



*Shire of*  
**Koorda**

*Drive in, stay awhile*

# AGENDA

## Ordinary Council Meeting

To be held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Wednesday 15 November 2023

Commencing 6.00pm

## NOTICE OF MEETING

Dear Elected Members,

Notice is hereby given that the next Ordinary Meeting of Council of the Shire of Koorda will be held on Wednesday, 15 November 2023 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda. The format of the day will be:

6.00pm	Council Meeting
Following conclusion of Council Meeting	Council Forum

Lana Foote  
Acting Chief Executive Officer  
10 November 2023

## DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Koorda for any act, omission or statement or intimation occurring during Council or Committee meetings.

The Shire of Koorda disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, and statement or intimation of approval made by a member or officer of the Shire of Koorda 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 Koorda.

The Shire of Koorda warns that anyone who has any application lodged with the Shire of Koorda must obtain and should only rely on **written confirmation** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Koorda in respect of the application.

To be read aloud if any member of the public is present.

Signed



Lana Foote  
Acting Chief Executive Officer

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**Shire of Koorda  
Ordinary Council Meeting  
6.00pm, Wednesday 15 November 2023**



**1. Declaration of Opening**

The Presiding person welcomes those in attendance and declares the meeting open at X.XXpm.

**2. Record of Attendance, Apologies and Leave of Absence**

**Councillors:**

Cr JM Stratford	President
Cr GW Greaves	Deputy President
Cr NJ Chandler	
Cr GL Boyne	
Cr KM Burrell	

**Staff:**

Miss L Foote	Acting Chief Executive Officer
Mrs K Harrap	Governance Officer

**Members of the Public:**

**Apologies:**

**Visitors:**

**Approved Leave of Absence:**

**3. Public Question Time**

**4. Disclosure of Interest**

The following Councillors have disclosed an interest in item *12.1 – Scheme 3 Amendment 2 - Additional use - CBH workforce accommodation and office.*

Cr Jannah Stratford

Financial – A shareholder in CBH Ltd (CBH) (as grower member/farmer) who holds one share valued at \$2.00 in CBH, a non-distributing co-operative governed under the Co-operatives Act 2009, and which is also a registered charity.

Cr Gary Greaves

Financial - A shareholder in CBH Ltd (CBH) (as grower member/farmer) who holds one share valued at \$2.00 in CBH, a non-distributing co-operative governed under the Co-operatives Act 2009, and which is also a registered charity.

Cr Gina Boyne

Financial – Closely associated (spouse) with a shareholder in CBH Ltd (CBH) (as grower member/farmer) who holds one share valued at \$2.00 in CBH, a non-distributing co-operative governed under the Co-operatives Act 2009, and which is also a registered charity.

Cr Nicholas Chandler

Financial – Employee of CBH.

***Due to a potential loss of a quorum resulting from the above financial interest disclosures, the Acting CEO has applied for statutory participation approval for Councillors Stratford, Boyne, and Greaves under s5.69(3) of the Local Government Act 1995 so that item 12.1 may be addressed at this meeting.***

**5. Applications for Leave of Absence**

**6. Petitions and Presentations**

## 7. Confirmation of Minutes from Previous Meetings

### 7.1. Ordinary Council Meeting held on 18 October 2023

[Click here to view the previous minutes](#)

**Voting Requirements**     Simple Majority     Absolute Majority

#### Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Ordinary Council Meeting held 18 October 2023, as presented, be confirmed as a true and correct record of proceedings.

### 7.2. Special Meeting Minutes for meeting held 23 October 2023

[Click here to view](#)

**Voting Requirements**     Simple Majority     Absolute Majority

#### Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the Special meeting held 23 October 2023, as tabled.

## 8. Minutes of Committee Meetings to be Received

### 8.1. NEWROC Council Meeting Minutes for meeting held 31 October 2023

[Click here to view](#)


**Voting Requirements**     Simple Majority     Absolute Majority

#### Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the NEWROC Council meeting held 31 October 2023, as tabled.

