



SHIRE OF DERBY/WEST KIMBERLEY

ORDINARY MEETING OF COUNCIL

**TO BE HELD AT THE COUNCIL CHAMBERS
CLARENDON STREET, DERBY
THURSDAY, 28 SEPTEMBER 2017
COMMENCING AT 5.30PM**

AGENDA

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Our Guiding Values

Respectful

By being helpful, friendly and supportive

Integrity

Through honesty, accountability and ethical behaviour

Leadership

By the Shire at the local and regional level and through encouragement of community leaders

Knowledgeable

By being well informed and accurate in what we do

Building Good Relationships

By being communicative, responsive and inclusive

Disclaimer

No responsibility whatsoever is implied or accepted by the Shire of Derby/West Kimberley (Shire) for any act, omission or statement or intimation occurring during Council or Committee meetings.

The Shire 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 licence, any statement or intimation of approval made by any Elected Member or officer of the Shire during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire.

The Shire warns that anyone who has any application lodged with the Shire 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 in respect of the application.

Notes for Members of the Public

PUBLIC QUESTION TIME

The Shire of Derby/West Kimberley extends a warm welcome to you in attending any Shire meeting. The Shire is committed to involving the public in its decision making processes whenever possible. The ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective. The Shire sets aside a period of 'Public Question Time' to enable a member of the public to put questions. Questions should only relate to the business of the Shire and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Presiding Member may either answer the question or direct it to an officer to answer, or it will be taken on notice.

Any comments made by a member of the public become a matter of public record as they are minuted by Council. Members of the public are advised that they are deemed to be held personally responsible and legally liable for any comments made by them that might be construed as defamatory or otherwise considered offensive by any other party.

MEETING FORMALITIES

Local government Council meetings are governed by legislation and regulations. During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation. Members of the public shall ensure that their mobile telephone or audible pager is not switched on or used during any Shire meeting.

Members of the public are hereby advised that the use of any electronic, visual or audio recording device or instrument to record proceedings of the meeting is not permitted without the permission of the Presiding Member.

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Notes for Elected Members

NATURE OF COUNCIL’S ROLE IN DECISION MAKING

Advocacy:	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive/Strategic:	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations, grants, and setting and amending budgets.
Legislative:	Includes adopting local laws, town planning schemes and policies.
Administrative:	When Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.
Review:	When Council reviews a decision made by Officers.
Information:	Includes items provided to Council for information purposed only that do not require a decision of Council (that is for ‘noting’).

ALTERNATIVE MOTIONS

Councillors wishing to make alternative motions to officer recommendations are requested to provide notice of such motions in written form to the Director Corporate and Community Services prior to the Council meeting.

DECLARATIONS OF INTERESTS

Elected Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences. Section 5.60A of the *Local Government Act 1995* states;

“a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.”

Section 5.60B states;

“a person has a proximity interest in a matter if the matter concerns –

- (a) a proposed change to a planning scheme affecting land that adjoins the person’s land; or*
- (b) a proposed change to the zoning or use of land that adjoins the person’s land; or*
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person’s land.”*

Regulation 34C (Impartiality) states;

“interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.”

Councillor	27 Jul 2017	31 Aug 2017	28 Sept 2017	26 Oct 2017	30 Nov 2017	14 Dec 2017	22 Feb 2018	29 Mar 2018	26 Apr 2018	31 May 2018	28 Jun 2018
	OCM	OCM	OCM	OCM	OCM	OCM	OCM	OCM	OCM	OCM	OCM
E Archer	✓	✓									
P White	✓	✓									
P Coggins	✓	✓									
C Kloss	✓	✓									
A Kogolo	AB	A									
P McCumstie	LOA	✓									
I Prouse	✓	✓									
A Twaddle	✓	✓									

APPLICATION FOR LEAVE OF ABSENCE

In accordance with Section 2.25 of the *Local Government Act 1995*, an application for leave requires a Council resolution granting leave requested. Council may grant approval for Leave of Absence for an Elected Member for ordinary Council meetings for up to but not more than six consecutive meetings. The approval of the Minister is required for leave of absence greater than six ordinary Council meetings.

This approval must be by Council resolution and differs from the situation where an Elected Member records their apologies for the meeting. A failure to observe the requirements of the Act that relates to absence from meetings can lead to an Elected Member being disqualified should they be absent without leave for three consecutive meetings.

SHIRE OF DERBY/WEST KIMBERLEY

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ORDINARY MEETING OF COUNCIL

AGENDA

1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at by.....

2.0 RECORD OF ATTENDANCE

2.1 ATTENDANCE

ELECTED MEMBERS:

STAFF:

VISITORS:

GALLERY:

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

2.4 ABSENT

2.5 DISCLOSURE OF INTERESTS

Section 5.65 and 5.70 of the *Local Government Act 1995* requires an Elected Member or officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Elected Member or officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

An Elected Member who makes a disclosure under section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow an Elected Member to speak, the extent of the interest must also be stated.

2.5.1 DECLARATIONS OF FINANCIAL INTERESTS

2.5.2 DECLARATIONS OF PROXIMITY INTERESTS

2.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS

3.0 APPLICATIONS FOR LEAVE OF ABSENCE

4.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

5.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6.0 PUBLIC TIME

6.1 PUBLIC QUESTION TIME

6.2 PUBLIC STATEMENTS

6.3 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS

7.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

8.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 COUNCIL MEETINGS

OFFICER RECOMMENDATION:

That the minutes of the ordinary meeting of the Shire of Derby/West Kimberley held at the Crossing Inn, Fitzroy Crossing, on 31 August 2017 be confirmed.

8.2 COMMITTEE MEETINGS

COMPLIANCE AND STRATEGIC REVIEW COMMITTEE

Nil

9.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

9.1 COMPLIANCE AND STRATEGIC REVIEW COMMITTEE

Nil

10.0 REPORTS

10.1 EXECUTIVE SERVICES

10.1.1 OUTCOMES OF CONSULTATION – THIRD PARTY APPEAL RIGHTS IN PLANNING

Location/Address:	N/A
Name of Applicant:	West Australian Local Government Association
File Reference:	4075 – Regional Development
Author:	Noel Myers – Manager Planning Services
Responsible Officer:	Stephen Gash – Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	19 September 2017
Attachments:	1. WALGA State Council Agenda extract
Authority/Discretion:	Information

SUMMARY:

Purpose of this report is to inform Council of the outcomes of consultation undertaken by Western Australian Local Government Association (WALGA) in respect to the discussion paper on *Third Party Appeal Rights in Planning* that was circulated to local governments to capture broad feedback on the issue.

