



VISION OF COUNCIL

"A thriving and friendly community that recognises our history and embraces cultural diversity and economic opportunity, whilst nurturing our unique natural and built environment."

AGENDA

BUSINESS OF AN URGENT NATURE

FOR THE

ORDINARY MEETING OF COUNCIL

30 AUGUST 2018

OUR VISION

"A thriving and friendly community that recognises our history and embraces cultural diversity and economic opportunity, whilst nurturing our unique natural and built environment."

OUR MISSION

"To deliver affordable and quality Local Government services."

CORE VALUES OF THE SHIRE

The core values that underpin the achievement of the mission will be based on a strong customer service focus and a positive attitude:

Communication

Integrity

Respect

Innovation

Transparency

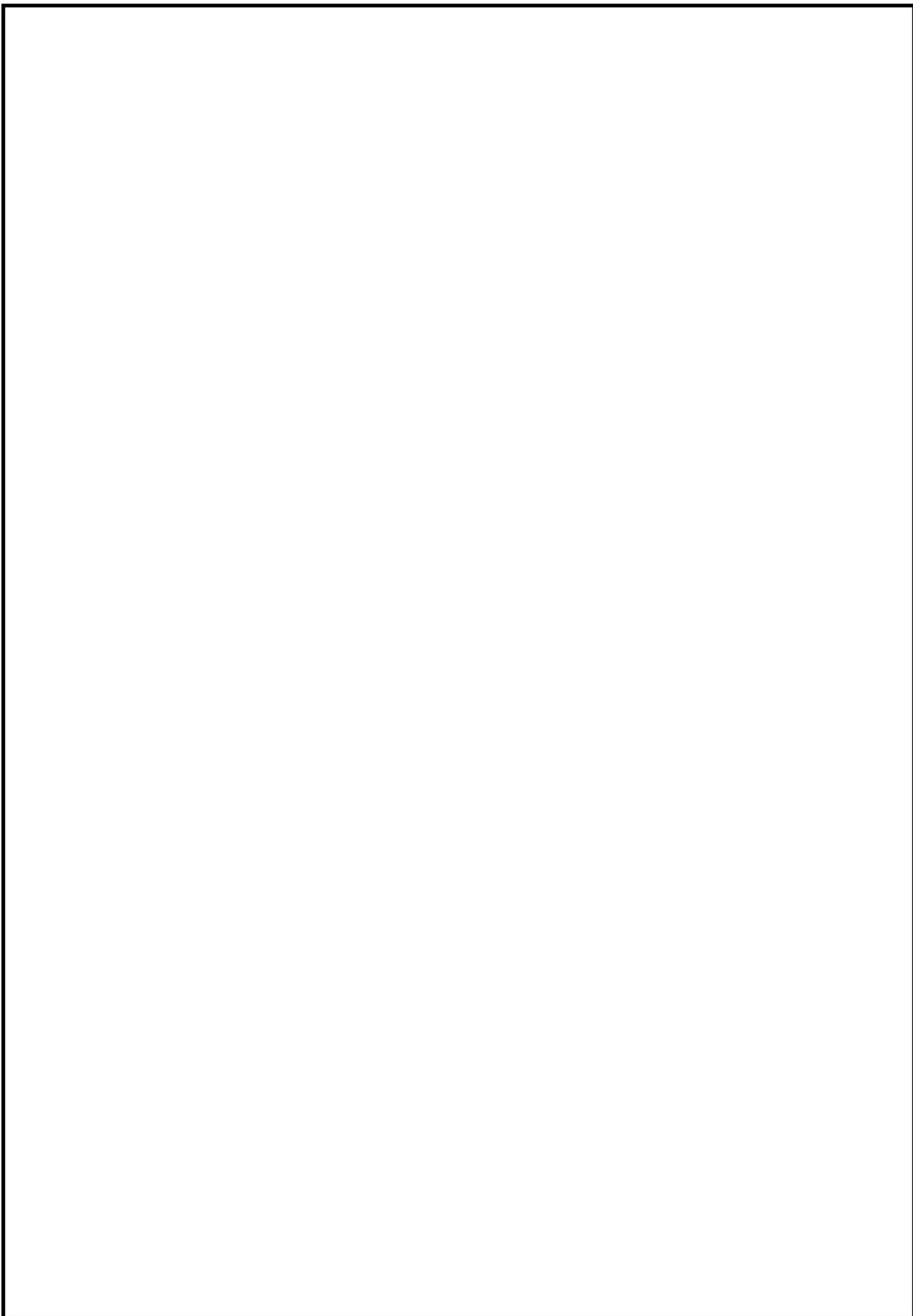
Courtesy

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SHIRE OF BROOME
ORDINARY MEETING OF COUNCIL
THURSDAY 30 AUGUST 2018
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8. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The Chief Executive Officer advises that there are matters for discussion on the agenda for which the meeting may be closed, in accordance with section 5.23(2) of the *Local Government Act 1995*.

Recommendation

That the following Agenda items be considered under 14. Matters Behind Closed Doors, in accordance with section 5.23(2) of the *Local Government Act 1995*, as specified:

12.1 REQUEST FOR QUOTE 18/56 - CHINATOWN REVITALISATION PROJECT

Item 12.1 and any attachments are confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(c) as it contains “a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting”.

12. BUSINESS OF AN URGENT NATURE

This item and any attachments are confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(c) as it contains “a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting”.

12.1 REQUEST FOR QUOTE 18/56 - CHINATOWN REVITALISATION PROJECT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RFQ18-56
AUTHOR:	Chinatown Project Manager
CONTRIBUTOR/S:	Director Infrastructure
RESPONSIBLE OFFICER:	Director Infrastructure
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 August 2018

SUMMARY: At the Special Meeting of Council on 15 August 2018, Council resolved to accept the most advantageous quote from RFQ 18-56 to form a Contract for the Chinatown Revitalisation works. Council further resolved to authorise the Chief Executive Officer to enter negotiations with the preferred respondent for the works on Carnarvon Street and Dampier Terrace.

This report details the revised pricing provided by the preferred respondent resulting from negotiations in relation to the minor variations which have been endorsed by the project Steering Committee.

