



AGENDA

ORDINARY COUNCIL MEETING
15 March 2022

Notice of Meeting

The next Ordinary Council Meeting for the Shire of Corrigin will be held on Tuesday 15 March 2022 in the Council Chambers, 9 Lynch Street, Corrigin commencing at 3.00pm.

Order of Business

10.00am	Councillor Training e-learning
12.30am – 1.00pm	Lunch
1.00pm – 2.30pm	Discussion Forum
2.30pm – 3.00pm	Afternoon Tea
3.00pm	Council Meeting

I have reviewed this agenda and am aware of all recommendations made to Council and support each as presented.



Natalie Manton
Chief Executive Officer
10 March 2022

Disclaimer:

The Shire of Corrigin gives notice to members of the public that any decisions made at the meeting today, can be revoked, pursuant to the Local Government Act 1995. Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

This document can be made available (on request) in other formats for people with a disability

Strengthening our community now to grow and prosper into the future

CONTENTS

1.	DECLARATION OF OPENING.....	3
2.	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	3
3.	PUBLIC QUESTION TIME	3
4.	MEMORIALS	3
5.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	3
6.	DECLARATIONS OF INTEREST	3
7.	CONFIRMATION OF MINUTES.....	3
7.1.	PREVIOUS COUNCIL MEETING AND BUSINESS ARISING FROM MINUTES.....	3
7.1.1.	ORDINARY COUNCIL MEETING	3
7.2.	COMMITTEE MEETINGS AND BUSINESS ARISING FROM MINUTES	4
7.2.1.	LOCAL EMERGENCY MANAGEMENT COMMITTEE Meeting	4
7.2.1.	AUDIT AND RISK MANAGEMENT COMMITTEE Meeting	4
8.	MATTERS REQUIRING A COUNCIL DECISION.....	5
8.1.	CORPORATE AND COMMUNITY SERVICES REPORTS	5
8.1.1.	ACCOUNTS FOR PAYMENT.....	5
8.1.2.	ACCOUNTS FOR PAYMENT – CREDIT CARDS	7
8.1.3.	MONTHLY FINANCIAL REPORTS	9
8.2.	GOVERNANCE AND COMPLIANCE.....	11
8.2.1.	PROPOSED LOCAL PLANNING POLICY NO.2 - DISASTER AND EMERGENCY RECOVERY.....	11
8.2.2.	TENDER WELLNESS CENTRE.....	15
8.2.3.	LEASE AGREEMENT CORRIGIN FARM IMPROVEMENT GROUP	18
8.2.4.	COMPLIANCE AUDIT RETURN	21
8.2.5.	BUDGET REVIEW.....	23
8.3.	WORKS AND SERVICES	25
8.3.1.	TENDER SUPPLY AND DELIVERY OF PRIME MOVER	25
8.3.2.	TENDER DISPOSAL OF IVECO POWERSTAR 6 X 4 PRIME MOVER	27
9.	CHIEF EXECUTIVE OFFICER REPORT	30
10.	PRESIDENT’S REPORT	30
11.	COUNCILLORS’ QUESTIONS REPORTS, AND INFORMATION ITEM.....	30
12.	URGENT BUSINESS APPROVED BY THE PRESIDENT OR BY A DECIDED OF THE COUNCIL	30
13.	INFORMATION BULLETIN	30
14.	WALGA AND CENTRAL ZONE MOTIONS	30
15.	NEXT MEETING	30
16.	MEETING CLOSURE	30

1. DECLARATION OF OPENING

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3. PUBLIC QUESTION TIME

A period of 15 minutes is allocated for questions with a further period of 15 minutes provided for statements from members of the public. The procedure for asking questions and responding is to be determined by the presiding member. The time allocated for questions is to be decided by the members of the Council and members of the public are to be given an equal and fair opportunity to ask a question and receive a response.

Questions and statements are to be –

Presented in writing on the relevant form to the Chief Executive Officer prior to commencement of the meeting; and

b) Clear and concise

4. MEMORIALS

The Shire has been advised that Kerry Thor and Garry Pruden have passed away since the last meeting.

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

NIL

6. DECLARATIONS OF INTEREST

Councillors and Officers are reminded of the requirements of s5.65 of the *Local Government Act 1995*, to disclose any interest during the meeting before the matter is discussed and of the requirement to disclose an interest affecting impartiality under the Shire of Corrigin Code of Conduct.

7. CONFIRMATION OF MINUTES

7.1. PREVIOUS COUNCIL MEETING AND BUSINESS ARISING FROM MINUTES

7.1.1. ORDINARY COUNCIL MEETING

Minutes of the Shire of Corrigin Ordinary Council meeting held on Thursday 24 February 2022 (Attachment 7.1.1).

OFFICER'S RECOMMENDATION

That the Minutes of the Shire of Corrigin Ordinary Council meeting held on Thursday 24 February 2022 (Attachment 7.1.1) be confirmed as a true and correct record.

7.2. COMMITTEE MEETINGS AND BUSINESS ARISING FROM MINUTES

7.2.1. LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING

Minutes of the Shire of Corrigin Local Emergency Management Committee Meeting held on Thursday 24 February 2022 (Attachment 7.2.1).

