



# Ordinary Council Meeting

Minutes | 28<sup>th</sup> May 2020

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# SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on Thursday 28<sup>th</sup> May 2020 commencing at 2.01 pm.

## ITEM 1 OPENING & ANNOUNCEMENTS

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The Shire President opened the Meeting at 2.01 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 the Member of the Public to the meeting.

Cr Davies advised that an invitation had been extended to Rest a While Coffee - New Business in Town to join Council for Afternoon Tea.

## ITEM 2 ATTENDANCE AND APOLOGIES

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### Councillors

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

### Council Officers

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

### Observers/Visitor

Ms Jill Hayes

### Apologies

Nil

### Leave of Absence Previously Granted

Nil.

## ITEM 3 PUBLIC QUESTION TIME

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No Questions asked.

## ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

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Nil.

## ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

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Nil.

## ITEM 6 DECLARATIONS OF INTEREST

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Councillors to use pro forma declaration of interest handed to Chief Executive Officer prior to meeting or verbal declaration of interest.

Nil, at this time.

## ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

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### 7.1 Confirmation of Minutes – 30<sup>th</sup> April 2020

#### **RESOLUTION: 158-19/20**

#### **MOVED Cr Cowcill SECONDED Cr Hippisley**

That the Minutes of the Ordinary Meeting of Council held on the 30<sup>th</sup> April 2020 be confirmed as a true and accurate.

**CARRIED 8/0**

### 7.2 Business Arising

Cr Davies reported that he did have further information on the CRISP System and that it would be reported on in the Councillor's Information session.

ITEM 8      MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

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*No matters for consideration.*

## ITEM 9 MATTERS FOR CONSIDERATION – FINANCE & AUDIT

### 9.1 Accounts for Payment – April 2020

|                               |  |
|-------------------------------|--|
| <b>Meeting Date</b>           | 28 <sup>th</sup> May 2020  |
| <b>Responsible Officer</b>    | CEO Graeme Fardon  |
| <b>Reporting Officer</b>      | EMCS Nathan Gilfellon  |
| <b>Attachments</b>            | (i) April 2020 Payment List<br>(ii) Transport Takings<br>(iii) Credit Card Statement |
| <b>Owner/Applicant</b>        | Shire of Quairading  |
| <b>Disclosure of Interest</b> | Nil  |

### OFFICER RECOMMENDATION

#### RESOLUTION: 159-19/20

#### MOVED Cr McGuinness SECONDED Cr Stacey

That Council note the following:

1. That Schedule of Accounts for April covering Municipal Vouchers 23714 to 23718 & EFT 7785 to EFT 7856 totalling \$303,950.67 be received and
2. That Police Licensing payments for the month of April 2020 totalling \$15,583.90 be received (Attachment 9.1.2); and
3. That fund transfers to Corporate Credit Card for April 2020 balance totalling \$82.62 be received (Attachment 9.1.3); and
4. That Net Payroll payments for the month April 2020 totalling \$166,751.67; and
5. That the Lease payment for the month of April 2020 on the CESM Vehicle totalling \$1,140.08; and
6. That Superannuation payments for April 2020 totalling \$26,263.04.

**CARRIED 8/0**

### IN BRIEF

Payments are per attached schedules 9.1 1/2/3

### MATTER FOR CONSIDERATION

Note the accounts paid during April 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 2019/2020 Budget.

Payments made for the 2019/20 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 – On Risk Matrix 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 – 30<sup>th</sup> April 2020

|                        |   |
|------------------------|---|
| Meeting Date           | 28 <sup>th</sup> May 2020               |
| Responsible Officer    | CEO Graeme Fardon                       |
| Reporting Officer      | EMCS Nathan Gilfellow                   |
| Attachments            | (i) Financial Statements for April 2020 |
| Owner/Applicant        | Shire of Quairading                     |
| Disclosure of Interest | Nil                                     |

### OFFICER RECOMMENDATION

#### RESOLUTION: 160-19/20

#### MOVED Cr Jo Haythornthwaite SECONDED Cr McGuinness

That Council receive the Monthly Financial Statements for the period ending 30<sup>th</sup> April 2020.

