



*"A Sustainable Community that is inclusive, attractive, healthy and pleasant to live in, that uses our land so as to preserve our history and environment, respects the rights and equality of our citizens and manages our future growth wisely."*

# **MINUTES**

**FOR THE**

**SPECIAL MEETING OF COUNCIL**

**HELD IN THE COUNCIL CHAMBERS**

**To Follow a Special Meeting Scheduled at 4.00pm**

# **27 JUNE 2006**

**OUR MISSION**

***"To provide a quality range of affordable and sustainable services to our community with a strong commitment to customer focus so that our citizens and visitors enjoy a quality lifestyle."***

**CORE VALUES OF THE SHIRE**

***The core values that underpin the achievement of the mission will be based on a strong customer service focus and a positive attitude:***

**Communication**

**Respect**

**Integrity**

**Transparency**

**Courtesy**

**SHIRE OF BROOME**  
**SPECIAL COUNCIL MEETING**  
**27 JUNE 2006**

**INDEX - MINUTES**

1. OFFICIAL OPENING..... 5

2. ATTENDANCE AND APOLOGIES ..... 5

3. DECLARATIONS OF FINANCIAL INTEREST ..... 5

4. PUBLIC QUESTION TIME..... 5

5. CONFIRMATION OF MINUTES ..... 5

6. ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION ..... 5

7. PETITIONS ..... 6

8. MATTERS FOR WHICH MEETING MAY BE CLOSED ..... 6

9. REPORTS OF OFFICERS ..... 7

9.3 DEVELOPMENT SERVICES ..... 8

9.3.1 BRAC POOL REFURBISHMENT ..... 9

10. MEETING CLOSURE ..... 12

## NOTICE OF MEETING

Dear Council Member,

Due to urgent Council business, a Special Meeting of the Shire of Broome will be held on Tuesday 27 June 2006 in the Council Chambers, Corner Weld and Haas Streets, Broome. The meeting will commence at the completion of the Special Meeting scheduled at 4.00pm and is for the purpose of discussing BRAC Pool Refurbishment.

Regards



Ian Bodill  
Chief Executive Officer

21 June 2006

**1. OFFICIAL OPENING**

The Chairperson welcomed members and declared the meeting open 4.55pm.

**2. ATTENDANCE AND APOLOGIES**

Attendance	Cr G T Campbell Cr C R Mitchell Cr A K Grosse Cr C M Maher Cr A C Griffiths Cr E R M Foy Cr V L Wevers Cr P D Matsumoto Cr M L B Albert	Shire President
Leave of Absence	Nil	
Apologies	Suzanne Lollback	Director Community Services
Officers	Ian Bodill Allan Ralph Darryl Butcher Jason Lyon Mark Turner Jo Durbridge Jillian McMahon	Chief Executive Officer Director Engineering Services Director Development Services Director Corporate Services Manager Recreational Services Media & Promotions Officer Council Secretary
Pubic Gallery	John McCourt Simon Penn	Media Broome Advertiser

**3. DECLARATIONS OF FINANCIAL INTEREST**

Councillor	Item No	Page	Item	Nature of Interest
Cr A K Grosse	9.3.1	9	BRAC Pool Refurbishment	Previously employed as a tiler for the contractor however, it was not on this site.

**4. PUBLIC QUESTION TIME**

Nil

**5. CONFIRMATION OF MINUTES**

N/A

**6. ANNOUNCEMENTS BY PRESIDENT WITHOUT DISCUSSION**

Nil

**7. PETITIONS**

Nil

**8. MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil

**9.**

**REPORTS**

**OF**

**OFFICERS**

# 9.3

## DEVELOPMENT

### SERVICES



### OUTCOME

***To pursue sustainable development that will protect and enhance the Shire's unique heritage and environment and facilitate increased employment.***

**9.3.1 BRAC POOL REFURBISHMENT**

**LOCATION/ADDRESS:** BRAC - Cable Beach Road (East)  
**APPLICANT:** N/A  
**FILE:** Reserve 42502.4  
**AUTHOR:** Manager Building Services  
**CONTRIBUTOR/S:** Director Corporate Services  
**RESPONSIBLE OFFICER:** Director Development Services  
**DISCLOSURE OF ANY INTEREST:** Nil  
**DATE OF REPORT:** 20 June 2006

**SUMMARY:** The purpose of this report is to advise Council of problems encountered in the refurbishment of the Swimming Pool that will require extra funds to repair and to advise of delays expected due to these problems.

It is recommended that Council recognise the additional pool works required to be emergency works under the Local Government Act.

