



**Confirmed Minutes
SPECIAL MEETING
OF COUNCIL**

27 February 2025

SHIRE OF CUE
Special Meeting of Council
MINUTES

Held in the Council Chambers, 73 Austin Street Cue on
Thursday, 27 February 2025 commencing at 6:00 PM

ORDER OF BUSINESS

1 DECLARATION OF OPENING

The meeting was opened at 06:05 PM

The Presiding Member welcomed those present and read the following disclaimer:

No responsibility whatsoever is implied or accepted by the Shire of Cue for any act, omission or statement or intimation occurring during this Meeting.

It is strongly advised that persons do not act on what is heard at this Meeting and should only rely on written confirmation of council's decision, which will be provided within fourteen (14) days of this Meeting.

PRESENT:

Shire President Les Price
Councillor Ron Hogben **via electronic means*
Councillor Ian Dennis **via electronic means*
Councillor Julie Humphreys
Councillor Ross Pigdon

STAFF:

Chief Executive Officer Richard Towell
Deputy Chief Executive Officer Glenn Boyes
Senior Admin Officer Stephanie Wandek
Accountant Ahmed Khan

GALLERY:

Nil.

2 APOLOGIES AND APPROVED LEAVE OF ABSENCE

Deputy Shire President Elizabeth Houghton
Councillor Leonie Fitzpatrick
Executive Assistant Janelle Duncan

3 DISCLOSURE OF MEMBER'S INTERESTS

Nil.

4 PUBLIC QUESTION TIME

Nil.

5 CONFIRMATION OF MINUTES

Nil.

6 APPLICATION FOR LEAVE OF ABSENCE

Nil.

7 DEPUTATIONS

Nil.

8 PETITIONS

Nil.

9 ANNOUNCEMENTS WITHOUT DISCUSSION

Nil.

REPORTS

10 REPORTS

Nil.

11 MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12 MOTIONS FOR CONSIDERATION AT THE NEXT MEETING

Nil.

13 NEW BUSINESS OF AN URGENT NATURE

Nil.

CLOSED COUNCIL

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Council Decision: 07022025	Voting Requirement: Simple Majority
MOVED: Cr Ross Pigdon	SECONDED: Cr Julie Humphreys
That the meeting be closed to members of the public to discuss confidential matters.	
CARRIED: 5/0 AGAINST: None	

14.1 RFT 2025-01 MASONIC LODGE

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Richard Towell

DATE: 25 February 2025

Matters for Consideration:

Consider the tender for the Masonic Lodge Stage 1 works.

Background:

The tender was advertised in The West Australian on Tuesday 04 February 2025 as RFT 2025-01 Masonic Lodge Stage 1 and closed at 4:00pm on Friday 21 February 2025.

Comments:

The selection criteria set for the tender was based on tendered price (30%), availability (40%), demonstrated experience (10%), tenderers resources (5%), regional experience (5%), key personnel skills and experience (5%) and methodology (5%).

One conforming tender was received. A tender evaluation report is attached.

Based on the price of the tender being beyond our budget expectations, it is my recommendation that no tender be accepted on the basis that no tender has satisfied the value for money assessment. The administration will seek further quotes for the works in accordance with the *Local Government (Functions and General) Regulations 1996, Regulation 11(2)(c)(i)* and present this back to Council for approval.

Statutory Environment:

LOCAL GOVERNMENT ACT 1995 - SECT 3.57

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.*

LOCAL GOVERNMENT (FUNCTIONS AND GENERAL) REGULATIONS 1996 - REG 11

11 . *When tenders have to be publicly invited*

- (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 \$250 000 unless subregulation (2) states otherwise.*
- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if dash;*
 - (b) *the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or*
 - (c) *within the last 6 months dash;*
 - (i) *the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment;*

18. *Rejecting and accepting tenders*

- (1) *A tender is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for tenders.*
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- (4) Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.*
- (5) The local government may decline to accept any tender*

Policy Implications:

Council policies D8 and D13 apply.

D.8 Purchasing Policy

1. Policy

The Shire of Cue is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance. Procurement processes and practices to be complied with are defined within this Policy.

2. Objectives

- To provide compliance with the Local Government Act, 1995 and the Local Government (Functions and General) Regulations, 1996.*
- To ensure compliance / complimentary approach to Council Policy D15 (Regional Price Preference).*
- To deliver a best practice approach and procedures to internal purchasing for the Local Government.*
- To ensure consistency for all purchasing activities that integrates within all the Local Government operational areas.*

3. Requirement for Purchasing Policy

The Local Government is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This policy:

- Provides the Local Government with an effective way of purchasing goods and services.*
 - Ensures that purchasing transactions are carried out in a fair and equitable manner.*
 - Maintains integrity and confidence in the purchasing system.*
 - Ensures that the Local Government receives value for money in its purchasing.*
 - Ensures the Local Government is compliant with all regulatory obligations.*
 - Promotes effective governance and definition of roles and responsibilities.*
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- *Engenders respect from the public and industry for the Local Government's purchasing practices that withstands probity.*

4. Ethics & Integrity

All officers and employees of the Local Government shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Local Government.