Council is requested to consider awarding RFQ 18-56 Chinatown Revitalisation Works.

12.2 REQUEST FOR TENDER 18/06 - CHINATOWN ENTRY STATEMENT

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	RFT18/06
AUTHOR:	Manager Community and Economic Development
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 August 2018

SUMMARY: This report considers tenders received for Request for Tender (RFT) 18/06 and seeks Council's adoption of the recommendation contained within the attached confidential evaluation report.

BACKGROUND*Previous Considerations*

Nil.

Background

The Chinatown Revitalisation Project, funded in partnership by the Shire of Broome, the Western Australian State Government and Tourism WA, aims to deliver much needed upgrades and enhancements within the Broome central business and retail district. This will see the delivery of key activities aimed at boosting economic activity along with preserving and enhancing Chinatown's role as the social, cultural and economic hub of Broome. Tourism is a key industry for Broome with Public Art enhancing the visitor experience.

Public Art is recognised as a key element of this project, and is guided by the Chinatown Public Art and Interpretation Strategy. This strategy identified a series of key initiatives to be delivered as part of streetscape improvements – including the Chinatown Entry Statement.

COMMENT

The scope of works requested tenderers to create an iconic public art work that visually articulates the location and uniqueness of Chinatown. It is to be placed in the main access and approach area to Chinatown near the junction of Napier Terrace and Carnarvon Street. The project is to be completed by 31 May 2019.

Tenders were managed internally by officers through the Shire's e-tendering procurement system Tenderlink. Prior to the distribution of the Request for Tender (**RFT**), an informal Expression of Interest Document (**EOI**) was advertised on the Shire's website and distributed through public art databases. A response to this EOI was not a mandatory requirement to respond to the RFT.

As required by legislation, the RFT was advertised in the West Australian, the Shire's website and Tenderlink on 25 July 2018. The submission period was open for the required minimum of 14 days and closed at 12pm, on 9 August 2018.

Sixteen tenders were received by the deadline and these were subsequently evaluated against the RFT's compliance criteria. Four tenders were assessed as compliant. Four tenders were excluded from the process due to not meeting essential eligibility criteria.

Three formal requests were received to submit late tenders however in accordance with the *Local Government Act 1995* and the Shire's RFT process, these requests were declined.

