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**AGENDA**

**Briefing Session**

**Tuesday 12 December 2023**

Notice is hereby given of the Briefing Session

to be held in the Council Chamber

Administration Building

48 Old Perth Road, Bassendean WA 6054

commencing at 6:00 pm

**Meeting Information**

**About the Briefing Session**

The Mayor will preside at the Briefing Session. In the absence of the Mayor, the session will be presided over by the Deputy Mayor. The Briefing Session is designed as a Question and Answer session only. No decisions by Council are made at this forum.

The meeting is open to all members of the public, except during the consideration of matters deemed confidential in line with the Local Government Act 1995.

**Recording and Live-streaming**

All participation in the meeting, except for confidential business, will be audio recorded and live-streamed on the Town’s website. The live stream will be archived and made available on the Town’s website after the meeting.

**Conduct at Briefing Sessions**

The Town is committed to ensuring our Briefing Sessions are a safe work environment, free of risks to the health and wellbeing of Elected Members, Officers and our community. Any person attending is required to be respectful, courteous and have due regard for individual rights and differences. Individuals may be asked to leave should their conduct adversely affect the health and safety of others.

By attending this meeting, you agree to abide by these conditions.

For any questions regarding the Briefing Session or any item presented in the agenda, please contact the Town of Bassendean at [mail@bassendean.wa.gov.au](mailto:mail@bassendean.wa.gov.au).

Tune in to live streaming from the comfort of your own home by going to:

[Town of Bassendean Council - YouTube](https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihhg/live)

or if you miss it live, go to:

<https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihhg>



**Council Role**

Each Report presented will identify what Council’s Role is in the item

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

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**1 Declaration Of Opening; Acknowledgment of Country; Acknowledgment of Visitors; Disclaimer**

**Acknowledgement of Traditional Owners**

The Town of Bassendean acknowledges the past and present traditional owners of the land on which we gather to conduct this meeting, and pays its respects to their Elders, both past and present.

**2 Attendances and Apologies**

**3 Declarations of Interest**

**4 Announcements**

**5 Petitions**

**6 Statements by Members of the Public**

Public statement time will be limited to two minutes per person.

Statements at a Briefing Session must relate to an item on the agenda.

Members of the public are encouraged to submit their statements in advance by completing the relevant form:

[Online Form - Public Statement Time » Town of Bassendean](https://www.bassendean.wa.gov.au/forms/public-statement-time/37)

Please complete this form and submit it to the Town’s Chief Executive Officer by no later than 12noon on the day of the meeting.

*It should be noted that comments are recorded and live streamed via YouTube, and that there is no protection from legal action being taken against you, should it arise from your comments delivered at the meeting.*

**7 Public Question Time**

15 minutes will be allocated for questions by members of the public unless the Council, by resolution, decides otherwise.

Each member of the public with a question is entitled to ask up to two questions before other members of the public will be invited to ask their questions.

Members of the public shall not address the meeting on any matter not included in the Briefing Session Agenda.

Members of the public are encouraged to submit their questions in advance by completing the relevant form:

[Online Form - Public Question Time » Town of Bassendean](https://www.bassendean.wa.gov.au/forms/public-question-time/36)

Please complete this form and submit it to the Town’s Chief Executive Officer by no later than 12noon on the day of the meeting.

If a person asking a question is not present at the meeting, then the Mayor can choose to deal with it at the meeting or arrange a response by email.

**8 Deputations**

Deputation requests can be submitted prior to the Briefing Session via the online form: [Online Form - Request for Deputation » Town of Bassendean](https://www.bassendean.wa.gov.au/forms/request-for-deputation/81)

Please complete this form and submit it to the Town’s Chief Executive Officer by no later than 12noon on the day of the meeting.

