



City of Nedlands

Technical Services Reports


Committee Consideration – 10 March 2015

Council Resolution – 24 March 2015

Table of Contents

Item No.		Page No.
TS07.15	Proposed Fenced Dog Park at the Paul Hasluck Reserve, Dalkeith.....	2
TS08.15	Tender No. 2014/15.09 – Supply and Construction of Extruded Kerbing	9
TS09.15	Tender No. 2013/14.31 – Provision of Traffic Management Services.....	13
TS10.15	Consideration for Management Options for Tree in Poplar Gardens (Reserve 42253), Mt Claremont.....	17

TS07.15	Proposed Fenced Dog Park at the Paul Hasluck Reserve, Dalkeith
----------------	---

Committee	10 March 2015
Council	24 March 2015
Applicant	City of Nedlands
Officer	Andrew Dickson – Manager Parks Services
Director	Mark Goodlet – Director Technical Services
Director Signature	
File Reference	PA-AAPS-00008
Previous Item	OMC 24 February 2015 deferred to 24 March 2015 Council Minutes 11 December 2012 - Item 12.3; Report TS25.12

Executive Summary

The purpose of this report is to seek instruction from Council with respect to a current resolution. At its meeting on 11 December 2012 Council resolved to consider allocating funds to establish a fenced dog park at Paul Hasluck Reserve on the foreshore in Dalkeith.

The project received budget approval in 2013/14. Delays in gaining the necessary approvals to enable project commencement resulted in the funds being carried forward and approved in the 2014/15 budget.

Councils confirmation is now sought.

Recommendation to Committee

Council:

- Determines that there is a need to support a reduction in current demand for the fenced dog park facility at Carrington Park through providing a similar facility at an alternative destination within the District; and**
- Resolves to proceed to build a fenced dog park at Paul Hasluck Reserve on the foreshore in Dalkeith with a shared boundary with the Flying Squadron Yacht Club, as depicted in Attachment 2 of this report.**

Strategic Community Plan

KFA: Natural and Built Environment

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

KFA: Community Development

This KFA contributes to opportunities for community interaction and the development of local relationships.

Background

As a result of a Council resolution in August 2008, Administration acted upon investigating alternative locations for a fenced dog park south of Stirling Highway. Accordingly, Administration submitted a report to Council Committee in February 2009. The item was referred by Council Committee to a Councillor's forum.

Following a delay, Administration was requested to resume progressing the initial resolution and a Council workshop was held in May 2012. Outcomes from the workshop included:

- agreement on David Cruickshank Reserve, Nedlands Park and Paul Hasluck Reserve being the three preferred locations for investigating establishment of a fenced dog park;
- the need for distribution of a survey to residents surrounding the preferred locations to ascertain feedback on the proposal; and
- allowance for the size of the fenced dog park to be up to 50% larger than the Carrington Park dog facility.

A survey was distributed to surrounding locations and the results were reported to Council in December 2012. Consequently, Council resolved to consider budget allocation for design and installation of a fenced dog park at Paul Hasluck Reserve. Council approved funding allocation for this project in the 2013/14 budget.

Key Relevant Previous Decisions

- Council Meeting 26 August 2008 – Item 15.2

Council Resolution

That the Administration investigates alternative locations south of Stirling Highway for the installation of a fenced dog park and reports back to a Council Committee meeting in November 2008.

- Council Committee Meeting 10 February 2009 – Item 7.2 report T1.09

Committee Recommendation

That the item be referred to a Councillor forum for discussion.

- Council Meeting 28 August 2012 – Item 12.3 report TS17.12

Council Resolution

Council:

- 1. accepts DC Cruickshank Reserve, Nedlands Park and Paul Hasluck Reserve as the three potential locations for investigating the establishment of a fenced dog park south of Stirling Highway;**
 - 2. approves the attached amended Survey for distribution to residents surrounding the three potential locations to ascertain the level of community support for such a facility; and**
 - 3. requests that Administration report back to Council with the results of the survey and its investigations, together with a recommendation for the progression and location of a fenced dog park south of Stirling Highway.**
- Council Meeting 11 December 2012 – Item 12.3 report TS25.12

Council Resolution

Council:

- 1. receives the results from the survey of residents surrounding the three (3) identified potential locations for a fenced dog park South of Stirling Highway;**
 - 2. instructs Administration to prepare a landscape plan for Paul Hasluck Reserve that is consistent with the recommendations of the Foreshore Enhancement and Management Plan (Volume 2 – 2010) and that makes provision for a fenced dog park; and**
 - 3. approves the inclusion of \$60,000 for consideration in the 2013/14 Parks Services capital budget submission for preparation of a landscape plan and for establishment of a fenced dog park located at Paul Hasluck Reserve, subject to Swan River Trust approvals.**
- Special Council Meeting 20 June 2013 – Item 7.