BACKGROUND:

At its December 2016 meeting, State Council requested a review of the WALGA Policy position in relation to Third Party Appeal Rights for planning decisions. The decision making environment has changed since WALGA made its policy position in 2008, and therefore a review of the current position was considered to be warranted.

WALGA subsequently circulated the discussion paper to ascertain the current view of local government on towards the introduction of Third Party Appeal Rights in Planning and the matter was considered by Council at the Ordinary Meeting of Council held on 25 May 2017. The decision of the Council at that meeting was:

MINUTE NO. 047/2017

Moved: Cr P McCumstie

Seconded: Cr C Kloss

That Council ADVISES the Western Australian Local Government Association that it does not support the introduction of Third Party Appeal Rights for the following reasons:

- i. The Shire of Derby/West Kimberley does not believe that the introduction of Third Party Appeal rights in Western Australia is consistent with current attempts to simplify and streamline the planning approvals process.***
- ii. The Planning and Development Act 2005 requires public consultation in relation to the planning framework established in local and regional areas, with public consultation mandated for local and region planning scheme amendments, as well as State planning policies, local planning policies and structure plans. As such, the local government believes that the current planning process provides sufficient opportunity for the local community to have a say in what happens in their neighbourhoods.***

CARRIED 7/0

STATUTORY ENVIRONMENT:

Planning and Development Act 2005

POLICY IMPLICATIONS:

None at this time

FINANCIAL IMPLICATIONS:

None at this time

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
2: A balance between the natural and built environments Sustainable natural and built environments that meet the needs of the community and support future growth	2.1: Appropriate development that enhances the unique character and heritage of the Shire’s townships	2.1.5: Actively work with other government bodies on state, regional planning and development issues

RISK MANAGEMENT CONSIDERATIONS:

There is minimal risk to Council in receiving this information.

CONSULTATION:

All consultation on this matter has been undertaken by WALGA.

COMMENT:

A paper detailing the outcomes of the consultation was presented to WALGA’s State Council on 8 September 2017. (Attachment 1). The intent of the WALGA discussion paper was not to formulate a new policy position but to engage with local government

members to measure the level of interest in whether a change to the currency policy was warranted.

As opinions on the matter are divided, there is not sufficient justification to overturn the current WALGA State Council position policy position which opposes the introduction of Third Party Appeals. However, as a range of possible options and scenarios have been provided in the submissions there appears to be sufficient interest in the further investigation of some limited form of third party appeal rights.

A total of 38 submissions were received in response to the discussion paper;

-) 53% (20) submissions were in support of the introduction of some form of third party appeal rights;
-) 42% (16) were opposed; and
-) 5% (2) suggested further investigation be undertaken before any change to the existing policy position be considered.

After consideration of the various submissions, the State Council resolved as follows:

That:

- 1. State Council notes that there is increased support for the introduction of some form of Third Party Appeal rights.**
- 2. WALGA undertakes further consultation with members on Third Party Appeal Rights, including Elected Member workshops, discuss the various concerns and suggestions raised in response to the discussion paper, the form and scope of any such appeal right should include the appropriate jurisdiction including JDAPS, SAT and WAPC to determine a preferred model.**
- 3. The findings to be distributed for comment and the Item then be reconsidered by State Council.**
- 4. WALGA continue to advocate that an independent review of decision making within the WA planning system is required, including the roles and responsibilities of State and Local Government and other decision making agencies, Development Assessment Panels and the State Administrative Tribunal appeal process.**

As a consequence of the above resolution, WALGA is proposing to undertake further consultation to determine if a consensus on a new policy position can be reached. If a new policy position can be formed then this new 'position' would again be circulated to members for further consideration.

To facilitate this, WALGA have advised they will be undertaking additional consultation with members on the development of a preferred model for third party appeal rights in planning by way of two workshops, planned for early November.

SUMMARY:

As previously noted, the submissions received were closely divided between support for some form of third party appeal rights and opposition to their introduction. Further, amongst the submissions in favour the level of support varied from limiting its application to specific circumstances to a more broad brush application of appeal rights. The range of options and ideas varied and no clear consensus or agreement could be taken or inferred from the initial round of consultation and engagement.

WALGA have undertaken to further engage on this matter and Council will be continue to briefed on the progress of the matter.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council NOTES the outcomes of the initial discussion paper prepared by Western Australian Local Government Association in respect to Third Party Appeal Rights in Planning.

10.2 CORPORATE SERVICES

10.2.1 ACCOUNTS FOR PAYMENT – AUGUST 2017

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	5110 – Accounts Payable
Author:	Myra Henry, Senior Finance Officer
Responsible Officer:	Martin Cuthbert, Director Corporate and Community Services
Disclosure of any Interest:	Nil
Date of Report:	19 September 2017
Attachments:	2. Cheque reconciliation and schedule of accounts
Authority/Discretion:	Information

SUMMARY:

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of August 2017.

BACKGROUND:

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the Shire's municipal and trust funds. In accordance with regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the Chief Executive Office is to be provided to Council.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

12. Payments from municipal fund or trust fund, restrictions on making

12(1) A payment may only be made from the municipal fund or a trust fund –

(a) if the local government has delegated to the Chief Executive Officer the exercise of its power to make payments from those funds – by the CEO: or

(b) otherwise, if the payment is authorised in advance by a resolution of the council.

The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO

is to be prepared each month showing for each account paid since the last such list was prepared –

- (a) the payee’s name; and*
- (b) the amount of the payment; and*
- (c) the date of the payment; and*
- (d) sufficient information to identify the transaction.*

(2) A list of accounts for approval to be paid is to be prepared each month showing –

- (a) for each account which requires council authorisation in that month –*
 - (i) the payee’s name; and*
 - (ii) the amount of the payment; and*
 - (iii) sufficient information to identify the transaction; and*
- (b) the date of the meeting of the council to which the list is to be presented.*

(3) A list prepared under subregulation (1) or (2) is to be –

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and*
- (b) recorded in the minutes of that meeting.*

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

All expenditure from the municipal fund was included in the annual budget as adopted or revised by Council.