**CARRIED 8/0**

### IN BRIEF

- Monthly Financial Statements for the period ending 30<sup>th</sup> April 2020 attached.
- Monthly Financial Statements have been updated based on the Moore Stephens Monthly Statements Model.
- The Monthly Financial Statements report include the Fund Balances Report and the Variance Report previously reported separately.

### 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. Requests for new Monthly Financial Statements started a search for a new template. The current template is based on the Moore Stephens Monthly Budget Template.

### STATUTORY ENVIRONMENT

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

They have been substituted in accordance with a new Regulation 34. This new 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 new regulations require 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.

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 Moore Stephens 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 Medical Practice, Childcare and 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 Skeleton Weed Program / Avon South Local Action Group**

|                               |  |
|-------------------------------|--|
| <b>Meeting Date</b>           | 28 <sup>th</sup> May 2020  |
| <b>Responsible Officer</b>    | CEO Graeme Fardon  |
| <b>Reporting Officer</b>      | CEO Graeme Fardon  |
| <b>Attachments</b>            | (i) Correspondence from the Mr Brian Kimber of the Department of Primary Industry and Regional Development<br>(ii) Minutes of the Foundation Meeting of the Avon South Local Action Group for Skeleton Weed  |
| <b>Owner/Applicant</b>        | Mr Brian Kimber on behalf of the Avon South Local Action Group.<br>CEO – Nil   |
| <b>Disclosure of Interest</b> | It is reported that the Local Action Group have offered the interim Coordinator’s Position to Mr Brian Kimber. Any appointment would be subject to the successful Funding application submitted by the Local Action Group to the State Department. |

**OFFICER RECOMMENDATION**

**RESOLUTION: 161-19/20**

**MOVED Cr Jo Haythornthwaite SECONDED Cr Hippisley**

That: -

1. Council Support the Avon South Local Action Group for Skeleton Weed covering the Shire Districts of Beverley, Brookton, Quairading and York by holding and administering the Group’s Funding from the Department of Primary Industries and Regional Development and the Grains, Seeds and Hay Industry Fund Scheme for a proposed Period of 3 Financial Years.
2. That Council support the Local Action Group with the employment of the Local Action Group Coordinator on a full Cost Recovery basis.
3. Council review the Support Arrangement on an Annual basis.

**CARRIED 8/0**

**IN BRIEF**

- Council was approached in September 2019 in regard to Council hosting the Finances for a Local Area Action Group (LAG) that has been formed covering the Shire Districts of Quairading, Beverley, Brookton and York.
- Local Rural Landholders / Growers are on the South Avon LAG Establishment Committee.
- LAG’s are administered by the Department of Primary Industries and Regional Development (DPIRD) with full funding sourced from the “Grains, Seeds and Hay Industry Fund Scheme” (GSHIFS)
- LAG’s Funding is directed through a Host Council with Funds being drawn down upon the authorisation of the appointed LAG Executive Office bearers.

- Council will be receiving an Administration Allowance of \$2,000 per Year.
- Further research has been undertaken by the CEO on the operation of LAG's in neighbouring Councils and it is concluded that there will be minimal (if any) impact on Council's Operations whilst providing a valuable State Government and Grower Funded Biosecurity Service within the four Districts.

### **MATTER FOR CONSIDERATION**

Proposal for Council to host the Governance and Finances for the newly formed Local Action Group under the State Government's Skeleton Weed Program.

### **BACKGROUND**

#### Background and Funding

The Skeleton Weed Program began in 1973-74 following the discovery of large infested areas in the Shire of Narembeen District.

The program is delivered by the Department of Primary Industries and Regional Development (DPIRD) under a service delivery arrangement with the Grains, Seeds and Hay Industry Management Committee.

