



City of Nedlands

Minutes

Council Meeting

16 December 2014

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.

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City of Nedlands

Notice of an Ordinary Meeting of Council held at the City of Nedlands Council Chambers, Tuesday 16 December 2014 at 7.00pm

Council Agenda

Declaration of Opening

The Presiding Member declared the meeting open at 7.00pm drew attention to the disclaimer below:

(NOTE: Council at its meeting on 24 August 2004 resolved that should the meeting time reach 11.00 p.m. the meeting is to consider an adjournment motion to reconvene the next day).

Councillors	His Worship the Mayor, R M Hipkins	(Presiding Member)
	Councillor G A R Hay	Melvista Ward
	Councillor T P James	Melvista Ward
	Councillor N W Shaw	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor W R Hassell	Dalkeith Ward
	Councillor S J Porter	Dalkeith Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward

Staff	Mr G K Trevaskis	Chief Executive Officer
	Mr M R Cole	Director Corporate & Strategy
	Mr P L Mickleson	Director Planning & Development
	Mr M A Goodlet	Director Technical Services
	Mrs P E Panayotou	Manager Community Service Centres
	Mrs A L Sunderland	Executive Assistant

Public There were approximately 65 members of the public present.

Press The Post Newspaper representative.

Present and Apologies and Leave Of Absence (Previously Approved)

Leave of Absence (Previously Approved) Councillor R M Binks, Hollywood Ward

Apologies None at distribution of this Agenda

Disclaimer

Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. For example by reference to the confirmed Minutes of 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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Presentation – Freeman of the City of Nedlands

The Presiding Member presented the Freeman of the City of Nedlands to Emeritus Professor Martyn Jack Webb as below:

Among the high-profile western suburbs professionals and community leaders, Emeritus Professor Martyn Jack Webb stands out as our “elder statesman.”

Professor Webb, formerly a lecturer in geography at Oxford University, came to WA with his wife and two sons in 1964 at the beginning of the mining boom to take up appointment as Foundation Professor of Geography at the University of WA. His work in establishing geography as a discipline to serve Western Australia saw him awarded honorary memberships to the Royal Australian Institute of Architects; the Australia and New Zealand Association for the Advancement of Science; the Australian Institute of Urban Studies and the Royal Australian Planning Institute.

As adviser to the Country Shire Councils Association, Professor Webb was one of the initiators of the Western Australian Local Government Association. He also helped found the WA Conservation Council and was its Trustee for many years. He was an early member of the National Trust of Australia (WA). As a member of the WA Chamber of Commerce and Industry he advised on the planning and development of Perth as a State capital. He was a founding member of CityVision, where he has strongly advocated for many civic improvement projects, such as the complete lowering of the central railway tracks. As one of The University of Western Australia's great scholars who have left their mark on the State, he has been honoured by the dedication of a lecture theatre in his name.

*During the 1970s, Professor Webb was fiercely proactive on a number of issues including the rights of the individual, and as a significant lobbyist on the planning of Perth as a strong and viable State Capital, he generated considerable public discussion on town planning. The parliamentary inquiry into Perth's Corridor Plan was a direct result of his efforts. When any semblance of coherent planning policy was destroyed by WA Inc, Professor Webb continued to strive for more enlightened and less corrupt practices, as a joint author, with Paddy O'Brien, of *The Executive State: WA Inc. & The Constitution*.*

In addition to producing drafts for a new State Constitution and Local Government Act, and numerous academic publications, Professor Webb has

captured WA audiences with his clear, and concise accounts of such local luminaries as Lord Forrest and C.Y O'Connor and with his wife Audrey, histories of several WA country towns, including Onslow and Kalgoorlie-Boulder.

Professor Webb organised and led a march up St George's Terrace to Parliament House, to successfully have the Australia Card thrown out and he actively participated in the republican referendum debate. All of his work has been underpinned by a strong commitment, not only to rigorous scholarship and intellectual coherence but a concern for people's personal rights and liberties. He continues to argue that the powers given to the WA government under the Westminster system have, over the years, been misused by a government acting as a virtual dictatorship, costing present and future generations millions and eroding their democratic rights. Wherever he sees injustice and the need for further debate and discussion, whether this be in the State Parliament or the Nedlands Council, he has expended great time and effort in representing the best interests of our local community.

He has been no less passionate in rallying support for and defending the City of Nedlands, in particular Dalkeith, against the inroads being made by the developers and the injustices of the State Planning procedures, including Development Assessment Panels. He has informed the public on these matters by leading information walks, writing to the press, speaking at public meetings and addressing this Council. He has been equally determined and well-informed in his campaigning against the Premier's forced amalgamation of local councils, attacking the proposal on legal as well as socio-political grounds. His current project is to secure a parliamentary inquiry into local government reform.

Professor Webb is truly a worthy recipient of the award of the title of Freeman of the City of Nedlands

Professor Webb was presented the award and responded.

1. Public Question Time

Nil received.

2. Addresses by Members of the Public

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

Mr Barry Nunn, 16 Webster Street, Nedlands PD47.14
(Spoke in support of the recommendation)
(Presented a petition to Chief Executive Officer, Mr Trevaskis)

Mr Trevaskis departed the Chambers at 7.15pm and returned at 7.17pm.

Ms Anne Gribble, 75 Florence Road, Nedlands PD50.14
(Spoke in support of recommendation)

Mr Tayne Evershed, Planning Solutions, 296 Fitzgerald Street, Perth PD49.14
(Was to speak against the recommendation)
(Mr Evershed departed the meeting before making his address as the item was withdrawn by the applicant)

Mr Fergus Bennett, 133 Broadway, Nedlands
(Spoke in reference to the proposed Noise Management Plan NMP)

Mr Andrew Harvey, 12 Florence Road, Nedlands PD47.14
(Spoke for the recommendation)

Mr Nicholas Miller, 4/93 Stirling Highway, Nedlands PD48.14
(Spoke for the recommendation)

Mr Damon Dimitrijevic, 135 Kewdale Road, Kewdale PD47.14
(Spoke against the recommendation)

3. Requests for Leave of Absence

Nil.

4. Petitions

Petitions to be tabled at this point.

Mr Trevaskis received a petition from Mr Barry Nunn, in representation of the Nedsavers Community Group presented a petition with a total of 3,150 signatures in reference to item PD47.14 Scheme Amendment 204 – Initial Report (Proposal to Re-Zone Captain Stirling Site) of this agenda. Mr Trevaskis the petition to Council:

“This petition raises objection to the proposed rezoning of the Captain Stirling Hotel site and adjoining five residential blocks in view of the adverse impact of the large supermarket development on the amenity of the surrounding residential area.”

Moved – Councillor James
Seconded – Councillor Hodsdon

That the petition be received.

CARRIED UNANIMOUSLY 12/-

5. Disclosures of Financial Interest

The Presiding Member to remind Councillors 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.

5.1 Councillor Hodsdon – 13.3 – No. 47 (Lot 468) Meriwa Street Nedlands – Retrospective Air-conditioner and Proposed Screen Enclosure and Portion of Front Fence – Reconsideration of Decision Under Section 31 of the State Administrative Tribunal (SAT) Act 2004.

Councillor Hodsdon disclosed a financial interest in Item 13.3, No. 47 (Lot 468) Meriwa Street Nedlands – Retrospective Air-conditioner and Proposed Screen Enclosure and Portion of Front Fence – Reconsideration of Decision Under Section 31 of the State Administrative Tribunal (SAT) Act 2004. His interest being that the item deals with a wall between his property and a neighbour. Councillor Hodsdon advised that he would leave the meeting during this matter.

6. Disclosures of Interests Affecting Impartiality

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

6.1 Councillor Hassell – PD47.14 – Scheme Amendment 204 – Initial Report (Proposal to Re-zone Captain Stirling Site)

Councillor Hassell disclosed an impartiality interest in Item 47.14 - Scheme Amendment 2014 – Initiation Report (Proposal to Re-zone Captain Stirling Site). He disclosed an impartiality interest in this matter as he knows the owner of the property on the Captain Stirling site and is a shareholder in Woolworths. His interest was considered indirect and trivial given the scale of the Woolworths Corporation. Cr Hassell declared he would consider this matter on its merits and vote accordingly.

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

Nil.

8. Confirmation of Minutes

8.1 Ordinary Council meeting 25 November 2014

The Minutes of the Ordinary Council Meeting held on 25 November 2014 to be confirmed.

Moved – Councillor Shaw
Seconded – Councillor Hodsdon

That the Minutes of the Ordinary Meeting of Council held on 25 November 2014 be confirmed.