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
4: Good governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery	4.4: Financial sustainability and accountability for performance	4.4.4: Provide resources to support the Shire’s operations and to meet planning, reporting and accountability requirements

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Legal and Compliance: In accordance with section 6.8 of the <i>Local Government Act 1995</i>, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority of Council</p>	Rare	Minor	Low	Expenditure to only be incurred in accordance with budget parameters, which have been structured on financial viability and sustainability principles

CONSULTATION:

Internal consultation within the corporate services department.

COMMENT:

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2017-18 Annual Budget as adopted by Council at its meeting held 31 August 2017 (Minute No. 097/2017 refers) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable.

The table below summarises the payments drawn on the funds during the month of August 2017. Lists detailing the payments made are appended as an attachment.

FUND	DETAILS	AMOUNT
Municipal Account		
EFT Payments	EP# 42626 – EP# 42778	\$1,512,930.44
Municipal Cheques	54648 – 54651	\$14,622.57
Direct Debits	Fees, Charges, Credit Card Payments, Payroll and Payroll Liabilities	\$340,476.22
Manual Cheques		
Trust Account		
Trust Cheques	006477 – 006480	\$7,791.22
	Total	\$1,875,820.45

Creditor’s outstanding as at 31 August 2017 totalled \$1,491,190.61.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council NOTES the Chief Executive Officer's list of accounts for August 2017 paid under Delegated Authority in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* forming Attachment 1 to Report 10.2.1, totalling \$1,875,820.45.

10.2.2 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 JULY 2017

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	5152 – Monthly Financial Reports
Author:	Gary O’Neil, Manager of Finance
Responsible Officer:	Martin Cuthbert, Director Corporate and Community Services
Disclosure of any Interest:	Nil
Date of Report:	18 September 2017
Attachments:	3. Monthly Financial Report July 2017
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 31 July 2017 as required by the *Local Government Act 1995* (‘the Act’).

Pursuant to section 6.4 of the *Local Government Act 1995* and regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* (‘the Regulations’), a local government is to prepare, on a monthly basis, a statement of financial activity that reports on the Shire’s financial performance in relation to its adopted/amended budget.

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire’s financial performance on a year to date basis for the period ending 31 July 2017.

BACKGROUND:

At its meeting held 31 August 2017 (Minute No. 097/2017 refers), Council adopted the annual budget for the 2017-18 financial year. The figures in this report are compared to the adopted budget.

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year to date position to 30 June 2018 and results from a number of factors identified in the report. There are a number of factors that influence any variances, but it is predominately due to the timing of revenue and expenditure compared to the budget estimates. The notes to the statement of financial activity identify and provide commentary on the individual key material revenue and expenditure variances to date.

The following reports are for Council to note for the period ending 31 July 2017.

-) Statement of Financial Activity for the Month
-) Notes to and forming part of the Statement of Financial Activity:
 1. Net Current Asset Position
 2. Identification of Material Variances
 3. Schedule of Committed Assets and Restricted Assets
-) Statement of Financial Activity by Nature/Type
-) Schedule of Investments
-) Visual Graph displaying Net Current Asset Position
-) Rates Outstanding Report
-) Sundry Debtors Outstanding Report
-) Statement of Financial Position
-) Bank Reconciliation
-) Visual Graphs displaying Operating and Capital Income and Expenditure

Additionally, and pursuant to regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting of 31 August 2017, the Council adopted (Minute No. 097/2017 part 7 refers) the following material variance reporting threshold for the 2017-18 financial year:

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in Statements of Financial Activity in 2017-18 for reporting material variances shall be 10%, with a minimum reportable value amount of \$30,000.

STATUTORY ENVIRONMENT:

Section 34 of the *Local Government (Financial Management) Regulations 1996* provides:

34. Financial activity statement required each month (Act s. 6.4)

(1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail –*

(a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*

(b) *budget estimates to the end of the month to which the statement relates;*
and

(c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*

(d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*

- (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing –*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown –*
- (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be –*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

POLICY IMPLICATIONS:

AF14 – Significant Accounting Policies

AF18 – Sundry Debtors Collection

AF19 – Outstanding Rates Collection

FM4 – Reserve Accounts

FM7 – Cashflow Management

FM8 – Investments

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 31 July 2017 has been incurred in accordance with the 2017-18 budget parameters, which have been structured on financial viability and sustainability principles.

Details of any budget variation in excess of \$30,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>4: Good Governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery</p>	<p>4.1: Effective Governance and Leadership</p>	<p>4.1.4: Ensure governance policies and procedures are in accordance with legislative requirements</p>

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Finance: The Shire is exposed to a number of financial risks. Most of these risks exist in respect to recurrent revenue streams which are required to meet current service levels. Any reduction in these revenue stream into the future is likely to have an impact on the Shire’s ability to meet service levels or asset renewal funding requirements, unless the Shire can replace this revenue or alternatively reduce costs.</p>	Possible	Major	High	Risk assessments have been completed in relation to a number of higher level financial matters. The timely and accurate completion of monthly financial reporting enabling Council to make fully informed decisions is a control that assists in addressing this risk.
<p>Reputation: The Shire currently has unspent grant funding, including Country Local Government Fund and various Road Project Funds. This funding is associated with capital works programs. If the Shire does not expend and acquit the funding in a timely manner the funding bodies may not approve carry-over into future years and the funding could potentially be lost. This could also damage future funding opportunities.</p>	Possible	Moderate	Medium	Manage by monitoring progress towards project completion

CONSULTATION:

Internal consultation within the corporate services department.

In accordance with section 6.2 of the *Local Government Act 1995*, the annual budget was prepared having regard to the Strategic Community Plan, prepared under section 5.56 of the *Local Government Act 1995*.

COMMENT:

All expenditure included in the financial statements is incurred in accordance with Council's adopted budget or subsequent approval in advance.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council NOTES the Monthly Financial Management Report incorporating the Statement of Financial Activity for the period ending 31 July 2017 forming Attachment 2 to Report 10.2.2.

