



MINUTES

SPECIAL COUNCIL MEETING

Friday 5 September 2023
(Held at the Waroona Council Chamber)

PUBLIC QUESTION TIME

1. The order of business allows for a Public Question time at the beginning of the Meeting.
2. If you wish to ask a Question about an Agenda Item before it is considered then it is recommended to be made at the Public Question Time at Item 4 on the Agenda Notice Paper in accordance with Council's Procedures and Guidelines for Public Question Time.
3. The visual or vocal recording of Council meeting proceedings is expressly prohibited unless the prior approval of the Council has been given.

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1. DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Shire President declared the meeting open at 4.00pm and welcomed Councillors and Staff present.

2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Cr Mike Walmsley	Shire President
Cr Naomi Purcell	Deputy Shire President
Cr John Mason	Councillor
Cr Dion Pisconeri	Councillor
Cr Vince Vitale	Councillor
Mark Goodlet	Chief Executive Officer
Karen Oborn	Director Infrastructure & Development Services
Ashleigh Nuttall	Director Corporate & Community Services
Bradley Oborn	Manager Works & Waste Services
Kirsty Ferraro	Manager Corporate Services
Merrin Kirk	Executive Assistant

APOLOGIES

Cr Karen Odorisio	Councillor
Cr Laurie Snell	Councillor

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

APPLICATIONS FOR LEAVE OF ABSENCE**COUNCIL RESOLUTION**

SCM23/09/111

Moved: Cr Purcell

Seconded: Cr Pisconeri

That Leave of Absence be granted to Cr John Mason for the period 12-21 October 2023 inclusive.

CARRIED 5/0

3. PUBLIC QUESTION TIME

Nil

4. DISCLOSURES OF INTEREST

(Disclosure of interest MUST ALSO be made by the member or officer immediately prior to a matter, for which an interest is being disclosed, is dealt with.)

Cr Pisconeri declared an interest affecting impartiality in item 5.1.1 as the reporting officer is a family member.

5. REPORTS OF THE CHIEF EXECUTIVE OFFICER AND OFFICERS

5.1 DIRECTOR CORPORATE & COMMUNITY SERVICES

Cr Pisconeri declared an interest affecting impartiality in item 5.1.1 as the reporting officer is a family member.

5.1.1 Shire of Waroona Cat Local Law 2023	
File Ref:	LE.1 - LAWS AND ENFORCEMENT - LOCAL LAWS - CATS
Previous Items:	Item 11.2.6 28 February 2023 OCM23/02/015 Item 11.2.5 23 May 2023 OCM23/05/064
Applicant:	N/A
Author	Corporate Planning & Governance Officer
Responsible Officer	Director Infrastructure & Development Services Director Corporate & Community Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Appendix Number	5.1.1 A - Shire of Waroona Cat Local Law 2023 5.1.1 C – Proposed Shire of Waroona Cat Amendment Local Law 2023

COUNCIL RESOLUTION

SCM23/09/112

Moved: Cr Vitale

Seconded: Cr Pisconeri

That Council:

1. in respect to the *Shire of Waroona Cat Local Law 2023*, resolves to undertake to the Joint Standing Committee on Delegated Legislation that it will:
 - a. within 6 months:
 - i. delete clause 4.4(f);
 - ii. delete clause 2.2, Part 3 and Schedule 3;
 - b. not enforce the Local Law to the contrary before it is amended in accordance with undertaking 1;
 - c. ensure all consequential amendments arising from the undertakings will be made;
 - d. where the Local Law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking;
2. approves for the Shire President to provide a written undertaking to the Joint Standing Committee;
3. approves the making of the proposed Shire of Waroona Cat Amendment Local Law 2023 (Cat Local Law), as detailed at Appendix 5.1.1 C, in accordance with section 79 of the *Cat Act 2011*;

4. requests the Presiding Member to give notice to this meeting in accordance with section 3.12(2) of the *Local Government Act 1995* of the purpose and effect of the proposed Shire of Waroona Cat Amendment Local Law 2023, that being:
 - a. The purpose of the local law is to correct errors in the Shire of Waroona Cat Local Law 2023; and
 - b. The effect of making the proposed local law is that the Shire of Waroona Cat Local Law 2023 is clearer to understand, apply and enforce;
5. in accordance with sections 3.12(3)(a) and (b) of the *Local Government Act 1995*, approves for the Chief Executive Officer to –
 - a. undertake local advertising, and arrange for the display of public notices relating to the proposed local law that invite public submission for a minimum of 6 weeks;
 - b. make copies of the proposed local law available to the general public;
 - c. forward a copy of the proposed local law to the Minister for Local Government; and
 - d. prepare a further report on the proposed local law for Council consideration after the closing date for submissions.