CARRIED UNANIMOUSLY 12/-

9. Announcements of the Presiding Member without discussion

Date	Organisation	Details
26 November 2014	CoN	Business Sundowner
28 November 2014	Surf Life Saving WA	Opening of Summer Season
29 November 2014	Engineers Australia	Commemoration of Fremantle Battery
29 November 2014	French Chamber of Commerce	Merci Down Under
30 November 2014	French Chamber of Commerce	Verdun Visions of History
1 December 2014	AURA	Community Consultation discussions
2 December 2014	National Seniors Australia	Presentation on Amalgamations
2 December 2014	SAT	Mediation Walba Way
3 December 2014	UDIA	Hot Topics
3 December 2014	CRC Water Sensitive Cities	WA Panel Meeting
3 December 2014	Town of Claremont	Volunteers Awards
4 December 2014	Natural Resource Management	Launch of Draft Swan region Strategy
5 December 2014	Premier	Sunset Hospital Meeting
5 December 2014	National Trust WA	Volunteer Appreciation
7 December 2014	CoN	Blessing of the River
8 December 2014	SAT	Regis
8 December 2014	CoN	Access Working Group Annual Meeting
9 December 2014	CoN	Judging of Premier's Citizenship Awards
11 December 2014	Main Roads	Metropolitan Regional Roads Group Meeting
11 December 2014	CRC Water Sensitive Cities	Climate Resilience Workshop
12 December 2014	ACOSH	Awards Breakfast
12 December 2014	UWA	REV Fast-Charging Station Launch
12 December 2014	CoN	Tresillian Christmas Party
14 December 2014	Dalkeith Bowling Club	Christmas Lunch
14 December 2014	CityVision	Christmas Party

10. Members announcements without discussion

10.1 Councillor Shaw

Councillor Shaw informed Council he attended UWA for the launch of a book by Dr John J Taylor about Lieutenant General Sir Talbot Hobbs.

Councillor Shaw also attended the Tresillian Christmas Party on Friday 12 December.

11. Matters for Which the Meeting May Be Closed

Nil.

12. Divisional reports and minutes of Council committees and administrative liaison working groups

Minutes of Council Committees

This is an information item only to receive the minutes of the various meetings held by the Council appointed Committees (N.B. This should not be confused with Council resolving to accept the recommendations of a particular Committee. Committee recommendations that require Council's approval should be presented to Council for resolution via the relevant departmental reports).

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

Council Committee

2 December 2014

Circulated to Councillors on 4 December 2014

Moved – Councillor Hay
Seconded – Councillor Shaw

That the Council Committee Minutes of the 2 December 2014 be received.

CARRIED UNANIMOUSLY 12/-

Arts Committee

17 November 2014

Circulated to Councillors on 4 December 2014

Moved – Councillor Wetherall
Seconded – Councillor Hodsdon

That the Arts Committee Minutes of the 17 November 2014 be received.

CARRIED UNANIMOUSLY 12/-

Divisional Reports

Note: As far as possible all the following reports under items 12.2, 12.3, 12.4 and 12.5 will be moved en-bloc and only the exceptions (items which Councillors wish to amend) will be discussed.

En Bloc

Moved - Councillor Hassell

Seconded – Councillor Wetherall

That all Committee Recommendations relating to Reports under items 12.1 12.2, 12.3, 12.4 and 12.5 with the exception of Report Nos. PD50.14, TS21.14 and TS22.14 are adopted en bloc.

CARRIED EN BLOC 12/-

12.1 Planning & Development Report No's PD47.14 to PD51.14 (copy attached)

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

PD47.14	Scheme Amendment 204 – Initiation Report (Proposal to Re-zone Captain Stirling Site)
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Committee	2 December 2014
Council	16 December 2014
Applicant	RPS Australia East Pty Ltd
Owner	Various
Officer	Christie Downie – Sustainable Planning Officer
Director	Peter Mickleson – Planning & Development
File Reference	PLAN-PA-00005
Previous Item	N/A

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
Seconded – Councillor Wetherall

Council Resolution / Committee Recommendation / Recommendation to Committee

Council does not proceed with the Scheme Amendment No. 204 for the following reasons:

- 1. The proposal will result in a centre that lacks diversity and does not genuinely contribute to meeting dwelling targets, both key objectives in the state planning framework,**
- 2. The Transport Assessment does not adequately address the traffic and movement issues, and**
- 3. The proposed provisions are not sufficient to address integration with the existing built form.**

CARRIED EN BLOC 12/-

PD48.14	(Lot 4) No. 4/95 Stirling Highway, Nedlands – Retrospective Air-Conditioning Condenser Units and Prospective Acoustic Screen
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Committee	2 December 2014
Council	16 December 2014
Applicant	Dislocation Holdings Pty Ltd
Owner	Dislocation Holdings Pty Ltd
Officer	Andrew Gizariotis – Planning Consultant
Director	Peter Mickleson – Planning & Development
File Reference	DA2014/29 - ST6/95
Previous Item	D87.06 - 14 November 2006 - Original Four Storey Mixed Use Development - Approved

Regulation 11(da) - *Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
Seconded – Councillor Wetherall

Council Resolution / Committee Recommendation

That Council does not approve the application for retrospective air conditioning condenser units and prospective acoustic screen at (Lot 4) No. 4/95 Stirling Highway Nedlands.

CARRIED EN BLOC 12/-

Regulation 11(da) – Council did not approve the application for retrospective approval due to the failure of the applicants to comply with the City’s original approval, and because of loss of amenity for the adjoining neighbour.

Recommendation to Committee

Council approves the application for retrospective air conditioning condenser units and prospective acoustic screen at (Lot 4) No. 4/95 Stirling Highway Nedlands, in accordance with the application received on 16 January 2014, subject to the following conditions:

1. The development shall at all times comply with the approved plans.
2. Unless otherwise demonstrated that noise from the condenser units complies with the assigned levels of the Environmental Protection (Noise) Regulations 1997 at

all times, the air conditioning units shall not be operated outside of 7:00am to 7:00pm on any day.

3. Within 21 days of the date of this approval, the applicant is to lodge with the City an application for Building Permit for the acoustic screen.
4. Within 21 days of approval of the Building Permit, the acoustic screen is to be installed to meet the Environmental Protection (Noise) Regulations 1997.
5. The acoustic screen is to be finished to a professional standard and in a colour that complements the main building, to the satisfaction of the City.
6. Within 14 days of installation of the acoustic screen, the applicant is to provide the City with an acoustic report, prepared by a suitably qualified acoustic engineer, verifying that the air conditioning condenser units meet the Environmental Protection (Noise) Regulations 1997, taking into account the installed acoustic screen.

Advice Notes specific to this proposal:

1. This property is affected by land reserved in the proposed Metropolitan Region Scheme Amendment 1210/41 as shown on the enclosed extract of Main Roads drawings 1.7145 and 1.7138 and will be required for road purposes at some time in the future.
2. The project for the upgrading/widening of Stirling Highway is not in main Roads current 4-year forward estimated construction program and all projects not listed are considered long term. Please be aware that timing information is subject to change and that Main Roads assumes no liability whatsoever for the information provided.
3. A lessor or agent for the lease or sale of the building, or any part thereof, should explicitly make a buyer or lessee of the building, or any part thereof, aware of the requirements of condition (2) and this should be reflected in the terms and conditions of any such lease or sale.

PD49.14	Scheme Amendment 202 – Initiation Report (Proposal to Re-zone Land for Multi-use Dwelling)
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Committee	2 December 2014
Council	16 December 2014
Applicant	Planning Solutions (Aust) Pty Ltd
Owner	Stirling 52 Pty Ltd
Officer	Holly White – Strategic Planning Officer
Director	Peter Mickleson – Planning & Development
File Reference	PLAN-PA-00003
Previous Item	D13.05

Item Withdrawn

Regulation 11(da) – Council agreed to withdraw this item at the request of the applicant.

Regulation 11(da) – Council formed the view that the rezoning should not be approved as the application did not address concerns relation to density/plot ratios, there being no assurance of residential component within the site, setbacks, building height, bulk and scale.

Committee Recommendation

Council refuses to initiate an Amendment to Town Planning Scheme No. 2 to rezone Lot 7 (No. 52) Stirling Highway, Nedlands from 'Residential R35' to 'Special Use'.

Recommendation to Committee

Council

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, initiate an Amendment to Town Planning Scheme No. 2 to rezone Lot 7 (No. 52) Stirling Highway, Nedlands from 'Residential R35' to 'Special Use'.

And,

2. Advise the applicant that Council's preliminary support for the Scheme Amendment is not to be construed as approval of the built form provisions in Table 2, and that reconsideration is expected in regard to these provisions.

PD50.14	Department of Education – Extension to Lease Area at Nedlands Park Early Learning Centre – 150 Melvista Avenue, Nedlands
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Committee	2 December 2014
Council	16 December 2014
Applicant	Department of Education
Owner	City of Nedlands
Officer	Rebecca Boley – Property Management Officer
Director	Peter Mickleson – Planning & Development
File Reference	CAP-001914
Previous Item	N/A

Regulation 11(da) – Council agreed to the initial recommendation from Administration following representation from the School.

