



## Special Council Meeting

# AGENDA

2 December 2021

**To be held in the Council Chambers, 15 Adam Street, Nannup  
on Thursday, 2 December 2021, commencing at 5.00pm.**

---

**For the purpose of Council endorsement of three tenders.**

**PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING**

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Any statement, comment or decision made at a Council meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire of Nannup must obtain, and should only rely on, written notice of the Shire of Nannup's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council meeting.

Any advice provided by an employee of the Shire of Nannup on the operation of a written law, or the performance of a function by the Shire of Nannup, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire of Nannup. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire of Nannup should be sought in writing and should make clear the purpose of the request. Any plans or documents in Agendas and Minutes may be subject to copyright.

## Contents

<b>1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS/ACKNOWLEDGEMENT OF COUNTRY</b>	<b>2</b>
<b>2. ATTENDANCE/APOLOGIES</b>	<b>2</b>
<b>2.1 ATTENDANCE</b>	<b>2</b>
<b>2.2 APOLOGIES</b>	<b>2</b>
<b>3. PUBLIC QUESTION TIME</b>	<b>2</b>
<b>3.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</b>	<b>2</b>
<b>3.2 PUBLIC QUESTION TIME</b>	<b>2</b>
<b>4. MEMBERS ON LEAVE OF ABSENCE AND APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>2</b>
<b>4.1 APPROVED LEAVE OF ABSENCE</b>	<b>2</b>
<b>4.2 APPLICATION FOR A LEAVE OF ABSENCE</b>	<b>2</b>
<b>5. CONFIRMATION OF MINUTES</b>	<b>3</b>
<b>6. ANNOUNCEMENTS FROM PRESIDING MEMBER</b>	<b>3</b>
<b>7. DISCLOSURE OF INTEREST</b>	<b>3</b>
<b>8. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN</b>	<b>3</b>
<b>9. PRESENTATIONS</b>	<b>3</b>
<b>9.1 PETITIONS</b>	<b>3</b>
<b>9.2 PRESENTATIONS</b>	<b>3</b>
<b>9.3 DEPUTATIONS</b>	<b>3</b>
<b>10. REPORTS BY MEMBERS ATTENDING COMMITTEES</b>	<b>3</b>
<b>11. REPORTS BY OFFICERS</b>	<b>4</b>
11.1 - Tender Acceptance - RFT No: TEN PO4_21 Nannup Recreational Centre Sports Hall Roof Modification and Recladding	4
11.2 - Tender Acceptance - RFT No: TEN PO2_21 Brockman Highway Prepare Rework and Seal Existing Unsealed Shoulders and Install Audible Edge Line Marking	7
Tender Acceptance - RFT No: TEN PO3_21 Mowen Road Prepare Rework and Seal Existing Unsealed Shoulders and Install Audible Edge Line Marking	7
<b>12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>9</b>
<b>13. URGENT BUSINESS</b>	<b>9</b>
<b>14. MEETING MAY BE CLOSED</b>	<b>9</b>
<b>15. CLOSURE OF MEETING</b>	<b>9</b>

**SHIRE OF NANNUP****SPECIAL COUNCIL MEETING**

---

**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS/ACKNOWLEDGEMENT OF COUNTRY**

---

The Shire President to acknowledge the traditional custodians of the land, the Wardandi and Bibbulmun people; paying respects to Elders past, present and emerging.

The Shire President to declare the meeting open and welcome the public gallery.

**2. ATTENDANCE/APOLOGIES**

---

**2.1 ATTENDANCE****2.2 APOLOGIES****3. PUBLIC QUESTION TIME**

---

**3.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**3.2 PUBLIC QUESTION TIME****4. MEMBERS ON LEAVE OF ABSENCE AND APPLICATIONS FOR LEAVE OF ABSENCE**

---

**4.1 APPROVED LEAVE OF ABSENCE**

Nil.

**4.2 APPLICATION FOR A LEAVE OF ABSENCE**

Nil.

## **5. CONFIRMATION OF MINUTES**

---

Nil.

## **6. ANNOUNCEMENTS FROM PRESIDING MEMBER**

---

## **7. DISCLOSURE OF INTEREST**

---

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Where a member has disclosed a financial or proximity interest in an item, they must leave the Chamber for consideration of that item.

Where a member has disclosed an impartiality interest in an item, they may remain in the Chamber. The member is required to bring an independent mind to the item and decide impartially on behalf of the Shire of Nannup and its community.

