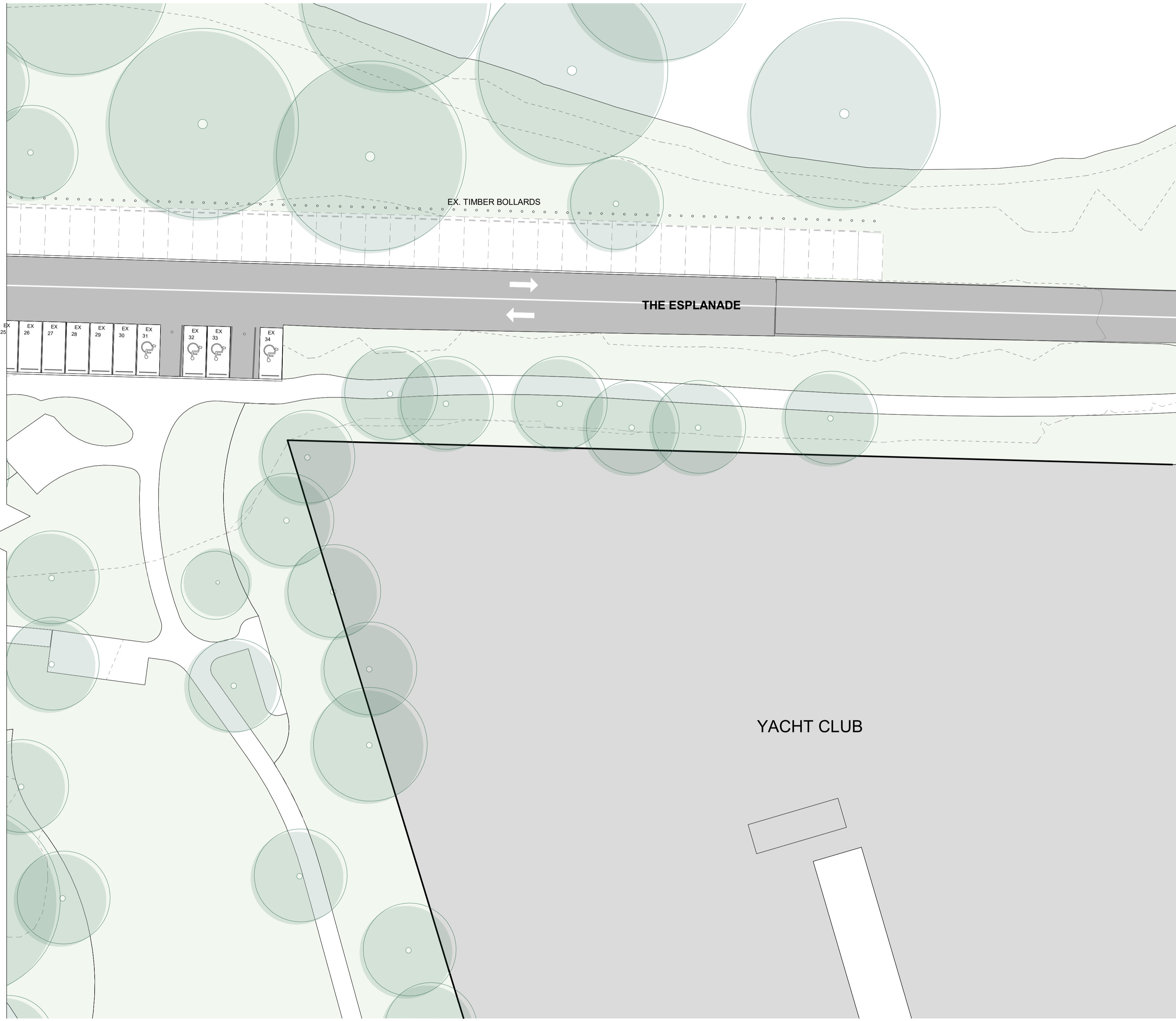
NORTH

SCALE
1 : 500



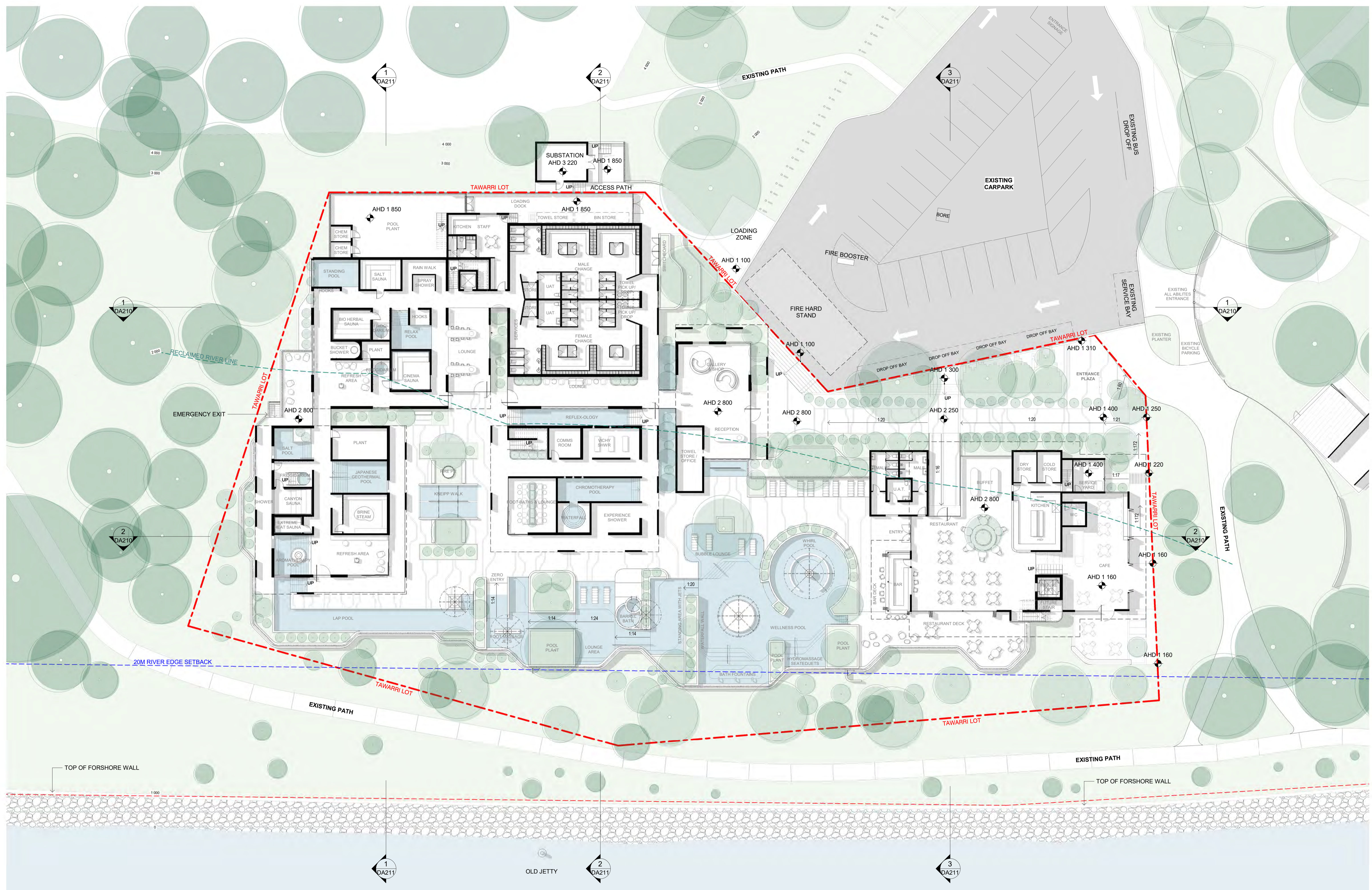


CONTINUED ON SHEET DA057



PARKING COUNT	NUMBER
RETAINED EXISTING BAYS	97
RETAINED EXISTING DDA	8
NEW INFORMAL BAYS	12
NEW FORMAL STANDARD BAYS	7
NEW DDA	4
NEW DROP OFF	4
TOTAL	132

CONTINUED ON SHEET DA055



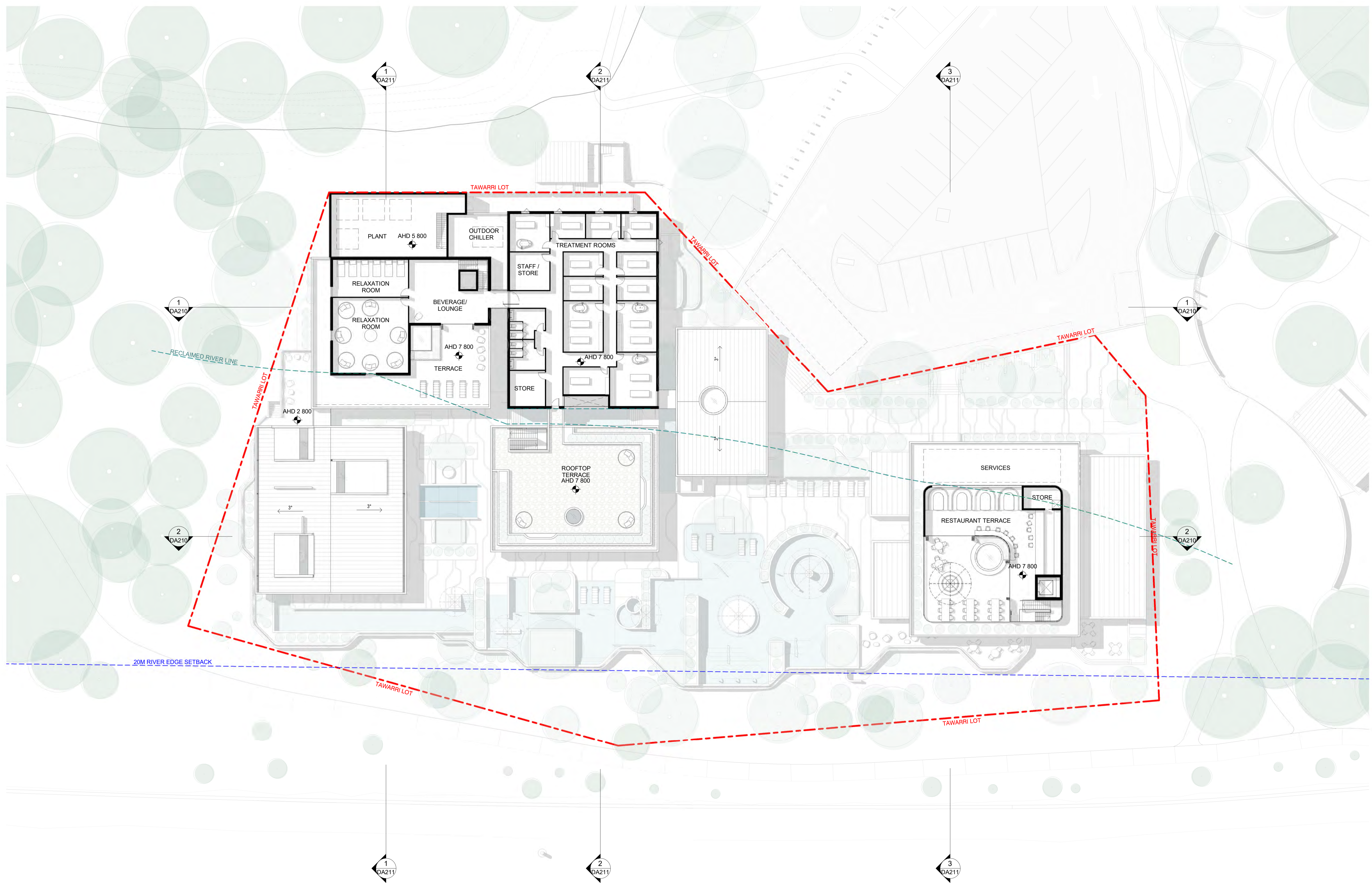
PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA100	GROUND FLOOR PLAN - STAGE 1