OFFICER'S RECOMMENDATION

That the Minutes of the Shire of Corrigin Local Emergency Management Committee Meeting held on Thursday 24 February 2022 (Attachment 7.2.1) be confirmed as a true and correct record.

7.2.1. AUDIT AND RISK MANAGEMENT COMMITTEE MEETING

Minutes of the Shire of Corrigin Audit and Risk Management Committee Meeting held on Tuesday 8 March 2022 (Attachment 7.2.2).

OFFICER'S RECOMMENDATION

That the Minutes of the Shire of Corrigin Audit and Risk Management Committee Meeting held on Tuesday 8 March 2022 (Attachment 7.2.2) be confirmed as a true and correct record.

8. MATTERS REQUIRING A COUNCIL DECISION

8.1. CORPORATE AND COMMUNITY SERVICES REPORTS

8.1.1. ACCOUNTS FOR PAYMENT

Applicant:	Shire of Corrigin
Date:	9/03/2022
Reporting Officer:	Tanya Ludlow, Finance / Human Resources Officer
Disclosure of Interest:	NIL
File Ref:	FM.0036
Attachment Ref:	Attachment 8.1.1 – Accounts for Payment – February 2022

SUMMARY

This report provides Council with a list of all financial dealings relating to all accounts for the previous month.

BACKGROUND

This information is provided to Council monthly in accordance with provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*. A Local Government is to develop procedures for the authorisation of, and payment of, accounts to ensure that there is effective security for which money or other benefits may be obtained.

COMMENT

The cheque, EFT and Direct Debit payments that have been raised during the month of February 2022 are provided as Attachment 8.1.1 – Accounts for Payment – February 2022.

After payment of the following cheque, EFT and Direct Debit payments, the balance of creditors will be \$249.32.

Bank Account	Payment Type	Reference	Amount	Total
Municipal	EFT	17169 - 17174, 17176 - 17242	\$621,555.43	
	Cheque	020710 - 020717	\$21,571.21	
	Direct Debit	February 2022	\$27,343.71	
	Payroll	February 2022	\$139,853.94	\$810,324.29
Trust	EFT	17168, 17175	\$2,051.59	
	Cheque	No Payments	\$0.00	
	Direct Debit	No Payments	\$0.00	\$2,051.59
Licensing Trust	EFT	No Payments	\$0.00	
	Direct Debit	February 2022	\$30,650.00	\$30,650.00
Edna Stevenson	EFT	No Payments	\$0.00	
	Cheque	No Payments	\$0.00	
	Direct Debit	No Payments	\$0.00	\$0.00
Total Payments for the Month of February 2022				\$843,025.88

Previous Accounts for Payment report

To enable Council to check that no sequential payment numbers have been missed from the previous accounts for payment report and the report provided as Attachment 8.1.1 – Accounts for Payment – February 2022, the following information is provided on the last cheque or EFT number used.

Bank Account	Payment Type	Last Number	First Number in Report
Municipal, Trust, ES Trust and Licensing	EFT	EFT17167	EFT117168
Municipal	Cheque	020709	020710
Trust	Cheque	003392	No Payments
Edna Stevenson	Cheque	000065	No Payments

Please note that the above does not include payments made via Direct Debit (DD) as they are not in sequential number order.

STATUTORY ENVIRONMENT

*S6.4 Local Government Act 1995, Part 6 – Financial Management
R34 Local Government (Financial Management) Regulations 1996*

POLICY IMPLICATIONS

Policy 2.7 – Purchasing Policy

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2021 / 2022 Annual Budget.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

Objective: Governance and Leadership
Strong Governance and leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.4	Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community	4.4.3	Regular reviews of Council's Long Term Financial Plan to ensure the long term financial stability of the Shire
		4.4.4	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council reviews the list of accounts paid and acknowledges that payments totalling \$843,025.88 have been made during the month of February 2022.

8.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARDS

Applicant:	Shire of Corrigin
Date:	08/03/2022
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Number:	FM.0036
Attachment Ref:	Attachment 8.1.2 – Accounts for Payment – Credit Cards January

SUMMARY

This report provides Council with a list of all financial dealings relating to the use of credit card payments for the period 30 December 2021 to 28 January 2022

BACKGROUND

This information is provided to Council monthly in accordance with provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*. A Local Government is to develop procedures for the authorisation of, and payment of, accounts to ensure that there is effective security for, which money or other benefits may be obtained.

Council is presented with the monthly accounts for payment at each Council meeting, providing information of payments made for the reporting period. This report includes the monthly payment of the credit card debit to the National Australia Bank.

COMMENT

Accountability in local government can be multifaceted, as councils seek to achieve diverse social, political, and financial goals for the community benefit. The accountability principles of local government are based on strong financial probity, financial propriety, adherence to conflict of interest principles and expectations that local government is fully accountable for community resources.

This report provides Council with detailed information of purchases paid for using the Shire of Corrigin corporate credit cards.

A monthly review of credit card use is independently assessed by the Deputy Chief Executive Officer, to confirm that all expenditure that has been incurred, is for the Shire of Corrigin and has been made in accordance with Council policy, procedures, the *Local Government Act 1995* and associated regulations. The review by the Deputy Chief Executive Officer also ensures that misuse of any corporate credit card can be readily detected.

