

# CONFIDENTIAL

## AGENDA

### SPECIAL COUNCIL MEETING



### 6 June 2024

Commencing at 2:30pm in the  
Shire of Wyalkatchem Council Chambers  
27 Flint Street, Wyalkatchem

**NOTICE OF COUNCIL MEETING**

The next Special Meeting of the Wyalkatchem Shire Council will be held on Thursday 6 June 2024 in the Council Chambers, 27 Flint Street Wyalkatchem, commencing at 2:30pm.

A Public Agenda for this meeting will be made available from the Shire Administration Office and on our website [www.wyalkatchem.wa.gov.au](http://www.wyalkatchem.wa.gov.au)

I have reviewed this agenda, I am aware of all recommendations made to Council, and I support each as presented.

**Sabine Taylor**

**CHIEF EXECUTIVE OFFICER**

**DISCLAIMER**

*No responsibility whatsoever is implied or accepted by the Shire of Wyalkatchem for any act, 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 decisions, which will be provided within ten days of this meeting.*

## **DISCLOSURE OF INTEREST**

Councillors and staff are reminded of the requirements of section 5.65 of the *Local Government Act 1995*, to disclose any interest or perceived interest in any matter to be discussed during a meeting, and also the requirement to disclose any item affecting impartiality.

### Financial Interest:

Under section 5.60A of the *Local Government Act 1995*, a person is said to have a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the Local Government in a particular way, result in a financial gain, loss, benefit or detriment for the person.

### Proximity Interest:

Under section 5.60B of the *Local Government Act 1995*, a person is said to have a proximity interest in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development of land that adjoins the person's land.

### Impartiality Interest:

To maintain transparency, it is important to disclose all interests, including impartiality interests which include interests arising from kinship, friendship and membership of associations. If it is possible that your vote on a matter may be perceived as impartial, you should disclose your interest.

### Disclosing an Interest:

Disclosures must be made, in writing, to the Chief Executive Officer prior to the meeting at which the matter in which you have an interest is to be discussed.

If you disclose a Financial or Proximity Interest, you must leave the room while the matter is discussed and voted on. Only after a decision has been reached may you return to the meeting, at which time the Presiding Person will inform you of Council's decision on the matter.

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**1. DECLARATION OF OPENING**

**2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE**

**2.1. Attendance**

**2.2. Apologies**

**2.3. Approved Leave of Absence**

**2.4. Applications for Leave of Absence**

**3. DECLARATIONS OF INTEREST**

**3.1. Financial and Proximity Interest**

**3.2. Impartiality Interests**

**4. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

**5. MATTERS BEHIND CLOSED DOORS**

**VOTING REQUIREMENT**

Simple Majority

**OFFICER'S RECOMMENDATION**

1. *That Council close the meeting to members of the public under Sec. 5.23 of the Local Government Act 1995 as the meeting will be dealing with:*

*a. 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*

*b. a matter that if disclosed, would reveal —*

*(i) information that has a commercial value to a person; or*

*(ii) information about the business, professional, commercial or financial affairs of a person,*

*where the information is held by, or is about, a person other than the local government.*

## **5.1. GOVERNANCE AND COMPLIANCE**

### **5.1.1. POOL UPGRADE TENDER AWARD**

Applicant:	Shire of Wyalkatchem
Date:	6 June 2024
Reporting Officer:	Stephanie Elvidge, Governance Executive Officer
Disclosure of Interest:	No interest to disclose
File Number:	13.05.01
Attachment Reference:	Confidential Attachment 5.1.1 Evaluation Report

### **VOTING REQUIREMENT**

Absolute Majority

### **OFFICER'S RECOMMENDATION**

*That Council;*

- 1. Accepts the Tender submitted by Tenderer 4 as the most advantageous Tender to form a Contract.*
- 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.*
- 3. Authorise the Shire President and Chief Executive Officer to executive the agreement and affix the Shire's seal.*
- 4. Engage an external consultant to provide technical support at key stages of the execution of works to verify each is satisfactory to meet the requirements.*

### **COMMENT**

Tenderer 4 is the Evaluation Panel's recommended tenderer, see confidential attachment 5.1.1 Evaluation Report.

The basis for this decision is as follows:

- Provided best value for money
- Two tenderers were above-average technically, with recommended Tenderer 4 the standout from a qualitative basis
- Lowest price
- Ability to meet tight timelines
- Best resources put forward for the Shire's proposed contract

In summary, Tenderer 4 is best suited to meet the Request requirements at a competitive price and therefore represents value for money.

### **STATUTORY ENVIRONMENT**

There are no direct statutory implications in relation to this item.

### **POLICY IMPLICATIONS**

The Council's Purchasing Policy outlines process relevant to the conducting of a tender.

**FINANCIAL IMPLICATIONS**

This project will likely absorb all the Council’s Local Roads & Community Infrastructure Phase 4 grant allocation and require either some draw-down on reserves or a successful grant application to CSRFF and/or Lotterywest.

**COMMUNITY & STRATEGIC OBJECTIVES**

This initiative promotes the Strategic Community Plan objectives particularly, those outlined in Goal 2 which aims to achieve “**A healthy, safe, active and engaged community**”.

Goal No. 2	Action No.	Actions
Local provision of sustainable health services & facilities	1.1.9	Provide a well maintained and resourced community pool with subsidised access charges.
	1.2.2	Work in collaboration with community groups to facilitate, encourage and support community services.

**VOTING REQUIREMENT**

Simple Majority

**OFFICER’S RECOMMENDATION**

*That Council move out from behind closed doors.*

**6. CLOSURE OF THE MEETING**