

SHIRE OF



# MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 21 APRIL 2020



*Strengthening our community now to grow and prosper  
into the future*

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## 1 DECLARATION OF OPENING

The Chairperson, Shire President Cr. D Hickey opened the meeting at 3.01pm via zoom platform.

### 1.1 COVID-19 ELECTRONIC MEETINGS

Applicant:	Shire of Corrigin
Date:	15/04/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	PH.0039
Attachment Ref:	NIL

#### SUMMARY

Council is asked to confirm the arrangements for electronic meetings and suspension of operational clauses in the Standing Orders Local Law for the duration of the COVID-19 pandemic.

#### BACKGROUND

Changes have been made to the Local Government Act (Administration Regulations) to enable councillors to participate in Council meetings by electronic means during a public health emergency or state of emergency situation.

These changes ensure that local governments can continue to hold council and committee meetings and make decisions in the best interests of the community.

The amendments also modify the provisions in the Local Government Act that relate to notice of a meeting and public question time to enable meetings to be held electronically.

If a meeting is held electronically, public question time requirements will be met if council allocates time for raising questions by members of the public and provides a means for questions to be submitted prior to the meeting.

#### COMMENT

The President requested that arrangements be made for council and committee meetings to be conducted by electronic means on 27 March 2020.

The Councillors participated in a trial run of the Zoom meeting platform on Friday 17 April 2020 prior to the Council meeting to prepare for the meeting, establish electronic meeting protocols and identify any potential problems.

#### STATUTORY ENVIRONMENT

*Local Government Act 1995 (WA)*  
*Local Government Amendment (COVID-19 Response) Bill 2020*

##### **r10.4. Suspension of local law**

*(1) A local government may, by resolution\*, suspend the operation of a specified local law, or specified provisions of a local law, made by the local government under this Act or any other Act.*

*\* Absolute majority required.*

*Local Government (Administration) Regulations 1996*

**r 14A. Attendance by telephone etc. (Act s. 5.25(1) (ba))**

(1) A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —

(a) the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting;

and

(b) the person is in a suitable place; and

(c) the council has approved\* of the arrangement.

(2) A council cannot give approval under subregulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person (other than a person with a disability) who was not physically present was taken to be present in accordance with this regulation.

(3) A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.

(4) In this regulation —

**disability** has the meaning given in the Disability Services Act 1993 section 3;

**suitable place** —

(a) in relation to a person with a disability — means a place that the council has approved\* as a suitable place for the purpose of this paragraph; and

(b) in relation to any other person — means a place that the council has approved\* as a suitable place for the purpose of this paragraph and that is located —

(i) in a townsite or other residential area; and

(ii) 150 km or further from the place at which the meeting is to be held under regulation 12, measured along the shortest road route ordinarily used for travelling;

**townsite** has the same meaning given to that term in the Land Administration Act 1997 section 3(1).

\* Absolute majority required.

**14B. Attendance by telephone etc. after natural disaster (Act s. 5.25(1)(ba))**

(1) If a council member is prevented from being physically present at a meeting of the council because of fire, flood, lightning, movement of land, storm, or any other natural disaster the member is to be taken to be present at the meeting if —

(a) the member is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and

(b) the member is authorised to be present by —

(i) the Mayor; or

(ii) the President; or

(iii) the council.

(2) A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.

(3) A place where a person referred to in this regulation is physically present during a meeting is not a place that is open to members of the public under section 5.23(1).

(4) In this regulation —

**person referred to in this regulation**, in respect of a meeting, means a council member who is prevented from being physically present at that meeting.

**14C. Attendance by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))**

(1) In this regulation —

**meeting** means —

- (a) an ordinary meeting of the council; or
- (b) a special meeting of the council; or
- (c) a meeting of a committee of the council; or
- (d) a meeting of an audit committee of a local government.

(2) A member of a council or committee may attend a meeting by electronic means if —

- (a) a public health emergency or a state of emergency exists in the whole or a part of the area of the district of a local government; and
- (b) because of the public health emergency or state of emergency, the member is unable, or considers it inappropriate, to be present in person at a meeting;

and

- (c) the member is authorised to attend the meeting by electronic means by —
  - (i) the mayor; or
  - (ii) the president; or
  - (iii) the council.

(3) A person who attends a meeting by electronic means is taken to be present at the meeting.

**14D. Meetings held by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))**

(1) In this regulation —

**meeting** means —

- (a) an ordinary meeting of the council; or
- (b) a special meeting of the council; or
- (c) a meeting of a committee of the council; or
- (d) a meeting of an audit committee of a local government.

(2) A meeting may be held by electronic means —

(a) if —

(i) a public health emergency or a state of emergency exists in the whole or a part of the area of the district of a local government; and

(ii) because of the public health emergency or state of emergency, the mayor, president or council considers it appropriate for the meeting to be held by electronic means; or

(b) if —

(i) a direction is issued under the Public Health Act 2016 or the Emergency Management Act 2005 that prevents the meeting from being held in person; and

(ii) the mayor, president or council authorises the meeting to be held by electronic means.

(3) The electronic means by which the meeting is to be held include by telephone, video conference or other instantaneous communication, as determined by —

- (a) the mayor; or
- (b) the president; or
- (c) the council.

- (4) *The CEO must be consulted before a determination is made under subregulation (3).*
- 14E. Modification of Act if meeting held by electronic means (Act s. 5.25(2))**
- (1) *In this regulation —*  
**electronic meeting** means a meeting held by electronic means under regulation 14D.
- (2) *If a council or a committee is to hold an electronic meeting, the council or committee is taken to have complied with the requirement to give notice of the place of the meeting under section 5.5 and regulation 12 if the local government gives notice that the meeting will be conducted by electronic means.*
- (3) *If a council or a committee holds an electronic meeting —*  
(a) *a person who attends the meeting by the electronic means determined under regulation 14D(3) is taken to attend the meeting for the purposes of the Act and these regulations; and*  
(b) *the meeting is open to the members of the public under section 5.23(1) if —*  
(i) *the council or committee complies with the requirement to make the unconfirmed minutes of the meeting available for public inspection under regulation 13; or*  
(ii) *the council or committee publicly broadcasts the meeting on a website; or*  
(iii) *the meeting or a broadcast of the meeting is otherwise accessible to the public.*
- (4) *If a council or a committee holds an electronic meeting, section 5.24 is modified so that the council or committee allocates time for raising questions by members of the public, and the asking of and responding to those questions, if —*  
(a) *the council or committee provides a means to submit a question prior to the meeting; and*  
(b) *the council or committee determines at the meeting —*  
(i) *to respond to the question submitted by the member of the public at the meeting in accordance with the procedure determined by the council or committee; or*  
(ii) *that, given the public health emergency, state of emergency or direction issued under the Public Health Act 2016 or the Emergency Management Act 2005, it is not appropriate to respond to the question at the meeting.*
- (5) *If a council or a committee holds an electronic meeting, for the purposes of regulation 14, a notice paper, agenda, report or other document may be —*  
(a) *tabled at the meeting, or produced by the local government or a committee for presentation at the meeting, in any manner determined by the council or committee including by electronic means; and*  
(b) *made available to members of the council or committee, or for inspection by members of the public, in any manner determined by the council or committee, including by electronic means.*

#### **POLICY IMPLICATIONS**

8.3 Circulation of Agendas and Minutes

8.4 Dress Standard

#### **FINANCIAL IMPLICATIONS**

NIL



## COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

**Objective: Leadership**  
**Strong Governance and leadership**

### Outcome 4.1 - A strategically focussed dynamic Council serving the community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

## VOTING REQUIREMENT

Absolute Majority

## COUNCIL RESOLUTION

**(47/2020) Moved: Cr Coppen      Seconded: Cr Dickinson**

*That Council*

- 1. Note the decision of the President to arrange for council and committee meetings to be undertaken by electronic means during the COVID-19 pandemic until otherwise revoked.*
- 2. Acknowledge that councillors have provided the President with details of the place at which they will connect to the electronic meeting and the controls in place to ensure a stable connection is maintained, interruptions are limited and confidentiality is maintained.*
- 2. Suspend the operation of clauses 6.1 and 11.4 of the Shire of Corrigin Standing Orders Local Law for the duration of this electronic meeting, and future electronic meetings, as required during the COVID-19 pandemic and that these matters be determined at the discretion of the Presiding Member.*

**Carried by Absolute Majority 7/0**



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Our Ref: GOV.0024

PH.0038

Contact: Cr Des Hickey

27 March 2020

Ms Natalie Manton  
Chief Executive Officer  
Shire of Corrigin  
PO Box 221  
CORRIGIN WA 6375

Dear Natalie

**RE: ATTENDANCE AT MEETINGS BY ELECTRONIC MEANS DURING PUBLIC HEALTH EMERGENCY**

The WA State Government has declared a State of Emergency due to the outbreak of COVID-19 and the Shire of Corrigin will require changes to the meeting arrangements while this public health emergency continues to impact the district.

Please arrange for the following meetings to be undertaken by electronic means such as teleconference, web based meeting or other electronic communication platforms until otherwise revoked by me, as President of the Shire of Corrigin:

- Council Meetings
- Special Council Meetings
- all ordinary and special Committee Meetings including:
  - Audit and Risk Management Committee
- Advisory Committees
  - Local Emergency Management Committee
  - Bush Fire Advisory Committee
  - Corrigin Recreation and Events Centre Advisory Committee
  - Tourism and Economic Development Committee
- External Committees
  - WALGA Central County Zone meeting
  - Roe Regional Organisation of Councils including Roe Health
  - Wheatbelt South Regional Road Group
  - Wheatbelt South Aged Housing Alliance
  - Edna Stevenson Trust
  - Roe Tourism Association
  - Central Agcare
  - Corrigin Senior Citizens Committee



The meetings are to be convened in accordance with the requirements of the following Regulations of the Local Government (Administration) Regulations 1996 outlined below:

14C. Attendance by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))

14D. Meetings held by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))

14E. Modification of Act if meeting held by electronic means (Act s. 5.25(2))

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. Hickey', with a large flourish at the end.

Cr Des Hickey

President

## **2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

(All Councillors attended electronically via Zoom)

Shire President

Deputy Shire President

Cr. D L Hickey

Cr. M A Weguelin

Cr. F R Gilmore

Cr. J A Mason

Cr. M B Dickinson

Cr. S L Jacobs

Cr. S C Coppen

Chief Executive Officer

Deputy Chief Executive Officer

Executive Support Officer

N A Manton

K A Caley

K L Biglin

### **APOLOGIES**

NIL

### **LEAVE OF ABSENCE**

NIL

## **3 PUBLIC QUESTION TIME**

NIL

## **4 MEMORIALS**

The Shire have been advised that Keith Noack and John Peach passed away since the last meeting.

## **5 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

## **6 DECLARATIONS OF INTEREST**

Cr Hickey declared a Proximity Interest in item 8.3.1

Cr Jacobs declared a Proximity Interest in item 8.3.1

## **7 CONFIRMATION AND RECEIPT OF MINUTES**

### **7.1 PREVIOUS COUNCIL MEETINGS AND BUSINESS ARISING FROM MINUTES**

#### **7.1.1 ORDINARY COUNCIL MEETING**

Minutes of the Shire of Corrigin Ordinary Council meeting held on Tuesday 17 March 2020 (Attachment 7.1.1).