NORTH

SCALE
1 : 200



DEVELOPMENT APPLICATION

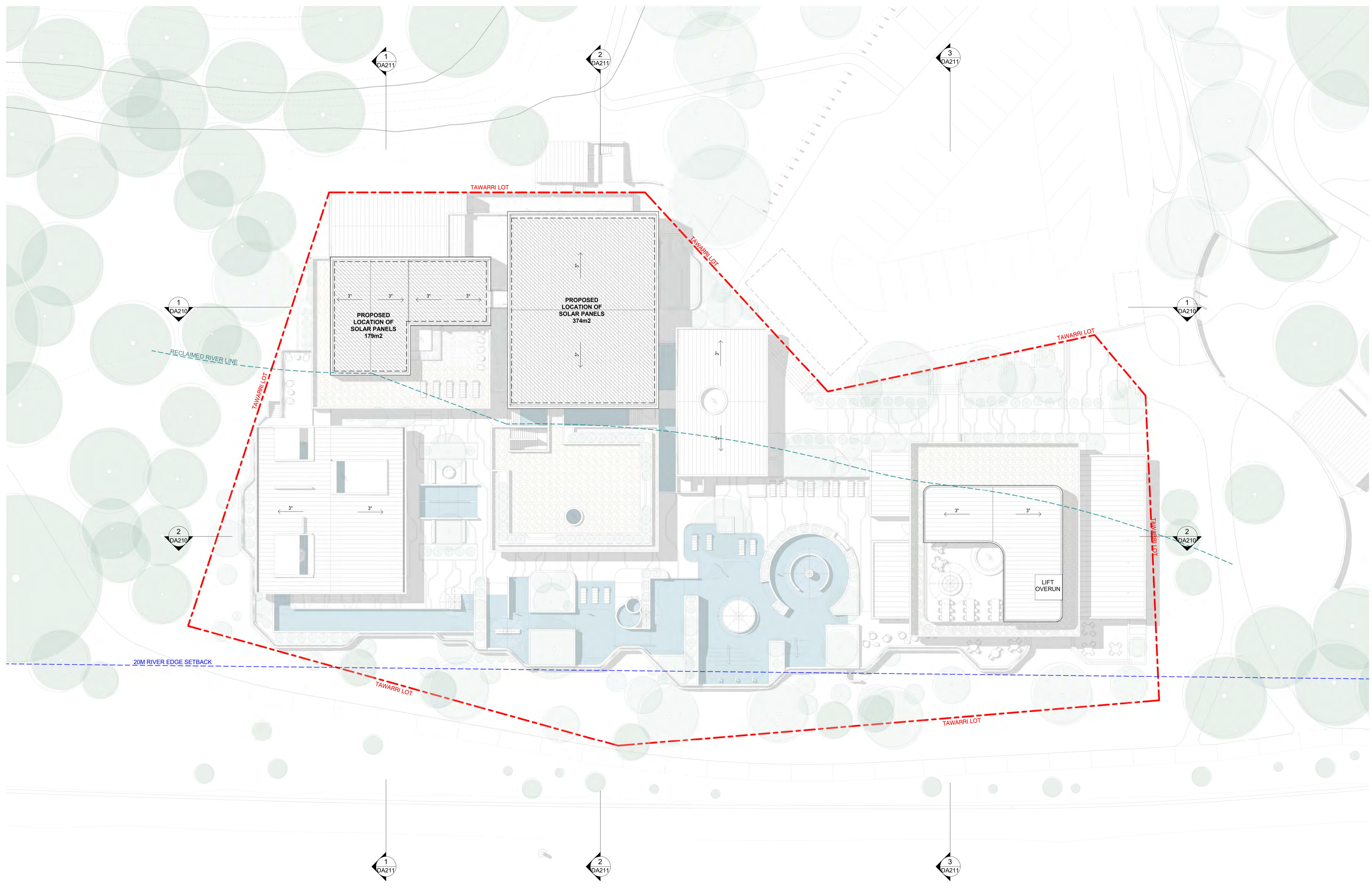


PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA101	LEVEL 01 FLOOR PLAN

NORTH

SCALE
1 : 200





PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA102	ROOF

NORTH

SCALE
1 : 200





PROJECT: TAWARRRI HOT SPRINGS
 120 Esplanade, Dalkeith WA 6009

JOB NUMBER: 80229

DATE: 21/09/21

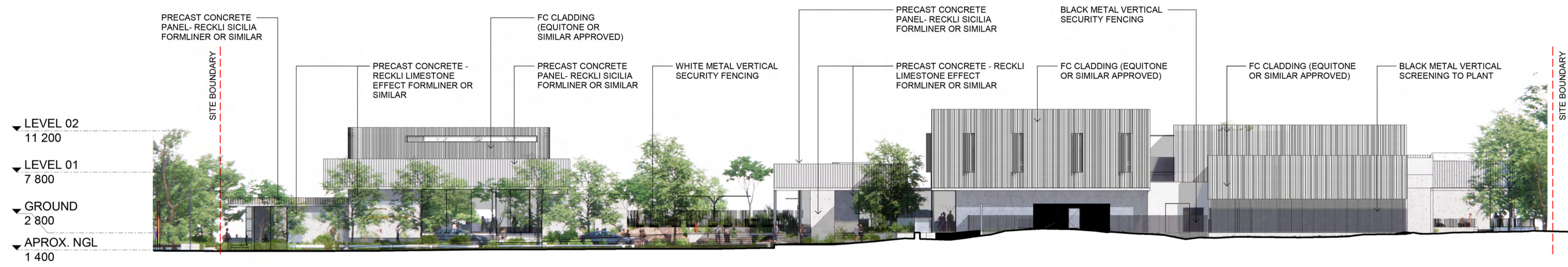
DRAWING No.: DA103

DRAWING: GROUND FLOOR PLAN - STAGE 2

NORTH

SCALE: 1 : 200





1 North Elevation
Scale: 1 : 200

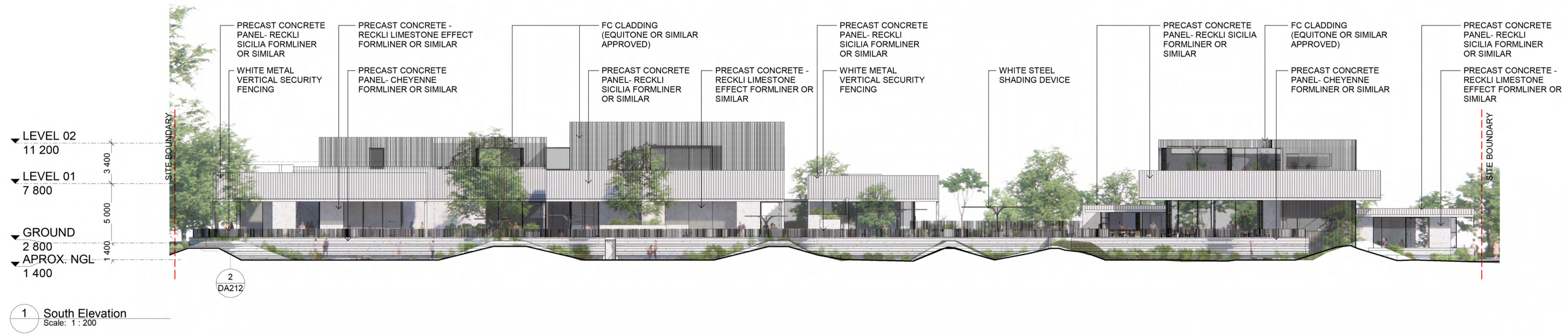


2 East Elevation
Scale: 1 : 200

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA200	BUILDING ELEVATIONS

NORTH SCALE
1 : 200







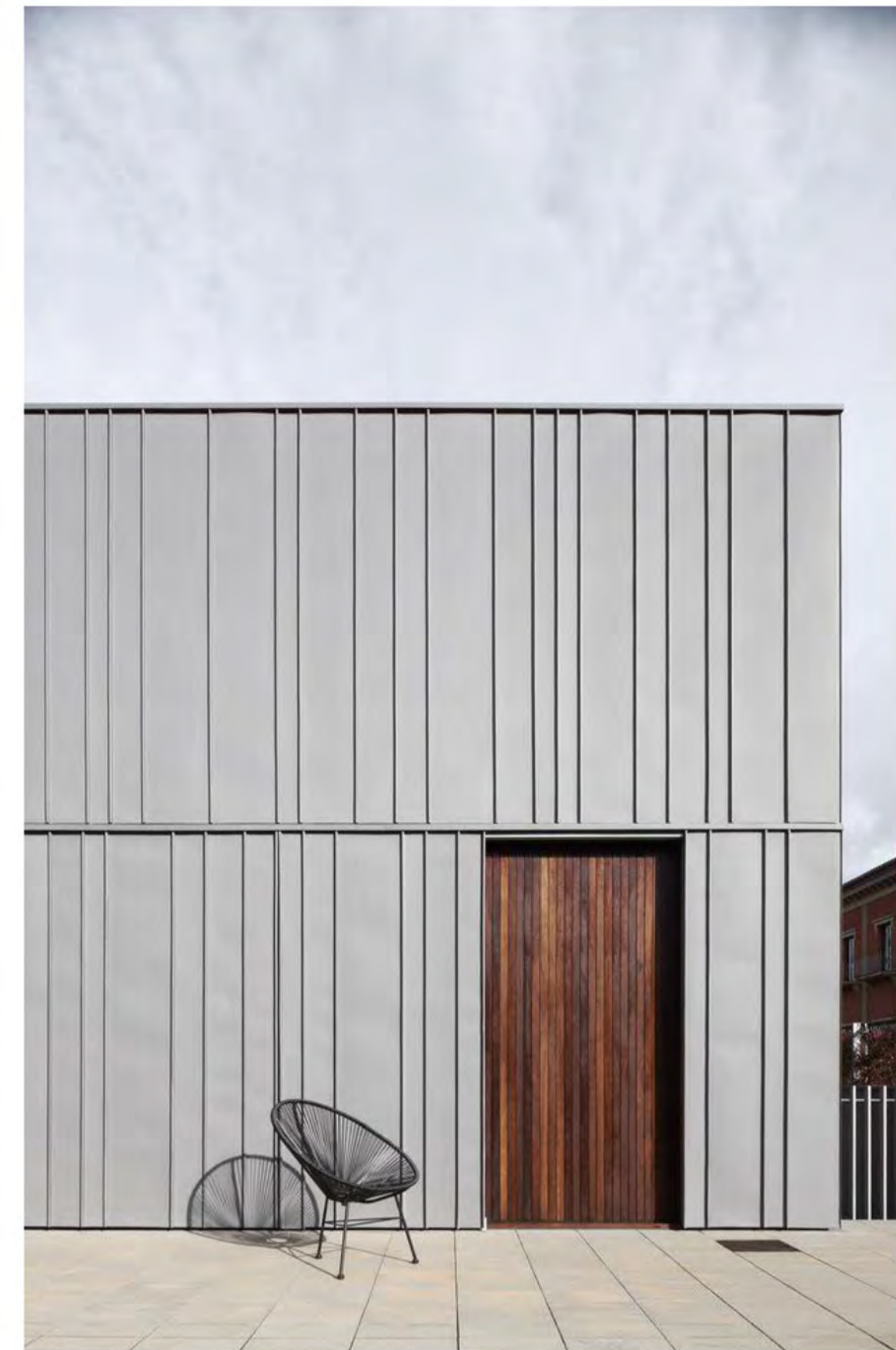
UPPER PAVILION FINISH
PRECAST CONCRETE PANEL- RECKLI SICILIA
FORMLINER OR SIMILAR



PAVILION WALL FINISH
PRECAST CONCRETE - RECKLI LIMESTONE EFFECT
FORMLINER OR SIMILAR



PAVILION WALL FINISH
PRECAST CONCRETE - RECKLI LIMESTONE EFFECT
FORMLINER OR SIMILAR



UPPER PAVILION FINISH
FC CLADDING (EQUITONE OR SIMILAR APPROVED)