## **8. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

---

Nil.

## **9. PRESENTATIONS**

---

### **9.1 PETITIONS**

Nil.

### **9.2 PRESENTATIONS**

Nil.

### **9.3 DEPUTATIONS**

Nil.

## **10. REPORTS BY MEMBERS ATTENDING COMMITTEES**

---

## 11. REPORTS BY OFFICERS

AGENDA NUMBER & SUBJECT:	11.1 - Tender Acceptance - RFT No: TEN PO4_21 Nannup Recreational Centre Sports Hall Roof Modification and Recladding
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	TEN 1
AUTHOR:	Jonathon Jones – Manager Infrastructure
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	17 November 2021
ATTACHMENTS:	Nil

### BACKGROUND:

To advise Council of submission received in relation to Tender PO4\_21 Nannup Recreational Centre Sports Hall Roof Modification and Recladding and recommend the most advantageous tender for the purpose of awarding a contract.

Works were required to be undertaken on the Nannup Recreational Centre due to recurrent water incursion occurring as a result of poor design in the shape and guttering system.

### COMMENT:

Tenders were advertised in the Western Australian Newspaper and via the Shires Website for Nannup Recreational Centre Sports Hall Roof Modification closing 2:00pm Friday 22 October 2021.

Two tenders were received;

1. Safeway Buildings and Renovations \$ 252,770.00 + GST
2. Air Roofing Co. Pty Ltd \$ 806,981.82 + GST

Officers undertook a panel assessment of each tender and applied a scoring matrix to assist in determining a preferred tenderer. The following table details the panels assessment of the tenders received against qualitative evaluation criteria.

Tenderer	Organisational Capacity	Demonstrated Experience	Methodology	Value for Money
Weighting	30%	20%	20%	30%
Air Roofing Co. Pty Ltd	7	1	0	7
Safeway Buildings & Renovations	27	19	17	27

The submission received from Safeway Building & Renovations was determined as the preferred tender and adequately addressed the evaluation criteria.

Recreational Centre Sports Hall Roof Modification and Recladding Project Funding Breakdown

**Component 1 Works – Roof Modification and Recladding**

Preferred Tendered Price – Safeway Building and Renovations	-\$ 172,770 + GST
Local Road Community Infrastructure Program – Phase 1	\$ 62,000 + GST
Drought Funding Program	\$ 120,000 + GST*

**Component 2 Works – Sports Hall Wall Sheeting Replacement**

*Drought Funding Program – Carryover Funding Component 1	\$ 9,230 + GST
Preferred Tendered Price – Safeway Building and Renovations	-\$ 80,000 + GST
Local Road Community Infrastructure Program – Phase 3	\$ 70,770 + GST

Once fixed construction dates are known Sports Hall user groups will be contacted to relay works to be undertaken and potential disruption to affected parties.

**STATUTORY ENVIRONMENT:**

Local Government Act 1995

*Part 6 - Financial Management*

*Division 4. General Financial provisions*

Local Government (Functions and General) Regulations 1996

*Part 4 - Provision of goods and services*

*Division 1. Purchasing Policies*

*Division 2. Tenders for providing goods or services*

**POLICY IMPLICATIONS:**

ADM 4 - Administration Policy - Purchasing

**FINANCIAL IMPLICATIONS:**

As part of the 2021/22 Annual Budget, Council adopted a budget allocation of \$182,000 to this project which was made of the following;

Local Roads and Community Infrastructure – Phase 1	\$62,000
<u>Drought Communities Program</u>	<u>\$120,000</u>
Total	\$182,000

The recommended tendered price is \$252,770 indicating a shortfall of \$70,770. The recommendation includes that this shortfall portion is funded from the Local Roads and Community Infrastructure Program – Phase 3 available funds.

Please note all figures are exclusive of GST.

**STRATEGIC IMPLICATIONS:**

*Extract from Shire of Nannup Strategic Community Plan 2017 - 2027*

Our Built Environment

- Keep charm and fabric of our shire and upgrade amenity.
- Providing a quality-planning outcome for community benefit through good consultation.

**VOTING REQUIREMENTS:**

Absolute majority.

**OFFICER RECOMMENDATION:**

That Council –

1. Awards Tender PO4\_21 Nannup Recreational Centre Sports Hall Roof Modification and Recladding to Safeway Building and Renovations for \$252,770 plus GST.
2. Approve the additional funds of \$70,770 plus GST required be allocated from the Local Roads and Community Infrastructure Program – Phase 3.

