



Shire of
Serpentine
Jarrahdale

Special Council Meeting Confirmed Minutes

7pm

Monday, 7 October 2024

Purpose: Consideration of the following reports:

- Award Request for Tender - RFT 07/2024 - Hopeland Road (A & B) - Rehabilitation
- Award Request for Tender - RFT 09/2024 - Briggs Park - Pump Track (Design and Construct)
- Keirnan Park - Stage 1C Netball Courts - Concept Plan
- Appointment of Proxy Voting Delegate for the 2024 WALGA Annual General Meeting

Contact Us

Enquiries

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In Person

Shire of Serpentine Jarrahdale
6 Paterson Street, Mundijong WA 6123
Open Monday to Friday 8.30am-5pm (closed public holidays)



www.sjshire.wa.gov.au



Councillor Attendance Register

In accordance with the 11 April 2022 Ordinary Council Meeting, Council Resolution OCM067/04/22, clause 1 – “That Council requests the Chief Executive Officer maintain a Councillor Attendance Register recording Councillor Attendances at Ordinary Council Meetings, Special Council Meetings, Q & A briefings for Ordinary Council Meetings, Q & A briefings for Special Council Meetings, Councillor Workshops held for Project Briefings, Councillor Workshops held for Budget Preparations and Policy Concept Forums”.

In accordance with the 12 December 2022 Ordinary Council Meeting, Council Resolution OCM313/12/22, clause 6 – “That Council requests that the Councillor Attendance Register published in the Agenda and Minutes displays attendances for the calendar year and notes that the full Councillor Attendance Register, including previous calendar years, will continue to be published on the Shire’s website.”

Date	Type	President Coales	Cr Bishop	Cr Byas	Cr Duggin	Cr Jerrett	Cr Mack	Cr Mazzini
07/10/24	SCM	✓	✓	✓	✓	A	✓	✓
07/10/24	PCF	✓	✓	✓	✓	A	✓	✓
16/09/24	OCM	✓	✓	✓	✓	✓	✓	✓
09/09/24	Q&A (OCM)	✓	✓	✓	✓	A	✓	✓
02/09/24	PCF	✓	✓	✓	✓	✓	✓	✓
26/08/24	PCF	✓	✓	✓	✓	✓	✓	✓
19/08/24	OCM	✓	✓	A	✓	✓	✓	✓
12/08/24	Q&A (OCM)	✓	A	A	✓	✓	✓	✓
05/08/24	PCF	✓	✓	A	A	✓	✓	✓
29/07/24	WORKSHOP	✓	A	A	✓	✓	✓	✓
25/07/24	SCM	✓	✓	✓	✓	✓	✓	✓
22/07/24	PCF	A	✓	A	✓	✓	✓	✓
18/07/24	Q&A (SCM)	EP	✓	✓	✓	✓	✓	✓
15/07/24	OCM	A	✓	✓	✓	✓	✓	✓
08/07/24	Q&A (OCM)	✓	✓	✓	✓	✓	✓	✓
03/07/24	WORKSHOP	✓	✓	A	✓	✓	✓	A
26/06/24	WORKSHOP	✓	A	A	✓	LoA	✓	✓



Continued

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Date	Type	President Coales	Cr Bishop	Cr Byas	Cr Duggin	Cr Jerrett	Cr Mack	Cr Mazzini
24/06/24	PCF	✓	✓	A	✓	LoA	✓	✓
17/06/24	OCM	✓	✓	A	✓	LoA	✓	✓
17/06/24	Q&A (OCM)	✓	✓	A	✓	LoA	✓	✓
12/06/24	WORKSHOP	✓	A	A	✓	LoA	✓	✓
12/06/24	WORKSHOP	✓	A	A	✓	LoA	✓	✓
10/06/24	Q&A (OCM)	✓	✓	A	✓	A	✓	✓
05/06/24	WORKSHOP	✓	✓	A	✓	✓	✓	✓
29/05/24	WORKSHOP	A	✓	A	✓	✓	✓	✓
27/05/24	PCF	✓	✓	A	✓	✓	✓	✓
20/05/24	OCM	✓	✓	✓	✓	✓	✓	✓
20/05/24	Q&A (OCM)	✓	✓	✓	✓	✓	✓	✓
15/05/24	WORKSHOP	✓	A	✓	✓	✓	✓	A
13/05/24	Q&A (OCM)	✓	✓	✓	✓	✓	✓	✓
06/05/24	PCF	✓	✓	A	✓	✓	✓	✓
01/05/24	WORKSHOP	✓	✓	✓	✓	✓	✓	✓
29/04/24	WOKRSHOP	✓	✓	A	✓	✓	✓	✓
22/04/24	PCF	✓	✓	✓	✓	✓	✓	✓
17/04/24	WORKSHOP	✓	✓	✓	A	A	A	✓
15/04/24	OCM	✓	✓	✓	✓	✓	✓	✓
15/04/24	Q&A (OCM)	✓	✓	✓	✓	✓	✓	✓
08/04/24	Q&A (OCM)	✓	✓	✓	✓	✓	✓	✓
25/03/24	PCF	✓	A	A	✓	A	✓	✓
18/03/24	OCM	✓	✓	A	✓	✓	✓	
11/03/24	WORKSHOP	✓	✓	✓	✓	✓	✓	



Continued

Special Council Meeting Minutes Monday, 7 October 2024

Date	Type	President Coales	Cr Bishop	Cr Byas	Cr Duggin	Cr Jerrett	Cr Mack	Cr Mazzini
11/03/24	Q&A (OCM)	✓	✓	A	✓	✓	✓	
06/03/24	WORKSHOP	✓	EPNG	✓	✓	✓	✓	
06/03/24	PCF (Special)	✓	EPNG	✓	✓	✓	✓	
28/02/24	WORKSHOP	✓	A	✓	✓	A	A	
26/02/24	PCF	✓	A	A	✓	✓	✓	
19/02/24	OCM	✓	A	✓	✓	✓	✓	
12/02/24	Q&A (OCM)	✓	✓	✓	✓	✓	✓	
05/02/24	PCF	✓	✓	A	✓	✓	✓	
29/01/24	PCF	✓	✓	✓	✓	✓	✓	

Key:

✓ - Attended

A – Apology

LoA – Leave of Absence

NA – Non Attendance

EPNG – Electronic Participation Not Granted

EP - Electronic Participation



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The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware of the provisions of the *Local Government Act 1995* (section 5.25(1)(e)) and Council's *Standing Orders Local Law 2002 (as Amended)* – Part 14, Implementing Decisions. No person should rely on the decisions made by Council until formal advice of the Council resolution is received by that person.

The Shire of Serpentine Jarrahdale expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

At the 20 June 2022 Ordinary Council Meeting, Council resolved that Council and Committee Meetings will be audio recorded in accordance with Council Policy. If you are asking a public question or making a statement or deputation to the meeting this will be audio recorded. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed.



Minutes of the Special Council Meeting of the Shire of Serpentine Jarrahdale held on Monday, 7 October 2024 in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong.

President Coales declared the meeting open at 7.00pm and welcomed Councillors, Staff, and members of the gallery.

President Coales acknowledged the Noongar people of the Boodja – the land – that we gather on today. For thousands of years their connection to Country has provided knowledge, guidance, spirituality, and life. We pay our respects to this ongoing connection, as well as to their Elders past, present and emerging.

President Coales advised members of the gallery that in preparation for compliance with changes to the *Local Government Act 1995* requiring livestreaming of meetings, tonight’s meeting will be both audio and visually recorded. The lectern has been replaced with a table and chair for improved accessibility for those that will be speaking. A ceiling-mounted camera is in place and while the camera will be on, it’s just a test of the equipment ahead of the official launch. There have also been improvements to the speaker system to enhance the gallery’s experience.

If you are asking a public question or making a statement or deputation to the meeting, we request that you take a seat at the table.

Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed.

Minutes

1. Attendances and apologies (including leave of absence):

President: R Coales.....Presiding Member

Councillors: N Bishop

M Byas

T Duggin

S Mack

C Mazzini

Officers: Mr P Martin.....Chief Executive Officer

Mr R Najafzadeh.....Director Infrastructure Services

Mr A TrosicDirector Development Services

Mr F Sullivan Director Corporate Services

Mr B Oliver..... Director Community Engagement

Ms C Mortimer.....Manager Corporate Performance

Ms D Merritt.....Coordinator Governance (Minute Taker)

Leave of Absence: Nil.

Apologies: R Jerrett

Observers: 5



2. Public question time:

Public question time commenced at 7.02pm.

Lisa Brazier, Mundijong, 6123

Question 1

We are all here tonight because of the Councillors inability to move Item 6.1 – Award Request for Tender – RFT 07/2027 – Hopeland Road at the last OCM.

My first question is – has the Shire been in contact with the recommended tenderer to apologise that the motion was not moved by the Councillors at the September OCM?

