



City of Nedlands

# ***Minutes***

## ***Council Committee Meeting***

***9 June 2015***

### **ATTENTION**

**These minutes are subject to confirmation.**

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



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## City of Nedlands

**Notice of a meeting of the Council Committee held in the Council Chambers on Tuesday 9 June 2015 at 7.00pm.**

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### Council Committee Agenda

#### Declaration of Opening

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

(Note: At the Ordinary Meeting held on 24 August 2014, Council resolved that should the meeting time reach 11.00pm, the meeting is to consider an adjournment motion to reconvene the next day).

<b>Councillors</b>	His Worship the Mayor, R M Hipkins	(Presiding Member)
	Councillor G A R Hay	Melvista Ward
	Councillor T P James	Melvista Ward
	Councillor N W Shaw	Melvista Ward
	Councillor N B J Horley	Coastal Districts Ward
	Councillor K A Smyth	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor W R Hassell	Dalkeith Ward
	Councillor S J Porter	Dalkeith Ward
	Councillor R Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor J D Wetherall	Hollywood Ward
	Councillor L J McManus	Coastal Districts Ward
 <b>Staff</b>	Mr G K Trevaskis	Chief Executive Officer
	Mr P L Mickleson	Director Planning & Development
	Mr M A Goodlet	Director Technical Services
	Mrs M E Granich	Manager Community Development
	Mrs A L Sunderland	Executive Assistant

**Public**                    There were 8 members of the public present.

**Press**                     The Post Newspaper representative.

**Leave of Absence**            Nil.  
**(Previously Approved)**

**Apologies**                Nil

**Absent**                     Nil.

**Disclaimer:**

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

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**1. Public Question Time**

**Mr Allan Park, 8 Bedford Street, Nedlands**

On 8 June 2015, Mr Park submitted questions for the Committee Meeting of 9 June 2015 in relation to item PD30.15 of the Agenda as below:

Question 1:

*It is stated in the report that:*

*"It would be contrary to Council Resolution dated 26 May 2015 where it was resolved that Council 'does not initiate further amendments to Town Planning Scheme No. 2'*

*In this case it is the Applicant who is initiating the amendment and not the Council itself, so why can't the Council proceed on the merits of the application?*

Answer 1:

*In this instance the use of the word initiate has been used to differentiate between the adoption of a Scheme Amendment under r. 13 (1) and the adoption of a Scheme Amendment under r. 17 (2) of the Town Planning Regulations 1967.*

*It is common within the planning industry, and specifically Local Government, to refer to adoption under r. 13 (1) as initiation, or initial adoption, of the Scheme Amendment so as to not confuse adoption at this stage with adoption under r. 17 (2) - which itself can be known as final adoption of a Scheme Amendment.*

*Whether a Scheme Amendment is submitted by an applicant for consideration or undertaken by the City is not the reason for the use of the word and Council must consider the amendment under r.13 (1) in the same way regardless of it being submitted by an external party or generated by itself.*

Question 2:

*The report states that a LPS is not in place, but at the meeting on 26 May 2015 we were told that there is a LPS in place, but that it is being updated. Where can the ratepayers get a copy of the current LPS?*

Answer 2:

*There is a draft Local Planning Strategy that has been assessed by the Western Australian Planning Commission (WAPC) that was submitted to the WAPC in December 2011. The WAPC and the Minister, have considered the Local Planning Strategy and the Minister has granted consent to advertise the Local Planning Strategy subject to modifications.*

*Until such time that the City has undertaken all modifications to the satisfaction of the WAPC, the City is not permitted to advertise the Local Planning Strategy.*

*Any reference to a Local Planning Strategy within Council reports is to the draft 2011 version which is currently being modified to meet the WAPC's requirements and is, at this point in time, not appropriate - or allowed - to be released to the public.*

Question 3:

*If in answering question 2, the Council claims that the LPS is not in place, or is out of date, then could the Council explain specifically why it was able to rezone Dalkeith (Waratah Avenue/Alexander Road) (in paragraph 6.2.2) without a LPS and why is this different from the current application?*

Answer 3:

*The Scheme Amendment to rezone parts of Alexander Road (SA148) was undertaken around 2004, and took effect in February 2005. The Local Housing Strategy (2001) provided the justification for amending the existing Town Planning Scheme No. 2 at that time.*

*The Scheme Amendment that resulted in the rezoning of parts of Waratah Ave (SA192) was started around 2007, and took effect in April 2012. The Housing Diversity Study (2006) provided the justification for amending the existing Town Planning Scheme No. 2 at that time.*

*With regard to this application - since the Housing Diversity Study was undertaken, there has been a significant shift in planning practice in Western Australia\* - especially in how it now deals with infill development, density and centres. It is not considered prudent for the City of Nedlands to rely on the Housing Diversity Study as justification for further amendments to Town Planning Scheme No. 2.*

*\*For example, the release of significant Regional Strategies (Directions 2031), a revised State Planning Framework, significant new State Planning Policies (SPP 4.2), Development Control policies and the like by the Department of Planning since 2010 has given Local Government a framework for how it should consider local planning issues and the tools it should have in place to deal with them (e.g.: Local Planning Strategy, Local Planning Scheme, Local Development Plans, Local Planning Policies etc).*