Further information can be found here:

[About Council Meetings » Town of Bassendean](https://www.bassendean.wa.gov.au/council/council-committees/about-council-meetings.aspx)

**9 Reports**

9.1 Draft amended Local Planning Policy 4 - Heritage and Character

|  |  |  |
| --- | --- | --- |
| **9.1** | **Draft amended Local Planning Policy 4 - Heritage and Character** | |
| **Property Address** | | N/A |
| **Landowner/Applicant** | | N/A |
| **File Reference** | | LUAP/POLCY/24 |
| **Department** | | Community Planning |
| **Previous Reports** | | 24 May 2022  27 June 2023 |
| **Authority/Discretion** | | **Legislative**  Includes adopting local laws, town planning schemes & policies. |
| **Attachments** | | 1. Existing Local Planning Policy 5 - Earlsferry House Design Guidelines [**9.1.1** - 2 pages] 2. Draft amended Local Planning Policy 4 - Heritage and Character (as advertised) [**9.1.2** - 16 pages] 3. Schedule of Submissions [**9.1.3** - 11 pages] 4. Draft amended Local Planning Policy - Heritage and Character (further amended after advertising) [**9.1.4** - 16 pages] |

**Purpose**

The purpose of this report is for Council to consider a draft amended *Local Planning Policy 4 – Heritage and Character* (LPP 4) and the revocation of *Local Planning Policy 5 – Earlsferry House Design Guidelines* (LPP 5).

**Background**

In May 2022, Council resolved to adopt LPP 4 which seeks to conserve and protect places and areas of heritage and/or character significance, ensure that subdivision and development does not adversely affect the significance of a heritage place and/or character areas and that new development is sympathetic to the existing character of the heritage place and designate Heritage Areas, for the purpose of Regulation 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

In June 2023, Council resolved to support draft amended LPP 4 for the purposes of public consultation.

**Communication and Engagement**

Following Council’s resolution on the matter, the draft Policy was advertised for a period of 21 days being, being from 1 to 22 November 2023, in the following manner:

* Letters being sent to owners of property within the subject area;
* The consultation displayed on the Town’s website; and
* Copies of the draft Policy were made publicly available at the Town’s Customer Service Centre and Library.

In response, the Town received 14 community submissions; as set out in the attached Schedule of Submissions.

Whilst the vast majority of submissions objected to the draft amended Policy, it is evident that there is little to no objection to the designation of the Earlsferry Precinct as a Heritage Area (which is the specific proposal that was being consulted upon), but rather, objection to the lack of inclusion of the lots along Nurstead Avenue; an aspect that was never contemplated as part of the draft amended policy. This issue of Nurstead Avenue is discussed in the report.

In addition to the community consultation, the proposal was referred to the State Heritage Office, which advised as follows:

*The proposed policy area includes the State Registered Place P128 Earlsferry which is intended to form part of the proposed local heritage area, Earlsferry Court Heritage Area.*

*The amendment has been considered for its potential impact on the State Registered Heritage Place known as P0128 Earlsferry, 1 Earlsferry Ct, Bassendean.*

*As the proposed policy is consistent with the intent of the heritage provisions currently achieved under ‘LPP5 – Earlsferry House Design Guidelines’ and will not impact on the heritage values of the places, there is no objection to the proposal on historic heritage grounds.*

**Strategic Implications**

Priority Area 6: Providing Visionary Leadership and Making Great Decisions  
6.3  Ensure operational activities reflect the strategic focus of Council  
  
Priority Area 7: Building Community Identity by Celebrating Culture and Heritage  
7.2  Create a community closely connected to its history and heritage operational activities reflect the strategic focus of Council

**Comment**

Earlsferry Precinct

The Regulations provide that if, in the opinion of the local government, special planning control is needed to conserve and enhance the cultural heritage significance and character of an area within the district, the local government may, by resolution, designate that area as a Heritage Area, following public consultation.

The effect of such a resolution is that development that would generally not require development approval would thereafter require such an approval, thereby allowing the application of any provisions with an associated local planning policy.

In accordance with the Regulations, if the local government designates an area as a Heritage Area, the local government must adopt for the area, a local planning policy that sets out the following:

* a map showing the boundaries of the heritage area;
* a statement about the heritage significance of the area; and
* a record of places of heritage significance in the heritage area.

The existing Policy does not include any reference to the Earlsferry Precinct as the matter was addressed via LPP 5 (attached), however, it is considered appropriate for the provisions to be incorporated into LPP 4, allowing for the revocation of LPP 5. The proposed amendments to the Policy, whilst appearing material, are essentially a replication of the existing provisions in LPP 5.

During the consultation period, it was identified that some of the draft provisions (that are effectively that being transferred from LPP 5 to LPP 4) erroneously referred to Nurstead Avenue, however, it is clear from the provisions that they intend to refer to Earlsferry Court. It is recommended that the draft policy be further modified to correct those errors, as contained in Attachment 4.