The compliant tenders then went through an evaluation process by members of the Artwork Selection Panel (**Panel**).

In accordance with Council's Purchasing Policy 2.1.2, the Panel utilised a value for money assessment to determine the most advantageous tender through a formal evaluation process.

This included an assessment of several critical compliance and qualitative criteria. Qualitative criteria considered critical to this project were:

- Artistic Approach – 35%
- Prior experience and competency to work collaboratively – 30%
- Quality of previous artwork – 35%

A detailed description of the tender evaluation process is included within the confidential evaluation report which is provided for Council's review and information in **Attachment 1**. Council is requested to consider the tender responses received and it is recommended that Council resolve to adopt the recommendation contained within the confidential evaluation report.

CONSULTATION

An Artwork Selection Panel was established for this project and comprised of the following representatives tasked with the review and assessment of the tenders:

- Vanessa Margetts – Public Art Coordinator, MudMap Studios
- Andrew Close - Shire of Broome Strategic Planning Coordinator
- Mark Davis (panel chair) – Shire of Broome Manager Community and Economic Development
- Talei Howell-Price - Chinatown Investment & Development Coordinator
- Naomie Hatherley - Kimberley Arts Network

The Panel's recommendation was circulated via email to the Chinatown Revitalisation Project's Project Control Group and Steering Committee. The recommendation was unanimously supported.

STATUTORY ENVIRONMENT

Local Government Act 1995

3.57 Tenders for providing goods or services

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

Local Government (Functions and General) Regulations 1996

11. When tenders have to be publicly invited

(1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.*

POLICY IMPLICATIONS

Policy 2.1.2 - Purchasing
 Policy 2.1.3 – Local Regional Price Preference

FINANCIAL IMPLICATIONS

Funding Source:

Funding Type	Capital or Start Up Expense	Account Number
Shire of Broome Public Art Reserve	\$162,768	100010320
Chinatown Revitalisation Project	\$52,232	113672110
TOTAL	\$215,000	

RISK

The risk of this project not being delivered in an appropriate way and within budget is Low. The preferred vendor has a significant history of similar projects in metropolitan and regional Australia. The contract is a fixed price contract, with the approval and endorsement of concept designs (Phase 1) required to proceed to Phase 2 (construction and installation).

The Chinatown Revitalisation Project has engaged the services of an appropriately experienced public art consultant to support the successful public artist in the development of the Entry Statement Project. The consultant will manage the delivery of this project, therefore ensuring value for money, a high quality of work and satisfaction of required approvals.

The contract will specify the following process for endorsing the preferred concept design (Phase 1), and approving the commencement of the installation and construction of the preferred artwork (Phase 2):

- Artist Provides Concept Design in nominated format for consideration.
- Consideration and Endorsement of Preferred Concept by Chinatown Project Control Group.
- Consideration and Endorsement of Preferred Concept by Chinatown Steering Committee.
- Consideration by Council.

Again, it is noted that Phase 2 is conditional on endorsement of a preferred concept design. This approach will provide a significant level of oversight regarding the quality, concept and design of the final piece of art in addition to the ongoing role of the public art coordinator (MudMap Studios).

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Accessible and safe community spaces

A healthy and safe environment

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

A preserved, historical and cultural heritage of Broome

Retention and expansion of Broome's iconic tourism assets and reputation

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Responsible resource allocation

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

That Council:

1. *Adopts the recommendation to award Phase 1 of the contract to _____ as per the confidential evaluation report for RFT18-06 Chinatown Entry Statement as contained within Attachment 1;*
2. *Provides in-principle endorsement of _____ to deliver Phase 2 of the contract, pending Council endorsement of a preferred concept design to proceed to construction and installation;*
3. *Authorises the Chief Executive Officer to execute the contract; and*
4. *Requests that the Chief Executive Officer present the artist's concept designs for the Chinatown Entry Statement to a future Council Meeting for Council's consideration, prior to proceeding to Phase 2 of the contract.*

Attachments

1. RFT 18-06 Evaluation Report (*Confidential to Councillors and Directors Only*)

This attachment is confidential in accordance with Section 5.23(2) of the Local Government Act 1995 section 5.23(2)(c) as it contains "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting".

