



AGENDA

Special Council Meeting

Tuesday, 24 October 2017 at 6.30pm

Disclaimer

The purpose of this Council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Town of East Fremantle expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

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Procedure for Deputations, Presentations and Public Question Time at Council Meetings

Council thanks you for your participation in Council Meetings and trusts that your input will be beneficial to all parties. Council has a high regard for community input where possible, in its decision making processes.

<p style="text-align: center;">Deputations</p> <p>A formal process where members of the community request permission to address Council or Committee on an issue.</p>	<p style="text-align: center;">Presentations</p> <p>An occasion where awards or gifts may be accepted by the Council on behalf of the community, when the Council makes a presentation to a worthy recipient or when agencies may present a proposal that will impact on the Local Government.</p>
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Procedures for Deputations

The Council allows for members of the public to make a deputation to Council on an issue related to Local Government business.

Notice of deputations need to be received by **5pm on the day before the meeting** and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9339 9339 or email admin@eastfremantle.wa.gov.au to arrange your deputation.

Where a deputation has been agreed to, during the meeting the Presiding Member will call upon the relevant person(s) to come forward and address Council.

A Deputation invited to attend a Council meeting:

- (a) is not to exceed five (5) persons, only two (2) of whom may address the Council, although others may respond to specific questions from Members;
- (b) is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- (c) additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

Procedure for Presentations

Notice of presentations being accepted by Council on behalf of the community, or agencies presenting a proposal, need to be received by **5pm on the day before the meeting** and agreed to by the Presiding Member. Please contact Executive Support Services via telephone on 9339 9339 or email admin@eastfremantle.wa.gov.au to arrange your presentation.

Where the Council is making a presentation to a worthy recipient, the recipient will be advised in advance and asked to attend the Council meeting to receive the award.

All presentations will be received/awarded by the Mayor or an appropriate Councillor.

Procedure for Public Question Time

The Council extends a warm welcome to you in attending any meeting of the Council. Council is committed to involving the public in its decision making processes whenever possible, and the ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective.

Council (as required by the *Local Government Act 1995*) sets aside a period of 'Public Question Time' to enable a member of the public to put up to two (2) questions to Council. Questions should only relate to the business of Council and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Mayor may either answer the question or direct it to a Councillor or an Officer to answer, or it will be taken on notice.

Having regard for the requirements and principles of Council, the following procedures will be applied in accordance with the *Town of East Fremantle Local Government (Council Meetings) Local Law 2016*:

1. Public Questions Time will be limited to fifteen (15) minutes.
2. Public Question Time will be conducted at an Ordinary Meeting of Council immediately following "Responses to Previous Public Questions Taken on Notice".
3. Each member of the public asking a question will be limited to two (2) minutes to ask their question(s).
4. Questions will be limited to three (3) per person.
5. Please state your name and address, and then ask your question.
6. Questions should be submitted to the Chief Executive Officer in writing by **5pm on the day before the meeting and be signed by the author**. This allows for an informed response to be given at the meeting.
7. Questions that have not been submitted in writing by 5pm on the day before the meeting will be responded to if they are straightforward.
8. If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.
9. Where a member of the public provided written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
10. A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.

During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.

Members of the public shall ensure that their mobile telephone and/or audible pager is not switched on or used during any meeting of the Council.

Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.

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NOTICE OF MEETING

Elected Members

A Special Meeting of the Council will be held on **Tuesday, 24 October 2017** at the East Fremantle Yacht Club, (River Room), Petra Street East Fremantle commencing at 6.30pm and your attendance is requested.



GARY TUFFIN
Chief Executive Officer

AGENDA

1. **OFFICIAL OPENING**
2. **ACKNOWLEDGEMENT OF COUNTRY**
"On behalf of the Council I would like to acknowledge the Nyoongar people as the traditional custodians of the land on which this meeting is taking place."
3. **RECORD OF ATTENDANCE**
 - 3.1 Attendance
 - 3.2 Apologies
 - 3.3 Approved Leave of Absence
4. **DISCLOSURES OF INTEREST**
 - 4.1 Financial
 - 4.2 Proximity
 - 4.3 Impartiality
5. **PUBLIC QUESTION TIME**
 - 5.1 Responses to previous questions from members of the public taken on notice
 - 5.2 Public Question Time
6. **BUSINESS**
 - 6.1 Election of Deputy Mayor
 - 6.2 Declaration of Office by Deputy Mayor

6.3 Appointment of Committees and Delegates to External Committees and Groups

File ref	C/REP1
Prepared by	Janine May EA to CEO
Supervised by	Gary Tuffin, Chief Executive Officer
Meeting Date:	24 October 2017
Voting requirements	Absolute Majority
Documents tabled	Nil.
Attachments	<ol style="list-style-type: none">1. External Committees/Groups delegate information2. Public Art Panel Policy3. Public Art Policy4. Community Grants and Scholarship Policy

Purpose

The purpose of this report is to facilitate, following the elections held on Saturday 21 October 2017, the:

- appointment of members to Council's committees; and
- appointment of delegates to represent Council on external committees and groups

Executive Summary

It is recommended that elected members decide membership to Council committees and appointments to external committees/groups to ensure the uninterrupted operation of Council business and continued external representation, following Council elections.

Background

Following the election on Saturday, 21 October 2017, Council is required to appoint members to its Committees. Under s5.11 of the *Local Government Act 1995* (LGA) all previous elected member appointments expired on election day. Although not specifically required under this legislation, it is considered appropriate at this time to also make new appointments (or reappointments) to the various external committees/groups which elected members have previously been appointed to.

The adoption of Council's Meeting Procedures Local Law 2016 which included the repeal of the Town of East Fremantle By-law Relating to Standing Orders 1965, saw the removal of the requirement for the four standing Committees: Town Planning & Building; Works & Reserves, Health & General Purposes and Finance. Whilst elected members support the continuation of the Town Planning & Building Committee, it is proposed as part of this report, to formalise the disbanding of the remaining three Committees.

Under s7.1 of the LGA, Council is required to appoint an Audit Committee and it is proposed that this Committee would also consider any matters previously referred to the Finance Committee.

Consultation

Not applicable.

Statutory Environment

Local Government Act s5.11 & s7.1

Policy Implications

Nil

Financial Implications

N/A

Strategic Implications

STRATEGIC PRIORITY AREA 5: Leadership and Governance

A proactive, approachable Council which values community consultation, transparency and accountability.

Objective: Strengthen organisational accountability and transparency

Strategies: 5.1.1 Strengthen governance, risk management and compliance;
5.1.3 Improve the efficiency and effectiveness of services.

Site Inspection

Not applicable

Comment

The Town Planning & Building Committee currently meets on the 1st Tuesday of the month (except January when the Council is in recess). The Committee has a conditional delegated authority to determine all applications for planning approval or advice to referral agencies and other planning agencies not otherwise included within the current delegations to the Chief Executive Officer. It is proposed to rename this Committee to simply the "Town Planning Committee as the building approval aspect has long been taken over by other legislation.

Audit Committee meetings are generally convened on an "as needs" basis.

Council appointed community representatives to the Community Design Advisory Committee (CDAC) in February 2017. The CDAC Chairperson is an elected member appointed by Council. This Committee generally meets monthly (or as required) on a Monday, except in January.

A Public Art Panel Policy which sets out membership, terms of reference along with meeting procedure and process for this Panel was adopted by Council on 17 October 2017. The Panel is to consist of two elected members (including the Mayor or representative), the CEO, a public art practitioner or coordinator and two other specialists.

The Community Assistance Grants Advisory Group meet as required (up to two times per year), to assess submissions received from eligible groups via the Town's Community Assistance Grants Program, and make recommendations to Council. A Community Grants and Sponsorship Policy which sets out the objective and scope for this funded was adopted by Council on 21 June 2016.

In previous years an Events Committee has been appointed to oversee the East Fremantle Festival and consider other community events.

