



MINUTES

SPECIAL COUNCIL MEETING

WEDNESDAY 15 APRIL 2009

(Held at the Shire of Waroona)

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MINUTES

1. DECLARATION OF OPENING/ANNOUNCEMENTS

The Presiding Member declared the meeting open at 3:27 pm and welcomed Councillors and Staff to the meeting.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr N Dew	Shire President/Presiding Member
Cr M Walmsley	Deputy Shire President
Cr C Germain (from 3:31pm)	Councillor
Cr J Salerian	Councillor
Cr C Wright	Councillor
Cr L Scott	Councillor
Cr L Snell	Councillor
Cr T Witney (from 3:31pm)	Councillor
Mr I Curley	Chief Executive Officer
Mrs N Aiberti	Executive Support Officer/Minute Taker

APOLOGIES

Nil

There was 1 member of the public present at the commencement of the meeting.

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4.1 PUBLIC QUESTION TIME

Nil

4.2 PUBLIC STATEMENTS

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

(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.)

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

8. CONFIRMATION OF MINUTES

8.1 SPECIAL COUNCIL MEETING – 5 APRIL 2009

COUNCIL DECISION

SCM09/007

MOVED: Cr Walmsley

SECONDED: Cr Scott

That the Minutes of the Special Council Meeting held Monday 5 April 2009 be confirmed as being a true and correct record of proceedings.

CARRIED 6/0

9. REPORTS OF OFFICERS AND COMMITTEES

COUNCIL DECISION

SCM09/008

MOVED: Cr Walmsley

SECONDED: Cr Wright

That the order of business be changed so that Item 9.2.1 be considered before item 9.1.1.

CARRIED 6/0

Cr Witney and Cr Germain entered the meeting, the time being 3:31pm

9.2 CHIEF EXECUTIVE OFFICER

9.2.1 ROYALTIES FOR REGIONS FUNDING	
Responsible Officer / Officer's Interest	CEO
Proponent:	CEO
Landowner:	N/A
Date of Report: 16.03.2009	File No.: 194/1
Previous Reference:	Council resolution 09/033 – March 2009
Statutory/Policy Implications:	N/A
Strategic Implications:	Projects recommended adhere to Council's Strategic Plan principles.
Financial Implications:	\$841,779 income in addition to 2008/2009 Budget
Voting Requirements	Absolute Majority to amend the 2008/2009 Budget

Proposal

To amend projects agreed to by Council for funding from the Country Local Government Fund under the State Government Royalties for Regions program 2008/2009 allocation.

Background

Council resolved at the March Council meeting to approve a list of projects to be included in this year's Country Local Government Fund. The Fund has advised that 3 projects do not meet their criteria. These projects are –

- Swimming Pool blanket winch \$7,000
- Swimming Pontoon at Drakesbrook Weir \$6,500
- Renew pumps and update telemetry system for water delivery to ovals \$50,000

The Fund has determined these projects to be classed as *plant and equipment* and the funding needs to be reallocated.

The allocation of funds is tied to expenditure against the following local government asset classes according to the *Local Government Accounting Manual*:

- Buildings
- Infrastructure:
- Roads
- Bridges
- Drainage
- Parks, gardens and reserves
- Footpaths and cycleways
- Airports
- Sewerage
- Other

Grant funds cannot be applied to expenditure on non-infrastructure items and are not to be used for purchasing plant and equipment, employing staff, engaging consultants, retiring debt or any other organisation requirements that fall outside the above asset classes.

Officer's Comments

The following resolution was passed at the March 2009 Council meeting -

COUNCIL DECISION

OCM09/033

MOVED: Cr Scott

SECONDED: Cr Snell

That Council amend the 2008/2009 Budget to accept the amount of \$841,779 additional income from the Royalties For Regions program, and further amend the 2008/2009 Budget to expend the additional income on the following projects and transfer funds to the following Reserve Fund accounts :

<u>Recreation Centre, Hill Street</u>	\$
▪ <i>Installation of air extraction fans on original indoor basketball court.</i>	<i>13,000</i>
▪ <i>Swimming pool blanket winch.</i>	<i>7,000</i>
▪ <i>Install automatic opening front doors.</i>	<i>8,000</i>
▪ <i>Sand and reseal indoor basketball courts 2 & 3.</i>	<i>10,000</i>
 <u>Playgroup Building, Henning Street</u>	
▪ <i>Internal & external repaint of building.</i>	<i>14,500</i>
 <u>Senior Citizens Centre, Millar Street</u>	
▪ <i>Replace stramalite ceiling.</i>	<i>26,000</i>
▪ <i>Internal & external repaint of building.</i>	<i>8,000</i>
 <u>Waroona Library</u>	
▪ <i>Install automatic opening front doors.</i>	<i>8,000</i>
▪ <i>Internal & external repaint of building.</i>	<i>8,000</i>
 <u>Sporting Ovals</u>	

