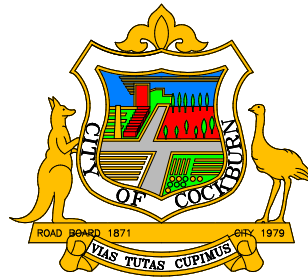


CITY OF COCKBURN



SPECIAL COUNCIL

AGENDA PAPER

FOR

TUESDAY, 6 MAY 2003

CITY OF COCKBURN

SUMMARY OF AGENDA TO BE PRESENTED TO THE SPECIAL COUNCIL MEETING TO BE HELD ON TUESDAY, 6 MAY 2003 AT 7:30 PM

	Page
1. DECLARATION OF MEETING	1
2. APPOINTMENT OF PRESIDING MEMBER (IF REQUIRED)	1
3. DISCLAIMER (TO BE READ ALOUD BY PRESIDING MEMBER)	1
4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS (BY PRESIDING MEMBER)	1
5. APOLOGIES & LEAVE OF ABSENCE	1
6. PUBLIC QUESTION TIME	1
7. DECLARATION BY COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS	1
8. (SCM 06/05/2003) - PURPOSE OF MEETING	1
9. COUNCIL MATTERS	2
9.1 (SCM 06/05/2003) - ELECTION OF DEPUTY MAYOR (1701) (RWB)	2
9.2 (SCM 06/05/2003) - APPOINTMENT OF DELEGATES/REPRESENTATIVES TO COMMITTEES/EXTERNAL ORGANISATIONS (1701) (DMG)	4
9.3 (SCM 06/05/2003) - ESTABLISHMENT OF CITIZEN OF THE YEAR AWARDS SELECTION COMMITTEE (DMG) (1610) (ATTACH)	17
9.4 (SCM 06/05/2003) - ESTABLISHMENT OF 'ENTERPRISE BARGAINING AGREEMENT ISSUES' COMMITTEE (2218) (DMG) (ATTACH)	19
9.5 (SCM 06/05/2003) - ORDINARY MEETINGS OF COUNCIL - DATES & TIMES (1701) (RWB)	21
9.6 (SCM 06/05/2003) - COUNCIL MEMBERS' - MEETING/ANNUAL FEE (1701) (ATC)	23
9.7 (SCM 06/05/2003) - MAYOR'S MEETING/ANNUAL FEE (1701) (ATC)	25
9.8 (SCM 06/05/2003) - ELECTED MEMBERS' COMMUNICATION ALLOWANCE (1705) (ATC)	26

9.9	(SCM 06/05/2003) - ELECTED MEMBERS - VEHICLE ALLOWANCE (1701) (ATC).....	29
9.10	(SCM 06/05/2003) - PROPOSED PART REVOCATION - COOGEE BEACH - ESTABLISHMENT OF CAFE/KIOSK - RESERVE 46664 - APPOINTMENT OF A PROJECT MANAGER (3319158) (DMG)	30
9.11	(SCM 06/05/2003) - TENDER NO. 10/2003 - PROJECT MANAGER - COOGEE CAFE/KIOSK PROJECT (3319158) (AJB) (ATTACH).....	32
10	(SCM 06/05/2003) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)	37
11.	CLOSURE OF MEETING	38

CITY OF COCKBURN**AGENDA TO BE PRESENTED TO THE SPECIAL COUNCIL
MEETING TO BE HELD ON
TUESDAY, 6 MAY 2003 AT 7:30 PM**

1. DECLARATION OF MEETING**2. APPOINTMENT OF PRESIDING MEMBER (If required)****3. DISCLAIMER (To be read aloud by Presiding Member)**

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS (by Presiding Member)**5. APOLOGIES & LEAVE OF ABSENCE****6. PUBLIC QUESTION TIME****7. DECLARATION BY COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS****8. (SCM 06/05/2003) - PURPOSE OF MEETING**

The purpose of the meeting is to :-

- 1) elect the Deputy Mayor;

- 2) appoint Committee Members/Delegates;
- 3) determine days and times for Ordinary Council Meetings;
- 4) determine the annual fee for Elected Members for attending meetings and telecommunication expense allowances;
- 5) consider a Notice of Revocation with regard to Item 21.1 of the 18th March 2003 Council Meeting; and
- 6) accept the tender and appoint a Project Manager for the Coogee Café/ Kiosk project.

9. COUNCIL MATTERS

9.1 (SCM 06/05/2003) - ELECTION OF DEPUTY MAYOR (1701) (RWB)

RECOMMENDATION

That Council conduct an election for the position of Deputy Mayor, pursuant to Schedule 2.3 7(1) of the Local Government Act.

COUNCIL DECISION

Background

The Local Government Act 1995 (Schedule 2.3 7(1)) provides that the office of the Deputy Mayor is to be filled as the first matter dealt with after an ordinary election day.

Submission

N/A

Report

The election is to be conducted by the Mayor, or if he/she is not present, by the CEO.

Nominations for the office are to be given to the person conducting the election in writing.

If a Councillor is nominated by another Councillor, the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election (orally or in writing), that he/she is willing to be nominated for the office.

The Council Members are to vote on the matter by secret ballot as if they were voting at an election. The votes are to be counted and the successful candidate is the candidate who receives the greater or greatest number of votes.

If a Deputy Mayor is not elected due to an equity of votes, that count is to be discontinued and not more than seven(7) days later, a Special Meeting of Council is to be held.

Any nominations may be withdrawn and further nominations may be made before or when the Special Meeting is held.

If at the Special Meeting, an equity of votes exists after the count, the person conducting the election is to draw lots.

The appointment will be in place until May 2005.

The person elected by Council as Deputy Mayor, has to make a declaration on the prescribed forms before acting in the office. The Declaration is to be made in the presence of an authorised person whom a statutory declaration may be made, pursuant to S2 of the Declarations and Attestations Act 1913.

Strategic Plan/Policy Implications

Key Result Areas "Managing Your City" applies.

Budget/Financial Implications

Council has determined that the Deputy Mayoral Allowance be set at \$8,000.

Legal Implications

Nil

Community Consultation

Nil

Implications of Section 3.18(3) Local Government Act, 1995

Nil

Note: Following the election of the Deputy Mayor, the Deputy Mayor is to make the Declaration of Office.