## 9. Recommendations from Committee Meetings for Council Consideration

### 9.1. Adoption of Koorda Awards Committee Terms of Reference

<b>Governance and Compliance</b>		
<b>Date</b>	3 November 2023	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Lana Foote, Acting Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	Nil	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	<a href="#">Koorda Awards Committee Terms of Reference</a>	

#### **Background:**

The Koorda Awards Committee was established at the Special Meeting of Council held 23 October 2023 (RES: 191023), following the 2023 Ordinary Local Government Elections.

The Koorda Awards Committee's Terms of Reference have been drafted and are presented to the Committee, as attached, for consideration and adoption prior to recommending adoption at the Ordinary Council Meeting to be held, 15 November 2023.

#### **Comment:**

Appointment of Elected Members to the Koorda Awards Committee was determined by Council following ordinary local government elections, for a term to expire on the date of the subsequent Ordinary Local Government Elections.

An item will be presented for Council to adopt the terms of reference following this committee meeting.

#### **Consultation:**

Nil.

#### **Statutory Implications:**

The Koorda Awards Committee was established by Council (in its current format) under section 5.8 of the Local Government Act 1995 (the Act) (RES: 191023). Part 5, Subdivision 2 of the Act provides for committees including establishment and appointment of members. Part 5, Subdivision 3 of the Act provides for the quorum, voting, decisions and minutes of committees. The Local Government (Administration) Regulations 1996 also make provisions in regards to committees.

#### **Policy Implications:**

##### **Shire of Koorda Code of Conduct for Council Members, Committee Members and Candidates**

Section 10 of the Shire of Koorda Code of Conduct for Council Members, Committee Members and Candidates provides an expected standard of conduct for council members and committee members appointed to a Committee.

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and Transparent Leadership.

**Financial Implications:**

Nil

**Voting Requirements:**     Simple Majority     Absolute Majority


**Officer Recommendation**

**That the Koorda Awards Committee Terms of Reference be adopted.**



## 9.2. Consideration of Koorda Awards Nominations

In accordance with Section 5.23 (2) (b) of the *Local Government Act 1995*, Council will close the meeting to the public to discuss a matter affecting the personal affairs on persons involved.

<b>Governance and Compliance</b>		
<b>Date</b>	3 November 2023	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Lana Foote, Acting Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	Nil	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	CONFIDENTIAL Nominations - Sent under separate cover.	

### Background:

The Koorda Awards Program was introduced in 2023 to replace the Australia Day Citizenship Awards. Nominations were called for and closed at 4.00pm, 31 October 2023.

There are four award categories;

- Citizen of the Year category, be a person of any age.
- Citizen of the Year - Youth category, be a person aged between 12 to 24 years.
- Citizen of the Year - Senior category, be a person over the age of 65.
- Citizen of the Year - Group category, be a local community group or not-for-profit organisation based within the Shire of Koorda.

Self-nominations will not be accepted. Nominees must be a person who resides in the Shire of Koorda.

- Sitting members of State, Federal and Local Government are not eligible.
- Nominations must be apolitical in nature.
- A person may only be nominated for one category on a nomination form.
- A person may be nominated more than once (in different categories) on separate nomination forms.
- Late entries will not be accepted.

### Comment:

The Koorda Awards Committee is to recommend to Council the Award recipients in each category based on the below selection criteria and process.

### Selection Criteria:

The nomination must demonstrate that the person(s) or group(s) citizenship activities occurred within the Shire of Koorda. External activities that benefitted the Koorda community may be taken into consideration during the selection process.

Nominations will be assessed for an individual or group who has:

- made a significant voluntary contribution to the Koorda community,
- demonstrated leadership on a community issue resulting in the enhancement of community life,

- undertaken a significant initiative that has brought about positive change and added value to community life,
- invested time and effort above the standard expected of any citizen (hours of time volunteered, range of tasks undertaken, and length of service) and is a good role model for the community.

