



— *City of* —  
***Melville***

**MINUTES**  
**OF THE**  
**SPECIAL MEETING OF THE COUNCIL**  
**HELD ON**  
**22 OCTOBER 2007**

**DISTRIBUTED: 26 OCTOBER 2007**

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**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL HELD IN COUNCIL CHAMBER, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.00PM ON MONDAY, 22 OCTOBER 2007.****PRESENT****1. ELECTED MEMBERS**

His Worship the Mayor Russell Aubrey

**COUNCILLORS**

Cr H R Everett; Cr N Pazolli  
Cr G S Wieland  
Cr C W Robartson; Cr R L Subramaniam  
Cr D J Macphail, Cr A Ceniviva  
Cr P M Phelan; Cr C M Halton  
Cr J R Bennett, Cr L M Reynolds

**WARD**

Applecross/Mount Pleasant  
Bicton/Attadale  
Bull Creek/Leeming  
City  
Palmyra/Melville/Willagee  
University

**2. IN ATTENDANCE**

Eric Lumsden PSM  
Craig McClure  
Marten Tieleman

Anne Banks-McAllister  
John Cameron

Bruce Taylor

Dorothy Tracey

**POSITION TITLE**

Chief Executive Officer  
Director Strategic Urban Planning  
Director Customer & Corporate  
Services  
Director Strategic Community Services  
A/Director Technical & Development  
Services  
Manager Information Technology &  
Support  
Minute Secretary

At the commencement of the Meeting there were 14 members of the public present in the public gallery.

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**COUNCIL PRAYER**

The Prayer for the City of Melville was delivered by former Deputy Mayor Cr Duncan Macphail who is also a current serving Elected Member.

**3. SWEARING-IN CEREMONY****WELCOME BY THE CHIEF EXECUTIVE OFFICER**

The Chief Executive Officer welcomed Elected Members of the Council, Staff and families to the Swearing-In Ceremony.

**SWEARING-IN – SECTION 2.29 OF THE LOCAL GOVERNMENT ACT****DECLARATION OF OFFICE**

The Chief Executive Officer requested that Russell Aubrey, the newly Elected Mayor of the Council, take the **DECLARATION OF OFFICE** in accordance with Section 2.29 of the Local Government Act, after which the Declaration document was signed.

- Russell Aubrey was sworn in as Mayor for the period 2007 to 2011 by Cr H Everett, JP
- 

The Chief Executive Officer requested the newly Elected Members of the Council to individually take the **DECLARATION OF OFFICE** in accordance with Section 2.29 of the Local Government Act, after which the Declaration documents were signed –

- The following Members were sworn in as Councillors for the period 2007 to 2011 by Mayor R Aubrey

Cr A Ceniviva	City Ward
Cr C M Halton	Palmyra/Melville/Willagee Ward
Cr N Pazolli	Applecross/Mount Pleasant
Cr L M Reynolds	University Ward
Cr R L Subramaniam	Bull Creek/Leeming Ward
Cr G S Wieland	Bicton/Attadale Ward

The Members of the Council and Gallery stood to sing the National Anthem.

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**4. APOLOGIES AND APPROVED LEAVE OF ABSENCE**

- Cr J Barton – Leave of Absence

**5. PUBLIC QUESTION TIME**

Nil

## **DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995**

### **Members' interests in matters to be discussed at meetings to be disclosed**

S.5.65 (1) A member who as an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the Chief Executive Officer before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Penalty: \$10,000 or imprisonment for 2 years.

### **Meeting to be informed of disclosures**

**S.5.66** If a member has disclosed an interest in a written notice given to the Chief Executive Officer before a meeting then before the meeting -

- (a) the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) the person who is to preside at the meeting is to bring the notice to the attention of the persons who attend the meeting.

### **Disclosing members not to participate in meetings**

**S.5.67** A member who makes a disclosure under Section 5.65 must not -

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under Section 5.68 or 5.69.

Penalty: \$10,000 or imprisonment for 2 years.

**Please refer to your Handbook for definitions of interests and other detail.**

**6. DISCLOSURES OF INTEREST**

Nil

**7. APPLICATIONS FOR NEW LEAVES OF ABSENCE**

Nil

**8. BUSINESS**

**C07/5012 - ELECTION OF DEPUTY MAYOR 2007/2009**

Acknowledging that the provisions of the Local Government Act allow the person elected to occupy the position for a period of twenty-four (24) months, City of Melville Elected Members have previously indicated their desire to elect the Deputy Mayor for a period of only twelve (12) months, candidates are asked to declare that they will stand down from the position and allow another ballot to be conducted in October 2008.