9.2 (SCM 06/05/2003) - APPOINTMENT OF DELEGATES/REPRESENTATIVES TO COMMITTEES/EXTERNAL ORGANISATIONS (1701) (DMG)

RECOMMENDATION

That Council appoint the following Council Delegates/Representatives to the Committees/Organisations as listed below :-

(a) External Organisations

Beeliar Regional Park Advisory Committee

(Meets every 2nd Month 5:30pm at Wetlands Education Centre)

Elected Member	
Elected Member (Deputy)	
Environmental Officer (Planning & Policy)	Mr B. Hollyock (Advisor)

Co-Assist

(Meets monthly at Coolbellup Community Centre)

Elected Member	
Social Services Manager	Ms G. Bowman

Coastal Business Centre

(Meets monthly 7.30am at Fremantle Jail)

Elected Member	
Chief Executive Officer	Mr R. Brown

Cockburn Community & Cultural Council

(Meets 4th Thursday each month – 8.00pm in Old Council Chambers)

Elected Member	
Community Arts/Cultural Officer	Ms C. Cooper (Advisor)

Cockburn Central Implementation Steering Committee

(Meets monthly at DPI)

Elected Member	
Chief Executive Officer	Mr R. Brown
Manager, Planning Services	Mr A. Blood

Cockburn Sound Conservation Committee

(Meets quarterly at Rockingham)

Elected Member	
Elected Member (Deputy)	

Cockburn Sound Management Board

(Meets as necessary at Rockingham) Sitting Fee applies.

Elected Member	
Elected Member (Deputy)	
Environmental Officer (Technical)	Mr P. Strano (Advisor)

Cockburn Voluntary Emergency Service

(Meets as necessary)

Elected Member	
Elected Member (Deputy)	

Community Policing (Safer WA – Fremantle Policing District)(Meets 2nd Thursday each month – rotating venues)

Elected Member	
Elected Member (Deputy)	
Safer City Coordinator	Mr J. Johnson

Cockburn Sea, Search & Rescue Group(Meets 2nd Wednesday each month 7.30pm at Sea Rescue Base)

Elected Member	
Elected Member (Deputy)	

Coogee Implementation Committee

(Meets as necessary)

Elected Member	
Director, Planning & Development	Mr S. Hiller
Manager, Planning Services	Mr A. Blood (Deputy)

DEWCP & Cockburn Cement Community Working Group

(Meets bi-monthly at Yangebup Family Centre)

Elected Member	
Principal Environmental Health Officer	Mr J. Hardy

Hamilton District High School Chaplaincy Council(Meets 2nd Tuesday each month)

Elected Member	
Elected Member (Deputy)	

Hope Valley/Wattleup Redevelopment Reference Group

(Meets as monthly at Landcorp office Wattleup)

Elected Member	
Elected Member (Deputy)	

Hope Valley/Wattleup Community Management Committee

(Meets monthly at Landcorp office, Wattleup)

Elected Member	
Elected Member (Deputy)	

Independent Committee on Watsons Food Odour Issue

(Meets monthly or as necessary at Council)

Elected Member	
Principal Environmental Health Officer	Mr J. Hardy (Advisor)

Jandakot Airport Consultative Committee

(Meets as necessary usually quarterly at Jandakot Airport)

Elected Member	
Principal Environmental Health Officer	Mr J. Hardy (Advisor)

Jandakot Botanic Park Advisory Committee

(Meets as necessary at Cockburn Wetland Education Centre)

Elected Member	
Environmental Officer (Technical)	Mr P. Strano (Advisor)

Lakeland Senior High School Chaplaincy Council

(Meets as necessary 9am at Lakeland High School)

Elected Member	
Elected Member (Deputy)	

Melville-Cockburn Chamber of Commerce

(Meets monthly – alternating times and venues)

Elected Member	
Elected Member (Deputy)	

Perth Urban Rail Project (Stakeholder Reference Group)

(Meets as necessary)

Elected Member	
Elected Member (Deputy)	

Regional Road Funding Sub-Group

(Meets once a year)

Elected Member	
Elected Member (Deputy)	
Director, Engineering & Works	Mr B. Greay

Roe Highway (East of Kwinana Freeway) Community Liaison Group

(Meets as necessary)

Elected Member	
Elected Member (Deputy)	
Manager, Engineering	Mr J. Radaich (Advisor)

South Metropolitan Zone – Local Government Association

(Meets bi-monthly last Monday – 5.30pm at rotating venues)

Elected Member	
Elected Member	
Elected Member	
CEO	Mr R. Brown (Advisor)
Director, Community Services (Deputy for CEO)	Mr D. Green

South West Corridor Development & Employment Found.

(Meets bi-monthly at rotating venues)

Elected Member	
Elected Member (Deputy)	

South West District Planning Committee

(Meets bi-monthly 7.30pm at rotating venues)

Elected Member	
Elected Member (Deputy)	
Principal Planner	Mr M. Ross (Advisor)

South West Group Management Committee

(Meets monthly – Thursday, 8.00am at rotating venues)

Delegate (Mayor)	Mayor Lee
Deputy (Deputy Mayor)	

South West Group Transport Committee(Meets bi-monthly 2nd Thursday 4.00pm at rotating venues)

Elected Member	
Elected Member (Deputy)	
Senior Planning Officer	

South West Metropolitan Regional Tourism Marketing Association Inc. (Funcoast)

(Meets as necessary at the City of Melville)

Elected Member	
Elected Member (Deputy)	

Southern Metropolitan Regional Council

(Meets bi-monthly on Thursdays 5.00pm at rotating venues) Sitting Fee applies.

Elected Member	
Elected Member (Deputy)	
Director, Engineering & Works	Mr B. Greay (Advisor)

Volunteer Home Support Inc.(Meets 3rd Monday each month 10am in O'Connor)

Elected Member	
Elected Member (Deputy)	

Wetlands Education Centre Management Committee(Meets 2nd Monday each month 6.00pm at Wetlands Education Centre)

Elected Member	
Elected Member (Deputy)	

Woodman Point Management Planning Committee

(Meets as necessary at CALM office 5pm)

Elected Member	
Elected Member (Deputy)	
Manager Community Services	Mr R. Avard

(b) Internal Committees

Aboriginal Advisory Committee(Meets 1st Monday each month 10.00am at Coolbellup Community Centre)

Elected Member	
Elected Member	
Elected Member (Deputy)	
Cultural Development Coordinator	Ms C. Cooper (Advisor)
Various Aboriginal & Community Representatives to be appointed by Council.	

Cockburn Bush Fire Advisory Committee

(Meets as necessary 6.30pm)

Elected Member	
Elected Member	
Chief Bush Fire Control Officer	Mr J. Johnson
Deputy Chief Bush Fire Control Officer	Mr S. Filer
Fire Weather/Communications Officer	Mr F. Massey
South Coogee Volunteer Bush Fire Brigade Representatives (2)	Captain 1 st Lieutenant
Jandakot Volunteer Bush Fire Brigade Representatives (2)	Captain 1 st Lieutenant
CALM Representative (Non-voting delegate)	
FESA Representatives (2) Non-voting delegates)	BFS District Manager FRS District Manager

Cockburn Youth Advisory Council

(Meets last Wednesday each month 7.00pm in Council Chambers)

Elected Member	
Elected Member	
Youth Services Coordinator	Ms M. Ashe (Advisor)
Community Representatives	16 Youth Councillors to be appointed by Council.

