



City of Nedlands

Minutes

Council Committee Meeting

10 June 2014

ATTENTION

These minutes are subject to confirmation.

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

Table of Contents

Declaration of Opening	4
1. Public Question Time	5
2. Addresses By Members of the Public (only for items listed on the agenda)	5
3. Disclosures of Financial Interest	6
3.1 Councillor Hodsdon – PD21.14 - No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House	6
4. Disclosures of Interests Affecting Impartiality.....	6
4.1 Councillor Hassell – PD20.14 - No. 17 (Lot 253) Loneragan Street Nedlands - Proposed Two Storey Single House.....	6
4.2 Councillor Hassell – PD21.14 – No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House	7
4.3 Councillor Wetherall PD21.14 – No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House	7
4.4 Councillor Smyth – PD21.14 – No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House	7
4.5 Councillor Binks – PD21.14 – No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House	7
5. Declarations by Members That They Have Not Given Due Consideration to Papers.....	7
6. Confirmation of Minutes	8
6.1 Committee Meeting 13 May 2014	8
7. Matters for Which the Meeting May Be Closed	8
8. Divisional Reports	8
8.1 Planning & Development Report No’s PD19.14 to PD22.14	9
PD19.14 No. 16 (Lot 49) Loch Street, Nedlands - Proposed Two-Storey Single House	9
PD20.14. No. 17 (Lot 253) Loneragan Street Nedlands - Proposed Two Storey Single House.....	11
PD21.14 No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House.....	15
9.1 Funding Arrangements: Collegians Amateur Football Clubrooms, David Cruickshank Reserve.....	17
PD22.14 Tresillian Artist Studio Leases – Extension to term	19
8.2 Technical Services Report No’s TS11.14 to TS12.14	21
TS11.14 Tender No. 2013/14.21 – Landscape Maintenance Services	21
TS12.14 Tender No. 2013/14.02 – Provision of Cleaning Services.....	22
8.3 Corporate & Strategy Report No’s CPS22.14 to CPS24.14	23
CPS22.14 List of Accounts Paid – March 2014	23

CPS23.14 Policy Review	24
CPS24.14 Corporate Business Plan – Quarter 3 2013/14	25
9. Reports by the Chief Executive Officer	26
9.1 Funding Arrangements: Collegians Amateur Football Clubrooms, David Cruickshank Reserve.....	26
10. Urgent Business Approved By the Presiding Member or By Decision	34
11. Confidential Items	34
Declaration of Closure	34

City of Nedlands

Notice of a meeting of the Council Committee held in the Council Chambers, Nedlands on Tuesday 10 June 2014 at 7 pm.

Declaration of Opening

The Presiding Member declared the meeting open at 7pm, 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).

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

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

Public There were 7 members of the public present.

Press The Post Newspaper representative.

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

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 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.

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

1. Public Question Time

A member of the public wishing to ask a question should register that interest by notification in writing to the CEO in advance, setting out the text or substance of the question.

The order in which the CEO receives registrations of interest shall determine the order of questions unless the Mayor determines otherwise. Questions must relate to a matter affecting the City of Nedlands.

There were none received.

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

Addresses by members of the public who have completed Public Address Session Forms will be invited to be made as each item relating to their address is discussed by the Committee.

Mr J Walker, 14 Loch Street, Nedlands PD19.14
(Spoke in opposition of the recommendation)

Ms J Sherwood & Ms R Rea, 18 Loch Street, Nedlands PD19.14
Mr Christopher Spooner speaking on behalf of Ms Sherwood
(Spoke in opposition of the recommendation)

Mr & Mrs L Tan, 47 Meriwa Street, Nedlands PD21.14
(Were to speak in support of the recommendation, did not attend meeting)

Mr J Adcock, 169 Alfred Road, Mt Claremont 9.1
(Spoke in support of the recommendation)

3. Disclosures of Financial Interest

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

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

However, other members may allow participation of the declarant if the member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

3.1 Councillor Hodsdon – PD21.14 - No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House

Councillor Hodsdon disclosed a financial interest in Item PD21.14 - No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House. He disclosed that his interest being that he lives next door to this residence and advised that he would leave the meeting during this matter.

4. Disclosures of Interests Affecting Impartiality

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

4.1 Councillor Hassell – PD20.14 - No. 17 (Lot 253) Loneragan Street Nedlands - Proposed Two Storey Single House

Councillor Hassell disclosed an impartiality interest in Item PD20.14 - No. 17 (Lot 253) Loneragan Street Nedlands - Proposed Two Storey Single House. He disclosed that he lives across the street from the residence, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he/she would consider this matter on its merits and vote accordingly. Later, at item PD20.14, Councillor Hassell disclosed a financial interest and requested he be allowed to participate in the debate.