The following principles, standards and behaviours shall be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- *full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;*
- *all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Local Government policies and code of conduct;*
- *purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;*
- *all processes, evaluations and decisions shall be transparent, free from bias and documented in accordance with applicable policies and audit requirements;*
- *any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and*
- *any information provided to the Local Government by a supplier shall be treated as commercial-in-confidence.*

5. Value for Money

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Local Government. It is important to take into account price, compliance, user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- *all relevant whole-of-life costs and benefits. Whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal;*
 - *the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;*
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- *financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history); and*
- *a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.*

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above lower total priced, conforming offers.

6. Purchasing Threshold

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

<i>Amount of Purchase</i>	<i>Policy</i>
<i>Up to \$5,000</i>	<i>Direct purchase from suppliers using purchase order or corporate credit card issued by the Shire.</i>
<i>\$5,001 to \$10,000</i>	<i>Obtaining at least one verbal or written quotation from a suitable supplier.</i>
<i>\$10,001 to \$50,000</i>	<i>Two or more quotes must be obtained. One quote may be verbal but must be recorded on Purchasing Template. Previous quotes less than 6 months old can be utilised as quotations.</i>
<i>\$50,001 to \$100,000</i>	<i>Two or more quotes, in written form, must be obtained. Previous quotes less than 6 months old can be utilised as quotations.</i>
<i>\$100,001 to \$249,999</i>	<i>At least three written quotes to be obtained. CEO to approve (not including dealings with land or buildings, which will be approved by Council). Previous tender prices not more than 6 months old can be utilised as quotations.</i>
<i>\$250,000 and above</i>	<i>Conduct a public tender process or use the WALGA Preferred Supplier List through the E-Quotes system.</i>

D.13 Regional Price Preference Policy

Policy Purpose

The purpose of the Shire of Cue's 'Regional Price Preference Policy' is to support local business and industry and to encourage employment of local people thereby generating economic growth within the Shire.

Definitions

For the purpose of this Policy, the "Region" is defined as the geographical area which comprises the whole of the Shire of Cue.

Local Industry is defined in the Policy as being a business / organisation substantially trading from a recognised business address within the region. This Policy requires the businesses to have been operating out of the local premises for a continuous period of not less than six (6) months.

Policy Content

(a) Unless specifically excluded in advance of advertising, a Regional Price Preference will apply to purchases when calling tenders

(b) The regional pricing preference to be given to a regional tenderer is outlined below and represents the amount by which the regional tenderer's price bids or other quotations would be reduced for the purposes of assessing the tender or quotations:

CONSTRUCTION / BUILDING SERVICES

<i>Value of Tender / Supply By</i>	<i>Regional Price Preference</i>
<i>Regional Tenderer</i>	
<i>\$0 to \$20,000</i>	<i>\$0 + 10% of excess above \$0</i>
<i>\$20,000 to \$50,000</i>	<i>\$1,000 + 4% of excess above \$20,000</i>
<i>\$50,000 to \$100,000</i>	<i>\$2,200 + 3% of excess above \$50,000</i>
<i>\$100,000 to \$250,000</i>	<i>\$3,700 + 2% of excess above \$100,000</i>
<i>Above \$250,000</i>	<i>\$6,700 + 1% of excess above \$250,000</i>

Financial Implications:

The current budget allocation for the Masonic Lodge works is \$750,000 which includes grant funding from the Local Roads and Community Infrastructure Program. The budgeted amount is expected to complete the Stage 1 works for the construction of a kitchen, toilets and alfresco area, as well as, undertake works to restore the original building, additional earthworks, connect utilities and so on.

Strategic Implications:

Shire of Cue Strategic Community Plan 2023 to 2028:

Economic Objective

Outcome 1.2 - Develop strategies to increase number of tourists visiting the Shire

1.2.2 - Showcase our heritage and mining attractions

1.2.3 - Develop new tourism attractions to enhance and encourage visitors to stay longer

Social Objective

Outcome 3.1 - Community infrastructure that meets the needs of our Residents

3.1.3 - Provide, maintain and improve community infrastructure

Environmental Objectives

Outcome 4.3 - Maintain and improve our built environment

4.3.1 - Maintain, improve and renew infrastructure

4.3.2 - Maintain the integrity of heritage assets

4.3.3 - Preserve heritage assets for future generations

Consultation:

Glenn Boyes – Deputy Chief Executive Officer

Officers Recommendation:

Voting Requirement: Simple Majority

That Council:

1. Instruct the CEO to advise the tenderer that no tender was accepted; and
2. Instruct the CEO to seek further quotes for the Masonic Lodge Stage 1 works.

Council Decision: 08022025

Voting Requirement: Simple Majority

MOVED: Cr Ross Pigdon

SECONDED: Cr Julie Humphreys

That Council:

1. Instruct the CEO to advise the tenderer that no tender was accepted; and
2. Instruct the CEO to seek further quotes for the Masonic Lodge Stage 1 works.

CARRIED: 5/0

AGAINST: None

14.2 THAT THE MEETING BE REOPENED TO MEMBERS OF THE PUBLIC

Council Decision: 09022025

Voting Requirement: Simple Majority

MOVED: Cr Ian Dennis

SECONDED: Cr Ron Hogben

That the meeting be reopened to members of the public.

The Presiding Member is to ensure that, if members of the public return to the meeting, any resolution made while the meeting was closed is to be read out or summarised, as per Standing Orders Cue 5.2 (6).

CARRIED: 5/0

AGAINST: None

CLOSURE

15 CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at 06:46 PM.

To be confirmed at Ordinary Meeting on the 18 March 2025.

Signed:

Presiding Member at the Meeting at which time the Minutes were confirmed.