Cockburn Recreation Advisory Committee(Meets 2nd Tuesday each month 7.30pm)

Elected Member	
Elected Member	
Recreation Services Coordinator	Mr A. Jarvis (Advisor)
Sporting Representatives (2)	Mr B. Gabrielson Mr J. Monaco
Recreation Representatives (2)	Ms A. Morgan Mr S. French
Community Representatives (2)	Mr B. Wallington Mrs V. Ellement
Aged/Disability Representative	Mr D. Troup
Youth Representative	Mr P. Bridle
Business Representative	vacant

Cockburn Cultural Advisory Committee(Meets 1st Tuesday each month 6.30pm)

Elected Member	
Elected Member	
Cultural Development Coordinator	Ms C. Cooper (Advisor)
Community Representatives (appointed by Council)	Mr J. Beale Mrs J. Baker Ms R. Ellicott Ms C. McGuinness Mr R. Rakatau Mr B. Wallington Mr D. Williams Mrs G. Wynne

Delegated Authorities, Policies & Position Statements Committee

(Meets as necessary)

Elected Member	
Elected Member	
Elected Member	
Elected Member	
Director, Community Services	Mr D. Green (Advisor)

Disability Services Advisory Committee

(Meets 1st Tuesday each month 4.00pm in Training Room)

Delegate	
Deputy	
Disability Access Officer	Mrs J. Zumach (Advisor)
Social Services Manager	Ms G. Bowman (Advisor)
Industry & Community Representatives (13 approx.)	Positions filled by interested people. Nominations called at AGM. Appointments to be made by Council.

Elected Members Area Refurbishment Committee

(Meets as necessary)

Elected Member	
Elected Member	
Elected Member	
Admin. Research Officer	Mr L. Cetinic-Dorol (Advisor)

Internal Audit Committee

(Meets as necessary)

Elected Member	
Elected Member	
Elected Member	
Elected Member	
Elected Member	
CEO	Mr R. Brown
Director, Community Services	Mr D. Green

LEMC (Local Emergency Management Committee)

(Meets as necessary)

Elected Member (Mayor)	Mayor Lee
Elected Member	
Elected Member (Deputy)	
Safer City Coordinator	Mr J. Johnson
Deputy Bush Fire Officer (Deputy to Safer City Coordinator)	
Principal Environmental Health Officer (PEHO)	
Senior Environmental Health Officer (Deputy to PEHO)	
Police Service	South Metro Emergency Coordinator OIC Cockburn Police OIC Murdoch Police OIC Hilton Police
WA SES	District Manager
Cockburn SES	Deputy Local Manager
Cockburn Sea, Search & Rescue	Commander

FESA Fire Services	Director, Perth South
Ambulance Service	District Officer Cockburn Station
Dept for Community Development	
Fremantle Hospital	

Museum Advisory Committee

(Meets 4th Tuesday in February each year – 5.30pm)

Elected Member	
Elected Member	
Director, Community Services (or delegate)	Mr D. Green (Advisor)
Historical Society of Cockburn Representatives (2)	

Neighbourhood Watch Committee

(Meets 1st Wednesday each month 6.30pm)

Elected Member	
Elected Member (Deputy)	
Safer City Coordinator	Mr J. Johnson
Deputy Safer City Coordinator	Mr S. Filer (Deputy to Mr Johnson)
Neighbourhood Watch Coordinator	Mr S. Cole
Assistant Neighbourhood Watch Coordinator	Deputy to Mr Cole
District Community Policing Coordinator	
Police Service	OIC Cockburn Police OIC Hilton Police OIC Murdoch Police
Suburb Managers	Atwell Banjup Beeliar Bibra Lake Coogee Coolbellup Hamilton Hill Hammond Park Jandakot Munster North Lake South Lake Spearwood Success Wattleup Yangebup

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

Background

Council is required to appoint delegates to external and internal Committees/Organisations.

Submission

N/A

Report

Section 5.10 of the Local Government Act 1995 (the Act), enables Council to appoint (by Absolute Majority), persons to be members of any Committee (internal) established by it, to undertake a specific function on behalf of Council.

Those Committees are under the heading “(b) Internal Committees” as detailed above.

Advice received from the Department of Local Government and Regional Affairs, is that it is not necessary to restate Terms of Reference for previously appointed Committees.

In addition, Council is able to appoint representatives to external committees or organisations with which Council has a strong link. Those Committees/Organisations are under the heading “(a) External Organisations” as detailed above.

It should be noted that the appointment to external organisations are not, in the main, compulsory and that each committee will continue to operate with or without the City’s representation. Some appointments require staff representation.

The recommendation itself, deals with appropriate representation given the nature of the organisation.

It is to be noted that staff have been shown as advisors where appropriate. If there is no specific notation, the person/position would be a voting member.

It is the Mayor’s prerogative to nominate for any or all of the internal committees established by Council pursuant to Section 5.10(4) of the Act.

Similarly, if the Chief Executive Officer (CEO) wishes to nominate himself (or a representative) to any of the internal committees on which staff are represented, then the nomination must be approved by Council as an appointment.

The manner of appointing delegates and representatives is suggested to be as follows as the procedure assists in facilitating the process :-

- Elected Members to complete a nomination form (sent under separate cover) for Committees/Organisations in which they are interested and return it to the CEO by noon on 6 May 2003.
- Nominations will be recorded for all positions, where indicated, on the Council Chamber whiteboards upon their receipt.
- Where there are equal, or less, nominations than required, those persons will be appointed en block (by the necessary resolution of Council and by absolute majority where required) with the remaining positions being left vacant.
- Where there are more nominations received than positions vacant, members will resolve, by vote of show of hands, the appointment of the requisite delegates. This process will involve separate resolutions being made for each individual committee or organisation.

Note: If an Elected Member wants to be on an Internal Committee, then they must be appointed to at least one Council appointed (Internal) Committee.

For your information, the following is a very brief explanation of each of the Committees:-

Beeliar Regional Park Advisory Committee - organised by CALM comprising of local representatives interested in the progress of the development of the Beeliar Regional Park and its associated management plan.

Co-Assist - established to identify and assist in welfare service areas within the district to provide emergency relief funding.

Coastal Business Centre - endeavours to assist the development of small business and industry through the "business incubator" process and which involves providing low cost start up facilities for small business operators which show some potential to succeed.