Council Resolution

Council:

- 1. Adopts the 2013/14 Annual Budget as detailed in the Attachment for the year ending 30 June 2014 requiring an 8.0% increase in the rates and a standard residential refuse charge of \$330;**

City of Nedlands				
Proposed 2013/14 Capital Works & Acquisitions Budget				
Location	Description	Total Cost	Grants/ Trade-In	Net Cost to City
Requests and New Initiatives				
Paul Hasluck Reserve	Landscape Design Plan (Provision for Fenced Dog Park)	59,400	-	59,400

- Council Meeting 24 June 2014 – Item 13.7

Council Resolution

That Council:

- Adopts the 2014/15 Annual Budget;**

CITY OF NEDLANDS					
CAPITAL WORKS & ACQUISITIONS BUDGET					
FOR THE YEAR ENDING 30 JUNE 2015					
LOCATION	DESCRIPTION	TOTAL COST	GRANTS / TRADE-IN	NET COST TO CITY	COMMENTS / JUSTIFICATION
Paul Hasluck Reserve	Landscape Design Plan and Construction of Fenced Dog Park - Design component ~ 15% of project total; Dog Park component ~ 85%	\$ 61,800	\$ -	\$ 61,800	As per Council Resolution

- Council Meeting 24 February 2015 – Item TS02.15

Council Resolution

Regulation 11(da) – Council resolved to defer this item for consideration until the next appropriate Council meeting.

Consultation

Required by legislation:

Yes ☐

No ☒

Required by City of Nedlands policy:

Yes ☒

No ☐

The City distributed a Council approved survey to residents surrounding the three potential locations in September 2012. The City received 77 completed surveys from the 286 surveys posted representing a 27% response rate.

Legislation / Policy

Local Government Act 1995
Swan and Canning Rivers Management Act 2006
Dog Act 1976
City of Nedlands Dogs Local Law

Budget/Financial Implications

Within current approved budget:
Requires further budget consideration:

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

The project has received capital funding in the 2014/15 budget.

Risk Management

The primary risk relating to this item is delivery of SP6 Strategic Priority 6 - “Providing for sports and recreation” within the Community Strategic Plan. This strategic priority contributes to providing adequate facilities to meet community demand and expectations.

Parks facilities that promote and encourage utilisation by dogs and their owners, and that are endorsed by Council, are not best located in close proximity to residential property. The current dog park facility located at Carrington Park shares a common boundary with residential properties. If not properly recognised and managed, the current use of Carrington Park may give rise to legal and reputational risks if alternative facilities are not considered.

The Swan River Trust is the approving authority controlling planning and development within the City’s foreshore reserves. The City has discussed the proposal with the Swan River Trust who have advised ‘in principle’ support.

Discussion

Other than seven park localities, all the City’s parks are nominated by the City of Nedlands Dogs Local Law as dog exercise areas. This allows dog owners to take their dogs to a majority of City parks and exercise them off-lead on condition they remain under the owner’s effective control. The concept of a fenced dog park is somewhat distinct from issues solely related to the application and enforcement of statutes relating to dog control and dog behavior. Facilities of this nature are generally established not with the sole intent of addressing these matters but are more targeted to providing respite and a meeting place for dogs and dog owners.

There continues to be high use of the Carrington Park fenced dog facility that gives rise to a number of management challenges. Dog owners come from within and outside the district to use the facility as it is well known. The condition of the park is impacted by the number of users, and in particular the number that confine their activities within a relatively small area in the western section of the park. The location of the park in a residential area sharing a common boundary with residential property

is not an ideal situation. The City has received, and continues to receive, complaints in relation to parking, odour and noise issues.

After compiling and interpreting the survey results from 2012, there was evidential support from the community for a fenced dog park south of Stirling Highway. Whilst there were no clear indications of a preference for locating the facility there was an indication that a fenced dog park in close proximity to residential properties was not supported. Paul Hasluck Reserve was recommended as the preferred location due to its separation from residential properties.

Structured sports was relocated away from Paul Hasluck Reserve in 2011. At present the reserve comprises primarily open grassed fields and has few public facilities. The Nedlands Foreshore Enhancement and Management Plan is the guiding document for future development of public facilities in this location. It is intended to develop the concepts within the current plan to incorporate a modest fenced dog facility, located in the southern section of the park adjacent to the road (refer to Attachment 2). The proposed location also offers the potential to utilise the existing sports lighting to provide a facility that could be used during the evening making it more attractive to users.

The specific proposed location of the dog park (Attachment 1) was discussed at the 10 February 2015 Committee meeting and it was suggested that it could be relocated from the original proposed location to a position that shares a boundary with the Flying Squadron Yacht Club. This is detailed in the newly proposed location shown in Attachment 2.

If the dog park is located directly abutting the yacht club it will mean that an existing footpath will run through the dog park. It is suggested that a new footpath which goes around the outside of the dog park would be appropriate in this case. The cost of the additional footpath, gates, with reduced fencing is \$30,000.

Council may wish to consider a recommendation to increase the dog park budget by \$30,000 to include a new footpath and associated works, around the outside of the dog park, should it intend to locate the dog park to share a fence with the yacht club. The location of the suggested new path is also detailed within Attachment 2.

Conclusion

There is a high likelihood of continuing management issues associated with Carrington Park being used and endorsed as a dog park. Planning for alternative facilities of a small to medium scale within the district would likely provide some benefit to dog owners. The establishment of a fenced dog park located away from a residential area will provide an alternative destination for dog owners and may assist to alleviate demand for the facility at Carrington Park.