BOUNDARY WALL FINISH
PRECAST CONCRETE PANEL- CHEYENNE
FORMLINER OR SIMILAR



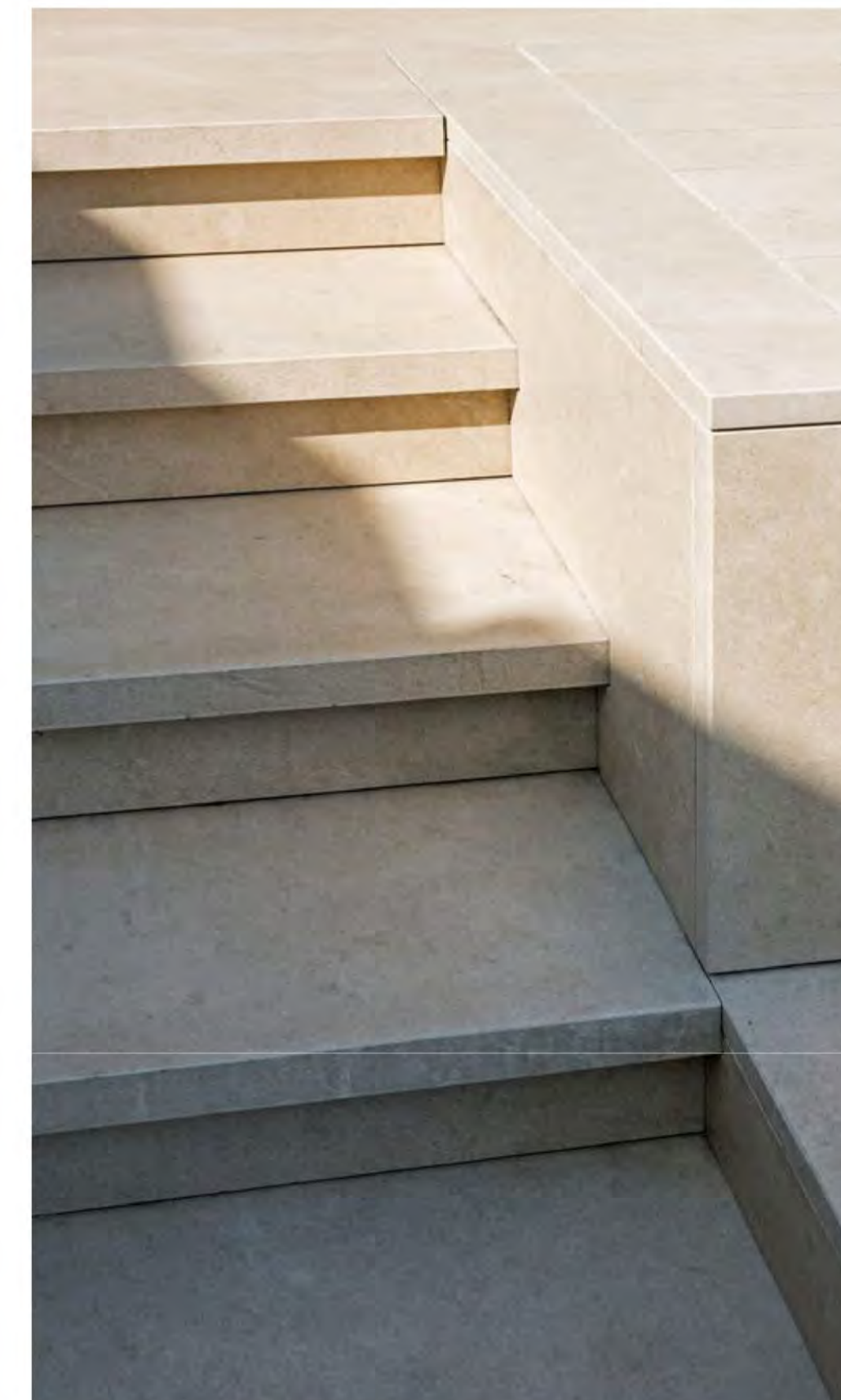
WINDOW FRAME FINISH
BLACK POWDERCOAT



LANDSCAPE WALLS FINISH (STAGE 2)
HIGH QUALITY FAIR FACED CONCRETE -
RAW CONTEMPORARY



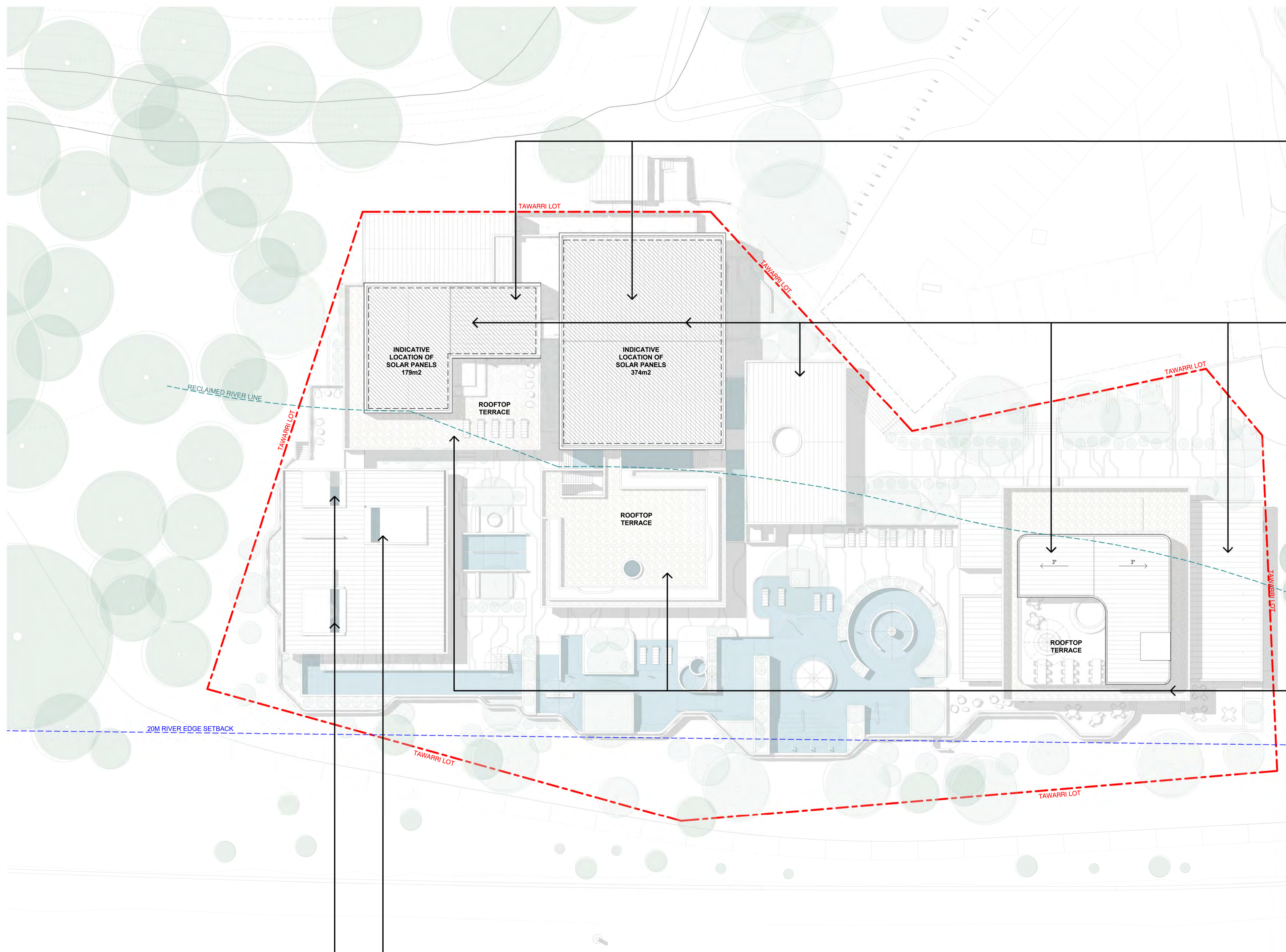
FLOOR PAVING FINISH
NATURAL STONE



STAIR FINISH
NATURAL STONE



SIGNAGE
BRONZE LETTERING



SOLAR PANELS



GREY METAL ROOF SHEETING

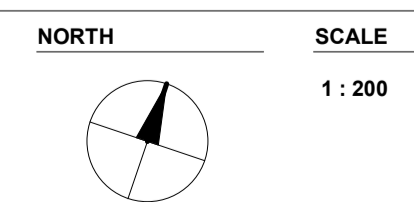


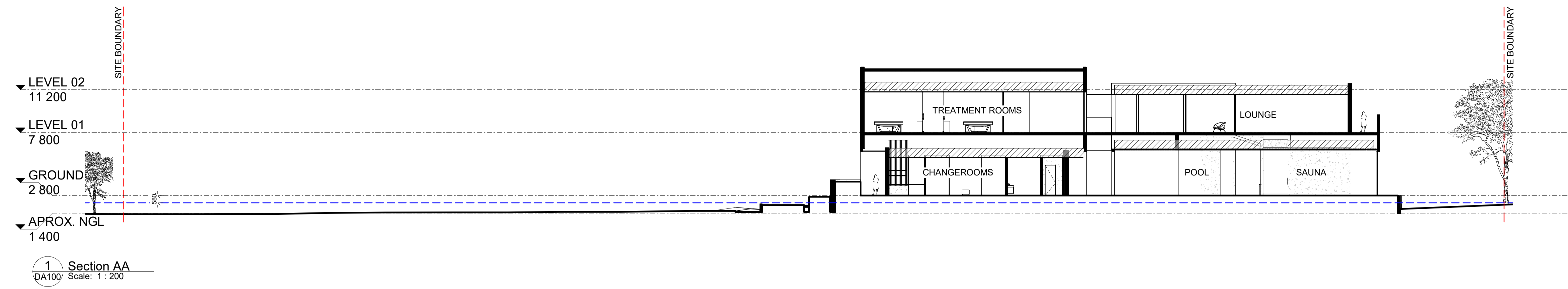
PEBBLE ROOFTOP GARDEN



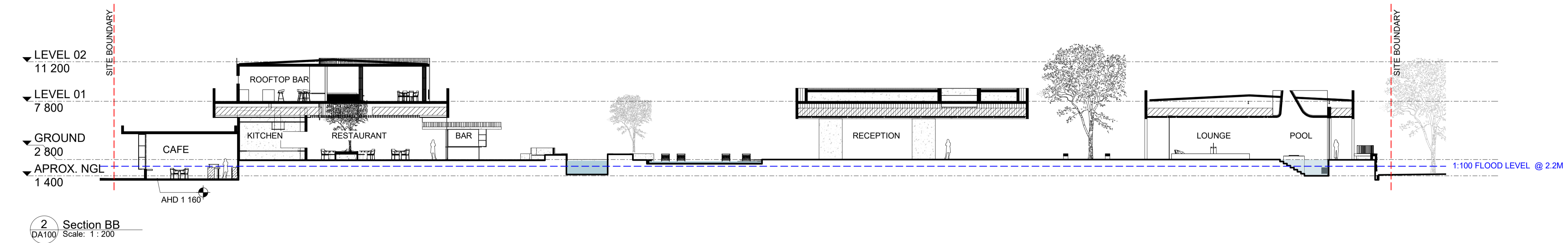
OPERABLE ROOF SKYLIGHTS

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA204	ROOF MATERIALITY

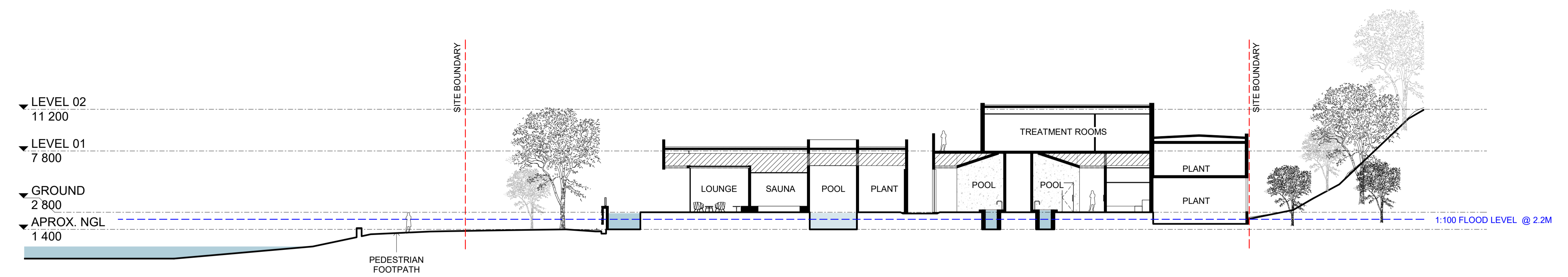




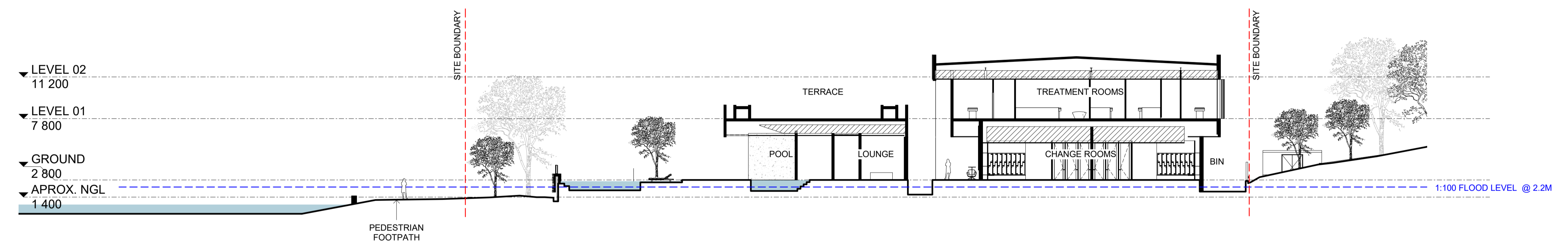
1 Section AA
DA100 Scale: 1 : 200



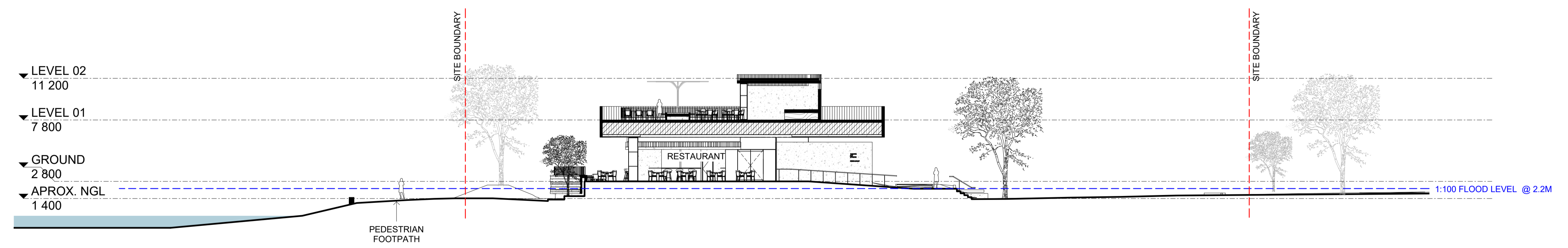
2 Section BB
DA100 Scale: 1 : 200



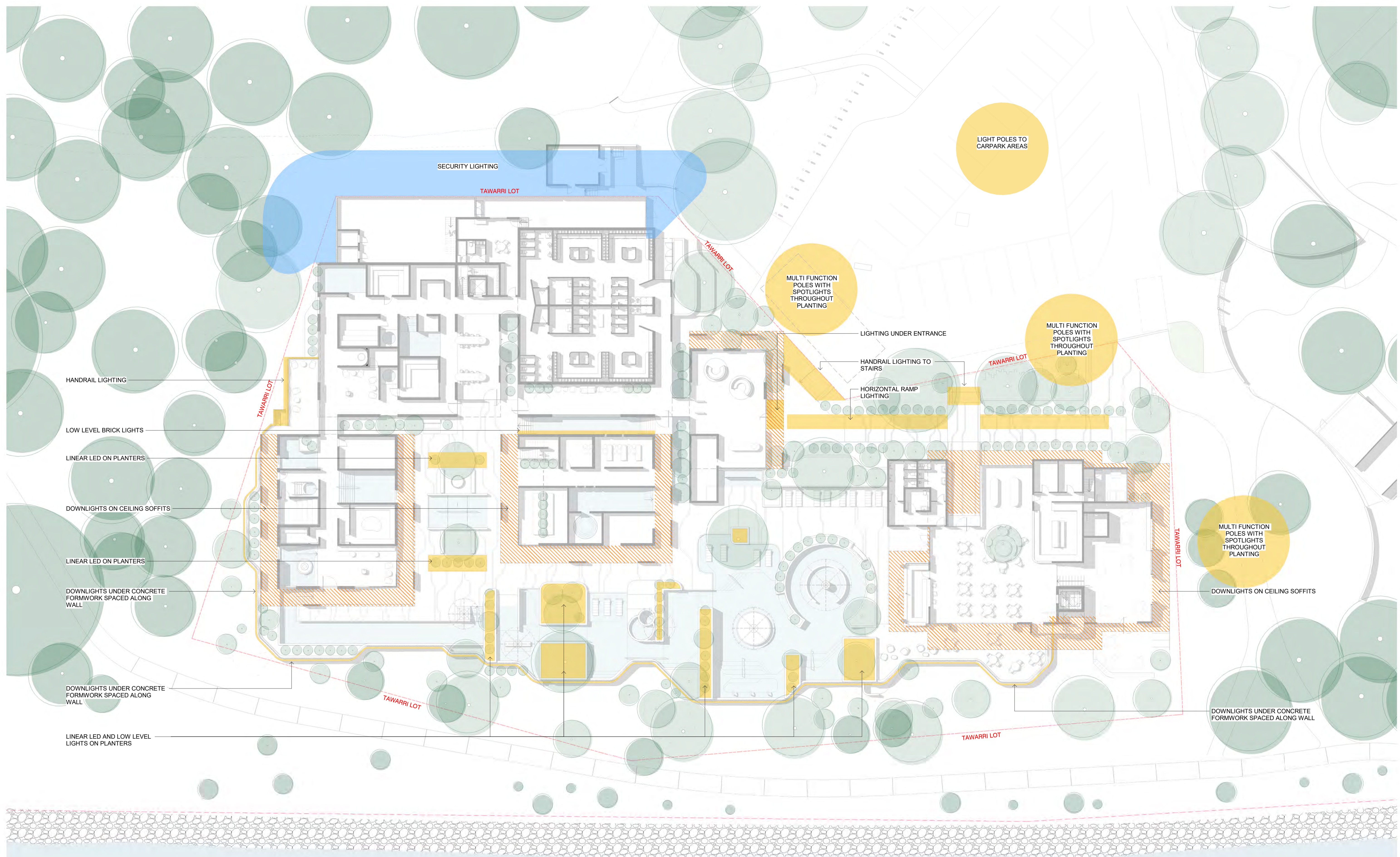
1 Section CC
DA100 Scale: 1 : 200



2 Section DD
DA100 Scale: 1 : 200



3 Section EE
DA100 Scale: 1 : 200



REFER TO CONCEPT LIGHTING DESIGN REPORT FOR DETAILED LIGHTING STRATEGY, CALCULATIONS AND LUMINAIRE SCHEDULE

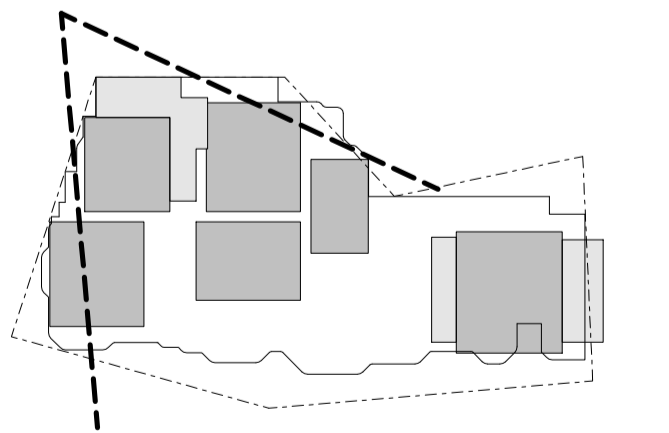
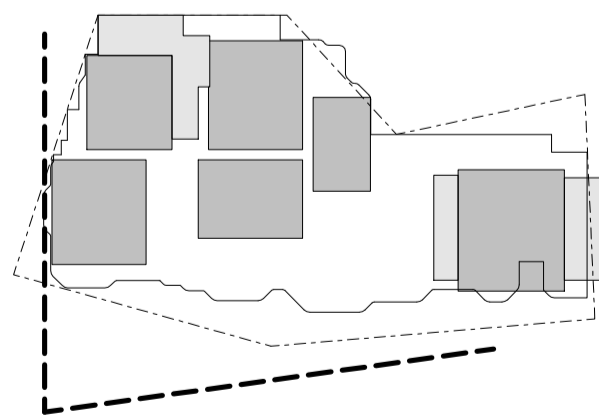
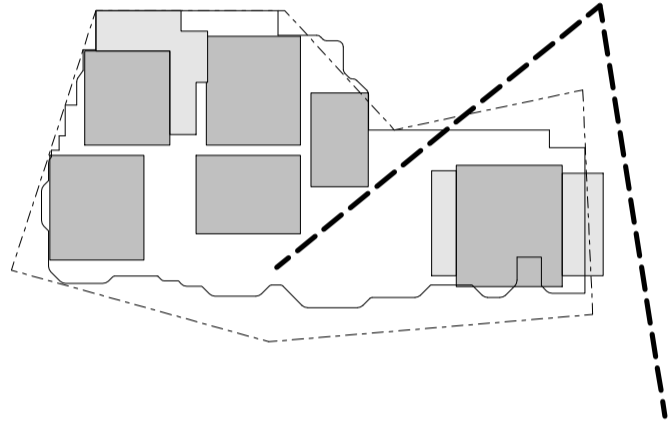
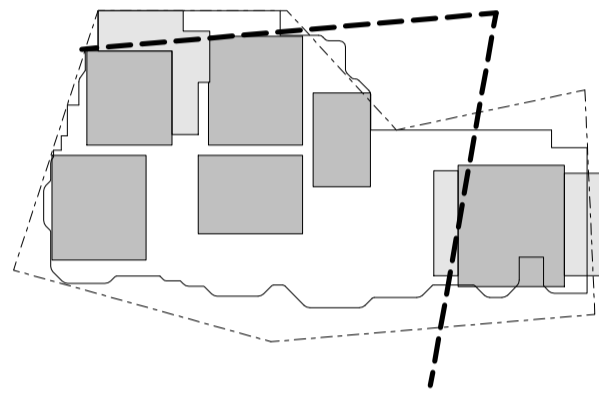
PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA300	EXTERNAL LIGHTING

NORTH

SCALE

1 : 200



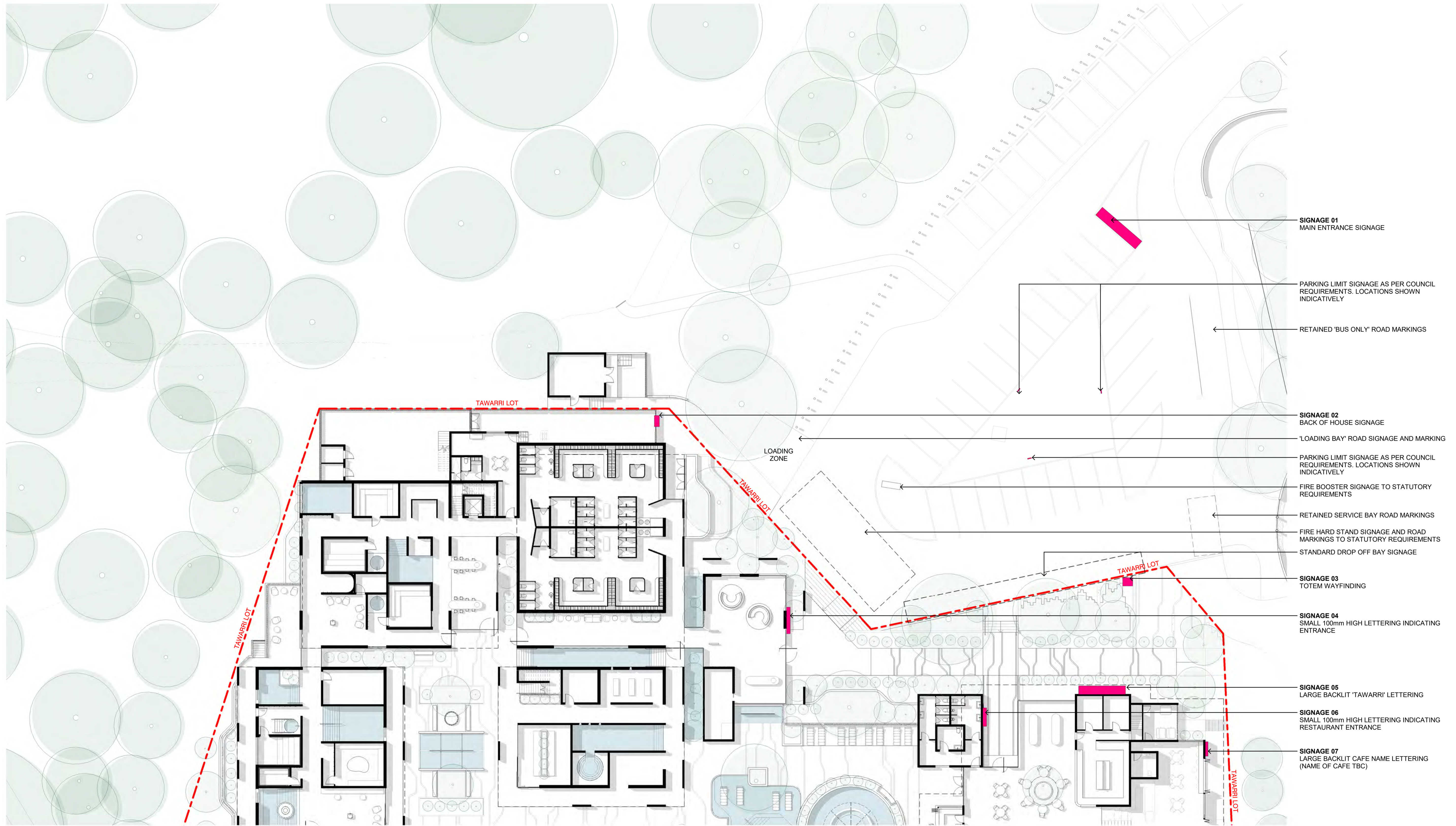


REFER TO CONCEPT LIGHTING DESIGN REPORT FOR DETAILED LIGHTING STRATEGY, CALCULATIONS AND LUMINAIRE SCHEDULE

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA301	EXTERNAL LIGHTING

NORTH
SCALE
1 : 200





SIGNAGE 01
MAIN ENTRANCE SIGNAGE

PARKING LIMIT SIGNAGE AS PER COUNCIL
REQUIREMENTS. LOCATIONS SHOWN
INDICATIVELY

RETAINED 'BUS ONLY' ROAD MARKINGS

SIGNAGE 02
BACK OF HOUSE SIGNAGE

'LOADING BAY' ROAD SIGNAGE AND MARKING

PARKING LIMIT SIGNAGE AS PER COUNCIL
REQUIREMENTS. LOCATIONS SHOWN
INDICATIVELY

FIRE BOOSTER SIGNAGE TO STATUTORY
REQUIREMENTS

RETAINED SERVICE BAY ROAD MARKINGS

FIRE HARD STAND SIGNAGE AND ROAD
MARKINGS TO STATUTORY REQUIREMENTS

STANDARD DROP OFF BAY SIGNAGE

SIGNAGE 03
TOTEM WAYFINDING

SIGNAGE 04
SMALL 100mm HIGH LETTERING INDICATING
ENTRANCE

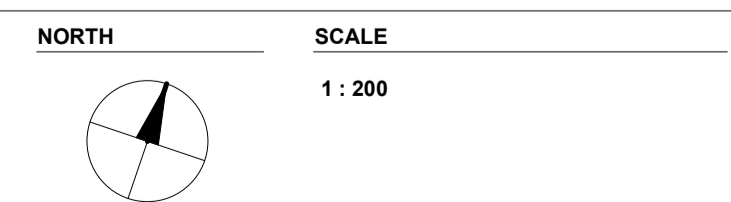
SIGNAGE 05
LARGE BACKLIT 'TAWARRI' LETTERING