Cockburn Community & Cultural Council - is the peak body within the district to which matters of an artistic, theatrical or cultural nature are referred to for consideration of any matters to be pursued in conjunction with the City.

Cockburn Central Implementation Steering Committee – a State Government committee consisting of appropriate authorities to oversee the development of the Cockburn Central area.

Cockburn Sound Conservation Committee - is comprised of local representatives interested in protecting and participating in activities which effect Cockburn Sound.

Cockburn Sound Management Board - State Government committee responsible for management of activities within the Sound and surrounding areas.

Cockburn Voluntary Emergency Service - coordinates the efforts of local volunteers who attend to emergency situations and hazards, usually caused by adverse natural conditions (storms etc).

Community Policing, (Safer WA - Fremantle Policing District) - comprises all the local governments in the Fremantle Policing District and considers matters of local law and order.

Cockburn Sea, Search & Rescue Group – administers sea based rescue initiatives and operates the base headquarters and equipment which is located in Henderson.

Coogee Implementation Committee - responsible for overseeing planning and development issues within the North Coogee Industrial Precinct.

DEWCP & Cockburn Cement Community Working Group – committee comprised of DEWCP, City of Cockburn, CCL representatives and concerned residents who meet to discuss issues relating to both the licensing of and operations of the plant which may result in emissions that impact on the surrounding environment and residents within these areas. It provides residents with the ability to directly comment on the operations within the plant and air their concerns directly to both DEWCP (the licensing authority) and CCL (plant operators).

Hamilton District High School Chaplaincy Council – this organisation invited Council representation as Council provided an annual financial contribution to it.

Hope Valley/Wattleup Community Management Committee – consists of local community members, Landcorp & Council representatives, Chaired by Fran Logan, to deal with township management issues.

Hope Valley/Wattleup Redevelopment Reference Group – consists of rural community members, local MP's, Cockburn & Kwinana Council representatives to discuss overall master plan input.

Independent Committee on Watsons Food Odour Issue – Group formed to raise and monitor community concerns relating to the

operations conducted at the Watsons Plant, particularly in relation to odours emanating from the premises.

Jandakot Airport Consultative Committee - provides a forum for discussing Jandakot Airport related issues, particularly impacts of aircraft noise. Members of the Committee are drawn from a broad base of stakeholders including community, industry, airport and regulatory authority representatives.

Jandakot Botanic Park Advisory Group - organised by CALM comprising of local representatives interested in the progress of the development of the Jandakot Botanical Park and its associated future management plan.

Lakeland Senior High School Chaplaincy Council – advisory and fundraising committee established to support the effective operation of the School Chaplaincy. Council is a significant financial contributor each year.

Melville-Cockburn Chamber of Commerce - represents a wide variety of business and commercial interests in the Cities of Melville and Cockburn and invites both Councils to be represented on its Executive Committee to enhance issues of mutual interest.

Perth Urban Rail Project (Stakeholder Reference Group) –

Regional Road Funding Sub-Group - allocate priorities for regional road funding.

Roe Highway (East of Kwinana Freeway) Community Liaison Group - community and Council representative reference group looking at proposals for the Roe Highway between the Kwinana Freeway and South Street.

South Metropolitan Zone - Local Government Association - Regional group which deals with all matters relevant to local government within the Region and feeds into the peak body of local government in the State - the West Australian Local Government Association.

South West Corridor Development and Employment Foundation - oversees funds for economic development which are not available to local government.

South West District Planning Committee - a committee of the West Australian Planning Commission comprising of representatives of the 6 local governments representing the south west corridor, meets to discuss and make recommendations on regional planning proposals.

South West Group Management Committee - comprising Mayors of each of the South West Group Councils which discusses matters of regional local government interest.

South West Group Transport Committee - a committee of the 5 councils of the south west group who deal with transport issues affecting the region.

South West Metropolitan Regional Tourism Marketing Assoc. - Regional Committee which promotes tourism initiatives in the South West Metro area. Its continued function is subject to review.

Southern Metropolitan Regional Council - principal function is to coordinate the waste minimisation programs of the member councils. This council has been responsible for the awarding of contracts for recycling and secondary waste processing of the domestic waste. Meeting Fee applies.

Volunteer Home Support Inc. – coordinates and monitors a group of workers who perform household duties and work for people who are unable to undertake this work on their own accord.

Wetlands Education Centre Management Committee – an autonomous, broadly based community association for environmental education and conservation.

Woodman Point Management Planning Committee - formed some years ago when the State Government was considering the future of the Woodman Point Reserve. It has now become a Regional Reserve vested in the Department of Conservation and Land Management with Council's input to the committee being limited to that of a community stakeholder.

INTERNAL COMMITTEES

Aboriginal Advisory Committee – advise and assist in creating a strong and proactive partnership with the local Aboriginal community.

Cockburn Bush Fire Advisory Committee - responsible for the operation and monitoring of Council's two Volunteer Bush Fire Brigades and their association with the Metropolitan Fire Brigade Service.

Cockburn Youth Advisory Council - deals with issues considered important to young people between the ages of 13 and 25 within the community.

Cockburn Recreation Advisory Committee - deals with issues of (generally) recreational pursuits within the District and responds to

issues raised by organisations in relation to recreation activities, facilities and associated matters.

Cockburn Cultural Advisory Committee - to promote support and generate awareness of local community and cultural initiatives, facilities and services in Cockburn.

Delegated Authorities, Policies & Position Statements – to consider all Council Policies, Position Statements and Delegated Authorities.

Disability Services Committee - established under the framework of the Disability Services Commission, this committee monitors the progress of Council's adopted Disability Services Plan.

Elected Members Area Refurbishment Committee - to coordinate the refurbishment of the Elected Members Area including the Council Chambers, Foyer, Reception Area and Dining Room.

Internal Audit Committee - monitors issues of internal financial and legislative compliance within the administrative area of Council's operations.

LEMC (Local Emergency Management Committee) – to detail arrangements to prepare for and counter the impact of emergencies within the City of Cockburn.

Museum Advisory Committee - oversees the operation of the Azelia Ley Museum located at Manning Park Spearwood, including any capital improvements to the building.

Neighbourhood Watch Committee - local committee comprising people from most suburbs within Cockburn and considers matters of local law and order concern.

