

Please note: These minutes are yet to be confirmed as a true record of proceedings

SHIRE OF BUSSELTON

MINUTES OF A SPECIAL COUNCIL MEETING HELD ON 16 APRIL 2008

TABLE OF CONTENTS

ITEM NO.	SUBJECT	PAGE NO.
1.	ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE	1
2.	PURPOSE OF THE MEETING	1
3.	PUBLIC QUESTION TIME	2
4.	DECLARATION OF DUE CONSIDERATION	7
5.	DECLARATIONS OF INTERESTS	7
6.	PRESENTATIONS BY PARTIES WITH AN INTEREST	7
7.	BUSINESS OF THE MEETING	8
7.1	BUSSELTON JETTY REBUILD AND FORESHORE REVITALISATION - PROJECT AGREEMENT WITH THE STATE GOVERNMENT	8
7.2	SELECTION CRITERIA AND TENDER PROCESSES FOR TENDERS: RFT TEN 04/08 - SUPPLY OF TIMBER PILES FOR BUSSELTON JETTY AND EOI TEN 05/08 - EXPRESSION OF INTEREST FOR BUSSELTON JETTY REFURBISHMENT (CONSTRUCTION CONTRACT)	14
8.	CLOSURE	17

SHIRE OF BUSSELTON**MINUTES OF A SPECIAL COUNCIL MEETING HELD IN COUNCIL CHAMBERS,
ADMINISTRATION BUILDING, SOUTHERN DRIVE, BUSSELTON, ON WEDNESDAY,
16 APRIL 2008 AT 6:00 PM**

The Presiding Member opened the meeting at 6.22 p.m.

1. ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE

Presiding Member:	Cr Wes Hartley	Shire President
Members:	Cr Bethwyn Hastie Cr David Binks Cr Ian Stubbs Cr Ross Bromell Cr Anne Ryan Cr Tom Tuffin Cr John Triplett Cr Alan MacGregor Cr Rob Underdown Cr Bev Clarke Cr Don Hanran-Smith Cr Rod Wheeler	
Officers:	Mr Matthew Smith Mr Paul Martin Ms Jenny Mathies	Acting Chief Executive Officer Manager, Strategic Projects Admin. Officer - Governance
Consultant:	Mr Steve Disley	
Apologies:	Nil	
Leave of Absence:	Nil	
Media:	"Busselton-Dunsborough Times" "Busselton-Dunsborough Mail"	
Public:	9	

2. PURPOSE OF THE MEETING

Consideration of:

- (a) Busselton Jetty Rebuild and Foreshore Revitalisation - Project Agreement with the State Government; and
- (b) Selection Criteria and Tender Processes for Tenders: RFT TEN 04/08 - Supply of Timber Piles for Busselton Jetty and EOI TEN 05/08 - Expression of Interest for Busselton Jetty Refurbishment (Construction Contract).

3. PUBLIC QUESTION TIME**3.1 Michael Cassanet:**

Mr Cassanet had provided several questions in writing prior to the meeting in relation to Item 7.2, Selection Criteria and Tender Processes for Tenders: RFT Ten 04/08 - Supply of Timber Piles for Busselton Jetty and EOI TEN 05/08 - Expression of Interest for Busselton Jetty Refurbishment (Construction Contract). The questions and responses are as follow:

- (a) What are the dimensions of the timber piles required?

Response - Presiding Member:

All 152 piles are specified with a crown diameter in the range of 350mm to 375mm. The specification requires 140 piles of 12.5m length and 12 piles of 17m length.

- (b) Will the Shire specify that the logs will not be sourced from Old Growth Native Trees or imported rainforest timber?

Response - Presiding Member:

The current timber pile supply specification identifies only dimensional, structural and durability requirements that pile timbers must meet. Contractors must also comply with Federal, State and Local statutory requirements regarding timber harvesting. That is, timbers can only be obtained from lawful sources whether they be native growth forests or plantations. The tender document also requires tenderers to nominate the source of their timbers.

