



MINUTES

Special Council Meeting

Tuesday, 23 November 2021 at 6.12pm

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MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, 135 CANNING HIGHWAY EAST FREMANTLE ON TUESDAY 23 NOVEMBER 2021

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 6.12pm.

2. ACKNOWLEDGEMENT OF COUNTRY

“On behalf of the Council I would like to acknowledge the Whadjuk Nyoongar people as the traditional custodians of the land on which this meeting is taking place and pay my respects to Elders past, present and emerging.”

3. ANNOUNCEMENT TO GALLERY

“Members of the gallery are advised that no Council decision from tonight’s meeting will be communicated or implemented until 12 noon on the first clear working day after this meeting, unless Council, by resolution carried at this meeting, requested the CEO to take immediate action to implement the decision.”

4. RECORD OF ATTENDANCE

4.1 Attendance

The following members were in attendance:

Mayor J O’Neill	Presiding Member
Cr C Collinson	
Cr K Donovan	
Cr L Mascaro	
Cr A McPhail	
Cr D Nardi	
Cr A Natale	
Cr A White	
Cr M Wilson	

The following staff were in attendance:

Mr G Tuffin	Chief Executive Officer
Mr A Malone	Executive Manager Regulatory Services
Mr N King	Executive Manager Technical Services
Ms J May	Minute Secretary

Consultants

Brad Paatsch
Steve McDonald
Emely Maas

There were no members of the public in attendance.

3.2 Apologies

Mr P Kocian Executive Manager Corporate Services

3.3 Approved

Nil.

4. DISCLOSURES OF INTEREST
 - 4.1 Financial
Nil.
 - 4.2 Proximity
 - 4.2.1 Mayor O'Neill - EF Oval Precinct Redevelopment – RFT03-2021/22 Architectural & Lead consultants Tender Acceptance
 - 4.2.2 Mayor O'Neill - EF Oval Precinct Redevelopment – RFT05-2021/22 Quantity Surveyor Services Tender Acceptance
 - 4.3 Impartiality
Nil.
5. PUBLIC QUESTION TIME
 - 5.1 Public Question Time
Nil.
 - 5.2 Deputations
Nil.
6. MATTERS BEHIND CLOSED DOORS

PROCEDURAL MOTION

Moved Cr Natale, seconded Cr Donovan

That the meeting be closed to the public to discuss Item 6.1 & 6.2 under the terms of the *Local Government Act 1995, Section 5.23(2)(c) & (e)*.

(CARRIED UNANIMOUSLY)

Mayor O'Neill declared a proximity interest in the following items as he lives opposite East Fremantle. The Mayor left the meeting at 6.15pm whilst Council deliberated his disclosed conflict of interest.

In the absence of the Presiding Member, the Deputy Mayor assumed the Chair.

PROCEDURAL MOTION

Moved Cr Donovan, seconded Cr White

That pursuant to s5.68(1)(b) of the *Local Government Act 1995*, the Mayor be authorised by Council to preside and participate in the decision making process for this item, as Council believes that the disclosed interest is now so insignificant that it is unlikely to influence his conduct in relation to the matters being considered - the appointment of architectural and quantity surveying services.

(CARRIED UNANIMOUSLY)

Mayor O'Neill returned to the meeting at 6.21pm and resumed the Chair.

6.1 EF Oval Precinct Redevelopment – RFT03-2021/22 Architectural & Lead consultants Tender Acceptance **(Confidential Report)**

PROCEDURAL MOTION

Moved Cr Collinson, seconded Cr Natale

That Standing Orders be suspended at 6.24pm to allow general discussion on the RFT03-2021/22 tender submissions.

(CARRIED UNANIMOUSLY)

PROCEDURAL MOTION

Moved Cr Natale, seconded Cr Nardi

That Standing Orders be resumed at 7.12pm.

(CARRIED UNANIMOUSLY)

6.1 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 101121

Moved Cr Natale, seconded Cr Donovan

That Council

1. accept the Tender submitted by Carabiner for a maximum amount of \$1,113,175 (Ex GST) to provide Architectural & Lead Consultant services in accordance with the requirements as detailed in RFT 03-2021/22 for the East Fremantle Oval Precinct Redevelopment Project.
2. authorise the CEO to finalise a contract with Carabiner within the defined parameters of the tender, or if required, to enter into negotiations with the second preferred Respondent.
3. subject to 2 above, authorise the Mayor and Chief Executive Officer to sign and affix the Town's Common Seal to the contract RFT03 for Architectural & Lead Consultant Services for the East Fremantle Oval Precinct Redevelopment Project.

(CARRIED UNANIMOUSLY)

6.2 EF Oval Precinct Redevelopment – RFT05-2021/22 Quantity Surveyor Services Tender Acceptance **(Confidential Report)**

6.2 OFFICER RECOMMENDATION/COUNCIL RESOLUTION 111121

Moved Cr Nardi, seconded Cr Collinson

That Council:

1. accept the Tender submitted by Donald Cant Watts Corke (DCWC) for a maximum amount of \$195,300 (Ex GST) to provide Quantity Surveyor Services for an ECI process (Option 1) or alternatively should an ECI process not be a valid option (subject to further legal advice), accept the sum of \$152,475 for traditional tender (Option 2), both inclusive of Forward works package, in accordance with the requirements as detailed in RFT05-2021/22 for the East Fremantle Oval Precinct Redevelopment Project.
2. authorise the CEO to finalise a contract with DCWC within the defined parameters of the tender, and to confirm that procedures are in place to ensure separation of duties, or if required, to enter into negotiations with the second preferred Respondent.
3. subject to 2 above, authorise the Mayor and Chief Executive Officer to sign and affix the Town's Common Seal to the contract for Quantity Surveyor services for the East Fremantle Oval Precinct Redevelopment Project.

(CARRIED UNANIMOUSLY)

PROCEDURAL MOTION

Moved Cr Nardi, seconded Cr Wilson

That the meeting be reopened to the public.

(CARRIED UNANIMOUSLY)

7. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 7.54pm.

I hereby certify that the Minutes of the special meeting of the Council of the Town of East Fremantle, held on 23 November 2021, Minute Book reference 1. to 7. were confirmed at the meeting of the Council on

14 DECEMBER 2021



Presiding Member