



Shire of
Serpentine
Jarrahdale

Special Ordinary Council Meeting Agenda

7pm

Wednesday, 5 March 2025

Purpose: Consideration of the following report:

- Consider the Request for Tender - RFT 19/2024 - Keirnan Park Recreation Precinct - Stage 1A - Construction Works - Head Contractor (SJ4531)

Contact Us

Enquiries

Call: (08) 9526 1111
Fax: (08) 9525 5441
Email: info@sjshire.wa.gov.au

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
24/2/25	PCF	✓	A	LoA	✓	✓	✓	✓
17/2/25	PCF	EP	EP	LoA	✓	✓	✓	✓
10/2/25	OCM	✓	✓	LoA	✓	✓	✓	✓
3/2/25	Q&A (OCM)	✓	EP	LoA	✓	✓	✓	✓
28/1/25	PCF	✓	EP	A	✓	✓	✓	✓

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.

Council and Committee Meetings will be live streamed and audio recorded. If you are asking a public question or making a statement or deputation to the meeting this will be live streamed and audio recorded. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed.



Continued

Special Ordinary Council Meeting Agenda Wednesday, 5 March 2025

Dear Elected Member

A Special Council Meeting of the Shire of Serpentine Jarrahdale will be held on Wednesday, 5 March 2025 in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong, commencing at 7pm.

The purpose of the meeting is to consider the following reports:

- Consider the Request for Tender - RFT 19/2024 - Keirnan Park Recreation Precinct - Stage 1A - Construction Works - Head Contractor (SJ4531)

Paul Martin

Chief Executive Officer

27 February 2025

Agenda

1. **Attendances and apologies (including leave of absence):**
2. **Public question time:**
3. **Public statement time:**
4. **Petitions and deputations:**
5. **Declaration of Elected Members and Officer's interest:**



6. Reports for consideration:

6.1 - Consider the Request for Tender - RFT 19/2024 - Keirnan Park Recreation Precinct - Stage 1A - Construction Works - Head Contractor (SJ4531)	
Responsible Officer:	Manager Major Projects
Senior Officer:	Acting 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 for Council to consider choosing the RFT 19/2024 - Keirnan Park Recreation Precinct - Stage 1A - Construction Works - Head Contractor.

Relevant Previous Decisions of Council

<p><i>Special Council Meeting - 25 July 2024 - SCM385/12/20 - COUNCIL RESOLUTION</i></p> <p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>ENDORSES the project mandate for Keirnan Park Stage 1A as stipulated in Project Option 1 contained within this report as per the below scope:</i> <ol style="list-style-type: none"> a. <i>Entry road into the site;</i> b. <i>Two community sporting ovals with lighting (catering for football and cricket clubs);</i> c. <i>Landscaping; Carparking; Drainage; Irrigation and water harvesting;</i> d. <i>Sports pavilion - catering for large to medium events/functions;</i> 2. <i>NOTES the Department of Local Government, Sports and Cultural Industries letter in support of an additional \$2 million towards the project, as contained within attachment 1;</i> 3. <i>ENDORSES the Shire to provide matching additional funding as a condition contained within attachment 1 in the form of a self-supporting loan to be repaid from the Mundijong Traditional DCP (when available) to the estimated value of \$2,341,903;</i> 4. <i>REQUESTS the Chief Executive Officer provides written confirmation to the Department of Local Government Sport and Cultural Industries confirming the Shire's commitment to match the Department's additional \$2 million contribution;</i> 5. <i>AUTHORISES the Chief Executive Officer to negotiate and execute the remaining funding agreements with the Department of Local Government, Sports and Cultural Industries for the Keirnan Park Stage 1A project;</i>



6. *REQUESTS the CEO to present a report to Council no later than the September Ordinary Council Meeting for the delivery of Stage 1B (BMX) at Keirnan Park that provides opinions and recommendations on:
 - i) the scope of the project including scope identified in CIDCP and suggestions of stakeholders
 - ii) project timeline options for Council to consider for delivery of the project with a view to the project occurring as soon as possible
 - iii) funding options for Council to consider to support the project timeline delivery options;*
7. *REQUESTS the Chief Executive Officer review the timelines and project inclusions of the current Community Infrastructure Development Contribution Plan;*
8. *REQUESTS the Chief Executive Officer amend the Long Term Financial Plan to reflect the new project budget as per the figures noted in the financial implications section of this report.*

Background

The Shire has sought a qualified head contractor for the Keirnan Park Recreation Precinct Stage 1A through a request for tender process. Stage 1A includes constructing an entry road, two sporting ovals, cricket nets, a car park, and a multi-use pavilion. The project also encompasses sports lighting, landscaping, external services, amenities, integrating water-sensitive urban design (WSUD) and vegetation rehabilitation to enhance sustainability. The Precinct is a multi-stage project to deliver high-quality recreational infrastructure situated on a 64-hectare site on Keirnan Street (Lot 4395) in Mundijong, Western Australia. The first stage focuses on establishing essential amenities, laying the foundation for a comprehensive sports hub to serve the Shire of Serpentine Jarrahdale community.