#### **COUNCIL RESOLUTION**

**(48/2020) Moved: Cr Mason                      Seconded: Cr Jacobs**

*That the Minutes of the Shire of Corrigin Ordinary Council meeting held on Tuesday 17 March 2020 (Attachment 7.1.1) be confirmed as a true and correct record.*

**Carried 7/0**

### **7.2 COMMITTEE MEETINGS AND BUSINESS ARISING FROM MINUTES**

#### **7.2.1 SPECIAL COVID-19 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING**

Minutes of the Shire of Corrigin Special COVID-19 Local Emergency Management Committee Meetings held Monday 30 March 2020, Monday 6 April 2020 and Tuesday 14 April 2020.

#### **COUNCIL RESOLUTION**

**(49/2020) Moved: Cr Weguelin                      Seconded: Cr Mason**

*That the Minutes of the Shire of Corrigin Special COVID-19 Local Emergency Management Committee Meetings held Monday 30 March 2020 (Attachment 7.2.1.1), Monday 6 April 2020 (Attachment 7.2.1.2) and Tuesday 14 April 2020 (Attachment 7.2.1.3) be confirmed as true and correct records.*

**Carried 7/0**

## 8 MATTERS REQUIRING A COUNCIL DECISION

### 8.1 CORPORATE AND COMMUNITY SERVICES REPORTS

#### 8.1.1 CORRIGIN COMMUNITY RESOURCE CENTRE

Applicant:	Shire of Corrigin
Date:	1/04/2020
Reporting Officer:	Heather Ives, Coordinator, Community Services
Disclosure of Interest:	NIL
File Ref:	CS.0008
Attachment Ref:	NIL

#### **CORRIGIN CRC MONTHLY USAGE – MARCH 2020:**

CUSTOMER ACCESSING 'FEE FOR SERVICE' AND SALES					
SERVICES / FEES	MTHLY	FROM JULY 19	SALES	MTHLY	FROM JULY 19
Internet Use / Computer Use	8	74	Movie Club Fees	10	77
Photocopying / Printing / Faxing	21	231	Phonebook Sales	0	51
Laminating / Binding / Folding	2	39	Moments In Time Books	0	3
Sec. Services / Scans / CD Burning	9	61	Book Sales	0	2
Room Hire	8	68	Wrapping Paper / Postcard Sales	4	4
Equipment Hire	0	21	Polo Shirt / Eco Bag Sales	0	0
Training / Course Fees	1	25	Phone calls	0	0
Resource Centre Membership Fees	0	12	Sale of Assets	0	0
Exam Supervision	0	5			
Total:	49	536	Total:	10	136
<i>Monthly People through:</i>	59				
CUSTOMER ACCESSING 'CORRIGIN CRC SERVICES'					
SERVICES	MTHLY	FROM JULY 19	SERVICE	MTHLY	FROM JULY 19
Phonebook Enquiries	0	18	Corrigin Toy Library	5	72
Tourism	21	292	Broadband for Seniors / Webinars	6	99
Government Access Point	0	45	General Enquires (Face/Email/Website)	128	982
Community Information	28	226	Corrigin Public Library	31	536
Conf. / Vid Conf. / Training	139	948	Corrigin Library eResources	63	710
University Exams	0	8			
Total:	188	1537	Total:	233	2399
<i>Monthly People through:</i>	421				

**TOTAL FOR THE MONTH OF MARCH: 480**

**COMMUNITY ECONOMIC / BUSINESS AND SOCIAL DEVELOPMENT BOOKINGS – MARCH 2020**

DESCRIPTION	NO'S	ROOM	GOVT. HOT OFFICE BOOKING (HO), COMMERCIAL BOOKING
Holyoake	2	Professionals Office	Commercial Booking
Forrest Personnel	1	Professionals Office	Commercial Booking
Smyl Services	2	Professionals Office	Commercial Booking
Hutton & Northey	13	Conference Room	Commercial Booking
Optometrist	4	Professionals Office	Commercial Booking
Movie Club	10	Conference Room	N/A
Medical Students	24	Conference Room	N/A
Medical Students	24	Conference Room	N/A
Medical Students	24	Conference Room	N/A
Medical Students	24	Conference Room	N/A
Hutton & Northey	2	Video Conf Room	Commercial Booking
Holyoake	2	Professionals Office	Commercial Booking
Dept of Education	2	Video Conf Room	Hot Office Booking
Forrest Personnel	3	Professionals Office	Commercial Booking
Rural Traffic	4	Video Conf Room	Commercial Booking
DPIRD	3	Video Conf Room	Hot Office Booking

**CORRIGIN CRC Annual Summary Report**

	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	YEAR TOTAL
2007-08	535	613	537	714	511	520	561	510	625	733	576	469	6904
2008-09	479	444	581	532	501	411	417	501	575	525	543	651	6160
2009-10	629	682	626	757	590	727	421	623	715	529	491	539	7329
2010-11	708	610	871	759	465	530	426	444	611	413	607	691	7135
2011-12	568	536	572	535	542	381	426	520	527	499	564	491	6161
2012-13	545	694	691	716	756	497	552	636	413	590	370	479	6939
2013-14	651	494	516	706	597	479	405	529	641	640	616	553	6827
2014-15	769	757	750	878	651	443	455	569	403	603	486	499	7263
2015-16	543	695	668	813	681	466	591	534	530	585	626	553	7285
2016-17	620	588	675	618	455	366	513	388	595	336	540	450	6144
2017-18	461	372	516	663	563	422	376	596	563	646	532	444	6154
2018-19	578	521	425	708	547	397	386	562	546	635	617	563	6485
2019-20	583	472	526	664	467	311	647	529	480				

**STATUTORY ENVIRONMENT**

NIL

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

**Objective: Social**

**An effectively serviced, inclusive and resilient community**

**Outcome 3.1 - An inclusive, welcoming and active community**

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
3.1.1	Work in partnership with community and sporting groups	3.1.1.2	Assist sport and recreation clubs in accessing grant funding opportunities
3.1.3	Facilitate, encourage and support community events	3.1.3.1	Promote and support local events with emphases on events that promote visitation of the Shire.
		3.1.3.2	Engage and facilitate the community to encourage the establishment and continuation of local events.

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(50/2020) Moved: Cr Dickinson      Seconded: Cr Coppen**

*That Council receives the Corrigin Community Resource Centre Report.*

**Carried 7/0**



## 8.1.2 ACCOUNTS FOR PAYMENT

Applicant:	Shire of Corrigin
Date:	7/04/2020
Reporting Officer:	Tanya Ludlow, Finance Officer - Creditors / Payroll
Disclosure of Interest:	NIL
File Ref:	FM.0036
Attachment Ref:	Attachment 8.1.2 – Accounts for Payment – March 2020

### 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 on a monthly basis 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 March 2020 are provided as Attachment 8.1.2 – Accounts for Payment – March 2020.

After payment of the following cheque, EFT and Direct Debit payments, the balance of creditors will be \$0.00.

Bank Account	Payment Type	Reference	Amount	Total
Municipal	EFT	14811 - 14954	\$893,393.78	
	Cheque	020493 - 020499	\$44,654.34	
	Direct Debit	March 2020	\$31,055.72	
	Payroll	March 2020	\$111,053.24	<b>\$1,080,157.08</b>
Trust	EFT	No Payments	\$0.00	
	Cheque	No Payments	\$0.00	
	Direct Debit	No Payments	\$0.00	<b>\$0.00</b>
Licensing Trust	EFT	No Payments	\$0.00	
	Direct Debit	March 2020	\$54,845.75	<b>\$54,845.75</b>
Edna Stevenson	EFT	No Payments	\$0.00	
	Cheque	No Payments	\$0.00	<b>\$0.00</b>
<b>Total Payments for the Month of March 2020</b>				<b>\$1,135,002.83</b>

**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 8.1.2 – Accounts for Payment – March 2020, 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	EFT14810	EFT14811
Municipal	Cheque	020492	020493
Trust	Cheque	003390	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**

Local Government (Financial Management) Regulations 1996

**POLICY IMPLICATIONS**

Policy 2.10 – Purchasing Policy

**FINANCIAL IMPLICATIONS**

Expenditure in accordance with the 2019/2020 Annual Budget.

**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

**Objective: Leadership**

**Strong Governance and leadership**

**Outcome 4.1 - A strategically focussed dynamic Council serving the community**

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.1	Council maintain financial stability
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(51/2020) Moved: Cr Jacobs**

**Seconded: Cr Mason**

*That Council reviews the list of accounts paid and acknowledges that payments totalling \$1,135,002.83 have been made during the month of March 2020.*

**Carried 7/0**

### 8.1.3 ACCOUNTS FOR PAYMENT – CREDIT CARDS

Applicant:	Shire of Corrigin
Date:	14/04/2020
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM.0036
Attachment Ref:	Attachment 8.1.3 – Accounts for Payment – Credit Cards

#### SUMMARY

This report provides Council with a list of all financial dealings relating to the use of credit card payments for the period 29 January 2020 to 28 February 2020.

#### BACKGROUND

This information is provided to Council on a monthly basis 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 has been incurred, is for the Shire of Corrigin and has been made in accordance with Council policy, procedures and 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 2019/2020 Annual Budget.

**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

**Objective: Leadership**

**Strong Governance and leadership**

**Outcome 4.1 - A strategically focussed dynamic Council serving the community**

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.1	Council maintain financial stability
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(52/2020) Moved: Cr Coppen      Seconded: Cr Gilmore**

*That Council in accordance with Attachment 8.1.3 endorse credit card payments for the period 29 January 2020 to 28 February 2020 for \$910.86.*

**Carried 7/0**

### 8.1.4 MONTHLY FINANCIAL REPORT

Applicant:	Shire of Corrigin
Date:	15/04/2020
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM.0036
Attachment Ref:	Attachment 8.1.4 – Monthly Financial Report for March 2020

#### SUMMARY

This report provides Council with the monthly financial report for the month ending 31 March 2020.

#### BACKGROUND

*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

Council is still tracking along reasonably well in regards to cash flow, Council still has \$2,730,000 in short term investments. An amount of \$230,806 owing from Federal Assistance Grants (FAGS) which is due in May and claims to be made for Regional Road Group, Roads to Recovery, Blackspot and the Commodity Route funding's between now and the end of the financial year.

The capital expenditure is gaining pace however is still well below budget with many projects still to be carried out. There hasn't been too much impact on the capital expenditure due to the COVID-19 pandemic, the main reason is just timing.

Outstanding rate collection is slightly lower than this time last year with 89.91% of rate monies being collected since the beginning of the financial year.

The reserves term deposit matured on 2 April and has been locked away for another 60 days at a rate of 0.70%.

The interim audit has been completed by Moore Stephens completely offsite due to the COVID-19 restrictions. Staff put in a fantastic effort to ensure that everything requested was emailed or uploaded in a timely manner and given the circumstances with the extra pressure of preparing to work in isolation, completed the audit tasks without hesitation before they had to begin working from home which didn't leave a lot of time for either the staff or the auditors to get requests in and then the subsequent information out. The exit meeting for the interim audit is scheduled for Friday 17 April 2020 between the CEO, DCEO and Moore Stephens.

The budget preparation has been slow to start due to the last few weeks of preparing and supporting staff to work from home and the extra work resulting from the COVID-19 pandemic, however, requests and staff budgets are starting to flow in, we have information suggesting how we should be preparing the rates income and will be looking at getting into the budget fully shortly and workshops scheduled in the very near future.