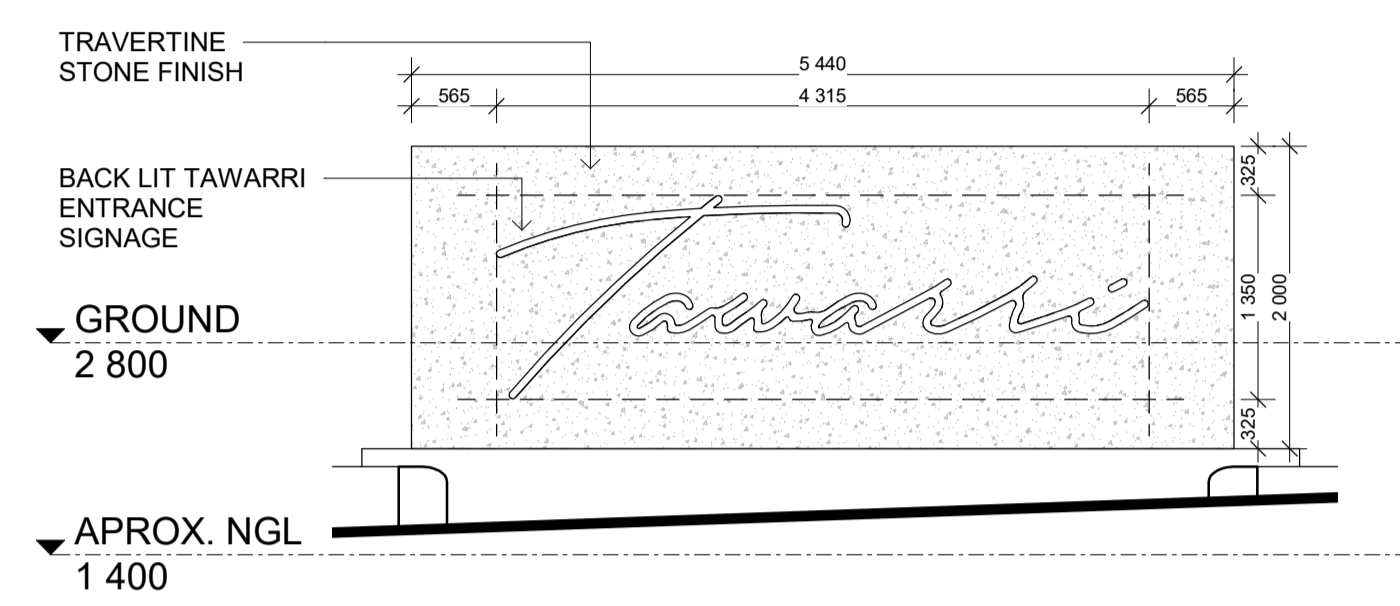
SIGNAGE 06
SMALL 100mm HIGH LETTERING INDICATING
RESTAURANT ENTRANCE

SIGNAGE 07
LARGE BACKLIT CAFE NAME LETTERING
(NAME OF CAFE TBC)

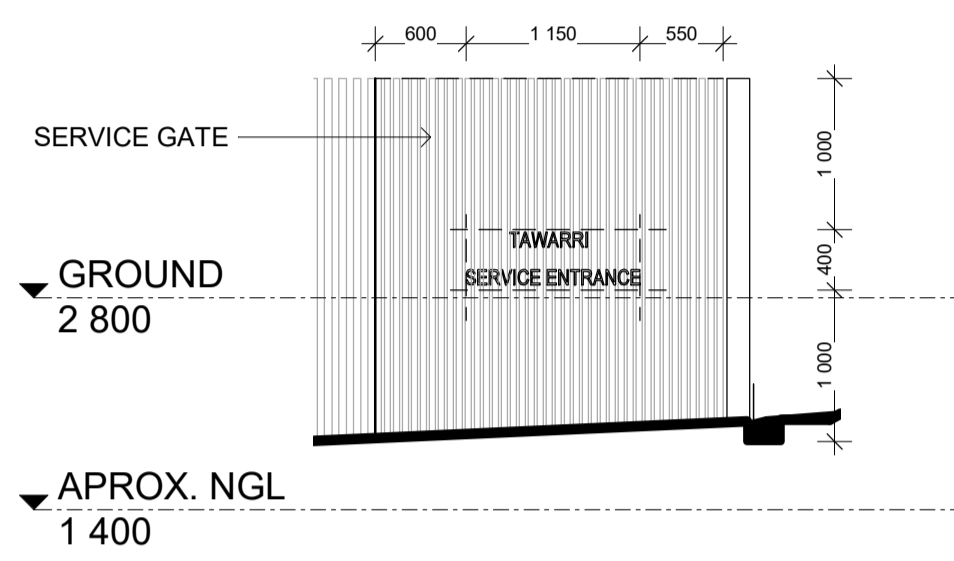
1 GROUND - SIGNAGE
A1000 Scale: 1 : 200

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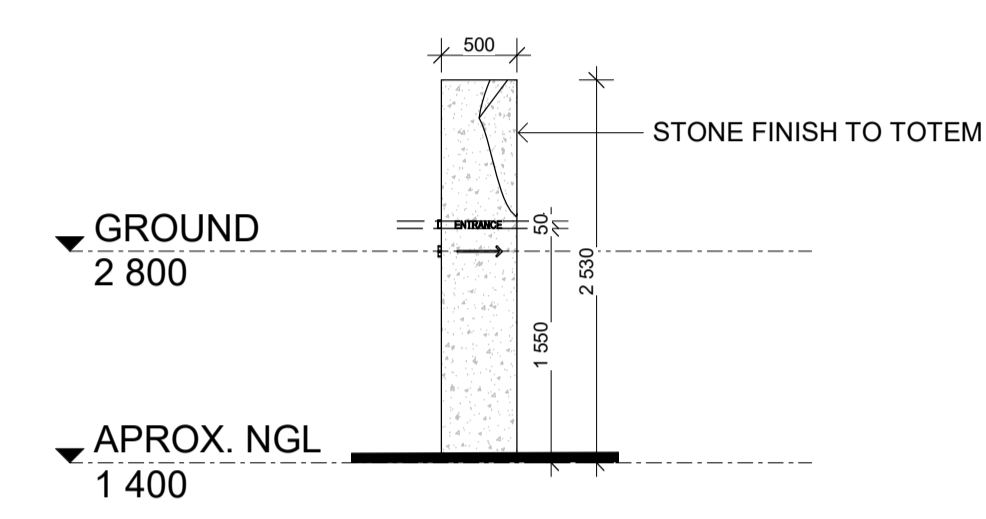