It is also recommended that Council not have formal Elected Member representation to the following forums as it is either not required at this stage, the Committee no longer exists or the function and role of the organisation is largely independent of Council influence, or a staff appointment is already in place :-

- Regional Transport Planning Study Steering Committee
- Fremantle-Rockingham Highway Road Realignment
- Fremantle Eastern By-Pass Community Liaison Group
- Market Garden Swamp Community Committee
- Yangebup Lake & Little Rush Lake Community Committee
- Midge Research Group
- Crime Prevention Steering Committee
- Centenary of Federation Committee
- Cockburn Sports Council

- Atwell Reserve Management Committee
- Care Options
- District Operation Advisory Committee
- Perth Urban Rail Project (Technical Reference Group – Station Design Package B)
- Perth Urban Rail Project (Technical Reference Group – Package A Design & Documentation)
- South Metropolitan Migrant Resource Centre Committee
- Swan Region Fire Protection Advisory Committee
- Technical Review Committee for Thomsons Lake Drainage Scheme

Matters that come forward from these groups, can be dealt with administratively and placed before Council where required.

In addition, the Greening Plan Review Group does not operate as a Committee and therefore, is not subject to this formal process.

Strategic Plan/Policy Implications

Key Result Area “Managing Your City” refers.

Budget/Financial Implications

Nil

Legal Implications

Nil

Community Consultation

Nil

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

9.3 (SCM 06/05/2003) - ESTABLISHMENT OF CITIZEN OF THE YEAR AWARDS SELECTION COMMITTEE (DMG) (1610) (ATTACH)

RECOMMENDATION

That Council :-

- (1) establish a Citizen of the Year Awards Selection Committee comprising of two Elected Members of Council, two community members to be appointed by Council and Director Community Services (or delegate) as an Advisor;

- (2) appoint Mayor Lee and Clr as Council representatives of the Committee;
- (3) call for nominations from the community to be formally appointed by Council as members of the Committee; and
- (4) adopt the Terms of Reference for the Committee as attached to the Agenda.

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

Background

For many years, the City of Cockburn presented a “Cockburn Citizen of the Year” Award to a worthy member of the community at the Annual Pioneers Function each year. In more recent times, the Australia Day Citizen of the Year Awards has become more prominent and tends to attract more widespread community interest.

Submission

To establish a Committee of Elected and Community Members to determine issues associated with Citizen of the Year Awards promoted by the City of Cockburn.

Report

Council has operated by informal means in the past when dealing with its Citizen of the Year Awards. These Awards were presented and promoted by the City of Cockburn in the form of “Foundation Day”, to coincide with the Annual Pioneers Function, sponsored by Council for long standing residents of the City and in more recent times, the “Australia Day” Awards, which are presented as part of the Annual Australia Day Celebrations.

The Australia Day Awards have become the priority “Citizen” Awards, in preference to the Foundation Day presentation. This is largely due to the “hype” which now surrounds Australia Day Celebrations in

general, whereas Foundation Day is an issue relevant only to this State and is not recognised elsewhere.

While the merits of either or both Awards is debateable, there would appear to be some interest in both, but in particular the Australia Day Awards, amongst the Cockburn community. However, the means by which nominations for these Awards are sought and the selection criteria have not been reviewed for many years, if at all, since their inception. Therefore, it is considered that these aspects of the Awards should be reviewed, with an intended outcome to assess whether the Awards are appropriate and if so, determining a contemporary means of promoting them, attracting worthy nominations and ensuring an equitable selection process of Award recipients.

Strategic Plan/Policy Implications

Key Result Area "Facilitating the Needs of Your Community" refers.

Budget/Financial Implications

Nil

Legal Implications

Sections 5.8 and 5.9 of the Local Government Act 1995 refer.

Community Consultation

Proposed to advertise through "Cockburn Soundings" and "Herald half page" for nominations to fill community positions.

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

9.4 (SCM 06/05/2003) - ESTABLISHMENT OF 'ENTERPRISE BARGAINING AGREEMENT ISSUES' COMMITTEE (2218) (DMG) (ATTACH)

RECOMMENDATION

That :-

- (1) Council establish an Enterprise Bargaining Agreement (EBA) Issues Committee comprising of all Elected Members of Council;
- (2) the Committee be delegated the authority to deal with matters

relative to the City of Cockburn Enterprise Bargaining Agreements; and

- (3) the Terms of Reference for the Committee, as attached to the Agenda, be adopted.

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

Background

Previous Council EBA's have been prepared on the basis of the Chief Executive Officer (CEO) being the principal negotiator on behalf of Council and being the Council mediator between Council and employee representatives in ensuring the process remained on course. No formal process existed for the CEO to be given advice and direction.

Submission

To establish an EBA Issues Committee with delegated authority to determine related issues, ensuring EBA deliberations can be dealt with expediently.

Report

Since 1996, Council has been party to three Enterprise Bargaining Agreements (EBA) with its staff. These have been useful in enabling benefits to both Council, as an employer, and the staff to be mutually negotiated.

The most recent EBA No.3 expires in October 2003 and it will be necessary for Council to consider how it wishes to deal with this matter in future.

Previous positions have been initially negotiated through informal Committees comprised of employee representatives (unions), staff chosen by peers and Council advocates, represented by the CEO and other senior employees.

This process has been difficult to manage because of the need to consult Council representatives for briefing purposes and to obtain guidance for progressing the issues raised during negotiations.

The establishment of a Committee, comprising all Elected Members, will be able to expedite the process and culminate in an Agreement which Elected Members can be fully appraised of as part of the process, as opposed to receiving a report at the end of the negotiations and being requested to endorse the recommendations.

By being delegated the authority to deal with EBA matters as they arise, Elected Members will be able to familiarise themselves with current issues as well as determine outcomes as part of the process.

Strategic Plan/Policy Implications

Key Result Area “Managing Your City” refers.

Budget/Financial Implications

Funds not provided for in any negotiated EBA, may require an amendment to Council’s 2003/04 Municipal Budget.

Legal Implications

Workplace Relations Act 1996 refers.

As a committee acting under the delegated authority of Council to determine matters, all committee meetings scheduled must be commenced with “open doors” however, it may resolve to conduct proceedings behind closed doors, as the subject matter deals with Council employees.

Community Consultation

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

9.5 (SCM 06/05/2003) - ORDINARY MEETINGS OF COUNCIL - DATES & TIMES (1701) (RWB)

RECOMMENDATION

That the Ordinary Meeting of Council be held on the third (3rd) Tuesday of each month commencing at 7:00pm.

COUNCIL DECISION

Background

Council is to determine the day and time which the Ordinary Meetings of Council are to be conducted.

Submission

N/A

Report

Since the Council's return in December 2000, Ordinary Meetings of Council have been held on the 3rd Tuesday of each month commencing at 7:30pm. This has been a traditional starting time for many years however, the opportunity exists for Council to determine an alternative time.

