MINUTES

Corporate and Engineering Services Committee Meeting

Held on Tuesday, 19 February 2013 at 4:00pm
City of Rockingham Boardroom
City of Rockingham
Corporate and Engineering Services Committee
Meeting Minutes
4:00pm Tuesday 19 February 2013

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# Corporate and Engineering Services Committee Minutes
**Tuesday 19 February 2013**

## City of Rockingham

**Corporate and Engineering Services Committee Meeting Minutes**
**Tuesday 19 February 2013 - Council Boardroom**

### 1. Declaration of Opening

The Chairperson declared the Corporate and Engineering Services Committee Meeting open at **4:05pm** and welcomed all present to the first meeting of 2013 and looked forward to working with everyone throughout the year.

### 2. Record of Attendance/Apologies/Approved Leave of Absence

#### 2.1 Councillors

- Cr Barry Sammels
- Cr Lorraine Dunkling
- Cr Ron Pease
- Cr Chris Elliott

  Deputising for Cr Allan Hill

#### 2.2 Executive

- Mr John Pearson
- Mr Chris Thompson
- Mr Allan Moles
- Mr John Woodhouse
- Mr Scott Lambie
- Mr Ian Daniels
- Mr James Henson
- Mr Cadell Buss
- Mr Ben Searcy
- Mr Peter Varris
- Mrs Jelette Edwards
- Ms Sue Langley

  A/Chief Executive Officer
  Director Engineering and Parks Services
  A/Director Corporate Services
  Director Legal Services and General Counsel
  Manager Engineering Services
  Project Manager Mundijong Road
  Manager Parks Development
  Manager Economic Development
  Manager Human Resource Development
  Manager Governance and Councillor Support
  Governance Coordinator
  Secretary Governance and Councillor Support

#### 2.3 Members of the Gallery:

1

#### 2.4 Apologies:

Cr Allan Hill

#### 2.5 Approved Leave of Absence:

Nil

### 3. Responses to Previous Public Questions Taken on Notice

Nil

### 4. Public Question Time

**4:06pm**  

The Chairperson invited members of the Public Gallery to ask questions.  

There were none.
5. **Confirmation of Minutes of the Previous Meeting**

   **Moved Cr Dunkling, seconded Cr Pease:**

   That Council *CONFIRM* the Minutes of the Corporate and Engineering Services Committee Meeting held on 4 December 2012, as a true and accurate record.

   Committee Voting – 4/0

6. **Matters Arising from the Previous Minutes**

   Nil

7. **Announcement by the Presiding Person without Discussion**

   4:07pm  The Chairperson announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the next Council meeting.

8. **Declarations of Members and Officers Interests**

   4:07pm  The Chairperson asked if there were any interests to declare.  
   There were none.

9. **Petitions/Deputations/Presentations/Submissions**

   Nil

10. **Matters for which the Meeting may be Closed**

    Nil

11. **Bulletin Items**

    **Corporate and General Management Services Information Bulletin – February 2013**

    **Corporate Services**
    1. Corporate Services Team Overview
    2. Human Resource Update
    3. Project Status Reports
       3.1 Mobile Computing (AIM) Licensing Fees
       3.2 Minutes and Agenda Software
       3.3 Online Records Management Training
       3.4 Retention and Disposal Project
       3.5 Document Migration
       3.6 Telephone System Replacement
       3.7 GIS Developments – SLIP & Custodial Module
       3.8 Building Licence Software
       3.9 Civil Drainage Software
       3.10 VM Licencing
       3.11 WiFi Installation
    4. Information Items
       4.1 List of Payments December 2012
       4.2 List of Payments January 2013
       4.3 Change of Basis of Rates

CONFIRMED AT A CORPORATE & ENGINEERING SERVICES MEETING HELD ON TUESDAY, 19 MARCH 2013

PRESIDING MEMBER
Corporate and Engineering Services Committee Minutes  
Tuesday 19 February 2013  

CONFIRMED AT A CORPORATE & ENGINEERING SERVICES MEETING HELD ON TUESDAY, 19 MARCH 2013  
PRESIDING MEMBER

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<td>4.1 Establishing linkages between the Community Plan, the Specific Purpose Plans and the Team Plans</td>
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<td>4.3 Coordinating the development of a 10 year infrastructure plan</td>
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<td>4.7 City Scoreboard</td>
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<td>4.8 Climate Change Response Strategy</td>
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<td>4.10 Integrated Risk Management Framework for the City of Rockingham</td>
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CONFIRMED AT A CORPORATE & ENGINEERING SERVICES MEETING HELD ON TUESDAY, 19 MARCH 2013

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4.11 LGMA Challenge
4.12 Other initiatives that the Strategy Coordination team is involved with

Legal Services & General Counsel
1. Legal Services & General Counsel Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Provision of Legal Advice
   4.2 Oversight of Systems and Documentation
   4.3 Legal Capacity Building

Committee Recommendation

That Councillors acknowledge having read the Corporate and General Management Services Information Bulletin – February 2013 and the contents be accepted.

Committee Voting – 4/0

Engineering and Parks Services Information Bulletin – February 2013

Engineering Services
1. Engineering Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Delegated Authority for approval of Directional Signage
   4.2 Delegated Authority for Thoroughfare Closures
   4.3 Local Area Traffic Management and Road Safety Design Projects 2012/2013
   4.4 Delegated Authority for approval of Engineering Drawings - Subdivisions
   4.5 Delegated Authority for acceptance of As-Constructed Engineering Drawings - Subdivisions
   4.6 Delegated Authority to approve the release of Bonds for private subdivisional works
   4.7 Handover of Subdivisional Roads
   4.8 Delegated Authority for the payment of Crossover Subsidies
   4.9 Mundijong Road Extension (Auslink Funded)
   4.10 Mersey Point Carparking

Engineering Operations
1. Engineering Operations Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Road Construction Program Roads to Recovery 2012/13
   4.2 Road Construction Program Main Roads Grant 2012/13
   4.3 Road Construction Program State Black Spot 2012/13
   4.4 Road Renewal Program Municipal Works 2012/13
   4.5 Footpath Construction Program Municipal Works 2012/13
   4.6 Road Maintenance Program 2012/13
   4.7 Passenger Vehicle Fleet Program 2012/13
   4.8 Light Commercial Vehicles Program 2012/13
   4.9 Heavy Plant Program 2012/13
**Parks Development**

1. Parks Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Greening Plan Review
   3.2 Tamworth Swamp Management Plan Review
   3.3 Feral Cat /Fish Control Implementation Strategy
4. Information Items
   4.1 Groundwater Management and Irrigation Assets Control
   4.2 Mundijong Road Environmental Offsets
   4.3 Lake Richmond Heritage Listing
   4.4 Little Penguin Research Project
   4.5 Delegated Subdivision Public Open Space Handovers
   4.6 Delegated Public Open Space Approvals
   4.7 Memorial Seat Approvals

**Asset Management**

1. Asset Management Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Access Audit
   3.2 Audit Public Scheme Water Facilities
4. Information Items
   4.1 Asset Management Improvement Strategy
   4.2 Asset Systems Management
   4.3 Lease Management
   4.4 Engineering & Parks Financial Control

**Building Maintenance**

1. Building Maintenance Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Churchill Park LED Lighting Installation
4. Information Items
   4.1 Building Maintenance
   4.2 Graffiti Removal

**Procurement and Capital Projects**

1. Procurement and Capital Projects Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Coastal Management Consultants (Sand Drift/Erosion Problems)
   3.2 Coastal Infrastructure Facilities Consultant (Jetties/Boat Ramp Planning)
   3.3 Lighting Consultants (Technical Planning/Design, Underground Power Program)
   3.4 Major Project Property Development Planning (Design Modifications/Tender Planning/Structural Testing)
4. Information Items
   4.1 Delegated Written Notification of Successful Tenders
   4.2 Delegated Approval of Tenders by CEO
   4.3 Delegated Release of Retention/Bank Guarantee’s
   4.4 Proposed Shoalwater North Underground Power Project
   4.5 2012 Public Area Lighting and Arterial Lighting
4.6 Lark Hill Wind Turbine
4.7 Bent Street Boat Launching Facility – Proposed Navigation Channel
4.8 Point Peron Boat Launching Facility – Design, Demolition and Replacement
4.9 Aqua Jetty – Replace/Upgrade HVAC Services
4.10 Bell Park Toilet – Replacement including Curfew Lockout System
4.11 Baldivis Library and Community Centre – Design
4.12 Aqua Jetty – Solar Heating
4.13 Baldivis Old School – Redevelopment
4.14 Hymus Street Coastal Protection
4.15 Repair Rock Armour at Various Boat Launching Facilities
4.16 Challenger Court Electrical System Upgrade
4.17 Aqua Jetty Swimming Club Office
4.18 Secret Harbour Surf Life Saving Club – Renovation
4.19 Baldivis Oval – Floodlighting
4.20 Kent Street Arts Facility

Waste & Landfill Services
1. Waste & Landfill Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Waste kerbside collection
   4.2 240 litre bin recycling service
   4.3 240 litre bin recycling participation statistics
   4.4 Destroyed and stolen refuse bins
   4.5 Landfill statistics
   4.6 Education and promotion
   4.7 Landfill power station
   4.8 T12/13-50 Supply and delivery of one new waste compactor with optional trade-in of Council’s existing used waste compactor OR outright purchase of Council’s existing used waste compactor
   4.9 T12/13-53 Construction of landfill cell 15 and associated works at the Millar Road Landfill Facility, Baldivis

Committee Recommendation
That Councillors acknowledge having read the Engineering and Parks Services Information Bulletin – February 2013 and the contents be accepted.

Committee Voting – 4/0
12. Agenda Items

Corporate Services

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<td>File No:</td>
<td>FLM/17-04</td>
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<tr>
<td>Proponent/s:</td>
<td>Mr Allan Moles, Manager Financial Services</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Wayne Smith, Coordinator Financial Services</td>
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Purpose of Report

To present the February 2013 Quarterly Budget Review for Council’s consideration and to seek Council’s authorisation of the budget amendments arising from the review.

Background

The City of Rockingham undertakes quarterly budget reviews to monitor its financial performance against the annual budget and to review projections to the end of the financial year. Any variations to the annual budget arising from the review process are presented for Council’s consideration and authorisation.

Details

The February 2013 Quarterly Budget Review includes details of transactions during the July 2012 - February 2013 period and adjustments required to the annual budget. The document includes the following information:
1. Summary of Budget Position
2. Detailed Statement of Revenue and Expenditure by Department

**Implications to Consider**

a. **Consultation with the Community**
   Not Applicable

b. **Consultation with Government Agencies**
   Not Applicable

c. **Strategic**
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:
   
   **Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

d. **Policy**
   Nil

e. **Financial**
   The overall effect of the various budget amendments is an anticipated surplus of $61,929.

f. **Legal and Statutory**
   Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires local governments to undertake a budget review between 1 January and 31 March in each financial year. Within 30 days of the review being completed it is to be presented to Council. Council is to consider the review submitted and is to determine (by Absolute Majority) whether to adopt the review, any parts of the review or any recommendations made in the review. Within 30 days after Council has made a determination, a copy of the review and documentation is to be provided to the Department of Local Government.

**Comments**

The main amendments proposed in the Budget Review are summarised below.

**Opening Surplus:** The opening surplus has increased by $56,652 to reflect the audited closing position at 30 June 2012.

**Operating Expenditure:** The operating expenditure has increased by $622,918 with the major amendments being:

1. Allowance for bad debts $190,000
2. Apprentice & Trainee Program -$245,000 (costs absorbed by various departments)
3. Internal Charges Landfill $530,000 (offset by internal charges revenue)
4. Kid Sport Vouchers Program $119,000 (offset by grant income)

**Operating Revenue:** The operating revenue has increased by $1,778,166 with the major amendments being:

1. ESL Capital Grant – Bush Fire $392,000 (offset by capital expenditure)
2. Health Act Prosecutions $169,000
3. Internal Charges Landfill $530,000 (offset by capital expenditure)
4. Point Peron Erosion Protection Grant $265,000 (offset by capital expenditure)
5. Kid Sport Voucher Program Grant $104,000 (offset by operating expenditure)
**Capital Expenditure:** The capital expenditure has increased by $1,268,479 with the major amendments being:

1. Aqua Jetty HVAC Upgrade $150,000
2. Bent Street Navigation Channel $222,000
3. Point Peron Erosion Protection $265,000 (offset by grant income)
4. Baldivis Bush Fire Brigade Tanker $392,000 (offset by grant income)

**Capital Revenue:** The capital revenue has increased by $52,035.

The overall result is a small decrease in the anticipated surplus from the September 2012 Quarterly Budget Review to $61,929.

### Voting Requirements

**Absolute Majority**

**Officer Recommendation**

That Council:

1. **ADOPT** the February 2013 Quarterly Budget Review; and
2. **AMEND** the budget accordingly.

**Committee Recommendation**

That Council:

1. **ADOPT** the February 2013 Quarterly Budget Review; and
2. **AMEND** the budget accordingly.

Committee Voting – 4/0

**The Committee’s Reason for Varying the Officer’s Recommendation**

Not Applicable

**Implications of the Changes to the Officer’s Recommendation**

Not Applicable
### Purpose of Report


### Background

Nil

### Details

The monthly Financial Management Report includes the following:

1. Statement of Financial Activity by Program
2. Statement of Net Current Assets
3. Other schedules and charts for management information purposes.

### Implications to Consider

a. **Consultation with the Community**
   - Not Applicable

b. **Consultation with Government Agencies**
   - Not Applicable
c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-

Aspiration 15: Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

d. Policy

Nil

e. Financial

Major variances (above $250,000) between budget estimates and actual results for the month to which the statement relates are shown in the supporting documentation.

f. Legal and Statutory


Comments

The numerous variances identified have been reviewed within the current budget review.

Voting Requirements

Simple Majority

Officer Recommendation


Committee Recommendation


Committee Voting – 4/0

The Committee's Reason for Varying the Officer's Recommendation

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable
Corporate and Engineering Services
Corporate Services

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<td>FLM/88</td>
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<tr>
<td>Proponent/s:</td>
<td>Mr Allan Moles, Manager Financial Services</td>
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<td>Author:</td>
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**Purpose of Report**


**Background**

Nil

**Details**

The monthly Financial Management Report includes the following:

1. Statement of Financial Activity by Program
2. Statement of Net Current Assets
3. Other schedules and charts for management information purposes.

**Implications to Consider**

a. Consultation with the Community
   Not Applicable
b. Consultation with Government Agencies
   Not Applicable
c. **Strategic**

**Community Plan**

This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:

**Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

d. **Policy**

Nil

e. **Financial**

Major variances (above $250,000) between budget estimates and actual results for the month to which the statement relates are shown in the supporting documentation.

f. **Legal and Statutory**


**Comments**

The numerous variances identified have been reviewed within the current budget review.

**Voting Requirements**

Simple Majority

**Officer Recommendation**


**Committee Recommendation**


Committee Voting – 4/0

**The Committee’s Reason for Varying the Officer’s Recommendation**

Not Applicable

**Implications of the Changes to the Officer’s Recommendation**

Not Applicable
**Governance and Councillor Support**

**Corporate and Engineering Services Governance and Councillor Support**

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<td>COM/7</td>
<td>Mr Peter Varris, Manager Governance and Councillor Support</td>
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**Purpose of Report**

To consider the nominations received for the Premier’s Australia Day Active Citizenship Awards 2013, select winners and submit recommendations to Council for approval.

**Recommendations to the Corporate and Engineering Services Committee**

**Advisory Committee Recommendation 1:**

Nominations received for Premier’s Australia Day Active Citizenship Awards 2013

That Council **ENDORSE** the presentation of the following awards to the nominees as listed:

a. **Award for a Person Under 25 Years of Age**
   - No award

b. **Award for a Person 25 Years of Age or Older**
   - Mr Justin Smith

c. **Award for a Community Group/Event**
   - Rockingham Community Shed for Men Inc

**Background**

Nominations for the Premier’s Australia Day Active Citizenship Awards 2013 were called for in October 2012.
Advertisements were placed in the Council website, notice boards, Sound Telegraph, Weekend Courier and letters were also sent to the local schools, community organisations and sporting clubs inviting nominations in the following categories:

- a Person or 25 years or older
- a Person under 25 years
- a community group or event

### Implications to Consider

<table>
<thead>
<tr>
<th>a. Strategic Community Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>This item addresses the Community’s Vision for the future and specifically the following Aspirations contained in the Community Plan 2011:</td>
</tr>
<tr>
<td>Aspiration 15: Governance systems that ensure decision making and resource allocation is accountable, participative, legally and ethically compliant.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>b. Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>In accordance with Council Policy – “Australia Day Functions and Awards”.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>c. Financial</th>
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<tr>
<td>Not Applicable</td>
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<tr>
<th>d. Legal and Statutory</th>
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<tbody>
<tr>
<td>Not Applicable</td>
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<table>
<thead>
<tr>
<th>e. Voting Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Simple Majority</td>
</tr>
</tbody>
</table>

### Officer Recommendation if Different to Advisory Committee Recommendation

Not Applicable

### The Officer’s Reason for Varying the Advisory Committee Recommendation

Not Applicable

### Committee Recommendation

That Council **ENDORSE** the presentation of the following awards to the nominees as listed:

<table>
<thead>
<tr>
<th>a. Award for a Person Under 25 Years of Age</th>
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<tbody>
<tr>
<td>No award</td>
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<table>
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<td>Mr Justin Smith</td>
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<th>c. Award for a Community Group/Event</th>
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<tbody>
<tr>
<td>Rockingham Community Shed for Men Inc</td>
</tr>
</tbody>
</table>

Committee Voting – 4/0

### The Committee’s Reason for Varying the Officer’s Recommendation

Not Applicable

### Implications of the Changes to the Officer’s Recommendation

Not Applicable
Purpose of Report

To consider the recommendations arising from the Governance Review Committee meeting held 12 February 2013.

Recommendations to the Corporate and Engineering Services Committee

Advisory Committee Recommendation 1:
Policy Framework – Statutory Policy

That Council SUPPORTS the inclusion in the Policy Framework Policy of a public comment period within the adoption process for Council Policy established through a legislative head of power.

Background

The Governance and Councillor Support Team has been developing a draft Policy Framework Policy for consideration by the Committee and recommendation to Council, however discussions with the Director Legal Services and General Counsel has resulted in the need to further define Council Policy in relation to an Administrative law context.

Council will recall that a Council Policy provides the Chief Executive Officer the broad ‘rules of engagement’ or limits / boundaries in respect a particular matter requiring action. A Council Policy establishes scope or guidelines for the City's actions and decision-making. A policy may be considered where there is a lack of clarity in a legislative requirement, industry standard, organisational standard, strategic objective or a community need or expectation.

A policy needs to be relevant, assist the decision making process, improve the efficiency and effectiveness of current practice and lead to improved customer and community outcomes.
A Policy is not City documents such as the Budget, Community Plan, Asset Management Plan, Business Plan, or Council Strategy. It is not a position statement or philosophy espoused by the Council or the City (such as a ‘nuclear-free zone, for example).

There are policies that are developed due to a legislative head of power, whether this head of power requires the City to have a policy or allows the City to adopt a policy to assist in decision making. Some of these policies will provide rules in respect to the issue of a permit, licence or approval. For the purpose of the framework this type of policy is called ‘Statutory Policy’. Statutory Policy includes Town Planning Policy and policy related to providing approvals under the City’s Local Laws.

The decisions made as a consequence of Statutory Policy are appealable through the State Administrative Tribunal (SAT). In determining an appeal, SAT will consider the rigour of the Policy, how well it is written and the process underpinning its adoption by Council.

Some Statutory Policy will have a specified legislative process for adoption, often involving the opportunity for public comment of submissions. Notwithstanding the need to ensure sound drafting of Statutory Policy, it is recommended that where an adoption process is not already specified, the following process be utilised:
The process includes a period for public comment on the draft Statutory Policy, recommended as 14 days if not already specified by legislation. It is also recommended that the final adoption of the Statutory Policy by Council include consideration of any submissions received and the reason for the decision.

Public submissions may identify issues that result in the Administration recommending a minor amendment, however if a major amendment is necessary, redrafting and readvertising might be necessary.

There is also Policy that is required under legislation, or established due to a legislative head of power that does not underpin an approval, licence, or permit. These types of Statutory Policies do not necessarily require the rigour of a public comment period however it is suggested that for reasons of consistency these Policies are adopted using the same process.

The remaining Policies are Council ‘directives’ on general matters not specifically originating from a legislative head of power and the previously proposed adoption process would apply (which excludes the requirement for a public advertising period).

The inclusion of a separate adoption process to provide administrative rigour to Statutory Policy will provide the Council confidence that appeals against decisions made under those Policies will be based on the decision made, not the underpinning Policy.

### Implications to Consider

**a. Strategic**

**Community Plan**

This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-

**Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

**b. Policy**

A new Council Policy will be established which provides a framework for the City in respect to Policy development, adoption and review.

**c. Financial**

It is not anticipated that there are any financial implications arising from the establishment of a Policy Framework beyond that which will be undertaken within existing officer resourcing. The inclusion of a specified public comment period in the adoption process for statutory policy will result in additional costs for advertising. These costs will be allowed for in future operational budgets.

**d. Legal and Statutory**

Section 2.7 of the Local Government Act 1995 defines one role of Council as to ‘determine the local government’s policies’.

**e. Voting Requirements**

Simple Majority

### Officer Recommendation if Different to Advisory Committee Recommendation

Not Applicable

### The Officer’s Reason for Varying the Advisory Committee Recommendation

Not Applicable
Advisory Committee Recommendation 2: Welcome to Country Policy

That Council **ADOP**T the following policy:

**Acknowledgement of Country Policy**

**Policy Objective**

To ensure appropriate recognition of the traditional custodians of land within the City of Rockingham by way of an Acknowledgement of Country statement or Welcome to Country at meetings open to the public such as committee and Council meetings, as well as civic events hosted by the City of Rockingham.

**Policy Scope**

All Councillors, Committee Members, City employees and those that are involved in coordinating civic receptions. It affects City organised civic events, Council meetings and those Committee meetings open to the public.

**Policy Statement**

The City of Rockingham Reconciliation Action Plan (RAP) is a formal document that acknowledges the gap in the health and well-being between Aboriginal and Torres Strait Islander people, and other Australians. The RAP is a critical component to improving access and inclusion within the Rockingham community for local Noongar people and other Aboriginal and Torres Strait Islander peoples who have made the City of Rockingham their home.

One recommendation of the RAP under the section Respect, and the focus area of 'Protocols, cultural awareness and development, promotional activities' is the City’s commitment to ‘develop and implement protocols for acknowledging traditional custodians, including Welcome to Country, and incorporate them into CoR policies and protocols.’

Incorporating welcoming and acknowledgment protocols into official meetings and events recognises Aboriginal and Torres Strait Islander peoples as traditional custodians of their land. This was identified through the City’s consultation to incorporate into the RAP and is seen as an important component towards reconciliation.

**When to Acknowledge Country:** At the start of a significant meeting or event, it is respectful for the Master of Ceremonies, or first speaker to recognise the traditional owners and custodians of the land on which that meeting or event is occurring. Subsequent speakers may also wish to acknowledge country. The City commits to acknowledging country during significant meetings and events. An acknowledgment of country is appropriate at the opening of committee meetings, council meetings and significant infrastructure such as new City buildings or community facilities.

**Acknowledgment Statement:** “I’d like to begin by acknowledging the traditional owners and custodians of the land on which we meet today, the Noongar people, and pay my respects to their elders both past and present.”

**Welcome to Country:** It is the discretion of the City Officer who is facilitating the event or meeting as to whether a Welcome to Country is applicable. If a decision is made that a Welcome to Country is necessary, then an appropriate Elder needs to be contacted to perform the ceremony. Welcome to Country is recommended for iconic events such as Australia Day, New Year's Eve, Sports Star Awards and Community and Volunteer Awards, as well as the openings of major infrastructure such as community centres.

**Definitions**

**Acknowledgment of Country:** A way of showing awareness of and respect for the traditional Aboriginal or Torres Strait Islander owners of the land on which a meeting or event is being held, and of recognising the continuing connection of Aboriginal and Torres Strait Islander peoples to their Country.

**Welcome to Country:** A Welcome to Country is a ceremony performed by identified Aboriginal or Torres Strait Islander people (usually an elder) to welcome visitors to their traditional land. It can take many forms, depending on the particular culture of the traditional owners.
Traditional custodians/owners: Local descendants of Aboriginal and Torres Strait Islander peoples who have spiritual affiliations to a site on the land, being affiliations that place the group under a primary spiritual responsibility for that site and for the land; and are also entitled by Aboriginal tradition to forage as of right over that land.

Elder: An older Aboriginal person who is a moral and spiritual leader within the community. An elder may not necessarily be a traditional custodian of the land.

Noongar People: The Noongar People are one of the largest Indigenous groups in the Country, with an estimated 30,000 living in Western Australia’s South West.

Noongar Country: Noongar Country spans most of WA's Southwest from Jurien in the north to Albany in the south. This area includes the City of Rockingham.

Legislation
Nil

Other Relevant Policies/ Key Documents
Reconciliation Action Plan 2011
Acknowledgement of Country Internal Guidelines D12/42488

Background

At its meeting held in April 2011, Council adopted a Reconciliation Action Plan (RAP), which is a tool to assist organisations to build positive relationships between Indigenous and non-Indigenous people, as well as a process to formalise an organisation’s contribution to working towards national efforts of reconciliation.

Under the Reconciliation Action Plan Focus Area of ‘Protocols, Cultural Awareness and Development’, Promotional Activities, there is an action as follows:

7. Develop and implement protocols for acknowledging traditional custodians and including Welcome to Country and incorporate them into City of Rockingham policies and procedures.

The Community Development Division has consulted with the Governance and Councillor Support Team and has prepared a draft Policy which endeavours to meet the above RAP objective.

The draft Policy specifies that and Acknowledgement of Country or Welcome to Country be implemented for meetings open to the public (Council and committee meetings) and for civic events hosted by the City of Rockingham. It is not intended to extend the scope of the

At a Council or Committee meeting with public in attendance it is anticipated that an Acknowledgement of Country would be undertaken, requiring the Mayor or chairperson to recite the following statement:

“I’d like to begin by acknowledging the traditional owners and custodians of the land on which we meet today, the Noongar people, and pay my respects to their elders both past and present.”

Similarly this statement would be recited at events hosted by the City of Rockingham. On significant occasions, particularly when it is able to be coordinated, a Welcome to Country might be conducted. This involves a ceremony performed by an identified Aboriginal or Torres Strait Islander person to welcome visitors to their traditional lands.

In respect to a governance perspective, it would be appropriate for an Acknowledgement of Country to be recited (or referred to where no members of the public are present) upon opening a Council or Committee meeting and welcoming those in attendance.

A notation in the minute would record this as follows:

‘The Mayor/Chairperson opened the meeting, recited/referred to the Acknowledgement of Country and welcomed those in attendance.’
Implications to Consider

a. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:
   
   **Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

b. Policy
   A new Council Policy will be established which responds to the actions adopted by Council in the Reconciliation Action Plan.

c. Financial
   It is not anticipated that there are any financial implications arising from the establishment of the Policy beyond that which will be undertaken within existing officer resourcing. Costs for Welcome to Country ceremonies are addressed in the specific function/event budget.

d. Legal and Statutory
   Section 2.7 of the Local Government Act 1995 defines one role of Council as to ‘determine the local government’s policies’.

e. Voting requirements
   Simple Majority

Officer Recommendation if Different to Advisory Committee Recommendation

Not Applicable

The Officer’s Reason for Varying the Advisory Committee Recommendation

Not Applicable

Advisory Committee Recommendation 3:
January Ordinary Council Meetings

That Council **AMEND** the Governance and Meeting Framework Policy under 1. Ordinary Council Meetings by adding a fourth paragraph as follows:

An Ordinary Meeting of Council may be conducted on the fourth Tuesday in January commencing at 6pm to address matters requiring urgent Council attention. The Council agenda will exclude reports from the Standing Committees and Information Bulletins. An Agenda Briefing Forum will be held at 4pm the Thursday prior to the Council Meeting to provide Councillors an opportunity to seek clarification or supplementary information on items on the Council meeting agenda. The Forum will be open to members of the public.

Background

Often the hiatus between the December Ordinary Council meeting (which is traditionally held on the second Tuesday of the month rather than the fourth) and the February meeting will be of ten (10) weeks duration. This can often lead to a lengthy delay in responding to a proponent or applicant who has a matter awaiting a Council decision.

In the past the Mayor has called a Special Meeting of Council during January or early February to deal with the specific matter requiring a response; however this practice does not address the growing demand for timely decisions from Council during the hiatus period.
Due to several matters requiring Council’s attention, the Mayor called an Ordinary Meeting of Council for 22 January 2013, which was preceded with an Agenda Briefing Forum which provide Councillors the opportunity to seek clarification or additional information of items on the Council Agenda.

This process appeared to be effective providing sufficient opportunity for Councillors to gain an understanding of the matters before them and to seek additional information if required. The meeting excluded reports from the Standing Committees (no committee meetings preceding the Council meeting), the Mayor’s Report, Coming Events and Information Bulletins.

The effectiveness of the January 2013 Ordinary Council Meeting has prompted the recommendation that the practice be formalised in the Governance and Meeting Framework.

It is anticipated that the need for timely decision of Council during the hiatus period between the December and February Council meetings will increase, and the calling of a Special Meeting of Council has limitations in addressing this need.

The Local Government (Administration) Regulations 1996 specifies that notice of a Special Meeting of Council needs to include the purpose of the meeting. This presents challenges when dealing with multiple reports needing Council attention.

A shortened Ordinary Meeting of Council underpinned by an Agenda Briefing Forum provides environment where Council can make decisions –

- openly and transparently;
- with a high level of accountability to their community;
- efficiently and effectively;
- with due probity and integrity;
- acknowledging relevant community input;
- with all available information and professional advice; and
- with the fullest possible participation of elected members.

### Implications to Consider

**a. Strategic**

**Community Plan**

This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-

**Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

**b. Policy**

Adoption of the recommendation will require an amendment to the Governance and Meeting Framework policy.

**c. Financial**

Financial implications rest mainly on the minor increase in costs for conducting an additional Ordinary Council meeting. These costs will be included within existing operational budgets.

**d. Legal and Statutory**

Section 2.7 of the Local Government Act 1995 defines one role of Council as to ‘determine the local government’s policies’.

