



**SHIRE**  
*of*  
**DANDARAGAN**

**MINUTES**

**of the**

**SPECIAL COUNCIL MEETING**

**held at the**

**COUNCIL CHAMBERS, JURIE BAY**

**on**

**THURSDAY 9 JULY 2020**

**COMMENCING AT 9.00AM**

*(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)*

<b>MINUTES FOR SPECIAL COUNCIL MEETING HELD THURSDAY 9 JULY 2020</b>
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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

### 1.1 DECLARATION OF OPENING

The presiding member declared the meeting open at 9.00am and welcomed those present.

### 1.2 DISCLAIMER READING

The disclaimer was not read aloud as there no members of the public present.

*"No responsibility whatsoever is implied or accepted by the Shire of Dandaragan for any act, omission or statement or intimation occurring during this meeting.*

*It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting."*

## 2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

### Members

Councillor L Holmes	(President)
Councillor P Scharf	(Deputy President)
Councillor A Eyre	
Councillor W Gibson	
Councillor D Richardson	
Councillor R Rybarczyk	
Councillor R Shanhun	

### Staff

Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr B Pepper	(Executive Manager Infrastructure)
Mr D Chidlow	(Executive Manager Development Services)
Ms R Headland	(Council Secretary & PA)
Ms M Perkins	(Manager Community & Customer Service)
Mr T O'Gorman	(Economic Development Manager)
Mrs J Rouse	(Coordinator Infrastructure Services)

### Apologies

Councillor J Clarke  
Councillor D Slyns

### Approved Leave of Absence

Nil

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### 3 PUBLIC QUESTION TIME

Nil

### 4 APPLICATIONS FOR LEAVE OF ABSENCE

#### **COUNCIL DECISION**

Moved Cr Scharf, seconded Cr Eyre

That the following request for leave of absence be approved:

Cr Gibson – 23 July 2020

**CARRIED 7 / 0**

### 5 PURPOSE OF THE MEETING

The purpose of the meeting is to Award Tender RFT03-2020 Jurien Bay Skate Park.

### 6 ORDER OF BUSINESS

#### 6.1 GOVERNANCE & ADMINISTRATION

##### 6.1.1 RFT 03/20 JURIEN BAY SKATE PARK

Location:	Shire of Dandaragan
Applicant:	Not Applicable
Folder Path:	Tenders / RFT 03/20 / Jurien Bay Skate Park
Disclosure of Interest:	Nil
Date:	3 July 2020
Author:	Michelle Perkins, Manager Customer and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

#### PROPOSAL

This item provides Council with the evaluation report and recommendation for Tender 03/20 – Jurien Skate Park. The recommendation is for Council to accept the tender from Convic Pty Ltd.

#### BACKGROUND

A new district level skate facility has been under planning and development by the Shire since 2017 when consultation with the community commenced. While these facilities are generically referred to as skate parks the modern functionality is significantly broader and contemporary designs accommodate scooters, BMX and passive social space for youth.

The Shire worked with Enlocus who are experienced in the design and construction of these facilities to develop concept plans which were endorsed at the Ordinary Council Meeting in May. The

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concept report and plan documents the community consultation, site selection and prioritisation taking guidance from the Jurien Bay Foreshore Masterplan completed earlier this year.



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**COMMENT**

Tenders for the Jurien Bay Skate Park component of the project closed on 24 June 2020 and the Shire received 5 compliant submissions.

The evaluation panel scored the tender submissions in accordance with the following qualitative criteria:

- 1) Relative Experience
- 2) Local Content
- 3) Demonstrated Understanding
- 4) Key Personnel and Experience
- 5) Tenderer's Resources

Price was also considered in the final weighted scores. The final ranking of tenderers is presented below.

Tenderer in Ranked Order 1-5
1) Convic Pty Ltd
2) DB Cunningham (Advantearing Civil Engineering)
3) MG Group
4) Concrete Skate Parks
5) LD Total

Council is provided with a confidential detailed evaluation report to inform their decision making. The report contains confidential information in accordance with s5.23(2)(e)(iii) of the Local Government Act 1995.

**CONSULTATION**

In 2017, feedback from Shire of Dandaragan's draft Youth Friendly Community Plan highlighted that young people request social infrastructure, particularly an upgraded skate park.

March 2018 - Community workshop at Jurien Bay Education & Conference Centre attracted a diverse range of community members; from experienced local riders to those who intended to learn, and from representatives from the council to those just generally interested in the skate space. The group discussed shortlisted sites, and shared their aspirations for what the park would feature. A variety of consultation methods, including precedent imagery, group and individual discussions, and surveys and preferred park labelling activities, allowed us to build an initial snapshot of the skate, scoot and BMX community within Jurien Bay, and gave us an understanding of the current facilities used by the group.

