



**MINUTES
OF THE
SPECIAL MEETING OF THE COUNCIL
HELD ON
TUESDAY 18 DECEMBER 2018
AT 6.30PM IN THE COUNCIL CHAMBERS
MELVILLE CIVIC CENTRE**

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CONTENTS PAGE

	Item Description	Page Number
URBAN PLANNING		
P18/3797	Subdivision Referral – 10 Archibald Street, Willagee (Former Carawatha Primary School Site) <i>(Item brought forward)</i>	7
P18/3795	John Connell Reserve Redevelopment Project Partnering Opportunity with LandCorp – Memorandum of Understanding	20
P18/3797	Subdivision Referral – 10 Archibald Street, Willagee (Former Carawatha Primary School Site) <i>(Item brought forward)</i>	7
TECHNICAL SERVICES		
T18/3798	RFT181920 - Refurbishment of Civic Centre Cladding and Balcony Finishes	32
T18/3799	Supply And Delivery Of Waste Bins	37
T18/3800	Design, Supply and Install of Synthetic Greens for Tompkins Park	43
T18/3801	Design, Supply and Install of Shade Structure for Tompkins Park	49
CONFIDENTIAL ITEM		
P18/3794	Confidential Item P18/3794 – Submissions Report - Ground Lease Redevelopment Proposal 391 Canning Hwy and 36-38A Waddell Road, Palmyra	56

1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and officially declared the meeting open at 6:30pm. Mr J Clark, Governance and Compliance Advisor, read aloud the Disclaimer that is on the front page of these Minutes and then the His Worship the Mayor, R Aubrey, read aloud the following Affirmation of Civic Duty and Responsibility.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Elected Members and Officers of the City of Melville. We collectively declare that we will duly, faithfully, honestly and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the City's Code of Conduct and Meeting Procedures Local Law to ensure the efficient, effective and orderly decision making within this forum.

2. PRESENT

His Worship the Mayor R Aubrey

COUNCILLORS

Cr T Barling (Deputy Mayor)
Cr M Woodall (*from 6:34pm*)
Cr C Robartson
Cr N Pazolli, Cr S Kepert
Cr G Wieland, Cr J Barton
Cr D Macphail, Cr K Mair
Cr P Phelan, Cr K Wheatland

WARD

Bateman – Kardinya – Murdoch
Bull Creek - Leeming
Bull Creek - Leeming
Applecross – Mount Pleasant
Bicton – Attadale – Alfred Cove
Central
Palmyra – Melville - Willagee

3. IN ATTENDANCE

Mr M Tieleman
Ms C Young
Mr S Cope
Mr M McCarthy
Ms K Johnson
Mr L Hitchcock

Mr J Rae
Mr P Prendergast (*until 7:11pm*)
Mr L Wilson (*until 9:05pm*)

Mr M Murphy (*until 9:05pm*)
Mr M Hawes (*until 9:05pm*)
Mr S Wachter (*until 8:19pm*)
Ms J Arbel (*from 6:33pm until 7:58pm*)
Mr J Clark
Ms C Newman
Ms J Head

Chief Executive Officer
Director Community Development
Director Urban Planning
Director Technical Services
A/Director Corporate Services
Executive Manager Governance and Legal Services
Strategic Land and Property Executive
Manager Statutory Planning
Risk Management and Strategic Procurement Coordinator
Manager City Buildings
Senior Procurement Officer
Manager Resource Recovery and Waste
Strategic Communications Advisor
Governance and Compliance Advisor
Governance Coordinator
Governance Officer

At the commencement of the meeting there were approximately 15 members of the public and one representative from the Press in the Public Gallery.

At 6:33pm Ms J Arbel entered the meeting.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

Cr M Woodall – for late arrival.

4.2 APPROVED LEAVE OF ABSENCE

Cr N Robins – Bateman-Kardinya-Murdoch Ward

5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS

5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTED BEFORE THE MEETING.

Nil.

5.2 DECLARATIONS BY MEMBERS WHO HAVE RECEIVED AND NOT READ THE ELECTED MEMBERS BULLETIN.

Nil.

At 6:34pm Cr M Woodall entered the meeting.

6. QUESTION TIME

6.1 Questions Received Prior to the Meeting

6.1.1 Mr E Nielsen, Booragoon

Question 1

RE: T18/3800 – RFT181916 Tompkins park redevelopment – design, supply and install synthetic lawn bowl greens.

T18/3801 – RFT181917 Tompkins park redevelopment – design, supply and install shade structure incorporating flood lighting for the lawn bowl green

After much debate (for most of last year) over how the \$9.42m for this redevelopment had been established, at last year's OMC 12 Dec 2017 the City finally conceded to me that the \$9.42m they original said derived from a Quantity Surveyors Report was "incorrect," and proceeded to say...

"As Mr Nielsen points out, the PER (Preliminary Estimate Report) is not a final Quantity Survey Report as architect specification and design and structural design drawings etc. all need to be completed before final QS and construction costs are known. Officers are currently working on these processes."

6. *Public Question Time continued, Mr E Nielsen, Booragoon*

... as I have seen no evidence of any architectural or structural designs coming forth on the main building (needed to accommodate two bowling clubs) why is there such an urgency in dealing with 'peripheral works' when there is no evidence of Urbnsurf (Perth) Pty Ltd having obtained the necessary approvals and which may never eventuate?

The City (at a squeeze) can perhaps accommodate the Mt Pleasant Bowling Club by adding the extra rooms in the current service yard (171m²) that are shown on the earlier architectural sketches but not the Melville Bowling Club as well, so is this 'push' a sign that the City is now planning to cancel the lease on the Melville Bowling Club and evict them sooner rather than later without them having anywhere else to go? If so, why?

Response

The delivery of the Tompkins Park redevelopment is not subject to Urbnsurf (Perth) having obtained approvals.

The building accommodation in the redeveloped Tompkins Park facility for the Mount Pleasant Bowling Club is consistent with extensive engagement over a course of ~18 months with the previous Tompkins Park Relocation Group (TPRG) which was made up of representatives from both Melville and Mount Pleasant Bowling Clubs. The Melville Bowls Club recently notified the City that they no longer wished to merge with Mt Pleasant Bowls Club and relocate to the new facilities at Tompkins Park. This decision by the Melville Bowling Club was noted by the City and the Club was informed that, inline with previous correspondence, their lease will be terminated at the appropriate time.

6.1.2 Mr L Delahaunty, Leeming

Question 1

The administration report submitted to tonight's Special Meeting has overlooked important detail in the background section where it does not advise the Council the details of its last official resolution carried on the 15th July 2014 p14/3519 entitled "Master Planning Outcomes".

The resolution makes specific mention of a 208 signature petition received by the Council in September 2013. This petition signed by residents and ratepayers of Leeming lodged objection to the establishment of housing on the existing golf course land and requested the proposed master plan be confined to the John Connell reserve only and be developed for recreation purposes.

This petition has never been properly addressed by the Council in accordance with the provisions laid down in the Local Government Act 1995.

The public consultation engagement process conducted on this project in 2014 by the Council was overwhelmingly against the establishment of housing on the golf course which has not been reported in tonight's item.

When will the Council address the matter raised in the 2013 petition in accordance with requirements of the Local Government Act 1995 and advise the petitioners of their response?

6. *Public Question Time continued, Mr L Delahaunty, Leeming*

Response

The Council has previously noted and dealt with the Petition lodged in September 2013. Should Council resolve for the City to enter into a Memorandum of Understanding (MOU) with LandCorp at tonight's meeting the next phase is to re-engage in extensive community consultation with the community and residents and the City will then be in a position to receive feedback from the whole community which will be made public.[Jeff looking at this]

Question 2

Why is the Council continually motivated to develop public open space in the city for commercial or other exclusive uses, prohibiting public access to such land, when its own strategic reports predict a shortage of suitable land for recreation pursuits?

Response

The State Government owns the Crown Reserve and the area subject to the potential project.

The City's objectives are outcome based which means the project would deliver responsible remediation of the site, enhanced public open space and recreational amenity and wider general benefits for the City and surrounding community. The proposal would minimise financial costs to ratepayers for the ongoing management of the site and mitigate risk for the City and its residents.

Question 3

From details included in tonight's report the following information is deduced:-

- *Golf Club land – Reserve 28600 – 677,630 m²*
- *John Connell - Reserve 24826 – 454,645 m²*
- *Total Public Open Space -1,132,275 m²*
- *All are "C" class reserves for recreation purposes*

After a new golf course lease restricted to members only, and a private housing development rezoned, the balance available for public recreation is less than 7% = 79,259.25 m².

Does the Council feel that such a transaction fulfils its obligation to its ratepayers and residents to provide recreation needs for this area? Why does the Council perceive a need for it to become a developer completely divorced from the role prescribed for it under the Act?

Response

A significant part of the area is currently not accessible to the public (golf course and southern portion of John Connell Reserve). Future planning for the area is likely to propose significant areas of more accessible and usable public open space (POS) for the community and residents.

A concept for the redevelopment project has not been determined at this point in time by either the City or LandCorp. A final redevelopment concept if adopted would be designed with the input from the community engagement process to be undertaken as the next phase of the project if it progresses with LandCorp. Further, the City would not be the developer of the project. If approved, the project would be developed and delivered by LandCorp on behalf of the State Government as it is a Crown Reserve and LandCorp is the State Government land development agency.

Question 4

The original agreement the City established with the state government under the Health Act in 1972 to use John Connell reserve as a landfill site was on the grounds the land must be made good by the City at its cost to the satisfaction of the state when landfill operations ceased.

The Council of the day set up a reserve fund to meet the remediation costs which as late as 2012 showed a fair balance of funds had accumulated. this has since disappeared due to the Council allocating funds to other projects.

Why should Crown Land in the form of a "C" reserve set aside for future recreation purposes now be rezoned and developed to raise funds for a substantial cost the Council has always known since the original agreement with the state – "be sacrificed by the BullCreek/Leeming ward for a landfill site cost which serviced the whole of the City of Melville"?

Response

The project will explore options to remediate the site, enhance public facilities in the precinct and provide a range of general benefits to the surrounding community in a manner which minimises financial cost to all ratepayers. Much of the reserve is not accessible (golf course and undeveloped landfill). Concepts are likely to include substantial amounts of usable open space

Any rezoning of a portion of the site would require a statutory scheme amendment to the Metropolitan Regional Scheme (MRS) with the decision residing with WA Planning Commission (WAPC) and the Minister for Planning. The State Government and WAPC rezone crown reserves from time to time.

Total Cash Backed Reserve funds have continued to be accumulated rising from \$3.87 million in 1995 to \$15.44 million in 2018. These funds are available to be applied to establishing new Refuse collection and disposal systems, purchasing and replacing the City's approximately 120,000 refuse bins and fund the costs of monitoring and remediating any of the City's previous landfill sites located on the foreshore, John Creany Reserve in Bull Creek and John Connell in Leeming.

As highlighted in the officer's report the costs of remediation are very high and therefore the City is researching and considering alternative ways to assist to fund those costs.

7. DEPUTATIONS

Nil.

8. DECLARATIONS OF INTEREST**8.1 FINANCIAL INTERESTS**

Cr Robartson – Confidential Item P18/3794 – Submissions Report – Ground Lease Redevelopment Proposal 391 Canning Hwy and 36-38A Waddell Road, Palmyra

8.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Mayor Aubrey – Item T18/3800 – RFT181916 Tompkins Park Redevelopment – Design, Supply And Install Synthetic Lawn Bowl Greens - Interest Under the Code and Item T18/3801 – RFT181917 Tompkins Park Redevelopment – Design, Supply And Install Shade Structure Incorporating Flood Lighting For The Lawn Bowl Green – Interest Under the Code.

9. APPLICATIONS FOR NEW LEAVES OF ABSENCE

Nil.

10. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**CONFIDENTIAL ITEM P18/3794 – SUBMISSIONS REPORT - GROUND LEASE REDEVELOPMENT PROPOSAL 391 CANNING HWY AND 36-38A WADDELL RD PALMYRA (REC) (CONFIDENTIAL ATTACHMENT)**

The matter is confidential in accordance with Section 5.23(2) (c) and (e) of the *Local Government Act 1995* which states as follows:

“If a meeting is being held by 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:-

- (c) A contract entered into, or which maybe entered into, by the local government and which relates to a matter to be discussed at the meeting;*
- (e) A matter that if disclosed, would reveal information that has a commercial value to a person.*

11. AWARDS AND PRESENTATIONS

The South Metropolitan Regional Council and the City of Melville have received the Avoid Recover Protect – Waste Management Award at this year’s Infinity Awards, for the first Perth Metropolitan 3-bin Food Organics Garden Organics trial. The Infinity Awards acknowledge and celebrate the outstanding achievements of Western Australians working towards a better waste future through improved waste practices and innovative waste solutions.

The Mayor presented the Award to the Director Technical Services and the Manager Resource Recovery and Waste.

12. REPORTS OF THE CHIEF EXECUTIVE OFFICER

At 6:51pm for the convenience of the public gallery, the Mayor brought forward Item P18/3797 – Subdivision Referral – 10 Archibald Street, Willagee (Former Carawatha Primary School Site).

P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)

Ward : Palmyra – Melville - Willagee
 Category : Operational
 Application Number : DA-2018-1289
 Property : Lot 300 (10) Archibald St, Willagee
 Proposal : Subdivision Referral
 Applicant : Element Advisory Pty Ltd
 Owner : City of Melville
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : N/A
 Responsible Officer : Peter Prendergast
 Manager Statutory Planning

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input checked="" type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

A recommendation from the City is required to be provided to the Western Australian Planning Commission (WAPC) in respect of the proposed subdivision of Lot 300 (No10) Archibald Street, Willagee.

- Delegation DA-020 “*Planning and Related Matters*” requires that subdivision proposals of more than 10 lots are referred to Council for consideration prior to any recommendation being provided to the WAPC. In this case, a total of 43 lots are proposed to be created.
- The proposed subdivision is consistent with the requirements of Development Control Policy 2.2 – *Residential Subdivision*, State Planning Policy 3.1 - *Residential Design Codes* and all other applicable planning framework documents.
- The details of the proposed subdivision were referred to the City’s Design Review Panel (DRP) on two occasions.
- The application was advertised to the adjoining landowners and a sign was placed on site for a 14 day period in accordance with Local Planning Policy 1.1 – *Planning Process and Decision Making*.
- One submission was received as a result of the consultation process.
- Notwithstanding the objections received, the proposal is considered to satisfy the relevant provisions of applicable state planning policies, Local Planning Scheme No.6 (LPS6), The R-Codes and applicable Local Planning and Council Policies.
- It is recommended that the Council recommends approval to the WAPC subject to conditions.



P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)**BACKGROUND****Scheme Provisions**

MRS Zoning	:	Urban
LPS Zoning	:	Residential, Public Open Space
R-Code	:	R60
Use Type	:	Residential
Use Class	:	Permitted

Site Details

Lot Area	:	38,731sqm
Street Tree(s)	:	Yes
Street Furniture (drainage pits etc.)	:	Yes
Site Details	:	Refer photo above

[3797 Subdivision Referral 10 Archibald Street Willagee \(Former Carawatha Primary School Site\)](#)**Planning Background****Site Acquisition**

In June 2006 the City acquired the former Carawatha Primary School site, from the Department of Education for the purpose of facilitating its urban development including the provision of an area of Public Open Space in the form of a new park.

Approximately 1.3 hectares of the acquired site was developed as public open space, whilst the remaining 2.6 hectares was set aside for future development.

Willagee Structure Plan

The site is located within the Willagee Structure Plan Area and is identified as being a landmark site for urban renewal. The preparation and adoption of the Willagee Structure Plan included a number of major consultation events, notably the following;

- Strategic Community Planning in 2011, comprising extensive consultation with focus groups from each neighbourhood
- Willagee Structure Plan Community Visioning Session February 2013 (public meeting held in Willagee Library attended by more than 100 people)
- Public advertising of the Draft Willagee Structure Plan June-August 2013. All landowners in Willagee were sent a hardcopy letter informing them of the structure plan inviting them to comment
- Public advertising of the Willagee Structure Plan Scheme Amendment 11 November 2014 to 23 December 2014

As a result of consultation, a total of 51 written submissions were received during the Willagee Structure Plan advertising period in mid-2013. In summary, there was a high level of overall community support for the vision for the future of the suburb and the structure plan.

P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)Strategic Property Approach

At its meetings held on 20 August 2013 (Resolution C13/3405 refers) and 10 December 2013 (Resolution C13/5339 refers), the Council endorsed an approach to explore opportunities for the potential redevelopment of the City's strategic properties via either seeking Requests for Proposal (RFP) or Expression of Interest (EOI). As part of the City's strategic property portfolio, the remaining land parcel of the former Carawatha Primary School site was the subject of an RFP process in April 2015. This process was designed to secure the development of the site in accordance with the endorsed approach whilst also meeting the objectives outlined in the Willagee Structure Plan, which as stated had been developed following extensive community consultation and feedback.

The RFP process ultimately led to the selection of the Satterley Property Group (SPG) to partner with the City in the redevelopment of the site.

Phase 2 of the RFP process saw SPG and the City finalise elements of the development concept, determine a proposed development structure, project feasibility and cash flow, obtain an independent land valuation, negotiation of the project participation fee that SPG would pay the City and the completion of the project Business Case.

At the Ordinary Meeting of Council held on Tuesday 21 February 2017, it was resolved:

That the Council

- 1. Notes the Business Case which details the proposed Carawatha Residential development Project in Willagee;*
- 2. Accepts the land valuation report prepared by Colliers International dated 29 June 2016 and confirms that the valuation is a true indication of the current land value;*
- 3. Approves the Proposal for advertising the Business Case and the project Participation Fee as per the requirements of section 3.59 of the Local Government Act 1995; and*
- 4. Directs the Chief Executive Officer to report the Council at the conclusion of the advertising period.*

The Public Notice of a Major Transaction was prepared in accordance with Section 3.59(4) of the *Local Government Act 1995*. The Public Notice period seeking submissions commenced on Friday, 24 February 2017 and closed on Friday, 21 April 2017. A total of two submissions were received. One submission in the form of public comment/ question requesting tree retention but not opposing the development and the other on the grounds that the submitter believed the site should be public open space.

At the Ordinary Meeting of the Council on Tuesday 16 May 2017, it was resolved as follows:

- 1. By absolute majority decision authorises the City's Chief Executive Officer to proceed with the drafting and execution of the development and project management agreements with Satterley Property Group;*
- 2. Requests the Chief Executive Officer to present the development and project management agreements to an Elected Member Information Session prior to executing the agreements; and*

P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)

3. *Requests the Chief Executive Officer to, by way of a Notice on the City's website, advise the public and in writing to all parties who submitted, that the proposal between the City and Satterley property Group has been approved by the Council.*

In summary:

- In 2006 – The City of Melville acquired the former Carawatha Primary School site.
- In 2011 – Consultation was undertaken with regard to the Willagee Structure Plan Area and the redevelopment of the subject site.
- In 2013 – Council adopted the *Willagee Structure Plan*.
- In 2015 – An RFP process began to develop the 2.6ha residential portion of the site.
- In 2015 – Carawatha Public Open Space was provided including equipped play area and significant park was completed
- In 2018 – Following an extensive procurement process the City entered into a joint development partnership with SPG.

DETAIL

The City has received for its comment and recommendation (including appropriate LG conditions of subdivision approval), a subdivision application in respect of the proposed residential subdivision of Lot 300 (10) Archibald Street, Willagee. This application is referred to the Council in accordance with Council Delegation DA-020 *Planning and Related Matters*, as there is no delegation to the CEO to prepare a recommendation to the WAPC where more than 10 lots are proposed to be created.

The site is zoned 'urban' under the Metropolitan Region Scheme (MRS) and Residential (comprising Public Open Space and R60 Residential) under the City of Melville Local Planning Scheme No.6 (LPS6). As stated, the site is located within the Willagee Structure Plan area, and formerly housed the Carawatha Primary School. It is bound by Archibald Street to the south, Stacey Street to the west, private land to the north and North Lake Rd to the east. Part of the site has already been developed to create Carawatha Park, which delivers on the objective of the Willagee Structure Plan to provide additional open space within the suburb. It is noted in that respect that the open space provided constitutes 30% of the total land parcel, a more significant amount than the standard 10% requirement for open space in new residential developments which would have applied had the whole site been developed for residential purposes.

The site benefits from good access to the regional road network, and is in close proximity to local activity centres and commercial areas.

The subdivision proposes the following:

- 39 freehold lots ranging in size from 168sqm to 322sqm; these lots are intended for single dwellings. These lots are to have a dual aspect being located with frontages to both the park and road network, and will be developed in the form of detached and terraced dwellings.

P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)

- Three larger freehold lots intended for apartment style development. To be located along the North Lake Rd and Archibald Street Boundaries.
- One freehold lot, with the use of the lot to be determined by the City.
- The existing Carawatha Park which is to be dedicated as a public reserve through the subdivision, as well as six pocket parks (Green fingers) throughout the subdivision, a form of open space bringing visual and pedestrian connectivity to the park deep into the Carawatha site.
- A road network servicing the subject site.

The City's Local Planning Policy 1.1 (LPP1.1) sets out the process and role of the City in dealing with applications for survey strata and green title subdivision. The policy states:

2.5 Survey Strata and Green Title Subdivision

- 2.5.1 *Applications for survey strata and green title subdivisions are lodged with the WAPC who then consult the City and any other relevant government agencies and service authorities.*
- 2.5.2 *The City's role is to make a recommendation to the WAPC taking into account all those matters outlined in Part 1.6.2 above (where applicable).*
- 2.5.3 *Where a proposed subdivision is to result in the creation of ten or more green title or survey strata lots (not including lots designated solely for access), the City will advertise the application to the potentially affected adjoining property owners and occupiers using the principles set out in Part 1.7.7 above. The application will also be referred to the City's Architectural and Urban Design Advisory Panel for consideration in line with Local Planning Policy – 1.2.*
- 2.5.4 *Applications for the creation of less than ten green title or survey strata lots and all applications for built strata subdivision will not be advertised for public comment.*
- 2.5.5 *Where any submissions are received, they will be forwarded to the WAPC along with the City's comments and recommendations.*
- 2.5.6 *The City is required to respond to the WAPC within 42 calendar days of the date of the referral.*

P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)

STAKEHOLDER ENGAGEMENT

Advertising Required: Yes
 Neighbour's Comment Supplied: Yes
 Reason: Required pursuant to LPP1.1 – *Planning Process and Decision Making*
 Support/Object: One objection received

Submission Number	Summary of Submission	Support/ Objection	Officer's Comment	Action (Condition/ Uphold/ Not Uphold)
1.	Concern is expressed that the City is acting as property developer given its role with the joint venture project with SPG which conflicts with the City's role in considering the application for subdivision.	Objection	Given the City's role in the subdivision process is to make a recommendation only to the WAPC, it is considered that there is no such conflict of interest. The requirements of applicable legislation, State Planning Policies, Local Planning Scheme No.6, The R Codes, Local Planning Policies and Council Policies have been followed.	Not uphold

II. OTHER AGENCIES / CONSULTANTS

City of Melville Design Review Panel

The City's Design Review Panel (DRP) considered the proposal on two occasions. On the first occasion the DRP expressed concern with regard to the following matters;

- The response of the subdivision design with relation to the context of the site.
- The removal of significant landscaping in the proposed lot layout. The configuration of the residential lots and public open space lots do not capitalise on the existing vegetation. This is contrary to the stated objective of integrating landscape and architecture.
- The lack of foot path provided on the mews street raises concern
- The configuration of the lots will result in an increased number of future southern orientated dwellings.