10.2.3 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 AUGUST 2017

Location/Address:	N/A
Name of Applicant:	N/A
File Reference:	5152 – Monthly Financial Reports
Author:	Gary O’Neil, Manager of Finance
Responsible Officer:	Martin Cuthbert, Director Corporate and Community Services
Disclosure of any Interest:	Nil
Date of Report:	18 September 2017
Attachments:	4. Monthly Financial Report August 2017
Authority/Discretion:	Information

SUMMARY:

For Council to note the statement of financial activity for the period ended 31 August 2017 as required by the *Local Government Act 1995* (‘the Act’).

Pursuant to section 6.4 of the *Local Government Act 1995* and regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* (‘the Regulations’), a local government is to prepare, on a monthly basis, a statement of financial activity that reports on the Shire’s financial performance in relation to its adopted/amended budget.

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire’s financial performance on a year to date basis for the period ending 31 August 2017.

BACKGROUND:

At its meeting held 31 August 2017 (Minute No. 097/2017 refers), Council adopted the annual budget for the 2017-18 financial year. The figures in this report are compared to the adopted budget.

It should be noted that these reports do not represent a projection to the end of year position or that there are funds surplus to requirements. It represents the year to date position to 30 June 2018 and results from a number of factors identified in the report. There are a number of factors that influence any variances, but it is predominately due to the timing of revenue and expenditure compared to the budget estimates. The notes to the statement of financial activity identify and provide commentary on the individual key material revenue and expenditure variances to date.

The following reports are for Council to note for the period ending 31 August 2017.

-) Statement of Financial Activity for the Month
-) Notes to and forming part of the Statement of Financial Activity:
 - 4. Net Current Asset Position
 - 5. Identification of Material Variances
 - 6. Schedule of Committed Assets and Restricted Assets
-) Statement of Financial Activity by Nature/Type
-) Schedule of Investments
-) Visual Graph displaying Net Current Asset Position
-) Rates Outstanding Report
-) Sundry Debtors Outstanding Report
-) Statement of Financial Position
-) Bank Reconciliation
-) Visual Graphs displaying Operating and Capital Income and Expenditure

Additionally, and pursuant to regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting of 31 August 2017, the Council adopted (Minute No. 097/2017 part 7 refers) the following material variance reporting threshold for the 2017-18 financial year:

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in Statements of Financial Activity in 2017-18 for reporting material variances shall be 10%, with a minimum reportable value amount of \$30,000.

STATUTORY ENVIRONMENT:

Section 34 of the *Local Government (Financial Management) Regulations 1996* provides:

34. Financial activity statement required each month (Act s. 6.4)

(1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail –*

(a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*

(b) *budget estimates to the end of the month to which the statement relates;*

and

(c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*

(d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*

- (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing –*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown –*
- (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be –*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

POLICY IMPLICATIONS:

AF14 – Significant Accounting Policies

AF18 – Sundry Debtors Collection

AF19 – Outstanding Rates Collection

FM4 – Reserve Accounts

FM7 – Cashflow Management

FM8 – Investments

FINANCIAL IMPLICATIONS:

Expenditure for the period ending 31 August 2017 has been incurred in accordance with the 2017-18 budget parameters, which have been structured on financial viability and sustainability principles.

Details of any budget variation in excess of \$30,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>4: Good Governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery</p>	<p>4.1: Effective Governance and Leadership</p>	<p>4.1.4: Ensure governance policies and procedures are in accordance with legislative requirements</p>

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Finance: The Shire is exposed to a number of financial risks. Most of these risks exist in respect to recurrent revenue streams which are required to meet current service levels. Any reduction in these revenue stream into the future is likely to have an impact on the Shire’s ability to meet service levels or asset renewal funding requirements, unless the Shire can replace this revenue or alternatively reduce costs.</p>	Possible	Major	High	Risk assessments have been completed in relation to a number of higher level financial matters. The timely and accurate completion of monthly financial reporting enabling Council to make fully informed decisions is a control that assists in addressing this risk.
<p>Reputation: The Shire currently has unspent grant funding, including Country Local Government Fund and various Road Project Funds. This funding is associated with capital works programs. If the Shire does not expend and acquit the funding in a timely manner the funding bodies may not approve carry-over into future years and the funding could potentially be lost. This could also damage future funding opportunities.</p>	Possible	Moderate	Medium	Manage by monitoring progress towards project completion

CONSULTATION:

Internal consultation within the corporate services department.

In accordance with section 6.2 of the *Local Government Act 1995*, the annual budget was prepared having regard to the Strategic Community Plan, prepared under section 5.56 of the *Local Government Act 1995*.

COMMENT:

All expenditure included in the financial statements is incurred in accordance with Council's adopted budget or subsequent approval in advance.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council NOTES the Monthly Financial Management Report incorporating the Statement of Financial Activity for the period ending 31 August 2017 forming Attachment 3 to Report 10.2.3.

10.2.4 DELEGATIONS OF AUTHORITY REVIEW

Location/Address:	N/A
Name of Applicant:	Shire of Derby/West Kimberley
File Reference:	0120 – Compliance Registers
Author:	Martin Cuthbert, Director Corporate and Community Services
Responsible Officer:	Stephen Gash, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	18 September 2017
Attachments:	5. Delegations of Authority Register 2017/2018
Authority/Discretion:	Legislative

SUMMARY:

For Council to meet its statutory compliance requirement to review the delegation of specified powers and duties to the Chief Executive Officer and other employees in accordance with the provisions of the *Local Government Act 1995* (the Act).

BACKGROUND:

In accordance with sections 5.16 and 5.42 of the Act, a local government can delegate certain functions to a committee of Council, or to the Chief Executive Officer. A variety of other legislation also permits the delegations of functions to the Chief Executive Officer, as well as other officers. The Chief Executive Officer's statutory powers and duties under the Act and any powers or duties delegated by the Council can be further delegated by the Chief Executive Officer to other officers of Council. Delegation details must be recorded in a register, which is available for inspection by the public.

Sections 5.18 and 5.46 of the *Local Government Act 1995* require that at least once every financial year, delegations are to be reviewed by the delegator. The Council last reviewed its delegations on 29 June 2017 (Minute No. 065/2017 refers).