The current phase is for the planned construction of all civil and building works, including site preparation, bulk earthworks and infrastructure development to support the multi-use pavilion and adjacent sports ovals. This phase is anticipated to take approximately two years, followed by handover and commissioning and a twelve-month defects liability period. The development aims to provide essential facilities to support community growth and regional benefits.

Officers have previously highlighted the interdependencies for the next Stage 1B, including the BMX (Bicycle Motocross) racing facility and its associated pavilion, which rely on the delivery of Stage 1A due to shared infrastructure between the two stages.

Given the complexity of this Tender, Stantons International Audit and Consulting, an external corporate compliance and advisory firm, were engaged to manage the process.

The Tender was advertised on 9 October 2024 and closed at 2.00 pm on the 10 December 2024.

The Tender was advertised in the following ways:

- West Australian Newspaper and Shire Website (Wednesday 9 October 2024)
- Shire Notice Boards (Wednesday 9 October 2024)
- Serpentine Jarrahdale & Armadale Examiner Newspaper (Thursday 17 October 2024)
- Sound Telegraph and Mandurah Times Newspapers (Wednesday 16 October 2024).



Community / Stakeholder Consultation

Policy Concept Forum

The Keirnan Park Recreation Precinct Stage 1A has regularly been the subject of Policy Concept Forum briefings during 2022, 2023 and 2024.

Minister Sport and Recreation

In October 2024, the Minister for Sport and Recreation signed the funding agreement of \$18.5 million for the Keirnan Park Stage 1A project.

The Minister has received ongoing updates on the project, including a high-level summary of the procurement outcome and his advice on potential additional funding, is as detailed in **attachment 5**.

Department of Local Government, Sport and Cultural Industries

The Department of Local Government, Sport and Cultural Industries (DLGSC) participates in the Shire's Keirnan Park Steering Group Meetings, which provides oversight and guidance on the project. Since the beginning of 2024, the Department has also received fortnightly project updates to ensure ongoing communication and transparency.

Sporting Club Engagement

Officers have engaged with the presidents of various sporting clubs to establish Memorandums of Understanding (MoUs), demonstrating community support for the Keirnan Park project. Clubs acknowledge that delivering Stage 1A is essential to supporting future stages of development at the precinct.

The following clubs have formally signed MoUs:

- Mundijong Centrals Junior Football Club
- Centrals Football and Sporting Club Inc.
- Central Blues Netball Club
- Serpentine Jarrahdale Netball Association Inc.
- Byford BMX Club Inc.

Additionally, the Serpentine Jarrahdale Cricket Club Inc. has provided a written undertaking to sign an MoU for its junior teams to play at Keirnan Park. The Shire is working with the club to finalise and return the signed agreement.

Further discussions are ongoing with the Mundijong Centrals Football and Sportsman's Club, Serpentine Jarrahdale Cricket Club, and other local football and cricket associations regarding their participation, with plans to commence from the 2027 season.

During construction, the Contractor will also develop a detailed communication plan to provide regular updates to stakeholders, including sporting groups, businesses, and nearby properties.

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 sub regulation (2) states otherwise.

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

In relation to the award of tenders, Regulation 18(4) states:

Tenders that have not been rejected under sub regulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.

In relation to contract negotiations between tender award and contract execution, Regulation 20(1) states:

If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.

Comment

Submissions

The evaluation and the submissions are summarised in **CONFIDENTIAL attachment 1**.

Two (2) submissions were received from the following companies by the closing date:

#	Company Name
1	Civcon Civil & Project Management Pty Ltd
2	Shelford Constructions Pty Ltd

Evaluation Panel

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

- Executive Manager of Operations
- Project Development Engineer
- Project Manager (Consultant)
- Manager Major Projects.



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

Mandatory Criteria

Tenderers were required to be registered under the *Building Services (Registration) Act 2011* at the time of submission, and all met this mandatory criterion.

Compliance Criteria

All tender submissions met the compliance criteria assessment in order to proceed to evaluation.

Qualitative Criteria:

The following qualitative evaluation criteria and associated weightings were:

EVALUATION CRITERIA	WEIGHTING
Price	40%
Relevant Experience Tenderers are to demonstrate relevant experience of the organisation in delivering similar requirements to those outlined in Part 2 of the RFT, by providing details of previously completed projects of a similar nature. At a minimum, Tenderers should provide the following details for each example project: <ul style="list-style-type: none">• Project title;• Client;• Duration, and confirmation whether the contractually agreed PC-date was achieved;• Years the contract was active;• Value;• Scope;• Key issues/challenges that arose with the project, and how they were resolved;• Disclosure of any contractual disputes;• A clear description of the organisational structure of the entity that delivered the identified scope, including the Tenderer's role, clearly identifying whether the Tenderer was engaged directly by the client to deliver the whole scope for the project, or was appointed as a sub-contractor or through another arrangement and delivered part of the scope only. If so, the part of the scope delivered by the Tenderer should be identified;	20%



