



Ordinary Council Meeting

Minutes | 25th February 2021

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any member or officer of the Shire of Quairading during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Quairading. No action should be taken on any item discussed at a Council meeting prior to written advice on the resolution of the Council being received.

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SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on Thursday 25th February 2021 commencing at 2.00 pm

ITEM 1 OPENING & ANNOUNCEMENTS

The Shire President opened the Meeting at 2.00 pm.

"Before we start our Meeting, I would like to acknowledge that we are meeting on Noongar / Ballardong land and we pay respect to the original custodians...past, present and future and welcome you all here today for this Meeting".

Cr Davies welcomed Councillors, Staff and Mrs Letty Mills to the meeting.

Cr Davies advised that Mrs Letty Mills will be making a presentation to Council requesting further investigation into the future heating of the leisure pool and Mr David Collard is scheduled to attend to update Council on the Nyoongar Pathways Program.

ITEM 2 ATTENDANCE AND APOLOGIES

Councillors

Cr WMF Davies	Shire President
Cr JN Haythornthwaite	Deputy Shire President
Cr BR Cowcill	
Cr JW Haythornthwaite	
Cr JR Hippiisley	
Cr B McGuinness	
Cr PD Smith	
Cr TJ Stacey	

Council Officers

Mr GA Fardon	Chief Executive Officer
Mr N Gilfellon	Executive Manager of Corporate Services
Mr A Rourke	Executive Manager of Works & Services
Mr RM Bleakley	IPR & Strategic Projects Officer
Mrs A Strauss	Executive Officer

Observers/Visitor

Mrs Letty Mills	(2.00pm to 2.09pm)
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Apologies

Nil

Leave of Absence Previously Granted

Nil

ITEM 3 PUBLIC QUESTION TIME

Nil.

ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

Mrs Letty Mills presented a petition of 171 signatures and background context calling for Council to further investigate the future heating of the Quairading leisure pool.

2.09 pm

Mrs Letty Mills left the Meeting.

Mr David Collard was scheduled to attend to update Council on the Nyoongar Pathways Program, however, Mr Collard did not attend the Meeting.

ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

ITEM 6 DECLARATIONS OF INTEREST

Nil, at this time.

ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

7.1 Confirmation of Minutes: Ordinary Council Meeting – 17th December 2020

RESOLUTION: 106-20/21

MOVED Cr Hippisley SECONDED Cr Cowcill

That the Minutes of the Ordinary Meeting of Council held on the 17th December 2020 be confirmed as a true and accurate.

CARRIED 8/0

7.2 Business Arising

Nil.

ITEM 8 MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

No matters for consideration.

9.1 Accounts for Payment – December 2020

Meeting Date	25 th February 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellow
Attachments	(i) December 2020 Payment List (ii) Transport Takings (iii) Credit Card Statement
Owner/Applicant	N/A
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 107-20/21

MOVED Cr Jo Haythornthwaite SECONDED Cr McGuinness

That Council note the following:

1. That Schedule of Accounts for December 2020 covering Municipal Vouchers 23775 to 23783, EFT 8687 to EFT 8810 \$708,425.16 be received and
2. That Police Licensing payments for the month of December 2020 totalling \$17,505.60 be received (Attachment ii); and
3. That fund transfers to Corporate Credit Card for December 2020 balance totalling \$1,667.36 be received (Attachment iii); and
4. That Net Payroll payments for the month December 2020 totalling \$108,779.88; and
5. That the Lease payment for the month of December 2020 on the CESM Vehicle totalling \$1,140.08.

CARRIED 8/0

IN BRIEF

Payments are per attached schedules 9.1 1/2/3

MATTER FOR CONSIDERATION

Note the Accounts paid during December 2020.

BACKGROUND

Accounts paid are required to be submitted each month.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996 (Reg 13 (1)) requires that where the Chief Executive Officer has delegated power to make payments from the Municipal or Trust funds a list of accounts paid is to be prepared each month.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Payment from Council's Municipal Fund. Expenditure as per delegated authority and included in the adopted 2020/2021 Budget.

Payments made for the 2020/21 Year in the Payments List have been included in Councils Budget in accordance with section 6.8 of the Local Government Act 1995.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

COMMUNITY CONSULTATION

Nil

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating considered Low – Given Purchasing / Procedures followed, together with Management Separation of acceptance of duties and Processes in place.

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low – Creditors reviewed weekly and paid in accordance to agreed terms.

Operation – Risk Matrix Rating considered Low.

Natural Environment – Risk Matrix Rating considered Low.

9.2 Financial Information–Statements of Income and Expenditure for the Period Ending – 31st December 2020

Meeting Date	25 th February 2020
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellow
Attachments	(i) Financial Statements for December 2020
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 108-20/21

MOVED Cr Stacey SECONDED Cr Hippisley

That Council receive the Monthly Financial Statements for the period ending 31st December 2020.

CARRIED 8/0

IN BRIEF

- Monthly Financial Statements for the period ending 31st December 2020 attached.
- Monthly Financial Statements have been updated based on the Moore Australia's Monthly Statements Model.
- The Monthly Financial Statements report include the Fund Balances Report and the Variance Report.

MATTER FOR CONSIDERATION

To receive the monthly Financial Report and Statements

BACKGROUND

Council resolved in October 2000 (Minute Number 071-00/01) to receive Financial Statements in the required statutory format. The current template is based on the Moore Australia (formerly Moore Stephens) Monthly Budget Template.

STATUTORY ENVIRONMENT

Amendments to the regulations, gazetted on the 31st March 2005 and effective from the 1st July 2005, have repealed the existing regulations (34 and 35) relating to monthly and quarterly / triannual financial reports.

They were substituted in accordance with Regulation 34. This regulation only requires Local Governments to report on a monthly basis, although it is much more prescriptive as to what is required and its intention is to establish a minimum standard across the industry.

The regulation requires the local government to prepare each month a statement of financial activity as per attachment. This statement is intended to report on the sources and application of funds highlighting variances to budget for the month in question.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Model Monthly Financial Statements cost \$430 (2018/19) and will be an ongoing annual expense if the latest model is needed. Staff time is used to update and customise the template for Council preferences.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

COMMUNITY CONSULTATION

Nil

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating considered Low – Comprehensive Monthly Financial Reports in accordance with the Local Government’s Financial Regulation 34.

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low. Risk Mitigated through compliance with legislation and sound financial management policies and processes in place.

Operation – Risk Matrix Rating considered Low – Level verified through Council Financial Audits.

Natural Environment – Risk Matrix Rating considered Low.

COMMENT

The Monthly Financial Statements have been updated based on the current Moore Australia Monthly Reporting Template. They now also include the Fund Balances Report and the Variation Report, which were previously separate items.

The Model Template has been updated to include profit and loss statements for the Caravan Park. The Statements can continue to be updated and customised to include relevant information for Council and Staff and to work with improved Management Accounting practices.

9.3 Accounts for Payment – January 2021

Meeting Date	25 th February 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellow
Attachments	(i) January 2021 Payment List (ii) Transport Takings (iii) Credit Card Statement
Owner/Applicant	N/A
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 109-20/21

MOVED Cr McGuinness SECONDED Cr Jo Haythornthwaite

That Council note the following:

1. That Schedule of Accounts for January 2021 covering Municipal Vouchers 23784 to 23793, EFT 8811 to EFT 8916 \$582,781.14 be received and
2. That Police Licensing payments for the month of January 2021 totalling \$30,981.75 be received (Attachment ii); and
3. That fund transfers to Corporate Credit Card for January 2021 balance totalling \$0.00 be received (Attachment iii); and
4. That Net Payroll payments for the month January 2021 totalling \$109,022.30; and
5. That the Lease payment for the month of January 2021 on the CESM Vehicle totalling \$1,140.08.

CARRIED 8/0

IN BRIEF

Payments are per attached schedules 9.1 1/2/3

MATTER FOR CONSIDERATION

Note the Accounts paid during January 2020.

BACKGROUND

Accounts paid are required to be submitted each month.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996 (Reg 13 (1)) requires that where the Chief Executive Officer has delegated power to make payments from the Municipal or Trust funds a list of accounts paid is to be prepared each month.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Payment from Council's Municipal Fund. Expenditure as per delegated authority and included in the adopted 2020/2021 Budget.

Payments made for the 2020/21 Year in the Payments List have been included in Council's Budget in accordance with section 6.8 of the Local Government Act 1995.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

COMMUNITY CONSULTATION

Nil

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating considered Low – Given Purchasing / Procedures followed, together with Management Separation of acceptance of duties and Processes in place.

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low – Creditors reviewed weekly and paid in accordance to agreed terms.

Operation – Risk Matrix Rating considered Low.

Natural Environment – Risk Matrix Rating considered Low.

9.4 Financial Information–Statements of Income and Expenditure for the Period Ending – 31st January 2021

Meeting Date	25 th February 2020
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellow
Attachments	(i) Financial Statements for January 2021
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 110-20/21

MOVED Cr Hippisley SECONDED Cr Stacey

That Council receive the Monthly Financial Statements for the period ending 31st January 2021.

CARRIED 8/0

IN BRIEF

- Monthly Financial Statements for the period ending 31st January 2021 attached.
- Monthly Financial Statements have been updated based on the Moore Australia's Monthly Statements Model.
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MATTER FOR CONSIDERATION

To receive the monthly Financial Report and Statements

BACKGROUND

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STATUTORY ENVIRONMENT

Amendments to the regulations, gazetted on the 31st March 2005 and effective from the 1st July 2005, have repealed the existing regulations (34 and 35) relating to monthly and quarterly / triannual financial reports.

They were substituted in accordance with Regulation 34. This regulation only requires Local Governments to report on a monthly basis, although it is much more prescriptive as to what is required and its intention is to establish a minimum standard across the industry.

The regulation requires the local government to prepare each month a statement of financial activity as per attachment. This statement is intended to report on the sources and application of funds highlighting variances to budget for the month in question.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The Model Monthly Financial Statements cost \$430 (2018/19) and will be an ongoing annual expense if the latest model is needed. Staff time is used to update and customise the template for Council preferences.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

COMMUNITY CONSULTATION

Nil.

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating considered Low – Comprehensive Monthly Financial Reports in accordance with the Local Government’s Financial Regulation 34.

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low. Risk Mitigated through compliance with legislation and sound financial management policies and processes in place.

Operation – Risk Matrix Rating considered Low – Level verified through Council Financial Audits.

Natural Environment – Risk Matrix Rating considered Low.

COMMENT

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The Model Template has been updated to include profit and loss statements for the Caravan Park. The Statements can continue to be updated and customised to include relevant information for Council and Staff and to work with improved Management Accounting practices.

10.1 Geographical Names Advisory Committee Minutes – 27th January 2021

Meeting Date	25 th February 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Geographical Names Advisory Committee Minutes
Owner/Applicant	Shire of Quairading
Disclosure of Interest	n/a

OFFICER RECOMMENDATION

RESOLUTION: 111-20/21

MOVED Cr Jo Haythornthwaite SECONDED Cr Cowcill

That Council receive the Minutes of the Geographical Names Advisory Committee Minutes held on the 27th January 2021.

CARRIED 8/0

That Council consider each of the Committee’s following recommendations individually: -

1) Light Industrial Subdivision Road Name

RESOLUTION: 112-20/21

MOVED Cr Stacey SECONDED Cr McGuinness

RECOMMENDATION: GEO1-20/21

That the Geographical Names Advisory Committee Recommend to Council that: -

1. That Council support the Road Name "Hinkley Way" for the Road within the new Light Industrial Subdivision.
2. That the CEO be authorised to finalise the Submission for lodgement with Landgate for consideration by the State Geographic Names Committee.