12.3 AMENDMENT TO THE CHINATOWN PARKING AREAS LAYOUT AND TIME RESTRICTION PLAN

LOCATION/ADDRESS:	Chinatown
APPLICANT:	Shire of Broome
FILE:	PLA94
AUTHOR:	Manager Planning & Building Services
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Development and Community
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	27 August 2018

SUMMARY: The Chinatown Revitalisation Project has progressed to a stage where 2 of the sub-projects, being the Dampier Terrace and Carnarvon Street upgrades, will soon commence on-ground works. As a result of these works, the existing timed parking stalls within the area to be upgraded will not be available for use while works are being undertaken. To maintain availability of parking bays for customers in proximity to businesses during construction works, it is proposed to amend some of the time restrictions for car parking bays in Chinatown.

Under the Shire of Broome Parking and Parking Facilities Local Law 2012 a resolution of Council is required to determine or vary the permitted time of parking stalls. This report recommends that Council amend the parking times to avoid negative impacts construction works could have upon businesses.

BACKGROUND

Previous Considerations

OMC 3 November 2005	Item 9.5.2
OMC 28 July 2016	Item 9.2.3

Under the provisions of the Shire of Broome Parking and Parking Facilities Local Law 2012 (**Local Law**), Council may resolve in relation to the following matters relevant to parking stalls and parking facilities:

- The permitted time and conditions of parking in parking stalls and parking facilities;
- Permitted classes of vehicles which may park in the parking stalls and parking facilities; and
- Permitted classes of persons who may park in specified parking stalls and parking facilities.

Such a resolution then enables an 'Authorised Officer' (the Rangers) to enforce the provisions of the Local Law.

The Designated Council Parking Areas Layout and Time Restrictions Plan (**Parking Plan**) was last adopted by Council at the July 2016 Ordinary Meeting. The Parking Plan is in the process of being reviewed due to the permanent changes to parking stalls that will occur as part of the Chinatown Revitalisation works. This will incorporate the comments received from the community during the public consultation undertaken as part of the Chinatown Masterplan and will also include further consultation with the Chinatown Community Stakeholder and Reference Group (**CCSRG**) and other stakeholders in the precinct. The

findings and an overall updated Parking Plan will be presented to Council in the coming months.

The 2 sub-projects forming part of the Chinatown Revitalisation project, being the Dampier Terrace and Carnarvon Street upgrades, are likely to commence in September 2018 and conclude in December 2018. The footprint of these works is outlined in **Attachment No 1**. The Shire has been in negotiations with the preferred tendered with the intent of implementing a works programme that would deliver least disruption to businesses and customers in the precinct. To minimise the term of disruption to businesses, to avoid the risk of the construction program being impacted by the wet season and to deliver cost-effect construction, it is likely that a portion of Carnarvon Street and Dampier Terrace will need to be closed to vehicle traffic while works are being undertaken. Pedestrian access to businesses in the area will be maintained, however with the road being closed, access to the car parking bays will not be available.

To maintain availability of parking within proximity of the businesses along the sections of Carnarvon Street and Dampier Terrace that are impacted, it is proposed that some of the fringing parking bays that currently do not have time restrictions are altered to become timed parking bays. These changes are proposed while works are being undertaken.

COMMENT

The implementation of the Dampier Terrace and Carnarvon Street upgrades have the potential of disrupting businesses in this area. The Shire has been in negotiations with the preferred tendered to minimise potential impacts. To deliver the works and to minimise the term of construction, the following roads (and the immediate parking areas) would not be available for use during construction:

- Carnarvon Street, from the Cultured Pearling Memorial to Short Street; and
- Dampier Terrace from Napier Terrace to Short Street.

To minimise the impact that this could have on the adjacent businesses, it is proposed to alter the parking bays within the immediate areas, so that customer parking is still available. **Attachment No 2** is the updated Parking Plan showing the proposed adjustments clouded. These bays currently do not have any time restrictions and it is proposed that they become timed parking bays. This will prevent people from parking in these locations for extended terms and should mean that a greater number of bays are available for use.

The changes to these stalls will be effective once the signs in this area are updated and will apply for the term of the construction period. As outlined above, the Parking Plan is undergoing a wider review and the outcomes of this will be presented back to Council in the coming months.