Response (Director Corporate Services)

The only communication with all tenderers has been to extend the validity period of their offer.

Question 2

My second question is – has the Shire been in discussions with the recommended tenderer to discuss any implications that may occur, and its due delivery date not being met on time because of delaying the signing of the contract by 2 weeks?

Response (Director Corporate Services)

The only communication with all tenderers has been to extend the validity period of their offer.

The Presiding Member asked if there were any public questions from the floor.

Bill Denholm, Byford, 6122

Question 1

Regarding Item 6.3, is it six courts as per the Officers report, or nine as per Netball WA standards?

Response (Director Infrastructure Services)

The consultant that was engaged to prepare the feasibility study, did a needs assessment of the facility over a period of time and they staged it as six courts for stage 1 and nine courts for stage 2. The number of courts was based on needs and demand over a period of time. Officers are recommending that the advocacy position be for the entire 15 courts.

Question 2

While it is only a concept plan, why are the covered courts in the middle, when it is stated that the support pylons are a problem?

Response (Director Infrastructure Services)

It is a very broad conceptual report, so when it comes to detailed design the locations can change if relocating it means it can be done cheaper and functionality wise, it is easier. The way it is designed now is on access to the pavilion, and the thinking is that it will probably be used by basketball if it was designed to be a multipurpose court. It is also designed around the seniors using it rather than the junior players.



The concept design may still change following consultation with the user groups as part of the detailed design. The final location has not been decided yet and may change following consultation with the clubs.

Question 3

Could I have a report on Shire Officer discussions with Netball WA, from January 2023 to now. Senior staff of Netball WA don't know what is going on at the Shire.

Response (Presiding Member)

The Presiding Member advised the question will be taken on notice. In accordance with Council Policy 1.1.3 – Public Question and Public Statement Time – Ordinary Council Meeting, a written response will be provided.

The Presiding Member asked if there were any further public questions from the floor.

As there were no further public questions, Public Question time concluded at 7.09pm.

3. Public statement time:

Public statement time commenced at 7.10pm.

Lisa Brazier, Mundijong, 6123

Good evening Councillors

I am making this statement tonight in regards to why we are here at a special council meeting but do acknowledge that there are further 2 new items of business have been placed on the agenda.

Councillors, as prescribed by the Act one your roles is to participate in decision making processes at meetings – for not one of you to move Item 6.1 on tonight's agenda at the previous OCM is an extremely poor reflection on each and every one of you, not to mention the reputational damage you are doing to the Shire.

The values, characteristics and commitments that are expected of a councillor include the commitment to attend meetings and be fully prepared to participate in the decision-making process.

This did not happen at the September OCM for this agenda item and what did occur was the investment of each of you in debate on the previous agenda item being the Draft Master Plan for Lot 500 Lampiter Drive and your inability to accept how your fellow councillors debated and the voting outcome.

It is very obvious around the table that people are strategically voting to hopefully secure their seats at the table for the next election, there are grudges being held against each other and when things are not going your way – there is too much time being taken to work out peoples "next" move rather than what is on the agenda.

I have heard some of the reasons why some councillors did not move the motion, which were – they were still on the previous agenda item, it was not their ward, being on council is difficult – it's not that easy, the President moved too quickly.



Councillors – none of those excuses are valid – you have one role and that is to be fully prepared to participate in the decision-making process – that would mean that you need to have read the entire Agenda, have a full understanding of each and every item – any questions that you may have had on an agenda item would have been clarified at the Q&A session. I would be so bold as to recommend that you make notes throughout your agenda in advance of how you intend to debate and possibly vote. As to the President moving too quickly – I was at the September OCM and the alternate motion was lost and the officers recommendation was subsequently carried unanimously – at this point the minute secretary recorded the votes and then President then read the next item of business. Once the vote had been taken – it is at that point Councillors you need to move onto the next item of business regardless of the outcome or your thoughts on debate.

For no one to have moved this item – especially as it was for roads – the number one issue that residents and ratepayers complain about and you all refer in debate is dumb founding.

In other debate you have compared yourselves to being similar to ASX Directors – well many ASX Director are selected due to skill set and experience by their fellow boards members – you councillors are elected due to popularity and not necessarily skill set. It is for this reason you are required to do compulsory training, of which, if the Shire's Councillor Training and Continuing Professional Development Report 2023-2024 is up to date, one of you will cease to receive your sitting fee on the 17th October and one of you has done no training to date – perhaps if they had they would have had a better understanding of their role, meeting procedure and its importance.

Perth is a very small place and word get around in the construction industry quickly - I would like you to reflect on your actions and the messaging you have sent to that industry and how we as a Shire go about our business and ask yourselves – if those around the table cannot move a simple motion why would I invest my time, money and effort in tendering or working with the Shire.

We are heading towards a State and Federal election – you are busy spruiking the Advocacy Stagey to all the upcoming candidates and sitting members – the process is this Councillors – those candidates and member then go back to their respective parties and pitch our wants against the other 136 LGA's wants and when the question is raised – are SJ capable of delivering – the answer would potentially be – unsure – the Councillors did not move a motion on road rehabilitation at an OCM and then needed a Special Council Meeting for it to be dealt with no alteration to the original motion. Heaven forbid if all we can achieve is a \$1.5 Million dollar splash park – no sorry - we have not even being able to deliver that, so our track record is not the best and your actions potentially do not helped it.

Councillors whilst you all continue to play your games around the table between each other – you are losing sight of who the real competitors are – the other LGA's. The Shire was recently nominated by one of the industry's most significant housing and development players for the Local Government Authority of the Year award at the 2024 Urban Development Institute of Australia (WA) Awards – which we won. That win can be attributed to the long hard work of Andrew Trosic and his department – the Shire was the inaugural winner and such awards lead to promoting us in a positive light to a greater audience.



Councillors, I appreciate you most of you are PAYE's and do not fully understand the costs of running a business and how development works – however you need to understand the significance of that award and where we have come from over the past 20 years, where we are moving to and the opportunities we have and the need to attract state and federal funding and you play final piece to that by the way you conduct yourselves at this table.

I sincerely trust each and every one of you has apologised to the Directors and staff that firstly put all the work in to bring that agenda item to the September OCM and to everyone involved who has fronted up again this evening and please do not brush this off by saying – well it's all OK as there are 2 other agenda items we need to deal with – it is not all right.

You all chose to put your hands up to be Councillors – you were supported and elected by residents and ratepayers of the Shire who thought you were capable of doing the job. Stop playing the games around the table – start acting professionally – do your training – understand your roles - support your officers and let's draw a line in the sand and try and look to being a little more cohesive at the table. You do not need to like each other; you do not all have to agree with each other – that is the wonderful thing about democracy in Australia, but you need to show respect to each other when debating, on voting outcomes and especially when in the public arena.

And in case you do not understand what that looks like – when you are out in public you acknowledge your fellow Councillors – a simple good morning councillor is all that is needed but to ignore them is rude – it is noticed by the public – it sends the wrong message as to who we are as a Shire, how we operate and what we stand for.

The Presiding Member asked if there were any public statements from the floor.

Bill Denholm, Byford, 6122

A big thanks to Libby Mettam and Shane Love for taking the time to come out to the Shire of Serpentine Jarrahdale. Unfortunately, senior Netball WA Officers could only come on Tuesday afternoon, but their input was much appreciated.

Serpentine Jarrahdale has the worst netball courts in Western Australia. Just to resurface the existing courts would cost approximately two million dollars. Then there is the canteen upgrade, toilets, lights and changerooms and as stated in the agenda, restrictions limit it to four courts.

Fifteen courts at Keirnan Street Precinct would allow other sports, i.e. basketball, futsal, and the new sport pickleball. Google it and you will see how popular it is. It is a lot easier to advocate for multiple sports and usage, not just netball.

Then you have the water benefit. Eleven million litres of water could be captured off the 15 courts with minimal contamination.

On page 29 of 41 in the agenda, it states perceived shortfall. It is not perceived. This year SJ Netball Association has decided to do spring netball due to demand, including walking netball for adults. We have had to cap the numbers due to lack of adequate lighting and facilities. Success Netball didn't exist. They built 15 courts, and seven years later they need to build more due to demand. Remember, sport benefits mental and physical health for all participants. Thank you.

The Presiding Member asked if there were any further public statements from the floor.



David Atwell, Mundijong, 6123

Made a statement on the Keirnan Street Precinct and the need to get other sports involved.

The Presiding Member asked if there were any further public statements from the floor.

As there were no further public statements, Public Statement time concluded at 7.24pm.

4. Petitions and deputations:

Nil.

5. Declaration of Councillors and Officers interest:

Councillor Morgan Byas declared an Impartiality Interest in Item 6.3 – Keirnan Park - Stage 1C Netball Courts - Concept Plan. The nature of the interest is the item is Impartiality. The extent of the interest is that I will be a candidate in the State Election in March 2025.