This review has been conducted and no issues are evident, and all areas of compliance have been met.

STATUTORY ENVIRONMENT

S6.4 Local Government Act 1995, Part 6 – Financial Management
R34 Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Policy 2.9 – Purchasing Policy
Policy 2.16 - Corporate Credit Cards

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2021/2022 Annual Budget.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

Objective: Governance and Leadership
Strong Governance and Leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.4	Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community	4.4.3	Regular reviews of Council’s Long Term Financial Plan (LTFP) to ensure the long term financial stability of the Shire
		4.4.4	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council:

1. *in accordance with Attachment 8.1.2 endorse credit card payments for the period 30 December 2021 to 28 January 2022 for \$416.52.*

8.1.3. MONTHLY FINANCIAL REPORTS

Applicant:	Shire of Corrigin
Date:	08/03/2022
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	Nil
File Number:	FM.0037
Attachment Ref:	Attachment 8.1.3.1 – Monthly Financial Statements for the period ending 31 January 2022 Attachment 8.1.3.2 Monthly Financial Statements for the period ending 28 February 2022

SUMMARY

This report provides Council with the monthly financial reports for the months ending 31 January 2022 and 28 February 2022.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996*, regulation 34 states that a local government must prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget.

Variances between budgeted and actual expenditure including the required material variances (10% with a minimum value of \$10,000) are included in the variance report.

COMMENT

Further information on the January and February financial positions are in the variance report included in the monthly financial reports.

STATUTORY ENVIRONMENT

s. 6.4 *Local Government Act 1995, Part 6 – Financial Management*
r. 34 *Local Government (Financial Management) Regulations 1996*

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2021/22 Annual Budget.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

Objective: Governance and Leadership
Strong Governance and Leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.4	Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community	4.4.3	Regular reviews of Council’s Long Term Financial Plan to ensure the long term financial stability of the Shire
		4.4.4	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council:

1. *Accept the Statement of Financial Activity for the month ending 31 January 2022 as presented, along with notes of any material variances.*

2. *Accept the Statement of Financial Activity for the month ending 28 February 2022 as presented, along with notes of any material variances.*

8.2. GOVERNANCE AND COMPLIANCE

8.2.1. PROPOSED LOCAL PLANNING POLICY NO.2 - DISASTER AND EMERGENCY RECOVERY

Applicant:	Shire of Corrigin
Landowner:	All Landowners in the Shire of Corrigin Municipal District
Location:	All Zoned & Reserved Land in the Shire of Corrigin Municipal District
Date:	8/03/2022
Reporting Officer:	Mr Joe Douglas, Consultant Town Planner (Exurban Rural & Regional Planning)
Disclosure of Interest:	NIL
File Ref:	
Attachment Ref:	Attachment 8.2.1 – ‘Local Planning Policy No.2 – Disaster and Emergency Recovery’

SUMMARY

This report recommends that Council adopt and proceed with proposed ‘Local Planning Policy No.2 – Disaster and Emergency Recovery’ in accordance with the procedural requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* and grant delegated authority to the Shire’s Chief Executive Officer for implementation purposes.

BACKGROUND

Following the recent catastrophic bushfires in the Shire’s municipal district, the Shire Administration has received numerous enquiries from affected landowners querying what statutory approvals are required to repair or rebuild damaged buildings, structures and associated infrastructure. It is understood approximately 62 residential and 127 non-residential buildings on farming properties have been damaged or destroyed as a direct result of the recent bushfires.

In order to respond to the current situation and affected landowners’ desire to reconstruct damaged or destroyed buildings, structures and associated infrastructure as quickly as possible, the Shire’s Chief Executive Officer (CEO) requested the reporting officer to investigate options to minimise any delays that may be caused by the usual approval requirements of the Shire’s local planning framework.

COMMENT

The Shire of Corrigin is responsible for implementing its local planning framework following any disaster or emergency to ensure the community recovers as quickly as possible.

Whilst clauses 61(1) and 61(2) in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (i.e. the Deemed Provisions) and the supplemental provisions to the Deemed Provisions contained in Schedule A of the Shire of Corrigin Local Planning Scheme No.2 provide exemptions to the need for development approval, including:

- i) maintenance and repair works,
- ii) temporary works and uses in existence for less than 48 hours, or a longer period agreed by the local government, in any 12-month period; or
- iii) works that are urgently necessary for public safety, the safety or security of plant or equipment, the maintenance of essential services and the protection of the natural environment,

the exemptions currently afforded are not sufficiently broad or flexible to ensure development can occur quickly and adapt to community needs following a disaster or emergency. This includes the flexibility to reconstruct damaged or destroyed buildings, structures and associated infrastructure and provide emergency accommodation for people and workers directly affected or engaged during the recovery process.

In order to enable landowners to repair and rebuild their properties in a timely manner both now and in the future following any other possible disaster or emergency, a draft local planning policy has been prepared pursuant to Part 2, Division 2 of the Regulations for consideration and adoption by Council (see Attachment 1 – *Local Planning Policy No.2 - Disaster and Emergency Recovery*).

The intent of the proposed policy is to:

- i) Facilitate development and/or works which build community resilience and minimise economic impacts; and
- ii) Provide the community with the ability to easily reconstruct damaged buildings and associated infrastructure.

