



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 20 October 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 3.00pm.

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Shire President	Cr. D L Hickey
Deputy Shire President	Cr. M A Weguelin
	Cr. J A Mason
	Cr. M B Dickinson
	Cr. S L Jacobs
	Cr. S C Coppen
Chief Executive Officer	N A Manton
Deputy Chief Executive Officer	K A Caley
Executive Support Officer	K L Biglin

APOLOGIES

Cr. F R Gilmore

LEAVE OF ABSENCE

3 PUBLIC QUESTION TIME

NIL

4 MEMORIALS

The Shire have been advised that Alfred Spiteri, Margaret Mary Page (Rita), Norman Oats and Dorothy May Davies (Dot) passed away since the last meeting.

5 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

6 DECLARATIONS OF INTEREST

Natalie Manton declared Financial Interest in item 8.2.5.

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 15 September 2020 (Attachment 7.1.1).

COUNCIL RESOLUTION

(156/2020) Moved: Cr Coppen Seconded: Cr Weguelin

That the Minutes of the Shire of Corrigin Ordinary Council meeting held on Tuesday 15 September 2020 (Attachment 7.1.1) be confirmed as a true and correct record.

Carried 6/0

7.2 COMMITTEE MEETINGS AND BUSINESS ARISING FROM MINUTES

7.2.1 BUSHFIRE ADVISORY COMMITTEE MEETING

Minutes of the Shire of Corrigin Bushfire Advisory Committee Meeting held on Thursday 8 October 2020 (Attachment 7.2.1).

COUNCIL RESOLUTION

(157/2020) Moved: Cr Mason Seconded: Cr Weguelin

That the Minutes of the Shire of Corrigin Bushfire Advisory Committee Meeting held on Thursday 8 October 2020 (Attachment 7.2.1) be confirmed as a true and correct record.

Carried 6/0

7.2.2 CEO PERFORMANCE REVIEW COMMITTEE MEETING

Minutes of the CEO Performance Review Committee meeting held on Tuesday 20 October 2020.

COUNCIL RESOLUTION

(158/2020) Moved: Cr Mason Seconded: Cr Coppen

That the minutes of the CEO Performance Review Committee meeting held on Tuesday 20 October 2020 be received.

Carried 6/0

7.2.3 AUDIT AND RISK MANAGEMENT COMMITTEE MEETING

Minutes of the Audit and Risk Management Committee meeting held on Tuesday 20 October 2020.

COUNCIL RESOLUTION

(159/2020) Moved: Cr Mason Seconded: Cr Jacobs

That the minutes of the Audit and Risk Management Committee meeting held on Tuesday 20 October 2020 be received.

Carried 6/0

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:	1/09/2020
Reporting Officer:	Heather Ives, Coordinator, Community Services
Disclosure of Interest:	NIL
File Ref:	CS.0008
Attachment Ref:	NIL

CORRIGIN CRC MONTHLY USAGE – SEPTEMBER 2020:

CUSTOMER ACCESSING FEE FOR SERVICE AND SALES					
SERVICES / FEES	MTHLY	FROM JULY 20	SALES	MTHLY	FROM JULY 20
Internet Use / Computer Use	21	38	Movie Club Fees	7	14
Photocopying / Printing / Faxing	30	72	Phonebook Sales	2	37
Laminating / Binding / Folding	5	13	Moments In Time Books	0	0
Sec. Services / Scans / CD Burning	6	18	Book Sales	0	0
Room Hire	2	4	Wrapping Paper / Postcard Sales	1	1
Equipment Hire	0	1	Polo Shirt / Eco Bag Sales	0	0
Training / Course Fees	1	14	Phone calls	0	0
Resource Centre Membership Fees	0	0	Sale of Assets	0	0
Exam Supervision	0	0			
Total:	65	160	Total:	9	51
<i>Monthly People through:</i>	73				
CUSTOMER ACCESSING 'CORRIGIN CRC SERVICES'					
SERVICES	MTHLY	FROM JULY 19	SERVICE	MTHLY	FROM JULY 19
Phonebook Enquiries	2	6	Corrigin Toy Library	5	13
Tourism	64	124	Broadband for Seniors / Webinars	4	24
Government Access Point	22	22	General Enquires (Face/Email/Website)	89	342
Community Information	13	61	Corrigin Public Library	36	117
Conf. / Vid Conf. / Training	62	128	Corrigin Library eResources	79	197
University Exams	0	0			
Total:	163	341	Total:	213	693
<i>Monthly People through:</i>	376				

TOTAL FOR THE MONTH OF SEPTEMBER: 449

COMMUNITY ECONOMIC / BUSINESS AND SOCIAL DEVELOPMENT BOOKINGS – SEPTEMBER 2020			
DESCRIPTION	NO'S	ROOM	GOVT. HOT OFFICE BOOKING (HO), COMMERCIAL BOOKING
Kokedama Workshop (Adult Learners Week)	13	CRC Foyer	N/A
Dep of Education	2	Professionals Office	HO
Narrogin Ag Dept	4	Video Conf Room	HO
Movie Club	7	Conf Room	N/A
G. Shipway	6	Professionals Office	Commercial
Rural Traffic Services	5	Video Conf Room	Commercial
Skin Checks	15	Video Conf Room	N/A
Skin Check	10	Video Conf Room	N/A

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	*296	*341	424	5740
2020-21	391	409	449										

*COVID-19 pandemic restrictions in place

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

(160/2020) Moved: Cr Weguelin

Seconded: Cr Dickinson

That Council receives the Corrigin Community Resource Centre Report.

Carried 6/0

8.1.2 ACCOUNTS FOR PAYMENT

Applicant:	Shire of Corrigin
Date:	12/10/2020
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 – September 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 September 2020 are provided as Attachment 8.1.2 – Accounts for Payment - September 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	15420 - 15436,	\$244,584.20	
		15440 - 15459,		
		15463 - 15501		
	Cheque	020537 - 020540	\$28,701.21	
	Direct Debit	September 2020	\$32,481.32	
	Payroll	September 2020	\$122,500.92	\$428,267.65
Trust	EFT	15439,	\$8,060.60	
		15461 - 15462		
	Cheque	No Payments	\$0.00	
	Direct Debit	No Payments	\$0.00	\$8,060.60
Licensing Trust	EFT	15460, 15502	\$1,016.20	
	Direct Debit	September 2020	\$27,266.40	\$28,282.60
Edna Stevenson	EFT	15437 - 15438	\$10,000.00	
	Cheque	No Payments	\$0.00	\$10,000.00
Total Payments for the Month of September 2020				\$474,610.85

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 – August 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 & Licensing	EFT	EFT15419	EFT15420
Municipal	Cheque	020536	020537
Trust	Cheque	003392	No Payments
Edna Stevenson	Cheque	000065	No Payments

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

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Policy 2.10 – Purchasing Policy

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2020 / 2021 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

(161/2020) Moved: Cr Coppen Seconded: Cr Mason

That Council reviews the list of accounts paid and acknowledges that payments totalling \$474,610.85 have been made during the month of September 2020.

Carried 6/0

8.1.3 ACCOUNTS FOR PAYMENT – CREDIT CARDS

Applicant:	Shire of Corrigin
Date:	12 October 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 July 2020 to 28 August 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 2020/2021 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

(162/2020) Moved: Cr Mason Seconded: Cr Coppen

That Council in accordance with Attachment 8.1.3 endorse credit card payments for the period 29 July 2020 to 28 August 2020 for \$2,390.77.

Carried 6/0

8.1.4 MONTHLY FINANCIAL REPORT

Applicant:	Shire of Corrigin
Date:	12/10/2020
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 September 2020

SUMMARY

This report provides Council with the monthly financial reports for the month ending 30 September 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

September has been a busy month with the preparation of the annual financials and preparing the documents as requested by the auditors prior to their visit on 12th October 2020.

Council is still in a solid position with regards to cash flow with \$3.4million in short term investment and \$1.3million in the municipal account. This is mainly due to the collection of rates and the timing of the capital projects.

