



City of Nedlands

Technical Services Reports


Committee Consideration – 2 December 2014

Council Resolution – 16 December 2014

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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
Director Signature	
File Reference	TS-PRO-00033
Previous Item	Not Applicable

Executive Summary

To award the term contract for the supply and delivery of drainage materials in the City of Nedlands for operational and capital works.

Recommendation to Council

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.**

Strategic Plan

KFA: Natural and Built Environment

Award of this tender enables the City to maintain drainage infrastructure as part of operational and capital works.

Background

The City of Nedlands includes a provision for the supply and delivery of drainage materials to maintain and improve the City's drainage infrastructure as part of the engineering services operational works. Expenditure on this contract is likely to 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 Monday 20 October 2014 in the West Australian Newspaper. Tenders opened on Wednesday 22 October 2014 and submissions closed at 2:00 pm Wednesday 5 November 2014.

Only one conforming tender submission was received, from Icon-Septech Ltd Pty.

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

Allowance is made in the engineering services operations budget for the supply and delivery of drainage materials in accordance with this contract.

Risk Management

Failing to appoint the contract will impact on the City’s ability to maintain drainage infrastructure within agreed levels of service.

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.

Discussion

The tender was independently evaluated by three City Officers in accordance with the qualitative criteria specified in the tender documentation, as set out in the below table extract from RFT 2014/15.02.

Qualitative Selection Criteria	Weighting
<p>Key Personnel, Skills and Experience</p> <p>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. 	<p>10%</p>
<p>Performance</p> <p>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>30%</p>
<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>60%</p>

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 60% of the assessment with the remaining % being allocated to the qualitative section criteria.

Evaluation

Icon-Septech Pty Ltd scored 87% in the assessment.

Conclusion

Only one response was received for RFT 2014/15.02 Supply and Delivery of Drainage Materials Tender which was from Icon-Septech. The new pricing schedule represents a 12.05% price increase over the three years at an average of a 4.02% increase per annum compared to the last contract, issued in 2011. Prices submitted by Icon Septech are also fixed for a period of two years. The City Officers

determined that this represents an acceptable increase in cost during the evaluation of the submission.

Icon-Septech were awarded the previous contract in 2011 where they were judged to provide the best value out of five conforming tender submissions and have since had the contract extended twice.


The City released an identical tender in July 2014 which only received one response also, on this occasion the City could not establish value for money from the one tender submission received. Icon-Septech did not submit a tender submission in this instance.

It is therefore proposed that the tender submission received from the contractor Icon-Septech Pty Ltd be accepted in light of these facts and attached pricing and evaluation documents.

Attachments

1. Confidential Schedule of Rates (not to be published); and
2. Confidential Tender Assessment (not to be published).

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
Director Signature	
File Reference	TS-009738
Previous Item	CPS53.12 / TS20.13

Executive Summary

This report seeks Council’s approval to provide the CEO with delegated authority to award tenders during the Council Christmas recess.

Recommendation to Council

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).

Strategic Plan

KFA 5: Governance

- 5.1 Manage the City’s resources in a sustainable and responsible manner.
- 5.6 Ensure compliance with statutory requirements and guidelines.

Background

The Chief Executive Officer has delegated authority to award contracts up to \$100,000 in accordance with the City’s ‘Purchasing of Goods and Services’ policy.

The purpose of this report is to enable the Chief Executive Officer, in consultation with the Mayor, to award tenders on behalf of Council over the Christmas/New Year period, up to \$500,000.

A decision to award the tender may be required to enable works to be completed over the summer months. Holding back a decision until Council resumes in February 2015 could impact on the project concerned and a delegation of authority to the CEO is recommended.

Proposal Detail

The last Ordinary Council meeting for 2014 is 16 December 2014 and the next meeting will not be until 24 February 2015.

In previous years Council has delegated to the Chief Executive Officer the authority to determine tenders on behalf of Council on the basis that he first consult with the Mayor and both persons are in agreement.

Decisions taken during the period 17 December 2014 to 31 January 2015 would be documented and reported to the second Ordinary Council meeting in 2015.

The City has two tender decisions to be made in January. One is to select a panel of contractors to provide civil works, and the other is to award the contract for the construction of extruded kerbing within the City.

Once a panel of contractors to provide civil works is established it will enable the City to select appropriately qualified contractors to carry out future budgeted works in a timely manner. Committing to this panel tender will have no direct immediate financial implications as projects will be carried out based on schedules of rates or fixed project prices, as appropriate.

Key Relevant Previous Council Decisions

A delegation of authority was approved previously for the same purpose in the prior year, item TS20.13, approved by Council on 10 December 2013, for providing the CEO with delegated authority to award tenders during the Council recess.

This has been current practice in recent years.

Consultation

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

Any decision to determine a tender over this period would only be made in consultation with the Mayor and the decision will be reported to the second meeting of Council in 2015.

Legislation / Policy

Section 5.42 of the Local Government Act 1995 allows Council to delegate functions to the Chief Executive Officer.

Budget/Financial Implications

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

The awarding of any tender will be made on the basis that adequate budget provision has been made in the 2014/15 budget for the purposes of the tender.

Risk Management

Risk assessments are conducted in the awarding of all tenders.

Discussion

Section 5.42 of the Local Government Act 1995 allows Council to delegate functions to the Chief Executive Officer. *Section 5.43* does not permit Council to delegate authority to the Chief Executive Officer to award a tender above a limit set by Council.


Conclusion

An appropriate delegation of authority to the CEO for the determination of tenders over the Christmas/New Year recess is recommended.

Attachments

Nil.

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
Director Signature	
File Reference	TS-008110 / TS-008112
Previous Item	TS10.13

Executive Summary

To obtain Council’s approval to implement parking restrictions in Webster Street between Edward Street and Elizabeth Street, and in Elizabeth Street between Webster Street and Archdeacon Street, Nedlands.

Recommendation to Council

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.**

Strategic Plan

KFA 1: Infrastructure

- 1.2 Design and construct infrastructure in accordance with Australian standards and guidelines.
- 1.4 Develop and implement an integrated transport strategy for the City which promotes access to safe and integrated transport options.

KFA 6: Community Engagement

- 6.2 Encourage community participation in the City’s decision making process.

Background

In October 2013 the City consulted additional areas of East Melvista on proposals to extend the Stirling Highway parking restrictions following complaints regarding

long term parking issues. The feedback was collated and the City took into consideration the varying views of the community. The proposals to apply parking restrictions to Webster Street were subsequently omitted from the final scheme due to the strong feedback from residents advising us that they were not in favour of the restrictions.

The parking scheme extension has now been in place for nearly twelve months, and during this time the City has received advice from residents indicating that their views have changed. In addition we have received requests for further parking restrictions in Elizabeth Street which was not included as part of the original proposal and therefore left unrestricted.

Proposal Detail

Implement the three hour parking restrictions in Webster Street and Elizabeth Street. This will consist of 8am-5pm, Monday - Friday on the west side and No Parking 8am-5pm, Monday - Friday on the east side of Webster Street and three hour, 8am-5pm, Monday - Friday on the Elizabeth Street. (Refer to Attachment 1 and 2).

The proposal recommendations are to:

- Increase the functionality of Webster Street and Elizabeth Street;
- Keep vehicles parked to one side of Webster street only to eliminate weaving and double parking;
- Create turnover of bays so that a greater number of users can access them; and
- Provide a better amenity for residents in the area who are largely affected by long term parking.

Key Relevant Previous Council Decisions

Parking restrictions have been approved previously for the same purpose in the prior year, item TS10.13, approved by Council on 23 July 2013, for implementing parking restrictions on surrounding streets North and South of Stirling Highway.

Consultation

Required by legislation:

Yes

No

Required by City of Nedlands policy:

Yes

No

Consultation type: Letter drop and community feedback form

Dates: September 2014

Letters containing information and a feedback form were provided to all residents within the proposed area. The results of the feedback are tabled in the discussion.

Legislation / Policy

- *Local Government Act 1995*

- City of Nedlands Parking and Parking Facilities Local Law 2013

Budget/Financial Implications

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

The cost for implementing the parking signs is part of the road maintenance account.