Moved – Councillor Shaw

Seconded – Councillor McManus

Committee Recommendation

Council:

1. Consents to the Department of Lands excising noted areas in Attachment 1 with blue and lime green from Class A Reserve 1669 for amalgamation into Reserve 27668 with purpose of kindergarten;
2. Upon finalisation of the boundaries of Reserve 27668, as noted above, agrees to lease to the Department of Education the current lease area along with the areas noted in Attachment 1 with blue ink. The terms of the lease will be based on the City's standard terms of lease. (This lease area excludes the area outline with lime green ink);
3. Until the finalisation of Reserve 27668 and lease thereof, agrees to a licence by the Department of Education for the use of the area noted in Attachment 1 with blue and yellow ink for the purpose of a kindergarten playground;
4. Delegates to the CEO the power to agree the terms of the licence noted above;
5. Requests that all fees and charges incurred in executing this proposal will be borne by the Department of Education as lessee and licensee of City premises; and
6. Council pursue the possibility of extending the lease area in to the adjoining existing play area.

Mr Cole departed the Chambers at 7.45pm and returned at 7.46pm.

Councillor Hassell departed the Chambers and returned at 7.47pm.

Amendment 1

Moved – Councillor Hodsdon

Seconded – Councillor James

1. Consents to the Department of Lands excising noted areas in Attachment 1 with blue, yellow and lime green from Class A Reserve 1669 for amalgamation into Reserve 27668 with purpose of kindergarten;
2. Upon finalisation of the boundaries of Reserve 27668, as noted above, agrees to lease to the Department of Education the current lease area along with the areas noted in Attachment 1 with blue and yellow ink. The terms of the lease will be based on the City's standard terms of lease. (This lease area excludes the area outline with lime green ink);
3. Until the finalisation of Reserve 27668 and lease thereof, agrees to a licence by the Department of Education for the use of the area noted in Attachment 1 with blue and yellow ink for the purpose of a kindergarten playground;
4. Delegates to the CEO the power to agree the terms of the licence noted above;
5. Requests that all fees and charges incurred in executing this proposal will be borne by the Department of Education as lessee and licensee of City premises; and
6. Council pursue the possibility of extending the lease area in to the adjoining existing play area.

LOST 5/7

(Against: Mayor Hipkins, Crs. Hay, Shaw, Horley, Smyth, Hassell & Porter)

Mr Cole departed the Chambers at 8.05pm and returned at 8.06pm.

Amendment 2

Moved – Councillor Porter

Seconded – Councillor Hassell

Recommendation 1

Where it is recommended that Council agree to the Department of Education's request, in full –

Council:

1. Consents to the Department of Lands excising noted areas in Attachment 1 with blue, yellow and lime green from Class A Reserve 1669 for amalgamation into Reserve 27668 with purpose of kindergarten;
2. Upon finalisation of the boundaries of Reserve 27668, as noted above, agrees to lease to the Department of Education the current lease area along with the areas noted in Attachment 1 with blue and yellow ink. The terms of the lease will be based on the City's standard terms of lease. (This lease area excludes the area outline with lime green ink);
3. Until the finalisation of Reserve 27668 and lease thereof, agrees to a licence by the Department of Education for the use of the area noted in Attachment 1 with blue and yellow ink for the purpose of a kindergarten playground;

4. Delegates to the CEO the power to agree the terms of the licence noted above; and
5. Requests that all fees and charges incurred in executing this proposal will be borne by the Department of Education as lessee and licensee of City premises.

CARRIED 8/4
(Against: Mayor Hipkins, Crs. Shaw, Horley & Smyth)

The Amendment was carried and become the substantive motion.l

Put Motion

Moved – Councillor Hay

Seconded – Councillor Hodsdon

That the substantive motion be put.

PUT MOTION CARRIED 8/4
(Against: Mayor Hipkins, Crs. Shaw, Horley, Smyth)

Adoption – **The substantive motion was put and**

CARRIED 8/4
(Against: Mayor Hipkins, Crs. Shaw, Horley & Smyth)

Moved – Councillor Shaw

Seconded – Councillor McManus

Council:

1. **Consents to the Department of Lands excising noted areas in Attachment 1 with blue, yellow and lime green from Class A Reserve 1669 for amalgamation into Reserve 27668 with purpose of kindergarten;**
2. **Upon finalisation of the boundaries of Reserve 27668, as noted above, agrees to lease to the Department of Education the current lease area along with the areas noted in Attachment 1 with blue and yellow ink. The terms of the lease will be based on the City’s standard terms of lease. (This lease area excludes the area outline with lime green ink);**
3. **Until the finalisation of Reserve 27668 and lease thereof, agrees to a licence by the Department of Education for the use of the area noted in Attachment 1 with blue and yellow ink for the purpose of a kindergarten playground;**
4. **Delegates to the CEO the power to agree the terms of the licence noted above; and**
5. **Requests that all fees and charges incurred in executing this proposal will be borne by the Department of Education as lessee and licensee of City premises.**

CARRIED 8/4
(Against: Mayor Hipkins, Crs. Shaw, Horley & Smyth)

Recommendations to Committee

Recommendation 1

Where it is recommended that Council agree to the Department of Education's request, in full –

Council:

1. Consents to the Department of Lands excising noted areas in Attachment 1 with blue, yellow and lime green from Class A Reserve 1669 for amalgamation into Reserve 27668 with purpose of kindergarten;
2. Upon finalisation of the boundaries of Reserve 27668, as noted above, agrees to lease to the Department of Education the current lease area along with the areas noted in Attachment 1 with blue and yellow ink. The terms of the lease will be based on the City's standard terms of lease. (This lease area excludes the area outline with lime green ink);
3. Until the finalisation of Reserve 27668 and lease thereof, agrees to a licence by the Department of Education for the use of the area noted in Attachment 1 with blue and yellow ink for the purpose of a kindergarten playground;
4. Delegates to the CEO the power to agree the terms of the licence noted above; and
5. Requests that all fees and charges incurred in executing this proposal will be borne by the Department of Education as lessee and licensee of City premises.

Recommendation 2

Alternative Recommendation where Council agrees to formalise current use of reserve land and create legal access:

Council:

1. Consents to the Department of Lands excising the area in Attachment 1 with blue ink (area of encroachment) from Class A Reserve 1669 for amalgamation into Reserve 27668 with purpose of kindergarten;
2. Instructs Administration to request the Department of Lands excise area that is the reserve access road from Melvista Avenue, and formalise it as a dedicated road. The City will bear the cost of the relevant survey sketch;
3. Upon finalisation of the boundary of Reserve 27668, as noted above, agrees to lease to the Department of Education the current lease area along with the area noted in Attachment 1 with blue ink (area of encroachment). The terms of the lease will be based on the City's standard terms of lease;
4. Until the finalisation of Reserve 27668 and lease thereof, agrees to a licence by the Department of Education for the use of the area noted in Attachment 1 with blue ink (area of encroachment) for the purpose of a kindergarten playground;
5. Delegates to the CEO the power to agree the terms of the licence noted above;
6. Requests that all fees and charges incurred in this formalisation of the current area used by the Department as their lease area, be borne by the Department of Education as lessee and licensee of City premises; and
7. Refuses to grant any further extension to the Department of Education's leased area.

Recommendation 3

Alternative Recommendation where Council provides legal access but refuses any increase in the lease area:

Council:

1. Agrees to the current reserve access road being formalised as a dedicated road; and
2. Refuses to grant any extension to the Department of Education's leased premises, noting that this requires existing kindergarten playground fencing to be reinstated along lease boundaries.

PD51.14	Sustainable Nedlands Committee – Appointment of Committee Members
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Committee	2 December 2014
Council	16 December 2014
Applicant	City of Nedlands
Officer	Phoebe Huigens, Policy & Projects Officer
Director	Peter Mickleson, Director Planning & Development
File Reference	PP-EI-00009
Previous Item	N/A

Regulation 11(da) – Not Applicable – Recommendation Adopted.

Moved – Councillor Hassell
 Seconded – Councillor Wetherall

Council Resolution / Committee Recommendation / Recommendation to Committee

That Council appoint Esther Buckeridge and Matthew Yap to the Sustainable Nedlands Committee for a period ending at the next ordinary Local Government Election in October 2015.

CARRIED EN BLOC 12/-

12.2 Technical Services Report No's TS19.14 to TS23.14 (copy attached)

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

TS19.14	Tender No. 2014/15.02 – Supply and Delivery of Drainage Materials
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Committee	2 December 2014
Council	16 December 2014
Applicant	City of Nedlands
Officer	Nathan Brewer – Purchasing and Tenders Coordinator
Director	Mark Goodlet – Director Technical Services
File Reference	TS-PRO-00033
Previous Item	Not Applicable

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
Seconded – Councillor Wetherall

Council Resolution / Committee Recommendation / Recommendation to Committee**Council:**

1. **Agrees to award Tender No. 2014/15.02 to Icon-Septech Pty Ltd for the Supply and Delivery of Drainage Materials as per the schedule of rates (Attachment 1) submitted; and**
2. **Authorises the Chief Executive Officer to sign an acceptance of offer for this tender.**

CARRIED EN BLOC 12/-

TS20.14	Delegation of Authority – Awards of Tenders During the Council Recess
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Committee	2 December 2014
Council	16 December 2014
Applicant	City of Nedlands
Officer	Mark Goodlet – Director Technical Services
Director	Mark Goodlet – Director Technical Services
File Reference	TS-009738
Previous Item	CPS53.12 / TS20.13

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor Wetherall

Council Resolution / Committee Recommendation / Recommendation to Committee

Council agrees to delegate to the Chief Executive Officer, in consultation with the Mayor, the authority to determine tenders in accordance with the *Local Government Act (Functions and General) Regulations 1996* over the Council recess, from 17 December 2014 to 31 January 2015, and to award tenders to a maximum of \$500,000 (excl GST).