As there are no briefing sessions held prior to Council meetings and experience has indicated that Elected members are able to attend early, it is therefore recommended that Council continue with a monthly Ordinary Meeting to be held on the 3rd Tuesday commencing at 7:00pm.

Strategic Plan/Policy Implications

Key Result Area "Managing Your City" applies.

Budget/Financial Implications

Funds are provided in the Budget for meals associated with Council Meetings.

Legal Implications

Local Government Act 1995, Section 5.3 and Local Government (Administration) Regulation 12 refer.

Community Consultation

An advertisement is to be placed in local newspapers annually listing the dates of future Council Meetings for the next twelve months.

Agendas are available to the public in hard copy and on the website the week prior and at the meeting.

Special Council Meetings are advertised independently both in the local newspapers (whenever possible) and on Council Notice Boards.

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

9.6 (SCM 06/05/2003) - COUNCIL MEMBERS' - MEETING/ANNUAL FEE (1701) (ATC)

RECOMMENDATION

That Council pay an Annual Fee to the Councillors in lieu of a meeting fee of \$6,000 per annum payable monthly in arrears.

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

Background

The Local Government Act 1995 provides that the Council may pay to Council Members, a meeting fee or an annual amount.

At the Special Council Meeting in December 2000, Council determined that an Annual Meeting Fee of \$6,000 per annum was appropriate paid monthly in arrears.

Submission

N/A

Report

Section 5.98 of the Local Government Act 1995, provides that Council Members attending a Council or Committee Meeting, are entitled to be paid a meeting fee. The minimum fee for a Council Meeting is set at \$50 per meeting, with the maximum of \$120 per meeting.

For Committee Meetings, the minimum is \$25 with a \$60 maximum.

Committee Meetings are defined as being Committees with Council Members only or Council Members and Council employees.

If Council does not set a fee, then a member is entitled to receive the minimum meeting fee. The maximum which can be paid on a meeting basis, is limited to \$6,000.

This system would require an administrative procedure to be established to ensure payment is made based on the meetings attended.

Alternatively, Section 5.99 allows for the Council to set an annual attendance fee, providing for a minimum of \$2,000 and a maximum of \$6,000.

Any decision to pay a fee, requires an absolute majority of Council (ie: six votes).

For voting purposes, Members do not have a financial interest in the decision.

Note: The meeting fee is taxable.

Strategic Plan/Policy Implications

Key Result Area "*Managing Your City*" applies.

Policy SC1 – 'Meeting Attendance Fees – Elected Members' refers.

Budget/Financial Implications

Funds are available in the annual budget.

Legal Implications

Nil

Community Consultation

Listed in the Municipal Budget and the Annual Report.

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

9.7 (SCM 06/05/2003) - MAYOR'S MEETING/ANNUAL FEE (1701) (ATC)**RECOMMENDATION**

That Council pay an Annual Fee to the Mayor, in lieu of a meeting fee, of \$12,000 per annum payable monthly in arrears.

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION**Background**

The Local Government Act 1995, provides that Council may pay to the Mayor, a meeting fee or an annual amount.

At the Special Council Meeting in December 2000, Council resolved to provide the maximum allowance.

Submission

N/A

Report

Section 5.98 of the Local Government Act 1995, provides that the Mayor attending Council or Committee Meetings, is entitled to be paid a meeting fee. The minimum fee for a Council Meeting is set at \$100 per meeting, with the maximum at \$240 per meeting.

For Committee Meetings, the minimum is \$25 with \$60 maximum.

Committee Meetings are defined as being committees with Council Members only or Council Members and Council employees.

If Council does not set a fee, then the Mayor is entitled to receive the minimum meeting fee. The maximum which can be paid on a meeting basis, is limited to \$12,000.

Alternatively, Section 5.99 allows for the Council to set an annual attendance fee, providing for a minimum of \$5,000 and a maximum of \$12,000.

Any decision to pay a fee, requires an absolute majority of Council (ie: six votes).

For voting purposes, the Mayor does not have a financial interest in the decision.

Note: This allowance is taxable.

Strategic Plan/Policy Implications

Key Result Area "*Managing Your City*" applies.

Budget/Financial Implications

Funds are available in the annual budget.

Legal Implications

As stated in the Local Government Act.

Community Consultation

Nil

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

9.8 (SCM 06/05/2003) - ELECTED MEMBERS' COMMUNICATION ALLOWANCE (1705) (ATC)

RECOMMENDATION

That :

- (1) the Elected Members be paid a communication allowance of \$2,000 per year to cover telephone and fax machine expenses as follows:-
 - a. telephone rental in respect of the Elected Members' private residences;
 - b. telephone line rental in respect of an answering/fax machine installed at the Elected Members' private residences;
 - c. charges for telephone calls made from telephones and fax machines located at the Elected Members'

residences; and

d. mobile telephone rental and call charge plans,

on the basis that Elected Members must install a Council supplied fax/answering machine at their residence and operate a mobile telephone;

- (2) upon installation or acquisition of each communication device, Elected Members will provide the contact details to Council's Customer Services Unit for advertising in appropriate Council related publications; and
- (3) if an Elected Member does not install a fax machine or obtain a mobile telephone, then reimbursement of telecommunication expenses will be made in respect of those costs which are certified by the member as being incurred as a result of their duties up to a maximum of \$2,000 per year.

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

Background

The Local Government Act 1995 (Sec. 5.99A) provides for payments of an annual allowance instead of reimbursing Councillors for particular types of expenses. Section 34A of the Local Government (Administration) Regulations 1996, provides for a payment of up to \$2,000 per year in respect of telephone and facsimile rental charges and any other telecommunication expenses that might otherwise be reimbursed (including mobile telephones).

At the Special Council Meeting in December 2000, Council determined that the above be provided to Elected Members.

Submission

N/A

Report

In the later part of 1999, the Local Government Act 1995 was amended to allow for payment of an annual allowance instead of reimbursing Members for particular types of expenses. The Local Government (Administration) Regulations 1996 were also amended to provide for a payment of up to \$2,000 per year in respect of telephone and facsimile rental charges and any other telecommunication expenses that might otherwise be reimbursed.

The payment of a telecommunications allowance instead of requiring Elected Members to seek reimbursement of such expenses was considered to be a vast improvement administratively, both for Members who previously had to keep records of individual calls made and for staff who had to seek reimbursement from Members in respect of calls not related to Council business. With the payment of a communications allowance, Members are free to choose their own telephone/telephone plan knowing exactly the amount they are to receive.

However, should an Elected Member decide that they will not acquire a fax machine or a mobile telephone, it would be appropriate to require members to claim reimbursement for actual costs incurred as a result of their duties as a Councillor. The amount claimed should not exceed \$2,000.

Note: This allowance is taxable.