Risk Management

The following risks have been identified should Council not approve the recommendation:

- Decrease in the functionality of the parking;
- Less turnover of bays; and
- Loss of amenity for residents who are largely affected by long term parking.

Discussion

Webster Street and Elizabeth Street are within close proximity to businesses and bus stops along Stirling Highway as well as the Tresillian centre and UWA facilities.

As a result of this proximity, combined with unrestricted kerb side parking, these streets are subject to high levels of long term parking use by non-residents such as UWA students, Tresillian users, public transport users and local business patrons and staff.

The following locations all have a combination of time limited parking and 'no parking' restrictions comparable to the proposed parking in Webster Street and Elizabeth Street:

- All streets located east of Webster Street, many of which had three hour parking restrictions implemented as part of the successful Stirling Highway parking trial and East Melvista extension of parking restrictions; and
- All Streets located North of Stirling Highway including Clifton Street, Meriwa Street, Williams Road, Portland Street, Langham Street and Smyth Road.

The proposed parking restrictions will provide a consistent and more flexible arrangement to address long term parking within close proximity to the UWA and businesses surrounding Stirling Highway.

Following the successful implementation of the East Melvista extension of parking restrictions, Webster Street and Elizabeth Street have been subject to a higher usage of non-residential long term parking during business hours, due to being an isolated non-restricted zone within an area of parking restrictions.

Failing to apply a consistent approach with proposed parking restriction areas will result in those streets without restrictions becoming a more favourable option for long term parking.

Residents have expressed the view that long term parking can:

- Detract from the amenity of the area;
- Create access difficulties into and out of driveways; and
- Allow vehicles to park on both sides of the street.

Liveable Neighbourhoods, a Western Australian Government sustainable cities initiative, proposes that an acceptable distance for walking to amenities or work is approximately 400 metres (approx. five minutes). There is local evidence that UWA students will frequently walk up to 1km. This section of Webster Street is located less than 400 metres from public transport along Stirling Highway.

Administration notes that kerb-side parking is utilised by residents in these sections of Webster Street and Elizabeth Street outside of normal business hours. It is therefore recommended that the proposed parking restrictions apply to business hours only and parking on both sides is available on weekends.

Community Feedback

Webster Street

In the original consultation only 8% of residents were in support of the proposal, to introduce parking restrictions in Webster Street. In the latest consultation out of the 14 formal responses received, 57% of respondents in Webster Street now indicate that they are in favour of parking restrictions with 36% still opposed and 7% undecided.

An informal petition against the parking restrictions was also organised by a resident Webster Street opposing the parking restrictions.

The informal petition organiser had spoken with Administration in advance of this and was advised by officers that signatures on petitions generally hold less value than formal responses and that signees should be advised that where they felt strongly, that they should submit a formal response. Only four, including the organiser, did this and one provided a separate response in favour despite signing the petition against.

The informal petition has not been included in the statistics below from the consultation, but has been attached for Council's reference and consideration (Attachment 3).

Webster Street Feedback Table

Total sent out	29
Total feedback forms received back	14
Feedback that was in support of the parking restriction	8
Feedback that opposed the parking restriction	5

Feedback which did not state support or oppose	1
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Elizabeth Street between Webster Street and Archdeacon Street

This section of road was not originally included as part of the East Melvista parking extension, and as such there are no previous statistics for comparison. After the implementation of parking restrictions in the streets surrounding Elizabeth Street, the city has received complaints/feedback regarding all day non-resident parking.

Elizabeth Street is approximately 11 metres wide and can accommodate parking on both sides of the street.

Elizabeth Street Feedback Table

Total sent out	12
Total feedback forms received back	3
Feedback that was in support of the parking restriction	3
Feedback that opposed the parking restriction	0
Feedback which did not state support or oppose	0

Summary of Feedback

Following community feedback, the results indicate support for the three hour parking restriction from 8 am – 5 pm, Monday to Friday and ‘No Parking’ from 8 am – 5 pm, Monday to Friday.

Administration is aware that the UWA precinct is expanding in both student and facility numbers. This will place further pressure on unrestricted kerbside parking within close proximity to the UWA as well as close proximity to the current businesses and public transport access along Stirling Highway.

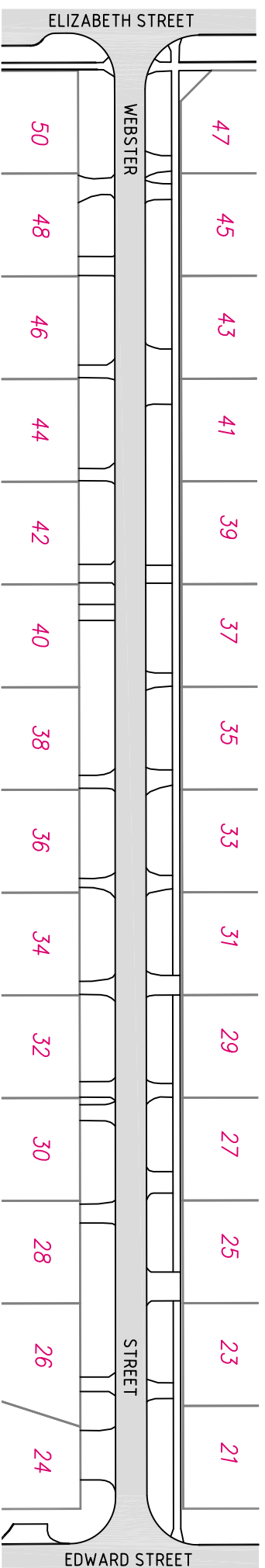
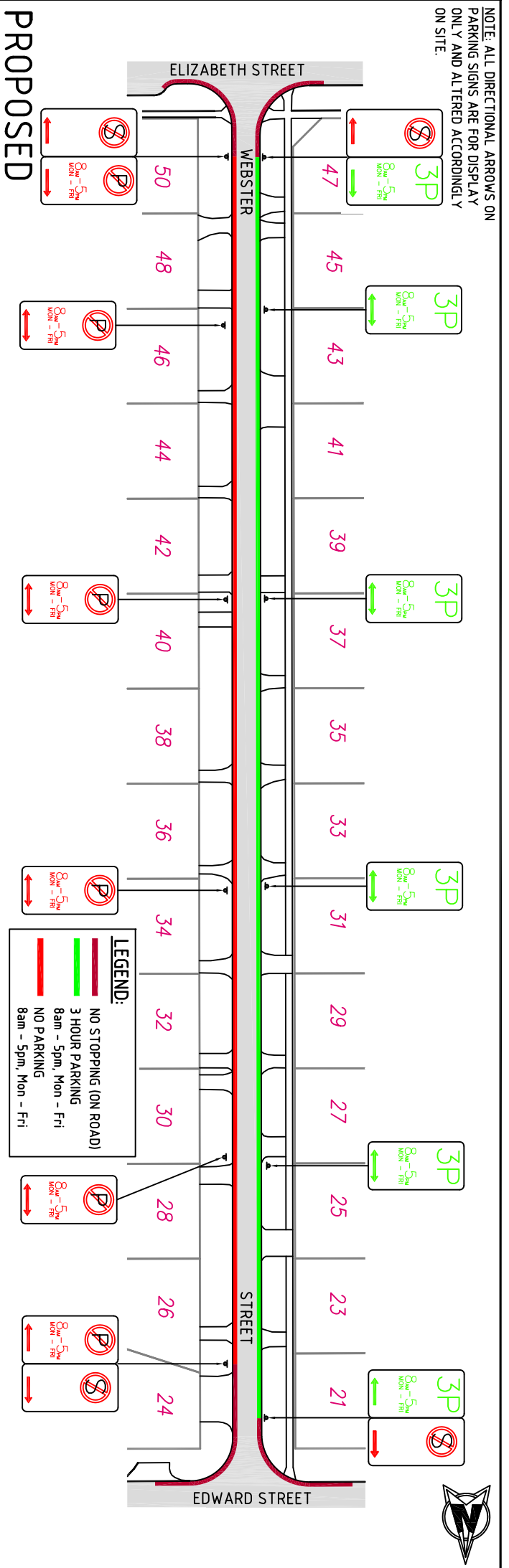
Conclusion

Providing parking restrictions will increase the functionality of the parking. This will create a turnover of bays so that a greater number of users can access them. This will provide a better amenity for residents in the area who are largely affected by long term parking.