CARRIED 5/0

This item originally contained confidential information and on advice from the Joint Standing Committee on Delegated Information, this information has now been redacted.

6. MEETING CLOSED TO THE PUBLIC

COUNCIL RESOLUTION

SCM23/09/113

Moved: Cr Vitale

Seconded: Cr Mason

That Council proceeds behind closed doors as per Section 5.2.3(2) of the Local Government Act for the purpose of considering Confidential Items 6.1, 6.2 and 6.3.

CARRIED 5/0

COUNCIL RESOLUTION

SCM23/09/114

Moved: Cr Mason

Seconded: Cr Purcell

That Council adopts, en bloc, the recommendations from Items 6.1 – 6.3.

CARRIED 5/0

6.1	CONFIDENTIAL ITEM – Tender – RFT2324-01 – Supply And Delivery Of Gravel Base Course Material
File Ref:	CM.8 CORPORATE MANAGEMENT
Previous Items:	Nil

Applicant:	N/A
Author:	Senior Technical and Waste Officer
Responsible Officer:	Manager Works and Waste Services
Declaration of Interest:	N/A
Voting Requirements:	Simple Majority
Appendix Number:	Nil

A confidential report has been provided under separate cover.

COUNCIL RESOLUTION
SCM23/09/114

That Council:

1. agrees to award Tender RFT 2324-01 Supply and Delivery of Gravel Base Course Material to Charles Hull Contracting for a period ending 30 June 2024 based on the following schedule of rates, with the option of extension by twelve months to 30 June 2025 and an additional twelve months to 30 June 2026, subject to Principal approval and allowing for price increases as per 4.1.2 of the tender document; and
2. requests the Chief Executive Officer to accept the offer by the tenderer in item 1, subject to any minor negotiations.

CARRIED BY EN BLOC RESOLUTION

6.2 CONFIDENTIAL ITEM – Tender – RFT 2324-02 – Supply And Delivery Of Crushed Limestone	
File Ref:	RFT 2324-02 CM.8 CORPORATE MANAGEMENT
Previous Items:	Nil
Applicant:	N/A
Author:	Senior Technical and Waste Officer
Responsible Officer:	Manager Works and Waste Services
Declaration of Interest:	N/A
Voting Requirements:	Simple Majority
Appendix Number:	Nil

A confidential report has been provided under separate cover.

COUNCIL RESOLUTION
SCM23/09/114

That Council:

1. agrees to award Tender RFT 2324-02 Supply and Delivery of Crushed Limestone to Charles Hull Contracting for a period ending 30 June 2024 based on the following schedule of rates, with the option of extension by twelve months to 30 June 2025 and an additional twelve months to 30 June 2026, subject to Principal approval and allowing for price increases as per 4.1.2 of the tender document; and
2. requests the Chief Executive Officer to accept the offer by the tenderer in item 1, subject to any minor negotiations.

CARRIED BY EN BLOC RESOLUTION

6.3 CONFIDENTIAL ITEM – Tender – RFT2324-03 – Provide Traffic Management Services	
File Ref:	RFT 2324/03 CM.8 CORPORATE MANAGEMENT
Previous Items:	Nil
Applicant:	N/A
Author:	Senior Technical and Waste Officer
Responsible Officer:	Manager Works and Waste Services.
Declaration of Interest:	N/A
Voting Requirements:	Simple Majority
Appendix Number:	Nil

A confidential report has been provided under separate cover.

COUNCIL RESOLUTION
SCM23/09/114

That Council:

1. **agrees to award Tender RFT 2324-03 Provide Traffic Management Services to SJ Traffic Management Services for a period ending 30 June 2024 based on the following schedule of rates, with the option of extension by twelve months to 30 June 2025 and an additional twelve months to 30 June 2026, subject to Principal approval and allowing for price increases as per 4.1.2 of the tender document; and**
2. **requests the Chief Executive Officer to accept the offer by the tenderer in item 1, subject to any minor negotiations.**

CARRIED BY EN BLOC RESOLUTION

7. MEETING OPENED TO THE PUBLIC

COUNCIL RESOLUTION
SCM23/09/115

Moved: Cr Mason

Seconded: Cr Pisconeri

That the meeting resume in public.

8. CLOSURE OF MEETING

There being no further business, the Presiding Member closed the meeting, the time being 4.04pm

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 26 September 2023 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE