

SHIRE OF



# MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 17 MARCH 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 Hickey  
Cr. F R Gilmore  
Cr J A Mason  
Cr. M Dickinson  
Cr S Jacobs

Chief Executive Officer  
Deputy Chief Executive Officer  
Executive Support Officer  
Members of the public

N A Manton  
K A Caley  
K L Biglin  
K Weguelin  
A Lee  
S Lee

### **APOLOGIES**

Cr S Coppen

### **LEAVE OF ABSENCE**

Cr Weguelin

## **3 PUBLIC QUESTION TIME**

NIL

## **4 MEMORIALS**

The Shire have been advised that Eric Hlland passed away since the last meeting.

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

A deputation from the Corrigin District High School Parents and Citizen's Committee (CDHS P&C) attended the Council meeting. The President Ms Katherine Weguelin, President, and Ms Amy Lee, Vice President, informed the Council of the recent changes to the funding raising projects for the Corrigin District High School. The CDHS P&C representatives requested an extension of the lease of the Rockview land and outlined the proposed use of the proceeds from the cropping program to redevelop and upgrade the Corrigin school facilities.

## **6 DECLARATIONS OF INTEREST**

Cr Gilmore declared a Proximity Interest in item 8.2.10.

Cr Mason declared a Financial Interest in item 8.2.5.

Cr Jacobs declared a Proximity Interest in item 8.3.1 & Impartiality Interest in item 8.2.7.

Cr Hickey declared an Impartiality Interest in item 8.2.7 & Proximity Interest in Item 8.3.1.

CEO Manton declared a Financial Interest in item 7.2.5 & 8.2.6.

## **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 18 February 2020 (Attachment 7.1.1).

#### **COUNCIL RESOLUTION**

**(21/2020) Moved: Cr Gilmore      Seconded: Cr Jacobs**

*That the Minutes of the Shire of Corrigin Ordinary Council meeting held on Tuesday 18 February 2020 (Attachment 7.1.1) be confirmed as a true and correct record.*

**Carried 5/0**

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

#### **7.2.1 ROE TOURISM ASSOCIATION**

Minutes of the Roe Tourism Association Meeting held on Monday 24 February 2020 (Attachment 7.2.1).

#### **COUNCIL RESOLUTION**

**(22/2020) Moved: Cr Mason Seconded: Cr Dickinson**

*That the minutes of the Roe Tourism Association Meeting held on Monday 24 February 2020 (Attachment 7.2.1) be received.*

**Carried 5/0**

## **7.2.2 TOURISM AND ECONOMIC DEVELOPMENT ADVISORY COMMITTEE**

Minutes of the Tourism and Economic Development Advisory Committee Meeting held on Thursday 27 February 2020 (Attachment 7.2.2).

### **COUNCIL RESOLUTION**

**(23/2020) Moved: Cr Gilmore      Seconded: Cr Dickinson**

*That the minutes of the Tourism and Economic Development Advisory Committee Meeting held on Thursday 27 February 2020 (Attachment 7.2.2) be received.*

**Carried 5/0**

## **7.2.3 CORRIGIN RECREATION & EVENTS CENTRE ADVISORY COMMITTEE**

Minutes of the Corrigin Recreation & Events Centre Advisory Committee Meeting held on Wednesday 26 February 2020 (Attachment 7.2.3).

### **COUNCIL RESOLUTION**

**(24/2020) Moved: Cr Mason Seconded: Cr Jacobs**

*That the minutes of the Corrigin Recreation & Events Centre Advisory Committee Meeting held on Wednesday 26 February 2020 (Attachment 7.2.3) be received.*

**Carried 5/0**

## **7.2.4 AUDIT AND RISK MANAGEMENT COMMITTEE MEETING**

Minutes of the Audit and Risk Management Committee meeting held on Tuesday 10 March 2020 (Attachment 7.2.4).

### **COUNCIL RESOLUTION**

**(25/2020) Moved: Cr Mason Seconded: Cr Jacobs**

*That the minutes of the Audit and Risk Management Committee meeting held on Tuesday 10 March 2020 (Attachment 7.2.4) be received.*

**Carried 5/0**

CEO Manton declared a Financial Interest in item 7.2.5 – Mrs Manton

## **7.2.5 CEO PERFORMANCE REVIEW COMMITTEE MEETING**

Minutes of the CEO Performance Review Committee meeting held on Tuesday 10 March 2020 (Attachment 7.2.5).

### **COUNCIL RESOLUTION**

**(26/2020) Moved: Cr Gilmore      Seconded: Cr Jacobs**

*That the minutes of the CEO Performance Review Committee meeting held on Tuesday 10 March 2020 (Attachment 7.2.5) be received.*

**Carried 5/0**

## 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:	3/03/2020
Reporting Officer:	Heather Ives, Coordinator, Community Services
Disclosure of Interest:	NIL
File Ref:	CS.0008
Attachment Ref:	NIL

#### CORRIGIN CRC MONTHLY USAGE – FEBRUARY 2020:

CUSTOMER ACCESSING 'FEE FOR SERVICE' AND SALES					
SERVICES / FEES	MTHLY	FROM JULY 19	SALES	MTHLY	FROM JULY 19
Internet Use / Computer Use	4	66	Movie Club Fees	7	66
Photocopying / Printing / Faxing	20	210	Phonebook Sales	5	51
Laminating / Binding / Folding	3	37	Moments In Time Books	0	3
Sec. Services / Scans / CD Burning	6	52	Book Sales	0	2
Room Hire	5	60	Wrapping Paper / Postcard Sales	4	4
Equipment Hire	0	21	Polo Shirt / Eco Bag Sales	0	0
Training / Course Fees	10	24	Phone calls	0	0
Resource Centre Membership Fees	0	12	Sale of Assets	0	0
Exam Supervision	0	5			
Total:	48	487	Total:	16	126
<i>Monthly People through:</i>	64				
CUSTOMER ACCESSING 'CORRIGIN CRC SERVICES'					
SERVICES	MTHLY	FROM JULY 19	SERVICE	MTHLY	FROM JULY 19
Phonebook Enquiries	2	18	Corrigin Toy Library	1	67
Tourism	12	271	Broadband for Seniors / Webinars	5	93
Government Access Point	0	45	General Enquires (Face/Email/Website)	145	854
Community Information	26	198	Corrigin Public Library	54	505
Conf. / Vid Conf. / Training	117	807	Corrigin Library eResources	103	647
University Exams	0	8			
Total:	157	1347	Total:	308	2166
<i>Monthly People through:</i>	465				

**TOTAL FOR THE MONTH OF FEBRUARY: 529**

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

DESCRIPTION	NO'S	ROOM	GOVT. HOT OFFICE BOOKING (HO), COMMERCIAL BOOKING
Truck Talk	11	Conference Room	N/A
Electors Meeting	14	Conference Room	N/A
Forrest Personnel	3	Professionals Office	Commercial Booking
Smyl Services	4	Professionals Office	Commercial Booking
WBN Seed Workshop	13	Conference Room	Commercial Booking
WBN BAH	13	Conference Room	N/A
Rural Traffic	6	Video Conference Rom	Commercial Booking
Market Creations	4	Professionals Office	N/A
Forest Personnel	1	Professionals Office	Commercial Booking
LGIS	4	Video Conf Room	Hot Office
Bushfire Meeting	8	Conference Room	N/A
Forklift Course (2days)	11	Conference Room	Commercial Booking
Tourism and Economic Committee	10	Conference Room	N/A
Movie Club – Feb	7	Conference Room	N/A
Holyoake	1	Professionals Office	Commercial Booking

**CORRIGIN CRC Annual Summary Report**

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

**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

*(27/2020) Moved: Cr Mason*

*Seconded: Cr Dickinson*

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

**Carried 5/0**



## 8.1.2 ACCOUNTS FOR PAYMENT

Applicant:	Shire of Corrigin
Date:	4/03/2020
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 – February 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 February 2020 are provided as Attachment 8.1.2 – Accounts for Payment - February 2020.

After payment of the following cheque, EFT and Direct Debit payments, the balance of creditors will be \$29,599.61.

Bank Account	Payment Type	Reference	Amount	Total
Municipal	EFT	14719 - 14746,	\$447,044.75	
		14749 - 14797,		
		14800 - 14810		
	Cheque	020479 - 020492	\$11,415.49	
	Direct Debit	February 2020	\$27,690.44	
	Payroll	February 2020	\$121,401.85	<b>\$607,552.53</b>
Trust	EFT	14798 - 14799	\$567.00	
	Cheque	No Payments	\$0.00	
	Direct Debit	No Payments	\$0.00	<b>\$567.00</b>
Licensing Trust	EFT	No Payments	\$0.00	
	Direct Debit	February 2020	\$64,369.30	<b>\$64,369.30</b>
Edna Stevenson	EFT	14747 - 14748	\$14,013.10	
	Cheque	No Payments	\$0.00	<b>\$14,013.10</b>
<b>Total Payments for the Month of February 2020</b>				<b>\$686,501.93</b>

### **Previous Accounts for Payment report**

To enable Council to check that no sequential payment numbers have been missed from the previous accounts for payment report and the report provided as Attachment 8.1.2 – Accounts for Payment – February 2020, the following information is provided on the last cheque or EFT number used.

<b>Bank Account</b>	<b>Payment Type</b>	<b>Last Number</b>	<b>First Number in report</b>
Municipal & Trust & ES Trust & Licensing	EFT	EFT14718	EFT14719
Municipal	Cheque	020478	020479
Trust	Cheque	003390	No Payments
Edna Stevenson	Cheque	000065	No Payments

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

### **STATUTORY ENVIRONMENT**

Local Government (Financial Management) Regulations 1996

### **POLICY IMPLICATIONS**

Policy 2.10 – Purchasing Policy

### **FINANCIAL IMPLICATIONS**

Expenditure in accordance with the 2019/2020 Annual Budget.

### **COMMUNITY AND STRATEGIC OBJECTIVES**

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

#### **Objective: Leadership**

#### **Strong Governance and leadership**

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

<b>Strategic Community Plan</b>		<b>Corporate Business Plan</b>	
<b>Outcome</b>	<b>Strategies</b>	<b>Action No.</b>	<b>Actions</b>
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**

**(28/2020) Moved: Cr Mason Seconded: Cr Gilmore**

*That Council reviews the list of accounts paid and acknowledges that payments totalling \$686,501.93 have been made during the month of February 2020.*

**Carried 5/0**

### 8.1.3 ACCOUNTS FOR PAYMENT – CREDIT CARDS

Applicant:	Shire of Corrigin
Date:	11/03/2020
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 28 December 2019 to 28 January 2020.

#### BACKGROUND

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

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

#### COMMENT

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

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

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

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

#### STATUTORY ENVIRONMENT

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

#### POLICY IMPLICATIONS

Policy 2.9 – Purchasing Policy  
Policy 2.16 - Corporate Credit Cards

#### FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2019/2020 Annual Budget.

## COMMUNITY AND STRATEGIC OBJECTIVES

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

**Objective: Leadership**

**Strong Governance and leadership**

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

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

### VOTING REQUIREMENT

Simple Majority

### COUNCIL RESOLUTION

**(29/2020) Moved: Cr Mason Seconded: Cr Jacobs**

*That Council in accordance with Attachment 8.1.3 endorse credit card payments for the period 28 December 2019 to 28 January 2020 for \$736.11.*

**Carried 5/0**

## 8.1.4 MONTHLY FINANCIAL REPORT

Applicant:	Shire of Corrigin
Date:	10/03/2020
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 – February 2020

### SUMMARY

This report provides Council with the monthly financial report for the month ending 29 February 2020.

