

Shire of Wiluna

MINUTES



Special Council Meeting

Wednesday 17 May 2017

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MINUTES
1. Declaration of Opening and Announcement of Visitors

The Chairperson declared the meeting open at 1.02pm and welcomed Councillors and staff to the meeting.

2. Record of Attendance / Apologies and Leave of Absence Previously Approved

Cr Jim Quadrio	President
Cr Graham Harris	Deputy President
Cr Chris Webb	
Cr Stacey Petterson	
Cr Caroline Thomas	

Colin Bastow	Acting Chief Executive Officer
Warren Olsen	Acting Deputy Chief Executive Officer
Louka Shopov	Executive Manager Engineering & Development Services
Katrina Boylan	Senior Administration Officer

Apologies

Cr Norma Ward	
Tracey Luke	Executive Manager Economic & Community Development

Leave of Absence

Nil

3. Notations of Interest**6.1. Interest Affecting Impartiality Shire of Wiluna Code of Conduct**

Nil

6.2. Financial Interest Local Government Act Section 5.60A

Councillor/Officer	Item	Nature of Interest	Extent of Interest
Cr Caroline Thomas	5.2	Financial	Potential hirer of caravan listed in item

Councillor/Officer	Item	Nature of Interest	Extent of Interest
Cr Caroline Thomas	6.2.	Financial	Director in company tendering

Councillor/Officer	Item	Nature of Interest	Extent of Interest
Cr Jim Quadrio	6.2	Financial	Occasional contractor to a tenderer

6.3. Proximity Interest Local Government Act Section 5.60B

Councillor/Officer	Item	Nature of Interest	Extent of Interest
Cr Graham Harris	6.1	Proximity	Reside on property on opposite corner

4. Public Question Time

Nil

5. Officers Report

<p>5.1 Revocation of Resolution 101/16 – Construction of New Administration Building</p> <p>File: ADM 0389</p> <p>Reporting Officer: Warren Olsen – Acting Deputy CEO</p> <p>Date of Report: 15 May 2017</p> <p>Date of Meeting: 17 May 2017</p> <p>Disclosure of Interest: Nil</p>
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Purpose

The purpose of this report is to recommend that Resolution no. 101/16, which was made at the Council's ordinary meeting held on 19 October 2016, be rescinded.

Background

The subject resolution relates to the construction of a new Shire Administration Building which was then proposed to be built at 30 Scotia Street according to plans prepared by Annabel Wills Architect. It was proposed to deliver the project by a "self-build" technique which is inappropriate for a small local government such as the Shire of Wiluna because it is too risky.

Comment

The actual wording of Resolution 101/16 is as follows:

"That council

1. approves the construction of the new Administration Building as per the detailed plans provided to council,
2. The project will be delivered as a self build project utilising councils current building team and project managed by the acting CEO.
3. The budget for the building construction will be increased to \$4.5m with the additional \$1m funds for the construction being included in the 2017/18 budget.
4. Five employment opportunities be given to work ready locals."

The resolution has been somewhat overtaken by events. It is now proposed to purchase and refurbish the Club Hotel to provide a new Shire Administration Office, and the 2017/18 budget will have to reflect this.

It is also proposed that the project will be achieved by way of a fixed-priced tender; this is the usual way for local governments to deliver major construction projects because it is

much easier to manage the risk. It is considered appropriate to rescind Resolution 101/16 at this time to demonstrate that the Shire is committed to better management of its projects in the future than in the immediate past.

Consultation

CEO

Statutory Environment

Regulation 10 of the Local Government (Administration) Regulations 1996 requires, to revoke a resolution, a notice of motion signed by at least one-third of councillors (including any vacancies). Such a notice of motion is attached herewith.

Risk Assessment

There is no risk associated with the revocation of Resolution 101/16. Its revocation is intended to reduce the risks to Council involved in construction of a new Shire Administration Office as well as the risks to the funding for the project.

Policy Implications

There could be a need for a new policy in relation to building projects, to ensure that all future building projects are subject to fixed-price tenders so that the Shire is never again exposed to the risks associated with "self-build" projects.

Such a policy might be the subject of a report to the May ordinary meeting of the Council.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements ABSOLUTE MAJORITY

<i>Officer Recommendation & Council Decision</i>		<i>Item 5.1</i>
MOVED CR HARRIS	SECONDED CR WEBB	
That Resolution no. 101/16 made on 19 October 2016 be hereby revoked		
<u>CARRIED 5/0</u> by Absolute Majority	Resolution 072/17	

Cr Thomas declared a financial interest and left the meeting at 1.09pm

5.2 Introduction of a Fee for Hire of Caravan

File:	ADM 0111
Reporting Officer:	Louka Shopov-Executive Manager Engineering and Development Services
Date of Report:	15 May 2017
Date of Meeting	17 May 2017
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to approve a new fee for hire of transportable caravan Berth FABCO as part of Fees and Charges in the Annual Budget 2016-17 financial year.