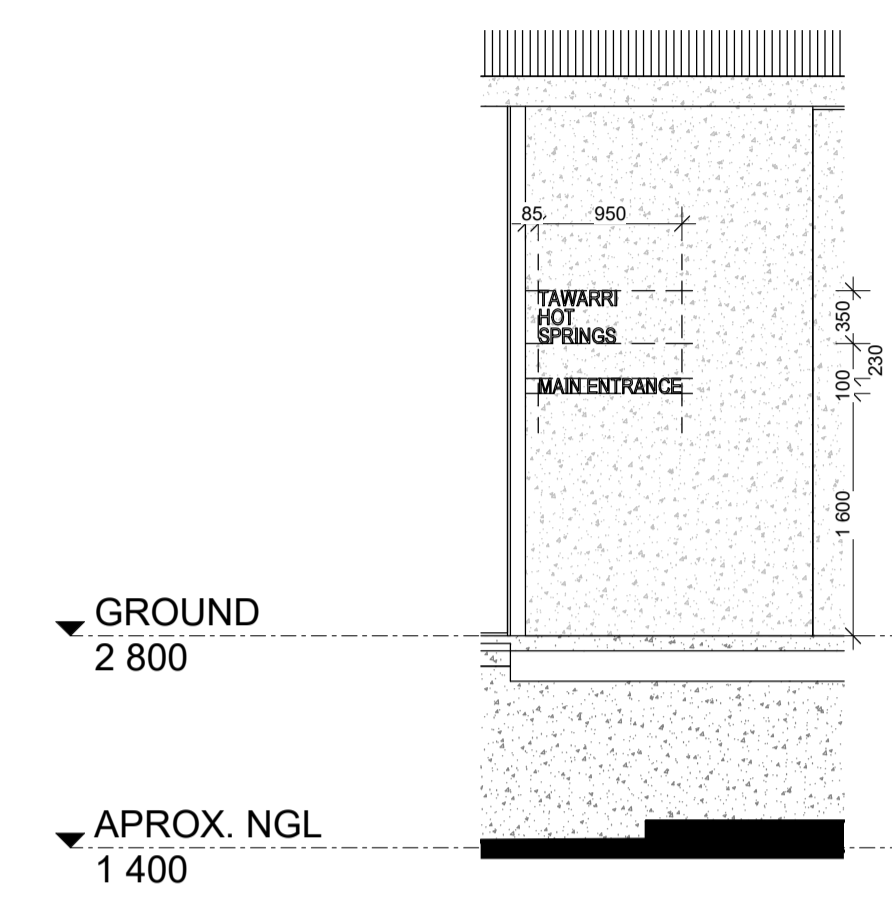
1 SIGNAGE 01
Scale: 1 : 50



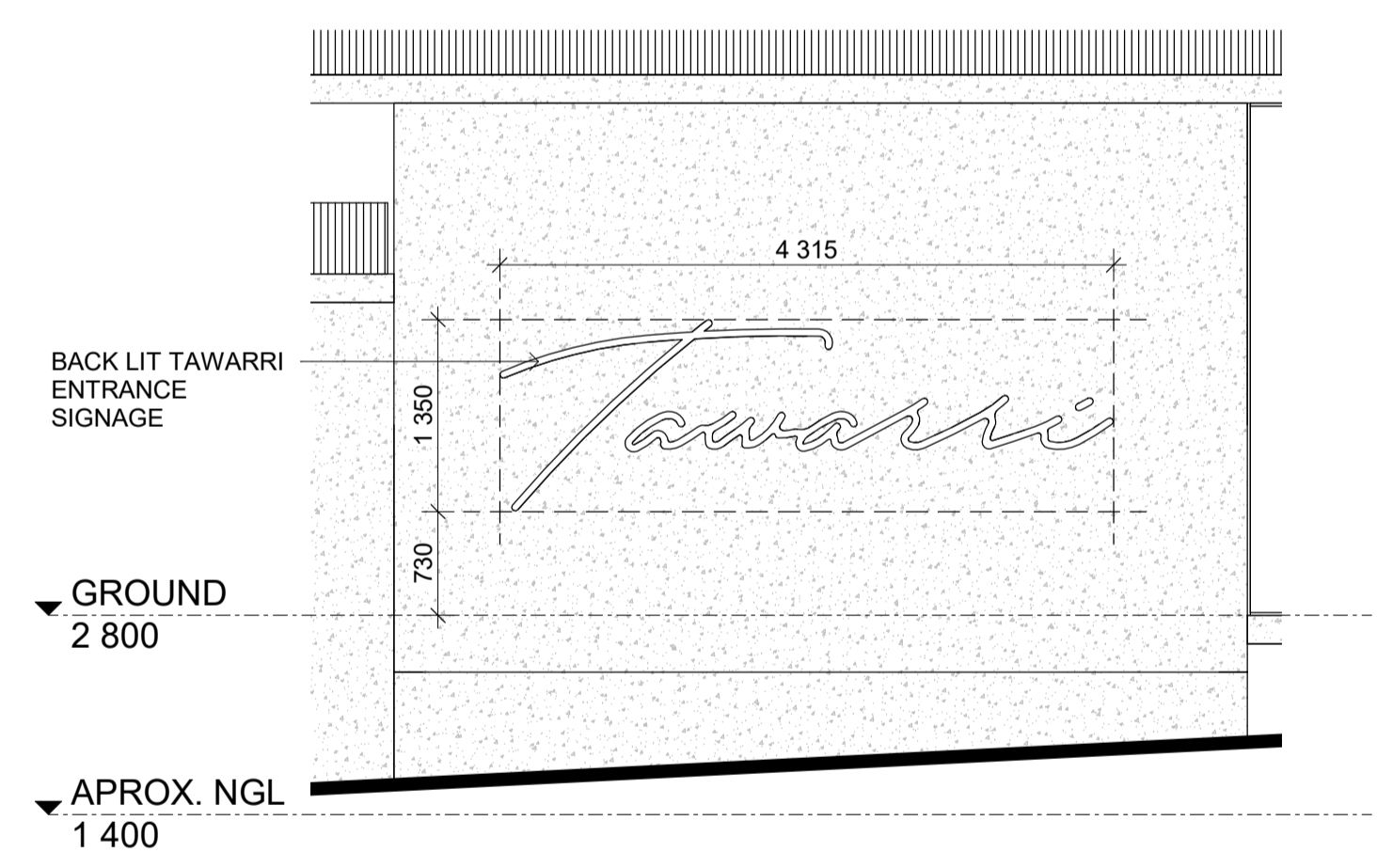
2 SIGNAGE 02
Scale: 1 : 50



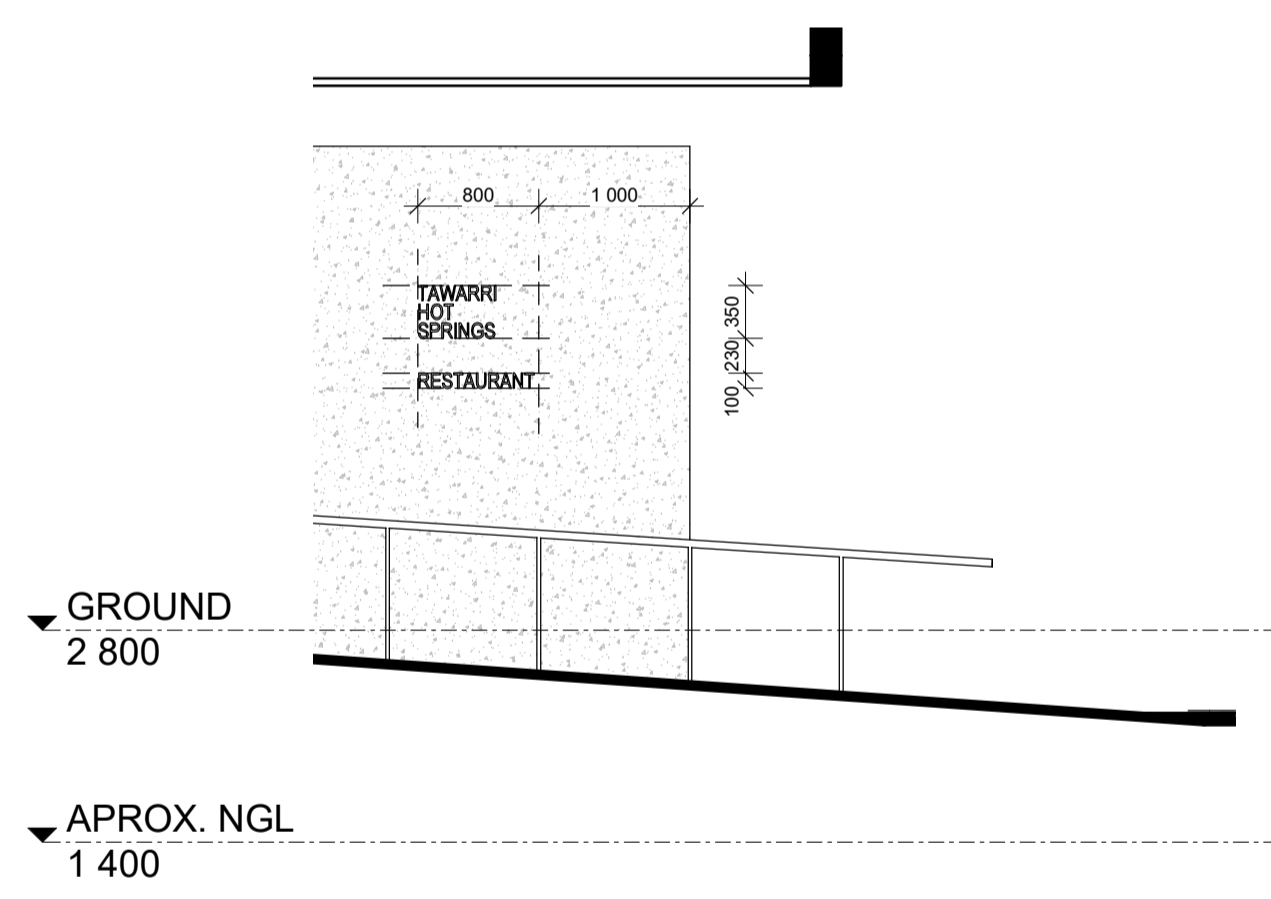
3 SIGNAGE 03
Scale: 1 : 50



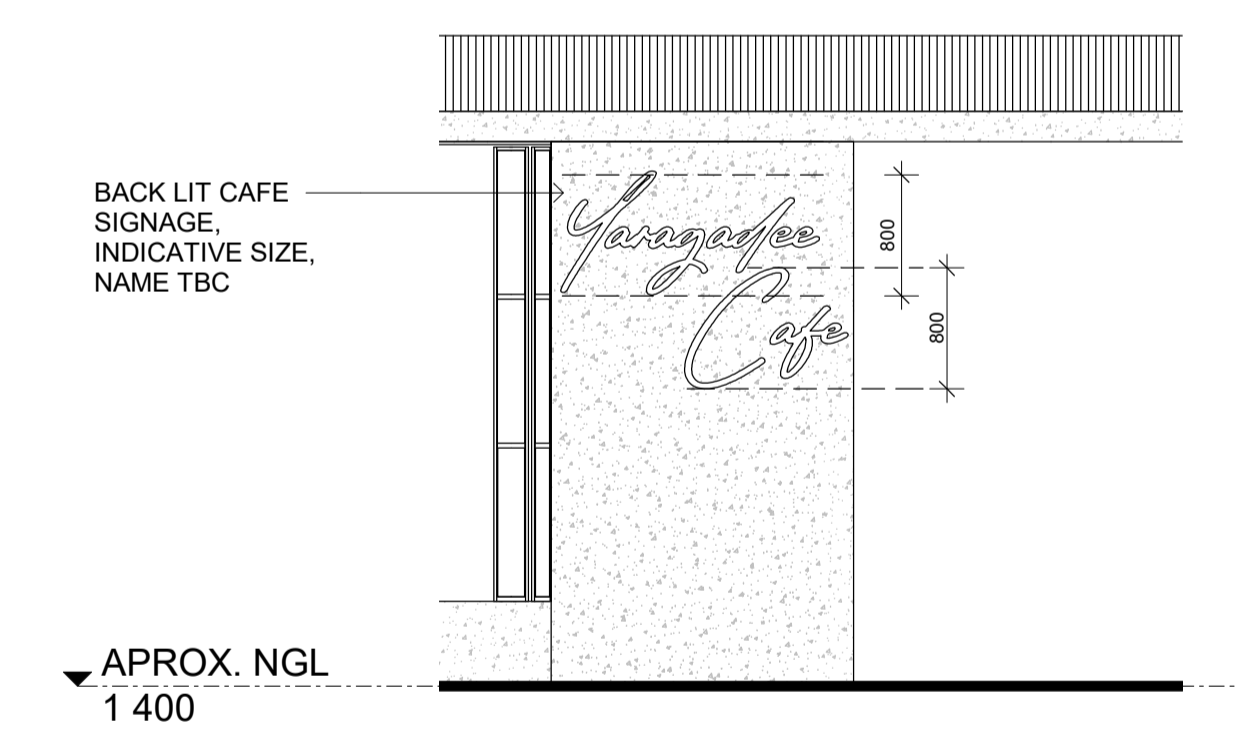
4 SIGNAGE 04
Scale: 1 : 50



5 SIGNAGE 05
Scale: 1 : 50

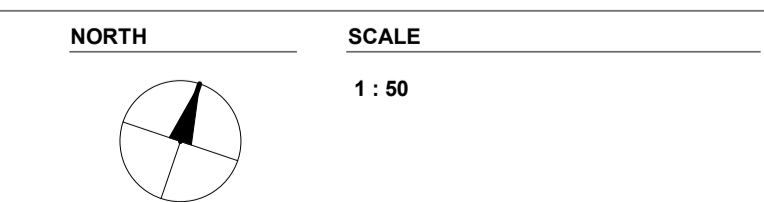


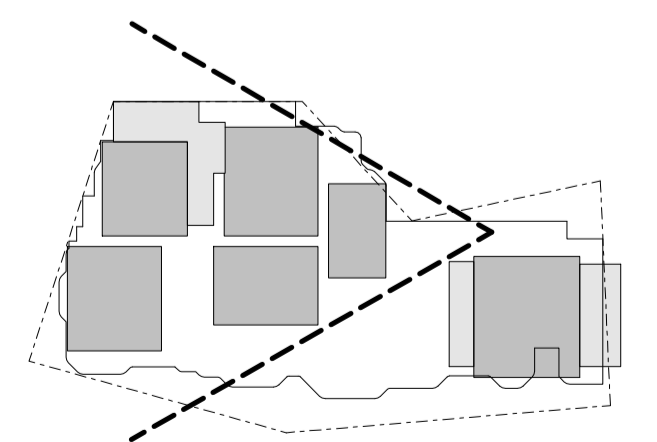
6 SIGNAGE 06
Scale: 1 : 50



7 SIGNAGE 07
Scale: 1 : 50

PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
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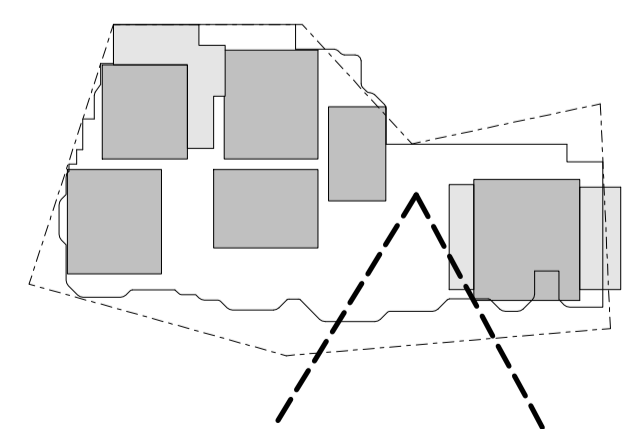




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NORTH
SCALE
1 : 200

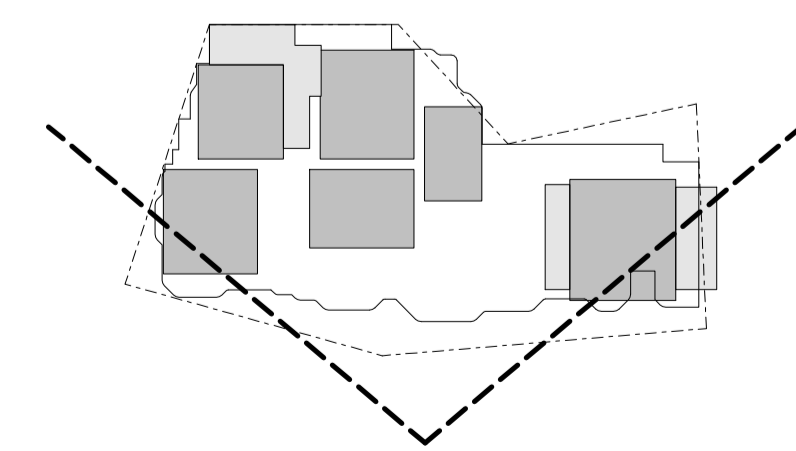




PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
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NORTH
SCALE
1 : 200

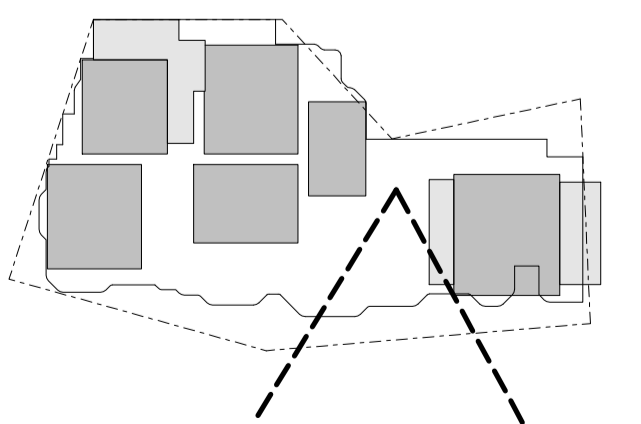




PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
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NORTH
SCALE
1 : 200





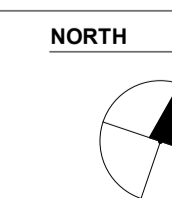
PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA403	PERSPECTIVE

NORTH
SCALE
1 : 200





PROJECT	JOB NUMBER	DATE	DRAWING No.	DRAWING
TAWARRI HOT SPRINGS 120 Esplanade, Dalkeith WA 6009	80229	16/09/21	DA404	PERSPECTIVE



SCALE
1 : 200



TAWARRI HOT SPRINGS

120 ESPLANADE, DALKEITH, WA

Development Application
NOVEMBER 2021



Contents

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Perth WA 6000

- 01. Site Context**
- 02. Site Analysis**
- 03. Landscape Approach**
- 04. Landscape Plans**
- 05. Detail Areas**
- 06. Landscape Quality**
- 07. Planting Approach**

Document Control

Job Number: P19052
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Revision: D
Date Issued: 18.11.2021

Introduction

The landscape design for the Tawarri Hot Springs (THS) project in the City of Nedlands, has been prepared by ASPECT Studios in collaboration with PLUS Architects. The design responds to the local context and scale, form and function of the architecture in order to create a dynamic and engaging sequence of landscape spaces.

The design team has undertaken a comprehensive context analysis reviewing the significant natural and cultural features of the site surrounds. This research has provided a foundation for the development of the design and grounded the design in the local context.

The landscape vision for the Tawarri site is to develop a rich and connected landscape experience that reveals the geological, hydrological, ecological and cultural character of the site and creates a new setting for the THS facility. The surface expression of the site qualities will be used to interpret the sites history and character as well as rehabilitating, connecting and celebrating the local context.

The following general principles inform the landscape approach to the site:

- Develop a contextual framework to inform the design of the landscape and architectural detail;
- Use high quality landscape design to integrate the proposed development within the foreshore environs.
- Create spaces with varying characteristics and identities that acknowledge the hydrological, geological, and ecological setting for the project;
- Acknowledge the cultural history of the site and Swan River;
- Maximise opportunities for social interaction through the arrangement of seating and views;
- Create a robust landscape made from elegant materials, proven planting and bold forms that can be managed and maintained;
- Introduce a selection of local and native plant species that connect the surrounding ecologies.

The design of landscape considers the architectural design by Plus Architects in both concept and materiality, with the intention of creating a cohesive transition from internal to external spaces.



SITE APPRECIATION



1.0 Site Context

1.1 Aboriginal History

The below information is relevant to the broader river precinct and not specifically the Hot Springs site.

Mooro Nyoongars

- The Mooro Nyoongars lived in and to the north of Perth. The western side of the Nedlands Foreshore was used as hunting ground for the Mooro Nyoongars

Key Landmarks

- Originally, there were several freshwater springs close to the Tawarri Hot Springs site
- The present site of the University of Western Australian campus, once had a fresh water spring and was also a battle ground for the Nyoongar people
- The area had an abundance of fish, shell fish, frogs and turtles. Matilda Bay especially was favoured by the Mooro people for crabbing and prawning

The Waugal

- The Waugal (derived from waug which means soul, spirit or breath) is associated with and equivalent to 'living water' or a vital force of water and is represented in the form of a 'water snake'
- The Waugal is believed to have surfaced near to the fresh water spring in the area.
- Mt Eliza in Kings Park is believed to have been the result of the Waugal struggling to the surface before it worked its way back to the sea
- The Nyoongar people still greatly respect the river precinct which has strict codes and ethics that are still observed today

We have liaised with the department of Department of Jobs, Tourism, Science and Innovation (specifically, Native Title, Heritage & Environment Strategic Projects) and they have indicated that there are no sites of significance in the immediate Tawarri area.



Whadjuk Trail Network
 - - - - - Karak Bidi Trail
 - - - - - Karak Bidi Trail

1.0 Site Context

1.2 European History

1697s

1697 Explorers

- It is suspected that Willem de Vlamingh noted the cliff behind the Tawarri site when exploring the Swan River in 1697. This can be traced back to map found in the State Library



First Visitors



1827

1827 Explorers

- In 1827 Captain James Stirling sailed to the Swan River in his ship HMS Success. Stirling believed the area would be ideal for a settlement



1906

Old Men's Home

- Jump forward about 2 centuries and the Claremont Old Men's Home opened above the Tawarri site in 1906
- The **T shaped wooden jetty** was the first element to be constructed. Everything was brought to the remote bush site via the jetty and a cliff path
- The Home later became known as Sunset Hospital



Jetty

1920s

- Sustenance workers or "**Sussos**" were unemployed men doing manual work
- One of the projects was **foreshore reclamation** which would help eradicate low swampy areas that were prone to mosquito infestations.
- Workers help build river walls and back-filled dredged sand from the river bed
- The Tawarri site and the adjacent foreshore area was home to many of these workers, who **lived in tents**. The **workers planted many of the trees** that can be seen today



Sussos

Historical Trees

Tents

Existing Shoreline

The shoreline at Tawarri has continuously evolved throughout the site's history. In more recent history, reclamation works have been undertaken to increase the width of the foreshore park as well as assisting in stabilising the edge from erosion.

The following map shows the historical shoreline alignment. It is clear that much of the Tawarri site is located on reclaimed land.

Reclaimed

SOURCE: Name the Rivers Edge, Nedlands Library

1.0 Site Context

1.2 European History

1920s - 1940s

The Dalkieth Hot Pool

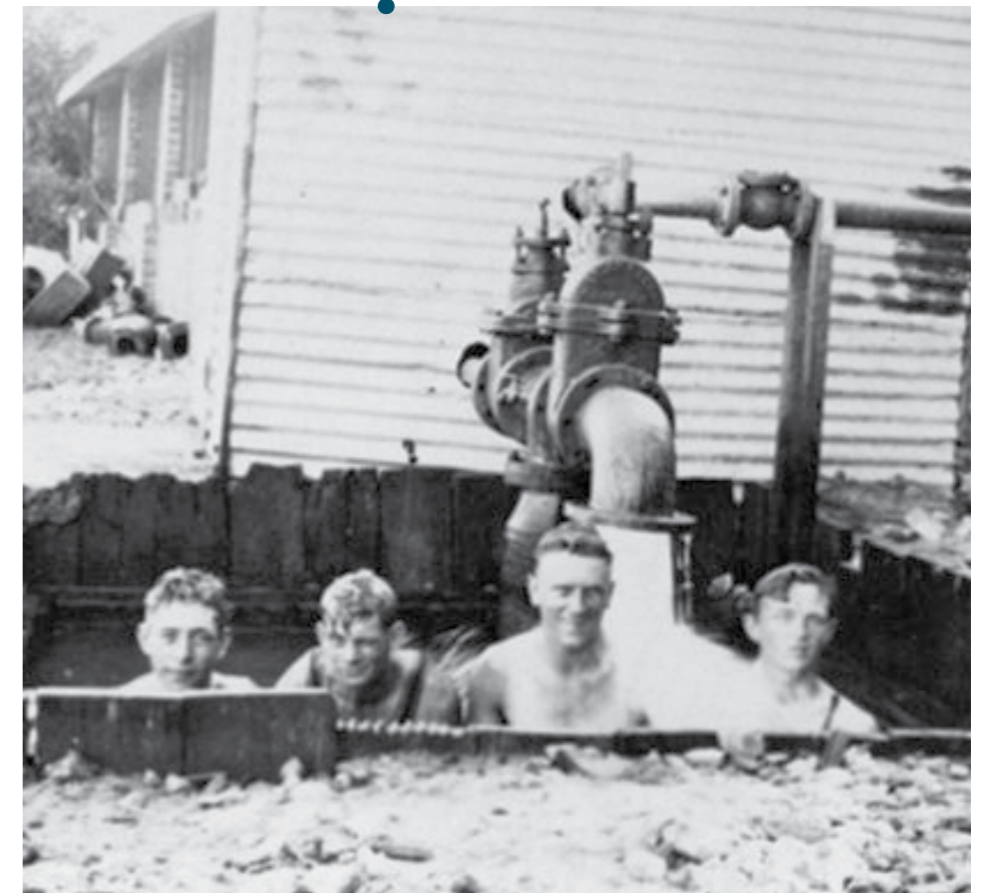
- Prior to mains water supply, water was piped from a drill hole at the base of the cliff that tapped deep into the Yarragadee Aquifer
- In 1922 the casing burst and locals built an enclosure to contain the flow
- This soon attracted many visitors as they believed the water had healing powers
- Scandal soon followed as people used to visit late at night and were eventually caught by the police not wearing appropriate clothing



Group sitting in Hot Pool Christmas 1924



Hot Pool 1940s



1.0 Site Context

1.2 European History

1920s - 1940s

Dalkeith Camping Ground

- From 1920s to 1940s the government operated a camp ground for holiday makers
- During the depression many that couldn't afford rent lived on the foreshore all year round. The advantage of being here was campers could bathe and launder in the Dalkeith Hot Pool at any time and had an abundance of crabs, prawns and fish from the river

Tents
Camping
Foraging

1939 - 1945

US Navy

- During the Second World War, water from the Dalkeith Hot Pool was diverted into concrete pools that had been purpose built for US Navy personnel on R&R leave

R&R
Wellness

1957

Tawarri Function Centre

- Constructed as the Dome shaped cafe in 1957 and rebuilt in 1964 after fire damage as the Tawarri Function centre
- "Tawarri" is an Aboriginal name for 'evening breeze'
- The centre was a destination for numerous social events, including weddings, receptions, conventions and Sunday buffets