The Chief Executive Officer invited nominations for the Office of Deputy Mayor for the 2007/2009 period. Nominations were in writing on the form provided and Nominees advised the Chief Executive Officer if they are willing to be nominated.

The Chief Executive Officer conducted the Election in accordance with the provisions of the Local Government Act.

The following nominations for the position of Deputy Mayor were received in writing –

Cr H R Everett;  
Cr C W Robartson;  
Cr M L Reynolds.

Prior to commencement of the secret ballot, Cr C W Robartson announced his withdrawal for the position of Deputy Mayor.

The secret ballot commenced and the Chief Executive Officer declared Cr H R Everett to the position of Deputy Mayor expiring in October 2009.

**DECLARATION**

The Chief Executive Officer requested Cr H R Everett, the newly elected Deputy Mayor, to make the **DECLARATION OF OFFICE**, in accordance with Section 2.29 of the Local Government Act 1995, which was be duly signed by the Deputy Mayor and the Mayor.

**C07/5013 - APPOINTMENT OF COMMITTEES & PORTFOLIOS 2007/2008 (AMREC)  
(ATTACHMENT)**

**Membership of Committees**

Legislative requirements for the appointment of committee members are dealt with in Section 5.10 of the Local Government Act 1995. Section 5.10 states as follows:-

*(1) A committee is to have as its members - (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and (b) persons who are appointed to be members of the committee under subsection (4) or (5).*

**\* Absolute majority required.**

***(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides. (Note section 5.9(2) states that a committee is to comprise - (a) council members only; or (b) council members and employees;...)***

*(3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.*

***(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.***

Note:- In accordance with Section 5.10(4) of the Local Government Act 1995, the Mayor may, where a Committee has a Councillor as a Member, give notice of intention to be a member of that Committee. In such circumstances, the local government is to appoint the Mayor to be a member of that Committee.

As the City is divided up into 6 wards, membership of Committees is usually evenly distributed across the wards so that each ward receives equal representation on the Committees.



**C07/5013 - APPOINTMENT OF COMMITTEES & PORTFOLIOS 2007/2008 (AMREC)  
(ATTACHMENT)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

At 6.40pm, Cr J R Bennett moved, seconded Cr C W Robartson -

**1 THAT THE COMMITTEES FOR THE 2007/2008 PERIOD CONSIST OF 6 MEMBERS COMPRISING OF EQUAL REPRESENTATION FROM EACH OF THE WARDS, WHERE PRACTICABLE, PLUS THE MAYOR, FOR THE:-**

**GOVERNANCE COMMITTEE AND THE**

**AUDIT, RISK & COMPLIANCE COMMITTEE**

**WITH DEPUTIES APPOINTED TO COVER PERIODS OF ABSENCE BY INDIVIDUAL MEMBERS.**

The Mayor submitted the motion, which was declared

**CARRIED WITHOUT DISSENT (12/0)**

**GOVERNANCE COMMITTEE/PORTFOLIO**

Details of the functions of the Governance Committee can be found in the following document:-  
[5013A October 2007.pdf](#)

**COUNCIL RESOLUTION**

At 6.42pm, Cr M L Reynolds moved, seconded Cr P M Phelan -

**2 THAT BY ABSOLUTE MAJORITY DECISION OF THE COUNCIL THE FOLLOWING ELECTED MEMBERS AND THEIR DEPUTIES BE APPOINTED TO THE GOVERNANCE COMMITTEE**

<b>Member</b>	<b>Deputy</b>	<b>Ward</b>
Mayor R Aubrey Ex-Officio Member	Cr H R Everett	Section 5.10(4) Mayoral Position
Cr H R Everett	Cr N Pazolli	Applecross/Mount Pleasant
Cr M J Barton	Cr G S Wieland	Bicton/Attadale
Cr C W Robartson	Cr R L Subramaniam	Bull Creek/Leeming
Cr A Ceniviva	Cr D J Macphail	City
Cr P M Phelan	Cr C M Halton	Melville/Palmyra/Willagee
Cr M L Reynolds	Cr J R Bennett	University

The Mayor submitted the motion, which was declared

**CARRIED BY ABSOLUTE MAJORITY (12/0)**

**C07/5013 - APPOINTMENT OF COMMITTEES & PORTFOLIOS 2007/2008 (AMREC)**  
**(ATTACHMENT)****AUDIT, RISK AND COMPLIANCE COMMITTEE/PORTFOLIO**

Details of the functions of the Audit, Risk and Compliance Committee can be found in the following document

[5013B\\_October\\_2007.pdf](#)

This committee was officially named the Audit, Risk and Compliance Committee however through common usage overtime it has taken on the title of Financial Management, Audit, Risk and Compliance Committee. It is therefore recommended that the Committee be formally renamed to reflect this usage and the fact that the title better describes the breadth of its functions.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

At 6.42pm, Cr A Ceniviva moved, seconded by Cr C W Robartson -

**3 THAT THE AUDIT, RISK AND COMPLIANCE COMMITTEE BE RENAMED THE FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE.**

The Mayor submitted the motion, which was declared

**CARRIED WITHOUT DISSENT (12/0)**

**COUNCIL RESOLUTION**

At 6.43pm, Cr P M Phelan moved, seconded by Cr C W Robartson -

**4 THAT BY ABSOLUTE MAJORITY DECISION OF THE COUNCIL THE FOLLOWING ELECTED MEMBERS AND THEIR DEPUTIES BE APPOINTED TO THE FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE.**

<b>Member</b>	<b>Deputy</b>	<b>Ward</b>
Mayor R Aubrey Ex-Officio Member		Section 5.10(4) Mayoral Position
Cr N Pazolli	Cr H R Everett	Applecross/Mount Pleasant
Cr M J Barton	Cr G S Wieland	Bicton/Attadale
Cr R L Subramaniam	Cr C W Robartson	Bull Creek/Leeming
Cr A Ceniviva	Cr D J Macphail	City
Cr C M Halton	Cr P M Phelan	Melville/Palmyra/Willagee
Cr M L Reynolds	Cr J R Bennett	University

The Mayor submitted the motion, which was declared

**CARRIED BY ABSOLUTE MAJORITY (12/0)**

**C07/5013 - APPOINTMENT OF COMMITTEES & PORTFOLIOS 2007/2008 (AMREC)  
(ATTACHMENT)****PORTFOLIOS**

As there is a considerable breadth and depth of business dealt with by Council, much of which is complex and requires the development of specific knowledge, the “portfolio” system has been devised to enable Elected Members to gain knowledge and expertise in particular areas of Council business. Elected Members were invited to nominate for placement into portfolios according to their areas of interest and/or expertise in the subject matters that are dealt with by the particular portfolios.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

At 6.44pm, Cr Robartson moved, seconded by Cr H R Everett -

**5 THAT THE PORTFOLIOS FOR THE 2007/2008 PERIOD CONSIST OF AT  
LEAST SIX (6) MEMBERS PLUS THE MAYOR FOR**

**COMMUNITY PLANNING PORTFOLIO**

**INFRASTRUCTURE & OPERATIONS PORTFOLIO**

**PLANNING & DEVELOPMENT SERVICES PORTFOLIO**

The Mayor submitted the motion, which was declared

**CARRIED WITHOUT DISSENT (12/0)**

**C07/5013 - APPOINTMENT OF COMMITTEES & PORTFOLIOS 2007/2008 (AMREC)**  
**(ATTACHMENT)****COMMUNITY PLANNING PORTFOLIO**

Details of the functions of the Community Planning Portfolio can be found in the following document:-

[5013C October 2007.pdf](#)

**COUNCIL RESOLUTION**

At 6.46pm, Cr C W Robartson moved, seconded by C P M Phelan -

**6 THAT THE FOLLOWING ELECTED MEMBERS AND THEIR DEPUTIES BE APPOINTED TO THE COMMUNITY PLANNING PORTFOLIO.**

<b>Member</b>	<b>Deputy</b>	<b>Ward</b>
Mayor Ex-Officio Member	Cr H R Everett	Section 5.10(4) Mayoral Position
Cr C M Halton	Cr H R Everett	Applecross/Mount Pleasant
Cr G S Wieland	Cr M J Barton	Bicton/Attadale
Cr R L Subramaniam	Cr C W Robartson	Bull Creek/Leeming
Cr D J Macphail	Cr A Ceniviva	City
Cr P M Phelan	Cr N Pazolli	Melville/Palmyra/Willagee
Cr J R Bennett	Cr M L Reynolds	University