The Committee acts under the Biosecurity and Agriculture Management Industry Funding Schemes (Grains) Regulations 2010 to manage prioritised pests affecting the grains industry.

The Grains, Seeds and Hay Industry Management Committee is funded through contributions raised on the sale of grain, seed and hay.

Services provided by the program are only available to landholders who contribute to the Grains Industry Funding Scheme through the sale of grain, seed or hay. Landholders not under the scheme but who have skeleton weed on their properties are still required to meet their obligations under the program but at their cost.

There are a number of LAG's that have been established under the Program including a LAG each in the Shire of Narembeen and the Shire of Bruce Rock.

The CEO's of both Councils have confirmed that they do administer the funding and also provide support by including the LAG Coordinator on their Payroll and also arrange the lease of the Coordinator's vehicle. Both CEO's commented that the Program works very smoothly and is not a financial or administrative impost upon their respective Council.

Narembeen's LAG Officer has desk space at a transportable office building located within the Light Industrial Area.

Bruce Rock's Officer is based at the CRC, however the Officer is mainly out on the road and in the paddocks with landholders.

Office Accommodation in any one of the Towns is yet to be discussed with the LAG Committee, however there is vacant Office spaces within the CRC Building, which could be negotiated at the Set Hire Charges.

Residential Accommodation is not required as this time as the Interim Coordinator resides

#### Skeleton Weed Program Strategies

- Improve landholders' ability to find and eradicate skeleton weed.
- Increase landholders' awareness of skeleton weed as a highly undesirable weed.
- Widely publicise descriptions and pictures of skeleton weed to help landholders identify infestations.

- Inform landholders about the most up-to-date techniques available for the management and eradication of skeleton weed.
- Encourage local grower groups (Local Action Groups) to participate in cooperative surveillance and reporting of infestations.
- Encourage Local Action Groups to assist in the management and eradication of skeleton weed in their local areas.
- Implement practical compliance regimes in affected areas.
- Provide landholders with incentives to report infestations.
- Provision of winter control treatments where landholders are compliant with program requirements.

### STATUTORY ENVIRONMENT

Local Action Groups are established and funded under Biosecurity and Agriculture Management Industry Funding Schemes (Grains) Regulations 2010.

### POLICY IMPLICATIONS

N/A.

### FINANCIAL IMPLICATIONS

Nil to Council – the LAG is fully funded, with Council also receiving an Administration Allowance of \$2,000 per Year in recognition of being Host Council for the Funds.

The mechanisms of receipt and payment are to be investigated and any accounting income or expenditure will be included in the 2020/21 Budget.

### STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

#### Economic Objective: Growing economy and employment opportunities

| ITEM  | OUTCOMES AND STRATEGIES   |
|-------|---|
| ED1   | Economic diversity and resilience   |
| ED1.1 | Economic and tourism development, including: <ul style="list-style-type: none"> <li>▪ leverage Federal and State Government priorities and programs (e.g. building the capacity of local industry to undertake Local and State Government contracts)</li> </ul> |

#### Natural Environment Objective: To preserve and sustain our natural environment

| ITEM  | OUTCOMES AND STRATEGIES  |
|-------|--|
| NE2   | Protected and valued natural areas   |
| NE2.1 | Manage regulation of vegetation clearing   |
| NE2.2 | Ensure nature reserves and reserves are well managed to meet the needs of the community to enjoy natural areas |

#### Governance Objective: Strong governance and community engagement

| ITEM | OUTCOMES AND STRATEGIES   |
|------|---|
| G2   | Strengthened Advocacy and Partnerships  |
| G2.1 | Partnerships with and advocacy to Federal and State Government to strengthen service provision within the Shire |
| G2.3 | Regional and sub-regional partnerships to achieve better outcomes for the community                             |

## **COMMUNITY CONSULTATION**

Interest Meetings have been held in the Region with a view to establishing the Local Area Group of the Shire Districts of Beverley, Brookton, Quairading and York.