CARRIED 8/0

2) Naming of Quairading Community Nature Reserve

RESOLUTION: 113-20/21

MOVED Cr Hippisley SECONDED Cr Jo Haythornthwaite

RECOMMENDATION: GEO2-20/21

That the Geographical Names Advisory Committee Recommend to Council that: -

1. The Proposal to rename the Quairading Community Nature Reserve to "Nookaminnie Rock Nature Reserve" and the naming of the Walk Trails as the "Rowlie Mellor Walk Trails" be listed for Consideration at the next meeting of the RAP Committee.
2. Subject to Support from the RAP Committee, Council support the renaming of Reserve No.16405 from the Quairading Community Nature Reserve to the Nookaminnie Rock Nature Reserve.

3. That the CEO be authorised to finalise the Submission for lodgement with Landgate for consideration by the State Geographic Names Committee.
4. Council support the naming of the Walk Trail Network as the Rowlie Mellor Walk Trails.

CARRIED 8/0

IN BRIEF

- Council's Geographical Names Advisory Committee held its first Meeting on 27th January 2021.
- The Terms of Reference of the Geographical Names Advisory Committee required the Committee to consider and propose a name for the new LIA road to the February 2021 Ordinary Council Meeting.
- Committee was also to consider the renaming of the Quairading Community Nature Reserve and then to submit a proposal for Council's consideration.
- There has been a strong push by the State Government for the Dual / Indigenous Naming of Geographical features and places.
- Consultation with relevant Noongar Elders is a Condition of any renaming or proposed Indigenous Name.
- Landgate have advised that Council's Reconciliation Action Plan (RAP) Committee is an appropriate Consultation structure to satisfy the Consultation requirements.
- State Government Approval will be required for any change to the current name of the Reserve and for the new Road name.

MATTER FOR CONSIDERATION

Minutes of the 27th January 2021 Meeting of the Geographical Names Advisory Committee include two (2) Recommendations to Council.

BACKGROUND

In Western Australia the practice of officially naming features, localities and roads is covered under Section 26 and 26A of the Land Administration Act 1997. Adherence with the policies and standards set out in Landgate's "Policies and Standards for Geographic Naming in Western Australia" is mandatory.

The Geographic Names Committee, based at Landgate, has the responsibility of collecting, approving and registering place and road names in Western Australia.

In respect to the naming of new roads, topographical features, points of interest, administrative boundaries and localities, the Geographic Names Committee (GNC) requires that the Local Authority provides endorsement for any names submitted.

STATUTORY ENVIRONMENT

Policies and Standards for Geographical Naming in Western Australia Version 03:2017

Land Administration Act 1997

26. Land districts and townsites, constitution etc. of

(1) In this section –

townsite –

(a) means townsite constituted under subsection (2); and

- (b) except in subsection (2)(a), includes land referred to in clause 37 of Schedule 9.3 to the *Local Government Act 1995*.
- (2) Subject to section 26A, the Minister may by order –
 - (a) constitute land districts and townsites; and
 - (b) define and redefine the boundaries of, name, rename and cancel the names of, and, subject to this section, abolish land districts and townsites; and
 - (c) name, rename and cancel the name of any topographical feature, road or reserve.
- (3) An order made under subsection (2) may include such matters enabled to be effected under an order made under another provision of this Act as the Minister thinks fit.

[Section 26 amended: No. 38 of 2005 s. 8.]

26A. New subdivisions, names of roads and areas in

- (1) If a person delivers a diagram or plan of survey of a subdivision of land approved by the Planning Commission to a local government, and the proposed subdivision includes the provision of a road for use by the public, that person must also deliver to the local government the name proposed to be given to the road.
- (2) The local government may require the person so subdividing the land –
 - (a) to propose a name for the proposed road or, if a name has already been proposed, to alter that name; and
 - (b) to propose a name for the area the subject of the proposed subdivision, or if a name has already been proposed, to alter that name.
- (3) If the local government approves a name proposed under subsection (1) or (2), the local government is to forward the proposal to the Minister.
- (4) The Minister may –
 - (a) approve the proposed name; or
 - (b) direct the local government to reconsider the proposed name, having regard to such matters as the Minister may mention in the direction; or
 - (c) refuse to approve the proposed name.
- (5) A person must not –
 - (a) assign a name to the area or road unless the name is first approved by the Minister;
 - (b) alter or change a name that has been so assigned, whether initially or from time to time, to the area or road unless the Minister first approves of the alteration or change of that name.

Penalty: \$1 000 and a daily penalty of \$100.

[Section 26A inserted: No. 38 of 2005 s. 9.]

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

Nil – at this time. If Approval granted Signage Costs would be accommodated for in the 2021/2022 Budget.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability
G3	Community Engagement

COMMUNITY CONSULTATION

Proposed Consultation through the RAP Committee, prior to the Nature Reserve proposal being lodged with Landgate for Consideration by the GNC.

Recommended by Landgate that the renaming of the Walk Trails also be considered through the RAP Committee.

Public Consultation not required for the Street Name for the new Road in the LIA Development.

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating is assessed as Low.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. Council is following the State Government’s Policies and Standards for Geographic Naming in Western Australia. Failure to follow the Guidelines and advice from Landgate Officers may lead to increased Reputational Risk.

Operation – Risk Matrix Rating is assessed as Low.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

Nil, Further Comment

10.2 Annual Electors Meeting Minutes – 2nd February 2021

Meeting Date	25 th February 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Annual Electors Meeting Minutes
Owner/Applicant	Shire of Quairading
Disclosure of Interest	n/a

OFFICER RECOMMENDATION

RESOLUTION: 114-20/21

MOVED Cr Stacey SECONDED Cr McGuinness

That Council receive the Minutes of the Annual Electors Meeting held on the 2nd February 2021.

CARRIED 8/0

IN BRIEF

- Annual Electors Meeting held on 2nd February 2021
- No Decisions made at the Electors Meeting
- Various Issues were raised by Electors and recorded in the Minutes.

MATTER FOR CONSIDERATION

Minutes of the 2nd February 2021 Meeting of the Annual Electors Meeting be received by Council.