Therefore, it is recommended that Council adopt the updated Parking Plan in **Attachment No 2** and requests that the Chief Executive Officer erect the necessary signage to support the changes.

CONSULTATION

The changes proposed as set out in **Attachment No 2** have not been subject to Public Consultation.

It is proposed that stakeholder engagement be undertaken with the CCSRG and Chinatown stakeholders as part of the overall review of the Parking Plan. The outcomes of which will be presented to Council in the coming months.

STATUTORY ENVIRONMENT

Local Government Act 1995

Shire of Broome Parking and Parking Facilities Local Law 2012

Part 2 – Parking Stalls and Parking Facilities

2.1 Determination of parking stalls and parking facilities

- (1) *The Council may by resolution constitute, determine and vary –*
- (a) *parking stalls;*
 - (b) *parking facilities;*
 - (c) *permitted time and conditions of parking in parking stalls and parking facilities which may vary with the locality;*
 - (d) *permitted classes of vehicles which may park in parking stalls and parking facilities;*
 - (e) *permitted classes of persons who may park in specified parking stalls or parking facilities; and*
 - (f) *the manner of parking in parking stalls and parking facilities.*
- (2) *Where the Council makes a resolution under subclause (1) it shall erect signs to give effect to the determination.*

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The signage changes required will be met through the current maintenance budget.

RISK

There is a risk that implementation of the Carnarvon Street and Dampier Terrace upgrades could impact upon adjacent businesses. Alteration to the Parking Plan could minimise the potential risk that customers perceive that visiting the precinct in vehicles is too difficult.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Effective communication

Affordable services and initiatives to satisfy community need

Accessible and safe community spaces

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

Realistic and sustainable land use strategies for the Shire within state and national frameworks and in consultation with the community

Retention and expansion of Broome's iconic tourism assets and reputation

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Affordable and equitable services and infrastructure

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

Responsible resource allocation

Improved systems, processes and compliance

VOTING REQUIREMENTS

Simple Majority

REPORT RECOMMENDATION:

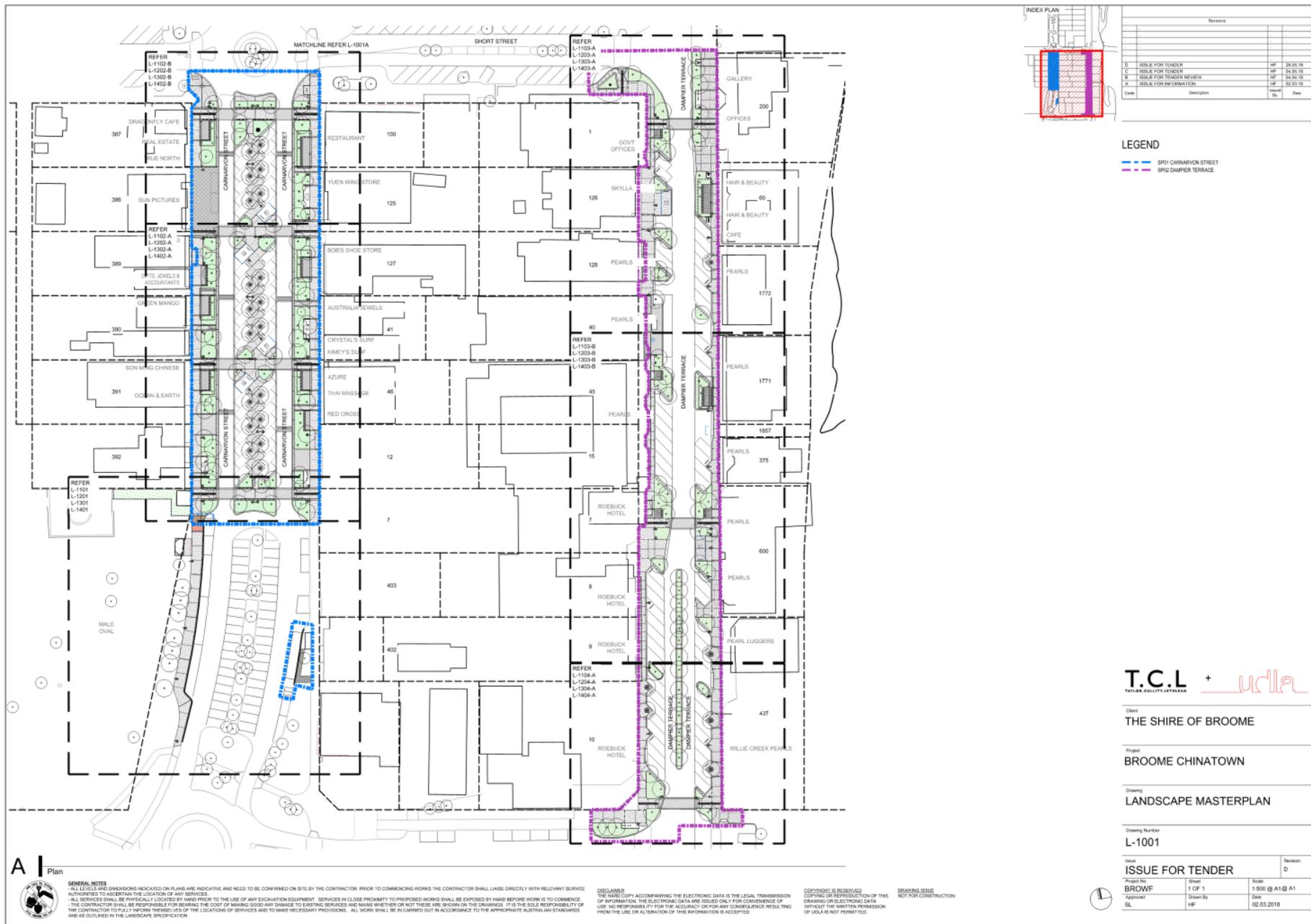
That Council:

1. *Pursuant to Clause 2.1(1) of the Shire of Broome's Parking and Parking Facilities Local Law 2012 adopts the Designated Council Parking Areas Layout and Time Restrictions Plan, dated 28 August 2018.*
2. *Pursuant to Clause 2.1(2) of the Shire of Broome's Parking and Parking Facilities Local Law 2012 requests that the Chief Executive Officer erect signs to give effect to the Designated Council Parking Areas Layout and Time Restrictions Plan for the term of the Chinatown Revitalisation Project construction period.*
3. *Notes the changes are temporary during the construction period to minimise negative impacts on businesses.*
4. *Requests that the Chief Executive Officer continue progressing the full review of the Designated Council Parking Areas Layout and Time Restrictions Plan.*

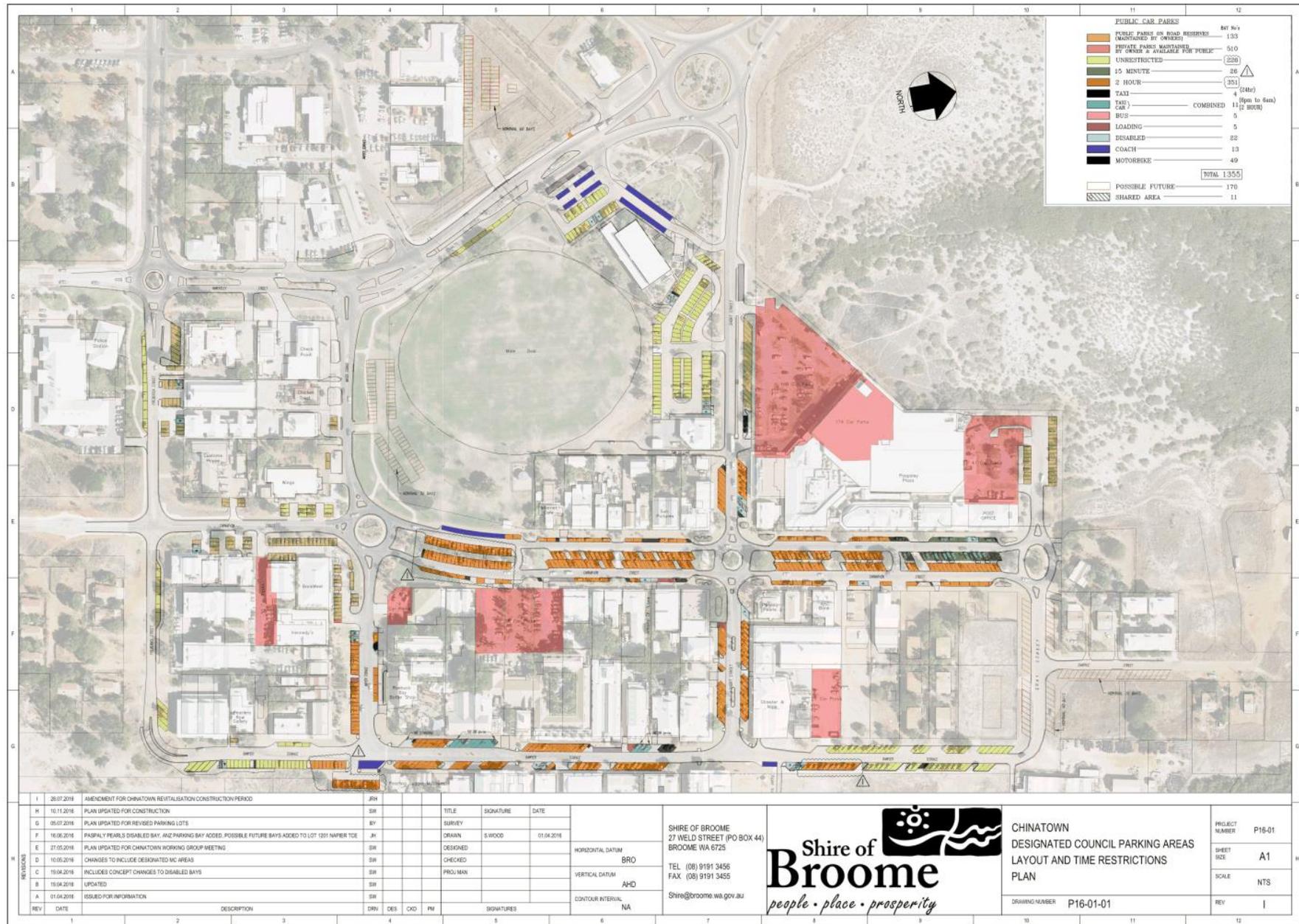
Attachments

1. Plan showing extent of works
2. Updated Parking Plan

Item 12.3 - AMENDMENT TO THE CHINATOWN PARKING AREAS LAYOUT AND TIME RESTRICTION PLAN



Item 12.3 - AMENDMENT TO THE CHINATOWN PARKING AREAS LAYOUT AND TIME RESTRICTION PLAN



