



City of Nedlands

Minutes

Council Committee Meeting

8 November 2016

ATTENTION

This is a Committee which has only made recommendations to Council. No action should be taken on any recommendation contained in these Minutes. The Council resolution pertaining to an item will be made at the next Ordinary Meeting of Council following this meeting.

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City of Nedlands

Minutes of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 8 November 2016 at 7 pm.

Declaration of Opening

The Presiding Member declared the meeting open at 7 pm, and drew attention to the disclaimer below.

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

Present and Apologies and Leave Of Absence (Previously Approved)

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

Staff	Mr G K Trevaskis	Chief Executive Officer
	Mrs L M Driscoll	Director Corporate & Strategy
	Mr M A Glover	Director Technical Services
	Ms J A Heyes	Manager Statutory Planning
	Mrs N M Ceric	Executive Assistant to CEO & Mayor

Public There were 12 members of the public present.

Press The Post Newspaper representative.

Leave of Absence (Previously Approved) Councillor S J Porter Dalkeith Ward

Apologies Councillor N W Shaw Melvista Ward
Councillor N B J Horley Coastal Districts Ward

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 Council's position. For example by reference to the confirmed Minutes of Council meeting. Members of the public are also advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

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1. Public Question Time

Nil.

2. Addresses By Members of the Public (only for items listed on the agenda)

Mr Marc Halsall, PO Box 29, Margaret River PD50.16
(spoke in opposition to recommendation)

Mr Ben Carter, Pinnacle Planning, 937 Wellington Street, West Perth PD50.16
(spoke in support of the recommendation)

Ms Mary-Anne Paino, 23 Alderbury Street, Floreat PD50.16
(spoke in support of the recommendation)

Ms Lilly Chen, 51 Kingsway, Nedlands PD51.16
(spoke in support of the recommendation)

Mr Wayne Reynolds, 5A Clement Street, Swanbourne PD53.16
(spoke in relation to the item)

Mr Nat Hartge, 37 Aberdare Road, Nedlands CPS30.16
(spoke in support of the recommendation)

3. Disclosures of Financial Interest

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

There were no disclosures of financial interest.

4. Disclosures of Interests Affecting Impartiality

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

There were no disclosures affecting impartiality.

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

Nil.

6. Confirmation of Minutes

6.1 Committee Meeting 11 October 2016

Moved – Councillor Argyle
Seconded – Councillor Hay

The minutes of the Council Committee held 11 October 2016 be confirmed.

CARRIED UNANIMOUSLY 10/-

7. Matters for Which the Meeting May Be Closed

In accordance with Standing Orders and for the convenience of the public, the Committee is to identify any matter which is to be discussed behind closed doors at this meeting and that matter is to be deferred for consideration as the last item of this meeting.

Nil.

8. Divisional Reports

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

8.1 Planning & Development Report No's PD50.16 to PD53.16

Planning & Development Report No's PD50.16 to PD53.16 to be dealt with at this point (copy attached yellow cover sheet).

PD50.16	(Lot 2) No. 23 Alderbury Street, Floreat – Proposed Two Storey Single House
Committee	8 November 2016
Council	22 November 2016
Applicant	Pinnacle Planning
Owner	M A Paino
Director	Peter Mickleson – Director Planning & Development Services
File Reference	DA2016/232 – AL1/23
Previous Item	Nil
Attachments	<ol style="list-style-type: none"> 1. Photo existing property viewed from Alderbury Street 2. Photo along the eastern side boundary between 23 and 21 Alderbury Street 3. Photo adjoining properties as viewed from Birkdale Street and dividing boundary 4. Photo facing south towards 96 Birkdale Street

Mr Marc Halsall, PO Box 29, Margaret River PD50.16
(spoke in opposition to recommendation)

Mr Ben Carter, Pinnacle Planning, 937 Wellington Street, West Perth PD50.16
(spoke in support of the recommendation)

Ms Mary-Anne Paino, 23 Alderbury Street, Floreat PD50.16
(spoke in support of the recommendation)

*Moved – Councillor Binks
Seconded – Councillor Wetherall*

Council does not approve the application for a Two-Storey Single House at (Lot 2) No. 23 Alderbury Street Floreat.

Procedural Motion

Moved – Councillor McManus
Seconded – Councillor Hodsdon

That Council proceed to the next item of business.