4.2 Councillor Hassell – PD21.14 – No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House

Councillor Hassell disclosed an impartiality interest in Item PD21.14 - No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House. He disclosed that the application was adjacent to a fellow Councillor, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he/she would consider this matter on its merits and vote accordingly.

4.3 Councillor Wetherall PD21.14 – No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House

Councillor Wetherall disclosed an impartiality interest in PD21.14 - No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House. He disclosed that the application was adjacent to a fellow Councillor, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

4.4 Councillor Smyth – PD21.14 – No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House

Councillor Smyth disclosed an impartiality interest in PD21.14 - No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House. She disclosed that the application was adjacent to a fellow Councillor, and as a consequence, there may be a perception that her impartiality on the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

4.5 Councillor Binks – PD21.14 – No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House

Councillor Binks disclosed an impartiality interest in PD21.14 - No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House. He disclosed that the application was adjacent to a fellow Councillor, and as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.

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

Nil.

6. Confirmation of Minutes

6.1 Committee Meeting 13 May 2014

Moved – Councillor Binks
Seconded – Councillor Shaw

That the minutes of the Council Committee held on 13 May 2014 are confirmed.

**CARRIED 11/-
(Abstained: Crs. Hassell, Horley)**

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 PD19.14 to PD22.14

Planning & Development Report No's PD19.14 to PD22.14 to be dealt with at this point (copy attached yellow cover sheet).

PD19.14 No. 16 (Lot 49) Loch Street, Nedlands - Proposed Two-Storey Single House

Committee	10 June 2014
Council	24 June 2014
Applicant	Beaumonde Homes
Landowner	G Sharma
Officer	Matt Stuart – Senior Statutory Planning Officer
Director	Peter Mickleson – Director Planning & Development Services
File Reference	LO2/16 : DA13/407
Previous Item	Nil

Mr J Waller, 14 Loch Street, Nedlands PD19.14
(Spoke in opposition of the application)

Ms J Sherwood & Ms R Rea, 18 Loch Street, Nedlands PD19.14
Mr Christopher Spooner spoke on behalf of Ms Sherwood
(Spoke in opposition of the application)

Regulation 11(da) – Councillors agreed to defer this item for discussion at the Ordinary Meeting of Council to be held on 24 June 2014 as revised plans had been submitted to Administration for consideration.

Moved – Councillor Wetherall
Seconded – Councillor Hassell

That the consideration of this item be deferred to the Ordinary Meeting of Council to be held on 24 June 2014.

CARRIED UNANIMOUSLY 13/-

Committee Recommendation

That the consideration of this item be deferred to the Ordinary Meeting of Council to be held on 24 June 2014.

Recommendation to Committee

Council refuses an application for a two-storey single house at No. 16 (Lot 49) Loch Street, Nedlands, in accordance with the application and amended plans received on 24 April 2014, for the following reasons:

1. The proposed driveway grade does not meet AS2890.1, as it is considered to be too steep for vehicles to safely manoeuvre.
2. The proposed wall setbacks on the upper floor to the north side, for the sitting room and balcony does not meet element 5.1.3 C3.1 and P3.1 of the R-Codes, as it is considered that the impact upon the neighbouring outdoor living area is significant.

PD20.14. No. 17 (Lot 253) Loneragan Street Nedlands - Proposed Two Storey Single House

Committee	10 June 2014
Council	24 June 2014
Applicant	APG Homes Pty Ltd
Owner	Julio Salazar and Cynthia Morillo
Officer	Thomas Geddes – Planning Officer
Director	Peter Mickleson – Director Planning & Development
File Reference	Nil

Councillor Hassell re-confirmed his declaration of Impartiality previously given at item 4, however amended this to a financial interest (proximity).

Moved – Councillor James
 Seconded – Councillor Wetherall

That Councillor Hassell remain in the Chambers for the discussion of this item.