The pile timbers are specified as requiring a two-application (CCA and PEC) treatment for protection against rot and marine borer. The latter treatment is understood to be unavailable in Western Australia, so although Western Australian suppliers are not specifically precluded from tendering, it appears likely that they will not be able to deliver a conforming protective treatment. Consequently the pile timbers will almost certainly be sourced from the eastern states.

Koppers Wood in NSW who are a major Australian timber pole supplier, have advised that all hardwood timber for piles is from managed regrowth sources, ie. From State managed forests, plantations, or privately harvested with consent from the NSW Department of Environment & Climate.

There has been no supplementary provision included in the specifications thus far that would specifically preclude piles sourced from "Old Growth Native Trees" or imported rainforest timber. However, FSC commented that the term "Old Growth Native Forests" is not clearly defined. FSC spoke of "native growth forests" versus "plantations". Further comment on this aspect is provided in response to question 3.

- (c) Will the Shire ensure that the timber is FSC Australia certified? (The Forest Stewardship Council is an international network to promote responsible management of the world's forests. Its mission in Australia is to promote environmentally appropriate, socially beneficial and economically viable management of forests in Australia and countries supplying the Australian forest products market).

Response - Presiding Member:

Enquiries have been made to the Forest Stewardship Council (Melbourne office) in response to this question.

The FSC undertakes certification of suppliers in order to support sustainability objectives. In discussion, it was put to the FSC that:

- i) If perhaps 80% or 90% of the prospective pool of tenderers have FSC certification, the Shire could reasonably make FSC certification an essential pre-qualifying requirement for tenderers to support sustainability objectives;*

Alternatively,

- ii) If only perhaps 10% or 20% of prospective suppliers have FSC certification, making FSC certification a pre-qualifying requirement for tenderers would quite probably create an uncommercial and unrealistic constraint to the tender process.*

The response received from FSC was that the latter situation prevails. Only a relatively small portion of eastern states hardwood suppliers are FSC certified. However, FSC could not confirm the actual percentage of certified suppliers by number or product volume.

For this reason, FSC certification is NOT proposed as an essential pre-qualifying requirement for tenderers.

- (d) Have alternative materials been investigated? If yes, what is the comparative costing?

Response - Presiding Member:

Steel piles have been investigated as an alternative to timber piles and have in fact been specified for use in jetty sections 3 and 5 where a number of 60 x 350mm diameter circular hollow section steel piles are required.

Previous advice was that steel piles increase initial capital cost by about 10%, adding a price margin of about \$100,000 relative to timber piles if used for the entire refurbishment project. Steel piles, however, offer the benefit of longer lifespan that leads to lower whole of life costs.

Wood has been nominated in this instance as the preferred pile material for jetty sections 1 and 2 that are in close proximity to the shore and also where used in immediate vicinity of the UWO for appearance reasons to maintain the heritage values of the jetty.

3.2 Vern Bussell:

I would like to make it clear to Council that I am not giving up my leisure and work time attending Council meetings without pay just to be obstructionist, but to attempt to gain a better and fairer deal in line with majority community views on this and other concerning issue. My questions are:

- (a) Would the acceptance by Council this evening of the main jetty related items on tonight's meeting agenda commit Council to its intended program of jetty refurbishment irrespective of the eventual outcome of the currently awaited State Government decision on additional finance and other pertinent issues relating to this matter?

Response - Acting Chief Executive Officer:

No, this would not finally commit Council to the process.

- (b) If not, why is this matter being dealt with so urgently this evening prior to the receipt of the State Government's approval for continuation of the deal after the recent bombshell funding refusal by the Federal Government and more especially prior to the "A" Class Reserve rezoning, pre requisite being approved by the Upper House of State Parliament?

Response - Acting Chief Executive Officer:

The item is being dealt with this evening precisely because of the issues you have raised in your question. The Shire is unlikely to receive \$6 million from the Federal Government so we need to put a proposal to the State Government to make up the funding shortfall so that we can achieve commencement of construction by Spring 2008.

- (c) How long does Council think the State Government's requirement that "rezoning of the 'A' Class Reserves must be initiated and progressed to the advertising stage" before the government makes any financial contribution or signs off on the deal, will take?