Socialise



1950s



1960s

2.0 Site Analysis

2.1 View Analysis

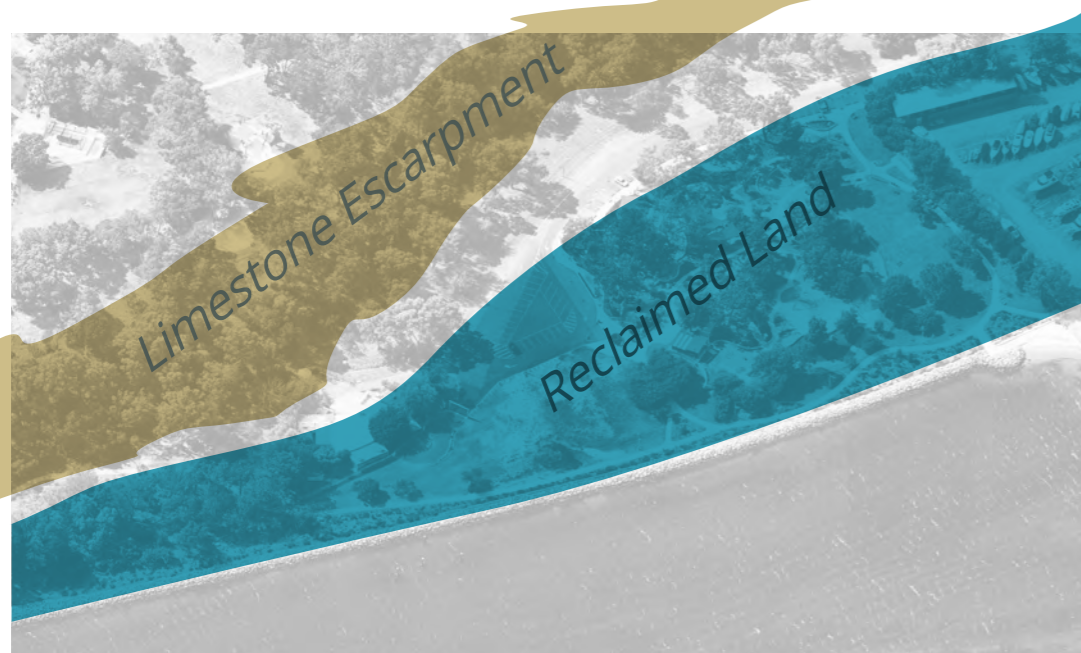


2.0 Site Analysis

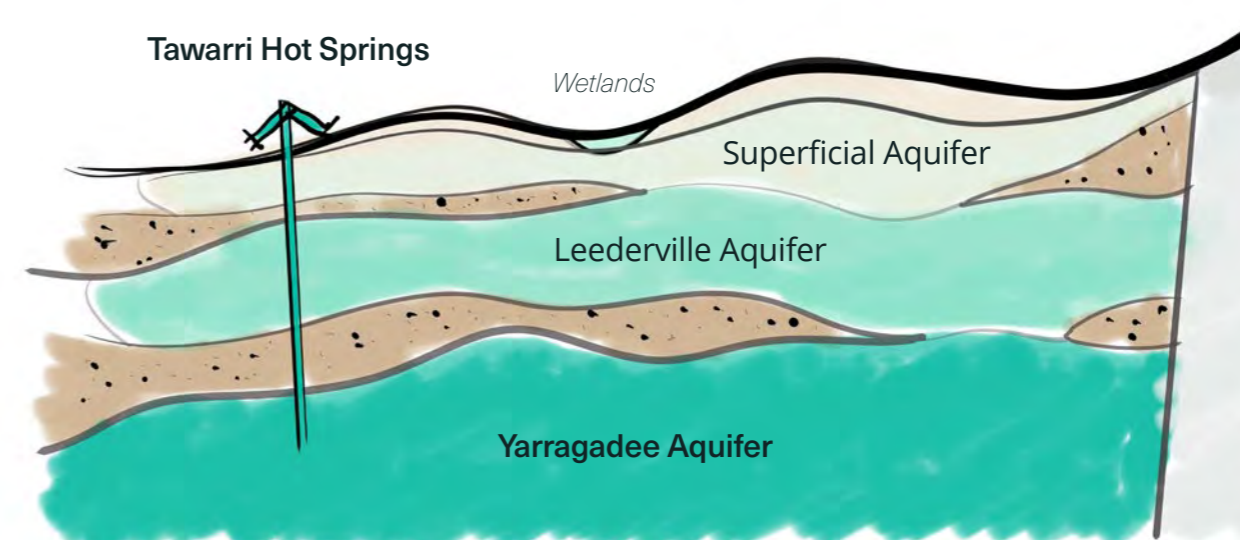
2.2 Geology & Hydrology

THE ESCARPMENT - The escarpment is comprised of what is commonly known as Tamala Limestone which was formed in the Pleistocene era. The rock consists of calcarenite wind-blown shell fragments and quartz sand which accumulated as coastal sand dunes. Over thousands of years, the lime content dissolved to cement the grains together. This escarpment is a strong and identifiable element on the site.

THE FORESHORE - The foreshore zone was originally defined by shallow, swampy areas but was later reclaimed, using river bed sand. This river sand is made up of variable and undifferentiated deposits associated with estuarine processes (Seddon, 1972).



- Sub-surface Hydrology**
- The site is located above the Yarragadee Aquifer, which is a significant freshwater aquifer
 - The aquifer is hundreds of metres below ground level and in places is approximately two kilometres thick
 - Tawarri Hot Springs will use geothermally heated water extracted from the Yarragadee Aquifer in its pools
 - Some of the water within the aquifer is over 30,000 years old



- Surface Hydrology**
- Limestone riverwalls and infill were utilised throughout the foreshore's history to improve the condition of the land as well as improving the flow of the water within the river
 - Local erosion is common throughout the area but mainly from boat wash and the removal of foreshore vegetation
 - Water run-off flows from the top of the escarpment, down to the foreshore zone

TAWARRI HOT SPRINGS - Hot water is sourced from the Yarragadee aquifer and recirculated with heat being generated through a closed geothermal heat exchange system. This system requires the construction of two bores - one for extraction and one for injection. Once the pools are initially filled, the extraction bore is only drawn upon to top up water lost through evaporation, splashing or backwash. The Department of Water have granted rights to construct both bores and, in due course, receive a water allocation in line with our utilisation projections

2.0 Site Analysis

2.3 Ecology

Existing Trees

The key existing trees have been mapped through a detailed desktop study with the purpose of identifying the canopy extent. This canopy extent will assist in informing the location of proposed key elements throughout the site.

Tree Removal

As part of the site investigations the existing trees within and adjacent to the site were reviewed. As a result of this review a number of trees in close proximity to the existing facility were identified for removal. The identified trees are predominately exotic species not in keeping with the native riverine species within the foreshore reserve or native trees in poor condition. These trees have suffered as a result of poor maintenance since the closure of the facility and by the ongoing hot dry periods in recent years which has impacted the trees health and vitality. It was decided that a tree replacement strategy with local native species that were more in keeping with the local character was a more appropriate approach, a position that was supported by the State Design Review Panel.

Tree Strategy

To improve the native biodiversity of the area, native or endemic tree species are advised to be prioritised. Existing native trees are to be retained where possible.



2.0 Site Analysis

2.4 Ecology

Vegetation

- The Vasse Complex (vegetation type) exists along the foreshore. It primarily consists of a mixture of closed melaleuca scrub to a fringing woodland of flooded gum and melaleuca species
- The area surrounding the site also includes an open forest of tuart, with some older and identifiable specimens
- Within the site boundary, there are a range of exotic species which are intended to be removed. The proposed design will prioritise the use of native or endemic species.

Below is a list of some of the species on site:

- Weeping Bottle Brush (*Callistemon viminalis*)
- Peppermint Tree (*Agonis flexuosa*)
- Grey She-oak (*Casuarina glauca*)
- River She-oak (*Casuarina cunninghamiana*)
- Horsetail Casuarina (*Allocasuarina equisetifolia*)
- Tuart (*Eucalyptus gomphocephala*)

Additional species from adjacent areas:

- Flooded Gum (*Eucalyptus rudis*)
- Scented Paperbark (*Melaleuca squarrosa*)
- Flooded Gum (*Eucalyptus rudis*)
- River Red Gum (*Eucalyptus camaldulensis*)
- Broad-leaved Paperbark (*Melaleuca quinquenervia*)
- Swamp Honey-myrtle (*Melaleuca squamea*)

This is a preliminary list, subject to a detailed survey.



Weeping Bottle Brush (*Callistemon viminalis*) - Poor / Average Condition



Tuart (*Eucalyptus gomphocephala*) - Outside site boundary



2.0 Site Analysis

2.5 Site Conditions

Sun and Shade Analysis

The site is blessed with surrounding topography and it's adjacency to the river. All these elements contribute to a dramatic light experience. Long shadows in the afternoon from the limestone escarpment provide comfortable shade at noon in the North-west region of the site and dramatic reflective light in the morning.



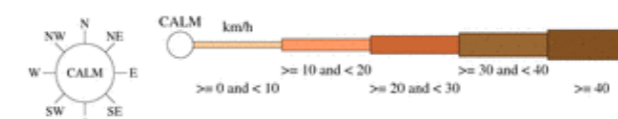
Key Information:

- North west corner of site is shaded but remaining site is exposed to direct sun

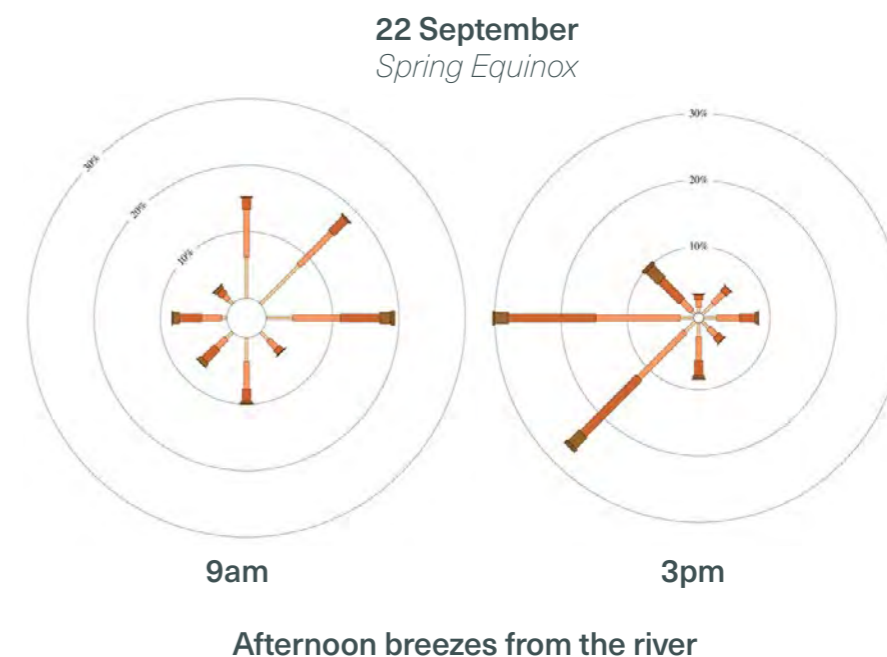
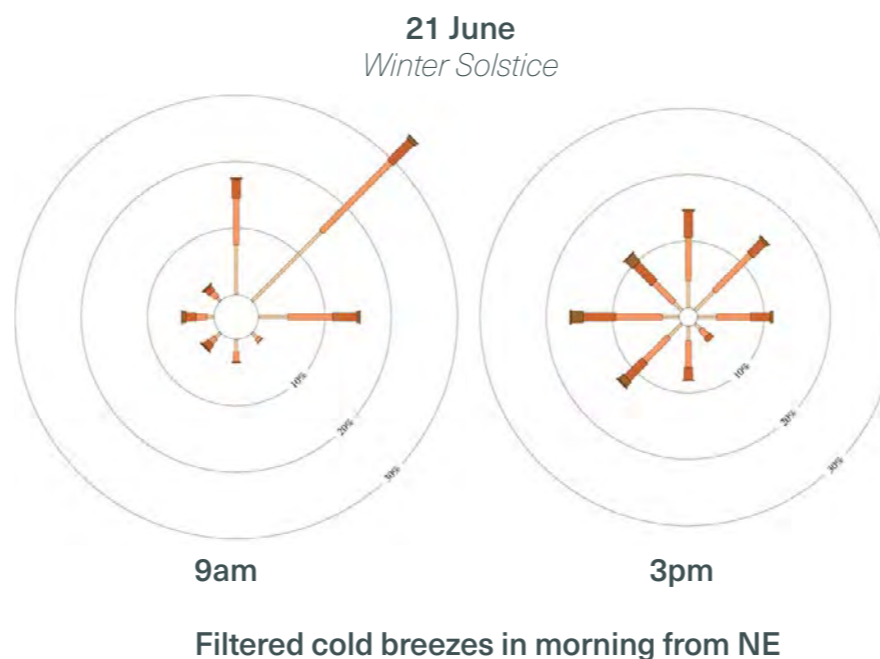
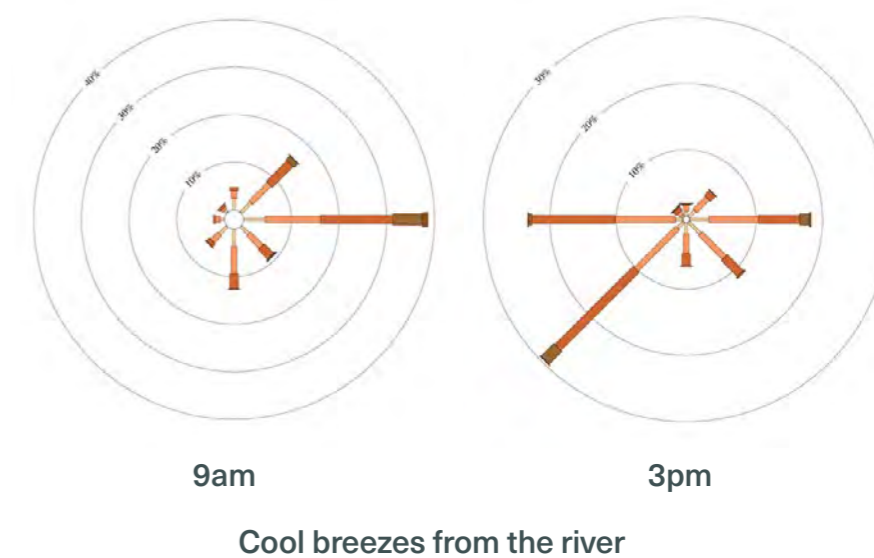
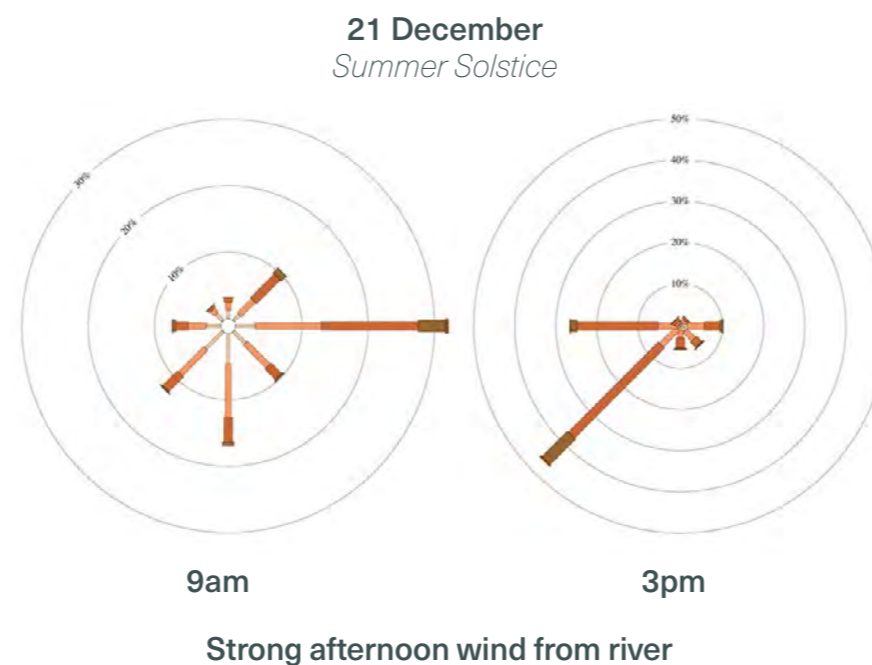
Wind

The site receives moderate to strong prevailing winds throughout the morning from a north-easterly direction. As the site is naturally sheltered from these winds. The existing vegetation will filter the winds, allowing lighter breezes to reach the site. Moderate to strong winds (Fremantle doctor) prevail in the afternoon.

LEGEND

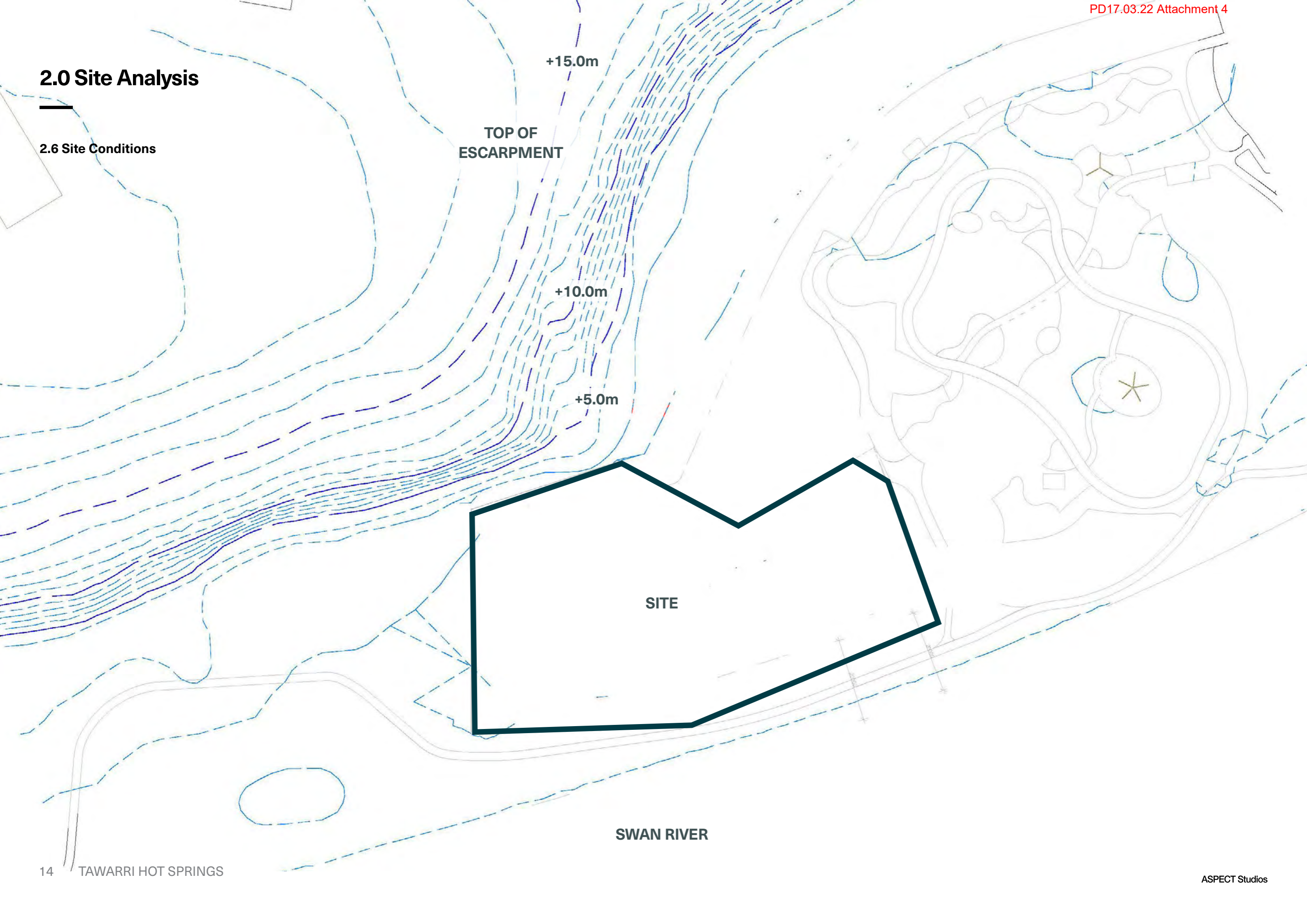


20 March
Autumn Equinox



2.0 Site Analysis

2.6 Site Conditions



2.0 Site Analysis

2.7 Linkages

Swan River Linkages

Located at the western end of the Nedlands foreshore, the site acts as a gateway to the Sunset Heritage Precinct and the intimate beach park to the west.



2.0 Site Analysis

2.8 Linkages



Sunset Heritage Precinct - Viewed from top of escarpment



Tawarri - Primary Carpark - Open, informal carpark



Jo Wheatley Play Space - Southern frontage

2.0 Site Analysis

2.9 Existing Landscape Character

The three open space character areas contain distinctive characteristics that define the look and feel of that particular area. Examples of these key characteristics are summarised under the images below.

The inspiration drawn from these character areas will inform the private and public realm design, specifically; form, materiality and plant species selection.



RIVER

RIVER FORESHORE

LIMESTONE ESCARPMENT

Key Characteristic's

RIVER



Diverse fauna and undulating bathymetry

RIVER FORESHORE



Evolving shoreline



Rehabilitation - Native Vegetation



Active Parklands

LIMESTONE ESCARPMENT



LANDSCAPE APPROACH



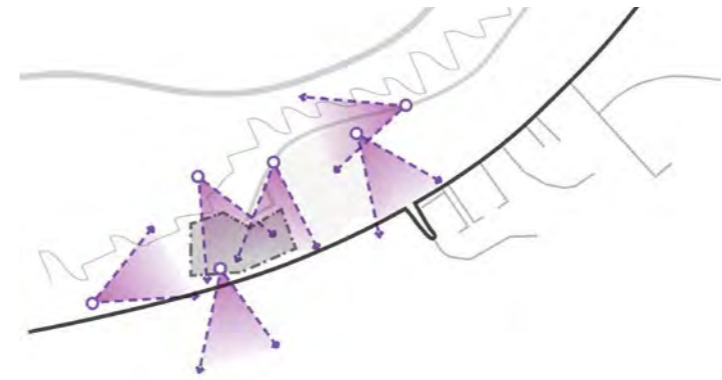
3.0 Landscape Approach

3.1 Design Principles

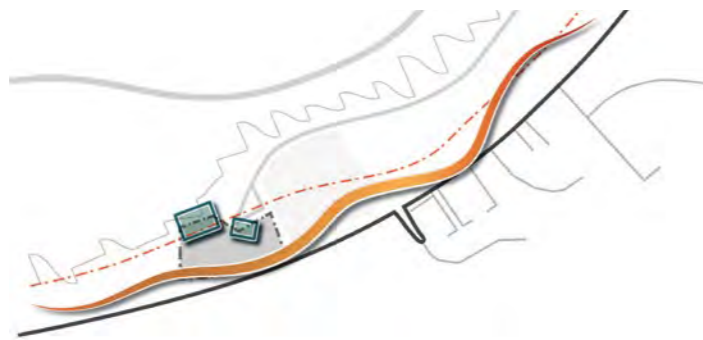
Create a destination and gateway to western end of Beaton Park



Maximise unique and attractive views to and from the development



Celebrate the site's history



Strengthen the sense of place



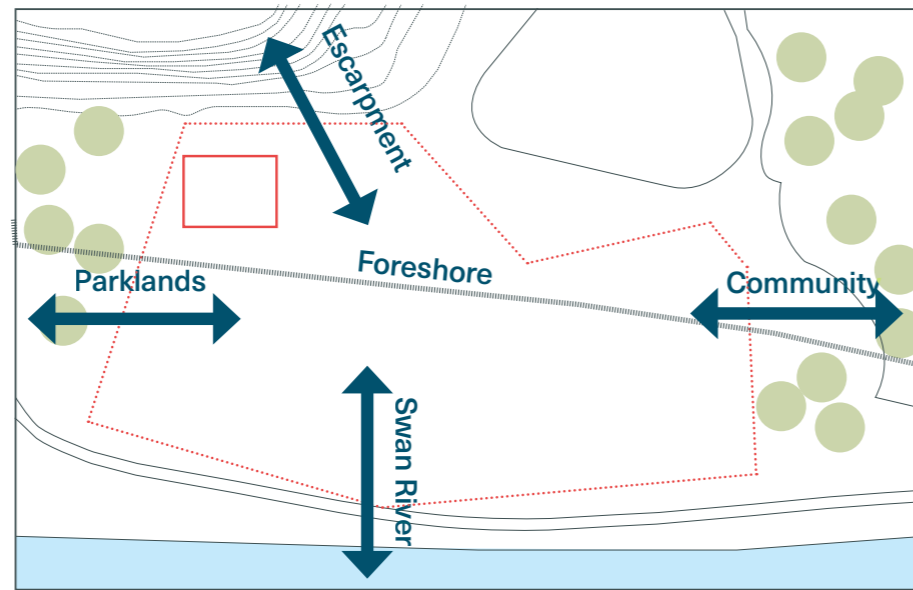
Preserve, enhance and celebrate the existing landscape



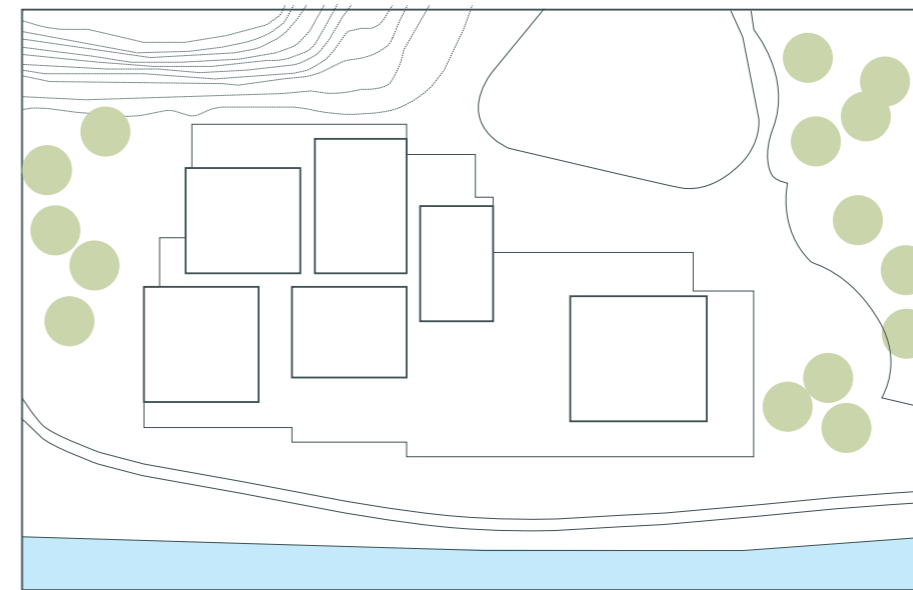
3.0 Landscape Approach

3.2 Site Planning

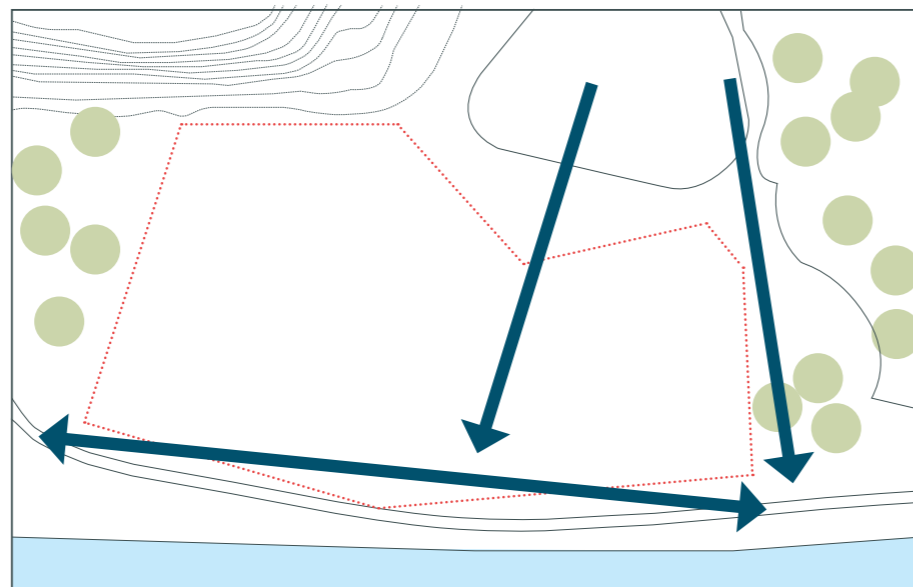
Site Influences



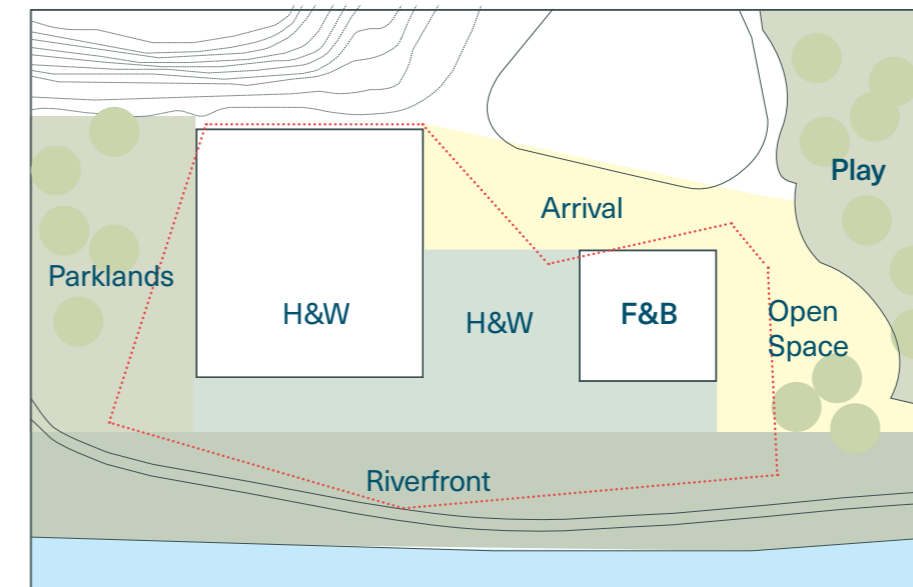
Builtform Massing



Site Views



Site Planning



3.0 Landscape Approach

3.3 Design Drivers

Environmental Design Drivers

Hydrology

- Water is a significant story for both the site and its use.
- Alignment with former foreshore – reveal the former foreshore.
- Water sensitive urban design to improve water management across site and incorporate water flow visibly, and express the story of the water cycle within the public realm.
- Plant selections reflective of the riverine and hydrological conditions. (Living indicators)
- Waterwise planting.

Vegetation

- Rejuvenate the vegetation in the area (weed management to increase biodiversity).
- Increase vegetation and biodiversity of site.
- Ecological linkages through the site and surrounds.
- Celebrate native planting (seasonality, texture, colour)
- Locally significant species of the Vasse Vegetation Complex.
- Site specific references such as the Sheoaks and Paperbarks have Indigenous spiritual significance since they rely on fresh groundwater which discharges from the limestone escarpment.

Geology

- Materiality - Tamala Limestone.
- Layered colours.
- Texture (porosity, erosion, shells)
- Stratigraphy.
- Former foreshore alignment.

Cultural Design Drivers

Indigenous

Potential inclusions for cultural interpretation include:

- Nomenclature/ Naming - Tawarri.
- Integration of the Karda Bidi Trail, interpretation and story of the Variegated Fairy-wrens.
- Bush tucker planting.
- Sculpture installation.
- Inclusion of cultural art within landscape elements.
- Signage explaining the cultural significance of the Beeliar (river).
- Planting of indigenous plants with signage including Aboriginal naming and traditional usage of the species.
- Inclusion of a yarnning circle.

European

- Dalkeith hot pools (water)
- Health and wellness
- Bathing
- Recreational amenity along the foreshore
- Food and beverage
- Community Gathering
- Former jetty
- Old Mens Home

LANDSCAPE PLANS



4.0 Landscape Plans

4.1 Site Plan



4.0 Landscape Plans

4.2 First Floor Plan



5.0 Detail Areas

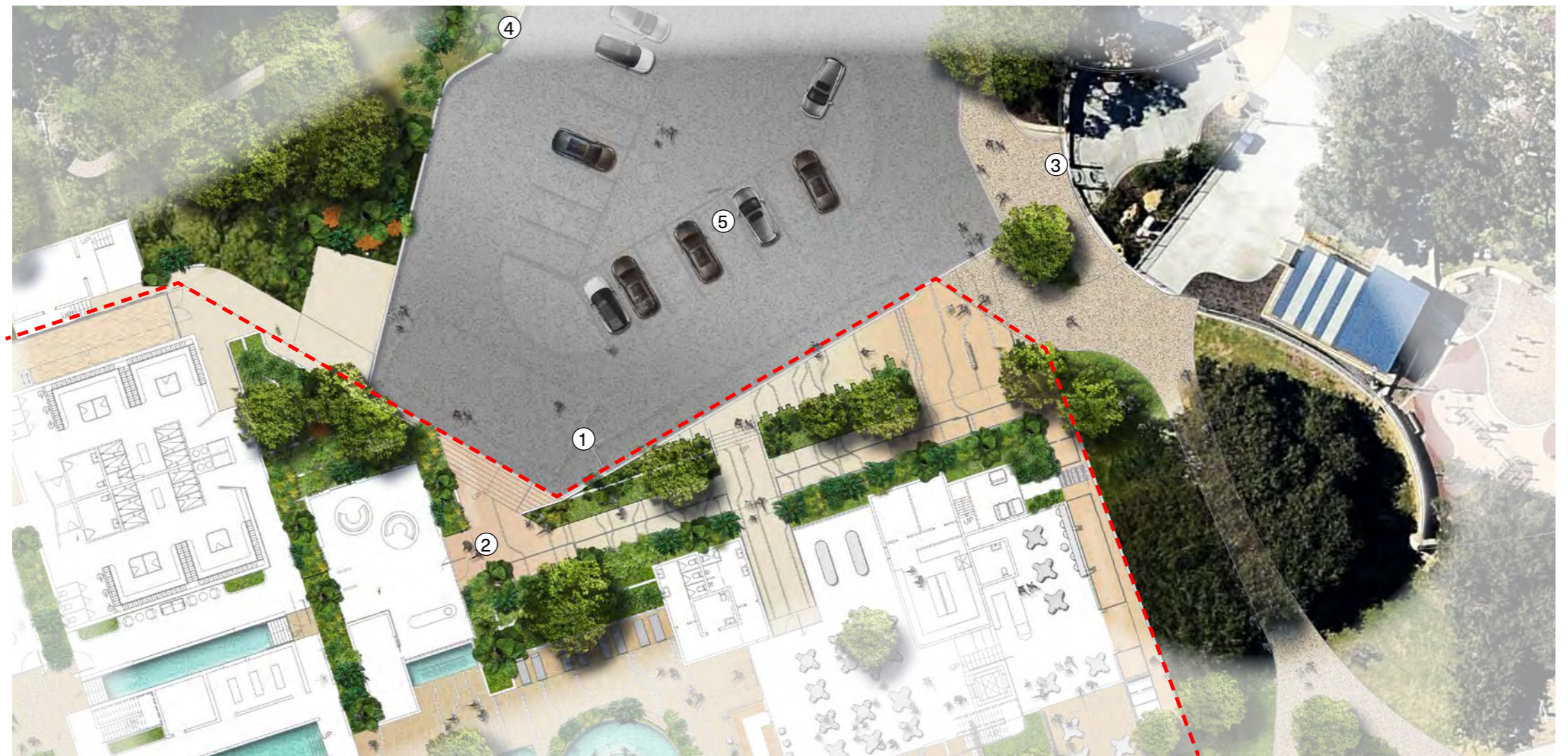
5.1 Arrival Court

The arrival court is a relaxing, transitional public space created to facilitate access to multiple destinations. Key destinations include, Tawarri Hot Springs, Sunset Heritage Precinct, Jo Wheatley All Abilities Play Space and the Nedlands foreshore

The court was inspired by the natural geology of the site, drawing on the rugged forms of the Tamala limestone escarpment and structure of the layered aquifers beneath.

This inspiration has been translated physically into the layout and landscape forms as well as experientially into how people filter and pause as they move through the space.

Health and Wellness are one of the key drivers for the project, so the intention is to “set the tone” upon arrival for THS guests as well as the general public that are passing through the space.



KEY

- ① Vehicle Drop-Off
- ② Tawarri Hot Springs Entrance
- ③ Play Space - Main Entrance
- ④ Access to Sunset Heritage Precinct
- ⑤ Car Parking

Note: Final landscape details are subject to detailed design.

5.0 Detail Areas

5.2 Foreshore Promenade

The foreshore design celebrates the Swan River. Generations of West Australians have been drawn to the Nedlands foreshore due to its beautiful outlook and access to the waters of the Swan River.

The design references the meandering nature and undulating bathymetry of the Swan River. The undulating forms have been interpreted into subtle mounding.

The mounds are planted with a selection of native riverine species. The combination of planting and mounds creates a partial visual buffer between the existing foreshore path and proposed Tawarri Hot Springs development.



KEY

- 1** Existing rock revetment / river wall
- 2** Indicative swale w/ riverine wetland planting
- 3** Existing foreshore footpath

Note: Final landscape details are subject to detailed design.

5.0 Detail Areas

5.3 Parklands

The existing parklands on the western boundary has a strong identity. This is mainly defined by copses of Casuarina and open turfed areas



KEY

- 1 Existing Trees
- 2 Existing Path
- 3 Undulating mounds, planted with riverine species

Note: Final landscape details are subject to detailed design.



5.0 Detail Areas

5.4 Spa Facility



LANDSCAPE QUALITY



6.0 Landscape Quality

Materials Strategy

A refined palette of robust and low maintenance materials are proposed that are in keeping with the project context and architecture. The proposed landscape scheme will use a palette of high quality materials, selected to reinforce the identity of the spaces.

Materials have been selected that are sympathetic to the local context and are appropriate to their location and use. The materials detailed here form a structured palette that are coordinated to create visual unity and integrity within the landscape and with the adjoining local suburbs.

The Material strategy will:

- Use materials that are sympathetic to the local context and are appropriate to their location and use.
- Form a structured palette that is coordinated to create visual unity and integrity within the landscape but allow for variations in texture and colour that can be used to define function and character.
- Give consideration to long-term performance, durability and maintenance requirements.
- Consider impact on the environment and sourcing, cost and project sustainability.



Furniture Strategy

The fixed furniture elements are designed and organised to work with the loose alfresco furniture and encourage a broad range of social interactions. A series of generously dimensioned furniture elements are placed strategically at key locations to distinguish the site as a welcoming and social place.

The furniture strategy will:

- Reinforce the overall design concept and relationship to the architecture.
- Provide a range of fix and loose furniture that caters to large and small groups.
- Share a common material language and robust detailing.
- Locate furniture in favourable climatic zones. i.e. wind protected areas with suitable solar access
- Restrained selection of materials to be robust, vandal resistant and durable.



Note: Final landscape details are subject to detailed design.

6.0 Landscape Quality



Insitu Concrete with Stone Inlay



Natural Stone



Note: Final landscape details are subject to detailed design.

6.0 Landscape Quality



Paving

Walling

Stairs

Furniture

- **Natural Stone** - Utilise natural stone where possible to assist in creating a strong sense of place
- **Natural Stone Setts** - Vary sizes of paving setts to increase visual contrast
- **High Quality Fair Faced Concrete** - Raw, contemporary finishes
- **Muted Colours** - Utilise a light colour palette to emphasise the coastal tones. Only use bright colours as highlights.

- **Natural Stone Cladding** - High quality finishes
- **High Quality Fair Faced Concrete** - Raw, contemporary finishes
- **Rubble Walls** - Incorporate highly textured walls to assist in creating visual contrast

- **Natural Finishes** - Natural exposed finished to create visual contrast and texture
- **Natural Stone** - Utilise natural stone where possible to assist in creating a strong sense of place

- **Timber** - Used for decking, furniture inserts
- **Natural Stone** - Provides natural tactile look and feel
- **Powder Coated Galvanised Steel** - Resilient in coastal environments. Use pastel tones
- **Soft Furnishing** - Use soft furnishing within the landscape to increase sense of luxury whilst making it feel more personable.

7.0 Planting Approach

Strategy

The planting strategy has been informed and wishes to pay respects to the ancient landscape, river and traditional Noongar culture of this place. The plant species selected respond to cultural associations, textures, colour, habit and their suitability to site. They are unique – adapting to the riverine conditions, the geology of the Tamala limestone escarpment and the underground freshwater aquifers.

The foreshore planting seeks to respond to and continue the dialogue with the River. The tidal movements and ebbs and flow of the water sets a rhythm and conceptually imprints sweeping gestures on the surface. Banding of planting mixes, relate in colour, texture and habit then cross, engage and contrast to corresponding bands as they meander and flow, lapping at the edge of the built form. These fluid bands also create spaces and ‘wellness’ nodes that provide public amenity through seating. Community members can relax and look out to the River, nestled amongst a riverine landscape.

Cultural and botanical indicator tree species of Paperbarks, Sheoaks, Marris and Flooded Gum will be represented and relate to existing plantings along the River’s edge. Plant selection has been informed predominately by the Vasse Complex, with species also proposed from the Karrakatta Complex to respond to drier conditions where appropriate. Planting to the rear of this landscape area will provide screening and privacy to and from the development, with the foreground planting being low to ensure passive surveillance is maintained along and within all spaces that address the footpath.

Planting to the Arrival Court references conceptually the Tamala limestone and deep waters of the subterranean Aquifers. Planting compositions will be represented by both Vasse and Karrakatta Complexes. Plants are envisaged to both clump, meander and trail from, beside and along the proposed walling elements.

Inside the Spa Complex the planting palette responds to the hot springs, the healing, medicinal and restorative qualities of bathing.

Meandering through the development will be a living stream with sedges, rushes and suitably appropriate groundcovers / herbs that will further conceptually represent how the ancient water bodies, wetlands, and water holes were expressed.

Where appropriate Australian native and exotic plant species will create and support an aesthetic and high-quality landscape response. Lush tones of green foliage will soothe and relax visitors. Plant species will respond to different light levels and aspects, including reduced leaf litter where in close proximity to baths, to reduce maintenance requirements.

The planting is intended to:

- Use plants representative of the Vasse Complex and where appropriate the Karrakatta Complex.
- Use water wise design principles and implement hydro-zoning.
- Use plants that can adapt to as well as create pleasant micro-climates.
- Use plants that can tolerate recreational activities.
- Create attractive high-quality planting compositions to promote comfortable, enjoyable environments.
- Use plants that can establish near pools and bathing facilities.
- Enhance ecological diversity.
- Incorporate soil volume and profile to promote good plant growth within the constraints of the site.
- Reduced temperatures of external areas.
- Have low maintenance requirements and longevity.

Water Efficient Irrigation System

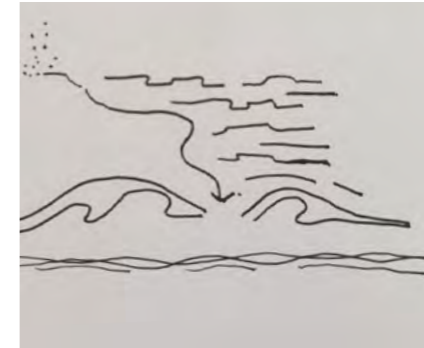
Trees and plants will be irrigated by a water efficient irrigation system. The irrigation water demand volumes will not be excessive, however, a constant and uninterrupted supply must be maintained especially during dry and hot periods.

Where possible, plants will be hydro- zoned according to water requirements. This allows the reticulation to the endemic plantings to be separately controlled and greatly reduced following their establishment period.

The automated irrigation system can be designed to include monitors to detect malfunctions so that rapid response rectification can be programmed before the planting is detrimentally affected by a disruption to water supply.

A holistic irrigation strategy will be prepared for the project that aims to include the following initiatives:

- Aqua monitoring to record and display water usage
- Hydro-zoning of plants
- Waterwise planting and use of local species
- High quality and improved soils with good moisture and nutrient holding capacity
- Organic mulch
- Rain sensors
- Soil Moisture Sensors
- Evapotranspiration Sensors



The River and the Escarpment



Reference for Arrival Court - canopy and stone



Reference for Foreshore - swathes of plants



The Foreshore - bands of planting

7.0 Planting Approach

Planting Character



Existing Planting Character



Ficinia, Myoporum, Olearia, Lepidosperma sp.



Myoporum, Eremophila, Melaleuca sp.



Corymbia calophylla



Eremophila, Scaevola sp.



Lepidosperma, Myoporum sp.

Additional species incl. Rhagodia, Casuarina and Spinifex.



Olearia axillaris



Proposed Foreshore Character

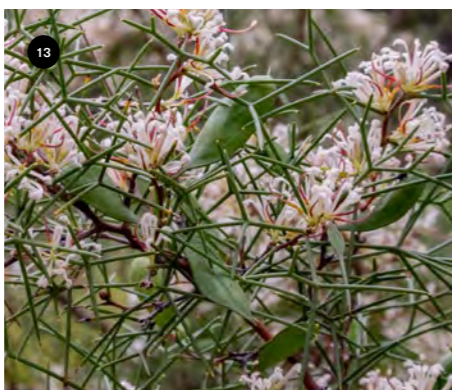
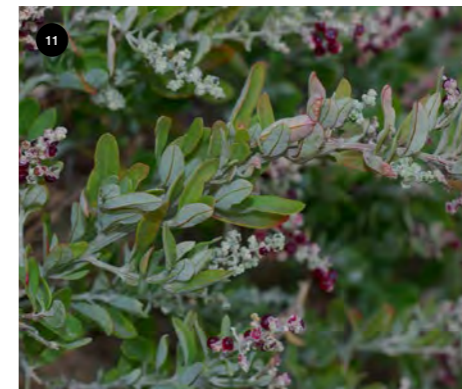
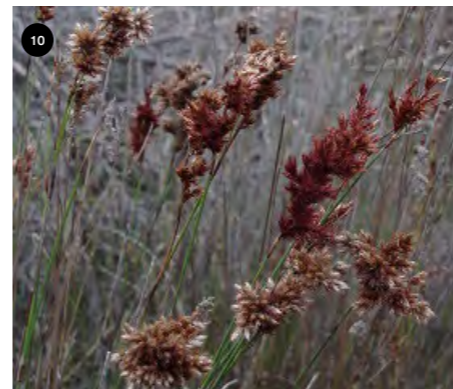


7.0 Planting Approach

Indicative Foreshore

Planting Palette

- Agonis flexuosa* (3)
- Billardiera fusiformis* (8)
- Carex appressa*
- Casuarina obesa* (7)
- Conostylis aculeata*
- Conostylis candicans* (9)
- Corymbia calophylla* (6)
- Dianella revoluta*
- Eremaea pauciflora*
- Eremophila glabra* 'Dawes'
- Eucalyptus rudis* (4)
- Ficinia nodosa* (5)
- Grevillea crithmifolia* (13)
- Isolepis cernua*
- Juncus kraussii* (12)
- Juncus pallidus*
- Lepidosperma gladiatum* (16)
- Leptocarpus scariosus* (*Meeboldina scariosa*) (10)
- Lobelia anceps*
- Melaleuca cuticularis*
- Melaleuca lateritia*
- Melaleuca pressiana* (15)
- Melaleuca raphiophylla*
- Myoporum insulare* (2)
- Olearia axillaris*
- Regelia ciliata* (1)
- Rhagodia baccata* (11)
- Viminaria juncea* (14)



7.0 Planting Approach

Indicative Planting Palette



Plaza Planting Character



Indicative Plaza Planting Palette



Indicative Tawarri Plaza Planting Palette

- Agonis flexuosa* (3)
- Billardiera fusiformis*
- Casuarina obesa* (2)
- Conostylis candicans*
- Dianella revoluta* (7)
- Ficinia nodosa*
- Grevillea crithmifolia* (1)
- Kennedia prostrata*
- Lepidosperma gladiatum* (4)
- Lobelia anceps*
- Myoporum insulare* (5)
- Olearia axillaris*
- Rhagodia baccata* (6)

7.0 Planting Approach

Indicative Planting Palette



Entrance Planting Character



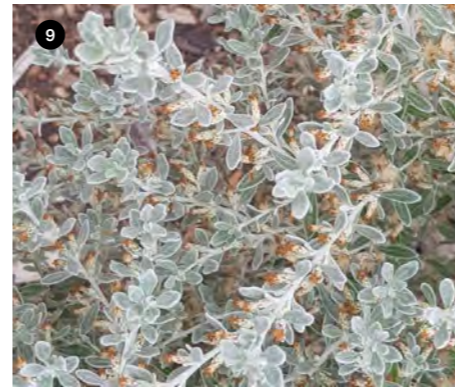
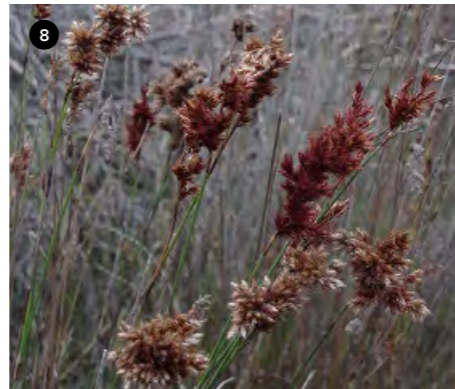
Indicative Entrance Planting Palette



Internal Planting Character

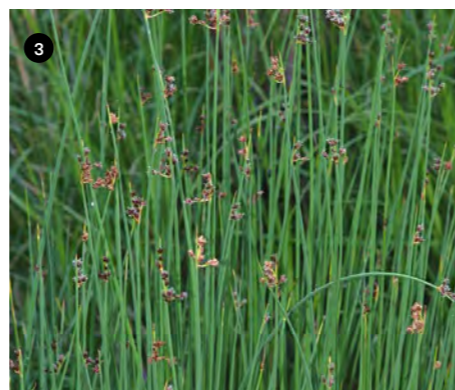


Indicative Internal Planting Palette



**Indicative Arrival Court
Planting Palette**

- Agonis flexuosa* (1)
- Conostylis candidans*
- Dianella revoluta*
- Isolepis cernua*
- Kennedia prostrata*
- Lepidosperma gladiatum* (5)
- Leptocarpus scariosus* (*Meeboldina scariosa*) (8)
- Lobelia anceps* (7)
- Lomandra longifolia* 'Tanika'
- Melaleuca cuticularis*
- Melaleuca raphiophylla* (6)
- Olearia axillaris* (9)
- Poa poiformis* (4)
- Rhagodia baccata* (3)
- Viminaria juncea* (10)



**Indicative Internal Planting
Palette (incl. medicinal)**

- Alocasia macrorrhizos* (8)
- Alpinia caerulea* (4)
- Baumea preissii* (10)
- Billardiera fusiformis* (5)
- Carpobrotus virescens*
- Cyathea cooperi* (1)
- Carex appressa* (2)
- Ficinia nodosa*
- Hibbertia scandens* (9)
- Juncus kraussii*
- Macrozamia riedlei* (6)
- Pteridium esculentum* (7)
- Schoenoplectus tabernaemontani* (*ex. validus*) (3)

10. Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 7.42pm.