Attachments

1. Proposed parking restrictions, Webster Street;
2. Proposed parking restrictions, Elizabeth Street; and
3. Confidential informal petition opposing parking restrictions in Webster Street (not to be published).

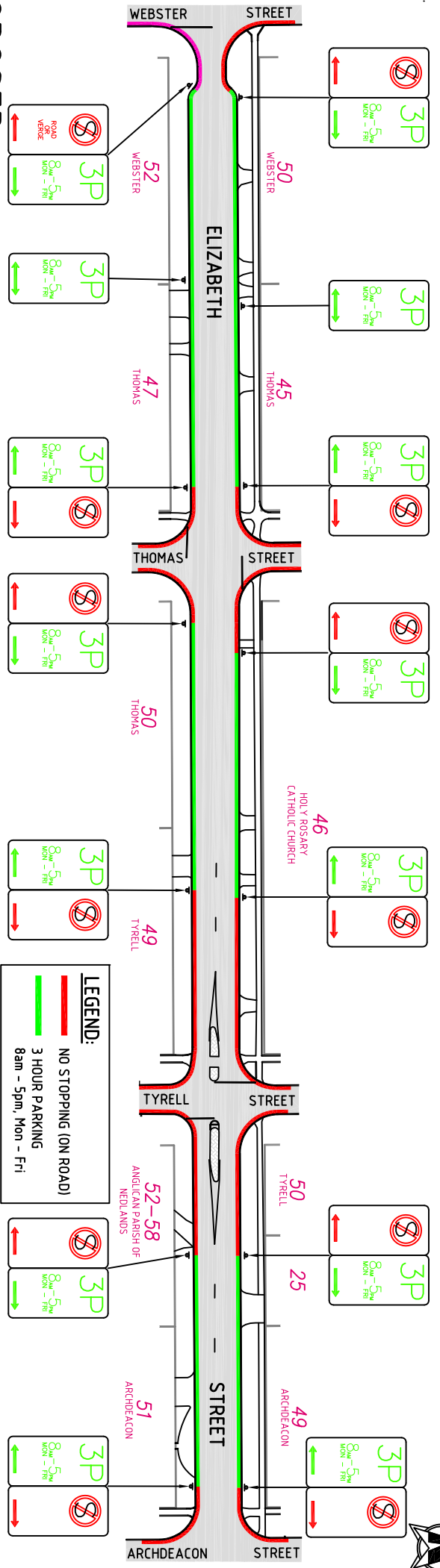
NOTE: ALL DIRECTIONAL ARROWS ON PARKING SIGNS ARE FOR DISPLAY ONLY AND ALTERED ACCORDINGLY ON SITE.



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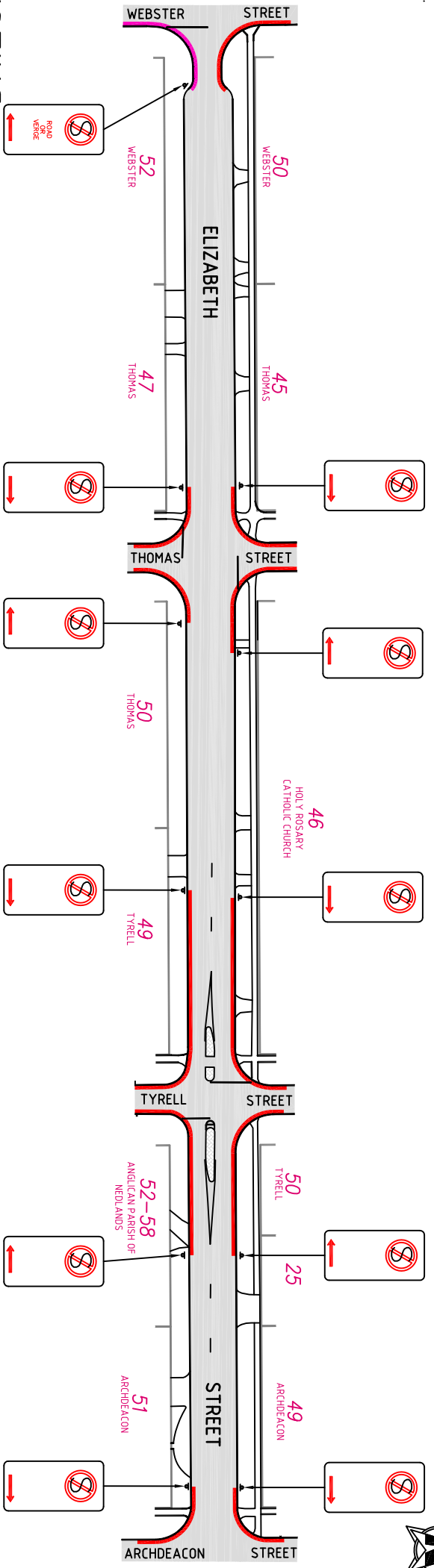
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THIS DRAWING REMAINS THE PROPERTY OF THE CITY OF NEDLANDS AND MUST NOT BE RETAINED, COPIED OR USED WITHOUT THE AUTHORITY OF THE DIRECTOR, TECHNICAL SERVICES									
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CHECKED	J. SCOTT	DATE		APPROVED					
WEBSTER STREET					EDWARD STREET				
ELIZABETH STREET - EDWARD STREET					PARKING RESTRICTIONS				
SHEET	1	OF	1	DRAWING NO.					
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NOTE: ALL DIRECTIONAL ARROWS ON PARKING SIGNS ARE FOR DISPLAY ONLY AND ALTERED ACCORDINGLY ON SITE.



PROPOSED


NOTE: ALL DIRECTIONAL ARROWS ON PARKING SIGNS ARE FOR DISPLAY ONLY AND ALTERED ACCORDINGLY ON SITE.



EXISTING

Amendments		NO DATE		REVISION		BY		APP'D	
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ELIZABETH STREET WEBSTER ST - ARCHDEACON ST PARKING RESTRICTIONS									
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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
Director Signature	
File Reference	TS-008113
Previous Item	T3.09

Executive Summary

To obtain Council’s confirmation on the removal of the existing speed humps on Gordon Street at Williams Road and Clifton Street following the community consultation process.

Recommendation to Council

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

Strategic Plan

KFA 1: Infrastructure

- 1.2 Design and construct infrastructure in accordance with Australian standards and guidelines.
- 1.4 Develop and implement an integrated transport strategy for the City which promotes access to safe and integrated transport options.

KFA 6: Community Engagement

- 6.2 Encourage community participation in the City’s decision making process.

Background

The speed humps were originally installed in late 2009 in order to reinforce a change of priority at each of these intersections. With this new priority now fully established the speed humps have been included in the capital works programme for removal.

