

Special Council Minutes Index – 14 April 2022

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MINUTES

For the Special Meeting of Council held in the Council Chambers on **Thursday 14 April 2022 commencing at 5.32pm**, called for the purpose of considering amendments to the 2021/22 Budget associated with changes in projects funded under the Australian Government's Local Roads and Community Infrastructure program.

Acknowledgment of Country – Presiding Member

On behalf of the Councillors, staff and gallery, I acknowledge the Noongar People, the Traditional Custodians of the land on which we are gathered, and pay my respects to their Elders past, present and emerging.

Attendance & Apologies

Presiding Member - Cr S Mahoney

Councillors - B Johnson

- T Lansdell

- J Mountford

- A Pratico

- P Quinby

- A Rose

Officer - T Clynch, Chief Executive Officer

- M Larkworthy, Executive Manager Corporate Services

- P St John, Executive Manager Development and Infrastructure

Apologies - Cr J Bookless, Shire President

- Cr J Boyle

Attendance of Gallery

K Miller, M Richards

Public Question Time - Nil

Petitions/Deputations/Presentations - Nil

Comments on Agenda Items by Parties with an Interest - Nil

Notification of Disclosures of Interest

Section 5.65 or 5.70 of the Local Government Act requires a Member or Officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Member or Officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

A Member who makes a disclosure under Section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow a Member to speak, the extent of the interest must also be stated.

Nil

SpCa.01/0422 Suspension of Standing Orders

At its December 2021 meeting Council resolved:

That Council:

- 1. That at an appropriate period after the commencement of each ordinary and special council meetings Council is to consider suspending Clause 9.1 of its Standing Orders Local Law to allow Council Members to remain seated whilst addressing Council, either in speaking to a motion or the asking of a question.*
- 2. That this procedure be conducted as a trial to determine whether a permanent change in the Standing Orders should be sought.*

Clause 18.1 of the Standing Orders states:

- (1) The Council or a committee may decide, by simple majority vote, to suspend temporarily one or more of these Standing Orders.
- (2) The mover of a motion to suspend temporarily any one or more of these Standing Orders is to state the clause or clauses to be suspended, and the purpose of the suspension

The key words in clause 18.1 are “suspend temporarily” meaning that Council must resolve at each Council Meeting to suspend clause 9.1 of the Standing Orders for the duration of the meeting.

Motion

That Council suspend clause 9.1 of its Standing Orders Local Law to allow Council Members to remain seated whilst addressing Council, either in speaking to a motion or the asking of a question.

Council Decision Moved Cr Rose, Seconded Cr Mountford

SpCa.01/0422 That Council suspend clause 9.1 of its Standing Orders Local Law to allow Council Members to remain seated whilst addressing Council, either in speaking to a motion or the asking of a question.

Carried 7/0

Business Items

ITEM NO.	SpCa.02/0422	FILE REF.	208
SUBJECT	Proposed Budget Amendment – Reallocation of Local Roads and Community Infrastructure Program Phase 2 and Nomination of Projects for Local Roads and Community Infrastructure Program Phase 3		
PROPONENT	Council		
OFFICER	Chief Executive Officer		
DATE OF REPORT	4 February 2022		

OFFICER RECOMMENDATION

That Council:

1. *Direct the CEO to withdraw the request to the Australian Government for a change of project for Local Roads and Community Infrastructure Program Phase 2 as contained in Resolution C.04/0122 from its ordinary meeting held on 27 January 2022.*

2. *Seek the approval of the Australian Government for a change of project for Local Roads and Community Infrastructure Program Phase 2. This would replace the Greenbushes Town Centre Project (\$431,614) with the following projects:*
 - a. *Gravel re-sheeting works on Polina Road, Kangaroo Gully for an approximate distance of 2.3km - \$150,000*
 - b. *Gravel re-sheeting works on Grange Road, Wandillup for an approximate distance of 2.3km - \$150,000*
 - c. *Gravel re-sheeting works on Hay Road, Greenbushes for an approximate distance of 1.6km - \$100,000*
 - d. *Bridgetown Hall Improvements - Installation of air conditioning in the Bridgetown Lesser Hall, renewal of floor coverings in kitchen and bar, replacement of light fittings in Lesser Hall - \$31,614*

