



CITY OF BAYSWATER

MINUTES

OF THE

SPECIAL MEETING

OF COUNCIL

31 October 2006

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CITY OF BAYSWATER

Minutes of the Special Meeting of the Bayswater City Council which took place in the Main Hall, Peninsula Cultural and Community Centre, 219 Railway Parade, Maylands on Tuesday, 31 October 2006.

MINUTES**1 OFFICIAL OPENING**

The Chairperson, His Worship the Mayor CR KENYON, JP, welcomed those in attendance and declared the meeting open for the special business of Council at 7.18pm.

**2 RECORD OF ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE
(PREVIOUSLY APPROVED)****In Attendance****West Ward**

Cr Terry Kenyon JP, Mayor
Cr Marlene Robinson
Cr Alan Radford

Chairperson
(Arrived at 7.23pm and departed at 9.32pm)

North Ward

Cr Ian McClelland, JP, Deputy Mayor
Cr Lou Magro
Cr Graham Pittaway, OAM

Central Ward

Cr Michael Sabatino
Cr Victor Rosenberg

South Ward

Cr Terry Gaunt
Cr Sonia Turkington

Officers

Mr Mario J. Carosella	Chief Executive Officer
Mr Bob Jarvis	Director of Administration and Community Services
Mr Martyn Glover	Director of Technical Services
Ms Francesca Lefante	Director of Planning and Development Services
Ms Diane Roberts	Manager Administration Services (Departed at 9.10pm)
Mrs Miranda Mastin	Minutes and Agenda Coordinator

Apologies

Mr Ted Budzinski Director of Finance

Leave of Absence

Cr Barry McKenna

Observers

Nil.

3 PUBLIC QUESTION TIME

In accordance with Section 5.24 of the *Local Government Act 1995*, time is allocated for questions to be raised by members of the public.

Nil.

4 APPLICATIONS FOR LEAVE OF ABSENCE

4.1 Applicant: Cr Graham Pittaway
File: 3.1.6.1

Cr Graham Pittaway requested Leave of Absence from 13 November to 17 November 2006 inclusive.

COUNCIL RESOLUTION

CR MICHAEL SABATINO MOVED, CR GRAHAM PITTAWAY SECONDED that Leave of Absence be granted as follows:

- **Cr Graham Pittaway from 13 November to 17 November 2006 inclusive.**

CARRIED

5 DECLARATIONS OF INTEREST

In accordance with Section 5.60A and 5.65 of the *Local Government Act 1995* the following disclosures of financial interest were made at the Special Council Meeting held on 31 October 2006:

Nil.

In accordance with Section 5.60B and 5.65 of the *Local Government Act 1995* the following disclosures of proximity interest were made at the Special Council Meeting held on 31 October 2006:

Nil.

In accordance with Clause 34C of the *Local Government (Administration) Regulations 1996* the following disclosure of interests affecting impartiality were made at the Special Council Meeting held on 31 October 2006:

Nil.

6 URGENT BUSINESS

Nil.

7 PETITIONS

Nil.

8 DEPUTATIONS

Nil.

9 BUSINESS

Cr Marlene Robinson arrived at the meeting at 7.23pm.

9.1 Local Government Elections - Methods of Voting - Conduct of Election by Electoral Commission

Attachments: [Participation Rate](#)
File No: 3.1.3
Officer: Chief Executive Officer
Refer: Item 11.9.1 OMC 27.09.05

Application

To provide Council with information on options available for methods of voting at Local Government Elections and on appointing the Electoral Commission to conduct future Local Government Elections for the City.

Background

At the Ordinary Meeting of Council held on 27 September 2005, it was resolved that Council pursues postal voting.

Postal voting was initially used for local government in Western Australia following the City of Perth restructure in 1995. Following the success of those elections, postal method was introduced as an option for all local governments in the *Local Government Act 1995*, with the Western Australian Electoral Commissioner responsible for the conduct of postal elections.

Postal voting is a local governments alternative to conducting an in person election. In a postal election, voting packages are sent out to all eligible electors by the Western Australian Electoral Commission. These packages contain information about postal voting, candidate profiles, ballot papers and a reply paid envelope. Voters are able to post their ballot papers back, usually within a two week time frame, and the count is conducted at the close of poll, supervised by the Returning Officer from the Western Australian Electoral Commission.