Further information on the March financials is in the variance report included in the monthly financial report.

**STATUTORY ENVIRONMENT**

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

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

Expenditure in accordance with the 2019/2020 Annual Budget.

**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

**Objective: Leadership**

**Strong Governance and leadership**

**Outcome 4.1 - A strategically focussed dynamic Council serving the community**

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.1	Council maintain financial stability
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(53/2020) Moved: Cr Mason**

**Seconded: Cr Dickinson**

*That Council accept the Statement of Financial Activity for the month ending 31 March 2020 included as Attachment 8.1.4 as presented, along with notes of any material variances.*

**Carried 7/0**



## 8.2 GOVERNANCE AND COMPLIANCE

### 8.2.1 COMMUNITY SUPPORT INITIATIVES – RATES COLLECTION AND FINANCIAL HARDSHIP

Applicant:	Shire of Corrigin
Date:	15/04/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	CM.0059
Attachment Ref:	NIL

#### SUMMARY

Council is asked to review and endorse the minor changes to the existing policy for unpaid rates and financial hardship as well as ceasing of legal debt recovery action in response to COVID-19 situation.

#### BACKGROUND

The World Health Organisation declaration of a COVID-19 pandemic in January 2020 and subsequent state government Emergency Management Act 2005 (WA) and Public Health Act 2016 (WA) directions have had a significant financial impact on individuals and businesses in Corrigin.

In order to comply with the government directions several local business have had to close resulting in a significant drop in revenue and the loss of jobs.

In October 2018 Council revised the existing policies for unpaid rates and request for time to pay rates and combined them into a new Policy 2.1 Rates- Procedure for Unpaid Rates. The new policy included hardship provisions and negotiated special payment arrangements.

The main changes to the policy are to recognise the government directions to shut down or close a business resulting from the COVID-19 pandemic in the definition of exceptional hardship and to cease interest charges on overdue rates while a negotiated special payment arrangement is maintained.

In August 2019 Council passed the following resolution as part of the 2019/20 budget adoption.

#### *Resolution 107/2019*

*Pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, council nominates the following due dates for the payment in full by instalments:*

- *Full payment and 1<sup>st</sup> instalment due date*                      *3 October 2019*
- *2<sup>nd</sup> quarterly instalment due date*                              *3 December 2019*
- *3<sup>rd</sup> quarterly instalment due date*                                *3 February 2020*
- *4<sup>th</sup> quarterly instalment due date*                                *3 April 2020*

*Pursuant to Section 6.46 of the Local Government Act 1995, council offers a discount of 1% to ratepayers who have paid their rates in full, including arrears, waste and service charges, on or before 3 October 2019 or 35 days after the date of service appearing on the rate notice, whichever is*

*the later.*

*Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$10 for each instalment after the initial instalment is paid.*

*Pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option.*

*Pursuant to section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.*

The fourth and final rates instalment was due on 3 April 2020 and it is normal practice to commence legal action to recover unpaid rates at this time.

Interest is charged on amounts that remain unpaid after the final date for payment or instalment date excluding deferred rates and pensioners.

#### **COMMENT**

The policy outlines the process for collection of unpaid rates to ensure that all ratepayers are treated fairly, equitably, consistently and supports those experiencing hardship.

The revised policy and procedure supports individuals and businesses experiencing financial hardship by making provision for special negotiated payment arrangements and relief from interest charges if the arrangement is maintained.

Despite the restrictions imposed by the government to manage the COVID-19 pandemic, some individuals and businesses have not experienced financial hardship in the same way as others. It is a reasonable community expectation that those with the capacity to pay will continue to pay their rates and debtor invoices. This policy stipulates that applications for payment arrangements or waiver of interest charges will need to be made in writing and provide evidence of financial hardship.

In recognition of the financial challenges resulting from the COVID-19 pandemic it is also recommended that the legal process to recover rates and other debts is suspended for six months until October 2020.

#### **STATUTORY ENVIRONMENT**

*Local Government Act 1995 (WA)*

*s 2.7(2) (b) Role of Council*

*Local Government (Financial Management) Regulations 1996*

#### **POLICY IMPLICATIONS**

2.1 Rates- Procedure for Unpaid Rates

2.2 Debt Collection

#### **FINANCIAL IMPLICATIONS**

Reduced penalty interest charges fees of approximately \$2,500 for the remainder of the 2019/20 financial year.

Legal fees are on charged to the ratepayer so there will be no net change to income from legal recovery process.

A delay in the collection of 100% of outstanding rates and service charges by 30 June 2020 will reduce income and will reduce the closing balance for the 2019/2020 financial year and may impact the delivery of services in the 2020/21 financial year.

## COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

### Objective: Leadership

#### Strong Governance and leadership

#### Outcome 4.1 - A strategically focussed dynamic Council serving the community

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.2	Undertake strategic planning and ensure legislative compliance	4.1.2.1	Review Council's Community Strategic Plan to ensure it remains aligned to the community's vision, aspirations and desired outcomes
		4.1.2.2	Annual review of Council's policies and Corporate Business Plan
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

### VOTING REQUIREMENT

Absolute Majority

### COUNCIL RESOLUTION

**(54/2020) Moved: Cr Coppen**

**Seconded: Cr Gilmore**

*That Council*

1. *Endorse the revised Policy 2.1 Rates- Procedure of Unpaid Rates.*
2. *Suspend the legal debt recovery process for unpaid rates for six months until October 2020.*

**Carried by Absolute Majority 7/0**

## 2.1 Rates – Procedure for Unpaid Rates

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<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	Finance Officer - Rates
<b>Date of Approval:</b>	<b>31 March 1989</b>
<b>Amended:</b>	<b>21 April 2015; 16 October 2018</b>

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**Objective:** To provide guidelines and to prescribe the process for the collection of outstanding debts, recovery of rates and service charges and the charging of interest in relation to those debts.

**Policy:** The Shire of Corrigin will:

- take all appropriate action to ensure the maximum amount of rateable income is received in any one financial year;
- recover all outstanding debts, rates and service charges, utilising the relevant legislation and legal processes, in accordance with the *Local Government Act 1995* and *Civil Judgements Enforcement Act 2004*, and the Guidelines and Policy Procedures;
- have regard to individuals *Serious Hardship* and/or *Exceptional Hardship/Circumstances* relating to outstanding debts, rates and service charges, when administering this Policy, Guidelines and Policy Procedures; and
- consider all requests from person's experiencing difficulties with making payments for debts or rates and service charges. Such persons will be required to make a written application to the CEO to enter into a Negotiated Special Payment Arrangement, detailing their *Serious Hardship* and/or *Exceptional Hardship/Circumstances* to warrant consideration and leniency.

### Definitions

In the administration of this policy, the following will apply:

*Serious Hardship* and/or *Exceptional Hardship/Circumstances* has no statutory definition in case law and will normally be at the discretion of the courts to decide if circumstances warrant leniency. However, many agencies use these terms when considering applications for leniency. In effect it can mean a level of hardship that will also impact on innocent parties.

Circumstances will vary in each situation, however there are common elements which can be considered by a statutory authority/local government. These can include (but not limited to) the following:

#### Serious Hardship

*Serious Hardship* exists when a person is unable to provide adequate food, accommodation, clothing, medical treatment, education or other necessities for themselves, their family or other people for whom they are responsible. (Source: Australian Taxation Office).

Consideration will be given as to whether a person's current financial difficulties are short term, when deciding whether a person is suffering *Serious Hardship*.

### Financial Assets

There are several types of assets that are generally regarded as a normal and reasonable possession. A person is not expected to sell these to meet a payment. These assets include a motor vehicle and “tools of trade”.

Also, a person will not be expected to use any cash on hand or in a bank balance which they need to meet the cost of their basic necessities, to pay a payment.

If a person has assets such as rental property, shares or other investments, this may be regarded as having the capacity to make the payment, without suffering serious hardship.

### Exceptional Hardship/Circumstances

These cover any unusual or exceptional circumstances that do not qualify as *Serious Hardship*, but make it fair and reasonable for a person not to make a payment at a specific time. If a person considers that there are other special reasons why they should not have to make their payment, they should specify these in writing to the CEO.

Some examples of what may constitute Exceptional Hardship/Circumstances include (but not limited to):

- a serious accident;
- sudden bereavement within a family;
- severe/life threatening illness or medical condition;
- an impact on a dependent or family member who has a serious disability or health problem and who relies on the affected person for their financial support; prolonged imprisonment;
- temporary physical or mental incapacity; or
- or any other matters considered acceptable by the CEO.

*Exceptional Hardship/Circumstances* are not limited to the above examples.

Note: The temporary loss of a job will not normally in itself qualify as *Exceptional Hardship* unless a convincing case can be put forward that the impact would be so exceptional as to warrant leniency **such as a government direction to shut down or close a business due to the COVID-19 pandemic.**

### Negotiated Special Payment Arrangement (NSPA)

A Negotiated Special Payment Arrangement is a non-legal (but binding) arrangement between the Debtor/Ratepayer and the Shire of Corrigin, whereby the debt/outstanding money is progressively paid in agreed instalments over a period of time, by amounts that are mutually agreed between the two parties.

## **GUIDELINES AND PROCEDURES**

### **Debt Recovery Process**

The following process is to be followed for the recovery of rates and service charges. Legal proceedings will continue until outstanding rates and service charges are paid in full or otherwise determined by the CEO and/or the Council.

### **Final Notice**

- Where the rates remain outstanding fourteen (14) days after the due date shown on the Annual Rates Notice and the ratepayer has not elected to pay by the instalment option, a Final Notice shall be issued requesting payment in full within fourteen (14) days.
- Eligible pensioners registered under the *Rates and Charges (Rebates and Deferments Act) 1992* are exempt as they are entitled to pay by the 30th June under the legislation.

### **Notice of Intention to Summons (Demand Letter)**

- Rates remaining unpaid after the expiry date shown on the Final Notice will be examined for the purposes of issuing a Demand Letter (Notice of Intention to Summons).
- The Demand Letter is to be issued within sixty (60) days of the expiry date on the Final Notice and must specify that the ratepayer has fourteen (14) days to pay in full or alternatively enter into a special payment arrangement with the Shire of Corrigin.
- Failure to enter into an agreed payment arrangement will result in the debt being referred to a debt collection agency and a General Procedure Claim being issued without further notice.

### **General Procedure Claim**

- Where a Demand Letter has been issued and remains unpaid and the ratepayer has not elected to enter into an agreed special payment arrangement, a General Procedure Claim will be issued.
- Legal costs and the costs of proceedings will be added to the ratepayers account upon issue of a General Procedure Claim, in accordance with Section 6.56 of the *Local Government Act 1995*.
- Ratepayers are required to pay in full or by instalments once they receive a General Procedure Claim. If they choose to pay by instalments, they must sign the *Admission of Claim* on the reverse of the General Procedure Claim and state the amount they agree to pay for each instalment. This Negotiated Special Payment Arrangement is subject to acceptance by the Manager Finance. A letter will be sent to the ratepayer to confirm this arrangement, if accepted.
- The signed *Admission of Claim* must be returned to the Shire of Corrigin for the Negotiated Special Payment Arrangement to be accepted.
- A person who is experiencing difficulty in making a payment, can apply to the Shire of Corrigin to make a Negotiated Special Payment Arrangement.