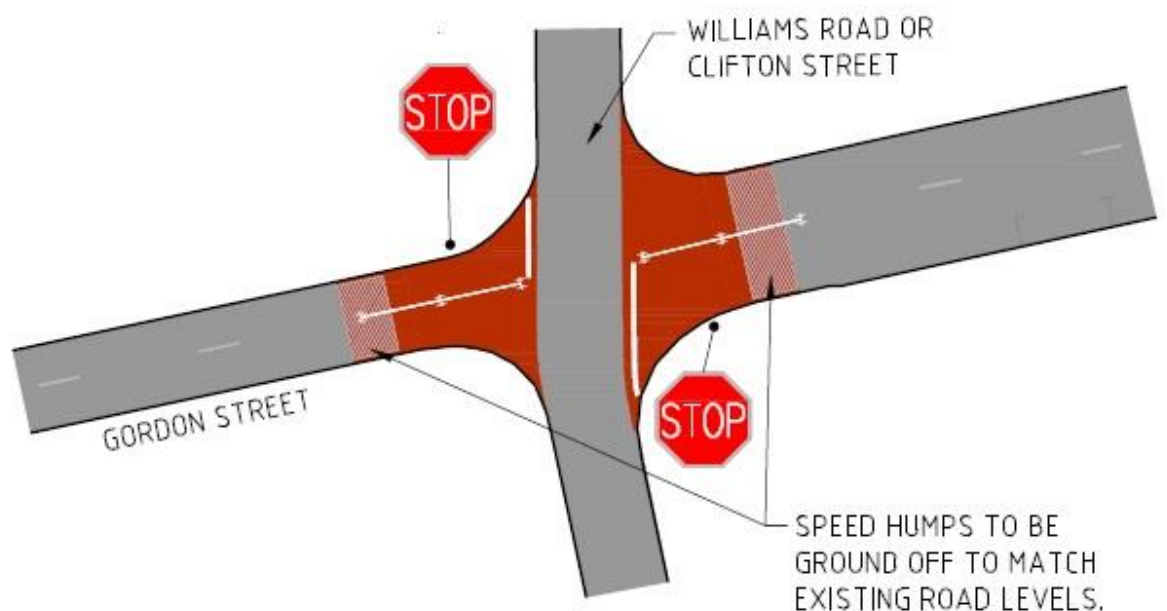


Speed humps on Gordon Street

The Technical Services Division has conducted a community consultation on the proposal to remove the Williams Road and Clifton Street speed humps in accordance with Council policy. The proposal was not favoured by eight of 11 community respondents in a consultation issued to 60 households.

Proposal Detail

The finalised proposal is to grind off the humps, but retain the red asphalt which highlights the intersection to drivers (see following sketch).



Key Relevant Previous Council Decisions

The change of priority at this intersection was approved previously, item T3.09, approved by Council on 14 April 2009, for which the speed humps were installed to reinforce.

Consultation

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

Consultation type: Letter drop and community feedback form
Dates: September 2014

Letters containing information and a feedback form were provided to all residents within the proposed area. The results of the feedback are tabled in the discussion.

Legislation / Policy

- *Local Government Act 1995*

Budget/Financial Implications

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

This item has been included in the 2014/15 capital works budget.

Risk Management

The public consultation response rate was 18%. However eight of the 11 respondents indicated a desire to retain the existing arrangement. The risk in this instance relates primarily to reputation and whether the community has been listened to.

In addressing the concerns of those opposed to removal of the speed humps, the additional measures at the intersection were considered. The retention of the red asphalt is over and above that required by standards and is in excess of treatments elsewhere in the City and in Australia generally. It is therefore considered that this addresses the safety concerns of residents who are opposed to removal of the speed humps.

There is an ongoing risk at every four way intersection that a driver may fail to give way. The accident data indicates that these specific existing intersections are performing well. However, in this case the retention of the red asphalt, along with the stop sign and hold line, will still give drivers a good indication of the approaching requirement to give way.

Discussion

The speed humps were justified when originally installed, as there was a change of priority at the intersection. Additional measures were therefore required to reduce

the risks of a driver familiar with the road layout from failing to Give Way at the revised priority. The arrangement has now been in place for four years, giving ample time for the new priority to be fully established for drivers with local knowledge.

Removal of speed humps in close proximity to intersections is not new, with the section of Grantham Street between Harborne Street and Jersey Street in Wembley removing them in order to assist movement of vehicles through the intersections. In particular the removal of the speed hump is beneficial on the exit side of the intersection, removing the need for vehicles to slow down through the intersection in order to negotiate the speed hump.

In this instance the feedback received was against the proposal. This has prompted the referral to Council prior to implementation.

Gordon Street Feedback Table

Total sent out	60
Total feedback forms received back	11
Feedback that was in support of removing the speed humps	2
Feedback that opposed removing the speed humps	8
Feedback which did not state support or oppose	1


Conclusion

Council should consider the proposal to remove the speed humps, and confirm their support to continue to implementation.

Attachments

Nil.

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
Director Signature	
File Reference	DA14/59; PAR-NSDA-00115
Previous Item	Not Applicable

Executive Summary

A Nature Strip Development Application (NSDA) has been received proposing construction of a new crossover associated with a residential development at No. 75 (Lot 143) Alderbury Street, Floreat (the Property). The proposed location of the crossover would require the removal of a Queensland Box street tree (Attachment 1). After assessing the application, Administration has refused approval of the NSDA.

On receiving written notification of Administration’s decision, the owners of the Property have written to object and request review of the decision. In accordance with the applicable legislation there is a right to request a review of Administration’s decision by Council.

Recommendation to Council

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.**

Strategic Plan

KFA: Natural and Built Environment

This KFA contributes directly to enhanced, engaging community spaces, heritage protection and environmental protection.

SP1: Protecting our quality living environment

Background

Planning approval in relation to residential property does not convey approval for development within the nature strip. Obtaining approval for private development within the nature strip is a separate process that often runs in conjunction with a development application.

In accordance with Council's Nature Strip Development policy, Administration has the delegated authority to determine proposals for private development on nature strips. Where removal of a street tree is proposed in relation to a NSDA, City procedure requires referral of the application to the Manager Parks Services. The proposal is then assessed against the provisions allowing removal in Council's Street Trees policy.

In this circumstance the NSDA was refused, in accordance with Administration's delegated authority, following assessment against Council's Street Trees policy and the provisions allowing street tree removal.

Key Relevant Previous Council Decisions

Nil.

Consultation

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

The relevant legislation requires that, in certain circumstances, persons affected by a decision made by Administration are informed of the reasons for the decision and their rights of review.

Council policy requires that residents be consulted on decisions involving street tree removals and replacement.

Legislation / Policy

- *Local Government Act 1995; Part 9, Division 1 – Objections and review*
- *Local Government (Uniform Local Provisions) Regulations 1996; regulation 12*
- City of Nedlands Thoroughfares Local Law
- Nature Strip Development policy
- Street Trees policy

Removal

Street trees may not be removed unless one or more of the following criteria applies:

- *Prior to planning approval, plans are to be adjusted to accommodate existing street trees with a two (2) metre buffer zone where practicable. Where a development is approved that necessitates the removal of a street tree, as there are no design options available allowing retention, the developer shall replace the tree and bear 100% of the cost for the City to remove the tree and plant a replacement tree of an appropriate size and species at a suitable location on the same verge;”*

Budget/Financial Implications

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

If Council approve removal of the street tree to allow construction of the crossover, policy prescribes that the cost for removal and replacement of the street tree is to be borne by the developer.

Risk Management

The primary risk relating to this item is delivery of Strategic Priority 1 - “Protecting our quality living environment” within the Community Strategic Plan. The cumulative effect of the removal of street trees to allow for private development purposes places delivery of Strategic Priority 1 at risk.

This risk is of particular importance in relation to loss of streetscape character and canopy cover resulting from allowing the removal of suitable, mature, healthy and/or large street trees where this could otherwise be averted.

Discussion

Highbury Homes (the Applicant) initially submitted a NSDA in May 2014 on behalf of the owners of the Property proposing a 5.01 metre wide crossover to No. 75 Alderbury Street. The proposed location of the crossover required the removal of a Queensland Box street tree. Assessment of the street tree being proposed for removal indicated it met the City’s criteria for retention. After assessing the proposed crossover and driveway configuration (Attachment 2) it was considered there were options for amending the design to enable retention of the subject tree. On this basis, the NSDA was refused and the Applicant was informed in writing and advised of their right of review.

After consulting with the City, the Applicant submitted a second NSDA in June 2014 proposing an amended crossover design. The amended design proposed a 3.50 metre wide crossover (Attachment 3) allowing retention of the subject tree with a 1.00 metre offset in lieu of 2.00 metres. The City assessed the proposed design and considered it practicable. On this basis the second NSDA was approved and a permit of approval was issued.

In September 2014, the City received a third NSDA, this time lodged by the owners of the Property as applicants. They have applied for approval to construct the originally proposed 5.01 metre wide crossover requiring the removal of the subject street tree. Administration refused the application and advised that, in accordance

with legislation, having previously dealt with this matter there was no right of review. The City has discretion to allow a right of review and, having consulted with the owners of the Property, determined to put the matter before Council for review.