Approximately 77% of the outstanding rates have been collected to date with the due date being 4 September 2020. This is a fantastic reminder of how important it is to get the budget completed and the rate notices sent out early as the rates collected at the same time last year was only 34%.

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

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2020/2021 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

(163/2020) Moved: Cr Weguelin Seconded: Cr Dickinson

That Council accept the Statement of Financial Activity for the month ending 30 September 2020 included as Attachment 8.1.4 as presented, along with notes of any material variances.

Carried 6/0

8.2 GOVERNANCE AND COMPLIANCE

8.2.1 DUAL FIRE CONTROL OFFICERS 2020/21

Applicant:	Shire of Kondinin and Shire of Brookton
Date:	13/10/2020
Reporting Officer:	Kirsten Biglin, Executive Support Officer
Disclosure of Interest:	NIL
File Ref:	ES.0001
Attachment Ref:	NIL

SUMMARY

The Shires of Kondinin and Brookton have requested the Shire of Corrigin appoint Dual Fire Control Officers for the 2020/21 bushfire season.

BACKGROUND

The Shire of Corrigin has received correspondence from the Shire of Kondinin and the Shire of Brookton requesting that the following people be appointed as Dual Fire Control Officers in the Shire of Corrigin for the 2020/21 bushfire season.

Shire of Kondinin:

- Mr Glenn Browning

Shire of Brookton:

- Mr Darrell Turner
- Mr Travis Eva
- Bevan Walters

COMMENT

Fire Control Officers who adjoin neighbouring shires require the adjoining shires' approval to act as a Dual Fire Control Officers.

STATUTORY ENVIRONMENT

Bush Fires Act 1954

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: 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 legislative compliance		
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

(164/2020) Moved: Cr Jacobs Seconded: Cr Mason

That Council appoint the following Dual Fire Control Officers in the Shire of Corrigin for the 2020/21 bushfire season, subject to the officer obtaining the appropriate accreditation, further noting that Dual Fire Control Officers are not permitted to issue burning permits within the Shire of Corrigin.

Shire of Kondinin:

- Mr Glenn Browning

Shire of Brookton:

- Mr Darrell Turner
- Mr Travis Eva
- Bevan Walters

Carried 6/0

8.2.2 BUSH FIRE ADVISORY COMMITTEE MEETING RECOMMENDATIONS

Applicant:	Bush Fire Advisory Committee
Date:	15/10/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	ES 0028
Attachment Ref:	NIL

SUMMARY

Council is asked to consider the recommendation from the Bush Fire Advisory Committee to appoint a new Bush Fire Control Officer following the retirement of Mr Ray Hathaway.

BACKGROUND

The Council of the Shire of Corrigin has established and maintained a Bush Fire Advisory Committee in accordance with the *Bush Fires Act 1954* to provide adequate fire protection to the Shire.

The Bush Fire Advisory Committee provides advice to the Shire of Corrigin on matters relating to:

- preventing, controlling and extinguishing of bush fires
- the planning of the form of firebreaks in the district
- prosecution for breaches of the *Bush Fires Act 1954*
- the formation of bush fire brigades and appointment of Bush Fire Control Officers, Fire Weather Officers and Harvesting Ban Officers
- the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities
- any other matters relating to bush fire control whether of the same kind, or a different kind from, those specified.

Mr Ray Hathaway recently notified the Shire of Corrigin of his resignation as a Fire Control Officer for the Bulyee/Kunjin Brigade.

COMMENT

The appointment of a replacement Fire Control Officer in the north west section of the shire is important in the management of fire risk management.

STATUTORY ENVIRONMENT

Bushfire Act 1954

POLICY IMPLICATIONS

Policy 9.2 Bush Fire Control Eligibility

Policy 9.3 Bush Fire Control

FINANCIAL IMPLICATIONS

The annual budget includes provision for supporting bush fire activities.

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 legislative compliance		
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

(165/2020) Moved: Cr Weguelin

Seconded: Cr Coppen

That Council appoint Craig Poultney as a Fire Control Officer for the Bulyee/Kunjin Brigade following the resignation of Ray Hathaway.

Carried 6/0

8.2.3 REGISTER OF POLICIES REVIEW

Applicant:	Shire of Corrigin
Date:	13/10/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	CM.0059
Attachment Ref:	Attachment 8.2.3– Register of Policies – Review 2020

SUMMARY

This report relates to the review of Council’s existing register of policies that was last reviewed and adopted by Council in October 2019.

BACKGROUND

The register of policies is to be reviewed annually and is to be taken to Council for consideration and adoption.

COMMENT

The objectives of the register of policies are:

- to provide Council with a formal written record of all policy decisions;
- to provide staff with precise guidelines in which to act in accordance with Council’s wishes;
- to enable staff to act promptly in accordance with Council’s requirements but without continual reference to Council;
- to enable Councillors to adequately handle enquiries from electors without undue reference to the staff or Council;
- to enable Council to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances; and
- to enable ratepayers to obtain immediate advice on matters of Council policy.

Attachment 8.2.3 shows track changes throughout the document to draw attention to any minor amendments that have been made to policies. The policies that have been highlighted in yellow have either had significant changes or are new policies.

STATUTORY ENVIRONMENT

Council’s role to determine the Local Government’s policies is defined in the *Local Government Act, Section 2.7(2) (b)*:

Local Government Act 1995 – Section 2.7 Role of council

- “(1) The council —
 - (a) governs the local government’s affairs; and
 - (b) is responsible for the performance of the local government’s functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government’s finances and resources; and
 - (b) determine the local government’s policies.”

POLICY IMPLICATIONS

Review of Council’s register of policies. Some minor and some significant changes will be made to the document.

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
4.1.1	Provide leadership, communication and active engagement with the community	4.1.1.1	Elected members provide strategic leadership for the benefit of the community.
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

(166/2020) Moved: Cr Mason Seconded: Cr Dickinson

That Council in accordance with Section 2.7(2)(b) of the Local Government Act 1995 adopt the amendments to policies as provided in Attachment 8.2.2 – Register of Policies – Review 2020 to become the new Shire of Corrigin Register of Policies.

Carried by Absolute Majority 6/0

8.2.4 DROUGHT COMMUNITIES PROGRAM- EXTENSION

Applicant:	Shire of Corrigin
Date:	1/10/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	GS.0122
Attachment Ref:	NIL

SUMMARY

This item seeks Council endorsement of the proposed variation of the grant agreement for the Drought Communities Program- Extension for projects to stimulate the economy.

BACKGROUND

The Shire of Corrigin received notification that the application for funding under the Drought Communities Program was approved for the Shire of Corrigin Tourism and Economic Development Project.

The objective of the Drought Communities Program (DCP) is to deliver benefits in declared council areas by supporting investment in local infrastructure initiatives. The funding is targeted at infrastructure projects that provide employment for people whose work opportunities have been impacted by drought, stimulate local community spending, use local resources, businesses and suppliers, and/or provide a long-lasting benefit to communities and the agricultural industries on which they depend.

The desired outcomes of the program are to:

- increase employment in regions.
- improve levels of economic activity in the region.
- increase productivity in the region, and
- retain businesses services and facilities.

Ten projects were initially considered by Council based on existing needs and community consultation. At the ordinary Council meeting in June 2020 the following resolution was passed:

Council Resolution (94/2020)

That Council endorse the following proposed projects and approve the CEO to prepare and lodge the application for funding up to \$1,000,000 under the Drought Communities Program:

1. *Sustainable Water Supplies*
2. *Wellness Centre Upgrade*
3. *Rotary Tourist Park Redevelopment*

The CEO submitted the grant application in June 2020 and confirmation was received on 28 September 2020 that the grant had been approved and the grant agreement was available for signing.

Correspondence from the Hon David Littleproud MP, Minister for Agriculture, Drought and Emergency Management on 28 September 2020 acknowledging that COVID-19 restrictions may present challenges for Councils, including potential delays to the project. The Minister advised that the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) has been asked to explore ways in which the Government can assist the Shire of Corrigin in mitigating these impacts.

The CEO contacted the DITRDC AusIndustry Business Grants Hub in September 2020 to advise that the Shire of Corrigin was likely to experience potential delays with the delivery of one element of the approved project, being the Corrigin Wellness Centre project.

The three month delay in receiving confirmation of the grant approval has shortened the delivery timeframe to nine months.

The building industry is currently experiencing unprecedented demand due to the various government COVID-19 stimulus measures and building industry representatives have foreshadowed lengthy delays in building projects and securing trades. Challenges in sourcing materials and labour are also expected due to the closure of the WA border.

Although the project is expected to be substantially progressed there is a risk that the Corrigin Wellness Centre Redevelopment may not be completed by the deadline of 30 June 2021.

The funding agreement requires the projects to be completed by 30 June 2021 and there is no provision for an extension in the grant agreement.

The CEO has submitted a proposal to the AusIndustry Business Grants Hub to substitute the Corrigin Wellness Centre project with the Caravan Park Ablution Block Upgrade project. This alternative project presents a less risky option and is able to be completed by 30 June 2021 deadline.

COMMENT

The Caravan Park Ablution Block Upgrade was one on the ten projects considered by Council and ranked closely behind the Wellness Centre Redevelopment in priority.

The Caravan Park Ablution Block Upgrade fits with within the tourism and economic development guidelines outlined in the grant agreement.

The anticipated building delays, combined with the delay in approving the grant, pose a major risk that the Corrigin Wellness Centre element of Drought Communities Program will not be completed by the deadline of 30 June 2021.

The Wellness Centre Redevelopment will still proceed as planned but may carry over to the 2021/22 financial year if delays in obtaining builders are experienced.

A builder for the Caravan Park Ablution Block Upgrade has already been identified and is able to complete the building by the deadline of 30 June 2021.

The AusIndustry Business Grants Hub have advised that the substitution of projects as a pre-contract variation is supported and welcome the advance notification of an anticipated delay to avoid a failure to meet deadline.

The item seeks Council endorsement of the proposed substitution of the Corrigin Caravan Park Ablution Block Upgrade for the Corrigin Wellness Centre Redevelopment prior to signing the Drought Communities Program grant agreement.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 2.7(2) (b):

S 2.7 Role of council

- (1) The council —*
 - (a) governs the local government's affairs; and*
 - (b) is responsible for the performance of the local government's functions.*
- (2) Without limiting subsection (1), the council is to —*
 - (a) oversee the allocation of the local government's finances and resources; and*
 - (b) determine the local government's policies.*

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The adopted budget include provision for the Drought Communities Program funding to be spent on the following programs:

- Sustainable Water Supplies \$250,000
- Wellness Centre Upgrade \$250,000
- Rotary Tourist Park Redevelopment \$500,000

There is a risk that the funding will not be available if the deadline for completion of the Wellness Centre Redevelopment is not met, resulting in a reduction in budgeted income.

Substituting the Wellness Centre Redevelopment for the Caravan Park Project will not require any additional Council funds as there is already provision in the 2020/21 budget to complete this project.

The budgets for the two projects are similar and there is not likely to be any impact on the budget.

COMMUNITY AND STRATEGIC OBJECTIVES

Shire of Corrigin Strategic Community Plan 2017-2027

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
4.1.1	Provide leadership, communication and active engagement with the community	4.1.1.1	Elected members provide strategic leadership for the benefit of the community.
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

(167/2020) Moved: Cr Jacobs Seconded: Cr Dickinson

That Council support the substitution of the Corrigin Caravan Park Ablution Block Upgrade for the Corrigin Wellness Centre Redevelopment project prior to accepting the grant agreement for the Drought Communities Program and authorise the CEO to sign the amended grant agreement.

Carried by Absolute Majority 6/0

COUNCIL RESOLUTION

(168/2020) Moved: Cr Jacobs Seconded: Cr Coppen

That Council close the meeting to the public in accordance with sub section 5.23 (2) (c) and (e)(ii) of the Local Government Act 1995 and Clause 15.10 of the Standing Orders.

Carried 6/0

**8.2.5 CEO PERFORMANCE REVIEW OCCASIONAL COMMITTEE
RECOMMENDATIONS**

Applicant:	CEO Performance Review Occasional Committee
Date:	15/10/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	CEO declared financial interest as item relates to CEO salary
File Ref:	PERSONNEL - MANTON
Attachment Ref:	Attachment 8.2.5 – Confidential Attachment under separate cover

REASON FOR CONFIDENTIALITY

The Chief Executive Officer's (CEO) Report is confidential in accordance with the *Local Government Act 1995 s5.23(2)(a)* as it relates to matters regarding an employee of Council.

SUMMARY

The CEO Performance Review Occasional Committee recommends that Council endorse the resolutions from the meeting held on 20 October 2020 regarding the renewal of the CEO contract.

BACKGROUND

Council appointed Mrs Natalie Manton as the Shire of Corrigin CEO for a three year period commencing 6 March 2018 and expiring on 5 March 2021.

Clause 2.2 of the CEO contract of employment allows for the term of the contract to be extended by agreement.

At the Ordinary Council meeting held on 17 March 2020, Council considered the request from the CEO to extend the contract for a further two (2) years and resolved to offer a new employment contract for a period of five (5) years upon expiration of the current employment contract.

COMMENT

The Proposed Contract of Employment, outlined in the confidential attachment, is based on the previous contract and the 2016 joint model contract developed by Local Government Professionals WA and the Western Australian Local Government Association (WALGA).

The total remuneration package is the same as the current contract and is in accordance with Band 4 of the Local Government CEO's Remuneration determination made by the State Administrative Tribunal.

STATUTORY ENVIRONMENT

Local Government Act 1995

Division 4 — Local government employees

5.36. Local government employees

- (1) *A local government is to employ —*
 - (a) *a person to be the CEO of the local government; and*
 - (b) *such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.*
 - (2) *A person is not to be employed in the position of CEO unless the council —*
 - (a) *believes that the person is suitably qualified for the position; and*
 - (b) *is satisfied* with the provisions of the proposed employment contract.*
- * Absolute majority required.*
- (3) *A person is not to be employed by a local government in any other position unless the CEO —*
 - (a) *believes that the person is suitably qualified for the position; and*
 - (b) *is satisfied with the proposed arrangements relating to the person's employment.*
 - (4) *Unless subsection (5A) applies, if the position of CEO of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.*
 - (5A) *Subsection (4) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.*
 - (5) *For the avoidance of doubt, subsection (4) does not impose a requirement to advertise a position before the renewal of a contract referred to in section 5.39.*

5.39. Contracts for CEO and senior employees

- (1) *Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.*
- (1a) *Despite subsection (1) —*
 - (a) *an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting; and*
 - (b) *a person may be employed by a local government as a senior employee for a term not exceeding 3 months, during any 2 year period, without a written contract.*
- (2) *A contract under this section —*
 - (a) *in the case of an acting or temporary position, cannot be for a term exceeding one year;*
 - (b) *in every other case, cannot be for a term exceeding 5 years.*
- (3) *A contract under this section is of no effect unless —*
 - (a) *the expiry date is specified in the contract; and*
 - (b) *there are specified in the contract performance criteria for the purpose of reviewing the person's performance; and*
 - (c) *any other matter that has been prescribed as a matter to be included in the contract has been included.*
- (4) *A contract under this section is to be renewable and subject to subsection (5), may be varied.*
- (5) *A provision in, or condition of, an agreement or arrangement has no effect if it purports to affect the application of any provision of this section.*

- (6) *Nothing in subsection (2) or (3)(a) prevents a contract for a period that is within the limits set out in subsection 2(a) or (b) from being terminated within that period on the happening of an event specified in the contract.*
- (7) *A CEO is to be paid or provided with such remuneration as is determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7A.*
- (8) *A local government is to ensure that subsection (7) is complied with in entering into, or renewing, a contract of employment with a CEO.*

5.40. Principles affecting employment by local governments

The following principles apply to a local government in respect of its employees —

