



Town of Port Hedland

MINUTES

OF THE

SPECIAL MEETING
OF THE TOWN OF PORT HEDLAND COUNCIL

HELD ON

FRIDAY 15 OCTOBER 2010

COMMENCING AT 12:05 PM

IN COUNCIL CHAMBERS
Mc GREGOR STREET, PORT HEDLAND

Purpose of Meeting: To consider

Confidential Item : Multi Purpose Recreation Centre Design Deficiencies –
Consideration of Legal Advice

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Paul Martin
Acting Chief Executive Officer

OUR COMMITMENT

To enhance social, environmental and economic well-being through leadership and working in partnership with the Community.

TABLE OF CONTENTS

1.1	OPENING.....	5
ITEM 2	RECORDING OF ATTENDANCE AND APOLOGIES	5
2.1	ATTENDANCE.....	5
2.2	APOLOGIES	5
2.3	APPROVED LEAVE OF ABSENCE	5
ITEM 3	PUBLIC TIME.....	5
3.1	PUBLIC QUESTIONS.....	5
3.2	PUBLIC STATEMENTS.....	5
ITEM 4	QUESTIONS FROM MEMBERS WITHOUT NOTICE.....	6
ITEM 5	DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING	6
ITEM 6	REPORTS OF OFFICERS	7
6.1	GOVERNANCE AND ADMINISTRATION	7
6.1.1	GOVERNANCE.....	7
6.1.1.1	<i>Confidential Item : Multi Purpose Recreation Centre Design Deficiencies – Consideration of Legal Advice (File No.: ...)</i>	7
ITEM 7	CLOSURE	9
7.1	CLOSURE	9

ITEM 1 OPENING OF MEETING**1.1 Opening**

The Mayor declared the meeting open at 12:05 pm and acknowledged the traditional owners, the Kariyarra people.

ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES**2.1 Attendance**

Mayor Kelly A Howlett
Councillor Arnold A Carter
Councillor Stan R Martin
Councillor Steve J Coates
Councillor Michael (Bill) A Dziombak
Councillor David W Hooper

Mr Paul Martin	Acting Chief Executive Officer
Mr Russell Dyer	Director Engineering Services
Ms Natalie Octoman	Acting Director Corporate Services
Ms Gaye Stephens	Executive Assistant

Members of the Public Nil.

2.2 Apologies

Councillor Jan M Gillingham

2.3 Approved Leave of Absence

Councillor George J Daccache

ITEM 3 PUBLIC TIME**3.1 Public Questions**

12:05 pm Mayor opened Public Question Time

Nil.

12:05pm Mayor closed Public Question Time

3.2 Public Statements

12:05 pm Mayor opened Public Statement Time

Nil.

12:05pm Mayor closed Public Statement Time

ITEM 4 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil.

ITEM 5 DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING

The following Members verbally declared to have given due consideration to all matters contained in the Business Paper presented before the meeting:

Mayor K A Howlett	Cr S J Coates
Cr A A Carter	Cr M (Bill) Dziombak
Cr S R Martin	Cr D W Hooper

ITEM 6 REPORTS OF OFFICERS**6.1 GOVERNANCE AND ADMINISTRATION****6.1.1 Governance**

NOTE: Council did not close the meeting to consider the following Confidential Item in accordance with Section 5.23 (2) (d) of the Local Government Act 1995, as there were no members of the public present.

Section 5.23 of the Local Government Act 1995 states (in part):

“5.23. Meetings generally open to public

(1) Subject to subsection (2), the following are to be open to members of the public —

(a) all council meetings; and

(b) all meetings of any committee to which a local government power or duty has been delegated.

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

...(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; ...”

6.1.1.1 Confidential Item : Multi Purpose Recreation Centre Design Deficiencies – Consideration of Legal Advice (File No.: ...)

201011/142 Council Decision

Moved: Cr A A Carter

Seconded: Cr S R Martin

That Council:

1. Authorises the Town’s Acting Chief Executive Officer to increase the contract price with Doric Constructions for the Multipurpose Recreation Centre (MPRC) by an amount of \$402,441 to accommodate the identified design deficiencies (noting this takes the total contract value with Doric Constructions to \$26,474,308); being funded from the MPRC Project’s contingency funding;

2. Requests the Acting Chief to undertake a peer review now of the Multipurpose Recreation Centre Project documentation associated to identify any other potential issues not yet identified;
3. Requests the Acting Chief Executive Officer to review Policy 2/007 'Procurement Policy' in respect to tenders; and
4. Request the Acting Chief Executive Officer to investigate alternative contract arrangements with Town of Port Hedland Project Managers and Architects for this and other major projects to ensure greater accountability and this may include calling tenders for Project Management.

CARRIED 6/0

REASON: Council added "...and this may include calling tenders for Project Management." to the end of Clause 4 of the Officer's Recommendation.

ITEM 7 CLOSURE

7.1 Closure

There being no further business, the Chairman declared the meeting closed at 12:08 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Council at its Ordinary Meeting of 27 October 2010.

CONFIRMATION:

MAYOR

DATE