**6. Reports for consideration:**

6.1 - Award Request for Tender - RFT 07/2024 - Hopeland Road (A & B) - Rehabilitation (SJ4476)	
Responsible Officer:	Manager Engineering Services
Senior Officer:	Director Infrastructure Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

The purpose of this report is to seek Council approval for the award of RFT 07/2024 for the Hopeland Road (A & B) pavement Rehabilitation project.

Relevant Previous Decisions of Council

These two projects were approved by Council as part of the 2023/2024 Annual Budget and were carried forward to the 2024/2025 Financial Year.

Background

Hopeland Road is classified as Regional Distributor (Rural) Road under the Main Roads WA Road Hierarchy, which qualifies for Metropolitan Regional Road Group (MRRG) grant funding.

Traffic volumes obtained in 2019 traffic count survey show an average of 1,261 vehicles using Hopeland Road daily, however traffic volumes will have increased since this survey was undertaken.

The section of Hopeland Road from SLK 2.5 to SLK 4.8 has a varying average road width ranging from 6.2m to 7.5m, with narrow or no shoulders. The visual inspection of the road identified that there are severe pavement deformations and environmental surface cracking in this section of the road. The type and extent of cracking indicates reflection of shrinkage in within the subbase and basecourse layers which are constructed with gravel and roadbase material.

Community / Stakeholder Consultation

Nil.



Comment

In the 2023/24 financial year, the Shire received funding approval through the MRRG Road Rehabilitation program to rehabilitate two sections of Hopeland Road. The sections are referred to as Hopeland Road A - from Punrak Road extending 1.4 km's North and Hopeland B - from Punrak Road extending 900 meters to the South. The funding applications were submitted as two separate projects, however the projects have been tendered and are to be delivered as one project. The sections to be rehabilitated are indicated in **Figure 1** and **Figure 2** below.



Figure 1: Hopeland Road A from SLK 2.5 to SLK 3.9



Figure 2: Hopeland Road B from SLK 3.9 to SLK 4.8

The 2023/2024 approved budget for the project was \$950,500 (\$545,400 for Hopeland Road A and \$405,100 for Hopeland Road B). This project has been carried forward to the 2024/2025 financial year.

The Request for Tender RFT 07-2024 - Hopeland Road (A & B) - Rehabilitation was advertised on 12 June, 2024 and closed on 9 July, 2024.

The Tender was advertised in the following newspapers:

- West Australian;
- Examiner (Serpentine Jarrahdale and Armadale);
- Pinjarra/Murray Times (including Mandurah Coastal Times);
- Sound Telegraph (Rockingham and Kwinana).

The Tender submissions received are considerably higher than the current budget allocation. Officers therefore applied to the MRRG for additional funding in August 2024 to increase the budget and funding allocation.



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The funding for the project is based on a 2/3 contribution from MRRG and 1/3 from the Shire in accordance with the MRRG Road Rehabilitation program guidelines. A total increase of \$821,080 would be required to complete the project with \$383,315 being the MRRG 2/3 funding and the remaining \$437,765 to be funded by the Shire. The Shire's contribution is made up of \$191,657 (Shire 1/3 contribution), \$7,617 contribution to contingency and \$238,491 internal costs. The cost breakdown is detailed in the table below:

	Original Budget	Expenditure To Date	Remaining Budget	Total Additional budget Required	Additional Grant Funding	Additional Shire Funds	Proposed New Budget
Hopeland Road A (SLK 2.57 to 3.9)							
External Costs	\$489,140	\$623	\$488,517	\$326,909	\$224,818	\$102,091	\$816,049
Internal Costs	\$56,260	\$91,152	-\$34,892	\$132,362	\$0	\$132,362	\$188,622
Contingency	\$0	\$0	\$0	\$30,000	\$0	\$30,000	\$30,000
Total	\$545,400	\$91,775	\$453,625	\$489,271	\$224,818	\$264,453	\$1,034,671
Hopeland Road B (SLK 3.9 to 4.8)							
External Costs	\$363,600	\$623	\$362,977	\$195,680	\$158,497	\$37,183	\$559,280
Internal Costs	\$41,500	\$89,637	-\$48,137	\$106,129	\$0	\$106,129	\$147,629
Contingency	\$0	\$0	\$0	\$30,000	\$0	\$30,000	\$30,000
Total	\$405,100	\$90,260	\$314,840	\$331,809	\$158,497	\$173,312	\$736,909
Combined Total							
External Costs	\$852,740	\$1,246	\$851,494	\$522,589	\$383,315	\$139,274	\$1,375,329
Internal Costs	\$97,760	\$180,789	-\$83,029	\$238,491	\$0	\$238,491	\$336,251
Contingency	\$0	\$0	\$0	\$60,000	\$0	\$60,000	\$60,000
Total	\$950,500	\$182,035	\$768,465	\$821,080	\$383,315	\$437,765	\$1,771,580

The internal cost budget increase of \$238,491 is required to cover the supervision and internal administrative costs to deliver the project.

The MRRG approved the budget variation and additional funds allocation in August 2024.



Statutory Environment

Section 3.57(1) of the *Local Government Act 1995* requires a local government to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply the goods or services.

Division 2 under Part 4 of the *Local Government (Functions and General) Regulations 1996* prescribes the kinds of contracts that must be publicly invited. Regulation 11(1) states:

Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250,000 unless subregulation (2) states otherwise.

The Regulations also prescribe requirements and processes to apply when undertaking a public tender.

Submissions

The three (3) submissions were received, and the submissions are summarised in **CONFIDENTIAL attachment 1**.

Tender submissions were received from the following companies:

	Company Name
1	Fulton Hogan Industries Pty Ltd
2	Raubex Construction Pty Ltd
3	WCP Civil Pty Ltd

Evaluation Panel

An evaluation panel was convened and consisted of the following personnel:

- Acting Infrastructure Projects Coordinator
- Acting Manager Infrastructure Services
- Acting Director Infrastructure Services.

All members of the evaluation panel have made a conflict-of-interest declaration in writing confirming that they have no relationships with any of the respondents. Each member of the panel assessed the submissions separately.

Evaluation Criteria

Compliance Criteria

All tender submissions comply with the request for tender guidelines and compliance criteria.

**Qualitative Criteria:**

The following qualitative evaluation criteria and weightings were used by the tender evaluation panel to assess tender submissions:

EVALUATION CRITERIA	WEIGHTING
Price with quantities	55%
Relevant Experience Demonstrated relevant experience of the Company in providing the same or similar services to local government or the private sector over the past five years.	15%
Key Personnel, Skills and Experience Capacity to deliver the services including: Key personnel / Professional skills	15%
Demonstrated Understanding Tenderers should detail the process they intend to use to achieve the Requirements of the Specification. Use dot points to explain the process. The process should include a timetable for delivering the services	15%

Evaluation Outcome

All tender submissions were assessed against the evaluation criteria and the qualitative and quantitative results of this assessment and prices are documented in **CONFIDENTIAL attachment 1**.

Following the assessment of all tender submissions, against the selection criteria, the tender submitted by Raubex Construction Pty Ltd was assessed as being the best value for money that meets the Shire's requirements.

The tender evaluation panel therefore recommends the tender submission made by Raubex Construction Pty Ltd be accepted.



Options

Option 1

That Council:

1. AWARDS the Tender RFT 07/2024 - Hopeland Road (A & B) - Rehabilitation to Raubex Construction Pty Ltd as recommended in **CONFIDENTIAL attachment 1** for the amount of \$1,434,119.33 ex gst.
2. AUTHORISES the Chief Executive Officer to sign a contract on behalf of the Shire of Serpentine Jarrahdale for RFT 07/2024 - Hopeland Road (A & B) - Rehabilitation.
3. APPROVES the following budget variation:

Account Number	Type	Account Description	Debit \$	Credit \$
6400-80536-4817-0000	Decrease Income	Nicholson Road (SLK 0.46 - SLK 2.43) - Capital Grants - State Black Spot	1,000,694	
6400-80536-4816-0000	Increase Income	Nicholson Road (SLK 0.46 - SLK 2.43) - Capital Grants - Federal Black Spot		-1,438,459
6400-80453-6600-000	Increase Expenditure	Hopeland Road - A Rehabilitation - Capital Expenditure	489,271	
6400-80453-4808-000	Increase Income	Hopeland Road - A Rehabilitation - Grant - Main Roads		224,818
6400-80454-6600-000	Increase Expenditure	Hopeland Road - B Rehabilitation - Capital Expenditure	331,809	
6400-80454-4808-000	Increase Income	Hopeland Road - B Rehabilitation - Grant - Main Roads		158,497

Reason:

Budget Amendment fund the increased tender and internal cost for Hopeland Road A and B. This is funded from savings in Nicholson Road project, which is now fully federal funded.

Option 2

That Council **DECLINES** to accept any tender.

Option 1 is recommended.