Attachments

1. Superseded: Proposed location of fenced dog park within Paul Hasluck Reserve presented to Committee Meeting 10 February 2015; and

2. New: Proposed location of fenced dog park within Paul Hasluck Reserve – Shared boundary with Flying Squadron Yacht Club


TS07.15 - Attachment 1 – Superseded: Proposed location of fenced dog park within Paul Hasluck Reserve presented to Committee Meeting 10 February 2015



TS07.15 – Attachment 2 – New: Proposed location of fenced dog park within Paul Hasluck Reserve – Shared boundary with Perth Flying Squadron Yacht Club



TS08.15	Tender No. 2014/15.09 – Supply and Construction of Extruded Kerbing
----------------	--

Committee	10 March 2015
Council	24 March 2015
Applicant	City of Nedlands
Officer	Nathan Brewer – Purchasing and Tenders Coordinator
Director	Mark Goodlet – Director Technical Services
Director Signature	
File Reference	TS-PRO-00058
Previous Item	Not Applicable

Executive Summary

To award the term contract for the supply and construction of extruded kerbing in the City of Nedlands for capital and operational works.

Recommendation to Committee

Council:

1. **Agrees to award tender no. 2014/15.09 to the contractor Downer EDI Works Pty Ltd as per the schedule of rates 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 civil infrastructure as part of operational and capital works.

Background

The City of Nedlands includes a provision for the supply and construction of extruded kerbing to maintain and improve the City's infrastructure as part of the engineering services capital works. Expenditure on this contract 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 13 December 2014 in the West Australian Newspaper. Tenders opened on Monday 15 December 2014 and submissions closed at 14:00 pm Wednesday 14 January 2015.

A total of four conforming tender submissions were received from the following tenderers:

1. Downer EDI Works Pty Ltd;
2. Hooza Pty Ltd The Trustee for the McCartney Family Trust trading as Kerb Doctor;
3. Allstate Kerbing and Concrete Pty Ltd; and
4. Sanpoint Pty Ltd trading as LD Total.

One non-conforming tender submission was also received from International Traffic Solutions.

Key Relevant Previous Council Decisions

Nil.

Consultation

Required by legislation:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Required by City of Nedlands policy:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Requires further budget consideration:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Risk Management

Failing to appoint the contract will impact on the City’s ability to maintain kerbing 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 2014/15.09.

Qualitative Selection Criteria	Weighting
<p>Organisation Capabilities A Tenderer must as a minimum, address the following information in an attachment and label it “Organisation Capabilities”:</p> <ul style="list-style-type: none"> a) Nominate key personnel to be involved in this contract and provide relevant experience and industry-recognised qualifications and registrations of the key personnel; b) Demonstrate the ability to supply and sustain the necessary manpower, plant and equipment; and c) Demonstrate recent experience with contracts of a similar size and scope. 	<p>30%</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) Demonstrate ability to provide high quality and standard of work; and b) Demonstrated successful outcomes on previous projects of similar scope. 	<p>20%</p>
<p>Demonstrated Understanding A Tenderer must as a minimum, address the following information in an attachment and label it “Demonstrated Understanding”:</p> <ul style="list-style-type: none"> a) An outline of proposed methodology, including equipment and material supply details; and b) Notice requirements to guarantee availability for works.. 	<p>20%</p>
<p>Price 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>

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

The tenderer who scored the highest in the evaluation was Downer EDI Works Pty Ltd with 68%.

All final evaluation scores are published in Attachment 1.

Conclusion

After an assessment of the submitted tenders it is proposed that Council agrees to award tender no. 2014/15.09 to the contractor Downer EDI Works Pty Ltd.


Downer EDI Works Pty Ltd attained the highest score in the evaluation, and is assessed accordingly as providing the most cost efficient outcome and best overall value for the service tendered for.

Downer EDI Works Pty Ltd also provided evidence that they have a good range of equipment and experienced staff sufficient to meet the City's needs. They are listed on a number of similar panels, repeat work is clearly demonstrated and internal reviews on performance and quality is consistently good. Their experience demonstrates they are aware of the requirements of similar projects and guaranteed availability is given with reasonable notice.

Attachments

1. Confidential Tender Assessment (not to be published).

TS09.15	Tender No. 2013/14.31 – Provision of Traffic Management Services
----------------	---

Committee	10 March 2015
Council	24 March 2015
Applicant	City of Nedlands
Officer	Nathan Brewer – Purchasing and Tenders Coordinator
Director	Mark Goodlet – Director Technical Services
Director Signature	
File Reference	TS-PRO-00016
Previous Item	Not Applicable

Executive Summary

To award the term contract for the provision of traffic management services in the City of Nedlands for capital and operational works where required.

Recommendation to Committee

Council:

- 1. Agrees to award tender no. 2013/14.31 to the contractor Quality Traffic Management as per the schedule of rates 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 civil infrastructure as part of operational and capital works.

Background

The City of Nedlands includes a provision traffic management services to maintain and improve the City's infrastructure as part of the engineering services capital works. Expenditure on this contract 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 13 December 2014 in the West Australian Newspaper. Tenders opened on Monday 15 December 2014 and submissions closed at 14:00 pm Wednesday 14 January 2015.

A total of 11 conforming tender submissions were received from the following tenderers:

1. Quality Traffic Management;
2. Evolution Group;
3. Traffic Response Group;
4. Contraflow;
5. Carringtons Traffic Services;
6. Highways Traffic;
7. Altus Traffic;
8. Advanced Traffic Management;
9. Prime Traffic Solutions;
10. Weston Road Systems; and
11. Truline Excavations.

One non-conforming tender submission was also received from International Traffic Solutions.

Key Relevant Previous Council Decisions

Nil.

Consultation

Required by legislation:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Required by City of Nedlands policy:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Requires further budget consideration:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Risk Management

Failing to appoint the contract will impact on the City’s ability to deliver traffic management on City roads 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 2013/14.31.

Qualitative Selection Criteria	Weighting
<p>Organisation Capabilities A Tenderer must as a minimum, address the following information in an attachment and label it “Organisation Capabilities”:</p> <ul style="list-style-type: none"> a) Nominate key personnel to be involved in this contract and provide relevant experience and industry-recognised qualifications and registrations of the key personnel; b) Demonstrate the ability to supply and sustain the necessary manpower, plant and equipment; and c) Demonstrate recent experience with contracts of a similar size and scope. 	30%
<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"> c) Demonstrate ability to provide high quality and standard of work; and d) Demonstrated successful outcomes on previous projects of similar scope. 	20%
<p>Demonstrated Understanding A Tenderer must as a minimum, address the following information in an attachment and label it “Demonstrated Understanding”:</p> <ul style="list-style-type: none"> d) An outline of proposed methodology, including equipment and material supply details; and e) Notice requirements to guarantee availability for works.. 	20%

<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>
--	-------------------

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

The tenderer who scored the highest in the evaluation was Quality Traffic Management with 81%.

All final evaluation scores are published in Attachment 1.

Conclusion

After an assessment of the submitted tenders it is proposed that Council agrees to award tender no. 2013/14.31 to the contractor Quality Traffic Management.

Quality Traffic Management attained the highest score in the evaluation, and is assessed accordingly as providing the most cost efficient outcome and best overall value for the service tendered for.

Quality Traffic Management demonstrated that they have a good sized team with a range of support staff and a strong fleet, a large turnover primarily on Local Government projects and sustain a repeat client base. They are fully accredited with good systems that focus on safety and training, with a strong understanding of importance of systems, training and continuous improvement.

Quality Traffic Management also demonstrated that they have access to ample temporary resources to cover requirements when workload is high.

Attachments

1. Confidential Tender Assessment (not to be published).

TS10.15	Consideration for Management Options for Tree in Poplar Gardens (Reserve 42253), Mt Claremont
----------------	--

Committee	10 March 2015
Council	24 March 2015
Applicant	City of Nedlands
Officer	Andrew Dickson – Manager Parks Services
Director	Mark Goodlet – Director Technical Services
Director Signature	
File Reference	PAR-AAPS-00009
Previous Item	Council Minutes 28 February 2012 - Item 12.3; Report TO1.12

Executive Summary

The purpose of this report is to seek instruction from Council in respect of a continuing matter, previously considered by Council, involving an appreciably large tree on a City reserve.

Recommendation to Committee

Council requests the CEO to continue with the annual inspection and management of the subject tree in accordance with recognised best practice principles for the management of trees in urban areas.

or Alternatively

Council accepts the view that the subject tree poses an unacceptable risk, due to its size and species, and requests the CEO remove and replace the tree, as the only practicable option for eliminating the risk, with a suitable species for the location.

Strategic Community Plan

KFA: Natural and Built Environment

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

Background

Commencing February 2004, concerns have been registered with the City relating to perceived risks posed by a large gum tree situated in Poplar Gardens (Reserve 42253), Mt Claremont. The concerns are being registered primarily by a resident residing at an adjacent property. The most recent correspondence was received on 19 January 2015 (Attachment 1).

Previous correspondence (Attachment 1) has requested the tree be cut down to a safe height and then maintained by Council. Administration has not agreed to management of the tree in this manner as it is contrary to accepted public tree management standards.

Commencing 2004, as a consequence of concerns being raised, the tree has been inspected and assessed annually by a consultant arborist; the 2015 inspection is imminent. All previous and current recommendations for remedial works have being carried out to date. Furthermore, the City engaged suitably qualified and competent arborists on two occasions, in March 2009 and February 2012, to more comprehensively inspect, assess and report on the tree (Attachments 2 and 3). The City requested that the reports include recommendations for remedial pruning or other necessary works to mitigate any identified risks to persons or property.

In February 2012 Council approved removal of a large branch from the tree on receiving advice from the City's consultant arborist that this was an acceptable conciliatory solution to alleviate concerns raised. The branch comprised a large portion of the tree canopy growing towards its northern side and encroaching over the adjacent property to its north; refer below Council resolution.

Key Relevant Previous Decisions

- Council Meeting 28 February 2012 – Item 12.3; Report TO1.12

Council Resolution

Council:

- a) approves the request for the removal of that part of the River Red Gum located in Poplar Gardens reserve overhanging units at 7 Lantana Avenue, Mt Claremont, by removing a section of the northern side of the canopy in accordance with Section 6 of the related Arbor Logic report dated 28 February 2012; and
- b) a re-inspection of the tree in b) is completed by a suitably qualified and experienced arboricultural consultant on an annual cycle.

Consultation

Required by legislation:

Yes ☐

No ☒

Required by City of Nedlands policy:

Yes ☒

No ☐

The City's Community Engagement Strategy requires notification to surrounding residents of any significant activities carried out on City property.

