



**MINUTES OF A HEALTH & GENERAL PURPOSES COMMITTEE MEETING, HELD IN THE UPSTAIRS MEETING AREA, ON WEDNESDAY, 3 OCTOBER 2001, COMMENCING AT 6.50PM.**

**H91. OPENING OF MEETING**

The Presiding Member opened the meeting.

**H91.1 Present**

Cr D Hogg	Presiding Member
Cr M Carosella	
Cr A Fenna	
Cr E Lovell	
Mr S Wearne	Chief Executive Officer
Mr V Andrich	Principal Environmental Health Officer

**H92. WELCOME TO GALLERY**

There was no members of the public in the gallery at the commencement of the meeting.

**H93. APOLOGIES**

Mayor O'Neill.

**H94. PRESENTATIONS/DEPUTATIONS/PETITIONS**

Nil.

**H95. PUBLIC QUESTION TIME**

Nil.

**H96. CONFIRMATION OF MINUTES**

**H96.1 Health & General Purposes Committee – 5 September 2001**

**RECOMMENDATION TO COUNCIL**

Cr Carosella – Cr Lovell

That the Minutes of the Health & General Purposes Committee Meeting held on 5 September 2001 as adopted at the Council meeting held on 18 September 2001.

CARRIED

**H97. CORRESPONDENCE (LATE RELATING TO ITEMS IN AGENDA)**

Nil.

**H98. REPORTS OF COMMITTEES**

**H98.1 South Metropolitan Regional Council**

Minutes of Meeting held on 26 July 2001.

**ATTACHMENT**

Cr Lovell – Cr Carosella

That the Minutes of the South Metropolitan Regional Council Meeting held on 26 July 2001 be received.

CARRIED

**H99. REPORTS OF OFFICERS**

**H99.1 Receipt of Reports**

Cr Lovell – Cr Fenna

That the Reports of Officers be received.

CARRIED



- H99.2**      **East Fremantle Festival 2001 October Update Report**      **H/EFF1**  
*By Vic Andrich, Principal Environmental Health Officer on 26 September 2001*

**PURPOSE**

To inform Council on the progress of the East Fremantle Festival 2001.

**BACKGROUND**

The Town has appointed a Festival Coordinator to arrange the 2001 East Fremantle Festival. As part of the project, reports to Council on progress are required.

**REPORT**

**Comments/Discussion**

The attached Update report is provided. Councils Festival Coordinator Dani Connolly will be in attendance at the meeting to answer any questions.      **ATTACHMENT**

**Statutory Requirements**

Nil.

**Relevant Policies**

Nil

**Principal Activity Plan Impact**

Nil.

**Strategic Plan Impact**

The East Fremantle Festival is consistent with Goal 5 – Image and Profile, which states “To ensure Council enjoys a high profile and positive image within the community and wider region”, and in strategy 5.1 “Positively promote activities of Council in the local community and the wider region.” And with Strategy 7.4 Community Arts & Culture and in particular “7.4.1 Provide and promote opportunities for participation in community arts events and cultural activities.”

**Financial/Budget Implications**

As per budget allocation

**Options and Implications**

Nil.

**CONCLUSION**

The Update Report on the East Fremantle Festival is essential to ensure that time lines are achieved and the progress of the festival can be monitored.

**RECOMMENDATION**

That the information be received.

**Cr Lovell – Cr Fenna**

**That the information be received.**

**CARRIED**

- H99.3**      **Project 2000 Status Report**      **H/HRW2**  
*By Vic Andrich, Principal Environmental Health Officer on 25 September 2001*

**PURPOSE**

To inform Council on the progress of Project 2000.

**BACKGROUND**



The Town of East Fremantle is a member of the Southern Metropolitan Regional Council and as such is required to keep abreast of progress towards completion of the Regional Resource Recovery Centre (RRRC) known as Project 2000.



**REPORT**

**Comments/Discussion**

The attached Project 2000 Status report was presented to the Southern Metropolitan Regional Council meeting held September 2001. **ATTACHMENT**

**Statutory Requirements**

Nil.

**Relevant Policies**

The activities of the Southern Metropolitan Regional Council are consistent with Council Policy 052 – Waste Minimisation.

**Principal Activity Plan Impact**

Nil.

**Strategic Plan Impact**

Nil.

**Financial/Budget Implications**

Nil.

**Options and Implications**

Decisions of the Southern Metropolitan Regional Council are binding on Council.

**CONCLUSION**

The Status Report on the development of the Regional Resource Recovery Centre (RRRC) is essential to ensure that time lines are achieved and the progress of developments can be monitored.

**RECOMMENDATION**

That the information be received.

**Cr Fenna – Cr Carosella**

**That the information be received.**

**CARRIED**

**H99.4**

***Refuse/Recycling Collection Tender***

***H/HRW5***

*By Vic Andrich, Principal Environmental Health Officer*

**PURPOSE**

To seek Council approval in awarding the refuse and recycling collection tender.

**BACKGROUND**

Tenders for the provision of refuse and recycling collection service closed 21 September 2001.

**Description of Proposal/Application/Submission**

Tender documentation including a general conditions of tender, summary of requirements, current refuse and recycling service arrangements, refuse collection agreement and recycling collection agreement are available from the Principal Environmental Health Officer.

