



SHIRE OF  
**DOWERIN**  
TIN DOG TERRITORY

# MINUTES

## Special Council Meeting

Held in Council Chambers  
13 Cottrell Street, Dowerin WA 6461  
Tuesday 7 March 2023



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Shire of Dowerin  
Special Council Meeting  
1.00pm Tuesday 7 March 2023



**1. Official Opening**

The President welcomed those in attendance and declared the meeting open at 2.00pm.

**2. Record of Attendance / Apologies / Leave of Absence**

**Councillors:**

Cr RI Trepp	President
Cr BA Ward	Deputy President
Cr NP McMorran	
Cr AJ Metcalf	
Cr JC Sewell	

**Staff**

Ms R McCall	Chief Executive Officer
Mr A Wooldridge	Deputy Chief Executive Officer
Ms L Dreghorn	Executive & Governance Officer

**Members of the Public:** Mrs Lyn Phillips

**Apologies:** Cr WG Allsopp  
Cr DP Hudson  
Cr LG Hagboom - Non-Attendance

**Approved Leave of Absence:** Nil

**3. Public Question Time**

Mrs Lyn Phillips summarised questions detailed in her letter addressed to Council and the CEO dated 5 March 2023. Key questions included:

- Would the Shire grade Phillips and Kalguddering Roads?
- What is the tender process if we wish to level Phillips Road?
- How are Holberton Contractors and Shire workers paid?
- Do Holberton Contracting hire Shire machinery?
- What are the responsibilities of the Shire's Assets & Works Coordinator?

Mrs Phillips also brought to Council's attention of the saffron thistle reappearing of the Dowerin-Kalannie Road and advised she has picked out the thistle. Mrs Phillips stated that in her opinion, it is the Shire's duty to eradicate this weed.

The Shire President advised Mrs Phillips that a written response to her questions will be provided in due course.

**4. Disclosure of Interest**

Nil

**5. OFFICER'S REPORTS - CORPORATE AND COMMUNITY SERVICES**

**5.1 Request for Tender - T2023-01 Maintenance Grading Road Works**

<h2 style="color: red;">Asset &amp; Works</h2>		 SHIRE OF <b>DOWERIN</b> TIN DOG TERRITORY
<b>Date:</b>	28 February 2023	
<b>Location:</b>	Not applicable	
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer	
<b>Author:</b>	Linley Dreghorn, Executive & Governance Officer	
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Functions &amp; General) Regulations 1996</i>	
<b>Sharepoint Reference:</b>	Organisation/Corporate Management/Tendering	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<b>Confidential Attachment 5.1A</b> - Draft Tender Specifications	

**Purpose of Report**

Executive Decision

Legislative Requirement

**Summary**

This Item presents the draft tender specifications for the Request for Tender (RFT) - T2023-01 Maintenance Grading Road Works to Council for consideration and, if satisfactory, adoption.

**Background**

The Shire of Dowerin is committed to applying the objectives, principles and practices outlined in Policy 3.11 Purchasing Policy, to all purchasing activities and to ensuring alignment with the Shire's strategic and operational objectives.

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the Shire's tendering procedures [F&G Reg.13].

The Asset and Works Committee were consulted in the preparation of the specifications of the tender documentation.

**Comment**

The RFT package will include all relevant documentation in accordance with legislative requirements and will incorporate the relevant selectional qualitative criteria and weightings (as approved by Council) to be applied during the tender analysis.

Permission is sought from Council to advertise this RFT in accordance with legislative requirements, with a report to be provided to the next Ordinary Meeting of Council following the close of tenders for determination, once the appropriate advertising and evaluation process is completed.

## Consultation

Rebecca McCall, Chief Executive Officer  
Ben Forbes, Asset & Works Coordinator  
Asset & Works Committee – February 2023 Meeting  
Council Workshop – February 2023 Meeting

## Policy Implications

Policy 3.11 – Purchasing Policy and Policy 3.15 – Regional Price Preference Policy are applicable.

## Strategic Implications

### Strategic Community Plan

Community Priority: Our Infrastructure  
Objective: We have functional infrastructure that meets the needs of the community.  
Outcome: 3.2  
Reference: 3.2.3

### Asset Management Plan

Identified key controls and actions associated with asset management are factored into the Asset Management Plan.

### Long Term Financial Plan

Identified key controls and actions associated with financial management are factored into the Long Term Financial Plan.

## Statutory Implications

Section 3.57 of the *Local Government Act 1995* is applicable and states:

### **“3.57. Tenders for providing goods or services**

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.”*

Division 2 of the *Local Government (Functions & General) Regulations 1996* is applicable for the conduct of a tender process.