Background

The caravan has not been used by the Shire for several years, since the reconstruction and maintenance of rural roads was contracted to external organisations.

Comment

A request for hire of the caravan was made by the current road maintenance grading contractor. As a result of flooding in February and April 2017, additional resources have to be employed to bring unsealed roads to safe operational conditions. At this day, all the roads in the Shire, apart from Wiluna North, Jundee and Granite Peak Lake Violet are closed for heavy traffic for safety reasons.

Similar site accommodation, dongas, containers and caravans are available for hire from Coates and other professional hire companies for the cost varying from \$10 to \$25 per day, depending on size and facilities they offer.

Consultation

COATES Hire
Local civil contractors

Risk Assessment

Nil

Statutory Environment

Local Government Act 1995 Part 6 Financial Management

Policy Implications

Nil

Financial Implications

There would be positive financial implication as the new fee would recoup current registration expenses and make use of the caravan. .

Strategic Implications

Nil

Voting Requirements ABSOLUTE MAJORITY***Officer Recommendation & Council Decision******Item 5.2*****MOVED CR HARRIS****SECONDED CR WEBB****That Council**

1. Adopts a new fee of \$12/day for hire of P011 Berth FABCO Caravan in 2016-17 Schedule of Fees and Charges.
2. Any hire is required to pay \$500 Security Bond for the use of the Caravan.

CARRIED 4/0 BY Absolute Majority**Resolution 073/17**

Cr Thomas returned to the meeting at 1.13pm

6. Confidential Items***Council Decision*****MOVED CR HARRIS****SECONDED CR THOMAS**

Procedural recommendation that the meeting is closed to the public, pursuant to S5.23(e)(ii), to consider Confidential Items 6.1 and 6.2. which contains information about the business, professional, commercial or financial affairs of a business

CARRIED 5/0**Resolution 074/17**

6.1. Purchase Price of the Club Hotel Wiluna

Cr Harris declared a proximity interest and left the meeting at 1.15pm

Officer Recommendation & Council Decision**Item 6.1****MOVED CR THOMAS****SECONDED CR WEBB****That Council**

1. approves the purchase of the Club Hotel, Wiluna and surrounding properties for \$250,000 (excluding GST) as per Resolution 018/17 (22 February 2017) and
2. approves the purchase of Club Hotel's plant and equipment for \$2,000 (excluding GST)

CARRIED 4/0**Resolution 075/17**

Cr Harris returned to the meeting at 1.23pm

6.2. RFT 2017-02 Reconstruction of Wongawol Road – Award of Tender

Cr Quadrio and Cr Thomas declared a financial interest and were required to leave the meeting at which point the meeting would be left without a quorum. Therefore, this matter was not considered by Council.

Note: The Acting CEO has been delegated authority by Council at the April Ordinary Council Meeting to award the tender if the Council could not keep a quorum.

Council Decision**MOVED CR PETTERSON****SECONDED CR WEBB****Procedural recommendation that the meeting be re-opened to the public****CARRIED 5/0****Resolution 076/17**

7. Closure

There being no further business the Chairperson closed the meeting at 1.24pm.

These minutes were confirmed at the Ordinary Meeting of Council on the 31 May 2017

Signed _____

(Presiding Person at the meeting of which the minutes were confirmed.)

Date: _____

Appendix 5.1

Shire of Wiluna

Notice of Motion to Revoke a Decision (Reg. 10, Local Government (Administration) Regulations 1996)

Notice is hereby given of a motion to be considered at the special meeting of the Council to be held on Wednesday 17th May 2017 to revoke Resolution 101/16 of the ordinary Council meeting held on 19 October 2016.

Resolution 101/16 is as follows:

That council

1. approves the construction of the new Administration Building as per the detailed plans provided to council,
2. The project will be delivered as a self build project utilising councils current building team and project managed by the acting CEO.
3. The budget for the building construction will be increased to \$4.5m with the additional \$1m funds for the construction being included in the 2017/18 budget.
4. Five employment opportunities be given to work ready locals.

The reasons to revoke this resolution are:

- It is now proposed to refurbish the Club Hotel to provide a new Shire Administration Office; or
- in the alternative, to build a new Shire Administration Office on Reserve 5558 within the town centre area; and
- “self build” is not considered a commercially prudential method of delivering significant building projects for local governments such as the Shire of Wiluna; and
- the 2017-18 budget will have to reflect the projects which the Council now wishes to achieve.

Signed:

Cr

Cr

Cr