In view of the concerns expressed, additional information was prepared and provided to the DRP. This provided context for the development, the rationale for the retention of trees across the whole site, detailed information regarding wayfinding through the site, and justification regarding lot layout relative to solar orientation.

P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)

At the second meeting of the DRP held on 7 December 2018, it was concluded in respect of the subdivision design and layout, that the development would represent a worthy planning outcome. The retention of numerous mature trees on the Carawatha Park site was commended, as was the general approach to the layout with roads and laneways, the ability to rear load lots which allows for pedestrian focussed street environments and the creation of green fingers of landscaping into and across the site. These fingers of landscaping connect the site to the adjacent open space at Carawatha Park.

The DRP noted the importance of detailed Design Guidance for the actual development of the site. Further commentary in respect of these Design Guidelines is provided elsewhere in this report.

STATUTORY AND LEGAL IMPLICATIONS

Under WA planning legislation the City is obliged to provide comment to the WAPC on the subdivision application. The WAPC is the determining authority for applications for subdivision in Western Australia.

FINANCIAL IMPLICATIONS

There are not considered to be financial implications for the City in relation to this proposal that should be the subject of comment in this report.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are not considered to be strategic, risk or environmental management implications associated with this application other than those addressed in this report.

POLICY IMPLICATIONS

There are not considered to be policy implications associated with this application other than those addressed in this report.

COMMENT

The subdivision of the land in the manner proposed has been assessed against relevant policy and is deemed acceptable in principle in that context. The specific character of the site in this case does however demand a bespoke approach in terms of the subdivision design, with one which aims to retain trees as far as practicable within design parameters, establish appropriate site levels, and provide for a movement network that works internally, and connects the site with its external surrounds.

P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)*Site Works*

The subject site slopes significantly from the North West corner to the South East edge. In response to this slope, the subdivision proposes the terracing of lots throughout the site to accommodate the level of slope whilst creating a functional lot design.

The specific details around levels will be provided prior to the finalisation of the subdivision, at the clearance of conditions stage. This is the standard approach when dealing with subdivision proposals such as this.

It is considered that based on the information provided to date, the site levels, and the terracing of the lots that will result, will deliver an acceptable internal relationship between the individual lots created. Similarly, the relationship of the subdivided site will respond well to its external neighbours, seamlessly interacting with Carawatha Park to the west, and Archibald Street and North Lake Road to the south and east respectively.

Tree Retention

The application site as a whole contains numerous healthy mature trees. These are located across the whole site, appear in groups, and serve to border the site particularly where it interfaces with North Lake Road and Archibald Street. In total there were 212 trees across the whole site, of which 115 will be retained.

The use of 1.3ha of the whole land parcel for the creation of Carawatha Park and the provision of open space in general was part and parcel of a master planned approach to the development of the site. The laying out of Carawatha Park had the specific purpose of retaining what was assessed as the best and highest conservation value vegetation on the site. This planned approach to tree retention was designed to allow for the more comprehensive urban development of the remaining 2.6ha parcel, recognising that opportunities for tree retention would remain within that parcel of land, notwithstanding its residential development.

Taking into account these factors 115 trees will be retained, with a number of them are located within the 2.6ha parcel, particularly along the southern and eastern boundaries. In addition a significant group of trees located midway along its eastern length are proposed for retention. This will ultimately become a pocket park for residents of the new development.

It is recognised that the proposed subdivision design will result in the loss of some significant trees across the middle of the site, including a group of trees noted for their high value, but it is considered that the loss of these and other mature trees is substantiated by the significant number of trees that are retained on the Carawatha Park site. These, together with the mature trees that are proposed to be retained around the periphery of the site, the re-planting of some mature trees from within the site, the repurposing of trees in the proposed landscape design, and the planting of almost 200 new trees, combine to offset any loss in tree canopy across the whole site.

P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)*Movement Network*

The subdivision layout will result in the creation of legible streets suitable for pedestrian, cyclist, and vehicular movements, including easy access to public transport.

The proposed internal road network has been designed in accordance with the relevant Australian Standards, and is approved in principle by officers of the City's Technical Services Directorate.

A four way roundabout is proposed at the proposed vehicular access point to the site from Archibald Street. This will ensure that the long term development of the site for residential purposes can occur without detriment to the free flow of traffic and without compromise to road safety.

Design Guidelines

It is noted that the long term development of the site will be governed by a set of detailed Design Guidelines. The requirement to develop these Design Guidelines will be a conditional requirement of the subdivision approval, and once adopted as Local Planning policy, will inform the actual development of the site in relation to all matters including access, building heights and setbacks, building materiality, solar orientation, landscaping and so on. The application of the Design Guidelines will ensure that the high quality development outcome desired by the City is delivered without compromise.

It is likely that the Design Guidelines will be presented to a future meeting of the Council in early 2019, and the process to adopt them as local Planning Policy can be initiated.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Should the application be recommended for refusal to the WAPC by Council, there is still the opportunity for the application to be approved by the WAPC.

CONCLUSION

The subdivision is recommended for approval to the Western Australian Planning Commission as it is considered to be acceptable when judged against the planning framework. Approval is recommended subject to a number of conditions.

P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3797) APPROVAL**

At 6:51pm Cr Phelan moved, seconded Cr Wheatland –

That the subdivision referral from the Western Australian Planning Commission in respect of 10 Archibald Street Willagee (Former Carawatha Primary School Site) be recommended by the Council for subdivision approval subject to the following conditions:

SUBDIVISION CONDITIONS**Drainage and Site Works**

- 1. Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of subdivision, for grading and/or stabilisation of the site to ensure that:
 - a) Lots can accommodate their intended use; and**
 - b) Finished ground levels at the boundaries of the lots the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting.****
- 2. The land being filled, stabilised, drained and/or graded as required to ensure that:
 - a. lots can accommodate their intended development; and**
 - b. finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and**
 - c. stormwater is contained on-site, or appropriately treated and connected to the local drainage system.****
- 3. a) Prior to the commencement of sub divisional works, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and**
b) In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all sub divisional works have been carried out in accordance with the pre-works geotechnical report.
- 4. Arrangements being made to the satisfaction of the Western Australian Planning Commission for the filling and/or, capping of any bores and/or wells, or the identification of any bore and/or well to be retained on the land.**

P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)

5. All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974*, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all septic tanks soak wells, leach drains and any associated pipework have been removed.
6. Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the *Planning and Development Act 2005*.
7. Suitable arrangements being made for connection of the land to the comprehensive district drainage system at the landowner/applicant's cost.
8. Redundant vehicle crossover(s) to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction of the Western Australian Planning Commission and to the specifications of the local government.
9. Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:
 - a. Street lighting is installed on all new subdivisional roads to the standards of the relevant licensed service provider and
 - b. Roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly and/or
 - c. Temporary turning areas are provided to those subdivisional roads that are subject to future extension to the satisfaction of the Western Australian Planning Commission.

Lot Design

10. Site specific design guidelines being prepared and approved in the form of a Local Planning Policy
11. The landowner/applicant shall make arrangements to ensure that prospective purchasers of lots subject to the associated Local Planning Policy are advised in writing that Local Planning Policy provisions apply.

P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)

Noise

12. A notification, pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

“The lot(s) is/are (delete as applicable) situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise.”

Transport, Roads and Access

13. Engineering drawings and specifications are to be submitted, approved, and sub divisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and the landowner/applicants cost.

As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC

Advice Notes

1. Measures being taken to ensure the identification and protection of any vegetation on the verge worthy of retention that is not impacted by sub divisional works, prior to the commencement of subdivision works.

At 7:11pm the Mayor submitted the motion, which was declared

CARRIED (11/1)

Vote Result Summary	
Yes	11
No	1

Vote Result Detailed	
Cr Barling	Yes
Cr Barton	Yes
Cr Kepert	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Wheatland	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Mayor	Yes
Cr Mair	No

*At 7:03pm Mr Wachter left the meeting and returned at 7:08pm.
At 7:11pm Mr Prendergast left the meeting and did not return.*

At 7:12pm Mr Rae presented to the meeting on Item P18/3795 – John Connell Reserve Redevelopment Project Partnering Opportunity with Landcorp – Memorandum of Understanding, with the presentation concluding at 8:05pm. [Presentation LandCorp MOU](#)

*At 7:28 Mr Wachter left the meeting and returned at 7:37pm
At 7:51pm Cr Woodall left the meeting and returned at 7:54pm
At 7:55pm Mr Wachter left the meeting and returned at 8:03pm
At 7:58pm Cr Pazolli left the meeting and returned at 8:04pm
At 7:58pm Ms Arbel left the meeting and did not return.*

P18/3795 – JOHN CONNELL RESERVE REDEVELOPMENT PROJECT PARTNERING OPPORTUNITY WITH LANDCORP – MEMORANDUM OF UNDERSTANDING (REC) (CONFIDENTIAL ATTACHMENT)

Ward	:	Bull Creek – Leeming
Category	:	Strategic
Application Number	:	Not Applicable
Property	:	Reserve 28600 Beasley Road, Leeming and Reserve 24826 Dimond Court, Leeming
Proposal	:	Consideration of partnering with LandCorp for the John Connell Reserve and Melville Glades Golf Course Redevelopment Project
Applicant	:	City of Melville
Owner	:	State Government of Western Australia, properties vested in the City of Melville for the care, control and management.
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	P11/3185 : Melville Glades Golf Club (Inc.) – Memorandum of Understanding Ordinary Council Meeting February 2011 P13/3884 ; Master Planning Outcomes – Melville Glades Golf Course and John Connell Reserve Ordinary Council Meeting April 2013 P14/3519 – Master Planning Outcomes – Consideration of Community Engagement Process – Melville Glade Golf Course and John Connell Reserve Ordinary Council Meeting 15 July 2014
Responsible Officer	:	Jeremy Rae Strategic Property Executive

**P18/3795 - JOHN CONNELL RESERVE REDEVELOPMENT PROJECT PARTNERING OPPORTUNITY WITH LANDCORP – MEMORANDUM OF UNDERSTANDING (REC)
(CONFIDENTIAL ATTACHMENT)**

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

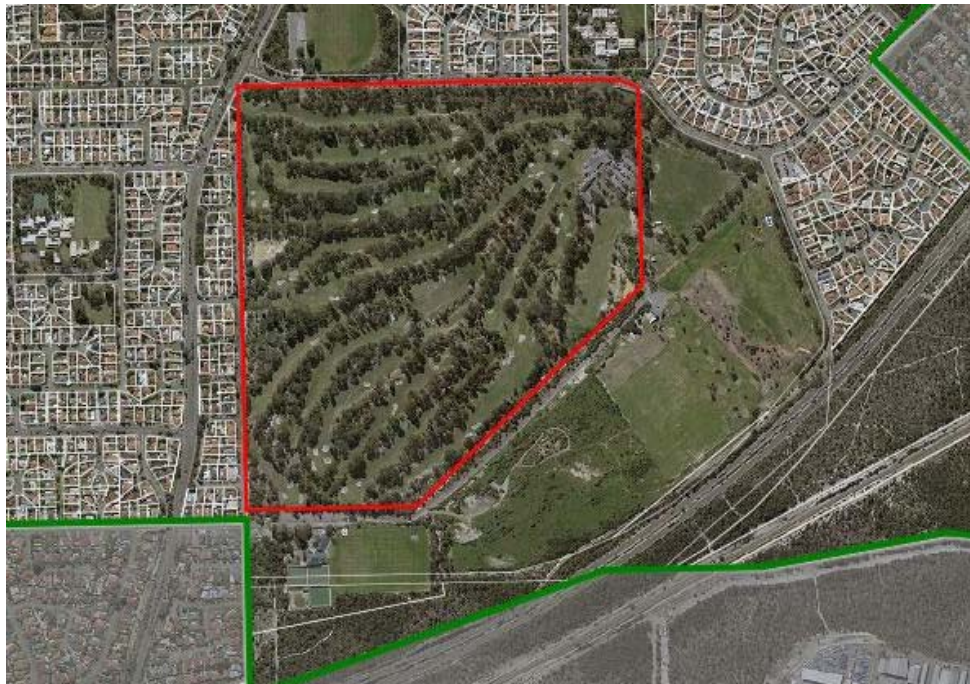
KEY ISSUES / SUMMARY

<ul style="list-style-type: none"> • The proposed John Connell Reserve Redevelopment Project, (the 'project') represents a long standing aspiration of the City and the Council to enhance the precinct and address the environmental legacy impacts within Reserve 24826 • Due to the scale and complexities of the project, the City has explored prospective project partnership arrangements • At the City's invitation, LandCorp has completed comprehensive due diligence and have indicated support to be involved in the project. • LandCorp presented the results, concepts and options to Elected Members at an Elected Member Information Session (EMIS) in December 2017 • LandCorp have proposed a partnership arrangement under a non-legally binding Memorandum of Understanding (MOU) • This report seeks Council support to enter into a MOU with LandCorp to enable the commencement of further detailed due diligence, concept planning and design, community engagement and feasibility analysis necessary to inform a final decision for the project development phase • Further formal Council approval would be required should it be determined in the future to enter into a legally binding development partnership between LandCorp and the City of Melville.

**P18/3795 - JOHN CONNELL RESERVE REDEVELOPMENT PROJECT PARTNERING
OPPORTUNITY WITH LANDCORP – MEMORANDUM OF UNDERSTANDING (REC)
(CONFIDENTIAL ATTACHMENT)**

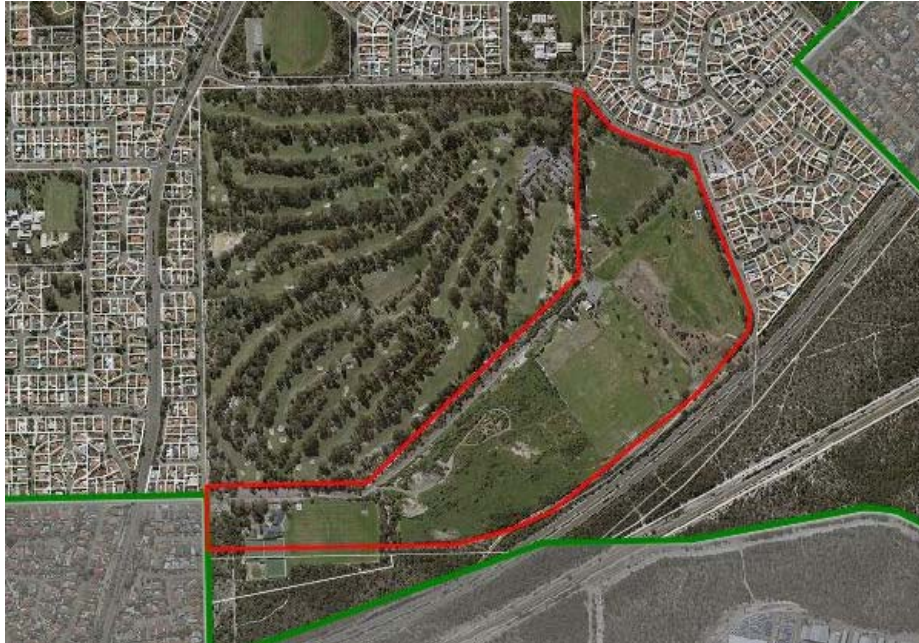


Aerial 1 - General study area – comprising Reserves 28600 and 24826



Aerial 2 – Reserve 28600 – Melville Glades Golf Club

**P18/3795 - JOHN CONNELL RESERVE REDEVELOPMENT PROJECT PARTNERING
OPPORTUNITY WITH LANDCORP – MEMORANDUM OF UNDERSTANDING (REC)
(CONFIDENTIAL ATTACHMENT)**



Aerial 3 – Reserve 24826 – John Connell Reserve

BACKGROUND

As per previous Council resolutions and directives, the City has been exploring ways to enhance the John Connell Reserve / Melville Glades Golf Course (MGGC) precinct. The previous use of John Connell Reserve as a land fill site presents a range of challenges, given that the site is contaminated and requires remediation. The City undertook various studies on the site and explored the possibility of introducing housing into parts of the precinct to fund the cost of remediation of the former land fill site and to provide for significant enhancement of community facilities and amenities.

Due to the scale and complexities of the project, as well as the substantial upfront investment presenting a high financial exposure and risk to the City; suitable partners for the proposed project were considered. LandCorp was invited to consider involvement as a partner in the project due to its extensive experience in dealing with land remediation and its relationships with State Government Agencies to assist in the land assembly of Crown land. LandCorp completed 12 months of due diligence work at its own cost before proposing three potential project redevelopment options for a proposed partnership arrangement under a Memorandum of Understanding (MOU).

Remediation Requirements – John Connell Reserve

Department of Water and Environmental Regulation (DWER), in consultation with WA Department of Health (DoH), classified the former landfill areas of John Connell Reserve as “Contaminated – Remediation required”.

**P18/3795 - JOHN CONNELL RESERVE REDEVELOPMENT PROJECT PARTNERING
OPPORTUNITY WITH LANDCORP – MEMORANDUM OF UNDERSTANDING (REC)
(CONFIDENTIAL ATTACHMENT)**

In response to the classification the City commissioned GHD consultants to prepare a Site Management Plan for John Connell Reserve. The Site Management Plan reviewed contamination characteristics together with the DWER/DoH suggested response and arrived at a recommended approach to remediation. This has been communicated to DWER/DoH with a view to clarifying required actions. Further the DWER/DoH has been requested to consider the required timing of remediation works given that the remediation measures may be able to be incorporated into the proposed redevelopment of the precinct.

Scheme Provisions

MRS Zoning	:	Parks and Recreation
LPS Zoning	:	Parks and Recreation
R-Code	:	Not applicable

Site Details

Lot Area	:	677,630 m ² - Reserve 28600 454,645 m ² - Reserve 24826
Existing Vegetation	:	Significant vegetation on Reserve 28600
Street Tree(s)	:	Not applicable
Street Furniture (drainage pits etc)	:	Not applicable
Site Details	:	Reserve 28600 – Lots 453, 492 & 3371 on Deposited Plan 186242, 51 Beasley Rd, Leeming Reserve 24826 – Lot 753 on Plan 220336, 11 Dimond Court, Leeming

DETAIL

The City's officers met with senior officers of the Department of Planning Lands and Heritage (DPLH) in 2016 to discuss broadly the principle of the City involving a partner to deliver the project. DPLH advised that it was considered unlikely that the Minister for Lands and State Government would agree to permit the land assembly to proceed on the basis of the City partnering with a private partner. Instead LandCorp was discussed as a potential partner. LandCorp is a Government Trading Enterprise (GTE) which resorts under the jurisdiction of the Minister for Lands and is the State's land development arm. LandCorp has extensive experience in delivering complex land development projects associated with contamination constraints and remediation requirements in which it employs a triple bottom line approach to land development, a point of potential alignment with the City.

City officers met with representatives from LandCorp in July 2016 to discuss potential land projects. Development options for John Connell Reserve/MGGC formed part of this discussion. A project partner such as LandCorp would assist in mitigating project financial risk and offer efficiencies in terms of achieving required approvals with respect to transfer of land tenure. As a result of that meeting, a letter was sent to LandCorp seeking an indication of LandCorp's interest in participating in a land project such as the John Connell Reserve Redevelopment.

**P18/3795 - JOHN CONNELL RESERVE REDEVELOPMENT PROJECT PARTNERING
OPPORTUNITY WITH LANDCORP – MEMORANDUM OF UNDERSTANDING (REC)
(CONFIDENTIAL ATTACHMENT)**

Following briefings provided by LandCorp regarding its proposal for the John Connell Reserve Redevelopment Project, LandCorp wrote to the City outlining potential options for the City and LandCorp to progress the Project, if approved by the Council of the City of Melville and the LandCorp Board.

LandCorp Proposed Potential Partnership OptionsOption A

- The City would lead the consultation process with the public and tenants with LandCorp assisting where needed;
- The City would acquire the site from the Department of Planning, Lands and Heritage under a method of valuation acceptable to LandCorp referenced to the project feasibility and budget;
- The City would hold the land;
- LandCorp would reimburse the City at acquisition value (plus costs) and an agreed rate of return at the end of the project;
- LandCorp would undertake development and disposal of created lots; and
- The potential benefits to the City of Melville from development outcomes, would include:
 1. permanent remediation solution for John Connell Reserve;
 2. upgraded golf course facilities;
 3. increased rate base; and
 4. enhanced public open space through introduction of hard and soft landscaping (new play spaces).

Option B

- The City would lead the consultation process with the public and tenants with LandCorp assisting where needed;
- The City would acquire the site from the Department of Planning, Lands and Heritage under a method of valuation acceptable to LandCorp referenced to the project feasibility and budget;
- LandCorp would fund the acquisition on behalf of the City of Melville;
- The City would hold the land in its name;
- LandCorp would undertake development and disposal of created lots; and
- The City would receive a 'super profit' (a profit over and above an agreed Internal Rate of Return (IRR) for the project) and benefits of development outcomes (as outlined in 'Option A').

Option C

- The City would lead the consultation process with the public and tenants with LandCorp assisting where needed;
- LandCorp would acquire the site from the Department of Planning, Lands and Heritage at its current market value; and
- LandCorp would undertake development and disposal of created lots
- The City would benefit from development outcomes (as outlined in 'Option A').

**P18/3795 - JOHN CONNELL RESERVE REDEVELOPMENT PROJECT PARTNERING
OPPORTUNITY WITH LANDCORP – MEMORANDUM OF UNDERSTANDING (REC)
(CONFIDENTIAL ATTACHMENT)**

The potential partnering options proposed by LandCorp provide examples of how a partnering arrangement could possibly be structured. At this stage the City is not required to specify its preferred option prior to entering into the MOU. Partnering options would be clarified following detailed due diligence and stakeholder engagement, prior to entering into any Development Agreement.

Proposed Memorandum of Understanding

LandCorp has prepared a draft MOU which establishes the objectives, prospective roles of each party and agreed implementation for the project. The jointly agreed objectives for the project achievable through the MOU include:

- Full engagement of the local community in the visioning, planning and development process;
- Appropriate separation of the City's regulatory role from LandCorp's project delivery responsibilities;
- Desired environmental and social outcomes;
- Positive outcomes for LandCorp that achieve its statutory and operating requirements; and
- Demonstration of market leadership by LandCorp through the planning and delivery of benchmark setting projects.

Attachment 1 – Copy of the Draft Memorandum of Understanding and Attachment 2 – Melville Glades Golf Club / John Connell Reserve Redevelopment Project Risk Assessment Report by NS Projects were distributed to Elected Members on Friday 14 December 2018 under confidential cover.