An assessment of the subject street tree was carried out on receipt of the initial NSDA (Attachment 4 – Preliminary Street Tree Assessment). The completed assessment indicated the subject Queensland Box street tree is in good health, comprises a medium sized canopy, is of reasonable form and has a 5-40 year life expectancy.

The Queensland Box comprises a large percentage of the City's street trees, many of these post mature, and this has been identified as a risk to maintaining the overall street tree population into the future. For this reason, the City applies a larger degree of discretion in approving applications for removal of Queensland Box trees where these are assessed as post mature, of poor form and displaying signs of decline.

Having established the street tree met the City's criteria for retention, Administration investigated options for redesign of the crossover enabling its retention. Officers from the Statutory Planning, Technical Services and Parks Services departments consulted and formed the opinion there were realistic options available for redesign that would allow retention of the street tree.

Giving consideration to a range of criteria including the condition of the tree, it's expected life, the proximity of other street trees nearby, the overall form of the tree and the realistic potential for redesigning plans to allow for the trees retention, Administration has refused the NSDA in accordance with Council policy.

Administration has taken into account the implications the decision to refuse the application may have for the owners of the Property. Having assessed potential options available for redesigning the plan it is considered these do not impose an unreasonable burden on the owners of the property in this circumstance.

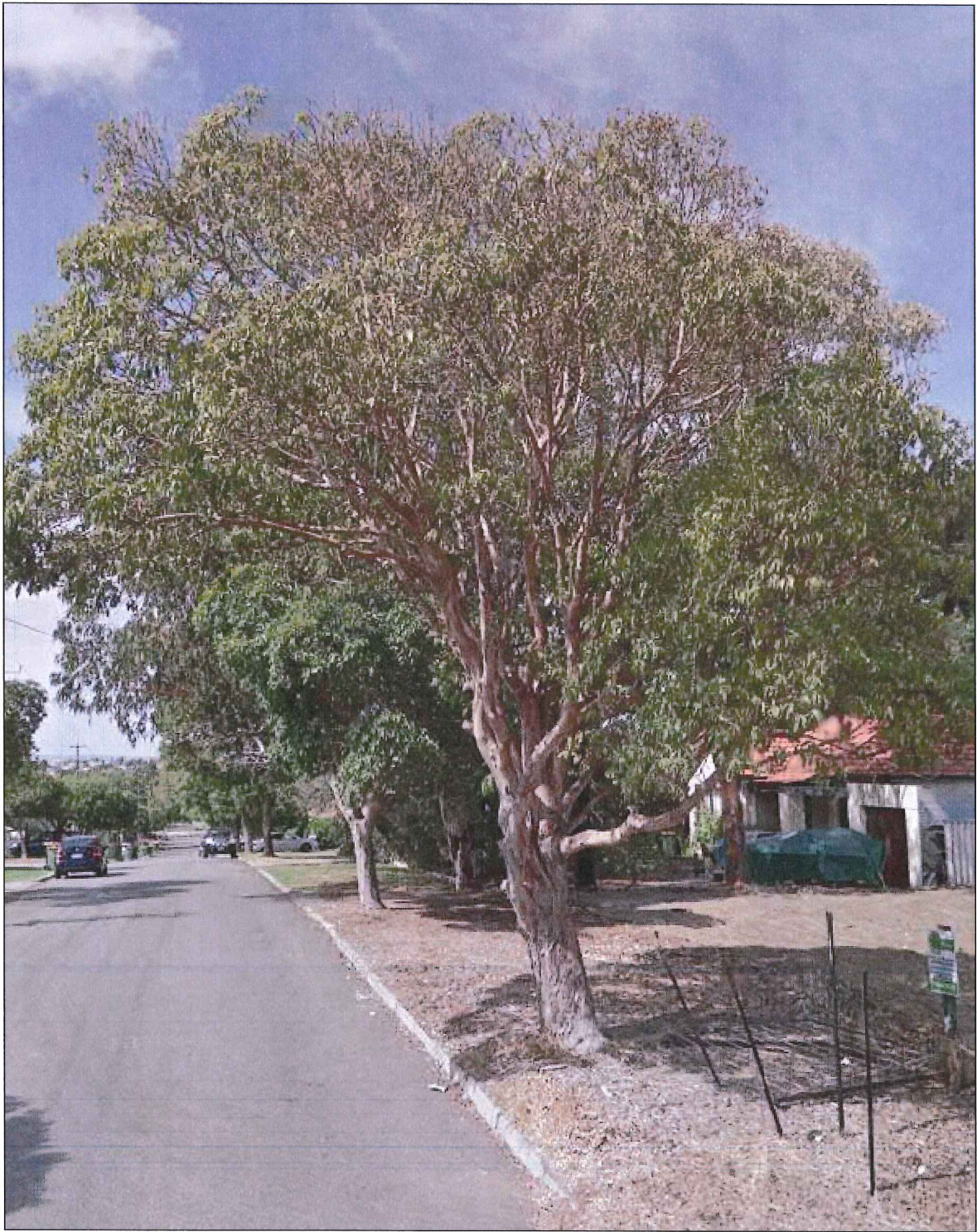
In making its decision Administration has given consideration to Council policy and strategic direction, the benefits the street tree provides locally and generally, the expectations of the community and the rights of the owners of the property.

Conclusion

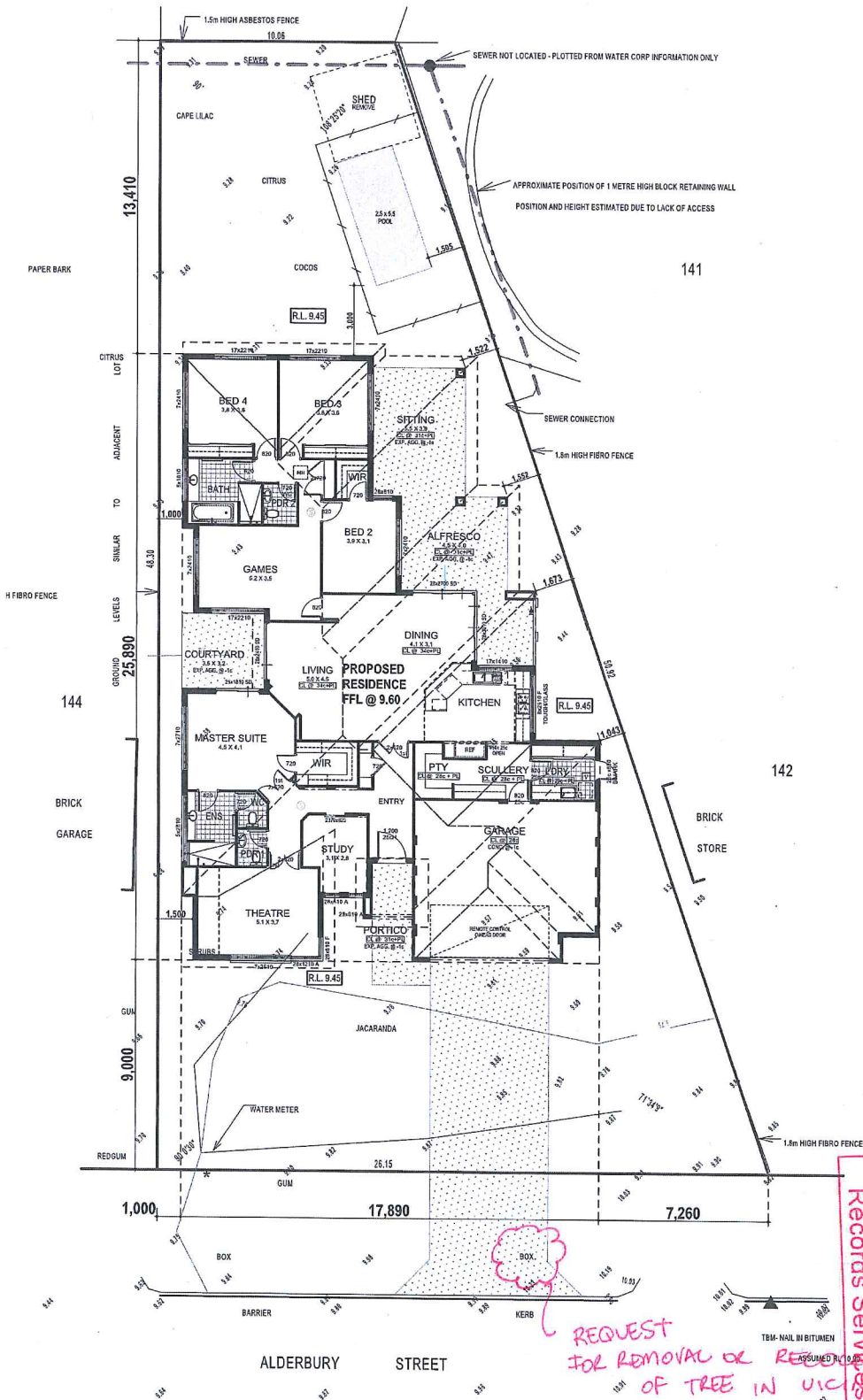
Having considered all relevant matters, and applying some discretion in doing so, Administration recommends Council upholds the decision to refuse approval of the latest Nature Strip Development Application and approve a 3.50 metre wide crossover in order to retain the subject street tree with a reduced setback to the crossover.

Attachments

1. Photograph of subject street tree (April 2014);
2. Plan - proposed 5.01 metre wide crossover (refused plan);
3. Plan - proposed 3.50 metre wide crossover (approved plan);
4. Preliminary Street Tree Assessment – Asset Identification Number 20302; and
5. Supporting letter from owners of the Property.



TS23.14 - Attachment 1 – Subject street tree (April 2014)

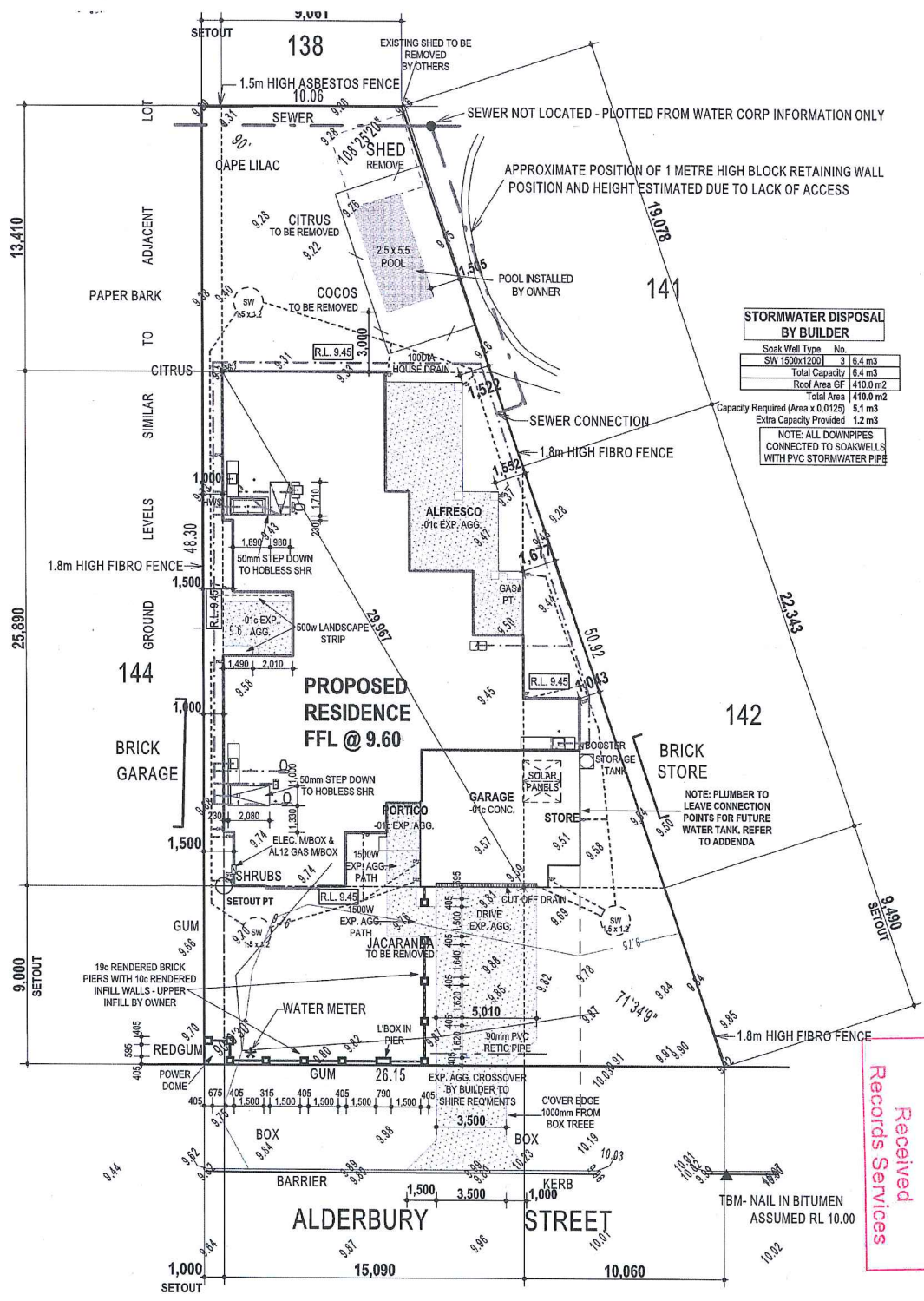


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REQUEST FOR REMOVAL OF TREE IN VICINITY OF TREE IN VICINITY OF CROSSOVER/DRIVE

CHK	ENERGY	ASSESSOR	TBA	HIGHBURY HOMES REGISTERED BUILDER N°: 10655 ABN 81 089 675 758 81524 Abernethy Road (off Kewdale Road), Kewdale, W.A. 6105 PO Box 291, Welshpool WA 6986 Tel: (08) 9390 8400 Fax: (08) 9390 8411 Email: info@highburyhomes.com.au	HOUSE TYPE:	INDIVIDUAL Limited Edition	PROJECT:	HELLER & PHILLIPS LOT 143 (#75) ALDERBURY STREET, FLOREAT.
		PRELIM CHGS	N/A		DRAWING:	SITE PLAN		
		FULL ORDERED	TBA					
		ENGINEERING	PROJECT No.		TBA	DATE:	31-03-14	
		DATE	TBA	SCALE:	1:200			
		PLANS READ IN CONJUNCTION WITH ENGINEERS DWGS		DRN BY:	ES	CHK BY:	CHECKED	THIS DOCUMENT IS COPYRIGHT AND MAY NOT BE REPRODUCED BY ANY MEANS WITHOUT WRITTEN PERMISSION FROM THE MANAGEMENT OF HIGHBURY HOMES

TS23.14 - Attachment 2 - Proposed 5.01 wide metre crossover (refused plan)



STORMWATER DISPOSAL BY BUILDER

Soak Well Type	No.	Capacity (m³)
SW 1500x1200	3	8.4
Total Capacity		25.2
Total Area		410.0
Capacity Required (Area x 0.0125)		5.1
Extra Capacity Provided		12.1

NOTE: ALL DOWNPIPES CONNECTED TO SOAKWELLS WITH PVC STORMWATER PIPE

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NO.	DATE	DRN	CHK	ENERGY	REVISION	SHEET
1	22-5-14	EL	CC	ASSESSOR S-211-M	3	2 OF 12
2	26-05-14	CC	CC	PRELIM CHGS NA	R12.5	
3	12-08-14	CC	CC	FULL ORDERED TBA	HH 13060	
				ENGINEERING	DRAWING:	
				PROJECT No. TBA	SITE PLAN	
				DATE TBA	DATE: 31-03-14	
				PLANS READ IN CONJUNCTION	SCALE: 1:1	
				W/ ENGINEERS DWGS	DRN BY: ES CHK BY: CC	