3. *Amend its 2021/22 Budget as follows:*
 - a. *Decrease budget allocation for Job 02BU – Bridgetown Civic Centre by \$168,386 (i.e. from \$879,338 to \$710,952)*
 - b. *Decrease budget allocation for Job 16IN – Bridgetown Youth Precinct by \$175,000 (i.e. from \$860,021 to \$685,021)*
 - c. *Decrease budget allocation for Job FP30 – Steere Street Footpath by \$38,614 from \$38,614 to \$0.*
 - d. *Decrease budget allocation for Job FP38 – Allnutt Street Footpath from \$18,000 to \$0.*
 - e. *Increase budget allocation for Job RC56 - Polina Road Resheet by \$150,000 (i.e. from \$0 to \$150,000)*
 - f. *Include new budget allocation of \$150,000 to new job – Grange Road Resheet*
 - g. *Include new budget allocation of \$100,000 to new job – Hay Road Resheet*

Summary/Purpose

In January 2022 Council resolved to seek the approval of the Australian Government for a change of project for Local Roads and Community Infrastructure Program Phase 2. This would replace the Greenbushes Town Centre Project. This was due to delays in progressing the land acquisition process and significant increases in the

cost estimates to construct the car park. The proposal was to allocate this funding to Stage 2 of the Bridgetown Youth Precinct project, Stage 2 of the Bridgetown Town Hall project and 2 footpath jobs.

Despite the application being submitted shortly after the necessary approvals are still to be obtained. With a deadline to fully expend the Local Roads and Community Infrastructure Program Phase 2 by 30 June 2022 there are significant risks in the proposed projects being completed and potentially requiring Council to return the funding to the Australian Government.

To mitigate this risk it is recommended that Council withdraw the request to the Australian Government arising from its January 2022 resolution and instead nominate alternative projects for this funding – being projects able to be completed by 30 June 2022. For this reason the projects proposed are 3 road gravel re-sheet projects and some minor improvements to the Bridgetown Town Hall project that are outside the scope of that current project.

Background

Council, at its January 2022 meeting resolved:

C.04/0122 That Council:

1. *Seek the approval of the Australian Government for a change of project for Local Roads and Community Infrastructure Program Phase 2. This would replace the Greenbushes Town Centre Project (\$431,614) with the following:*
 - a. *Additional allocation to Bridgetown Civic Centre (Town Hall) Project to ensure that the works in the Lesser Hall, Kitchen and Toilets are funded - \$200,000*
 - b. *Additional allocation for the Bridgetown Youth Precinct Project to reinstate the elements removed when awarding the tender – new ablution block, parkour and drinking fountain - \$175,000*
 - c. *Reinstatement of 2 footpaths deferred from 2021/22 budget to fund Council's contribution to blackspot Winnejup Road works, being Steere Street (\$38,614) and Allnutt Street (\$18,000)*
2. *Amend its 2021/22 Budget as follows:*
 - a. *Decrease budget allocation for job CP05 – Greenbushes CBD Parking & Safety Enhancement by \$431,614 (i.e. from \$499,854 to \$68,240)*
 - b. *Increase budget allocation for Job 02BU – Bridgetown Civic Centre by \$200,000 (i.e. from \$679,338 to \$879,338)*
 - c. *Increase budget allocation for Job 16IN – Bridgetown Youth Precinct by \$175,000 (i.e. from \$685,021 to \$860,021)*
 - d. *Include new budget allocation of \$38,614 to Job FP30 – Steere Street Footpath*
 - e. *Include new budget allocation of \$18,000 to Job FP38 – Allnutt Street Footpath*
3. *Nominate for approval by the Australian Government of the following project expenditures under the Local Roads and Community Infrastructure Program Phase 3:*
 - *Greenbushes Town Centre Project - \$541,042*
 - *Greenbushes Youth Precinct - \$300,000*
 - *Nelson Street Footpath Asphalt Resurfacing - \$80,000*

4. *Direct the CEO to arrange delivery of a bulk mail postal flyer to all postal addresses within the Shire explaining the reasons for deferring delivery of the Greenbushes Town Centre Project, nomination of alternative projects under the Local Roads and Community Infrastructure Program Phase 2, and the nomination of projects under Phase 3 of the same program.*
5. *Note that the CEO will provide regular updates to the project partners of the Greenbushes Town Centre Project, being the owners of the land to be excised and Talison Lithium that is funding the land acquisition.*

Approval has yet to be obtained for the reallocations/variations outlined in Parts 1 and 2 of Resolution C.04/0122. There has been significant delays in the Australian Government Department progressing the request. Recent discussions with that Department raised concerns about the risks in the projects nominated by Council in January 2022 being completed by 30 June 2022 with the Department advising that the possibility of gaining an extension to that due date were low. Through these discussions the proposal to change the projects to road re-sheet works and minor building improvements was formulated as these types of works are considered more achievable by 30 June 2022.

Note part 3 of the Resolution C.04/0122 isn't affected by these considerations. The nomination of projects under the Local Roads and Community Infrastructure Program Phase 3 has occurred.

Part 4 of Resolution C.04/0122 has been placed on hold, pending Council's consideration of the officer recommendation at this Special Meeting. A flyer was prepared and was due for distribution by Australia Post a few days ago but once this Special Council Meeting was called a request was submitted to Australia Post to defer distribution to local postal addresses.

Officer Comment

It is recommended Council seek an urgent approval by the Australian Government for a change of project for Local Roads and Community Infrastructure Program Phase 2. As the variations sought by Council at its January 2022 meeting are yet to be approved the approved project under Phase 2 at this time remains the Greenbushes Town Centre Project.

The officer recommendation is to replace the Greenbushes Town Centre Project (\$431,614) with the following:

- Gravel re-sheeting works on Polina Road, Kangaroo Gully for an approximate distance of 2.3km - \$150,000
- Gravel re-sheeting works on Grange Road, Wandillup for an approximate distance of 2.3km - \$150,000
- Gravel re-sheeting works on Hay Road, Greenbushes for an approximate distance of 1.6km - \$100,000
- Bridgetown Hall Improvements - Installation of air conditioning in the Bridgetown Lesser Hall, renewal of floor coverings in kitchen and bar, replacement of light fittings in Lesser Hall - \$31,614

The selection of gravel re-sheeting works was done with regard to accessibility of local contractors and ability to meet the deadline of 30 June 2022. The selection of Polina Road, Grange Road and Hay Street was done having regard to the contents of Council's 10 Year Works Program, recent condition surveys of gravel roads and assessment of recent customer service requests.

There are other gravel re-sheeting jobs in the 10 Year Works Program that Council could choose to substitute with the 3 jobs recommended. These include Elwins Road, Huitson Road, Kingston Road, Gomm Lane, Donnelly Mill Road, Wilgarup Road, Dalmore Road, Forest Park Road, Greenfields Road, Haines Road, Strathmore Road, Westbourne Road, Seaton Ross Road, Peninsula Road, Crowd Wheatley Road, Doust Road, McLarty Street, Wheatley Giblett Road and Hamilton Road.

All these roads have different lengths. Data will be available at the meeting if Council wishes to consider alternative roads.

The works at the Bridgetown Town Hall have been identified as being works that could be delivered by 30 June 2022 and are outside the scope of the current town hall project.

Statutory Environment

Reallocating funding to the gravel re-sheet jobs in 2021/22 would be classified as unbudgeted expenditure. Section 6.8 of the Local Government Act requires an absolute majority decision for expenditure not included in the annual budget.

