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APPENDIX A - Tender Results

- **Pink Pages**

MINUTES

1. Declaration of Opening and Announcement of Visitors

The meeting was opened at 3:10pm

2. Record of Attendance / Apologies and Leave of Absence Previously Approved

John Kyanga	(President)
Anne Geary	(Deputy President)
Kenny Farmer	(Councillor)
Catherine Carton	(Councillor)

Samantha Tarling	(CEO)
Jean Alagappan	(Deputy CEO)

2 members of the public were in attendance

Apologies

Graham Harris	(Councillor)
Annette Williams	(Councillor)
Glenn Deocampo	(Manager, Finance & Admin)

3. Response to Previous Public Question Taken on Notice

Nil

4. Public Question Time

Nil

5. Applications for Leave of Absence

Nil

6. Notations of Interest

6.1. Interest Affecting Impartiality Shire of Wiluna Code of Conduct

Nil

6.2. Financial Interest Local Government Act Section 5.60A

Nil

6.3. Proximity Interest Local Government Act Section 5.60B

Nil

7. Petitions and Deputations

Nil

8. Confirmation of Minutes of Previous Meeting

Nil

9. Announcement Presiding Member without Discussion

Nil

10. Reports of Committees and Officers

10.1. Chief Executive Officer Reports

Nil

10.2. RPA Coordinator Report

Nil

10.3. Principal Environmental Health Officer Report

10.3.1. Subject/Applicant:	Town Planning Application – Lot 1570 Woodley Street
File:	Lot 1570
Reporting Officer:	Bill Atyeo – Principal Environmental Health Officer
Date of Report:	22 nd September 2009
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to supply Council with enough information to allow a decision from them to allow the development of facilities on land owned by Nooda Ngulegoo Aboriginal Corporation for the secure storage of machinery and other items associated with the business, a workshop, plus caretaker accommodation at Lot 1570, Woodley Street, Wiluna.

Summary:

Proposed use of the land is for the storage and security of machinery and other items associated with the NOODA Ngulegoo Aboriginal Corporation, plus a workshop and a caretaker's residence. Lot 1570 Woodley Street is zoned "Light Industrial" in accordance with the Wiluna Town Planning Scheme. The objective of the Light Industrial zone is to provide for light industrial uses compatible with residential uses in the vicinity, and which contribute to the economic well being of the community.

As such the proposed uses by NOODA of the Lot are permitted **at the discretion** of the Shire. Given that a transport depot, roadhouse, and the like are able to be approved by the Shire, then I feel the uses proposed by NOODA, including the caretaker's residence are able to be approved by the Shire.

The buildings are positioned greater than the required setback of 7 metres in the light industrial zone from the front boundary of Woodley Street, and the planned layout of the Lot with fencing etc indicates sufficient room (greater than 5 metres) for access for emergency vehicles to move around buildings and through the lot as required.

Comments:

I have spoken with Don Ryan from NOODA and I am confident that this proposal will greatly benefit NOODA and the community of Wiluna. It will provide security for their equipment and machinery, and should not adversely affect the amenity of the area.

I feel that Council can issue a planning permit for the development with conditions that must be complied with.

154/09 Council Decision and Officer Recommendation

That Council Approve the proposed development by NOODA Ngulegoo Aboriginal Corporation to develop Lot 1570 Woodley Street as part of the business of NOODA by providing for secure storage of machinery and other items associated with the business, a workshop, plus caretaker accommodation as depicted in the layout plans submitted to Council as part of the application for a Town Planning Permit, with the following conditions forming part of the approval:

1. The use hereby permitted shall not cause injury to or prejudicially effect the amenity of the locality by reason of the processes carried on, the materials, goods and machinery used and stored or by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
2. All building material used in construction or renovation, including fences to the property as shown in the approved plans, must be of new or as new material, to the satisfaction of the CEO of the Shire.
3. The use of the premises as applied for shall not be changed or added to without the consent of Council.
4. No incinerator is to be provided or used on the site. All refuse shall be regularly removed to Council's tip and not stored on the Lot.
5. All stormwater emanating from the lot is to be discharged to a legal point of disposal so that it does not cross the boundaries of any adjacent lot or cause any detriment to the adjacent lots.
6. The footpaths adjoining the lot shall be maintained by the applicant to the satisfaction of the Chief Executive Officer.

7. The owner, the occupier and the manager of the premises shall at all times each make reasonable endeavours to ensure that the premises do not create a nuisance and annoyance to neighbours or otherwise disturb the amenity of the area.
8. All parking of business vehicles, and staff vehicles, and customers/clients will at all times be within the boundaries of the allotment.
9. The surface of the land to be utilised for car parking and the movement of all vehicles shall be treated so as to prevent loss of amenity to the neighbourhood by emission of dust and the discharge of drainage, and practical means shall be installed to prevent damage to the fences of adjoining properties.
10. All buildings and access to the buildings shall be modified to comply with Australian Standard 1428 for disabled persons as required.
11. This Planning Permit will become void if development has not commenced within six (6) months of the issue of permit.
12. The time for completion of the development work is eighteen (18) months from the date of issue of the permit. Council may grant an extension of time, only on receiving written application from the developer and received at least three (3) months prior to the expiration of the time limits.
13. The finish of the external cladding of all the proposed buildings which includes the colour of the paint applied shall be to the satisfaction of the Chief Executive Officer of the Shire of Wiluna.
14. All landscaping on the allotment is to be to the satisfaction of the Chief Executive Officer of the Shire of Wiluna and is to be fully maintained at all times.
15. The developers are required to apply for all relevant building licenses from the Shire and pay all required fees.

MOVED A Geary

SECONDED C Carton
CARRIED 3/1

Objection: Cr K Farmer objected to the motion due to the absence of communitywide consultation in setting up the establishment at 1570 Woodley Street.

3.25 pm CEO LEFT THE MEETING

10.4. Deputy CEO Reports

10.1.1. Subject/Applicant:	Tender for Road Construction 2009/10 and 2010/11
File:	23.00.12.22
Reporting Officer:	Jean Alagappan – Deputy CEO
Date of Report:	1 October 2009
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to discuss and consider the evaluation and assessment of tenders submitted for Road Construction 2009/10 and 2010/11 and accept the highest scoring tenderer as the contractor.

Background

Tenders were invited in the form of local and state advertising for Tender No. 2 – 2009/10 Road Construction for 2009/10 and 2010/11 on 12 September 2009. The Scope of Works stated in the tender is as follows:

2009/10			
No.	Road	Work Description	Length & Location
1	Sandstone-Wiluna Road	Dry Gravel Sheeting	10 kms (SLK 30 – SLK 60)
Gravel sheet 10kms of worst stretch between the SLKs stated above. Reshape and form adequate drainage to a thickness of 150mm of base course at 5% at crown and shoulder; to a width of 8 metres. All drainage should run according to the flow of water with a minimum length of 30-40 metres and averaging 400 metres apart. Clear and open up existing drains.			
2	Wiluna North Road	Gravel Sheeting using Water Binding Method	35 kms (SLK 0 – SLK 35)
Sub-base should be water bound and reformed at 5%. Base course should be water bound to 150mm thickness and width of 8 metres. Water will be supplied from the Shire's standpipe in town and water bore along the North Road at SLK 22.4 and SLK 53.2. All drainage should run according to the flow of water with a minimum length of 30-40 metres and averaging 400 metres apart. Clear and open up existing drains.			
2010/2011			
No.	Road	Work Description	Length & Location
1	Wiluna North Road	Floodway Cement Stabilising	SLK 9
Base course should be mixed with cement, water bound and compacted at 200mm.			
2	Wiluna North Road	Gravel Sheeting using Water Binding Method	26.2 kms (SLK 35 – SLK 61.2)
Sub-base should be water bound and reformed at 5%. Base course should be water			