Legislation / Policy

Local Government Act 1995

City of Nedlands Policy – ‘Street Trees’

Budget/Financial Implications

Within current approved budget:

Yes ☒

No ☐

Requires further budget consideration:

Yes ☐

No ☒

Tree maintenance activities are addressed through the Parks Services operational budget which includes a provision for tree maintenance, removal and replacement.

Risk Management

The primary risks associated with Council’s instruction in this matter are reputational and governance related risk.

Removal of mature trees is an emotive issue for some members of the community who view tree removal as undesirable and/or unnecessary. This places an emphasis on establishing decisions based on objective evidence provided by suitably qualified and competent experts in tree risk management.

Discussion

The location of the subject tree in relation to adjacent property is approximately 9.5m to the northern property boundary and 3.0m to the southern property boundary (refer Figure 1).



Figure 1 – Location of Subject Tree in Poplar Gardens

The tree is a River Red Gum (*Eucalyptus camaldulensis*) with a measured height of 37m (refer Figure 2). Concerns are primarily being raised by a resident that resides in an adjacent dwelling located approximately 17m from the base of the tree.



Figure 2 – Subject Tree, River Red Gum

Matters that may be considered as supporting retention of the tree:

- The City is in receipt of two reports from suitably qualified and competent arboricultural consultants assessing the probability of tree and/or branch failure as unlikely. Assessment of the tree is undertaken annually and there is no current evidence there has been any significant change to these assessments.
- Concern has been raised as to the potential for the tree to fail during a storm or high wind event leading to it impacting on adjacent properties and/or potentially killing someone. Objective examination of this concern points to the probability of significant harm to persons and/or property, arising from the tree during an event of this nature, as being unlikely if people were exercising reasonable judgment during such conditions.
- There is no reported evidence of the root system of the tree being compromised structurally or of pathogenic activity at or around ground level. This points towards the probability of 'whole of tree' failure (i.e. failure at or around ground level) as being unlikely at this time. Furthermore, the recent reduction in canopy mass, resulting from removal of the large branch in 2012, has significantly reduced the wind loading forces exerted upon the structure of the tree making 'whole of tree' failure less likely.
- The prevailing wind direction during high wind events in Perth occurs from the north-west to south-west quadrant during the passage of winter frontal systems. Tree or branch failure as a result of high winds would most likely have a corresponding orientation in the direction the wind was moving towards i.e. towards Lantana Avenue in the south-east to the north-east quadrant.
- In the event of a significant wind event impacting the tree, it is highly probable that branch failure would occur foremost further reducing wind loading and the likelihood of 'whole of tree' failure.

Matters that may be considered as supporting removal of the tree:

- There are justifiable grounds to resolve that the tree may not be entirely suitable for the location based on its size and evidence of a history within the species of undesirable physiological characteristics. There is acknowledgment within the arboricultural community that this species is one of a number of Eucalypt species that has a propensity to shed limbs irrespective of any prior indication or evidence of structural defect. This physiological characteristic is not well understood by the industry. The most significant risk posed by the tree in this circumstance is targeted particularly to the area directly beneath the canopy 'footprint', and therefore users of the reserve, and less so to the adjacent properties to the south and north of the tree.
- Management of trees in urban areas applies a risk versus benefit based approach, whereby it is acknowledged that there is inherent risk of varying degree attached to all trees where they coexist amongst people and property. The primary aspect of risk to consider with larger trees, in the event of an unlikely failure event, is elevation of the potential consequences. Though larger trees may be no more likely

to fail, it would be true to say that the larger the tree the more significant the consequences in the event of failure.

- The expert risk assessments point towards a low probability that the tree will fail to any degree and, in the event it did fail, this would not significantly impact on adjacent property. Notwithstanding, there is no capacity to predict all probabilities and forecast the location or the potential impacts of tree or branch failure. What is more evident are that the consequences of tree failure would be most significant directly under the canopy 'footprint' of the tree with this reducing further out from the canopy footprint.
- The possibility of alleviating concerns through significantly reducing the height of the tree, as requested, is not a practicable management option. This approach is not within the range of acceptable standards for public tree management. Likely outcomes of this approach would be a decline in the health of the tree, resultant increased maintenance requirements, a higher risk of future structural failure and subsequent increased exposure to liability.
- The River Red Gum is not endemic to the Perth region or southwest Western Australia. There is no evidence this specimen has a significant heritage association or is remnant to the area prior to its current development.

Conclusion

At present there is no evidence that the subject tree is at significant risk of failure other than from intervention by external influences. The risks posed by the tree are assessed as being acceptable at the current time if suitably managed.

Notwithstanding, the size and species of the tree is such that the measure of risk is elevated as a result of the potential consequences in the event of failure. This points towards a possible conclusion of it being somewhat unsuitable for its location.

If Council is of the opinion the tree should be removed, Administration would be amenable to this position and would not recommend a replacement tree of similar size and species be planted in this location.

Attachments

1. Confidential Correspondence (not to be published);
2. Arboricultural Report 25 March 2009; and
3. Arboricultural Report 28 February 2012.

Arboricultural Report

Species: *Eucalyptus camaldulensis* (River Red Gum)
Location: Walkway behind Unit 3/7 Lantana Way, Mt Claremont.
Client: City of Nedlands, Chris Batchem
Date: 25 March 2009

Reason for assessment

I confirm that you have employed this consultant to carry out a detailed tree inspection. To supply a report of the findings on the *Eucalyptus camaldulensis* situated at the above location due to a concern from the adjacent resident regarding the mechanical structural integrity of the tree and therefore the level of risk that the tree may represent to property and to persons.