STAKEHOLDER ENGAGEMENT

Comprehensive community engagement for the project was previously carried out in 2014 based on three concept designs endorsed by Council. The feedback and outcomes from this engagement would be considered in the next detailed community and stakeholder engagement for the next phase of the project. If the project proceeds, a community and stakeholder engagement strategy and implementation plan will be jointly formulated with LandCorp, with the City to lead the community engagement process.

STATUTORY AND LEGAL IMPLICATIONS

At this stage of the project, no statutory or legal implications apply to this project.

Sections 3.58 and 3.59 of the *Local Government Act 1995* will be applicable if Council support the redevelopment with project partner LandCorp; and the project proceeds with a development agreement, including acquisition of portions of Reserve 28600 and 28426 from the State Government.

**P18/3795 - JOHN CONNELL RESERVE REDEVELOPMENT PROJECT PARTNERING
OPPORTUNITY WITH LANDCORP – MEMORANDUM OF UNDERSTANDING (REC)
(CONFIDENTIAL ATTACHMENT)**

FINANCIAL IMPLICATIONS

LandCorp has completed comprehensive preliminary due diligence on the project, and presented to the City's Executive Leadership Team and Elected Members in December 2017. In order to progress to any detailed due diligence, LandCorp has requested that the City enter into a MOU to establish the collaborative benefits and outcomes of the project.

If the City proceeds with this option, it is recommended a cost sharing agreement is also established to detail and cover the detailed due diligence. If required the amount involved would be presented to the Council for adoption as an amendment to the annual budget for 2018-2019.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

NS Projects was appointed by the City in mid-2018 to facilitate a risk assessment of the proposed John Connell Reserve / Melville Glades Golf Course masterplan project prior to entering into a MOU with LandCorp to jointly progress the development in partnership.

The review included a desktop review of the key project background documents and facilitation of risk workshops in July and August 2018.

The project risk assessment was undertaken using the key stages and principles outlined in the ISO 3100:2009 Risk Management standard. A number of key headline risks were identified along with proposed mitigation measures and agreed responsibilities

The risk review has identified the following key actions to be implemented:

1. The City and LandCorp jointly engage with the Department of Planning, Lands and Heritage to seek clarification regarding the application of the Department's draft Lazy Lands Policy to the proposed development;
2. The City and LandCorp continue to progress finalisation and execution of a MOU setting out the objectives and responsibilities of both parties for various aspects of the redevelopment;
3. The City and LandCorp jointly develop a stakeholder engagement strategy to guide consultation with the community and key stakeholders in order to obtain feedback in relation to the project objectives, scope and masterplan; and
4. The City and LandCorp jointly prepare a Project Implementation Plan that clearly defines the agreed vision and objectives, scope, timeframes, budget, governance and general project management processes to be implemented during the project.

POLICY IMPLICATIONS

1. Council Policy CP-005 – Land and Property Retention, Disposal and Acquisition

**P18/3795 - JOHN CONNELL RESERVE REDEVELOPMENT PROJECT PARTNERING OPPORTUNITY WITH LANDCORP – MEMORANDUM OF UNDERSTANDING (REC)
(CONFIDENTIAL ATTACHMENT)**

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The alternative option to proceeding with the John Connell masterplan project to remediate John Connell Reserve is to remediate the Reserve only with all other facilities to remain “as is”.

This option will require further consultation with DWER and subsequently be scoped and costed, with any remediation requirements to be budgeted into the City’s financial plan as approved by Council.

In summary, the response involves regular inspections of the publicly accessible areas (and removal of any detected asbestos material), maintenance of grass cover to public areas, controls on digging/excavation in the former landfill areas and fencing of the undeveloped portion of the former landfill area. It is noted that these responses have been deployed as an interim measure until such time as a decision is made on whether or not to proceed with the redevelopment project. DWER is aware of the City’s redevelopment proposal for the site and the ability of that proposal to provide a long term remediation solution. Should the project not proceed, minimum remediation costs are estimated as follows:

Basic Remediation Option

Fill to POS and Archery 0.5m (Inc. turf and retic to POS)	\$1,950,000
Fill to Supa Golf/driving range 0.5m (inc turf and retic but not greens or buildings)	\$1,300,000
Enhanced Fencing to John Connell (non - developed section)	\$110,000
Total	\$3.36 million * see comment below

It is noted that this cost involves only improved fencing of the undeveloped portion of the former landfill site. Earthworks, fill, turf laying and retic to this area is likely to be required and is estimated to cost an additional \$4.5 million bringing the total minimum estimated cost for basic remediation to \$7.75 million. These costs may escalate based on findings during remediation works and confirmation of final requirements of DWER. Costs of replacement of buildings, greens and all improvements at the Supa Golf Facility and Archery field are not included in the estimates. Initial options analysis used a figure of \$10 million as likely estimated minimum remediation cost taking into account improvements to the former landfill site, Supa Golf and Archery field buildings and contingencies.

CONCLUSION

The John Connell Reserve Redevelopment Project has been exploring options to enhance the wider precinct and address environmental legacy issues due to the sites previous use of the site for landfill. The project has examined the concept of using portion of the uncontaminated land on the current golf course for development, and relocating portion of the golf course to remediated land at John Connell Reserve. Revenue from the development would be used to fund the cost of remediating the former landfill site and to fund a range of community enhancements in the wider precinct.

**P18/3795 - JOHN CONNELL RESERVE REDEVELOPMENT PROJECT PARTNERING
OPPORTUNITY WITH LANDCORP – MEMORANDUM OF UNDERSTANDING (REC)
(CONFIDENTIAL ATTACHMENT)**

Initial financial feasibility investigations have established that the project involves substantial up-front costs (for remediation of the former landfill and relocation of recreational facilities), with a delay of several years before the project generates revenue. Involvement of LandCorp can assist in the management of project costs. LandCorp also have expertise in dealing with contaminated sites and in liaising with State Government agencies to assemble reserved land.

In considering the role of a project partner, such as LandCorp, further review of the project risks has been undertaken. The risk assessment report prepared by NS Projects identified a number of key headline risks and challenges for the project. The risk assessment identifies a series of risk mitigation strategies and it is concluded that the City and LandCorp could achieve a successful partnership to deliver the strategic vision and objectives for the project. The next step to secure a working arrangement with LandCorp is to enter into a Memorandum of Understanding (MOU). The MOU, whilst not a legally binding agreement would provide each party with the confidence to work together to continue to explore project issues and to progress the project on a shared understanding.

In progressing the project, key milestones would be referred to Council for direction and approval. Initial milestones would be the preparation of a stakeholder engagement approach and the seeking of approval to commence community engagement. Later stages requiring decisions by the Council would include review of the results of community engagement, development concept/option selection, business case preparation, land rezoning and land assembly.

OFFICER RECOMMENDATION (3795)**APPROVAL**

At 8:05pm Cr Robartson moved, seconded Cr Macphail –

That with respect to the proposed John Connell Reserve Redevelopment Project the Council:

- 1. Supports the progression of the proposed John Connell Reserve Redevelopment Project by entering into a Memorandum of Understanding with LandCorp.**
- 2. Authorises the Chief Executive Officer and Mayor to execute the Memorandum of Understanding once finalised and deemed to meet the requirements of the City.**
- 3. Directs the Chief Executive Officer to provide progress reports to the Council in conjunction with key project milestones including but not limited to community engagement, development concept selection, business case preparation, land rezoning and land assembly.**

**P18/3795 - JOHN CONNELL RESERVE REDEVELOPMENT PROJECT PARTNERING OPPORTUNITY WITH LANDCORP – MEMORANDUM OF UNDERSTANDING (REC)
(CONFIDENTIAL ATTACHMENT)**

Procedural Motion

COUNCIL RESOLUTION

At 8:12pm Cr Woodall moved, seconded Cr Mair –

That Item P18/3795 – John Connell Reserve Development Project Partnering Opportunity with Landcorp – Memorandum of Understanding be deferred for consideration at the February 2019 Ordinary Meeting of Council to enable officers to finalise the Memorandum of Understanding and to discuss with Landcorp the possibility of making the document public prior to signing.

At 8:14pm the Mayor submitted the motion, which was declared

CARRIED (7/5)

Vote Result Summary	
Yes	7
No	5

Vote Result Detailed	
Cr Barton	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Wheatland	Yes
Cr Woodall	Yes
Cr Barling	No
Cr Macphail	No
Cr Phelan	No
Cr Wieland	No
Mayor	No

At 8:14pm Cr Kepert left the meeting and returned at 8:16pm.

At 8:15pm Cr Phelan left the meeting and returned at 8:17pm.

At 8:15pm Mr Rae left the meeting and returned at 8:26pm.

**P18/3797- SUBDIVISION REFERRAL - 10 ARCHIBALD STREET, WILLAGEE (FORMER
CARAWATHA PRIMARY SCHOOL SITE) (REC) (ATTACHMENT)**

*Item brought forward.
See page 7.*

**T18/3798 – RFT181920 - REFURBISHMENT OF CIVIC CENTRE CLADDING AND
BALCONY FINISHES (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- To recommend the acceptance of the tender submitted by the preferred tenderer as recommended in the report of the Contracts and Tenders Advisory Unit (CTAU), distributed under confidential cover to elected members, for the Refurbishment of Civic Centre Cladding and Balcony Finishes

BACKGROUND

The City of Melville ("City"), is seeking a suitably qualified and experienced Contractor to carry out refurbishment works to the Civic Centre second floor cladding and balcony deck finishes.

DETAIL

Tender Evaluation Process

Qualitative scores were achieved by joint agreement of the panel members at the evaluation meeting after each panel member had scored the submission individually.

Stage 1 was a weighted comparison against the following qualitative criteria – Relevant Experience, Capacity to Deliver and Methodology. Stage 2 was a price assessment on all shortlisted respondents.

The Evaluation Panel reviewed all Respondent offers and prepared an Evaluation Report, identifying a recommended Respondent. The recommended Respondent achieved the highest combined qualitative and quantitative score.

The Evaluation Report was presented to the Contract and Tender Advisory Unit (CTAU) for acceptance and recommendation to the Council to accept the recommended Respondent as the most advantageous to the City.

The CTAU unanimously carried the acceptance of the recommendation by the Evaluation Panel.

The Evaluation Report, CTAU Minutes and associated attachments were distributed to Elected Members on Friday 14 December 2018 under confidential cover.

T18/3798 – RFT181920 - REFURBISHMENT OF CIVIC CENTRE CLADDING AND BALCONY FINISHES (REC) (ATTACHMENT)

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

No external stakeholder engagement was undertaken for this project. Extensive internal stakeholder engagement was carried out including noise testing to understand the potential noise impacts of the works on Civic Centre staff.

II. OTHER AGENCIES / CONSULTANTS

Tender Drawings and specifications were prepared by Atelier JV Façade Engineers.

STATUTORY AND LEGAL IMPLICATIONS

Local Government (Functions and General) Regulations 1996 Section 3.57 11 (1) "A Local Government is required to invite tenders before it enters into a contract for another person to supply goods or services".

Delegated Authority – DA-117 Authority to Sign Documents will be exercised to execute the Contract.

Delegated Authority – DA-028 Contract Variations and Selection of Next Successful Tenderer will be exercised with the award of this tender.

FINANCIAL IMPLICATIONS

Approved Budget Details	2018-2019 budget: \$717,700. Existing Commitments: \$45,098 Construction budget: \$672,602
Account Cost Centres or Capital Works Project Number	BLD02976

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no residual risk implications following the invitation and evaluation process conducted for this item. Actions taken to address identified risks are included in the table attached as Confidential Attachment – Evaluation Report Attachment C.

The provision of these services has no major environmental implications.