- (a) *employees are to be selected and promoted in accordance with the principles of merit and equity; and*
- (b) *no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and*
- (c) *employees are to be treated fairly and consistently; and*
- (d) *there is to be no unlawful discrimination against employees or persons seeking employment by a local government on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and*
- (e) *employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and*
- (f) *such other principles, not inconsistent with this Division, as may be prescribed.*

5.41. Functions of CEO

The CEO's functions are to —

- (a) *advise the council in relation to the functions of a local government under this Act and other written laws; and*
- (b) *ensure that advice and information is available to the council so that informed decisions can be made; and*
- (c) *cause council decisions to be implemented; and*
- (d) *manage the day to day operations of the local government; and*
- (e) *liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and*
- (f) *speak on behalf of the local government if the mayor or president agrees; and*
- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

Local Government (Administration) Regulations 1996

Part 4 — Local government employees

18B. Contracts of CEOs and senior employees, content of (Act s. 5.39(3)(c))

For the purposes of section 5.39(3)(c), a contract governing the employment of a person who is a CEO, or a senior employee, of a local government is to provide for a maximum amount of money (or a method of calculating such an amount) to which the person is to be entitled if the contract is terminated before the expiry date, which amount is not to exceed whichever is the lesser of —

- (a) the value of one year’s remuneration under the contract; or*
- (b) the value of the remuneration that the person would have been entitled to had the contract not been terminated.*

POLICY IMPLICATIONS

Council Policy 5.21 CEO Performance Review includes objective to prepare and submit for Council approval any variations to the CEO’s conditions of employment.

FINANCIAL IMPLICATIONS

CEO salary is contained in the 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
4.1.2	Undertake strategic planning and ensure legislative compliance	4.1.2.2	Review Council policies and Corporate Business Plan
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
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the shire	4.1.3.5	Provide Council with adequate and appropriate information on a timely basis.

VOTING REQUIREMENT

Absolute Majority

COUNCIL RESOLUTION

(169/2020) Moved: Cr Jacobs Seconded: Cr Dickinson

That Council

1. *Appoints Mrs Natalie Manton to the position of Chief Executive Officer with the Shire of Corrigin for a period of five (5) years commencing on 6 March 2021 and concluding on 6 March 2026.*
2. *Authorises the Shire President to execute the contract of employment under the Common Seal of the Shire of Corrigin.*

Carried by Absolute Majority 6/0

COUNCIL RESOLUTION

(170/2020) Moved: Cr Mason Seconded: Cr Weguelin

That Council in accordance with Clause 15.10 of the Standing Orders re open the meeting to the public.

Carried 6/0

Ms Caley and Ms Biglin returned to the room 3.31pm

8.2.6 AUDIT COMMITTEE REPORT ON BREACH OF LOCAL GOVERNMENT ACT 1995 S 5.75

Applicant:	Shire of Corrigin
Date:	15/10/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	GOV.0003
Attachment Ref:	NIL

SUMMARY

Council is asked to review the report on a breach of section 5.75 of *Local Government Act 1995* regarding the failure of two designated employees to lodge a primary and annual return during 2019.

BACKGROUND

Shire of Corrigin staff recently conducted an internal audit of the Delegations Register and procedures for the completion and register of Primary and Annual Returns by Councillors and designated employees of the Shire.

The audit revealed a breakdown in the systems and processes whereby two employees did not submit a Primary Return within three months of becoming a designated employee. The staff members were existing employees who had been employed with the Shire for many years and had not previously been granted any delegated authority.

As part of a review of the 2019 Shire delegations register both employees were given a new delegation under the *Local Government Act 1995* in July 2019. The obligation to lodge a Primary and Annual Return is with the relevant person however these employees were not aware of the need to complete a Primary Return once they became a designated employee.

The failure of a designated employee to complete a Primary and Annual Return is a breach of section 5.75 of the *Local Government Act 1995* and as such the CEO was required to report these breaches to the Corruption and Crime Commission (CCC) as serious misconduct.

The breach was reported to the CCC in accordance with these obligations under the *Corruption, Crime and Misconduct Act 2003 (CCMA)* on 23 July 2020. The reports to the Commission may be referred to the Department of Local Government, Sport and Cultural Industries for investigation under the provision of section 33(1)(c) of the CCMA.

The Department of Local Government, Sport and Cultural Industries was also notified of the breach on 23 July 2020.

The failure of a designated employee to lodge a primary and annual return identified in the internal audit also highlighted an error in the response to question 9 in the disclosure of interests section of the Compliance Audit Return 2019.

The response to question 9 in relation to the submission of an annual return submitted by all designated employees by 31 August 2019 (s5.76(1) *Admin Reg 23 Form 3*) was shown as

yes whereas the response was subsequently found to be incorrect and the response should have been no.

The 2019 Compliance Audit Return was reviewed by the Audit and Risk Management Committee on 10 March 2020 and was endorsed by Council at the ordinary Council meeting held on 17 March 2020.

The Compliance Audit Return 2019 was submitted to the Department Local Government and Cultural Industries on 20 March 2020.

COMMENT

The Audit and Risk Management Committee is required to review the Compliance Audit Return and note the amendment to question 9 in relation to the requirement for disclosures of interest.

After realising the error both staff members completed a Primary Return as at 1 July 2019 and in a further review of the delegations register the delegations have since been revoked and therefore they are no longer considered designated employees. Neither employee exercised their delegation.

A new procedure has been put in place to ensure new Councillors, staff members and existing staff members who become a designated employee are aware of their obligations in relation to Primary and Annual Returns.

The Shire has also initiated staff training to ensure this procedure is known and adhered to and that all staff and Councillors gain a full understanding of the obligations under the *Local Government Act 1995* with regard to full disclosure of financial and other interests.

Following the disclosure to the Department of Local Government, Sport and Cultural Industries, the Shire of Corrigin received a response from the Director of Local Government Investigations and Assessments. The correspondence acknowledged the disclosure of the breach and commended the Shire of Corrigin for committing to further training for the elected members, new and existing staff and putting procedures in place to ensure an awareness of obligations in relation to primary and annual returns.

STATUTORY ENVIRONMENT

Local Government Act 1995,

section 7.13(1)(i) requires local governments to carry out an audit of compliance with statutory requirements prescribed in the Local Government (Audit) Regulations 1996, in the prescribed manner and in the form approved by the Minister.

Local Government (Audit) Regulations 1996

r. 13 sets out the statutory requirements which may be included in the compliance audit.

r.14 Compliance Audits by Local Governments

- 1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- 2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*

3A The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.

- 3) After the audit committee has reported to the council under sub-regulation (3A), the compliance audit return is to be —*
 - (a) presented to the council at a meeting of the council; and*
 - (b) adopted by the council; and*
 - (c) recorded in the minutes of the meeting at which it is adopted.*

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

- 1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
 - (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.*
- 2) In this regulation — certified in relation to a compliance audit return means signed by —*
 - (a) the mayor or president; and*
 - (b) the CEO.*

POLICY IMPLICATIONS

8.11 Audit and Risk Management Committee

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	4.1.3.1	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

(171/2020) Moved: Cr Coppen Seconded: Cr Mason

That Council

1. *receives the report on the breach of Local Government Act 1995 s.5.75 and notes the actions taken in relation to the matters raised.*
2. *notes the amendment to the Compliance Audit Return for the period 1 January 2019 to 31 December 2019.*
3. *requests the CEO inform the Department of Local Government, Sport and Cultural Industries of an error in the response to Questions 9 of the disclosure of interests section of the Compliance Audit Return 2019 due to the failure of two designated staff members to lodge an annual return for the period as detailed below.*

Disclosure of Interest

9	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2019?	Response Submitted Yes	Correct Response No
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Carried 6/0

8.2.7 DEVELOPMENT APPLICATION – REPLACEMENT PORTICO STRUCTURE

Applicant:	Mr Frederick R. Gilmore
Landowner:	Trustees of the Corrigin Lodge No.120 of the Grand Lodge of WA of Antient Free and Accepted Masons
Location:	Lot 100 on Deposited Plan 415860 being No.25 Kirkwood Street, Corrigin
Date:	13 October 2020
Reporting Officer:	Mr Joe Douglas – Consultant Town Planner (Exurban Rural & Regional Planning)
Disclosure of Interest:	No interest to disclose
File Number:	PA 09-2020
Attachment Reference:	Attachment 8.2.7 – Application Documentation and Plans

SUMMARY

This report recommends that Council grant conditional approval to a development application received to remove an existing portico structure along the front façade of the existing hall building on Lot 100 (No.25) Kirkwood Street, Corrigin and construction of a new, larger portico structure to improve the appearance and functionality of the building's main entry.

BACKGROUND

Lot 100 is located centrally in the Corrigin townsite in a low density residential precinct and comprises a total area of approximately 3,748m².

The land has direct frontage and access to Kirkwood Street along its western boundary and Gayfer Street along its eastern boundary, both of which are sealed and drained local roads under the care, control and management of the Shire of Corrigin.

The subject land has been developed and used for community purposes (i.e. a Masonic Lodge) since 1927 and contains a large hall building in its western half constructed using cream coloured bricks with a red brick foundation and a red corrugated iron roof. The eastern half of the property is currently vacant and not being used for any specific approved purpose/s.



Location & Lot Configuration Plan (Source: Landgate 2020)

Existing adjoining and other nearby land uses are predominantly residential in nature

comprising single detached dwellings and other associated improvements on lots ranging in size from 989 to 2,238m².

It is understood from discussion with the applicant that the original portico structure at the main entrance at the front of the building has fallen into a state of disrepair due to its age and is not offering a suitable level of protection from the elements.

Under the terms of the application received the existing portico structure is proposed to be demolished and removed with a new, larger sized portico structure to be constructed to replace it using materials and colours to match and complement the existing hall building.

A copy of all information and plans submitted in support of the application is provided in Attachment 8.2.7.

COMMENT

Lot 100 is classified 'Special Use' zone in the Shire of Corrigin Local Planning Scheme No.2 and may only therefore be developed and used for the purposes of a Masonic Lodge, Aged Persons Village and uses ancillary to the permitted use.

Any proposed new development on the land must be consistent with the purposes permitted under its current 'Special Use' zoning classification and may only proceed following the issuance of development approval by Council in each and every instance.

The subject land is identified in the Shire's Municipal Heritage Inventory as a 'Grade C' place meaning it has little cultural heritage significance aside from the social activities it represents and the fact it demonstrates development of the institution that continues to occupy and use the existing hall building on the land.

Given the land has not and is not proposed to be included in the State Register of Heritage Places or the Shire's Heritage List, the heritage protection provisions in Part 3 of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* are not applicable.

Assessment of the application in the context of the specific requirements of the Shire of Corrigin Local Planning Scheme No.2 and the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* has confirmed the proposal is compliant with all objectives and standards and is unlikely to have a negative impact on the amenity, character functionality and safety of the immediate locality.

It is contended the proposal will be beneficial for all users of the hall building on the land and will be an attractive, visually appealing replacement to the existing portico structure along the building's front façade provided it is constructed in accordance with the details of the plans submitted in support of the application.

In light of the above findings it is concluded the proposal for Lot 100 is acceptable and unlikely to have any negative impact on the general amenity, character, functionality and safety of the immediate locality. As such it is recommended Council exercise its discretion and grant conditional approval to the application to ensure the proposed development proceeds in a proper and orderly manner.

STATUTORY ENVIRONMENT

- Planning and Development Act 2005 (as amended)
- Planning and Development (Local Planning Schemes) Regulations 2015
- Shire of Corrigin Local Planning Scheme No.2

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil immediate financial implications for the Shire aside from the administrative costs associated with processing the application which are provided for in Council's annual budget. All costs associated with the proposed development will be met by the applicant/landowner.

It is significant to note that should the applicant/landowner be aggrieved by Council's final decision in this matter, they have the right seek a formal review of that decision by the State Administrative Tribunal. Should this occur for whatever reason, which is considered highly unlikely in this particular instance, the Shire would need to respond. The cost to respond to an appeal cannot be determined at this preliminary stage but could be expected, based on the recent experience of other local government authorities in Western Australia, to range anywhere from \$5,000 to \$60,000 excluding GST depending upon how far the matter proceeds through the review process.

COMMUNITY AND STRATEGIC IMPLICATIONS

The proposal for Lot 100 is considered to be consistent with the following stated objectives and outcomes in the Shire of Corrigin Strategic Community Plan 2017-2027:

- *Environment Objective - An attractive natural and built environment for the benefit of current and future generations;*
- *Environment Outcome 2.2 – A well-managed built environment.*

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION

(172/2020) Moved: Cr Weguelin

Seconded: Cr Mason

*That Council **APPROVE** the development application submitted by Mr Frederick Ramon Gilmore on behalf of the Trustees of the Corrigin Lodge No.120 of the Grand Lodge of WA of Antient Free and Accepted Masons (Landowner) to demolish an existing portico structure along the front façade of the existing hall building on Lot 100 (No.25) Kirkwood Street, Corrigin and construct a new, replacement portico structure in the same location along the building's frontage subject to the following conditions and advice notes:*

Conditions

- 1. The proposed development shall be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period this approval shall lapse and be of no further effect. Where an approval has so lapsed, the use shall not be carried out without the further approval of Council having first being sought and obtained.*
- 2. The proposed development shall be undertaken in a manner consistent with all the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by Council.*
- 3. Any additional development which is not in accordance with the application the subject*

of this approval or any condition of approval will require the further approval of Council.

- 4. All building waste generated by the proposed demolition and construction works shall be disposed of at an approved landfill facility immediately upon completion of the proposed works.*

Advice Notes

- 1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant/landowners and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.*
- 2. This is a development approval of the Shire of Corrigin under its Local Planning Scheme No.2. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowners to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.*
- 3. In accordance with the Building Act 2011 and Building Regulations 2012, demolition and building permit applications must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any demolition, construction or earthworks on the land.*
- 4. The proposed new replacement portico structure is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.*
- 5. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Corrigin Local Planning Scheme No.2 and may result in legal action being initiated by the local government.*
- 6. If the applicant/landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted directly to the State Administrative Tribunal within 28 days of the determination.*

Carried 6/0

8.2.8 DEVELOPMENT APPLICATION (RETROSPECTIVE) – UNAUTHORISED TEMPORARY VEHICLE WEIGHBRIDGE & ASSOCIATED IMPROVEMENTS

Applicant:	Cooperative Bulk Handling Limited
Landowner:	Cooperative Bulk Handling Limited
Location:	Lot 20 on Deposited Plan 41206 Corrigin South Road, Corrigin (Note: No street address number assigned)
Date:	13 October 2020
Reporting Officer:	Mr Joe Douglas – Consultant Town Planner (Exurban Rural & Regional Planning)
Disclosure of Interest:	No interest to disclose
File Number:	PA 10-2020
Attachment Reference:	Attachment 8.2.8 – Application Documentation and Plans

SUMMARY

This report recommends that Council grant conditional approval to a development application received for an existing unauthorised temporary vehicle weighbridge and associated improvements at Cooperative Bulk Handling Limited's (CBH's) grain handling and storage facility in the Corrigin townsite.

BACKGROUND

Lot 20 is located in the south-western part of the Corrigin townsite immediately adjacent to a designated industrial precinct and comprises a total area of approximately 12.3049 hectares.

The land has direct frontage and access to Corrigin South Road and Walton Street along its eastern boundary, both of which are sealed and drained local roads under the care, control and management of the Shire of Corrigin.



Location & Lot Configuration Plan (Source: Landgate 2020)

The subject land has been extensively developed and used by CBH for grain handling and storage purposes (i.e. a primary production industry) in accordance with previous approvals issued by Council and contains a number of associated improvements including numerous open storage bulkheads on expansive gravel hardstand areas, sealed vehicle accessways and truck marshaling areas, stormwater drainage infrastructure, a grain sample hut, a permanent 36 metre long weighbridge and a recently installed 36 metre long temporary weighbridge the subject of this application.