Council should note the proposed policy is based on:

- i) a policy previously prepared and adopted by the Shire of Northampton in response to Cyclone Seroja in April 2021 that has been carefully adapted to suit local circumstances; and
- ii) guidance provided by the Regional South Planning Team of the Department for Planning, Lands and Heritage (DPLH).

The exemptions afforded by the proposed policy are in addition to those described in clause 61 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the Supplemental Provisions in Schedule A of the Shire of Corrigin Local Planning Scheme No.2.

Typically any local planning policy prepared by a local government must be advertised for public comment for a minimum period of twenty one (21) days in accordance with the procedural requirements of clause 4(1) of the Regulations before final adoption. The Western Australian Planning Commission (WAPC) may however, upon request, waive the public advertising requirements of clause 4(1) in exceptional circumstances, including disasters and emergencies when response times are critical.

Should Council resolve to proceed with the proposed policy as recommended below, formal notification of Council's request to waive the public advertising requirements of clause 4(1) of the Regulations will be provided to DPLH for the WAPC's formal consideration and endorsement. In order to help fast-track this process, a copy of the policy provided in Attachment 8.2.1 was referred to DPLH for review on 8 March 2022. Details of any amendments to the policy recommended by DPLH will be conveyed to Council as a further attachment to this report if required.

If the WAPC waives the requirement for public advertising, the proposed policy will come into full legal effect once published by the Shire in accordance with clauses 4(4) and 87 of the Regulations, and may be amended or revoked at any time thereafter at the discretion of Council.

If the WAPC refuses to waive the requirement for public advertising, public advertising will need to be undertaken by the Shire for the minimum required period mentioned previously above which means final adoption of the policy by Council will not occur for at least another month or two.

It is also recommended that Council, pursuant to clause 82 of the Regulations, grant delegated authority to the Shire's Chief Executive Officer to issue exemption notices and temporary development approvals in accordance with the provisions of the proposed policy, and update section 8.2 of the Shire of Corrigin Delegation Register 2021 accordingly.

STATUTORY ENVIRONMENT

Planning and Development Act 2005 (as amended)

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Corrigin Local Planning Scheme No.2

POLICY IMPLICATIONS

Proposed 'Local Planning Policy No.2 – Disaster and Emergency Recovery' will, if adopted by Council in accordance with the procedural requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, form part of the Shire's local planning framework and be applied by the local government when responding to any future possible disaster or emergency.

PUBLIC CONSULTATION

To be undertaken in accordance with the requirements of clause 4(4), Part 2 and clause 87, Part 12, Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* subject to approval by the Western Australian Planning Commission.

Any future possible amendments to the policy, or any decision by Council to revoke the policy, will be advertised for public comment in accordance with the procedural requirements of the Regulations.

FINANCIAL IMPLICATIONS

Nil immediate financial implications for the Shire aside from the administrative costs associated with preparing, adopting and advertising the proposed policy which are provided for in Council's annual budget for town planning related matters.

COMMUNITY AND STRATEGIC OBJECTIVES

The proposed policy is consistent with the following elements of the Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

Objective: Social

An effectively serviced, inclusive and resilient community.

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
1.5	Support emergency services planning, risk mitigation, response and recovery	1.5.1	Joint planning with stakeholders at a local and sub-regional level for disaster preparedness and emergency response.

Objective: Economic

A strong, diverse economy supporting agriculture, local business and attracting new industry.

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
2.1	Support the diverse industry across the Shire	2.1.5	Support local business development initiatives where possible.

Objective: Governance and Leadership
Strong governance and leadership.

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.3	Forward planning and implementation of plans to achieve strategic direction and service levels	4.3.1	Work with external organisations to collaboratively plan and achieve improved community, education, health and business outcomes

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council resolve to:

1. *Adopt and proceed with 'Local Planning Policy No.2 – Disaster and Emergency Recovery' presented in Attachment 1 pursuant to clause 4, Part 2, Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015;*
2. *Authorise the Shire's Chief Executive Officer to refer 'Local Planning Policy No.2 – Disaster and Emergency Recovery' to the Western Australian Planning Commission requesting that the Commission waive the public advertising requirements of clause 4(1), Part 2, Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015 to assist the community respond as quickly as possible to the recent catastrophic bushfires in the Shire's municipal district;*
3. *Authorise the Shire's Chief Executive Officer to publish a copy of 'Local Planning Policy No.2 – Disaster and Emergency Recovery' in accordance with clause 4(4), Part 2 and clause 87, Part 12, Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015 upon receipt of notification of the Western Australian Planning Commission's approval to item 2 above, including any modifications required. Should the Commission not grant approval to item 2 above for whatever reason, authorise the Shire's Chief Executive Officer to advertise the proposed policy in accordance with the specific requirements of clause 4(1), Part 2, Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015 for the minimum required period of twenty one (21) days; and*
4. *Grant delegated authority to the Shire's Chief Executive Officer, pursuant to clause 82, Part 10, Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, to issue exemption notices and temporary development approvals in accordance with the provisions of 'Local Planning Policy No.2 – Disaster and Emergency Recovery' (as amended) and update section 8.2 of the Shire of Corrigin Delegation Register 2021 accordingly.*

8.2.2. TENDER WELLNESS CENTRE

Applicant:	Shire of Corrigin
Date:	9/03/2022
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM.0300
Attachment Ref:	NIL

SUMMARY

This item advises Council of the submissions received in relation to Request for Tender (RFT) 6-2021, Corrigin Wellness Centre Redevelopment.