Following is a list of external Committees/Groups which currently entail Council representation:

- Local Government Association (South Metropolitan Zone) (3 delegates)
- Fremantle City Library Advisory Committee (1 delegate + deputy)
- Glyde-In Community Group (1 delegate + deputy)
- Southern Metropolitan Regional Council (1 delegate)
- Development Assessment Panel (2 members + 2 alternate members)
- South West Corridor Development & Employment Foundation (1 delegate + deputy)
- South West Reference Group (1 delegate + deputy)
- Fremantle Ports Inner Harbour Community Liaison Group (1 delegate + deputy)

Appointments to Council Committees require an absolute majority. A simple majority is required for all other appointments.

6.3.1 RECOMMENDATION

That Council

(1) Rename the Town Planning and Building Committee to the Town Planning Committee

(2) appoint the following members to the Town Planning Committee;

- Mayor O'Neill
- Cr _____
- Cr _____
- Cr _____
- Cr _____
- Cr _____

By an Absolute Majority

6.3.2 RECOMMENDATION

That Council appoint the following members to the Audit Committee;

- Mayor O'Neill
- Cr _____
- Cr _____
- Cr _____
- Cr _____
- Cr _____

By an Absolute Majority

6.3.3 RECOMMENDATION

That Council appoint Cr _____ to the Community Design Advisory Committee (CDAC) as Chairman.

By Simple Majority

6.3.4 RECOMMENDATION

That Council appoint Mayor O'Neill & Cr _____ to the Town of East Fremantle Public Art Panel.

By Simple Majority

6.3.5 RECOMMENDATION

That Council appoint Mayor O'Neill & Cr _____ to the Town of East Community Assistance Grants Advisory Group.

By Simple Majority

6.3.6 RECOMMENDATION

That Council appoint Cr _____ and Cr _____ to the East Fremantle Events Committee.

By Simple Majority

6.3.7 RECOMMENDATION

That Council resolve;

- (1) that all previous appointments to external committees/groups referred to in this report, have expired and make new appointments to those committees/groups.
- (2) Cr _____ and Cr _____ be appointed Council's representatives on the WALGA South Metropolitan Zone Committee with Cr _____ being appointed as the deputy.
- (3) Cr _____ be appointed as Council's representative on the Fremantle Library Advisory Committee with Cr _____ appointed as the deputy.
- (4) Cr _____ be appointed as Council's representative on the Glyde-In Community Group with Cr _____ appointed as the deputy.
- (5) Cr _____ and Cr _____ be appointed as Council's representative on the Development Approval Panel members with Cr _____ and Cr _____ appointed as the alternate members.
- (6) Cr _____ be appointed as Council's representative on the South West Corridor Development and Employment Foundation with Cr _____ appointed as the deputy.
- (7) Cr _____ be appointed as Council's representative on the Fremantle Ports Inner Harbour Liaison Group with Cr _____ appointed as the deputy.

6.3.8 RECOMMENDATION

That Council resolve to disband the following committees;

- Works & Reserves
- Health & General Purposes
- Finance

in line with the repeal of the Town of East Fremantle By-law relating to Standing Orders 1965 contained within the Town's Meeting Procedures Local Law adopted 18 January 2017.

By Absolute Majority



Various External Committees & Organisations

Local Government Association (South Metropolitan Zone)

- Membership: 3 elected member delegates (currently Crs Collinson, M McPhail & Nardi, deputy Cr Watkins) plus Chief Executive Officer
- Meeting Day/Time: Bi-monthly (generally the fourth Monday of the month) at 5.30pm.
- Summary/Purpose: To represent Council at the Local Government Association Zone meetings.

Fremantle City Library Advisory Committee

- Membership: 1 delegate & deputy (currently Cr Watkins & deputy Cr A McPhail)
City of Fremantle
- Meeting Day/Time: Quarterly (normally second Wednesday of the month) at 5.30pm for approx 30 minutes.
- Summary/Purpose: To represent Council on library issues.

Glyde-In Community Group

- Membership: 1 delegate & deputy (currently Cr Collinson & deputy Cr Nardi)
- Meeting Day/Time: 3rd Tuesday of each month 1.30pm-3.30pm
- Summary/Purpose: To represent Council on the Glyde-In Community Group.

Southern Metropolitan Regional Council

- Membership: 1 delegate (currently Cr McPhail)
- Meeting Day/Time: Attendance at approx. 30 meetings per year. The Ordinary Council Meetings are held bi-monthly (normally 4th Thursday of month) at 5.00pm.
Regional Councillors are paid \$13,955pa.
- Summary/Purpose: To be Council's representative as a Regional Councillor on the Southern Metropolitan Regional Council dealing with issues relating to waste management, recycling and financial matters arising from same.

Development Assessment Panel

Membership:	2 delegates (currently Crs Collinson & M McPhail & 2 alternate (deputies) Crs Nardi and White). <i>Note any new appointees must undertake state government training for the position before being able to act in the position.</i>
Meeting Day/Time:	As required.
Summary/Purpose:	To be Council's representative as a DAP representation expiring 26 July 2018. Each Panel will determine development applications that meet set type and value thresholds as determined by the Planning and Development (Development Assessment Panels) Regulations 2011 as if it were the responsible authority under the relevant planning instrument, such as the local planning scheme or region planning scheme. The DAP regulations state that DAP applications cannot be determined by local government or the Western Australian Planning Commission (WAPC).

South West Corridor Development and Employment Foundation

Membership:	1 Delegate & Deputy (member or staff) (currently no representatives) Representatives from Melville, Fremantle, Cockburn, Kwinana & Rockingham
Meeting Day/Time:	Bi-monthly on the 4 th Monday of the month at 4.20pm.
Summary/Purpose:	<ul style="list-style-type: none">• Facilitate and promote development of the South West Metropolitan Region.• Carry out projects to promote regional development and skills development.• Manage the Industry Direct web portal.

South West Reference Group

Membership:	1 Delegate (member or staff) (currently Cr White & deputy Cr Watkins) Representatives from Melville, Fremantle, Cockburn, Kwinana & Rockingham
Meeting Day/Time:	4 meetings per year on the 2 nd /3 rd Thursday of the month from 12.00pm to 2.00pm (lunch included) (to be confirmed).
Summary/Purpose:	<ul style="list-style-type: none">• To oversee the implementation of the Regional Natural Resources Management (NRM Strategy development by the South West Group• To actively engage with key stakeholders (government, corporate and community) to progress NRM projects and activities that benefit the region.• To identify opportunities to improve collaboration on NRM activities between South West Group member councils and stakeholders organisations.

Fremantle Ports Inner Harbour Community Liaison Group

Membership:	1 delegate & deputy (currently Cr Harrington & deputy Cr A McPhail) Representatives from various government and community agencies.
Meeting Day/Time:	Quarterly on a Tuesday at 5.00pm
Summary/Purpose:	To represent Council in relation to Fremantle Port issues.

PUBLIC ART PANEL

Policy Number:	4.1.5
Type:	Governance and Leadership
Legislation:	Local Government Act 1995
Delegation:	
Other Related Document:	Public Art Strategy, Public Art Plan, 4.2.5 Public Art Policy

Objective

To establish a Public Art Panel to guide the Town of East Fremantle Public Art Strategy in accordance with associated policies, processes and procedures.

Policy Statement Definitions

“The Panel” means the Public Art Panel referred to in this Policy.

“Financial Interest” has the same meaning as given by Section 5.60A of the *Local Government Act 1995*.

“Proximity Interest” has the same meaning as given by Section 5.60B of the *Local Government Act 1995*.

“Impartiality Interest” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having interest arising from kinship, friendship or membership of an association.

Policy Scope

Background

Consultation and research undertaken has shown that it is best practice for Local Government Authorities to appoint a panel or committee with responsibility for making decisions and recommendations about public art.

