

I certify that this copy of the Minutes is a true and correct record of the meeting held on 5 May 2011  
Signed: .....  
Presiding Elected Member  
Date:.....



**MINUTES OF SPECIAL COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS ON  
TUESDAY, 5 MAY 2011  
COMMENCING AT 5.13PM**

- PRESENT:**
- |             |  |
|-------------|--|
| President   | Cr S C Chandler (Presiding Member)   |
| Councillors | Cr R T McClurg (Deputy President)<br>Cr K J Hepworth<br>Cr R W Roberts<br>Cr L W Wheeler   |
| Staff       | Mr D J Simmons – Chief Executive Officer<br>Mr G M Peddie – Director, Corporate Services (Minute Taker)<br>Mr F A Neuweiler – Manager, Community Development<br>Mr G F Coaker – Town Planner<br>Mr A S Wootton – Works Manager |
- APOLOGIES:**
- Cr B C Scott  
Cr I F West  
Cr J B Fitzhardinge

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- DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**  
The Presiding Member declared the meeting open at 5.13pm and welcomed all those in attendance to the proceedings.
  - RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**  
Cr B C Scott, Cr I F West & Cr J B Fitzhardinge - Apologies
  - REPORTS**

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**W.172**  
**Subject:** Seawall Construction- Proposed Extra Funding  
**Reporting Officer:** Works Manager  
**Date of Report:** 3 May 2011  
**File Reference:** EM.MO.2  
**Voting Requirements:** Absolute Majority

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**Issue:**

To consider an offer from the Department of Transport for additional funding to complete stage 3 of the Grannies beach Seawall while contractors are undertaking the construction works on stage 2.

**Body/Background:**

VDM Contracting Pty Ltd was awarded Council's tender to construct stage 2 of the Grannies beach seawall at the Ordinary Council Meeting held on 22 March 2011, with the following resolution passed:

*'That Council*

- 1. Based on the recommendation of the Seawall Tender Panel (comprising Shire of Irwin, Department of Transport and M.P. Rogers and Associates representatives), Council accept the Tender from VDM Contracting for \$198,479 (GST inclusive) to undertake Stage 2 construction works of a 50 metre section of the Dongara Seawall at Grannies Beach, Port Denison;'*

The contractor has made overtures to the Department of Transport (DoT) in relation to extra works whilst on site.

As part of the Tender specifications, tenderers were asked to submit a metre rate for any additional works (\$3760 to \$4,140 per metre) outside of the 50metres of initial construction which the accepted tenderer has done.

The Department of Transport have had a funding proposal put off until the following year and now have additional funding for Council to use in order to complete a further 50 metres of seawall subject to Council matching the DoT's funding on a dollar for dollar basis (as per the existing grant agreement process).

**Officer's Comment:**

Comparing the differences in the Tenders that we received it is likely that future tenders could exceed what we have been tendered in this financial year, we have already made provision in the 2011/2012 budget to include an extra \$100,000 to bring the total up to \$300,000 so as we can cover any shortfalls in future tenders.

The works at Grannies/ Surf Beach are approximately 500 metres long which at 50mts a year will be a burden for at least another 8 years after this year's works, so to be able to add an extra 50 metres would be of great benefit to the project and thus community overall.

Council will still be eligible for funding in the 2011/2012 financial year if this offer is accepted.

**Financial Implications:**

Council at its Ordinary Council Meeting held on 19 April 2011, accepted the officers recommendation to transfer \$300,000 to Building Reserve (see attachment). To be able to utilise the offer from the Department of Transport \$100,000 of this transfer of funds would have to be used for these additional works.

**Statutory Environment:**

Local Government (Functions and General) Regulations 1996.

**Policy Implications:**

Nil.

**Officer’s Recommendation:**

That Council, by an absolute majority:

1. Agrees to engage VDM Contracting to undertake Stage 3 construction works (representing a further 50 metres) of the Dongara Seawall in parallel with their Stage 2 works; and
2. Not proceed with the transfer \$300,000 to the Building Reserve as resolved at its ordinary meeting of Council held on 19 April 2011 and, in lieu, transfers \$200,000 to the Building Reserve and uses the additional \$100,000 as its matching funds to acquire additional matching funding from the Department of Transport in order to fund the additional 50 metres of seawall.

**COUNCIL MOTION:**

**MOVED:** Cr K J Hepworth

**SECONDED:** Cr R W Roberts

*That Council, by an absolute majority:*

1. *Agrees to engage VDM Contracting to undertake Stage 3 construction works (representing a further 50 metres) of the Dongara Seawall in parallel with their Stage 2 works; and*
2. *Not proceed with the transfer \$300,000 to the Building Reserve as resolved at its ordinary meeting of Council held on 19 April 2011 and, in lieu, transfers \$200,000 to the Building Reserve and uses the additional \$100,000 as its matching funds to acquire additional matching funding from the Department of Transport in order to fund the additional 50 metres of seawall.*

**CARRIED BY ABSOLUTE MAJORITY**

**VOTING DETAILS**

**5/0**

**4. CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 5.14pm.

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