Number of Councils using Postal Voting

The number of Councils using postal voting is shown below –

<u>Year</u>	<u>Postal Elections in Local Government</u>
1999	34
2001	47
2003	55
2005	51

Full details of the Councils using postal voting and the participation rate of voting is shown on *Attachment 1*.

Large Councils Currently using In Person Voting

<u>Council</u>	<u>Electors</u>
City of Bayswater	39,566
Shire of Harvey	12,706
Shire of Esperance	11,267
Shire of Roebourne	8,622
Shire of Broome	7,294
Town of Port Hedland	6,386

Full details of Councils using in person voting and the participation rate of voting is also shown on *Attachment 1*.

All large metropolitan Councils with a population over 21,338 (Nedlands) are now conducting elections by postal voting. The City's population is 56,636.

Cost of Elections/Voter Turnout

The cost of holding an election is dependent on voter turn out and as such it is difficult to predict the number of votes that will be received in an election or to calculate a comparative figure of the cost of the election. However, the tabulation below shows figures that may be of assistance for a comparison.

	<u><i>In Person Election</i></u>	<u><i>Postal Election</i></u>
Average Voter Turnout	9.1%	37%
Cost of Election Direct / Indirect Cost	\$60,000	\$99,000
Cost of 2005 Election West/South Ward	Direct Cost: \$28,000 In-Direct Cost: \$20,000 Total: \$48,000	\$42,000

It is important that Council acknowledge that in person elections are very exhaustive on staff resources. Staff, such as the Chief Executive Officer, the Director of Administration and Community Services, the Manager Administration Services and also clerical staff are tied up over a period of four (4) months prior to the election. It is difficult to quantify these direct costs as well as quantify the opportunities lost for these staff to provide other local government services. These costs are estimated to be above \$20,000 and includes the following:

- Administering Election timetable;
- Advertising Elections;
- Staff training;
- Review Electoral Legislation;
- Candidate Packs;
- Code of Conduct for Electoral Officers;

- Approval / Book of Chief Polling Places and Polling Places;
- Preparation for Elections;
- Checking and verifying profiles / Candidates advertising;
- Attend to complaints by Candidates / Electors;
- Accepting nominations;
- Drawing ballots;
- Checking nominations and electoral materials; and
- Preparing Electoral Returns for the Council and the Minister.

How do sitting members fair in re-election

The Electoral Commissioner has advised that about 80% of sitting candidates are re-elected compared with 37.74% of non-sitting candidates. The recognition obtained from holding office appears to have served sitting Councillors well, with the majority who were seeking re-election being successful.

Statistical Information

There is a significant advantage to the types of statistical information that can be gathered during a postal vote election. As the Electoral Commission maintains a data base of voters and the general demographics, following an election it is possible for the City to be made aware of the average age of voters, gender and location of the voters. This type of statistical information is not possible for an in person election.

Accessibility of Support

An “in person” election provides a high level of support to both candidates and electors during the election period, an officer is available daily for assistance. This dedicated service has a cost associated with it that is not allocated to the election as the use of the service is random.

A postal election provides times when the Returning Officer is available for the taking of nominations and this is generally flexible to the member, however the Returning Officer is not necessarily available on a full time capacity for assistance. In addition, electors are required to call the Commission for assistance, and during the election period a call centre arrangement is established. This takes away the personal approach that is currently provided by the City.

It should be acknowledged however, that the provision of this service by the City is not quantified and charged to the election.

Decision by Council on Mode of Election

It is necessary for Council to decide how an election is to be conducted prior to the eightieth (80th) day before the election. Therefore for the 2007 elections Council would need to decide the method of voting prior to the 14 February 2007 if the elections are held in May 2007 as legislation changing the month of an election to October 2007 has not yet been passed.

Timing of Election

The timing of the Local Government Elections is currently being held biennially with the next election being due in May 2007. However, this is currently under review currently by the Western Australian Government in Parliament with a proposed change for the election to be held in October 2007.

Appointment of an Independent Returning Officer

It is important that Council consider the Western Australian Electoral Commission to conduct the Biennial Council Elections, as there is a conflict of duties between the Chief Executive Officer and the Returning Officers priorities when dealing with Retiring Councillors that are renominating and it is imperative that an independent Returning Officer is appointed to conduct the Elections. The cost of an in-person election is approximately \$70,000 for the four (4) wards and eighteen (18) polling places.