Inspection findings

This consultant confirms that a site visit to inspect the tree situated at the above location was carried out on the 22 March 2009.

The tree is identified as a mature *Eucalyptus camaldulensis* (River Red Gum). It is situated within the Public Access Way behind the property known as Unit 3/7 Lantana Way, Mt Claremont. The tree has a clinometer height reading of 37.7m, with a canopy spread of approximately 13m north/south and the trunk diameter taken from breast height is 1220mm. The tree is situated 2.2m from the pedestrian footpath and 9.5m to the property boundary fence of Unit 3/7 Lantana Way, Mt Claremont.

An inspection of the main trunk revealed that it extends to an approximate height of 2m from which it then develops a codominant stem and then forms the main canopy. The main trunk was found to display a slight lean in a northern direction however this was considered insignificant. There was no evidence of compression forks, included bark or abnormal swelling at the stems main point of emergence, rendering this branch union to be strong. The trunk and codominant stems were found to be in a mechanically structurally sound condition, with no visual signs of abnormal swelling, decay, cavities or harmful insect pathogens.

The branch structure was relatively well formed, an inspection of the canopy identified that limbs over both property boundary sides and roadway have been selectively reduced to alleviate limb loading and to facilitate Western Power's guidelines for the management of trees adjacent high voltage wires. These limbs were pruned back to sound growth points with the resultant wounds displaying satisfactory occlusion by callus tissue. It was evident that the canopy has shed some sporadic limbs, with resultant jagged branch stubs insignificant in size to become detrimental to the future health of the tree. The limb growing over towards Unit 3/7 Lantana Way, Mt Claremont was showing signs of excessive limb loading and contains a dead limb, it is recommended that minor reduction pruning be carried out to reduce the propensity for future fracture and failure. The remaining encroaching limbs were found to be in a mechanically structurally sound condition at this time. A minor amount of epicormic growth has emerged upon the main stems, however this growth is not of a size or weight to represent a risk factor.

The canopy was holding some sporadic sections of deadwood, which consisted only of light material and therefore was not of a size or weight to represent a potential risk factor to the surrounding targets at this time.

The canopy was displaying a satisfactory overall foliage coverage, colour and size, with lateral and apical growth showing satisfactory extension.

An examination at ground level revealed the development of a sound buttress root system, with no visual signs of harmful root pathogens, root movement, soil heave or displacement, confirming that this specimen is structurally root firm.

Conclusion

This consultant's inspection of this specimen of *Eucalyptus camaldulensis* revealed that although the main stem has developed a codominant stem, there was no evidence of compression forks, included bark or abnormal swelling at the stems main point of emergence, rendering this branch union to be strong. The main trunk was found to be in a mechanically structurally sound condition and therefore does not represent a risk factor to the structural strength or to the stability of the tree.

As confirmed the canopy has previously had limb reduction pruning on both property boundary sides and roadway with the resultant wounds displaying satisfactory occlusion. This consultant confirms that the limb growing over towards Unit 3/7 Lantana Way, Mt Claremont was showing signs of excessive limb loading and contains a dead limb, it is recommended that this limb be reduced to reduce the propensity for future fracture and failure. An inspection of the remaining canopy identified that the encroaching limbs were found to be in a mechanically structurally sound and healthy condition with no visual signs of decay, cavities or harmful insect pathogens.

It is therefore this consultant's opinion that an inspection of this specimen of *Eucalyptus camaldulensis* revealed that the tree was found to be in a predominantly structurally sound condition, and although it would be advisable to inspect the tree annually to monitor limb loading, it only requires remedial pruning to reduce limb loading on the northern stem. It provides significant aesthetic and amenity value to the surrounding streetscape therefore there is no sound arboricultural justification to remove this tree.

Method of Assessment.

1. The existing health and condition of the tree.
2. The location of the tree from the property boundary, pedestrian footpath and roadway.
3. The structural integrity of the encroaching limbs.
4. The level of risk that the tree represents to property and to persons.
5. The aesthetic and amenity value that the tree contributes to the streetscape.

Recommendations

Reduce the lowest northern branch which contains a dead limb (Growing towards Unit 3/7 Lantana Way, Mt Claremont) back to a sound growth point. (See photo for clarification)

Monitor annually.

Zana O'Doherty
Arboricultural Consultant
ISA Certified Arborist AU-0039A
QTRA Licensed user 1082
Dip.Horticulture





This photo was taken standing near the road.

Require the lowest northern branch which contains a dead limb reduced back to a sound growth point. (Growing towards Unit 3/7 Lantana Way, Mt Claremont)



28 February 2012

City of Nedlands
71 Stirling Highway
Nedlands WA 6009

ATTENTION: Chris Batchem

RE: River Red Gum; Adjacent 7 Lantana Avenue, Mt Claremont

Arboricultural Assessment

Dear Chris,

Further to your request and my inspection of the identified tree ("Tree") situated adjacent 7 Lantana Avenue, Mt Claremont, the following is a brief of my findings and opinion on its future management.

1. Purpose of the Report

As per your request, the primary objectives of the inspection were to:

1. Inspect and assess the current health, vigour and structural form of the identified Tree;
2. Provide an opinion on the Tree and any future management guidelines in view of the risk management and the relevant legal responsibilities that are generally associated with tree 'ownership'.
3. Provide comment on the proposal to remove a section of the Tree in an effort to address the concerns of a resident in 7 Lantana Avenue, Mt Claremont.