TS23.14 - Attachment 3 - Proposed 3.50 metre crossover (approved plan)



Address of DA: 75 Alderbury St, Floreat

TRIM Ref: DA14/59

Tree Asset ID	20302					
Botanic Name	<i>Lophostemon confertus</i>					
Common Name	Queensland Box					
Height (m)	8.0					
Width (m)	7.0					
DBH (cm)	40					
Tree Value (\$)	2,600					
Health	Good	Fair	Poor	Very Poor	Dead	Removal Consideration Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
Option(s) available for re-design?	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		Further investigation <input type="checkbox"/>			
Take Below Scores Into Consideration if - Street Tree Condition Allows Removal or No Options for Re-Design or Further Investigation for Re-Design is Required						
Canopy Size	Medium	Score (1-5)	3	Removal Consideration	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>
Form	Average/indifferent	Score (1-5)	3	Removal Consideration	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>
Importance	Some Importance	Score (1-5)	3	Removal Consideration	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>
Other Trees	Many	Score (1-5)	2	Removal Consideration	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>
Setting	Fairly Suitable	Score (1-5)	3	Removal Consideration	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>
Expected Life	5-40 years	Score (1-5)	3	Removal Consideration	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>

Street Tree: Meets criteria for retention Meets criteria allowing removal**Technical Services advice note:**

* Street tree meets criteria for retention and will not be considered for removal. Refer back for re-design demonstrating relocation / reconfiguration of the crossover enabling retention of the street tree.

Date of Assessment: 8 May 2014

Assessment by: Manager Parks Services
Position

Scores for Canopy Size

Assessment Description	Score
Very Small	1
Small	2
Medium	3
Large	4
Very Large	5

Scores for Form

Assessment Description	Score
Very Poor	1
Poor	2
Average/indifferent	3
Good	4
Very Good	5

Scores for Importance

Assessment Description	Score
Very Little Importance	1
Little Importance	2
Some Importance	3
Considerable Importance	4
Great Importance	5

Scores for Other Trees

Assessment Description	Score
Woodland	1
Many	2
Some	3
Few	4
None	5

Scores for Setting

Assessment Description	Score
Totally Unsuitable	1
Moderately Unsuitable	2
Just/Fairly Suitable	3
Very Suitable	4
Particularly Suitable	5

Scores for Expected Life

Assessment Description	Score
Less than 2 Years	1
2 to 5 Years	2
5 to 40 Years	3
40 to 100 Years	4
More than 100 Years	5

Assessment Notes:

- Other than Queensland Box, only street trees assessed as being in poor or very poor condition will be considered for removal. Queensland Box trees assessed as Fair will be considered for removal where appropriate.
- A score of 2 or less in the scoring component results in a Yes in the Removal Consideration box.
- 2 or more ticked Yes boxes in the scoring component results in a tree meeting the criteria allowing removal.



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File # - 3 SEP 2014

Contact details

Name MARTIN HELLER + JULIA PHILLIPS

Company name ←

Phone _____

Email _____

Mobile AS ABOVE

Action Enclosed

AGK NRN OTHER

Property details

Street address 75 (LOT 143) ALDERBURY STREET, FLOREAT

Development purpose REMOVAL OF ONE OF TWO (1 OF 2) EXISTING STREET TREES, AND PLANTING OF NEW STREET TREE IN A DIFFERENT POSITION WITHIN THE VERGE.

I/We, MARTIN HELLER + JULIA PHILLIPS

of _____

do hereby apply for permission to landscape the nature strip at the above listed property complying with the attached standard conditions of approval and City Policy and procedures. I have attached a sketch of the property, surrounding area and nature strip in question indicating north and including street and plant names.

Applicant's name MARTIN HELLER + JULIA PHILLIPS

Signature [Signatures]

Date 01 SEPTEMBER 2014

Owner's name MARTIN HELLER + JULIA PHILLIPS

Signature [Signatures]

Date 01 SEPTEMBER 2014



Standard conditions of approval

The owner of the abutting property shall be advised that they shall, as condition of the permit for development:

1. Accept all costs involved in the construction of the nature strip development.
2. Keep the nature strip treatment in a safe and tidy condition.
3. Accept all liability of damages to persons or property as a result of the nature strip development.
4. Accept that the nature strip remains a public space and may be traversed by the public if and when required.
5. Water or maintain the nature strip in a way which does not cause any nuisance to others.
6. Accept that the improvements automatically become the property of the City of Nedlands.
7. Ensure no damage is caused to underground services.

Procedures and guidelines

General

1. No permit is required from Council for planting lawn on nature strips or for a nature strip development that is designed and installed in accordance with the City's "Nature Strip Development Guidelines" document.
2. A permit is required for all other works in the nature strip such as kerbing, paving, retaining walls, structures and artificial lawns. This shall be obtained by the owner or occupier submitting an application in writing with a sketch plan that shows the details of the proposal.

Landscape design

Landscape designs must comply with the following:

1. The Local Law Relating to Thoroughfares.
2. Provide adequate access to the letterbox for mail delivery.
3. Provide unobstructed pedestrian access along the full length of the nature strip and to a minimum width of 2 metres adjacent to the kerb line where no footpaths or alternative pathways exist as well as unobstructed access around signs, water meters, telecom pits and manhole covers.
4. Where there is a bus stop, provide unobstructed pedestrian access of at least 1.2 metres wide around the bus stop, and between the footpath and the bus stop.
5. Pathways through nature strip plants may be constructed of any solid material such as tree rings and stepping stones, providing they do not protrude above kerb level and are laid flush with the surrounding ground.
6. Height and placement of plants must not obstruct sight and distance for pedestrians and road users. Plants are required to be maintained at a height not exceeding 0.6 metres.
7. Plants should not encroach onto footpaths or roadways.
8. Approved street trees are positioned on correct alignment relative to the kerb and generally 3 metres from the property line.
9. There must be a minimum of 20% of the total nature strip area consisting of natural elements i.e. garden beds, natural lawn.

01 September 2014

Martin Heller & Julia Phillips

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DIVISION	
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Director, Technical Services
City of Nedlands
71 Stirling Highway
Nedlands WA 6009

To whom it may concern,

RE: Request for street tree removal at No. 75 (Lot 143) Alderbury Street, Floreat

As owners of No. 75 (Lot 143) Alderbury Street, Floreat, we wish to submit an application to remove and replace one of two (1 of 2) street trees on our verge/nature strip, as indicated on the attached site plan. We are currently constructing a new residence on the property, and we believe that the current location of the street tree in question (a Queensland Box tree) will pose significant safety issues as it will partly obstruct the proposed new driveway and crossover, and will significantly obstruct the line-of-sight for vehicle drivers exiting the property.

Specifically, our request for the removal of the street tree is based on:

- the tree is located in such a position that it restricts access to property
- if the tree remains, the (yet to be constructed) new driveway and crossover will need to be truncated and narrowed to stay clear of the tree – this will pose a safety risk to drivers entering and exiting the property, particularly visitors
- if the tree remains, it will obstruct a driver's view as they are exiting the property – this in itself poses a risk to the safety of drivers
- removal of the tree would allow a full-width crossover to be constructed, which would provide more off-street parking and therefore a safer thoroughfare for vehicles travelling on Alderbury Street
- the tree is currently located very close (70 cm) to the kerb – we believe that a replacement tree would be better located at a greater distance from the kerb so as not to pose a risk to drivers.

As mentioned, we currently exceed the council requirements for a minimum of one street tree per residential property as we have two Queensland Box trees on our verge. We value the visual amenity of maintaining the overall number of street trees within the council, and therefore propose that if our request for the removal of one of our two street trees is granted we would maintain the number of street trees by accepting all costs for the City of Nedlands to plant a new tree on our verge in a more suitable location. Therefore, as part of our request for the removal of one street tree on our verge, we would commit to following conditions:

- we would accept all costs of the removal of the street tree
- we would accept all costs of planting of a new street tree, of the same species or any species preferred/specified by the City of Nedlands
- we would compensate the City of Nedlands, in accordance with the Street Trees policy, for the amenity value of the street tree to be removed
- we would commit to, and accept all costs of, maintaining and watering the replacement street tree to ensure its successful establishment and survival.


