

SHIRE OF KOJONUP

Kojonup



One community, many choices

MINUTES

Special Council Meeting

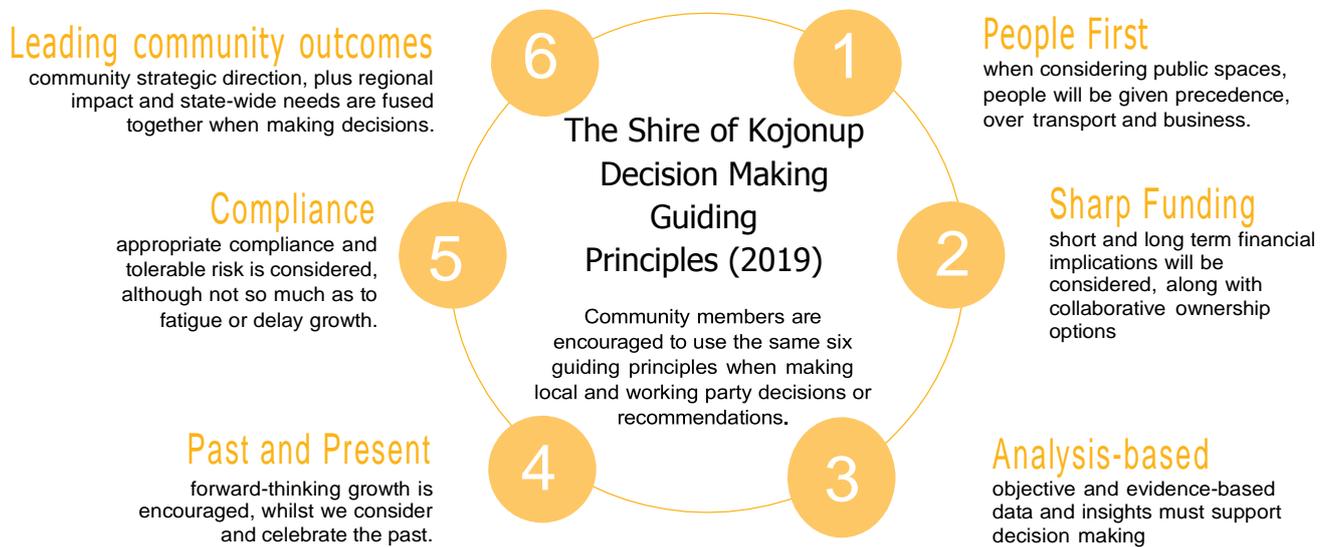
2 November 2021

MINUTES OF A SPECIAL COUNCIL MEETING HELD ON 2 NOVEMBER 2021

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The Shire of Kojonup has a set of six guiding principles it uses when making decisions. These principles are checked and enhanced every two years; in line with the Strategic Community Plan review schedule.



MINUTES

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF GUESTS

The Shire President shall declare the meeting open at 3.04pm and draw the meeting's attention to the disclaimer below:

Disclaimer

No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

The Shire of Kojonup expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the meeting.

Where an application for an approval, a license or the like is discussed or determined during the meeting, the Shire warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the Shire.

Acknowledgement of Country

The Shire of Kojonup acknowledges the first nations people of Australia as the Traditional custodians of this land and in particular the Keneang people of the Noongar nation upon whose land we meet.

We pay our respect to their Elders past, present and emerging

Prayer – Cr Wieringa

Gracious Father, we acknowledge you as our Maker and Judge. We ask for wisdom for our reigning monarch Queen Elizabeth. Grant to her good health and strength in the executing of her duties.

We pray for all Ministers and Cabinet members of the Australian Federal and State Government. Grant to them wisdom in the welfare of Australia, so that truth and justice is established for all Australians.

Lastly Gracious Father, we pray for ourselves. We ask that you might grant to us the ability to speak with integrity and to work with uncompromising diligence. Grant to us the wisdom to make good decisions, remembering that we are one community. Grant to us the good humour to keep things in perspective in a community that is a diverse population.

We ask that we might always be mindful of the safety and welfare of the people of Kojonup. Grant to all who serve on Public Committees the ability to listen and work together with mutual respect for one another. Bless us with the personal joy of knowing that we have done our best.