**Selection Process:**

- Successful nominees will be determined by Council and the results kept strictly confidential until the announcement at the award presentation.
- All nominees will be notified prior to the event to allow recipients to invite friends and family to the presentation.
- Presentation of the Citizen of the Year Awards will be held at the Community Christmas Tree on Friday 15 December 2023, at the Koorda Primary School.
- Shire of Koorda reserves the right to withdraw any awards issued to recipients who bring the awards program or Shire of Koorda into disrepute.

**Consultation:**

Nil.

**Statutory Implications:**

Nil.

**Policy Implications:**

Nil.

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

1.2.1 - Recognise and support the value of our community volunteers and provide meaningful opportunities to contribute to Shire projects and improving local living.

**Financial Implications:**

Minor. Any purchase of medallion for winners is included in the operating budget.

**Voting Requirements:**     Simple Majority     Absolute Majority


**Committee Recommendation**

**That Council endorse the recipients of the 2023 Koorda Awards Program as determined and discussed at the Koorda Awards Committee meeting held on 15 November 2023.**

**10. Announcements by the President without Discussion**

## 11. OFFICER'S REPORTS – CORPORATE & COMMUNITY

### 11.1. Monthly Financial Statements

<b>Corporate and Community</b>		
<b>Date</b>	10 November 2023	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Lana Foote, Acting Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	<a href="#">October 2023 Financial Activity Statement</a>	

#### **Background:**

This item presents the Statement of Financial Activity to Council for the period ending 31 October 2023.

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare financial reports.

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* set out the form and content of the financial reports, which have been prepared and presented to Council.

#### **Comment:**

All financial reports are required to be presented to Council within two meetings following the end of the month that they relate to.

These reports are prepared after all the end-of-month payments and receipts have been processed.

#### **Consultation:**

LG Best Practices

#### **Statutory Implications:**

Council is required to adopt monthly statements of financial activity to comply with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

#### **Policy Implications:**

Finances have been managed in accordance with the Shire of Koorda policies.

#### **Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

4.1.1 – Ensure the use of resources is effective, efficient and reported regularly.

#### **Financial Implications:**

Nil

**Voting Requirements:**  Simple Majority  Absolute Majority

**Officer Recommendation**

**That Council, by Simple Majority, pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the statutory Financial Activity Statement report for the period ending 31 October 2023, as presented.**

## 11.2. List of Accounts Paid

<b>Corporate and Community</b>		
<b>Date</b>	10 November 2023	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Lana Foote, Acting Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	<a href="#">List of Accounts Paid</a>	

### Background:

This item presents the List of Accounts Paid, paid under delegated authority, for the period 12 October 2023 to 9 November 2023.

### Comment:

The List of Accounts Paid as presented has been reviewed by the Acting Chief Executive Officer.

### Consultation:

Finance Team

### Statutory Implications:

Regulation 12 and 13 of the *Local Government (Financial Management) Regulations 1996* requires that a separate list be prepared each month for adoption by Council showing creditors paid under delegate authority.

### Policy Implications:

Finances have been managed in accordance with the Shire of Koorda policies. Payments have been made under delegated authority.

### Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1.1 - Ensure the use of resources is effective, efficient and reported regularly. (e.g. Financial Management)

### Financial Implications:

Funds expended are in accordance with Council's adopted 2023/2024 Budget.

**Voting Requirements:**    Simple Majority    Absolute Majority

**Officer Recommendation**


That Council, by Simple Majority, pursuant to Section 6.8(1)(a) of the *Local Government Act 1995* and Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*, receives the report from the Acting Chief Executive Officer on the exercise of delegated authority in relation to creditor payments from the Shire of Koorda Municipal Fund, as presented in the attachment, and as detailed below:

For the period 12 October 2023 to 9 November 2023

Municipal Voucher V232 to V304	Totalling \$ 817,216.03
Credit Card Transaction (V237)	Totalling \$ 7,392.17
	Total \$ 824,608.20

