



17 Queen Street, Pingelly  
Western Australia 6308  
Telephone: 9887 1066  
[admin@pingelly.wa.gov.au](mailto:admin@pingelly.wa.gov.au)

# Council Agenda

Shire of Pingelly

Special Council Meeting

Wednesday 25 September 2024

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Pingelly, positive by nature. Let's grow together!

## **Shire of Pingelly**



### **Notice of Meeting**

Notice is given that a Special meeting of the Council will be held in the Council Chambers, 17 Queen Street, Pingelly on Wednesday 25 September 2024 commencing at 2.00 pm.

This meeting is closed to the public as it deals with matters that are confidential in accordance with Section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- c. *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
- e. *a matter that if disclosed, would reveal –*
  - (i) *a trade secret;*
  - (ii) *information that has a commercial value to a person; or*
  - (iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government.*

### **Purpose of Meeting**

This meeting is for Council to consider a contractor for the provision of management services of the Pingelly Swimming Pool for the 3-year plus 3-year option.

### **Disclaimer**

The recommendations contained in this agenda are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations. The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Councils decision.

A handwritten signature in black ink, appearing to be 'Andrew Dover', is located below the disclaimer text.

**Andrew Dover**  
**Chief Executive Officer**

## Risk Framework

### Consequence Rating

Impact	Health	Financial	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant	Negligible injuries	Less than \$2,000	No material service interruption	No noticeable regulatory / statutory impact	Low impact, single complaint, low profile or 'no news' item	Inconsequential or no damage	Contained, reversible impact managed on site response
Minor	First aid injuries	\$2,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non-compliance	Low impact, a small number of complaints	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate	Medical type injuries <5 days	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Public embarrassment, moderate impact, low or moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major	Lost time injury >5 days	\$50,001 - \$200,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic	Fatality, permanent disability	More than \$200,000	Indeterminate prolonged interruption – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages	Public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution. Complete loss of property	Uncontained, irreversible impact

### Likelihood Rating

	Description
Almost Certain	The event is expected to occur in most circumstances   > once per year   > 90% chance of occurring
Likely	The event will probably occur in most circumstances   At least once per year   60% - 90% chance of occurring
Possible	The event should occur at some time   At least once in 3 years   40% - 60% chance of occurring
Unlikely	The event could occur at some time   At least once in 3 years   10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances   Less than once in 15 years   < 10% chance of occurring

### Risk Matrix

Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	M (5)	H (10)	H (15)	E (20)	E (25)
Likely	L (4)	M (8)	H (12)	H (16)	E (20)
Possible	L (3)	M (6)	M (9)	H (12)	H (15)
Unlikely	L (2)	L (4)	M (6)	M (8)	H (10)
Rare	L (1)	L (2)	L (4)	L (4)	M (5)

### Risk Acceptance Criteria

	Description	Criteria	Responsibility
Low (L)	Acceptable	Acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Staff Member
Moderate (M)	Monitor	Acceptable with adequate controls, managed by specific procedures, subject to semi-annual monitoring	Senior Manager
High (H)	Urgent action	Acceptable with effective controls, managed by senior management, subject to monthly monitoring	Senior Manager
Extreme (E)	Unacceptable	Only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by the CEO and subject to continuous monitoring	CEO

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### **1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Chairman to declare the meeting open.

### **2. ACKNOWLEDGEMENT OF COUNTRY**

We acknowledge the Noongar people of this area and recognise their continuing connection to land, waters and community. We pay respect to both the Aboriginal and non-Aboriginal people past, present and emerging.

### **3. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

### **4. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**

### **5. PUBLIC QUESTION TIME**

This meeting is closed to the public.

### **6. DISCLOSURES OF INTEREST**

### **7. REPORTS OF COMMITTEES OF COUNCIL**

### **8. OFFICE OF THE CHIEF EXECUTIVE OFFICER**

Nil

### **9. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES**

Nil

### **10. DIRECTORATE OF WORKS**

Nil

**11. CONFIDENTIAL ITEMS**

**Voting Requirements:**

Simple Majority required

**Recommendation:**

**That pursuant to Section 5.23 of the Local Government Act 1995 these items be dealt with, with the public excluded as the item deals with matters of a confidential nature.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**11.1. Tender - Swimming Pool Management Services 2024 -2027**

**Voting Requirements:**

Simple Majority required

**Officers Recommendation:**

**That Council accepts the alternative tender detailed in the attachment, including Public Liability Insurance of \$20 Million, received from Contract Aquatic Services for the provision of Swimming Pool Management Services for a period of 3 years with a 3-year option with the following variation subject the agreement of Contract Aquatic Services:**

**2.2 Accommodation**

**No accommodation will be provided by the Shire to Contract Aquatic Services under this arrangement.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**Voting Requirements:**

Simple Majority required

**Recommendation:**

**That the meeting be re-opened to the public.**

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

**12. CLOSURE OF MEETING**

The Chairman to declare the meeting closed.