BACKGROUND

The Annual Meeting of Electors was held on the 2nd February 2021 in accordance with Section 5.27 of the Local Government Act.

STATUTORY ENVIRONMENT

Local Government Act 1995

5.27. Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

5.29. Convening electors' meetings

- (1) The CEO is to convene an electors' meeting by giving –
 - (a) at least 14 days' local public notice; and
 - (b) each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.

- (2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.

5.30. Who presides at electors' meetings

- (1) The mayor or president is to preside at electors' meetings.
- (2) If the circumstances mentioned in section 5.34(a) or (b) apply the deputy mayor or deputy president may preside at an electors' meeting in accordance with that section.
- (3) If the circumstances mentioned in section 5.34(a) or (b) apply and –
 - (a) the office of deputy mayor or deputy president is vacant; or
 - (b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president,

then the electors present are to choose one of the councillors present to preside at the meeting but if there is no councillor present, able and willing to preside, then the electors present are to choose one of themselves to preside.

5.31. Procedure for electors' meetings

The procedure to be followed at, and in respect of, electors' meetings and the methods of voting at electors' meetings are to be in accordance with regulations.

5.32. Minutes of electors' meetings

The CEO is to –

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.

5.33. Decisions made at electors' meetings

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable –
 - (a) at the first ordinary council meeting after that meeting; or
 - (b) at a special meeting called for that purpose,

whichever happens first.

(2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting

Local Government (Administration) Regulations 1996.

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability
G3	Community Engagement

COMMUNITY CONSULTATION

The Annual Electors Meeting was publicised in the Community through various Media. Minimum Notice of the Annual Electors Meeting is prescribed by the Local Government Act.

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating is assessed as Low. Council's Annual Financial Statements were submitted for External Audit and received an Unqualified Audit Report.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. The Annual Report provides Community with an overview of the Year's Operations, Projects and Statutory Reporting obligations. Council has completed its Statutory Requirements. Annual Report is on Council's Website as per legislative requirements.

Operation – Risk Matrix Rating is assessed as Low. Annual Report and conduct of the Electors Meeting undertaken as part of Council's Operations and within Adopted Budget.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

The Local Government Act requires that all Decisions made at an Electors' Meeting are to be considered at the next Ordinary Council Meeting.

Council is informed that whilst various issues were raised by Electors there were no formal Decisions made at the Meeting.

10.3 Strategic Planning Committee Minutes – 9th February 2021

Meeting Date	25 th February 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Minutes of Meeting
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

OFFICER RECOMMENDATION

RESOLUTION: 115-20/21

MOVED Cr McGuinness SECONDED Cr Hippisley

That Council receive the Minutes of the Strategic Planning Committee for its Meeting of 9th February 2021.

CARRIED 8/0

That Council consider each of the Committee's following recommendations individually: -

1) Light Industrial Area (LIA) - Land Development (Confidential Item)

RESOLUTION: 116-20/21

MOVED Cr Jo Haythornthwaite SECONDED Cr McGuinness

RECOMMENDATION: SP15-20/21

That the Strategic Planning Committee recommend to Council: -

1. That Council proceed with Stage 1 of the Light Industry Area Subdivision with the development of two (2) Lots and the Mains Power Substation at a Projected Total Cost of \$714,023 (including Costs to date)
2. The Project be staged over the 2020/2021 and 2021/2022 Financial Years.
3. That Council research External Grant opportunities for the funding of the development of Stage 2 of the Subdivision.

CARRIED 8/0

2) Project Management Status Report

RESOLUTION: 117-20/21

MOVED Cr McGuinness SECONDED Cr Hippisley

RECOMMENDATION: SP16-20/21

That the Strategic Planning Committee recommend to Council: -

That Council receive the Project Management Status Report for February 2021.

CARRIED 8/0

3) Strategic Community Plan Review Report

RESOLUTION: 118-20/21

MOVED Cr Jo Haythornthwaite SECONDED Cr Stacey

RECOMMENDATION: SP17-20/21

That the Strategic Planning Committee recommend to Council: -

That Council receive the Strategic Community Plan Review Report for February 2021.

CARRIED 8/0

4) Review of the Community Grants Process – Business Support Grant Program

RESOLUTION:119-20/21

MOVED Cr McGuinness SECONDED Cr Cowcill

RECOMMENDATION: SP18-20/21

That the Strategic Planning Committee recommend to Council: -

That the matter be held over for the next Strategic Planning Committee Meeting 13th April 2021.

CARRIED 8/0

5) Asset Management Plan Progress Report

RESOLUTION: 120-20/21

MOVED Cr Cowcill SECONDED Cr Hippisley

RECOMMENDATION: SP19-20/21

That the Strategic Planning Committee recommend to Council: -

1. That Council receive the Asset Management Plan Progress Report for February 2021.
2. That the Building Asset Management Plan be included for consideration in the Review of the Long Term Financial Plan and Community Strategic Plan.

CARRIED 8/0

6) Risk Management Quarterly Report

RESOLUTION: 121-20/21

MOVED Cr McGuinness SECONDED Cr Jo Haythornthwaite

RECOMMENDATION: SP20-20/21

That the Strategic Planning Committee recommend to Council: -

That Council receive the Risk Management Quarterly Report for February 2021.

CARRIED 8/0

IN BRIEF

- Strategic Planning Committee Meeting held on the 9th February 2021
- Six Recommendations for Council's Consideration.

MATTER FOR CONSIDERATION

For Council to be informed of discussions and recommendations of the Strategic Planning Committee and to determine its position in regard to the Recommendations.

BACKGROUND

The Strategic Planning Committee met on 9th February 2021 from which there are six (6) recommendations for Council consideration, namely: -

- RESOLUTION: SP15-20/21
- RESOLUTION: SP16-20/21
- RESOLUTION: SP17-20/21
- RESOLUTION: SP18-20/21
- RESOLUTION: SP19-20/21
- RESOLUTION: SP20-20/21

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

SP15-20/21 – Due to timing of the Subdivisional On ground works it is expected that the expenditure for 2020/2021 will be within the Current Budget. Additional Income will also be received from the successful sale of 81 and 83 Heal Street Factory Units.