### BACKGROUND

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

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

### COMMENT

Council is still tracking along well in regards to cash flow with \$2,730,000 in short term investments. The capital expenditure is gaining pace however is still well below budget with many projects being carried out with the bulk of it due to timing. These projects have been carefully considered in the budget review process as to whether we can realistically complete all projects by June.

Tenders for the Information and Communication Technology Services closed on 4 March 2020. 12 responses have been received and evaluations of the responses will begin shortly.

E-quotes for the new wheel loader have closed and have been evaluated. An item has been included in this agenda to authorise the purchase of the loader.

Outstanding rate collection is slightly lower than this time last year with 88.64% of rate monies being collected since the beginning of the financial year.

Further information on the December and January financials is in the variance report included in the monthly financial report.

### STATUTORY ENVIRONMENT

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

### POLICY IMPLICATIONS

NIL

### FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2019/2020 Annual Budget.

## COMMUNITY AND STRATEGIC OBJECTIVES

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

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

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

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

### VOTING REQUIREMENT

Simple Majority

### COUNCIL RESOLUTION

**(30/2020) Moved: Cr Gilmore      Seconded: Cr Mason**

*That Council accept the Statement of Financial Activity for the month ending 29 February 2020 included as Attachment 8.1.4 as presented, along with notes of any material variances.*

**Carried 5/0**

## COUNCIL RESOLUTION

*(31/2020) Moved: Cr Mason                      Seconded: Cr Dickinson*

That Council consider Item 8.2.8 Rockview Lease agreement of the printed Agenda as the next item.

**Carried 5/0**

## 8.2 GOVERNANCE AND COMPLIANCE

### 8.2.8 ROCKVIEW LEASE AGREEMENT

Applicant:	Shire of Corrigin
Date:	12/03/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	CP.0003
Attachment Ref:	Nil

#### SUMMARY

This item seeks Council's endorsement of an amendment to the previously intended purpose of the Rockview Lease and request for option to extend the lease for further year.

#### BACKGROUND

In June 2018 Council endorsed the following resolution  
*(94/2018)*

*That based on their application the Corrigin District High School P&C be offered the cropping rights of the Rockview Land commencing 1 March 2019 for two year term with an option to extend for a third year.*

*That a lease agreement for the Rockview Land be drawn up between the Shire of Corrigin and the Corrigin P&C commencing on 1 March 2019 and concluding on 31 December 2020.*

At the Rockview Committee meeting held on 18 December 2018 the Committee recommended that *the draft lease agreement be endorsed by Council and used as basis for entering into an agreement with the Corrigin P&C at the December 2018 meeting.*

*Council endorsed the following resolution at the Ordinary Council meeting in February 2019 (15/2019)*

*That Council:*

- 1. Endorse the lease agreement with the Corrigin P&C for the cropping rights of the Rockview Land commencing 1 March 2019 for two year term with an option to extend for a third year.*
- 2. Authorise the President and CEO to affix the common seal to the lease agreement.*

The Corrigin District High School Parents and Citizen's Committee (P&C) has written to the Shire of Corrigin to notify the shire that the original intended purpose of the proceeds from the cropping lease has changed as a result of a grant to the school. The Department of Education recently announced funding for high priority maintenance and works and the basketball court resurfacing project has been included in this funding.

The P&C have requested that the Shire of Corrigin allow the change of purpose of for the cropping proceeds.

The P&C have also requested that the option to exercise the extension of the lease for a third year be endorsed by Council.

### COMMENT

Five applications were received for the Rockview Lease in 2018 and were assessed against a predetermined criteria with the P&C receiving the most amount of points as shown below.

Corrigin P&C	125
Corrigin Bowling Club	115
St John Ambulance	109
Corrigin Hockey Club	105
Corrigin Farm Imp Group	85

The disposal of land by way of a lease to the Corrigin P&C is exempt from the advertising requirements of the Local Government Act 1995 s 3.58as described in s 30 (b) i, ii as the land is being leased to a charitable, non-profit organisation.

### 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.

*Local Government (Functions and General) Regulations 1996*

#### 30. Dispositions of property excluded from Act s. 3.58

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
  - (a) the land is disposed of to an owner of adjoining land (in this paragraph called the **transferee**) and —
    - (i) its market value is less than \$5 000; and



- (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;
- or
- (b) the land is disposed of to a body, whether incorporated or not —
  - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
  - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;
- or
- (c) the land is disposed of to —
  - (i) the Crown in right of the State or the Commonwealth; or
  - (ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or
  - (iii) another local government or a regional local government;
- or
- (d) it is the leasing of land to an employee of the local government for use as the employee's residence; or
- (e) it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or
- (f) it is the leasing of land to a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the medical profession to be used for carrying on his or her medical practice; or
- (g) it is the leasing of residential property to a person.

*Local Government Act 1995*

**Section 5.43(d)**

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

— ....

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

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

Income from the lease of the Rockview land of \$1,000 per annum is included in the annual budget and funds for the payment of lime are held in a Rockview reserve account.

**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.	3.1.1.1	Provide leadership and governance of local sports clubs and groups.
		3.1.1.2	Assist sport and recreation clubs in accessing grant funding opportunities.

**VOTING REQUIREMENT**

Simple Majority

**COUNCIL RESOLUTION**

**(32/2020) Moved: Cr Gilmore      Seconded: Cr Mason**

*That Council:*

- 1. notes the advice of the change in purpose from the original application and informs the Corrigin District High School that the existing lease arrangements will not be affected by the change in circumstances.*
- 2. approves the request from the Corrigin P&C to exercise the option of extending the lease for the cropping rights of the Rockview for a third year.*

**Carried 5/0**

Katherine Weguelin, Amy Lee and Steven Lee left the room at 3.33pm.



# Corrigin District High School

## Parents and Citizen's Association Incorporated

C/- 53 Lynch Street

ABN 81 993 889 014

Corrigin, WA 6375

6th March 2020

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

Dear Natalie

We write in regards to the Corrigin District High School P&C Association's lease with the Shire of Corrigin for the Rockview Cropping land.

Recently the Department of Education announced to our School Principal, who then informed P&C on the 19<sup>th</sup> February 2020; that the "Phase 2 of targeted maintenance program and high priority maintenance and works program" upgrades had dedicated funds to Corrigin District High School . The Corrigin DHS's basketball court is to be included in this redevelopment as are many other playing surfaces in the wheatbelt. Tenders have closed for the resurfacing and the work is due to commence within the next few months.

The recent news of the funding from the Department to complete the upgrade is fantastic, although completely out of the blue as administration at the school state they were not aware of the Department's plans. The P&C are thankful that their goal of the upgrade will be getting achieved sooner rather than later to make the area safe for our children.

This however leaves a few obligations for the P&C to address in regards to the Shire's lease which specified the funds raised from the cropping land would go towards the basketball court resurfacing and surrounding area upgrade. We would like to continue farming the cropping land this year as we have already done much preparation and donation had already been gifted before the P&C were made aware of the funding of the current project. There are many great projects the P&C would like to see done within the grounds and learning areas at the school if we were allowed to keep farming this year and into the third year. The opportunity to lease the land from the shire is a once in a generational opportunity and we would like to see the school ground and learning areas set up not only for student attending now but into the future as well.

After the announcement from the Department, the P&C, staff and students of the school have collaborated ideas for many other projects that the funds from the cropping land could be utilised for.

- Value add to the basketball court area with seating, shade, additional lineage for educational games and landscaping to complete the area.
- Upgrading existing and develop new, creative play spaces for all phases of schooling e.g. concrete ping pong table, nature play/explore/climbing spaces, surfacing and marking games e.g. snakes and ladders/Tic Tac Toe/Chess/Hopscotch.
- Upgrade/renovate inside of library including technology infrastructure/STEM space.
- Upgrade the outside of the library, the area behind the library and replace the fence with colour bond.
- Metal roller doors for undercover area that can be closed and extend undercover area to include stage space.
- New portable stage.

At this stage we do not want to lock ourselves into one or more particular projects; as we are back at the beginning of the consultation and planning stages which will take some time to go through the motions.

We are pleased that our fundraising efforts so far are able to be redirected towards some of these projects and hope that Council and the Rockview Committee can see the hard work that the P&C have put in already with the crop last year. Plans are on hold at the moment until we hopefully have the approval to go ahead for 2020.

This is such an amazing opportunity to be able to do these projects for our school that would most likely take years to fundraise for. We are very thankful to our wonderful parents, school and wider school community for their support so far and committed support for the upcoming season if allowable.

Also, if our request for change of circumstances for our current lease is accepted, we would also like to request for the extension for a third year of cropping. By cropping for three years, it will not only allow for these projects to all be completed in the near future, but also to take some pressure off our hardworking parents and community who have put in a lot of time over the last few years to ensure our children and future children of the school have the best possible learning environment that we can provide.

Thank you, Natalie, for your assistance.

Kind regards

Katherine Weguelin  
Corrigin DHS P&C Association President

## 8.2.1 AMENDMENT POLICY 8.7 TRAINING AND PROFESSIONAL DEVELOPMENT – ELECTED MEMBERS

Applicant:	Shire of Corrigin
Date:	11/03/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	CM.0059
Attachment Ref:	NIL

### SUMMARY

This report recommends that Council review and amend the existing policy relating to training and professional development for elected members in order to comply with the requirements of the Local Government Legislation Amendment Act 2019.

### BACKGROUND

The Local Government Legislation Amendment Act 1995 received the Governor's assent on 5 July 2019. Section 5.128 of the Act requires Councils to adopt a policy in relation to the continuing professional development of Elected Members and publish the policy on the local government website. The Shire of Corrigin has an existing policy that has been reviewed and amended to comply with the new legislative requirements.

The Department of Local Government, Sport and Cultural Industries (DLGSC) have advised that all Elected Members must complete the five units of mandatory training to ensure that they have the necessary training to understand and carry out their role. The Amendment Bill 2019 consists of the following requirements:

- all candidates to complete an online induction prior to nominating for election;
- all council members to complete prescribed training within twelve months of being elected;
- all local governments to prepare and adopt a council member training policy for ongoing professional development; and
- all local governments to annually report on the training completed by each council member.

The Bill also provides a head of power for, if required in the future, regulations to introduce a penalty if a council member fails to complete the prescribed training.

### COMMENT

All Council Members must complete the Council Member Essentials course unless, in the previous five years, they have passed the Diploma of Local Government 52756WA (Elected Member) or the course titled LGASS00002 Elected Member Skill Set.

The Council Member Essentials course comprises of the following five units:

- Understanding Local Government
- Serving on Council
- Meeting Procedures
- Conflicts of interest
- Understanding financial reports and budgets

The Shire of Corrigin Annual Budget includes provision for the costs associated with Elected Member training.

Training has already commenced with the unit Understanding Local Government completed by all Councillors on 18 February 2020 via e-learning.

The remaining units are scheduled to be completed on the following dates:

Conflicts of Interest	17 March 2020
Serving on Council	21 April 2020
Understanding Financial Reports and Budgets	23 March 2020
Meeting Procedure and Debating	16 June 2020

## **STATUTORY ENVIRONMENT**

### *Section 5.126 – Training for council members*

This section requires a council member to complete training.

Subsection (1) places a requirement upon each council member to complete the training that is set in regulations.

Subsection (2) provides a power to set in regulations:

- the training to be undertaken;
- the time frame for completion;
- circumstances where council members are exempt from completing the training; and
- that it is an offence for a failure to complete the training.

The regulations will require council members to complete five core modules of training within twelve months of being elected.

### *Section 5.127 – Report on training*

Subsection (1) requires the CEO to prepare a report each financial year outlining the training that has been completed by each council member in that financial year.