Question 4

*The 'Dalkeith on Waratah' development was approved by the WAPC on appeal, so could the Administration advise the main reasons given by WAPC for overturning the Council's original decision?*

Answer 4

*Very broadly, there have been two separate town planning processes that have resulted in the Dalkeith on Waratah development (87 Waratah Avenue) – a Scheme Amendment and a Development Application.*

*The Scheme Amendment (SA192) process started around 2007, was formally initiated by Council in 2010, adopted as final by Council in 2011 and took effect in April 2012. After the Scheme Amendment was finalised by Council, the City was instructed by the Minister for Planning to make modifications to the amendment and re-advertise. This was completed and submissions were forwarded to the WAPC. The Minister for Planning subsequently granted final approval to the modified version of the Scheme Amendment.*

*Following gazettal, a Scheme Amendment forms part of the Town Planning Scheme and Development Applications can be received and assessed by the local government accordingly. As the Dalkeith on Waratah development application met certain thresholds, it was considered and determined by the Metro West Joint Development Assessment Panel. Appeals in regard to JDAP decisions are made to the State Administrative Tribunal.*

Question 5

*The Paper states that the Administration is in the process of developing a LPS. Could the Administration please advise if the following information is correct (or clarify the timeline of events)?*

- a) *In 2010 a LPS was submitted by NCC to WAPC, but*
  - *It was not in the required form set out in the Local Planning Manual, and*
  - *It did not meet the standard required for 'content'.*
- b) *Later in 2010 the LPS was resubmitted by the Administration to WAPC in a modified form*
- c) *In 2011 the NCC requested that its LPS be approved by WAPC (and work was ceased on TPS3)*
- d) *In December 2013 the WAPC gave consent to NCC for the LPS to be advertised sub*

Answer 5

*Parts of the above timeline needs clarification:*

*The draft Town Planning Scheme No. 3 was submitted to the WAPC in September 2010.*

*Following advice from the Department of Planning staff, the draft Local Planning Strategy was developed over the following 15 months and submitted in December 2011 (not in accordance with the Local Planning Manual, however*

records indicate that this was acceptable to the Department of Planning staff at that time).

The City requested that the Strategy be assessed separately from the Scheme. At that time, it was understood that assessment on the draft Town Planning Scheme No. 3 was continuing, albeit in the background, by the WAPC who were assessing its suitability for advertising.

Assessment of the Local Planning Strategy by the WAPC was completed in December 2013. At the time this assessment was complete, the form and content of the Local Planning Strategy was no longer considered acceptable and compliance with the form and content of the Local Planning Manual was the basis of the modifications required to the Local Planning Strategy.

Current the City accepts this decision and the requirement to draft a Local Planning Strategy that complies with the form and content of the Local Planning Manual. Work on such has been underway since this time.

#### Question 6

It is stated in the paper that 'Until the City has an adopted Local Planning Strategy, the boundaries that define the location, size and form of the City's activity centres has not been determined.' From my discussions with the WAPC, a LPS is a high level document. Could the Administration advise:

- a) Does the WAPC specifically require detailed information on the location, size and form or activity centres to be provided in the LPS?
- b) If it does, then isn't this level of detail provided in the various iterations of the LPS's (as noted above) already submitted to WAPC?

#### Answer 6

The WAPC does require, as set out in its Local Planning Manual, that a Local Planning Strategy contains (with specific reference to retail and commercial issues) the:

- Pattern of regional, district and local centres including the nature, composition, location, scale and associations (between uses and with transport).
- Current and future retail and commercial floor space requirements, with reference to commercial services, population growth, employment and accessibility.
- Transport assessment impact of the retail and commercial activity.
- Adequacy of the existing pattern of development and the distribution of centres to meet community needs.
- Impact of changes in retailing, customer behaviour, and transport on the nature and location of shopping, commercial activities and community services.
- Strategies to promote more effective mix of activities so as to facilitate reduced travel, more efficient transport/movement and reduced parking requirements.



- *Identification of public and private initiatives which are likely to improve the composition and distribution of centres.*

*The December 2011 draft Local Planning Strategy submitted to the WAPC for assessment was not drafted in accordance with the Local Planning Manual and therefore does not contain the level of detail as set out in the Local Planning Manual as required by the WAPC.*

Question 7

*Since the May 26 Meeting could the Council advise the following:*

- a) *Who is involved and who is responsible for drafting the modifications to the LPS?*

Answer a):

*The City's Strategic Planning team is responsible for the drafting of the Local Planning Strategy and is undertaking the required modifications to the Strategy.*

- b) *Has a clear project timetable been prepared taking into account any special meeting of the Council?*

Answer b):

*Yes. The production of this document is being undertaken as a major project following PMBOK project management principles.*

- c) *What is the earliest and latest date for submission of the LPS to the WAPC?*

Answer c):