The Mayor submitted the motion, which was declared

**CARRIED WITHOUT DISSENT (12/0)**

**C07/5013 - APPOINTMENT OF COMMITTEES & PORTFOLIOS 2007/2008 (AMREC)**  
**(ATTACHMENT)****INFRASTRUCTURE & OPERATIONS PORTFOLIO**

Details of the functions of the Infrastructure and Operations Portfolio can be found in the following document:-

[5013D\\_October\\_2007.pdf](#)

**COUNCIL RESOLUTION**

At 6.47pm, Cr J R Bennet moved, seconded by Cr R Subramaniam -

**7 THAT THE FOLLOWING ELECTED MEMBERS AND THEIR DEPUTIES BE APPOINTED TO THE INFRASTRUCTURE AND OPERATIONS PORTFOLIO.**

<b>Member</b>	<b>Deputy</b>	<b>Ward</b>
Mayor Ex-Officio Member	Cr H R Everett	Section 5.10(4) Mayoral Position
Cr N Pazolli	Cr H R Everett	Applecross/Mount Pleasant
Cr G S Wieland	Cr M J Barton	Bicton/Attadale
Cr C W Robartson	Cr R L Subramaniam	Bull Creek/Leeming
Cr D J Macphail	Cr A Ceniviva	City
Cr C M Halton	Cr P M Phelan	Melville/Palmyra/Willagee
Cr M L Reynolds	Cr J R Bennett	University

The Mayor submitted the motion, which was declared

**CARRIED WITHOUT DISSENT (12/0)**

**C07/5013 - APPOINTMENT OF COMMITTEES & PORTFOLIOS 2007/2008 (AMREC)**  
**(ATTACHMENT)****PLANNING & DEVELOPMENT SERVICES PORTFOLIO**

Details of the functions of the Planning and Development Portfolio can be found in the following document:- [5013E October 2007.pdf](#)

**COUNCIL RESOLUTION**

At 6.49pm, Cr H R Everett moved, seconded by Cr C W Robartson -

**8 THAT THE FOLLOWING ELECTED MEMBERS AND THEIR DEPUTIES BE APPOINTED TO THE PLANNING AND DEVELOPMENT PORTFOLIO.**

<b>Member</b>	<b>Deputy</b>	<b>Ward</b>
Mayor Ex-Officio Member	Cr H R Everett	Section 5.10(4) Mayoral Position
Cr H R Everett	Cr N Pazolli	Applecross/Mount Pleasant
Cr G S Wieland	Cr M J Barton	Bicton/Attadale
Cr R L Subramaniam	Cr C W Robartson	Bull Creek/Leeming
Cr D J Macphail	Cr A Ceniniva	City
Cr P M Phelan	Cr C M Halton	Melville/Palmyra/Willagee
Cr J R Bennett	Cr M L Reynolds	University

The mayor submitted the motion, which was declared

**CARRIED WITHOUT DISSENT (12/0)**

**C07/5013 - APPOINTMENT OF COMMITTEES & PORTFOLIOS 2007/2008 (AMREC)  
(ATTACHMENT)****CEO RECRUITMENT OCCASIONAL COMMITTEE**

The role of this Committee is to liaise with the Council's appointed CEO Recruitment Consultant in all matters in regards to the appointment of the CEO, undertake preliminary interviews and select final applicants to appear before the Council who will make the final selection of the preferred applicant. This is an occasional Committee which will remain in operation for the duration of the current CEO recruitment process only. The current Committee consists of the Mayor, Deputy Mayor and 4 selected Elected Members.

Note – Deputy Mayor, Cr H Everett, deferred his position on the committee to the former Deputy Mayor, Cr D Macphail.