## Risk Implications

<b>Risk Profiling Theme</b>	Supplier/Contract Management
<b>Risk Category</b>	Project Budget
<b>Risk Description</b>	\$200,001 - \$500,000
<b>Consequence Rating</b>	Minor (2)
<b>Likelihood Rating</b>	Unlikely (2)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls (in place)</b>	Annual Budget
<b>Action (Treatment)</b>	Develop Standardised Contracts; Document Financial Controls

<b>Risk Rating (after treatment)</b>	Adequate
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### Financial Implications

The tender amounts will be a consideration in the 2023/2024 Capital Road Construction budget.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation/Resolution - 5.1

**Moved:** Cr Sewell

**Seconded:** Cr Metcalf


**0739**

**That, by Simple Majority, in accordance with Section 3.57 of the *Local Government Act 1995* and Division 2 of the *Local Government (Functions and General) Regulations 1996*, Council:**

- 1. Endorses the Tender Specifications for the RFT - T2023-01 Maintenance Grading Road Works, as presented in Confidential Attachment 5.1A;**
- 2. Approves the Selection Criteria and Weightings as contained in the Tender Specifications mentioned in point 1 above;**
- 3. Endorses advertising of the Tender Specifications for the RFT - T2023-01 Maintenance Grading Road Works; and**
- 4. Notes that a confidential report will be presented to Council at the next Ordinary Meeting of Council following the close of tender submissions and completion of the tender evaluation process.**

**CARRIED 5/0**

**5.2 Request for Tender – T2023-02 Supply of Bituminous Seal Works**

<h1 style="color: #C00000;">Asset &amp; Works</h1>		 SHIRE OF <b>DOWERIN</b> TIN DOG TERRITORY
<b>Date:</b>	28 February 2023	
<b>Location:</b>	Not applicable	
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer	
<b>Author:</b>	Linley Dreghorn, Executive & Governance Officer	
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Functions &amp; General) Regulations 1996</i>	
<b>Sharepoint Reference:</b>	Organisation/Corporate Management/Tendering	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<b>Confidential Attachment 5.2A</b> – Draft Tender Specifications	

**Purpose of Report**

- Executive Decision
  Legislative Requirement

**Summary**

This Item presents the draft tender specifications for the Request for Tender (RFT) – T2023-02 Supply of Bituminous Seal Works to Council for consideration and, if satisfactory, adoption.

**Background**

The Shire of Dowerin is committed to applying the objectives, principles and practices outlined in Policy 3.11 Purchasing Policy, to all purchasing activities and to ensuring alignment with the Shire’s strategic and operational objectives.

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the Shire’s tendering procedures [F&G Reg.13].

The Asset and Works Committee were consulted in the preparation of the specifications of the tender documentation.

All bituminous seal projects undertaken within the Shire of Dowerin will be completed by the successful tenderer for the duration of the contract.

**Comment**

The RFT package will include all relevant documentation in accordance with legislative requirements and will incorporate the relevant selectional qualitative criteria and weightings (as approved by Council) to be applied during the tender analysis.

Permission is sought from Council to advertise this RFT in accordance with legislative requirements, with a report to be provided to the next Ordinary Meeting of Council following the close of tenders for determination, once the appropriate advertising and evaluation process is completed.

## Consultation

Rebecca McCall, Chief Executive Officer  
Ben Forbes, Asset & Works Coordinator  
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## Policy Implications

Policy 3.11 – Purchasing Policy and Policy 3.15 – Regional Price Preference Policy are applicable.

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## Risk Implications

<b>Risk Profiling Theme</b>	Supplier/Contract Management
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<b>Risk Description</b>	\$200,001 - \$500,000
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<b>Risk Matrix Rating</b>	Low (1)
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<b>Action (Treatment)</b>	Develop Standardised Contracts; Document Financial Controls



<b>Risk Rating (after treatment)</b>	Adequate
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### Financial Implications

The tender amounts will be a consideration in the 2023/2024 Capital Road Construction budget.

### Voting Requirements

Simple Majority  Absolute Majority

### Officer's Recommendation/Resolution - 5.2

**Moved:** Cr Ward **Seconded:** Cr Metcalf

**0740** That, by Simple Majority, in accordance with Section 3.57 of the *Local Government Act 1995* and Division 2 of the *Local Government (Functions and General) Regulations 1996*, Council:

1. Endorses the Tender Specifications for the RFT - T2023-02 Supply of Bituminous Seal Works, as presented in Confidential Attachment 5.2A;
2. Approves the Selection Criteria and Weightings as contained in the Tender Specifications mentioned in point 1 above;
3. Endorses advertising of the Tender Specifications for the RFT - T2023-02 Supply of Bituminous Seal Works; and
4. Notes that a confidential report will be presented to Council at the next Ordinary Meeting of Council following the close of tender submissions and completion of the tender evaluation process.

**CARRIED 5/0**

### 6. Closure

There being no further business the President thanked those in attendance and declared the meeting closed at 2.24pm.