**CARRIED 8/2
 (Against: Crs. Smyth, Argyle)
 (Abstained: Crs. Horley, Hassell, Porter)**

Regulation 11(da) – Not applicable – Recommendation adopted

Moved – Councillor Shaw
 Seconded – Councillor Hassell

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

CARRIED UNANIMOUSLY 13/-

Committee Recommendation / Recommendation to Committee

Council approves an application for a two storey single house at No. 17 (Lot 253) Loneragan Street, Nedlands in accordance with the application and the plans received 10 February 2014, subject to the following conditions:

- 1. The development shall at all times comply with the approved plans.**
- 2. All parapet walls shall be finished to a professional standard, to the satisfaction of the City.**
- 3. All footings and structures to retaining walls, fences and parapet walls shall be constructed wholly inside the site boundaries of the Certificate of Title.**
- 4. All street trees in the nature-strip / verge are to be retained and shall not be removed without written approval from the Manager Parks Services.**
- 5. 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.**
- 6. 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 1.0m³ for every 80m² of calculated surface area of the development.**
- 7. A further planning application and approval from the City is required for any fill or retaining walls on the lot, other than that shown on the approved plans.**
- 8. Dividing fences behind the front setback line, height no greater than 1.8m above approved levels and complying with the provisions of the City of Nedlands Fencing Local Law 2007 are deemed to comply with the Scheme and do not require further planning approval. A further planning application and approval is required for other fencing, including heights greater than 1.8m above approved ground levels and/or forward of the front setback line.**
- 9. The use of bare or painted metal building materials is permitted on the basis that, if during or following the erection of the development the Council forms the opinion that glare which is produced from the building / roof has or will have a significant detrimental effect upon the amenity of neighbouring properties, the Council may require the owner to treat the building / roof to reduce the reflectivity to a level acceptable to Council.**

10. All obscure glass panels / Lumisty 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 of WA. The structure(s) shall be installed and remain in place permanently, unless otherwise approved by the City.
11. Front fencing and letterbox shall be in accordance with the Hollywood and Swanbourne Design Guidelines. The fence in front of the dwelling and dividing lots (excluding and retaining on which the fence is constructed) shall be 900mm maximum height.
12. The fence behind the front setback and dividing lots shall be at a nominal height of 1800mm maximum (excluding any retaining wall on which the fence is constructed) shall be constructed in materials, colours and style to match and complement the dwelling.
13. Fibrous cement (i.e. Super Six), corrugated metal sheeting (i.e. Colorbond), and timber pinelap fences are not permitted.
14. Curved, tinted and reflective glass shall not be visible from the street.
15. All pipes, wired services, clothes drying areas, hot water storage tanks and such items shall not be seen from anywhere in the public realm. Air-conditioners, TV antennae, satellite dishes and radio masts shall not be visible from the primary street, and not easily seen from the secondary street or neighbouring properties (e.g. preferably located at ground level or if roof mounted, at the rear of the roof and below the ridge level).

Advice Notes specific to this approval:

1. 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.
2. 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.
3. The applicant is advised to consult the City's *Visual and Acoustic Privacy Advisory Information* in relation to selecting and locating any air-conditioner or swimming pool or spa mechanical equipment such that noise, vibration and visual impact on neighbours is mitigated. The City does not recommend installing

any equipment near a property boundary where it is likely noise in these locations will intrude on neighbouring properties.

- 4. Prior to selecting a location to install an air-conditioner, 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.**
- 5. Prior to installing an air-conditioner or swimming pool or spa mechanical equipment, the applicant is advised to consult residents of neighbouring properties and if necessary take measures to suppress noise.**
- 6. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.**

PD21.14	No. 47 (Lot 468) Meriwa Street, Nedlands - Retrospective Air-Conditioner & Proposed Screen and Front Fence to a Single House
----------------	---

Committee	10 June 2014
Council	24 June 2014
Applicant	S Tan
Landowner	S & R Tan
Officer	Matt Stuart – Senior Statutory Planning Officer
Director	Peter Mickleson – Director Planning & Development Services
File Reference	ME4/47 : DA13/508
Previous Item	Nil

Councillor Hodsdon declared a financial interest in this item and left the Chambers at 7.22pm.

Councillors Hassell, Wetherall, Smyth and Binks re-confirmed their declarations of Impartiality previously given at item 4.

Councillor Hay left the Chambers at 7.38pm and returned at 7.40pm.

Regulation 11(da) – Councillors refuse the application because it has an adverse effect of the amenity of the neighbour.

Moved – Councillor Wetherall
 Seconded – Councillor James

That Council:

- 1 refuses the application for retrospective air-conditioner and proposed screen enclosure to a single house at No. 47 (Lot 468) Meriwa Street, Nedlands, in accordance with the application and amended plans received on 14 May 2014; and**
- 2 approves the application for the front fence.**

Advice Note:

- 1 Council is prepared to consider an alternative location for the air-conditioner behind the front setback.**

CARRIED UNANIMOUSLY 13/-

Decent Motion

The Presiding Member proposed that the mover of the motion sum up.

Moved – Councillor Horley

Seconded – Councillor Binks

That the ruling of the Presiding Member be disagreed with.