**e. Voting requirements**

Simple Majority

### Officer Recommendation if Different to Advisory Committee Recommendation

Not Applicable
Advisory Committee Recommendation 4:
Council Information Workshop Scheduling

That Council **AMEND** the Governance and Meeting Framework Policy by changing the meeting date for Council Workshops from the first Tuesday of the month to the second Tuesday of the month.

**Background**

The important role that Council Information Workshops provide in assisting Councillors to be appropriately informed in respect to the strategic matters affecting the City cannot be understated.

The Governance and Meeting Framework provides direction for the conduct of Council Workshops under Policy Statement 3 and specifies that 'These Workshops can be called at the request of the Mayor, CEO or by Council motion and conducted, as required, on the first Tuesday of the month from 4pm until 6pm unless special circumstances dictate otherwise.'

Scheduling Council Information Workshops on the first Tuesday of the month has become problematic due to conflicts with the conduct of Citizenship ceremonies and public holidays. The number of citizenship requests in the City has increased to a point where conducting two ceremonies per month has become the rule rather than the exception. Traditionally these ceremonies are conducted the first Monday of the month, and numbers of prospective citizens has increased to a point where a ceremony is also being conducted the following day (Tuesday). This has some logistical advantages in respect to room set up and catering, however alternatives are being investigated where larger citizenships might be undertaken occasionally at the Gary Holland Community Centre.

As a consequence it is often difficult to schedule a Council Workshop on the first Tuesday of the month due to the Mayor being unavailable (as he presides over the Citizenship ceremonies). This will often mean that a workshop might be scheduled for a Wednesday and on some occasions a Thursday (should a public holiday fall on a Monday).

This is not creating an environment which enables the Administration to establish the importance of Council Workshops for the organisation, nor does it provide a regular diary date for Councillors. It is proposed that to remedy the situation, the Governance and Meeting Framework Policy be amended to schedule Council Information Workshops on the second Tuesday of the month, being the same week that the Community Development Committee is held (with the exception of January and December).

**Implications to Consider**

a. **Strategic**
   
   Community Plan
   
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:
   
   **Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

b. **Policy**
   
   Adoption of the recommendation will require an amendment to the Governance and Meeting Framework policy.
CONFIRMED AT A CORPORATE & ENGINEERING SERVICES MEETING HELD ON TUESDAY, 19 MARCH 2013
PRESIDING MEMBER

c. **Financial**
There are minimal cost implications for the rescheduling of the Council Information Workshops.

d. **Legal and Statutory**
Section 2.7 of the Local Government Act 1995 defines one role of Council as to ‘determine the local government’s policies’.

e. **Voting requirements**
Simple Majority

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<thead>
<tr>
<th>Officer Recommendation if Different to Advisory Committee Recommendation</th>
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<tr>
<td>Not Applicable</td>
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<table>
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<tr>
<th>The Officer’s Reason for Varying the Advisory Committee Recommendation</th>
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<tr>
<td>Not Applicable</td>
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**Advisory Committee Recommendation 5: Disbandment of the Strategic Planning Committee**

That Council:
1. **DISBAND** the Strategic Planning Committee.
2. **AMEND** the Governance and Meeting Framework policy to reflect the change.

**Background**

The Strategic Planning Committee was created through the following Council Resolution at the 28 October 2008 Council Meeting:

*That Council take the following action:*

*Establishes a Strategic Planning Committee comprising of the Chairs of the Community Development Committee, Planning Services Committee, and Corporate and Engineering Services Committee and include the Mayor, if not, Chairman of a Standing Committee.*

*The terms of reference of the committee to make recommendations to Council on:*

- The Community Plan
- The City Business Plan
- Facility and Team Plans

The Strategic Planning Committee is no longer needed as all Councillors are involved with the Community Plan, the City Business Plan, Forward Estimates and Team Plan processes. This is an important change in order to for all Councillors to be involved with these important strategic documents as the Council as a whole make the decisions and not just the chairs of the three major committees.

Councillors are now informed and involved with the above processes through Council Information Workshops which will be held monthly throughout the year.

**Implications to Consider**

a. **Strategic**

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-
Aspiration 15: Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant.

b. Policy
Adoption of the recommendation will require an amendment to the Governance and Meeting Framework policy.

c. Financial
There are no cost implications for the disbandment of the Committee.

d. Legal and Statutory
Section 2.7 of the Local Government Act 1995 (the Act) defines one role of Council as to ‘determine the local government’s policies’. Section 5.11 of the Act notes that the tenure of a committee member expires when the committee is disbanded.

e. Voting requirements
Simple Majority

Officer Recommendation if Different to Advisory Committee Recommendation
Not Applicable

The Officer’s Reason for Varying the Advisory Committee Recommendation
Not Applicable

Committee Recommendation
That Council:
1. SUPPORTS the inclusion in the Policy Framework Policy of a public comment period within the adoption process for Council Policy established through a legislative head of power.
2. ADOPT the following policy:

Acknowledgement of Country Policy

Policy Objective
To ensure appropriate recognition of the traditional custodians of land within the City of Rockingham by way of an Acknowledgement of Country statement or Welcome to Country at meetings open to the public such as committee and Council meetings, as well as civic events hosted by the City of Rockingham.

Policy Scope
All Councillors, Committee Members, City employees and those that are involved in coordinating civic receptions. It affects City organised civic events, Council meetings and those Committee meetings open to the public.

Policy Statement
The City of Rockingham Reconciliation Action Plan (RAP) is a formal document that acknowledges the gap in the health and well-being between Aboriginal and Torres Strait Islander people, and other Australians. The RAP is a critical component to improving access and inclusion within the Rockingham community for local Noongar people and other Aboriginal and Torres Strait Islander peoples who have made the City of Rockingham their home.

One recommendation of the RAP under the section Respect, and the focus area of ‘Protocols, cultural awareness and development, promotional activities’ is the City’s commitment to ‘develop and implement protocols for acknowledging traditional custodians, including Welcome to Country, and incorporate them into CoR policies and protocols.’
Incorporating welcoming and acknowledgement protocols into official meetings and events recognises Aboriginal and Torres Strait Islander peoples as traditional custodians of their land. This was identified through the City’s consultation to incorporate into the RAP and is seen as an important component towards reconciliation.

*When to Acknowledge Country:* At the start of a significant meeting or event, it is respectful for the Master of Ceremonies, or first speaker to recognise the traditional owners and custodians of the land on which that meeting or event is occurring. Subsequent speakers may also wish to acknowledge country. The City commits to acknowledging country during significant meetings and events. An acknowledgment of country is appropriate at the opening of committee meetings, council meetings and significant infrastructure such as new City buildings or community facilities.

*Acknowledgment Statement:* “I’d like to begin by acknowledging the traditional owners and custodians of the land on which we meet today, the Noongar people, and pay my respects to their elders both past and present.”

*Welcome to Country:* It is the discretion of the City Officer who is facilitating the event or meeting as to whether a Welcome to Country is applicable. If a decision is made that a Welcome to Country is necessary, then an appropriate Elder needs to be contacted to perform the ceremony. Welcome to Country is recommended for iconic events such as Australia Day, New Years’ Eve, Sports Star Awards and Community and Volunteer Awards, as well as the openings of major infrastructure such as community centres.

**Definitions**

*Acknowledgment of Country:* A way of showing awareness of and respect for the traditional Aboriginal or Torres Strait Islander owners of the land on which a meeting or event is being held, and of recognising the continuing connection of Aboriginal and Torres Strait Islander peoples to their Country.

*Welcome to Country:* A Welcome to Country is a ceremony performed by identified Aboriginal or Torres Strait Islander people (usually an elder) to welcome visitors to their traditional land. It can take many forms, depending on the particular culture of the traditional owners.