bound to 150mm thickness and width of 8 metres. Water will be supplied from the Shire's standpipe in town and water bore along the North Road at SLK 22.4 and SLK 53.2. All drainage should run according to the flow of water with a minimum length of 30-40 metres and averaging 400 metres apart. Clear and open up existing drains.			
3	Wongawol Road	Dry Gravel Sheetting	Approx. 40 kms (Mingal Pool to Carnegie Station)
Reshape and form adequate drainage to a thickness of 150mm of base course at 5% at crown and shoulder to a width 8 metres. All drainage should run according to the flow of water with a minimum length of 30-40 metres and averaging 400 metres apart. Clear and open up existing drains.			
4	Wongawol Road	Realignment	Approx. 10 kms (approx. SLK 115 – SLK 125)
Realign, form and shape stretch of road. The Shire of Wiluna will identify which section of the road but the contractor will design and construct the realignment using a base course at 5% at crown and shoulder, form to 150mm thickness and width of 8 metres. Construct drainage according to the flow of water with a minimum length of 30-40 metres and averaging 400 metres apart.			
5	Bridal Face Road	Reforming Only	30 kms (SLK 0 – SLK30)
Shape and reform with adequate drainage (5% crown to shoulder). Drainage should be 40 metres long and 400 metres apart. Clear and open up existing drainage.			

The tender deadline and opening was at 11.00 AM on 30 September 2009. Four tenders were received at closing time and date and were evaluated by the evaluation panel according to the Compliance and Qualitative criteria as follows:

Description of Compliance Criteria		
(a)	Compliance with the Specification contained in the Request.	Yes / No
(b)	Compliance with the Conditions of Tendering this Request.	Yes / No
(c)	Compliance with the Quality Assurance requirement of this Request.	Yes / No
(d)	Compliance with all necessary Licences and Registrations.	Yes / No
(e)	Compliance with and completion of the Price Schedule	Yes / No

Presiding Member Date

Qualitative Criteria

<p>A) Relevant Experience Describe your experience in completing similar projects. Tenders must, as a minimum, address the following information and label it "Relevant Experience":</p> <ul style="list-style-type: none"> (a) Provide details of similar work; (b) Provide scope of the Tenderer's involvement including details of outcomes; (c) Provide details of issues that arose during the project and how these were managed; (d) Demonstrate sound judgement and discretion; (e) Demonstrate competency and proven track record of achieving outcomes; 	<p>Weighting 30%</p>	
	<p>"Key Personnel"</p>	<p>Tick if attached <input type="checkbox"/></p>
<p>B) Personnel skills and experience Tenderers should provide as a minimum information of proposed personnel to be allocated to this project, such as:</p> <ul style="list-style-type: none"> (a) Their role in the performance of the Contract; (b) Membership to any professional or business association; (c) Qualifications, with particular emphasis on experience of personnel in projects of a similar requirement; and (d) Any additional information. <p>details in an attachment and label it "Personnel".</p>	<p>Weighting 10%</p>	
	<p>"Personnel"</p>	<p>Tick if attached <input type="checkbox"/></p>
<p>C) Tenderer's Resources Tenderers should demonstrate their ability to supply and sustain the necessary:</p> <ul style="list-style-type: none"> (a) Plant, equipment and materials; (b) Indicate the age of each machinery; and (c) Any contingency measures or back up of resources including personnel (where applicable). <p>As a minimum, Tenderers should provide a current commitment schedule and plant/equipment schedule in an attachment and label it "Tenderer's Resources".</p>	<p>Weighting 20%</p>	
	<p>"Tenderer's Resources"</p>	<p>Tick if attached <input type="checkbox"/></p>
<p>D) Demonstrated Understanding Tenderers should detail the process they intend to use to achieve the Requirements of the Specification. Areas that you may wish to cover include:</p> <ul style="list-style-type: none"> (a) A project schedule/timeline (where applicable); (b) The process for the delivery of the goods/services; (c) A demonstrated understanding of the scope of work <p>Supply details and provide an outline of your proposed methodology in an attachment labelled "Demonstrated Understanding".</p>	<p>Weighting 20%</p>	
	<p>"Demonstrated Understanding"</p>	<p>Tick if attached <input type="checkbox"/></p>
<p>E) Price Schedule Tenderers are to complete 3.4.2 "Price Schedule".</p>	<p>Weighting 20%</p>	
	<p>"Tendered Price"</p>	<p>Tick if attached <input type="checkbox"/></p>