EVALUATION CRITERIA	WEIGHTING
<ul style="list-style-type: none"> • If key elements of the scope were sub-contracted, the Tenderer should identify these, including the details of the sub-contractor that delivered them; • If the Tenderer is proposing to sub-contract key components of the works, or operate in a Joint Venture or other similar approach whereby the Tenderer will not be directly delivering all key components of the works, the Tenderer should demonstrate, as applicable: <ul style="list-style-type: none"> ○ experience of the Tenderer in the delivery of a similar scope of works using a similar delivery structure to that proposed to deliver this requirement; ○ experience of the Tenderer in managing key sub-contractors to achieve project outcomes and meet requirements; ○ experience of any nominated key sub-contractors in delivering works of a similar nature to the scope that is proposed to be delivered by them; ○ experience of any nominated sub-contractors in acting as a sub-contractor to a head-contractor, and meeting overall project requirements; and • Contact details of a referee from the Client. 	
<p>Key Personnel Skills, and Experience</p> <p>Tenderers are to demonstrate the suitability of the key personnel nominated to deliver the requirements, including:</p> <ul style="list-style-type: none"> • Provision of a detailed project organisational structure, outlining the team members and hierarchy for the team proposed to deliver the requirements (the Key Personnel); demonstrating a suitable project structure to deliver the requirements in line with the methodology outlined in the <i>Demonstrated Understanding and Project Methodology</i> criterion • Where any key elements of the project are being delivered by a Joint Venture, Contractor/Sub-contractor or other such arrangement, the project organisational structure should include Key Personnel nominated from these organisations as appropriate, clearly identifying the organisation each key personnel member represents. • For each nominated Key Personnel member: <ul style="list-style-type: none"> ○ outline the scope of the role they have been nominated to perform; ○ provide a CV, outlining their tenure, qualifications, skills and experience to demonstrate their suitability to perform the role they have been nominated for; ○ identify their commitment to the project on an FTE basis over the life of the project, including any fluctuations in commitment during the contract period 	10%



EVALUATION CRITERIA	WEIGHTING
<p>Organisational Capacity</p> <p>Tenderers are to demonstrate sufficient organisational capacity to meet the requirements, including:</p> <ul style="list-style-type: none">• Provide an outline of your organisational structure and background information on the Tenderer, including a summary of the history of the organisation, and general organisational support and capacity to deliver requirements of this nature;• Provide details of back-up personnel and contingency measures for all nominated Key Personnel;• Provide details of plant, equipment and systems that will support the delivery of requirements of this nature.• Provide details of other contracts the organisation is currently delivering and/or expected to be engaged to deliver over the life of the contract, and:<ul style="list-style-type: none">○ identify the FTE involvement of any nominated Key Personnel in these other projects, and how their time will be managed between competing commitments;○ identify how plant, equipment and organisational resources will be managed between competing commitments. <p>Note - for any Tenderer proposing a Joint Venture or the delivery of key components of the requirements by a sub-contractor, this criterion should include, as appropriate, responses to the above criteria from any and all organisations proposed to deliver key requirements.</p>	10%
<p>Demonstrated Understanding and Project Methodology</p> <p>Tenderers are to demonstrate their understanding of the requirements and their ability to meet them, by providing the following:</p> <ul style="list-style-type: none">• A detailed methodology for completing all major aspects of the requirements;• A GANTT chart (in .mpp native format) that:<ul style="list-style-type: none">○ demonstrates alignment with any key timings stipulated in the requirements;○ identifies a critical path; and○ identifies key hold points and milestones.• A list of key issues and challenges expected to be faced in the delivery of the requirements, and how they will be mitigated.• If the Tenderer is proposing to sub-contract key components of the works or operate in a Joint Venture or other similar approach whereby the Tenderer will not be directly delivering all key components of the works, the Tenderer should outline, as applicable, the strategies and mechanisms	20%



EVALUATION CRITERIA	WEIGHTING
that will be employed to govern the overall delivery entity and key sub-contractors. (provide proposed subcontractor management plan).	

Evaluation Outcome

Following the assessment of all tender submissions against the selection criteria, the Tender submitted by Civcon Civil & Project Management Pty Ltd was determined to best meet the Tender selection criteria, including offering the best value for money while fulfilling the Shire's requirements.

The Evaluation Panel therefore recommends the Tender submission made by Civcon Civil & Project Management Pty Ltd be selected as the chosen tenderer.

The recommended tenderer has submitted a bid that exceeds the estimated construction value, which will require a commitment from Council to proceed. Should Council agree to progress the works, consideration to allocate additional funding to this project will need to be addressed as part of the Tender award and then through the annual budget process.

Should Council agree with the Officers' recommendation and choose the recommended tenderer Officers are proposing to enter into a value management exercise prior to agreeing to the final contract value. Subject to the value management process this could result in a total budget increase of up to \$6.08m to the project. The funding implications and options will be discussed in the financial implications section of this report.

All costs exclude a public art component to the project that would typically see up to one per cent allocated in accordance with Council's Public Art Local Planning Policy. Officers have highlighted the need for an overarching precinct wide public art strategy to be prepared. Until a suitable framework is established, the public art delivery for Stage 1A will be deferred, with the relevant values consolidated, subject to a future report and procured separately.