**CARRIED 9/-
(Abstained: Cr Argyle)**

Recommendation to Committee

Council approves the application for a Two-Storey Single House at (Lot 2) No. 23 Alderbury Street Floreat, in accordance with the application received on 15 August 2016 and amended plans received on 6 October 2016, subject to the following conditions:

1. The development shall at all times comply with the approved plans.
2. Any fencing proposed along the Birkdale Street boundary of the subject property is to comply with the primary street boundary fencing requirements stipulated under Council's Fill and Fencing Local Planning Policy (refer to Advice Note 1).
3. All crossovers to the street shall be constructed to the Council's Crossover Specifications and the applicant / landowner to obtain levels for crossovers from the Council's Infrastructure Services under supervision onsite, prior to commencement of works.
4. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite.
5. All footings and structures to retaining walls, fences and parapet walls, shall be constructed wholly inside the site boundaries of the Certificate of Title.
6. All proposed obscure glass panels to Major Openings and/or Active Habitable Spaces, shown on the approved drawings shall prevent overlooking in accordance with the visual privacy requirements of the *Residential Design Codes 2015* (R-Codes). The structures shall be installed prior to the dwellings practicable completion and remain in place permanently, unless otherwise approved by the City.
7. All street trees in the verge are to be retained and shall not be removed without written approval from the Manager Parks Services.

Advice Notes specific to this approval:

1. With regard to Condition 2, the applicant is advised that this requirement applies in this circumstance due to the existing solid portion of the wall along the Alderbury Street boundary being greater in height than that permitted under Council's Fill and Fencing Local Planning Policy. In accordance with this Policy fencing consisting of the following can be considered, for which development approval will need to be sought and obtained prior to constructing:

- a) Brick piers to a maximum height of 2.1 metres from natural ground level and a maximum width of 0.5m.
 - b) Solid fencing (infill) to a maximum height of 1.2 metres above natural ground level, and visually permeable fencing (infill) to a maximum height of 1.8m above natural ground level.
 - c) Within the 1.5m truncation areas for the driveway, the following obstructions are deemed acceptable by the City:
 - i. One pier with a maximum height of 2.1 metres above natural ground level with a length and width of no greater than 0.5m; and
 - ii. All other solid structures to be reduced to a height of no greater than 0.75 metres above natural ground level; and
 - iii. All visually permeable structures
2. Any construction in the nature-strip / verge (including footpaths) will require a Nature-Strip Development Application (NSDA) to be lodged with, and approved by, the City's Engineering section, prior to construction.
 3. The applicant is advised to grade the garage towards the strip drain to reduce chances of stormwater flooding the house.
 4. All internal water closets and ensuites without fixed or permanent window access to outside air or which open onto a hall, passage, hobby or staircase, shall be serviced by a mechanical ventilation exhaust system which is ducted to outside air, with a minimum rate of air change equal to or greater than 25 litres / second.
 5. 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.
 6. 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 2nd 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 10m² of ACM or any amount of friable ACM to be removed, it shall be removed by a Worksafe licensed and trained individual or business.

7. The City does not recommend any air-conditioner, swimming pool or spa mechanical equipment is installed near a property boundary where it is likely noise from such mechanical equipment in these locations will intrude on neighbouring properties. Prior to selecting a location to install an air-conditioned, applicant is advised to consult the online fairair noise calculator at www.fairair.com.au and use this as a guide on air-conditioner placement so as to prevent noise affecting neighbouring properties. Prior to installing an air-conditioner or swimming pool or spa mechanical equipment, applicant is advised to consult residents of neighbouring properties and if necessary take measures to prevent noise affecting neighbouring properties.
8. 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.

PD51.16	(Lot 585) No. 51 Kingsway, Nedlands – Proposed Carport (Retrospective) and Patio
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Committee	8 November 2016
Council	22 November 2016
Applicant	Mo Zhai Design
Owner	L Chen and D Majri
Director	Peter Mickleson – Director Planning & Development Services
File Reference	DA2016/269 – KI3/51
Previous Item	Nil
Attachments	1. Photograph of Carport from Kingsway

Ms Lilly Chen, 51 Kingsway, Nedlands
(spoke in support of the recommendation)

PD51.16

Regulation 11(da) – Refusal was proposed to support Council’s previous decision in relation to this property.

Moved – Councillor James

Seconded – Councillor Hassell

Council does not approve the development application for the patio and the existing carport at (Lot 585) No. 51 Kingsway, Nedlands.