CARRIED EN BLOC 12/1

TS21.14	Proposed Parking Restrictions in Webster Street and Elizabeth Street, Nedlands
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Committee	2 December 2014
Council	16 December 2014
Applicant	City of Nedlands
Officer	Shaun Fletcher – Engineering Technical Officer
Director	Mark Goodlet – Director Technical Services
File Reference	TS-008110 / TS-008112
Previous Item	TS10.13

Regulation 11(da) – Council agreed to delete clause 1 of the recommendation to committee

Moved – Councillor Hay
Seconded – Councillor James

Council approves three hour parking in Elizabeth Street on both sides, from 8am – 5pm, Monday to Friday.

**CARRIED 8/4
(Against: Crs. Shaw, Horley, McManus & Wetherall)**

Recommendation to Committee

Council:

1. Approves three hour parking in Webster Street on the west side, from 8am – 5pm, Monday to Friday and No Parking on the east side, from 8am – 5pm Monday – Friday; and
2. Approves three hour parking in Elizabeth Street on both sides, from 8am – 5pm, Monday to Friday.

Note: *The Committee did not resolve to make a recommendation to Council*

TS22.14	Gordon Street – Removal of Speed Humps at Williams Road and Clifton Street
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Committee	2 December 2014
Council	16 December 2014
Applicant	City of Nedlands
Officer	Shaun Fletcher – Engineering Technical Officer
Director	Mark Goodlet – Director Technical Services
File Reference	TS-008113
Previous Item	TS3.09

Regulation 11(da) – Withdrawn. No decision made.

Moved – Councillor Hay
 Seconded – Councillor Hodsdon

Council take no further action in the removal of speed humps on Gordon Street at William Road and Clifton Street.

The mover and seconder agreed to withdraw this item.

Recommendation to Committee

Council approves the removal of speed humps on Gordon Street at Williams Road and Clifton Street, in line with the current Capital Works Plan.

Note: *The Committee did not resolve to make a recommendation to Council*

TS23.14	Review of Administration Decision to Refuse Nature Strip Development Application
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Committee	2 December 2014
Council	16 December 2014
Applicant	M Heller and J Phillips
Officer	Andrew Dickson – Manager Parks Services
Director	Mark Goodlet – Director Technical Services
File Reference	DA14/59; PAR-NSDA-00115
Previous Item	Not Applicable

Regulation 11(da) – Not applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor Wetherall

Council Resolution / Committee Recommendation

Council:

1. Approves the Nature Strip Development Application proposing the removal of a street tree and construction of a new 5.01m crossover, in the proposed location, within the road reserve on Alderbury Street Floreat;
2. Applicant agrees to provide 2 standard size replacement trees East and West of the proposed crossover;
3. Costs for tree removal and the two replacement trees to be borne by the applicant.

CARRIED EN BLOC 12/-

Regulation 11(da) – Council formed the view that the existing street tree causes a safety hazard for vehicles, and that it should be removed and replaced with two street trees placed further from the kerb, and of a species which provides a greater ecological benefit than the existing species.

Recommendation to Committee

Council:

1. Refuses approval of the Nature Strip Development Application proposing the removal of a Queensland Box street tree to allow for construction of a 5.01 metre wide crossover servicing the property at No. 75 (Lot 143) Alderbury Street, Floreat; and

2. Approves a 3.50 metre wide crossover, located 1.00 metre from the subject tree, enabling retention of the subject street tree and in accordance with Administration's earlier issued approval.

12.3 Community & Organisational Development

Nil reports.

12.4 Corporate & Strategy Report No CPS36.14 to CPS37.14 (copy attached)

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

CPS36.14	List of Accounts Paid – October 2014
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Committee	2 December 2014
Council	16 December 2014
Applicant	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate & Strategy
File Reference	Fin/072-17
Previous Item	Nil

Regulation 11(da) – Not applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor Wetherall

Council Resolution / Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of October 2014 (Refer to Attachment).

CARRIED EN BLOC 12/-

CPS37.14	Corporate Business Plan – Quarter 1 2014/15
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Committee	2 December 2014
Council	16 December 2014
Applicant	City of Nedlands
Officer	Phoebe Huigens, Policy & Projects Officer
Director	Michael Cole, Director Corporate & Strategy
File Reference	Corporate Strategy & Systems
Previous Item	Nil

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor Wetherall

Council Resolution / Committee Recommendation / Recommendation to Committee

Council receives the Quarter 1 2014/2015 report on progress towards “Nedlands 2023 – Making it Happen”, the Corporate Business Plan.

CARRIED EN BLOC 12/-

13. Reports by the Chief Executive Officer

13.1 Common Seal Register Report

Nil reports for November 2014

13.2 List of Delegated Authorities – November 2014

The attached List of Delegated Authorities for the month of November 2014 to be received.

Moved – Councillor James
Seconded – Councillor Shaw

That the List of Delegated Authorities for the month of November 2014 be received.

CARRIED UNANIMOUSLY 12/-

13.3 No. 47 (Lot 468) Meriwa Street Nedlands – Retrospective Air-Conditioner & Proposed Screen Enclosure and Portion of Front Fence – Reconsideration of Decision Under Section 31 of the State Administrative Tribunal (SAT) Act 2004

Council	16 December 2014
Applicant	S Tan
Owner	S & R Tan
Officer	Jennifer Heyes – Manager Planning
Director	Peter Mickleson – Planning & Development
Director Signature	
File Reference	ME47/47: DA13/508
Previous Item	PD21.14

Councillor Hodsdon disclosed a financial interest in this item as noted in section 5.1 of this agenda. His interest being that the item deals with a wall between his property and a neighbour. Councillor Hodsdon advised that he would leave the meeting during this matter.

Councillor Hodsdon departed the Chambers at 8.37pm.

Councillor Hay departed the Chambers at 8.38pm.

Regulation 11(da) – Not Applicable – Recommendation Adopted.

Moved – Mayor Hipkins
Seconded – Councillor Hassell

Council Resolution / Recommendation to Council

Pursuant to section 31 of the *State Administrative Tribunal Act 2004 (WA)*:

Council approves an application for retrospective air-conditioner and proposed screen enclosure and front fence to a single house at No. 47 (Lot 468) Meriwa Street, Nedlands, in accordance with the application dated 12 November 2013 and amended plans received on 5 December 2014, with the following conditions:

- 1. The development shall at all times comply with the approved plans.**

Advice Notes specific to this proposal:

- a. The development is required to comply at all times with the *Environmental Protection (Noise) Regulations 1997*.**
- b. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject**

development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

**CARRIED 9/1
(Against: Cr. James)**

Councillor Hodsdon returned to the Chambers at 8.38pm.

1.0 Executive Summary

This item is a CEO report to Council as the application is subject to a State Administrative Tribunal (SAT) review and a Directions hearing is scheduled for 23 December 2014.

At the 24 June 2014 Council meeting, Council:

1. Refused the application for a retrospective air-conditioner and proposed screen enclosure; and
2. Approved the application for the side portion of the front fence to be colour bond.

The applicant appealed this decision to the State Administrative Tribunal.

Since this time, mediation sessions have been held and negotiations regarding the side portion of the front fence have been undertaken with the adjoining land owner. This has resulted in a redesign of the side portion of the front fence and it has been agreed the side fence shall be of limestone construction.

The purpose of this report is for Council to reconsider the decision to refuse the retrospective application for the air-conditioner following amended plans to construct a limestone fence.

Administration initially recommended approval for the retrospective application and consider the limestone fence will further improve the amenity of the development and likely help mitigate the noise from the air-conditioner.

1.1 Recommendation to Council

Pursuant to section 31 of the *State Administrative Tribunal Act 2004 (WA)*:

Council approves an application for retrospective air-conditioner and proposed screen enclosure and front fence to a single house at No. 47 (Lot 468) Meriwa Street, Nedlands, in accordance with the application dated 12 November 2013 and amended plans received on 5 December 2014, with the following conditions:

2. **The development shall at all times comply with the approved plans.**

Advice Notes specific to this proposal:

- c. The development is required to comply at all times with the *Environmental Protection (Noise) Regulations 1997*.
- d. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

1.2 Strategic Community Plan

KFA: Natural and Built Environment

2.0 Background

2.1 Key Relevant Previous Council Decisions

The application was refused by Council at the 24 June 2014 Council meeting.

2.2 Legislation / Policy

- *Planning and Development Act 2005*
- City of Nedlands Town Planning Scheme (TPS2)
- Residential Design Codes 2013 (R-Codes)

3.0 Consultation Process

N/A

4.0 Budget / Financial Implications

If the application proceeds to hearing, further costs will be incurred by the City.