Officers have identified potential scope adjustments, value management opportunities, and cost-reduction strategies to align the project with budget constraints while ensuring optimal value. Nominating a successful tenderer enables the Shire to engage directly in final negotiations to address any outstanding commercial, technical, or legal considerations. This approach also ensures that the successful tenderer can fully meet project requirements while maintaining the flexibility to negotiate pricing, scope adjustments, and contract conditions whilst looking to preserve competitive tension throughout the process.

Officers are also recommending that following the outcome of the election, an approach is made to the State Government to determine opportunities for additional funding and/or minor variations to the scope of the project contained in the funding agreement.



Options

Option 1

That Council:

1. CHOOSES Civcon Civil & Project Management Pty Ltd (ABN 95 161 038 759) as the successful tenderer for Tender RFT 19/2024 - Keirnan Park Recreation Precinct - Stage 1A - Construction Works - Head Contractor as recommended in the **CONFIDENTIAL attachment 1**, noting that:
 - a) The Tenderer has been assessed as the most suitable candidate; however, the contract has not yet been formally awarded;
 - b) The contract remains subject to final negotiations on terms, conditions, and a fixed lump sum value within the current tender validity period;
 - c) No legal obligation exists, except for the requirements under the Tender conditions, with the contract status conditional on the outcome of negotiations.
2. REQUESTS the Chief Executive Officer, in accordance *with Local Government (Functions and General) Regulations 1996*, to formally advise the recommended tenderer in writing of the Council's decision, as outlined above.
3. AUTHORISES the Chief Executive Officer, in accordance with Regulation 20 of the *Local Government (Functions and General) Regulations 1996*, to negotiate minor variations to the goods and services required as follows:
 - a) Resolution of outstanding clarifications, cost reductions, and value management opportunities within the Tender submission to optimise project outcomes, as outlined in **CONFIDENTIAL attachment 4**.
 - b) Finalisation and agreement on the negotiated contract terms and a fixed lump sum value, including amendments to the Australian Standards AS 2124-1997 General Conditions of Contract.
4. REQUESTS the Chief Executive Officer, subject to negotiations, cost optimisations, and agreement on the fixed lump sum value, present a further report to Council for consideration of the final contract value and any amendments prior to contract execution;
5. NOTES the funding model and assumptions to achieve the revised project budget of \$35,260,229 (notwithstanding some savings may be achieved through the proposed value management exercise) as outlined in the financial implication section of this report.
6. REQUESTS the Chief Executive Officer update the Long-Term Financial Plan to reflect the new project budget as outlined in the financial implications section of this report.
7. REQUEST the Shire President and Chief Executive Officer to make representation to the newly elected Western Australian State Government following the outcome of the election on the 8 March 2025 with a view to determine opportunities for any additional funding toward and/or minor scope changes to the funding agreement for Stage 1A.

Option 2

That Council DECLINES to accept any tender.

Option 1 is recommended.



Conclusion

Based on the evaluation and the details outlined, Civcon Civil & Project Management Pty Ltd was assessed as the most advantageous outcome for the Shire.

The recommendation is that Civcon Civil & Project Management Pty Ltd’s conforming submission provides the best value for money proposal and has demonstrated that they have the experience, capability, and capacity to deliver the Contract. They fully understood the scope of work, and the provided timeline, including the Gantt chart, identified a suitable project schedule. Additionally, their submission offered a significantly lower price than other received submissions, positioning them as the best value-for-money option for the Shire.

It is important to note that the Civcon Civil & Project Management Pty Ltd submitted lump sum price, while the most competitive and representing best value-for-money, still exceeds the Shire’s current budget for the contract. To address this, Officers are recommending negotiations are undertaken (the details of which are contained within **CONFIDENTIAL attachment 4**) with the chosen contractor prior to execution of the contract and final contract value.

Given the recent market activities, Officers recommend that the current pricing offered by Civcon Civil & Project Management Pty Ltd provides the most advantageous outcome for the Shire. The total project cost is only anticipated to increase if delayed, and this likelihood is anticipated to remain unchanged for the foreseeable future.

By engaging proactively and collaboratively with the Successful Tenderer and the design team in the value management discussions, the Shire can look to realise a more cost-effective project outcome while maintaining project integrity and delivering long-term benefits to the community.

Attachments (available under separate cover)

- 6.1 - CONFIDENTIAL attachment 1** - RFT 19/2024 Keirnan Park Recreation Precinct Stage 1A Construction Works Head Contractor - Evaluation Report (E25/1081)
- 6.1 - CONFIDENTIAL attachment 2** - RFT 19/2024 Keirnan Park Recreation Precinct Stage 1A Construction Works Head Contractor - Probity Certificate (E25/2081)
- 6.1 - CONFIDENTIAL attachment 3** - RFT 19/2024 Keirnan Park Recreation Precinct Stage 1A Construction Works Head Contractor - Advanced Organisational and Financial Risk Assessment Report (E25/1778)
- 6.1 - CONFIDENTIAL attachment 4** - Keirnan Park Recreation Precinct Stage 1A Construction Works Head Contractor - Value Management Considerations (E25/2079)
- 6.1 - attachment 5** - Minister David Templeman - Minister for Culture and the Arts; Sport and Recreation - Keirnan Park funding correspondence to Shire President (IN25/3936)

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
4. Ensure sustainable and optimal use of Shire resources and finances
Liveable
3. Preserve and enhance our natural places, parks, trails and reserves
4. Invest in facilities and amenities to meet current and future needs



5. Increase our capacity to reduce, recover and recycle waste to improve sustainability and reduce impacts on the environment
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
4. Facilitate an inclusive community that celebrates our history and diversity

In considering how this decision impacts upon the items the Shire is required to deliver in the Council Plan the following is provided:

Council Plan Item	Council Plan Timeline	Status
Administration Building and New Civic Space (Chambers) Upgrades	Short Term (0 - 3 years)	Considered at the February 2025 OCM. Office redevelopment scope approved and underway, included in the LTFP and financial model. New Civic Space (Chambers) deferred. Additional office space may be needed mid-term, potentially leased as part of the Byford Presence.
Hypergrowth Road Upgrades Kargotich Road	Short Term (0 - 3 years)	Being delivered at the present with State Government funding.
Hypergrowth Road Upgrades Orton Road	Short Term (0 - 3 years)	Being delivered at the present with State Government funding.
New Oakford Volunteer Bush Fire Brigade Station	Short Term (0 - 3 years)	Tender for this project is awarded. Funding for this project is allocated in the LTFP and the financial mode.
Keirnan Park Recreation Precinct - Stage 1 A	Short Term (0 - 3 years)	This is the subject of this report.
Animal Management Facility	Medium Term (4 - 6 years)	As part of the financial assumptions outlined in the report \$1.0m is allocated. Feasibility study is underway, which will be presented to Council together with a proposed likely budget for the project.
New Depot	Medium Term (4 - 6 years)	Project has been deferred.



Council Plan Item	Council Plan Timeline	Status
New Limited Waste Transfer Station	Medium Term (4 - 6 years)	Endorsed at the February 2025 OCM. The funds required for this have been included in the LTFP and the financial model.
Hypergrowth Road Upgrades Stage 2	Medium Term (4 - 6 years)	Both Labor and Liberal committed \$17M to the next stage The National Party proposes a \$276M Statewide fund the Shire can apply to for road upgrades.
The Glades District Community Facility	Medium Term 4 - 6 years)	CIDCP-funded project planned for 2027 delivery, with design starting in 2025. Estimated at \$4.25M, equally shared between the Shire and Developer Contributions. The proposed financial model prioritises Keirnan Park, deferring this project's delivery. Short-term delivery dependent on external grants. The Shire has applied for federal funding and awaits the outcome. Depends on securing external grants for short-to medium-term delivery if the financial model adopted.
Briggs Park Pavilion	Medium Term (4 - 6 years)	Reliant on relocation of the BMX to Keirnan Park. CIDCP part-funded project and delivery within current timeframes depends on securing external grants.
Keirnan Park Recreation Precinct - Stage 1 B	Medium Term (4 - 6 years)	Planned after Stage 1A, and CIDCP funded. Deferred under the financial model. Labor committed \$10M and Liberals \$15M for Briggs Park. Shire proposes to explore staged BMX relocation to Keirnan Park using some of these funds committed in the election process. No CIDCP funding now available.



Council Plan Item	Council Plan Timeline	Status
Keirnan Park Recreation Precinct - Stage 1 C	Medium Term (4 - 6 years)	An advocacy priority for the Shire. The National Party committed \$40.4m towards this project if elected.
Briggs Park Youth Centre	Long Term	This is a longer-term project. Not considered until the new Briggs Park Pavilion is constructed.

From the assessment of the above the two project most significantly impacted upon are the relocation of the BMX and the delivery of the Glades District Community Facility. As outlined in the table above Officers see opportunities to still progress these projects.

Financial Implications

At the July 2024 Special Council Meeting, Council resolved to amend the Long-Term Financial Plan based on the pre-tender estimates for Stage 1A, as outlined below:

	Budget as of March 2022	Budget as of July 2024
Expenditure	\$24,214,426	\$29,177,272
Funding		
Grant	(\$22,000,000)	(\$22,000,000)
Loan With Repayments funded from the Mundijong Traditional DCP	(\$2,050,000)	(\$2,341,903)
Community Infrastructure DCP	\$0	\$4,835,369

After completing the Tender evaluation process, and if no further cost reduction options are identified, the total project cost will be \$35,260,229. To proceed with project delivery, an additional \$6,082,957 in funding is required.

	Budget as of July 2024	Required Budget	Change
Expenditure	\$29,177,272	\$35,260,229	\$6,082,957
Funding			
Grant	(\$22,000,000)	(\$22,000,000)	
Loan With Repayments funded from the Mundijong Traditional DCP	(\$2,341,903)	(\$2,341,903)	



	Budget as of July 2024	Required Budget	Change
Community Infrastructure DCP	(\$4,835,369)	(\$4,835,369)	

The increase in total project costs is outlined below:

	Budget July 2024	Required Budget	Change
Definition & Planning			
Concept Design	\$500,000	\$570,915	\$70,915
Subtotal	\$500,000	\$570,915	\$70,915*
<i>*Marginal increase less than 15% of the total scope.</i>			
Delivery Design			
Detailed Design	\$2,174,000	\$2,089,388	(\$84,612)
Services & Site Investigations	\$incl above	\$472,835	\$472,835
Bore & Monitoring	\$incl above	\$175,000	\$175,000
Environmental Rehabilitation	\$incl above	\$285,000	\$285,000
Subtotal	\$2,174,000	\$3,022,223	\$848,223**
<i>**Approximately \$1.0m associated with site investigations and services.</i>			
Delivery Construction			
Delivery Construction			
Construction	\$22,325,581	\$25,700,000	\$3,374,419
Contingency	\$1,674,419	\$1,950,000	\$275,581
Subtotal	\$24,000,000	\$27,650,000	\$3,650,000***
<i>***Overall increased construction value and construction contingency.</i>			
Closure			
Opening & Commission	\$350,000	\$0	(\$350,000)
Subtotal	\$350,000	\$0	(\$350,000)****
<i>****Excluded from current calculations and included in alternative funding streams.</i>			
Internal Costs/Project Management Costs			
Internal & External	\$2,153,272	\$3,497,090	\$1,343,818
Design Consultant (Construction)	\$0	\$520,000	\$520,000
Subtotal	\$2,153,272	\$4,017,090	\$1,863,818*****



	Budget July 2024	Required Budget	Change
<i>*****Increased cost to deliver (e.g. external pm, internal pm & consultant team).</i>			
Total	\$29,177,272	\$35,260,228	\$6,082,956

These costs cover construction only and do not include:

- Handover and Commissioning - \$350,000
- Opening Event - \$10,000.

While the handover, commissioning, and opening event costs are one-time expenditures, the ongoing operational and environmental compliance costs will be factored into future years of the Shire's Long-Term Financial Plan (LTFP), as outlined in the funding assumptions section below.

Funding Assumptions

A funding model has been created based on the following assumptions in the Shire's LTFP:

- The new limited Waste Transfer Station requires a \$4.5 m loan over 10 years at 5% interest.
- An allocation for an Animal Management Facility requires a \$1.0 m loan over 10 years at 5% interest (subject to business case confirmation of costs).
- The New Civic Space (Chambers) project is delayed for the foreseeable future.
- The new Depot project is delayed for the foreseeable future.
- Inclusion of short-term operating cost for Kiernan Park, including Annual Monitoring (2026-2029) and Annual Environmental Rehabilitation (2026-2029).
- Inclusion of Operating Costs for Kiernan Park of \$575,000 increasing by an estimated CPI of 3.5% pa.
- Future Public Art (1%) to be considered no earlier that 2030-31.
- There is no funding for Handover, Commissioning, or a community opening event. This will need to be considered in future budgets.
- Sufficient developer lot-based contributions of around 370 lots each year (in Byford and Mundijong).
- No Shire contributions to the DCA 4 Community Infrastructure Developer Contribution Plan (CIDCP) fund until 2027/ 28, with subsequent contributions being adequate to meet the Shire's required contribution over the life of the plan.
- A forecasted 3% rate increase in any future years (unchanged from adopted LTFP).

Funding Model

If no further cost reductions are identified, the total project cost will be \$35,260,229, requiring an additional \$6,082,957 in funding for project delivery.

Officers propose to fund this by drawing from the existing reserve funds (both Developer and Shire) held in the CIDCP reserve and securing a self-supporting loan, with repayments, including both interest and principal to be funded through future developer contributions.



	Current	Revised	Change
Expenditure	\$29,177,272	\$35,260,229	\$6,082,957
Funding			
Grant*	(\$22,000,000)	(\$22,000,000)	\$0
Loan With Repayments funded from the Mundijong Traditional DCP*	(\$2,341,903)	(\$2,341,903)	\$0
Community Infrastructure DCP - Developers	(\$4,303,478)	(\$8,308,478)	(\$4,005,000)
Community Infrastructure DCP - Shire	(\$531,891)	(\$1,026,891)	(\$495,000)
Utilise Excess Shire Contributions From CIDCP	(\$0)	(\$1,582,957)	(\$1,582,957)

* The two ovals contained within the Mundijong-Whitby Urban Traditional DCP for this project, and the grant allocation of \$2m towards those items, remain unchanged.

Adjust Funding from DCA 4 - CIDCP

The Stage 1A Multi-Use Pavilion and Sporting Lights are designated as a local infrastructure item within the CIDCP, with Mundijong Developers funding 89% of the cost with the Shire funding the remaining 11%, reflecting the proportionate benefit to the existing community. As indexed today, the total CIDCP infrastructure cost is \$18.88 m.

In September 2024, the Council allocated \$14.0 m of the State Government's current \$22.0m external funding to offset this cost. The Council also resolved to revise the proposed DCP Amendment to reduce infrastructure items in the CIDCP, protecting housing affordability, by seeking alternative funding sources (e.g., state, & federal grants) for removed items, including Amendment 7 to LPS3. With the \$14.0m allocation to Keirnan Park and the implementation of Amendment 7, the anticipated lot-based contribution for the Mundijong CIDCP was approximately \$1,750.

By reducing the portion of grants funds allocated to CIDCP elements of the project (Pavilion and Lights) by \$4.5m and reallocating these funds to non-CIDCP elements of the project (namely site infrastructure), will allow for an adjustment to the CIDCP contributions from the Developers and the Shire towards the project.



	<i>Current</i>	<i>Revised</i>	Change
CIDCP Infrastructure Costs	\$18,882,555	\$18,882,555	0
Funding			
<i>Grant - CIDCP Eligible portion</i>	(\$14,047,186)	(\$9,547,186)	\$4,500,000
<i>Community Infrastructure DCP - Developer (89%)</i>	(\$4,303,478)	(\$8,308,478)	(\$4,005,000)
<i>Community Infrastructure DCP - Shire (11%)</i>	(\$531,891)	(\$1,026,891)	(\$495,000)

The CIDCP currently contains both contributions from developers and from the Shire.

As of February 2025, the CIDCP balance is as follows:

	Current Balance
Community Infrastructure DCP (Developer)	\$2,242,696
Community Infrastructure DCP (Shire)	\$3,318,111
Total	\$5,560,807

The table below demonstrates that there are insufficient funds from developer contributions to be able to draw from to fund their share, however the Shire contribution to the fund currently exceeds the amount required for its contribution to the Project.

	Current Balance	Funds Required for Stage 1A	Balance
Community Infrastructure DCP (Developer)	\$2,242,696	\$8,308,478	(\$6,065,782)
Community Infrastructure DCP (Shire)	\$3,318,111	\$1,026,891	\$2,291,220
Total	\$5,560,807	\$9,335,369	

Accordingly, Officers propose the following funding strategy:

1. Take a \$6,065,782 self-supporting loan with Principal and Interest Repayments to be funded from future Developer Contributions

As there are insufficient developer funds in the CIDCP, a loan of \$6,065,782 is required to be taken to fund their contributions to cover the shortfall and meet project timelines.

Officers propose to take out a loan on behalf of the CIDCP for \$6,065,782 for ten years at an estimated 5% interest rate resulting in annual repayments (principal and interest) of \$784,546.



The total interest on this loan would be \$1,789,683. To meet the payment obligations of this loan approximately 370 lots need to clear annually, which is achievable under current forecasts.

Officers anticipate this loan will be required to be drawn towards the later end of the project in 2027/28, which allows for additional developer contributions to be collected until the loan is required. This will mean the value of the loan required (and therefore the interest payable) may be less at the time of drawing.

Delivering this infrastructure addresses the identified short-term needs for district oval space, and thus provides flexibility for the Shire and developers in sequencing future additional district ovals in Byford and Mundijong.

However, this approach limits the ability to deliver other CIDCP infrastructure based on the current anticipated timeframes without securing substantial external grants. Consequently, key upcoming projects such as the BMX racing facility relocation and the Glades Community Centre will likely proceed in the short term only with external grant funding should the Council adopt the Officer's recommendation for the Stage 1A funding adjustment. Should Council support this approach, a current capital expenditure plan for the CIDCP infrastructure will be updated.

This increases the per lot contribution in Mundijong from \$1,750 to just over \$2,000 per lot. For comparison purposes, this is below the maximum threshold set under the State Planning Policy 3.6, which is \$5,000 per lot.

Also, looking at other outer growth local governments which operate community infrastructure development contribution plans, a per lot contribution of \$2,000 per lot remains at the lower end of the scale. This assists in managing impacts on costs of development and ensuring that the Shire remains competitive in the market:

Sub-area	Cost per dwelling	Local Government
Munster (Lake Coogee)	\$6,660.46	City of Cockburn
Coogee/North Coogee	\$6,379.30	City of Cockburn
Hammond Park/Wattleup/Henderson	\$5,431.71	City of Cockburn
Banjup North/Treeby	\$5,109.13	City of Cockburn
Bertram	\$4,994.51	City of Kwinana
Jandakot	\$4,938.07	City of Cockburn
Spearwood	\$4,693.97	City of Cockburn
Coolbellup	\$4,688.92	City of Cockburn
Beeliar	\$4,664.47	City of Cockburn
Hamilton Hill	\$4,448.69	City of Cockburn
Casuarina/Anketell	\$4,388.58	City of Kwinana
Bibra Lake West	\$4,349.20	City of Cockburn
Yangebup	\$4,171.58	City of Cockburn
North Lake	\$4,149.35	City of Cockburn
South Lake/Cockburn Central	\$3,949.28	City of Cockburn
Atwell	\$3,910.21	City of Cockburn



Sub-area	Cost per dwelling	Local Government
Aubin Grove/Banjup South	\$3,648.23	City of Cockburn
Success	\$3,618.11	City of Cockburn
Leeming	\$3,565.21	City of Cockburn
Bibra Lake East	\$3,374.34	City of Cockburn
Golden Bay	\$3,333.00	City of Rockingham
Singleton	\$3,333.00	City of Rockingham
Mandogalup	\$3,309.17	City of Kwinana
Baldivis South	\$3,094.00	City of Rockingham
Wellard West	\$2,999.10	City of Kwinana
Baldivis North	\$2,794.00	City of Rockingham
Secret Harbour	\$2,555.00	City of Rockingham
Wellard East	\$2,486.00	City of Kwinana
Rockingham	\$2,198.00	City of Rockingham
Cooloongup	\$2,198.00	City of Rockingham
Hillman	\$2,198.00	City of Rockingham
Shoalwater	\$2,198.00	City of Rockingham
Safety Bay	\$2,198.00	City of Rockingham
Waikiki	\$2,065.00	City of Rockingham
Warnbro	\$2,065.00	City of Rockingham
Port Kennedy	\$1,941.00	City of Rockingham
Karnup	\$1,941.00	City of Rockingham
Wandi/Anketell	\$1,636.39	City of Kwinana
Wellard/Leda	\$1,219.54	City of Kwinana
Kwinana Town Centre	\$646.88	City of Kwinana

