



SHIRE OF MENZIES

Minutes

**FOR THE SPECIAL MEETING OF COUNCIL
HELD ON**

06 MAY 2021

Commencing at 5.00pm

**At the Shire of Menzies Council Chambers
124 Shenton Street Menzies**

DISCLAIMER

No responsibility whatsoever is implied or accepted by the shire of Menzies for any act or omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.

FINANCIAL INTEREST

A financial interest occurs where a Councillor, or person with whom the Councillor is closely associated, has direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

An indirect financial interest includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

Councillors should declare an interest:

- a) In a written notice given to the Chief Executive Officer (CEO) before the meeting: or
- b) At the meeting, immediately before the matter is discussed.

A member who has declared an interest must not:

- Preside at the part of the meeting relating to the matter: or
- Participate in or be present during the discussion of decision-making procedure relating to the matter unless the member is allowed to do so under Section 5.68 or 5.69 of the *Local Government Act 1995*.

**Councillor Attendance
Shire of Menzies Council Meetings 2020/2021**

Council Meeting Date	Attended in Person	Electronic Attendance	Leave of Absence	Apologies	Absent
26 November 2020	Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader	Cr J Lee (MAC Office) Cr V Ashwin (MAC Transportable)			
17 December 2021	Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader			Cr J Lee Cr V Ashwin	
28 January 2021	Cr G Dwyer Cr K Mader Cr S Baird	Cr J Dwyer - Kambalda Cr J Lee - MAC Office Cr I Baird -Wongary	Cr J Dwyer Cr V Ashwin		
25 February 2021	Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader	Cr J Lee- MAC Office	Cr V Ashwin	Cr S Baird	
25 March 2021	Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader Cr J Lee Cr S Baird		Cr V Ashwin		
29 April 2021	Cr G Dwyer Cr J Dwyer Cr K Mader	Cr I Baird – PT Office Cr J Lee- MAC Office		Cr S Baird	
06 May 2021 Special Council Meeting	Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader			Cr S Baird Cr J Lee	

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1. DECLARATION OF OPENING

The President declared the meeting open at 5.14pm.

2. ANNOUNCEMENT OF VISITORS

Nil.

3. RECORD OF ATTENDANCE

Councillors:	Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader	Shire President Deputy Shire President
Staff:	Mr B Joiner	Chief Executive Officer
Apologies:	Cr S Baird Cr J Lee	

4. PUBLIC QUESTION TIME

Nil.

5. APPLICATIONS BY MEMBERS

Nil.

6. DECLARATIONS OF INTEREST

Nil.

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil.

9. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

Nil.

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10. REPORTS OF OFFICERS

10.1 ADMINISTRATION REPORTS

10.1.1 Tjuntjuntjara Access Road Improvements and Repairs

10.1.1 RFT02/21 TJUNTJUNTJARA ACCESS ROAD IMPROVEMENTS AND REPAIRS	
LOCATION	Shire of Menzies
APPLICANT	Internal
DOCUMENT REF	
DATE OF REPORT	03 May 2021
AUTHOR	CEO Brian Joiner
RESPONSIBLE OFFICER	CEO Brian Joiner
DISCLOSURE OF INTEREST	Nil
ATTACHMENT	Confidential Evaluation Report and Assessment Summary

SUMMARY:

RFT 02/21 was issued for upgrades and repairs to the Tjuntjuntjara Access Road from Shed Tank to SLK40 on the Tjuntjuntjara Access Road. This paper nominates a preferred tenderer for Council approval.

BACKGROUND:

Council budgets for FY 2020/21 included allocations for projects R2R049 and RC049 which were for upgrades and repairs to the Tjuntjuntjara Access Road. At the 29 April 2021 OCM Council resolved to incorporate R2R funding towards this project giving a total budget of \$627,002.

Tenders were advertised on 10 April 2021 and closed on 30 April 2021 at 1400.

The tender box was opened by CEO Brian Joiner in the presence of EO Sharlene Mik with one (1) member of the public present. One tender was received from Fraser Range Station.

COMMENT:

The tender was assessed by an external consultant, Greenfield Technical Services. As there was only one tender the external consultant was utilised to ensure the price was in line with expectations and that the company had the capability to deliver on the work.

The evaluation report and assessment summary form a confidential attachment to this report.

Greenfield's evaluation determined that Fraser Range Station was suitable for award of the tender.

If any of the provisional items described within the tender are required, the value of the contract may need to be varied.

It is recommended that the Council delegate responsibility to the Shire's Chief Executive Officer to negotiate any provisional items included in the RFT Pricing Schedule to a value of 10% of the total contract value as required.

CONSULTATION:

Joshua Kirk – Greenfield technical Services.
Katie Hall – K team.
Kim Edmeades – A/Works Manager.

STATUTORY AUTHORITY:

Local Government (Functions and General) Regulations Reg. 11(2)(C) and Reg, 18(4) and Reg. 20(1).

Local Government Act 1995 s5.42 Delegation of powers and duties to the Chief Executive Officer.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Tenders are based on a schedule of rates so work can be adjusted to remain within the allocated budget of \$627,002.

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
Nil.		

STRATEGIC IMPLICATIONS:

4.1 A strategically focussed Council, leading our community.

4.1.3 Encourage and support community engagement and collaboration.

VOTING REQUIREMENTS:

Absolute Majority (*Note: Point 1 only requires a Simple Majority*)

OFFICER RECOMMENDATION:

That Council:

1. Awards RFT 02/2021 for the Tjuntjuntjara Access Road Improvements and Repairs to Fraser Range Station as tendered; and
2. Delegates the formation of the Contract to the Chief Executive Officer, subject to any variations (of a minor nature) prior to entry to Contract; and
3. Delegate authority to the Chief Executive Officer to negotiate any provisional items included in the RFT Pricing Schedule to a value of 10% of the total contract value as required.

COUNCIL DECISION:

Council Resolution Number	
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That Council:

1. **Awards RFT 02/2021 for the Tjuntjuntjara Access Road Improvements and Repairs to Fraser Range Station as tendered; and**
2. **Delegates the formation of the Contract to the Chief Executive Officer, subject to any variations (of a minor nature) prior to entry to Contract; and**
3. **Delegate authority to the Chief Executive Officer to negotiate any provisional items included in the RFT Pricing Schedule to a value of 10% of the total contract value as required.**

Moved	Cr J Dwyer	Seconded	Cr I Baird
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Carried	4/0
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**11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF THE MEETING**

Nil.

12. BEHIND CLOSED DOORS – CONFIDENTIAL REPORTS

Nil.

13. NEXT MEETING

Ordinary Council Meeting 27 May 2021.

14. CLOSURE OF MEETING

The President declared the meeting closed at 5.32pm.