Subsection (2) requires the CEO to publish that report on the local government's official website within one month of the end of the financial year.

### *Section 5.128 – Policy for continuing professional development*

This section requires a local government to prepare and adopt (via an absolute majority) a policy for the continuing professional development of council members.

Subsection (1) places a requirement upon a local government to prepare and adopt a policy of continuing professional development to apply to council members.

Subsection (2) provides the local government with the power to amend the policy (via an absolute majority).

Subsection (3) provides a head of power to prescribe certain requirements as to the form and content of the continuing professional development policy with which the local government must comply.

Subsection (4) places a requirement upon the CEO to publish an up-to-date version of the policy on the local government's official website.

Subsection (5) provides that a local government must review the policy after each ordinary election and may review the policy at any other time.

## **POLICY IMPLICATIONS**

Policy 8.7 Training and Development – Elected Members

Policy 8.9 Elected Members' Business, Conferences and Training Expenses

## **FINANCIAL IMPLICATIONS**

There is an amount of \$20,000 currently available in the Councillor Conference / Training budget for the 2019/2020 financial year.

Costs associated with accommodation, meals and travel expenses should be taken into consideration for any face-to-face training.

### **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**

<b>Strategic Community Plan</b>		<b>Corporate Business Plan</b>	
<b>Outcome</b>	<b>Strategies</b>	<b>Action No.</b>	<b>Actions</b>
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**

**(33/2020) Moved: Cr Jacobs      Seconded: Cr Gilmore**

That Council

1. Adopt the amended Policy 8.7 Training and Professional Development – Elected Members.

**Carried 5/0**

## 8.7 Training and Professional Development – Elected Members

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<b>Policy Owner:</b>	Governance and Compliance
<b>Person Responsible:</b>	President, Councillors and Chief Executive Officer
<b>Date of Approval:</b>	15 August 2006
<b>Amended:</b>	17 October 2017 18 March 2020

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**Objective:** To ensure that Councillors have equitable access to a range of relevant Councillor training and professional development opportunities to enhance their ability to fulfil their roles and responsibilities as elected members and to provide good governance to the Shire.

**Policy:** Elected Members are strongly encouraged to participate in conferences, programs and training courses specifically designed for professional development relating to their role and responsibilities in local government.

Council shall ensure adequate resources are allocated annually in the Shire's budget to provide the opportunity for Councillors to participate in appropriate training and development. (I.e. \$2,000 per Councillor plus an additional \$3,000 for the President to attend an interstate conference or function annually).

### **Mandatory Training**

Pursuant to the Local Government Act 1995, Elected Members must complete Council Member Essentials which incorporates the following mandatory training units:

- Understanding Local Government;
- Conflicts of Interest;
- Serving on Council;
- Meeting Procedures and Debating; and
- Understanding Financial Report and Budgets.

Council's preferred provider for the training is WALGA (WA Local Government Association).

All units and associated costs will be paid for by the Shire and must be completed within the first 12 months following their election to Council. The training is valid for a period of five years.

It is Council's preference that the training is undertaken via the eLearning method which is the more cost efficient form of delivery. It is acknowledged however that there may be Elected Members who prefer to receive training face-to-face and/or opportunities to attend training which is being delivered in the region or in the Perth metropolitan area.

### **Additional Authorised Training / Conferences**

Elected Members are permitted to attend the following training opportunities without requiring further Council authorisation:

- WALGA Elected Member Training Modules, seminars, forums webinars, and workshops that in particular address:
  - Understanding Local Government (eLearning)\*



- ~~Serving on Council (face to face)\*~~
- ~~Understanding Financial Reports and Budgets (face to face)\*~~
- CEO Performance Appraisals (face to face)\*
- Introduction to the Local Government Act for Elected Members (Webinar)\*
- Decision Making in Practice - Delegations (Webinar)\*
- Local Government Gift Declaration (Webinar)\*
- Introduction to the Local Government Act for Elected Members (Webinar)\*
- Communications Webinar for Elected Members (Webinar)\*
- Chairing of Meetings (Webinar)\*
- WALGA Annual Local Government Week Conference and associated training courses;
- ~~LGMA Annual State Conference, SW Conference and other LGMA seminars and workshops~~
- The Planning Institute of Australia (PIA) Annual State Conference, seminars and forums; and
- Breakfast or workshop speakers identified by the President in liaison with the CEO and advertised by email.

*\*Council considers these seminars, forums webinars, and workshops a ~~mandatory~~ essential training requirement' for any Councillor and should be carried out within the first two years of becoming a Councillor.*

Requests for course participation or conference attendance may be initiated by the Elected Member and should be forwarded to the CEO prior to enrolment or registration.

The CEO is authorised to approve request from Elected Members for professional development, training and conference attendance without referral to Council providing that the cost does not exceed a total of \$5,000 for Councillors and \$8,000 for the President in any 12 month period, and the course or conference is organised by an identified, industry-recognised training provider.

The CEO will keep a log of all seminars, forums, webinars, and workshops attended by Elected Members and present the log to the President before the last Council meeting of the Calendar year.

Any requests outside this policy, including those for attendance at course or conferences outside Western Australia, are to be submitted to Council for consideration.

## 8.2.2 AUDIT AND RISK MANAGEMENT COMMITTEE RECOMMENDATIONS

Applicant:	Shire of Corrigin
Date:	12/03/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM.0058
Attachment Ref:	NIL

### SUMMARY

The Audit and Risk Management Advisory Committee recommends that Council endorse the resolutions from the meeting held on Tuesday 10 March 2020.

### BACKGROUND

Representatives from the Office of the Auditor General (OAG) and Moore Stephens met with the Audit and Risk Management Committee to provide an overview of the audit process for 2020 and respond to questions from committee members.

Moore Stephens Chartered Accountants has been engaged by the Office of the Auditor General (OAG) Western Australia to perform an audit of the Shire of Corrigin's annual financial report for the year ending 30 June 2020.

Mr Suraj Karki, OAG Director Financial Audit and Mr Greg Godwin, Director, Moore Stephens, and Mr Gilles Chan, Manager Moore Stephens, will attend the meeting by telephone

### COMMENT

The Audit and Risk Management Committee endorsed the Audit Strategy Memorandum which sets out the proposed strategy for the audit. The key purpose of this memorandum is to:

- set out the audit scope and approach in summary;
- identify and communicate the key audit risk areas which we expect to be the focus of the audit procedures; and
- promote effective communication between the auditor and those charged with governance.

The Audit and Risk Management Committee also endorsed the Shire President, Cr Hickey to sign the fraud and error assessment checklist.

The interim audit is planned for 23-25 March 2020 and final visit from 12-14 October 2020. The annual report is expected to be finalised in November 2020 ready for endorsement at the Council meeting on 15 December 2020.

### STATUTORY ENVIRONMENT

Local Government Act 1995 (WA)

Local Government (Audit) Regulations 1996

Part 7 of the Act and the Local Government (Audit) Regulations 1996 (the Regulations) outlines the duties of the local government with respect to audits –

- a) the local government is to do everything in its power to –
  - i. assist the auditor to conduct an audit and carry out his or her other duties under the Act; and
  - ii. ensure that audits are conducted successfully and expeditiously;

b) a local government is to meet with its auditor at least once in every year;

## **POLICY IMPLICATIONS**

8.11 Audit and Risk Management Committee

8.12 Appointment of an Auditor, Scope of Works and Notification of Appointments

## **FINANCIAL IMPLICATIONS**

The indicative fee for the 2020 audit is approximately \$45,000 - \$55,000(exc gst).

## **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**

<b>Strategic Community Plan</b>		<b>Corporate Business Plan</b>	
<b>Outcome</b>	<b>Strategies</b>	<b>Action No.</b>	<b>Actions</b>
4.1.2	Undertake strategic planning and ensure legislative compliance	4.1.2.1	Review Council's Community Strategic Plan to ensure it remains aligned to the community's vision, aspirations and desired outcomes
		4.1.2.2	Annual review of Council's policies and Corporate Business Plan
4.1.3	Maintain accountability and financial responsibility to ensure the stability of the Shire	4.1.3.2	Regular review of Integrated Planning and Reporting documents and informing strategies including Long Term Financial Plan, Asset Management Plan and Workforce Plan
		4.1.3.3	Provide Council adequate and appropriate financial information on a timely basis

## **VOTING REQUIREMENT**

Simple Majority

## **COUNCIL RESOLUTION**

**(34/2020) Moved: Cr Mason Seconded: Cr Dickinson**

*That Council*

- 1. acknowledge the responsibilities for the audit to be conducted by Moore Stephens on behalf of the Office of the Auditor General for the year ending June 2020 including the responsibilities of the President and CEO.*
- 2. endorse the Audit Strategy Memorandum outlining the scope, approach and key deliverables of the audit of the annual financial report for the year ending 30 June 2020.*
- 3. authorise Cr Hickey as the Chair of the committee to complete of the Fraud and Error Assessment for the year ending 30 June 2020.*

**Carried 5/0**

### 8.2.3 COMPLIANCE AUDIT RETURN

Applicant:	Shire of Corrigin
Date:	5/03/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	CM.0001
Attachment Ref:	Attachment 8.2.3 - Compliance Audit Return 2019

#### SUMMARY

The purpose of this report is to provide the Audit Committee with the 2019 Compliance Audit Return for the period 1 January 2019 to 31 December 2019. The Audit Committee is requested to review the 2019 Compliance Audit Return and to recommend its endorsement to Council.

#### BACKGROUND

Western Australian local governments are required to complete an annual Compliance Audit Return (CAR) in accordance with the provisions of the Local Government (Audit) Regulations 1996 (Regulations). The CAR must be submitted to the Department of Local Government, Sport and Cultural Industries (Department) by 31 March 2020. The period examined by this audit is 1 January 2019 to 31 December 2019.

The completed return is required to be:

- Reviewed by the Audit Risk Management Committee.
- Considered and adopted by Council.
- Certified by the President and CEO following Council adoption.
- Submitted together with a copy of the Council Minutes to the Department by 31 March 2020.

The report assists the Shire of Corrigin to monitor legislative compliance by examining a range of prescribed requirements under Regulation 13 of the Local Government (Audit) Regulations 1996 in detail. The audit findings must be recorded in the supplied proforma which has been completed and is provided as Attachment 8.2.3.

#### COMMENT

The Compliance Audit Return has been carried out by the Chief Executive Officer in conjunction with the administration staff and no matters of non-compliance against the following criteria have been identified.

- Commercial Enterprises by Local Governments
- Delegation of Power / Duty
- Disclosure of Interests
- Disposal of Property
- Elections
- Finance
- Integrated Planning and Reporting
- Local Government Employees
- Official Conduct
- Optional Questions

- Tenders for Providing Goods and Service

## **STATUTORY ENVIRONMENT**

Section 7.13(1)(i) of the Local Government Act 1995 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.

Regulation 13 of the Local Government (Audit) Regulations 1996 sets out the statutory requirements which may be included in the compliance audit.

### Regulation 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.

### Regulation 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**

8.1 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

**(35/2020) Moved: Cr Jacobs      Seconded: Cr Dickinson**

*That Council accepts the completed Compliance Audit Return for the period 1 January 2019 to 31 December 2019 as attached in Attachment 8.2.3.*

**Carried 5/0**

## 8.2.4 BUDGET REVIEW

Applicant:	Shire of Corrigin
Date:	5/03/2020
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	FM.0022
Attachment Ref:	Attachment 8.2.4 Budget Review Report

### SUMMARY

Council is being requested to adopt the Annual Budget Review for the year ending 30 June 2020.