*Traditional custodians/owners:* Local descendants of Aboriginal and Torres Strait Islander peoples who have spiritual affiliations to a site on the land, being affiliations that place the group under a primary spiritual responsibility for that site and for the land; and are also entitled by Aboriginal tradition to forage as of right over that land.

*Elder:* An older Aboriginal person who is a moral and spiritual leader within the community. An elder may not necessarily be a traditional custodian of the land.

*Noongar People:* The Noongar People are one of the largest Indigenous groups in the Country, with an estimated 30,000 living in Western Australia’s South West.

*Noongar Country:* Noongar Country spans most of WA’s Southwest from Jurien in the north to Albany in the south. This area includes the City of Rockingham.

**Legislation**

*Nil*

**Other Relevant Policies/ Key Documents**

Reconciliation Action Plan 2011

Acknowledgement of Country Internal Guidelines D12/42488

3. **AMEND** the Governance and Meeting Framework Policy under 1. Ordinary Council Meetings by adding a fourth paragraph as follows:

An Ordinary Meeting of Council may be conducted on the fourth Tuesday in January commencing at 6pm to address matters requiring urgent Council attention. The Council agenda will exclude reports from the Standing Committees and Information Bulletins. An Agenda Briefing Forum will be held at 4pm the Thursday prior to the Council Meeting to provide Councillors an opportunity to seek clarification or supplementary information on items on the Council meeting agenda. The Forum will be open to members of the public.
4. That Council **AMEND** the Governance and Meeting Framework Policy by changing the meeting date for Council Workshops from the first Tuesday of the month to the second Tuesday of the month.
5. **DISBAND** the Strategic Planning Committee.
6. **AMEND** the Governance and Meeting Framework policy to reflect the change.

Committee Voting – 4/0

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<thead>
<tr>
<th>The Committee’s Reason for Varying the Officer’s Recommendation</th>
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<tr>
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</table>
Corporate and Engineering Services
Economic Development Services

Reference No & Subject: ED-001/13 Recommendation from the Global Friendship Committee Advisory Committee Meeting held on 20 December 2012

File No: ECD/74
Author: Ms Nollaig Baker, Economic Development Officer
Other Contributors:
Date of Committee Meeting: 19 February 2013
Disclosure of Interest: Executive
Nature of Council’s Role in this Matter:
Attachments: Minutes of the Global Friendship Advisory Committee Meeting held on 20 December 2012
Maps/Diagrams:

Purpose of Report
That Council appoint Ms Stephanie Byrnes and Ms Whitney Sewell to the Global Friendship Committee.

Recommendations to the Corporate and Engineering Services Committee

Advisory Committee Recommendation 1: Appointment of Community Members to the Global Friendship Committee

That Council APPOINT Ms Stephanie Byrnes and Ms Whitney Sewell to the Global Friendship Committee.

Background
At the Global Friendship Advisory Committee Meeting held on 20 December 2012 the two applications for the two vacancies on the committee were endorsed.

The Global Friendship Committee had two vacant community member positions available. The committee recommended that the two vacant positions needed to be filled by young people. An Expression of interest for the two vacant positions was received from consultation with the City’s Youth Advisory Committee. The other vacant position was applied for directly by the community member.
Implications to Consider

a. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-
   
   **Aspiration 14:** Economic Development opportunities that make visiting, living, working and investing in the City of Rockingham an attractive proposition

b. Policy
   Not Applicable

c. Financial
   Not Applicable

d. Legal and Statutory
   Nil

e. Voting Requirements
   Absolute Majority

Officer Recommendation if Different to Advisory Committee Recommendation

Not Applicable

The Officer’s Reason for Varying the Advisory Committee Recommendation

Not Applicable

Committee Recommendation

That Council **APPOINT** Ms Stephanie Byrnes and Ms Whitney Sewell to the Global Friendship Committee.

Committee Voting – 4/0

The Committee’s Reason for Varying the Officer’s Recommendation

Not Applicable

Implications of the Changes to the Officer’s Recommendation

Not Applicable
### Corporate and Engineering Services
#### Engineering and Parks Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-001/13 Proposed Agreement for Installation of Coin Operated Binoculars</th>
</tr>
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<tbody>
<tr>
<td>File No:</td>
<td>LGS/5</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Ms Renee Sinclair-Deane, Leasing Administration Officer</td>
</tr>
<tr>
<td>Author:</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19 February 2013</td>
</tr>
<tr>
<td>Previously before Council:</td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive</td>
</tr>
</tbody>
</table>

**Site:** Peace Pavilion, Rockingham Beach

**Lot Area:** Reserve 21478, Esplanade, Rockingham

**Attachments:**

**Maps/Diagrams:**

**Note:** At the request of the Officer Item EP-001/13 Proposed Agreement for Installation of Coin Operated Binoculars be withdrawn due to further information being received.
**Corporate and Engineering Services**

**Engineering and Parks Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>EP-002/13 Development of Public Access Way (PAW) between Reilly Street and Murdoch Drive, Singleton</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/252-03</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Scott Lambie, Manager Engineering Services</td>
</tr>
<tr>
<td>Author:</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td></td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>26 June 2012 (EP-053/12)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
</tbody>
</table>

| Site:                     | PAW – Between Reilly Street and Murdoch Drive                                                                 |
| Lot Area:                 | Planning Assessment of Footways in Singleton                                                                    |
| Attachments:              | Locality plan                                                                                                   |
| Maps/Diagrams:            | Locality Plan – PAW between Reilly Street and Murdoch Drive                                                   |

 Locality Plan – PAW between Reilly Street and Murdoch Drive
1. **Purpose of Report**

For Council to consider the installation of a concrete footpath within the existing Public Access Way (PAW) running between Reilly Street and Murdoch Drive in Singleton.

2. **Background**

At the Council meeting held 26 June 2012 this matter was considered and it was resolved as follows:

“That Council **DIRECT** the Chief Executive Officer to take the following action:

1. Assess the public access way between Reilly Street and Murdoch Drive against the City’s adopted Pedestrian Access Way Strategy criteria and provide a report back to Council with the findings and recommendations of the completed assessment.”

3. **Details**

The City’s Planning Services Team undertook an assessment of the Reilly Street to Murdoch Drive PAAW, along with three other unclassified footways (reserves) in Singleton, which were not previously included in “The Public Access Way Strategy”

The assessment classified the PAW as NP (no path) / NE (non-essential) which means that the PAW could be “closed” without any disruption to the local pedestrian and cycle movement network.

A copy of the Assessment of Footways Singleton, dated 11 September 2012 is attached.

During site inspections by City officers, it was noted that the current grade of the PAW is such that it would not be possible to install a concrete path within the access way and maintain acceptable grades suitable for universal access (gophers, wheelchairs etc) without the need to install substantial retaining walls to support the adjoining land. It was also noted that existing retaining structures have been constructed by adjacent property owners and they encroach approximately one metre into the PAW itself.

4. **Implications to Consider**

   a. **Consultation with the Community**

      Nil

   b. **Consultation with Government Agencies**

      Nil

   c. **Strategic**

      **Community Plan**

      This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-

      **Aspiration 2:** A safe community where residents feel secure, relaxed and comfortable within their home, work and social environments.

   d. **Policy**

      Nil

   e. **Financial**

      No funds for installing a path within this PAW have been identified within the City Business Plan.

   f. **Legal and Statutory**

      Nil
5. **Comments**

Given that the PAW has been designated the lowest classification in the importance of the network and that there is potential for a mirrored link in the form of a footpath running along Royce Street (90 metres south of the PAW) that could provide a direct link between Cavender Street and Murdoch Drive, without the encumbrances of inappropriate grades, that the allocation of funds to upgrade this PAW at this time is not considered appropriate and would be better allocated to higher priority paths within the network.