**Any Relevant Previous Decisions of Council and/or History of an Issue or Site.**

Nil



## REPORT

### Introduction/Comments

Tenders were invited for the provision of refuse and recycling collection services for the Town for a period of two years with an option for another two years (at Council discretion). Five tenders were received.

The five tenderers were:

Tenderer A	Roads & Robinson Rubbish & Recycling
Tenderer B	PWM Australia Pty Ltd
Tenderer C	Cleanaway
Tenderer D	Turfmaster
Tenderer E	Collex Pty Ltd

### Issues

In evaluating each tender, the following selection criteria was used:

#### SELECTION CRITERIA

The Town of East Fremantle has adopted the best value for money approach to this Tender. The tender will be awarded to the tenderer(s) who best demonstrates the ability to provide quality services at a competitive price. The tendered prices will be assessed with the following qualitative and compliance criteria to determine the most advantageous outcome to the Town.

This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the tender ranked the highest on the qualitative criteria.

#### COMPLIANCE CRITERIA

These criteria will not be point scored. Each Tender will be assessed on a Yes/No basis as to whether the criterion is satisfactorily met. An assessment of "No" against any criterion may eliminate the tender from consideration.

Description of Compliance Criteria	Yes/No
(a) Compliance with the Form of Tender	Yes/No
(b) Compliance with the Information Requirements.	Yes/No
(c) Compliance with tender conditions and specifications.	Yes/No
(d) Compliance with and completion of the Price Schedule.	Yes/No

The Tenders received were assessed as follows:

Description of Compliance Criteria	A	B	C	D	E
(a) Compliance with the Form of Tender	Yes	Yes	Yes	Yes	Yes
(b) Compliance with the Information Requirements.	Yes	Yes	Yes	Yes	Yes
(c) Compliance with tender conditions and specifications.	Yes	Yes	Yes	Yes	Yes
(d) Compliance with and completion of the Price Schedule.	Yes	Yes	Yes	Yes	Yes

#### QUALITATIVE CRITERIA

In determining the most advantageous Tender, the Tenderer will be scored against the qualitative criteria.

It is essential that Tenderers address each qualitative criterion. The Tenders will be used to select the chosen tenderer, and failure to provide the supportive information may result in elimination from the Tender evaluation process.

The qualitative criteria for this tender are as follows:



Description of Qualitative Criteria	Weighting
(a) Demonstrated experience in completing this or similar services	20%
(b) Provisions for continuity of Service during disruption.	25%
(c) Tenderers Resources	15%
(d) A demonstrated understanding of the required service.	20%

The Tenderers were assessed as follows:

Tenderer A

- (a) The company demonstrated that it had sufficient experience and qualification to perform the tender as per Council requirements including over 25 years in refuse/recycling collections and of particular note, 4 years servicing local governments of similar size and profile to East Fremantle. 20%
- (b) The tenderer provided details of backup vehicles and support in event of breakdown or disruption to service. The information provided indicates that the Company would be able to provide a continuation in service in the event of a disruption. 25%
- (c) The tenderer has demonstrated its longevity and financial stability over a number of years. The company has a comprehensive Occupational Health and Safety Policy detailing amongst other issues, clear delineation of responsibilities of employees and management. A Customer service administrator is accessible during office hours and the managers are available for after hours calls. 15%
- (d) The tenderer has demonstrated an understanding of the requirements for East Fremantle. 20%
- Total: 80%

Tenderer B

- (a) The company demonstrated that it had sufficient experience and qualification to perform the tender as per Council requirements including over 14 years in refuse/recycling collections. 20%
- (b) The tenderer provided details of backup vehicles and support in event of breakdown or disruption to service. The information provided indicates that the Company would be able to provide a continuation in service in the event of a disruption. 25%
- (c) The tenderer has demonstrated its longevity and financial stability over a number of years. The company has a comprehensive Occupational Health and Safety Policy amongst others. A customer service centre is accessible from 7.30am – 5.00pm and an after-hours employee is contactable. 15%
- (d) The tenderer has demonstrated an understanding of the requirements for East Fremantle. 20%
- Total: 80%

Tenderer C

- (a) The company demonstrated that it had sufficient experience and qualification to perform the tender as per Council requirements including many years in refuse/recycling collections and the servicing of a large number of local governments. 20%



- (b) The tenderer provided details of backup vehicles and support in event of breakdown or disruption to service. The information provided indicates that the Company would be able to provide a continuation in service in the event of a disruption.  
25%
- (c) The tenderer has demonstrated its longevity and financial stability over a number of years. The company has a comprehensive Occupational Health and Safety Policy amongst others. A comprehensive customer service centre operates to deal with all calls from residents.  
15%
- (d) The tenderer has demonstrated an understanding of the requirements for East Fremantle. The tenderer has indicated a willingness to conduct an audit on current services and develop possible new service arrangements for residents.  
20%
- Total: 80%

**Tenderer D**

- (a) Although the tenderer has considerable experience working with local government, it has not performed or conducted a refuse and recycling collection service. Their main activity has been with turf management in local government.  
0%
- (b) The tenderer provided details of vehicles and support in event of breakdown or disruption to service. The information provided indicates that the Company would also purchase a third side loader as an additional back up vehicle in the event of a disruption.  
25%
- (c) The tenderer has demonstrated its longevity and financial stability over a number of years. The company has a comprehensive Quality Manual and Occupational Health and Safety Management Plan amongst others.  
15%
- (d) The tender documentation may not fully indicate that the tenderer understands all the requirements of the service. As the tenderer has not performed a refuse/recycling collection service, I believe it is not possible to fully understand all aspects of the process.  
16%
- Total: 56%