Quairading LCDC have been briefed on the Role and Function of a Local Action Group.

The Skeleton Weed Program and the work of Local Action Groups was displayed on the LCDC Display at the 2019 Quairading Agricultural Show. DPIRD Officer, Mr Brian Kimber was present at the Agricultural Show to promote the Program and to answer any question from the Public who visited the Display.

Local Growers Todd Mills and Chad Mills are Members of the LAG Committee.

There have been a number of Growers who have been approached and support the establishment of the LAG in the four Districts.

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

Financial - Risk Matrix Rating is assessed as Low. The Skeleton Weed Program (through the LAG) is fully funded from the Grains, Seeds and Hay Industry Fund Scheme. Council is only to warehouse the funds and they are only drawn down / used with written authority from the LAG and in accordance with the Group's Deliverable under their Funding Agreement with DPIRD. Enquiries with neighbouring Councils with LAG's, advise that they have had no issue with the operation and administration of the LAG funds or the Program and they have been operating successfully for many years.

Health – Risk Matrix Rating is assessed as Low.

Reputation – Risk Matrix Rating is assessed as Low. Council's role is to hold the funds for the LAG and have the Coordinator on Council's Payroll.

Operation – Risk Matrix Rating is assessed as Low. Management of the LAG Funds can be accommodated within Council's day to day Operations. All procurements for the Program would be through and in accordance with Council's Purchasing Policies and Procedures.

Natural Environment – Risk Matrix Rating is assessed as Low for Council. Skeleton Weed has a major adverse impact on Agricultural Production.

## 10.2 Purchasing Policy Review

|                               |   |
|-------------------------------|---|
| <b>Meeting Date</b>           | 28 <sup>th</sup> May 2020                       |
| <b>Responsible Officer</b>    | CEO Graeme Fardon                               |
| <b>Reporting Officer</b>      | CEO Graeme Fardon                               |
| <b>Attachments</b>            | (i) Purchasing Policy (with Tracked Amendments) |
| <b>Owner/Applicant</b>        | Shire of Quairading                             |
| <b>Disclosure of Interest</b> | Nil   |

### OFFICER RECOMMENDATION

#### RESOLUTION: 162-19/20

#### **MOVED Cr Smith SECONDED Cr Hippisley**

That Council adopt the revised FIN.2 Purchasing Policy to comply with the recent and foreshadowed amendments to the Local Government (Functions and General) Regulations 1996.

**CARRIED 8/0**

### IN BRIEF

- The State Government has amended the Local Government (Functions and General) Regulations 1996 to increase the Tender Threshold from \$150,000 to \$250,000.
- In addition, new provisions were made in the legislation to remove the requirement to go to Public Tender in Declared Emergencies for Goods and Services directly relating to the Emergency.
- The Revised Policy also includes the adjustment of the other Thresholds in the Purchasing Policy to enable Management to more effectively procure Goods and Services without diminishing the level of governance, accountability and transparency required by Council.
- The principle of "Local Buy" has been incorporated into the proposed Revised Policy.
- The proposed changes are desirable to ensure robust compliance with applicable State Regulation.
- This policy assists with maintaining a strong governance framework with respect to the procurement of goods, services and works for Council.

### MATTER FOR CONSIDERATION

That Council consider the revised Purchasing Policy for adoption.

### BACKGROUND

Council last reviewed the Purchasing Policy in September 2018. The Policy is ordinarily reviewed every two (2) years.

As part of recent Covid-19 legislation, the State Government has amended the Local Government (Functions and General) Regulations 1996 to increase the Tender Threshold from \$150,000 to \$250,000.

This is a permanent change to the Threshold in Regulation 11.

Therefore, it is necessary for Council to amend its Policy to reflect the new Threshold prescribed by Legislation.

In line with Council's ongoing policy review process, the Purchasing Policy has been reviewed in light of the updated West Australian Local Government Association (WALGA) Model Purchasing Policy and internal review of purchasing processes.