6. **Voting Requirements**

Simple Majority

7. **Officer Recommendation**

That Council:

1. **NOT SUPPORT** the construction of a concrete path within the public access way between Reilly Street and Murdoch Drive.
2. **DIRECT** the Chief Executive Officer to consider the need to retain the public access way and investigate possible closure.

**Committee Recommendation**

That Council:

1. **NOT SUPPORT** the construction of a concrete path within the public access way between Reilly Street and Murdoch Drive.
2. **DIRECT** the Chief Executive Officer to consider the need to retain the public access way and investigate possible closure.

Committee Voting – 4/0

**The Committee’s Reason for Varying the Officer’s Recommendation**

Not Applicable

**Implications of the Changes to the Officer’s Recommendation**

Not Applicable
Corporate and Engineering Services
Engineering and Parks Services

Reference No & Subject: EP-003/13  Tender T12/13-43 – Mundijong Road Extension – site clearing, bulk earthworks, road pavement construction and topsoil spreading

File No: T12/13-43

Proponent/s: Mr Ian Daniels, Project Manager Mundijong Road

Author: Mr Chris Thompson, Director Engineering and Parks Services

Other Contributors: Mr Stuart McCarthy, Manager Engineering Operations
Mr Darren Dropulich, Construction Engineer
Mr Bruce Foster, Procurement Coordinator

Date of Committee Meeting: 19 February 2013


Disclosure of Interest:

Nature of Council’s Role in this Matter: Executive

Site: Mundijong Road Extension (between Baldivis Road and Mandurah Road)

Lot Area: 

Attachments: 

Maps/Diagrams: 

Purpose of Report

Provide Council with details of the tenders received for Tender T12/13-43 – Mundijong Road Extension – site clearing, bulk earthworks, road pavement construction and topsoil spreading and document the results of the tender assessment and make recommendations regarding award of the tender.

Background

In June 2011 Council received a status report on the Mundijong Road Extension project. At that time the main outstanding issue was the land acquisition to allow the road to go ahead. At the Council meeting held on the 28 June 2011 Council resolved the following:

“That Council APPROVE the Mundijong Road Extension Project to proceed to tender stage following the finalisation of land acquisition and the results of the tender submissions to be considered at a future Council Meeting.”
In December 2012 the final outstanding land acquisition issue was resolved which allowed the advertising of Tenders. Tender T12/13-43 – Mundijong Road Extension – site clearing, bulk earthworks, road pavement construction and topsoil spreading was advertised in the West Australian on Saturday, 5 January 2013. The Tender closed at 2.00pm, Wednesday, 30 January 2013 and was publicly opened immediately after the closing time.

Details

Mundijong Road Extension Project Details

The extension of existing Mundijong Road will connect Baldivis Road to the east with Mandurah Road to the west and will provide a vital service corridor from the Kwinana Freeway to the heart of the Rockingham City and the industrial precinct.

The project is within the localities of Baldivis, Cooloongup and Leda. The final product will be the construction of a two lane carriageway with accompanying intersections, road lighting and traffic control at appropriate locations.

Environmental Approval Details

A clearing permit for the proposed Mundijong Road works was required under the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and the Environmental Protection Act 1986 (EP Act).

In relation to the environmental offset provisions which form part of the clearing permit the Department of Planning has advised that an Area Assistance Grant (AAG) application will be presented to the Statutory Planning Committee of the Western Australian Planning Commission on the 27 February 2013 with a recommendation to support the funding application and the agreed transfer of tenure for the Dixon Road Regional Park site.

This tenure transfer will then satisfy the approval from the Department of Sustainability, Environment, Water, Population and Communities to clear approximately 11ha of native vegetation for the purposes of constructing the Mundijong Road extension.

The approval was conditional based on the completion of the following:

- The development and implementation of a Construction Environmental Management Plan (CEMP).
- The development and implementation of an Environmental Offset Management Plan (EOMP).
- Ongoing reporting of environmental conditions and impacts during construction

Tender Details

This specific Tender includes the following works as part of the whole project:

- Clearing of Vegetation pursuant to the State and Federal Approvals;
- Demolition of existing pavement, kerbing, drainage structures as shown on the drawings. The material to be removed from the site and disposed of at a suitable location;
- Excavation of soil and weathered rock;
- Embankment construction;
- Road pavement construction work including sub base and base course;
- Topsoil Spreading; and
- All traffic management works associated with the construction of Baldivis Road, Mandurah Road and Millar Road junction upgrade works.
Tender submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th>Lump Sum Price (GST Excl)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brierty Limited</td>
<td>$7,895,302</td>
</tr>
<tr>
<td>TRACC Civil Pty Ltd</td>
<td>$4,849,401</td>
</tr>
<tr>
<td>VDM Construction (Western Operations) Pty Ltd</td>
<td>$6,567,126</td>
</tr>
<tr>
<td>Mine Site Construction Services</td>
<td>$2,999,969</td>
</tr>
<tr>
<td>Downer EDI Works Pty Ltd</td>
<td>$9,114,496</td>
</tr>
</tbody>
</table>

A panel comprising Project Manager Mundijong Road, Director Engineering and Parks, Manager Engineering Operations and Construction Engineer undertook tender evaluations.

Evaluation of the tender, in accordance with the advertised tender assessment criteria, produced the following weighted scores:

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Brierty Limited</th>
<th>TRACC Civil Pty Ltd</th>
<th>VDM Construction Pty Ltd</th>
<th>Mine Site Construction Services</th>
<th>Downer EDI Works Pty Ltd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Company/Business Experience</td>
<td>22.0%</td>
<td>19.0%</td>
<td>20.0%</td>
<td>13.5%</td>
<td>20.0%</td>
</tr>
<tr>
<td>Key Personnel Skills &amp; Experience</td>
<td>10.5%</td>
<td>9.5%</td>
<td>10.5%</td>
<td>7.0%</td>
<td>9.0%</td>
</tr>
<tr>
<td>Methodology Statement &amp; Timeline</td>
<td>9.0%</td>
<td>15.5%</td>
<td>8.5%</td>
<td>7.5%</td>
<td>10.5%</td>
</tr>
<tr>
<td>Tenderers Resources &amp; Delivery/Availability to Supply &amp; Sustain Works</td>
<td>7.0%</td>
<td>7.0%</td>
<td>6.5%</td>
<td>5.5%</td>
<td>7.0%</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>11.4%</td>
<td>18.6%</td>
<td>13.7%</td>
<td>30.0%</td>
<td>9.9%</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>59.9%</td>
<td>69.6%</td>
<td>59.2%</td>
<td>63.5%</td>
<td>56.4%</td>
</tr>
</tbody>
</table>

**Implications to Consider**

a. **Consultation with the Community**
   Not Applicable

b. **Consultation with Government Agencies**
   Not Applicable

c. **Strategic**
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-
   
   **Aspiration 5:** Community facilities and services delivered in a timely manner, able to meet expectations and serve new and growing neighbourhoods.

d. **Policy**
e. Financial
The total Mundijong Road Extension construction budget is $16 million over the 2012/13 and 2013/14 annual years. The lump sum price of the preferred Tenderer falls within the estimated amount for the works included in this Tender.

f. Legal and Statutory

Comments
Following consideration of the submissions in accordance with the tender criteria, all companies demonstrated the capability, capacity, resources and personnel to complete the works with varying levels of competency, however, the submission received from TRACC Civil Pty Ltd is considered to represent best value to the City and is therefore recommended as the preferred tenderer.

As the whole project will be complex, with liaison between separate contractors needing to be effectively managed. It is imperative that the successful contractor undertaking the works fully understands these implications and is able to work closely with the City's Project Manager in overcoming any potential interface issues that may occur throughout the contract. The main point of difference included in TRACC Civil’s submission was their methodology and willingness to work with all the other contractual disciplines and the principal in delivering the best and most cost effective project outcome.