Existing adjoining and other nearby land uses include a broad range of range of industrial activities to the north and north-east and rural and rural industry type uses immediately east, south and west. The Corrigin townsite's existing wastewater treatment plant is also located to the north on Crown Reserve 27018.

It is understood from discussion with the applicant that the existing unauthorised weighbridge and associated improvements the subject of this application were recently installed on the land to help improve the efficiency of heavy vehicle movements during harvest periods and are likely to remain on-site for a period of two (2) years before a new weighbridge and sample hut are installed on a more permanent basis.

A copy of all information and plans submitted in support of the application is provided in Attachment 8.2.8.

COMMENT

Lot 20 is classified 'Rural' zone in the Shire of Corrigin Local Planning Scheme No.2, the stated objectives for which are as follows:

- i) *To ensure that a right of vehicular access unfettered as to time, place and circumstance exists to any land which is the subject of any application for development approval;*
- ii) *To ensure the preservation of the rural character and rural appearance of land within the zone;*
- iii) *To protect the economic viability of Rural zoned land via support only for subdivision or re-subdivision which enables the retention or promotion of lot or location sizes, which relate to the general farming activity in any particular locality of the Scheme Area;*
- iv) *To preserve and protect the natural undeveloped land areas throughout the zone and to provide for the planting of trees and other suitable vegetation via the imposition of conditions on any development approval issued, in order to assist in balancing the greenhouse effect, provide shade, prevent erosion, reduce salinity and provide habitats for native fauna;*
- v) *To ensure that natural drainage patterns/catchments throughout the Scheme Area are paid regard to via the appropriate location of man-made drainage/contour bank networks which will require the development approval of the local government prior to construction; and*
- vi) *The construction of no more than one single dwelling house on any lot or location, unless the local government grants its development approval for additional farm manager or employee accommodation.*

The subject land is also located within the designated boundaries of the Special Control Area associated with the Corrigin townsite's wastewater treatment plant buffer, the purpose of which is to ensure any future development and use of land located within the buffer is compatible with any existing or future possible development and use of the wastewater treatment plant.

Assessment of the application in the context of the specific requirements of the Shire of Corrigin Local Planning Scheme No.2 and the Deemed Provisions of the *Planning and*

Development (Local Planning Schemes) Regulations 2015 has confirmed the unauthorised weighbridge and all associated improvements are compliant with all relevant objectives and standards and are unlikely to have a negative impact on the amenity, character functionality and safety of the immediate locality.

The Water Corporation has also confirmed, given the nature of the existing development and use of Lot 20, the unauthorised weighbridge is acceptable and will not require approval from the Water Corporation's Building Services section due it being an 'exempt structure'.

In light of the above findings it is concluded the proposal for Lot 20 is acceptable and unlikely to have any negative impact on the general amenity, character, functionality and safety of the immediate locality. As such it is recommended Council exercise its discretion and grant conditional approval to the application (i.e. retrospective).

STATUTORY ENVIRONMENT

- Planning and Development Act 2005 (as amended)
- Planning and Development (Local Planning Schemes) Regulations 2015
- Shire of Corrigin Local Planning Scheme No.2

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil immediate financial implications for the Shire aside from the administrative costs associated with processing the application which are provided for in Council's annual budget. All costs associated with the proposed development have been met by the applicant/landowner.

It is significant to note that should the applicant/landowner be aggrieved by Council's final decision in this matter, they have the right seek a formal review of that decision by the State Administrative Tribunal. Should this occur for whatever reason, which is considered highly unlikely in this particular instance, the Shire would need to respond. The cost to respond to an appeal cannot be determined at this preliminary stage but could be expected, based on the recent experience of other local government authorities in Western Australia, to range anywhere from \$5,000 to \$60,000 excluding GST depending upon how far the matter proceeds through the review process.

COMMUNITY AND STRATEGIC IMPLICATIONS

The proposal for Lot 20 is 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;*
- *Environment Objective - An attractive natural and built environment for the benefit of current and future generations;*
- *Environment Outcome 2.2 – A well-managed built environment.*

VOTING REQUIREMENT

Simple Majority

COUNCIL RESOLUTION

(173/2020) Moved: Cr Weguelin

Seconded: Cr Coppen

That Council **APPROVE** the development application submitted by Cooperative Bulk Handling Limited for an existing unauthorised temporary vehicle weighbridge and associated improvements on Lot 20 on Deposited Plan 41206 Corrigin South Road, Corrigin subject to the following conditions and advice notes:

Conditions

1. *The existing unauthorised development shall be consistent with all the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by Council.*
2. *Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of Council.*
3. *All stormwater generated by the development shall be contained and disposed of on-site via the existing stormwater drainage basins in the western part of the land.*

Advice Notes

1. *This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant/landowners and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.*
2. *This is a development approval of the Shire of Corrigin under its Local Planning Scheme No.2. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowners to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.*
3. *Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Corrigin Local Planning Scheme No.2 and may result in legal action being initiated by the local government.*
4. *If the applicant/landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted directly to the State Administrative Tribunal within 28 days of the determination.*

Carried 6/0

COUNCIL RESOLUTION

(174/2020) Moved: Cr Coppen Seconded: Cr Mason

That Council close the meeting to the public in accordance with sub section 5.23 (2) (c) and (e)(ii) of the Local Government Act 1995 and Clause 15.10 of the Standing Orders.

Carried 6/0

Ms Biglin and Ms Caley left the room at 3.35pm.

**8.2.9 OFFER TO PURCHASE LOT 23 GRANITE RISE ESTATE 3 LINDSAY RISE
(CONFIDENTIAL)**

Applicant:	Shire of Corrigin
Date:	15/10/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	CP.0002
Attachment Ref:	Confidential Report Offer to Purchase 3 Lindsay Rise (Lot 23) Granite Rise Estate

REASON FOR CONFIDENTIALITY

The Chief Executive Officer's Report is confidential in accordance with s5.23 (2) the Local Government Act because it deals with matters affecting:

s5.23 (2)(c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*

s5.23 (2)(e)(ii) *a matter that if disclosed, would reveal information that has a commercial value to a person.*

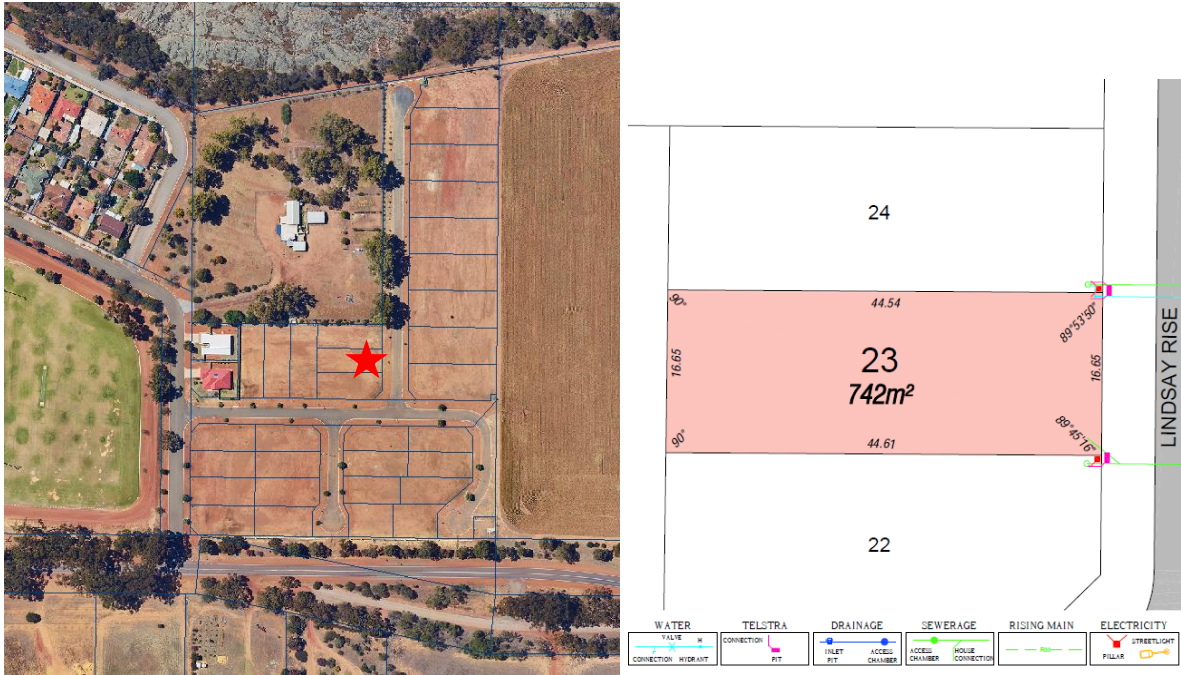
SUMMARY

Council is asked to consider a conditional offer to purchase Lot 23 Granite Rise (3 Lindsay Rise) for the reserve price.