**Tenderer E**

- (a) The company demonstrated that it had sufficient experience and qualification to perform the tender as per Council requirements including many years in refuse/recycling collections and the servicing of a large number of local governments.  
20%
- (b) The tenderer provided details of backup vehicles and support in event of breakdown or disruption to service. The information provided indicates that the Company would be able to provide a continuation in service in the event of a disruption.  
25%
- (c) The tenderer has demonstrated its longevity and financial stability over a number of years. The company has a comprehensive Occupational Health and Safety Policy amongst others.  
15%
- (d) The tenderer has demonstrated an understanding of the requirements for East Fremantle.  
20%
- Total: 80%

**Consultation**



Discussions were conducted with the Southern Metropolitan Regional Council and other waste management professionals to ensure tender requirements best suited the Towns needs.





**Statutory Requirements**

The Local Government Act and associated tender regulations dictate the procedure to follow in the calling for tenders. This tender has been conducted in accordance with those requirements..

**Relevant Council Policies**

The tender is consistent with Policy No: 052 Waste Minimisation.

**Principal Activity Plan Implications**

N/A

**Strategic Plan Implications**

The tender is consistent with Goal Environmental Management and in particular Strategy 4.1: To ensure the safe and efficient collection, removal or disposal of wastes.

**Financial/Resource/Budget Implications**

As part of the Tender process the following weighting has been given to price consideration.

**PRICE CONSIDERATION**

Criteria	Weighting
Tendered Price	20%

A summary of the prices submitted by each tenderer is detailed below:

**Refuse Service**

Service	\$ Weekly		\$ Urgent		\$ Missed		\$ Street Bins		
	Tenderer	120	240	Same	Next	Same	Next	65	120
A	0.59	0.79*	NC	NC	NC	NC	1.49	1.49	1.49
B	0.71	0.71	0.71	0.71	0.71	0.71	3.09	3.09	3.09
C	1.05	1.05	4.00	4.00	NC	4.00	4.00	4.00	4.00
D	0.68	0.68	0.75	0.68	0.75	0.68	1.10	1.10	1.10
E	0.83	0.83	2.50	2.00	0.83	0.83	-	1.95	1.95

\* 1.25 bins at commercial premises; NC – No Charge

**Recycling Service**

Service	\$ Fortnightly		\$ Urgent		\$ Missed		\$ Street Bins	
	TENDERER	120	240	Same	Next	Same	Next	120
A	0.69	0.69	NC	NC	NC	NC	1.49	1.49
B	0.905	0.905	0.905	0.905	0.905	0.905	3.09	3.09
C	0.94	0.94	4.00	4.00	NC	4.00	4.00	4.00
D	0.75	0.75	0.85	0.75	0.85	0.75	1.10	1.10
E	0.85	0.85	2.50	2.00	0.83	0.83	1.95	1.95

NC – No Charge

The estimated annual costs for the service is based upon the tendered prices and on the following assumptions:

2500 residential bins/week; 200 non residential bins; 100 street bins

Service	\$ Annual Refuse		\$ Annual Recycling		\$ Total
Tenderer A	113048	9	52312	10	165360
Tenderer B	115752	8	71565	7	187317
Tenderer C	162760	6	76388	6	239148
Tenderer D	101712	10	55510	9	157222



Tenderer E	129480	7	64740	8	194220
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Summary of Assessment Criteria	Quality	Price	Total
Tenderer A	80	19	99
Tenderer B	80	15	95
Tenderer C	80	12	92
Tenderer D	56	19	75
Tenderer E	80	15	95

**Options and Implications**

Council has the option of choosing any of the tenderers, as they are all capable of providing the service. Tenderer D does lack experience in refuse/recycling collections however the quality of the documentation suggests that the company would be committed to providing the service required. It would be a learning experience for them, should they be successful. All other tenderers have demonstrated their ability and I have no doubt that they could all provide a professional, effective and efficient refuse and recycling collection service for the town.

The total costs of all tenderers are within Council budgets for refuse and recycling collections. (Note: This tender does not include the processing of refuse/recyclable and associated disposal costs.)

**Conclusion(s)**

The tenders provided were comprehensive and well constructed. Based upon the information provided and our experience with the current contractor, I support the retention of Roads & Robinson to provide the refuse and recycling collection service to the Town of East Fremantle.

**RECOMMENDATION(S)**

That

1. the Tender for refuse and recycling collection service be awarded to Roads & Robinson Rubbish & Recycling for a period of two years as from October 1, 2001 at the following rate:

**Refuse Service**

Service	\$ Weekly		\$ Urgent		\$ Missed		\$ Street Bins		
Specification	120	240	Same	Next	Same	Next	65	120	240
	0.59	0.79*	NC	NC	NC	NC	1.49	1.49	1.49

\* 1.25 per bin at commercial premises

NC – No Charge

**Recycling Service**

Service	\$ Fortnightly		\$ Urgent		\$ Missed		\$ Street Bins	
<b>SPECIFICATION</b>	120	240	Same	Next	Same	Next	120	240
	0.69	0.69	NC	NC	NC	NC	1.49	1.49

NC – No Charge

2. The Council authorise the Mayor and Chief Executive Officer to affix the seal and sign appropriate documentation/agreements.