CARRIED 7/5

(Against: Mayor Hipkins, Crs. Hay, James, Shaw, Hassell)

Committee Recommendation

That Council:

- 1 refuses the application for retrospective air-conditioner and proposed screen enclosure to a single house at No. 47 (Lot 468) Meriwa Street, Nedlands, in accordance with the application and amended plans received on 14 May 2014; and**
- 2 approves the application for the front fence.**

Advice Note:

- 1 Council is prepared to consider an alternative location for the air-conditioner behind the front setback.**

Councillor Hodsdon returned to the Chambers at 7.53pm.

Recommendation to Committee

Council approves an application for retrospective air-conditioner and proposed screen enclosure and front fence to a single house at No. 47 (Lot 468) Meriwa Street, Nedlands, in accordance with the application and amended plans received on 14 May 2014, with the following conditions:

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

Advice Notes specific to this proposal:

1. The development is required to comply at all times with the Environmental Protection (Noise) Regulations 1997.
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.

Moved – Councillor Shaw
 Seconded – Councillor McManus

That the CEO’s report Item No. 9.1 Funding Arrangements: Collegians Amateur Football Clubrooms, David Cruickshank Reserve be moved forward in the Agenda so Mr J Adcock, 169 Alfred Road, Mt Claremont be able to address Council.

CARRIED UNANIMOUSLY 13/-

9.1 Funding Arrangements: Collegians Amateur Football Clubrooms, David Cruickshank Reserve

Committee	10 June 2014
Council	24 June 2014
Applicant	City of Nedlands
Officer	Marion Granich
CEO	Greg Trevaskis
File Reference	CMS/190
Previous Item	PD48.12 - 29 November 2012, CM07.13 – 24 September 2013

Mr J Adcock, 169 Alfred Road, Mt Claremont 9.1
 (Spoke in support of the recommendation)

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

Moved – Councillor McManus
 Seconded – Councillor Binks

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

CARRIED UNANIMOUSLY 13/-

Committee Recommendation / Recommendation to Committee

That Council:

1. approves the proposed budget for the Collegians Amateur Football Club facility redevelopment in accordance with Cost Plan No. 1 Slattery Australia Pty Ltd (Quantity Surveyors) at a total estimated cost of \$2,672,353;

2. approves the following funding arrangements for building of the Collegians Amateur Football Club facility redevelopment in accordance with schematic plans prepared by Hodge Collard Preston Architects:

City of Nedlands	\$2,012,353
DSR – CSRFF Grant	\$ 500,000
Collegians Amateur Football Club	
Cash	\$ 75,000
Fitout	\$ 50,000
Architect (non cash)	\$ 35,000
	<u>\$2,672,353</u>

3. authorises the CEO to submit the Collegians Amateur Football Club facility redevelopment plan as prepared by Hodge Collard Preston Architects for planning development approval;
4. accepts the terms and conditions for the grant of \$500,000 from the Department of Sport and Recreation (CSRFF) towards the Collegians Amateur Football Club facility redevelopment;
5. in accordance with Regulation II, *Local Government (Functions and General) Regulation 1996 section 11(2)(f)* the City is of the opinion that public tenders not be called for architectural services due to the copyright and ownership of the approved concept plans;
6. agrees to award closed tender no. 13-14.32 – Cruickshank Architecture to Hodge Collard Preston Architects as detailed in the tender and their response letter dated 24th April 2014;
7. authorises the Chief Executive Officer to sign an acceptance of offer for this tender;
8. accepts the offer and funding support of the Collegians Amateur Football Club as outlined in their letter of 29th May 2014; and
9. authorises the CEO to seek quotations for quantity surveyor assistance and to enter into discussions with the Collegians Amateur Football Club in relation to the preparation of a new license agreement for the new clubrooms.

PD22.14	Tresillian Artist Studio Leases – Extension to term
----------------	--

Committee	June 10 2014
Council	June 24 2014
Applicant	City of Nedlands
Owner	City of Nedlands
Officer	Rebecca Boley – Property Management Officer
Director	Peter Mickleson – Planning & Development
File Reference	Tresillian Leases – Sharepoint – Contracts & Property – Leased Building Cases – Tresillian
Previous Item	Nil

Councillor Hassell left the chambers at 8.10pm and returned at 8.11pm.