Integrated Planning

- Strategic Community Plan
 - Outcome 7 responsible and attractive growth and development
 - Objective 7.6 deliver defined levels of service to provide and maintain Shire assets in the most cost effective way
 - Outcome 8 local history, heritage and character is valued and preserved
 - Objective 8.1 identify, preserve and showcase significant local history and heritage

- Corporate Business Plan
 - Objective 7.6 deliver defined levels of service to provide and maintain Shire assets in the most cost effective way
 - Action 7.6.2 provide implementation of the long term shire road, drainage, bridges and footpaths infrastructure renewal and upgrade plan
 - Objective 8.1 identify, preserve and showcase significant local history and heritage
 - Action 8.1.1 provide the implementation of the Town Hall and Civic Centre Revitalisation Project

Policy Implications – Nil

Budget Implications

No additional expenditure above what is allocated in the 2021/22 budget would occur under the officer recommendation noting that allocations for individual projects would change.

Whole of Life Accounting - Nil

Risk Management - Nil

Voting Requirements – Absolute Majority

Moved Cr Pratico, Seconded Cr Rose

That Council:

1. Direct the CEO to withdraw the request to the Australian Government for a change of project for Local Roads and Community Infrastructure Program Phase 2 as contained in Resolution C.04/0122 from its ordinary meeting held on 27 January 2022.
2. Seek the approval of the Australian Government for a change of project for Local Roads and Community Infrastructure Program Phase 2. This would replace the Greenbushes Town Centre Project (\$431,614) with the following projects:
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 - c. Gravel re-sheeting works on Hay Road, Greenbushes for an approximate distance of 1.6km - \$100,000
 - d. Bridgetown Hall Improvements - Installation of air conditioning in the Bridgetown Lesser Hall, renewal of floor coverings in kitchen and bar, replacement of light fittings in Lesser Hall - \$31,614
3. Amend its 2021/22 Budget as follows:
 - a. Decrease budget allocation for Job 02BU – Bridgetown Civic Centre by \$168,386 (i.e. from \$879,338 to \$710,952)
 - b. Decrease budget allocation for Job 16IN – Bridgetown Youth Precinct by \$175,000 (i.e. from \$860,021 to \$685,021)
 - c. Decrease budget allocation for Job FP30 – Steere Street Footpath by \$38,614 from \$38,614 to \$0.
 - d. Decrease budget allocation for Job FP38 – Allnutt Street Footpath from \$18,000 to \$0.
 - e. Increase budget allocation for Job RC56 - Polina Road Resheet by \$150,000 (i.e. from \$0 to \$150,000)
 - f. Include new budget allocation of \$150,000 to new job – Grange Road Resheet
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Amendment Moved Cr Mahoney, Seconded Cr Rose

Add a new Part 4 to read:

4. Direct the CEO to arrange delivery of a bulk mail postal flyer to all postal addresses within the Shire explaining the reasons for deferring delivery of the Greenbushes Town Centre Project, nomination of alternative projects under the Local Roads and Community Infrastructure Program Phase 2, and the nomination of projects under Phase 3 of the same program. The timeframe for submitting the flyer to Australia Post is to be 5 working days with Australia Post to be requested to distribute as soon as possible.

Carried 7/0

The amended motion became the substantive motion and was put.

Council Decision **Moved Cr Pratico, Seconded Cr Rose**
SpCa.02/0422 **That Council:**

- 1. Direct the CEO to withdraw the request to the Australian Government for a change of project for Local Roads and Community Infrastructure Program Phase 2 as contained in Resolution C.04/0122 from its ordinary meeting held on 27 January 2022.**
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- 4. Direct the CEO to arrange delivery of a bulk mail postal flyer to all postal addresses within the Shire explaining the reasons for deferring delivery of the Greenbushes Town Centre Project, nomination of alternative projects under the Local Roads and Community Infrastructure Program Phase 2, and the nomination of projects under Phase 3 of the same program. The timeframe for submitting the flyer to Australia Post is to be 5 working days with Australia Post to be requested to distribute as soon as possible.**

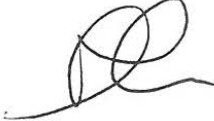
Carried 7/0

Matters Behind Closed Doors (Confidential Items) – Nil

Closure

The Presiding Member closed the Meeting at 5.40pm.

List of Attachments – Nil

Minutes checked and authorised by CEO, Mr T P Clynh		20.04.2022
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