**12. OFFICER’S REPORTS – GOVERNANCE & COMPLIANCE**

**12.1. SCHEME 3 AMENDMENT 2 – Additional use - CBH workforce accommodation and office, Lot 19, Orchard Street, Koorda**

<b>Governance and Compliance</b>		
<b>Date</b>	7 November 2023	
<b>Location</b>	Not applicable	
<b>Responsible Officer</b>	Lana Foote, Acting Chief Executive Officer	
<b>Author</b>	Paul Bashall, Planwest	
<b>Legislation</b>	<i>Planning and Development Act 2005 and Shire of Koorda Local Planning Scheme No 3 (the Scheme).</i>	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	<a href="#">Scheme Amendment Report (CLE)</a>	

**Background:**

CLE Town Planning + Design consultants, on behalf of CBH, have lodged a proposed Scheme Amendment to allow the development of a CBH office complex on the western portion of Lot 19 Orchard Street, Koorda currently zoned Residential. **Figure 1** shows the location of the proposed amendment property.

**FIGURE 1 – LOCATION PLAN**



Source: Landgate, ESRI, Planwest

**Comment:**

The Council is keen to provide for the proposed CBH development in Koorda and has supported the Scheme Amendment to insert two new 'Additional uses' on the subject land to allow both the CBH office and the workforce accommodation. The Additional uses will make these uses permissible - notwithstanding that an office is not ordinarily permitted in a Residential zone.

A workforce accommodation complex, housing 24 workers, has already been approved under clause 4.4.2 of the Scheme (uses not listed) and development works are currently under way.

The nature, appearance and movement patterns of a typical workforce accommodation development usually involves activities and movements that often do not sit comfortably within a residential area. The proposed site is currently unused (apart from the building works of the workforce accommodation units) and has no existing sensitive uses within close proximity. The adjacent uses on Orchard Street include a drive-in cinema and drum recycling operation – both of which have been operational for decades.

The logical location for an office complex would normally be in the Town centre zone, however there are no sites available that would have the capacity for the proposed development.

The details of the siting, landscaping, bushfire measures, plans, elevations, servicing and access issues can be dealt with at the Development Approval (DA) stage.

On request, the Amendment documentation has been modified to discuss various issues that may impact this proposal. Most changes have been addressed, however there are still outstanding issues that may be of concern in the development of the project - but are not considered as 'showstoppers' for this Amendment.

These issues include;

1. The Engineering Services Report (McDowall Affleck Pty Ltd) states that the *geotechnical report also indicated possible shallow rock that their borehole auger was not able to penetrate*. This observation may have a serious impact on the capacity of the proposed drainage system to adequately deal with effluent disposal and stormwater on site in all weather events. The Report states that the office component has not been included in the wastewater or drainage calculations. Although this is reasonable (as a DA for the office component has yet to be lodged and determined), the Council may be concerned that, in the event that drainage overflows into the public road and drainage system, it would require more of the Council's resources. This issue was not addressed in the Scheme Amendment report.
2. The Engineering Services Report states that there is doubt whether the existing power infrastructure has the capacity to service the proposed development. The Report states *'The forecasted capacity is estimated to remain at this capacity until 2029 noting that there is currently no plan for increasing this capacity for the next 6 years'*, but then states that *the site can ultimately be serviced with overhead power considering possible power works to service the site*. Although this is not an issue that needs to be addressed at the Scheme Amendment stage, it is an issue that must be resolved at the development stage to ensure the extra draw on the power grid does not impact other town users, and an issue that should have been addressed in the Scheme Amendment report.
3. The Scheme Amendment report includes 2 items that will be provided as 'subsequent information'. These include Bushfire Management Plan and Plans and Elevations. It was suggested that a landscaping plan and access upgrade details also be subsequently provided.

The landscaping plan needs to address the appearance of the accommodation from the main access road into Koorda (Aitken Road). The Orchard Street access needs to ensure minimal disruption to the



Council's drainage system and minimise Council's resources on road upgrades. Both of these items can be addressed as part of the development process, but could have been mentioned in the Scheme Amendment report.

