

XIV. MOTIONS WITH NOTICE

XV. MOTIONS OF WHICH NOTICE WAS GIVEN AT THE PREVIOUS MEETING

15.1: NOTICE OF MOTION BY COUNCILLOR CALLEJA-TO REVOKE PREVIOUS DECISION OF COUNCIL

NOTICE OF MOTION TO REVOKE A PREVIOUS DECISION OF COUNCIL

In accordance with Regulation 10(1a) of the *Local Government (Administration) Regulations 1996*, we the undersigned hereby move to have Report Item 4.8 – Albany Entertainment Centre (AEC) Committee Meeting Minutes, which was moved at the Ordinary Council Meeting held on 19 October 2010, be revoked.

Name _____ Signature _____ Date _____

Name _____ Signature _____ Date _____

Name _____ Signature _____ Date _____

Name _____ Signature _____ Date _____

Name _____ Signature _____ Date _____

**ITEM 15.1: REVOCATION MOTION BY COUNCILLOR CALLEJA
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the Motion resolved at Report Item 4.8 – Albany Entertainment Centre (AEC) Committee Meeting Minutes – dated 19 October 2010 as follows:

All bookings for the performing arts space in the Town Hall be approved by the Albany Entertainment Centre (AEC) Management Body after 31 December 2010 with no reasonable requests being refused.

Be REVOKED.

Reason:

This resolution does not reflect the Albany Entertainment Centre and the City's management practices regarding Town Hall bookings.

Town Hall management is solely the responsibility of the City. The City and AEC have a collaborative relationship and the above resolution is now outdated.

Officer's Comment (CEO F James):

The intent behind the original resolution of Council was to work collaboratively with the Albany Entertainment Centre management, to ensure Town Hall bookings did not unreasonably "compete" between the two sites, but rather that the two sites complement each other in bookings.

The City currently manages Town Hall bookings with no referral to Albany Entertainment Centre. With the employment of a Manager for Cultural and Community Development, the City can now work towards maximising opportunities for the Town Hall

Now that basic maintenance and repairs are under way, the Town Hall will hopefully start to be increasingly used for events which are appropriate for its seating numbers. City of Albany staff have had conversations with some entities regarding possible upcoming performances.

City of Albany staff continue to have a good working relationship with the Albany Entertainment Centre in discussing performing arts options for both venues. The Albany Entertainment Centre Committee (which Councillors Sarah Bowles and Vince Calleja are members) is very keen to see a vibrant performing arts community across the town, and acknowledge that the Albany Entertainment Centre should not be the only venue to make that happen.

At the AEC Advisory Committee meeting held Friday 10 February 2012, the committee and AEG Ogden agreed that the original Council resolution is now outdated, and that they had no objection to it being rescinded.

ITEM 18.1: MOTION BY COUNCILLOR CALLEJA

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council note that the City of Albany is currently, and will continue to be, with the agreement and consent of the Albany Entertainment Centre Advisory Committee, solely responsible for the management of the Town Hall, including venue bookings.

XVI. URGENT BUSINESS TO BE APPROVED BY DECISION OF THE MEETING

16.1: MOTION TO REVOKE PREVIOUS DECISION OF COUNCIL BY MAYOR WELLINGTON

NOTICE OF MOTION TO REVOKE A PREVIOUS DECISION OF COUNCIL

In accordance with Regulation 10(1a) of the *Local Government (Administration) Regulations 1996*, we the undersigned hereby move to have Report Item 16.3 – Albany Regional Airport-Fee for Provision of Security Services, which was moved at the Ordinary Council Meeting held on 21 February 2012, be revoked.

Name_____ Signature_____ Date_____

Name_____ Signature_____ Date_____

Name_____ Signature_____ Date_____

Name_____ Signature_____ Date_____

Name_____ Signature_____ Date_____

**ITEM 16.1: MOTION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT Item 16.1 be ACCEPTED as an urgent item to be dealt with at this meeting.

**ITEM 16.1: REVOCATION MOTION BY MAYOR WELLINGTON
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT the Motion resolved at Report Item 16.3 – Albany Regional Airport-Fee for Provision of Security Services, dated 21 February 2012,as follows:

THAT Council:

- 1. APPROVE the fee of an additional \$20 on each arriving and departing ticket from 1 July 2012 (determined on information in Confidential Attachment One) for provision of security screening services at the Albany Airport.**
- 2. DIRECT the Chief Executive Officer to make submissions to the Department of Transport regarding Council’s deliberation and determination of the ticketing fee, and seek the Department’s approval of the Council approved fee.**

Be REVOKED.

ITEM 16.1: MOTION

VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council APPROVE the fee of an additional \$20 on each arriving and departing passenger from 1 July 2012 for provision of services at the Albany Airport.

16.2: CONTRACT C11022 – CONSTRUCTION OF CONCRETE KERBING

ITEM 16.2: MOTION

VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Item 16.2-Contract C11022-Construction of Concrete Kerbing-be ACCEPTED as an urgent item.

Proponent : City of Albany
Owner : City of Albany
Responsible Officer(s) : Acting Director Works & Services (S Grimmer)

IN BRIEF

- Contract C11022 – Construction of Concrete Kerbing be AWARDED to Gordon Walmsley Pty Ltd for the period up to 30 June 2013, following which period the contract will be retendered.