STATUTORY ENVIRONMENT:***Local Government Act 1995******5.16. Delegation of some powers and duties to certain committees***

(1) *Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.*

** Absolute majority required.*

(2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

- (3) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 –*
- (a) *a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and*
 - (b) *any decision to amend or revoke a delegation under this section is to be by an absolute majority.*
- (4) *Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.*

5.17. Limits on delegation of powers and duties to certain committees

- (1) *A local government can delegate –*
- (a) *to a committee comprising council members only, any of the council's powers or duties under this Act except –*
 - (i) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and*
 - (ii) *any other power or duty that is prescribed;*
- And*
- (b) *to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and*
 - (c) *to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of –*
 - (i) *the local government's property; or*
 - (ii) *an event in which the local government is involved.*
- (2) *A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).*

5.18. Register of delegations to committees

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under*
- (a) *this Act other than those referred to in section 5.43.*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5)*

** Absolute majority required.*

(2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

5.43. Limits on delegations to CEO

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

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) appointing an auditor;*
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) any of the local government’s powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) borrowing money on behalf of the local government;*
- (g) hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) any power or duty that requires the approval of the Minister or the Governor;*
- (i) such other powers or duties as may be prescribed.*

5.44. CEO may delegate powers and duties to other employees

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or the discharge of any of the CEO’s duties under this Act other than this power of delegation.*
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —*
 - (a) The CEO’s power under this section to delegate the exercise of that power or the discharge of that duty; and*
 - (b) the exercise of that power or the discharge of that duty by the CEO’s delegate,*

are subject to any conditions imposed by the local government on its delegation to the CEO.

- (4) *Subsection (3) (b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
- (5) *In subsections (3) and (4) — conditions includes qualifications, limitations or exceptions.*

5.45. Other matters relevant to delegations under this Division

- (1) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*
 - (a) *A delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*
 - (b) *Any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*
- (2) *Nothing in this Division is to be read as preventing —*
 - (a) *A local government from performing any of its functions by acting through a person other than the CEO; or*
 - (b) *A CEO from performing any of his or her functions by acting through another person.*

5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) *The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

Regulation 19 of the Local Government (Administration) Regulations relates to records to be kept of delegations exercised.

19. Delegates to keep certain records (Act s. 5.46(3))

Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of —

- (a) *how the person exercised the power or discharged the duty; and*
- (b) *when the person exercised the power or discharged the duty; and*
- (c) *the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.*

Building Act 2011 section 127

Bush Fires Act 1954 section 48

Cat Act 2011 section 44

Dog Act 1976 section 10AA

Food Act 2008 section 118

Public Health Act 2016 section 21

Road Traffic (Events on Roads) Regulations 1991

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>4: Good governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery</p>	<p>4.1: Effective governance and leadership</p>	<p>4.1.4: Ensure governance policies and procedures are in accordance with legislative requirements</p>

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Legal and Compliance: Non-compliance with the Shire’s statutory requirement to review the delegations every financial year A properly constructed delegations register reduces risk as it ensures a clear understanding of authority to make decisions as approved by Council</p>	Unlikely	Moderate	Medium	Accept officer recommendation to ensure review completed prior to 30 June 2018

CONSULTATION:

ELT – Executive Leadership Team

COMMENT:

A register of delegations of authority is essential in order to inform the public of the activities, functions, powers and duties of the local government as well as meeting the requirements of section 5.46 of the *Local Government Act 1995*.

Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, strategic planning and community leadership, with the organisation focussing on the day-to-day operations of the Shire. The use of delegated authority means the large volume of routine work of a local government can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

The annual review process does not preclude the Council from granting new delegations to the Chief Executive Officer if and when required, nor for it to review existing delegations at any time during the course of the financial year.

The Shire of Derby/West Kimberley's register of delegations of authority was last reviewed by Council in June 2017 and is now due for review. The register of delegations of authority underwent significant amendment both in format and content during the last review.

Format

The format of the delegations contained in the register seeks to reflect the legislative requirements of the Act. Each delegation specifies the head of power under which the delegation has been made and the legislative reference of the power that is delegated. The current register referred mostly to the general power of delegation under section 5.42 of the Act and only in limited circumstances to the legislative reference. The new format clearly states the function delegated and any conditions that Council wishes to place on the exercise of delegation. It notes whether the Chief Executive Officer has the power to sub-delegate under section 5.44 of the Act to another employee. It also records whether the function or duty has been sub-delegated and to whom.

It should be noted that whether a function or duty has been sub-delegated is determined by the Chief Executive Officer unless the Council has made it a condition that the original delegation may not be sub-delegated.

Content

Each delegation has been considered on the basis of whether or not the delegation is necessary and if it will provide greater efficiency in service delivery for the Shire.

Repeal

Under section 5.45 of the Act, a delegation made under the Act will be effective for the period of time specified in the delegation or otherwise indefinitely. Any amendment or repeal of a delegation by a local government is to be by an absolute majority.

Delegation to the Chief Executive Officer

It should be noted that a delegation made under the *Local Government Act 1995*, may only be made to the Chief Executive Officer. However, not all delegations are made under the *Local Government Act 1995*. Other Acts such as the *Dog Act 1976* and *Cat Act 2011* also allow for delegations to be made. In some instances such as the *Building Act 2011* delegations may be made to employees other than the Chief Executive Officer.

VOTING REQUIREMENT:

Absolute majority

OFFICER RECOMMENDATION:

That Council, BY AN ABSOLUTE MAJORITY:

1. ENDORSES the review of its delegations in accordance with sections 5.46 of the *Local Government Act 1995*;
2. REPEAL the Register of Delegations of Authority contained in the Shire of Derby/West Kimberley Register of Delegations of Authority dated June 2017 in accordance with section 5.45 of the *Local Government Act 1995*; and
3. DELEGATE authority to the Chief Executive Officer, the local government functions as listed in the amended Register of Delegations of Authority forming Attachment 1 to report 10.2.4, in accordance with section 5.42 of the *Local Government Act 1995*, acknowledging the relevant heads of power in addition to the *Local Government Act 1995*:
 -) *Building Act 2011* – section 127
 -) *Bush Fires Act 1954* – section 48
 -) *Cat Act 2011* – section 44
 -) *Dog Act 1976* – section 10AA
 -) *Food Act 2008* – section 118
 -) *Public Health Act 2016* – section 21
 -) *Road Traffic (Events on Roads) Regulations 1991*.