- When a ratepayer has elected to enter into Negotiated Special Payment Arrangement and instalments are not paid as per the arrangement or three consecutive payments are missed, a Default Letter will be issued for payment in full within fourteen (14) days. Rates remaining unpaid will be issued with a General Procedure Claim or the Shire of Corrigin may proceed straight to Enforcement, if a General Procedure Claim has previously been issued.
- Following the issue of a Claim and the addition of the costs of proceedings to the rates assessment, a reasonable offer to discharge a rate account will not be refused.
- If the General Procedure Claim is paid in full before entering into Judgement, then a Notice of Discontinuance (NOD) may be requested by the ratepayer and granted at the discretion of the CEO based on the circumstances of each case. The request must be received in writing and a NOD will only be issued to any one ratepayer once as a matter of goodwill. No further Notices of Discontinuance will be issued in any subsequent financial years to that same ratepayer, unless the Shire of Corrigin is advised circumstances.
- If a General Procedure Claim proceeds to Judgement and was not issued in error, then the matter will not be granted a Notice of Discontinuance, nor permission granted to have the matter set aside.

#### **Non-Service of General Procedure Claim**

- When a General Procedure Claim is unable to be served, the Bailiff may advise whether the property is a rental property or may provide an alternative address for the General Procedure Claim to be re-issued. In the case of a rental property, the Managing Agent will be contacted to ascertain the owner/s new residential address. If the Managing Agent is responsible for payment of rates, then a Rates Notice will be re-issued to the managing agent for payment in full within fourteen (14) days.
- If a new address is supplied for the owner/s of the property, the address will be recorded and a Rates Notice re-issued for payment within fourteen (14) days. If payment is not received, the General Procedure Claim will be re-issued to the new address.
- Where an owner resides in a property which cannot be accessed by the Bailiff or the property is vacant, a *skip trace* will be completed to verify the residential address of the owner. If required, a Substituted Service Claim can be filed at court to have the General Procedure Claim issued via post to the verified residential address of the owner.

#### **Property Sale and Seizure Order**

- Where a General Procedure Claim has been issued and served and the amount remains outstanding fourteen (14) days after the issue date of the Claim, legal proceedings will continue until payment of rates is received. This includes Judgement and Enforcement of the Claim. Enforcement of the Claim may include a Property Sale and Seizure Order of goods and or land.

- The Property Sale and Seizure Order is at first a Goods Order and if the Property Sale and Seizure Order is returned *Nulla Bona* (no goods), then a land warrant will be issued.
- If a Property Sale and Seizure Order against goods and or land is proposed to collect outstanding rates due on a property, the Council's prior approval shall be obtained before the Property Sale and Seizure Order is lodged.

#### **Rates or Service Charges Recoverable in Court (Section 6.56)**

- If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the cost of proceedings, if any, for that recovery, in a court of appropriate jurisdiction.
- Rates or service charges due by the same person to the local government may be included in one writ, summons, or other process.

#### **Seizure of Rent (Section 6.60)**

In cases where the owner of a leased or rented property on which rates outstanding cannot be located, or refuses to settle rates owed, a Notice will be served on the lessee under the provisions of the *Local Government Act 1995* - Section 6.60, requiring the lessee to pay to the Shire of Corrigin the rent due under the lease/tenancy agreement as it becomes due, until the amount in arrears has been fully paid.

#### **Sale of Land (Section 6.64)**

Where Rates and Service Charges are outstanding for a period of three (3) years or more, the Council may:

- from time to time lease the land;
- sell the land;
- have the land transferred to the Shire of Corrigin;
- have the land transferred to the Crown; or
- sell the land as per the *Local Government Act 1995* - Section 6.64. Council approval will be obtained prior to the above course of action being undertaken.

The above action under Section 6.64 of the *Local Government Act 1995*, will be reported on a confidential basis to the Council, for approval.

#### **DEBTS (OTHER THAN RATES AND SERVICE CHARGES)**

These Guidelines and Policy Procedures will apply to all those invoices raised in respect of non-rates and service charges debtors.

#### **Debt Management**

It is acknowledged that the terms of payment for each invoice may vary depending on the goods or service rendered to the debtor.

If the invoice is not paid by the due date then the following procedure will take place:

#### Recovery Procedure

- A letter or Reminder Notice will be issued advising the debtor that if there exists a dispute or query to contact the Shire of Corrigin, otherwise payment is expected within fourteen (14) days of the issue date of the letter;

- If no response is received from the debtor, then following a review of the circumstances with the relevant Shire of Corrigin employees involved, a Demand Notice may be sent to the debtor advising that if payment is not made within fourteen (14) days of the date of the notice, then further action may be taken to recover the debt. The debtor will be advised that any additional fees incurred in recovering the debt will be passed on to the debtor.

#### Application for Special Payment Arrangement

Persons experiencing difficulties in paying their debts by the specified date, can apply to the Shire of Corrigin to enter into a Negotiated Special Payment Arrangement.

#### Write-Off

- Once all reasonable attempts to either locate the Debtor or to obtain payment have failed, or the cost of recovery exceeds the Debt amount the Finance Officer will submit a written request to the CEO for the invoice to be considered for write off.
- Approval will be sought from the CEO and subsequently Council (if required) for approval for the debt to be written off. Once approval has been received, the appropriate entries will be made in the Debtors System.

#### Debt Raised in Error or Debt Adjustment

If a debt has been raised in error or requires an adjustment, then an explanation will be sought from the Finance Officer. Once this has been received, a credit note request will be raised which is to be authorised by both the Finance Officer and ~~Manager Finance~~ **Deputy CEO**, where applicable.

#### Other Action Which May be Taken

The following list of actions may also be instituted at the discretion of the CEO, against defaulting sundry Debtors, who do not respond to normal requests for payment:

- Issue a Letter of Demand;
- Commencement of Court proceedings to recover the outstanding monies;
- Rescinding any seasonal hall/reserve booking licence (if applicable);
- Refusing further hire of facilities, private works, etc.;
- Request “up-front” bonds for future dealings with the Shire of Corrigin, which may be used to offset against the outstanding debt;
- Offset of any Shire of Corrigin contributions owing to the personal entity against, any outstanding debt; and
- Report to the Council to consider cancellation of a Lease Agreement (if applicable).

#### **INTEREST ON OVERDUE MONIES**

- Interest will be calculated on the total outstanding debt/rates once it has exceeded the due date. The rate of interest imposed is that as determined by the Council as prescribed in the Annual Budget and in accordance with Section 6.13 of the *Local Government Act*.
- **Interest will cease to be charged on overdue rates while a Negotiated Special Payment Arrangement is maintained.**

- Should the ratepayer default in the Negotiated Special Payment Arrangement, the waiving of the interest will cease and interest, will be calculated from the date that the rates, or debt default occurred within the Negotiated Special Payment Arrangement.

#### **APPLICATION FOR A NEGOTIATED SPECIAL PAYMENT ARRANGEMENTS**

- Applicants are required to make a written request for a Special Payment Arrangement.
- Following an assessment by the Finance Officer, the Application will be referred to the ~~Manager Finance~~ Deputy CEO for approval.
- In the event of an Applicant being dissatisfied with the decision of the Finance Officer/Deputy CEO, they will have access rights for a review to the CEO.

#### **DELEGATED AUTHORITY**

The CEO will administer and enforce this Policy, Guidelines and Procedures, in accordance with the Council Delegated Authority Register.

## 2.2 DEBT COLLECTION

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<b>Policy Owner:</b>	Corporate and Community Services
<b>Person Responsible:</b>	Deputy Chief Executive Officer, Manager Finance
<b>Date of Approval:</b>	19 July 2016
<b>Amended:</b>	16 October 2018

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**Objective:** The purpose of this policy is to provide guidance to Council in determining efficient, effective and economical procedures for debt collection.

This is achieved through manageable and efficient control over overdue accounts by closely monitoring aged accounts in an attempt to reduce the likely occurrence of unrecoverable debts and to ensure consistency for all debt collection activities

### **Policy:**

#### **Debt Management**

Invoices for goods or service rendered to the debtor are usually due 30 days after the date of invoice unless specific regulations apply or application for special payment arrangement has been approved.

#### Invoicing

A debt is created when the service is provided or when the invoice is created; whichever occurs first. Unless there is regulation or accepted practice to the contrary, an invoice should be produced and payment requested at the time, or in advance, of the service being provided. This practice reduces the risk of non-payment. It is recognised that there will be instances where invoicing and payment in advance is not practicable.

Invoices will detail payment terms and that interest may apply to accounts that are outstanding for 60 days and over. Interest will not apply to invoices generated in relation to unpaid grants.

If the invoice is not paid within 60 days of the due date then the following will apply:

#### Recovery Procedure

- A Statement will be sent at the end of the month advising the debtor that the account is due for payment.
- If the debt remains outstanding after 60 days a Reminder Notice will be issued advising the debtor to contact the Shire of Corrigin if they wish to dispute or query the invoice otherwise payment is expected within 14 days of the issue date of the letter.
- If no response is received from the debtor and the debt remaining after 90 days then a Demand Notice will be sent to the debtor advising that if payment is not made within 14 days of the date of the notice, then further action may be taken to recover the debt. The debtor will be advised that any additional fees incurred in recovering the debt will be passed on to the debtor.

- If there is still no response received from the debtor in response to the Notice of Demand, the debt may be sent to the debt collection agency. A demand notice may not be sent in relation to unpaid grants. However, further reminder notices should continue to be sent.

A record shall be kept of all attempts to contact the debtor, whether successful or unsuccessful.

#### Application for Special Payment Arrangement

Debtors experiencing difficulties in paying their debts by the specified due date can apply to the Shire of Corrigin to enter into a Negotiated Special Payment Arrangement.

#### Write-Off

Once all reasonable attempts to either locate the debtor or to obtain payment have failed, or the cost of recovery exceeds the debt amount the Finance Officer will submit a written request to the Chief Executive Officer for the invoice to be considered for write off.

Approval will be sought from the Chief Executive Officer and subsequently Council (if required) for approval for the debt to be written off. Once approval has been received, the appropriate entries will be made in the debtors system.

#### Debt Raised in Error or Debt Adjustment

In the event that an invoice has been raised in error, the Finance Officer will complete a request to raise invoice or request to raise credit note as required to correct the error detailing the reason for the error and supply supporting documentation. This is to be authorised by the Chief Executive Officer or Deputy Chief Executive Officer.

#### Other Action Which May be Taken

The following list of actions may also be instituted at the discretion of the Chief Executive Officer, against defaulting sundry debtors, who do not respond to normal requests for payment:

- Rescind any seasonal hall/reserve booking licence (if applicable).
- Refuse further hire of facilities, private works, etc.
- Request up-front bonds for future dealings with the Shire of Corrigin, which may be used to offset against the outstanding debt.
- Offset of any Shire of Corrigin contributions owing to the personal entity against, any outstanding debt.
- Report the matter to Council to consider cancellation of a Lease Agreement (if applicable).
- Commencement of Court proceedings to recover the outstanding monies.



## 8.2.2 COVID-19 LOCAL COMMUNITY AND BUSINESS SUPPORT INITIATIVES

Applicant:	Shire of Corrigin
Date:	15/04/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	PH.0039
Attachment Ref:	NIL

### SUMMARY

Council is asked to consider a range of community and business support initiatives in response to the adverse financial impacts of COVID-19 pandemic.

### BACKGROUND

The COVID-19 pandemic is emerging rapidly and has required individuals, businesses, community groups and sporting clubs to respond to new government directives and adapt to changing conditions. Local government has a critical role in assisting the community and economy to manage the situation and prepare for the recovery period.