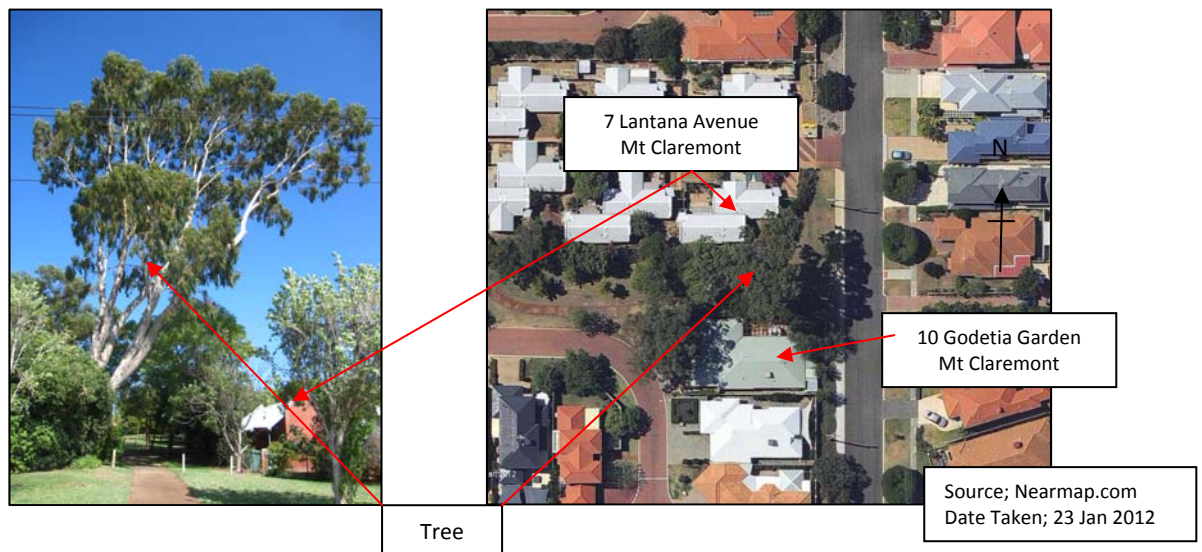
2. Limitations of this Assessment

The findings and opinion of this assessment have been based solely on the visual inspection of the Tree; 28 February 2012.

It is not the purpose of this report to provide a detailed description of the Tree's condition or its future management recommendations.

It is in this consultants understanding that the Tree has been previously inspected (by other consultants) to provide comment on its health, structural condition and future management requirements. The results of any previous inspections and report were however not provided to me at the time of my inspection or writing this report.

3. Tree Observations



Species; River Red Gum (*Eucalyptus camaldulensis*)

- The health and vigour of the Tree is considered to be good based on the condition of its leaf and overall volume of leaf mass present in its canopy.

No noticeable major pests and/or diseases that could have an affect on the Tree's health were noted at the time of inspection.

- The structure of the Tree was considered to be good and reasonably typical for a specimen of its given species at this size/age.

Its main stem was noted to furcate into two primary main stem structures at around two metres above ground level. Each of these structures was noted to furcate into two again at around a further two metres above that union.

However based on cursory observations from ground level all of these unions showed to be in good (i.e. typical) condition at the time of my inspection, and I could see no evidence of any areas of included bark, swelling, cracking or excessive noticeable movement during my inspection.

Through the use of sounding techniques, no areas of decay or cavity were detected in the sections of its main stem structure that were reachable from ground level.

Closer inspection of the Tree's root zone showed no noticeable evidence of any heaving, cracking, or movement and it appeared to be root stable at the time of my inspection.

I could see no evidence of any history of branch failures in the canopy of the Tree.

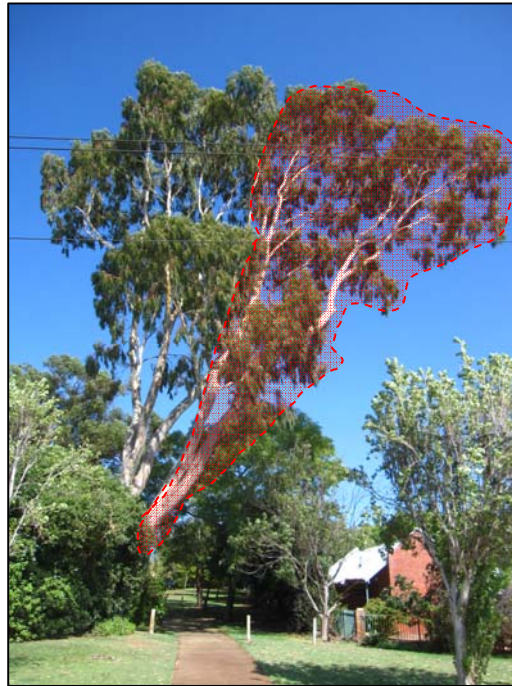
4. Opinion on the Tree

Based on my observations the Tree looks to be a good mature specimen of its given species.

With the absence of any history of any branch failures or any structural 'defects' of concern in the Tree I consider any risks associated with it to be well with the realms of (what would generally be considered to be) an acceptable level, and well within the realms and scope of management at this stage.