The Town of East Fremantle Public Art Panel should comprise Elected Members, staff and dedicated experts in the field. It is important that Panel Membership covers a range of expertise in public art to ensure a balance of skill and opinion.

The Panel would conduct itself according to the role given to it by the Council, which would outline the Panel’s responsibilities, operations and composition.

Status and Role of the Panel

The Public Art Panel will:

1. Oversee and make recommendations to the Council on matters related to:
 - 1.1 the strategic direction, policy and public program matters of the Town of East Fremantle Public Art Strategy;
 - 1.2 the development of public art project briefs;
 - 1.3 the deaccession, relocation, removal and disposal of public artworks; and
 - 1.4 to assess and determine the suitability of percent for public art proposals submitted in accordance with the Town’s Percent for Public Art Policy
2. Consider the recommendations of specialist selection panels;

3. Assess the implementation of the public art annual action plan.

Positions on the Panel will be non-paid.

Policy

Section 1: Terms of Reference

- To provide guidance for the Town of East Fremantle Public Art Strategy. To act in an advisory capacity and make recommendations on specified projects in relation the acquisition of public art; development projects with public art components; and any proposed projects that have the potential for public controversy and/or risk to the Town's reputation (noting that this does not include the selection or approval of new works where they meet the Policy);
- The Panel will provide expert advice in the development and review of the Town's public art program and on public art projects.
- The Panel's advice will help the Town achieve high-quality public art outcomes; an excellent reputation with stakeholders; effective relationships with partners and the arts sector.

Section 2: Membership

- The Town will engage the correct or suitable expertise (art, architecture, urban design and cultural expertise) to achieve high-quality art outcomes for the Town.
- It is important that Panel Members are specialists in their field and that the membership covers a range of expertise in public art to ensure a balance of skill and opinion.
- Artists, curators, architects and other design and cultural experts will help the Council achieve public art outcomes for the Town of East Fremantle that are world-class and innovative, and that surprise, delight, challenge and stimulate.
- Invitations to nominate for the Public Art Panel are to be advertised biennially. Nominees will be invited to provide a response to the criteria.
- The Council will appoint Panel Members on the recommendation of the administration following the assessment of applications.
- The Panel should have up to 6 representatives (including the Chair) covering a range of expertise and ideally made up as follows:
 - Two Elected Members (including the Mayor or representative);
 - Chief Executive Officer (or representative)
 - a public art practitioner or coordinator (preferably a Western Australian State Government Percent For Art consultant);
 - Two other specialists such as a practising artist, public art coordinator, curator, art historian, academic, art critic or design professional (expertise in theory and/or practice of contemporary art, urban design or related practice or national and international public art perspectives should be rated highly).

The Chairperson

- The Panel Chairperson is an Elected Member of Council and appointed by Council.
- The Chief Executive Officer shall give all assistance to the Panel Chairperson in respect to administrative support for the Panel.

Section 3: Meeting Procedure and Process

- Unless approved by the Council or there is a need to address an urgent issue (the latter to be agreed by the Chairperson and the Chief Executive Officer), the Panel shall meet as required. Additional meetings may be convened at the discretion of the Chief

Executive Officer.

- Members will be required to provide sufficient notice of their ability or inability to attend the next scheduled meeting.
- Panel Meetings are not open to the Public.

Quorum

- A quorum for the meeting of the Committee will be 4 voting members (including the Chairperson).
- The Panel meeting shall not proceed unless a quorum is present.

Chairperson

The Council appointed Chairperson will preside at all meetings. In the absence of the Chairperson, a person elected by the quorum will assume the Chair.

Agendas

- The Chief Executive Officer will determine the Agenda for each meeting. All meetings shall be confined to items listed on the Agenda. Agendas will be distributed to all members at least four (4) working days in advance of meeting dates.
- Detailed documents will be distributed to Panel members at least four (4) working days in advance of the meeting dates.

Minutes

- The Panel Chairperson (in liaison with the Chief Executive Officer) shall be responsible to ensure the preparation and accuracy of the Minutes/Meeting notes.
- Items considered at the meeting will not be formally voted upon. The Minutes/Meeting notes of the Panel will record consensus agreement and any points of agreement/disagreement. They will not reflect verbatim discussion on matters discussed during debate prior to consensus agreement being reached. The Minutes/Meeting notes of the Meeting will be prepared by an officer of the Town and distributed to members within five (5) working days after the date of the meeting.
- The Panel Minutes/Meeting notes are to be presented in the form of:
 - explanatory comments on the matters before Panel and general views regarding the proposal;
 - formal recommendation to the Council, where appropriate reflecting the views of the majority of members present at the meeting;
 - The Panel Chairperson will endorse the Minutes/Meeting notes and proposed recommendations; and
 - Original copy of the endorsed Minutes/Meeting notes to be retained for record purposes.

Administrative Support

A Town employee will be assigned to provide administrative support to the Panel. This person will be responsible for the following;

- Issuing of the Agenda;
- Recording of Apologies prior to the meeting;
- Preparation of the Minutes/Meeting notes;
- Room booking; and
- Catering requirements.

Code of Conduct

- The Town's Code of Conduct shall apply to members of the Panel.
- All Panel members shall be required to declare any conflicts of interest in matters being considered.
- A copy of the Town's Code of Conduct will be provided to each member upon their appointment.
- The Town's Chief Executive Officer is available to provide any assistance or guidance concerning the Code or any matters of Interest.

Conflict of Interest

- All members need to be aware that any conflict of interest needs to be recognised. On receipt of the Agenda, if a member has an interest in the matter, then the member is required to declare the interest.
- Any person who has a financial and proximity interest in a matter shall exclude themselves from the room and not participate in that part of the meeting.

Financial and Insurances

The Town will arrange all insurance to cover Panel members whilst discharging their normal course of duty, including travel to and from the meeting.

Tenure of Appointment

- The Council will appoint a member to the Panel including the prescribed term and any conditions.
- The Panel Membership is normally for a period of 2 years from the period of the ratification of the Panel by the Council. (Generally the term is from November after the Ordinary local government elections.).
- Once selected by the Council, if a member fails to attend three (3) consecutive meetings of the Panel, his/her appointment shall be automatically terminated, unless Leave of Absence has been granted and approved by the Panel. The Chief Executive Officer shall advise any member, in writing, when their membership of Panel is terminated.
- The Council may terminate the appointment of any member prior to the expiry of his/her term, if:
- The Chairperson and Chief Executive Officer consider that the member is not making a positive contribution to the Panel; or
- The member is found to be in breach of the Town of East Fremantle Code of Conduct or a serious contravention of the Local Government Act 1995; or
- A member's conduct, action or comments brings the Town of East Fremantle into disrepute.

Vacancies

Vacancies shall be filled by calling for nominations of external members. Members filling a vacated position will hold that position for the remainder of the vacant positions' term as approved by the Council.

Section 4: Related Policies and Plans

Interpretation and implementation of this Policy is in accordance with the Town of East Fremantle documents as outlined below.

- Town of East Fremantle Public Art Strategy
- Town of East Fremantle Local Planning Policy - Percent for Public Art
- Town of East Fremantle Public Art Annual Action Plan 2017/18 – 2020/21
- Town of East Fremantle Public Art Panel Policy

Other Related Policies or Plans

- Town of East Fremantle Strategic Community Plan 2017-2027

Section 5: Definitions

Public Art

For the purposes of this Policy, public art is defined as a work of art that is created by an artist, sited in a visually accessible public location. Public art can include (but is not limited to):

- *the artistic treatment of functional equipment such as bike racks, benches, fountains, playground equipment, light posts or shade structures which are unique;*
- *landscape art enhancements such as walkways, bridges or art features within a public garden;*
- *murals, tiles and mosaics covering walls, floors and walkways; and*
- *sculptures, free-standing or incorporated as an integral element of a building's design, paintings, pictures and photographic works.*

Public art does not include:

- *business logos;*
- *advertising signage;*
- *art objects which are mass produced or off the-shelf reproductions; and*
- *landscaping or architectural features which are considered by the Town to be normally integrated into the building or development.*

Public Art Definitions

For an extended list of detailed definitions please refer to the Appendices.