BACKGROUND

The Shire of Corrigin engaged Office of Regional Architecture to design the redevelopment of the existing, outdated Corrigin Wellness Centre to incorporate new consulting rooms for the dentist and visiting allied health practitioners. The tender specification included detailed plans and drawings of the proposed layout to include consulting rooms for visiting allied health practitioners and the dental surgery at lot 700 Murphy Street Corrigin.



The tender was initially advertised in the West Australian newspaper, Business News, on the shire website and on Facebook with a closing date of 17 January 2022. No tenders were received so the tender was readvertised on 22 January 2022 with the closing date being extended to 28 February 2022. Four companies expressed an interest in quoting for the work and the mandatory site visit was attended by two companies.

One tender was received from Solutions 4 Building at a quoted price of \$699,889.15. Stallion Homes indicated that they would not be able to submit the tender in time due to subcontractors not getting back to them with prices. The tender responses were evaluated by a panel comprising the Chief Executive Officer, Natalie Manton, Building Officer, Kody Broun and Administrative Officer, Emma Shaw and Office of Regional Architecture against a pre-determined selection criteria.

Criteria	Weighting
Tendered price	30%
Relevant company experience	30%
Tenderer's resources and availability	20%
Understanding of allied health and dental design	15%
Regional price preference	5%

COMMENT

In May 2021 Council passed a resolution to amalgamate 3-5 Murphy Street (Lots 446 and 447) to facilitate the redevelopment of the Corrigin Wellness Centre. The new freehold title lot 700 on Deposit Plan 173339 was issued in December 2021

The submission received from Solutions 4 Building was professional, detailed and addressed the selection criteria.

The company has previous experience in buildings of a similar nature and in rural areas.

Based on the weighted evaluations the officers have rated Solutions 4 Building as capable of delivering the building as per the specifications however the quoted price is approximately double the budget.

STATUTORY ENVIRONMENT

Local Government Act 1995

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 Act 1995:

s.3.57 Tenders for providing goods or services

Local Government (Functions and General) Regulations 1996:

r.11 When tenders have to be publicly invited

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

(c) within the last 6 months —

(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

r.13 Requirements when local government invites tenders though not required to do so

r.14 Publicly inviting tenders, requirements for

r.18 Rejecting and accepting tenders

r.20 Variation of requirements before entry into contract

r.21A Varying a contract for the supply of goods or services

The CEO has delegated authority from Council to invite, evaluate, seek clarification or decline any tender with the following conditions:

a. Sole supplier arrangements may only be approved where a record is retained that evidences:

i. A detailed specification;

ii. The outcomes of market testing of the specification;

iii. The reasons why market testing has not met the requirements of the specification; and

iv. Rationale for why the supply is unique and cannot be sourced through other suppliers;

b. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where the:

- *proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government,*
- *current supply contract expiry is imminent,*
- *value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and*
- *The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.*

c. In accordance with s.5.43, tenders may only be accepted and panels of pre-qualified suppliers established, where the total consideration under the resulting contract is \$200,000 or less and the expense is included in the adopted Annual Budget.

d. In accordance with the requirements of Shire of Corrigin Purchasing Policy as it relates to tendering.

POLICY IMPLICATIONS

Policy 2.9 Purchasing Policy

FINANCIAL IMPLICATIONS

The tender price exceeds the estimated cost of the redevelopment that was included as part of the capital expenditure in 2021/22 annual budget.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

Objective: Governance and Leadership
Strong Governance and Leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.4	Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community	4.4.4	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Simple Majority

OFFICER AND COMMITTEE 'S RECOMMENDATION

That Council

- 1 *reject the tender from Solution 4 Building on the basis that the tendered price is in excess of the project budget.*
- 2 *Request the CEO prepare a report to council on options to complete the project including variations to the project scope, preferred supplier and funding arrangement.*

8.2.3. LEASE AGREEMENT CORRIGIN FARM IMPROVEMENT GROUP

Applicant:	Shire of Corrigin
Date:	09/03/2022
Reporting Officer:	Heather Talbot, Governance Projects Officer
Disclosure of Interest:	NIL
File Number:	CP.0085
Attachment Ref:	Attachment 8.2.3 - Draft Lease Agreement

SUMMARY

This item seeks Council's endorsement to enter in to a five year lease agreement with a further five year option with the Corrigin Farm Improvement Group for use of the Old Roads Board building at 21 Goyder Street.

BACKGROUND

In July 2021, the Governance Projects Officer commenced the process of renewing the existing lease agreement between the Shire and the Corrigin Farm Improvement Group. The process revealed that Reserve 15629 where the Old Roads Boards is located did not have the appropriate management order, there was no power to lease and the purpose was for the Old Shire Office and Yard.

In August 2021, Council sought approval from the Minister for Lands to change the reserves management order to include the power to lease and to include in the lands reserve purpose for Community Purposes.

The approval process was completed in January 2022 and a new management order has been issued.