**COUNCIL RESOLUTION**

At 6.52pm, Cr C W Robartson moved, seconded Cr H R Everett -

**9 THAT BY ABSOLUTE MAJORITY DECISION OF THE COUNCIL THE FOLLOWING ELECTED MEMBERS BE APPOINTED TO THE CEO RECRUITMENT OCCASIONAL COMMITTEE.**

<b>Member</b>		
Mayor		
Cr D J Macphail		
Cr C W Robartson		
Cr M L Reynolds		
Cr A Ceniciva		
Cr P M Phelan		

The Mayor submitted the motion, which was declared

**CARRIED BY ABSOLUTE MAJORITY (12/0)**

**C07/5014 - APPOINTMENT OF PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER OF COMMITTEES (REC)**

Elected Members have previously indicated their desire to elect the Presiding Member and Deputy Presiding Member for a period of only twelve (12) months, acknowledging that the provisions of the Local Government Act allow the person elected to occupy the position for a period of twenty-four (24) months, candidates are asked to declare that they will stand down from the position and allow another ballot to be conducted in September/October 2008 (if appropriate).

In accordance with Standing Orders, the Meeting proposed to adjourn to allow each Committee the opportunity to conduct a Special Meeting to appoint the PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER for the 2007/2008 period. This action is also in accordance with the intent and resolutions contained in the Minutes of the Special Meeting of Council held on 9 May 2005.

**OFFICER RECOMMENDATION**

**10 THAT THE SPECIAL MEETING OF COUNCIL ADJOURN; AND**

**11 THAT SPECIAL MEETINGS OF THE GOVERNANCE COMMITTEE AND THE FINANCIAL MANAGEMENT, AUDIT, RISK & COMPLIANCE COMMITTEE, THE COMMUNITY PLANNING PORTFOLIO, INFRASTRUCTURE & OPERATIONS PORTFOLIO & PLANNING & DEVELOPMENT SERVICES PORTFOLIOS BE IMMEDIATELY HELD TO ELECT A PRESIDING MEMBER AND A DEPUTY PRESIDING MEMBER.**

Following elections being held -

**OFFICER RECOMMENDATION**

**12 THAT THE SPECIAL MEETING OF COUNCIL RECONVENE.**

At 6.54pm, Cr D J Macphail moved, seconded Cr C W Robartson –

**THAT OFFICER RECOMMENDATION 10, 11 AND 12 BE REJECTED AND REPLACED WITH THE FOLLOWING: “THAT THE ELECTION OF PRESIDING MEMBERS AND DEPUTY PRESIDING MEMBERS FOR COMMITTEES AND PORTFOLIOS BE RECOMMITTED TO THE FIRST MEETING OF EACH COMMITTEE AND PORTFOLIO”.**

The Mayor committed the motion, which was declared

**CARRIED WITHOUT DISSENT (12/0)**



**C07/5015 - DATES OF COUNCIL AND COMMITTEE MEETINGS 2007/2008 (REC)**

The suggested timetable for the 2007/2008 period (from October 2007 to September 2008) for the Council and Committee Meetings (subject to any subsequent amendment) is as follows -

**Ordinary Meetings of Council**

Third Tuesday of each month at 6.30pm

The Ordinary Meeting of Council in October 2008 will include nominations for representatives on various Community and Local Government Groups.

**Financial Management, Audit, Risk & Compliance Committee**

Dates and frequency to be decided.

**Governance Committee**

Dates and frequency to be decided.

**Community Planning Portfolio**

Dates and frequency to be decided.

**Infrastructure & Operations Portfolio**

Dates and frequency to be decided.

**Planning & Development Services Portfolio**

Dates and frequency to be decided.

**Electors General Meeting**

Fourth Wednesday in November 2008.

**C07/5015 - DATES OF COUNCIL AND COMMITTEE MEETINGS 2007/2008 (REC)**

**OFFICER RECOMMENDATION**

**13 THAT THE DATES OF THE COUNCIL AND COMMITTEE MEETINGS FOR THE 2007/2008 PERIOD (OCTOBER 2007 TO SEPTEMBER 2008) BE AS FOLLOWS -**

**1.1 ORDINARY MEETINGS OF COUNCIL**

**THIRD TUESDAY OF EACH MONTH AT 6.30PM**

**THE COUNCIL MEETING IN OCTOBER 2008 TO INCLUDE NOMINATIONS FOR DEPUTY MAYOR AND REPRESENTATIVES ON VARIOUS COMMUNITY AND LOCAL GOVERNMENT GROUPS.**

**1.2 FINANCIAL MANAGEMENT, AUDIT, RISK & COMPLIANCE COMMITTEE**

**DATES AND FREQUENCY TO BE DECIDED.**

**1.3 GOVERNANCE COMMITTEE**

**DATES AND FREQUENCY TO BE DECIDED.**

**1.4 COMMUNITY PLANNING PORTFOLIO**

**DATES AND FREQUENCY TO BE DECIDED.**

**1.5 INFRASTRUCTURE & OPERATIONS PORTFOLIO**

**DATES AND FREQUENCY TO BE DECIDED.**

**1.6 PLANNING & DEVELOPMENT SERVICES PORTFOLIO**

**DATES AND FREQUENCY TO BE DECIDED.**

**1.7 ELECTORS GENERAL MEETING**

**FOURTH WEDNESDAY IN NOVEMBER 2008**

**Amendment**

At 6.55pm, Cr J R Bennet moved, seconded Cr H R Everett –

**That 1.7 Electors General Meeting be amended to “Date to be determined by a future meeting of the Council”.**

The Mayor submitted the amendment, which was declared

**CARRIED WITHOUT DISSENT (12/0)**

At 6.56pm, Cr C W Robartson moved, seconded Cr P M Phelan –

The Mayor submitted the motion, which was declared

**CARRIED WITHOUT DISSENT (12/0)**

**C07/5016 - APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER (REC)**

**At 6.56pm Director Customer & Corporate Services left the Chamber.**

**Role of Acting Chief Executive Officer**

In accordance with Policy number 10-003 'Acting Chief Executive Officer' the appointment of an Acting Chief Executive Officer needs to be made in accordance with the Local Government Act 1995.

The Chief Executive Officer has a process to ensure all Directors are given opportunities to act and the next acting period would normally be delegated to Director Customer & Corporate Services. This will be beneficial particularly as there will be an Elected Members induction process.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5016)**

At 6.57pm Cr H R Everett moved, seconded Cr P M Phelan –

**THAT THE DIRECTOR CUSTOMER & CORPORATE SERVICES BE APPOINTED AS ACTING CHIEF EXECUTIVE OFFICER FROM 5.00PM FRIDAY 2 NOVEMBER 2007 UNTIL THE COMMENCEMENT OF EMPLOYMENT OF THE NEW CHIEF EXECUTIVE OFFICER.**

The Mayor submitted the motion, which was declared

**CARRIED WITHOUT DISSENT (12/0)**

**At 6.57pm Director Customer & Corporate Services returned to the Chamber.**

**C07/5017 – PROPOSAL FOR THE PROVISION OF ARCHITECTURAL SERVICES AND THE ENGAGEMENT OF SUB-CONSULTANTS FOR THE REDEVELOPMENT OF THE LEEMING RECREATION CENTRE (REC) (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	:	COO7/8002 Leeming Recreation Centre
Works Programme	:	Not Applicable
Funding	:	2007/2008 Budget
Responsible Officer	:	Paul McAllister Client Liaison Contracts Manager

**AUTHORITY / DISCRETION**

	<u>Definition</u>
<input type="checkbox"/> Advocacy	<i>when 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 &amp; policies.</i>
<input type="checkbox"/> Review	<i>when Council reviews decisions made by Officers.</i>
<input type="checkbox"/> Quasi-Judicial	<i>when 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>

**C07/5017 – PROPOSAL FOR THE PROVISION OF ARCHITECTURAL SERVICES AND THE ENGAGEMENT OF SUB-CONSULTANTS FOR THE REDEVELOPMENT OF THE LEEMING RECREATION CENTRE (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- To recommend acceptance of the 'Provision of architectural services and the engagement of sub-consultants for the redevelopment of the Leeming Recreation Centre'.

**BACKGROUND**

The Leeming redevelopment concept plan has been approved by Council with a budget of \$8,000,000.00 which includes construction cost, professional fees, a contingency sum and escalation up to June 2007. Works are planned to be constructed in two stages over the financial year 2007/08 and 2008/09.