CARRIED 7/2
(Against: Crs. McManus & Argyle)
(Abstained: Cr. Hodsdon)

Committee Recommendation

Council does not approve the development application for the patio and the existing carport at (Lot 585) No. 51 Kingsway, Nedlands.

Recommendation to Committee

Council approves the development application for the patio and the existing carport at (Lot 585) No. 51 Kingsway, Nedlands, subject to the following conditions and advice:

1. The development shall at all times comply with the approved plans.
2. This development approval pertains to the patio and carport only.
3. All sides of the carport shall remain open, including the front facing the street.
4. The colour of the carport's roof blending with the existing dwelling's roof on the subject property, to the City's satisfaction.
5. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite.

Advice Notes specific to this approval:

1. 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.
2. All street trees in the verge are to be retained and shall not be removed without prior written approval from the City's Manager Parks Services.
3. 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.

PD52.16	(Lot 413) No. 47 Stanley Street, Nedlands – Proposed Patio
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Committee	8 November 2016
Council	22 November 2016
Applicant	Modern Decoration Pty Ltd
Owner	B and D Van Nispen
Director	Peter Mickleson – Director Planning & Development Services
File Reference	DA2016/297 – ST2/47
Previous Item	Nil
Attachments	<ol style="list-style-type: none"> 1. Photograph of the proposed patio's location towards the southern boundary of 47 Stanley Street. 2. Photograph of the proposed patio's location towards the western boundary of 47 Stanley Street.

Councillor Hay left the room at 7.52 pm.

Regulation 11(da) – Council agreed that the patio being in the 6 metre rear setback will detrimentally impact the amenity of the neighbouring properties.

Moved – Councillor James
 Seconded – Councillor Binks

Council does not approve the development application to construct a patio at (Lot 413) No. 47 Stanley Street, Nedlands.

CARRIED 5/3
(Against: Crs. McManus Argyle & Hassell)
(Abstained: Cr. Hodsdon)

Committee Recommendation

Council does not approve the development application to construct a patio at (Lot 413) No. 47 Stanley Street, Nedlands.

Recommendation to Committee

Council approves the development application to construct a patio at (Lot 413) No. 47 Stanley Street, Nedlands, subject to the following conditions and advice:

1. The development shall at all times comply with the approved plans.
2. This development approval pertains to the patio only.
3. All stormwater from the development, which includes permeable and non-permeable areas, shall be contained onsite.

Advice Notes specific to this approval:

1. 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.
2. 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.

Councillor Hay returned to the room at 7.54 pm.

PD53.16	(Lot 64) No. 145 Stirling Highway, Nedlands – Four Non-Illuminated Hoarding Signs (Retrospective)
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Committee	8 November 2016
Council	22 November 2016
Applicant	Reynolds Strata Services
Owner	Reynolds Strata Services
Director	Peter Mickleson – Director Planning & Development Services
File Reference	DA2016/299 – ST6/145
Previous Item	Nil
Attachments	1. Photograph of signs along the Weld Street boundary 2. Photograph of sign on the Robinson Street boundary

Mr Wayne Reynolds, 5A Clement Street, Swanbourne
(spoke in relation to the item)

PD53.16

Councillor James left the room at 7.59 pm.

Councillor Wetherall left the room at 8.00 pm.

Councillor James returned to the room at 8.01 pm.

Councillor Wetherall returned to the room at 8.02 pm.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor James

Seconded – Councillor McManus

That the Recommendation to Council be adopted.

(Printed below for ease of reference)

**CARRIED 8/-
(Abstained: Crs. Hodsdon & Hay)**

Committee Recommendation / Recommendation to Committee

Council approves the retrospective development application for the existing non-illuminated hoarding ('no parking') signs at (Lot 64) No.145 Stirling Highway, Nedlands, subject to the following conditions and advice:

- 1. Two of the existing 3 hoarding ('no parking') signs adjacent to the subject property's Weld Street boundary being removed within 28 days from the date of this decision.**
- 2. The remaining hoarding signs being maintained by the landowner to the City's satisfaction.**

Advice Notes specific to this approval:

- 1. Approval is to be sought and obtained from the City prior to erecting and/or installing any further signage.**

8.2 Technical Services Report No's TS14.16

Technical Services Report No's TS14.16 to be dealt with at this point (copy attached blue cover sheet).