Policy Implications

Nil.

Financial Implications

There are a number of financial considerations necessary when comparing the method of voting in an election. In 2007 it is recommended that if a postal vote method is selected a budget of \$99,000 is provided for.

Voting Requirements***ABSOLUTE MAJORITY REQUIRED*****SUSPENSION OF STANDING ORDERS**

At 7.32pm, CR MARLENE ROBINSON MOVED, CR IAN MCCLELLAND JP SECONDED that Standing Orders be suspended.

CARRIED

Mr Bob Jarvis withdrew from the meeting at 7.51pm and returned at 7.55pm.

Ms Roberts withdrew from the meeting at 7.55pm and returned at 7.57pm.

Mr Bob Jarvis withdrew from the meeting at 8.09pm and returned at 8.11pm.

Officer's Recommendation

That:

1. the Western Australian Electoral Commissioner be appointed as an Independent Returning Officer to conduct the City's Biennial Local Government Election to be held in May 2007; and
2. the report on methods of voting at Local Government Elections being 'In-Person' and 'Postal' be received and considered by the Council.

LAPSED

COUNCIL RESOLUTION**CR TERRY KENYON MOVED, CR GRAHAM PITTAWAY SECONDED:**

That:

1. the Western Australian Electoral Commissioner be appointed as an Independent Returning Officer to conduct the City's Biennial Local Government Election to be held in May 2007 with any other elections or polls which may also be required in accordance with Section 4.20 (4) of the *Local Government Act 1995*; and
2. the Western Australian Electoral Commissioner is to be responsible for the conduct of the 2007 Ordinary Elections together with any other elections or polls which may also be required under Section 4.20 (4) of the *Local Government Act 1995*, and that the method of conducting the election will be postal voting in accordance with Section 4.61 (2) of the *Local Government Act 1995*.

LOST

COUNCIL RESOLUTION**CR TERRY KENYON MOVED, CR LOU MAGRO SECONDED:**

This item be deferred to the Ordinary Meeting of Council to be held on Tuesday, 21 November 2006.

CARRIED

Councillors Magro and Sabatino requested that their vote against the resolution be recorded.

- 9.2 City of Bayswater Security Watch Service Review**
File No: 1.1.22
Officer: Director of Administration and Community Services
Refer: Item 11.1.3 OMC 25.10.06

CONFIDENTIAL ITEM

Application

For Council to consider the continuation of the City of Bayswater Security Watch Services as an *in-house* provided service.

In accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting is closed to members of the public for this item as the following sub-section applied:

- (c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

Voting Requirements

ABSOLUTE MAJORITY REQUIRED

COUNCIL RESOLUTION
(OFFICER'S RECOMMENDATION)

CR TERRY KENYON MOVED, CR ALAN RADFORD SECONDED an amendment to the Officer's recommendation:

That:

- 1. the City of Bayswater provide the Security Watch Service as an in-house service integrated with the existing Community Ranger Services, utilising a roster of 322 hours per week;**
- 2. an additional allocation of \$130,000, in the 2006/2007 financial year, to fund the establishment of the Community Ranger and Security Service be included in the Council budget review process;**
- 3. in accordance with Section 3.1 of the Local Government Act 1995, in providing for the good government of persons in its district, His Worship the Mayor and the Chief Executive Officer be authorised to negotiate with Chubb Protective Services an extension of the existing service on a caretaker capacity from 1 January 2007 to such time as the in-house security service is in place;**
- 4. Chubb Protective Service be formally thanked for their contribution to the Security Watch Service for a period totalling six (6) years nine (9) months; and**
- 5. a progress report be presented to Council on the establishment of the service in January 2007.**

CARRIED

- 9.3 Henley Brook/Albion Town Project Update**
Location: Henley Brook
File No: 3.1.10
Officer: Director of Planning and Development Services
Refer: Item 7.2 - SCM 24.06.03
Item 10.6 - SCM 1.11.05

CONFIDENTIAL ITEM

Application

Council consideration and direction is sought on:-

1. The status of the current rezoning.
2. Involvement with planning process, Structure Plan
3. Disposal of Land - Business Plan.

In accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting is closed to members of the public for this item as the following sub-section applied:

- (c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

Voting Requirements

ABSOLUTE MAJORITY REQUIRED
COUNCIL RESOLUTION

CR TERRY KENYON JP MOVED, CR IAN MCCLELLAND JP SECONDED:

That:

1. **in accordance with the provisions of Sections 3.58 and 3.59 of the *Local Government Act 1995* Council pursue disposal of Lots 346 and 347 Woolcott Avenue, Henley Brook;**
2. **the Director of Planning and Development Services be authorised to obtain further sworn valuations from a Licensed Land Surveyor for Lots 346 and 347 Woolcott Avenue, Henley Brook;**
3. **the Business Plan for Henley Brook, as contained in Attachment 2, be approved by the Council in accordance with the provisions of the *Local Government Act 1995*;**
4. **the Director of Planning and Development Services be authorised to initiate public advertising of the "Business Plan" for the disposal of Lots 346 and 347 Woolcott Avenue, Henley Brook in accordance with Sections 3.58 and 3.59 of the *Local Government Act 1995*;**

5. following public advertising of the "Business Plan" the matter be referred back to Council to enable:
 - a) Consideration of submissions
 - b) Continuation of disposal process
 - c) Determination of an appropriate 'reserve' price.
6. the City of Swan be advised of the following comments in relation to the draft Structure Plan for the Albion Town:
 - a) Concerns are raised regarding the planning justification for the location of the Primary School and public open space.
 - b) Planning / Environmental rational for the drainage corridor
 - c) Details of the environmental review and the impact on the City's land
 - d) Basis and provisions of management plans in relation to location and use of buffer zones surrounding the wetlands and gas pipeline.
 - e) Owners equity issues and cost sharing arrangements; and
 - f) Residential densities.
7. the Director of Planning and Development Services be authorised to engage appropriate consultants to undertake relevant studies and provide advice on:
 - a) the Structure Plan design to maximise development, including planning and environmental matters and the location of the facilities such as school and drainage corridors;
 - b) advantages and disadvantages of selling the land in the following stages:
 - on finalisation of the rezoning – in the next 6 -12 months; and
 - on development of the land – 10 years.

CARRIED WITH AN ABSOLUTE MAJORITY

Councillors Magro and Gaunt withdrew from the meeting at 10.05pm.

9.4 Public Toilet Replacement Programme

Location: City of Bayswater

Attachments: [Details of Ward Meetings](#)
[Design Options](#)

File No: 16.2

Officer: Director of Planning and Development Services

Refer: Item 12.4.4 : OMC : 25.07.06

Item 9.4 : SMC : 13.09.06

Application

To nominate the location of the single unisex self cleaning public toilets and design in each Ward as part of the current budget.

Background

Council at its Special Meeting held on 13 September, 2006 resolved:

“That:

1. *Ward Councillors meet and identify which public toilet they would prefer replaced within their ward under this year’s Public Toilet Replacement Programme. With regard to the South Ward, it was noted that the Maylands Public Library / Alma Venville Centre should be listed as a Priority 1; and*
2. *this matter be referred to a future Special Meeting of Council to allow for the Director of Planning and Development Services to provide a further report to Council on the different toilets, design option and pricing.”*

Comment

Ward Meetings

1. In accordance with the Council resolution the Director of Planning and Development Services met with the Ward Councillor’s to determine their preference for a replacement single self cleaning public toilet facility within their Ward.
2. Details of the Ward meetings/discussions are contained on [attachment 1](#). The recommendations of each Ward are tabled below:

Ward	Meeting Date	Recommendation
West	5 October 2006	Cloughton Reserve (near the community facilities and BBQ)
Central	21 October 2006	Wotton Reserve
North	20 October 2006	Crimea Reserve
South	3 October 2006	Maylands Library (rear)

Design Options

3. Further investigation has been undertaken on the design options for a single self cleaning public toilet facility with a view to reducing the overall cost, including prefabricated designs.
4. The toilets all include the same internal features, essentially the cost difference relates to the external design. The following design options have been considered. Details of the designs options are contained on attachment 2

Design / Description	Estimated Costs
Option 1 - Exeloo Galaxy Stainless Steel prefabricated unit (supply and installation)	\$ 130,000 + GST
Option 2 - Exeloo Orbit Stainless Steel prefabricated unit (supply and installation)	\$110,000
Option 3 - Exeloo III Prefabricated unit with pyramid roof	\$75-78,000 + GST
Option 4 - Exeloo III Prefabricated unit with concrete skillion roof	\$80-81,000 + GST
Option 5 – Exeloo Vision (modified) Internal unit with brick wall and curved colorbond roof	\$90,000 + GST
Option 6 - Exeloo Eurokit – custom exterior <ul style="list-style-type: none"> • Internal unit fitted into customer designed frame • Weatherboard walls and pitched roof 	\$100,000 + GST
Option 7 - Exeloo Eurokit – custom exterior <ul style="list-style-type: none"> • Internal unit fitted into customer designed frame • Brick walls with pitched roof 	\$100,000 + GST
Option 8 - Exeloo Eurokit – custom exterior <ul style="list-style-type: none"> • Pavilion style with verandah 	\$120,000
NOTE: <ul style="list-style-type: none"> • The above estimates are based on locating the proposed facility near (10-15m) existing facility, enabling connection into existing services. • There are some additional costs which comprise: <ul style="list-style-type: none"> ○ Demolition of the existing facility ○ Services relocation/extension ○ Consultants • The final cost for the facility will not be known until formal tenders are received. 	Average estimate: \$10,000.00 + GST

Cleaning and Maintenance

- Maintenance on a self cleaning single use facility toilet block is generally via a contract with the installer at present it is \$4,500 per annum, the current cleaning of the existing toilet facilities is approx \$2,500 per annum. The City would continue to be responsible for maintenance of the exterior of the facility, such as graffiti removal, painting, gutter cleaning, etc. The annual estimated cost to maintain the facility in regards to unpredictable damage may be approximately \$2,000 per annum.

Program

- To pursue upgrading of the toilet facilities it is envisaged that to undertake all necessary processes such as Tender, ordering, manufacture, delivery and installation the following estimated time frame will apply:

Process	Estimated time frame
Finalise Tender documents	3 weeks
Finalise all Approvals	4 weeks *
Tender	4 weeks
Assessment of Tender / Contract	3-4 weeks
Production and delivery to site (made in NZ and shipped to Aus and transported to site)	3-4 months
Demolition of existing facility and preparation of site	6 weeks
Completion date	April / May 2007

* if approval is given by the City of Bayswater, however in the event that approval is required by the Swan River Trust or Native Title this timeframe could increase significantly.

Financial Implications

Description	Budget	Approx. Expenditure
2006/2007 Budget amount	\$ 395,000.00	
Funds already allocated (expenditure on Bardon Park)		\$ 65,000.00
4 x Self cleaning single unisex facilities (approx. \$80,000 each)		\$ 320,000.00
<ul style="list-style-type: none"> • Demolition of the existing facility • Services relocation/extension • Consultants 		\$ 10,000.00
Total:	\$ 395,000.00	\$ 395,000.00

The actual expenditure will not be known until the Tender process is undertaken and completed.

Voting Requirements***ABSOLUTE MAJORITY REQUIRED***

Councillors Magro and Gaunt returned to the meeting at 10.08pm.

Cr McClelland JP withdrew from the meeting at 10.09pm and returned at 10.11pm.

Officer's Recommendation

That:

1. Council approves the installation of single unisex self cleaning public toilets at the following locations:
 - a) North Ward - Crimea Reserve
 - b) South Ward – Maylands Library (rear)
 - c) Central Ward – Wotton Reserve
 - d) West Ward - Cloughton Reserve (near the community facilities and BBQ)
2. Council select a preferred design for the single use facility toilet block; and

the Director of Planning and Development Services be authorised to finalise the tender documents, obtain relevant approvals and initiate the tender process in accordance with the provisions of the Local Government Act.

Council considered this item and changed the Officer recommendation as Central and North Ward Councillors were of the opinion that there were other locations in the City that were in more urgent need of a new toilet facility, and agreed to relinquish their nominated locations.