Budget Provision from the Town Planning and Development Reserve Fund will need to be made in 2021/2022 Year to complete the Subdivision.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

COMMUNITY CONSULTATION

Not required as an operational matter.

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial – Risk Matrix Rating assessed in the individual Items in the Minutes.

Health – Risk Matrix Rating assessed in the individual Items in the Minutes.

Reputation – Risk Matrix Rating assessed in the individual Items in the Minutes.

Operation – Risk Matrix Rating assessed in the individual Items in the Minutes.

Natural Environment – Risk Matrix Rating assessed in the individual Items in the Minutes.

10.4 Review of the Shire of Quairading Delegations

Meeting Date	25 th February 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	(i) Delegation Register for Review (ii) Delegations – Schedule of Authority – under separate cover.
Owner/Applicant	Shire of Quairading
Disclosure of Interest	CEO – Council delegates certain Powers to the CEO

OFFICER RECOMMENDATION

RESOLUTION: 122-20/21

MOVED Cr Stacey SECONDED Cr McGuinness

That Council: -

1. Approves the Delegations made to the Shire President, Chief Bush Fire Control Officer, Chief Executive Officer, Audit & Risk Committee and the Manager of Health and Building as contained in the amended Register of Delegations;
2. Notes the Sub-Delegations from the Chief Executive Officer in the amended Register of Delegations; and
3. Notes the Delegations from other Agencies and Instruments of Delegation or other Acts to the Chief Executive Officer.

CARRIED ABSOLUTE MAJORITY 8/0

IN BRIEF

Legislative Requirement and Good Governance Practice to review the Delegation of Power to the Chief Executive Officer and to Committees (if any) on an Annual basis.

MATTER FOR CONSIDERATION

Annual review and Adoption of the Shire's Delegation Authority Register.

BACKGROUND

Delegations by Council are an effective way to reduce red tape and improve customer satisfaction through prompt decision-making processes. Using the power of delegation appropriately assists local governments to efficiently deal with a wide range of operational matters that are minor, administrative in nature and potentially time consuming.

Certain safeguards are incorporated into delegations such as limiting the use of when a delegation can be exercised as well as granting appeal rights to the Council when an impacted individual is aggrieved with an officer's decision, as set out in Part 9 – Division 1 of the Act.

It is important to note that officers are not obliged to use a delegation; where a matter is determined to be of a contentious nature, the matter can be referred to Council.

As is required by section 5.46 of the Local Government Act 1995, a review of the current delegations has been undertaken by the CEO and the Executive Officer with recommendations on proposed

amendments to the Delegations from Council. This review has been based upon a best practice approach to delegations in local government, referencing the WALGA Delegations template and Guidelines issued by the Department.

Additional guidance has also been sought from Council's Compliance Audit Consultant, Mr Niel Mitchell of Conway Highbury P/L.

STATUTORY ENVIRONMENT

Local Government Act 1995

Building Act 2011

Bush Fires Act 1954

Cat Act 2011

Caravan Parks and Camping Grounds Act 1995

Control of Vehicles (Off-road Areas) Act 1978

Dog Act 1976

Environmental Protection Act 1986

Food Act 2008

Health (Miscellaneous Provisions) Act 1911

Litter Act 1979

Public Health Act 2016

Planning and Development Act 2005

Schedule 2 clause 82(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*

State Administrative Tribunal Act 2004

POLICY IMPLICATIONS

Yes – Review of the current Delegations in place.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

COMMUNITY CONSULTATION

N/A

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial – Risk Matrix Rating assessed as Low. Financial risk mitigated through annual review of all Delegations granted by Council.

Health – Risk Matrix Rating assessed as Low.

Reputation – Risk Matrix Rating assessed as Low. Reputational Risk mitigated through the annual review of the approved Delegations from Council. Failure to conduct a Review would be a non-compliance with the Local Government Act and Regulations and would lead to increased Reputational Risk.

Operation – Risk Matrix Rating assessed as Low. Delegations provide for orderly conduct of Council's Operations and streamlines decision making processes. Review has been conducted in house.

Natural Environment – Risk Matrix Rating assessed as Low.

REVIEW COMMENTS

It has been proposed that there be an amendment to each Delegation be made to clarify that Authority remains with Council and that it is a "Delegation of Power to the CEO".

The following individual Delegations have proposed amendments: -

Delegation A.6 – Payments from Municipal Fund and Trust Fund Bank Accounts

Section 1.0 removed based on Governance Advice that the Management of the Ordering and Procurement is a Function of the role of the CEO as defined in Section 5.41(C)&(D) of the Local Government Act 1995. All procurements must comply with Council's Purchasing Policies and Procedures and must be in the Council's Adopted/Reviewed Annual Budget or by a Council Resolution.

Section 2.0 (renumbered 1.0) remains the same – Only signatories for Council Payments are the CEO, EMCS and the EO. Two signatures or electronic approvals are required for each transaction.

Review proposes that all Cheques be co-signed by two Authorised Signatories. The Current Delegation enables Cheques under \$5000 in value to be signed by only one Authorised Signatory.

Council's Authorised Signatories have already implemented this Practice for all Cheque Payments.

Rates Delegations

Minor Changes in Rates Delegations to reflect that Council's Rates Officer is currently on Parental Leave and the Rates Function is being undertaken by the Senior Finance Officer.

Delegations from other Agencies and Instruments of Delegation or other Acts remain in effect and are unaltered: -

Delegation 52 – Noise Control – Environmental Protection Notices [Reg.65(1)]

Delegation 112 – Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events

Delegation 119 – Noise Management Plans – Construction Sites

Delegation 1738/2002v8; 858/2001 v9 – Instrument of Authorisation - Sign Development Applications for Crown Land as Owner.