The existing Corrigin Farm Improvement Lease expired on 31 December 2021. The lease included free rental and the cost of utilities. Council also completed the termite inspections, exit light maintenance and fire extinguisher checks as part of the annual maintenance of the heritage listed building. The Farm Improvement Group was responsible for the day to day maintenance and cleaning of the building. This lease agreement was entered into as a way of providing support to the Farm Improvement Group as they provide a service to the community and also assists Council to meet certain strategic objectives. .

COMMENT

A new lease agreement has been drafted by McLeods Barristers and Solicitors. The major terms of the lease are the same as the previous agreement. The Shire is providing the building rent free and the provision of utilities of water and electricity at no cost.

The Shire also completes major items of maintenance as well as some minor maintenance including the termite inspection, residual current device and fire extinguisher checks.

The cost to the Shire over the previous two financial periods is outlined below: This does not include this current financial year as the building has been unoccupied for a period of time.

	2019-20	2020-21
Water and Electricity	\$1,166.31	\$1,368.19
Maintenance	\$513.80	\$851.24

The one major change to the new lease agreement is that there is inclusion of a five year term with the option of a further five years. This negates the need for the cost of a new lease agreement to be prepared every five years and gives the Corrigin Farm Improvement Group some certainty over their tenure of the building.

STATUTORY ENVIRONMENT

Local Government Act 1995 - Section 3.58. Disposing of property

Local Government (Functions and General) Regulations 1996

30. Dispositions of property excluded from Act s. 3.58

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(2) A disposition of land is an exempt disposition if —

(a) the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and —

(i) its market value is less than \$5 000; and

(ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;

or

(b) the land is disposed of to a body, whether incorporated or not —

(i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and

(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

Land Administration Act 1997 (WA)

A management body (e.g. the Shire of Corrigin) has power to lease land in a management order) or, has power to lease land under its own written law, may also lease reserve land provided the lease accords with the purpose of the reserve and subject to the approval of the Minister for Lands under section 18 of the Land Administration Act.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The cost of the preparation of the lease document of \$1,500 is included in legal expenses in the 2021-22 annual budget. Annual subsidy of utilities and minor maintenance \$2,000-\$2,500.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

Objective: Environment

An attractive natural and built environment for the benefit of current and future generations

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
3.5	Conservation of our natural environment	3.5.2	Support the local agricultural sector and local agricultural groups by lobbying stake holders to address local concerns and issues facing the industry now and into the future
		3.5.3	Work in collaboration with groups and organisations to deliver projects and programs that promote and protect the district's natural resources as well as agricultural industry

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council:

- 1. Authorises the Chief Executive Officer to enter into a lease agreement (as per Attachment 8.2.3 with minor variations) with the Corrigin Farm Improvement Group (Inc.) for a term of five years, with the option of a further five years.*
- 2. Authorise the Shire President and the Chief Executive Officer to execute the lease agreement and affix the common seal of the Shire of Corrigin.*

8.2.4. COMPLIANCE AUDIT RETURN

Applicant:	Shire of Corrigin
Date:	3/03/2022
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	CM.0001
Attachment Ref:	Attachment 8.2.4 - Compliance Audit Return

SUMMARY

Council is requested to review the 2021 Compliance Audit Return for the period 1 January 2021 to 31 December 2022.

BACKGROUND

Western Australian local governments are required to complete an annual Compliance Audit Return (CAR) in accordance with the provisions of the Local Government (Audit) Regulations 1996 (Regulations). The CAR must be submitted to the Department of Local Government, Sport and Cultural Industries (Department) by 31 March 2022. The period examined by the audit is 1 January 2021 to 31 December 2021.

The completed return is required to be:

- Reviewed by the Audit Risk Management Committee.
- Considered and adopted by Council.
- Certified by the President and CEO following Council adoption.
- Submitted together with a copy of the Council Minutes to the Department by 31 March 2021.

The report assists the Shire of Corrigin to monitor legislative compliance by examining a range of prescribed requirements under Regulation 13 of the Local Government (Audit) Regulations 1996 in detail. The audit findings must be recorded in the supplied pro-forma which has been completed and is provided as Attachment 8.2.4.

COMMENT

The Compliance Audit Return has been carried out by the Chief Executive Officer in conjunction with the administration staff and identified one matter of non-compliance against the following criteria which has been investigated, reported and resolved:

- Commercial Enterprises by Local Governments
- Delegation of Power / Duty
- Disclosure of Interest
- Disposal of Property
- Elections
- Finance
- Integrated Planning and Reporting
- Local Government Employees
- Official Conduct
- Tenders for Providing Goods and Service

The Audit and Risk Management Committee reviewed and accepted the report at the meeting on 8 March 2021.

STATUTORY ENVIRONMENT

Local Government Act 1995, s 7.13(1)(i)

r. 13 of the Local Government (Audit) Regulations 1996

r. 14 Compliance Audits by Local Governments

r. 15 Compliance Audit Return, certified copy of etc. to be given to Executive Director.