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

Moved – Councillor Binks

Seconded – Councillor Hodsdon

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 13/-

Committee Recommendation / Recommendation to Committee

That Council:

- 1. Agrees that the 2014/15 rental amount for the Garage and Courtyard studios at the Tresillian Community Centre be the rental amounts in 2013/14 financial year adjusted by CPI to reflect market fluctuations;**
- 2. Delegates to the CEO the authority to consider and respond to any submissions which arise from the public advertisement of the proposed extension to lease term for the Garage and Courtyard Studios;**
- 3. Agrees to extend the term of lease with the current lessees of the Garage and Courtyard Studios, Tresillian Community Centre, until 30 June 2015, subject to satisfaction of the CEO of the public advertisement process noted above; and**

- 4. Agrees to lease the Green Studio – Tresillian Community Centre to Holistic Education Services Pty Ltd, a charitable entity, until 30 June 2015 on the City's standard terms of lease of a Tresillian artist studio at the rental amount equivalent to the current lease rental in 2013/14 financial year adjusted by CPI.**

8.2 Technical Services Report No's TS11.14 to TS12.14

Technical Services Report No's TS11.14 to TS12.14 to be dealt with at this point (copy attached blue cover sheet).

TS11.14 Tender No. 2013/14.21 – Landscape Maintenance Services

Committee	10 June 2014
Council	24 June 2014
Applicant	City of Nedlands
Officer	Taryn King - Purchasing and Tenders Coordinator
Director	Mark Goodlet – Director Technical Services
File Reference	TS-PRO-00007
Previous Item	Not Applicable

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

Moved – Councillor Binks
 Seconded – Councillor Shaw

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

CARRIED UNANIMOUSLY 13/-

Committee Recommendation / Recommendation to Committee

That Council:

- 1. agrees to award tender no. 2013/14.21 to Green Life Group Pty Ltd for the provision of landscape maintenance services as per the schedule of rates (Attachment 1) submitted; and**
- 2. authorises the Chief Executive Officer to sign an acceptance of offer for this tender.**

TS12.14 Tender No. 2013/14.02 – Provision of Cleaning Services

Committee	10 June 2014
Council	24 June 2014
Applicant	City of Nedlands
Officer	Taryn King - Purchasing and Tenders Coordinator
Director	Mark Goodlet – Director Technical Services
File Reference	TEN/411
Previous Item	Not Applicable

Regulation 11(da) - Not applicable – Recommendation adopted

Moved – Councillor Shaw

Seconded – Councillor Hassell

That the Recommendation to Committee is adopted.

(Printed below for ease of reference)

CARRIED UNANIMOUSLY 13/-

Committee Recommendation / Recommendation to Committee

That Council:

- 1. agrees to award tender no. 2013/14.02 to Cleandustrial Services Pty Ltd for the provision of cleaning services as per the schedule of rates (Attachment 1) submitted; and**
- 2. authorises the Chief Executive Officer to sign an acceptance of offer for this tender.**

8.3 Corporate & Strategy Report No's CPS22.14 to CPS24.14

Report No's CPS22.14 to CPS24.14 to be dealt with at this point (copy attached green cover sheet).

CPS22.14 List of Accounts Paid – March 2014
--

Committee	10 June 2014
Council	24 June 2014
Applicant	City of Nedlands
Officer	Rajah Senathirajah – Manager Finance
Director	Michael Cole – Director Corporate & Strategy
File Reference	Fin/072-17
Previous Item	Nil

Regulation 11(da) – Not applicable – Recommendation adopted

Moved – Councillor James
 Seconded – Councillor Shaw

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

CARRIED UNANIMOUSLY 13/-

Committee Recommendation / Recommendation to Committee

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

CPS23.14 Policy Review

Committee	10 June 2014
Council	24 June 2014
Applicant	City of Nedlands
Officer	Phoebe Huigens – Policy & Project Officer
Director	Michael Cole – Director Corporate & Strategy
File Reference	IFM/417
Previous Item	Nil

Regulation 11(da) – Not applicable – Recommendation adopted

Moved – Councillor Shaw
 Seconded – Councillor Hay

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

Carried 12/-
(Abstained: Crs. Hodsdon)

Committee Recommendation / Recommendation to Committee

That Council approves the Fill and Fencing policy as attached.

CPS24.14 Corporate Business Plan – Quarter 3 2013/14

Committee	10 June 2014
Council	24 June 2014
Applicant	City of Nedlands
Officer	Mike Fletcher, Manager Corporate Strategy & Systems
Director	Michael Cole – Director Corporate & Strategy
File Reference	Corporate Strategy & Systems
Previous Item	Nil

Regulation 11(da) – Not applicable – Recommendation adopted

Moved – Councillor Shaw
 Seconded – Councillor McManus

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

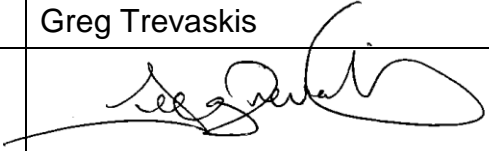
Carried 11/-
(Abstained: Crs. Hassell, Porter)

Committee Recommendation / Recommendation to Committee

That Council receives the Quarter 3 2013/14 report on progress towards “Nedlands 2023 – Making it Happen”, the Corporate Business Plan.