BACKGROUND

In 2009 the Shire of Corrigin developed 32 residential lots in the subdivision known as Granite Rise Estate. Council renewed the selling agent agreement in March 2020 and resolved to promote the housing development more prominently.

The level of interest in the land has increased over the past three months and offers on two blocks in the Granite Rise Estate were accepted in July 2020.



COMMENT

Council has made allowance in the 2020/21 draft budget for the sale of land at Granite Rise Estate based on the discounted reserve price for the lots determined by Council at the ordinary Council meeting in March 2020.

Council accepted offers on two blocks in the Granite Rise Estate in July 2020.

The buyer has been notified that the Shire of Corrigin will need to advertise the disposal of the land for a period of two weeks and consider any submissions before the offer can be signed in order to comply with s3.58 of the *Local Government Act 1995*.

In order to achieve a prompt sale it is recommended that Council accept the offer as it meets the reserve price.

STATUTORY ENVIRONMENT

Local Government Act 1995

3.58. *Disposing of property*

(1) *In this section —*

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) *Except as stated in this section, a local government can only dispose of property to —*

(a) *the highest bidder at public auction; or*

(b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*

(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

(a) *it gives local public notice of the proposed disposition —*

(i) *describing the property concerned; and*

- (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
 - and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
 - (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

Local Government (Functions and General) Regulations

30. Dispositions of property excluded from Act s. 3.58

Local Government (Uniform Local Provisions) Regulations 1996, Reg15 Contribution to cost of crossing - Sch. 9.1 cl. 7(4)

- (1) Where —
 - (a) a local government —
 - (i) under regulation 12 constructs or approves the construction of; or
 - (ii) under regulation 13(1) requires the construction of, a crossing giving access from a public thoroughfare to private land or a private thoroughfare serving the land; and
 - (b) the crossing is the first crossing in respect of the land; and
 - (c) the crossing is a standard crossing or is of a type that is superior to a standard crossing, the local government is obliged to bear 50% of the cost, as estimated by the local government, of a standard crossing, but otherwise the local government is not obliged to bear, nor prevented from bearing, any of the cost.

POLICY IMPLICATIONS

Policy 14.4 Crossovers

10.2 Proceeds of the Sale of Industrial or Residential Land

FINANCIAL IMPLICATIONS

The reserve price for land in the Granite Rise Estate was set at the Council meeting in March 2020. The reserve price was discounted by 20% from previous reserve price.

Income from the sale of vacant land is included in the draft 2020/21 budget and associated rates income will be included in future budgets.

Costs associated with the real estate agent commission of 1.5% percent of the sale price and settlement agent fees will apply to the sale of land.

A cash incentive of \$2,500 has also been included in the budget for 2020/21 and future budgets to June 2022 in accordance with Council decision at the August 2020 Council meeting.

The cost for a standard crossover is \$815.75 in the 2020/21 Fees and Charges.

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

(175/2020) Moved: Mason Seconded: Coppen

That Council:

1. *Authorise the Chief Executive Officer to accept the offer for the purchase of 3 Lindsay Rise (Lot 23), Granite Rise Estate, Corrigin.*
2. *Authorise the Chief Executive Officer to give local public notice of its intention to dispose of 3 Lindsay Rise (Lot 23) Granite Rise Estate in accordance with section 3.58 of the Local Government Act 1995 should an acceptable sale be achieved.*
3. *Subject to not receiving any submissions from the advertising process, delegates authority to the Chief Executive Officer to execute the sale documents on behalf of the Shire of Corrigin.*

Carried by Absolute Majority 6/0

COUNCIL RESOLUTION

(176/2020) Moved: Cr Weguelin Seconded: Cr Coppen

That Council in accordance with Clause 15.10 of the Standing Orders re open the meeting to the public.

Carried 6/0

Ms Caley and Ms Biglin returned to the room at 3.39pm

8.3 WORKS AND SERVICES

8.3.1 ACCEPTANCE OF TENDER – SUPPLY AND LAY BITUMEN

Applicant:	Shire of Corrigin
Date:	13/10/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM.0241
Attachment Ref:	Attachment 8.3.1 Confidential Attachment RFQ VP201560- Supply and Lay of Bitumen Products including Aggregate 2020/21- 2022-23

SUMMARY

This item provides advice to Council of the quotes received to Supply and Lay Bitumen Products including Aggregate for a three year period as outlined in the 2020/21 budget as well as ten year road program and recommends the contract be awarded to the company that represents the best value for money.

BACKGROUND

The decision to tender for bitumen on various roads in the Shire of Corrigin was made by Council on 21 July 2020 with the endorsement of the Annual Budget Part F Road Works Program 2020/21 (Council Res 110/2020) and ten year road program.

The budgeted value of the work required to be completed by external contractors exceeded the \$250,000 expenditure threshold and therefore it was necessary to call for tenders. The Shire of Corrigin Purchasing Policy provides an exemption to publicly invite tenders where the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program.

The WALGA Vendor panel platform was used to obtain quotes as it provided the most efficient and effective method of mitigating risk, determining value for money and ensuring openness, fairness, transparency and equity among suppliers of bitumen services for the 2020/21 – 2022/23 financial years.

The Request for Quote (RFQ) was sent to 32 suppliers on the WA Local Government (WALGA) Preferred Supplier Panel and responses were received from the following companies:

- Bitutek
- Boral
- Downer
- Fulton Hogan and
- Kee Surfacing.

The responses received were very competitive, with the variation between the highest and lowest prices being \$96,391.

The responses were evaluated by a panel comprising the Natalie Manton, Chief Executive Officer; Greg Tomlinson, Manager of Works and Terry Barron, Leading Hand –Construction against pre-determined selection criteria.

Evaluation Criteria

Item No	Description	Weighting
1	Tendered Price(s) - Any related factors affecting the total cost including early settlement discounts. - Lifetime costs. - Contract management cost.	70 %
2	Operator Skills and Experience - Providing services of a similar size and scope. - Quality and standard of work. - Timeliness of work and productivity. - Organisation profile and key personnel	10 %
3	Recent Customers - Referees. - Satisfaction of work completed on time - Within budget - Meets required standard. - Reliability- adherence to response times. - Condition of equipment. - Ability to work safely	10%
4	Regional Price Preference - Price preference 10% to tenderers in Shire of Corrigin	10%

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

COMMENT

The Shire of Corrigin has worked with three of the five companies in the past and was satisfied with their work.

All of the companies scored similarly on the qualitative criteria assessment with all having similar experience in providing bitumen products and services to Western Australian local governments.

A confidential report outlining the quoted prices is contained in Attachment 8.3.1.

The following table details the combined assessment of each quote against the evaluation criteria.