Responsible Directorate:	Community Services
Reviewing Officer:	Executive Manager Corporate and Community Services
Decision making Authority:	Council
Policy Adopted:	17 October 2017
Policy Amended:	
Next Review Date:	

Appendices

A. Types of public art

The descriptors that follow indicate the diversity of approaches to public art projects.

Ephemeral Artworks: those works that are short lived, based on a specific occasion or event and are transitory in nature. Ephemeral art describes projects that may be environmental, lighting or projection where there is no physical artwork created. The term also applies to physical works in non-permanent materials such as natural found materials that degrade as part of the art process.

Functional Artworks: where the primary purpose of the element is utilitarian such as seating, lighting, bollards, rubbish bins, bike racks, shelters and paving. These can vary in form, scale or quantity, dependent on the location. Functional works can reinforce a design aesthetic or thematic concern and be playful, delightful or sophisticated.

Ground Plane Artworks: form part of the ground in a public setting and may be experienced as carved/shaped paving elements, metal relief elements, toughened glass panels and ceramic or mosaic inserts, amongst others. Ground plane works are designed to be viewed closely by pedestrians in the space, potentially slowing their movement through the area and creating the opportunity for an intimate and personal engagement between the work and the viewer. Ground Plane works are useful as a way finding tool.

Iconic Artworks: a significant, freestanding work, where the approach is largely independent of other considerations.

Integrated Artworks: works that are fully incorporated within the design of the built or natural environment.

Interactive Artworks: are works that are designed to encourage a tactile response.

Interpretive Artworks: where the primary purpose of the artwork is to tell a story, describe, educate or comment on an issue, event or situation.

Intervention Artworks: provoke an idea or thought or an element of surprise often in an unexpected location.

Landmark Artworks: could be considered a signature or icon for a city. Large in scale or ambitious in concept, such works tend to be major stand-alone commissions and not part of a capital works project.

Medium Scale/Human Scale Artworks: are artworks approximately the size of an average person. These artworks are easily interacted with and are accessible to pedestrians.

Memorial: a structure, sculpture or other object erected to commemorate a person or an event.

Nodal Artwork: an artwork that comprises of a series of component parts and a central focus element.

Site Specific Artworks: designed specifically for and responding to a particular site through scale, material, form or concept.

Permanent Artworks: refers to public art with a lifespan of at least twenty years.

Plaque: a flat tablet or sign, affixed to an object, building or pavement, of metal, stone or other appropriate material, which may include text and/or images in order to provide interpretive information. Plaques may identify an artwork, commemorate a person, place, object or an event and/or provide historical text or information relevant to its location.

Street Art: may include spray or aerosol art, stencils, sticker art, paste-ups (wheat pasting and poster art), video projection, art interventions, guerrilla art, flash-mobbing and installations.

Temporary Artwork: refers to artwork that is made to last for a specific duration for example, one week or one year. This may include one off or scheduled events such as outdoor exhibitions or installations. The dynamic nature of temporary works are an important place activation tool.

Textural Artworks: are small in scale, often items of architectural, streetscape and landscape detail, which contributes to the local character of a place.

Transition Artworks: provide an element that links one space to another such as an internal to an external public space or a hardscaped space to a landscaped space.

B. Definitions

Artist

A professional visual artist can be defined as a person who fits into at least two of the following categories:

- a person who has a tertiary qualification in the visual arts, or when the brief calls for it, other art forms such as multimedia;
- a person who has a track record of exhibiting their artwork at reputable art galleries that sells the work of professional artists;
- a person whose work is represented in major public or private collections; and

A person who earns more than 50% of their income from arts related activities, such as teaching, selling artwork or undertaking public art commissions. In some cases, this definition may be relaxed where it may be specified for a particular project.

For example, a project involving emerging artists, Indigenous artists, students or street/graffiti artists.

Artist Fees

That portion of the art project budget reserved for payment to the artist for his/her creative services for design, fabrication, and/or project management services.

Artwork or Work of Art

Any work or object designed by an Artist.

Collection Management

The administration and management of an Art Collection. This encompasses the management of collection records both electronic and hard copy, the database, catalogues, inventories and condition assessments, maintenance and conservation programs, accession of new acquisitions and overseeing the deaccession, disposal or relocation of public artwork.

Community Art

A process where the community initiates or participates in the art project.

Contemporary Art

Artwork created in the present day that engages with issues relevant to its time or uses materials and processes that are at the forefront of arts practice.

Hand-over

The transfer of ownership of an artwork from one party to another. This includes the transfer of legal title and the supplying of the Maintenance Manual and other associated contractual documents.

Maintenance Manual

Those forms completed by the artist detailing the maintenance and technical information for the completed artwork.

Public Art

Public art is a work of art that is created by an artist, sited in a visually accessible public location. Public art can include (but is not limited to):

- the artistic treatment of functional equipment such as bike racks, benches, fountains, playground equipment, light posts or shade structures which are unique;
- landscape art enhancements such as walkways, bridges or art features within a garden;
- murals, tiles and mosaics covering walls, floors and walkways; and
- sculptures, free-standing or incorporated as an integral element of a building's design, paintings, pictures and photographic works.

PUBLIC ART POLICY

Policy Number:	4.2.5
Type:	Governance and Leadership
Legislation:	N/A
Delegation:	
Other Related Document:	Public Art Strategy, Public Art Plan, 4.1.5 Public Art Panel

Objective

This Public Art Policy has been developed to clearly articulate how the Town of East Fremantle will administer the procurement and management of public art.

Other documents have been developed to support this policy and provide detailed procedures for administering aspects of the Public Art Strategy.

The vision is to develop public art that captures the spirit of East Fremantle, is responsive to East Fremantle's history, distinct neighbourhoods, Town Centre and river foreshore.

Policy Scope

This policy will affect art and public art acquisitions including paintings and donated artworks, pictures and photographic works and functional equipment for public places

Policy

Section 1: Objectives

The objectives of the Public Art Policy provide the strategic context and direction for all public art planning.

1.1 Cultural

To enhance the cultural and aesthetic environment of East Fremantle by:

- interpreting aspects of its unique cultural heritage;
- ensuring that public artworks respond to the site;
- valuing quality over quantity; and
- acknowledging and celebrating Aboriginal culture and stories.

1.2 Sustainability

To contribute to a sustainable environment by using public art to:

- develop environments where walking and cycling is encouraged; and
- demonstrate environmentally responsible use of materials, services and lighting.

1.3 Social

To enhance social cohesion within East Fremantle by:

- creating landmarks that provide reference points and enable people to orientate themselves;
- using public art to develop attractive, diverse places, that the community enjoy; and
- using public art to develop meeting places, that community members want to visit.

1.4 Economic

To contribute to economic vitality within East Fremantle by using public art to develop:

- unique and recognisable places, enhancing the 'place brand';
- employment opportunities for local artists, craftspeople and associated businesses; and
- social, cultural and economic confidence, thereby stimulating investment and economic growth.

Section 2: Principles

The following principles should be used to guide the development of all public artwork in the Town of East Fremantle:

2.1 Place-making

Public art should be designed to enhance the experience of and activate public spaces.

2.2 Site Specific

Public art should be designed to be responsive to its specific location.

2.3 Universal Access

Public art should be designed to engage, and include our diverse community, irrespective of age, ability, social or cultural background.

2.4 Local and Unique

Public art should be designed to contribute to creating a sense of place developing identity and pride in a community.

2.5 Best Practice

Public art should be designed in accordance with professional standards, to ensure public safety and the longevity of the work in accordance with the intent of the artwork.