Response - Acting Chief Executive Officer:

Council would need to consider any rezoning application that is made to it. It is my understanding that the State Government is working on documentation at present and that this could proceed within a few months.

- (d) President Hartley has stated that like most of us he wants the Jetty fixed as quickly as possible. Does he still believe the current prime parkland based proposal will lead to repairs being completed quicker than any other available option such as a revised and better supported version of the previously considered BJECA proposal?

Response - Presiding Member:

I am only one of 13 Councillors. Your understanding of this will be clearer from the vote later this evening.

3.3 Michael Cassanet:

In relation to Agenda Item 7.1, Busselton Jetty Rebuild and Foreshore Revitalisation - Project Agreement with the State Government:

- (a) The Officer Recommendation talks about Attachment 1. Is this the document entitled "Fundamentals of Project Agreement between State Government and Shire of Busselton"?

Response - Presiding Member:

Yes.

- (b) Are these statements true or just "pie in the sky", wishful thinking?

Response - Presiding Member:

That is speculation. You need to ask a specific question.

- (c) When it says that "the additional \$6 million will be a grant from Treasury and not come from project dividends", it is fact?

Response - Acting Chief Executive Officer:

No. This is a request to the State for an additional \$6 million that has to be negotiated.

- (d) So Attachment 1 to this item in the Agenda is a mixture of truth and speculation?

Response - Presiding Member:

Your question needs to be relevant to the item on the Agenda or the Attachment.

- (e) One of the pre-conditions is that the Shire would relinquish its vestings and management orders of land parcels in the Landcorp Concept Plan to allow land development. Do you need to be the owner to submit rezoning applications? In the event that the Upper House does not give approval to the A Class Reserve rezoning, what happens? What contingency plan does the Shire have in this event?

Response - Presiding Member:

As indicated to Councillor Ryan in the Briefing Session earlier this evening, we as Local Authority have no control over what may happen in the Legislative Assembly or the Legislative Council. It is purely speculation at this point and you are speaking of an event that is an issue for the State Government. At this time we are not arguing about speculation to preclude us from dealing with this item.

- (f) Regarding the relocation of the facilities at Churchill Park, it says that "liaisons have also occurred with the landowners of the land where these facilities can be relocated to however the State is reluctant to progress to final negotiations until a project agreement is signed between the State and the Shire". To the best of my knowledge this has not occurred. Why does it state that it has?

Response - Manager, Strategic Projects:

Landcorp and myself have met with two different landowner parties on at least two occasions; most recently about two weeks ago. Commitments were made by both parties to progress with this action.

- (g) Who are these parties?

Response - Manager, Strategic Projects:

I am not at liberty to disclose this information.

3.4 Jenny Sheehan:

I am unsure about when the State puts in its rezoning application to Council. Can it be prior to the A Class Reserve issue being debated in the Upper House?

Response - Acting Chief Executive Officer:

Yes.

Jenny Sheehan:

So they can put it in tomorrow?

Response - Presiding Member:

One acts as a trigger for the other. If there is nothing to decide upon, there is nothing for the Upper House to debate.

4. DECLARATION OF DUE CONSIDERATION

The Presiding Member requested Councillors to acknowledge, in accordance with Clause 8.1 of the Standing Orders, that they have given due consideration to the matters contained within the Agenda.

Declared Due Consideration	No Declaration
Councillor Wesley Hartley	Nil
Councillor Bethwyn Hastie	
Councillor David Binks	
Councillor Ian Stubbs	
Councillor Ross Bromell	
Councillor Anne Ryan	
Councillor Tom Tuffin	
Councillor John Triplett	
Councillor Alan MacGregor	
Councillor Rob Underdown	
Councillor Bev Clarke	
Councillor Don Hanran-Smith	
Councillor Rod Wheeler	

5. DECLARATIONS OF INTERESTS

5.1

DECLARATION OF INTEREST	
Name / Position	Councillor Ross Bromell
Item No. / Subject	Item 7.1, Busselton Jetty Rebuild and Foreshore Revitalisation - Project Agreement with the State Government
Type of Interest	Interest Affecting Impartiality

6. PRESENTATIONS BY PARTIES WITH AN INTEREST

Nil.