TS14.16	Tender No. 2016/17.01 Nedlands River Wall Foreshore Restoration Stage 1
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Committee	08 November 2016
Council	22 November 2016
Applicant	City of Nedlands
Officer	Wayne Mo – Design Engineer
Director	Martyn Glover – Director Technical Services
File Reference	TS-PRO-00134
Previous Item	Ordinary Meeting of Council 24 November 2015, Item TS30.15

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Binks
 Seconded – Councillor Hay

That the Recommendation to Committee be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 10/-

Committee Recommendation / Recommendation to Committee

Council:

- 1. agrees to award Tender No. 2016/17.01 to Natural Area Holdings Pty Ltd for the Nedlands river wall foreshore restoration works Stage 1 as per the lump sum price (confidential Attachment 1) submitted; and**
- 2. authorises the Chief Executive Officer to sign an acceptance of offer for this tender.**

8.3 Corporate & Strategy Report No's CPS29.16 to CPS30.16

Report No's CPS29.16 to CPS30.16 to be dealt with at this point (copy attached green cover sheet).

CPS29.16	List of Accounts Paid – September 2016
Committee	8 November 2016
Council	22 November 2016
Applicant	City of Nedlands
Officer	Kim Chau – Manager Finance
Director	Lorraine Driscoll – Director Corporate & Strategy
File Reference	Fin/072-17
Previous Item	Nil.

Councillor McManus left room at 8.12pm.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hodsdon
 Seconded – Councillor James

That the Recommendation to Committee be adopted.
 (Printed below for ease of reference)

CARRIED 7/-
(Abstained: Crs. Binks & Smyth)

Committee Recommendation / Recommendation to Committee

Council receives the List of Accounts Paid for the month of September 2016 (refer to attachment).

CPS30.16	Repeal of By-Law Relating to Aberdare Road
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Committee	8 November 2016
Council	22 November 2016
Applicant	City of Nedlands
Officer	Pollyanne Fisher - Policy & Projects Officer
Director	Lorraine Driscoll – Director Corporate & Strategy
File Reference	PP-PPR-00021
Previous Items	Item 14.1, Ordinary Meeting of Council 23 August 2016

Under section 3.12(2) of the *Local Government Act 1995* the Mayor read aloud the purpose and effect of the proposed local law.

The **PURPOSE** of the local law is to repeal superfluous, defunct and obsolete local laws.

The **EFFECT** of the local law being more efficient and effective local government by removing outdated local laws from the public record.

Mr Nat Hartge, 37 Aberdare Road, Nedlands
(spoke in support of the recommendation)

CPS30.16

Councillor McManus returned to the room at 8.15 pm.

Procedural Motion

Moved – Mayor Hipkins

Seconded – Councillor Hay

That Council proceed to the next item of business.

LOST 7/3

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

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Wetherall

Seconded – Councillor Binks

That the Recommendation to Committee be adopted.

(Printed below for ease of reference)

CARRIED 7/1

**(Against: Mayor Hipkins)
(Abstained: Crs. Hay & James)**

Committee Recommendation / Recommendation to Committee

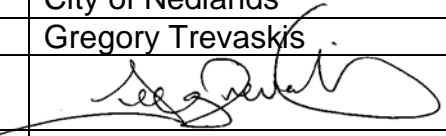
Council:

- 1. Makes the proposed City of Nedlands Repeals Amendment Local Law 2017 as detailed in Attachment 1 for the purposes of public advertising;**
- 2. Advertises the proposed City of Nedlands Repeals Amendment Local Law 2017 in accordance with section 3.12 (3)(a) of the Local Government Act 1995;**
- 3. Forwards a copy of the proposed City of Nedlands Repeals Amendment Local Law 2017 to the Minister for Local Government in accordance with section 3.12 (3)(b) of the Local Government Act 1995;**
- 4. Requests Administration to prepare a further report at the conclusion of the public advertising period to enable the Council to consider any submissions made.**

ABSOLUTE MAJORITY REQUIRED

9. Reports by the Chief Executive Officer

9.1 WALGA Membership

Committee	8 November 2016
Council	22 November 2016
Applicant	City of Nedlands
CEO	Gregory Trevaskis
CEO Signature	
File Reference	CEO-015572
Previous Items	Ordinary Meeting of Council 25 June 2016 – Item 13.6 - Costs & Benefits – WALGA Membership Ordinary Meeting of Council 24 September 2013 - Item 16.1 WALGA Membership

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
Seconded – Councillor James

Council receives the report and takes no further action in relation to WALGA membership.

**CARRIED 7/3
(Against: Crs. Hodsdon McManus & Smyth)**

Committee Recommendation

Council receives the report and takes no further action in relation to WALGA membership.