The Management Team propose that it is timely for Council to consider the Variation of the lowest Threshold in the Policy from \$5,000 to \$10,000 which relates to Purchases that can made by Authorised Delegated Officers with one written or verbal Quotation.

The amendment is sought to alleviate the difficulties encountered by Staff with Purchases that are just over the \$5,000 Threshold and requiring a written second quote. Many of these procurements involve local businesses and Contractors and a second Quotation needs to be sought from outside of the District to comply with the current Policy. The regional businesses who are being asked for the second quote are aware that Council has a "Buy Local" policy and that the second quote is being sought for both comparison and Policy compliance reasons.

The seeking of the second quote often does not lead to "Better Value" being achieved and can prolong the purchasing process.

WALGA recently published an updated version of its Model Purchasing Policy template (available to Governance and/or Procurement subscribers) to address the recent amendments to the *Local Government (Functions and General) Regulations 1996* and have updated the 'Local Buy' policy principles to align with Premier McGowan and Minister Templeman's request for Local Government goods and services expenditure to be invested toward economic support of local businesses.

The recommended Revised Purchasing Policy has been based on the Principles included in the WALGA Model Policy.

The key amendments are provided below: -

*Local Government (Functions and General) Regulations 1996*

An increase to the tender threshold to \$250,000.

Removing the requirement to publicly invite tenders during a state of emergency for:

- the supply of goods or services associated with a state of emergency and
- a contract renewal or extension of no more than 12 months when the original contract is to expire within three months.

## **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, Part 4**

Reg 11. When tenders have to be publicly invited

(1A) In this regulation –

state of emergency declaration has the meaning given in the Emergency Management Act 2005 section 3.

- (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 \$250 000 unless subregulation (2) states otherwise.

#### 11A. Purchasing policies for local governments

- (1) A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250 000 or less or worth \$250 000 or less.
- (2) A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).
- (3) A purchasing policy must make provision in respect of –
  - (a) the form of quotations acceptable; and
  - (ba) the minimum number of oral quotations and written quotations that must be obtained; and
  - (b) the recording and retention of written information, or documents, in respect of –
    - (i) all quotations received; and
    - (ii) all purchases made.

#### **POLICY IMPLICATIONS**

Amendment to this Policy.

#### **FINANCIAL IMPLICATIONS**

There are no direct financial implications of adopting the proposed changes to the purchasing policy, however the proposed changes are aimed at ensuring that the Shire of Quairading obtains value for money in its purchasing in a legally and ethically compliant manner.

#### **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 |
| G4   | Sound Organisation  |
| G4.3 | Ensure optimum organisational capacity and efficiency         |

#### **CONSULTATION**

The proposed changes relate to improvement of internal processes. Accordingly, it was determined that no public consultation is required.

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

Financial - Risk Matrix Rating is assessed as Low. Purchasing policy is required by legislation and provides Governance direction to Management and to the Delegated Purchasing Officers.

Health – Risk Matrix Rating is assessed as Low



Reputation – Risk Matrix Rating is assessed as Low. Risk is mitigated through the regular review of the Policy to align it with legislation and Industry Best practice. Failure to comply with the Policy by Management will result in an escalated Fraud Risk and Reputational Risk.

Operation – Risk Matrix Rating is assessed as Low. Processes in accord with the Policy are already incorporated into Council's day to day Operations.

Natural Environment – Risk Matrix Rating is assessed as Low.

### **COMMENT**

Under the Local Government Act, Council is able to make, amend and revoke Policies to assist Council with performing its Executive functions and Statutory obligations.

This policy was last reviewed and adopted on 27<sup>th</sup> September 2018 (Resolution No. 41-18/19) as part of the Policy Review Project.