**Cr Fenna – Cr Carosella**

That

1. the Tender for refuse and recycling collection service be awarded to Roads & Robinson Rubbish & Recycling for a period of two years as from October 1, 2001 at the following rate:

**Refuse Service**

Service	\$ Weekly		\$ Urgent		\$ Missed		\$ Street Bins		
Specification	120	240	Same	Next	Same	Next	65	120	240



	0.59	0.79*	NC	NC	NC	NC	1.49	1.49	1.49
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\* 1.25 per bin at commercial premises

NC – No Charge



**Recycling Service**

Service	\$ Fortnightly		\$ Urgent		\$ Missed		\$ Street Bins	
	120	240	Same	Next	Same	Next	120	240
	0.69	0.69	NC	NC	NC	NC	1.49	1.49

NC – No Charge

2. The Council authorise the Mayor and Chief Executive Officer to affix the seal and sign appropriate documentation/agreements. CARRIED

H99.5

**SMRC Annual Report**

H/HRW2

By Vic Andrich, Principal Environmental Health Officer on 25 September 2001

**PURPOSE**

To inform Council on the progress of Project 2000.

**BACKGROUND**

The Town of East Fremantle is a member of the Southern Metropolitan Regional Council and as such is required to keep abreast of progress towards completion of the Regional Resource Recovery Centre (RRRC) known as Project 2000. The SMRC now presents its Annual report for 2000-2001.

**REPORT**

**Comments/Discussion**

The attached Annual Report 2000-2001 was presented to the Southern Metropolitan Regional Council meeting held 27 September 2001. **ATTACHED SEPARATELY**

**Statutory Requirements**

Nil.

**Relevant Policies**

The activities of the Southern Metropolitan Regional Council are consistent with Council Policy 052 – Waste Minimisation.

**Principal Activity Plan Impact**

Nil.

**Strategic Plan Impact**

Nil.

**Financial/Budget Implications**

Nil.

**Options and Implications**

Decisions of the Southern Metropolitan Regional Council are binding on Council.

**CONCLUSION**

The SMRC Annual Report 2000 – 2001 will be advertised for public comment.

**RECOMMENDATION**

That the information be received.

**Cr Lovell – Cr Hogg**

**That the information be received.**

CARRIED



**H99.6**      **Authorisation of Relief Environmental Health Officers**      **H/HTH1**  
*By Vic Andrich, Principal Environmental Health Officer on 18 September 2001*

**PURPOSE**

The purpose of this report is to have the relief environmental health officers authorised by Council pursuant to the Health Act 1911.

**BACKGROUND**

**Description of Proposal/Application/Submission**

The Chief Executive Officer has initiated an arrangement to provide for coverage of environmental health services whilst Councils Principal Environmental Health Officer is on long service leave. This cost effective arrangement utilises appropriate officers from the City of Fremantle on an on-call basis.

**Any Relevant Previous Decisions of Council and/or History of an Issue or Site.**

Nil

**REPORT**

**Introduction/Comments**

In order for the relief officers to operate within the Town of East Fremantle they are required to be authorised pursuant to section 27 of the Health Act 1911.

**Issues**

The Health Act 1911 requires that Council shall provide an adequate coverage of Health issues for the time that the Principal Environmental Health Officer is away.

**Statutory Requirements**

Section 27 of the Health Act requires Council to appoint Environmental Health Officers to fulfil the requirements of the Act. The appointments are subject to approval by the Executive Director, Public Health under Section 28.

**Relevant Council Policies**

Nil

**Principal Activity Plan Implications**

Nil

**Strategic Plan Implications**

Nil

**Financial/Resource/Budget Implications**

The cost of providing relief staff is covered by Long Service Leave reserve provisions.

**RECOMMENDATION(S)**

That Council appoint the following officers pursuant to section 27, Health Act 1911 for the period 12 October to 13 November 2001 to cover the period that the Principal Environmental Health Officer is away.

1. Glen Lange
2. Dan Bolton

**Absolute Majority Resolution Required**

**Cr Lovell – Cr Hogg**

**That Council appoint the following officers pursuant to section 27, Health Act 1911 for the period 12 October to 13 November 2001 to cover the period that the Principal Environmental Health Officer is away.**

1. Glen Lange
2. Dan Bolton

**CARRIED**





**H99.7**      **SMRC – Project Participants Agreement**  
**Regional Community Greenhouse Gases Project**  
*By Vic Andrich, Principal Environmental Health Officer*

**H/HRW2**

**PURPOSE**

To seek Council approval to sign the Project participants Agreement for the Regional Community Greenhouse Gases Project.

**BACKGROUND**

**Description of Proposal/Application/Submission**

The Regional Community Greenhouse Gases Project Participants Agreement is presented for Council signing.

**Any Relevant Previous Decisions of Council and/or History of an Issue or Site.**

Council resolved in March 2001 to participate in the Regional Greenhouse Gases Project as follows:

1. Endorse the Southern Metropolitan Regional Council Cities for Climate Protection Regional Co-ordination Project – Business Plan dated 22 February 2001.
2. The Southern Metropolitan Regional Council be advised the Town of East Fremantle wishes to become a participating member of the Regional Coordination Project subject to final agreement of the terms and conditions required under the Establishment Agreement of the Southern Metropolitan Regional Council.

