



MINUTES

SPECIAL COUNCIL MEETING

MONDAY 6 APRIL 2009

(Held at the Shire of Waroona)

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1. DECLARATION OF OPENING/ANNOUNCEMENTS

The Chairperson declared the meeting open at 4:08 pm and welcomed Councillors and Staff to the meeting.

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

Cr N Dew	Chairperson
Cr M Walmsley	Deputy Shire President
Cr C Germain	Councillor
Cr J Salerian	Councillor
Cr L Scott	Councillor
Cr L Snell	Councillor
Cr T Witney	Councillor
Mr I Curley	Chief Executive Officer
Mr L Tilbrook	Deputy CEO/Director Corporate Services
Mr S Cleaver	Director Community Services
Mrs N Aiberti	Executive Support Officer/Minute Taker

APOLOGIES

Nil

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

6.1 Cr Walmsley, Cr Salerian, Cr Wright and Cr Scott declared an interest affecting impartiality in Item 9.1.1

6.2 Mr Laurie Tilbrook declared an interest affecting impartiality in Item 9.1.1.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8. CONFIRMATION OF MINUTES

Nil

9. REPORTS OF OFFICERS AND COMMITTEES

9.1 DEPUTY CEO/DIRECTOR CORPORATE SERVICES

Cr Walmsley, Cr Salerian, Cr Wright and Cr Scott declared an interest affecting impartiality in Item 9.1.1 as they are social members of the Waroona Bowling Club. Mr Tilbrook declared an interest affecting impartiality in Item 9.1.1 as a member of the Waroona Bowling Club.

9.1.1 WAROONA BOWLING CLUB – SELF SUPPORTING LOAN	
Reporting Officer / Officer's Interest:	Laurie Tilbrook – Deputy CEO/Director Corporate Services
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services
Proponent:	Waroona Bowling Club
Landowner:	Shire of Waroona.
Date of Report:	31 March 2009
	File No.: 155/1 & 92/2
Previous Reference:	
Statutory/Policy Implications:	Local Government (Functions & General) Regulations 1996
Strategic Implications:	Nil
Financial Implications:	Nil
Voting Requirements	Absolute majority

Proposal

The Council is requested to approve the signing and sealing of Legal documents in relation to a self supporting loan of \$47,500 for the Waroona Bowling Club.

Background

Councillors will recall at the September 2008 Ordinary Council meeting that the Council approved the construction of a synthetic surface at the Waroona Bowling club.

The Council contribution by way of a self supporting loan up to the value of \$45,728 was also approved (OCM08/164).

Details of the proposed loan are included in the 2008/09 adopted budget.

Officers Comments

In finalising the project and when considering actual costs the amount of loan required was set at \$47,500, an increase of \$1,772 over that endorsed by the Council

Final Costings where as follows:

Total project cost	\$171,382
Less Club contribution	-\$63,636
Less CSRFF Contribution	-\$60,240
Amount required from Loan	\$47,506

In addition to the above, Council endorsement is also required for use of the official Council Common Seal on the following documents.

- Loan 119 Debenture – WA Treasury
- Repayment agreement with bowling Club (copy attached)

COUNCIL DECISION

SCM09/007

MOVED: Cr Snell

SECONDED: Cr Wright

1. That self supporting loan 119 raised on behalf of the Waroona Bowling club totalling \$47,500 be endorsed.
2. That Council approval be granted for authorising of the Councils common seal to the following documents
 - Loan 119 Debenture \$47,500 @ 5.32% payable by 26 March 2016.
 - Repayment agreement between the Shire of Waroona and the Waroona Bowling club as appended.

CARRIED 8/0

9.2 DIRECTOR COMMUNITY SERVICES

9.2.1 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 Tillbrook, 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.

COMMITTEE 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

10. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN, OR FOR CONSIDERATION AT NEXT MEETING

Nil

11. NEW BUSINESS OF AN URGENT NATURE/REPORTS & INFORMATION

11.1 ELECTED MEMBERS

Nil

11.2 OFFICERS

Nil

12. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 5:15pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 6 APRIL 2009 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

.....
PRESIDING MEMBER
.....
DATE