5.0 Risk management

N/A

6.0 Discussion

6.1 Compliance with the TPS2 and R-Codes

The air-conditioner, front fencing and screen enclosure all require planning approval under Town Planning Scheme No.2 and are required to comply with the provisions of the Scheme and the Residential Design Codes. The front fencing and screen enclosure comply with the deemed-to-comply provisions of the scheme and as such no further consideration is required.

However, under the design principles of the R-Codes, the air-conditioner is required to be:

- *Not visible from the primary street;*
- *Designed to integrate with the building; or*

- *Located so as not to be visually intrusive.”*

In addition under Town Planning Scheme No.2, the “*external appearance of the development*” is required to be taken into consideration.

Administration Comment

The air-conditioner will to the most extent, be screened from view from the primary street and the neighbouring owner, by either the limestone fence or proposed screen enclosure. This will ensure compliance with the above R-Code design principles and also meet the Town Planning Scheme considerations.

6.2 Noise

The other issue raised by the objector was the noise being generated by the air-conditioner. Noise is regulated by the Environmental Noise regulations and as such is separate from the planning regulations. The installers of the air-conditioning unit initially indicated that, with a fence and screen enclosure, it is expected that the noise will comply with these regulations. With the installation of a limestone fence along the boundary, this will likely to provide further noise attenuation, as opposed to a colour bond fence.

However, there is no certainty of compliance with the noise regulations until after the fence and screen enclosure has been constructed. If compliance with the noise regulations is still not met, the applicant will be required to undertake further attenuation measures or alternatively, the air-conditioner will be required to cease being used. This will be dealt with separately to the planning approval.

6.3 Conclusion

Following the refusal of the application for retrospective approval for the air-conditioner and screen enclosure, several mediation sessions with the State Administrative Tribunal have taken place.

The applicant has now come to an agreement with the neighbouring owner in regard to the construction of the fence and as such it is expected that both the amenity of the development and the potential for non-compliance with noise regulations, will be improved. In addition, the proposed screen enclosure will generally reduce any visual intrusion from the street and will also will help with noise attenuation.

For these reasons, it is recommended the Council approve the retrospective application for the air-conditioner, proposed screen enclosure and amended front fence.

7.0 Attachments

1. Amended Plans dated 5 December 2014; and
2. Screen enclosure Plan

13.4 Tender No. 2014/15.08 – Demolition and Construction of Clubrooms at the David Cruickshank Reserve, Dalkeith

Council	16 December 2014
Applicant	City of Nedlands
Officer	Nathan Brewer – Purchasing and Tenders Coordinator
Director	Mark Goodlet – Director Technical Services
Director Signature	
File Reference	TS-PRO-00057
Previous Item	Not Applicable

Councillor Hay returned to the Chambers at 8.41pm.

Moved – Councillor Shaw
Seconded – Councillor Hassell

Council Resolution / Recommendation to Council

Council:

1. **Agrees to award tender no. 2014/15.08 to McCorkell Constructions Pty Ltd for the demolition and construction of clubrooms at the David Cruickshank Reserve, Dalkeith as per the lump sum price (Attachment 1) submitted; and**
2. **Authorises the Chief Executive Officer to sign an acceptance of offer for this tender.**

**CARRIED 11/1
(Against: Crs. Smyth)**

Executive Summary

To award the contract for the demolition and construction of clubrooms at the David Cruickshank Reserve, Dalkeith.

Recommendation to Council

Council:

1. **Agrees to award tender no. 2014/15.08 to McCorkell Constructions Pty Ltd for the demolition and construction of clubrooms at the David Cruickshank Reserve, Dalkeith as per the lump sum price (Attachment 1) submitted; and**

2. Authorises the Chief Executive Officer to sign an acceptance of offer for this tender.

Strategic Plan

KFA: Natural and Built Environment

Award of this tender enables the City to complete the redevelopment of the Collegians Football Clubrooms within the David Cruickshank Reserve in Dalkeith.

Background

The Collegians Football Club approached the City of Nedlands approximately 5 years ago with a vision and plan to replace the existing clubroom and change rooms with a new facility to meet the future needs of the club as well as bring the facility up to the required standards of the WA Amateur Football League.

The City of Nedlands Corporate Business Plan 2013 – 2023 created a vision to address the sport recreational needs of the community. The vision identified the need to upgrade and renew community infrastructure and assets and create multi-use facilities that will cater for the current and future needs of the community.

The David Cruickshank Reserve is located in the suburb of Dalkeith and is a multi-use facility which caters for Tennis, Lawn Bowls, Football, and Cricket as well as out of hour's child care facilities. The buildings located on the site were built in the 1970's and they are coming to the end of their useful lives. The Collegians Football Club operate from the facility and currently play in the "B" Division of the WA Amateur League.

In September 2012 a master plan of the David Cruickshank Reserve was undertaken by Pental & Neille Architects with the aim of providing a coordinated future development that addressed the provision of recreational facilities that catered for the long term future of the user groups and general community which linked to the City's strategic direction.

Council awarded a contract to Hodge Collard Preston Architects in June 2014 for architectural services for the design of the new facility.

The redevelopment of the Collegians Football Clubrooms will provide a first class facility for the western suburbs which can be utilised not only as a sporting venue but as a multi-purpose facility which in turn benefits the whole of the community.

A contract for the demolition and construction of the Collegians Football Clubrooms will exceed \$100,000. Therefore to comply with legislative requirements outlined in the *Local Government Act 1995* and ensure the best value for money for the City, this service must be tendered.

Tender documents were advertised on Saturday 8 November 2014 in the West Australian Newspaper. Tenders opened on Monday 10 November 2014 and submissions closed at 12:00 pm Friday 28 November 2014.

Twelve conforming tender submissions were received:

1. Angularem Pty Ltd
2. Badge (WA) Pty Ltd
3. BE Projects (WA) Pty Ltd
4. Classic Contractors Pty Ltd
5. CPD Group Pty Ltd
6. Devlyn Constructions Pty Ltd
7. LKS Constructions (WA) Pty Ltd
8. Maintenance and Construction Services Australia Pty Ltd (MACs)
9. McCorkell Constructions Pty Ltd
10. Palazzo Builders Pty Ltd
11. Pindan Pty Ltd
12. RWE Robinson & Sons ATF the RWE Robinson Unit Trust (Robinson Buildtech)

One non-conforming tender submission was received from Insideout Building Pty Ltd which was not included in the assessment of the tenders submitted.

Key Relevant Previous Council Decisions

Nil.

Consultation

Required by legislation: Yes No
Required by City of Nedlands policy: Yes No

Legislation / Policy

Local Government Act 1995, section 3.57
Local Government (Functions and General) Regulations 1996, Part 4
City of Nedlands Policy – ‘Purchasing of Goods and Services’

Budget/Financial Implications

Within current approved budget: Yes No
Requires further budget consideration: Yes No

The preferred tenderer’s price (Attachment 1) sits well within the overall project budget, while still allowing for further road works, landscaping and power upgrades to the site.

David Cruikshank Masterplan Budget				
		13/14	14/15	15/16
Road works	City		\$ 10,000	\$ 518,000
Landscaping & Power	City		\$ 10,000	\$ 379,875
Football Club Facility	City		\$ 1,609,882	\$ 402,471
	DSR		\$ 400,000	\$ 100,000
	Football Club	\$ 35,000	\$ 75,000	\$ 50,000
TOTALS		\$ 35,000	\$ 2,104,882	\$ 1,450,346

Grand Total **\$ 3,590,228**

Risk Management

Key risk areas, including financial and regulatory risks, have been addressed through the control measures applied through the tender documentation and evaluation process. Reference checks were completed on the recommended contractor following the evaluation process.

A financial assessment of the preferred tenderer was carried out by D&B with a resultant 'low financial risk' being determined. This assessment is provided in confidential Attachment 3.

Discussion

The tender was independently evaluated by the City's Director Technical Services, the Manager Engineering Services, Building Maintenance Coordinator and an Architect from Hodge Collard Preston Architects in accordance with the qualitative criteria specified in the tender documentation, as set out in the below table extract from RFT 2014/15.08.

Qualitative Selection Criteria	Weighting
<p>Key Personnel, Skills and Experience Tenderer's must, as a minimum, address the following information in an attachment and label it "Key Personnel":</p> <ul style="list-style-type: none"> a) Nominate key personnel to be involved in this contract; and b) Provide relevant industry experience, current qualifications and registrations of the key personnel. 	10%

<p>Relevant Experience Tenderer's must, as a minimum, address the following information in an attachment and label it "Relevant Experience":</p> <ul style="list-style-type: none"> a) Provide details of similar work; and b) Demonstrate competency and proven track record of achieving outcomes. 	<p>10%</p>
<p>Demonstrated Understanding Tenderer's must, as a minimum, address the following information in an attachment and label it "Demonstrate Understanding":</p> <ul style="list-style-type: none"> a) A project schedule/timeline (where applicable); b) The process for the delivery of the goods/services; and c) Supply details and provide an outline of your proposed methodology. 	<p>10%</p>
<p>Tenderer's Resources (Equipment and Personnel) Tenderer's must, as a minimum, address the following information in an attachment and label it "Tenderer's Resources":</p> <ul style="list-style-type: none"> a) Plant, equipment and materials; and b) Any contingency measures or back up of resources including personnel (where applicable). 	<p>10%</p>
<p>Performance A tenderer must as a minimum, address the following information in an attachment and label it "Performance":</p> <ul style="list-style-type: none"> a) The ability to supply and sustain the necessary technical resources, staff and equipment; b) Demonstrate ability to provide high quality and standard of work; and c) Demonstrated ability to meet specifications of this request. 	<p>10%</p>

<p>Risk Assessment</p> <p>A tenderer must as a minimum, address the following information in an attachment and label it “Risk Assessments”:</p> <ul style="list-style-type: none"> a) An outline of your organisational structure inclusive of any branches and number of personnel. b) If companies are involved, attach their current ASC company extracts search including latest annual return. c) Provide the organisations directors/company owners and any other positions held with other organisations. d) Provide a summary of the number of years your organisation has been in business. e) Attach details of your referees. You should give examples of work provided for your referees where possible. f) Are you acting as an agent for another party? If Yes, attach details (including name and address) of your principal g) Are you acting as a trustee of a trust? If Yes, give the name of the trust and include a copy of the trust deed (and any related documents), and if there is no trust deed, provide the names and addresses of beneficiaries. h) Do you intend to subcontract any of the Requirements? i) If Yes, provide details of the subcontractor(s) including; the name, address and the number of people employed; and the Requirements that will be subcontracted. j) Will any actual or potential conflict of interest in the performance of your obligations under the Contract exist if you are awarded the Contract, or are any such conflicts of interest likely to arise during the Contract? k) If Yes, please supply in an attachment details of any actual or potential conflict of interest and the way in which any conflict will be dealt with l) Are you presently able to pay all your debts in full as and when they fall due? m) Are you currently engaged in litigation as a result of which you may be liable for \$50,000 or more? n) If Yes, please provide details. o) In order to demonstrate your financial ability to undertake this contract, include a profit and loss statement and the latest financial return for you and each of the other proposed contracting entities, together with a list of financial referees from your bank and/or accountant. p) The insurance requirements for this Request are stipulated in the Preliminaries. Tenderers are to supply evidence of their insurance coverage including, insurer, expiry date, value and type of insurance. If Tenderer hold “umbrella Insurance” please ensure a breakdown of the required insurances are provided. A copy of the Certificate of Currency is to be provided to the Principal within [insert number] days of acceptance. 	<p>20%</p>
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<p>Price</p> <p>A Tenderer must as a minimum, address the following information in an attachment and label “Price”:</p> <p>The tendered price(s) will be considered along with related factors affecting total cost to the Principal. Early settlement discounts, lifetime costs, the major components to be utilised, the Principal’s contract management costs may also be considered in assessing the best value for money outcome.</p>	<p>30%</p>
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The priced items were compiled into a spreadsheet for analysis of value comparison. A price criteria score was allocated based on the best value being scored at 100% and other values scored proportionally against this price.

The pricing was weighted at 30% of the assessment with the remaining % being allocated to the qualitative section criteria.

Evaluation

Following the separate evaluation by each of the selection panel members the results were compiled and averaged. The selection panel then convened and considered the results of the combined assessment and the City’s budget to determine the best overall value to the City. The selection panel also met with the Chief Executive Officer to review the assessment. Details of the tender assessment are provided in confidential Attachment 2.

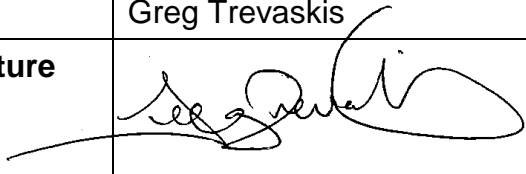
Conclusion

After assessment of the submitted tenders it is proposed that the tender submission received from McCorkell Constructions Pty Ltd be accepted having provided the best overall value to the City of Nedlands within the available budget.

Attachments

1. Confidential Lump Sum (not to be published);
2. Confidential Tender Assessment (not to be published); and
3. Confidential Financial Report on Preferred Tenderer (not to be published).

13.5 Monthly Financial Report – November 2014

Council	9 December 2014
Applicant	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
CEO	Greg Trevaskis
CEO Signature	
File Reference	FIN-FS-00005
Previous Item	Nil

Regulation 11(da) – Not Applicable – Recommendation Adopted.

Moved – Councillor Hodsdon
 Seconded – Councillor Shaw

Council Resolution / Recommendation to Council

Council receives the Monthly Financial Report for November 2014.

CARRIED UNANIMOUSLY 12/-

Executive Summary

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

Recommendation to Council

Council receives the Monthly Financial Report for November 2014.

Strategic Plan

KFA: Governance and Civic Leadership

This report will ensure the City meets its statutory requirements.

Background

Regulation 34(1) of the Local Government (Financial Management) Regulations 1996 requires a local government to prepare a monthly statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget.

A statement of financial activity and any accompanying documents are to be presented to the Council at the next ordinary meeting of the Council following the end of the month to which the statement relates, or to the next ordinary meeting of the council after that meeting.

In addition to the above and in accordance with *Regulation 34(5) of the Local Government (Financial Management) Regulations 1996*, each year Council is required to adopt a percentage or value to be used in the reporting of material variances. For this financial year the amount is \$10,000 or 10% whichever is the greater.

Consultation

Required by legislation: Yes No
Required by City of Nedlands policy: Yes No

Legislation / Policy

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

Budget/Financial Implications

As outlined in the Monthly Financial Report.

Risk Management

The monthly financial variance from the budget of each business unit is reviewed with the respective manager and the Executive to identify the need for any remedial action. Significant variances are highlighted to Council in the Monthly Financial Report.

Discussion

This report gives an overview of the revenue and expenses of the City for the first five months of the financial year. Following the completion of the audit of the 2013-14 Financial Statements, Council accepted the recommendation to include the carried forward capital works programme amounting to \$1.3 million in the 2014-15 capital budget.

The operating revenue at the end of November 2014 was \$ 26.91 million, which is marginally better than the adopted year-to-date Budget. This reflects that the annual Rates on property and sanitation charges for the whole year have been levied in July as planned, and that the revenue from other sources are also in line with expectations.

The total operating expense at the end of November 2014 was \$ 11.60 million. This is 90% of the adopted year-to-date Budget.

The attached operating statement compares “Actual” with “Budget” by Business Units.

Variations from the adopted Budget of revenue and expenses by Directorates are highlighted in the following paragraphs.

Governance

Expenditure: Favourable variance of \$ 82,400

Revenue: Favourable variance of \$ 46,500

The favourable expenditure variance is mainly due to unfilled staff vacancies in Communications and Human Resources in the first quarter of this financial year, savings in recruitment expenses and timing difference in the commencement of projects.

The revenue variance is due to the contributions received from the other WESROC Councils for the two Project Officers based at Nedlands, as well as the unbudgeted revenue from Hollywood Private Hospital for the use of parking facilities.

Corporate and Strategy

Expenditure: Favourable variance of \$ 115,900

Revenue: Favourable variance of \$ 44,100

The favourable expenditure variance is mainly due to timing differences in the commencement of projects and the use of professional services, as well as with loan interest payments.

The small favourable revenue variance is mainly due to the difference between the budget profiling of the interest from investments and the actual interest received. This variance is expected to be not material by the end of the financial year.

Community Development

Expenditure: Favourable variance of \$ 143,900

Revenue: Favourable variance of \$ 236,700

The favourable expenditure variance is partly due to the timing difference in the purchase of library stock, and savings in staff salaries as well as in Nedlands Community Care expenses .

The favourable revenue variance is due to the receipt by September of 50% the total HACC Grant for the year for Nedlands Community Care, timing difference between the Budget and the receipt of Tresillian course fees, and revenue from the increased utilisation of Council facilities.

Planning and Development

Expenditure: Favourable variance of \$ 304,200
Revenue: Favourable variance of \$ 242,500

The favourable expenditure variance is due to the difference in profiling of Strategic Town Planning, Environmental Conservation, Sustainability and Environmental Health projects between the budget and actual implementation. The commencement and progress of these projects are not always within the control of the City, and to facilitate early commencement the Budget shows the full annual allocations in the first month of the financial year. The favourable variance is thus a timing difference. Savings in salaries have also contributed to the favourable expenditure variance.

The favourable revenue variance is due to the increase in fees related to applications for building permits, the provision of an unbudgeted service by Property Services, and increased swimming pool inspection fees, as well as the early receipt of a Riverbank Grant from Swan River Trust.

Technical Services

Expenditure: Favourable variance of \$ 683,100
Revenue: Favourable variance of \$ 24,600

The favourable expenditure variance is largely due to delay in receiving of invoices for parks and road, footpath and drainage maintenance works and utilities. Savings in waste removal charges have also contributed to the favourable expenditure variance.

The small favourable revenue variance, less than 1 % of the Budget, is not material.