**REPORT**

**Introduction/Comments**

The Project Participants Agreement sets out rules by which each participating council will abide.

It provides a number of safeguards relating to new councils wishing to participate, existing councils who may withdraw and certainty in the ongoing management of the project.

The document has been extensively scrutinised to protect member councils' interests and to allow an ethical and regular business approach to conducting the activities.

A copy of the Project Participants Agreement is attached for your information.

**ATTACHMENT**

**Issues**

Participation in this project will involve a range of undertakings that will clearly define the role between "Regional" and "Local" (Council) responsibilities.

**PROJECT UNDERTAKINGS**

- The project participants recognise that each has a complementary role, policies and objectives in improving the environment of the region, and that greater collaboration will lead to increased benefits and outcomes for their respective communities.
- The project participants have endorsed the Regional Community Greenhouse Strategic Plan for the participants of the SMRC to meet the objectives of the Cities for Climate Protection Program and establish the principles of collaboration and cooperation for working with the community, business, industry and transport sectors to reduce greenhouse gas emissions in the local government regions of the project participants.



- The project participants agree that the regional CCP Coordinator will only undertake projects related to the Regional Community Greenhouse Strategic Plan and approved in the Regional Action Plan.
- The SMRC Regional CCP Officers Group will have equal representation from each of the Project Participants from staff responsible for the CCP program in their respective local governments and the Regional CCP Coordinator.
- The SMRC undertakes the responsibility of appointing a CCP Regional Coordinator to oversee the implementation of the Regional Community Greenhouse Strategic Plan. The SMRC is responsible for supervising and providing administrative and accommodation support for the CCP Regional Coordinator.

**1. REGIONAL COMMUNITY GREENHOUSE STRATEGIC PLAN**

The participants of the SMRC have jointly undertaken to endorse a Regional Community Greenhouse Strategic Plan as part of their commitment as members of the Cities for Climate Protection Program CCP.

**2. PROJECT TERM**

The Project is for a two year term expiring 30<sup>th</sup> November 2003. A review period to extend the project should be undertaken 6 months prior to the term expiring ie 30 June 2003. Projects participants are committed to meeting all contractual agreements during the term period.

**3. APPOINTMENT OF A REGIONAL CCP COORDINATOR**

The appointment would be based on a fixed two year employment contract between the SMRC. The duties performed or projects undertaken shall be agreed in the annual action plan endorsed by the participants.

- The role of the coordinator is to oversee the implementation of the Regional Community Greenhouse Strategic Plan.
- Implement projects outlined in the annual action plan and identify possible future projects to be included in future action plans.
- Prepare grant submissions to assist in undertaking projects.

The coordinator would report to the SMRC's Manager, Administration & Finance and work independently under set defined guidelines and objectives. The Coordinator would chair meetings of the Regional CCP Officers Group and report to meetings of the SMRC's Regional Executive Group (REC). Facilitation of other community based focus groups involved in greenhouse gases is also encouraged.

**4. PROJECT COMMITTEES**

**Regional CCP Officers Group**

The Regional CCP Officers Group is made up of one officer representative from each project participant responsible for the CCP program in their respective local governments and the Regional CCP Coordinator.

**5. PROPOSED REGIONAL PROJECTS**

1. Street Lighting
2. Energy Consumption in the business sector – partnerships with key industry groups
3. Transportation – alternative fuels, eg CNG fuel infrastructure feasibility
4. Green Purchasing Policy (encouraging community to buy 5 star rating appliances, incentives, etc)
5. Education/Promotion





A summary of the clauses contained in the Project Participants Agreement are detailed below:

Clause 1 Definitions

Clause 2 Agreement To Terms of Project

- 2.1 Established in accordance with clause 8.6 of Establishment Agreement
- 2.2 Project Budget to be prepared by 30 April each year.
- 2.3 *Annual Contributions to Expenditure shall be proportionally based on participants population.*
- 2.4 *Any project surplus or losses to be proportionally based on participants contribution.*
- 2.5 Late Payment Fee
- 2.6 Procedures for withdrawal from Project.
- 2.7 Arrangements after withdrawal – calculate current entitlements or liability.

Note: the project participants are committed to the project for 2 years with a review period for an extension 6 months prior to the cut-off date. (expiry or cut-off date is 30 November 2003). Refer sub-clause 11 & 12

Clause 3 Establishment Agreement Provisions

Clause 4 Dispute Resolution Procedures

### **Consultation**

Consultation has been with all member Councils and the SMRC through a working group set up to address this issue.

### **Statutory Requirements**

SMRC's Establishment Agreement to which this Council is a party to, requires the SMRC to provide a Participants Agreement for any Project it wishes to undertake.

### **Relevant Council Policies**

Council had adopted an Environment Plan in 1989. In 1993 the Plan was extensively updated and modernised. It is currently being updated again and will be rewritten in terms consistent with an "Agenda 21 Plan". This document will pick up on the objectives of the Cities for Climate Protection Program and will incorporate local action strategies.