Nurstead Avenue

As detailed above, the vast majority of submissions advocated for the inclusion of the lots along Nurstead Avenue; either as part of the Earlsferry Precinct or as a new Nurstead Avenue precinct.

In considering the issue, the following is relevant:

* The subject area does not accommodate any properties on the Heritage List and only four properties on the Local Heritage Survey.
* Under the adopted Local Planning Strategy, the subject area is identified for medium to high residential development.
* Under the Council-adopted draft LPS 11, the subject area is proposed to be recoded to R60.
* Based on discussions with the Department of Planning, Lands and Heritage, it is likely that the subject area will be recoded to between R60 and R100.
* The area forms part of the district-level activity centre, which is required to be supported by a Precinct Structure Plan. That plan will be progressed in early 2024 and will be able to provide further guidance in the future development within the area.
* Under *Local Planning Policy 9 – Design Review Panel*, any significant development proposal within the precinct would be subject to formal design review.

In any event, in determining the matter at this time, Council is unable to simply adopt the draft amended Policy, subject to modifications to include the Nurstead Avenue properties. This is due to the fact that the requisite policy provisions have not been prepared, nor have they been subject to community consultation.

Based on the above, the following options are available to Council.

1. proceed with the Policy without further modification and do not separately entertain the identification of the Nurstead Avenue precinct as a Heritage Area.

2. proceed with the Policy without further modification and separately entertain the identification of the Nurstead Avenue precinct as a Heritage Area.

3. not proceed with the draft amended Policy; thereby maintaining the status quo (including the retention of LPP 5).

It is recommended that Council pursue option 2 with the potential designation of the Nurstead Avenue precinct as a Heritage Area to be considered as part of the future Precinct Structure Plan for the Bassendean Town Centre.

**Statutory Requirements**

The *Planning and Development (Local Planning Schemes) Regulations 2015* state that after advertising the draft Policy, Council must review the policy in light of any submissions and resolve to:

*“(i) proceed with the policy without modification; or*

*(ii) proceed with the policy with modification; or*

*(iii) not proceed with the policy.”*

**Financial Considerations**

Nil.

**Risk Management Implications**

No Risks Identified

**Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

**Officer Recommendation – Item 9.1**

That Council:

1. pursuant to Clauses 4(3)(b)(i) and 9(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, proceeds with the draft amended *Local Planning Policy 4 - Heritage and Character* (including the designation of the Earlsferry Heritage Area), with further minor modifications, as contained as Attachment 4.

2. pursuant to Clause 6 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, revokes existing *Local Planning Policy 5 – Earlsferry House Design Guidelines*.

3. Notes that the future Precinct Structure Plan for the Bassendean Town Centre will consider the issue of heritage and character within, and redevelopment of, the Nurstead Avenue sub-precinct.

**Voting requirements: Absolute Majority**

9.2 Calendar of meetings - 2024

|  |  |  |
| --- | --- | --- |
| **9.2** | **Calendar of meetings - 2024** | |
| **Property Address** | | N/A |
| **Landowner/Applicant** | | N/A |
| **File Reference** | | GOVN/CCLMEET/1 |
| **Directorate** | | Office of the CEO |
| **Previous Reports** | | N/A |
| **Authority/Discretion** | | **Executive**  The substantial direction setting and oversight role of the Council. |
| **Attachments** | | 1. 2024 Adopted Meeting Dates to be completed following adoption [**9.2.1** - 1 page] |

**Purpose**

The purpose of this report is for Council to consider and adopt the calendar of meeting dates for 2024.

**Background**

Regulation 12. of the *Local Government (Administration) Regulations 1996* establishes the requirement for giving public notice of all meetings of Council, and committees to which council has delegated powers or duties.

The primary provision in regulation 12(1) of the Administration Regulations, is that local public notice must be given, at least once each year, of the date, time and place of all ordinary meetings and of all committee meetings that are required or proposed to be open to the public and scheduled to be held within the next twelve months.

**Communication and Engagement**

Town of Bassendean official website, Town of Bassendean Facebook Page, Notice Boards, Memorial Library.

**Strategic Implications**

Strengthening and connecting our community.