9. Reports by the Chief Executive Officer

9.1 Funding Arrangements: Collegians Amateur Football Clubrooms, David Cruickshank Reserve

Committee	10 June 2014
Council	24 June 2014
Applicant	City of Nedlands
Officer	Marion Granich
CEO	Greg Trevaskis
CEO Signature	
File Reference	CMS/190
Previous Item	PD48.12 - 29 November 2012, CM07.13 - 24 September 2013

Executive Summary

Council is to consider final funding arrangements for the proposed development of Collegians Amateur Football Club facilities located at David Cruickshank Reserve.

The Department of Sport and Recreation (DSR) recently confirmed an allocation of \$500,000 for the project which is less than the amount originally applied for CSRFF funding of \$798,000.

This report will review revised funding arrangements and seek approval for:

1. Project Budget (revised) and associated funding arrangements; and
2. Appointment of Architect.

Approval will enable the project to be actively progressed in accordance with Council's previous endorsement of plans/designs for the new facilities. Actions to be undertaken include preparation of final working drawings, submission for planning and building approvals, preparation of tender documentation for construction of the clubrooms.

Recommendation to Committee

Council:

10. approves the proposed budget for the Collegians Amateur Football Club facility redevelopment in accordance with Cost Plan No. 1 Slattery Australia Pty Ltd (Quantity Surveyors) at a total estimated cost of \$2,672,353;

11. approves the following funding arrangements for building of the Collegians Amateur Football Club facility redevelopment in accordance with schematic plans prepared by Hodge Collard Preston Architects:

City of Nedlands	\$2,012,353
DSR – CSRFF Grant	\$ 500,000
Collegians Amateur Football Club	
Cash	\$ 75,000
Fitout	\$ 50,000
Architect (non cash)	\$ 35,000
	<u>\$2,672,353</u>

12. authorises the CEO to submit the Collegians Amateur Football Club facility redevelopment plan as prepared by Hodge Collard Preston Architects for planning development approval;

13. accepts the terms and conditions for the grant of \$500,000 from the Department of Sport and Recreation (CSRFF) towards the Collegians Amateur Football Club facility redevelopment;

14. in accordance with Regulation II, *Local Government (Functions and General) Regulation 1996 section 11(2)(f)* the City is of the opinion that public tenders not be called for architectural services due to the copyright and ownership of the approved concept plans;

15. agrees to award closed tender no. 13-14.32 – Cruickshank Architecture to Hodge Collard Preston Architects as detailed in the tender and their response letter dated 24th April 2014;

16. authorises the Chief Executive Officer to sign an acceptance of offer for this tender;

17. accepts the offer and funding support of the Collegians Amateur Football Club as outlined in their letter of 29th May 2014; and

18. authorises the CEO to seek quotations for quantity surveyor assistance and to enter into discussions with the Collegians Amateur Football Club in relation to the preparation of a new licence agreement for the new clubrooms.

Strategic Plan

1. Nedlands 2023 – 2013 – 2023 Strategic Community Plan
 - No. 1 Priority – Community and Sports Facilities
 - Master Plan – David Cruickshank Reserve Year 1
 - Build Year 2

2. Nedlands 2023 – Making It Happen 2013-2023 Corporate Business Plan
 - David Cruickshank Reserve

2013/14	\$3,166,500
2014/15	\$2,044,200
2015/16	\$3,805,300

3. Strategic Recreation Plan identifies 6 major sporting reserves as priority areas for sporting facilities development. The Collegians Amateur Football Clubrooms is one of these priority projects.

Background

On the 27th September 2013, Council approved the following and proposed funding arrangement for the Collegian Amateur Football Clubrooms project:

Source of Funding	
City of Nedlands	\$1,749,920
DSR	\$ 798,000
Collegians Amateur Football Club	<u>\$ 75,000</u>
	<u>\$2,622,920</u>

This did not include \$50,000 (for fit out) and \$35,000 for Architectural services to date to be included as part of the Collegians Amateur Football Club responsibilities and contribution.

On 30th September 2013 the CEO as authorised by Council lodged a grant application to the Department of Sport and Recreation requesting \$798,000 for the proposed redevelopment at David Cruickshank.

On 21st March 2014 the Department of Sport and Recreation notified Council that its application was successful and would receive \$500,000 towards the project (see attached letter from the Minister for Sport and Recreation).