COUNCIL RESOLUTION

CR MICHAEL SABATINO MOVED, CR ALAN RADFORD SECONDED:

That:

1. Council approves the installation of single unisex self cleaning public toilets at the following locations and with the following designs:

<ul style="list-style-type: none"> • Maylands Library (rear) • Grand Promenade Reserve, Bedford • Cloughton Reserve, Bayswater (near the community facilities and BBQ) • Joan Rycroft Reserve, Bayswater (Shalford Street) 	<ul style="list-style-type: none"> Option 7 - Exeloo Eurokit (custom exterior to match the library building) Option 4 - Exeloo III Option 4 - Exeloo III Option 4 - Exeloo III
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2. the Director of Planning and Development Services be authorised to finalise the tender documents, obtain relevant approvals and initiate the tender process in accordance with the provisions of the Local Government Act 1995.

CARRIED

Cr Gaunt requested that his vote against the resolution be recorded.

- 9.5 Administration Centre – Additional Modifications**
Location: 61 Broun Avenue, Morley
Attachments: [Modifications](#)
File No: PF/141
Officer: Director of Planning and Development Services
Refer: Item 10.1 : OMC : 15.12.05
Item 8.2 : SMC : 13.09.06

Application

Council consideration is sought in regard to additional modifications to the Councillors and Civic Area of the City's Administration Centre and relocation of the existing electrical sub-station.

Background

At the Council Workshop held on Saturday, 7th October, 2006, Councillors and Senior Management toured the new wing of the City's Administration Centre building. As a result of this tour, a number of Councillors raised the following modification requests for the remaining upgrade works to be carried out to the Administration Centre:

- Windows to be added into the Councillors office area and Lounge/Meeting area.
- Changes to the Chair Store in Reception Area.

In addition, the issue of relocation of the electrical sub-station was raised, to improve the external appearance and accessibility to the undercroft garage.

The Project consultant has provided a preliminary cost estimate for these changes. However, a final costing can not be made until the detailed documentation is complete.

In order to progress this matter, Council direction is sought on the modification.

The following table summarises the estimates provided by the Project Consultant:

Description	Cost
Windows to be added into the Councillors office area and Lounge/Meeting area.	\$ 10,000 + GST
Changes to the Chair Store in Reception Area	\$ 30,000 + GST
Relocation of Sub-Station	\$140,000
SUB-TOTAL:	\$180,000 + GST *
Western Power / Contingency	\$18,000 + GST
TOTAL:	\$198,000 + GST *

** This figure represents an estimate only*

Comment

The modifications proposed do not form part of the existing funding allocated to this project. Accordingly Council's direction is sought on:-

- the extent of modifications they wish to pursue on the building, and
- allocation of further funding from the 'Major Capital Works' Reserve funds.

The proposed modifications would enhance the ambience of the Councillors work and Meeting areas and exterior appearance of the building via the Drake Street entrance.

Policy Implications

Nil.

Financial Implications

Additional funding of \$198,000 to be sourced from the 'Major Capital Works' Reserve.

Voting Requirements***ABSOLUTE MAJORITY REQUIRED*****Officer's Recommendation**

That:

1. as the proposed variations will improve the ambience of the building, Council direction is sought on the extent of modifications to be further pursued, in relation to:
 - Windows to be added into the Councillors office area and Lounge/Meeting area;
 - Changes to the Chair Store in Reception Area; and
 - Relocation of existing Sub-Station.
2. additional funding of \$198,000 be sourced from the Major Capital Works Reserve for modifications to the Administration Centre.

Council considered this item and changed the Officer recommendation as they agreed that the abovementioned modifications should be pursued by the City.

COUNCIL RESOLUTION**CR TERRY KENYON JP MOVED, CR GRAHAM PITTAWAY SECONDED:**

That:

1. **as the proposed variations will improve the ambience of the building, Council authorise the Director of Planning and Development Services the authority to pursue:**
 - **the addition of windows in the Councillors office area and Lounge/Meeting area;**
 - **changes to the Chair Store in Reception Area; and**
 - **the relocation of the existing Sub-Station ; and**
2. **additional funding of \$198,000 be sourced from the Major Capital Works Reserve for modifications to the Administration Centre.**

CARRIED

- 9.6 Purchase of the Maylands Police Station**
Location: 196 Guildford Road, Maylands
File No: PF/129
Officer: Chief Executive Officer
Refer: Item 9.4 SMC 02.08.06
Item 10.1 SMC 10.02.04
Item 10.1 SMC 11.03.04
Item 12.1 SMC 6.04.04
Item 8.1 SMC 11.05.04
Item 6.1 SMC 8.06.04
Item 8.1 SMC 10.08.04
Item 13.1 SMC 02.08.05
Item 10.2 SMC 28.09.05

CONFIDENTIAL ITEM

Application

To report the progress of Council purchasing the Maylands Police Station located at 196 Guildford Road, Maylands.

In accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting is closed to members of the public for this item as the following sub-section applied:

- (c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

COUNCIL RESOLUTION

CR VICTOR ROSENBERG MOVED, CR MICHAEL SABATINO SECONDED that:

Council approve a Deputation consisting of Dr Judy Edwards MLA (Member for Maylands), His Worship the Mayor, South Ward Councillors and the Chief Executive Officer to meet with the Minister for Police and Emergency Services, the Hon. John Kobelke, MLA to have a final discussion on the purchase of the Maylands Police Station, by the City of Bayswater, from the State Government.

CARRIED

- 9.7 Maylands Multi-Purpose Centre - Preliminary Concept Design Brief**
Attachments: [Notes from Councillors Workshop](#)
File No: PF/129
Officer: Director of Administration and Community Services
Refer: **Item 6.1 : SMC : 08.06.04**
Item 8.1 : SMC : 10.08.04
Item 13.1 : SMC : 02.08.05
Item 10.2 : SMC : 28.09.05
Item 9.2 : SMC : 02.08.06

Application

To provide a brief to the architect James Christou to develop preliminary concept designs for the Maylands Multipurpose Centre based on the original brief and including building footprint and other comments from councillors as a result of the workshop held on Saturday, 7 October 2006.

Background

Councillors attended a workshop on site at the proposed location for the Maylands Multipurpose Centre on Saturday, 7 October 2006. The workshop was called as a direct response to Council's resolution at its Special Council meeting on 2 August 2006 which required that the choice of building footprint be deferred pending a workshop for councillors on site to allow councillors to familiarise themselves with the topography of the site, existing buildings, spaces available and some of the challenges and opportunities presented for the redevelopment of the site.

At the workshop, councillors were also able to gain an appreciation of the size of the site and the condition of the sports hall (courts) in the existing Alma Venville Centre. The notes of the workshop, including a summary of councillors' comments, are provided as **Attachment 1**.

It was generally agreed that the existing sports halls (courts) were in good condition, and therefore Council's original resolution, that provided for two (2) designs, one (1) with the retention of the sports halls, and one (1) with the whole centre demolished and redeveloped, should be adhered to.

There was some discussion during the workshop about the relocation of the Maylands Senior Citizens centre into the redevelopment, but it was felt that consultation with the centre's committee and membership was required to ascertain their views on such a proposal.

Contractual Arrangements

Councillors will recall that James Christou was the successful tenderer for the design stage of the Maylands Multipurpose Centre, and this was approved at the Special Meeting of Council on the 8 June 2004, and a contract was subsequently drawn up and signed and sealed by the City and the Architect on the 23 March 2005.

The contract is written in such a way that the approval from Council is required to move to each stage in the design process. Currently, the Architect is awaiting approval to move to the preliminary concept plans stage, identified in the contract as Stage 1(a) which provides for the architect preparing two preliminary concept design sketch plans – one that includes the retention of the courts at the Alma Venville Centre, and one which includes the demolition of the whole Alma Venville Centre and the design of new facilities.

The preliminary concept design sketch plans must include:

- Site plans showing building locations, access, general external layout
- Elevations to a scale of 1:100
- Indicate preliminary costing (ie site work, building servicing, air-conditioning, electrical fit out etc.)

At the end of this stage the client will nominate two preliminary design options before the architect can move to stage 1(b) which is more detailed preliminary concept plans

The cost for stage 1(a) is \$21,000 inc. GST, plus \$3,800 inc. GST for any additional designs that Council requests. Stage 1(b) provides for a fee to the architect of \$42,000 inc. GST plus \$5,800 inc. of GST for any additional designs requested.

The contract provides the opportunity for the architect to seek to set aside the contract through a frustration clause for time delays between each stage, but the architect has agreed to continue to stage 1(a) despite the time that has elapsed since the signing of the contract. Council may terminate the contract at any stage having given reasonable notice and paying all outstanding funds owed to the architect. From Stage 2 (design development) onwards there is a provision for escalation of fees dependent upon approval time frames to move to each new stage.