POLICY IMPLICATIONS

CP-023 Procurement of Products or Services

**T18/3798 - REFURBISHMENT OF CIVIC CENTRE CLADDING AND BALCONY FINISHES
(REC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

1. To reject the tender and accept the potential risk of panel failure and damage to property and/or persons.
2. To accept one of the other tenders submitted which in the opinion of the CTAU will not represent the best value for money.

CONCLUSION

The CTAU is satisfied that the recommended Respondent demonstrated that they have the relevant experience, capacity to deliver and the works follow a methodology in line with the City's expectations.

An Officer Advice Note associated with this item was circulated that amended the Contract and Tender Advisory Unit Recommendation. [3798 Officer Amendment Cladding](#)

CONTRACT AND TENDER ADVISORY UNIT RECOMMENDATION AND COUNCIL RESOLUTION (3798)

APPROVAL

At 8:18pm Cr Barling moved, seconded Cr Woodall –

The Contract and Tender Advisory Unit recommends that the Council:

- 1. Accepts the recommendation of the Contract and Tender Advisory Unit of the most advantageous tender for the Refurbishment of Civic Centre Cladding and Balcony Finishes and directs the Chief Executive Officer to execute a contract with the selected supplier.**
- 2. Upon resolving Recommendation 1, directs that the successful Respondent's name and tendered Lump Sum price be inserted below this point 2 and included in the Minutes.**

BYTE Construct Pty Ltd for the lump sum of \$656,659.

At 8:18pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

T18/3799 - SUPPLY AND DELIVERY OF WASTE BINS (AMREC) (CONFIDENTIAL ATTACHMENT)

Ward : All
 Category : Operational
 Subject Index : Tenders
 Customer Index : City of Melville
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : T18/3792 Three Bin Food and Garden Organics (FOGO) Collection
 Works Programme : Not Applicable
 Funding : Refuse Bin Reserve
 Responsible Officer : Steven Wachter
 Manager Resource Recovery and Waste

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

T18/3799 - SUPPLY AND DELIVERY OF WASTE BINS (AMREC) (CONFIDENTIAL ATTACHMENT)**KEY ISSUES / SUMMARY**

- Council resolved in October 2018 to implement the roll out of a three bin food organics and green waste organics (FOGO) waste management system.
- It is necessary to seek Council approval to supply the bins, caddies and liners for the new waste management system.
- The Southern Metropolitan Regional Council (SMRC) managed the process on behalf of its participating member Councils given the six month extended lead time to manufacture the 67,000 bins required.
- A subsequent report will be submitted to Council around March 2019 seeking approval to accept a tender for the receipt and processing of FOGO material.
- To recommend the acceptance of a tender as contained in the confidential attachment for the Supply and Delivery of Waste Bins for the Food and Garden Organics (FOGO) collection system.

BACKGROUND

At the Ordinary Meeting of Council held on Tuesday, 16 October 2018 the Council resolved the following:

That the Council:

1. **Endorses the implementation and funding of a three bin Food Organics and Garden Organics service to residential households within the City to commence in the 2019-2020 financial year.**
2. **Provides in principle support for the non bin implementation costs (education, communications, and customer services) associated with the three bin Food Organics and Garden Organics service to be funded from the Refuse Facilities Reserve.**
3. **Provides in principle support for the bin purchase costs (net of income) associated with the three bin Food Organics and Garden Organics service to be funded from the Refuse Bin Reserve.**
4. **Notes the procurement process options under consideration for the implementation of the Food and Garden Organics Service.**
5. **Notes a further report and budget amendment request will be provided to the Council containing recommendations on the:**
 - **results of the procurement process seeking authorisation to enter into a contract for the supply of the required bins**
 - **provision of FOGO receipt and processing services**
 - **continuing education and marketing activity requirements**

The City of Fremantle and Town of East Fremantle Councils have also resolved to support the implementation of a three bin FOGO system.

T18/3799 - SUPPLY AND DELIVERY OF WASTE BINS (AMREC) (CONFIDENTIAL ATTACHMENT)

Following Councils resolution, the SMRC, on behalf of its participating member Councils, issued a Request for Quote (RFQ) via the WALGA Preferred Supplier panel for the supply and rollout of the required bins.

DETAIL

The scope of services included: the supply and delivery of new mobile garbage bins (MGB's); the delivery only of kitchen caddies and liners (and supporting information material); the collection and removal of existing Municipal Solid Waste MGB's.

The MGB requirements for the City of Melville were for the supply and delivery of approximately:

- 33,500 lime lid, 240ltr FOGO MGB's;
- 33,500 red lid, 140ltr Rubbish MGB's;
- 1,000 red lid, 240ltr Rubbish MGB's.

Two submissions were received in response to the Request for Quote through WALGA eQuotes for the Supply and Delivery of Waste Bins.

Evaluation Process

Evaluation Panel Members consisted of:

- Paul Molony - Supervisor Resource Recovery & Waste – City of Melville
- Ross Cullen – Waste Management Team Leader – City of Fremantle
- Stephen Gallaughier – Stephen Gallaughier – Town of East Fremantle
- Stephen Pelham – Procurement Manager – SMRC – non-voting chair

Each panel member individually read and assessed each response to the RFQ. The panel then met to reach a consensus on the preferred RFQ.

The RFQ qualitative scores were achieved by joint agreement of the panel members at the evaluation meeting after each panel member had scored the submission individually. Stage 1 was a weighted comparison against the specified criteria and stage 2 was a weighted comparison against price.

The Evaluation Report and associated confidential attachments were distributed to Elected Members on Friday 14 December 2018 under confidential cover. The Evaluation Panel Report prepared by the SMRC included the results of the RFQ evaluation for the supply and delivery of bins as well as a separate Request for Tender (RFT) for the supply of kitchen caddies and compostable liners. The value for the RFT for the supply of kitchen caddies and compostable liners was within the Chief Executive Officer's (CEO's) delegated Authority and was dealt with at an operational level noting that the price and quality achieved were better than those obtained during the trial period.

T18/3799 - SUPPLY AND DELIVERY OF WASTE BINS (AMREC) (CONFIDENTIAL ATTACHMENT)

STAKEHOLDER ENGAGEMENT

No stakeholder engagement has been required or undertaken for this quotation.

OTHER AGENCIES / CONSULTANTS

The quotation and tender specifications were prepared in collaboration with the SMRC. The SMRC administered the processes on behalf of the City of Melville, the City of Fremantle and the Town of East Fremantle through the WALGA eQuotes system.

STATUTORY AND LEGAL IMPLICATIONS

Local Government (Functions and General) Regulations 1996 Section 3.57 11 (2) (b) "Tenders do not have to be publicly invited ... if the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program".

Delegated Authority – DA-117 Authority to Sign Documents will be exercised to execute the Contract.

FINANCIAL IMPLICATIONS

The one-off capital costs for the bins related to the FOGO rollout will be spread across the current and next financial year.

The total funding required for the 2018-2019 financial year is \$1,022,186.

The remaining costs will be allocated in the 2019-2020 budget.

Approved Budget Details	To be funded from the Refuse Bin Reserve as per Council Resolution, (T18/3972)
Account Cost Centres or Capital Works Project Number	To be allocated.
Previous financial year expenditure for these services (if applicable)	\$763,643

The City has also secured \$976,000 in grant funding for the bins through the Waste Authority Better Bins Program.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The SMRC are currently testing the market to dispose of all or some of the Regional Resource Recovery Centre (RRRC) assets at its Canning Vale site with the intention of outsourcing the provision of recycling and processing services where it is cost effective to do so and in agreement with its member Councils. The request for proposals associated with the RRRC tender closes 22 January 2019 and includes the provision of a FOGO processing and beneficial reuse service commencing 1 July 2019.

T18/3799 - SUPPLY AND DELIVERY OF WASTE BINS (AMREC) (CONFIDENTIAL ATTACHMENT)

In the event that a suitable offer for FOGO processing is not received through the RRRC tender process, then the SMRC will go back out to the market for the FOGO processing component.

If the supplementary tender process is required, it is expected that this procurement process will be completed by April 2019. In recent months and following the announcement by the State Government to require Local Governments to implement the three bin system by 2025, a strong interest in the FOGO material is anticipated from organics processors seeking to position themselves for future business opportunities in alignment with the state waste strategy.

From an environmental management perspective, the three bin system is superior in terms of environmental performance as it increases the proportion of waste recovered and recycled, whilst minimises the residual waste requiring disposal.

The bins retrieved by the contractor will be sent to their reprocessing partners and converted back into a mouldable High Density Polyethylene – HDPE. This product is then used by the contractor to manufacture new bins. The bins supplied through the tender are manufactured from around 30% recycled material.

POLICY IMPLICATIONS

CP-023 Procurement of Products or Service.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The option of not accepting the recommendations of this report would delay the commencement of the bin manufacturing process and subsequently delay the rollout of the bins beyond July 2019. The option of accepting an alternative submission would not represent best value for the Council.

CONCLUSION

The WALGA eQuote submission received from the preferred tenderer demonstrates that the company has the relevant experience and capacity to deliver the required works in accordance with the City's objectives. The submission offered the most competitive price, and was the most comprehensive in terms of addressing the selection criteria and demonstrates the best value option for the City.

T18/3799 - SUPPLY AND DELIVERY OF WASTE BINS (AMREC) (CONFIDENTIAL ATTACHMENT)

An Officer Advice Note associated with this item was circulated that amended the Contract and Tender Advisory Unit Recommendation. [3799 Officer Amendment Waste Bins](#)

CONTRACT AND TENDER ADVISORY UNIT RECOMMENDATION AND COUNCIL RESOLUTION (3799)**ABSOLUTE MAJORITY**

At 8:19pm Cr Barling moved, seconded Cr Woodall –

That the Council:

1. **Accepts the recommendation of the Contract and Tender Advisory Unit of the most advantageous tender for the Supply and Delivery of Waste Bins as contained in Confidential Attachment Q2018-02 and directs the Chief Executive Officer to execute a contract with the selected supplier.**
2. **Upon resolving Recommendation 1, directs that the successful Respondent's name and tendered Schedule of Rates be inserted below this point 2 and included in the Minutes.**

Source Separation Systems Pty Ltd, as per their confidential Schedule of Rates.

3. **By Absolute Majority decision approves a 2018-2019 budget amendment to transfer \$1,022,186 from the Refuse Bins Reserve to the Waste Services Operational Expenditure Budget.**

At 8:19pm the Mayor submitted the motion, which was declared

CARRIED BY ABSOLUTE MAJORITY (12/0)

At 8:19pm Mr Wachter left the meeting and did not return.

COUNCIL RESOLUTION

At 8:19pm Cr Kepert moved, seconded Cr Wheatland –

That the meeting be closed to the members of the public to allow for items deemed confidential in accordance with sections 5.23 (2)(c) of the Local Government Act 1995, to be discussed behind closed doors.

At 8:19pm the Mayor submitted the motion, which was declared

CARRIED (12/0)

At 8:20pm the Mayor adjourned the meeting.

At 8:26pm the Mayor resumed the meeting.

