



MINUTES

SPECIAL COUNCIL MEETING

TUESDAY 29 OCTOBER 2013
(Held at the Shire of Waroona Council Chambers)

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1. DECLARATION OF OPENING/ANNOUNCEMENTS

The Shire President declared the meeting open at 5.30 pm and welcomed Councillors, Rec Advisory Committee members and Staff present.

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

Cr Christine Germain	Shire President
Cr Trish Witney	Deputy Shire President
Cr Craig Wright	Councillor
Cr Lina Look	Councillor
Cr John Salerian	Councillor
Mr Ian Curley	Chief Executive Officer
Mr Steve Cleaver	Director Community Services
Mrs Trish Morris	Recreation Advisory Committee Member
Mr Steve Platell	Recreation Advisory Committee Member
Miss Ashleigh Nuttall	Manager Financial Services

APOLOGIES

Cr Noel Dew	Councillor
Cr Larry Scott	Councillor
Cr John Mason	Councillor
Mr Laurie Tilbrook	Deputy CEO / Director Corporate Services

There were no members of the public present at the commencement of the meeting.

LEAVE OF ABSENCE PREVIOUSLY APPROVED

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

Nil.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 22 OCTOBER 2013

COUNCIL RESOLUTION

OCM13/10/113

MOVED: Cr Witney

SECONDED: Cr Look

That the Minutes of the Ordinary Council Meeting held 22 October 2013 be confirmed as being a true and correct record of proceedings.

CARRIED 5/0

9.0 REPORTS OF OFFICERS AND COMMITTEES

9.1 DIRECTOR TECHNICAL SERVICES

Nil.

9.2 DIRECTOR COMMUNITY SERVICES

9.2.1 RECREATION CENTRE EXTENSIONS	
Reporting Officer / Officer's Interest:	Steve Cleaver, Director Community Services; No Interest
Responsible Officer / Officer's Interest	Steve Cleaver, Director Community Services; No Interest
Proponent:	Shire of Waroona
Landowner:	Shire of Waroona
Date of Report: 3 September 2013	File No.: 126/1
Previous Reference:	9.2.2 of (22 October 2013)
Policy Implications:	Shire policy 1.26 Application of the Shire of Waroona Common Seal
Statutory Implications:	Local Government Act 1995
Strategic Implications:	N/a
Financial Implications:	In document
LINKED TO STRATEGIC OBJECTIVE NUMBER (Strategic Community Plan-SCP): No. 3 – Maintain a strong sense of community	

PROPOSAL SUMMARY

To accept the revised tender sum from Eclat Building for construction of extensions to the Shire Gymnasium and to approve loan borrowings to fund the shortfall.

BACKGROUND/INITIAL COMMENTS

At the October 2013 Ordinary Council meeting it was resolved

COUNCIL RESOLUTION

OCM13/10/097

MOVED: Cr Scott

SECONDED: Cr Wright

1. *That no decision be made on tenders for RFT 2013/03 (Recreation Centre Extensions).*
2. *That the Chief Executive Officer be authorised to negotiate with the lowest tenderer being Eclat Building Pty Ltd to form a suitable contract.*
3. *That the short fall be found from a 10% (\$45,000) reduction in the scope of the project.*
4. *The balance of the project be funded from a loan.*
5. *That a further report be presented to the Recreation Advisory Committee prior to the next Council meeting.*

CARRIED BY ABSOLUTE MAJORITY 7/0

The Shire subsequently contacted the Shire Architect Mr Clem Mitchell from HMA Architects and an enquiry was made as to the cost if removal of one element of the scope of works, being the turnstiles, was undertaken. A copy of the Builders response is attached (Appendix 9.2.1).



STRATEGIC COMMUNITY PLAN ISSUES/IMPLICATIONS

The relevant Strategic Community Plan issue area is number 3 Maintain a strong sense of community.

FINANCIAL ISSUES/IMPLICATIONS

Eclat Building Pty Ltd has amended their tender price less the turnstiles expense to \$443,272.05 (inc GST)

The following table shows the overall project proposed income and expenditure.

Expenditure	\$
Eclat Building Pty Ltd	
Original Tender	\$493,039 (inc GST)
Less Turnstiles	\$ -49,765 (inc GST)
Proposed New Tender	\$443,272 (inc GST)
Less Tax	\$ -40,297
TOTAL EX GST	\$402,974
Design Fees	\$34,200 (ex GST)
Contingency (10%)	\$45,000 (ex GST)
TOTAL EXPENDITURE	\$482,175 (ex GST)
INCOME	
Grants	\$375,000
Loan Funds	\$107,175
TOTAL INCOME	\$482,175 (ex GST)

The 2013/2014 adopted budget also requires amendment to cater for this additional income and expenditure for the project to proceed.

Please be aware that the actual budget amendment for 2013/14 will be exclusive of the expenditure from 2012/13 financial year of \$13,800.

POLICY ISSUES/IMPLICATIONS

N/A

STATUTORY ISSUES/ENVIRONMENT/IMPLICATIONS

Section 6.20 of the Local Government Act states.

6.20. Power to borrow

(1) Subject to this Act, a local government may —

(a) borrow or re-borrow money; or

(b) obtain credit; or

(c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit, to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.

(2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (power to borrow) and details of that proposal have not been included in the annual budget for that financial year —

(a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and

(b) the resolution to exercise that power is to be by absolute majority.

COMMUNITY CONSULTATION

Nil

DIRECTOR COMMUNITY SERVICES COMMENTS

Discussions with the Building Manager at the Shire of Lake Grace where Eclat Building constructed extensions to the Shire Administration building advised that they were happy with the relationship with Eclat and that the end product was of good quality. There were only minor variations.

In this regard it is recommended that the amended tender from Eclat building be accepted with the shortfall funded from loan borrowings as per requirements of the Local Government Act 1995 and that the 2013/2014 budget be amended to reflect the additional expense and loan.

Appendices Attached:	Yes	Appendices Numbers: 9.2.1
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VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION

OCM13/10/114

MOVED: Cr Wright

SECONDED: Cr Witney

- 1. That the amended offer from Eclat Building Pty Ltd of \$443,272.05 (inc GST) for extensions to the Recreation and Aquatic Centre be accepted;**
- 2. That the Council seeks a Treasury loan (Loan No 120) of up to \$110,000 to fund the shortfall in the project, noting that as the loan is not included in the 2013/2014 adopted budget a public advertising period of 30 days is required.**
- 3. That the 2013/2014 adopted budget be amended as follows:**
 - a/c 71040 – Increase capital expenditure from \$361,390 to \$468,375**
 - a/c 7115 – Increase from \$0 to \$110,000 to receive proceeds from proposed loan 120.**

4. That the Chief Executive Officer and Shire President be authorised to sign and apply the common seal to a suitable contract.

CARRIED BY ABSOLUTE MAJORITY 5/0

9.3 DIRECTOR PLANNING SERVICES
Nil.

9.4 DEPUTY CEO / DIRECTOR CORPORATE SERVICES
Nil.

9.5 CHIEF EXECUTIVE OFFICER
Nil.

10. CONFIDENTIAL REPORTS
Nil.

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

12. NEW BUSINESS OF AN URGENT NATURE/REPORTS & INFORMATION
Nil.

12.1 ELECTED MEMBERS
Nil.

12.2 OFFICERS
Nil.

13. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 5.45 pm.

I CERTIFY THAT THESE MINUTES WERE CONFIRMED AT THE ORDINARY COUNCIL MEETING HELD 26 NOVEMBER 2013 AS BEING A TRUE AND CORRECT RECORD OF PROCEEDINGS.

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