Recommendation to Committee

For Council direction.

Executive Summary

This report seeks Council consideration for rejoining the West Australian Local Government Association (WALGA) following a resolution to cease membership on 24 September 2013.

Strategic Plan

KFA: Governance and Leadership

Background

The State Government initiated an agenda for local government reform in 2009 to half the number of metropolitan local governments in Western Australia.

At the Ordinary Meeting of Council on 24 September 2013 a Notice of Motion was raised by Councillor Bill Hassell under urgent business for the City to resign from its membership with WALGA. The motion was accepted by the Presiding Member to be considered as urgent business based on the following reasons:

1. The issue has been considered informally for some time, and complaints have been made to WALGA about its conduct in failing either to represent or respect the views of sections of local government including this Council in dealing with government proposals to force amalgamations of local government bodies, contrary to undertakings given prior to the State election; and
2. The government has 'requested' submissions from local government by 4th October and our position is being misrepresented by WALGA – we need to make a determination of our alienation from WALGA.

Supporting comments were provided as follows:

1. WALGA has failed to serve the interests of the City;
2. Several local authorities are considering their membership because of the attitude of the WALGA leadership;
3. Recently WALGA reversed its longstanding policy of support for the so called Dadour amendment by watering down its opposition to repeal with no adequate or proper consultation; and
4. The organisation has become a liability not an asset to the City and we will save considerable sums by being out of it and making clear our own independent position with like-minded councils.

Administration advised that a review of the costs and benefits of Membership of WALGA had almost be finalised. In summary, the assessment of costs and benefits of WALGA Membership had found that the City may be financially disadvantaged if it were to cease its WALGA membership. However, the extent of the disadvantage would not be known until the City had explored other opportunities through either the State Government Common User contracts or from calling quotations and/or tenders.

Overall, ceasing membership of WALGA was not found to pose a significant risk for the City.

The motion was carried as a resolution of Council, and the City subsequently advised WALGA of the decision and withdrew its membership.

The amalgamation process was later put on hold in February 2015 when it achieved very low support from voters in amalgamation polls and WALGA withdrew its support for the Local Government Reform process.

Key Relevant Previous Council Decisions:

Ordinary Meeting of Council 25 June 2013 – Item 13.6 Costs & Benefits – WALGA Membership

Ordinary Meeting of Council 24 September 2013 - Item 16.1 WALGA Membership

Council Resolution

That the City of Nedlands forthwith resigns its membership of the West Australian Local Government Association (WALGA).

Discussion

A notable possible disadvantage identified with withdrawing from WALGA when the decision was made in September 2013, was the potential financial impact of no longer being able to access WALGA preferred suppliers. Having access to suppliers through WALGA reduces the need obtain multiple quotes and enter tender processes, for a variety of goods and services with a local government discount.

WALGA has stated substantial estimated savings the City has made in previous contract years by accessing services via their preferred suppliers, and have quoted saving estimates the City could have had in the 2013/14 financial year if having sourced services through WALGA instead of through tender processes. The City's findings however, by comparison of the cost of goods and services obtained through WALGA and obtained through quote and tender processes after leaving WALGA, is that the process has proven to be approximately cost neutral. Whilst the cost of some services did increase significantly as a result of leaving WALGA, these were offset by sourcing alternative providers in the market that could offer the same goods and services for an equivalent, or in some cases lower, cost.

Not being able to access WALGAs preferred supplier panel however has increased the number of quotes and tenders the City has had to advertise for. In turn this has increased the amount of Officer time spent on creating documentation, advertising and assessing submissions, that could have been better utilised elsewhere. Being able to access WALGAs preferred suppliers would free up Officer time across various delivery areas, and speed up the process of obtaining goods and services for a more efficient delivery of operational services and capital works.

Other benefits of rejoining WALGA is that the City has the opportunity to have its views heard on a larger scale through their policy development and State

Council processes. The City will also have access to discounted training opportunities and access to a number of forums.

A significant development for Council arose from WALGA's imposition of a 30% cost margin to apply to the City's Insurance Services for the 2014/15 financial year. As a result the City has gone to the open market for its insurance portfolio needs. In 2015/16 the costs incurred the City amounting to approximately \$100,000 more than the previous LGIS (WALGA) insurance cover. However, in 2016/17 the City has secured a major cost saving estimated at near \$300,000 less than the previous year.