Key Relevant Previous Council Decisions:

PD48.12 Final Endorsement of the David Cruickshank Master Plan – 27 November 2012 Council endorsed the guiding document for future development at the reserve including capital budget allocations and grant applications from reserve users.

CM07.13 Community Sport and Recreation Facilities Fund (CSRFF) – 27 September 2013 Council endorsed allocation of funds for the project at David Cruickshank Reserve and subsequent application to the Department of Sport and Recreation for a CSRFF grant.

Consultation

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

Redevelopment of the Collegians Amateur Football Club facility forms a key part of the David Cruickshank Reserve Master Plan.

The Master Plan for David Cruickshank Reserve was prepared by Pendall and Neille, Architects/Studio Baan Landscape with the final report presented to the City in September 2012. Extensive public consultation formed a key part of the Master Plan program with community workshops being conducted in February 2012 and June 2012. Major stakeholders including the Department of Sport and Recreation, Collegians Amateur Football Club, Dalkeith Tennis Club and Dalkeith-Nedlands Bowling Club provided input and feedback in the development of the Master Plan.

Legislation / Policy

Subsidies and Donations – Capital Development Grants to Sporting Clubs and Community Organisations has associated guidelines which state that:

- Priority will be given to sporting clubs and community groups located on reserves managed by the City of Nedlands.
- Priority will be given to projects identified in the City's Recreation Plan.
- Priority will be given to those sporting clubs and community organisations that can demonstrate that they are sustainable e.g. financial and membership.
- Priority will be given to those sporting clubs and community organisations that also receive financial support from other funding bodies (e.g. Department of Sport and Recreation's CSRFF).
- To facilitate the 'intent' of the policy Council shall give a higher priority to capital development projects that are designed to be used by more than one group or club, particularly where such bodies are not now sharing premises.
- Projects must be of a capital nature and financial assistance will not be provided for operational or maintenance purposes.
- The level of support will be based upon the benefit the project will provide to the City of Nedlands Community. This will include, but not be limited to, resident membership (total and proportional), support for junior sport and level of community access.
- The City of Nedlands will always retain the right not to provide funding in response to funding application.
- Legislation Relevant to tenders.

- Regulation II Local Government (Functions and General) Regulation 1996 section 11 (2)(f).

Budget/Financial Implications

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

In September 2013 a Cost Plan was prepared by Quantity Surveyors, Slattery Australia Pty Ltd for the Collegians Amateur Football Club project:

The Total End Cost of Cost Plan No. 1 is \$2,672,353 excluding GST as summarized below. "In our opinion, subject to construction market conditions (including escalation factors) we believe that the Total Construction Budget can be achieved in the range of \$2,600,000 to \$2,750,000 excluding GST."

Cost Component	Amount
Building Cost Cost	\$1,640,482
External Works	\$ 374,581
External Services	\$ 123,625
Design Contingency	\$ 53,467
Construction Contingency	\$ 54,804
Cost Escalation	\$ 151,265
Total Construction Cost	\$2,398,244
Fit out Costs	\$ 49,433
Architects & Consultants Fees	\$ 224,696
Total Construction Budget	\$2,672,353

Revised Funding Arrangements:

Source	Approved 2013	September	Revised
City of Nedlands	\$1,714,353		\$2,012,353
DSR – CSRFF Grant	\$ 798,000		\$ 500,000
Collegian Amateur Football Club	\$ 75,000		\$ 75,000
Fitout	\$ 50,000 *		\$ 50,000
Architectural Services	\$ 35,000 *		\$ 35,000
Total Project	\$2,672,353		\$2,672,353

*Collegians Amateur Football Club Contributions not included in report to Council in September 2013.

Corporate Business Plan 2013-2017:

David Cruickshank Reserve

The plan includes funding of the Collegians Amateur Football Clubrooms at an estimated cost of \$2.8 million (approx.). Also separately included in the plan is

roadworks, playing field upgrades and landscaping in the vicinity of the new Collegians Football Club building. Other projects include improvements to the Dalkeith Nedlands Bowling Club and Nedlands Tennis Club facilities.

A projected Council funding commitment of \$3,279,228 has been allocated within the City's Corporate Business Plan over the 2013-2017 period to be combined with financial contributions from each of the relevant sporting clubs to hopefully, achieve all projects.

The original estimate from the Collegians Amateur Football Club was \$1,364,750. This is well beyond the financial resources of the Collegians Amateur Football Club who have committed to a \$75,000 cash contribution towards building costs and \$50,000 to cover fitout of the new facilities. (See attached letter from the Collegians Amateur Football Club and Australian Sports Foundation).