10.3 TECHNICAL SERVICES

10.3.1 TENDER T08-2017 – FLOOD DAMAGE REPAIRS

Location/Address:	Shire of Derby/West Kimberley
Name of Applicant:	Shire of Derby/West Kimberley
File Reference:	0481 – Infrastructure Management
Author:	Chris Hurstfield, Manager Engineering Services
Responsible Officer:	Wayne Neate, Director Technical and Development Services
Disclosure of any Interest:	Nil
Date of Report:	21 September 2017
Attachments:	6. Confidential Pricing
Authority/Discretion:	Administrative

SUMMARY:

This item is to award the tender for flood damage repairs on Beefwood Park, Bulka, Cherrabun, Christmas Creek and Fossil Downs Roads.

BACKGROUND:

The Western Australian Office of Emergency Management activated the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) following the extensive rainfall received across the majority of Western Australia in January and early February 2017.

Consultants were engaged to inspect all unsealed roads and prepare a report on each road when conditions allowed safe access without causing further damage. This process was not completed until early June due to access being restricted by flooded river crossings. Upon receipt of the reports, joint inspections were carried out by the Manager Engineering Services and Main Roads WA Kimberley Region's Asset Manager to validate the damage detailed in each report was flood related. Estimates were then prepared to repair the nominated flood damage for each road and submitted to Main Roads WA for approval. This process was completed 6 September 2017.

STATUTORY ENVIRONMENT:

-) *Local Government Act 1995*–3.57 Tenders for the provision goods or services; and
-) *Local Government (Functions and General) Regulations 1996* part 4: tenders for the provision of goods or services.

POLICY IMPLICATIONS:

-) AF1–Procurement of Goods and Services

) AF33–Regional Price Preference Policy – two tenderers qualified for application of this policy.

FINANCIAL IMPLICATIONS:

Main Roads WA have approved the Shire of Derby/West Kimberley’s estimates on all roads submitted in this tender. Actual costs to reinstate the roads to pre-existing condition will be reimbursed by WANDRRA. The Shire of Derby/West Kimberley is liable for the first \$154,300 for the event which was included in last year’s budget.

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>2: A balance between natural and built environments Sustainable natural and built environments that meet the needs of the community and support future growth</p>	<p>2.3: Reliable and safe transport infrastructure</p>	<p>2.3.1: Develop a road maintenance and upgrading strategy</p>
<p>2: A balance between natural and built environments Sustainable natural and built environments that meet the needs of the community and support future growth</p>	<p>2.5: Assets and infrastructure managed over the long term to meet current and future needs</p>	<p>2.5.2: Maintain effective liaison with other levels of government and regional bodies to ensure coordinated provision of regional infrastructure</p>

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Business Interruption: Pastoralists unable to import fuel/fodder and export cattle.</p>	Almost certain	Severe	Extreme	Reinstate roads to previous condition
<p>Community: Access to communities restricted.</p>	Likely	Moderate	High	Reinstate roads to previous condition

CONSULTATION:

The tender was advertised statewide with submissions closing at 2:00pm, 7 September 2017. Documents were downloaded by 23 companies with 3 submissions received.

COMMENT:

It is recommended that the tender be awarded to the contractor with the highest average score given by three assessors, using the Approved Tender Scoring Criteria that falls within the allocated budget. The Regional Price Preference Policy AF33 was applied to the prices submitted by Buckley’s Earthworks and Paving and Robbro WA.

Robbro’s submission detailed that they would only be able to complete the reinstatement work in one of the two tenders that they submitted, with the work preferably carried out following the 2017/18 wet season. This timeline is not acceptable as the reinstatement work is required to be completed prior to the 2017/18 wet season where possible.

The Director of Technical and Development Services contacted Buckley’s Earthworks and Paving to confirm what they could achieve prior to the up and coming wet season. During this conversation Buckley’s Earthworks and Paving confirmed they could only complete two out of the four nominated tenders. During this meeting Buckley’s Earthworks and Paving were also asked if they were awarded all four tenders they submitted which ones they would accept and which ones would they decline knowing the time constraints on the work. The tenders they nominated as their preferred tenders would be T9-2017 and T12-2017. The Director of Technical and Development Services when having this conversation was not aware of the scores nor was he on the scoring panel for any of the tenders.

Buckley’s Earthworks and Paving has the current maintenance grading contract on the flood damaged roads detailed in this tender.

The criteria and weighting for this tender were as follows;

Criteria	%
Related Experience	15
Key Personnel and Experience	15
Tenderer's Resources	20
Demonstrated Understanding	25
Price	25

A score summary is shown below;

Buckley’s Earthworks and Paving	C1
Quadrio Earthmoving	C2
Robbro WA	C3

		C1	C2	C3
Track History & Record 15%	Weighted Score	13.3	9.7	9.7
Skills & Experience 15%	Weighted Score	13.3	9.3	8.3
Resources 20%	Weighted Score	16.0	13.3	13.3
Demonstrated Understanding 25%	Weighted Score	16.7	5.0	16.3
Total non-price (qualitative) criteria	Total out of 75%	59.3	37.3	47.7
Area 1				
Normalised Price	25%	25.0	10.3	16.1
Totals	100%	84.3	47.6	63.8

As seen in the table above, Buckley’s Earthworks and Paving was awarded the highest Total Score in the Assessment Criteria for T08-2017 Flood Damage Repairs – Beefwood Park, Bulka, Christmas Creek, Cherrabun and Fossil Downs Roads. However, as Buckley’s Earthworks and Paving scored highest in all tenders that they submitted, in accordance with the comment above Buckley’s Earthworks and Paving would decline this tender if awarded. The next highest Total Score in the table above was received by Robbro WA. It is recommended that this tender is awarded to Robbro WA.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council resolve to AWARD Tender T08-2017 to Robbro WA for Flood Damage Repairs on Beefwood Park, Bulka, Cherrabun, Christmas Creek and Fossil Downs Roads.

10.3.2 TENDER T09-2017 – FLOOD DAMAGE REPAIRS

Location/Address:	Shire of Derby/West Kimberley
Name of Applicant:	Shire of Derby/West Kimberley
File Reference:	0481 – Infrastructure Management
Author:	Chris Hurstfield, Manager of Engineering Services
Responsible Officer:	Wayne Neate, Director of Technical and Development Services
Disclosure of any Interest:	Nil
Date of Report:	21 September 2017
Attachments:	7. Confidential Pricing
Authority/Discretion:	Administrative

SUMMARY:

This item is to award the tender for flood damage repairs on Milligiddee, Calwynyardah-Nookanbah and Ellendale Roads.