An Incident Management Team has been formed to review the ongoing COVID-19 situation and determine key actions and service delivery priorities to ensure essential services are maintained. The focus of the group will be to:

- Provide for the timely planning of Shire of Corrigin activities and resources to manage the incident.
- Provide support to the CEO in order to keep the Shire President and Councillors informed of the incident management response and recovery arrangements.
- Prepare and disseminate key information to staff, health workers, emergency service volunteers, local business owners and community members.
- Consider the likely impacts of an emergency incident and develop strategies to mitigate adverse effects.
- Respond in a timely manner and prepare for recovery from an incident.

The state government recently announced a stimulus package to support WA households and businesses including a freeze on household fees and charges. The Premier and Minister for Local Government have strongly encouraged all local governments to provide a range of initiatives to support the community and local economy

The WA Local Government Association (WALGA) held a special meeting in late March and endorsed the following measures for consideration by local governments:

- Consider not increasing rates for the 2020-21 financial year.
- Adoption of the WALGA template rates hardship policy by Local Governments that do not currently have a policy.
- Consider rate relief options to support small businesses affected by the COVID-19 pandemic.
- Review fees and charges considering whether fees can be reduced, waived or deferred during the COVID-19 pandemic.
- Bring forward capital works and infrastructure spending with aggressive application of reserves and borrowing.
- Prioritise Local Government spending with businesses and contractors located within the Local Government.
- Implement business friendly payment terms to support business cash flow.
- Consider supporting Community sporting and cultural groups by either establishing grant programs or waiving fees and charges.
- Redeploy staff affected by facility closures to tasks that support the community.

The Shire of Corrigin will continue to play an important role in communicating with elected members, staff, local business, emergency service providers and the wider community regarding the COVID-19 pandemic.

#### **COMMENT**

The Shire of Corrigin has developed a range of innovative solutions to service delivery keep staff and community members safe while continuing to deliver excellent customer service and maintain essential finance, works and community functions.

A range of initial actions have been taken in response to the emerging COVID-19 pandemic including:

- Monitoring information on the emerging situation from trusted government sources.
- Instigation of weekly meetings of the Local Emergency Management Committee.
- Development and implementation of the COVID-19 Business Continuity Plan and Communications Plan.
- Establishment of the COVID-19 Incident Management Team.
- Updated hardship policy.
- Social distancing and working from home
- Additional hygiene and cleaning measures.

The following relief measures and new initiatives to support the community and small businesses impacted by COVID-19 have been identified:

- Prioritise spending with businesses and contractors located in Corrigin.
- Fortnightly payment terms to support business cash flow.
- Retain existing staff and provide additional casual employment to members of the local community who have lost jobs as a result of business closures.
- Review lease agreements and residential tenancies and considering reductions in rent due to financial hardship.
- Continue existing capital works projects with special COVID-19 precautions if external trades are required.
- Identify capital projects that can be accelerated.
- Suspend legal action for debt collection and offer payment arrangements for unpaid rates and general debtors.
- Refund fees for cancelled bookings.
- Waive or refund winter sport fees.
- Promote community grants.
- Promote external funding and grant opportunities making applications where applicable.
- Identify and contact vulnerable people in community.

Reduced revenue from rates, fees and charge will require careful analysis of expenditure to ensure critical services are delivered.

In response to the request from the state government and Minister for Local Government for local governments to support the local economy it is recommended that the Shire of Corrigin develop the 2020/21 budget with a zero percent increase in rates and fees and charges.

It is recommended that Council support the development of community projects in the recovery phase to increase community connections including community, sport, arts and cultural initiatives.

In order to proceed with the existing capital works program and accelerate new projects to support local business and the community it is recommended that Council support the CEO in exercising discretion to renew or extend a contract that expires during the state of emergency.

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995 (WA)*

*s 2.7(2) (b) Role of Council*

*s.5.42 Delegation of some powers or duties to the CEO*

*s.5.43 Limitations on delegations to the CEO*

*s.3.57 Tenders for providing goods or services*

*Local Government Amendment (COVID-19 Response) Bill 2020*

*Local Government (Functions and General) Regulations 1996*

*r.11 When tenders have to be publicly invited*

*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*

*Local Government (Financial Management) Regulations 1996*

*r.18 public notice change of reserve*

*Delegation 1.2.8 Tender for Goods and Services*

## **POLICY IMPLICATIONS**

2.9 Purchasing Policy

2.12 Budget Consideration/ Preparation

## **FINANCIAL IMPLICATIONS**

A zero rate increase is expected to yield the same budgeted income in 2020/21 as the 2019/20 total rates yield of \$2,620,998 including town, rural and minimum rates and applicable fees and charges.

Individual property owners may still experience a change in rates assessment notices due to the impact of valuations for rural land from the Valuer General which shows an overall increase of 3%.

Gross Rental Values for town properties are not expected to change for the 2020/21 financial year except in a small number of cases where a new house has been added, or improvements made, since last year's valuation.

Reduced fees and charges and increased capital expenditure will require careful budget planning and is likely to require the use of reserve funds.

**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

**Objective: Leadership**  
**Strong Governance and leadership**

**Outcome 4.1 - A strategically focussed dynamic Council serving the community**

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.2	Undertake strategic planning and ensure legislative compliance	4.1.2.1	Review Council's Community Strategic Plan to ensure it remains aligned to the community's vision, aspirations and desired outcomes
		4.1.2.2	Annual review of Council's policies and Corporate Business Plan
		4.1.2.3	Regular review of Integrated Planning and Reporting documents and informing strategies including Long Term Financial Plan, Asset Management Plan and Workforce Plan
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

**VOTING REQUIREMENT**

Absolute Majority

**COUNCIL RESOLUTION**

**(55/2020) Moved: Cr Gilmore**

**Seconded: Cr Jacobs**

*That Council*

1. *Notes and approves the initial actions taken in response to the COVID-19 pandemic including:*
  - *Monitoring information on the emerging situation from trusted government sources.*
  - *Instigation of weekly meetings of the Local Emergency Management Committee.*
  - *Development and implementation of the COVID-19 Business Continuity Plan and Communications Plan.*
  - *Establishment of the COVID-19 Incident Management Team.*
  - *Update rates and debt collection policy and financial hardship provisions.*
  - *Social distancing and working from home.*
  - *Additional hygiene and cleaning measures.*
  
2. *Approves a range of urgent relief measures and new initiatives to support the community and small businesses impacted by COVID-19 including:*
  - *Prioritise spending with businesses and contractors located in Corrigin*
  - *Fortnightly payment terms to support local business cash flow.*
  - *Retain existing staff and provide additional casual employment to members of the local community who have lost jobs as a result of business closures.*
  - *Continue existing capital works projects with special COVID-19 precautions if external trades are required.*
  - *Identify capital projects that can be accelerated.*
  - *Suspend legal action for debt collection and offer payment arrangements for unpaid rates and general debtors.*
  - *Review lease agreements and residential tenancies and consider reductions in rent due to financial hardship.*
  - *Refund fees for cancelled bookings.*
  - *Waive or refund winter sport fees.*
  - *Promote community grants.*
  - *Promote external funding and grant opportunities making applications where applicable.*
  - *Identifying and contacting vulnerable people in community.*
  
3. *Supports the proposal to develop the 2020/21 budget with a zero percent increase in rates and fees and charges.*
  
4. *Authorises the CEO to exercise discretion to renew or extend a contract that expires during the state of emergency.*
  
5. *Authorises the development of community projects in the recovery phase to increase community connections including community, sport, arts and cultural initiatives.*

**Carried by Absolute Majority 7/0**

### 8.2.3 ADOPTION OF FEES AND CHARGES 2020/2021

Applicant:	Shire of Corrigin
Date:	13/04/2020
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM.0181
Attachment Ref:	Attachment 8.2.3 - Proposed Schedule of Fees and Charges 2020/2021

#### SUMMARY

Council is asked to consider adopting the Schedule of Fees and Charges for the 2020/21 year in advance of the main 2020/21 budget adoption.

#### BACKGROUND

In preparation for the 2020/21 budget the proposed schedule of fees and charges are submitted for Council adoption. By adopting the fees and charges prior to the budget any applicable advertising can be undertaken and the new fees and charges can be incorporated into the draft budget workings.

Council's fees and charges contain clauses that allow fees set by external bodies to override those advertised and published by Council such as statutory charges.

#### COMMENT

Council fees and charges are generally reviewed annually with reference to the costs of maintaining council properties and delivering services to residents of the Shire of Corrigin.

The 2020/2021 Schedule of Fees and Charges has not changed from the 2019/2020 Schedule of Fees and Charges as requested by the State Government in an attempt to alleviate financial strain on the community during this time of hardship caused by the COVID-19 pandemic.

#### STATUTORY ENVIRONMENT

##### 6.16. *Imposition of fees and charges*

(1) *A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

*\* Absolute majority required.*

(2) *A fee or charge may be imposed for the following —*

(a) *providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*

(b) *supplying a service or carrying out work at the request of a person;*

(c) *subject to section 5.94, providing information from local government records;*

(d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*

(e) *supplying goods;*

(f) *such other service as may be prescribed.*

(3) *Fees and charges are to be imposed when adopting the annual budget but may be*

(a) *imposed\* during a financial year; and*

(b) *amended\* from time to time during a financial year.*

*\* Absolute majority required.*

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

**POLICY IMPLICATIONS**

2.13 Budget consideration/preparation

**FINANCIAL IMPLICATIONS**

Revenue raised from fees and charges during the 2020/21 financial year.

**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

**Objective: Leadership**

**Strong Governance and leadership**

**Outcome 4.1 - A strategically focussed dynamic Council serving the community**

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.1	Council maintain financial stability
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

**Outcome 4.2 - An effective and efficient organisation**

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.2.2	Continue to improve operational efficiencies and provide effective services	4.2.2.1	Review delivery of services for operational and cost effective efficiencies
		4.2.2.2	Set appropriate Fees & Charges for applicable services that promote the use of services and limits the reliance of rate funding.

**VOTING REQUIREMENT**

Absolute Majority

**COUNCIL RESOLUTION**

**(56/2020) Moved: Cr Dickinson      Seconded: Cr Weguelin**

That Council adopt the attached Schedule of Fees and Charges for the 2020/21 financial year effective as of 1 July 2020.

**Carried by Absolute Majority 7/0**

## 8.2.4 PLANNING CHANGES TO SUPPORT COVID-19 RESPONSE AND RECOVERY

Applicant/Proponent:	Western Australian Government & Minister for Planning
Landowner:	Not applicable
Location:	All land with the Shire of Corrigin Municipal District
Date:	15 April 2020
Reporting Officer:	Mr Joe Douglas – Consultant Town Planner (Exurban Rural & Regional Planning)
Disclosure of Interest:	No interest to disclose
File Number:	
Attachment Reference:	Attachment 8.2.4.1 - Planning and Development (Local Planning Schemes) Amendment Regulations 2020 Attachment 8.2.4.2 – Notice of Exemption issued by the Minister for Planning on 8 April 2020 Attachment 8.2.4.3 – Explanatory notes published by the Western Australian Planning Commission

### SUMMARY

The following report provide details of recent amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* initiated by the State Government and approved by the Minister for Planning to temporarily override requirements of local planning schemes, and existing conditions of planning approvals, in response to the current State of Emergency for the Coronavirus (COVID-19) pandemic. It recommends the Shire Administration be authorised to prepare and publish information on the Shire’s website, Facebook page and newsletter to inform the local community of the potential implications and associated obligations.