Council will be able to assess each stage and the cost implications before proceeding to the next stage.

Comment

In summary, the next step for the architect in preparing preliminary concept designs for Council's consideration will be guided by:

1. The original tender brief which stated that the design elements will be:
 - Library;
 - Children's Centre / Child Care Facility;
 - Community Centre and associated Facilities;
 - Function Hall;
 - Youth Facilities;
 - Shop Front office for the City of Bayswater;
 - Recreational Sports facility; and

- the requirement that two (2) designs be submitted, one (1) that incorporates elements of the existing Alma Venville Centre and one (1) that includes the demolition of the facility and the inclusion of new recreation facilities in the design
2. Comments from the councillor's workshop, which provide for:
- buildings to be double storey at the rear of the site, with smaller buildings on public open places with walkways and safety design in mind;
 - the majority of the building being incorporated into the line of the existing Alma Venville Centre (Architect's Option 5) and in one design option the new buildings being added on to the existing sports courts (with refurbished exterior). It was acknowledged by several councillors at the workshop that the cost of replacing the sports halls would be prohibitive and that the courts appeared to be in good condition;
 - reduction in plantings at the Eighth Avenue end of the existing recreation centre is required to improve security and line of sight through the redevelopment;
 - the War Memorial is to remain in its present location with designs being sympathetic to its importance and access;
 - car parking could be included in the middle of the site to allow safer access to library and community facilities out of hours, with car parking being well lit and with low plantings on borders;
 - in general terms councillors wanted the redevelopment to provide for access day and night with patrons having a sense of security in using car parks and walkways through good lighting and good design.
 - design to be completed in about six (6) to nine (9) months time ready for redevelopment;

Policy Implications

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority Required

Officer's Recommendation

That:

1. the Architect James Christou be asked to complete Stage 1A of the Contract, that is the preliminary concept design – preliminary design drawings – incorporating the facility elements as prescribed in the tender documents but also taking into account the following:
 - Buildings to be double storey at the rear of the site, with smaller buildings on public open places with walkways and safety design in mind.
 - Design to be completed in about six (6) to nine (9) months time ready for redevelopment.
 - The majority of the building being incorporated into the line of the existing Alma Venville Centre (Architect's Option 5) and in the alternative required design option the new buildings being added on to the existing sports courts (with refurbished exterior).
 - Reduction in plantings at the Eighth Avenue end of the existing recreation centre is required to improve security and line of sight through the redevelopment.
 - The War Memorial is to remain in its present location with designs being sympathetic to its importance and access.
 - Car parking could be included in the middle of the site to allow safer access to library and community facilities out of hours, with car parking being well lit and with low plantings on borders.
 - In general terms the redevelopment to provide for ease of access day and night for patrons with them having a sense of security in using car parks and walkways through good lighting and good design.
2. consultation commence with the Maylands Senior Citizens Centre Committee to ascertain their interest in having new facilities provided for them as part of the Multipurpose Centre.

Council changed the Officer Recommendation as it was agreed that a decision on this matter could not be made until the outcome of the meeting to discuss the City's proposed purchase of the Maylands Police Station to take place between the Minister of Police and Emergency Services, the Local Member for Maylands, His Worship the Mayor, South Ward Councillors and the Chief Executive Officer was known.

COUNCIL RESOLUTION
(COMMITTEE RECOMMENDATION)

As Chairperson, CR LOU MAGRO MOVED, CR MICHAEL SABATINO SECONDED that:

This item be deferred to a future meeting of Council, pending the result of the deputation to be held between the Minister of Police and Emergency Services, the Local Member for Maylands, His Worship the Mayor, South Ward Councillors and the Chief Executive Officer, as detailed in Item 9.6.

CARRIED

RESUMPTION OF STANDING ORDERS

At 10.49pm CR TERRY KENYON JP MOVED, CR TERRY GAUNT SECONDED, that Standing Orders be resumed.

CARRIED

10 CLOSURE

THERE BEING NO FURTHER BUSINESS TO DISCUSS THE CHAIRPERSON, CR KENYON JP DECLARED THE MEETING CLOSED AT 10.49PM.