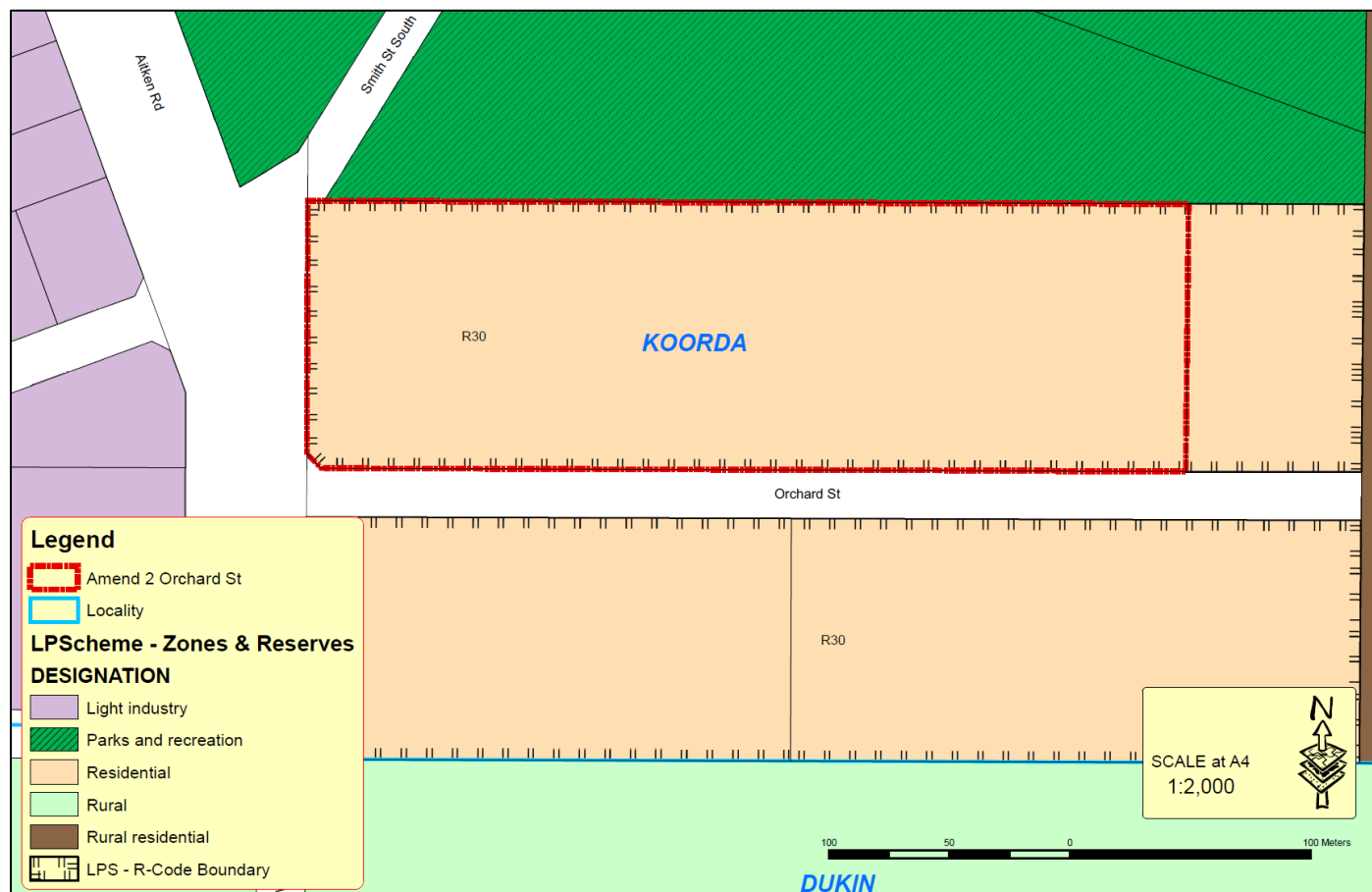
**Consultation:**

CBH  
Shire of Koorda

**Statutory Implications:**

The subject land is zoned Residential in the Scheme. **Figure 2** provides an extract from the Scheme Map.