### BACKGROUND

The *Local Government (Financial Management) Regulations 1996* require Council to undertake a review of its Budget in each financial year between 1 January and 31 March. A Statement of Financial Activity incorporating year to date budget variations and forecasts for the period ending 31 January 2020 is presented for Council to consider. A copy of the review and determination is to be provided to the Department of Local Government within 30 days of the adoption of the review.

### COMMENT

A review of the actual expenses to date compared to the 2019/20 adopted budget has been conducted and the expected variances are show in the attached report.

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

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

### STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.68

Local Government (Financial Management) Regulations 1996 33a

### POLICY IMPLICATIONS

NIL

### FINANCIAL IMPLICATIONS

Budget variations outlined in budget review document.

## 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

**(36/2020) Moved: Cr Mason Seconded: Cr Gilmore**

*That Council*

- 1. adopt the Review of Budget Report for the year ending 30 June 2020 in accordance with Regulation 33a of the Local Government (Financial Management) Regulations 1996 (Attachment 8.2.4).*
- 2. forward a copy of the adopted Budget Review to the Department of Local Government in accordance with the Local Government (Financial Management) Regulations 1996.*

**Carried 5/0**

Cr Mason declared a Financial Interest in Item 8.2.5 and left the room at 3.38pm



## 8.2.5 DEVELOPMENT APPLICATION – PROPOSED ALTERATIONS & ADDITIONS TO EXISTING COMMERCIAL BUILDING ON LOT 803 (NO.1) CAMPBELL STREET, CORRIGIN

Applicant:	Commonwealth Bank of Australia (Bankwest Division)
Landowner:	Lot 803 - Commonwealth Bank of Australia (Bankwest Division)
Location:	Lot 803 (No.1) Campbell Street, Corrigin & the Campbell Street Road Reserve Area
Date:	9 March 2020
Reporting Officer:	Mr Joe Douglas – Consultant Town Planner (Exurban Rural & Regional Planning)
Disclosure of Interest:	Nil
File Number:	PA 01-2020
Attachment Reference:	Attachment 8.2.5 – Full Copy of Development Application Submitted

### SUMMARY

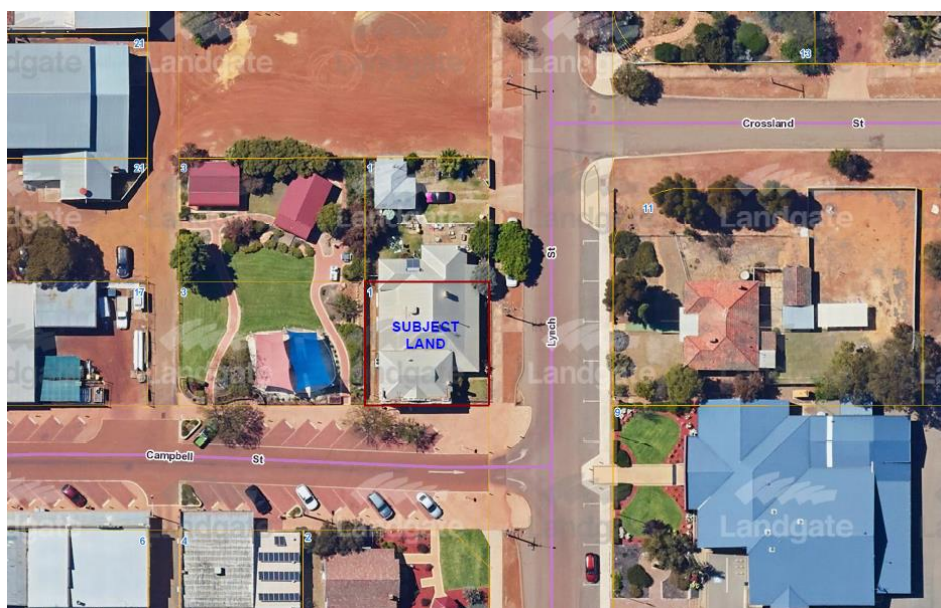
This report recommends that Council grant conditional approval to a development application received from the Commonwealth Bank of Australia (Bankwest Division) for some proposed alterations and additions to the existing bank building on Lot 803 (No.1) Campbell Street, Corrigin.

### BACKGROUND

The applicant is seeking Council's development approval to demolish and remove an existing pedestrian access ramp within the Campbell Street road reserve and construct a new replacement pedestrian access ramp in the same location to provide safer, convenient access to the existing bank building on the immediately adjoining Lot 803 (No.1) Campbell Street, Corrigin.

Full details of the application are provided in Attachment 8.2.5.

Lot 803 is located centrally in the Corrigin townsite in the town's designated commercial precinct and comprises a total area of approximately 405m<sup>2</sup>. The land is square in shape and has historically been developed and used for commercial purposes in association with Lot 802 immediately north.



Location & Lot Configuration Plan (Source: Landgate)

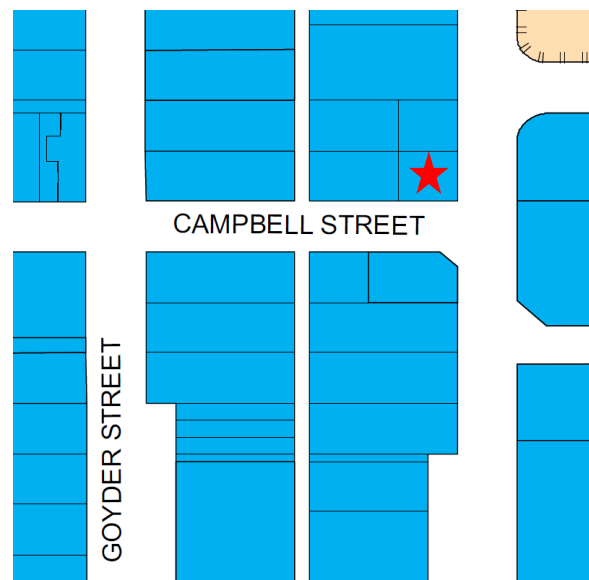
The existing single storey commercial building on the land was constructed in 1926 and has been used by the Commonwealth Bank of Australia for banking purposes for many years. The building itself has been identified as a place of cultural heritage significance and included in the Shire's Municipal Heritage Inventory. Notwithstanding this fact, the property is not listed as being of State heritage significance and is yet to be formally included in the Shire's proposed new Heritage List meaning there are no statutory controls in place to provide for the protection of its cultural heritage significance under the Shire of Corrigin's Local Planning Scheme No.2 or the *Heritage Act 2018*.

Lot 803 has direct frontage and access to Campbell Street along its front boundary to the south as well as Lynch Street along its eastern side boundary, both of which are sealed and drained local roads are under the care, control and management of the Shire of Corrigin. A pedestrian access ramp was previously constructed within the Campbell Street road reserve area immediately adjacent to the main entry along the front of the existing building on Lot 803 to provide direct and convenient access for customers.

It is understood the existing access ramp within the Campbell Street road reserve area requires replacement due to its excessive slope and inadequate safety features (i.e. tactiles to prevent people slipping over when the ramp is wet). A new access ramp is therefore proposed with a more gradual slope and suitable tactiles in strategic locations to provide greater safety and easier access for the aged as well as those people with disabilities or young children (i.e. walking aids, wheelchairs and prams).

**COMMENT**

Lot 803 is classified 'Commercial' zone under the Shire of Corrigin Local Planning Scheme No.2 (LPS2) with the Campbell Street road reserve area abutting it classified 'Local Road' reserve.



Current Zoning Plan (Source: Shire of Corrigin Local Planning Scheme No.2)

Council's stated objectives for the development and/or use of any land classified 'Commercial' zone are as follows:

- i) To encourage development of a high visual, functional and environmental standard, serving both town and rural residents and the development of new buildings and or the modification/ restoration of existing buildings in a manner which is compatible with the existing or planned streetscape in terms of scale, height, design, building materials, location and visual facade appearance;

- ii) To promote convenient and safe shopping facilities and relate these to the wide variety of civic, service, business, entertainment and social functions of the town centre;
- iii) To encourage the wide range of compatible uses within a compact/accessible town centre which are necessary to promote this as a vibrant functional sector in the everyday life of the community it services; and
- iv) To provide for safe pedestrian movement and the safe and efficient flow of traffic and the adequate provision of car parking facilities.

Furthermore, Council's stated objective for the development and/or use of any land classified 'Local Road' reserve is to set aside land required for local road purposes, including pedestrian access.

It is therefore contended, having regard for the abovementioned objectives, that the proposal to demolish and construct a new pedestrian access ramp within the Campbell Street road reserve area to provide improved, safer access to/from the existing bank building on Lot 803 is consistent with the relevant planning objectives and may therefore supported and approved by Council.

Assessment of the development application in the context of the various standards and requirements prescribed in LPS No.2 and all relevant matters prescribed in the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* has confirmed it is generally compliant. The new access ramp has been designed to ensure it integrates with and is sympathetic to the external appearance of the existing building on the land through the use of high quality, complementary materials and colours.

Notwithstanding the above conclusions, the main issue of concern relates to the proposed development and use of portion of the Campbell Street road reserve area immediately adjacent to the building's main entry for pedestrian access purposes to support the continued use of Lot 803 for commercial purposes.

The need for and benefits associated with the proposed access ramp are acknowledged however there is some concern that construction of a new replacement ramp within the Campbell Street road reserve area may give rise to a public liability insurance claim in the event of an accident either during or following completion of the construction process. There is no evidence available to suggest this issue has been considered and addressed as part of any previous approvals issued for the existing bank building on Lot 803 including that portion of the Campbell Street road reserve area where the existing access ramp is currently located.

The Lands Division of the Department for Planning, Heritage and Lands has confirmed the Shire of Corrigin is responsible for the care, control and maintenance of the Campbell Street road reserve area, including all improvements within, and the Department will not accept any liability whatsoever in respect of its future development and/or use. Given this fact, the Shire needs to ensure the ramp is constructed in accordance with all required standards and suitably maintained thereafter to minimise any potential risk to the local community and public at large.

Advice previously received from local government insurer LGIS regarding similar proposals like this recommends the following:

- i) Building contractors engaged to install new pedestrian access ramps within road reserve areas controlled by local government authorities should arrange public liability insurance for a minimum sum of \$20 million to cover their potential liability to third parties for personal injury or property damage during the construction process; and
- ii) Following completion of construction, any landowner who benefits from a new pedestrian access ramp in a local road reserve should make arrangements with their own insurer to ensure their current public liability insurance policy for their property includes the new

access ramp within the adjoining road reserve to cover any future potential liability to third parties for personal injury or property damage for a sum no less than \$20 million.

In light of all of the above it is recommended Council support and approve the development application received from the Commonwealth Bank of Australia (Bankwest Division) for the proposed improvements to the existing bank building on Lot 803 (No.1) Campbell Street, Corrigin subject to a range of conditions to ensure it proceeds in a proper and orderly manner and with an appropriate level of public liability insurance cover for the new pedestrian access ramp within the Campbell Street road reserve.

### **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
- Land Administration Act 1996

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

There are no known financial implications in relation to this item. All costs associated with the proposed development will be met by the landowner.