5. Comment on the Potential Impact of the Extent of Canopy Works Proposed

Based on the information provided the proposed works are to result in the removal of the northern main stem section of the Tree in its entirety; indicated on the image below.



This will result in as much as 50 - 60% of the Tree's canopy mass to be removed; and the entire northern half of its canopy mass.

This is considered highly likely to have a detrimental effect to the Tree due to it:

1. Resulting in increased exposure to areas of its canopy currently protected from force loading from north/north-westerly (storm) winds; thus increasing the potential for branch failures to occur in the future;
2. Resulting in the removal of too much photosynthetic mass (required by the Tree to produce essential sugars required for plant health and functions); thus increasing the potential for tree health related issues and canopy decline to occur in the future.
3. Resulting in increased exposure to sections of its canopy currently protected from light and heat factors by the northern side of its canopy; thus increasing the potential for tree health related issues and decline to occur in the future.
4. Altering the dynamic mass properties of the Tree; also increasing the potential for branch failures to occur in the future;

In short the removal of such a large extent of its canopy is considered likely to have detrimental implications to the future health and structural properties of the Tree; thus increasing associated risks, management requirements and therefore expense requirements to address the issues that are likely to arise as a direct result of the proposed works.

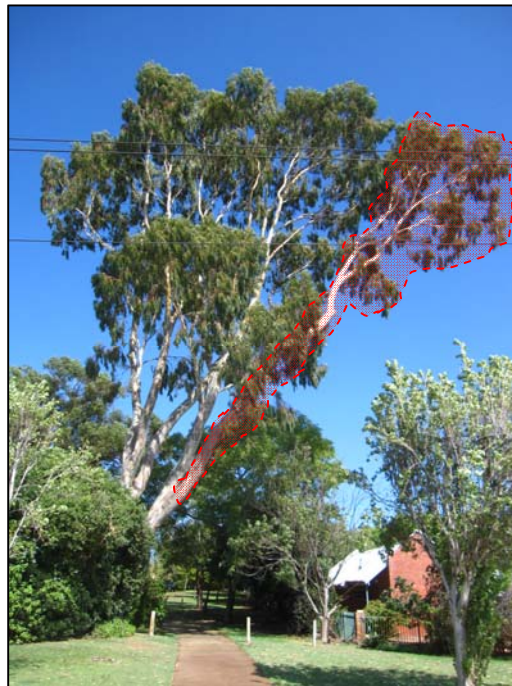
As such I would strongly recommend that removal of this section of canopy in its entirety does **not** occur.

6. Overall Opinion and Recommended Canopy Management

At this stage, based on my visual observations of the Tree I would recommend and support the retention of this Tree in its current state as there appears to be no evidence to suggest that a branch failure of any size is likely to occur, or that the Tree in its current state represents an unacceptable (or unmanageable) endangerment to persons or property on adjoining land; namely 7 Lantana Avenue, Mt Claremont.

I would be strongly opposed to the removal of the northern side of its canopy in its entirety and strongly recommend that it does not occur; as in my opinion this action is likely to have a detrimental effect to the future health and structural properties of the Tree and result in an increased associated risk, management requirement and therefore expense requirement.

As a compromise, and in an effort to appease any issue of the residents in the adjacent properties, the removal of a section of the northern side of its canopy (indicated on the image below) could be undertaken if desired and is considered likely to have minimal effect on the Tree's future health and structural properties¹.



However, to reiterate this work is not considered necessary in view of any risk management responsibilities at this stage.

A re-inspection of the Tree is recommended to be undertaken by a suitably qualified and experienced arboricultural consultant on an annual cycle.

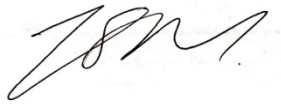
1

Notes on Canopy Works (if undertaken)

- Canopy thinning is not to exceed the removal of more than what has been specified.
- All tree works must be undertaken by qualified (minimum of AQF certificate 3 arboriculture) and experienced tree surgeons, and works are to comply with Australian Standards 4373 (2007); *Pruning of Amenity Trees*.

If you have any queries regarding the findings of this document, or if I can be of further assistance, please do not hesitate to contact me.

Yours sincerely



JASON ROYAL

Dip. Arboriculture (UK)
Tech. Arbor A

Disclaimer:

This advice has been provided in good faith and based upon the material information provided by the Client to Arbor logic, and based on the visual inspection of the tree(s) at the time this advice was prepared.

Arbor logic does not accept liability arising out of loss or damage that results from: -

- Material information not being provided by the Client to Arbor logic at the time this advice was prepared.
- The provision of misleading or incorrect information by the Client or any other party to Arbor logic upon which this advice was prepared.
- This advice being used by the Client or any other party in circumstances or situations other than the specific subject of this advice.
- Failure by the Client to follow this advice.
- The action(s) or inaction(s) of the Client or any other party that gives rise to the loss of, or damage to, the subject of this advice.

The information provided in this advice may not be reissued or printed without Arbor logic's written permission.

It is also important to take into consideration that all trees are living organisms and as such there are many variables that can affect their health and structural properties that remain beyond the scope of reasonable management practices or the advice provided in this report based on the visual inspection of the tree(s).

As such a degree of risk will still remain with any given tree(s) despite the adoption of any best management practices or recommendations made in this report.