Evaluation for Bitumen		Combined Scores											
Average Lump Sum Price	\$495,300		Tendered Price	Operator Skill and Experience		Recent customers		Regional Price Preference					
Comparison (using average) - avg price = 2.5 score			70%	10%		10%		10%					
			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. Timeliness of work (productivity) Organisation profile and key personnel		Contact most recent referees and check Size & Type of works conducted. Any excessive bills and frequency. Satisfaction of works completed - on time, within budget, to required standards. Reliability - adherence to response times. Condition of equipment. Ability to work safely		Regional Price Preference of 10% for tenderer's in Shire of Corrigin					
Applicant	General Notes Provide comment when score >3<	\$ GST EXC	Combined Score	Weighted Score	Combined Score	Weighted Score	Combined Score	Weighted Score	Combined Score	Weighted Score	TOTAL weighted score	RANKING	
1	Bitutek	Subject to rise and fall	\$ 446,003	15	210.0	14	28.0	15	30.0	0	0.0	268.0	1
2	Boral	Subject to rise and fall	\$ 522,517	10	140.0	9	18.0	11	22.0	0	0.0	180.0	3
3	Downer	Subject to rise and fall	\$ 527,149	8	112.0	10	20.0	12	24.0	0	0.0	156.0	4
4	Fulton Hogan	Subject to rise and fall not specified	\$ 442,220	15	210.0	8	16.0	10	20.0	0	0.0	246.0	2
5	Kee	Subject to rise and fall	\$ 538,611	5	70.0	9	18.0	10	20.0	0	0.0	108.0	5

Bitutek and Fulton Hogan scored very similar with overall price for Fulton Hogan being slightly lower (\$3,783) than Bitutek. The combined score for Fulton Hogan was slightly lower overall with the main difference being the lower score in relation to operator skill and experience and recent customers.

While the overall price for Bitutek was slightly higher than Fulton Hogan the company had more complete crew's available and greater experience in working with shires in the Wheatbelt region of a similar size and scope of work to the Shire of Corrigin.

The quote from Bitutek includes provision for traffic control and a small area of red asphalt as outlined in the RFQ specifications. These items were not specified in the quotes from the four other companies.

Based on the combined evaluation scores the submission by Bitutek was deemed to represent the best value for money at a total cost of \$446,003 for the 2020/21 financial year.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

2.9 Purchasing Policy

Purchasing that exceeds \$250,000 in total value (excluding GST) must be put to public tender when it is determined that a regulatory tender exemption, as stated under 4.5 of this policy is not deemed to be suitable.

4.5 Tendering Exemptions

An exemption to publicly invite tenders may apply in the following instances:

- the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement.

FINANCIAL IMPLICATIONS

The value of the soil stabilisation quote for 2020/21 exceeds the value that the CEO can accept under delegated authority from Council of \$200,000.

The 2020/21 Budget contains an indicative provision of \$541,645 for the planned contract bitumen sealing works. The value of bitumen for the 2020/21 financial year from the preferred supplier is \$446,003 and an overall cost of \$1,522,950 over the three year life of the contract.

The quoted price represents a saving of approximately \$95,600 however the actual savings may vary depending on the weather and environmental conditions which may affect the actual bitumen application rates. Any surplus funds will be reviewed towards the end of the works program.

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

(177/2020) Moved: Cr Dickinson Seconded: Cr Jacobs

That Council:

1. *That Council accepts the price submitted by Bitutek Pty Ltd for the Supply and Lay of Bitumen Products including Aggregate 2020/21 to 2022/23 at a total cost of \$1,522,950, excluding GST, based on the indicative Shire of Corrigin works program and subject to final seal design and spray rates.*
2. *Authorise the Chief Executive Officer to execute and manage the contract, including any variations, providing these variations do not exceed the allocated budget provision or reduce the overall scope.*

Carried 6/0

8.3.2 ACCEPTANCE OF TENDER - SOIL STABILISATION IN SHIRE OF CORRIGIN 2020/21

Applicant:	Shire of Corrigin
Date:	14/10/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM. 0241
Attachment Ref:	Attachment 8.3.2 - Confidential Attachment VP 207380 Soil Stabilisation in Shire of Corrigin 2020/21

SUMMARY

This item seeks to advise Council of the submissions received in relation to the tender for Soil Stabilisation in the Shire of Corrigin in 2020/21 and recommends the best value for money quote for the purpose of awarding a contract.

BACKGROUND

The decision to tender for soil stabilisation on various roads was made by Council on 21 July 2020 with the endorsement of the Annual Budget Part F Road Works Program 2020/21 (Council Res 110/2020).

The budgeted value of the work required to be completed by external contractors exceeded the \$250,000 expenditure threshold and therefore it was necessary to call for tenders. The Shire of Corrigin Purchasing Policy provides an exemption to publicly invite tenders where the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program.

The WALGA Vendor panel platform was used to obtain quotes as it provided the most efficient and effective method of mitigating risk, determining value for money and ensuring openness, fairness, transparency and equity among suppliers for stabilisation services for the 2020/21 financial year.

The soil stabilisation Request for Quote (RFQ) VP 207380 was advertised on the Vendor Panel platform on 30 September 2020 and closed on 14 October 2020. Detailed specifications included the supply of materials, equipment, operators and location of work were provided to suppliers.

The Request for Quote (RFQ) was sent to 13 suppliers on the WA Local Government (WALGA) Preferred Supplier Panel and only one response was received from Stabilised Pavements Australia Pty Ltd (SPA).

The tender responses were evaluated by a panel comprising the Natalie Manton, Chief Executive Officer; Greg Tomlinson, Manager of Works and Terry Barron- Leading Hand Construction against pre-determined selection criteria.

Criteria	Weighting
Tendered Price	50%
Relevant Company and Operator Skills and Experience	15%
Company Resources	15%
Local Knowledge and Understanding	10%
Regional Price Preference	10%

The submission received were professional, detailed and addressed the criteria.

COMMENT

The Shire of Corrigin has worked with SPA in the past and has been satisfied with their work.

A confidential report outlining the tender prices is contained in Attachment 8.3.2.

Based on the combined evaluation scores the submission by SPA was deemed to represent the best value for money at a total cost of \$244,428 GST exclusive

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policy 2.9 Purchasing Policy

Purchasing that exceeds \$250,000 in total value (excluding GST) must be put to public tender when it is determined that a regulatory tender exemption, as stated under 4.5 of this policy is not deemed to be suitable.

4.5 Tendering Exemptions

An exemption to publicly invite tenders may apply in the following instances:

- the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement.

FINANCIAL IMPLICATIONS

The value of the soil stabilisation quote for 2020/21 exceeds the value that the CEO can accept under delegated authority from Council of \$200,000.

The 2020/21 Budget contains an indicative provision of \$330,462 for the planned contract soil stabilisation works. The quoted prices from the preferred supplier is \$244,428 which represents an estimated saving of \$86,000.

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

(178/2020) Moved: Cr Mason

Seconded: Cr Weguelin

That Council:

1. *Accepts the Tender submitted by Stabilised Pavements Australia Pty Ltd (SPA) as the most advantageous tender to form a Contract.*

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 6/0

9 CHIEF EXECUTIVE OFFICER REPORT

The CEO thanked the Corrigin Community Resource Centre staff for organising the Pre Harvest Breakfasts in Bilbarin, Bullaring, Bulyee and Gorge Rock over the past week. The events were very well attended and it was an excellent opportunity to reflect on mental health and wellbeing in the lead up to the busy harvest period.

The breakfasts also provided an opportunity to speak to members of the community and receive their comments, suggestions and feedback on the activities of the shire.

Interviews were conducted in October for the new Community Emergency Services Manager position which is to be shared between the shires of Brookton, Corrigin and Pingelly. The Shire of Brookton will host this position and it is expected that the new officer will be on hand to assist with bush fire and emergency services during this summer season.

10 PRESIDENT'S REPORT

The President has attended a RoeROC meeting and a Bushfire Advisory Committee Meeting since the last Council. The President congratulated the CRC for their outstanding efforts towards the Pre-Harvest Breakfasts and congratulated the Shire for becoming a finalist in the Regional Achievement Awards.

11 COUNCILLORS' QUESTIONS, REPORTS AND INFORMATION ITEMS

Cr Weguelin – Commented on the new Caravan Park Ablution Block and facilities.

Cr Jacobs – Congratulated the Corrigin P&C for a very successful Ladies Garden Day at the Corrigin Recreation and Events Centre.

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 17 November 2020 at 3.00pm.

16 MEETING CLOSURE

The President, Cr Des Hickey closed the meeting at 4.11pm.

President: _____ Date: _____