*There is no required date for the Local Planning Strategy to be submitted to the WAPC. The original Project Schedule included submission of the re-drafted Local Planning Strategy to the WAPC by November 2015. Recent resourcing re-allocation within the Strategic Planning team should enable the Local Planning Strategy to be submitted ahead of the original Project Schedule.*

- d) *Has contact been made by the Administration with the WAPC since the 26 May meeting to discuss how to meet their requirements for "form and substance" and when was the contact made?*

Answer d):

*The Strategic Planning team has been in regular contact with Department of Planning staff since the Ministers decision was received in December 2013 which required modifications to the Local Planning Strategy. The current Strategic Planning team fully understands the 'form and substance' of the required modifications and their context within a re-drafted Local Planning Strategy that follows the format as set out in the Local Planning Manual. The last 6 - 9 months has seen the Strategic Planning team make significant inroads into project planning and delivering a re-drafted Local Planning Strategy. Regular communication with Department of Planning staff has been maintained and strengthened throughout this period.*

*With specific reference to the 26 May 2015 resolution on Town Planning Scheme No. 3 - The Mayor, CEO and Director Planning & Development met with the Chair of the WAPC, Mr Eric Lumsden on the 5 June 2015 to discuss Council's resolution and the City has written to the Department of Planning to confirm items discussed during this meeting.*

*The crux of that meeting involved:*

- *stopping work on Omnibus Amendment 199; and*
- *completing a re-drafted Local Planning Strategy.*

*Following completion of the re-drafted Local Planning Strategy, the City shall draft a new Local Planning Scheme (following the required modifications as set out in the Minister's advice received March 2015 & in accordance with Model Scheme Text.*

## **2. Address by Members of the Public (only items listed on the Agenda)**

Mr David Jones, PHC Projects/Planners, 55 Murray Street, Perth PD30.15  
(On behalf of J & M Rottijan, 113 Waratah Ave, Dalkeith)  
(Spoke against the recommendation)

Mr D and Mrs S Wright, 85 Florence Road, Nedlands PD32.15  
(Spoke in support of the recommendation)

Mr C Richardson, Nedlands Dalkeith Bowling Club CM04.15  
(Spoke in support of the recommendation)

## **3. Disclosures of Financial Interest**

### **3.1 Mayor Hipkins – Item 9.1 - Conference Attendance Request – Mayor Hipkins to Attend the 2015 Asia Pacific Cities Summit & Mayor's Forum in Brisbane from 5 - 8 July 2015**

Mayor Hipkins disclosed an financial interest in Item 9.1, Conference Attendance Request – Mayor Hipkins to Attend the 2015 Asia Pacific Cities Summit & Mayor's Forum in Brisbane from 5 - 8 July 2015. Mayor Hipkins disclosed that this report is requesting Council approve his attendance at the Summit, and as a consequence, there may be a perception that his impartiality on the matter may be affected. Mayor Hipkins declared that he would depart the Chambers while Council voted on this item.

## **4. Disclosures of Interests Affecting Impartiality**

Nil.

## **5. Declarations by Members That They Have Not Given Due Consideration**

Nil.

**6. Confirmation of Minutes**

**6.1 Committee Meeting 12 May 2015**

The minutes of the Council Committee held on 12 May 2015 are to be confirmed.

Moved – Councillor Binks  
Seconded – Councillor Argyle

**The Minutes of the Council Committee held on 12 May 2015 be confirmed.**

**CARRIED UNANIMOUSLY 13/-**

**7. Matters for Which the Meeting May Be Closed**

Nil.

**8. Divisional Reports**

Note:

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

## 8.1 Planning and Development Report No's PD30.15 to PD32.15

<b>PD30.15 Scheme Amendment 206 – Initiation Report to Change the Coding of Lots 225 – 236 and 340 – 348 Waratah Avenue, Dalkeith from ‘Residential R10’ to ‘Residential R20’.</b>
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<b>Committee</b>	9 June 2015
<b>Council</b>	23 June 2015
<b>Applicant</b>	PHC Projects
<b>Officer</b>	Emma van der Linden – Strategic Planning Officer
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>File Reference</b>	PLAN-PA-00010
<b>Previous Item</b>	Nil.

Mr David Jones, PHC Projects/Planners, 55 Murray Street, Perth PD30.15  
 (On behalf of J & M Rottijan, 113 Waratah Ave, Dalkeith)  
 (Spoke against the recommendation)

**Regulation 11(da) – Not applicable – Recommendation Adopted**

Moved – Councillor Hassell  
 Seconded – Councillor Argyle

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

Pursuant to Section 75 of the *Planning and Development Act 2005*, Council does NOT initiate an Amendment to Town Planning Scheme No. 2 to recode Lots 225 – 236 and 340 – 348 Waratah Avenue, Dalkeith from ‘Residential R10’ to ‘Residential R20’ for the following reasons:

1. The scheme amendment is premature due to the lack of suitable Local Planning Framework, specifically a Local Planning Strategy, being in place.
2. Waratah Avenue Neighbourhood Centre and surrounds is appropriately zoned to meet the minimum density requirements as required by State Planning Policy.
3. The built form outcome would be significantly different from the character of the area and there are no provisions to aid in planning for a quality built outcome.