**FIGURE 2 – EXTRACT FROM SCHEME MAP**



Source: DPLH, Landgate, Planwest

The term 'Workforce accommodation' is defined in the Scheme, but is not listed in Table 1 – Zoning Table.

Clause 4.4.2 states that 'If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may (inter alia) – b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval'.

In February 2023 the Council approved a DA application for the workforce accommodation under the provisions of this clause.

An 'Office' use class is an 'X' use in a Residential zone. An 'X' use means a use that is not permitted by the scheme.

It has been determined that, rather than rezoning the subject land to a zone that permits an office use, an 'Additional use' will be allowed on this particular property.

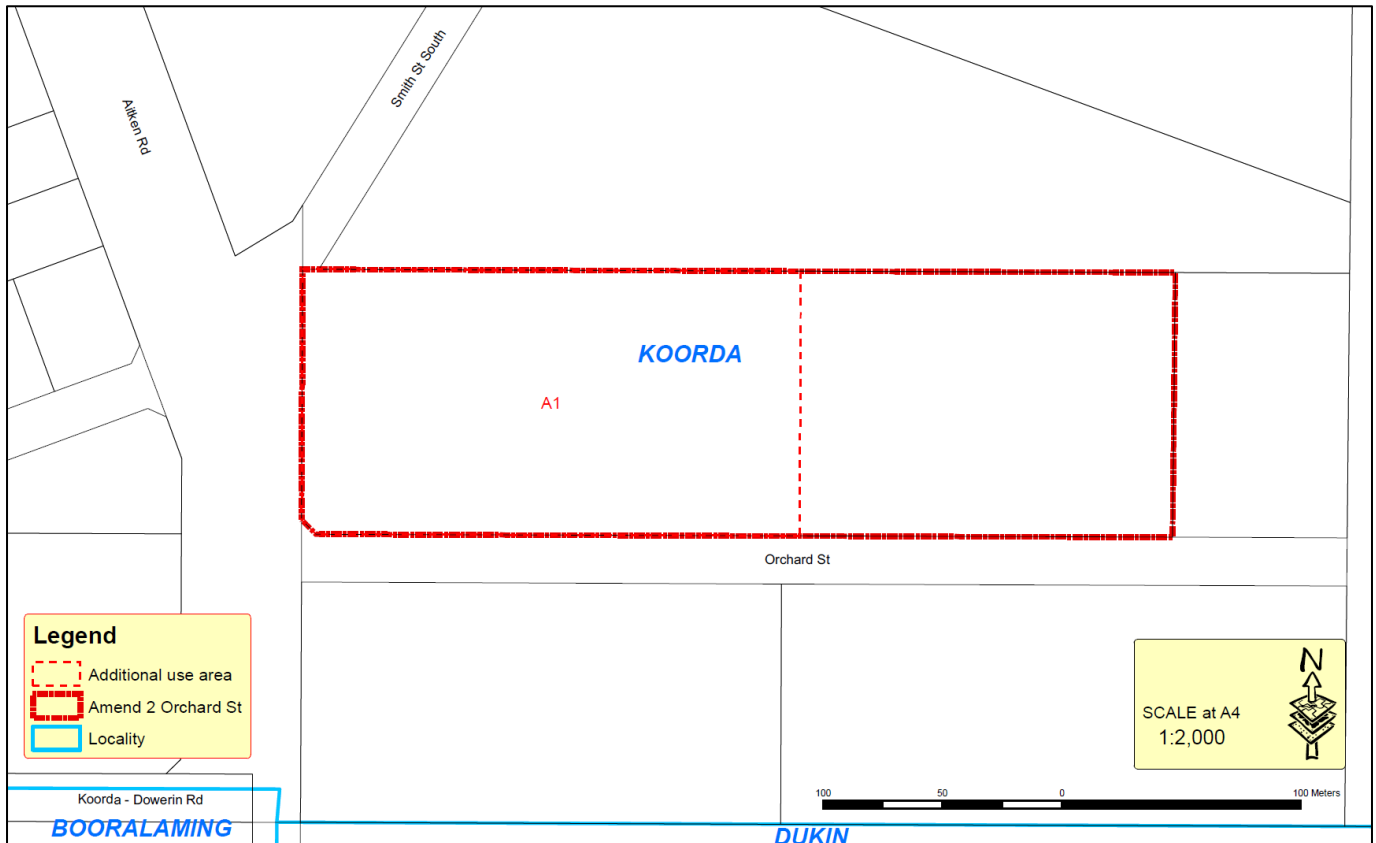
Clause 4.5 – 'Additional uses' of the Scheme states; '*Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.*'