10.5 Appointment of Complaints Officer and Adoption of Complaints Form

Meeting Date	25 th February 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	i. Complaint About Alleged Breach Form ii. Local Government (Model Code of Conduct) Regulations 2021 (Web Link)
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 123-20/21

MOVED Cr Jo Haythornthwaite SECONDED Cr McGuinness

That Council:

1. Authorise the Chief Executive Officer to be the Shire's Complaints Officer in accordance with cl. 11(3) of the *Local Government (Model Code of Conduct) Regulations 2021*.
2. Delegates the power of appointment of additional complaints officer(s) to the Chief Executive Officer in accordance with *the Local Government (Model Code of Conduct) Regulations 2021*.
3. Approves the attached Complaint About Alleged Breach Form in accordance with cl. 11(2)(a) of the *Local Government (Model Code of Conduct) Regulations 2021*.

CARRIED BY ABSOLUTE MAJORITY 8/0

IN BRIEF

- The *Local Government (Model Code of Conduct) Regulations 2021*, was gazetted on Tuesday 2nd February 2021 and took effect on the 3rd February 2021.
- This report seeks to inform the Council on recent changes made to legislation and enact some of those changes in accordance with deadlines provided by the State Government.
- Council is required to appoint a Complaints Officer for the Shire of Quairading to be able to receive complaints and withdrawal of complaints in accordance with cl. 11(3) of the Regulations, and to approve a standard form to be used by complainants in accordance with cl. 11(2)(a) of the Regulations.
- Section 5.104 of the *Local Government Act 1995* (Act) requires that local governments adopt a Code of Conduct for Council Members, Committee Members and candidates that incorporates the Model Code of Conduct within three months (by 3rd May 2021).
- Until such time as a local government adopts a new Code of Conduct, the Model Code of Conduct outlined within the *Local Government (Model Code of Conduct) Regulations 2021* will apply.
- To account for any breaches occurring on the first day that the Regulations take effect, local governments must authorise at least one person within three weeks of the Regulations taking effect (being by 24th February 2021).

MATTER FOR CONSIDERATION

Council appointment of a complaints officer for the Shire of Quairading to be able to receive complaints and withdrawals of complaints in accordance with cl. 11(3) of the *Local Government (Model Code of Conduct) Regulations 2021*.

Secondly, Council to approve a standard form to be used by complainants to make a complaint regarding a Council Member, Committee Member or Candidate in accordance with cl. 11(2)(a) of the new Regulations.

Thirdly, Approval is also sought to allow the Chief Executive Officer to be able to authorise additional complaints officer(s) for the purposes of receiving complaints and withdrawals of complaints in accordance with the Regulations.

BACKGROUND

Council's previous Code of Conduct did not have an appointed Complaints Officer or Complaints / Resolution process.

Each local government was previously required to develop their own Code of Conduct and manage behaviour in accordance with that Code.

The new Regulations have been developed to replace these individual Codes by introducing a Model Code of Conduct that applies to Council Members, Committee Members and Candidates for Elections.

The *Local Government (Model Code of Conduct) Regulations 2021*, was gazetted on Tuesday 2nd February 2021 and took effect on the 3rd February 2021.

The purpose of the Model Code is to guide the decisions, actions and behaviours of Members, both in Council and on Council Committees, and of Candidates running for election as a Council Member.

Council is required to adopt a Code of Conduct for Council Members, Committee Members and Candidates that incorporates the Model Code of Conduct within three months, in accordance with section 5.104 of the Act. Until that time, the Model Code of Conduct will be taken to be Council's Code of Conduct.

The Department of Local Government, Sports and Cultural Industries (Department) requires all local governments to appoint a Complaints Officer and approve a Complaint Form by the 24th February 2021 to account for any breaches occurring on the first day that the Regulations take effect. Council will consider this Item on the 25th February 2021, the first opportunity for a Full Council Meeting.

In accordance with the *Local Government (Model Code of Conduct) Regulations 2021*, Council is also required to approve a standard form to lodge complaints of breaches of Division 3 of the Model Code of Conduct. It is recommended that Council adopts the attached Complaint About Alleged Breach Form.

STATUTORY ENVIRONMENT

Local Government Act 1995

Sections 5.103 and 5.104

5.103. Model code of conduct for council members, committee members and candidates

- (1) Regulations must prescribe a model code of conduct for council members, committee members and candidates.
- (2) The model code of conduct must include –
 - (a) general principles to guide behaviour; and
 - (b) requirements relating to behaviour; and

- (c) provisions specified to be rules of conduct.
- (3) The model code of conduct may include provisions about how the following are to be dealt with –
 - (a) alleged breaches of the requirements referred to in subsection (2)(b);
 - (b) alleged breaches of the rules of conduct by committee members.
- (4) The model code of conduct cannot include a rule of conduct if contravention of the rule would, in addition to being a minor breach under section 5.105(1)(a), also be a serious breach under section 5.105(3).
- (5) Regulations may amend the model code of conduct.

[Section 5.103 inserted: No. 16 of 2019 s. 50.]

5.104. Adoption of model code of conduct

- (1) Within 3 months after the day on which regulations prescribing the model code come into operation, a local government must prepare and adopt* a code of conduct to be observed by council members, committee members and candidates that incorporates the model code.

**Absolute majority required.*

- (2) Within 3 months after the day on which regulations amending the model code come into operation, the local government must amend* the adopted code of conduct to incorporate the amendments made to the model code.

**Absolute majority required.*

- (3) A local government may include in the adopted code of conduct requirements in addition to the requirements referred to in section 5.103(2)(b), but any additional requirements –
 - (a) can only be expressed to apply to council members or committee members; and
 - (b) are of no effect to the extent that they are inconsistent with the model code.
- (4) A local government cannot include in the adopted code of conduct provisions in addition to the principles referred to in section 5.103(2)(a) or the rules of conduct.
- (5) The model code is taken to be a local government's adopted code of conduct until the local government adopts a code of conduct.
- (6) An alleged breach of a local government's adopted code of conduct by a candidate cannot be dealt with under this Division or the adopted code of conduct unless the candidate has been elected as a council member.
- (7) The CEO must publish an up-to-date version of a local government's adopted code of conduct on the local government's official website.