**BACKGROUND**

Council at its meeting on 27 June 2005 accepted a tender from Carpet Paint and Tile to resurface the swimming pool which was \$228,850.00 not including GST. The tender was for the removal of the existing paint surface, top coat of render, various fixtures and fittings and the tiling of the pool bowl. The contractor advised that savings could be made and the figure was adjusted and accepted at \$208,000.00.

During the course of sand blasting to remove the paint finish and the top layer of render on the existing pool surface, it was discovered that the original base course of render was failing and could not be used as a base on which to tile. As the integrity of the tiling is dependant on the integrity of the base, it is essential that the pool be re-rendered.

The delays to date are around two weeks and it is expected that the time required to complete the works will add a further three weeks. This will result in the pool not being ready for use until the end of August.

The approximate costs for the new works are:-

Removing render and clean up	\$20,000.00
Sand blasting shell if required	\$16,000.00
Re-render the pool bowl	\$50,000.00
Total –	\$86,000.00 Plus GST (Refer to attachment)

Some of the items which were originally highlighted as savings will now have to be carried out and renewed; namely the lane marker tiles, scum line tiles and mosaics. As such the original cost saving of \$20,000.00 will also need to be included in the new expenditure.

Further maintenance problems have been encountered revealing that the salt-water chlorinator is faulty. Upon further investigation it was discovered that spare parts are no longer available and it is necessary to replace the whole system. The costs for the replacement have been estimated at around \$30,000.00 (Refer to attachment).

**COMMENT**

Officers will obtain a structural report on the visual condition of the concrete bowl on completion of the removal of the render and cleaning of the pool bowl area. This will ensure that the faulty render base has not had a detrimental effect to the concrete bowl.

It is worth noting that the early discovery of the deteriorated render may have saved a possible major failure of the concrete shell in the future, which in turn would have led to significant rectification works being needed to save the pool.

The extra finances needed to complete the rectification works may be drawn from the reserve fund (in part) and funded by loan. It is recommended that such a decision be reserved for consideration in the 2006/2007 budget.

Officers have also contacted the Department of Local Government & Regional Development to seek advice on whether the works could be considered emergency works or whether Council has to call tenders.

The Department advised that considering the contractors were in the middle of the project, the extent of the damage couldn't be known at the time the contract was let, there was some urgency to get the community facility reopened in a timely manner and there are unique circumstances. It is possible for the works to be authorized by Council as emergency works under Section 6.8(1)(b/c) of the Local Government Act 1995, as follows:

*"6.8 Expenditure from municipal fund not included in annual budget*

*(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure*

*(a) is incurred in a financial year before the adoption of the annual budget by the local government;*

*(b) is authorized in advance by resolution \*; or*

*(c) is authorized in advance by the mayor or president in an emergency"*

- *absolute majority required.*

Further, the Local Government (Functions & General) Regulations state:

*Regulation 11. (Tenders to be invited for certain contracts )*

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

*(a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;*

This item therefore seeks Council resolution in advance to declare the works as emergency works under Section 6.8 (1) (c) of the Local Government Act for which the President may authorise the additional expenditure.

**CONSULTATION**

Tiling Contractor  
Structural Engineer

President: ..... Date: .....

**STATUTORY ENVIRONMENT**

Local Government Act (WA) 1995  
Local Government (Functions & General) Regulations

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Unbudgeted expenditure to be authorised

**STRATEGIC IMPLICATIONS**

**1. Social**

Functional Area 4: Social Wellbeing and Development

- Maximise the social, recreational and cultural opportunities for our community
- Ensure that the Shire of Broome is a safe and healthy place to live work and visit
- Provide local government services which recognise the diverse needs of the community

**2. Environmental**

- Functional Area 2: Unique Heritage and Environment
- Protect and enhance the natural and built environment
- Maintain the special attributes/character of the district which makes it an attractive place to live

**3. Economic**

- Functional Area 3: Economic Prosperity and Viability
- Provide and improve sustainable infrastructure to service the changing needs of the community
- Maximise the tourism potential of our natural and built environment in a sustainable manner

**VOTING REQUIREMENTS**

Absolute Majority

REPORT RECOMMENDATION

*That Council declare the additional works to re-render the pool shell prior to tiling at the Broome Aquatic Centre as emergency works under Section 6.8 (1) (c) of the Local Government Act.*

COUNCIL RESOLUTION

**Moved: Cr C R Mitchell**

**Seconded: Cr A C Griffiths**

***Accept the Report Recommendation with the addition, that a report be prepared on the replacement of a salt chlorinator, pool heating system and any other issues in time for the adoption of the Budget, and be presented to Council for consideration.***

**CARRIED UNANIMOUSLY**

[Attachment: 2 pages](#)

**10. MEETING CLOSURE**

***The Shire President announced a short adjournment prior to recommencing the earlier Special Meeting.***

***There being no further business the Chairperson declared the meeting closed at 5.15pm.***