**CARRIED UNANIMOUSLY 13/-**

<b>PD31.15</b>	<b>Draft Local Planning Policy – Advertising Signs</b>
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<b>Committee</b>	9 June 2015
<b>Council</b>	23 June 2015
<b>Applicant</b>	N/A
<b>Owner</b>	N/A
<b>Officer</b>	Andrew Bratley – Coordinator Statutory Planning
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>File Reference</b>	PLAN-LPP-00003 : PLAN-009281
<b>Previous Item</b>	PD36.14 – 23 September 2014

*Mr Trevaskis departed the Chambers at 7.25pm and returned at 7.29pm.*

*Councillor Porter departed the Chambers at 7.32pm and returned at 7.33pm.*

**Regulation 11(da) – Not applicable – Recommendation Adopted**

Moved – Councillor Hassell  
 Seconded – Councillor Binks

**Committee Recommendation / Recommendation to Committee**

**Council:**

1. **Revokes the City of Nedlands Signs Local Law 2007;**
2. **Revokes Council’s Roof Signs Policy; and**
3. **Adopts draft Local Planning Policy – Advertising Signs with amendments.**

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

<b>PD32.15</b>	<b>(Lot 730) No. 85 Florence Road, Nedlands – Additions to Dwelling, Carport, Front Fence, Gate House and Outbuilding</b>
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<b>Committee</b>	9 June 2015
<b>Council</b>	23 June 2015
<b>Applicant</b>	National Estate Builders (WA) Pty Ltd
<b>Landowner</b>	D and S Wright
<b>Officer</b>	Andrew Bratley – Coordinator Statutory Planning
<b>Director</b>	Peter Mickleson – Director Planning & Development Services
<b>File Reference</b>	DA2015/94– FL1/85
<b>Previous Item</b>	Nil

Mr D and Mrs S Wright, 85 Florence Road, Nedlands  
(Spoke in support of the recommendation)

PD32.15

*Councillor Horley departed the Chambers at 7.59pm and returned at 8.01pm.*

**Regulation 11(da) – Not applicable – Recommendation adopted.**

Moved – Councillor Shaw

Seconded – Councillor Argyle

Council:

1. Approves the aspect of the application to construct basement and upper storey additions to the existing dwelling, a carport, a front fence and a gate house at (Lot 730) No. 85 Florence Road, Nedlands, in accordance with the application received on 18 March 2015, subject to the following conditions:
  - i. The development shall at all times comply with the approved plans.
  - ii. The street tree on the verge is to be retained and shall not be removed without written approval from the Manager Parks Services.
  - iii. The crossover and footpath to the street shall be constructed to the Council's specifications and the applicant / landowner to obtain levels for the crossover from the Council's Infrastructure Services under supervision onsite, prior to commencement of works.
  - iv. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite by draining to soak-wells of adequate capacity to contain runoff from a 20 year recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m<sup>3</sup> for every 80m<sup>2</sup> of calculated surface area of the development.
  - v. The proposed basement being used for storage purposes only in accordance with clause 5.11(i) of Town Planning Scheme No. 2.

- vi. The visual privacy screening for the balcony being installed within 28 days of the development's completion and maintained thereafter by the landowner to the City's satisfaction.
- vii. The surface of the parapet walls being finished to the City's satisfaction within 14 days of the barbeque area's practicable completion, and maintained thereafter by the owners of 85 Florence Road, Nedlands.
- viii. The redundant crossover is to be removed and the kerbing and verge reinstated to the City's satisfaction.

Advice Notes specific to this approval:

- i. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block.
- ii. Prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM.

Removal and disposal of ACM shall be in accordance with *Health (Asbestos) Regulations 1992*, Regulations 5.43 - 5.53 of the *Occupational Safety and Health Regulations 1996*, *Code of Practice for the Safe Removal of Asbestos 2<sup>nd</sup> Edition*, *Code of Practice for the Management and Control of Asbestos in a Workplace*, and any Department of Commerce Worksafe requirements.

Where there is over 10m<sup>2</sup> of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.

- iii. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. Approves the application to construct an outbuilding (pool house) at (Lot 730) No. 85 Florence Road, Nedlands as submitted.

**LOST 6/6 on the Mayor's Casting Vote**  
(Against: Mayor Hipkins, Crs. Hay, James, Horley, Hassell & Porter)  
(Abstained: Cr. Binks)

*Mr Trevaskis departed the Chambers at 8.15pm and returned at 8.16pm.*

Foreshadowed Motion

Moved – Mayor Hipkins

Seconded – Councillor Hassell

Council adopt the recommendation to Committee including a proposed 3<sup>rd</sup> clause as below:

3. Refuses the aspect of the application to allow the relocation of the carport at (Lot 730) No. 85 Florence Road, Nedlands;

Reason

Further building in the 9m setback reduces the amenity of the streetscape.

**LOST 6/7**

(Against: Crs. Shaw, McManus, Smyth, Argyle, Binks, Hodsdon & Wetherall)

Substantive Motion

Moved – Councillor Hodsdon

Seconded – Councillor Smyth

**Committee Recommendation / Recommendation to Committee**

**Council:**

1. **Approves the aspect of the application to construct basement and upper storey additions to the existing dwelling, a carport, a front fence and a gate house at (Lot 730) No. 85 Florence Road, Nedlands, in accordance with the application received on 18 March 2015, subject to the following conditions:**
  - i. **The development shall at all times comply with the approved plans.**
  - ii. **The street tree on the verge is to be retained and shall not be removed without written approval from the Manager Parks Services.**
  - iii. **The crossover and footpath to the street shall be constructed to the Council's specifications and the applicant / landowner to obtain levels for the crossover from the Council's Infrastructure Services under supervision onsite, prior to commencement of works.**
  - iv. **All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite by draining to soak-wells of adequate capacity to contain runoff from a 20 year**



recurrent storm event. Soak-wells shall be a minimum capacity of 1.0m<sup>3</sup> for every 80m<sup>2</sup> of calculated surface area of the development.

- v. The proposed basement being used for storage purposes only in accordance with clause 5.11(i) of Town Planning Scheme No. 2.
- vi. The visual privacy screening for the balcony being installed within 28 days of the development's completion and maintained thereafter by the landowner to the City's satisfaction.
- vii. The surface of the parapet walls being finished to the City's satisfaction within 14 days of the barbeque area's practicable completion, and maintained thereafter by the owners of 85 Florence Road, Nedlands.
- viii. The redundant crossover is to be removed and the kerbing and verge reinstated to the City's satisfaction.

**Advice Notes specific to this approval:**

- i. All downpipes from guttering shall be connected so as to discharge into drains, which shall empty into a soak-well; and each soak-well shall be located at least 1.8m from any building, and at least 1.8m from the boundary of the block.
- ii. Prior to the commencement of any demolition works, any Asbestos Containing Material (ACM) in the structure to be demolished, shall be identified, safely removed and conveyed to an appropriate landfill which accepts ACM.

Removal and disposal of ACM shall be in accordance with *Health (Asbestos) Regulations 1992*, Regulations 5.43 - 5.53 of the *Occupational Safety and Health Regulations 1996*, *Code of Practice for the Safe Removal of Asbestos 2<sup>nd</sup> Edition*, *Code of Practice for the Management and Control of Asbestos in a Workplace*, and any Department of Commerce Worksafe requirements.

Where there is over 10m<sup>2</sup> of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.

- iii. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

**And;**

- 2. Refuses the aspect of the application to construct an outbuilding (pool house) at (Lot 730) No. 85 Florence Road, Nedlands, for the following reason:

- i. The outbuilding not satisfying the Design Principles stipulated under clause 5.1.3 (Lot Boundary Setback) of the Residential Design Codes in terms of building bulk and natural light due to its reduced boundary setback from 83 Florence Road, and the impact this will have on habitable rooms on the adjoining property.**

**CARRIED 7/5**

**(Against: Mayor Hipkins, Crs. Hay, James, Hassell & Porter)**

**(Abstained: Cr. Binks)**

**8.2 Technical Services**

Nil Reports.

8.3 Community & Organisational Development Report No's CM04.15 to CM05.15

<b>CM04.15</b>	<b>Dalkeith Nedlands Bowling Club Refurbishment – Approval of Additional Funds</b>
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<b>Committee</b>	9 June 2015
<b>Council</b>	23 June 2015
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Amanda Cronin - Senior Community Development Officer Marion Granich - Manager Community Development
<b>Director</b>	Michael Cole - Director Corporate & Strategy
<b>File Reference</b>	CD-003540
<b>Previous Item</b>	CM06.14 – 23 September 2014

Councillor Shaw departed the Chambers at 8.28pm and returned at 8.30pm.

Mr C Richardson, Nedlands Dalkeith Bowling Club  
(Spoke in support of the recommendation)

CM04.15

Councillor Binks departed the Chambers at 8.34pm and returned at 8.36pm.

**Regulation 11(da) – Not applicable – Recommendation Adopted**

Moved – Councillor Hassell  
Seconded – Councillor Hodsdon

**Committee Recommendation / Recommendation to Committee**

**Council:**

- Approves the amended budget for refurbishment of the Dalkeith Nedlands Bowling Club for joint funding to be shared as follows:

Organisation	Amount
City of Nedlands	\$305,097 (excl GST)
Department of Sport and Recreation(DSR)	\$185,000 (excl GST)
Dalkeith Nedlands Bowling Club	\$305,193 (excl GST)
<b>TOTAL</b>	<b>\$795,290 (excl GST)</b>

- Agrees to provide the Dalkeith Nedlands Bowling Club with a self supporting loan of \$140,000 (as part of the Club's shared cost for the project), subject to the Club covering all repayments, interest and expenses associated with the loan.

**CARRIED UNANIMOUSLY 13/-**

<b>CM05.15</b>	<b>All Abilities Play Space Project</b>
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<b>Committee</b>	9 June 2015
<b>Council</b>	23 June 2015
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Marion Granich – Manager Community Development
<b>Director</b>	Michael Cole - Director Corporate & Strategy
<b>File Reference</b>	CD-003540
<b>Previous Item</b>	CM09.12 – MOU – City of Nedlands & Rotary – All Abilities Play Space, Beaton Park – November 2012 CM10.12 – All Abilities Play Space – Concept Plan – December 2012

*Councillor Hassell departed the Chambers at 8.37pm and returned at 8.38pm.*

**Regulation 11(da) – Not applicable – Recommendation Adopted**

Moved – Councillor James  
Seconded – Councillor Hodsdon

**That the Recommendation to Committee is adopted including Cr Horley and Cr Hassell and Cr Hay be appointed All Abilities Play Space Community Partnerships Team.**

**Committee Recommendation**

**Council:**

- 1. Endorses the amended Concept Plan for the All Abilities Play Space;**
- 2. Endorses the overall project budget for the All Abilities Play Space, subject to final budget adoption by Council of any impacted annual budgets;**
- 3. Appoints Councillors Horley, Hassell and Hay to the All Abilities Play Space Community Partnerships Team; and**
- 4. Proceeds to detail design and determination of whole of life operations and maintenance costs with a further report to be provided to Council prior to the construction phase.**

**CARRIED 12/1  
(Against: Cr. Argyle)**

Recommendation to Committee

Council:

1. Endorses the amended Concept Plan for the All Abilities Play Space;
2. Endorses the overall project budget for the All Abilities Play Space, subject to final budget adoption by Council of any impacted annual budgets;
3. Appoints \_\_\_\_\_ to the All Abilities Play Space Community Partnerships Team; and
4. Proceeds to detail design and determination of whole of life operations and maintenance costs with a further report to be provided to Council prior to the construction phase.

**8.4 Corporate & Strategy's Report No's CPS13.15 to CPS16.15**

**CPS13.15 List of Accounts Paid – April 2015**

<b>Committee</b>	9 June 2015
<b>Council</b>	23 June 2015
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Rajah Senathirajah – Manager Finance
<b>Director</b>	Michael Cole – Director Corporate & Strategy
<b>File Reference</b>	Fin/072-17
<b>Previous Item</b>	Nil

**Regulation 11(da) – Not applicable – Recommendation Adopted**

Moved – Councillor James  
 Seconded – Councillor McManus

**Recommendation to Committee**

**Council receives the List of Accounts Paid for the month of April 2015 (Refer to Attachment).**

**CARRIED 12/  
 (Abstained: Cr. Binks)**

<b>CPS14.15</b>	<b>Policy Review</b>
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<b>Committee</b>	9 June 2015
<b>Council</b>	23 June 2015
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Michael Cole – Director Corporate & Strategy
<b>Director</b>	Michael Cole – Director Corporate & Strategy
<b>File Reference</b>	CS-001771
<b>Previous Item</b>	Nil

*Councillor Hodsdon departed the Chambers at 8.40pm*

**Regulation 11(da) – Council agreed to vote on each policy individually.**

Moved – Councillor James  
 Seconded – Councillor Binks

**That Council approves the “*Illegal Clearing of Vegetation*” policy**

**CARRIED UNANIMOUSLY 12/-**

Moved – Councillor McManus  
 Seconded – Councillor Shaw

**That Council approves the “*Capital Grants to Sporting Clubs*” policy.**

**CARRIED UNANIMOUSLY 12/-**

Moved – Councillor Smyth  
 Seconded – Councillor Wetherall

**That the “*Requirement for a Section 70a Notification on the Title of Land*” policy be referred back to a Councillor Briefing session for further review.**

**CARRIED UNANIMOUSLY 12/-**

Recommendation to Committee

That Council approves the following policies:

- a) Illegal clearing of vegetation; and
- b) Requirement for a Section 70a
- c) Notification on the Title of Land



<b>CPS15.15</b>	<b>Corporate Business Plan – Quarter 3 2014/15</b>
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<b>Committee</b>	9 June 2015
<b>Council</b>	23 June 2015
<b>Applicant</b>	City of Nedlands
<b>Director</b>	Michael Cole - Director Corporate & Strategy
<b>File Reference</b>	CS-001780
<b>Previous Item</b>	Nil

**Regulation 11(da) – Not applicable – Recommendation Adopted**

Moved – Councillor Shaw  
 Seconded – Councillor Hay

**Committee Recommendation / Recommendation to Council**

**Council receives the Quarter 3 2014/2015 report on progress towards “Nedlands 2023 – Making it Happen”, the Corporate Business Plan.**

**CARRIED UNANIMOUSLY 12/-**

**CPS16.15      Review of Council’s Delegated Authorities**

<b>Committee</b>	9 June 2015
<b>Council</b>	23 June 2015
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Michael Cole – Director Corporate & Strategy
<b>Director</b>	Michael Cole – Director Corporate & Strategy
<b>File Reference</b>	PP-2334
<b>Previous Item</b>	Nil