Presiding Member Date

The tenderers were also asked to provide the price schedule as follows:

SCHEDULE OF RATES

No.	Description	Tender Unit	Price Tendered (ex GST)	GST Component	Price Tendered (inc GST)
1	Dozer – Minimum D7	Per m ³			
2	Grader	Per hour			
3	Loader	Per hour			
4	2 x Roadtrains	Per hour			
5	Water Carting – Minimum 4” Delivery Pump and Minimum Water Carting Trailer Capacity of 30,000 L	Per hour			

Rates may be reviewed after 12 months to take into account fuel and labour price fluctuations. The change will be based on the Consumer Price Index.

Comment

The evaluation process as indicated in the tender document includes the following methodology:

- (a) Tenders are checked for completeness and compliance. Tenders that do not contain all information requested (e.g. completed Form of Tender and Attachments) may be excluded from evaluation.
- (b) Tenders are assessed against the selection criteria.
- (c) The most suitable tenderers may be shortlisted and may also be required to clarify the offer. Referees may also be contacted prior to the selection of the successful tenderer.

A contract may then be awarded to the tenderer whose tender is considered the most advantageous tender to the Shire, to the tenderer who best demonstrates the ability to carry out the road construction at a competitive price. The Shire has adopted a best value for money approach to this Request. Despite of the evaluation panel’s assessment, Council may disagree and choose to select a tenderer whom council thinks will provide the best value for money.

The tender provides an option to award an extension of another two years subject to the rates and conditions being agreeable to both contractor and principal.

The standard of the tenders submitted were of good quality, however, each one had to be carefully evaluated against the Qualitative criteria. Please see Appendix A (pink pages) for the total score and detailed evaluation of each qualitative criterion score of each tenderer. As shown on Appendix A, Northern Goldfields Earthmoving scored 87% and the next highest score was earned by Highway Construction (75%). While Highway Construction scored highly in all other criteria, it did not fare well in pricing compared to the other tenderers. Northern Goldfields Highway offered the cheapest rate in most areas.

One tender was received at 11.18 a.m. and by law, tenders cannot be evaluated if received late (Regulation 18 (1) of the Local government (Functions and General) Regulations 1996. The Shire of Wiluna has a responsibility to ensure that the tendering process is conducted honestly and in a manner that is fair to all parties involved.

Consultation

WALGA Tender Services
Chief Executive Officer – Shire of Wiluna
Chief Executive Officer – Shire of Menzies
Contracts Manager – Town of Bassendean

Strategic Implications

The Shire of Wiluna's commitment to maintain the quality and safety of our roads through gravel sheeting is demonstrated by the development of a 5-year road construction programme as aimed in the Shire's 2009-14 Strategic Plan under "Green Wiluna".

Financial Implications

Road construction for 2009/10 is included in this year's approved budget for a total of \$876,000. The estimated road construction budget for 2010/11 will be approximately the same amount as this year's.

3:30pm CEO RE-ENTERED THE MEETING

Voting Requirement

Simple Majority

<i>155/09 Council Decision and Officer Recommendation</i>
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That Council accept Northern Goldfield Earthmoving's tender and appoint it as the Shire of Wiluna's road construction contractor for 2009/10 and 2010/11 with an option to extend for another 2 financial years at the discretion of the Shire of Wiluna.

MOVED A Geary

SECONDED C Carton
CARRIED 4/0

10.5. Manager Finance & Administration Officer Reports

Nil

10.6. Manager Works & Services Officer Report

Nil

10.7. Community Development Manager

Nil

10.7.2 Tourism Officer Report

Nil

10.7.3 Art Gallery Manager

Nil

10.7.4. Swimming Pool Manager Report

Nil

10.7.5 Sports & Recreational Officer Report

Nil

10.7.6 Homemaker Officer Report

Nil

10.8. Committee Report

Nil

11. Elected Members Motion of Which Previous Notice Has Been Given

Nil

12. Urgent Business Approved by the Person Presiding or by Decision of Council

Nil

13. Public Question Time

Nil

14. Matters Behind Closed Doors – Confidential Item

Nil

15. Closure

Meeting Closed at 3.33pm