Conclusion

Raubex Construction Pty Ltd has been assessed as being able to meet the requirements of the contract. The respondent met all of the requirements for Relevant Experience, Key Personnel, Skills and Experience and Demonstrated Understanding and was assessed as providing the best value for money. It is recommended that Council support Option 1 and award the contract to Raubex Construction Pty Ltd.

Attachments (available under separate cover)

- **6.1 - CONFIDENTIAL attachment 1** - RFT 07/2024 - Hopeland Road (A & B) - Rehabilitation - Evaluation Report (E24/9906)
- **6.1 - CONFIDENTIAL attachment 2** - RFT 07/2024 - Hopeland Road (A & B) - Rehabilitation - Pricing Schedule Combined (E24/12125)

Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
2. Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
3. Strengthen and grow the local tourism industry
Liveable
1. Advocate for public transport and focus on connectivity within communities
2. Improve maintenance and investment in roads and paths
5. Increase our capacity to reduce, recover and recycle waste to improve sustainability and reduce impacts on the environment
Connected
2. Contribute to a well-connected, accessible and health community



Financial Implications

In order to complete the project, an additional \$821,080 is required, of which \$383,315 is funded from additional grant funds from Main Roads with the remaining \$437,765 required to be funded by Municipal funds:

	Original Budget	Expenditure To Date	Remaining Budget	Total Additional budget Required	Additional Grant Funding	Additional Shire Funds	Proposed New Budget
Hopeland Road A (SLK 2.57 to 3.9)							
External Costs	\$489,140	\$623	\$488,517	\$326,909	\$224,818	\$102,091	\$816,049
Internal Costs	\$56,260	\$91,152	-\$34,892	\$132,362	\$0	\$132,362	\$188,622
Contingency	\$0	\$0	\$0	\$30,000	\$0	\$30,000	\$30,000
Total	\$545,400	\$91,775	\$453,625	\$489,271	\$224,818	\$264,453	\$1,034,671
Hopeland Road B (SLK 3.9 to 4.8)							
External Costs	\$363,600	\$623	\$362,977	\$195,680	\$158,497	\$37,183	\$559,280
Internal Costs	\$41,500	\$89,637	-\$48,137	\$106,129	\$0	\$106,129	\$147,629
Contingency	\$0	\$0	\$0	\$30,000	\$0	\$30,000	\$30,000
Total	\$405,100	\$90,260	\$314,840	\$331,809	\$158,497	\$173,312	\$736,909
Combined Total							
External Costs	\$852,740	\$1,246	\$851,494	\$522,589	\$383,315	\$139,274	\$1,375,329
Internal Costs	\$97,760	\$180,789	-\$83,029	\$238,491	\$0	\$238,491	\$336,251
Contingency	\$0	\$0	\$0	\$60,000	\$0	\$60,000	\$60,000
Total	\$950,500	\$182,035	\$768,465	\$821,080	\$383,315	\$437,765	\$1,771,580

Officers recommend funding this shortfall through savings in project 80536- Nicholson Road (SLK 0.46 - SLK 2.43). This was originally budgeted as a State Black Spot project which required a 1/3 Shire Contribution; however, Officers have since been advised this is eligible for full Federal Blackspot Funding.



Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	Council proceeds with recommendation to award and projects run over budget.	Budget process, internal costing and reviews.	Financial	Unlikely	Moderate	MODERATE	Accept Officer Recommendation
2	Not awarding the contract to the successful Tenderer and road works do not occur.	Nil	Organisational Performance	Unlikely	Moderate	MODERATE	Accept Officer Recommendation
2	Not awarding the contract will incur financial penalties by Main Roads	Report to council	Financial	Unlikely	Moderate	MODERATE	Accept Officer Recommendation

Voting Requirements: Absolute Majority (s 6.8(1)(b) of the *Local Government Act 1995*)

SCM006/10/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Byas, seconded Cr Bishop

That Council:

- 1. AWARDS the Tender RFT 07/2024 - Hopeland Road (A & B) - Rehabilitation to Raubex Construction Pty Ltd as recommended in CONFIDENTIAL attachment 1 for the amount of \$1,434,119.33 ex gst.**
- 2. AUTHORISES the Chief Executive Officer to sign a contract on behalf of the Shire of Serpentine Jarrahdale for RFT 07/2024 - Hopeland Road (A & B) - Rehabilitation.**

**3. APPROVES the following budget variation:**

Account Number	Type	Account Description	Debit \$	Credit \$
6400-80536-4817-0000	Decrease Income	Nicholson Road (SLK 0.46 - SLK 2.43) - Capital Grants - State Black Spot	1,000,694	
6400-80536-4816-0000	Increase Income	Nicholson Road (SLK 0.46 - SLK 2.43) - Capital Grants - Federal Black Spot		-1,438,459
6400-80453-6600-000	Increase Expenditure	Hopeland Road - A Rehabilitation - Capital Expenditure	489,271	
6400-80453-4808-000	Increase Income	Hopeland Road - A Rehabilitation - Grant - Main Roads		224,818
6400-80454-6600-000	Increase Expenditure	Hopeland Road - B Rehabilitation - Capital Expenditure	331,809	
6400-80454-4808-000	Increase Income	Hopeland Road - B Rehabilitation - Grant - Main Roads		158,497

Reason:

Budget Amendment fund the increased tender and internal cost for Hopeland Road A and B. This is funded from savings in Nicholson Road project, which is now fully Federal Government funded.

CARRIED UNANIMOUSLY 6/0



6.2 - Award Request for Tender– RFT 09/2024 - Briggs Park - Pump Track (Design and Construct) - (SJ4479)

Responsible Officer:	Manager Engineering Services
Senior Officer:	Director Infrastructure Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations, and setting and amending budgets.
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Report Purpose

The purpose of this report is to seek Council approval for the award of RFT 09/2024 - Briggs Park - Pump Track (Design and Construct)

Relevant Previous Decisions of Council

Ordinary Council Meeting – 17 June 2024 - OCM179/06/24 - COUNCIL RESOLUTION / Officer Recommendation:

That Council:

1. *RECEIVES* the Byford Pump Track Feasibility Study as contained at attachment 1.
2. *NOTES* correspondence received from the Minister for Sport and Recreation, as contained at attachment 2.
3. *APPROVES* to proceed with the detailed design and construction of a Byford Pump Track in accordance with Option 2, Stage 1 of the Feasibility Study and *APPROVES* the following additional scope items be included in the project, subject to available budget in the following priority order:
 - *Pedestrian, rider, and vehicle interface for the service road.*
 - *Carpark and carpark lighting.*
 - *Lighting of the Pump Track facility and CCTV.*
 - *Connectivity to the current Pavilion.*
 - *Toilet amenity or improvement to existing toilet amenity.*
4. *AUTHORISES* the Chief Executive Officer to negotiate and execute a Financial Assistance Agreement that repurposes the \$1.34 million Splash Park funding commitment to a Byford Pump Track.
5. *APPROVES* the following budget variation:



Special Council Meeting Minutes Monday, 7 October 2024

Account Number	Type	Account Description	Debit \$	Credit \$
6600-80520-6600-000	Increase Expenditure	Byford Pump Track – Capital Expenditure	1,340,000	
6600-80520-4825-000	Increase Income	Byford Pump Track – Grant – Capital – DLGSC		1,340,000
Reason: Budget Variation to recognise DLGSC funding – \$198,000 municipal funds will be required as part of the 2024/25 Annual Budget for project management.				

Ordinary Council Meeting – 17 October 2022 - OCM258/10/22 - COUNCIL RESOLUTION / Officer Recommendation

That Council:

1. **AUTHORISES** the Chief Executive Officer to write to the Department of Local Government, Sports, and Cultural Industries to formally seek in-principle agreement to repurpose the Financial Assistance Agreement for the Splash Park project in Byford towards construction of a Bike Pump Track, subject to a Feasibility Report being prepared.
2. **REQUESTS** that the Chief Executive Officer to undertake a Feasibility Report for a Bike Pump Track, inclusive of:
 - scale definition.
 - site investigations and analysis.
 - opinion of probable costs.
3. **AUTHORISES** a budget amendment as per the below table to fund these works:

Account Number	Type	Account Description	Debit	Account Number
1400-NEW-6230-0000	Increase Expenditure	Pump Track Feasibility – External Contractor	50,000	
5300-17300-4101-0000	Decrease Income	General Purpose – Financial Assistance Grants – Roads		50,000

Reason: Funds required for Pump Track Feasibility, with increase in expenditure to be offset by higher than anticipated revenue from the 2022/23 Financial Assistance Grants.

4. **REQUESTS** the Chief Executive Officer to present a report back to Council inclusive of:
 - a. the response from the Department of Local Government, Sports, and Cultural Industries regarding point 1.
 - b. the Bike Pump Track Feasibility Report for consideration.