The realistic timeframes within their construction schedule also identify an understanding of the complexities necessary to coordinate and complete all associated works.

Voting Requirements
Simple Majority

Officer Recommendation
That Council ACCEPT the tender submitted from TRACC Civil Pty Ltd, 33 Cocos Drive, Bibra Lake, WA, 6163 for Tender T12/13-43 – Mundijong Road Extension – site clearing, bulk earthworks, road pavement construction and top soil spreading in accordance with the tender documentation for the lump sum value of $4,849,401 (excl GST).

Committee Recommendation
That Council ACCEPT the tender submitted from TRACC Civil Pty Ltd, 33 Cocos Drive, Bibra Lake, WA, 6163 for Tender T12/13-43 – Mundijong Road Extension – site clearing, bulk earthworks, road pavement construction and top soil spreading in accordance with the tender documentation for the lump sum value of $4,849,401 (excl GST).

Committee Voting – 4/0

The Committee’s Reason for Varying the Officer’s Recommendation
Not Applicable

Implications of the Changes to the Officer’s Recommendation
Not Applicable
Purpose of Report

Provide Council with details of the tenders received for Tender T12/13-61 – Mundijong Road Extension – Swale (Dam) construction and pressure pipeline relocation and protection works and document the results of the tender assessment and make recommendations regarding award of the tender.

Background

Tender T12/13-61 – Mundijong Road Extension – Mundijong Road Extension – Swale (Dam) construction and pressure pipeline relocation and protection works was advertised in the West Australian on Saturday 5 January 2013. The Tender closed at 2.00pm, Wednesday, 30 January 2013 and was publicly opened immediately after the closing time.
Details

An existing swale is located on BHP Billiton Nickel West property. This existing swale will be decommissioned to allow for the new road alignment with a new swale to be constructed to the north of the new road corridor. The associated pipework for the existing swale will be redirected accordingly as part of this project.

Tender submissions were received from:

<table>
<thead>
<tr>
<th>Company</th>
<th>Lump Sum Price (GST Excl)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Karridale Group Pty Ltd</td>
<td>$1,010,754</td>
</tr>
<tr>
<td>Redline WA Pty Ltd</td>
<td>$566,236</td>
</tr>
<tr>
<td>VDM Construction (Western Operations) Pty Ltd</td>
<td>$666,817</td>
</tr>
<tr>
<td>WBHO Civil Pty Ltd</td>
<td>$394,704</td>
</tr>
<tr>
<td>Downer EDI Works Pty Ltd</td>
<td>$381,373</td>
</tr>
<tr>
<td>Yarnell Civil and Mining Pty Ltd</td>
<td>$436,321</td>
</tr>
</tbody>
</table>

A panel comprising Project Manager Mundijong Road, Director Engineering and Parks, Manager Engineering Operations and Construction Engineer undertook tender evaluations.

Evaluation of the tender, in accordance with the advertised tender assessment criteria, produced the following weighted scores:

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>Karridale Group Pty Ltd</th>
<th>Redline WA Pty Ltd</th>
<th>VDM Const. Pty Ltd</th>
<th>WBHO Civil Pty Ltd</th>
<th>Downer EDI Works Pty Ltd</th>
<th>Yarnell Civil &amp; Mining Pty Ltd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Company/Business Experience</td>
<td>25%</td>
<td>8.5%</td>
<td>16.0%</td>
<td>18.0%</td>
<td>19.5%</td>
<td>17.0%</td>
<td>13.0%</td>
</tr>
<tr>
<td>Key Personnel Skills &amp; Experience</td>
<td>15%</td>
<td>5.0%</td>
<td>9.0%</td>
<td>10.5%</td>
<td>9.5%</td>
<td>9.0%</td>
<td>7.0%</td>
</tr>
<tr>
<td>Methodology Statement &amp; Timeline</td>
<td>20%</td>
<td>10.0%</td>
<td>15.5%</td>
<td>11.0%</td>
<td>9.0%</td>
<td>11.0%</td>
<td>11.5%</td>
</tr>
<tr>
<td>Tenderers Resources &amp; Delivery/Availability to Supply &amp; Sustain Works</td>
<td>10%</td>
<td>4.0%</td>
<td>7.0%</td>
<td>6.5%</td>
<td>6.0%</td>
<td>7.0%</td>
<td>5.5%</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>30%</td>
<td>11.3%</td>
<td>20.2%</td>
<td>17.2%</td>
<td>29.0%</td>
<td>30.0%</td>
<td>26.2%</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100%</td>
<td>38.8%</td>
<td>67.7%</td>
<td>63.2%</td>
<td>73.0%</td>
<td>74.0%</td>
<td>63.2%</td>
</tr>
</tbody>
</table>

The Tenders submitted by Downer EDI and VDM have included the following qualifications:

1. Downer EDI

   “Our Tender is only valid if awarded in conjunction with Tender No T12/13-43 Mundijong Road Extension – site clearing, bulk earthworks, road pavement construction and topsoil spreading”

2. VDM

   “Tender is valid if VDM is awarded RFT 12/13-43 Mundijong Road Extension – site clearing, bulk earthworks, road pavement construction and topsoil spreading”

All submissions were assessed on merit and their ability to carry out all required works.
Implications to Consider

a. Consultation with the Community
   Not Applicable

b. Consultation with Government Agencies
   Not Applicable

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-
   Aspiration 5: Community facilities and services delivered in a timely manner, able to meet expectations and serve new and growing neighbourhoods.

d. Policy

e. Financial
   The total Mundijong Road Extension construction budget is $16 million over the 2012/13 and 2013/14 annual years. The lump sum price of the preferred Tenderer falls within the estimated amount for the works included in this Tender.

f. Legal and Statutory

Comments

Following consideration of the submissions in accordance with the tender criteria all companies demonstrated a capacity to complete the works, however, the submissions received from WBHO Civil Pty Ltd demonstrated evidence of having undertaken works of a similar size and nature and are therefore recommended as the preferred tenderer.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ACCEPT the tender submitted from WBHO Civil Pty Ltd, Level 1, 1 Centro Avenue, Subiaco, WA, 6008 for Tender T12/13-61 – Mundijong Road Extension – Swale (Dam) construction and pressure pipeline relocation and protection works in accordance with the tender documentation for the lump sum value of $394,704 (excl GST).

Committee Recommendation

That Council ACCEPT the tender submitted from WBHO Civil Pty Ltd, Level 1, 1 Centro Avenue, Subiaco, WA, 6008 for Tender T12/13-61 – Mundijong Road Extension – Swale (Dam) construction and pressure pipeline relocation and protection works in accordance with the tender documentation for the lump sum value of $394,704 (excl GST).

Committee Voting – 4/0
<table>
<thead>
<tr>
<th><strong>The Committee's Reason for Varying the Officer's Recommendation</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Implications of the Changes to the Officer’s Recommendation</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
</tr>
</tbody>
</table>
13. **Reports of Councillors**
   
   Nil

14. **Addendum Agenda**
   
   Nil

15. **Motions of which Previous Notice has been given**
   
   Nil

16. **Notices of motion for Consideration at the Following Meeting**
   
   Nil

17. **Urgent Business Approved by the Person Presiding or by Decision of the Committee**
   
   Nil

18. **Matters Behind Closed Doors**
   
   Nil

19. **Date and Time of Next Meeting**
   
   The next Corporate and Engineering Services Committee Meeting will be held on **Tuesday 19 March 2013** in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.

20. **Appreciation**
   
   Mr Pearson, A/Chief Executive Officer thanked Mr Thompson, Director Engineering and Parks Services and his department for their efforts in the preparation of the Mundijong Road tender documents.

21. **Closure**
   
   There being no further business, the Chairperson thanked those persons present for attending the Corporate and Engineering Services Committee meeting, and declared the meeting closed at **4:37pm**.