2 ATTENDANCE AND APOLOGIES

COUNCILLORS

Cr Radford	Shire President
Cr P Webb	Deputy President
Cr F Webb	
Cr Wieringa	
Cr Singh	
Cr Egerton-Warburton	
Cr Bilney	

STAFF

Grant Thompson	Chief Executive Officer
Anthony Middleton	Manager Corporate and Community Services
Judy Stewart	Senior Administration Officer
Emily Sleight	Sport and Recreation Officer

LEAVE OF ABSENCE

Nil

APOLOGIES

Cr Gale

3 SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Questions may be submitted using the special email address for **Council Meeting Public Question Time** being cmpqt@kojonup.wa.gov.au

The Manager Corporate and Community Services will table all correspondence received.

5 PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

- 7 **CONFIRMATION OF MINUTES**
Nil
- 8 **ANNOUNCEMENTS** by the Presiding Member without discussion
Nil
- 9 **DECLARATIONS OF INTEREST**
Nil
- 10 **KEY PILLAR 1 – ‘PLACE’ REPORTS**
Nil
- 11 **KEY PILLAR 2 – ‘CONNECTED’ REPORTS**
Nil
- 12 **KEY PILLAR 3 – ‘PERFORMANCE’ REPORTS**
Nil
- 13 **KEY PILLAR 4 – ‘PROSPERITY’ REPORT**
Nil
- 14 **KEY PILLAR 5 – ‘DIGITAL’ REPORTS**
Nil
- 15 **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
Nil
- 16 **NEW BUSINESS**
Nil

17 CONFIDENTIAL REPORTS

The Sport and Recreation Officer left the meeting at 3.08pm and returned to the meeting at 3.12pm.

17.1 REQUEST FOR TENDER (RFT) 1 of 2021/22 – SUBGRADE AND BASE, NETBALL COURTS, KOJONUP

AUTHOR	Anthony Middleton – Manager Corporate & Community Services
DATE	Thursday, 28 October 2021
FILE NO	CP.DAC.12
ATTACHMENT(S)	17.1.1 – Request for Tender (RFT) 1 of 2021/22 17.1.2 – Specification documentation

STATUTORY REQUIREMENTS

Section 5.23(2) of the Local Government Act 1995 permits the Council to close a meeting, or part of a meeting, to members of the public if the meeting deals with any of the following:

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
- (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government’s property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*.

Subsection (3) requires a decision to close a meeting, or part of a meeting and the reason for the decision to be recorded in the minutes.

PROCEDURAL MOTION

119/21 Moved Cr F Webb, seconded Cr Wieringa

That the meeting proceed behind closed doors in accordance with Section 5.23(2) (a) of the *Local Government Act 1995* at 3.12 pm.

CARRIED 7/0

The Manager Corporate and Community Services provided a verbal summary of the tenders received.

OFFICER RECOMMENDATION/COUNCIL DECISION

120/21 Moved Cr F Webb, seconded Cr Singh

That:

- 1. No tenders be accepted for Request for Tender 1 of 2021/22 for the construction of a subgrade and concrete base for the redeveloped netball courts, Kojonup as no compliant tender satisfies a value for money assessment; and**
- 2. The Chief Executive Officer be authorised to:**
 - a. negotiate with MCB Construction Pty Ltd modifications to the scope of work to lower the cost of the required works without compromising the structural integrity of the result for the construction of a subgrade and concrete base for the redeveloped netball courts, Kojonup;**
 - b. Conduct any further due diligence required on MCB Construction Pty Ltd and sub-contractors to satisfy the CEO of their ability to deliver the works on-time, on cost and to the quality standards required; and**
 - c. Appoint MCB Construction Pty Ltd if satisfied the revised proposal from MCB represents value for money and is within budget.**

CARRIED 7/0

PROCEDURAL MOTION

121/21 Moved Cr Wieringa, seconded Cr Singh

That the meeting be reopened to the public at 3.24pm.

CARRIED 7/0

18 **NEXT MEETING**
16 November 2021

19 **CLOSURE**

There being no further business to discuss, the President thanked the members for their attendance and declared the meeting closed at 3.25pm.

20 **ATTACHMENTS (SEPARATE)**

Nil