Disclosure of Interest

Item No.	P18/3800
Member	Mayor Aubrey
Type of Interest	Interest under the Code
Nature of Interest	Patron of Palmyra Rugby Club and Melville Cricket Club, by nature of Mayoral position
Request	Stay, discuss and vote
Decision	Stay, discuss and vote

T18/3800 – RFT181916 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND INSTALL SYNTHETIC LAWN BOWL GREENS (REC) (CONFIDENTIAL ATTACHMENT)

Ward	: Bicton-Attadale-Alfred Cove
Category	: Operational
Subject Index	: Tenders
Customer Index	: City of Melville
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Not Applicable
Works Programme	: 2018-2019 Capital Works Programme
Funding	: Insert Funding Amount
Responsible Officer	: Mario Murphy Manager City Buildings

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

**T18/3800 – RFT181916 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND
INSTALL SYNTHETIC LAWN BOWL GREENS (REC) (CONFIDENTIAL ATTACHMENT)****KEY ISSUES / SUMMARY**

- To recommend the acceptance of the tender submitted by the recommended Respondent as contained in the report of the Contracts and Tenders Advisory Unit (CTAU) distributed under confidential cover to elected members for the Tompkins Park Redevelopment Project – Design, Supply and Install Synthetic Lawn Bowl Greens
- Acceptance of the tender shall have two outcomes:
 - All aspects of the design component of the works shall be awarded and a contract entered into between the City and the recommended Respondent for that component.
 - All aspects of the supply and installation component of the works shall be approved for nomination as the exclusive supplier at a provisional sum to be included within a future Request for Tender for the construction of the Tompkins Park Redevelopment Project. The City will not at any stage enter into a contract with the recommended Respondent for the supply and installation works. Acceptance of this tender does not commit the City into proceeding with the Supply component of the works, this being entirely contingent on the acceptance by Council of a tender for the construction of the Tompkins Park Redevelopment Project.

BACKGROUND

The City of Melville (City) previously called for Expressions of Interest (EOI) for the Tompkins Park Redevelopment – Design, Supply and Install Synthetic Lawn Bowl Greens. The evaluation of the submissions resulted in three respondents of an EOI being shortlisted in accordance with the *Local Government (Functions and General) Regulations 1996* section 24. The shortlisted proponents in no particular order,

- *Evergreen Synthetic Turf*
- *Green Planet Grass*

were subsequently invited to submit a tender in a restricted tender process

The technical specification included with the restricted tender detailed the requirement for the design of synthetic lawn bowls greens and associated infrastructure as a single package of services to be provided directly to the City. The subsequent supply and construction of the lawn bowls greens and supporting infrastructure would be the subject of an exclusive supplier arrangement to a Head Contractor to be engaged by the City subject to approval by Council, at some future time for the construction of the Tompkins Park Redevelopment Project (Project).

The design services component of this tender shall be awarded using Australian Standard 4122-2010.

**T18/3800 – RFT181916 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND
INSTALL SYNTHETIC LAWN BOWL GREENS (REC) (CONFIDENTIAL ATTACHMENT)**

Upon execution of the contract for the design services component between the City and the successful Respondent, the design services shall commence immediately. The design of the synthetic lawn bowls greens and the associated infrastructure is required to be incorporated into the technical specification for the construction of the Project. Request for Tenders for the Project are expected to be publicly invited in late January 2019.

In respect to the supply and construction of the synthetic lawn bowls greens forming part of the Project, the City will incorporate the recommended Respondent as the exclusive supplier and installer for the lawn bowls greens and associated infrastructure. The contract between the Head Contractor and the recommended Respondent shall incorporate Australian Standard 4901-1998 Subcontract conditions. Incorporating AS 4901-1998 into the contract for the construction of the Project will ensure consistency and fairness in the conditions of contract between the City and the Head Contractor and the Head Contractor and subcontractor constructing the synthetic lawn bowls greens.

DETAILTender Evaluation Process

Qualitative scores were achieved by joint agreement of the panel members at the evaluation meeting after each panel member had scored the submission individually. Stage 1 was a weighted comparison against the following qualitative criteria – Relevant Experience, Capacity to Deliver and Methodology. Stage 2 was a price assessment on all shortlisted respondents.

The Evaluation Panel reviewed all Respondent offers and prepared an Evaluation Report, identifying a recommended Respondent. The recommended Respondent achieved the highest score.

The Evaluation Report was presented to the Contract and Tender Advisory Unit (CTAU) for acceptance and recommendation to the Council to accept the recommended Respondent as the most advantageous to the City.

The CTAU unanimously carried the acceptance of the recommendation by the Evaluation Panel.

The CTAU minutes, Evaluation Report and associated confidential attachments were distributed to Elected Members as late items under confidential cover.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

Extensive engagement occurred with the Tompkins Park Relocation Group (TPRG) which was made up of representatives of both Melville and Mount Pleasant Bowling Clubs.

The TPRG were engaged on the technical requirements and preferences for the synthetic lawn bowls turf and two representatives from the TPRG were non-voting members of the original Expression of Interest (EOI) Evaluation Panel.

T18/3800 – RFT181916 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND INSTALL SYNTHETIC LAWN BOWL GREENS (REC) (CONFIDENTIAL ATTACHMENT)

II. OTHER AGENCIES / CONSULTANTS

No external agencies were engaged.

STATUTORY AND LEGAL IMPLICATIONS

Local Government (Functions and General) Regulations 1996 Section 3.57 11 (1) "A Local Government is required to invite tenders before it enters into a contract for another person to supply goods or services".

Delegated Authority – DA-117 Authority to Sign Documents will be exercised to execute the Contract.

Delegated Authority – DA-028 Contract Variations and Selection of Next Successful Tenderer will be exercised with the award of this tender.

FINANCIAL IMPLICATIONS

Approved Budget Details	<p>The Council has approved funding of \$9.42 Million for the Tompkins Park Redevelopment Project of which the Shade Structure is a component.</p> <p>State Government grant funding to the value of \$700,000 has been approved for the whole Tompkins Park Redevelopment Project.</p>
Account Cost Centres or Capital Works Project Number	BCR0223

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no residual risk implications following the invitation and evaluation process conducted for this item. Actions taken to address identified risks are included in the table attached as Confidential Attachment – Evaluation Report Attachment C.

The provision of these services has no major environmental implications.

POLICY IMPLICATIONS

CP-023 Procurement of Products or Services

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

No other alternative has been identified

T18/3800 – RFT181916 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND INSTALL SYNTHETIC LAWN BOWL GREENS (REC) (CONFIDENTIAL ATTACHMENT)

CONCLUSION

The CTAU is satisfied that the recommended Respondent has demonstrated that they have the necessary relevant experience, capacity to deliver the services and follows a methodology in line with the City's expectations. The recommended Respondent is the highest ranked submission therefore they offer the best value for money. As per the Request terms, the City will be entering into a lump sum contract for Design and will nominate the recommended Respondent as the nominated subcontractor for the head contractor when appointed.

Procedural Motion

At 8:36pm Cr Pazolli moved, seconded Cr Mair –

That Item P18/3800 – RFT181916 Tompkins Park Redevelopment – Design, Supply And Install Synthetic Lawn Bowl Greens be deferred for considered at the March 2019 Ordinary Meeting of Council.

At 8:39pm the Mayor submitted the motion, which was declared

LOST (6/7)

NOTE: Due to an equality of votes at the Council Meeting, the Presiding Member exercised his right to cast a second vote to reach a decision in this matter (Section 5.21(3) of the *Local Government Act 1995*).

Vote Result Summary	
Yes	6
No	6

Vote Result Detailed	
Cr Barling	Yes
Cr Barton	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Wheatland	Yes
Cr Macphail	No
Cr Phelan	No
Cr Robartson	No
Cr Wieland	No
Cr Woodall	No
Mayor	No

T18/3800 – RFT181916 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND INSTALL SYNTHETIC LAWN BOWL GREENS (REC) (CONFIDENTIAL ATTACHMENT)

At 8:49pm, at the request of the Mayor, Cr Pazolli withdrew and apologised for statements he had made in speaking against the item.

CONTRACT AND TENDER ADVISORY UNIT RECOMMENDATION AND COUNCIL RESOLUTION (3800)

APPROVAL

At 8:43pm Cr Phelan moved, seconded Cr Wieland –

The Contract and Tender Advisory Unit recommends that the Council:

- 1. Accepts the recommendation as contained in the Confidential Attachment – RFT181916 Contract and Tender Advisory Unit Minutes.**
- 2. Upon resolving Recommendation 1, directs that the successful Respondent’s name and tendered Lump Sum price be inserted below this point 2 and included in the Minutes.**

ABC Trust & The IPC Trust T/AS Green Planet Grass for the lump sum of \$656,329.

At 9:01pm the Mayor submitted the motion, which was declared

CARRIED (8/4)

Vote Result Summary	
Yes	8
No	4

Vote Result Detailed	
Cr Barling	Yes
Cr Barton	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Mayor	Yes
Cr Kepert	No
Cr Mair	No
Cr Pazolli	No
Cr Wheatland	No

Disclosure of Interest

Item No.	P18/3801
Member	Mayor Aubrey
Type of Interest	Interest under the Code
Nature of Interest	Patron of Palmyra Rugby Club and Melville Cricket Club, by nature of Mayoral position
Request	Stay, discuss and vote
Decision	Stay, discuss and vote

T18/3801 – RFT181917 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND INSTALL SHADE STRUCTURE INCORPORATING FLOOD LIGHTING FOR THE LAWN BOWL GREEN (REC) (CONFIDENTIAL ATTACHMENT)

Ward	: Bicton-Attadale-Alfred Cove
Category	: Operational
Subject Index	: Tenders
Customer Index	: City of Melville
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Not Applicable
Works Programme	: 2018-2019 Capital Works Programme
Funding	: Insert Funding Amount
Responsible Officer	: Mario Murphy Manager City Buildings

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

**T18/3801 – RFT181917 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND
INSTALL SHADE STRUCTURE INCORPORATING FLOOD LIGHTING FOR THE LAWN
BOWL GREEN (REC) (CONFIDENTIAL ATTACHMENT)****KEY ISSUES / SUMMARY**

- To recommend the acceptance of the tender submitted by the recommended respondent as contained in the report of the Contracts and Tenders Advisory Unit (CTAU) distributed under confidential cover to elected members for the Tompkins Park Redevelopment Project – Design, Supply and Install Shade Structure Incorporating Flood Lighting for the Lawn Bowl Green
- Acceptance of the tender shall have two outcomes:
 - All aspects of the design component of the works shall be awarded and a contract entered into between the City and the recommended respondent for that component.
 - All aspects of the supply and install component of the works shall be approved for nomination as the exclusive supplier at a provisional sum to be included within a future Request for Tender for the construction of the Tompkins Park Re-Development Project. The City will not at any stage enter into a contract with the recommended respondent for the supply and installation works. Acceptance of this tender does not commit the City into proceeding with the Supply & Install component of the works, this being entirely contingent on the acceptance by Council of a tender for the construction of the Tompkins Park Redevelopment Project

BACKGROUND

The City of Melville (City) previously called for Expressions of Interest (EOI) for the Design, Supply and Install Shade Structure Incorporating Flood Lighting. The evaluation of the submissions resulted in three respondents of an EOI being shortlisted in accordance with the Local Government Regulations 1996 section 24. The shortlisted proponents in no particular order,

- *MakMax Australia;*
- *Lightweight Structures and*
- *Greenline Group Pty Ltd (withdrawn prior to advertisement of request)*

were subsequently invited to submit a tender in a restricted tender process

The technical specification included with the restricted tender detailed the requirement for the design of Shade Structure Incorporating Flood Lighting for the Lawn Bowl Green as a single package of services to be provided directly to the City. The subsequent supply and construction of the Shade Structure Incorporating Flood Lighting for the Lawn Bowl Green would be the subject of an exclusive supplier arrangement to a Head Contractor to be engaged by the City subject to approval by Council, at some future time for the construction of the Tompkins Park Redevelopment Project (Project).

T18/3801 – RFT181917 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND INSTALL SHADE STRUCTURE INCORPORATING FLOOD LIGHTING FOR THE LAWN BOWL GREEN (REC) (CONFIDENTIAL ATTACHMENT)

The design services component of this tender shall be awarded using Australian Standard 4122-2010.