**Comment**

It is proposed that Council consider the attached schedule of meeting dates, times and places of all ordinary council meetings and all committee meetings.

Following adoption of the schedule, it is proposed local public notice be provided as per section 1.7 of the *Local Government Act 1995.*

**Statutory Requirements**

*Local Government (Administration) Regulations 1996,* Regulation 12. Publication of meeting details.

*Local Government Act 1995 s.1.7*

**Financial Considerations**

Nil

**Risk Management Implications**

No Risks Identified

**Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

**Officer Recommendation – Item 9.2**

That Council adopt the meeting schedule for 2024 and that local public notice be provided.

**Voting requirements: Simple Majority**

9.3 Additional Funding for Drainage Project (AB2401) at Jubilee Reserve

|  |  |  |
| --- | --- | --- |
| **9.3** | **Additional Funding for Drainage Project (AB2401) at Jubilee Reserve** | |
| **Property Address** | | 33 Northmoor Road, Eden Hill, WA 6054 |
| **Landowner/Applicant** | | Town of Bassendean |
| **File Reference** | | TBA |
| **Directorate** | | Infrastructure |
| **Previous Reports** | | Nil |
| **Authority/Discretion** | | **Executive**  The substantial direction setting and oversight role of the Council. |
| **Attachments** | | Nil |

**Purpose**

The purpose of this report is for Council to consider the allocation of additional funds to address a budget shortfall to project AB240 as listed within the adopted 2023-24 Capital Works Program.

**Background**

The objective of this project is to undertake minor upgrades to the Town’s infrastructure including drainage, kerbing and path to reduce flooding and improve access within the carpark and surrounds servicing the Caledonian Soccer Club.

This works program is identified as AB2401 in the Capital Works Program within the 2023-2024 budget, to address localised flooding during rain events that impacts on the Town’s assets including the club changeroom and access to the playing field. These improvements will include the installation of soak wells within the nearby car park to reduce standing water, improvements to gutters and down pipes and an additional path to manage the flooding that impacts player access.

This project was discussed as part of the 2023-24 budget workshops and was presented as requiring an allocation of $69,000. It was subsequently resolved by Council to seek a thirty three percent (33%) contribution from the club and the adopted budget for this project was subsequently reduced to $41,400.

The Town subsequently followed up with the club and the club confirmed it had no capacity nor responsibility to contribute to these works. The club has undertaken significant improvement works within areas that fall outside of the Club’s responsibilities under the lease. The recently completed improvement projects undertaken by the Club with the Town’s approval but without the Town’s financial support, include renovations of and extension to the existing changerooms, extension of the existing veranda, and minor improvements internally. These works equate to approximately $45,000.

The budget is as follows:

|  |  |
| --- | --- |
| **AB2401 Total Budget Allocation** | **$ 69,000.00** |
| Municipal Component | $ 41,400.00 |
| Required funding | $ 27,600.00 |

**Comment**

To maintain Project delivery within the current financial year, the Administration seeks Council endorsement to provide allocated funds from the Asset Enhancement Reserve, to address the budget shortfall. Doing so will ensure that the project can be completed in the drier summer months, before the soccer season commences, and the winter rains risk further damage to infrastructure.

Should no additional funding be made available the project cannot proceed as the components of the works are interrelated.

**Communication and Engagement**

Nil

**Strategic Implications**

Priority Area 1: Strengthening and Connecting our Community   
1.5  Supporting healthy lifestyles throughout our Town  
  
Priority Area 4: Driving Financial Sustainability  
4.1  Ensure there is sufficient, effective and sustainable use of assets

**Statutory Requirements**

Nil

**Financial Considerations**

The Asset Enhancement Reserve has sufficient funds for the proposed budget allocation.

Should Council endorse the proposal the following adjustments will occur:

|  |  |  |  |
| --- | --- | --- | --- |
| Transfer From | | Transfer To | |
| Asset Enhancement Reserve | | AB2401  Caledonian Soccer Club | |
| Current amount |  | Current amount | $69,000 |
| - | - | Withdrawn Contribution | ($27,600) |
| Total |  | Total | $41,400 |
| Transfer | ($27,600) | Transfer | $27,600 |
| Balance |  | Balance | $69,000 |

**Risk Management Implications**

Financial Risk  
Low

Should the required funds not be endorsed it is unlikely that the works will be completed this financial year which will result in the continuation of the flooding.