Strategic Plan/Policy Implications

Key Result Area "Managing Your City" applies.

Policy SC15 – 'Elected Members' Communication Allowance' refers.

Budget/Financial Implications

Funds are provided in the Annual Budget.

Legal Implications

Nil

Community Consultation

Nil

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

9.9 (SCM 06/05/2003) - ELECTED MEMBERS - VEHICLE ALLOWANCE (1701) (ATC)

RECOMMENDATION

That payment of a vehicle allowance be paid to all Elected Members in respect of use of their motor vehicle, at the rate prescribed in the Local Government Officers' (Western Australia) Award, 1999 as amended.

COUNCIL DECISION

Background

Elected Members are entitled to claim for travel costs incurred because of their attendance at a Council meeting or a meeting of a committee of which they are a member. They are also entitled to be reimbursed for any expenses incurred in performing a function under the express authority of Council and also in performing a function in their capacity as a Council Member. This includes child care costs.

At the Special Council Meeting in December 2000, Council determined that the above allowance be provided to Elected Members.

Submission

N/A

Report

In 1998, Council resolved that the vehicle allowance paid for use of private motor vehicles by Elected Members on Council business, would be at the rate set out in the Local Government Officers' (Western Australia) Award. This position was again adopted by Council in December 2000.

The current rates set out in the Award are:

Over 2600 cc	-	63.3 c/km
1600 - 2600 cc	-	54.9 c/km
1600cc and under	-	48.7 c/km

Elected Members are also provided with Cab Charge facilities which is referred to in Policy SC21, adopted in September 2002.

Strategic Plan/Policy Implications

Key Result Area “Managing Your City” refers.

Policy SC21 – ‘Use of Cab Charge Facilities’ applies.

Budget/Financial Implications

Funds are provided in Council’s Annual Budget.

Legal Implications

Nil

Community Consultation

Nil

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

9.10 (SCM 06/05/2003) - PROPOSED PART REVOCATION - COOGEE BEACH - ESTABLISHMENT OF CAFE/KIOSK - RESERVE 46664 - APPOINTMENT OF A PROJECT MANAGER (3319158) (DMG)

RECOMMENDATION

That Council revokes the following parts of the Council decision taken at the Ordinary Meeting of Council held on 18 March 2003:-

“Item 21.1 (MINUTE NO. 1967) (OCM18/03/2003) – COOGEE BEACH – ESTABLISHMENT OF CAFÉ/KIOSK – RESERVE 46664 – APPOINTMENT OF A PROJECT MANAGER (3319158)

That Council:

- (2) authorise the Chief Executive Officer to assess and appoint a suitably qualified and experienced Project Manager for the Coogee Café/Kiosk project; and
- (3) request the Chief Executive Officer provide a written report at the end of each phase to Council.”

TO BE CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

<p>COUNCIL DECISION</p>

Background

At the Ordinary Council Meeting conducted on 18 March 2003, the following resolution of Council was adopted :-

“9.10 (SCM 06/05/2003) - PROPOSED PART REVOCATION - COOGEE BEACH - ESTABLISHMENT OF CAFE/KIOSK - RESERVE 46664 - APPOINTMENT OF A PROJECT MANAGER (3319158) (DMG)

MOVED Cllr I Whitfield SECONDED Cllr A Edwards that Council:-

- (1) call for tenders from suitably qualified and experienced Project Managers to manage the Coogee Café/Kiosk project in the Powell Road Reserve Coogee on a phased basis;
- (2) authorise the Chief Executive Officer to assess and appoint a suitably qualified and experienced Project Manager for the Coogee Café/Kiosk project; and
- (3) request the Chief Executive Officer provide a written report at the end of each phase to Council. “

By letter dated 8 April 2003, signed by the requisite number of Elected Members being Mayor Lee, Deputy Mayor Graham, Cllr Allen and Cllr Edwards, a notice to revoke parts (2) and (3) of the decision was received. The matter is now presented to Council for consideration, as required under the provisions of the Local Government Act 1995.

Submission

To revoke parts (2) and (3) of the resolution.

Report

The letter seeking the revocation of parts (2) and (3) of the decision, gave the following reason in support of the notice :

“Our reason for seeking the revocation is that Council has a strong interest in this decision and wishes to be closely involved with the process. Point (3) requires deletion because part of the Project Manager’s brief will be to report fortnightly through the ‘Elected Members Information Newsletter’ on the progression of the project.”

In the event the revocation is successful, part (1) of the original resolution remains in force. The resolution to partially revoke the previous resolution is required to be carried by an absolute majority.

Clr Allen has given notice of the motion, supported by three Elected Members, in accordance with the Standing Orders. Should Clr Allen be not present or not willing to move the motion at the meeting, it is in order for another Elected Member to so move.

Strategic Plan/Policy Implications

Key Result Area “Managing Your City” refers.

Budget/Financial Implications

Nil

Legal Implications

Regulation 10 Local Government (Administration) Regulations 1996 refers.

Community Consultation

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

9.11 (SCM 06/05/2003) - TENDER NO. 10/2003 - PROJECT MANAGER - COOGEE CAFE/KIOSK PROJECT (3319158) (AJB) (ATTACH)

RECOMMENDATION

That Council:-

- (1) receive the report;
- (2) accept the tender submitted by APP (WA) Pty Ltd for the total cost of \$48,125 to project manage the Coogee Beach café/kiosk project; and

- (3) authorise the Chief Executive Officer to expend additional funds based on the hourly rates as specified in the tender documents for any agreed additional work.

COUNCIL DECISION

Background

Council at its meeting held on 18 February 2003 resolved to call tenders for the project management of the proposed Coogee Beach café/kiosk.

Submission

N/A

Report

The tender for the appointment of a Project Manager to manage the Coogee Beach Café/Kiosk Project was advertised in the West Australian on 29 March 2003 and closed at 12.00 noon on Thursday 17 April 2003.

At the close of the tender period the following eight tenders had been received :-

1. Greg Rowe & Associates
2. Voran Consultants
3. Voran Consultants – Alternative tender
4. GHD Pty Ltd
5. Thomson Marquis Project Management
6. Thomson Marquis Project Management – Alternative tender
7. Incoll Management Pty Ltd
8. APP (WA) Pty Ltd

The tender submitted by Greg Rowe & Associates was non compliant (did not provide the required Schedules or details).