2.6 Collection Management

Any public artwork commissioned should be maintained, conserved and preserved in accordance with a Maintenance Plan, which should be provided to the Town by the Artist at hand-over.

2.7 Criteria

Public art in the Town of East Fremantle should satisfy all the following criteria:

- be located where it can be clearly seen from the public realm;
- be an original artwork;
- be of high quality;
- be durable, sustainable and easy to maintain;
- contribute to an attractive and stimulating environment;
- not detract from the amenity or safety of the surrounding area;
- where considered appropriate, be lit at night;

- be responsive to the site and reflect the local area's natural, physical, cultural and/or social history, considering surrounding buildings and activities;
- consider the existing public art in the vicinity to avoid repetition and to ensure the artwork is unique;
- the project may be curated and coordinated by a specialist public art consultant;
- be resistant as possible to vandalism; and
- have a minimum lifespan of twenty years unless otherwise stated in the Artist's brief.

Section 3: Resources

The Town of East Fremantle will ensure the successful progression of public art and allocating appropriate funds in accordance with the Town's budget.

The Town of East Fremantle will allocate an annual budget to enable the delivery of a quality public art program. If these funds are not spent within the financial year, the budget allocation will be included in the Arts & Sculpture Reserve.

The Town of East Fremantle will also make budget provisions to care for works in the Council's Public Art Collection.

3.1 Percent for Public Art – Town of East Fremantle Works

The Town of East Fremantle will allocate a minimum of one percent (1%) of any capital building works project budget to integrating public art into each Council project. This applies to, but is not limited to, all Capital Works Building Projects (excluding public works infrastructure) and all Urban Design Projects with a minimum budget of \$1 million with a maximum cap of \$100,000

Maintenance projects, land acquisitions and general capital expenditure are exempted.

Private developers are required to adhere to the Town of East Fremantle's Local Planning Policy - Percent for Art.

3.2 Arts & Sculpture Reserve

The Arts & Sculpture Reserve is the means for collecting and administering monies for the Public Art Strategy. The purpose of the Reserve is to fund the Public Art Strategy and to accumulate a fund to support major public art projects.

Council will consider a contribution to the Arts & Sculpture Reserve each year. Of this, an amount is made available for the implementation of the Public Art Strategy as outlined in the Public Art Annual Action Plan. Reserve funds are also acquired through developer contributions via the Local Planning Policy - Percent for Art. .

3.3 Project Planning

The Town of East Fremantle will endeavour to take a design exemplar approach to all public art projects by taking time to design well in the initial planning stage and by involving artists at the earliest stage of the design of public spaces and new developments.

3.4 Public Art Panel

A Public Art Panel will be appointed to provide guidance for the Council's Public Art Strategy. The Public Art Panel has responsibility for overseeing and making recommendations to the Council on matters related to the Public Art Strategy.

See Public Art Panel Policy.

3.5 Acquisitions

The Council may consider employing a public art curator to prepare a report on proposed new acquisitions. The report will include an assessment against the criteria and principals outlined in this policy as well information on installing the work and best practice. This report will be provided to the Public Art Panel to ensure informed decisions are made.

3.6 Management of the Collection

The Town will:

- Review the collection, update the database and submit a condition and insurance report (as required) and make recommendations regarding the general maintenance and conservation of the collection and an appropriate maintenance budget allocation for the collection;
- The collection shall be well maintained and the annual budget allocation should reflect the conservation requirements of the current collection based on recommendations sought from suitably qualified professionals;
- The public art collection database shall detail all works, including the name of artists, work title, date of production, media, technical details, size, preferred viewing specifications, inscriptions, comments or background by the artist and others etc;
- A comprehensive photographic archive shall be maintained; and
- The collection shall be valued at least every five years, or as recommended by professional advice and the valuation is to be recorded in the collection database.

3.7 Planning

The Town of East Fremantle will prepare a Four Year Public Art Action Plan as a framework to guide the implementation of the Public Art Strategy.

The Four Year Public Art Action Plan will provide a strategic platform for the ongoing development of the Public Art Strategy with clear direction and enough flexibility to evolve and change as necessary.

3.8 Promote

The Town of East Fremantle will provide media announcements, signage, publications, online and other methods to promote its Public Art Collection.

Section 4: Related Policies and Plans

Interpretation and implementation of this Policy is in accordance with the Town of East Fremantle documents as outlined below.

- Town of East Fremantle Public Art Strategy
- Town of East Fremantle Local Planning Policy - Percent for Public Art
- Town of East Fremantle Public Art Annual Action Plan 2017/18 – 2020/21
- Town of East Fremantle Public Art Panel Policy

Other Related Policies or Plans

- Town of East Fremantle Strategic Community Plan 2017-2027

Section 5: Definitions

Public Art

For the purposes of this Policy, public art is defined as a work of art that is created by an artist, sited in a visually accessible public location. Public art can include (but is not limited to):

- *the artistic treatment of functional equipment such as bike racks, benches, fountains, playground equipment, light posts or shade structures which are unique;*
- *landscape art enhancements such as walkways, bridges or art features within a public garden;*
- *murals, tiles and mosaics covering walls, floors and walkways; and*
- *sculptures, free-standing or incorporated as an integral element of a building's design, paintings, pictures and photographic works.*

Public art does not include:

- *business logos;*
- *advertising signage;*
- *art objects which are mass produced or off the-shelf reproductions; and*
- *landscaping or architectural features which are considered by the Town to be normally integrated into the building or development.*

Public Art Definitions

For an extended list of detailed definitions please refer to the Appendices.

Responsible Directorate:	Community Services
Reviewing Officer:	Executive Manager Corporate and Community Services
Decision making Authority:	Council
Policy Adopted:	17 October 2017
Policy Amended:	
Next Review Date:	

Appendices

A. Types of public art

The descriptors that follow indicate the diversity of approaches to public art projects.

Ephemeral Artworks: those works that are short lived, based on a specific occasion or event and are transitory in nature. Ephemeral art describes projects that may be environmental, lighting or projection where there is no physical artwork created. The term also applies to physical works in non-permanent materials such as natural found materials that degrade as part of the art process.

Functional Artworks: where the primary purpose of the element is utilitarian such as seating, lighting, bollards, rubbish bins, bike racks, shelters and paving. These can vary in form, scale or quantity, dependent on the location. Functional works can reinforce a design aesthetic or thematic concern and be playful, delightful or sophisticated.

Ground Plane Artworks: form part of the ground in a public setting and may be experienced as carved/shaped paving elements, metal relief elements, toughened glass panels and ceramic or mosaic inserts, amongst others. Ground plane works are designed to be viewed closely by pedestrians in the space, potentially slowing their movement through the area and creating the opportunity for an intimate and personal engagement between the work and the viewer. Ground Plane works are useful as a way finding tool.

Iconic Artworks: a significant, freestanding work, where the approach is largely independent of other considerations.

Integrated Artworks: works that are fully incorporated within the design of the built or natural environment.

Interactive Artworks: are works that are designed to encourage a tactile response.

Interpretive Artworks: where the primary purpose of the artwork is to tell a story, describe, educate or comment on an issue, event or situation.

Intervention Artworks: provoke an idea or thought or an element of surprise often in an unexpected location.

Landmark Artworks: could be considered a signature or icon for a city. Large in scale or ambitious in concept, such works tend to be major stand-alone commissions and not part of a capital works project.

Medium Scale/Human Scale Artworks: are artworks approximately the size of an average person. These artworks are easily interacted with and are accessible to pedestrians.

Memorial: a structure, sculpture or other object erected to commemorate a person or an event.

Nodal Artwork: an artwork that comprises of a series of component parts and a central focus element.

Site Specific Artworks: designed specifically for and responding to a particular site through scale, material, form or concept.

Permanent Artworks: refers to public art with a lifespan of at least twenty years.