Overall, the financial disadvantages of being part of WALGA has not eventuated. Council's internal systems have also benefitted from direct tendering, open market competition (especially in insurance) and in some ways, better control of the City's internal practices.

Consultation

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

Legislation / Policy

Nil.

Budget/Financial Implications

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

The cost of annual cost of membership to WALGA to access preferred suppliers is anticipated to be \$17,500 (pro rata membership may also be requested for the 2016/17 year).

Risk Management

There is limited risk to the City should Council resolve to rejoin WALGA, there may be future occasions where the City does not support the direction of the State Council decisions being made.

Conclusion

Council needs to consider the benefits and any disadvantages for joining WALGA. The City has not suffered any material financial impacts out of its withdrawal from WALGA. The key issue is whether the City values the need to be a part of a united local government sector and contributing towards the costs of training, legislative review, advocacy and policy development.

It should also be acknowledged that WALGA has continued to assist the City in areas of industrial relations, human resources, training programs for Councillors and invited the City to attend key events (despite the non-membership of Nedlands), which has been appreciated.

If Council decides to rejoin WALGA the costs to the City would mostly likely be significantly lower than it was prior to 2013 due to the City being more prepared to tender for key services and no longer requiring some previously paid for annual services.

Options

Council agrees to resume membership with the West Australian Local Government Association (WALGA) as from 1 January 2017 at an estimated cost of \$8,750 for the remainder of the 2016/17 financial year.

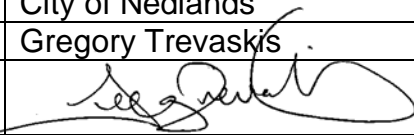
OR

Council receives the report and takes no further action in relation to WALGA membership.

Attachments

1. Extract Ordinary Council Meeting Minutes - 25 June 2016 – Item 13.6 - Costs & Benefits – Western Australian Local Government Association (WALGA) Membership
2. WALGA letter dated 10 February 2016 – Consideration of WALGA Membership
3. WALGA letter dated 19 October 2016 – Benefits of Membership

9.2 Councillor Resignation – Vacancy

Committee	8 November 2016
Council	22 November 2016
Applicant	City of Nedlands
CEO	Gregory Trevaskis
CEO Signature	
File Reference	CEO-015577
Previous Items	Nil.

Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Hassell
 Seconded – Councillor Hodsdon

That the Recommendation to Committee be adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 10/-

Committee Recommendation / Recommendation to Committee

Council seek approval of the Electoral Commissioner in accordance with the *Local Government Act 1995*, Section 4.16(4) to conduct the extraordinary election arising from Councillor Porter’s resignation, in conjunction with the ordinary elections day on Saturday 21 October 2017.

Executive Summary

On the 21st October 2016, Councillor S J Porter gave formal notice in writing of his wish to resign from Council effective 1st February 2017.

Councillor Porter has requested that he not receive any remuneration for this period.

Council has the option to proceed with an extraordinary election or may choose to postpone this event with the approval of the Electoral Commissioner to hold the extraordinary election in conjunction with the ordinary elections scheduled for Saturday 21 October 2017.

Strategic Plan

KFA: Governance and Leadership

Council to provide civic leadership to ensure good governance and high quality decision making.

Background

The key benefit for postponement of the extraordinary election would be to avoid the cost of holding an election estimated at \$20,000 when the community will be again asked to vote in October 2017.

The postponement would relieve local government electors voting twice within a few months of each other and save the City a significant amount of money.

In practical terms, the short-term vacancy of one councillor in the Dalkeith Ward does not present a significant issue for Council decision making or representation within the community.

Alternatively, Council may choose to hold an extraordinary election which cannot be held earlier than one month before the resignation actually takes effect (ie. 1st February 2017). It would be possible to fix a date in March or April 2017 to conduct the extraordinary election, if required.

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 2.31, 2.32, 4.9, 4.10 & 4.16.

Resignation, Extraordinary Elections, Postponement and Consolidation of Elections.

Budget/Financial Implications

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

Risk Management

Decision Making:

Considering the short-term of the vacancy before the ordinary elections can be held in October 2017, the risk to Council's decision making is considered minor.

Conclusion

It is considered reasonable for Council to seek to avoid the cost of an additional election in 2017 and request postponement of the extraordinary election with the approval of the Electoral Commissioner, as outlined in this report.

Attachments

Nil.

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

Nil.

11. Confidential Items

Nil.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 8.59 pm.