RECOMMENDATION

ITEM 16.2 RESPONSIBLE OFFICER RECOMMENDATION

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council:

ACCEPT the Tender from Gordon Walmsley Pty Ltd and award contract C11022 for the construction of concrete kerbing for a period up to 30 June 2013, following which period the contract will be retendered.

BACKGROUND

1. Due to an expiry of the current construction of concrete kerbing contract, tenders were called for the provision of concrete kerbing for a period up to 30 June 2013. The tender is for the supply and placement of concrete kerbing on roads within the City of Albany.

DISCUSSION

2. A total of three tender documents were downloaded from the City of Albany website.
3. One completed tender document was submitted on/before the stipulated closing date and time. The following table summarises the tenderer and overall evaluation score applicable to the submission.

Tenderer	Total Evaluation Score
Gordon Walmsley Pty Ltd	872.50

CEO: _____ **RESPONSIBLE OFFICER:** _____

4. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria are tabled below:

Criteria	% Weight
Cost	55
Technical Compliance and Experience	15
Reliability	15
Quality Accreditation	15
Total	100

5. Gordon Walmsley Pty Ltd has been a previous contractor for the City of Albany and has proved a reliable local operator.
6. On the basis of the total evaluation score which considers cost, technical compliance and experience, reliability and quality Gordon Walmsley Pty Ltd is considered a suitable company.

GOVERNMENT CONSULTATION

7. Nil.

PUBLIC CONSULTATION / ENGAGEMENT

8. A request for tenders was published in the West Australian on 18 January 2012 and the Great Southern Weekender on 19 January 2012.

STATUTORY IMPLICATIONS

9. Regulation 11 of the *Local Government (Functions and General) Regulations 1996 (Regulations)* requires Council to publicly tender if the contract is, or is expected to be, more, or worth more, than \$250,000.
10. Regulation 18 of the Regulations outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
11. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision.

STRATEGIC IMPLICATIONS

12. This item directly relates to the following elements of the 2011 City of Albany Strategic Plan:

Key Focus Area

Lifestyle and Environment

Community Priority

A built environment for active lifestyles

And

Key Focus Area

Lifestyle and Environment

Community Priority

Road improvements

POLICY IMPLICATIONS

13. The City of Albany Tender Policy and Regional Price Preference Policy are applicable to this item.

RISK IDENTIFICATION & MITIGATION

14. The risk identification and categorisation relies on the City's Risk Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Non compliance with contract or business failure	Unlikely	Medium	Medium	General conditions of contract allow for contract termination on the basis of failure to supply goods & services

FINANCIAL IMPLICATIONS

15. The value of this tender is in excess of \$250,000 and therefore the approval is referred to Council for consideration.
16. The cost per job will be included in the specific budget line item.

LEGAL IMPLICATIONS

17. Nil.

ALTERNATE OPTIONS

18. Council can accept or reject the tenders as submitted.

SUMMARY CONCLUSION

19. On reviewing the one submission, the evaluation team assessed Gordon Walmsley Pty Ltd as being a suitable tenderer across the evaluation criteria in terms of cost, technical compliance and experience, reliability and quality. Gordon Walmsley Pty Ltd is recommended to be awarded the construction of concrete kerbing contract.

Consulted References	Local Government (Functions and General) Regulations 1995 Council Policy – Purchasing (Tenders & Quotes) Council Policy – Buy Local (Regional Price Preference)
File Number (Name of Ward)	C11022
Previous Reference	

XVII. REQUEST FOR REPORTS FOR FUTURE CONSIDERATION.

Nil

XVIII. ANNOUNCEMENT OF NOTICES OF MOTION TO BE DEALT WITH AT THE NEXT MEETING.

XIX. ITEMS TO BE DEALT WITH WHILE THE MEETING IS CLOSED TO MEMBERS OF THE PUBLIC

XX. NEXT ORDINARY MEETING DATE

Tuesday 17 April 2012.

XXI. CLOSURE OF MEETING

ITEM 21.0: MOTION

THAT Standing Order 3.1 be RESUMED to stop recording of proceedings.

**STATUS REPORT ON DEFERRED ITEMS
FROM PREVIOUS MEETINGS**

Meeting Date	Item Number	Details/Status
16/11/2010	2.6	Surrender Lease over Hangar Site 2 at Albany Airport. REQUIRES FURTHER CONSIDERATION BY COUNCIL PENDING THE COMPLETION OF THE AIRPORT MASTERPLAN/BUSINESS PLAN.
19/04/2011	4.7	Audit Committee Recommendations. That Council request the Chief Executive Officer to further review the investment of Surplus Funds Policy through the Finance Strategy Committee, prior to recommendation to Council. PENDING. - AWAITING DEVELOPMENT OF FIVE YEAR (FINANCE) PLAN.
17/05/2011	3.1	Albany Leisure and Aquatic Centre. That the Business Plan be Brought back to Council for the Approval of the Recommendation. PENDING COMPLETION OF BUSINESS PLAN TO BE PRESENTED TO FUTURE OCM.