BACKGROUND:

The Western Australian Office of Emergency Management activated the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) following the extensive rainfall received across the majority of Western Australia in January and early February 2017.

Consultants were engaged to inspect all unsealed roads and prepare a report on each road when conditions allowed safe access without causing further damage. This process was not completed until early June due to access being restricted by flooded river crossings. Upon receipt of the reports, joint inspections were carried out by the Manager Engineering Services and Main Roads WA Kimberley Region's Asset Manager to validate the damage detailed in each report was flood related. Estimates were then prepared to repair the nominated flood damage for each road and submitted to Main Roads WA for approval. This process was completed 6 September 2017.

STATUTORY ENVIRONMENT:

-) *Local Government Act 1995*–3.57 Tenders for the provision goods or services; and
-) *Local Government (Functions and General) Regulations 1996* part 4: tenders for the provision of goods or services.

POLICY IMPLICATIONS:

-) AF1–Procurement of Goods and Services
-) AF33–Regional Price Preference Policy – two tenderers qualified for application of this policy.

FINANCIAL IMPLICATIONS:

Main Roads WA have approved the Shire of Derby/West Kimberley’s estimates on all roads submitted within this Tender. Actual costs to reinstate the roads to pre-existing condition will be reimbursed by WANDRRA. The Shire of Derby/West Kimberley is liable for the first \$154,300 for the event which was included in last year’s budget.

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>2: A balance between natural and built environments Sustainable natural and built environments that meet the needs of the community and support future growth.</p>	<p>2.3: Reliable and safe transport infrastructure.</p>	<p>2.3.1: Develop a road maintenance and upgrading strategy</p>
<p>2: A balance between natural and built environments Sustainable natural and built environments that meet the needs of the community and support future growth.</p>	<p>2.5: Assets and infrastructure managed over the long term to meet current and future needs.</p>	<p>2.5.2: Maintain effective liaison with other levels of government and regional bodies to ensure coordinated provision of regional infrastructure</p>

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Business Interruption: Pastoralists unable to import fuel / fodder and export cattle.</p>	Almost certain	Severe	Extreme	Reinstate roads to previous condition
<p>Community: Access to communities restricted.</p>	Likely	Moderate	High	Reinstate roads to previous condition

CONSULTATION:

The tender was advertised statewide with submissions closing at 2:00pm, 7 September 2017. Documents were downloaded by 16 companies with 3 submissions received.

COMMENT:

It is recommended that the tender be awarded to the contractor with the highest average score given by three assessors, using the Approved Tender Scoring Criteria that falls within the allocated budget. The Regional Price Preference Policy AF33 was applied to the prices submitted by Buckley’s Earthworks and Paving and Robbro WA.

Robbro’s submission detailed that they would only be able to complete the reinstatement work in one of the two tenders that they submitted, with the work preferably carried out following the 2017/18 wet season. This timeline is not acceptable as the reinstatement work is required to be completed prior to the 2017/18 wet season where possible.

The Director of Technical and Development Services contacted Buckley’s Earthworks and Paving to confirm what they could achieve prior to the up and coming wet season. During this conversation Buckley’s Earthworks and Paving confirmed they could only complete two out of the four nominated tenders. During this meeting Buckley’s Earthworks and Paving were also asked if they were awarded all four tenders which ones would they accept and which ones would they decline knowing the time constraints on the work. The tenders they nominated as their preferred tenders would be T9-2017 and T12-2017. The Director of Technical and Development Services when having this conversation was not aware of the scores nor was he on the scoring panel for any of the tenders.

Buckley’s Earthworks and Paving has the current maintenance grading contract on the flood damaged roads detailed in this tender.

The criteria and weighting for this tender were as follows;

Criteria	%
Related Experience	15
Key Personnel and Experience	15
Tenderer's Resources	20
Demonstrated Understanding	25
Price	25

A score summary is shown below;

Buckley’s Earthworks and Paving	C1
Quadrio Earthmoving	C2
Robbro WA	C3

		C1	C2	C3
Track History & Record 15%	Weighted Score	13.3	9.7	9.7
Skills & Experience 15%	Weighted Score	13.3	9.3	8.3
Resources 20%	Weighted Score	16.0	13.3	13.3
Demonstrated Understanding 25%	Weighted Score	15.7	5.0	16.3
Total non-price (qualitative) criteria	Total out of 75%	58.3	37.3	47.7
Area 1				
Normalised Price	25%	25.0	17.9	17.6
Totals	100%	83.3	55.3	65.2

As seen in the table above, Buckley’s Earthworks and Paving were awarded the highest Total Score in the Assessment Criteria for T09-2017 Flood Damage Repairs – Milligiddee, Calwynyardah-Nookanbah and Ellendale Roads. It is recommended that this tender be awarded to Buckley’s Earthworks and Paving.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council resolve to award Tender T09-2017 to Buckley’s Earthworks and Paving for Flood Damage Repairs on Milligiddee, Calwynyardah-Nookanbah and Ellendale Roads.

10.3.3 TENDER T10-2017 – FLOOD DAMAGE REPAIRS

Location/Address:	Shire of Derby/West Kimberley
Name of Applicant:	Shire of Derby/West Kimberley
File Reference:	0481 – Infrastructure Management
Author:	Chris Hurstfield, Manager Engineering Services
Responsible Officer:	Wayne Neate, Director Technical and Development Services
Disclosure of any Interest:	Nil
Date of Report:	21 September 2017
Attachments:	8. Confidential Pricing
Authority/Discretion:	Administrative

SUMMARY:

This item is to award the tender for flood damage repairs on Blina, Fairfield-Leopold Downs and Leopold Downs Roads. Langey Crossing Road was included in the tender specification but the damage claim has not been accepted by Main Roads WA. This tender also included a Regional Road Group funded non-flood damage portion which involved drainage and floodway improvements on Fairfield-Leopold Downs Road.

BACKGROUND:

The Western Australian Office of Emergency Management activated the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) following the extensive rainfall received across the majority of Western Australia in January and early February 2017.

Consultants were engaged to inspect all unsealed roads and prepare a report on each road when conditions allowed safe access without causing further damage. This process was not completed until early June due to access being restricted by flooded river crossings. Upon receipt of the reports, joint inspections were carried out by the Manager Engineering Services and Main Roads WA Kimberley Region's Asset Manager to validate the damage detailed in each report was flood related. Estimates were then prepared to repair the nominated flood damage for each road and submitted to Main Roads WA for approval. This process was completed 6 September 2017.