### BACKGROUND AND COMMENT

On 3 April 2020 the *Planning and Development (Local Planning Schemes) Regulations 2015* were formally amended to empower the Minister for Planning to issue a notice to temporarily exempt the planning requirements prescribed in local planning schemes where such an exemption is considered necessary to respond to a State of Emergency, or to assist with the recovery.

On 8 April 2020 the Minister for Planning issued a Notice of Exemption to provide specific guidance to both landowners and local government on a range of temporary exemptions for certain approvals and requirements within local planning frameworks. These exemptions, which are a direct response to the current State of Emergency for the Coronavirus (COVID-19) pandemic, will remain in effect until 90 days after the end of the State of Emergency.

The exemptions remove any existing barriers within the planning system to ensure flexible and speedy responses to a changing crisis environment, support business and guarantee the provision of essential community services. They include:

- medical or health-related facilities required in response to the COVID-19 pandemic;
- truck and logistic companies needing to deliver goods but currently with restricted loading and unloading times;
- businesses seeking to adapt by changing their current approved use;
- restaurants and cafes required to sell takeaway in contravention of current planning conditions;
- people operating their businesses from residential zones;
- parking commercial vehicles on residential properties;
- a blanket two-year extension for all current development approvals;



- businesses needing to change advertising signs; and
- temporary workers accommodation.

A copy of the notice published in the Government Gazette providing details of the Planning and Development (Local Planning Schemes) Amendment Regulations 2020 is provided in Attachment 8.2.4.1.

A copy of the Notice of Exemption issued by the Minister for Planning on 8 April 2020 is provided in Attachment 8.2.4.2.

A set of explanatory notes in relation to each exemption has been prepared and published by the Western Australian Planning Commission to guide implementation of the Notice of Exemption by local governments across the State (see Attachment 8.2.4.3).

Council should also note the following key points:

1. The exemptions listed in the Notice of Exemption are discretionary. There is no obligation for a local government or landowners to use an exemption if they do not wish to do so. However, if they wish to rely upon an exemption, all relevant conditions as stated in the Notice must be complied with.
2. The exemptions listed in the Notice of Exemption are temporary. The Notice does not provide a permanent exemption from a planning requirement under a local planning scheme. Once an exemption expires, the existing planning framework requirements, including existing conditions of approval, will apply. That means without a new or amended development approval:
  - any exempt condition of approval will be reinstated;
  - any uses that were exempt from planning approval requirements under the Notice will need to seek approval through the appropriate processes if no similar exemption applies under the existing planning framework;
  - any requirements that were exempt from applying, such as cash-in-lieu or the provision of car bays are not permanently waived; and
  - any temporary works associated with any exemption will need to be removed.

For this reason, many of the conditions set out in the Notice have a 90-day transitional period from the end of the State of Emergency, whenever that may be declared by the State government, to the end of the exemption. This period gives time for any landowner who wishes to continue the particular use or regularise any particular work to obtain a new or amended development approval. An application for development approval can be submitted and determined at any point while the exemption is in place if it is intended that the activity continues beyond the Notice period.

3. Given the very fast nature of change and uncertainty surrounding the Pandemic, it is impossible to forecast when the State of Emergency will finish, and when any necessary recovery phase might also conclude. As an in-built safeguard, the Minister is required to revoke the Notice if considered no longer necessary to respond to or recover from the emergency. Similarly, because of the dynamic changing nature of the Pandemic, the Minister also has the power to amend the Notice.

Given the significance of the recent amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* and the subsequent Notice of Exemption issued by the Minister for Planning in response to the COVID-19 pandemic, it is considered prudent and beneficial to inform the local community of its potential implications to raise awareness and ensure landowners comply with the relevant conditions as stated in the Notice if they wish to rely upon an exemption. This could be achieved through the preparation and publication of information on the Shire's website, Facebook page and newsletter.

## STATUTORY ENVIRONMENT

- *Planning and Development Act 2005*
  - Part 15, Division 1 – ‘Subsidiary legislation made by Minister’
- *Planning and Development (Local Planning Schemes) Amendment Regulations 2020*
  - Amendments to the Deemed Provisions being Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- *Shire of Corrigin Local Planning Scheme No.2*

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

Nil aside from the cost associated with preparing and publishing information on the Shire’s website, Facebook page and newsletter to inform the local community of the potential implications of the Notice of Exemption issued by the Minister for Planning on 8 April 2020 which is expected to be in the order of \$350.00 excluding GST.

## COMMUNITY AND STRATEGIC IMPLICATIONS

The recent amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015*, the subsequent Notice of Exemption issued by the Minister for Planning and the Shire’s recommended response are considered to be consistent with the following stated objectives and outcomes in the Shire of Corrigin Strategic Community Plan 2017-2027:

### ***Economic Objective - A strong, diverse economy supporting agriculture, local business and attracting new industry;***

- *Economic Outcome 1.3 - Well supported diverse industry and business*

### ***Social Objective - An effectively serviced, inclusive and resilient community.***

- *Social Outcome 3.1 – An inclusive, welcoming and active community.*
- *Social Outcome 3.2 - A well-managed built environment.*

### ***Leadership Objective - Strong governance and leadership.***

- *Leadership Outcome 4.1 – A strategically focussed, dynamic Council serving the community.*

## VOTING REQUIREMENT

Simple Majority

## COUNCIL RESOLUTION

**(57/2020) Moved: Cr Mason**

**Seconded: Cr Gilmore**

*That Council resolve to:*

1. *Note the recent amendments to the Planning and Development (Local Planning Schemes) Regulations 2015 initiated by the State Government and approved by the Minister for Planning to temporarily override requirements of local planning schemes, and existing conditions of planning approvals, in response to the current State of Emergency for the Coronavirus (COVID-19) pandemic;*
2. *Acknowledge the Notice of Exemption issued by the Minister for Planning on 8 April 2020 providing details of the various temporary exemptions now in force for certain approvals and requirements under the Shire of Corrigin’s local planning framework; and*
3. *Authorise the Shire Administration to prepare and publish information on the Shire’s website, Facebook page and newsletter to inform the local community of the potential implications of the Notice of Exemption issued by the Minister for Planning on 8 April 2020 with the cost to be assigned to the Shire’s town planning budget for the 2020 financial year.*

**Carried 7/0**

Cr Jacobs declared interest and was put in the Zoom waiting room at 3.23pm

### 8.3 WORKS AND SERVICES

#### 8.3.1 RAV 7 ASSESSMENTS

Applicant:	Shire of Corrigin
Date:	11/03/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	TT.0001
Attachment Ref:	NIL

#### SUMMARY

Council is requested to consider the roads submitted to Main Roads for assessment to determine if suitable to amend the Restricted Access Vehicle Network (RAV).

#### BACKGROUND

Heavy Vehicle Services (HVS) has received applications to add or upgrade the following section of road(s) onto the Restricted Access Vehicle (RAV) Network within the Shire of Corrigin. The Shire of Corrigin is requested to provide support as the road owner to add or upgrade the following sections of road to the RAV network including any comments relating to road condition, planning conflicts or development issues that may be impacted.

In December 2019 Council passed the following Resolution 190/2019

*That Council does not support the applications for the following roads to be assessed by Main Roads for addition to the RAV 7 network due to the poor sight distances at intersecting roads, narrow road sections and narrow shoulders on bitumen roads.*

<i>Nornakin East Rd</i>	<i>Babakin-Corrigin Rd (SLK 0.00)</i>	<i>Corrigin-Bruce Rock Rd (SLK 9.72)</i>
<i>Sixty Eight Gate Rd</i>	<i>Rabbit Proof Fence Rd (SLK 0.00)</i>	<i>Wickepin-Corrigin Rd (SLK 7.72)</i>
<i>Bilbarin East Rd</i>	<i>Babakin-Corrigin Rd (SLK 0.00)</i>	<i>Corrigin-Bruce Rock Rd (SLK 10.78)</i>

Nornakin East Road and Bilbarin East Road, that were previously not supported by the shire, have now been assessed by Main Roads and deemed suitable with the listed conditions as shown in the table below.

Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network	Comments	Assessment outcomes
4040032	Nornakin East Road	0.00 7.69	6.80 9.72	RAV 4	RAV 7	Nornakin East Road between SLK 6.80 to 7.69 previously assessed and deemed suitable to be added to RAV Network 7. The remainder of Nornakin East Rd has now been assessed and deemed suitable for RAV 7 (subject to LGA support). SLK ranges from 0.00 – 6.80 and 7.69 - 9.72.	Suitable for RAV 7 with conditions: <ul style="list-style-type: none"> <li>• Intersection conditions: (to address entering sight distance deficiencies)</li> <li>• No right turn permitted from Babakin Corrigin Rd into Nornakin East Rd and</li> <li>• No right turn permitted from Nornakin East Rd into Babakin Corrigin Rd</li> </ul>
4040009	Bilbarin East Rd	0.00	10.78	RAV 4	RAV 7	Nil	Suitable for RAV 7 with conditions: <ul style="list-style-type: none"> <li>• Low Vol Type A</li> <li>• 60km/h</li> <li>• Headlights must be switched on at all times.</li> <li>• Direct radio contact must be maintained with other restricted access vehicles to establish their position on or near the road (suggested UHF channel 40)</li> <li>• Operation is not permitted while the school bus is operating on the road. Operators must contact the relevant schools and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus</li> </ul>

							<p>driver confirms all school drop-offs/pick-ups have been completed on the road.</p> <ul style="list-style-type: none"> <li>When travelling at night, the RAV must travel at a maximum speed of 40km/h and display amber flashing warning light on the prime mover.</li> </ul>
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Main Roads have received an application as part of the Harvest Mass Management System for the following roads to be added to the RAV network and have requested that the Shire of Corrigin provide any comments relating to road condition, planning conflicts or development issues that may be impacted by adding the above road(s) onto the RAV network.

If the road is deemed unsuitable to be added to the relevant RAV network when assessed it may be considered for a Restricted Local Access Permit (RLAP). This permit is for individual access to a road with a specific combination and with suitable conditions to mitigate any risk.

Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network	Supporting Access Y/N	School Bus Route Y/N	Comments
4040026	Bulyee Rd	Bulyee – Kweda Rd (2.81)	LGA Boundary (11.98)	RAV 5	RAV 7	Y	No	
4040030	Bulyee – Kweda Rd	Existing RAV 7 Network (0.60)	North Kweda Rd (8.45)	RAV 6	RAV 7	Conditional	Yes Pingelly bus	Requires gravel in some sections.
4040070	Dwarlarking Rd	Bulyee Rd (0.00)	LGA Boundary (5.47)	RAV 4	RAV 7	No	No	Limited local road.

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Main Roads will apply the operating conditions below, as a condition of permit, to very low traffic volume roads when the road's width does not meet the minimum requirements as outlined in the Standard Restricted Access Guidelines.

These and other similar operating conditions may be applied to the assessment of other roads.