Administration have reviewed works required and costed works in accordance with existing contract rates.

**Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

**Officer Recommendation – Item 9.3**

That Council endorse the:

1. Transfer of $27,400 from the Asset Enhancement reserve into account AB2401.

**Voting requirements: Simple Majority**

9.4 Accounts Paid - November 2023

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| --- | --- | --- |
| **9.4** | **Accounts Paid - November 2023** | |
| **Property Address** | | N/A |
| **Landowner/Applicant** | | N/A |
| **File Reference** | | FINM/CREDTS/4 |
| **Directorate** | | Corporate Services |
| **Previous Reports** | |  |
| **Authority/Discretion** | | **Legislative**  Includes adopting local laws, local planning schemes & policies. |
| **Attachments** | | 1. List of Payments for November 2023 [**9.4.1** - 17 pages] |

**Purpose**

The purpose of this report is for Council to receive the list of accounts paid for November 2023.

**Background**

Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, requires a list of accounts paid by the CEO each month to be presented to Council at the next ordinary meeting of Council after the list is prepared.

**Communication and Engagement**

Nil.

**Strategic Implications**

Priority Area 4: Driving Financial Suitability   
4.1  Ensure there is sufficient, effective and sustainable use of assets  
4.3  Support the local economy

**Comment**

Payments made during November 2023 are presented to Council, showing the date, payee, amount and description in respect of each payment for goods and services received.

**Statutory Requirements**

*Local Government (Financial Management) Regulations 1996*

**Financial Considerations**

All payments are authorised prior to disbursement in accordance with the Town’s Purchasing Policy, Procurement Guidelines and allocated budgets.

**Risk Management Implications**

Financial Risk  
Low

The Town has adequate controls in place to mitigate external and internal risks in accounts payable.

As an extra measure, the Town uses EftSure to independently check bank account details of suppliers paid by the Town.

**Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

**Officer Recommendation – Item 9.4**

That Council receives the list of accounts paid for November 2023.

**Voting requirements: Simple Majority**

9.5 Disposal of 14 (Lot 103) Iveson Place, Bassendean

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| --- | --- | --- |
| **9.5** | **Disposal of 14 (Lot 103) Iveson Place, Bassendean** | |
| **Property Address** | | 14 (Lot 103) Iveson Place, Bassendean |
| **Landowner/Applicant** | | Town of Bassendean |
| **File Reference** | | TBA |
| **Department** | | Community Planning |
| **Previous Reports** | | N/A |
| **Authority/Discretion** | | **Executive**  The substantial direction setting and oversight role of the Council. |
| **Attachments** | | Nil |

**Purpose**

The purpose of this report is for Council to consider the sale of 14 (Lot 103) Iveson Place, Bassendean by private treaty.

**Background**

The Town owns the subject site. In September 2023, Council resolved to adopt a draft amended Land Asset Strategy which recommended disposal of the site.

**Communication and Engagement**

In late October 2023, the Town commenced a tender process to dispose of the lot, which concluded on 21 November 2023. In response, no submissions were received.

**Strategic Implications**

Priority Area 4: Driving Financial Sustainability  
4.1  Ensure there is sufficient, effective and sustainable use of assets  
  
Priority Area 6: Providing Visionary Leadership and Making Great Decisions  
6.3  Ensure operational activities reflect the strategic focus of Council

**Comment**

It is proposed that the Town engage a realtor to dispose of the property via private treaty and for Council to delegate the ability for the Chief Executive Officer (CEO) to accept any reasonable offer.

Should Council proceed with the proposal to appoint a realtor, the Town will be guided by the appointed realtor as to the price guide of each property.

As Council has previously resolved to dispose of the lot, it is considered appropriate to empower the CEO, via a resolution of Council, to accept any reasonable offer received for the lot. This will ensure the Town can enter into a contract of sale with prospective purchasers without a further resolution of Council; providing certainty for a buyer and reducing the risk of losing a buyer due to the additional timeframes.

**Statutory Requirements**

Land with a value of greater than $5,000 must be disposed in accordance with the requirements of Section 3.58 of the *Local Government Act 1995* (being by public auction or public tender).