### **Principal Activity Plan Implications**

N/A

### **Strategic Plan Implications**

This project is consistent with Goal 4: Environmental Management Strategies identified in the Strategic Plan.

### **Financial/Resource/Budget Implications**

A summary of the project costs and contributions are detailed below:

<b>Year 2001/2002</b>	<b>Option 1</b>	<b>Option 2</b>	<b>Option 2 Bgt 2001/02</b>
Base Salary	42,900	42,900	26,500
Council Super 8%	3,400	3,400	2,100
<b>MOTOR VEHICLE (HYUNDAI SEDAN)</b>	10,000	10,000	5,000
Total Salary Package	<b>56,300</b>	<b>56,300</b>	<b>33,600</b>
Other Employment Costs	1,000	1,000	1,000
Training & Conferences	2,300	2,300	2,300
Stationery, printing, publications	5,000	5,000	5,000
SMRC Service Provision	7,000	7,000	3,500
Projects	25,000		
	<b>40,300</b>	<b>15,300</b>	<b>11,800</b>
<b>Total</b>	<b>96,600</b>	<b>71,600</b>	<b>45,400</b>



Participating Councils	Population %	Option 1	Option 2	Bgt Opt 2
City of Canning	21.23%	20,515	15,206	9,640
City of Cockburn	17.81%	17,203	12,751	8,085
Town of East Fremantle	1.94%	1,874	1,389	880
City of Fremantle	7.27%	7,023	5,206	3,300
Town of Kwinana	5.96%	5,757	4,267	2,706
City of Melville	27.72%	26,775	19,846	12,585
City of Rockingham	18.07%	17,453	12,936	8,204
<b>Total</b>	<b>100.00%</b>	<b>96,600</b>	<b>71,600</b>	<b>45,400</b>

It is suggested that Option 2 (without the \$25,000 project cost) be levied to participants for the first year. Where a project is undertaken and costs are required in addition to the employment costs it will be necessary for the coordinator to prepare a project budget and if agreed, participants would be required to fund the project in addition to the amount levied in option 2. It is recommended, if possible that Council set-aside in their budgets their proportional amount in option 1 for future project undertakings.

The budget for option 2 for 2001/02 has been calculated on 6 months operation expenditure and would be the amount levied by the SMRC to project participants in 2001/2002.

This expenditure can be accommodated within the current budget allocation for the SMRC.

#### Options and Implications

Council on its own would not be able to complete its commitment to the Cities for Climate Protection without a considerable increase in allocation of financial and staff resources. Council has indicated its willingness to participate in this project and as the costing are within the business plan expectations.

#### Conclusion(s)

Council would not be able to address these issues on its own. This regional initiative is the most cost effective way of achieving the greenhouse gas reduction goals that council has adopted.

#### RECOMMENDATION(S)

That:

1. The Town of East Fremantle agrees with the terms and conditions as outlined in the Project Participants Agreement for the Regional Community Gases Project of the SMRC dated 20 September 2001.
2. The Chief Executive Officer be authorised to approve any minor variations as required.
3. The Mayor and Chief Executive Officer be authorised to sign and affix the Common Seal to the above Project Participants' Agreement.

#### Cr Fenna – Cr Carosella

That:

1. The Town of East Fremantle agrees with the terms and conditions as outlined in the Project Participants Agreement for the Regional Community Gases Project of the SMRC dated 20 September 2001.
2. The Chief Executive Officer be authorised to approve any minor variations as required.
3. The Mayor and Chief Executive Officer be authorised to sign and affix the Common Seal to the above Project Participants' Agreement. CARRIED



## H100. DELEGATIONS OF AUTHORITY

### H100.1 *Delegations Notation – September 2001*

#### **BACKGROUND**

Under the provisions of the Local Government Act, Officers who exercise delegated authority are required to advise Council of such action.

#### **COMMENTS**

The delegations as shown on the attachment have been exercised for **September 2001.**

**ATTACHMENT**

#### **POLICY IMPLICATIONS**

Nil.

#### **BUDGET IMPLICATIONS**

Nil.

#### **RECOMMENDATION**

That Council note the Officers' use of delegated authority for the period 1 September to 30 September 2001.

#### **RECOMMENDATION TO COUNCIL**

**Cr Fenna – Cr Lovell**

**That Council note the Officers' use of delegated authority for the period 1 September to 30 September 2001.** **CARRIED**

## H101. REFERRED BUSINESS

### H101.1 *Advertising of Council Meetings at Fremantle Library*

The Chief Executive Officer circulated the following report for consideration:

#### ***Advertising of Council Meetings at Fremantle Library***

*By Stuart Wearne, Chief Executive Officer on 2 October 2001*

#### **PURPOSE**

The purpose of this report is to advise and recommend on the use of a noticeboard at Fremantle Library for Council Meeting advertising and similar purposes.

#### **BACKGROUND**

Although not a statutory requirement, the Chief Executive Officer early in his appointment, began using the noticeboard for advertising of Council meetings where the amount of notice given made this possible. This was as an addition to the requirements stipulated (and applying differentially according to whether the meeting is an Ordinary or Special Council Meeting) in the Act.

In part, the impetus for this action stemmed from a wish to reflect the *intent* of a section {1.7(1)(c)} of the Local Government Act which related to the issue of advertising of Council meetings on library noticeboards. In short, Council Meetings need to meet certain requirements when advertised and in cases where there is a Council library in its district, these requirements may (depending on whether the meeting is an Ordinary or Special Meeting) include notice of the meeting being "exhibited to the public on a notice board at every local government library in the district".