1. When travelling at night, the RAV must travel at a maximum speed of 40km/h and display an amber flashing warning light on the prime mover.
2. No operation on unsealed road segment when visibly wet, without road owner's approval.
3. Headlights must be switched on at all times.
4. Speed restrictions. \*
5. Direct radio contact must be maintained with other RAVs to establish their position on or near the road (suggested UHF Ch 40).
6. For a single lane road, the road must not be entered until the driver has established via radio contact that there is no other RAV on the road travelling in the oncoming direction.
7. Operation is not permitted while the school bus is operating on the road. Operators must contact the relevant schools directly and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs/ pick-ups have been completed on the road.
8. Current written support from the road asset owner, endorsing use of the road, must be obtained, carried in the vehicle and produced upon request.

#### **COMMENT**

Council has a responsibility to ensure that the road network is as safe as it can be within the limited resources available. To achieve this, Council has committed to implementing a systematic management regime across the road network that aims to balance optimal maintenance, minimising whole of life costs, user amenity and value for money in a risk management context.

The recently adopted Road Maintenance Policy provides a strategic approach to road management to assist Council to deliver the highest level of service within budget constraints. Regional roads as identified in Main Roads WA *Roads 2030 Regional Strategies for Significant Local Roads Wheatbelt South Region Routes* are funded through State Government grants, managed and maintained by Council, while the local road network is funded, managed and maintained by Council, with the assistance of Federal Government grants. Without State and Federal Government road grants, the capacity of the Council to maintain the roads within the Shire is significantly diminished.

In October 2019 Council adopted a road hierarchy and associated maintenance and renewal standard for roads in the shire. In the policy roads were defined as follows:

- **Major Roads** - Generally these will be regional and connector roads connecting town sites to other town sites in the region. Strategic freight routes and those identified as being regionally significant as in detailed MRWA's *Roads 2030 Regional Strategies for Significant Local Roads Wheatbelt South Region Routes/Road*.
- **Limited Local Roads** - Generally unsealed and servicing farms with annual average daily traffic 50 vehicles or less. Considerations such as school bus routes, harvest destinations and other factors will be considered.
- **Feeder Roads and Streets** - Generally are sealed, have an Annual average daily traffic greater than 50 vehicles and acting as connector roads.

The Major and Collector roads indicated in green below have previously been approved by Council for RAV 7 status.

**Major Roads and Collector Roads**

Road Name	Road type	Maintenance arrangements
Bilbarin East Road	Narrow Bitumen	Grade edges once a year during winter if conditions allow
Bilbarin Quairading Road	Half gravel road	Sections of the road will be graded once a year if conditions allow
Babakin-Corrigin Road	Narrow Bitumen	Grade edges once a year during winter if conditions allow
Barber Road	All gravel road	Sections of the road will be graded once a year if conditions allow
Bendering Road	Half gravel road	Sections of the road will be graded once a year if conditions allow
Bullaring-Pingelly Road	Narrow Bitumen	Grade edges once a year during winter if conditions allow
Bullaring-Gorge Rock Road	Half gravel road	Sections of the road will be graded once a year if conditions allow
Bulyee Road	Bitumen	Grade edges once a year during winter if conditions allow
Bulyee - Kweda	All gravel road	Sections of the road will be graded once a year if conditions allow
Bulyee Quairading Rd	Narrow Bitumen	Grade edges once a year during winter if conditions allow
Corrigin-Bruce Rock Road	Wide Bitumen	Maintenance patching where required
Corrigin-Narembeen Road	7m Wide Bitumen seal	Where required, grade edges once a year during winter if conditions allow
Corrigin South Road (and Doyle Road (West))	Half gravel road	Sections of the road will be graded once a year if conditions allow.
Dry Well Road	Half gravel road	Sections of the road will be graded once a year if conditions allow
Gill Road, Kunjin	Narrow Bitumen	Grade edges once a year during winter if conditions allow
Lomos South Road	All gravel road	Sections of the road will be graded once a year if conditions allow
Lomos North Road	All gravel road	Sections of the road will be graded once a year if conditions allow
Quairading-Corrigin Road	Narrow Bitumen	Grade edges once a year during winter if conditions allow.
Rabbit Proof Fence Road	Narrow Bitumen	Grade edges once a year during winter if conditions allow.
Wickepin-Corrigin Road	Narrow Bitumen	Grade edges once a year during winter if conditions allow

Council has recently been under pressure from farmers and transport operators to upgrade many roads in the shire from RAV 4 to RAV 7 and has set a precedent of supporting these upgrades. The upgrade of local distributor roads to RAV 7 standard will require additional and ongoing maintenance associated with heavy vehicles on these secondary roads.

Several of the Limited Rural Roads in the Road Hierarchy have also been assessed by Main Roads as suitable for RAV 7 access however the road maintenance policy acknowledges the limited capacity to maintain and renew these roads. In many cases these roads require widening and additional gravel.

Nornakin East Road and Bilbarin East Roads were previously not supported for RAV 7 access due to the narrow road width and sight distances. Main Roads has assessed the roads as suitable with conditions. There is still a concern over trucks passing on these roads however the low volume conditions including reduced speeds is imposed to mitigate risk and improve the safety for road users.

Based on the road hierarchy and previously supported RAV upgrades, it is recommended that Council supports the application for Bilbarin East Road be added to the RAV network to RAV 7.

A small portion of Nornakin East Road has already been approved by Main Roads and endorsed by Council for RAV 7 access and therefore the application is recommended for approval. However it is recommended that limited local roads as defined in the Road Maintenance Policy not be supported in future.

The Bulyee Road is a priority collector route and is listed in the Roads 2030 document as one of the roads suitable for Regional Road Group funding. The road has recently been cement stabilised and is expected to be able to support the heavier trucks. For these reasons it is recommended that the Bulyee Road be added to the RAV network to RAV 7.

It is recommended that Dwarlaking Road is not be supported due to the additional costs of upgrading and maintaining this limited local road (as defined in the Shire of Corrigin Road Hierarchy to a RAV 7 standard). This road is also used as a school bus route.

Based on the road hierarchy, it is recommended that Limited Local Roads as defined in the Road Maintenance Policy not be supported in future.

Details of the criteria used to assess Restricted Access vehicles can be found on the Main Roads

[Standard Restricted Access Vehicle Assessment Guidelines](#)

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Road Traffic Act 1972*

*Road Traffic (Vehicles) Act 2012*

*Road Traffic (Vehicle Standards) Regulations 2002*

## **POLICY IMPLICATIONS**

11.3 Road Hierarchy, Maintenance and Renewal Policy

11.9 Assessing Applications to Operate Restricted Access Vehicles (RAV) on Local Government Roads

## **FINANCIAL IMPLICATIONS**

The Shire of Corrigin 10 year road program details the cost of road maintenance, renewal and upgrades of approximately \$2million per annum.

There is a significant gap between amount of funding required for road maintenance, renewal and upgrade as outlined in the policy and funding availability.



**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

**Objective: Economic**

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

**Outcome 1.1 A well planned and connected transport and communications network within the district**

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
1.1.1	Develop and implement road asset management plans	1.1.1.1	Develop a road asset management plan including network hierarchy and service levels.
		1.1.1.3	Road asset management plan and footpath management plan to be incorporated in the review and expansion of the Asset Management Plan (AMP)

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(58/2020) Moved: Cr Mason**

**Seconded: Cr Dickinson**

*That Council*

1. *Support the application for Bilbarin East Road to be added to the RAV network to RAV 7 based on the road hierarchy, and previously supported RAV upgrades, with the following low volume conditions:*

*Low Vol Type A*

- *When travelling at night, the RAV must travel at a maximum speed of 40km/h and display amber flashing warning light on the prime mover.*
- *Headlights must be switched on at all times.*
- *60km/h*
- *Direct radio contact must be maintained with other restricted access vehicles to establish their position on or near the road (suggested UHF channel 40)*
- *For a single lane road, the road must not be entered until the driver has established via radio contact that there is no other RAV on the road travelling in the oncoming direction.*
- *Operation is not permitted while the school bus is operating on the road. Operators must contact the relevant schools and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs/pick-ups have been completed on the road.*
- *Current written support from the road asset owner, endorsing use of the road, must be obtained, carried in the vehicle and produced upon request.*

**Carried 6/0**

**Cr Hickey declared an interest and was put into the Zoom waiting room 3.26pm**

**Cr Jacobs declared an interest and remained in the waiting room.**

**Cr Weguelin assumed the chair 3.26pm**

**COUNCIL RESOLUTION**

**(59/2020) Moved: Cr Gilmore      Seconded: Cr Mason**

2. Support the application for Normakin Road (SLK 0.00- 6.8 and 7.69- 9.72) to be added to the RAV network to RAV 7, based on previously approved sections of this road, with the following low volume conditions:

Low Vol Type A

- When travelling at night, the RAV must travel at a maximum speed of 40km/h and display amber flashing warning light on the prime mover.
- No operation on unsealed road segment when visibly wet, without road owner's approval.
- Headlights must be switched on at all times.
- 60km/h
- Direct radio contact must be maintained with other restricted access vehicles to establish their position on or near the road (suggested UHF channel 40)
- For a single lane road, the road must not be entered until the driver has established via radio contact that there is no other RAV on the road travelling in the oncoming direction.
- Operation is not permitted while the school bus is operating on the road. Operators must contact the relevant schools and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs/pick-ups have been completed on the road.
- Current written support from the road asset owner, endorsing use of the road, must be obtained, carried in the vehicle and produced upon request.

**Carried 5/0**

**Cr Hickey re-entered the meeting and resumed the chair at 3.29pm**  
**Cr Jacobs re-entered the meeting at 3.29pm**

**COUNCIL RESOLUTION**

**(60/2020) Moved: Cr Weguelin      Seconded: Cr Dickinson**

3. Support the application for the Bulyee Road to be assessed by Main Roads for addition to the RAV network as a RAV 7 based on the road hierarchy and recent road upgrade.

4. Support the application for the Bulyee Kweda Road to be assessed by Main Roads for addition to the RAV network as a RAV 7 based on the road hierarchy, and previously approved sections of this road, with the following low volume conditions:

Low Vol Type A

- When travelling at night, the RAV must travel at a maximum speed of 40km/h and display amber flashing warning light on the prime mover.
- No operation on unsealed road segment when visibly wet, without road owner's approval.
- Headlights must be switched on at all times.
- 60km/h
- Direct radio contact must be maintained with other restricted access vehicles to establish their position on or near the road (suggested UHF channel 40)
- For a single lane road, the road must not be entered until the driver has established via radio contact that there is no other RAV on the road travelling in the oncoming direction.
- Operation is not permitted while the school bus is operating on the road. Operators must contact the relevant schools and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs/pick-ups have been completed on the road.

- *Current written support from the road asset owner, endorsing use of the road, must be obtained, carried in the vehicle and produced upon request.*
5. *Not support the application for the Dwarlaking Road to be assessed by Main Roads for addition to the RAV network as a RAV 7 due to the additional costs of upgrading and maintaining this Limited Local Road (as defined in the Shire of Corrigin Road Hierarchy) to a RAV 7 standard.*
  6. *Not support future applications for Limited Local Roads, as defined in the Road Hierarchy, Maintenance and Renewal Policy, due to the ongoing cost of upgrades and maintenance.*

**Carried 7/0**

### 8.3.2 TENDER FOR THE RESTORATION WORKS ON THE TOWN HALL CEILING

Applicant:	Shire of Corrigin
Date:	7/04/2020
Reporting Officer:	Emma Shaw- Administration officer
Disclosure of Interest:	NIL
File Ref:	FM.0020
Attachment Ref:	NIL

#### SUMMARY

This item advises Council of the submissions received in relation to Request for Tender (RFT) 3-2020, Corrigin Town Hall Ceiling Restoration Project. Council is asked to consider the recommended successful tenderer to restore the Town Hall ceiling which represents best value for money.