Capital Works Programme

At the end of November the expenses on capital works were \$2,016,700 with further commitments of \$1,381,300, out of a total budget of \$11.53 million. As pointed out earlier, \$1.3 million of the total capital budget is made up of capital works carried forward and included in the budget in November 2014. Capital works expenses in the first few months of the financial year are traditionally low, as the first couple of months after the adoption of the Budget are generally for detailed planning and mobilisation. The year's capital works program will be reviewed as part of the mid-year Budget Review in January 2015, and adjustments to the Budget (if necessary) will be submitted to Council for approval.

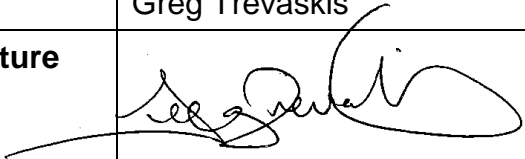
Conclusion

The preliminary financial statements to the end of November 2014 indicate that the operating expenses are under the year-to-date Budget, while revenue is marginally better than the adopted Budget. However, not all invoices for work carried out in November have been processed, and expenses incurred for procured products and services are generally more than the values shown in the statements.

Attachments

1. Statement of Financial Activity by Directorates as at 30 November 2014;
2. Net Current Assets as at 30 November 2014;
3. Financial Summary (Operating) by Business Units as at 30 November 2014; and
4. Capital Works & Acquisitions as at 30 November 2014.

13.6 Investment Report – November 2014

Council	9 November 2014
Applicant	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
CEO	Greg Trevaskis
CEO Signature	
File Reference	FIN-FS-00005
Previous Item	Nil

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor James

Council Resolution / Recommendation to Council

Council receives the Investment Report for the period ended 30 November 2014.

CARRIED UNANIMOUSLY 12/-

Executive Summary

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

Recommendation to Council

Council receives the Investment Report for the period ended 30 November 2014.

Strategic Plan

KFA: Governance and Civic Leadership

This report is in accordance with the Council’s Investment Policy and demonstrates the investment of City’s surplus cash in a sustainable and responsible manner.

Background

Council’s Investment Policy requires a summary of investments to be presented to Council on a monthly basis.

Consultation

Required by legislation: Yes No
 Required by City of Nedlands policy: Yes No

Legislation / Policy

Investment of Council Funds Policy

Section 6.14 of the *Local Government Act 1995*

Budget/Financial Implications

Investment income is in line with the year-to-date budget.

Risk Management

The Investment Policy of the City, which is reviewed each year by the Audit and Risk Committee of Council, is structured so as to minimise any risks associated with the City’s cash investments. The officers adhere to this Policy, and continuously monitor market conditions to ensure that the City obtains attractive yields without compromising on risk management.

Discussion

The Investment Summary shows that as at the end of November 2014 the City held the following funds in investments:

Municipal Funds	\$ 15,259,260.63
Reserve Funds	\$ 4,032,450.41
Adelma Interest	\$ <u>576.57</u>
Total	\$ <u>19,292,287.61</u>

The total interest earned from investments for the year-to-date was \$229,148.

Following Council’s decision in May 2012, all investments are placed with the ‘big four’ banks.

The Investment Portfolio comprises holdings in the following institutions:

Financial Institution	Funds Invested	Interest Rate	Proportion of Portfolio
NAB	\$ 5,652,273.32	3.60% - 3.50%	29.30%
Westpac	\$ 4,554,762.73	3.47% - 3.55%	23.61%
ANZ	\$ 3,873,603.04	3.64% - 3.59%	20.08%
CBA	\$ 5,211,648.51	3.48% - 3.17%	27.01%
Total	\$ 19,292,287.61		100.00%

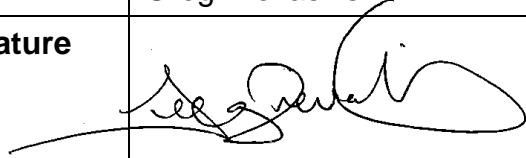
Conclusion

The Investment Report is presented to Council.

Attachments

1. Investment Report for the period ended 30 November 2014

13.7 Proposals to the Local Government Advisory Board

Council	16 December 2014
Applicant	City of Nedlands
Officer	Phoebe Huigens, Policy & Projects Officer
CEO	Greg Trevaskis
CEO Signature	
File Reference	CEO-006920
Previous Item	Item 7, Special Council Meeting 1 October 2013

Item Withdrawn

Regulation 11(da) – The Council agreed to defer consideration of this item to a later date.

Moved – Councillor Hassell
Seconded – Councillor Hodsdon

Council defer consideration of this item until a later date.

CARRIED UNANIMOUSLY 12/-

Recommendation to Council

Council:

Being an affected local government within the meaning of Schedule 2.1 of the *Local Government Act 1995* resolves to submit three (3) proposals to the Local Government Advisory Board, pursuant to clause 2(1) of Schedule 2.1 of the *Local Government Act 1995*, that orders be made by the Governor under that Section which would:

1. Vary the boundary of the district of the City of Nedlands to align with the proposed City of Subiaco boundary, so as to include within it the entire suburb of Mount Claremont;
2. Vary the boundary of the district of the City of Nedlands to include within it the areas of the district of the current City of Subiaco which includes parts of the suburbs of Nedlands and Crawley;
3. Vary the boundary of the district of the City of Nedlands to include within it the area of the district of the City of Perth which includes part of the suburb of Crawley;

Executive Summary

This report has been prepared to enable Council to consider whether it wishes to submit proposals to the Local Government Advisory Board regarding boundary anomalies being created by the amalgamation of the City of Subiaco and the Town of Cambridge.

Recommendation to Council

Council:

Being an affected local government within the meaning of Schedule 2.1 of the *Local Government Act 1995* resolves to submit three (3) proposals to the Local Government Advisory Board, pursuant to clause 2(1) of Schedule 2.1 of the *Local Government Act 1995*, that orders be made by the Governor under that Section which would:

- 1. Vary the boundary of the district of the City of Nedlands to align with the proposed City of Subiaco boundary, so as to include within it the entire suburb of Mount Claremont;**
- 2. Vary the boundary of the district of the City of Nedlands to include within it the areas of the district of the current City of Subiaco which includes parts of the suburbs of Nedlands and Crawley;**
- 3. Vary the boundary of the district of the City of Nedlands to include within it the area of the district of the City of Perth which includes part of the suburb of Crawley;**

As shown in Map 1 and Map 2, attached to this report.

Strategic Plan

KFA: Governance and Civic Leadership

Background

During 2013 and 2014, proposals were made to the Local Government Advisory Board (LGAB) for local government boundary changes. Following a public consultation period, the Board made its recommendations to the State Government in October. On October 22 the State Government announced its decision on reform for Perth's metropolitan local governments.

The Government announced that a boundary adjustment would occur to join the City of Subiaco and the Town of Cambridge to form a larger City of Subiaco. This boundary adjustment will result in the loss of 424 rateable properties and approximately 1272 residents (the suburb of Floreat) from the City of Nedlands to the expanded City of Subiaco. The proposed amalgamation also creates some boundary anomalies which will be addressed in the Discussion section of this report.

Discussion

The boundary adjustment being proposed to amalgamate the City of Subiaco and the Town of Cambridge will result in the loss of 424 rateable properties and approximately 1272 residents (the suburb of Floreat) from the City of Nedlands to the expanded City of Subiaco. The proposed amalgamation also creates some boundary anomalies. The City of Nedlands seeks to assist the State Government with their Metropolitan Local Government Reform process by rationalising these anomalies. As detailed below, the City proposes that the City of Nedlands boundary be adjusted to encompass three small sections of adjacent land which will resolve the boundary anomalies.

1. Mount Claremont

The new City of Subiaco boundary in the area of Mount Claremont does not align with the current City of Nedlands boundary. This leaves a small area of Mount Claremont outside the boundaries of any local government authority. This area is shown in Map 1, attached. This area contains 104 rateable properties and approximately 300 residents.

The City of Nedlands proposes a boundary adjustment to align with the proposed City of Subiaco boundary.

2. QEII/UWA Precinct

The new City of Subiaco boundary runs along Aberdare Road, north of the QEII Hospital Precinct. This results in a small section of the current City of Subiaco located outside the boundaries of any local government authority. This section is shown in the diagram below, enclosed by the orange border. This area contains the QEII Hospital Precinct, the University of Western Australia, 938 rateable properties and approximately 2345 residents. The City of Nedlands proposes a boundary adjustment to absorb this section in to the City of Nedlands. This boundary adjustment is consistent with the Local Government Advisory Board's recommendations regarding Proposal 24 (Mosman Park/Peppermint Grove/Cottesloe/Claremont/Nedlands) within its Metropolitan Local Government District Inquiries Report September 2014.

3. Crawley

The blue section in in the diagram above is currently within the City of Perth. This is an historical boundary anomaly which means this very small section of the larger suburb of Crawley finds itself in a different local government authority than the majority of the suburb, and is disconnected from its local government by a significant land mass, Kings Park. This section would be better serviced by the closest local government, being the expanded City of Nedlands. This section contains more than 20 private residences and a number of UWA residential colleges. An estimated population of 1000 people live in this area, however the residential colleges are likely vacant outside of the University semesters. Nedlands proposes a boundary adjustment to include this section of Crawley within the adjacent local government, the expanded City of Nedlands. This boundary adjustment is consistent with the Local Government Advisory Board's recommendations regarding Proposal 24 (Mosman Park/Peppermint Grove/Cottesloe/Claremont/Nedlands) within its Metropolitan Local Government District Inquiries Report September 2014.