### **COMMUNITY & STRATEGIC IMPLICATIONS**

The proposal for Lot 803 and the relevant portion of the Campbell Street road reserve area 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 1.1 - A well planned and connected transport and communications network within the district;*
- *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.*

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

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

### **VOTING REQUIREMENT**

Simple Majority

## **COUNCIL RESOLUTION**

**(37/2020) Moved: Cr Gilmore      Seconded: Cr Dickinson**

That Council **APPROVE** the development application received from the Commonwealth Bank of Australia (Bankwest Division) to demolish and remove an existing pedestrian access ramp within the Campbell Street road reserve and construct a new replacement pedestrian access ramp in the same location to provide safer, convenient access to the existing bank building on Lot 803 (No.1) Campbell Street, Corrigin subject to the following conditions and advice notes:

### Conditions

1. *The proposed development shall be undertaken in a manner consistent with all the information and plans submitted in support of the application dated 3 February 2020 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. *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.*
4. *The proposed new pedestrian access ramp within the Campbell Street road reserve shall be maintained on an ongoing basis to the specifications and satisfaction of the Shire's Chief Executive Officer to ensure it continues to complement the existing bank building on Lot 803 (No.1) Campbell Street and provides safe and convenient pedestrian access at all times.*
5. *The building contractor engaged to install the new access ramp within the Campbell Street road reserve area shall arrange public liability insurance for a sum no less than \$20 million to cover their potential liability to third parties for personal injury or property damage for the full duration of the construction process. The building contractor shall submit a copy of the certificate of currency for the public liability insurance required by this condition to the Shire prior to the commencement of any construction works.*
6. *The landowner shall make arrangements with its own insurer for public liability insurance for a sum no less than \$20 million to cover its potential liability to third parties for personal injury or property damage which shall come into legal effect immediately after completion of the access ramp construction works. The policy shall note the Shire of Corrigin's interest in the Campbell Street road reserve area and indemnify the local government against any future potential costs and/or claims.*
7. *The landowner shall submit a copy of the certificate of currency for the public liability insurance required by Condition 6 of this approval to the Shire immediately following completion of the new access ramp construction works and prior to the general public's use of the ramp for the intended purpose.*
8. *The landowner shall maintain the public liability insurance required by Condition 6 of this approval on an annual basis for the full duration of the access ramp's presence and use within the Campbell Street road reserve area.*

### 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, earthworks or construction on the land.*
4. *The proposed new pedestrian access ramp 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 are 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 4/0**

Cr Mason re-entered the room at 3.39pm.

## 8.2.6 CEO PERFORMANCE REVIEW OCCASIONAL COMMITTEE RECOMMENDATIONS

Applicant:	CEO Performance Review Occasional Committee
Date:	12/03/2020
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 8.2.6 – Confidential CEO Performance Review under separate cover

### REASON FOR CONFIDENTIALITY

The Chief Executive Officer's (CEO) Report is confidential in accordance with section 5.23(2)(a) of the Local Government Act because it deals with matters affecting an employee of Council.

### COUNCIL RESOLUTION

**(28/2020) Moved: Cr Jacobs                      Seconded: Cr Mason**

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

**Carried 5/0**

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

**Kirsten Biglin and Kylie Caley left the room at 3.40pm.**

### SUMMARY

The CEO Performance Review Occasional Committee is recommending that Council endorse the resolutions from the meeting held on 10 March 2020 regarding the CEO's performance.

### 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.

The CEO's performance review was undertaken on 10 March 2020, prior to the Council Meeting, in accordance with the terms of the Contract of Employment and the Local Government Act 1995.

To assist Council in the process of review, the CEO prepared a confidential report outlining evidence of achievements measured against the performance criteria. Independent consultants Price Consulting Pty Ltd were engaged to assist with the review.

### COMMENT

A confidential report was presented to Council as part of the performance review process.

### STATUTORY ENVIRONMENT

Sections 5.38 and 5.39 (3) (b) and Regulation 18D of the Local Government Act 1995

### POLICY IMPLICATIONS

5.21 CEO Performance Review

## 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

Simple Majority

## COUNCIL RESOLUTION

**(39/2020) Moved: Cr Mason**

**Seconded: Cr Jacobs**

*That Council:*

- 1. Notes that the appraisal of Ms Natalie Manton, Chief Executive Officer, has been completed for the 2020 review period.*
- 2. Accepts the outcome of 'Meets Expectations' and thanks Ms Manton for her efforts.*
- 3. Approves an annual remuneration increase of 4% to the base salary, to take effect on the contract's anniversary date.*
- 4. Offers a new employment contract for a period of five (5) years upon expiration of the current employment contract.*
- 5. Approves the proposed KPIs (attached) for the 2020-21 period.*

**Carried 5/0**

## COUNCIL RESOLUTION

**(40/2020) Moved: Cr Jacobs**

**Seconded: Cr Dickinson**

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

**Carried 5/0**

Kirsten Biglin and Kylie Caley re-entered the room at 3.42pm.

Cr Jacobs declared an Impartiality Interest in item 8.2.7.



## 8.2.7 RESERVE LAND - LEASE AGREEMENTS WITH LOCAL SPORTING/CULTURAL GROUPS

Applicant:	Shire of Corrigin
Date:	28/02/2020
Reporting Officer:	Heather Talbot, Governance Projects Officer
Disclosure of Interest:	NIL
File Ref:	RCS.0004
Attachment Ref:	Confidential Draft lease agreements 8.2.7.1 Draft Pistol Club Lease 8.2.7.2 Amended Bowling Club, 8.2.7.3 Corrigin Creative Arts Club, 8.2.7.4 Amended Rifle Club, 8.2.7.5 Draft Golf Club Lease, 8.2.7.6 Draft Red Cross Lease

### SUMMARY

To improve the overall governance of the Shire, the administration have been working towards entering into lease agreement with all community organisations that currently have the use of buildings on Shire managed Crown Reserves. This item seeks Council endorsement for the draft lease agreements to proceed to finalisation.

### BACKGROUND

After discussions with Council auditors and insurers over the past few years it has come to the attention of Shire management that a number of community buildings within the Shire were located on crown reserves. These reserves fell under the management order of the Shire of Corrigin but there were no lease agreements in place between the community group and Shire.

Legal advice of a general nature was that on the face of it, if a building is affixed to the land it becomes part of the property of the owner (in this case manager) of the land. This meant that the auditors were requiring Council to recognise these assets on the asset register and questions were raised as to who could insure the building and would that insurance be honoured if the legal owner was not the insurer.

This situation exposed the Shire and Minister for Lands to a number of risks and it was unclear who would be responsible for insurance, replacement or maintenance of these assets into the future. The Shire has sought legal advice and has been working towards putting in place lease agreements with all organisations who have an interest over Shire managed reserve land. This will offer the required protection of the interests of both parties and the Minister for Land as well as making it clear the responsibilities of each party into the future.

### Management of Reserves

Once created, a reserve is usually placed under the care, control and management of a State government department, local government or incorporated community group by way of a Management Order registered against the relevant Crown Land Title. A management order under the *Land Administration Act 1997* does not convey ownership of the land – only as much control as is essential for the land's management. Management order conditions may range from specific land management restrictions to granting leasing powers. Ministerial consent is generally required for the grant of interests over reserves such as leases or variations in the designated purpose of the reserve. Historically the relevant local government was given the management order of all crown reserves within the Shire as the most appropriate management body.

## **Leases of Reserves**

Management Order conditions or special statutes may convey leasing powers to management bodies in relation to reserves. Section 46 of the *Land Administration Act 1997* empowers the Minister for Lands to include leasing powers in Management Orders granted over reserves. Under this provision, for example, local government can often lease managed reserves, typically for terms up to 21 years for a purpose consistent with the reserves purpose. Some leases however require the granting of approval by the Minister for Lands.

## **COMMENT**

The Shire recognises the important role the community organisations have played in the building and maintaining of these valuable community assets over a great number of years and therefore does not seek to change any of the current arrangements. The lease agreements simply aims to clarify the current arrangements so that all parties have an understanding going forward on who is responsible for the various requirements of insuring, replacing, upgrading and maintaining these buildings.

Currently the Shire is preparing lease agreements between the Shire and the following organisations:

- Corrigin Golf Club Inc.
- Corrigin Bowling Club (Inc.)
- Corrigin Creative Club (Inc.)
- Corrigin Rifle Club Inc.
- The Corrigin Practical Pistol Club SSWW (WA) Inc.
- Australian Red Cross Society

All of the above organisations have buildings located on Crown reserves with the power to lease for either a period of 10 years or 21 years.

All leases have been prepared with similar provisions, with slight variations depending on the current arrangements the Shire has with the relevant community organisation. A copy of the Draft leases between the Shire of Corrigin and each organisation is provided.

The administration would also like to proceed with lease agreements with the Corrigin Tennis Club and Corrigin Historical Society and Pioneer Museum, however at present these two reserves do not contain the power to lease under the management order.

Council can apply to the Minister for Lands for inclusion of leasing powers up to 21 years for the two reserves that the Tennis Club and Museum are located on and this will enable two similar leases to be prepared for those organisations.

It is anticipated that all community organisations will be charged an annual rent of \$1 per annum, payable annually on demand. The exception to this is the Australian Red Cross Society who are currently charged \$1,000 per annum as whilst they are a community run organisation they do derive an income from the use of the building that does not remain in Corrigin. It should however be noted that this income is for charitable services run by the Australian Red Cross Society and assisted by the work of our local Red Cross volunteers.

## STATUTORY ENVIRONMENT

*Local Government Act 1995* - Section 3.58. Disposing of property

*Local Government (Functions and General) Regulations 1996*

30. Dispositions of property excluded from Act s. 3.58

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

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

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

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

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

or

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

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

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

*Land Administration Act 1997 (WA)*

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

## POLICY IMPLICATIONS

NIL

## FINANCIAL IMPLICATIONS

The cost of the preparation of the required leases is included in the 2019/20 annual budget.

## 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	3.1.1.1	Provide support in leadership and governance of local sports clubs and groups.

**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**

**(41/2020) Moved: Cr Mason**

**Seconded: Cr Dickinson**

*That Council:*

- 1. authorises the Chief Executive Officer to enter into the following lease agreements, subject to variations of a minor nature:*
  - Reserve 27307 and a portion of Reserve 15804 to the Corrigin Golf Club Inc.*
  - Reserve 24676 to the Corrigin Bowling Club (Inc.)*
  - Reserve 34602, Lot 397 (No.13) Goyder St, Corrigin to the Corrigin Creative Arts Club (Inc.)*
  - Portion of Reserve 49867 to Corrigin Rifle Club Inc.*
  - Portion of Reserve 49867 to Corrigin Practical Pistol Club SSWW (WA) Inc.*
  - Reserve 47959, Lot 523 Walton St, Corrigin to the Australian Red Cross Society.*

*including authorising the affixing of the Common Seal by the Shire President and Chief Executive Officer.*
- 2. authorise the Chief Executive Officer to apply to the Minister for Lands for the inclusion of leasing powers up to 21 years for the following reserves:*
  - Reserve 22105 Tennis Club*
  - Reserve 36400 Pioneer Museum*

**Carried 5/0**

## 8.2.9 EXTENSION SELLING AGENCY AGREEMENT LANDMARK HARCOURTS

Applicant:	Shire of Corrigin
Date:	10/03/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	CP.0002
Attachment Ref:	Nil

### SUMMARY

This item seeks Council's endorsement of an extension to the selling agency agreement with Landmark Harcourts Real Estate for the sale of vacant land in the Shire of Corrigin.

### BACKGROUND

The Shire of Corrigin developed 32 residential lots in the subdivision known as Granite Rise Estate. Council has made allowance in the 2019/20 Budget for the sale of the Granite Rise Estate based on the reserve price for the lots as determined by Council in August 2017.

Since 2011 Council has previously appointed Mr Ralph Bolton of Landmark Realty as selling agent for the land and delegated authority to the Chief Executive Officer (CEO) to accept offers to purchase lots, received within the six months following the close of tenders, in the Granite Rise Estate that are equal to or greater than the reserve price for lots set by Council.