POLICY IMPLICATIONS

8.11 Audit and Risk Management Committee

FINANCIAL IMPLICATIONS

NIL

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

Objective: Governance and Leadership
Strong Governance and Leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.5	Implement systems and processes that meet legislative and audit obligations	4.5.1	Continual improvement in governance and operational policies, processes and implementation

VOTING REQUIREMENT

Simple Majority

OFFICER AND COMMITTEE 'S RECOMMENDATION

That Council endorse the completed Compliance Audit Return for the period 1 January 2021 to 31 December 2021 as attached in Attachment 8.2.4 for certification by the Shire President and Chief Executive Officer and submission to the Department of Local Government; Sport and Cultural Industries.

8.2.5. BUDGET REVIEW

Applicant:	Shire of Corrigin
Date:	09/03/2022
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Number:	FM.0275
Attachment Ref:	Attachment 8.2.5 – Budget Review Report

SUMMARY

Council is being requested to adopt the Annual Budget Review for the year ending 30 June 2022.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* require Council to undertake a review of its Budget in each financial year between 1 January and 31 March. A Statement of Financial Activity incorporating year to date budget variations and forecasts for the period ending 28 February 2022 is presented for Council to consider. A copy of the review and determination is to be provided to the Department of Local Government within 30 days of the adoption of the review.

COMMENT

A review of the actual expenses to date compared to the 2021/22 adopted budget has been conducted and the expected variances are show in the attached report.

The budget review has been prepared to include information required by the *Local Government Act 1995, Local Government (Financial Management)) Regulations 1996 and Australian Accounting Standards*. Council adopted a 10% and a \$10,000 minimum for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

The budget has been reviewed to continue to deliver on other strategies adopted by council and maintain a high level of services across all programs. The budget has also been reviewed on sound financial management and accountability principles and is considered to deliver a sustainable economic outcome for council and the community.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.68
Local Government (Financial Management) Regulations 1996 33a

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Budget variations outlined in budget review report.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

Objective: Governance and Leadership
Strong Governance and Leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.4	Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community	4.4.3	Regular reviews of Council’s Long Term Financial Plan to ensure the long term financial stability of the Shire
		4.4.4	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Absolute Majority

OFFICER’S RECOMMENDATION

That Council:

1. *adopt the Review of Budget Report for the year ending 30 June 2022 in accordance with Regulation 33a of the Local Government (Financial Management) Regulations 1996 (Attachment 8.2.5).*
2. *forward the adopted Budget Review to the Department of Local Government in accordance with the Local Government (Financial Management) Regulations 1996.*

8.3. WORKS AND SERVICES

8.3.1. TENDER SUPPLY AND DELIVERY OF PRIME MOVER

Applicant:	Shire of Corrigin
Date:	9/03/2022
Reporting Officer:	Phil Burgess, Manager Works and Services
Disclosure of Interest:	NIL
File Ref:	FM.0299
Attachment Ref:	Attachment 8.3.1 – Quotes

SUMMARY

This item seeks to advise Council of the submissions received in relation to the E-Quote for supply and delivery of one new prime mover and recommends the best value for money quote for the purpose of awarding a contract.

BACKGROUND

Council made provision in the 2021/22 annual budget to replace the 2011 Iveco Powerstar 6x4 Prime Mover.

As the cost of purchasing the new prime mover was expected to exceed \$250,000 tenders were required as outlined in regulation 11 of the *Local Government (Functions and General) Regulations 1996*.

The Request for Quote (RFQ 13-2021) was advertised on the WA Local Government Association (WALGA) Vendor Panel platform on 4 February 2022 and closed on 25 February 2022. Detailed specifications were provided to four suppliers on the WALGA Preferred Supplier Panel and responses were received from Mack and Kenworth.

The tender responses were evaluated by a panel comprising Natalie Manton, Chief Executive Officer, Phil Burgess, Manager of Works and Terry Barron, Leading Hand Construction against the following predetermined selection criteria.

Tendered Price	75%
Availability	20%
Regional Price Preference	5%

Supplier	Description	Price Inc GST
Mack Trucks Australia	Anthem 6x4 Day Cab inc licencing	\$333,124
Kenworth	T610 6x4 Cab Prime Mover inv licensing	\$377,051

Tenderer	Selection Criteria and Weighting			Total Weighted Score
	Price (75%)	Availability (20%)	Regional Price Preference (5%)	
Mack Trucks Australia	28	0	0	330
Kenworth	22	0	0	420

COMMENT

The Shire of Corrigin Purchasing Policy sets out the requirements for exempt tenders using the WALGA Preferred Supplier E-Quote process. This provided the most efficient and effective method of mitigating risk, determining value for money and ensuring openness, fairness, transparency and equity among suppliers of heavy construction machinery.

All submissions received were professional, detailed and met the specifications requested.

A confidential attachment outlining the tender specifications is contained in Attachment 8.3.1

Based on the combined evaluation scores the submission by Mack was deemed to represent the best value for money at a GST inclusive cost of \$333,124 including licensing fees.

The Kenworth offer includes an extended five year (800,000km) warranty.

STATUTORY ENVIRONMENT

Local Government Act 1995 section 3.57 – Tenders for providing goods or services
Local Government (Functions and General) Regulations 1996 section 3.57 Part 4 – Provisions of Goods and Services, Division 2 – Tenders for Providing Goods and Services.