#### BACKGROUND

The Corrigin Town Hall is located at 21 Goyder Street and was built in 1928 and opened in 1929. The hall is listed in the Shire of Corrigin Heritage Inventory as one of three iconic buildings of exceptional significance and is also listed on the State Heritage Register.

In October 2019 Laura Gray was engaged as the heritage and conservation consultant for this project given her extensive background work involving the Corrigin Town Hall. Ms Gray had assessed the town hall in 2001 and again in 2018 and created a Conservation Management Strategy outlining the urgent works required on the ceiling to prevent further deterioration, as well as other minor aesthetic works.

The ceiling was classed as “failed but retrievable, badly deteriorated, potential structural problems” and the need to restore both the main hall ceiling and the foyer ceiling was emphasised. The recommendations in the Conservation Management Strategy were used to develop a detailed scope of works for the Corrigin Town Hall ceiling repairs.

Damaged ceiling battens were repaired in 2018 and in 2019 the Corrigin Town Hall was closed to the public when another ceiling batten fell down. McDowell and Affleck Engineers were engaged to assess the stability of the roof in November 2019, and for the safety of the community the hall was closed. The report from McDowell and Affleck also contributed to the scope of works and was included in the RFT.

Lotterywest was approached for funding and the response was received that the nature of the works required did not fit their updated framework.

The cost of restoring the ceiling was expected to exceed \$150,000 requiring tenders to be called. Council has made provision in the 2019/20 annual budget to restore the ceiling. Tendering provided the most effective method of determining value for money, as this project is of specialist nature due to it being a state heritage listed building it was important to ensure the contractor had extensive experience in heritage restorations.

Tenders were advertised statewide on the 29 February 2020 and closed on 3 April 2020. After receiving several expressions of interest in the town hall, two tender responses were received.

Tenders were received as follows:

Company Name	Price Incl GST
Colgan Industries PTY LTD	\$139,379.90
HI Constructions (AUST) PTY LTD	\$226,984.93

The tender responses were evaluated by a panel comprising the Chief Executive Officer, Natalie Manton, Building Maintenance Officer, Kody Broun and Administrative Officer, Emma Shaw against a pre-determined selection criteria.

Criteria	Weighting
Tendered price	20%
Relevant company experience	30%
Operator skills and experience	15%
Tenderer's resources	10%
Heritage Knowledge	20%
Regional price preference	5%

## COMMENT

The submissions received were both professional, detailed and addressed the selection criteria.

Evaluation for <u>Corrigin Town Hall Ceiling Restoration</u>															
		Tendered Price		Relevant Company Experience		Operator Skill and Experience		Tenderer's Resources		Heritage Knowledge		Regional Price Preference			
		20%		30%		15%		10%		20%		5%			
		The tendered price(s) will be considered along with related factors affecting the total cost to the Principal. Early settlement discounts, lifetime costs. Principal's contract management costs		Organisations to demonstrate recent experience with providing services of a similar size and scope. Quality and standard of work Competency and proven track record		CV of key staff Tenderer's role in performing contract		Plant equipment and materials. Contingency measures. Safety record. Current commitments		Understanding of heritage building practices. Understanding of the scope of work and technical expertise in working with heritage buildings		Regional Price Preference of 5% for tenderer's in Shire of Corrigin			
Applicant	\$	Weighted Score	Weighted Score	Weighted Score	Weighted Score	Weighted Score	Weighted Score	Weighted Score	Weighted Score	Weighted Score	Weighted Score	Weighted Score	Weighted Score	TOTAL weighted score	RANKING
Coglan Heritage Team PTY LTD	\$139,379.90	13	52.0	15	45.0	13	39.0	14	28.0	13	52.0	1	1.0	172.0	1
Hi Constructions (Aust) Pty Ltd	\$226,984.93	10	40.0	14	42.0	11	33.0	11	22.0	14	56.0	1	1.0	152.0	2

Referee checks were conducted on both companies as neither had carried out works in the Shire of Corrigin. Referees were very supportive of both companies.

Based on the weighted evaluations the officers have rated Colgan Heritage Team as representing the best value for money based on the following:

- Providing a price within the budget allocation.
- Providing the most recent experience of works with a similar scope.
- Providing details of the qualifications and experience of all relevant staff and sub-contractors.
- Outlining of plant and equipment, contingency measures and safety record as well as a list of current work commitments with deadlines of completion dates.

Taking into consideration the current COVID-19 pandemic, negotiations with the successful tenderer will need to include additional social distancing and hygiene provisions to ensure the health and safety of the community and the contractors carrying out the works.

## **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*
- 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 sources 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

Purchasing that is \$150,000 or below in total value (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined under section 4.4 of this Purchasing Policy.

Purchasing that exceeds \$150,000 in total value (excluding GST) must be put to public Tender unless it is determined that a regulatory Tender exemption, as stated under 4.5 of this Policy is deemed to be suitable.

**FINANCIAL IMPLICATIONS**

Cost of carrying out the Town hall Ceiling restoration is included as part of the capital expenditure in 2019/20 annual budget of \$150,000

**COMMUNITY AND STRATEGIC OBJECTIVES**

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

**Objective: Leadership**

**Strong Governance and leadership**

**Outcome 4.1 - A strategically focussed dynamic Council serving the community**

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.1	Council maintain financial stability
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

**VOTING REQUIREMENT**

Absolute Majority

**COUNCIL RESOLUTION**

**(61/2020) Moved: Cr Dickinson      Seconded: Cr Weguelin**

*That Council:*

1. *Accepts the Tender submitted by Colgan Industries Pty Ltd as the best value for money tender for the restoration of the Corrigin Town Hall ceiling.*
2. *Delegates the formation of the Contract to the Chief Executive Officer, subject to any variations (of a minor nature) prior to entry into the contract.*

**Carried by Absolute Majority 7/0**

**8.3.3 TENDER INFORMATION AND COMMUNICATION TECHNOLOGY SERVICES**

Applicant:	Shire of Corrigin
Date:	16/04/2020
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM.0020
Attachment Ref:	NIL

**REASON FOR CONFIDENTIALITY**

The Report is confidential in accordance with section 5.23(2)(a) of the Local Government Act because it deals information about the business, professional, commercial or financial affairs of a person.

**COUNCIL RESOLUTION**

**(62/2020) Moved: Cr Dickinson      Seconded: Cr Gilmore**

*That Council in accordance with Clause 15.10 of the Standing Orders the meeting be closed to the public.*

**Carried 7/0**

**Note: The meeting was closed to the public.**

**Kirsten Biglin left the room at 3.42pm.**

**SUMMARY**

Council is asked to consider the recommended successful tenderer to supply information and communication services.

**BACKGROUND**

In 2019, Council engaged AMD Chartered Accountants to carry out the Regulation 17 review and the Financial Management System review.

The outcome of the Financial Management System review was that Council did not have a formal agreement in place for the services of information and communications technology. There was a recommendation in the review advising Council to test the market and put in place a formal contract with a provider. The risk of not following the recommendation is that we may not be receiving value for money and the need to test the market was imperative.

A tender was put out to the market in February 2020 after some extensive research into the specifications, equipment on hand and comprehensive analysis of requirements from a provider. The tender closed on March 4 with 12 responses received.

The weighted assessment method was used to assess the tender responses and weighting criteria was as follows:

Criteria	Weighting
Tendered Price	20%
Availability/Timeliness/Efficiency	20%
Knowledge and Experience of Personnel	30%



Knowledge and Experience in Local Government ICT requirements	25%
Regional Price Preference	5%

**COMMENT**

All tenderers scores were quite varied in the qualitative criterion assessment, all having similar experience in providing IT services but differed in experience with local government.

The specifications of the tender were prescriptive and not all providers could provide the services without having to subcontract them out to third parties which was not acceptable to the Shire of Corrigin.

After extensive evaluation by the CEO, DCEO and Governance Project Officer, the above weighted criteria was deemed to be an accurate reflection of the responses against the specifications.

Reference checks were carried out on the current provider and the preferred tenders.

There were two tenders that came in with a ranking of 1 however the tenders were quite different and the decision came down to experience, information provided and service levels.

**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 (Functions and General) Regulations 1996*

*(1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150, 000 unless sub-regulation (2) states otherwise.*

*(2) Tenders do not have to be publicly invited according to the requirements of this Division 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; or*

*(b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program;*

*Regulation 18(4) of the Functions and General Regulations*

*Regulation 20(1) of the Functions and General Regulations*

*Regulation 20(2) of the Functions and General Regulations*

**POLICY IMPLICATIONS**

Policy 2.9 Purchasing Policy

Purchasing that is \$150,000 or below in total value (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined under section 4.4 of this Purchasing Policy.

Purchasing that exceeds \$150,000 in total value (excluding GST) must be put to public Tender unless it is determined that a regulatory Tender exemption, as stated under 4.5 of this Policy is deemed to be suitable.

## FINANCIAL IMPLICATIONS

Cost of tendered price will be included in the 2020/21 Annual budget

## COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027 and Corporate Business Plan 2018-2022:

**Objective: Leadership**

**Strong Governance and leadership**

**Outcome 4.1 - A strategically focussed dynamic Council serving the community**

Strategic Community Plan		Corporate Business Plan	
Outcome	Strategies	Action No.	Actions
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.1	Council maintain financial stability
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

## VOTING REQUIREMENT

Absolute Majority

## COUNCIL RESOLUTION

**(63/2020) Moved: Cr Coppen      Seconded: Cr Mason**

*That Council:*

1. *Accepts the tender submitted by Wallis Computer Solutions as the best level of service and value for money.*
2. *Delegates the formation of the Contract to the Chief Executive Officer, subject to any variations (of a minor nature) prior to entry into the contract.*

**Carried by Absolute Majority 7/0**

## COUNCIL RESOLUTION

**(64/2020) Moved: Cr Dickinson      Seconded: Cr Weguelin**

*That Council in accordance with Clause 15.10 of the Standing Orders reopen the meeting to the public.*

**Carried 7/0**

Kirsten Biglin re-entered the room at 3.54pm.

## **9 CHIEF EXECUTIVE OFFICER REPORT**

The CEO has been kept busy to responding to the changing COVID-19 pandemic and associated legislation changes and government directions.

The administration staff have been working from home and outside staff are continuing to work with additional hygiene measures and social distancing.

The Shire of Corrigin has been working on some interesting and engaging community projects As we move to the management and recovery stage of the COVID-19 situation.

## **10 PRESIDENT'S REPORT**

Attending Special COVID-19 Local Emergency Management Committee meetings and webinars.

The President thanked the CEO and shire staff both Administration and Works for keeping on top of things and keeping busy during this time.

## **11 COUNCILLORS' QUESTIONS, REPORTS AND INFORMATION ITEMS**

## **12 URGENT BUSINESS APPROVED BY THE PRESIDENT OR BY A DECISION OF THE COUNCIL**

## **13 INFORMATION BULLETIN**

## **14 WALGA AND CENTRAL ZONE MOTIONS**

## **15 NEXT MEETING**

Ordinary Council meeting on Tuesday 19 May 2020 at 3.00pm.

## **16 MEETING CLOSURE**

The President, Cr Des Hickey closed the meeting at 4.00pm.

President: \_\_\_\_\_ Date: \_\_\_\_\_