Following the expiry of the existing agreement and the death of Ralph Bolton there is a need to revise the agreement with Landmark Harcourts.



The land was previously advertised for sale by public tender (01/2016) and advertised in the West Australian, Narrogin Observer and on Shire notice boards however, no tenders were received.

The demand for vacant residential land at Granite Rise has not been strong and sales of the vacant land have been slow with the last sale in 2017.

The market value of the vacant land was reviewed in November 2019 as part of the financial audit and the valued reduced based on recent sales.

Lot No.	Street No.	Street Name	Area (m2)	Previous Reserve Price (inc-GST)	10% Disc	20% Disc
1	8	Lawton Way	802	sold	\$ 49,410	\$ 43,920
2	6	Lawton Way	801	\$54,800	\$ 49,320	\$ 43,840
3	4	Lawton Way	871	\$59,600	\$ 53,640	\$ 47,680
4	2	Lawton Way	887	\$66,700	\$ 60,030	\$ 53,360
5	8	Haydon Close	822	\$62,300	\$ 56,070	\$ 49,840
6	6	Haydon Close	874	\$59,800	\$ 53,820	\$ 47,840
7	4	Haydon Close	805	\$55,100	\$ 49,590	\$ 44,080
8	2	Haydon Close	805	\$55,100	\$ 49,590	\$ 44,080
9	1	Haydon Close	757	\$51,800	\$ 46,620	\$ 41,440
10	3	Haydon Close	775	\$53,100	\$ 47,790	\$ 42,480
11	5	Haydon Close	723	\$49,500	\$ 44,550	\$ 39,600
12	7	Haydon Close	715	\$55,000	\$ 49,500	\$ 44,000
13	8	Price Retreat	724	\$55,600	\$ 50,040	\$ 44,480
14	6	Price Retreat	769	\$52,700	\$ 47,430	\$ 42,160
15	4	Price Retreat	776	\$53,100	\$ 47,790	\$ 42,480
16	2	Price Retreat	756	\$51,800	\$ 46,620	\$ 41,440
17	10	Lawton Way	813	sold	\$ 48,870	\$ 43,440
18	12	Lawton Way	813	\$55,600	\$ 50,040	\$ 44,480
19	3	Abe Way	928	\$63,500	\$ 57,150	\$ 50,800
20	5	Abe Way	930	\$63,700	\$ 57,330	\$ 50,960
21	7	Abe Way	931	\$63,700	\$ 57,330	\$ 50,960
22	1	Lindsay Rise	789	\$54,000	\$ 48,600	\$ 43,200
23	3	Lindsay Rise	742	\$50,800	\$ 45,720	\$ 40,640
24	5	Lindsay Rise	747	\$51,100	\$ 45,990	\$ 40,880
25	2	Lindsay Rise	1490	\$102,000	\$ 91,800	\$ 81,600
26	4	Lindsay Rise	1517	\$103,700	\$ 93,330	\$ 82,960
27	6	Lindsay Rise	1516	\$103,800	\$ 93,420	\$ 83,040
28	8	Lindsay Rise	1516	\$103,800	\$ 93,420	\$ 83,040
29	10	Lindsay Rise	1515	\$103,800	\$ 93,420	\$ 83,040
30	12	Lindsay Rise	1515	\$103,700	\$ 93,330	\$ 82,960

31	14	Lindsay Rise	1515	\$103,700	\$ 93,330	\$ 82,960
32	16	Lindsay Rise	1508	\$103,200	\$ 92,880	\$ 82,560
33	18	Lindsay Rise	1380	\$100,400	\$ 90,360	\$ 80,320

## COMMENT

It is recommended that Council review the reserve estimates with a view to discounting the previous reserve prices in order to encourage buyers to purchase and develop the land.

When disposing of property, a local government is required to comply with the provisions of s3.58 of the Local Government Act 1995 whereby local government property is to be sold by public auction or tender or advertised. However 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.

## STATUTORY ENVIRONMENT

*Local Government Act 1995*

3.58. *Disposing of property*

*Local Government (Functions and General) Regulations*

30. *Dispositions of property excluded from Act s. 3.58*

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

Income from the sale of vacant land is included in the 2019/20 budget.

## COMMUNITY AND STRATEGIC OBJECTIVES

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

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

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

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

### VOTING REQUIREMENT

Absolute Majority

### COUNCIL RESOLUTION

**(42/2020) Moved: Cr Mason Seconded: Cr Jacobs**

*That Council extend the existing selling agency agreement with Landmark Harcourts as exclusive selling agent for the sale of at Granite Rise Estate and vacant land in the Shire of Corrigin at the reserve prices listed below for a period of 12 months:*

Lot No.	Street No.	Street Name	Area (m2)	Reserve
1	8	Lawton Way	802	\$ 43,920
2	6	Lawton Way	801	\$ 43,840
3	4	Lawton Way	871	\$ 47,680
4	2	Lawton Way	887	\$ 53,360
5	8	Haydon Close	822	\$ 49,840
6	6	Haydon Close	874	\$ 47,840
7	4	Haydon Close	805	\$ 44,080
8	2	Haydon Close	805	\$ 44,080
9	1	Haydon Close	757	\$ 41,440
10	3	Haydon Close	775	\$ 42,480
11	5	Haydon Close	723	\$ 39,600
12	7	Haydon Close	715	\$ 44,000
13	8	Price Retreat	724	\$ 44,480
14	6	Price Retreat	769	\$ 42,160
15	4	Price Retreat	776	\$ 42,480
16	2	Price Retreat	756	\$ 41,440
18	10	Lawton Way	813	\$ 43,440
18	12	Lawton Way	813	\$ 44,480
19	3	Abe Way	928	\$ 50,800
20	5	Abe Way	930	\$ 50,960



21	7	Abe Way	931	\$ 50,960
22	1	Lindsay Rise	789	\$ 43,200
23	3	Lindsay Rise	742	\$ 40,640
24	5	Lindsay Rise	747	\$ 40,880
25	2	Lindsay Rise	1490	\$ 81,600
26	4	Lindsay Rise	1517	\$ 82,960
27	6	Lindsay Rise	1516	\$ 83,040
28	8	Lindsay Rise	1516	\$ 83,040
29	10	Lindsay Rise	1515	\$ 83,040
30	12	Lindsay Rise	1515	\$ 82,960
31	14	Lindsay Rise	1515	\$ 82,960
32	16	Lindsay Rise	1508	\$ 82,560
33	18	Lindsay Rise	1380	\$ 80,320

**Carried 5/0**

*Cr Gilmore declared a Proximity Interest in Item 8.2.10 and left the room at 4.18pm.*

## 8.2.10 ADOPTION OF LOCAL HERITAGE SURVEY 2019

Applicant:	Shire of Corrigin
Date:	10/03/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	LUP.0006
Attachment Ref:	Attachment 8.2.10 Shire of Corrigin Local Heritage Survey 2019 Revised Corrigin Main Street Retail Precinct Development Guidelines

### SUMMARY

Council is requested to consider adopting the revised Shire of Corrigin Municipal Heritage Survey 2019 following feedback from community consultation.

### BACKGROUND

The following resolution was passed by Council at the Ordinary Council meeting on 23 July 2019.

*Resolution 96/2019*

*That Council, in accordance with Clause 8 (1) of the Deemed Provisions for Local Planning Schemes (Schedule 2 of Planning and Development (Local Planning Schemes) Regulations 2015):*

- 1. Endorse the draft Shire of Corrigin Local Heritage Survey 2019 and undertake a period of community consultation of 30 days.*
- 2. Endorse the draft Development Guidelines for Corrigin's Main Street Retail Precinct as a local planning policy under Local Planning Scheme No.2 in accordance with the procedural requirements of Part 3 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 and undertake a period of community consultation of 30 days.*
- 3. Authorise the CEO to prepare a new Heritage List comprising all Grade A places listed in the Shire of Corrigin Local Heritage Survey 2019 in accordance with the procedural requirements of Part 3 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for formal consideration and final adoption by Council.*

The original Shire of Corrigin Local Government Inventory was adopted in 1996 and remained in the same format since that time without review. In 2016 a Working Group was set up to work with Heritage Consultant Laura Gray to review the inventory to ensure that it met the minimum standard set out by the State Heritage Office. The Working Group comprised of Ms Shannon Hardingham, Mr Eric Jespersen and Mr Brian Parsons from the Corrigin Historical Society and Pioneer Museum. It was noted that the 1996 Municipal Inventory adopted by Council contained a number of inaccuracies that required amendment.

The review of the Shire of Corrigin Heritage Inventory commenced with a Working Group meeting, photographing heritage places around town and scanning of the hard copy of the 1997 heritage inventory as no digital version was compliant with current technology.

The Working Group discussions raised the issue of gradings of significance and the implications of a Grade B and Local Planning Policy (LPP) provisions that could impact the property owners. In the economic climate, it was determined that any imposts upon businesses and property owners would be considered inappropriate. The 1997 Heritage Inventory listed six places on the Heritage List (LPP provisions), and another three places

are already on the State Register of Heritage Places with more serious implications and high level of heritage recognition.

The previous Municipal Heritage Inventory became known as the Local Heritage Survey following the passing of the revised Heritage Act 2018. The purpose of the local heritage survey is to:

- Identify and record places that are of cultural heritage significance to the district;
- Assist in making and implementing decisions that are in harmony with cultural heritage values.
- Provide a cultural and historical record of its district;
- Provide an accessible public record of places of cultural heritage significance to the district;
- Assist in preparing a heritage list or list of heritage areas under a local planning scheme.

Every accessible place listed in the 1997 inventory was reviewed and assessed within the State Heritage Office's guidelines, including taking photographs of most places that can be viewed from public spaces. The four criteria for the assessment include:

**Aesthetic value** - significant aesthetic characteristic.

**Historic value** - significant in the evolution or pattern of the history of the local district.

**Research value** - natural or cultural history of the local district or demonstrating a high degree of technical innovation or achievement.

**Social value** - social, cultural, education or spiritual reasons.

**Rarity** - rare, uncommon or endangered aspects of the cultural heritage of the local district.

**Representativeness** - demonstrates the characteristics of a class of cultural places or environments in the local district.

**Grade A** Three sites are listed as Grade A being of exceptional cultural heritage significance to Shire of Corrigin and the state of Western Australia and worthy of recognition and protection through provisions of the Shire of Corrigin's Town Planning Scheme.

A planning application would need to be submitted for any proposed development of these places including: the Town Hall, Road Board Office and Railway Water Tank. The development application would also need to be submitted to State Heritage Office (SHO) for approval, and Shire of Corrigin cannot approve contrary to SHO recommendation.

For Grade A places it is recommended that the place be retained and conserved.

**Grade B** A place of considerable cultural heritage significance to Shire of Corrigin that is worthy of recognition and protection through provisions of the Shire of Corrigin's Local Planning Policy. It is not recommended for inclusion in the Heritage List but would important to retain and conserve the place and undertake photo record of the place prior to any development.

Grade B places include the Main Street Precinct, Railway Precinct, George Holdaway's shop (fmr), St Matthews Anglican Church, National Bank and former Road Board Hall (Red Cross).

**Grade C** A place (including a site with no built remains) of some cultural heritage significance to Shire of Corrigin. No constraints on these places although retention of the place is encouraged.

Council will need to authorise the shire administration to prepare a new Heritage List comprising all Grade A places listed in the Shire of Corrigin Heritage Inventory Review 2018 in accordance with the procedural requirements of Part 3 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for formal consideration and final adoption by Council.