Council at its meeting in August 2007 Item CO07/8002 adopted a recommendation in respect to the provision of architectural services for the redevelopment of the Leeming Recreation Centre. The recommendation read:

- "1. THAT BY ABSOLUTE MAJORITY DECISION OF THE COUNCIL, THE COUNCIL;  
(a) RESCIND ITEM 2 OF COUNCIL RESOLUTION 8002; AND  
(b) SUBSTITUTE THE FOLLOWING PARAGRAPH:**
- "2. THAT THE CITY EVALUATE, BY REFERENCE TO THE EXPERTISE AND RESOURCES OF EACH OF ITS PANEL ARCHITECTS AND "VALUE FOR MONEY" FACTORS, WHICH OF THOSE ARCHITECTS SHOULD BE INVITED TO UNDERTAKE THE REDEVELOPMENT AND REFOCUSING OF THE LEEMING RECREATION CENTRE PROJECT".**

A proposal document was subsequently prepared.

**Price Schedule**

The Price Schedule forms part of the Attachments to the Agenda, which was distributed to the Members of the Contract and Tender Advisory Unit on Tuesday 16 October 2007 under confidential cover.

**Tender Evaluation Process**

All tenders were evaluated using a weighted attribute method. Each tender was assigned a score from 0 to 5 on each criterion, then multiplied by the weighting and totalled to give a final score. The tenderer who achieved the highest score across all the attributes has been recommended.

**C07/5017 – PROPOSAL FOR THE PROVISION OF ARCHITECTURAL SERVICES AND THE ENGAGEMENT OF SUB-CONSULTANTS FOR THE REDEVELOPMENT OF THE LEEMING RECREATION CENTRE (REC) (ATTACHMENT)**

The Evaluation Sheet forms part of the Attachments to the Agenda, which was distributed to the Members of the Contract and Tender Advisory Unit on Tuesday 16 October 2007 under confidential cover.

The Evaluation Committee consisted of the members from the Leeming Redevelopment Project Team, the Acting Purchasing Coordinator, the Client Liaison Contracts Manager, the Client Liaison Contracts Officer and the Acting Manager Melville Recreation Centre.

The criteria for this tender were based on the following specific attributes:

1. Relevant Experience
2. Technical Skills
3. Resources
4. Management Systems ( Quality Assurance systems)
5. Methodology ( Management plan for the services)
6. References
7. Price

**DETAIL**

As a result of the Council recommendation invitations for ‘The provision of architectural services and the engagement of sub-consultants for the redevelopment of the Leeming Recreation Centre, were sent to the City’s panel architects, which consists of;

- James Christou & Partners Architects
- Bollig Design Group
- GHD Architecture

On the closing date of Thursday 27 September 2007 the following submissions were received;

- James Christou & Partners Architects
- Bollig Design Group

Both submissions were received in accordance with the tender compliance and qualitative selection criteria and were therefore accepted for consideration by the evaluation panel.

**C07/5017 – PROPOSAL FOR THE PROVISION OF ARCHITECTURAL SERVICES AND THE ENGAGEMENT OF SUB-CONSULTANTS FOR THE REDEVELOPMENT OF THE LEEMING RECREATION CENTRE (REC) (ATTACHMENT)**

James Christou & Partners Architects and Bollig Design Group were invited to attend a presentation meeting to address specific questions from the evaluation panel and to further support their submissions.

James Christou & Partners Architects have worked with the City on a number of projects in the past including Melville Aquatic Centre. Their services on these occasions and other projects in the past have been to time and to the satisfaction of the council. Of late however there have been some issues regarding timeliness of project completion which was raised at the presentation. They have a strong process driven management style, are familiar with the Leeming Recreation Center's current concept plan and have a demonstrated understanding and experience in community consultation to achieve outcomes and expressed confidence with their current proposed sub-consultants. From the two submissions James Christou & Partners is the more expensive. Scoring in the evaluation matrix that included the Architectural Fees was 85% and with Architectural Fees removed was 35%.

Bollig Design Group has also undertaken significant projects for the City in the past such as Tompkins Park Facility. The services of Bollig Design Group have been to time and to the satisfaction of the City. Bollig Design Group demonstrated a clear understanding of the project needs with a similar project being completed in 2005 at Somerset Recreation and Aquatic Centre. They showed a commitment to that project to ensure that the centre was running efficiently and to original design specifications. Feedback from the Somerset Recreation project was positive. Bollig Design Group's presentation enabled the evaluation panel to observe a degree of flexibility in their approach and a strong emphasis on customer and management functionality as design outcomes. The sub-consultants used by Bollig Design Group are experienced and Bollig Design Group has a high level of confidence in their abilities to achieve the project outcome to time and to budget. Scoring in the evaluation matrix that included the Architectural Fees was 97% and with Architectural Fees removed was 38%.