However the Town of East Fremantle has no Council library in its district.



Nevertheless it seemed it would do no harm and be only beneficial to treat, where possible, the Fremantle Library noticeboard as if it were a library noticeboard in our district.

The resulting practice of advertising meetings on the Fremantle Library noticeboard, where possible, appeared to be trouble free and remained unremarked for about two years until June 2001 when Ian Handcock, at the Special Council Meeting of 25 June 2001, asked the following question:

*“Would the Council be prepared to give further consideration to its requirement to give Statewide Public Notice and Local Public Notice of certain matters.*

*The Local Government Act specifies certain requirements for each type of Public Notice, in each case a notice of the matter is to be exhibited to the public on a noticeboard at every local government library in the district.*

*There is no library facility within the Town because of our long-standing and friendly joint facility with the City of Fremantle, known as the Fremantle City Library located at the City of Fremantle Administration Centre.*

*The library has Notice Board space for the City of Fremantle and for the Town of East Fremantle. Residents and ratepayers of each local government are eligible to join the library with many East Fremantle people as members.*

*Would Council be prepared to treat the Notice Board entitled “Town of East Fremantle” at the Fremantle City Library as its commitment to fulfilling the requirements of the Local Government Act Section 1.7(c), and so resolve.”*

The question was considered ambiguous in that it appeared to acknowledge in part that there was no statutory requirement to advertise on the Library Noticeboard (“there is no library facility within the Town”) and yet refers to “fulfilling the requirements of the Local Government Act Section 1.7(c)”.

The Chief Executive Officer gave the following reply at the meeting:

*“For a considerable period he has been arranging for notices to be placed on the Noticeboard of the Fremantle Library although this is not a requirement under the Act and had not been the practice of previous Chief Executive Officers.*

*However, given the fact that it was not a statutory requirement and given the possibility that it may not always be practicable to be able to have notices placed on the Fremantle Library Noticeboard eg in the case of Special Meetings called at short notice and/or where the Library may be closed, the Chief Executive Officer recommended that the position outlined in Mr Handcock’s question be considered supported as a matter of principle however that it would not be appropriate to make a formal resolution to this effect.*

That response appeared to be acceptable until August 21 2001 when Mr Handcock asked this question:

*“Further to the question and answer of the meeting of 25 June 2001 touching upon Council’s obligations, when giving Local Public Notice, to put notices in all libraries in the district.*



*It is noted that council's notice board at the Fremantle City Library is only used sometimes, not always, when the Act requires Local Public Notice be given. This intermittent use of the notice board may well mislead residents who rely upon it as an official notice board of the town given that there is no library within the town.*

*Will the Council give consideration to having its notice board at the Fremantle City Library altered to ensure that residents and ratepayers of the town are aware that its use by the town is an "in principle" use and not an actual use as would be required under the Local Government Act if the library were located within the territory of the town and further advise that the notice board cannot be relied upon to carry notices requiring Local Public Notice."*

The response to that question was that the CEO would prepare a report on the matter to the Health & General Purposes Committee.

### **REPORT**

Mr Handcock appears to want one of two things. Either the noticeboard is used entirely as Council would be required to do if the library were located within the Town's boundaries or, if not, that some form of permanent qualifying notice is placed on the noticeboard advising readers that the noticeboard "cannot be relied upon" as an official Town of East Fremantle noticeboard.

A third option, not acknowledged by Mr Handcock, would be to revert to the former situation of not using the noticeboard at all.

The fourth option is to maintain the status quo.

**Option 1** (to use it as an official noticeboard consistently and without qualification) is not feasible.

The noticeboard is not within the control of the Town of East Fremantle and therefore the Town of East Fremantle cannot guarantee the placement of notices on the board.

Even when they are placed, the Town cannot guarantee their security.

The noticeboard is not locked and it is possible for notices to be removed by the public. It is understood for example Mr Handcock has removed notices from the board for photocopying purposes. Whilst in this case this is done with permission of Fremantle Council staff and the notices returned, it demonstrates the board is not entirely secure.

As stated in a previous report the Library may be closed at the time the Town of East Fremantle requires a notice to be placed. This may compromise the placement periods which would be required under the Act if the library was situated within the Town's boundaries, yet it is these "requirements" which Mr Handcock believes that should be met.

For reasons such as this, it cannot serve as an "official" noticeboard, because Council cannot control the placement or removal of notices.

It should be noted the City of Fremantle does not rely upon the board for its "official" notices – it also uses the locked board located outside the front doors of the Administration Centre, just as the Town of East Fremantle does in its own case.

**Option 2** – the qualifier option proposed by Mr Handcock – is not supported. It is considered it would only add to the potential confusion which Mr Handcock is so concerned about and in my view would not reflect well on the Town.



### **Options 3 & 4**

If the above view is accepted, this would leave two choices – either cease using the noticeboard altogether (option 3) or continue its use on an in-principle basis only as outlined in the CEO's response to Mr Handcock's question of 25 June as discussed above, ie maintain the status quo (option 4).

However, by Mr Handcock's account, continued use on the in-principle basis "may well mislead residents who rely upon it as an official noticeboard of the town".