The process for preparing the new Shire of Corrigin Heritage List is as follows:

- 1 The local government must establish and maintain a heritage list to identify places within the Scheme area that are of cultural heritage significance and worthy of built heritage conservation.
- 2 The heritage list:
  - (a) must set out a description of each place and the reason for its entry in the heritage list; and
  - (b) must be available, with the Scheme documents, for public inspection during business hours at the offices of the local government; and
  - (c) may be published on the website of the local government.
- 3 The local government must not enter a place in, or remove a place from, the heritage list or modify the entry of a place in the heritage list unless the local government -
  - (a) notifies in writing each owner and occupier of the place and provides each of them with a description of the place and the reasons for the proposed entry; and
  - (b) invites each owner and occupier to make submissions on the proposal within 21 days of the day on which the notice is served or within a longer period specified in the notice; and
  - (c) carries out any other consultation the local government considers appropriate; and
  - (d) following any consultation and consideration of the submissions made on the proposal, resolves that the place be entered in the heritage list with or without modification, or that the place be removed from the heritage list.
- 4 If the local government enters a place in the heritage list or modifies an entry of a place in the heritage list the local government must give notice of the entry or modification to -
  - (a) the Heritage Council of Western Australia; and
  - (b) each owner and occupier of the place.

It was initially recommended that the draft Development Guidelines for Corrigin's Main Street Retail Precinct be formally adopted by Council as a local planning policy under Local Planning Scheme No.2 in order to have any legal standing and effect.

#### **COMMENT**

The review of the Local Heritage Survey has been undertaken in line with the requirements of the Heritage Act 2018 and includes 197 places and sites.

The Local Heritage Survey 2019 (formerly Heritage Inventory Review 2018) document was circulated to the Working Group and the Shire of Corrigin Council reviewed the draft document at the Discussion Forum in May 2019.

The Draft Local Heritage Survey and Main Street Precinct Guidelines were advertised for public comment and land owners received written notification. The Draft Local Heritage Survey and Main Street Retail Precinct Development Guidelines were significantly modified following submissions from business owners in the main street precinct.

In response to objections or rejection of guidelines by business owners the guidelines amended to allay concerns. The guidelines were intended to be a tool to facilitate informed decisions about improvements and developments in the Main Street Precinct but not to impose requirements that restrict or stop development or everyday business

In response to concern over the lack of Grade B on the Heritage List for Corrigin including the following comments were made by the Heritage Consultant:

- i. Grade B places are NOT subject to the Heritage List as Shire of Corrigin directed that there would only be Grade A places on their Heritage List.
- ii. No Grade B places would have any constraints.
- iii. Grade B place cannot automatically become Grade A places. Grade A places are State registered.
- iv. The State has precedence of over the Shire with regard to Development Applications for Grade A.
- v. Perhaps Shire does not need a Heritage List if only 3 Grade A places that are covered by Heritage Council.
- vi. The intention is that although Grade B is significant to the Shire, the decision was to not impose Heritage Listing or the implications of the Town Planning Scheme.
- vii. The intention of the Main Street Precinct Guidelines is that they are not to become a Policy.
- viii. The intention is for the Guidelines to be a guide only.

As a result of strong community objection the Development Guidelines for Corrigin's Main Street Retail Precinct were revised and it is recommended that the revised guidelines not be formally adopted by Council as a local planning policy under Local Planning Scheme No.2.

In response to the community consultation an additional place was nominated with a claim that the tank and well on the Corrigin Bruce Rock Road was the town's water supply at some stage and there was a hand pump to get the water. It is recommended that further research be conducted on this place and that it be included at next review of the heritage inventory.

#### **STATUTORY ENVIRONMENT**

*Heritage Act of Western Australia 2018*

*s.103. Local heritage survey*

*(1) A local government must prepare a survey of places in its district that in its opinion are, or may become, of cultural heritage significance.*

*Shire of Corrigin Local Planning Scheme No.2*

*Deemed Provisions of the Local Planning and Development (Local Planning Schemes) Regulations 2015*

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

Cost of advertising of approximately \$500 is included in the 2019/20 budget

#### **COMMUNITY AND STRATEGIC OBJECTIVES**

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

**Objective: Leadership**

**Strong Governance and leadership**

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

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

#### VOTING REQUIREMENT

Absolute Majority

#### COUNCIL RESOLUTION

**(42/2020) Moved: Cr Jacobs                      Seconded: Cr Mason**

*That council, in accordance with Clause 8 (1) of the Deemed Provisions for Local Planning Schemes (schedule 2 of Planning and Development (Local Planning Schemes) Regulations 2015):*

- 1. adopt the final Shire of Corrigin Local Heritage Survey 2019 following the period of community consultation.*
- 2. endorse the Revised Development Guidelines for Corrigin's Main Street Retail Precinct and acknowledge that these are not included as a local planning policy under Local Planning Scheme No.2 in accordance with the procedural requirements of Part 3 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.*
- 3. authorise the CEO to prepare of a new Heritage List comprising all Grade A places listed in the Shire of Corrigin Heritage Inventory Review 2018 in accordance with the procedural requirements of Part 3 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.*

**Carried 4/0**

*Cr Gilmore re-entered the room at 4.30pm.*

## CONSULTANT: RESPONSE to SUBMISSIONS

### Shire of Corrigin: Draft Local Heritage Survey

Place No.	Address	Submitter	Summary of Submission	Consultant's Comment
Main Street Precinct	Main Street	Main Street Business owners	<p><b>REJECTION of the GUIDELINES</b></p> <p>The objection claims the guidelines dictate and restrict their property and businesses, restrict modernisation, signage, the cost of maintenance, viability and aspire to the modern look of the Shire building.</p>	<p>Guidelines intention misunderstood.</p> <p>NEVER intention to restrict anything that is why it was GUIDE lines, and, NOT intended to be a POLICY or enforceable by Council.</p> <p>Apology for the angst</p> <p>NOT the intention to RESTRICT ANYTHING... but to offer guidance for consideration on the issues. To promote heritage and the history (old and new) that defines any town, and in this case Corrigin.</p> <p>RECOMMEND: Amend Guidelines in attempt to allay concerns. The guidelines are meant to be a tool to facilitate informed decisions about development improvements and developments in the Main Street Precinct, not to impose requirements that restrict or stop development or everyday business.</p> <p>Amended document: 'Heritage Guidance' attached.</p>
Main Street Precinct	Pharmacy, Main Street	Michelle Hooper	<p><b>OBJECTION of the GUIDELINES</b></p> <p>The objection claims restrictions of signage and demolition. Claims the guidelines dictate and restrict properties and businesses; restrict modernisation, signage; increase the cost of maintenance; and, viability and the aspiration to the modern look of the Shire building.</p>	<p>Guidelines intention misunderstood. My apology</p> <p>The guidelines are merely suggestions that are not enforceable by the local government.</p> <p>Signage only suggestions for comment.</p> <p>Painted buildings: there was no suggestion that buildings can't be painted. However depending on the significance of a place, unpainted brick or other elements could be significant. Paint of it self can change without impact except the aesthetic.</p> <p>Demolition. Again only a suggestion to consider options if the place is of heritage value. There is NO restriction to demolition in the guidelines.</p> <p>The intent of the guidelines was to promote the heritage value and appreciation of the Main Street Precinct to give consideration IF /when any place is renovated or developed. THERE is NO COMPULSION for any of the guidelines: they are a GUIDE ONLY</p> <p>RECOMMEND: Amend Guidelines</p>
The document		Joe Douglas Planning consultant	<p>Criticism and concern of Grade B requirement per page 6 of inventory report.</p>	<p>An informed discussion with the Planning Consultant could have resolved his "concerns" and informed of heritage issues.</p> <p>Page 6 could be construed as somewhat contradictory as USUALLY Grade B places are included in the Heritage List and the</p>

				implications are as stated. However; the Shire of Corrigin determined that Grade B places are not included in the Heritage
				<p>List. So the requirement for a DA may or may not be valid if not on the Heritage List? Although most of those Grade B places would arguably need to submit a DA for development anyway. Apology for the misunderstanding. But it does clearly state NOT on the Heritage List.</p> <p>RECOMMEND: Advise Planning Consultant that</p> <ul style="list-style-type: none"> <li>ix. Grade B places are NOT subject to the Heritage List as Shire of Corrigin directed that there would only be Grade A places on their Heritage List.</li> <li>x. No Grade B places would have any constraints.</li> <li>xi. Grade B place cannot automatically become Grade A places. Grade A places are State registered.</li> <li>xii. The State has precedence of over the Shire with regard to DAs for Grade A.</li> <li>xiii. Perhaps Shire does not need a Heritage List if only 3 Grade A places that are covered by Heritage Council.</li> <li>xiv. The intention is that although Grade B is significant to the Shire, the decision was to NOT impose Heritage Listing or the implications of the TPS.</li> <li>xv. The intention of the Main Street Precinct Guidelines is that they are NOT to become a Policy.</li> <li>xvi. The intention is for the Guidelines to be a GUIDE ONLY.</li> </ul> <p>It would be extremely contentious and inappropriate to consider the Guidelines as a Policy.</p>
New nomination	Opposite 6005 Bruce Rock- Corrigin Road	Warren Kenny	PLACE NOMINATION  Claim that the tank and well was the town's water supply at some stage. There was a hand pump to get the water.	<p>Could include in inventory as a Grade C requiring further research, but identifying a historical element- seems of 1960s or 70s origin, but maybe a replacement from an original at the site. Given there is a well...that is worth more research and may date much earlier. Alternatively:</p> <p>RECOMMEND: note for further research and inclusion at next review of the inventory.</p>



## 8.2.11 LOCAL GOVERNMENT HOUSE TRUST – DEED OF VARIATION

Applicant:	Shire of Corrigin
Date:	4/03/2020
Reporting Officer:	Natalie Manton, Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	GR.0008
Attachment Ref:	Attachment 8.2.11 Local Government House Trust

### SUMMARY

Council's consent is sought, to a variation to the Trust Deed for the Local Government House Trust (The Trust) as the Shire of Corrigin is a unit holder and beneficiary to the Local Government House Trust, holding four unit/s as advised in WALGA's recent Quarterly Report Q4 2019.

The Trust's Board of Management is seeking to vary the Trust Deed in order to assist the Trust's income tax exempt status. As stipulated by the Deed, the Trust requires consent of at least 75 per cent of all beneficiaries in order to execute this variation.

As a beneficiary, the Shire of Corrigin is requested to consent to the enclosed Deed of Variation supported by a resolution of Council; and to communicate this consent in writing, to consent for the Trustee to formally execute the Deed of Variation.

### BACKGROUND

The Local Government House Trust ("The Trust") exists primarily to provide building accommodation for the Western Australian Local Government Association. Since January 2014, the Trust has provided WALGA with accommodation at 170 Railway Parade West Leederville.

The current trust deed commenced in 1993 and was amended in 2002 to reflect the merger of the metropolitan and country associations into WALGA. The current Trust Deed pronounces WALGA as Trustee and unit holders as Beneficiaries, with the Trustee holding property and associated monies "upon Trust" and in proportion to the units provided.

Commencement date of the current deed is 17 February 1993, with a vesting date 79 years from commencement - which means that the Trust ends in 2072.

The Trust is exempt from income tax on the basis of being a State / Territory Body (STB) pursuant to *Division 1AB of the Income Tax Assessment Act 1936*.