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April 2018 – Skateboarding WA clinic held at local youth festival with a temporary 'pop-up' skate park and youth consultation stand with the preliminary concept design on display.

2019 – UDLA included skate park and youth precinct for consideration and consultation during the broader foreshore redevelopment consultation where it was nominated as preferred location.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 s3.57 – Tenders for providing goods or services

**3.57. Tenders for providing goods or services**

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

Local Government Regulations 1996 s11(1)

**11. When tenders have to be publicly invited**

- (1) *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.*

Local Government Act 1995 s5.23(2)(e)(iii)

- (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*
  - (e) *a matter that if disclosed, would reveal —*
    - (iii) *information about the business, professional, commercial or financial affairs of a person,*

**POLICY IMPLICATIONS**

Policy 1.1 C-1PAT01 – Purchasing and Tender

*\$250,000+ Public tender process to be undertaken unless excluded under Exemptions listed below. Prior to any documentation being issued a Request for Tender (RFT) number must be obtained from the Executive Manager of Corporate and Community Services, as applicable provided to maintain the Shire's Tender Register.*

**FINANCIAL IMPLICATIONS**

The design scope for the project was based on the establishment of a District Level skate park. Similar projects within Western Australia have been delivered at the cost of approximately \$1M which incorporates the hard skate infrastructure and supporting

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design elements such as public art, lighting, security, pedestrian access and parking.

The pricing submitted by the top two ranked respondents is consistent with the project budget, Lotterywest funding and will be incorporated into the 2020/2021 Council budget.

### STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029

04 - Infrastructure	The Shire's resident population will grow more than the WA regional average supported by increased community recreation and cultural opportunities and access to key liveability factors such as health and wellbeing services and educational opportunities
<b>Priority Outcomes</b>	<b>Our Roles</b>
A Shire built on the strengths of community spirit and resilient, connected communities	Recognise the value of creative and cultural arts and support its continued growth in our communities  Recognise and support the value of our community volunteers and provide meaningful opportunities to contribute to Shire projects and improving local living

### ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Confidential Evaluation Report Youth Precinct (Doc Id: 157891) **(Marked 6.1.1)**

### VOTING REQUIREMENT

Simple Majority

### OFFICER RECOMMENDATION

That Council:

- 1) Endorse the Evaluation Panel's ranking of preferred tenderers;
- 2) Accept the tender submitted by Convic Pty Ltd for Tender 03/20 – Jurien Bay Skate Park in accordance with the tender documentation for the lump sum value of \$910,000 (excluding GST and provisional items); and
- 3) Authorise the Chief Executive Officer to finalise the required contractual documentation and negotiate the final scope and price for the provisional items through the final detailed design process.



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**ALTERNATIVE RECOMMENDATION**

Moved Cr Shanhun

That Council:

1. Thank staff for their work in assessing and ranking tenders received for Tender 03/20 – Jurien Bay Skate Park;
2. Accept the tender submitted by DB Cunningham (Advanteeing Civil Engineering) for Tender 03/20 – Jurien Bay Skate Park in accordance with the tender documentation for the lump sum value of \$879,835 (excluding GST and provisional items); and
3. Authorise the Chief Executive Officer to finalise the required contractual documentation and negotiate the final scope and price for the provisional items through the final detailed design process.

*ALTERNATIVE RECOMMENDATION LOST FOR WANT OF A SECONDER*

**ORIGINAL COUNCIL MOTION / COUNCIL DECISION**

Moved Cr Eyre, seconded Cr Gibson

That Council:

- 1) **Endorse the Evaluation Panel's ranking of preferred tenderers;**
- 2) **Accept the tender submitted by Convic Pty Ltd for Tender 03/20 – Jurien Bay Skate Park in accordance with the tender documentation for the lump sum value of \$910,000 (excluding GST and provisional items); and**
- 3) **Authorise the Chief Executive Officer to finalise the required contractual documentation and negotiate the final scope and price for the provisional items through the final detailed design process.**

**CARRIED 7 / 0**

**6 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

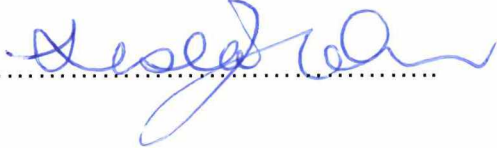
The President expressed her concern with the current COVID-19 situation in Victoria. She also reiterated support for the Premier of WA's efforts in keeping our state safe.

**7 CLOSURE OF MEETING**

The presiding member declared the meeting closed at 9.17am.

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These minutes were confirmed at a meeting on ..... *23 July 2020* .....

Signed .....  .....

Presiding person at the meeting at which the minutes were confirmed

Date ..... *23 July 2020* .....