A combination of price and the degree of comfort with Bollig Design Groups approach to the project has led the evaluation panel scoring to reflect the choice of Bollig Design Group for this project.

**PUBLIC CONSULTATION/COMMUNICATION**

Not applicable

**CONSULTATION WITH OTHER AGENCIES / CONSULTANTS**

Not applicable

**C07/5017 – PROPOSAL FOR THE PROVISION OF ARCHITECTURAL SERVICES AND THE ENGAGEMENT OF SUB-CONSULTANTS FOR THE REDEVELOPMENT OF THE LEEMING RECREATION CENTRE (REC) (ATTACHMENT)**

**STATUTORY AND LEGAL IMPLICATIONS**

Section 3.57 of the Local Government Act states “A Local Government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services”.

**FINANCIAL IMPLICATIONS**

Available total budget amount \$8,000,000.00.

**STRATEGIC AND RISK MANAGEMENT IMPLICATIONS**

No strategic implications are applicable to this item.

**POLICY IMPLICATIONS**

Procurement of Goods and Services Through Direct Purchasing and Public Tendering Policy 13-005

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable

**CONCLUSION**

Whilst both James Christou & Partners and Bollig Design Group have clearly demonstrated the ability to undertake a project of this nature, have relevant experience and have met all of the selection criteria, it is the recommendation that Bollig Design Group be awarded the project due to a demonstration of flexibility that is considered highly desirable on a project of this type, more recent experience in a project of this nature and a focus on customer and staff functionality.



**C07/5017 – PROPOSAL FOR THE PROVISION OF ARCHITECTURAL SERVICES AND THE ENGAGEMENT OF SUB-CONSULTANTS FOR THE REDEVELOPMENT OF THE LEEMING RECREATION CENTRE (REC) (ATTACHMENT)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5017) APPROVAL**

At 6.58pm, Cr C W Robartson moved, seconded Cr H R Everett -

- 1. THAT THE PROPOSAL FROM BOLLIG DESIGN GROUP FOR THE PROVISION OF ARCHITECTURAL SERVICES AND THE ENGAGEMENT AND MANAGEMENT OF SUB-CONSULTANTS FOR THE PROJECT PHASES OF**
  - **DESIGN DEVELOPMENT,**
  - **DESIGN DOCUMENTATION,**
  - **PROVISION OF CONTRACT DOCUMENTATION,**
  - **CONSTRUCTION TENDER AND AWARD OF CONTRACT****FOR THE REDEVELOPMENT OF THE LEEMING RECREATION CENTRE PROJECT, BE ACCEPTED.**
  
- 2. THAT THE PROPOSAL FROM BOLLIG DESIGN GROUP FOR THE PROVISION OF ARCHITECTURAL SERVICES AND THE ENGAGEMENT AND MANAGEMENT OF SUB CONSULTANTS FOR THE PROJECT PHASES OF**
  - **CONTRACT ADMINISTRATION INCLUDING DEFECTS LIABILITY PERIOD AND THE**
  - **PROVISION OF AS CONSTRUCTED DRAWINGS AND OPERATIONS AND MAINTENANCE MANUALS****FOR THE REDEVELOPMENT OF THE LEEMING RECREATION CENTRE PROJECT BE ACCEPTED SUBJECT TO COUNCIL APPROVAL OF THE PROJECT FOLLOWING RECEIPT OF TENDER SUBMISSIONS (INCLUDING PRICING) FOR THE CONSTRUCTION PROJECT.**
  
- 3. THAT THE CITY'S REPRESENTATIVE BE AUTHORISED TO APPLY THE SCHEDULE OF RATES OVER THE TERM OF THE CONTRACT.**

At 6.58pm, the Mayor submitted the motion, which was declared

**CARRIED WITHOUT DISSENT (12/0)**

At 6.58pm, the Mayor moved a motion of thanks to the Chief Executive Officer, Eric Lumsden, as this would be the last occasion for the Chief Executive Officer to be in attendance at a Council meeting

Moved Cr C W Robartson seconded Cr P M Phelan that the Mayor's comments be acknowledged and noted.

**CARRIED WITHOUT DISSENT (12/0)**

The CEO responded.

**9. CLOSURE**

**There being no further business, the Mayor thanked everyone for their attendance and declared the meeting closed at 7.06pm.**