



SHIRE OF KALAMUNDA

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Minutes of Special Council Meeting Held in the Council Chambers 2 Railway Road, Kalamunda Monday 3 May 2010

1.0 OFFICIAL OPENING

- 1.1 The Chairman opened the meeting at 8.00 pm and welcomed Councillors and Staff.

2.0 APOLOGIES AND LEAVE OF ABSENCE

2.1 PRESENT

Councillors

D McKechnie	(CHAIRMAN/SHIRE PRESIDENT)	NORTH WARD
S Bilich		NORTH WARD
A Morton		SOUTH WEST WARD
N Townsend		SOUTH WEST WARD
C Everett		SOUTH EAST WARD
F Lindsey		SOUTH EAST WARD
G Stallard		SOUTH EAST WARD
D O'Connor		NORTH WEST WARD
M Cresswell		NORTH WEST WARD
P Heggie		NORTH WEST WARD

Officials

J Trail		CHIEF EXECUTIVE OFFICER
K O'Connor		DIRECTOR COMMUNITY DEVELOPMENT
B Searle		DIRECTOR CORPORATE SERVICES
M Singh		DIRECTOR ENGINEERING SERVICES
C Higham		DIRECTOR PLANNING AND DEVELOPMENT SERVICES
D Forrest		MANAGER GOVERNANCE
D Jones		MANAGER COMMUNITY DEVELOPMENT
S Leeson		MANAGER FINANCIAL SERVICES
M Comber		MINUTE SECRETARY

2.2 APOLOGY

M Thomas		NORTH WARD
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Observers

Nil.

Newspapers

Nil.

3.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this meeting. For the purposes of Minuting, these questions and answers are summarised.

Nil.

4.0 PETITIONS/DEPUTATIONS

4.1 Nil

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Nil.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 Not applicable.

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

7.1 Nil.

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

Confidential Item In accordance with Section 5.23(2) (c) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal:

'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.'

8.1 **Confidential Item** Tender – Building Contractor for the Construction of Kalamunda Community and Cultural Centre.

9.0 DISCLOSURE OF INTERESTS

Disclosure of Financial and Proximity Interests

- (a) Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the Local Government Act 1995).
- (b) Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the Local Government Act 1995)

Nil

Disclosure of Interest Affecting Impartiality

- (a) Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

Nil.

10.0 REPORT TO COUNCIL

Declaration of financial/conflict of interests to be recorded prior to dealing with each Item.

CONFIDENTIAL ITEM

*The following report(s) is **CONFIDENTIAL** in accordance with Section 5.23(2) (c) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal:*

'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.'

10.1 Tender – Building Contractor for the Construction of Kalamunda Community and Cultural Centre

Item provided under separate cover.

Resolved SCM 69/2010

1. That Council appoints Northerly Construction as the preferred Tenderer for the construction of the Kalamunda Community and Cultural Centre Building.
2. That the Architect and the Project Manager be authorised to liaise with the preferred Tenderer to finalise the variations and respective costs.
3. That Council delegate authority to the Chief Executive Officer in consultation with the Shire President, Deputy Shire President, Chair of the General Services Committee and Director of Engineering Services to :
 - a. Negotiate and accept the identified pre-Contract variations; and
 - b. Finalise the Tender with Northerly Construction, to an amount not exceeding \$4,350,000 (ex GST).

Moved: Cr Lindsey

Seconded: Cr Morton

CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE

Nil.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil.

15 MEETING CLOSED TO THE PUBLIC

Resolved SCM 68/2010

1. That the meeting goes behind closed doors at 8.02 pm to consider the Confidential Item Tender – Building Contractor for the Construction of Kalamunda Community and Cultural Centre.

Moved: Cr Cresswell

Seconded: Cr Morton

CARRIED UNANIMOUSLY

10.1 Tender – Building Contractor for the Construction of Kalamunda Community and Cultural Centre

Reason for Confidentiality In accordance with Section 5.23(2) (c) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to a matter that if disclosed would reveal:

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 - d. Finalise the Tender with Northerly Construction, to an amount not exceeding \$4,350,000 (ex GST).

Moved: Cr Lindsey

Seconded: Cr Morton

CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY

Resolved SCM 70/2010

1. That the meeting returns from behind closed doors at 8.05 pm, after considering the Confidential Item Tender – Building Contractor for the Construction of Kalamunda Community and Cultural Centre.

Moved: Cr Morton

Seconded: Cr Cresswell

CARRIED UNANIMOUSLY

16.0 CLOSURE

There being no further business, the Chairman declared the meeting closed at 8.06pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed.....Chairman

Dated thisday of.....2010