- **Utilise excess funds of \$1,582,957 Shire contributions from the CIDCP Reserve.**

Officers propose that as the Shire has made contributions into the CIDCP in excess of the \$1,026,891 required to be contributed toward the CIDCP elements of the project, that an amount of \$1,582,957 be utilised to fund the remaining of the costs to deliver the Stage 1A.

The Shire is required to contribute \$14,898,216 to the CIDCP over the term of the plan. The Long-Term Financial Plan includes sufficient contributions in future years to enable the Shire to draw on these excess funds and still meet the Shires obligations:



Total Contribution Required	\$14,898,216
Current Balance	\$3,318,111
Future Contributions to the CIDCP as per the LTFP	\$13,163,062
Less Funds Withdrawn	(\$1,582,957)
Total Contributions	\$14,898,216

LTFP Implications

Should Council resolve to choose the recommended tenderer, the following amendment to the projects budget in the LTFP will need to be made to reflect the revised funding arrangements:

	Current Budget/ LTFP	Updated Budget / LTFP	Variation
Expenditure	\$29,177,272	\$35,260,229	\$6,082,957
Funding			
Grant	(\$22,000,000)	(\$22,000,000)	\$0
Loan With Repayments funded from the Mundijong Traditional DCP	(\$2,341,903)	(\$2,341,903)	\$0
Community Infrastructure DCP - Developers	(\$4,303,478)	(\$8,308,478) (\$2.2m cash, \$6.065m self-supporting loan)	(\$4,005,000)
Community Infrastructure DCP - Shire	(\$531,891)	(\$1,026,891)	(\$495,000)
Utilise Excess Shire Contributions From CIDCP	(\$0)	(\$1,582,957)	(\$1,582,957)



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 chosen tenderer and the Shire do 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. Tender validity period has been assessed to meet the negotiation period.	Organisational Performance	Unlikely	Minor	LOW	Nil
2	Not awarding the Tender will mean the Stage 1A project will be delayed, resulting in impact on existing external funding.	Ensuring financial integrity and ongoing value management.	Social / Community Outcomes	Possible	Major	HIGH	Nil.



Voting Requirements: Simple Majority.

Officer Recommendation

That Council:

1. **CHOOSES** Civcon Civil & Project Management Pty Ltd (ABN 95 161 038 759) as the successful tenderer for Tender RFT 19/2024 - Keirnan Park Recreation Precinct - Stage 1A - Construction Works - Head Contractor as recommended in the CONFIDENTIAL attachment 1, noting that:
 - a) The Tenderer has been assessed as the most suitable candidate; however, the contract has not yet been formally awarded;
 - b) The contract remains subject to final negotiations on terms, conditions, and a fixed lump sum value within the current tender validity period;
 - c) No legal obligation exists, except for the requirements under the Tender conditions, with the contract status conditional on the outcome of negotiations.
2. **REQUESTS** the Chief Executive Officer, in accordance *with Local Government (Functions and General) Regulations 1996*, to formally advise the recommended tenderer in writing of the Council's decision, as outlined above.
3. **AUTHORISES** the Chief Executive Officer, in accordance with Regulation 20 of the *Local Government (Functions and General) Regulations 1996*, to negotiate minor variations to the goods and services required as follows:
 - a) Resolution of outstanding clarifications, cost reductions, and value management opportunities within the Tender submission to optimise project outcomes, as outlined in CONFIDENTIAL attachment 4.
 - b) Finalisation and agreement on the negotiated contract terms and a fixed lump sum value, including amendments to the Australian Standards AS 2124-1997 General Conditions of Contract.
4. **REQUESTS** the Chief Executive Officer, subject to negotiations, cost optimisations, and agreement on the fixed lump sum value, present a further report to Council for consideration of the final contract value and any amendments prior to contract execution;
5. **NOTES** the funding model and assumptions to achieve the revised project budget of \$35,260,229 (notwithstanding some savings may be achieved through the proposed value management exercise) as outlined in the financial implication section of this report.
6. **REQUESTS** the Chief Executive Officer update the Long-Term Financial Plan to reflect the new project budget as outlined in the financial implications section of this report.
7. **REQUEST** the Shire President and Chief Executive Officer to make representation to the newly elected Western Australian State Government following the outcome of the election on the 8 March 2025 with a view to determine opportunities for any additional funding toward and/or minor scope changes to the funding agreement for Stage 1A.



Continued

Special Ordinary Council Meeting Agenda Wednesday, 5 March 2025

- 7. Motions of which notice has been given:**
- 8. Urgent business:**
- 9. Closure:**