



BOGAN SHIRE COUNCIL

Extraordinary Minutes

20 January 2025



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**MINUTES OF BOGAN SHIRE COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE BOGAN SHIRE COUNCIL, COUNCIL CHAMBERS, 81 COBAR STREET,
NYNGAN
ON MONDAY, 20 JANUARY 2025 AT 5.30PM**

PRESENT: Cr K Bright (Chairperson), Cr V Boag, Cr S Issa, Cr G Jackson, Cr E Stanton

IN ATTENDANCE: D Francis (General Manager), S Waterhouse (Director Finance and Corporate Services), G Curry (Director Infrastructure Services)

1 OPENING PRAYER

2 REMEMBRANCES

3 APOLOGIES

Resolved 001/25

Moved: Cr Boag

Seconded: Cr Issa

That the apologies received from Cr J Elias and Cr G Neill be accepted and leave of absence be granted.

4 DISCLOSURE OF INTERESTS

NIL

5 GENERAL MANAGER'S REPORTS

5.1 HOSKINS STREET SUBDIVISION TENDER

Resolved 002/25

Moved: Cr Boag

Seconded: Cr Stanton

That:

1. Council decline to accept any of the tenders submitted to the Council meeting on 28 November 2024 for the construction of lead in infrastructure for the 33 Lot Residential Subdivision on Hoskins Street.
2. The General Manager enter into negotiations with the remaining tenderers and other parties, starting with the next best ranked tenderer according to the report provided to the meeting on 28 November 2024, to undertake the project in the best interests of Council subject to financial constraints, being the remaining grant funds and borrowings authorised at Council's November meeting.
3. It be noted that Council's reason for not inviting fresh tenders is that it does not believe that a satisfactory result can be obtained from re-tendering. This is based on Council's grant funding deadlines and the long lead times necessary for the tender process.
4. It be noted that Council's reason for determining to enter into negotiations with all of the remaining tenderers is the urgent need to explore all practical avenues to achieve the project outcome within the current grant funding deadline or as soon as practicable thereafter.
5. It be noted that Council could also rely on the provisions of Section 55(k) of the Local Government Act to not call for tenders before entering into a contract as the current situation constitutes a financial emergency.
6. The General Manager be authorised to enter into the required contracts accordingly.

It was **MOVED** that:

A panel comprising the Deputy Mayor, General Manager, Director Infrastructure Services and Director Finance and Corporate Services be delegated the authority to determine the appointment of suitable contractors to undertake the project in the best interests of Council, based on recommendations from Lyons Project Management, and subject to financial constraints - being the remaining grant funds and borrowings authorised at Council's November meeting. (Boag/Stanton)

An **AMENDMENT** was moved that:

A panel comprising a community member (one of the principals of Aspect Property Consultants), General Manager, Director Infrastructure Services and Director Finance and Corporate Services be delegated the authority to determine the appointment of suitable contractors to undertake the project in the best interests of Council, based on recommendations from Lyons Project Management, and subject to financial constraints - being the remaining grant funds and borrowings authorised at Council's November meeting. (Issa/Jackson)

It was **PUT** to Council and **LOST**

The original **MOTION** was **PUT** to Council and **CARRIED**

Resolved 003/25

Moved: Cr Jackson

Seconded: Cr Boag

A panel comprising the Deputy Mayor, General Manager, Director Infrastructure Services and Director Finance and Corporate Services be delegated the authority to determine the appointment of suitable contractors to undertake the project in the best interests of Council, based on recommendations from Lyons Project Management, and subject to financial constraints - being the remaining grant funds and borrowings authorised at Council's November meeting.

Cr Issa wished for his dissent to be noted.

6 MEETING CLOSURE

There being no further business, the meeting closed at 6:07pm.

These minutes were confirmed by resolution at a meeting onand were signed as a true record.

.....
GENERAL MANAGER

.....
MAYOR