ITEM 11      MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

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*No matters for consideration.*

## ITEM 12 MATTERS FOR CONSIDERATION – WORKS

---

### 12.1 RFT 05-19/20 Supply and Delivery of one New Compact Tracked Loader and the Trade or Outright purchase of one x 2008 Caterpillar Skid Steer Loader

|                        |   |
|------------------------|---|
| Meeting Date           | 28 <sup>th</sup> May 2020                         |
| Responsible Officer    | CEO Graeme Fardon                                 |
| Reporting Officer      | EMSW Allan Rourke                                 |
| Attachments            | 2 X Confidential attachments under separate cover |
| Owner/Applicant        | Shire of Quairading                               |
| Disclosure of Interest | Nil.  |

#### OFFICER RECOMMENDATION

##### RESOLUTION: 163-19/20

##### MOVED Cr Jo Haythornthwaite SECONDED Cr McGuinness

That Council: -

1. Accept the Tender received from Clark Equipment Sales for the Supply and Delivery of one (1) New Compact Tracked Loader being a Bobcat T595 for the cost of \$86,650 (ex GST) and the Trade of Council's 2008 Caterpillar 226B Skid Steer Loader of \$16,000 (ex GST).
2. Notes that the Changeover Amount of \$70,650 (ex GST) will be fully funded from Council's Plant Replacement Reserve Fund.
3. Amend the Current Budget Capital Expenditure from \$85,000 to \$86,650, Proceeds from Sale from \$12,000 to \$16,000 and reduce transfer from Plant Reserve from \$73,000 to \$70,650.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

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#### IN BRIEF

- Request for Tender (RFT) advertised for the Supply and Delivery of new machine and the Trade or Outright Purchase of Council's Caterpillar Skid Steer Loader.
- Whole of life costing based on 7-year replacement was prepared by UNIQCO.
- Five Tender Submissions received for the supply, delivery with trade.
- Two Tender Submissions received for the outright purchase.
- Operator assessment on short listed machines was carried out by the EMWS.

#### MATTER FOR CONSIDERATION

For Council to consider the Officers' Tender Evaluation of the submissions received for the Supply and Delivery of one (1) new Compact Tracked Loader and Trade or Outright Purchase of Council's 2008 Caterpillar 226B Skid Steer Loader.

#### BACKGROUND

A RFT was advertised in the West Australian on the 22<sup>nd</sup> April 2020, Council's Website, Banksia Bulletin and Passion Sheet.

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

| Price Consideration  | Weighting |
|----------------------|-----------|
| Whole of life cost   | 40%       |
| Tendered Price       | 30%       |
| 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 Section 3.57

LOCAL GOVERNMENT (FUNCTIONS AND GENERAL) REGULATIONS 1996 - REG 11

11. When tenders have to be publicly invited

(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 subregulation (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.

It is highlighted that this was current legislation at the start of the procurement process

## POLICY IMPLICATIONS

The Shire of Quairading Purchasing Policy FIN.2, requires that for prices over \$150,000 Council goes to public tender. WALGA's preferred supplier list allows for the tender process to be waived in lieu of seeking quotations from suppliers on WALGA's 'preferred supplier list'.

## FINANCIAL IMPLICATIONS

In the Shire of Quairading 2019/2020 Adopted Budget, an allowance has been made of \$73,000 (ex GST) changeover cost. The recommended changeover cost would be \$70,650 (ex GST) should Council accept the Officers' 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 – in accordance with the Ten Year Plant Replacement Program. Purchase and changeover of the Compact Tracked Loader will not impact upon Council's operations.

Natural Environment – Risk Matrix Rating is considered Low.

### COMMENT

Tender submissions closed on Friday 8<sup>th</sup> May 2020 at 4.00pm, Tender opening was conducted on Monday 11<sup>th</sup> May 2020 at 1.00pm five (5) submissions had been received from five (5) companies for the supply and trade and two companies for the outright purchase via RFT 05-19/20: -

#### Supply and Trade

- Porter Equipment Australia
- ASV Sales and Services
- WesTrac Pty Ltd
- Clark Equipment Sales
- Source Machinery

#### Outright Purchase

- Allused Equipment Pty Ltd
- Smith Broughton Auctioneers

Source Machinery Tender submission was a late submission and was not accepted.