Given this, further expressions of concern or complaints from Mr Handcock could be expected.

### **CONCLUSIONS**

The Chief Executive Officer, in implementing the use of this noticeboard, has, according to Mr Handcock, given rise to an unintended potential consequence ie the potential misleading of East Fremantle residents who *have come to rely* on the noticeboard as an official noticeboard.

This is a valid concern, albeit not raised by any other resident of the Town however the only feasible current means of completely allaying the concern is for the Town to cease using the noticeboard. As indicated, this was the situation prior to the current CEO. (It was also the situation during Mr Handcock's period as Councillor and Mayor).

Accordingly the CEO recommends the use of the board for notices of meetings (and other such "official" purposes) cease, at least until the matter of control over the placement and removal of notices is satisfactorily addressed.

The current Library Agreement is up for renewal and this will be an appropriate time to discuss the issue. (Mr Handcock's proposals are based on the assumption of an ongoing agreement between the Town of East Fremantle and City of Fremantle, which cannot be assumed. However for the purposes of this report, this issue was put aside.)

### **RECOMMENDATION(S)**

That in view of the issues raised by Mr Handcock, the use of the City of Fremantle Library noticeboard for "official notice" purposes, as a service to East Fremantle residents, be suspended until the issues of access and control, which Mr Handcock's concerns give rise to, are satisfactorily addressed.

### **RECOMMENDATION TO COUNCIL**

**Cr Fenna – Cr Lovell**

**That in view of the issues raised by Mr Handcock, the use of the City of Fremantle Library noticeboard for "official notice" purposes, as a service to East Fremantle residents, be suspended until the issues of access and control, which Mr Handcock's concerns give rise to, are satisfactorily addressed.**

CARRIED UNANIMOUSLY

## **H102. BUSINESS WITHOUT NOTICE BY PERMISSION OF THE MEETING**

### **H102.1 Responses to Public Question Time**

**Cr Fenna – Cr Lovell**

**That whilst the diligence of the Chief Executive Officer is appreciated, he be encouraged to avoid investing so much of his precious time, effort and energy, as he evidently does, in answering the petty and provocative questions posed by those monopolising the privilege of public question time.**

CARRIED

### **H102.2 White Ribbons for Road Safety Campaign 2001**

*By Vic Andrich, Principal environmental Health Officer*

**A/WMA1**



**PURPOSE**

To ascertain what role Council wishes to play in this year's road safety campaign.



## **BACKGROUND**

The white Ribbon Road Safety Campaign commenced in 1996 and over the past three years has evolved as a means of raising public awareness of road safety and acknowledging the role of local government and other stakeholders.

## **REPORT**

### **Comments/Discussion**

The 2001 Local Government White Ribbon Road Safety Christmas campaign will be officially launched on Friday, 7 December 2001 and will run until Monday, 7 January 2002.

The White Ribbons for Road Safety campaign provides the ideal opportunity to acknowledge and thank the services such as crosswalk attendants and other volunteers, Main Roads, Emergency Services, WA Police Service etc. for their efforts in saving lives and reducing road trauma.

In 1999 and 2000 Council utilised the 'Human Spirit' Awards which was introduced by RoadWise as part of the White Ribbons campaign. The response to the 'Human Spirit' Awards was overwhelming with over 200 people receiving acknowledgment for their contribution to saving lives on our roads.

RoadWise requests that Council put forward names of individuals or organisations that have made an effort to promote and support the issue of road safety in our community. Nominations received and verified by Council will be awarded a RoadWise Human Spirit Certificate at a White Ribbon Thank You Ceremony.

Nominations are required by 16 November 2001. White Ribbons 'Human Spirit' details and nomination forms are attached. **ATTACHMENT**

### **Statutory Requirements**

N/A

### **Relevant Policies**

N/A

### **Principal Activity Plan Impact**

N/A

### **Strategic Plan Impact**

N/A

### **Financial/Budget Implications**

N/A

### **Options and Implications**

Council may decide not to award 'Human Spirit' Certificates this year as we did award them last year. We arrange our own ceremony, usually in conjunction with other Council events (eg: council meeting). If we are to participate then we must advise RoadWise who will assist with preparation of invitation lists and distribution, preparation of ceremony program and speakers notes and media liaison.

## **CONCLUSION**

The RoadWise White Ribbon 'Human Spirit' awards are a worthwhile event and provides the opportunity for Council to thank those involved in safety on our roads. However considering that we made presentations to local crosswalk attendants last year, it may not be appropriate this year.





**RECOMMENDATION**

That Council participate in the RoadWise White Ribbon Road Safety Campaign but not seek nominations of suitable persons/organisations to receive 'Human Spirit' Awards for 2001.

**RECOMMENDATION TO COUNCIL**

**Cr Hogg – Cr Carosella**

**That Council participate in the RoadWise White Ribbon Road Safety Campaign but not seek nominations of suitable persons/organisations to receive 'Human Spirit' Awards for 2001.**

**CARRIED**

*There being no further business the meeting closed at 7.50pm*

*I hereby certify that the Minutes of the meeting of the **Health & General Purposes Committee** of the Town of East Fremantle, held on **3 October 2001**, Minute Book reference **H91. to H102.2** were confirmed at the meeting of the Council on*

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\_\_\_\_\_  
*Presiding Member*