The Club and Council staff will be proposing that a new Licence Agreement (21 year term) be developed to provide ongoing tenure, establish a new licence fee structure for use of the new facilities and establish a life cycle maintenance program for the new facilities. The new agreement, schedule and maintenance program will be finalized over the next six months.

It is also proposed that a review be also undertaken of the City's Corporate Business Plan 2013-2017 to recognise the increased cost to Council to fund the Collegians Amateur Football Club building as well as amend the Business Plan where proposed capital projects may not proceed or savings can be achieved. This review will also be prepared for Council's consideration by the end of the 2014 year.

Architectural Services

Council at its meeting in September 2013 endorsed the concept plans/design as prepared by Hodge Collard Preston Architects, for the Collegians Amateur Football Club facilities at David Cruickshank Reserve. These plans were developed under the guidance of the Collegians Amateur Football Club at no cost to Council (estimated value of \$35,000 for preliminary design schematics and consultation with all stakeholders).

It is proposed that Council should proceed with the plans as adopted and accepted by Collegians Amateur Football Club as meeting all of its needs.

Accordingly, Hodge Collard Preston Architects were requested to provide a detailed quotation of all architectural fees and specialist consultant fees to provide architectural supervision for completion of the Collegians Amateur Football Club facility. Copy of architect's fee proposal dated 24th April 2014 is attached. The concept, its copyright and solely owned by Hodge Collard Preston Architects, who were originally commissioned by the Collegians Football Club to produce the design. The product to be provided is a continuation of this unique design and could be considered therefore to be unique and unable to be supplied by another consultant.

Architect Fees	\$115,000 (excl. GST)
Specialist Consultant Fees	\$ 59,500 (excl. GST)
Total	\$174,500 (excl. GST)

*QS Cost Plan No. 1 – Provisional allowance for architects and consultant fees \$224,696.

Under normal circumstances Council would be required under Regulation II, *Local Government (Functions and General) Regulation 1996* to publicly invite tenders for the supply of architectural services worth more than \$100,000. However there is provision under the regulations to **not** seek tender publically if:

'Reg 11(2)(f) The local government has good reason to believe that because of the unique nature of the goods and services required or for any other reason, it is unlikely that there is more than any one potential supplier;'

It is the CEO's opinion that Council has endorsed the concept plans prepared by Hodge Collard Preston Architects. Hodge Collard Preston Architects also have a significant advantage in any competitive quotation for the current design. To now seek tenders for a new design may also require a complete review of the project, further consultation and possible delays causing an increase to the costs of the project.

Accordingly it is recommended that Hodge Collard Preston Architects be engaged to undertake all architectural services as submitted in its quotation dated 24 April 2014.

Risk Management

Failure for Council to fund the Collegians Amateur Football Club shortfall will certainly remove any likelihood that this project will be undertaken in the foreseeable future.

The Collegians Amateur Football Club current facilities are of a very poor standard and are in desperate need of upgrade. The approved design will compliment other proposed improvements for David Cruickshank Reserve and provide additional benefits for community use outside of football commitments.

Although it is considered that calling of public tenders is exempted under legislation the City has prepared a formal tender and gained a response from the architect in order to enter into a contract. This defines the scope of works and obligations, responsibilities and risk allocation to both parties and is considered to be appropriate risk management.

Conclusion

It is recommended that Council allocate additional funding for the development of new clubhouse and change room facilities at David Cruickshank Reserve so the project will be completed as intended.

Should Council be unwilling to commit extra funding, the project will likely need to be scaled back to meet funding limitations. This will also require a review by the Department of Sport and Recreation and will likely lesser the financial contribution they make to the project.

Ultimately, this could prevent the project from going ahead being the worst case scenario.

Council at its meeting in September 2013 accepted responsibility to project manage the Collegians Amateur Football Club facility redevelopment due to its significant financial contribution and in-house expertise. Whilst it was originally envisaged that the Collegians Amateur Football Club would undertake project management, all parties accept that Council is better equipped to perform this role.

Attachments

1. Letter from the Collegians Amateur Football Club and Australian Sports Foundation.
2. Hodge Collard Preston Architects – Schematic Plans for Collegians Amateur Football Club facility Redevelopment.
3. Hodge Collard Preston Architects – Architectural Fee and Specialist Consultant Fees for Collegians Amateur Football Club facility Redevelopment dated 24 April 2014.
4. Letter from Minister for Sport and Recreation dated 20 February 2014 confirming approval of the CSRFF grant of \$500,000.

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 8.15pm.

A handwritten signature in black ink, appearing to read 'Greg Trevaskis', with a large, stylized flourish extending to the left.

Greg Trevaskis
Chief Executive Officer