7. BUSSELTON JETTY REBUILD AND FORESHORE REVITALISATION - PROJECT AGREEMENT WITH THE STATE GOVERNMENT

7.1 BUSSELTON JETTY REBUILD AND FORESHORE REVITALISATION - PROJECT AGREEMENT WITH THE STATE GOVERNMENT

FILE NO: DEV3

DECLARATION OF INTEREST	
Name / Position	Councillor Ross Bromell
Item No. / Subject	Item 7.1, Busselton Jetty Rebuild and Foreshore Revitalisation - Project Agreement with the State Government
Type of Interest	Interest Affecting Impartiality
Declaration	<p>"I am a member and former Treasurer of BJECA, a former BJECA Jetty Manager and Marketing Manager, a former Research Officer for Adele Farina MLC, a former ALP candidate in the 2001 and 2005 State Elections, a member of the ALP, a member of the Busselton Chamber of Commerce, my daughter is a member of the Busselton Soccer Club, my wife and I conduct Italian lessons from the Equinox Café three nights per week and I am a member of Busselton Allsports Inc (Jetty Swim Committee).</p> <p>As a consequence there may be a perception that my impartiality on the matter may be affected. I declare that I will consider the item solely on its merits and vote or act accordingly."</p>

This report is provided to Council accompanied by a declaration in accordance with Section 5.70(2) of the Local Government Act 1995, that one of the Officers providing input into the report (Paul Martin) owns a residential property in the CBD. This property is his place of residence.

PRÉCIS

Council resolved to accept the State Government's offer to contribute towards the rebuild of the Busselton Jetty on 28 November 2007. This offer included a condition of receiving \$6 million towards the rebuild from the Federal Government. With this funding now not forthcoming there is a need to review the funding model in order to progress negotiations with the State on the Project Agreement, Jetty Licence and Reserve Management Order.

This item seeks Council's adoption of a revised funding model and guidance on the conditions which would be fundamental to the project agreement, Jetty Licence and Reserve Management Order. It is proposed to write to the Minister to remove the Federal contribution condition to the State's offer and address the funding shortfall by seeking the additional contribution of \$6m from the State Government.

In addition to informing and seeking Council direction for the ongoing negotiations with the State, this item is presented to Council at this juncture to facilitate progression of the timeline for works to commence on the Jetty this Spring. As such, Councillors are strongly encouraged to read this item in conjunction with the item also presented at the same meeting relating to the calling of expressions of interest and tenders for the rebuild works and materials.

OFFICER RECOMMENDATION

Moved Councillor Clarke, seconded Councillor Hanran-Smith:

1. That Council endorse the fundamentals of the proposed Project Agreement for the rebuild of the Busselton Jetty as contained in Agenda Attachment 1 to this report and require the Chief Executive Officer to use this guiding document to continue negotiations with the State to finalise the proposed Project Agreement between the State, the Shire and Landcorp with respect to the Jetty project.

AMENDMENT MOVED

AMENDMENT

Moved Councillor Tuffin, seconded Councillor Stubbs:

That the motion be amended by:

- (a) addition of the words ", without prejudice" at the end of Clause 1, following the word "project"; and
- (b) inclusion of a new Clause 2 as follows:
 2. That Council confirms in accepting the Officer Recommendation and endorsing the fundamentals of the project agreement, it is not binding itself in any way to accept or reject any parts of the final project agreement until they are discussed by Council.

AMENDMENT CARRIED 7/6

Dissenting Voters:

Councillor Ross Bromell
Councillor Bev Clarke
Councillor Don Hanran-Smith
Councillor Wes Hartley
Councillor David Binks
Councillor Alan MacGregor

COUNCIL DECISION

C0804/119 Moved Councillor Clarke, seconded Councillor Hanran-Smith:

1. That Council endorse the fundamentals of the proposed Project Agreement for the rebuild of the Busselton Jetty as follows and require the Chief Executive Officer to use this guiding document to continue negotiations with the State to finalise the proposed Project Agreement between the State, the Shire and Landcorp with respect to the Jetty project, without prejudice.