Plaque: a flat tablet or sign, affixed to an object, building or pavement, of metal, stone or other appropriate material, which may include text and/or images in order to provide interpretive information. Plaques may identify an artwork, commemorate a person, place, object or an event and/or provide historical text or information relevant to its location.

Street Art: may include spray or aerosol art, stencils, sticker art, paste-ups (wheat pasting and poster art), video projection, art interventions, guerrilla art, flash-mobbing and installations.

Temporary Artwork: refers to artwork that is made to last for a specific duration for example, one week or one year. This may include one off or scheduled events such as outdoor exhibitions or installations. The dynamic nature of temporary works are an important place activation tool.

Textural Artworks: are small in scale, often items of architectural, streetscape and landscape detail, which contributes to the local character of a place.

Transition Artworks: provide an element that links one space to another such as an internal to an external public space or a hardscaped space to a landscaped space.

B. Definitions

Artist

A professional visual artist can be defined as a person who fits into at least two of the following categories:

- a person who has a tertiary qualification in the visual arts, or when the brief calls for it, other art forms such as multimedia;
- a person who has a track record of exhibiting their artwork at reputable art galleries that sells the work of professional artists;
- a person whose work is represented in major public or private collections; and

A person who earns more than 50% of their income from arts related activities, such as teaching, selling artwork or undertaking public art commissions. In some cases, this definition may be relaxed where it may be specified for a particular project.

For example, a project involving emerging artists, Indigenous artists, students or street/graffiti artists.

Artist Fees

That portion of the art project budget reserved for payment to the artist for his/her creative services for design, fabrication, and/or project management services.

Artwork or Work of Art

Any work or object designed by an Artist.

Collection Management

The administration and management of an Art Collection. This encompasses the management of collection records both electronic and hard copy, the database, catalogues, inventories and condition assessments, maintenance and conservation programs, accession of new acquisitions and overseeing the deaccession, disposal or relocation of public artwork.

Community Art

A process where the community initiates or participates in the art project.

Contemporary Art

Artwork created in the present day that engages with issues relevant to its time or uses materials and processes that are at the forefront of arts practice.

Hand-over

The transfer of ownership of an artwork from one party to another. This includes the transfer of legal title and the supplying of the Maintenance Manual and other associated contractual documents.

Maintenance Manual

Those forms completed by the artist detailing the maintenance and technical information for the completed artwork.

Public Art

Public art is a work of art that is created by an artist, sited in a visually accessible public location. Public art can include (but is not limited to):

- the artistic treatment of functional equipment such as bike racks, benches, fountains, playground equipment, light posts or shade structures which are unique;
- landscape art enhancements such as walkways, bridges or art features within a garden;
- murals, tiles and mosaics covering walls, floors and walkways; and

- sculptures, free-standing or incorporated as an integral element of a building's design, paintings, pictures and photographic works.

Public art does not include:

- business logos;
- advertising signage;
- art objects which are mass produced or off the-shelf reproductions; and
- landscaping or architectural features which would normally be integrated into the building or development.

Public Art Maintenance & Conservation Program

The coordinated administration of regular treatments, professional conservation and repairs to works in an Art Collection to maintain their integrity.

Public Art Consultant

A professional specialising in public art, engaged to provide expert advice or project management.

Public Art Project Manager

A professional employee or contractor responsible for the planning, execution, contract management and close-out of the public art project.



COMMUNITY GRANTS AND SPONSORSHIP

Policy Number:	1.2.2
Type:	Community Strength and Identity
Legislation:	
Delegation:	
Other Related Document:	Community Assistance Grants & Sponsorship Funding Guidelines Community Grants & Sponsorship Process

Objective

To provide financial assistance to community groups and individuals that will build capacity within the community, stimulate volunteering and youth development, and deliver sustainable, accessible and demonstrated social, environmental and economic benefits.

Policy Scope

Funding for individuals and incorporated not-for-profit organisations/associations that are resident- based or those providing services within the East Fremantle community.

Policy

The Community Grants Assistance Program aims to provide assistance to individuals and incorporated associations that can deliver meaningful benefits and outcomes in the following target areas:

- Community Development
- Sport and Recreation
- Economic Development
- Environment and Heritage
- Culture and the Arts
- Emergency Services

Grant Categories

“*Community Assistance Grants*” refers to funding towards infrastructure and equipment. Examples of this type of funding are uniforms or equipment.

“*Sponsorships*” refers to funding towards events, projects (annual or one off), Community Bus use and Photocopying/Printing.

Funding of up to \$5,000 will be considered for Community Assistance Grants.

Funding of up to \$3,000 will be considered for Sponsorship Funding.

Council contributions will generally be limited to:

\$0 - \$1,000 100% funded

\$1,001 - \$3,000	50% matching contribution (dollar for dollar up to \$3,000)
\$3,001 - \$5,000	1/3 matching contribution

The value of in-kind work undertaken by volunteers may not exceed one third of the completed value of the project. The voluntary work should be described and valued at a rate of \$20 per hour (generally \$15 per hour for unskilled works and \$20 per hour for skilled labour).

Minor grants are to be considered by the Mayor. Formal acquittal processes are not mandatory but may be requested if considered appropriate.

Funding Application Assessment Criteria

Consideration will be given to priority areas, not limited to, emergency services, education, youth, sports, recreation, heritage and culture within the Town of East Fremantle.

Only one application for assistance towards one project will be assessed for the provision of minor sporting, recreation, cultural or other project.

The applicant organisation must operate from the Town of East Fremantle and beneficiaries must be residents of the Town of East Fremantle. If managed by an outside group, demonstrated evidence that a high percentage of members/users reside in the Town of East Fremantle must be included in the application.

Only groups who can demonstrate that they are a not-for-profit community organisation will be considered eligible for funding.

Community Grants Committee

The Community Grants Advisory Group will consist of the following membership;

- Mayor (or his/her representative) & Councillor
- 2 x staff members
- 2 x Community members.

Retrospective Funding

No application for retrospective projects will be considered as part of this grant/funding scheme.

Projects may not materially commence before the announcement of successful applicants.

Ineligibility

State and Federal Government agencies, incorporated associations whose members derive individual benefit or financial return from their activities, individuals outside of Travel Subsidy and Youth Encouragement grants.

Perception of Bias

In accordance with best practice public sector transparency and accountability principles, all committee members and staff who are, or have in the last three years, been a board member, committee member, executive member or life member of an association applying for funds, shall disqualify themselves from all aspects of the consideration process from receipt of application through to consideration at the Community Grants Committee.

Responsible Directorate:	Finance and Administration
Reviewing Officer:	CEO
Decision making Authority:	Council
Policy Adopted:	21/06/16
Policy Amended:	
Next Review Date:	

6.4 Town Hall Furniture Supply & Installation Tender – 02-2017/18

Applicant:	Town of East Fremantle
File ref:	RFT02-17/18
Prepared by:	Gary Tuffin, Chief Executive Officer
Supervised by:	Gary Tuffin, Chief Executive Officer
Voting requirements:	Simple Majority
Documents table:	Nil
Attachments:	1. Confidential – Elevation Sheet (RTF02-17-18) 2. Confidential – Corporate Living Tender Pricing Schedule 3. Furniture floor plan

Purpose

To advise Council on the evaluation of tender submissions for the supply and installation of furniture for the Town Hall and to award the contract.

Executive Summary

The Tender was undertaken as part of the Town Hall refurbishment project, four (4) tender submissions were received by the closing date and time.

It is recommended that Corporate Living be awarded the contract for the supply and installation of furniture.

Background

Over the years various items of furniture have been randomly purchased resulting in a wide condition and variety of furniture. It is unknown when the Town last provided a complete and consistent approach to the provision of appropriate fit-for-purpose office furniture.

As part of the Town Hall Refurbishment Project all the furniture is being replaced to provide a consistent, functional and professional look. Tender RFT02/17-18 was advertised in the West Australian newspaper on 26 August 2017.