- *Renew pumps and update telemetry system for delivering Harvey water to all ovals.* **50,000**
- *Continue new black fencing around town oval area.* **30,000**

Preston Beach

- *Extend beach carpark recreation area and add overflow carpark.* **7,000**

Waroona Town Entry

- *Install 3 more town entry signs.* **45,000**

Street & Road Signs

- *Replace older style street & road signs throughout the shire.* **10,000**

Drakesbrook Weir

- *Replace Pontoon.* **6,500**

Reserve Fund Transfers

- *Amounts to be allocated to Reserve Funds :*
- *Preston Beach Community Centre Reserve.* **60,000**
- *Footpath Reserve Fund.* **30,000**
- *Administration Centre Reserve Fund.* **300,000**
- *Drainage Reserve Funds.* **25,000**
- *Roads & Carparks Construction & Maintenance Reserve Fund.* **175,779**

CARRIED BY ABSOLUTE MAJORITY 7/0

OFFICER RECOMMENDATION :

That Council resolves to amend the list of projects approved at the 24 March 2009 Council meeting for funding from Country Local Government Fund 2008/2009 as follows:

Delete the following projects –

- Swimming Pool blanket winch \$7,000
- Swimming Pontoon at Drakesbrook Weir \$6,500
- Renew pumps and update telemetry system
- for water deliver to ovals \$50,000

Add the following projects –

- internal repaint to the Shire Administration Centre (existing building) \$13,500
- seal carpark at Football Club Rooms for use by Football Club and Bowling Club \$50,000, or
Contribution towards expansion of Recreation Centre Gymnasium \$50,000, or
Addition to Administration Centre Reserve \$50,000.

COUNCIL RESOLUTION :**MOVED: Cr Scott****SECONDED: Cr Wright**

That Council resolves to amend the list of projects approved at the 24 March 2009 Council meeting for funding from Country Local Government Fund 2008/2009 as follows:

Delete the following projects –

- | | |
|---|----------|
| ▪ Swimming Pool blanket winch | \$7,000 |
| ▪ Swimming Pontoon at Drakesbrook Weir | \$6,500 |
| ▪ Renew pumps and update telemetry system | |
| ▪ for water deliver to ovals | \$50,000 |

Add the following projects –

- Seal the carpark adjacent to the Waroona Football Club Rooms for use by Football Club and Bowling Club and other areas in the showgrounds as determined necessary to the value of \$63,500.

CARRIED 7/1

Note: It was decided, out of the options provided in the Officer Recommendation, to “seal carpark and Football Club Rooms for use by Football Club and Bowling Club” with the addition of “and other areas in the showgrounds as determined necessary to the value of”, with the value changed from \$50,000 to \$63,500, as this work would complete the upgrade of the town oval surrounds.

9.1 DIRECTOR COMMUNITY SERVICES

9.1.1 TENDER 1/2009 EXTENSIONS TO ADMINISTRATION BUILDING, 52 HESSE STREET, WAROONA	
Reporting Officer / Officer's Interest:	Steve Cleaver, Director Community Services
Responsible Officer / Officer's Interest	Steve Cleaver, Director Community Services/nil Ian Curley, Chief Executive Officer/ nil Laurie Tilbrook, Deputy Chief Executive Officer/ Director Corporate Services
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report: 27 March 2009	File No.: 44/2
Previous Reference:	OCM07/053, OCM 08130
Statutory/Policy Implications:	Local Government (Functions and General) Regulations 1996
Strategic Implications:	Will provide civic and administration buildings for the Shire of Waroona
Financial Implications:	\$1,173,000 tendered price \$25000 Car park upgrade and landscaping (estimated by DTS) \$30000 Chambers Furniture (Estimated by DCS) \$50000 Contingencies (Estimated by DCS) Total= \$1,278,000 Funded by Admin Building Reserve which currently holds \$900,000 and Building Mtce Reserve which currently holds \$25,000, with the balance to be funded in the 2009/2010 and 2010/2011 financial years.
Voting Requirements	Simple Majority

Proposal

To accept the tender from Westbuild Pty Ltd of \$1,173,000 for the construction of Civic and Administration Buildings.

Background

At the Ordinary meeting of Council of March 2007 Council resolved:

COUNCIL DECISION

MOVED: Cr Witney
SECONDED: Cr Germain

1. That Council call for tenders for Architectural services for the extension of the current Shire Administration Office and Library.
2. That a budget allocation for the Architectural service be made in the 2007/2008 budget.

Further to this, Council subsequently adopted a new purchasing policy that allowed for expenditure below \$100,000 to be approved by the use of quotes rather than

tenders and after a request for quotation Rob Anson Architects was engaged to prepare drawings. Council subsequently approved in the 2008/2009 budget the sum of \$70000 for architectural services.