*Councillor Hodsdon returned to the Chambers at 8.43pm.*

**Regulation 11(da) – Not applicable – Recommendation Adopted**

Moved – Councillor Shaw  
 Seconded – Councillor McManus

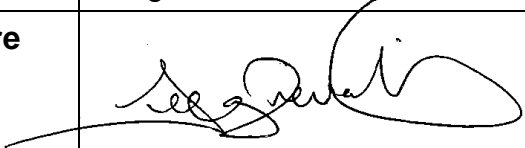
**Committee Recommendation / Recommendation to Committee**

**Council approves the Register of Delegations of Authority as per Attachment 1.**

**CARRIED 12/  
 (Abstained: Cr. Binks)**

**9. Reports by the Chief Executive Officer**

**9.1 Conference Attendance Request – Mayor Hipkins to Attend the 2015 Asia Pacific Cities Summit & Mayor’s Forum in Brisbane from 5 - 8 July 2015**

<b>Committee</b>	9 June 2015
<b>Council</b>	23 June 2015
<b>Applicant</b>	Mayor Max Hipkins
<b>CEO</b>	Greg Trevaskis – Chief Executive Officer
<b>CEO Signature</b>	
<b>File Reference</b>	CEO-00
<b>Previous Item</b>	Nil.

*Mayor Hipkins declared a financial interest in item 9.1, Conference Attendance Request – Mayor Hipkins to Attend the 2015 Asia Pacific Cities Summit and Mayor’s Forum in Brisbane from 5 to 8 July 2015 and departed the Chambers at 8.46pm.*

*Deputy Mayor Hassell assumed the Chair at 8.46pm.*

**Regulation 11(da) – Not applicable – Recommendation Adopted**

Moved – Councillor Hodsdon  
 Seconded – Councillor James

**Committee Recommendation / Recommendation to Committee**

**Council:**

- 1. Approves the Mayor’s request to attend the 2015 Asia Pacific Cities Summit and Mayor’s Forum being held in Brisbane from 5 to 8 July 2015; and**
- 2. Pays for the 2015 Asia Pacific Cities Summit & Mayor’s Forum registration, airfares and accommodation costs.**

**CARRIED UNANIMOUSLY 12/-**

*Mayor Hipkins returned to the Chambers at 8.56pm.*

## Executive Summary

The purpose of this report is to seek Council approval for the Mayor to attend the 2015 Asia Pacific Cities Summit and Mayor's Forum being held in Brisbane from 5 to 8 July 2015. All conference attendance by Elected Members costing more than \$2,000 requires Council approval.

## Strategic Plan

KFA: Governance and Civic Leadership

By requiring approval by Council prior to elected members attending conferences costing more than \$2,000, the City can ensure that it is being fair and equitable with the distribution of training amongst elected members, as well as transparent and accountable to its ratepayers.

## Background

At the Ordinary Meeting of Council held on 27 May 2014, Council approved Mayor Hipkins to attend the 2014 World Cities Summit that was held in Singapore as follows:

*"Council reimburses the Mayor for his attendance at the World Cities Summit being held from 1 to 4 June 2014 in Singapore up to an amount of \$5,050 and that a report be submitted on return."*

## 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"/>

No public consultation required.

## Legislation / Policy

### Elected Member Entitlements and Equipment Policy:

Elected Member training and conference attendance. The City of Nedlands recognises the importance of Elected Members participating in relevant training and development opportunities.

If funds have been specifically provided in the budget for an Elected Member to attend a particular training course or conference then the Chief Executive Officer may approve attendance and make any necessary arrangements.

If an Elected Member requests approval to attend a training course or conference for which no specific budget allocation has been made and there are sufficient unallocated funds within the budget the following can be applied:

- Where the total cost is no more than \$1000, Chief Executive Officer can approve;
- Where the total cost is between \$1001 and \$2000 then the Chief Executive Officer in consultation with the Mayor may approve attendance if there are sufficient unallocated funds within the budget;
- Where training or conferences cost more than \$2000, they must be referred to Council for its deliberation.

### Budget/Financial Implications

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

The 2014/15 budget for Members of Council Conferences & Meetings was \$23,000. At 2 June 2015, \$15,700 had been allocated. The Mayor’s request to attend the World Cities Summit is within the current approved budget.

### Risk Management

Not applicable.

### Discussion

The Mayor would like to attend the 2015 Asia Pacific Cities Summit and Mayor’s Forum being held in Brisbane from 5 to 8 July 2015. The Mayor values getting together with other Mayor’s to discuss issues of common interest. It is intended that the Mayor will provide a full report on the Conference upon his return.

It is not envisaged that there will be any further inter-state funding request this year.

The approximate costs for the Mayor attending the Conference are:

Conference registration	\$1,450 (before 23 June 2015)
Economy airfare Qantas	\$850 (approx.)
Hotel, 3 nights – Rydges South banks	\$852 (approx.)
<b>TOTAL</b>	<b>\$3,152</b>

The Mayor requests that Council pay for the registration, accommodation and flight costs for the Summit as indicated as an approximation of costs above.

### Conclusion

In accordance with Council’s policy, all conference attendance by elected members costing more than \$2,000 requires prior Council approval. The Mayor has requested consideration for his attendance at the 2015 Asia Pacific Summit and Mayor’s Forum

in July 2015 at an approximate cost to Council of \$3,152 or part thereof. It should be noted that the program attached is only preliminary at this stage and has not indicated that extra workshops attended will incur a fee.

## **Attachments**

Nil.

**9.2 Tender No. 2014/15.07 – Production, Booking and Placing Advertising and Other Media for the City of Nedlands**

<b>Committee</b>	9 June 2015
<b>Council</b>	23 June 2015
<b>Applicant</b>	City of Nedlands
<b>Officer</b>	Brid Ni Mhuineachain – Community Engagement Coordinator
<b>CEO</b>	Greg Trevaskis – Chief Executive Officer
<b>File Reference</b>	COM-P-00014
<b>Previous Item</b>	Not Applicable

**Regulation 11(da) – Not applicable – Recommendation Adopted**

Moved – Councillor Binks  
 Seconded – Councillor Shaw

**Committee Recommendation / Recommendation to Committee**

**Council:**

- 1. Agrees to award tender no. 2014/15.07 to Marketforce as per the schedule of rates submitted; and**
- 2. Authorises the Chief Executive Officer to sign an acceptance of offer for this tender.**

**CARRIED UNANIMOUSLY 13/-**

**Executive Summary**

The purpose of this report is to award the term contract for the provision of production, booking and placing of advertising and other media for the City of Nedlands to Marketforce.

**Strategic Plan**

KFA: Governance and Civic Leadership

Award of this tender enables the City to ensure that the community is informed and engaged in council activity

## Background

The City of Nedlands is seeking a service provider that will design, book, place advertisements and other related media in the City's local newspapers (Western Suburbs Weekly and the Post Newspaper), the West Australian and other newspapers as required.

Expenditure on this contract will exceed \$100,000 over three years. 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 21 February 2015 in the West Australian Newspaper. Tenders opened on Monday 23 February 2015 and submissions closed at 15:00 pm Wednesday 18 March 2015.

A total of 4 conforming tender submissions were received from the following tenderers:

1. Ad Capital,
2. Brand One Group,
3. Marketforce and
4. Reagent Employer.

## 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

## Risk Management

Failing to appoint the contract will impact on the City's ability to deliver advertising of the city's projects, events, tenders and employment advertising



Advertising is a legal requirement in some cases (eg tenders).

## 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 2014/15.07.

Qualitative Selection Criteria	Weighting
<p><b>Value for Money</b></p> <p>Tenderers must, as a minimum, address the following information in an attachment and label it “<b>Value for Money</b>”</p> <p>The tendered price(s) will be considered along with related factors affecting total cost to the Client. Early settlement discounts, lifetime costs, the major components to be utilised, the Client’s contract management costs may also be considered in assessing the best value for money outcome.</p>	<p><b>40%</b></p>
<p><b>Key Personnel, Skills and Experience</b></p> <p>Tenderers must, as a minimum, address the following information in an attachment and label it “<b>Key Personnel</b>”:</p> <p>a) Nominate key personnel to be involved in this contract and provide relevant industry experience, current qualifications and registrations of the key personnel.</p>	<p><b>25%</b></p>
<p><b>Performance</b></p> <p>A Tenderer must as a minimum, address the following information in an attachment and label it “<b>Performance</b>”</p> <p>a) The ability to supply and sustain the necessary technical resources, staff and equipment;</p> <p>b) Demonstrate ability to provide high quality and standard of work;</p> <p>c) Demonstrated ability to meet specifications of this request</p>	<p><b>25%</b></p>
<p><b>Organisation Capabilities</b></p> <p>A Tenderer must as a minimum, address the following information in an attachment and label it “<b>Organisation Capabilities</b>”.</p> <p>a) Organisations to demonstrate industry-recognised qualifications and recent experience with contracts of a similar size and scope;</p> <p>b) Provide examples of work</p>	<p><b>10%</b></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 value for money was weighted at 40% of the assessment with the remaining 60% being allocated to the qualitative section criteria.

### **Evaluation**

The tenderer who scored the highest in the evaluation was Marketforce with 86%.

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. **2013/15.07** to Marketforce.

Marketforce 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.

Marketforce also demonstrated that they have a large highly skilled and experienced team that is equipped to provide the City with the services required for the tender.

Marketforce also demonstrated that they have significant experience in working with local government in providing the services required for the tender.

### **Attachments**

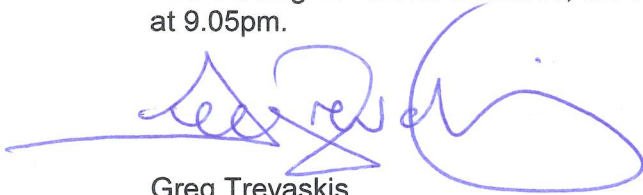
1. Confidential Tender Assessment (not to be published).

**10. Confidential Items**

Nil.

**Declaration of Closure**

There being no further business, the Presiding Member declared the meeting closed at 9.05pm.



**Greg Trevaskis  
Chief Executive Officer**