This Amendment will insert additional uses into Schedule 2 of the Scheme to allow an office and workforce accommodation (amongst other uses permitted in the Residential zone) on that portion of the subject land shown on the Scheme Amendment map.

This method of allowing the proposed uses avoids creating a precedent for other similar requests for offices in a Residential zone.

**Figure 3** shows the area of the subject where the additional uses will be permitted.

**FIGURE 3 - ADDITIONAL USE AREA**



Source: Landgate, Planwest

**Policy Implications:**

Nil

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

2.1 - Our local economy grows in a sustainable manner

4.1 - Open and Transparent Leadership

**Financial Implications:**

Shire rates for the subject land will need to be adjusted following a revised Valuer General valuation on completion of the project.

Road upgrades may be necessary to cater for the increased traffic on Orchard Street.

The applicant has been advised of a Scheme Amendment fee to cover the processing and advertising costs.


**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**

**That Council;**

1. **Initiate the proposed amendment by adopting the first resolution of the Amendment documentation;**
2. **Refer the proposed Amendment to the EPA under section 81 of the *Planning and Development Act 2005*, and**
3. **On satisfactory response from EPA, advertise the proposed Amendment in accordance with Division 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015 (60 days)*.**

## 12.2. Shire of Koorda 2023 Delegation Register Review

<b>Governance and Compliance</b>		 Shire of <b>Koorda</b> <small>Drive in, stay awhile</small>
<b>Date</b>	9 November 2023	
<b>Location</b>	Not applicable	
<b>Responsible Officer</b>	Lana Foote, Acting Chief Executive Officer	
<b>Author</b>	As above.	
<b>Legislation</b>	<i>Local Government Act 1995</i>	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	<a href="#">Shire of Koorda Delegation Register 2023</a>	

### Background:

Under the provisions of the Local Government Act 1995, it is necessary to review delegations at least annually.

As per the below recommendation a new delegation register was adopted by Council in May 2023.

### RESOLUTION 090523

Moved CR JM Stratford

Seconded CR NJ Chandler

That Council;

1. Notes the staff alterations made to the Shire of Koorda Delegations Register 2023, since presentation at the April Council Meeting.
2. That, by Absolute Majority, in accordance with sections 5.42, 5.44 and 5.46 of the Local Government Act 1995, as presented in Attachment B, adopts the Shire of Koorda Delegations Register 2023, subject to subsequent review of the Delegations Register Reporting Requirements at the November 2023 Council Meeting and inclusion of appropriate version control.

**CARRIED BY ABSOLUTE MAJORITY 6/0**

### Comment:

This item serves as a 6-monthly review to ensure Council and the Executive Team are satisfied with the Delegation Register contents and reporting requirements.

Currently all delegations exercised are reported monthly to Council in an "Information Report."

### Consultation:

Nil.

### Statutory Implications:

Section 5.46 of the *Local Government Act 1995* requires, at least once every financial year, delegations made under this Division are to be reviewed by the delegator.