At the Ordinary meeting of Council of July 2008 Council resolved:

COUNCIL DECISION

OCM08/130

MOVED: Cr Walmsley

SECONDED: Cr Wright

That Council resolves to:

- 1. Approve the development of Civic and Administration building extensions;**
- 2. Call for tenders for the construction of Civic and Administration buildings; and**
- 3. Approve the Chief Executive Officer and Director Community Services to manage the project.**

Community Consultation

Nil

Officer's Comments

Following receipt of plans and specifications from the Architect the matter was advertised for state-wide tender. At the close of tenders four reputable builders submitted offers to undertake the works.

No	Name	Tender Amount (ex gst)
1	Eclipse Developments	1336499
2	CPD Group	1318563
3	Dalcon Constructions	1387046
4	Westbuild	1173000

All tenders complied with the qualitative criteria set in the tender specifications and therefore Council is in a position to accept the lowest price quote from Westbuild Pty Ltd. Westbuild state that they have completed works at the Assumption Catholic School in Mandurah and Coolabah Nursing home also in Mandurah. Currently they are undertaking commercial building works to Hogs Breath Café, due for completion in June 2009. It is estimated that the construction phase of Council's project will take approximately 12 months from the commencement of works and would be finished in the 2010/2011 financial year.

Funding

It is recommended that the budget for the project be set at \$1,278,000 as indicated above. It is recommended that funding of the project be undertaken by utilising Council's Administration Centre Reserve Account, which was set up specifically for this purpose and will have a net balance of \$900,000 at 30 June 09. Authorisation for expenditure from this Account is already included in the 2008/2009 Budget.

It is further recommended that the remaining balance of \$353,000 (including \$50,000 contingency which may or may not be needed) be funded in the 2009/2010 Budget.

At the time of adopting the 2009/2010 budget Council will be able to consider its options of whether to utilise municipal funds, loan funds, further reserve funds, or a combination of these options to fund the remaining balance. It is also noted that further direct payments to Council from the *Royalties for Regions* program are scheduled for the next 2 financial years (amount unknown at this stage).

It is likely that any final payments for the project will be due in the 2010/2011 financial year giving the Council the option of spreading the remaining amount across 2 financial years and the first loan repayment being due in 2011/2012.

OFFICER RECOMMENDATION

That the tender from Westbuild Pty Ltd to construct Shire Chambers and administration buildings for \$1,173,000 be accepted subject to a suitable contract being entered into.

The budget for the project to be set at \$1,278,000 and to be funded as follows :

- Up to \$700,000 from Council's Administration Centre Reserve Account for which expenditure approval already exists in 2008/2009 budget;
- \$200,000 from Council's Administration Centre Reserve Account to be included in the 2009/2010 budget;
- \$25,000 from Council's Building Asset Mtce Reserve Account to be included in the 2009/2010 budget; and
- \$353,000 to be included from general revenue and loan funds in the 2009/2010 budget.

The matter was first considered at a Special Council meeting held 6 April 2009, and was resolved as follows :

COUNCIL DECISION

SCM09/006

MOVED: Cr Walmsley

SECONDED: Cr Witney

That the Item 9.2.1 Tender 1/2009 Extensions to Administration Building, 52 Hesse Street, Waroona lie on the table for further consideration at a Special Council Meeting to be held on Wednesday 15 April 2009.

CARRIED8/0

After further deliberation at the Special Council meeting of 15 April 2009, it was resolved as follows :

COUNCIL DECISION

SCM09/009

MOVED: Cr Scott

SECONDED: Cr Witney

That no tender be accepted for the extension of the current Shire Administration Centre and that the Administration Centre Working Group reconvene to reassess the plans to enable the project to be constructed within the financial limits of the Administration Centre Reserve Account amount of \$900,000.

CARRIED 5/3

Note: The Officer recommendation was changed due to Councillors not wishing to exceed the amount of funds available in 2008/2009 to avoid the necessity for potential loan funding of the project.

Crs Snell and Salerian recorded their names, as voting against the motion.

COUNCIL DECISION

SCM09/010

MOVED: Cr Walmsley

SECONDED: Cr Snell

That the members of the Administration Centre Working Group now comprise Crs Germain, Scott and Witney.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

10. **ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN, OR FOR CONSIDERATION AT NEXT MEETING**
11. **NEW BUSINESS OF AN URGENT NATURE/REPORTS & INFORMATION**
 - 11.1 **ELECTED MEMBERS**
 - 11.2 **OFFICERS**
12. **CLOSURE OF MEETING**

There being no further business the Presiding Member closed the meeting the time being 4:17 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 15 APRIL 2009 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER

.....
DATE