Shire Agrees to the Following:

Aspect	Commitment	Officer Comment
Jetty Rebuild	Contribute a maximum of \$11 million towards the Jetty Rebuild	Council resolved this commitment on 28 November 2008. This report also dealt with how this loan would be repaid by the State from dividends from land development or through operator surplus.
	Be the Principle of the Tender for the Jetty construction with technical advice from the State Government	Officers initially proposed the State should be the principle for the tender, however this has been rejected by the State. It is proposed to establish a reference group to ensure expertise from the State is included in the project management. Project Management costs are a project cost and will, subject to surpluses, be repaid to the Shire.
	Agree on the order of priority of works	Given that both the State and the Shire will cap their contributions, a list of priority works needs to be agreed between the Shire and the State which would be used should it be found that tenders are over the budgeted amount. With this in mind this is a reasonable approach to this matter. A list of agreed priority works will be presented to Council most likely in June for consideration and endorsement.
Land Development	Consider a report to initiate rezoning of land parcels in Landcorp Concept Plan	Following Council sign-off on the project agreement, Landcorp will finalise and submit a rezoning application. Council will need to consider the application in a timely manner. The State Government's funds will not be forthcoming unless Council agrees to initiate rezoning and it progresses to advertising.
	Relinquish vestings and management orders of land parcels in the Landcorp Concept Plan	At the time of initiating rezoning, Council will also need to consider and agree to relinquish its control over the vestings if it is happy with the application submitted by Landcorp.
Maintenance of Jetty	Endorse a Maintenance Plan for the Jetty and commit to maintaining the Jetty in a structurally sound manner	When the final works are known once tenders are awarded, the maintenance plan will be finalised and presented to Council for endorsement. Council will use this plan as a guide to undertake maintenance of the Jetty over the next 50 years. Every 10 years a structural assessment will be undertaken to determine if the maintenance plan is effective. Following this the plan may be reviewed and changed if required by the agreement of both the State and the Shire.

Aspect	Commitment	Officer Comment
	Create a reserve account for Jetty Maintenance (Jetty Maintenance Fund)	<p>This reserve account will be a reserve in accordance with Section 6.11 of the Local Government Act and will be solely for the maintenance of the Jetty. This fund would undergo a review every five years to determine if the funds being allocated were sufficient to meet ongoing maintenance costs. Council is required to commit that the income that will be sourced from the four new ground leases created, together with the existing lease income from the Equinox and the Goose, will go into the maintenance fund.</p> <p>Officers have obtained independent valuations on the potential new income from the four ground leases created as part of the project. These figures are close to the valuations obtained by Landcorp and will be provided to AMD to include in the financial model.</p>
	Commit to annual allocations to the Jetty Maintenance Fund Reserve Account	Once the maintenance plan is finalised and costed, these figures will be presented to AMD to revise the financial model presented to the Council Meeting on 28 November 2007. These revised figures will then be presented to Council for consideration and commitment to an annual amount to be contributed to the Jetty Maintenance Fund. As the modelling presented to the 28 November meeting outlined, a significant amount of this cost will be met by the income obtained from BJECA and ground leases on the foreshore.
	Endorse the objectives of the Tourism Business Plan and commit to an annual action plan for the Jetty Operations	The State wants to ensure the Jetty remains a viable tourism business into the future. To this end the Shire is required to have a tourism business plan. A plan was developed by the Busselton Jetty Working Group some time ago, however with advice from BJECA, the State has agreed that the Shire use this plan as a guide, commit to the objectives of the plan and develop an action plan annually with BJECA with the agreement of the State. This annual plan would be presented to Council for consideration and adoption together with a report on the financial operations of the Jetty. The Tourism Business Plan has been previously circulated to Councillors.
Jetty Tenure	Commit to entering into a new Jetty Licence and Reserve Management Order	The Shire is required to commit to entering into a new Jetty Licence and Management Order for the Reserve. These documents will essentially document the exact maintenance requirements of the Jetty once the matters outlined above have been resolved. These documents will be presented to Council for consideration over the coming months.

Aspect	Commitment	Officer Comment
Jetty Rebuild	Commit up to a maximum of \$12 million towards the rebuild	<p>This will be made up of the \$6 million originally committed and the subsequent request for an additional \$6 million. The additional \$6 million will be a grant from Treasury and not come from project dividends and therefore will not impact upon the Shire getting its contributions repaid.</p> <p>This will only be paid to the Shire when preconditions are met including when rezoning is initiated and advertising commences and reserve vestings are relinquished for land parcels proposed to be developed.</p>
	Technical advice into Tender.	The State will provide two officers to participate in a project group to help management and provide direction to the tender for the rebuild of the Jetty. This group will only provide advice to the Shire who will be the principle of the Tender.
	Agree on the order of priority of works	Given that both the State and the Shire will cap their contributions, a list of priority works needs to be agreed between the Shire and the State which would be used should it be found that tenders are over the budgeted amount.
Land Development	Undertake the redevelopment work approved by Council as part of the rezoning process including the creation of high amenity foreshore area	<p>Apart from clearly committing the State Government to progress of redevelopment this commitment also requires the State to agree to a level of amenity on the foreshore.</p> <p>The level of amenity will be addressed in the following manner in the project agreement:</p> <ul style="list-style-type: none"> * include the principles (eg high amenity) statements of intent; * Clearly defined fundamental elements (i.e. amphitheatre, playgrounds, replacement of Yoganup, skate park, footpaths, lighting etc); * A process for approval of the plan; * An arbitration mechanism.
	Relocate the users of Churchill Park with like for like facilities at contemporary standards	<p>A significant amount of time has been invested in liaising with the current users of Churchill Park in developing a draft concept plan and list of like for like facilities. The draft plan creates a new sporting facility some 23 hectares in size. These plans and the list of like for like facilities will be presented to Council together with the project agreement for consideration.</p> <p>Liaisons have also occurred with the landowners of the land where these facilities can be relocated to however the State is reluctant to progress to final negotiations until a project agreement is signed between the State and the Shire.</p>
	Create four new ground leases on foreshore in locations in accordance with the Concept Plan serviced and construction ready.	These lots are a significant income source for the maintenance fund. Officers have obtained independent valuations of the potential income to be received from these sites which is estimated to be \$251,275 annually. These figures will be provided to AMD for inclusion in the financial model for Council's consideration in the coming months.

Aspect	Commitment	Officer Comment
	If the project achieves additional dividends after the State's \$6 million contribution is repaid, then those dividends will be made available to pay the Shire's actual construction, project management, loan and interest costs towards the rebuild.	This is a key aspect of the project agreement as it will provide the resources by which the Shire receives payment from the State towards its out of pocket costs. The State is not offering any guarantees towards the amount of funds that are likely to be returned, as these are contingent upon many variables. However Officers have reviewed the financial models (in accordance with the confidentiality agreement signed) and are confident of the Shire being able to get most if not all of the initial \$6 million contribution returned.
	Conduct and provide the CEO with an annual audit and projected cash flow statement for the land development aspect of the project.	This annual report will provide the Shire with increasing levels of certainty in respect to the amount of money it is likely to get refunded by the State Government.
Maintenance of the Jetty	Agree the entire income from the four new ground leases will go into the Jetty Maintenance Fund	The State would normally take a percentage of the income received from new lease sites created. This item ensures that all the income is directed to the Jetty Maintenance Fund with none going to the State.
	Participate in the review group to review every five years the progress of maintenance and the Jetty Maintenance Fund.	The expertise of the State in this group will be essential.
Jetty Tenure	Commit to entering into a new Jetty Licence and Reserve Management Order that will come into effect once the rebuild is completed.	As discussed previously.

2. That Council confirms in accepting the Officer Recommendation and endorsing the fundamentals of the project agreement, it is not binding itself in any way to accept or reject any parts of the final project agreement until they are discussed by Council.

CARRIED 13/0

Note: Council amended the Officer Recommendation to ensure that it is clear that this decision in no way binds Council to accept or reject all or any parts of the final project agreement.

7.2 SELECTION CRITERIA AND TENDER PROCESSES FOR TENDERS: RFT TEN 04/08 - SUPPLY OF TIMBER PILES FOR BUSSELTON JETTY AND EOI TEN 05/08 - EXPRESSION OF INTEREST FOR BUSSELTON JETTY REFURBISHMENT (CONSTRUCTION CONTRACT)

FILE NO: TEN04/08 / TEN05/08

PRÉCIS

This report seeks Council approval of the tendering proposals and selection criteria for two tenders proposed for the Busselton Jetty Refurbishment, one of which is proposed to include an "Expression of Interest (EOI)" phase.

Under Part 4 (Tenders) of the Local Government (Functions and General) Regulations 1996, local governments are required to establish, in writing, tender selection criteria prior to calling tenders, and these must be included in the tender documentation.

In regard to two-part tender processes involving an "Expression of Interest (EOI)" phase for short-listing of tenderers, the regulations also require any decision to call for an EOI to be made by the Council unless formally delegated to a Local Government employee(s).

COUNCIL DECISION / OFFICER RECOMMENDATION

C0804/120 Moved Councillor Hanran-Smith, seconded Councillor Tuffin:

1. That Council adopt the following selection criteria and approve the calling of tenders for RFT TEN 04/08 - Supply of Timber Piles for Busselton Jetty.

COMPLIANCE CRITERIA

Description of Compliance Criteria	
(a) Compliance with the Specification contained in the Request.	Yes/No
(b) Compliance with the Conditions of Tendering in the Request.	Yes/No
(c) Compliance with and completion of the Price Schedule(s).	Yes/No

QUALITATIVE CRITERIA

Description of Qualitative Criteria	Weighting
(a) Ability to deliver goods within the stipulated time frame.	50%
(b) Relevant Experience with supplying materials to local/state/federal government departments.	40%
(c) Demonstrated Understanding.	10%

PRICE CONSIDERATIONS

The non-weighted cost method is proposed. Tender award will be based on value judgements considering:

- (a) the qualitative ranking of each Tenderer; and
 - (b) the pricing submitted by each Tenderer.
2. That Council delegate authority to the CEO to award tenders for Tender TEN 04/08 - Supply of Timber Piles for Busselton Jetty Refurbishment, subject to the tender value not exceeding \$600,000 excluding GST.
 3. That Council adopt a two part tender process and approve the calling of expressions of interest for EOI TEN 05/08 – Busselton Jetty Refurbishment, with the following selection criteria adopted for the EOI phase:

COMPLIANCE CRITERIA

Description of Compliance Criteria	
(a) Compliance with the Specification contained in the Request.	Yes/No
(b) Compliance with the Conditions of Tendering in the Request.	Yes/No
(c) Compliance with the Expression of Interest Closing Date.	Yes/No

QUALITATIVE CRITERIA

Description of Qualitative Criteria	Weighting
(a) Management Capability: * Management Systems. * Management Personnel. * Capacity and Other Project Commitments.	40%
(b) Technical Capability: * Relevant Projects/ Experience. * Key Personnel. * Plant and Equipment. * Subcontractors.	50%
(c) Methodology: * Construction Program. * Work Method. * Traffic Management. * Public Access.	10%

4. That Council delegate authority to the CEO to assess EOI submissions and establish a short-list of tenderers for Tender RFT TEN 05/08 - Busselton Jetty Refurbishment.
5. That the CEO return a separate report to Council to consider the final scope of work, financial implications and selection criteria prior to proceeding to phase two, the calling of tender prices for RFT TEN 05/08 Busselton Jetty Refurbishment.

CARRIED 13/0
BY ABSOLUTE MAJORITY

8. CLOSURE

The meeting closed at 7.14 p.m.

THESE MINUTES CONSISTING OF PAGES 1 TO 17 WERE CONFIRMED AS A TRUE

AND CORRECT RECORD ON _____

DATE: _____

PRESIDING MEMBER: _____