Background

At the October 2022 Ordinary Council Meeting, Council considered repurposing the 2021 Election Commitment for a Splash Park Project into an alternative recreational project, due to estimated costs exceeding available funds and timeframe constraints. Council also requested the Chief Executive Officer (CEO) undertake a Feasibility Report for a Byford Pump Track, as an alternative project that would meet the criteria set by the Minister for Sport and Recreation/ Department of Local Government, Sport, and Cultural Industries.

At the June 2024 Ordinary Council Meeting, Council received the Byford pump track feasibility report. This report identified community support for a pump track in Byford, located at Briggs Park, as the suitable site to accommodate a pump track.

The Shire also received a letter of support from the Minister for Sport and Recreation/ Department of Local Government, Sport and Cultural Industries confirming the ability to repurpose the \$1.34 million Splash Park funding commitment to the Byford Pump Track Project.

Council approved to proceed with the detailed design of Option 2, Stage 1 of the Feasibility Study and authorised the CEO to negotiate and execute a Financial Assistance Agreement to repurpose the \$1.34 million Splash Park funding commitment to a Byford Pump Track. The Financial Assistance Agreement has since been completed and signed on Wednesday 14 August 2024.

The Briggs Park Pump Track – Option 2, includes the design and construction of Stage 1 of the pump track concept plan, as identified in the feasibility report concept plan.

The Request for Tender RFT 09/2024 - Briggs Park - Pump Track (Design and Construct) opened on Saturday 27 July 2024 and closed at 2.00pm on Thursday 29 August 2024.

The Tender was advertised in the following ways:

- West Australian Newspaper and Shire Website.
- Shire Notice Boards.
- Examiner (Serpentine Jarrahdale & Armadale).
- Pinjarra/Murray Times (Inc. Mandurah Coastal Times).
- Sound Telegraph (Rockingham & Kwinana).

Community / Stakeholder Consultation

Policy Concept Forum

The Byford Pump Track Feasibility Study was presented to the Policy Concept Forum on 2 October 2023.

Meeting Date	2 October 2023
Elected Members in Attendance	Cr Rich, Cr Atwell, Cr Byas, Cr Coales, Cr Dagostino, Cr Duggin, Cr Mack, Cr Strautins

Statutory Environment

Section 3.57(1) of the *Local Government Act 1995* requires a local government to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply the goods or services.



Division 2 under Part 4 of the *Local Government (Functions and General) Regulations 1996* prescribes the kinds of contracts that must be publicly invited. Regulation 11(1) states:

Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250,000 unless subregulation (2) states otherwise.

The Regulations also prescribe requirements and processes to apply when undertaking a public tender.

Comment

The Briggs Park Pump Track Project – Option 2 – Stage 1 scope of works includes a main pump track with intermediate and advanced features, jump lines, park shelters/furniture, drainage, landscape works and addresses the pedestrian, rider, and vehicle interface for the service road area north of the pump track, as indicated in **Figure 1** below:

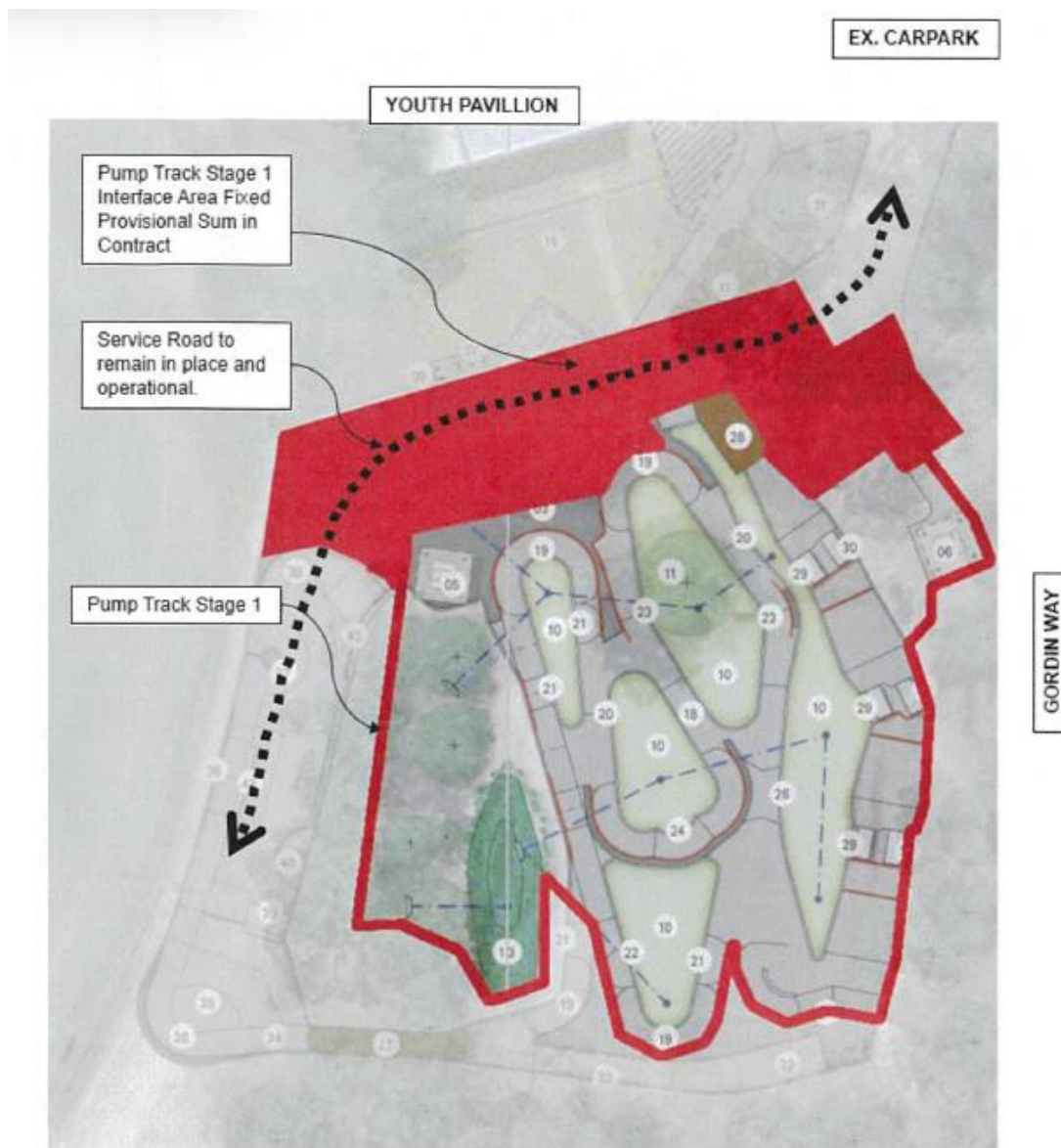


Figure 1: Briggs Park Pump Track – Option 2, Stage1



At the Ordinary Council Meeting, 17 June 2024, Council considered the Byford Pump Track Feasibility Study and approved to proceed with the detailed design and construction of a Byford Pump Track in accordance with Option 2, Stage 1 of the Feasibility Study and approved the following additional scope items be included in the project, subject to available budget in the following priority order:

- Pedestrian, rider, and vehicle interface for the service road;
- Carpark and carpark lighting;
- Lighting of the Pump Track facility and CCTV;
- Connectivity to the current Pavilion;
- Toilet amenity or improvement to existing toilet amenity.

It should be noted that the Pedestrian, rider, and vehicle interface for the service road has been included in the scope of works under this tender.

Following the tender process, it is proposed that the design of the below remaining items are negotiated as a variation with the successful tenderer and construction of these items will be procured separately in accordance with Council's Procurement Policy:

- Carpark and carpark lighting;
- Lighting of the Pump Track facility and CCTV;
- Connectivity to the current Pavilion.

The delivery of Toilet amenity or improvement to existing toilet amenity will be considered separately as part of the Briggs Park Pavilion Youth Centre Upgrade project.

Submissions

Only one (1) submission was received, and the submission is summarised in **CONFIDENTIAL attachment 1**.

The Tender submission was received from the following company:

#	Company Name
1	Common Ground Trails Pty Ltd

Evaluation Panel

An evaluation panel was convened and consisted of the following personnel:

- Senior Landscape Architect.
- Manager Engineering.
- Acting Manager Community Activation.

All members of the evaluation panel have made a conflict-of-interest declaration in writing confirming that they have no relationships with any of the respondents. Each member of the panel assessed the submissions separately.



Probity Auditor

In accordance with Council Policy 3.2.5 – Procurement of Goods or Services through Public Tendering, a Probity Auditor was appointed for this tender. A copy of the Probity Certificate is contained in **CONFIDENTIAL attachment 2**.

The Probity Certificate concludes the process was fair and equitable and in accordance with the requirements of the RFT document.

Evaluation Criteria

Compliance Criteria

All tender submissions comply with the request for tender guidelines and compliance criteria.