AGENDA NUMBER & SUBJECT:	11.2 - Tender Acceptance - RFT No: TEN PO2_21 Brockman Highway Prepare Rework and Seal Existing Unsealed Shoulders and Install Audible Edge Line Marking Tender Acceptance - RFT No: TEN PO3_21 Mowen Road Prepare Rework and Seal Existing Unsealed Shoulders and Install Audible Edge Line Marking
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	TEN 1
AUTHOR:	Jonathon Jones – Manager Infrastructure
REPORTING OFFICER:	David Taylor –Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT	29 November 2021
ATTACHMENTS:	None

#### **BACKGROUND:**

To advise Council of submissions received in relation to Tender PO2\_21 Brockman Highway and Tender PO3\_21 Mowen Road Prepare Rework and Seal Existing Unsealed Shoulders and Install Audible Edge Line Marking

Both Mowen Road and Brockman Highway are pre - determined eligible and qualifying roads for the Regional Road Safety Program – Local Government Roads (RRSP – LGR) managed by Main Roads WA.

Main Roads WA advises both road projects are to be fully completed within the Tranche 3 timeframe 1<sup>st</sup> January 2022 and 30<sup>th</sup> June 2022.

#### **COMMENT:**

Tenders were advertised in the Western Australian Newspaper and via the Shires Website for both Brockman Highway and Mowen Road closing 2:00pm Friday 29 October 2021.

Fulton Hogan Industries PTY LTD submitted initial tenders for both Brockman Highway and Mowen Road that were priced well above that acceptable by Main Road WA.

The Manager Infrastructure and Chief Executive Officer worked with Main Roads WA and Fulton Hogan reviewing project scope and revising cost to meet MRWA predetermined maximum costs.

One revised tender for each road was received from Fulton Hogan Industries PTY LTD

1. TEN PO2\_21 Brockman Highway \$1,993,935.41
2. TEN PO3\_21 Mowen Road \$1,344,311.55



Officers undertook a panel assessment of the revised tenders and applied a scoring matrix to determine the tenderer met the scope. The following table details the panels assessment of the tenders received against qualitative evaluation criteria.

### 1. TEN PO2\_21 Brockman Highway

Tenderer	Organisational Capacity	Demonstrated Experience	Methodology	Value for Money
Weighting	30%	20%	20%	30%
Fulton Hogan Industries PTY LTD	26	19	12	23

### 2. TEN PO3\_21 Mowen Road

Tenderer	Organisational Capacity	Demonstrated Experience	Methodology	Value for Money
Weighting	30%	20%	20%	30%
Fulton Hogan Industries PTY LTD	26	19	12	23

The submission received from Fulton Hogan Industries PTY LTD was determined as the preferred tender and adequately addressed the evaluation criteria.

#### STATUTORY ENVIRONMENT:

##### **Local Government Act 1995**

*Part 6 - Financial Management*

*Division 4. General Financial provisions*

##### **Local Government (Functions and General) Regulations 1996**

*Part 4 - Provision of goods and services*

*Division 1. Purchasing Policies*

*Division 2. Tenders for providing goods or services*

#### POLICY IMPLICATIONS:

ADM 4, Administration Policy; Purchasing

**FINANCIAL IMPLICATIONS:**

The Regional Road Safety Program – Local Government Roads (RRSP – LGR) is 100% fully funded however funding does not cover vegetation clearing or drainage which will be completed by the Shire.

\$253,446 has already been committed to Vegetation clearing under Roads To Recovery program with an estimated further contract tree removal at \$71'000 + Shire Works department staff time.

**STRATEGIC IMPLICATIONS:**

Our Built Environment

- Keep charm and fabric of our shire and upgrade amenity.

**VOTING REQUIREMENTS:**

Absolute majority.

**OFFICER RECOMMENDATION:**

That Council:

1. Awards Tender PO2\_21 Brockman Highway Prepare Rework and Seal Existing Unsealed Shoulders and Install Audible Edge Line Marking at \$1,993,935.41 and;
2. Awards Tender PO3\_21 Mowen Road Prepare Rework and Seal Existing Unsealed Shoulders and Install Audible Edge Line Marking at \$1,344,311.55 to Fulton Hogan Industries PTY LTD.

**12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

---

**13. URGENT BUSINESS**

---

**14. ITEMS THAT THE MEETING MAY BE CLOSED FOR:**

---

Nil.

**15. CLOSURE OF MEETING**

---