POLICY IMPLICATIONS

Policy 2.9 Purchasing Policy

FINANCIAL IMPLICATIONS

The cost of purchasing a new prime mover was included in the 2021/22 annual budget of \$200,000 exc GST and the remaining expenditure will be sourced from the plant reserve.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

Objective: Governance and Leadership
 Strong Governance and Leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.4	Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community	4.4.4	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council:

1. *Accepts the E-Quote submitted by Mack as the best value for money.*
2. *Authorises the Chief Executive Officer to accept the E-quote and proceed to purchase the Mack Anthem 6x4 Day Cab for \$333,124 inclusive of GST.*
3. *Additional funds for plant purchase be transferred from plant reserve.*

8.3.2. TENDER DISPOSAL OF IVECO POWERSTAR 6 X 4 PRIME MOVER

Applicant:	Shire of Corrigin
Date:	09/03/2022
Reporting Officer:	Phil Burgess, Manager Works and Services
Disclosure of Interest:	NIL
File Number:	FM.0300
Attachment Ref:	NIL

SUMMARY

This item seeks to advise Council of the submissions received in relation to the tender for Disposal of Iveco Powerstar 6x4 Prime Mover and recommends the best value for money for the purpose of awarding the contract of sale.

BACKGROUND

Council made provision in the 2021/2022 annual budget revenue to dispose of the 2011 Iveco Powerstar 6x4 Prime Mover.

As the expected value of the prime mover was estimated to be close to, or potentially higher than, the threshold amount stipulated in regulation 30(3)(b) of the *Local Government Functions and General Regulations*, the Shire was required to call for tenders for the disposition of the asset.

Due to the nature of the asset being disposed of, and the uncertainty of the market value, the Shire included a trade in option in the Request for Quote for the new prime mover that was advertised on the Vendor Panel platform to relevant WALGA Preferred Suppliers as well as going out to public tender to purchase the Iveco prime mover as an outright sale.

The tender responses were evaluated by a panel consisting of Natalie Manton, Chief Executive Officer, Kylie Caley, Deputy Chief Executive Officer and Phil Burgess, Manager of Works. The criteria was based 100% on tendered price.

The following responses were received:

Purchaser	Purchase Price Inc GST
Mack Trucks Australia	\$22,000.00
C and K Weguelin	\$22,000.00
Manheim Pty Ltd	\$28,000.00
PVT Sales Pty Ltd (Pickles)	\$55,000.00
Southwest Isuzu	\$44,000.00

COMMENT

Based on the combined evaluation scores the submission from PVT Sales Pty Ltd was deemed to represent the best value for money on an outright sale.

The budgeted income for the disposal of the prime mover was \$100,000, this has been reduced in the budget review process.

STATUTORY ENVIRONMENT

Local Government Act 1995 section 3.58 – Disposing of property

Local Government (Functions and General) Regulations 1996 Part 6 – Miscellaneous-Regulation 30(3)(b)

(3) A disposition of property other than land is an exempt disposition if —

(a) its market value is less than \$20 000; or

(b) the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.

The CEO has delegated authority from Council:

to exercise the powers and discharge the duties of the local government under Regulation 14 of the Local Government (Functions and General) Regulations to publicly invite tenders by determining the written criteria for deciding which tender should be accepted and also;

To exercise the powers and discharge the duties of the local government under Regulation 18 of the Local Government (Functions and General) Regulations relating to choice of tender.

The delegation is subject to:

a) Following the Shire's operational practice utilising tender evaluation processes and documentation developed by WALGA;

b) Compliance with the requirements of the Shire's Purchasing Policy as it relates to tendering; and

a) Acceptance of a tender is not to exceed a contract value of \$200,000.

Council has delegated authority to the CEO to dispose of property:

To exercise the powers and discharge the duties of the local government under section 3.58(2) and 3.58(3) of the Local Government Act 1995, and further to acquire property on the local government's behalf.

However Section 5.43(d) of the Local Government Act 1995 provides that:

A local government cannot delegate to a CEO any of the following powers or duties

(d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph.

In accordance with s5.43, disposal of property by the Chief Executive Officer for a single project or single transaction not part of a project cannot exceed \$20,000.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Disposal of plant is in accordance with the 2021/2022 annual budget provisions.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2021-2031 and Corporate Business Plan 2021-2025:

Objective: Governance and Leadership
Strong Governance and Leadership

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.4	Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community	4.4.3	Regular reviews of Council’s Long Term Financial Plan to ensure the long term financial stability of the Shire
		4.4.4	Provide Council adequate and appropriate financial information on a timely basis

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council:

1. *accepts the submission from PVT Sales Pty Ltd as the preferred option for the sale of the 2011 Iveco Powerstar 6x4 Prime Mover*

2. *authorises the Chief Executive Officer to accept the tender and proceed to dispose of the 2011 Iveco Powerstar 6x4 Prime Mover for \$55,000 inclusive of GST.*

9. CHIEF EXECUTIVE OFFICER REPORT

10. PRESIDENT'S REPORT

11. COUNCILLORS' QUESTIONS REPORTS, AND INFORMATION ITEM

12. URGENT BUSINESS APPROVED BY THE PRESIDENT OR BY A DECIDED OF THE COUNCIL

13. INFORMATION BULLETIN

14. WALGA AND CENTRAL ZONE MOTIONS

15. NEXT MEETING

Ordinary Council Meeting on Tuesday 19 April 2022.

16. MEETING CLOSURE