Qualitative Criteria:

The following qualitative evaluation criteria and weightings were used by the tender evaluation panel to assess tender submissions:

EVALUATION CRITERIA	WEIGHTING
Price with quantities	55%
<p>Relevant Experience</p> <p>Demonstrated relevant experience of the Company in providing the same or similar services to local government, Federal and WA State government bodies, the private sector, or other public sector bodies/organisations over the past five years.</p> <p>Please provide a response which addressed this criterion. You may wish to use the following headings to assist with your response.</p>	15%
<p>Key Personnel, Skills, and Resources</p> <p>Capacity to deliver the services including:</p> <p>Key personnel / Professional skills</p> <p>Describe the key personnel who will be involved in the work, including past work of a similar nature</p> <p>Please provide a response which addressed this criterion.</p> <p>Current Commitment Schedule</p> <p>Please provide your current commitment Schedule and attach with response</p> <p>Project Description Value as Let Date Started Referee Name and Number</p>	15%
<p>Demonstrated Understanding</p> <p>Companies should detail the process they intend to use to achieve the Requirements of the Specification.</p> <p>Use dot points to explain the process.</p> <p>The process should include a timetable for delivering the services.</p>	15%

Evaluation Outcome

The tender submission received was assessed against the evaluation criteria and the qualitative and quantitative results of this assessment and prices are documented in **CONFIDENTIAL attachment 1**.



Following the assessment of the tender submitted by Common Ground Trails Pty Ltd, against the selection criteria, the tender was assessed as being the best value for money that meets the Shire's requirements.

The tender evaluation panel therefore recommends the tender submission made by Common Ground Trails Pty Ltd be accepted.

Options

Option 1

That Council:

1. AWARDS the Tender RFT 09/2024 - Briggs Park - Pump Track (Design and Construct) to Common Ground Trails Pty Ltd to the value of \$885,530.00 excluding GST as contained within **CONFIDENTIAL attachment 1**;
2. AUTHORISES the Chief Executive Officer to sign a contract on behalf of the Shire of Serpentine Jarrahdale for Tender RFT 09/2024 - Briggs Park - Pump Track (Design and Construct);
3. AUTHORISES the Chief Executive Officer, in accordance with *Local Government (Functions and General) Regulations 1996*, regulation 20, award Tender RFT 09/2024 - Briggs Park - Pump Track (Design and Construct) and negotiate a variation to the contract to undertake the design of the optional extra items as below:
 - Carpark and carpark lighting;
 - Lighting of the Pump Track facility and CCTV;
 - Connectivity to the existing Pavilion;and NOTES the construction of the above items will be procured separately in accordance with Council's Procurement Policy;
4. NOTES that the toilet amenity or improvement to existing toilet amenity, as endorsed at the Ordinary Council Meeting, 17 June 2024, OCM179/06/24 will be considered separately as part of the Briggs Park Pavilion Youth Centre Upgrade project.

Option 2

That Council DECLINES to accept any tender.

Option 1 is recommended.

Conclusion

Common Ground Trails Pty Ltd has been assessed as being able to meet the requirements of the contract. The respondent met all of the requirements for Relevant Experience, Key Personnel, Skills and Experience and Demonstrated Understanding and was assessed as providing the best value for money.

Therefore, it is recommended that Council support Option 1 and the contract be awarded to Common Ground Trails Pty Ltd.



Attachments (available under separate cover)

- 6.2 – CONFIDENTIAL attachment 1** – RFT 09/2024 - Briggs Park - Pump Track (Design and Construct) - Evaluation Report (E24/12950)
- 6.2 – CONFIDENTIAL attachment 2** – RFT 09/2024 - Briggs Park - Pump Track (Design and Construct) – Probity Certificate (E24/13471)

Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
Liveable
3. Preserve and enhance our natural places, parks, trails, and reserves
4. Invest in facilities and amenities to meet current and future needs
Connected
1. Invest in community recreation and support local clubs and groups to increase opportunities for participation
2. Contribute to a well-connected, accessible and health community

Financial Implications

The funding for this tender is included within the Department of Local Government, Sport, and Cultural Industries Financial Assistance Agreement (FAA) of \$1.34million. The recommended tender value of \$885,530.00 excluding GST can be fully funded by the above FAA.

In addition, the ongoing maintenance of the Briggs Park Pump Track Option Two, Stage One project is expected to cost \$35,000.00 annually, including staffing and resources. This should be considered in the long-term financial planning.



Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1	The tender is awarded, and the company does not agree to contract terms leading to prolonged negotiations or the need to retender resulting in a delay to project delivery.	Tender documentation includes a copy of the proposed contract.	Organisational Performance	Unlikely	Minor	LOW	Nil
2	Not awarding the tender will mean the Project will be delayed and/or at a risk of not proceeding, resulting in the project not being delivered within the Financial Funding Agreement. The Shires reputation and relationship with the State Department (DLGSCI) will be impacted.	Nil	Social / Community Outcomes	Unlikely	Moderate	MODERATE	Option 1



Voting Requirements: Simple Majority

SCM007/10/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Duggin, seconded Cr Mack

That Council:

- 1. AWARDS the Tender RFT 09/2024 - Briggs Park - Pump Track (Design and Construct) to Common Ground Trails Pty Ltd to the value of \$885,530.00 excluding GST as contained within CONFIDENTIAL attachment 1;**
- 2. AUTHORISES the Chief Executive Officer to sign a contract on behalf of the Shire of Serpentine Jarrahdale for Tender RFT 09/2024 - Briggs Park - Pump Track (Design and Construct);**
- 3. AUTHORISES the Chief Executive Officer, in accordance with *Local Government (Functions and General) Regulations 1996*, regulation 20, award Tender RFT 09/2024 - Briggs Park - Pump Track (Design and Construct) and negotiate a variation to the contract to undertake the design of the optional extra items as below:
 - **Carpark and carpark lighting;**
 - **Lighting of the Pump Track facility and CCTV;**
 - **Connectivity to the existing Pavilion;**and **NOTES** the construction of the above items will be procured separately in accordance with Council's Procurement Policy;**
- 4. NOTES that the toilet amenity or improvement to existing toilet amenity, as endorsed at the Ordinary Council Meeting, 17 June 2024, OCM179/06/24 will be considered separately as part of the Briggs Park Pavilion Youth Centre Upgrade project.**

CARRIED UNANIMOUSLY 6/0



Councillor Byas declared an Impartiality Interest in Item 6.3.

6.3 - Keirnan Park - Stage 1C Netball Courts - Concept Plan (SJ1364)	
Responsible Officer:	Program Manager Major Projects
Senior Officer:	Director Community Engagement
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

The purpose of this report is to provide an update on the needs assessment and concept design for the Shire's netball amenity at Keirnan Park.

Relevant Previous Decisions of Council

<p><i>Ordinary Council Meeting – 19 June 2023 – OCM121/06/23 - COUNCIL RESOLUTION / Officer Recommendation - extract</i></p> <p><i>3. REQUESTS the Netball Courts at Keirnan Park Recreation Precinct be reconsidered as a potential election priority once the water issues for Stage 1A are resolved.</i></p> <p><i>4. REQUESTS the Chief Executive Officer include funding to progress the following election priorities in the draft 2023/24 FY budget for Councils consideration:</i></p> <p><i>d. Netball Courts at Keirnan Park.</i></p>
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Background

In 2021, Council adopted the masterplan and business case for Keirnan Park which included a provision for netball facilities as Stage 1C, to be developed following the establishment of Stages 1A (Football oval) and 1B (BMX facility). Work has since commenced on Stage 1A and 1B, and due to the inclusion of netball courts as a 2025 Election Advocacy project, a Needs Assessment and Concept Design was commissioned. This work is required to assist in advocacy for the 2025 State and Federal Government elections.

Community / Stakeholder Consultation

Council Workshop

Meeting Date	29 May 2024
Elected Members in Attendance	Cr Bishop, Cr Duggin, Cr Jerrett, Cr Mack, Cr Mazzini



Stakeholder engagement

Stakeholder consultation was undertaken with the following groups: Serpentine Jarrahdale Netball Association;

- Mundijong Centrals;
- Netball WA;
- Department of Local Government, Sport and Cultural Industries;
- Tennis West.

Consultation outcomes are provided in Appendix 6 of **attachment 1** and information provided during the consultation was used to inform the concept design.

Statutory Environment

Nil.

Comment

Netball zone within the Keirnan Park Master Plan

The red box below shows the proposed netball facility located within the Keirnan Park Master Plan.





Project approach

The objective of the project was to understand the needs of Netball in the Shire of Serpentine Jarrahdale now and into the future having regard to current infrastructure provided within and adjacent to the Shire. The core focus is to ensure that the development of court infrastructure at Keirnan Park is justified based on a needs assessment and the site has the capability of accommodating a purpose-built netball facility which has the capability of being adapted to service other sport and recreation users, as the Keirnan Park Precinct evolves.

Critical to this is determining whether the proposed infrastructure will address a perceived shortfall in netball facility provision and support the future needs of the sport in implementing a range of program opportunities to service the Shire residents and the broader Peel regional area.

The project methodology in developing the Keirnan Park Netball Needs Assessment and Concept Design is provided below:



Current court provision

The review of existing infrastructure has highlighted a number of critical issues which need to be addressed. The following summarises the analysis:

- The potential catchment of Serpentine Jarrahdale Netball Association is significant and does not overlap with other associations providing a similar level of service. It highlights that there may be a significant level of latent demand due to the poor quality and capability of the existing netball court infrastructure within the Shire to service the needs of the sport. Current access to court infrastructure is limited, with the majority of court infrastructure being located within school sites and not constructed to facilitate club training at night during the season.
- The majority of school facilities are of a relatively poor design to facilitate community access. Many are surrounded by school buildings and lack fencing and floodlighting. The facilities are also multi-marked and usually limited to 1-2 courts.
- There is the potential to enter into a shared use agreement on the Byford Secondary College site due to the extent of court provision they currently manage. This, however, would require additional investment for floodlighting. The school site could not provide the level of infrastructure (court, storage, changing rooms, showers, toilets and game supervision) necessary to support Association level activity.



- The existing Association provision in Mundijong is limited to four courts. Those courts are of extremely poor quality with trip and slip hazards evident. The site also does not benefit from compliant floodlighting. The facility is functionally deficient and inefficient, while there is access to a clubhouse. Gender-neutral changing infrastructure is not provided, and the facility is ageing with a significant number of deficiencies which would likely require its redevelopment to meet contemporary design and game supervision standards. Most notably, there is an extremely poor relationship with the existing courts.
- While there may be opportunities to redevelop the Mundijong site, the potential to develop extensive Association infrastructure would be compromised by current site limitations, which would not permit the full extent of Association requirements to meet projected population growth.

The needs assessment and concept design has been completed with consideration of the adopted masterplan, stakeholder engagement, needs analysis, cost estimates, life cycle costings and delivery options. A full report is provided in **attachment 1**.

Indoor court space options

Where access is provided to indoor court space, netball is a secondary user to basketball. In such circumstances, the Netball Association considers that the operation of their own independent facility is preferable to maintain secure access at key times. Often, the availability of court space for indoor use results in games being played up to 10pm.

Lower-cost alternatives do, however, exist, which provide opportunities to develop cost-effective covered solutions over outdoor courts. The option of installing covered space on up to two courts could be considered to provide a long-term solution at Keirnan Park for a dedicated senior court provision. This would require space around the courts to accommodate the structural pylons outside the run-off areas. It would not be a cost-effective solution for an Association that facilitates junior activity, which is commonly provided on outdoor uncovered courts.

Community Facility Guidelines and Court Demand Modelling

The current Parks and Leisure WA Community Facility Guidelines have been the subject of significant industry benchmarking and ongoing peer review from their initial adoption in 2012, subsequent review in 2015 and further industry review in 2019/2020. They provide the industry's most comprehensive set of community infrastructure guidelines and benchmarks against which the majority of local government planning is undertaken.

As a useful benchmarking tool in determining provision standards, it indicates the following for the Shire:

PLA Guideline	Indicative requirement			
	2021	2031	2041	2046
	33,355	52,691	81,453	95,275
Netball Courts 1:5,000 – 8,000 (outdoor)	4-6	6-11	10-16	12-19
Indoor Sport and Recreation Centre(30,000 – 50,000)	1	1-2	2-3	2-3

Community Facility Guidelines (Source: Parks and Leisure Australia)



This indicates that by 2031, the minimum number of dedicated courts to service the sport of netball is 6, with the potential need, subject to demand being expressed from the resident population, of 11. By 2046, the minimum level of provision should be 12 courts, with the potential, subject to demand being expressed, of 19. Ideally, these should be on one consolidated site. These figures consider the need to supply court infrastructure for weekday evening training and weekend competitions. By 2046, up to 2-3 indoor sport and recreation centres are needed to service the projected population growth.

Other factors also need to be considered when regarding projected population growth and court demand, such as number of hours the courts are used, day and times of court use, children and adult training and competitions times and alternative options for training.

Considering the above and projected growth, the table below identifies the potential court demand based on current netball participation rates based on Ausplay 2023 data.

Sports Venue Based - Adults (Ages 15+)		Court Demand		
		2021	2031	2046
Netball		11	19	34
Sports Participation - Children (Ages 0-15)		Court Demand		
		2021	2031	2046
Netball		5	7	13
Activity Based – Adults (Ages 15+)		Court Demand		
		2021	2031	2046
Netball		10	16	29

Alternative needs assessment for activity and venue-based infrastructure for adults and children

The conclusions from this assessment highlight:

- The current netball court provision within the Shire accounts for in excess of 20 courts (including school facilities and multi-marked publicly accessible hard courts), with only four of those dedicated to an Association use. Realistically the ability to gain full access to the hard courts available and the ability to convert dedicated tennis infrastructure to netball use is highly unlikely.
- The current capacity of publicly accessible courts, 250 hours for adult use, would not accommodate all potential team training activities. Training is the greatest demand and is likely to require increased court availability on a single association site of up to 6 courts. This can be partially offset through the use of available school courts. Still, it would not address the lack of a dedicated and consolidated infrastructure to service the specific needs of competition netball. It would also not be able to provide a dedicated resource to be able to provide the full range of netball services.
- Current competition court use is compromised by the quality of the court and associated clubhouse/changing infrastructure. The current capacity on a Saturday or Sunday is 10 hours per court (40 hours), with the assessment indicating an additional 10 to 20 hours of capacity is required (i.e., 1 to 2 courts if the current dysfunctional courts are to be retained).



- The provision of 6 be-spoke courts dedicated to Association level provision is required as a minimum by 2031. The likelihood is that post-2031, additional court infrastructure would be necessary, with up to 12-16 courts required by 2046 if the current latent demand and projected growth are to be satisfied.
- All of the above would not negate the need to negotiate access to school sites on an individual basis for clubs wishing to secure sufficient training hours to offset weekday evening demand.

Concept designs

The below images illustrate the concept design for the Keirnan Park Netball facility.



Stage 1 - 6 courts, pavilion, sports floodlights and carparking



Stage 2 - additional 9 courts with an extended pavilion and additional sports floodlights,



Stage 2 - additional 9 courts with an extended pavilion and additional sports floodlights,



Keirnan Park site constraints

The most significant aspects and potential constraints of developing Keirnan Park for netball infrastructure are:

- The significant difference in levels could potentially impact the effectiveness of stormwater management across the site. It would also involve significant cut and fill to achieve appropriate levels for safe play (plus addressing the cost impact of extensive retaining walls costed at \$1.1M).
- The need to minimise disturbance and impact on existing flora and vegetation.
- The current master plan layout does not provide the optimum solution for the long-term development of the recreation centre and fails to fully address co-location considerations. A review of the plan indicates that rather than placing the pavilion to the south of the court area, it should, at a minimum, be placed between the two court areas to enable the smooth transition of players/officials/coaches onto the courts, direct storage access and game control.
- The updated demographic considerations, which have been updated and projections expanded to 2046, need to be factored into any review.

A two-staged development along the following lines is an option:

- Stage 1 (\$28.6M) – 6 courts, 436m² pavilion, sports floodlights, fencing, 229 bay car parking access and landscaping.
- Stage 2 (\$13.9M) – additional 9 courts with an extended pavilion, additional sports floodlights, fencing, car parking, access, and car parking. Option to include shade structures for 2 courts, if required.

Rationale being, there is a need for a minimum level of six courts dedicated to netball use to be provided by 2031, and a total of fifteen courts by 2050 to respond to project population growth and need expressed through current sporting participation rates.

The second option is that the site is developed in single stage at a cost of \$40.4M. This caters for the current and future demand of netball in the Shire for the foreseeable future. Furthermore, constructing the project in a single stage has a cost saving of approximately \$2.2M cost saving.

Order of Probable Costs

The OPC provided in this report excludes sub soil drainage, ground remediation, future stormwater basin area, playground/equipment, Headworks and Statutory Charges. It includes an allowance for stormwater drainage of \$500k. Further, the report states that it is currently known that the services infrastructure required to service Stage 1A and 1B of Keirnan Park will not have the capacity to service Stage 1C.

It should be noted that the OPC is a high-level conceptual cost estimate with an accuracy margin of +/- 20%. The OPC has also been developed based on the assumption that the project will reach construction stage in 3 years time, if funding became available in 2025. Based on this assumption, a 15% cost escalation has been allowed for in the OPC at a rate of 5% escalation per year over three, years starting 2025.

Risk Mitigation

It is recommended that a full Engineering Service Report be commissioned to ensure external services and infrastructure from authorities are available to support the project and be appropriately costed.



Options

Option 1

That Council:

1. ENDORSES the Keirnan Park Netball Needs Assessment and Concept Design at attachment 1;
2. REQUESTS the Chief Executive Officer to continue with advocacy for the 2025 State and Federal Government elections to secure funding for the delivery of Keirnan Park Netball project (Stage 1C), being 15 courts and pavilion as a single stage project estimated at \$40.4 Million.

Option 2

That Council:

1. ENDORSES the Keirnan Park Netball Needs Assessment and Concept Design at attachment 1;
2. REQUESTS the Chief Executive Officer to continue with advocacy for the 2025 State and Federal Government elections to secure funding for the delivery of Keirnan Park Netball project (Stage 1C), being six courts and pavilion as the first stage, estimated at \$28.6 Million.

Option 3

That Council:

1. RECEIVES the Keirnan Park Netball Needs Assessment and Concept Design at attachment 1.
2. DOES NOT PROCEED with Keirnan Park Netball Stage 1C project as a 2025 State and Federal Government election priority.

Option 1 is recommended.

Conclusion

The Keirnan Park Netball Needs Assessment and Concept Design has confirmed that the Shire's current netball court and facility provision is not suitable or sufficient for current and future demand. Keirnan Park, being the single largest land available within the Shire for sporting use, provides the necessary area and capability to facilitate the development of the Netball Association, which would see them vacating the current courts in Mundijong.

Based on the projected population growth and demand for netball court provision, Shire Officers recommend advocating in the State and Federal Government elections for the single stage delivery option, being 15 courts and a pavilion.

Attachments (available under separate cover)

6.3 - attachment 1 – Keirnan Park Recreation Precinct – Stage 1C – Needs Assessment and Concept Design – Netball Amenity – Otium Planning Group (E24/13693)



Alignment with our Council Plan 2023-2033

Thriving
1. Plan for the sustainable growth of the Shire of Serpentine Jarrahdale
Liveable
3. Preserve and enhance our natural places, parks, trails and reserves
4. Invest in facilities and amenities to meet current and future needs
Connected
1. Invest in community recreation and support local clubs and groups to increase opportunities for participation
2. Contribute to a well-connected, accessible and health community

Financial Implications

To deliver the Netball Courts as a single stage project is estimated to cost \$40.4 Million which will need to be sourced from State or Federal governments.

The Concept Design and Needs Analysis will be used as part of the State and Federal Election advocacy.

Risk Implications

Risk has been assessed on the Officer Options:

Officer Option	Risk Description	Controls	Principal Consequence Category	Risk Assessment			Risk Mitigation Strategies (to further lower the risk rating if required)
				Likelihood	Consequence	Risk Rating	
1 & 2	Estimated costs are not in line with current construction costs	Development of concept design and detailed cost estimates	Financial	Possible	Moderate	MODERATE	Develop detailed designs prior to going to market.
3	The Shire does not advocate for external funding for the project, which is required for it to proceed, meaning current facilities do not meet required standards or need.	Community consultation and needs analysis	Social / Community Outcomes	Almost Certain	Minor	SIGNIFICANT	Option 1



Voting Requirements: Simple Majority

SCM008/10/24

COUNCIL RESOLUTION / Officer Recommendation

Moved Cr Byas, seconded Cr Mazzini

That Council:

- 1. ENDORSES the Keirnan Park Netball Needs Assessment and Concept Design at attachment 1;**
- 2. REQUESTS the Chief Executive Officer to continue with advocacy for the 2025 State and Federal Government elections to secure funding for the delivery of Keirnan Park Netball project (Stage 1C), being 15 courts and pavilion as a single stage project estimated at \$40.4 Million.**

CARRIED UNANIMOUSLY 6/0



6.4 - Appointment of Proxy Voting Delegate for the 2024 WALGA Annual General Meeting (SJ4324)

Responsible Officer:	Manager Corporate Performance
Senior Officer:	Director Corporate Services
Disclosure of Officer's Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Executive	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets.
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Report Purpose

The purpose of this report is to enable Council to appoint a Proxy Voting Delegate for the 2024 Western Australian Local Government Association (WALGA) Annual General Meeting.

Relevant Previous Decisions of Council

Special Council Meeting – 6 November 2023 - SCM027/11/23 - COUNCIL RESOLUTION - extract

2. NOMINATES President Coales and Cr Duggin as Voting Delegates and Cr Mack and Cr Jerrett as their respective Proxy Voting Delegates to the Western Australian Local Government Association Annual General Meetings in 2024 and 2025

Background

The 2024 WALGA Annual General Meeting will be held at the Perth Convention and Exhibition Centre on Wednesday, 9 October 2024 at 2.30pm. Local Governments are able to nominate two voting delegates and two proxies who may participate in the event that a delegate is not available.

In November 2023, Council appointed President Coales and Cr Duggin as Voting Delegates and Cr Mack and Cr Jerrett as their respective Proxy Voting Delegates to the WALGA Annual General Meetings in 2024 and 2025.

On 9 September 2024, Voting Delegate Cr Duggin advised she is unable to attend the 2024 AGM, and on 26 September 2024, her Proxy Voting Delegate, Cr Jerrett, also confirmed he is unable to attend.

WALGA have advised that Local Governments can amend their Proxy Delegates up until 1:30pm on the day of the meeting. The AGM is conducted as an in-person meeting only. Motions are put and voting occurs in the meeting only.

Community / Stakeholder Consultation

Nil.



Statutory Environment

Nil.

Comment

As both Voting Delegate Cr Duggin and her Proxy Voting Delegate Cr Jerrett are unable to attend the 2024 AGM, Council may appoint an alternative Proxy Voting Delegate. Alternatively, the Shire will only be represented by one Voting Delegate – President Coales.

On 27 September 2024, the CEO called for nominations from Elected Members to be Cr Duggin’s Proxy Voting Delegate. Nominations were received by:

- Councillor Mazzini, on Friday 27 September 2024 at 1.14pm
- Councillor Mack, on Friday 27 September 2024 at 2.48pm

At the time of writing this report, no further nominations have been received.

Options

Option 1

That Council NOMINATES Cr _____ as Cr Duggin’s Proxy Voting Delegate to the Western Australian Local Government Association Annual General Meeting in 2024.

Option 2

That Council DOES NOT NOMINATE an Elected Member to be Cr Duggin’s Proxy Voting Delegate to the WALGA AGM.

Option 1 is recommended.

Conclusion

The appointment of a Proxy Voting Delegate to the 2024 WALGA AGM will ensure the Shire is represented by two Elected Members.

Attachments (available under separate cover)

Nil.

Alignment with our Council Plan 2023-2033

Thriving
2. Advocate and attract businesses to grow and thrive, increasing opportunities for local employment
Liveable
1. Advocate for public transport and focus on connectivity within communities

Financial Implications

Nil.

Risk Implications

Nil.



Voting Requirements: Simple Majority

The Chief Executive Officer, Mr Martin advised that written nominations had been received prior to the meeting from the following Councillors, in order of receipt:

- Councillor Courtney Mazzini
- Councillor Shaye Mack

The Presiding Member, President Coales called for any further Councillor nominations for proxy voting delegate. No further nominations were received.

The Chief Executive Officer, Mr Martin advised a ballot would be held for the nomination. A draw was conducted for the order of names on the ballot paper.

Position number 1 on the ballot paper is Councillor Mazzini.

Position number 2 on the ballot paper is Councillor Mack.

A ballot paper was prepared listing the nominees in the order as above.

Councillor Mazzini and Councillor Mack each made a statement in support of their respective nominations.

A ballot paper was issued to each Councillor, and Councillors completed their ballot paper in secret, and lodged their ballot paper in the ballot box.

Once all Councillors had voted, the Chief Executive Officer, Mr Martin counted the votes, overseen by Ms Claire Mortimer, Manager Corporate Performance.

The Chief Executive Officer, Mr Martin declared the result of the votes:

Councillor Mazzini – 4 votes.

Councillor Mack – 2 votes.

Officer Recommendation

That Council **NOMINATES** Cr _____ as Cr Duggin's Proxy Voting Delegate to the Western Australian Local Government Association Annual General Meeting in 2024.

SCM009/10/24

COUNCIL RESOLUTION

Moved Cr Byas, seconded Cr Duggin

That Council:

1. **NOMINATES Councillor Mazzini as Councillor Duggin's first Proxy Voting Delegate to the Western Australian Local Government Association Annual General Meeting in 2024.**
2. **NOMINATES Councillor Mack as President Coales or Councillor Duggin's second Proxy Voting Delegate to the Western Australian Local Government Association Annual General Meeting in 2024.**

CARRIED UNANIMOUSLY 6/0



7. Motions of which notice has been given:

Nil.

8. Urgent business:

Nil.

9. Closure:

There being no further business, the Presiding Member declared the meeting closed at 7.48pm.

Officers assisting the meeting stopped the recording of the meeting.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on

21 October 2024

.....Presiding Member – President Coales

21/10/24

.....Date