The four complying submissions for the Supply and Trade have been assessed and scored against Price considerations and Qualitative Criteria. Totals are as follows:

| Company                    | Make        | Model | Weighted Score |
|----------------------------|-------------|-------|----------------|
| Porter Equipment Australia | ASV         | RT65  | <b>85.26</b>   |
| *ASV Sales and Service     | ASV         | RT65  | <b>0</b>       |
| *WesTrac                   | Caterpillar | 259D3 | <b>0</b>       |
| Clark Equipment Sales      | Bobcat      | T595  | <b>88.00</b>   |

\*Note: The Tender submissions from ASV Sales and Service and WesTrac were not considered as they were too far over the Changeover budget.

As the trade prices are better value to Council the two tender submissions received for the outright purchase have not been recommended.

From the above table, the Tenderer to receive the highest score is Clark Equipment Sales for the Bobcat T595.

The Executive Manager of Works and Services and the Works Staff have undertaken an operational and visual assessment of the ASV RT65 Machine.

The Executive Manager of Works and Services has undertaken an operational and visual assessment of the Bobcat T595 Machine.

The inspections 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.

In conclusion, based on the evaluation made, the tender submission from Clark Equipment for the Bobcat T595 is the preferred machine.

## ITEM 13 URGENT COUNCILLORS' BUSINESS

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**RESOLUTION: 164-19/20**

**MOVED Cr Hippisley SECONDED Cr Stacey**

That Council accept Urgent Councillors' Business.

**CARRIED 8/0**

### 13.1 District Tourism Promotion on GWN7

#### Cr Smith

Cr Smith raised Council's recent deferral of the District Tourism Promotion to the Draft Budget Workshops. In light of the significant easing of the COVID-19 Regional travel restrictions, Cr Smith sought reconsideration of the Promotion in this financial year and also to take advantage of the State Government's Regional Tourism Campaign. Cr Smith proposed that Council proceed with the production of the District Tourism Advertisement on GWN7 within the parameters of the current financial year's Tourism Promotion budget.

**RESOLUTION: 165-19/20**

**MOVED Cr Smith SECONDED Cr Hippisley**

That Council authorise the Chief Executive Officer to proceed as soon as possible with the production of the Tourism Advertising on GWN7 to a maximum budget allocation of \$12,000 for the 2019/2020 financial year.

**CARRIED 6/2**

Cr Smith further reported on behalf of Roe Tourism Association of a proposal being considered by the Group titled "1 MAN & A BIKE" Television Series through the region. The 5-episode Series will have a strong focus on tourism promoting Western Australia's road trip possibilities.

Cr Smith suggested that Council should consider this opportunity to promote the District of Quairading and commented that further information will be provided to all Councillors for consideration at the June 2020 Ordinary Council Meeting.

Council then discussed the interpretation or definition of "Urgent Councillors' Business" and requested that the CEO undertake research on the Governance aspects of Urgent Business and also how other Councils handle Urgent Matters in their Meeting Agendas.

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

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*No matters for consideration.*

## ITEM 15 NEXT MEETING DATE

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The next Ordinary Meeting of Council is scheduled to take place on Thursday 25<sup>th</sup> June 2020, commencing at 2 pm at the Council Chambers, 10 Jennaberring Road, Quairading. (Venue to be confirmed)

ITEM 16 CLOSURE

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Cr Davies thanked Councillors and Staff and member of the public, Ms Jill Hayes for their attendance.

There being no further business, the Chairman closed the Meeting at 3.22 pm.

I certify the Minutes of the Ordinary Meeting of Council held on 28<sup>th</sup> May 2020 were confirmed on 25<sup>th</sup> June 2020 as recorded on Resolution No. \_\_\_\_\_

Confirmed..... 25/06/20