**Policy Implications:**

Nil

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and Transparent Leadership

**Financial Implications:**

Nil

**Voting Requirements:**     Simple Majority     Absolute Majority


**Officer Recommendation**

**For Council consideration.**

## 13. OFFICER'S REPORTS – WORKS & ASSETS

### 13.1. Purchase of New P63 Roller and Increase Transfer from Plant Reserve

*It is recommended that Council close the meeting to the public in accordance with the Local Government Act section 5.23 (2) (c) as a contract may be entered into and 5.23 (2) (d) commercial value/information of a person other than the Shire.*

<b>Works and Assets</b>		
<b>Date</b>	7 November 2023	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Lana Foote, Acting Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	<i>Local Government Act 1995, Section 3.57(1) (2) Local Government Act (Functions in General) Regulation 1996 – Part 4 – Tenders for providing goods and services 11(1)</i>	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	Confidential quotes – document provided to Councillors under separate email cover.	

#### **Background:**

As part of the 2023/2024 Budget considerations, Council approved the replacement P63 Dynapac Road Roller for the 2023/2024 financial year.

The current P63 Roller was manufactured in 2014 and has 5,800 hours.

The Roller has required some major repairs over the past few years. In 2022/23 we spent \$17,000 on parts and repairs, as well as needing to hire a replacement roller so our roadworks program could be complete.

The Executive Management Team have deliberated the item and the subsequent increase in funds requested. However, after taking into consideration the ongoing repairs required to the current roller, and need for a hire vehicle to complete the adopted roadworks program, it is suggested that although an increase in reserve transfer is required for the purchase of the new roller, a cost saving will be made with regard to a reduced repair and hire bills.

#### **Comment:**

As per purchasing policy, for purchases from \$75,001 and up to \$250,000, at least three written quotations are required to be sought. Three suppliers were contacted to provide a quote on a replacement P063 roller;

- Tutt Bryant Group,
- Westrac, and
- CEA Construction Equipment Australia.

The quotes for the suppliers who have responded have been circulated to Councillors under separate confidential cover for consideration as part of this item.

The allocation for new roller as per the 2023/2024 Plant Program was \$140,000, with a budgeted trade in amount of \$30,000, leaving \$110,000 change over costings.

The Works Supervisor has preference to purchase the Bomag Roller from Tutt Bryant Group. It is anticipated that the \$30,000 for the sale of the old P63 Roller is still relevant, so if approved an increase in the Plant Transfer would be required to cover the increased purchase cost.

The preferred roller came in over budget, being \$192,000, which working off the \$30,000 trade in, requires a \$162,000, which is an increase of \$52,000. We do not anticipate use of the \$15,000 allocation for "Miscellaneous Plant" so consideration to use part of this for the \$52,000 short fall could be appropriate.

**Consultation:**

Darren West, Works Supervisor

**Statutory Implications:**

*Local Government Act 1995 S.3.57*

*Local Government (Functions and General) Regulations 1996.* Division 2 of the Regulations details in the tender requirements for the provision of goods and services.

**Policy Implications:**

The Purchasing Policy has been followed.

As per the Shire Purchasing Policy; for purchases from \$75,001 and up to \$250,000, the purchasing requirement is listed below;

Seek at least three (3) written quotations from suitable suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in the prior section.

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

3.1.1 - Manage Shire Assets sustainably using the Strategic Resourcing Plan.

4.1.1 - Ensure the use of resources is effective, efficient and reported regularly. (e.g. Financial Management)

**Financial Implications:**

It is recommended that the \$15,000 allocated for "Miscellaneous Plant," and an additional \$37,000 is transferred from the Plant Reserve to cover the additional change over funds for the purchase of the P063 Road Roller.

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**

**That Council, by absolute majority,**

- 1. Note the quotations received for the new P063 Road Roller,**
- 2. Award the Quote to Tutt Bryant Group for a Road Roller at the quoted price of \$192,000 (exc GST),**
- 3. Transfer the \$15,000 allocation for "Miscellaneous Plant" to P063 Road Roller,**
- 4. Increase the Plant Reserve transfers by \$37,000 to cover the additional change over cost for P063 Roller, and**
- 5. Authorise the Acting Chief Executive Officer to dispose of P063 2014 Road Roller to the highest and best price through Auction and advise Council of the price received.**

**14. Urgent Business Approved by the Person Presiding or by Decision**

**15. Elected Members' Motions**

**16. Matters Behind Closed Doors**

**17. Closure**