Upon execution of the contract for the design services component between the City and the successful Respondent, the design services shall commence immediately. The design of the Shade Structure Incorporating Flood Lighting for the Lawn Bowl Green is required to be incorporated into the technical specification for the construction of the Project. Request for Tenders for the Project are expected to be publicly invited in late January 2019.

In respect to the supply and construction of the Shade Structure Incorporating Flood Lighting for the Lawn Bowl Green forming part of the Project, the City will incorporate the recommended Respondent as the exclusive supplier and installer for the Shade Structure Incorporating Flood Lighting for the Lawn Bowl Green. The contract between the Head Contractor and the recommended Respondent shall be Australian Standard 4901-1998 Subcontract conditions. Incorporating AS 4901-1998 into the contract for the construction of the Project will ensure consistency and fairness in the conditions of contract between the City and the Head Contractor and the Head Contractor and subcontractor constructing the Shade Structure Incorporating Flood Lighting for the Lawn Bowl Green.

DETAILTender Evaluation Process

Qualitative scores were achieved by joint agreement of the panel members at the evaluation meeting after each panel member had scored the submission individually. Stage 1 was a weighted comparison against the following qualitative criteria – Relevant Experience, Capacity to Deliver and Methodology. Stage 2 was a price assessment on all shortlisted respondents.

The Evaluation Panel reviewed all Respondent offers and prepared an Evaluation Report, identifying a recommended Respondent. The recommended Respondent achieved the highest score.

The Evaluation Report was presented to the Contract and Tender Advisory Unit (CTAU) for acceptance and recommendation to the Council to accept the recommended Respondent as the most advantageous to the City.

The CTAU unanimously carried the acceptance of the recommendation by the Evaluation Panel.

The CTAU minutes, Evaluation Report and associated confidential attachments were distributed to Elected Members as a late item under confidential cover.

T18/3801 – RFT181917 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND INSTALL SHADE STRUCTURE INCORPORATING FLOOD LIGHTING FOR THE LAWN BOWL GREEN (REC) (CONFIDENTIAL ATTACHMENT)

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Extensive engagement occurred with the Tompkins Park Relocation Group (TPRG) which was made up of representatives of both Melville and Mount Pleasant Bowling Clubs.

The TPRG were engaged on the technical requirements and preferences for the synthetic lawn bowls turf and two representatives from the TPRG were non-voting members of the original Expression of Interest (EOI) Evaluation Panel.

II. OTHER AGENCIES / CONSULTANTS

No external agencies were engaged.

STATUTORY AND LEGAL IMPLICATIONS

Local Government (Functions and General) Regulations 1996 Section 3.57 11 (1) "A Local Government is required to invite tenders before it enters into a contract for another person to supply goods or services".

Delegated Authority – DA-117 Authority to Sign Documents will be exercised to execute the Contract.

Delegated Authority – DA-028 Contract Variations and Selection of Next Successful Tenderer will be exercised with the award of this tender.

FINANCIAL IMPLICATIONS

Approved Budget Details	<p>The Council has approved funding of \$9.42 Million for the Tompkins Park Redevelopment Project of which the Shade Structure is a component.</p> <p>State Government grant funding to the value of \$700,000 has been approved for the whole Tompkins Park Redevelopment Project.</p>
Account Cost Centres or Capital Works Project Number	BCR0223

T18/3801 – RFT181917 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND INSTALL SHADE STRUCTURE INCORPORATING FLOOD LIGHTING FOR THE LAWN BOWL GREEN (REC) (CONFIDENTIAL ATTACHMENT)**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no residual risk implications following the invitation and evaluation process conducted for this item. Actions taken to address identified risks are included in the table attached as Confidential Attachment – Evaluation Report Attachment C.

The provision of these services has no major environmental implications.

POLICY IMPLICATIONS

CP-023 Procurement of Products or Services

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

No other alternative has been identified

CONCLUSION

The CTAU is satisfied that the recommended Respondent has demonstrated that they have the necessary relevant experience, capacity to deliver the services and follows a methodology in line with the City's expectations. The recommended respondent is the highest ranked submission therefore they offer the best value for money. As per the Request terms, the City will be entering into a lump sum contract for Design and will nominate the recommended Respondent as the nominated subcontractor for the head contractor when appointed.

CONTRACT AND TENDER ADVISORY UNIT RECOMMENDATION (3801)**APPROVAL**

At 9:01pm Cr Phelan moved, seconded Cr Wieland –

The Contract and Tender Advisory Unit recommends that the Council:

- 1. Accepts the recommendation as contained in the Confidential Attachment – RFT181916 Contract and Tender Advisory Unit Minutes.**
- 2. Upon resolving Recommendation 1, directs that the successful Respondent's name and tendered Lump Sum price be inserted below this point 2 and included in the Minutes.**

T18/3801 – RFT181917 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND INSTALL SHADE STRUCTURE INCORPORATING FLOOD LIGHTING FOR THE LAWN BOWL GREEN (REC) (CONFIDENTIAL ATTACHMENT)

Procedural Motion

At 9:02pm Cr Pazolli moved, seconded Cr Mair –

That Item T18/3801 – RFT181917 Tompkins Park Redevelopment – Design, Supply And Install Shade Structure Incorporating Flood Lighting For The Lawn Bowl Green be deferred for considered at the March 2019 Ordinary Meeting of Council.

At 9:03pm the Mayor submitted the motion, which was declared

LOST (6/7)

NOTE: Due to an equality of votes at the Council Meeting, the Presiding Member exercised his right to cast a second vote to reach a decision in this matter (Section 5.21(3) of the *Local Government Act 1995*).

Vote Result Summary	
Yes	6
No	6

Vote Result Detailed	
Cr Barling	Yes
Cr Barton	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Wheatland	Yes
Cr Macphail	No
Cr Phelan	No
Cr Robartson	No
Cr Wieland	No
Cr Woodall	No
Mayor	No

T18/3801 – RFT181917 TOMPKINS PARK REDEVELOPMENT – DESIGN, SUPPLY AND INSTALL SHADE STRUCTURE INCORPORATING FLOOD LIGHTING FOR THE LAWN BOWL GREEN (REC) (CONFIDENTIAL ATTACHMENT)

CONTRACT AND TENDER ADVISORY UNIT RECOMMENDATION AND COUNCIL RESOLUTION (3801)

APPROVAL

At 9:01pm Cr Phelan moved, seconded Cr Wieland –

The Contract and Tender Advisory Unit recommends that the Council:

- 1. Accepts the recommendation as contained in the Confidential Attachment – RFT181916 Contract and Tender Advisory Unit Minutes.**
- 2. Upon resolving Recommendation 1, directs that the successful Respondent's name and tendered Lump Sum price be inserted below this point 2 and included in the Minutes.**

MakMax Australia Unit Trust T/AS MakMax Australia for the lump sum of \$1,129,000.

At 9:04pm the Mayor submitted the motion, which was declared

CARRIED (7/5)

Vote Result Summary	
Yes	7
No	5

Vote Result Detailed	
Cr Barling	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Mayor	Yes
Cr Barton	No
Cr Kepert	No
Cr Mair	No
Cr Pazolli	No
Cr Wheatland	No

At 9:05pm Cr J Barton gave notice of her intention to submit a rescission motion with regard to Item T18/3801 – RFT181917 Tompkins Park Redevelopment – Design, Supply and Install Shade Structure Incorporating Flood Lighting For The Lawn Bowl Green.

At 9:05pm Mr M Murphy left the meeting and did not return.

At 9:05pm Mr L Wilson left the meeting and did not return.

At 9:05pm Mr M Hawes left the meeting and did not return.

Disclosure of Interest

Item No.	P18/3794
Member	Cr C Robartson
Type of Interest	Financial Interest
Nature of Interest	President of the RAAFA
Request	Leave
Decision	Leave

At 9:05pm Cr Robartson having declared a financial interest in the matter left the meeting.

12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**CONFIDENTIAL ITEM P18/3794 – SUBMISSIONS REPORT - GROUND LEASE REDEVELOPMENT PROPOSAL 391 CANNING HWY AND 36-38A WADDELL RD PALMYRA (REC) (CONFIDENTIAL ATTACHMENT)**

The matter is confidential in accordance with Sections 5.23 (2) (c) of the *Local Government Act 1995* which states as follows:

“If a meeting is being held by 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:-

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

At 9:10pm Cr Woodall left the meeting and returned at 9:12pm.

At 9:10pm Mr L Hitchcock left the meeting and returned at 9:12pm.

OFFICER RECOMMENDATION (3794)**APPROVAL**

At 9:18pm Cr Barling moved, seconded Cr Wieland -

That the Council:

- 1. Notes the submissions received as detailed in this report; and**
- 2. Authorises the City of Melville’s Chief Executive Officer to proceed with the preparation and signing of the Ground Lease Agreement with Melville Health, Aged and Community Care (WA) Pty Ltd.**

At 9:18pm Cr Pazolli advised that he would foreshadow an amendment that the lease to be brought back to Council before signing

CONFIDENTIAL ITEM P18/3794 – SUBMISSIONS REPORT - GROUND LEASE REDEVELOPMENT PROPOSAL 391 CANNING HWY AND 36-38A WADDELL RD PALMYRA (REC) (CONFIDENTIAL ATTACHMENT)

Foreshadowed Amendment

COUNCIL RESOLUTION

At 9:20pm Cr Pazolli moved, seconded Cr Kepert -

That point 2 of the Officer Recommendation be amended by:

- deleting the words “signing of”; and
- after the words “WA (Pty Ltd)” inserting the words:
“and present it to the Council at an Elected Member Information Session for discussion and subsequent adoption for signing at a Council meeting.”

At 9:36pm the Mayor submitted the motion, which was declared

CARRIED (8/3)

Vote Result Summary	
Yes	8
No	3

Vote Result Detailed	
Cr Barton	Yes
Cr Kepert	Yes
Cr Macphail	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Wheatland	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Cr Barling	No
Cr Phelan	No
Mayor	No

Substantive Motion as Amended

COUNCIL RESOLUTION

At 9:18pm Cr Barling moved, seconded Cr Wieland -

That the Council:

1. **Notes the submissions received as detailed in this report; and**
2. **Authorises the City of Melville’s Chief Executive Officer to proceed with the preparation of the Ground Lease Agreement with Melville Health, Aged and Community Care (WA) Pty Ltd and present it to the Council at Elected Member Information Session for discussion and subsequent adoption for signing at a Council meeting.**

At 9:36pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

COUNCIL RESOLUTION

At 9:37pm Cr Kepert moved, seconded Cr Phelan -

That the meeting come out from behind closed doors and the public be invited back into the meeting.

At 9:37pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

At 9:37pm Cr Robartson returned to the meeting.

No members of the public returned to the meeting.

At 9:38pm, the Chief Executive Officer advised that in accordance with clause 18.2 (2) of the *City of Melville Meeting Procedure Local Law 2017*, he is required to deal with the proposed revocation as an item of urgent business under clause 6.5 of the *City of Melville Meeting Procedures Local Law 2017*.

At 9:39pm Cr Barton withdrew her notice of rescission motion in relation to Item T18/3801 – RFT181917 Tompkins Park Redevelopment – Design, Supply and Install Shade Structure Incorporating Flood Lighting for the Lawn Bowl Green.

13. CLOSURE

On behalf of himself and his family, the Mayor wished all the Elected Members a Merry Christmas and on behalf of himself and the Elected Members and their families he wished the staff a Merry Christmas and a Happy New Year.

Cr Robartson on behalf of the Elected Members wished the Mayor and his family a Merry Christmas.

There being no further business to discuss, the Mayor declared the meeting closed at 9:39pm.