Local Government (Model Code of Conduct) Regulations 2021

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

N/A.

COMMUNITY CONSULTATION

No Community consultation was required or undertaken in relation to this report.

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating is assessed as Low

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. It is low risk for Council to appoint the CEO as Complaints Officer and approve the Complaint Form in accordance with the requirements of the Regulations and the Department.

Operation – Risk Matrix Rating is assessed as Low.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

The *Local Government (Model Code of Conduct) Regulations 2021* bring into effect sections 48 to 51 of the Amendment Act by introducing a mandatory code of conduct for Council Members, Committee Members and Candidates.

Until such time as a local government adopts a new Code of Conduct, the Model Code of Conduct outlined within *the Local Government (Model Code of Conduct) Regulations 2021* will apply.

To enable the Shire to be compliant with the legislation changes and be able to process complaints made under Division 3 of the Model Code of Conduct the Shire must:

- appoint a person to receive and withdraw complaints and
- approve a form for complaints to be lodged.

The form that is proposed to be used (Attachment 1) has been created using a template provided by the Department of Local Government, Sport and Cultural Industries.

The Model Code of Conduct Regulations outline:

- Division 2 General Principles - This section of the Regulations set out the fundamental rules that Council Members, Committee Members and Candidates are expected to adhere to, promote and support. Adhering to these rules will assist individuals to comply with the behaviours outlined in Division 3 and 4.
- Division 3 Behaviour – sets out requirements relating to the behaviour of Council Members, Committee Members and Candidates and the mechanism for dealing with alleged breaches of those requirements. Behaviours are to be managed by Local Governments and complaints of alleged breaches of behavioural requirements must be dealt with by the Local Government. The Shire Administration will develop further guidance on dealing with complaints through the introduction of a complementary policy or procedure on complaints management in accordance with Division 3 of the Model Code of Conduct.
- Division 4 Rules of conduct – Under section 5.105(1) of the Act a Council Member commits a minor breach if the Council Member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the Council Member was a Candidate. The rules of conduct are specific rules for which alleged breaches (minor breaches) are referred to the Standards Panel. The Rules of Conduct Regulations are being repealed and replaced by Division 4.

Local governments are required to prepare and adopt a new Code of Conduct by the 3rd May 2021.

Next Steps

CEO and Executive Officer to draft a new Code of Conduct for Council Members, Committee Members and Candidates and present to Council for Adoption prior to the deadline date of the 3rd May 2021.

ITEM 11 MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

No matters for consideration.

ITEM 12 MATTERS FOR CONSIDERATION – WORKS

12.1 RFT 4-20/21 Supply and Delivery of 1 x New Road Grader and the Trade or Outright purchase of 1 x 12M Caterpillar Grader

Meeting Date	25 th February 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMWS Allan Rourke
Attachments	X7 Confidential attachments under separate cover
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

OFFICER RECOMMENDATION

RESOLUTION: 124-20/21

MOVED Cr Stacey SECONDED Cr Cowcill

That Council: -

1. Accept the Tender received for the Supply and Delivery of one (1) New Road Grader from WesTrac Pty Ltd for a Caterpillar 140 L3 for the cost of \$360,000 (ex GST).
2. Accept the Tender received from KCA Sales Pty Ltd for the outright purchase of Council's 2011 Caterpillar 12M Grader for \$150,000 (ex GST).
3. That the Changeover Amount of \$210,000 (ex GST) be fully funded from Council's Plant Replacement Reserve Fund.

CARRIED 8/0

IN BRIEF

- RFT advertised for the Supply and Delivery of new machine and the Trade or Outright Purchase of Council's 12M Caterpillar Grader.
- Whole of life costing based on 8-year replacement was prepared by UNIQCO.
- Three Tender Submissions received for the supply, delivery with trade.
- One Tender Submission received for the supply only no trade
- Four Tender Submissions received for the outright purchase.
- Operator assessment on short listed machines.

MATTER FOR CONSIDERATION

For Council to consider Tender submissions received for the Supply and Delivery of one (1) new Road Grader and Trade or Outright Purchase of Council's 12M Caterpillar Grader.

BACKGROUND

A Request for Tender (RFT) 4-20/21 for the Supply and Delivery one (1) new Road Grader and Trade or Outright Purchase of Council's 12M Caterpillar Grader was advertised in the West Australian on the 16th January 2021, Council's Website, Banksia Bulletin, Passion Sheet and Facebook.

The submissions were assessed using an assessment matrix as shown below:

Price Consideration	Weighting
Whole of life cost	40%
Tendered Price	30%
Description of Qualitative Criteria	
Service and Backup	10%
Warranty	10%
Environmental Impact	10%

The assessment matrix allows Tenders to be evaluated in an unbiased manner where the tenderer with the highest overall points may be considered to be the most advantageous Tender. This is to be used as a guide only during the assessment and is not necessarily binding.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions & General) 1996 Reg. 11

POLICY IMPLICATIONS

The Shire of Quairading Purchasing Policy requires that for prices over \$250,000 Council is to procure services via public tender or by WALGA Preferred Suppliers Program.

FINANCIAL IMPLICATIONS

In the Shire of Quairading 2020/2021 Adopted Budget an allowance has been made of \$220,000 (ex GST) changeover cost. The changeover cost would be \$210,000 (ex GST) should Council accept the Officer's Recommendation.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Built Environment Objective: Planning and infrastructure to meet the needs of the community

ITEM	OUTCOMES AND STRATEGIES
B2	Enhanced and Sustainably Managed Assets and Infrastructure

COMMUNITY CONSULTATION

N/A.

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial – Risk Matrix Rating is considered Low – Change over cost is within Budget.

Health – Risk Matrix Rating is considered Low.

Reputation – Risk Matrix Rating is considered Low – Tenders have been sought as per Council's Purchasing Policy FIN.2 and the LG Act and Regulations.

Operation – Risk Matrix Rating is considered Low – As per the Ten Year Plant Replacement Program. Purchase and changeover of the Grader will not impact upon Council’s operations.

