



## **SPECIAL COUNCIL MEETING**

# **MINUTES**

A Special Meeting of the Council held in the  
Council Chambers at 5:00pm  
Tuesday 18 December 2012.

### **SPECIAL BUSINESS**

To consider and make resolution upon recommendations for:

- a. Tender – Sounness Park Construction; and
- b. Tender – Sounness Park Contract Administration

**Rob Stewart**  
Chief Executive Officer

## **MEMBERSHIP – Quorum (5)**

### **Membership:**

Cr K Clements – Shire President  
Cr M Skinner – Deputy Shire President  
Cr S Etherington JP  
Cr B Bell  
Cr C Pavlovich  
Cr J Moir  
Cr A Budrikis  
Cr G Messmer  
Cr L Handasyde

*Information and recommendations are included in the reports to assist the Council in the decision making process and may not constitute the Council's decision until considered by the Council.*

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## TABLE OF CONTENTS

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ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	2
2	RECORD OF ATTENDANCE .....	2
3	PUBLIC QUESTION TIME (RELATING TO SPECIAL BUSINESS ONLY)...	3
4	PETITIONS/DEPUTATIONS/PRESENTATIONS (RELATING TO SPECIAL BUSINESS ONLY).....	3
5	DISCLOSURE OF INTEREST .....	3
6.	SPECIAL BUSINESS.....	4
6.1.1	TENDER C03/1213 – SOUNNESS PARK – CONSTRUCTION OF STAGE ONE.....	4
7.	CLOSURE OF MEETING.....	5

## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

5:00 pm The Presiding member declared the meeting open.

## 2 RECORD OF ATTENDANCE

### Members Present:

Cr K Clements	Shire President
Cr M Skinner	Deputy Shire President
Cr B Bell	Councillor
Cr A Budrikis	Councillor
Cr S Etherington	Councillor
Cr L Handasyde	Councillor
Cr G Messmer	Councillor
Cr J Moir	Councillor
Cr C Pavlovich	Councillor

### In Attendance:

Mr Rob Stewart	Chief Executive Officer
Ms Nicole Selesnew	Manager Community Services
Mr Peter Duncan	Manager Development Services
Mrs Linda Sounness	Executive Secretary

There were no members of the public present.

### Previously Approved Leave of Absence:

Nil

### Emergency Evacuation Procedures/Disclaimer:

Working to Occupational Safety and Health Best Practices, Mr Rob Stewart - Chief Executive Officer, read aloud the emergency evacuation procedures for Councillors and staff present in the Council Chambers.

Mr Stewart then read aloud the following disclaimer:

'No responsibility whatsoever is implied or accepted by the Shire of Plantagenet for any act, omission or statement or intimation occurring during Council / Committee meetings or during formal / informal conversations with staff.

The Shire of Plantagenet disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, or statement of intimation occurring during Council / Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation or approval made by a member or officer of the Shire of Plantagenet during the course of any meeting is not intended to

be and is not taken as notice of approval from the Shire of Plantagenet. The Shire of Plantagenet warns that anyone who has an application with the Shire of Plantagenet must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Plantagenet in respect of the application.'

**3 PUBLIC QUESTION TIME (RELATING TO SPECIAL BUSINESS ONLY)**

Nil

**4 PETITIONS/DEPUTATIONS/PRESENTATIONS (RELATING TO SPECIAL BUSINESS ONLY)**

Nil

**5 DISCLOSURE OF INTEREST**

Part 5 Division 6 Local Government Act 1995

Nil

**6. SPECIAL BUSINESS****6.1.1 TENDER C03/1213 – SOUNNESS PARK – CONSTRUCTION OF STAGE ONE**

**File No:** N25052  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Nicole Selesnew  
Manager Community Services  
**Proposed Meeting Date:** 18 December 2012

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**PURPOSE**

The purpose of this report is to consider submissions from the advertising of Tender C03-1213 – Sounness Park – Construction of Stage One

**MOTION TO PROCEED BEHIND CLOSED DOORS**

Moved Cr L Handasyde, seconded Cr G Messmer:

**5:05 pm** That the meeting be closed to members of the public pursuant to Section 5.23 (c) of the Local Government Act 1995 as the matter to be considered relates to a contract that may be entered into, by the Local Government and which relates to a matter to be discussed at the meeting.

**CARRIED (9/0)**

**NO. 590/12**

**MOTION TO PROCEED IN PUBLIC**

**5:55 pm** Moved Cr L Handasyde, seconded Cr G Messmer:

**CARRIED (9/0)**

**NO. 591/12**

**OFFICER RECOMMENDATION/COUNCIL DECISION****Moved Cr A Budrikis, seconded Cr S Etherington:****That:**

1. The tender submitted by Wauters Enterprises Pty Ltd for Tender C03-1213 – Sounness Park – Construction of Stage One for \$5,514,400.00 (gst exclusive) be endorsed as the preferred tender.
2. The Chief Executive Officer be authorised to negotiate with Wauters Enterprises Pty Ltd regarding cost savings that can be made on Sounness Park – Construction of Stage One.
3. An Australian Building Industry Contract SW-2008 Simple Works Contract (lump sum contract) be entered into between Wauters Enterprises Pty Ltd for Tender C03-1213 – Sounness Park – Construction of Stage One for a maximum value of \$5,514,400.00 (gst exclusive) or any lesser value as a result of negotiations to identify cost savings for Sounness Park – Stage One.
4. The Shire President and Chief Executive Officer be authorised to affix the common seal of the Shire of Plantagenet to the Australian Building Industry Contract SW-2008 Simple Works Contract (lump sum contract) for Tender C03-1213 – Sounness Park – Construction of Stage One.
5. The Chief Executive Officer's intention to appoint MCG Architects Pty Ltd as the Contract Administrator for the Sounness Park – Construction of Stage One project be noted.

**CARRIED (9/0)****NO. 592/12****7. CLOSURE OF MEETING**

6:00 pm The Presiding Member declared the meeting closed.

**CONFIRMED: CHAIRPERSON \_\_\_\_\_ DATE: ...../...../.....**