Viability of Local Government

The City of Nedlands will cede 424 rateable properties and 1272 residents to the City of Subiaco when the amalgamation of the City of Subiaco and the Town of Cambridge takes effect. The City of Nedlands proposes three boundary adjustments to resolve anomalies created by this amalgamation. These adjustments will also compensate the City of Nedlands for its loss of 424 rateable properties (approximately 5% of the total). The proposed boundary adjustments would result in the following adjustments:

From	To	Rateable properties being transferred to/from the City of Nedlands
City of Nedlands	Town of Cambridge	-424
Town of Cambridge	City of Nedlands	104
City of Subiaco	City of Nedlands	938
City of Perth	City of Nedlands	20 + UWA Colleges
Net result for the City of Nedlands		Gain 938 rateable properties + UWA Colleges

Conclusion

The boundary adjustment being proposed to amalgamate the City of Subiaco and the Town of Cambridge will result in the loss of 424 rateable properties and approximately 1272 residents (the suburb of Floreat) from the City of Nedlands to the expanded City of Subiaco.

The amalgamation will also result in small sections of Mount Claremont and Nedlands/Crawley which will find themselves outside of any local government boundaries.

The amalgamation does not address an historical boundary anomaly which situates a small section of the suburb of Crawley within the City of Perth's boundaries, rather than the City of Subiaco which contains the greater portion of the suburb of Crawley.

Being an affected local government within the meaning of Schedule 2.1 of the *Local Government Act 1995*, Administration recommends that Council submit three (3) proposals to the Local Government Advisory Board to vary the boundary of the district of the City of Nedlands to encompass three small sections of adjacent land which will resolve the three identified boundary anomalies.

Attachments

- Map 1 Variation of the boundary of the district of the City of Nedlands to align with the proposed City of Subiaco boundary, so as to include within it the entire suburb of Mount Claremont
- Map 2 Vary the boundary of the district of the City of Nedlands to include within it:
1. the areas of the district of the current City of Subiaco which includes parts of the suburbs of Nedlands and Crawley);
 2. the area of the district of the City of Perth which includes part of the suburb of Crawley.

14. Elected Members Notices of Motions of Which Previous Notice Has Been Given

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

14.1 Councillor Hassell – Municipal Heritage Register

On 4 December 2014, Councillor Hassell gave notice of his intention to move the following at this meeting.

Moved – Councillor Hassell
Seconded – Councillor Wetheall

Council Resolution

- (i) To request that administration as a matter of priority review the Palassis recommendations;**
- (ii) 'Produce from it a simple Municipal Inventory that also clarifies the way in which the document will be used.**
- (iii) (a) Heritage classifications and listings should be in categories and classes under existing rules as to protection, and**

**CARRIED 11/1
(Against: Cr. Horley)**

Motion

Council Resolves:

1. To request that administration as a matter of priority review the Palassis recommendations;
2. Produce from it a Municipal Inventory which,
 - a. Is based on properties included in the current list;
 - b. Does not include any extension of the structure of the scheme, such as to establish precincts;
 - c. Principally includes newly recommended properties which are public properties;
 - d. Provides for a minimalist extension based on the clearest need in relation to private dwellings or which the owners have expressed willingness to see included in the list.

3. (a) Heritage classifications and listings should be in categories and classes under existing rules as to protection, and
(b) there should be no further inclusions in the TPS.

Reasons for the Motion

- a. The finalisation of the review of the municipal heritage register has not been completed;
- b. This is attributable to,
 - Disagreements among Councillors as to the extent of reach of the Nedlands heritage list arising from the very long list and other proposals (such as for precincts and groups) included in the report of Palassis, Architects, who were commissioned to advise the Council;
 - Concern for the proper protection of private property rights and in particular the view that private landowners should not be required to bear the cost of preserving assets regarded as of particular value to the community; and
 - Lack of budget provision for a rates concession scheme formulated to encourage voluntary heritage listing where appropriate.
- c. It is desirable to see the heritage review completed due to the uncertainty of the amalgamation outcome.
- d. This motion gives proper guidance to the administration for the completion of an outcome that may be agreed by Council and conclude the matter.

Administration Comment

For clarity, the following must be noted;

- A Municipal Inventory (MI) is the list of properties and places within the local government that have cultural heritage significance and is not required to have any relationship to a Town Planning Scheme.
 - A Heritage List is the modern term used when referring to the list of properties that are protected under a Town Planning Scheme.
 - The only way a local government can protect buildings of heritage significance is under the Scheme.
- (i) It is desirable that an updated MI, based on the Palassis document, is finalised. This will ensure the City has fulfilled its obligations under the *Heritage of Western Australia Act 1990* and give certainty to property owners.

(ii)(a-d)

Administration would recommend the MI include the properties identified in the Palassis document (in general, there are potential minor changes), but in a format that is easier to understand.

The document produced by Palassis is based on current best practice, but exceeds the needs of the City of Nedlands at this time, and its complexity has resulted in confusion and uncertainty. The Palassis document includes sections

relating to protection strategies and heritage precincts that are considered superfluous at this time. A simple index of the places with heritage significance, and their associated Place Records is likely to be sufficient to serve as a MI for the City.

This simplified MI can include a statement or explanation to clarify the following;

- The MI is not to be considered the Heritage List.
- There are no development controls that are associated with inclusion on the MI.

Reducing the MI document to this simple format will decrease potential confusion as to the implications of inclusion on a MI. Consultation with property owners must be completed in order to fulfil the requirements of the *Act* (relevant section reproduced below).

45. Local government to compile etc. inventory of buildings with cultural heritage significance

- (1) *A local government shall compile and maintain an inventory of buildings within its district which in its opinion are, or may become, of cultural heritage significance.*
- (2) *The inventory required by subsection (1) shall be compiled no later than 4 years from the commencement of this Act and shall be —*
 - (a) updated annually; and*
 - (b) reviewed every 4 years after compilation.*
- (3) *A local government shall provide the Council with a copy of the inventory compiled pursuant to this section.*
- (4) *A local government shall ensure that the inventory required by this section is compiled with proper public consultation.*

Alternative wording for part (ii) of the Motion may be;

‘Produce from it a simple Municipal Inventory that also clarifies the way in which the document will be used.’

- (iii)(a) Administration recommends that a simplified MI include refined/simple categories that reflect that there are no protection measures in place or proposed at this time.
- (b) This reflects ‘status quo’ in relation to heritage protection under the TPS2. Clause 5.9 of TPS2 does protect ‘places of natural beauty and historic buildings and objects of historic or scientific interest’. The places protected under this clause are reproduced below. To vary this list (add or remove places) a scheme amendment is required.
 - Gallop House Reserve 27111 The Esplanade, Nedlands
 - Directors House and Garden Lot 65 and 40614 Grainger Drive, Mt Claremont
 - Swanbourne Hospital Conservation Area Lot 171 Heritage Lane, Mt Claremont

- Irwin Barracks Army Magazine Buildings Stubbs Terrace, Mt Claremont
- Oxnam Native Plant Garden No. 55 Philip Road, Dalkeith
- Cork Oak Karrakatta Cemetery, Railway Road, Karrakatta
- Tom Collins House Reserve A 7804 Allen Park, Swanbourne
- Sunset Mens Home Reserve A 1667 Jutland Parade Dalkeith

A potential risk has been identified in this option. The draft *Planning and Development (Local Planning Schemes) Regulations 2014* currently being advertised by the State Government may have an impact on heritage protection in the City as Clause 5.9 of TPS2 is worded in a now outdated fashion. This risk could not be confirmed prior to this Motion.

Alternative to the 'status quo', Council may establish a draft Heritage List pursuant to the Scheme, having regard to the places identified in the MI. The Heritage List could be minimal, including principally public properties of outstanding heritage significance (ie, reflect points ((ii) a-d) of the Motion).

Alternative Motion

- (iv) *To request that administration as a matter of priority review the Palassis recommendations;*
- (v) *'Produce from it a simple Municipal Inventory that also clarifies the way in which the document will be used.*
- (vi) (a) *Heritage classifications and listings should be in categories and classes under existing rules as to protection, and*
(b) *there should be no further inclusions in the TPS.*

Attachments:

1. State Planning Policy

15. Elected members notices of motion given at the meeting for consideration at the following ordinary meeting on 24 February 2015.

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

Notices of motion for consideration at the Council Meeting to be held on 24 February 2015 to be tabled at this point in accordance with Clause 3.9(2) of Council's Local Law Relating to Standing Orders.

15.1 Councillor Smyth– Decommissioning of the Graylands Hospital

Councillor Smyth gave notice of her intention to request administration to be proactive in tracking the decommissioning and redevelopment of the Graylands Hospital site as announced by the State Government in November 2014 for the Ordinary Meeting of Council to be held on 25 November 2014.

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

Nil.

17. Confidential Items

Nil.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 9.25pm.