The tenders were assessed by a panel comprising;

Chief Executive Officer - Mr Rod Brown
Director Finance and Corporate Services - Mr Aussie Crothers
Manager Planning Services - Mr Allen Blood
City Land Officer - Mr Kevin Sim

The tenders were assessed against the criteria set out in clauses 1.7.2 and 1.7.3 of the tender document which are as follows;

- Demonstrated experience in completing similar projects 25%
- Skills and experience of key personnel 25%
- Tenderer's resources 15%
- A demonstrated understanding of the required tasks 15%
- Tendered price 20%

Relevant information is as follows;

- All tenderers provided details demonstrating relevant experience in land development, building, project management and marketing.
- GHD Pty Ltd included Richard Noble as a sub-contractor to provide specialist marketing skills.
- Thomas Marquis Project Management and APP (WA) Pty Ltd both included McGees as a sub-contractor to provide specialist marketing and leasing skills.
- The alternative tenders submitted by Voran Consultants and Thomson Marquis Project Management were based on reducing the required Professional Indemnity Insurance from \$10million to \$5million. GHD Pty Ltd offered to discount their fee by \$2,000 if the Professional Indemnity Insurance was reduced to \$5million or by \$4,000 for \$2million.
- Incoll Management Pty Ltd submitted two alternative tenders being a fee of \$44,000 to provide a project director/facilitator with Council providing in-house resources to undertake all the planning and administrative functions or secondly, the secondment of required personnel on an hourly rate basis.

Tender prices were requested for two options for phase 6 of the project being for the construction of the café/kiosk by Council (Option A) and for a ground lease with Council providing all servicing infrastructure (Option B). A copy of the relevant section of the tender document setting out the various phases is contained in the Agenda attachments. For phase 6a and 6b, the tender document provides the option for the tenderer to provide a fixed price or percentage of contract value. Voran Consultants, GHD and Incoll provided both fixed fee and percentage prices for phases 6a and 6b.

It is considered that the percentage of contract basis for phases 6a/6b does not provide any advantage to Council and it is recommended that the tender be awarded on a fixed fee basis.

The quoted lump sum tendered prices for phases 1 to 6a has been adopted as the basis of the multi-criteria assessment as this is the maximum work that is likely to be undertaken, is the most likely way forward with Council building the café/kiosk, and the relativity between all the tenderers is similar for both options, that is for phases 1 to 6a (Council building the café/kiosk) and phases 1 to 6b (ground lease only with Council providing servicing infrastructure only). A full summary of the tenderer's prices is contained in the Agenda attachments.

LUMP SUM TENDER PRICES FOR PHASES 1 TO 6a

Tender No	Consultant	Complying Tender Price (inc. GST)	Alternative Tender Price (inc. GST)
1	Greg Rowe & Associates	Non compliant	
2	Voran Consultants	\$ 69,987.50	
3	Voran Consultants (alternative tender \$5m PI insurance)		\$ 49,087.50
4	GHD Pty Ltd	\$126,610.00	
5	Thomson Marquis	\$ 89,705.00	
6	Thomson Marquis (alternative tender \$5m PI insurance)		\$ 70,455.00
7	Incoll Management	\$108,900.00	
	Incoll Management Alternative tender 1 (project director/facilitator only)		\$ 44,000.00
	Incoll Management Alternative tender 2 (secondment of personnel)		Hourly rates
8	APP (WA) Pty Ltd	\$ 48,125.00	

The cost of Professional Indemnity Insurance is a significant component of the complying tenders submitted by Voran Consultants and Thomson Marquis being approx \$20,900 and \$19,250 respectively. This clearly gives companies that have insurance for \$10million as a matter of course such as APP (WA) Pty Ltd, a significant advantage. This is reflected in the fact that the alternative tender submitted by Voran Consultants is very close to that submitted by APP (WA) Pty Ltd.

Clause 2.2.3 of the Tender Document states that the successful tenderer and its subcontractors will be required to effect and maintain the insurance policies referred to which includes \$10million Professional Indemnity Insurance. Accordingly, Council is not in a position to accept the alternative tenders of Voran Consultants or Thomson Marquis.

The alternative tenders by Incoll Management are based on Council Officers undertaking a broad range of tasks. In the report to Council in February 2003, part of the justification for the appointment of a project

manager was that Council does not have the in-house resources to undertake this project given the current work commitments. Acceptance of the alternative tender from Incoll Management would provide additional technical expertise but does not address the fundamental reason for the appointment of a project manager. Accordingly the alternatives by Incoll Management are not recommended.

The results of the multi criteria assessment were as follows :-

Tender No	Consultant	Total Score
1	Gregg Rowe & Associates	N/A
2	Voran Consultants	60
3	Voran Consultants (alternative tender \$5m PI insurance)	N/A
4	GHD Pty Ltd	65
5	Thomson Marquis	73
6	Thomson Marquis (alternative tender \$5m PI insurance)	N/A
7	Incoll Management	58
	Incoll Management Alternative tender 1 (project director/facilitator role only)	N/A
	Incoll Management Alternative tender 2 (secondment of personnel)	N/A
8	APP (WA) Pty Ltd	80

APP (WA) Pty Ltd scored highest in the multi criteria assessment and was the lowest priced tender.

APP (WA) Pty Ltd provided an extensive list of relevant local and state government and private projects that demonstrated a broad range of project management skills in subdivision development, building and tenders that are relevant to the Coogee Café/Kiosk Project. APP demonstrated a good understanding of the requirements of the various phases of the project and provided a detailed outline of their systems and proposals for cost management, time management, risk management and value management.

McGees, who will be involved in phases 3, 4 and 5, have extensive experience in the marketing and negotiation of commercial property and ground leases and in particular, water front restaurants citing 17 examples at Hillarys Boat Harbour, Fremantle Fishing Boat Harbour, Barrack Square and the Swan/Canning River.

It is considered that APP (WA) Pty Ltd with McGees as a sub-contractor, provides a balanced team having all the required skills and experience to successfully complete the Coogee Beach Café/Kiosk Project.

In accordance with the outcome of the multi-criteria assessment, it is recommended that APP (WA) Pty Ltd be appointed as Project Manager for the Coogee Beach Café/Kiosk Project.

Strategic Plan/Policy Implications

The Corporate Strategic Plan Key Result Areas which apply to this item are:-

1. Managing Your City
 - *"To deliver services and to manage resources in a way that is cost competitive without compromising quality."*
 - *"To conduct Council business in open public forums and to manage Council affairs by employing publicly accountable practices."*

Budget/Financial Implications

Account No CW4003 'Coogee Beach Café/Kiosk' has adequate funds for this purpose with a balance of \$131,811 still available.

Legal Implications

Nil

Community Consultation

Nil

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

10 (SCM 06/05/2003) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)

RECOMMENDATION

That Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-

- (a) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;
- (b) not duplicated, to an extent Council considers inappropriate, services or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and
- (c) managed efficiently and effectively.

COUNCIL DECISION

11. CLOSURE OF MEETING