REV	DATE	DESCRIPTION	DRN	DES	CKD	PM	SIGNATURES
I	26.07.2016	AMENDMENT FOR CHINATOWN REVITALISATION CONSTRUCTION PERIOD					JVN
H	16.11.2016	PLAN UPDATED FOR CONSTRUCTION					SW
G	05.07.2016	PLAN UPDATED FOR REVISED PARKING LOTS					BY
F	16.06.2016	PASIPALI PEARLS DISABLED BAY, ANZ PARKING BAY ADDED, POSSIBLE FUTURE BAYS ADDED TO LOT 1201 NAPIER TCE					JN
E	27.05.2016	PLAN UPDATED FOR CHINATOWN WORKING GROUP MEETING					SW
D	10.05.2016	CHANGES TO INCLUDE DESIGNATED MC AREAS					SW
C	16.04.2016	INCLUDES CONCEPT CHANGES TO DISABLED BAYS					SW
B	16.04.2016	UPDATED					SW
A	01.04.2016	ISSUED FOR INFORMATION					SW

TITLE	SIGNATURE	DATE
SURVEY		
DRAWN	S WOOD	01.04.2016
DESIGNED		
CHECKED		
PROJ MAN		

SHIRE OF BROOME
27 WELD STREET (PO BOX 44)
BROOME WA 6725

TEL (08) 9191 3456
FAX (08) 9191 3455
Shire@broome.wa.gov.au

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PROJECT NUMBER	P16-01
SHEET SIZE	A1
SCALE	NTS
REV	I

14. MATTERS BEHIND CLOSED DOORS
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