



**MINUTES**

**FOR THE**

**SPECIAL MEETING**  
**OF COUNCIL**

**HELD ON**

**TUESDAY, 13 SEPTEMBER 2011**

**PLEASE READ THE FOLLOWING DISCLAIMER BEFORE PROCEEDING**

Members of the public are cautioned against taking any action on Council decisions, on items in these Minutes in which they may have an interest, until such time as they have been advised in writing by Council staff.

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## SPECIAL COUNCIL MEETING 13 SEPTEMBER 2011

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I certify that this copy of the Minutes is a true and correct record of the meeting held on  
13 September 2011

Signed: .....  
Presiding Elected Member

Date:.....



**MINUTES FOR SPECIAL COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS ON  
TUESDAY, 13 SEPTEMBER 2011  
COMMENCING AT 4.00PM**

<b>PRESENT:</b>	President	Cr S C Chandler (Presiding Member)
	Councillors	Cr J B Fitzhardinge Cr K J Hepworth Cr R W Roberts Cr B C Scott Cr I F West Cr L W Wheeler
	Staff	Mr D J Simmons – Chief Executive Officer Mr F A Neuweiler – Manager, Community Development Mr G F Coaker – Town Planner
<b>APOLOGIES:</b>		Mr G M Peddie, Mr A S Wootton
<b>LEAVE OF ABSENCE:</b>		Cr R T McClurg

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

The Presiding Member declared the meeting open at 4.00pm and welcomed all those in attendance to the proceedings.

**2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

Cr R T McClurg – Leave of Absence  
Mr G M Peddie – Director, Corporate Services – Apology  
Mr A S Wootton – Works Manager – Apology

### 3. REPORTS

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**W.174:**

**Subject:** Provision Slurry Seal Works 2011/12  
**Reporting Officer:** Works Manager  
**File Reference:** RD.TE  
**Date of Report:** 26 August 2011  
**Voting Requirements:** Simple Majority

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**Report Purpose:**

To consider using Works Infrastructure for " Slurry Sealing Works", without inviting tenders, on the basis that they are the only supplier of this type of road sealing material within Western Australia.

**OFFICER'S RECOMMENDATION/COUNCIL DECISION:**

**MOVED:** Cr I F West

**SECONDED:** Cr J B Fitzhardinge

*That Council does not advertise for tenders for the supply of slurry sealing works on the basis that there is only one tender likely to be received, and seeks a quotation from Works Infrastructure to carry out slurry sealing works to various roads as listed in the Road Construction Programme for 2011/12.*

**CARRIED UNANIMOUSLY**

**VOTING DETAILS**

**7/0**

**Body/Background:**

Council have historically adopted the use of slurry seals when re-surfacing the residential streets in Dongara and Port Denison.

The use of slurry seals provide a more suitable surface to residential streets than the conventional chip seals that have been used previously. The advantages are a smoother surface and reduced road noise, there is no loose metal to collect and the streets are easier to sweep, while other options such as hot mix provide as good a finish and better life span but also costs substantially more to lay.

The unfortunate aspect of slurry sealing is that there is no competition, with only one supplier being available to us at any given time.

**Officer's Comment:**

Given the unique nature of the slurry sealing product and the absence of any competition to Works Infrastructure in supplying this product Council authority is requested to proceed without seeking tenders.

**Financial Implications:**

Council has made provision of \$108,400 in the 2011/12 budget for slurry seal works. A quote will be obtained for the work prior to proceeding.

**Statutory Environment:**

Local Government (Functions and General) Regulations 1996  
Division 2- Tenders for providing goods and services (s.3.57)

**. 11A.**

***Purchasing policies***

- (1) A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100 000 or less or worth \$100 000 or less.

***Tenders to be invited for certain contracts***

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless sub regulation (2) states otherwise.

- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —

Subparagraph;

- (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or

**Policy Implications:**

Nil.

**4. CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 4.02pm.

<p>I certify that this copy of the Minutes is a true and correct record of the meeting held on 13 September 2011 <i>Signed:</i> ..... Presiding Elected Member  Date:.....</p>
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