Tenders closed at 4:00pm, Friday 15 September 2017 and there were four (4) submissions received from the following tenderers;

1. InnerSpace Commercial Interiors
2. **Corporate Living**
3. Zenith
4. APC (**Incomplete Tender – not assessed**)

Consultation

Councillors
Chief Executive Officer – Gary Tuffin
EMRS – Andrew Malone
EMCCS – David Taylor
Project Officer – Wendy Cooke
Executive Assistant – Janine May

An inspection was undertaken of the furniture tendered on the 27/09/17 by the above staff. There was a general consensus that the furniture and service provided by Corporate Living was preferred.

Referee Check

Andrew Barnett (Director City Projects) City of Armadale

- Refit of administration office (Contract value of furniture \$1,000,000 approx.)

- Furniture supplied approx. 3 year ago.
- Very happy with the quality of furniture and after sales service
- Highly recommend as a supplier, continue to use as needed for additional items.

Les Crichton (Executive Manager Corporate & Governance) Town of Claremont.

- Office rebuild (Contract value of furniture \$350,000 approx.)
- Furniture supplied approx. 3 years ago (2014)
- Very happy with the quality of furniture and service.
- Highly recommend as a supplier, continue to use as needed for additional items.

Statutory Environment

State: *Local Government Act 1995 s3.57 – Tenders for providing goods or services*

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

Regulations 1996 require that tenders be publicly invited for such contracts where the estimated cost of providing the total service exceeds \$150,000.

Policy Implications

Purchasing Policy

Financial Implications

Council has made a provision of \$170,000 in its 2017/18 Budget.

The recommended tenderer, Corporate Living tendered \$116,339 (excluding GST) for the supply of the furniture.

During the tender assessment process a \$13.00 discrepancy was noted, between the unit prices listed for each item of furniture and the total lump sum price tendered. At the time of writing this report clarification had been sought but was not received in time for inclusion. A verbal update will be provided at the meeting.

Strategic Implications

Nil

Site Inspection

Yes

Comment

The tenders submitted must fulfill the requirements of the Tender Criteria, namely the Compliance and Selection Criteria.

Based on the evaluation results it is recommended that the Tender be awarded to Corporate Living for the supply and installation of the furniture.

6.4 OFFICER RECOMMENDATION

That Council;

- 1. accept the Tender submitted by Corporate Living for \$116,339.00 (Ex GST) for supply and installation of furniture for the Town Hall.**
- 2. authorise the Mayor and Chief Executive Officer to sign and affix the Town's Common Seal to the tender contract with Corporate Living for the supply and installation of furniture.**

6.4 Town Hall Furniture Supply & Installation Tender – 02-2017/18

Attachment 1 – Elevation Sheet (RTF02-17-18)