### Trust Deed Variation

1. removing the existing Trustee's power to retire and appoint a new Trustee (Clause 2.1 and 2.2 (22.3) of the Deed of Variation)
2. enabling the beneficiaries to appoint and remove a Trustee (Clause 2.2 (22.4) of the Deed of Variation), and
3. ensuring that the Board of Management is the 'governing body' of the Trust (Clause 2.3 of the Deed of Variation)

The three proposed amendments when applied to the relevant clauses inserted by the Deed of Variation dated 5 June 2002 will subsequently read as follows (proposed amendments shown in red text):

#### 1. Variation 2.1 amends clause 22.1 to point to additional clause:

22.1 Any Trustee of the Trust may retire as Trustee of the Trust- ~~The Subject to clause 22.3,~~ **the** right to appoint any new or additional trustee or trustees of the Trust is hereby vested in the retiring or continuing trustee. A corporation or incorporated association may be appointed as Trustee of the Trust.

#### 2. Variation 2.2 inserts two new clauses:

**22.3 The retiring or continuing trustee shall only be entitled to appoint any new or additional trustee of the Trust with the consent of not less than 75% of the Beneficiaries.**

**22.4 The Beneficiaries may at any time by Special Resolution:**

- (a) remove a Trustee from the office as Trustee of the Trust; and
- (b) appoint such new or additional Trustee.

#### 3. Variation 2.3 insert a new clause 13A

**13A Delegation to the Board of Management**

**Unless the Beneficiaries otherwise direct (such direction to be given by not less than 75% of the Beneficiaries), the Trustees shall delegate all of the powers authorities and discretions contained in subclauses (a) to (x) of clause 12 to the Board of Management. The Trustees shall, at the direction of the Board of Management, do such things as may be necessary to give effect to the exercise of a power, authority or discretion by the Board of Management.**

### **COMMENT**

The first two amendments remove the powers granted to the Trustee in the 2002 Deed Variation resulting from the merger to a single Association representing WA Local Governments. These amendments which previously facilitated the transfer of trusteeship to the then new Western Australian Local Government Association are removed, but with the clarification that any appointment must be with the consent of the beneficiaries.

The final amendment intends to confirm that power rests with the Board of Management. As the Board of Management comprises representative of local governments, this satisfies the requirements of a STB for tax purposes. This amendment reflects the actual operation of the Trustee in implementing the decisions of the Board of Management whilst retaining sufficient operational discretion to place and renew investments and pay suppliers.

These amendments provide greater power to beneficiaries through the Board of Management, and as such it is anticipated they will be considered acceptable.

#### **STATUTORY ENVIRONMENT**

NIL

#### **POLICY IMPLICATIONS**

NIL

#### **FINANCIAL IMPLICATIONS**

There are no relevant financial implications upon the Council's Budget or Long Term Financial Plan.

Local Government House is located at One Seventy (170) Railway Parade, is owned by the Association. The Shire of Corrigin owns four (4) units in the Trust that owns the Local Government House, which were valued at \$17,805.27 each (as at 30/6/19) as advised by WALGA.

Supporting the Deed of Variation will strengthen WALGA's financial position which is of benefit to the Shire of Corrigin as a financial member of the Association.

#### **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**

**(43/2020) Moved: Cr Gilmore      Seconded: Cr Mason**

*That Council, with respect to the Local Government House Trust – Deed of Variation:*

- 1. Consent to a variation to the Trust Deed for the Local Government House Trust (The Trust) as detailed in attachment 1; and*
- 2. Communicate this consent in writing to the Local Government House Trust's Board of Management.*

**Carried 5/0**

## 8.3 WORKS AND SERVICES

Cr Sharon Jacobs and Cr Des Hickey declared a Proximity Interest in Item 8.3.1.

### COUNCIL RESOLUTION

**(44/2020) Moved: Cr Dickinson      Seconded: Cr Gilmore**

*That Council proceed to the next item of business until a quorum is present to decide the matter.*

**Carried 5/0**

### 8.3.1 RAV 7 ASSESSMENTS

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

### SUMMARY

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

### BACKGROUND

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

In December 2019 Council passed the following Resolution *190/2019*

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

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

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

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

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

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

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

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

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

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

## COMMENT

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

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

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

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

THIS DOCUMENT CAN BE MADE AVAILABLE (ON REQUEST) IN OTHER FORMATS FOR PEOPLE WITH A DISABILITY.

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

**Major Roads and Collector Roads**

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

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



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

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

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

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

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

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

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

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

[Standard Restricted Access Vehicle Assessment Guidelines](#)

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Road Traffic Act 1972*

*Road Traffic (Vehicles) Act 2012*

*Road Traffic (Vehicle Standards) Regulations 2002*

## **POLICY IMPLICATIONS**

11.3 Road Hierarchy, Maintenance and Renewal Policy

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

## **FINANCIAL IMPLICATIONS**

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

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

## **COMMUNITY AND STRATEGIC OBJECTIVES**

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

**Objective: Economic**

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

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

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

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

*That Council*

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

*Low Vol Type A*

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

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

*Low Vol Type A*

- *When travelling at night, the RAV must travel at a maximum speed of 40km/h and display amber flashing warning light on the prime mover.*

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

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

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

*Low Vol Type A*

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

5. *not support the application for the Dwarlaking Road to be assessed by Main Roads for addition to the RAV network as a RAV 7 due to the additional costs of upgrading and maintaining this Limited Local Road (as defined in the Shire of Corrigin Road Hierarchy) to a RAV 7 standard.*

6. *not support future applications for Limited Local Roads, as defined in the Road Hierarchy, Maintenance and Renewal Policy, due to the ongoing cost of upgrades and maintenance.*

***No discussion or decision was made on this item as a quorum was not obtained due to leave of absence, apologies and declarations of interest.***

### 8.3.2 TENDER SUPPLY AND DELIVERY OF ONE NEW WHEEL LOADER

Applicant:	Shire of Corrigin
Date:	5/03/2020
Reporting Officer:	Kylie Caley, Deputy Chief Executive Officer
Disclosure of Interest:	NIL
File Ref:	EQUOTE VP176431, FM.0020
Attachment Ref:	NIL

#### SUMMARY

Council is asked to consider the recommended successful tenderer to supply and deliver one new wheel loader.

#### BACKGROUND

Council has made provision in the 2019/20 annual budget to replace the 2008 Volvo L35B-TP/5 loader.

The cost of purchasing heavy plant is expected to exceed \$150,000 requiring tenders to be called.

Under Council's Purchasing policy 2.9, section 4.5, the tender was deemed to be a regulatory exemption and could be submitted to WALGA's preferred suppliers through the E-Quote process. This provided the most efficient and effective method of mitigating risk, determining value for money and ensuring openness, fairness, transparency and equity among suppliers of heavy construction machinery.

E-Quotes were sought from WALGA's preferred supplier panel on 3 February 2020 and closed on 27 February 2020. 11 responses were received and evaluated using the weighting criteria advised in item 8.2.6 of the December 2019 agenda.

E-Quotes were received as follows:

Supplier	Description	Price Ex GST
CJD Equipment	Volvo L70F Wheel Loader	\$248,000
Case Construction	Case F Series Wheel Loader	\$216,350
Clark Equipment Sales	Doosan DL250TC Tool Carrier	\$223,500
Clark Equipment Sales	Doosan DL250 Wheel Loader	\$216,200
Construction Equipment Aust.	JCB 436HT Wheel Loader	\$242,900
Liebherr Australia	Liebherr L546 IV Wheel Loader	\$252,000
Komatsu Australia	Komatsu WA270-8 Wheel Loader	\$286,340
John Deere Limited	John Deere 544L Wheel Loader	\$264,650
Westrac Pty Ltd	Caterpillar 938K-IT Wheel Loader	\$312,000
Porter Equipment Australia	Hyundai HL757-9 Wheel Loader	\$240,000
Hitachi Construction	Hitachi ZW150-5 Wheel Loader	\$226,000

Tenderer	Selection Criteria and Weighting				Total Weighted Score
	Price (40%)	Service (20%)	Warranty (20%)	Efficiency (20%)	
CJD Equipment	29.3	20.0	12.0	17.3	78.7
Case Construction	34.7	16.0	16.0	12.0	78.7
Clark Equipment Sales	32.0	13.3	17.3	12.0	74.7
Clark Equipment Sales	32.0	13.3	20.0	12.0	77.3
Construction Equipment Aust.	32.0	13.3	20.0	12.0	77.3
Liebherr Australia	26.7	4.0	12.0	10.7	53.3
Komatsu Australia	18.7	4.0	12.0	12.0	46.7
John Deere Limited	24.0	4.0	20.0	12.0	60.0
Westrac Pty Ltd	10.7	20.0	20.0	14.7	65.3
Porter Equipment Australia	24.0	18.7	20.0	12.0	74.7
Hitachi Construction	32.0	17.3	16.0	12.0	77.3

#### COMMENT

All tenderers scores were quite varied in the qualitative criterion assessment, all having similar experience in providing construction equipment to Western Australian local governments and earthmoving contractors, however price and mechanical service and support were not highly rated in some tenderers scores. Overall the total weighted scores were quite similar.

The specifications of the quote were quite detailed, besides the machine being reliable, best value for money and meeting all the specifications it was imperative that the machine fit to the existing attachments Council has purchased for the existing loader. Not all responses had this ability.

Council currently operates two Volvo wheel loaders. In the Shire's previous experience the CJD Equipment supplied Volvo loaders have been reliable and service and support has been excellent. On the basis of best value-for-money and a proven track record with reliability, service and support, the tender submitted by CJD Equipment for a new Volvo L70F Wheel Loader at the purchase price of \$248,000 is the best value-for-money tender.

<b>New Volvo L90F Wheel Loader</b>	<b>\$ 248,000</b>
GST	\$ 24,800
Total Purchase Price Inc GST	\$ 272,800

Budget for the purchase of the loader was \$370,000 before trade, this is a saving of \$122,000.

#### STATUTORY ENVIRONMENT

Local Government Act 1995

3.57. Tenders for providing goods or services

(1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

(2) Regulations may make provision about tenders.

Local Government (Functions and General) Regulations 1996

(1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or

services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150, 000 unless sub-regulation (2) states otherwise.

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

(a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or

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

Regulation 18(4) of the Functions and General Regulations

Regulation 20(1) of the Functions and General Regulations

Regulation 20(2) of the Functions and General Regulations

### **POLICY IMPLICATIONS**

Policy 2.9 Purchasing Policy

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

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

### **FINANCIAL IMPLICATIONS**

Cost of purchasing a new wheel loader is included as part of the capital expenditure in 2019/20 annual budget of \$370,000

**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**

**(45/2020) Moved: Cr Mason**

**Seconded: Cr Jacobs**

*That Council:*

1. *Accepts the E-Quote submitted by CJD Equipment as the best value for money.*
2. *Authorises the Chief Executive Officer to accept the E-quote and proceed to purchase the Volvo L70F Wheel Loader for \$248,000 exclusive of GST.*

**Carried 5/0**



## **9 CHIEF EXECUTIVE OFFICER REPORT**

The CEO reported that she recently attended an excellent Comedy Event and fundraiser for St John Ambulance.

The Medical Immersion with Curtin and Notre Dame students was a great success and the Corrigin community provided an excellent insight to rural life for the medical students.

## **10 PRESIDENT'S REPORT**

The President has attended the following meetings and events since the last Council meeting:

Central Country Zone meeting

Wheatbelt South Regional Road Group Meeting – Wickepin

Coronavirus webinar

Rose Bowl - Narembeen

Medical Student – farm tour

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

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

## **13 INFORMATION BULLETIN**

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

## **15 NEXT MEETING**

Ordinary Council meeting on Tuesday 21 April 2020 at 3.00pm.

## **16 MEETING CLOSURE**

The President, Cr Des Hickey closed the meeting at 4.46pm.

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