Natural Environment – Risk Matrix Rating is considered Low.

COMMENT

Tender submissions closed on Wednesday 5th February 2020 at 4.00pm. Tender opening was conducted on Monday 8th February 2021 at 12.00pm. Three (3) submissions had been received from three (3) companies for the supply and trade, one (1) submission for supply only, and four (4) submissions of outright purchase via RFT 04-20/21: -

Supply and trade submissions received from:

- WesTrac Pty Ltd
- McIntosh & Son
- AFGRI Equipment Australia Pty Ltd

Supply only submission from:

- Komatsu Australia Pty Ltd

Outright purchase submissions from:

- KCA Sales Pty Ltd
- WA Machinery Brokers Pty Ltd
- Allused Pty Ltd
- Manheim Australia

The three (3) Tender Submissions for supply and trade have been assessed, ranked with Price considerations and Qualitative Criteria Totals is as follows:

Company	Make	Model	Weighted Score (100%)	Ranking
WesTrac Pty Ltd	Caterpillar	140 L3	88.05	1
McIntosh & Son	Case	865B	82.28	3
AFGRI Equipment	John Deere	620GP	84.72	2

The one (1) Tender Submission for supply only has been assessed, ranked with Price considerations and Qualitative Criteria Totals is as follows:

Company	Make	Model	Weighted Score (100%)	Ranking
*Komatsu Australia Pty Ltd	Komatsu	GD655-7	0	N/A

* Komatsu Australia Pty Ltd was not considered as the changeover is over budget.

The three (3) Tender Submissions for supply and outright purchase have been assessed, ranked with Price considerations and Qualitative Criteria Totals is as follows:

Company	Make	Model	Weighted Score (100%)	Ranking
WesTrac Pty Ltd	Caterpillar	140 L3	89.25	1
McIntosh & Son	Case	865B	78.21	3
AFGRI Equipment	John Deere	620GP	86.44	2

The four (4) Tender Submissions for the outright purchase have been assessed as follows (1 being the highest offer and 4 being the lowest offer) ranking is on price only.

Company	Weighted Score
KCA Sales Pty Ltd	1
WA Machinery Brokers Pty Ltd	3
Allused Pty Ltd	4
Manheim Australia	2

- From the above tables, the Tenderer to receive the highest score against the Qualitative Criteria and Price Consideration is WesTrac Pty Ltd for the Caterpillar 140L3.
- Komatsu Australia Pty Ltd Tender submission offered no trade and was assessed against the highest outright purchase price submitted by KCA Sales. The changeover amount was over budget therefore this submission was no longer considered for further evaluation.
- Regarding the sale of Council's 2011 Caterpillar 12M Grader the Officer recommends that it is sold to KCA Sales Pty Ltd as per their Tender submission for outright purchase.

The Executive Manager of Works and Services and Mr Andrew Marnham (Marnham Mechanical) have undertaken an operational and visual assessment of shortlisted machines being the Caterpillar 140 L3 and the John Deere 620GP. The Case 865B was included in the shortlist but the machine was not available in WA to be inspected. The two shortlisted machines inspected were based on the suitability of Council's operational requirements.

Assessment areas that were covered included access to maintenance service points, cab layout, operator comfort, safety and overall suitability for Council's requirements.

Both machines displayed all the necessary requirements from the operational assessment.

Results from the evaluation against the Qualitative Criteria and Price Consideration scores the Caterpillar 140 L3 highest at 89.25 out of 100 for the supply and the outright purchase.

In conclusion, the tender submission from WesTrac Pty Ltd for the Caterpillar 140 L3 delivers the best value to Council in regard to whole of life costings based on an 8-year replacement and demonstrates the suitability for Council's operational requirements.

RESOLUTION: 125-20/21

MOVED Cr Hippisley SECONDED Cr McGuinness

That Council accept new Urgent Councillors Business.

CARRIED 8/0

Petition – Calling on Council to further investigate the future heating of the Quairading leisure pool

Cr Davies proposed to the Meeting, that Council receive the petition presented to Council from Mrs Letty Mills and the Matter be referred to the April 2021 Strategic Planning Committee Meeting for consideration.

RESOLUTION: 126-20/21

MOVED Cr Hippisley SECONDED Cr Cowcill

1. That Council receive the petition from Mrs Letty Mills, calling upon Council to further investigate the future heating of the Quairading leisure pool; and
2. That the matter be referred to the April 2021 Strategic Planning Committee Meeting for Consideration.

CARRIED 8/0

Cr Smith

Dulbelling North Road Standpipe

Cr Smith advised Council that a Ratepayer had recently raised with him the issue of safety concerns with the current location of the standpipe located on the curve of Dulbelling North Road on the York – Merredin Road. In particular, the poor sightlines when entering and exiting the standpipe hardstand area.

The Executive Manager of Works & Services advised that he will contact Water Corporation, Main Roads WA and Contractor Lendlease regarding the standpipe and will seek out practicable options for possible relocation to the standpipe to a more preferred location. This Matter to be reported back to Council.

Cr Hippisley

Cr Hippisley queried the authority and power of Council in regard to considering applications for Garages / Outbuildings when there is not a residence on the subject Lot.

The CEO advised that by definition an Outbuilding has to be associated with a Principal Building / Residence on the Lot.

The CEO took the question on Notice and requested that Cr Hippisley provide the CEO with further information/ background on the Planning enquiry.

ITEM 14 CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)

No matters for consideration.

ITEM 15 NEXT MEETING DATE

The next Ordinary Meeting of Council is scheduled to take place on Thursday 25th March 2021, commencing at 2 pm in the Council Chambers, 10 Jennaberring Road, Quairading.

Cr. Davies thanked Councillors and Staff for their attendance.

ITEM 16 CLOSURE

There being no further business, the Chairman closed the Meeting at 3.11 pm.

I certify the Minutes of the Ordinary Meeting of Council held on 25th February 2021 were confirmed on 25th March 2021 as recorded on Resolution No. 127-20/21

Confirmed.......... 25/03/21