We note that the dominant street tree on nearby properties on the southern side of Alderbury Street (noting that the northern side falls within the Town of Cambridge) is the Queensland Box.

We look forward to your response to our request.

Yours sincerely



Mr Martin Heller
enc.

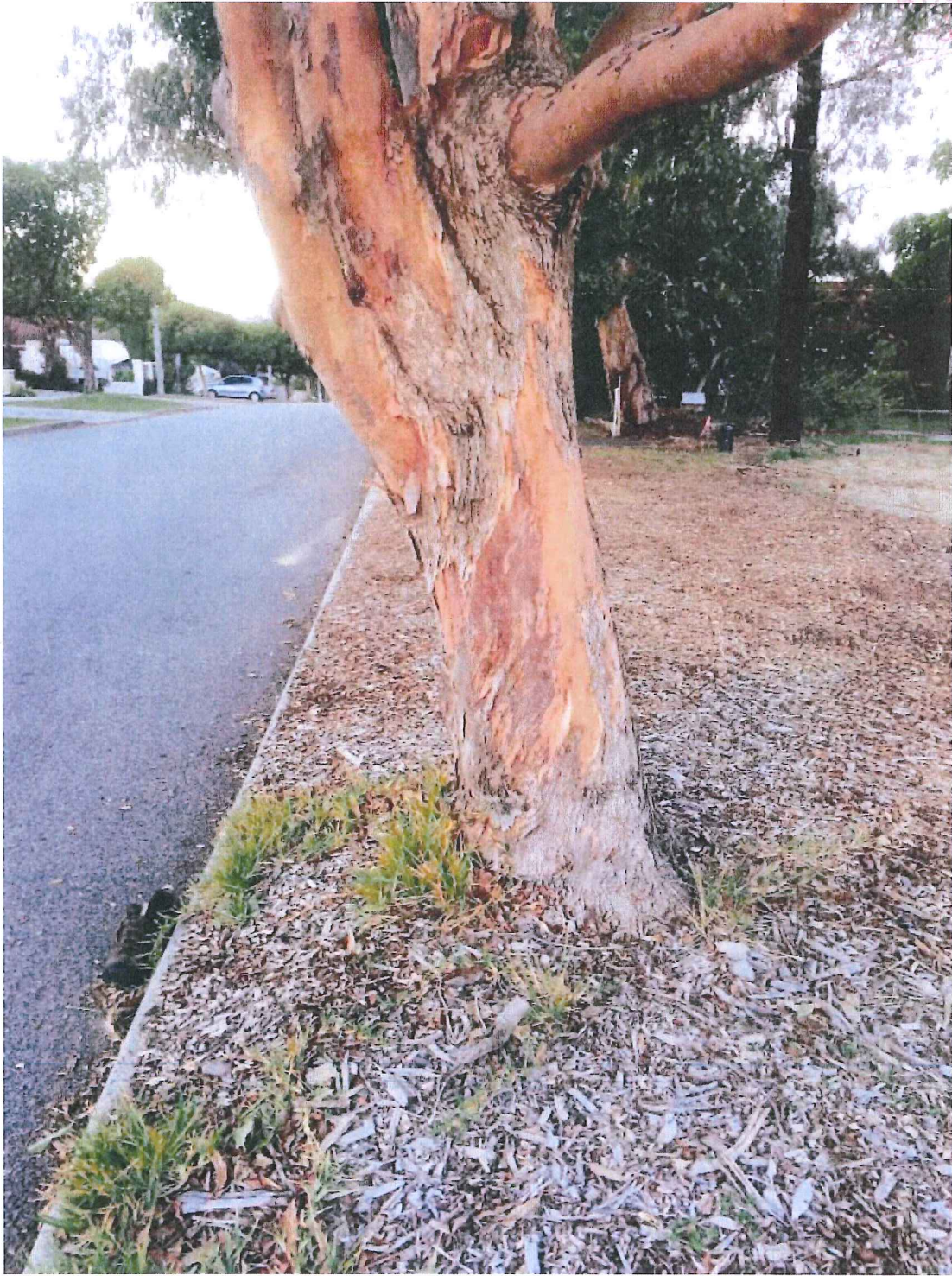


MHeller for J Phillips

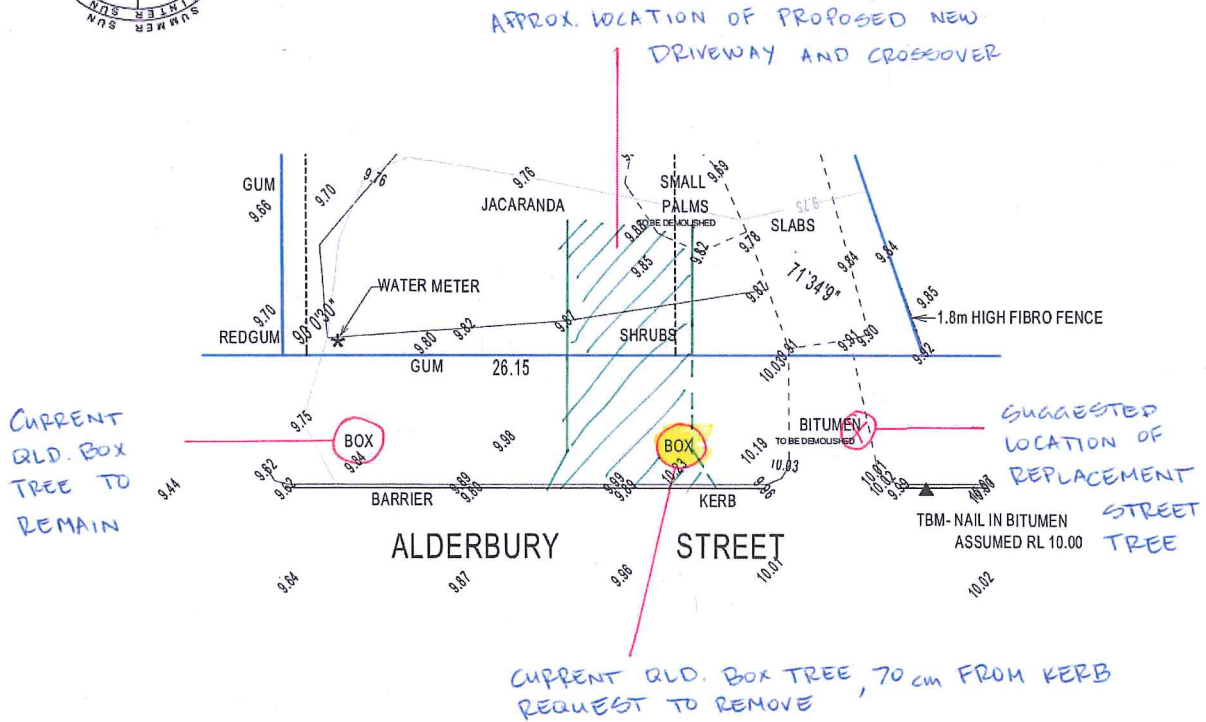
Dr Julia Phillips

Street tree requesting removal of from on council verge at No. 75 (Lot 143) Alderbury Street,
Floreat

City Of Nedlands
3 SEP 2014
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Services



LOT 143 (HOUSE NO. 75) ALDERBURY STREET, FLOREAT



NOTES:

- THERE ARE CURRENTLY TWO (2) QUEENSLAND BOX TREES ON THE VERGE - COUNCIL REQUIRES A MINIMUM OF ONE (1).
- PROPOSAL IS TO REMOVE STREET TREE HIGHLIGHTED, AND REPLACE WITH A NEW STREET TREE, THEREBY RETAINING THE CURRENT NUMBER OF STREET TREES ON THE VERGE.
- SEE ACCOMPANYING LETTER DATED 01 SEPTEMBER 2014.

Martin Heller + *Julia Phillips*
 MARTIN HELLER + JULIA PHILLIPS
 (OWNERS).

City Of Nedlands
 Received
 - 3 SEP 2014
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