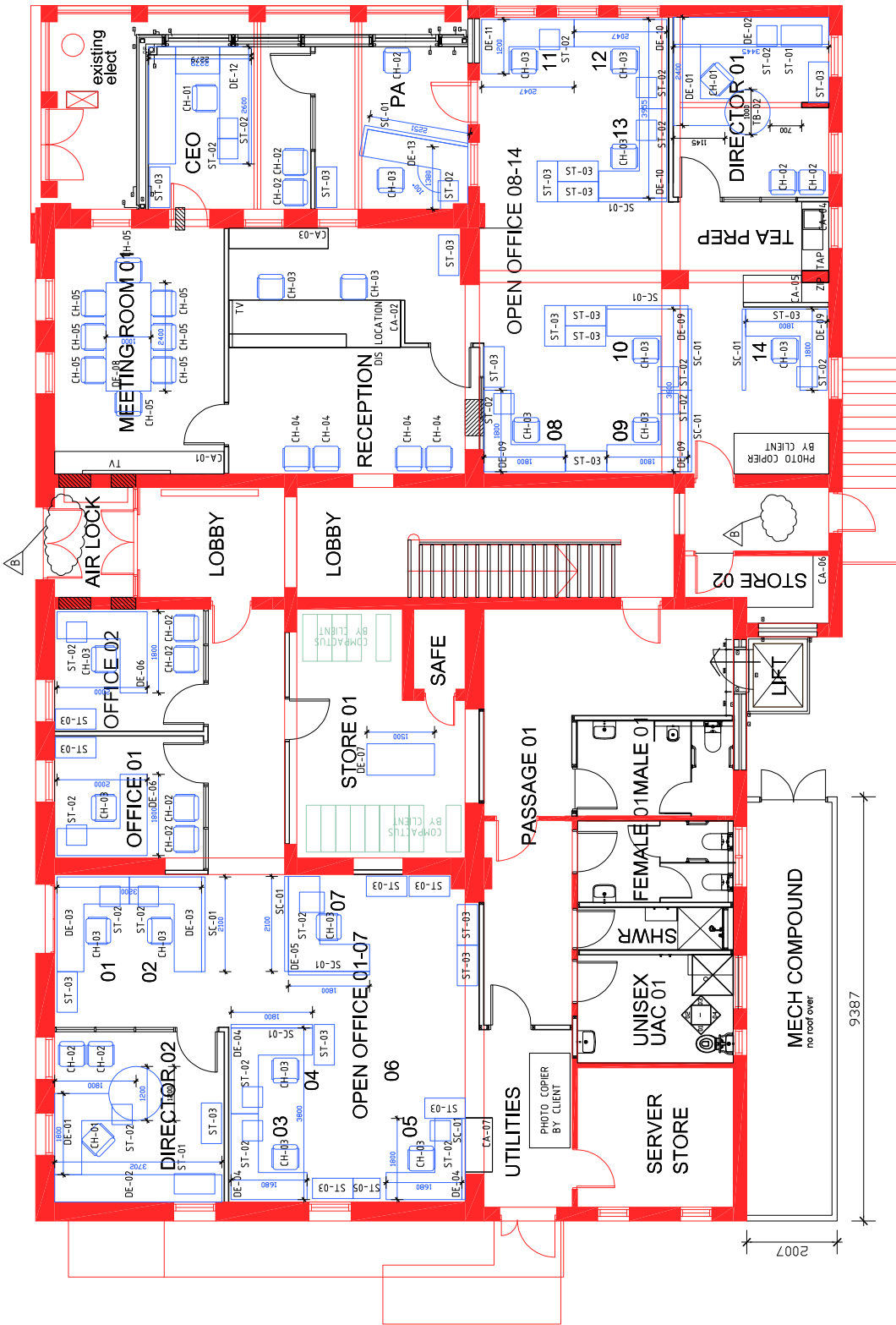
Circulated separately to Councillors

6.4 Town Hall Furniture Supply & Installation Tender – 02-2017/18

Attachment 2 – Corporate Living Tender Pricing Schedule

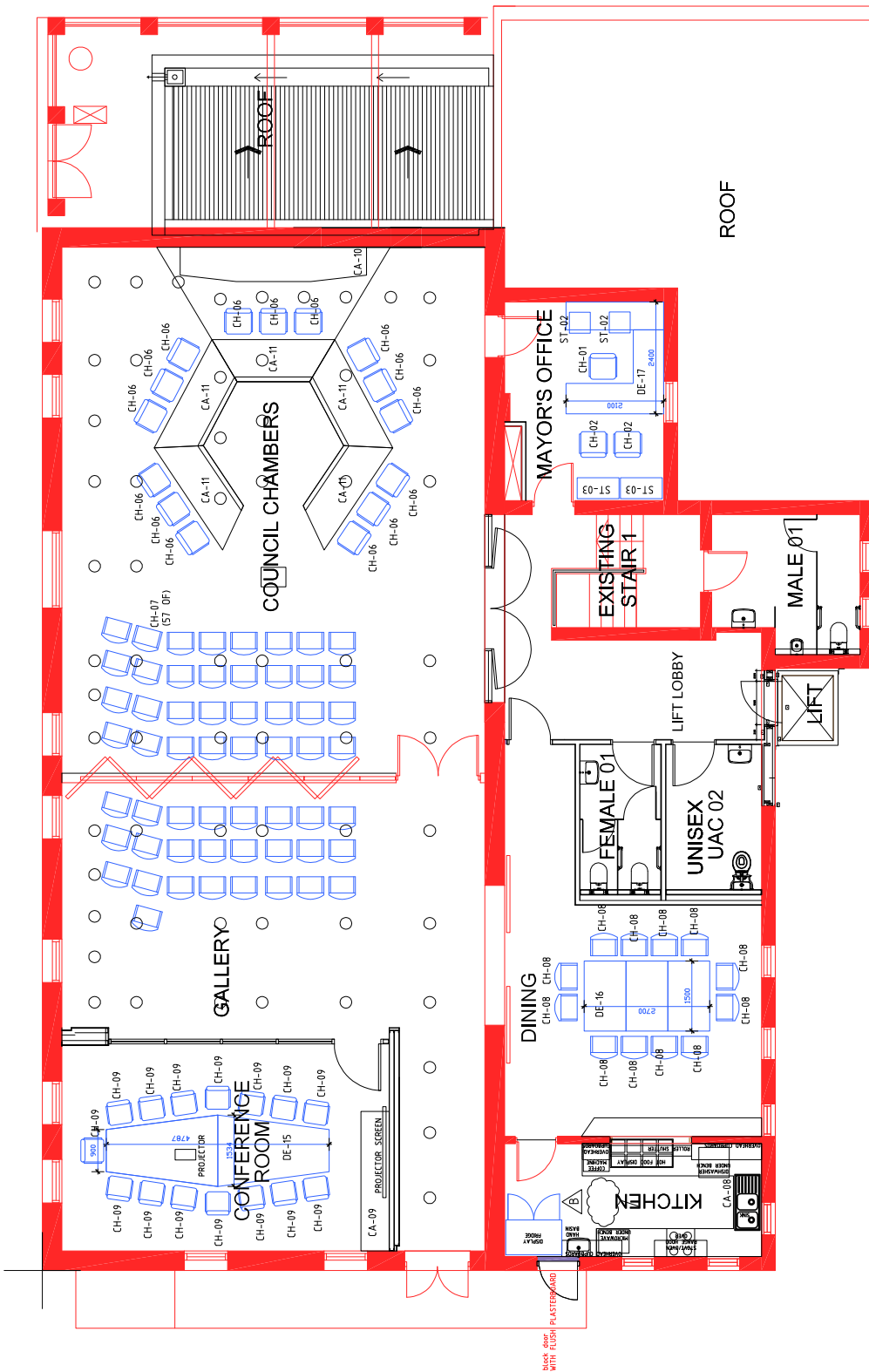
Circulated separately to Councillors

CANNING HWY



GROUND FLOOR PLAN





FIRST FLOOR PLAN
 0 1 2 3 4 5m 1:50

6.5 Road Resurfacing Program 2017/18 – Tender Acceptance

Applicant:	Town of East Fremantle
File ref:	RFT03-17/18
Prepared by:	Stephen Gallagher, Operations Manager
Supervised by:	Gary Tuffin, Chief Executive Officer
Voting requirements:	Simple Majority
Documents table:	Nil
Attachments:	1. Confidential - Tender Assessment

Disclosure of Interest Affecting Impartiality

In accordance with Regulation 34C of the *Local Government (Administration) Regulations 1996* the Chief Executive Officer advises that he was a former employee (General Manager) of Industrial Road Pavers (2002 -2005).

Purpose

To advise Council on the re-evaluation of the Request for Tender submissions received for the Road Resurfacing Program 2017/18 due to the successful tenderer withdrawing their submission and to endorse the subsequent suitable contractor.

Executive Summary

This Tender has been undertaken as part of the Capital Works Program that was approved by Council in this financial year's budget. As per last year's Tender to attract lower prices from economies of scale the Town has this year bundled all of the individual Roadworks into one contract in lieu of awarding separate smaller contracts for individual roads. The works are scheduled to be completed during November – December 2017.

The Tender was advertised with nine (9) submissions received. A more detailed assessment was done on the lowest three priced Tenders in accordance with Sections 1.6 Evaluation Process and 1.7 Selection Criteria.

Interviews were held to clarify details of the submissions and better assess the applicants. At the Special Council Meeting held on 2 October 2017, Council endorsed the Officer's recommendation of LTC Asphalt being the most suitable contractor to provide the road resurfacing program. Since that meeting, LTC Asphalt have withdrawn their submission and the subsequent three (3) tenders were re-evaluated.

Accordingly, the following is now recommended:

It is recommended that Council:

1. accept the withdrawal of the tender submitted by LTC Asphalt \$242,764.00 (excl. GST) to complete the Road Resurfacing Program 2017/18 and authorised Purchase Order 34355 be rescinded.
2. accept the tender submitted by Industrial Road Pavers \$280,883.70 (excl. GST) to complete the Road Resurfacing Program 2017/18.
3. authorise the Chief Executive Officer to sign and affix the Town's Common Seal to the tender contract with Industrial Road Pavers.

Background

As part of the Town's 2017-18 Capital Works program, tender RFT03/17-18 was advertised in The West Australian newspaper on 26th August 2017 to select a contractor to provide road resurfacing services on various roads around the Town.

Tenders closed at 4:00pm Friday 15th September and there were nine (9) submissions received with one submission being withdrawn after evaluation and recommendation to Council.

At the Special Council Meeting held on 2 October 2017, Council endorsed the Officer's recommendation of LTC Asphalt being the most suitable contractor to provide the road resurfacing program. Unfortunately, following further discussions with LTC Asphalt concerning details of their submission, the company decided to withdraw their submission.

Whilst Council could insist the contract be enforced at the tendered rates, it is believed this would put the quality of works at risk, and possibly lead to protracted legal issues. Therefore, it is recommended that LTC be released from their obligations under the tender.

Consultation

Dave Burke, Operations Supervisor.

Chief Executive Officer.

LTC.

Industrial Road Pavers.

Kee Asphalt.

Fulton Hogan.

Prior to commencement of works, the contractor (on behalf of Council) will distribute a letter to all affected properties.

Statutory Environment

State: *Local Government Act 1995 s3.57 – Tenders for providing goods or services*

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

Regulations 1996 require that tenders be publicly invited for such contracts where the estimated cost of providing the total service exceeds \$150,000.

Policy Implications

Purchasing Policy

Financial Implications

Council has allowed for the road resurfacing in their 2017/18 Budget.

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Yes

Triple Bottom Line Assessment

Economic Implications

There are no known significant economic implications with this proposal.

Social Implications

The completion of resurfacing works to roads will provide upgraded infrastructure for the community to use.

Environmental Implications

There are no known significant environmental implications associated with this proposal.

Comment

The tenders submitted must fulfill the requirements of the Tender Criteria, namely the Compliance and Selection Criteria.

The tenders have been re-itemised in the table below according to the submitted tender prices and the selection criteria outlined in the RFT. The lowest three priced submissions have been allocated scores for each weighted category.

Based on the results of the revaluation it is recommended that the Tender be awarded to Industrial Road Pavers.

6.5 OFFICER RECOMMENDATION

That Council;

- 1. accept the withdrawal of the tender submitted by LTC Asphalt \$242,764.00 (excl. GST) to complete the Road Resurfacing Program 2017/18 and authorised Purchase Order 3433 be cancelled.**
- 2. accept the tender submitted by Industrial Road Pavers \$280,883.70 (excl. GST) to complete the Road Resurfacing Program 2017/18.**
- 3. authorise the Mayor and Chief Executive Officer to sign and affix the Town's Common Seal to the tender contract with Industrial Road Pavers.**

6.4 Road Resurfacing Program 2017/18 – Tender Acceptance

Attachment 1 – Tender Assessment

Circulated separately to Councillors

7. CLOSURE