Regulation 30(2a) of the *Local Government (Functions and General) Regulations 1996* provides that a property can be disposed as an exempt disposition if the disposal occurs within six months of an unsuccessful public tender process.

**Financial Considerations**

The disposal of the site will generate revenue for the Town, which will be set aside in a reserve account.

**Risk Management Implications**

No Risks Identified

**Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

**Officer Recommendation – Item 9.5**

That Council:

1. Notes that no submissions were received in response to the tender to dispose of 14 (Lot 103) Iveson Place, Bassendean.

2. Endorses the engagement of a realtor to proceed with the sale of 14 (Lot 103) Iveson Place, Bassendean by private treaty.

3. Delegates to the Chief Executive Officer the authority to accept any reasonable offer to purchase 14 (Lot 103) Iveson Place, Bassendean.

**Voting requirements: Absolute Majority**

9.6 RFT 03/2023 Bassendean Oval Lighting

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| --- | --- | --- |
| **9.6** | **RFT 03/2023 Bassendean Oval Lighting** | |
| **File Reference** | | PARE/TENDNG/88 |
| **Directorate** | | Corporate Services |
| **Previous Reports** | | Not applicable |
| **Authority/Discretion** | | **Executive**  The substantial direction setting and oversight role of the Council. |
| **Attachments** | | 1. CONFIDENTIAL REDACTED - 5. RFT 03 2023 EVALUATION REPORT SIGNED ( Confidential) [**9.6.1** - 7 pages] |

**Purpose**

The purpose of this report is for Council to consider the tender received for RFT 03/2023 Bassendean Oval Lighting Upgrade.

**Background**

The Town has a requirement to engage a contractor to upgrade lighting at Bassendean Oval. The Town does not have the internal resources to undertake the required works and as such requires an appropriate external contractor.

**Communication and Engagement**

The Request was advertised in the West Australian newspaper on Saturday, 14 October 2023 and closed at 11.00am on Tuesday, 7 November 2023.

**Strategic Implications**

Priority Area 4: Driving Financial Sustainability  
4.1 Ensure there is sufficient, effective and sustainable use of assets

**Comment**

The Town received one submission in response to the tender.

The Evaluation Panel comprised of three members with appropriate technical expertise and experience, who assessed the submission in a fair and equitable manner. The Town also engaged an independent expert as an advisor to the Evaluation Panel.

The single submission received met the compliance requirements of the tender and was evaluated against the qualitative criteria and weightings shown in the following table

|  |  |
| --- | --- |
| **QUALITATIVE CRITERIA** | **WEIGHTING** |
| Capacity | 20% |
| Demonstrated Experience | 40% |
| Demonstrated Understanding of the Requirements | 40% |

The predetermined qualitative threshold was set at 70% for this tender.

The score for the submission was below the predetermined qualitative threshold, and consequently it did not qualify to progress to the next stage of the evaluation process, being price assessment.

**Statutory Requirements**

A public tender was advertised, opened and evaluated in accordance with clauses

11(1) and 18(4) of Part 4 of the *Local Government (Functions and General)*

Regulations 1996 (the Regulations), where tenders are required to be publicly

invited if the consideration under a contract is, or is estimated to be, more, or worth

more, than $250,000.

Regulation 18(5) of the Regulations provides that a local government may decline to

accept any tender.

**Financial Considerations**

Nil.

**Risk Management Implications**

Financial Risk

Low

The risk associated with the decision before the Council, being to decline the offer, is low; that decision being consistent with the requirements of the Town’s Purchasing Policy and Procurement Manual.

Should Council decline the offer as recommended, it will be necessary to re-tender for the work. The administration proposes to review the approach to market based on industry feedback, with possible peer review of the design documentation before identifying potential suppliers, and then re-tender for the work.

**Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

**Officer Recommendation – Item 9.6**

That Council declines all Offers for RFT 03/2023 Bassendean Oval Lighting Upgrade.

**Voting requirements: Simple Majority**

**10 Confidential Business**

**11 Motions of which Previous Notice has been given**

**12 Closure**

The next Briefing Session will be advised subject to adoption of the 2024 calendar at the December Ordinary Council Meeting.

The next Ordinary Council meeting will be held on Tuesday 19 December 2023 commencing at 6pm.