STATUTORY ENVIRONMENT:

-) *Local Government Act 1995*–3.57 Tenders for the provision goods or services; and
-) *Local Government (Functions and General) Regulations 1996* part 4: tenders for the provision of goods or services.

POLICY IMPLICATIONS:

-) AF1–Procurement of Goods and Services
-) AF33–Regional Price Preference Policy – two tenderers qualified for application of this policy.

FINANCIAL IMPLICATIONS:

Main Roads WA have approved the Shire of Derby/West Kimberley’s estimates on all roads submitted except Langey Crossing Road from Derby Hwy to Yeeda homestead which will be removed from the final contract. Actual costs to reinstate the roads to pre-existing condition will be reimbursed by WANDRRA. The Shire of Derby/West Kimberley is liable for the first \$154,300 for the event which was included in last year’s budget.

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>2: A balance between natural and built environments Sustainable natural and built environments that meet the needs of the community and support future growth.</p>	<p>2.3: Reliable and safe transport infrastructure.</p>	<p>2.3.1: Develop a road maintenance and upgrading strategy</p>
<p>2: A balance between natural and built environments Sustainable natural and built environments that meet the needs of the community and support future growth.</p>	<p>2.5: Assets and infrastructure managed over the long term to meet current and future needs.</p>	<p>2.5.2: Maintain effective liaison with other levels of government and regional bodies to ensure coordinated provision of regional infrastructure</p>

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Business Interruption: Pastoralists unable to import fuel / fodder and export cattle.</p>	Almost certain	Severe	Extreme	Reinstate roads to previous condition
<p>Community: Access to communities restricted.</p>	Likely	Moderate	High	Reinstate roads to previous condition

CONSULTATION:

The tender was advertised statewide with submissions closing at 2:00pm, 7 September 2017. Documents were downloaded by 16 companies with 4 submissions received.

COMMENT:

It is recommended that the tender be awarded to the contractor with the highest average score given by three assessors, using the Approved Tender Scoring Criteria that falls within the allocated budget. The Regional Price Preference Policy AF33 was applied to the prices submitted by Buckley’s Earthworks and Paving and Gungalla Mackay.

The Director of Technical and Development Services contacted Buckley’s Earthworks and Paving to confirm what they could achieve prior to the up and coming wet season. During this meeting Buckley’s Earthworks and Paving confirmed they could only complete two out of the four nominated tenders. During this conversation Buckley’s Earthworks and Paving were also asked if they were awarded all four tenders which ones would they accept and which ones would they decline knowing the time constraints on the work. The tenders they nominated as their preferred tenders would be T9-2017 and T12-2017. The Director of Technical and Development Services when having this conversation was not aware of the scores nor was he on the scoring panel for any of the tenders.

Gungalla Mackay has the current maintenance grading contract on Blina Road and Jenkins Earthmoving and Transport has the current maintenance grading contract on Fairfield-Leopold Downs and Leopold Downs Roads.

The criteria and weighting for this tender were as follows;

Criteria	%
Related Experience	15
Key Personnel and Experience	15
Tenderer's Resources	20
Demonstrated Understanding	25
Price	25

A score summary is shown below;

Buckley’s Earthworks and Paving	C1
Gungalla Mackay	C2
McCorry Brown	C3
Quadrio Earthmoving	C4

		C1	C2	C3	C4
Track History & Record 15%	Weighted Score	13.3	11.3	8.7	9.7
Skills & Experience 15%	Weighted Score	13.3	11.7	7.3	9.3
Resources 20%	Weighted Score	16.0	16.7	14.7	13.3
Demonstrated Understanding 25%	Weighted Score	14.7	19.0	6.7	5.0
Total non-price (qualitative) criteria	Total out of 75%	57.3	58.7	37.3	37.3
Area 1					
Normalised Price	25%	25.0	19.4	12.8	19.6
Totals	100%	82.3	78.1	50.1	56.9

As seen in the table above, Buckley’s Earthworks and Paving was awarded the highest Total Score in the Assessment Criteria for T10-2017 Flood Damage Repairs – Blina, Fairfield-Leopold Downs and Leopold Downs Roads. However, as Buckley’s Earthworks and Paving scored highest in all tenders that they submitted, in accordance with the comment above Buckley’s Earthworks and Paving would decline this tender if awarded. The next highest Total Score in the table above was received by Gungalla Mackay. It is recommended that this tender is awarded to Gungalla Mackay.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council resolve to award Tender T10-2017 to Gungalla Mackay for Flood Damage Repairs on Blina, Fairfield-Leopold Downs and Leopold Downs Roads.

10.3.4 TENDER T11-2017 – FLOOD DAMAGE REPAIRS

Location/Address:	Shire of Derby/West Kimberley
Name of Applicant:	Shire of Derby/West Kimberley
File Reference:	0481 – Infrastructure Management
Author:	Chris Hurstfield, Manager Engineering Services
Responsible Officer:	Wayne Neate, Director Technical and Development Services
Disclosure of any Interest:	Nil
Date of Report:	21 September 2017
Attachments:	9. Confidential Pricing
Authority/Discretion:	Administrative

SUMMARY:

This item is to award the tender for flood damage repairs on Beverley Springs, Tablelands, Marion Downs and Milliwindie Roads, as well as Parks and Wildlife Service funded works on Silent Grove and Silent Grove-Bell Gorge Roads.

BACKGROUND:

The Western Australian Office of Emergency Management activated the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) following the extensive rainfall received across the majority of Western Australia in January and early February 2017.

Consultants were engaged to inspect all unsealed roads and prepare a report on each road when conditions allowed safe access without causing further damage. This process was not completed until early June due to access being restricted by flooded river crossings. Upon receipt of the reports, joint inspections were carried out by the Manager Engineering Services and Main Roads WA Kimberley Region's Asset Manager to validate the damage detailed in each report was flood related. Estimates were then prepared to repair the nominated flood damage for each road and submitted to Main Roads WA for approval. This process was completed 6 September 2017.

STATUTORY ENVIRONMENT:

-) *Local Government Act 1995*–3.57 Tenders for the provision goods or services; and
-) *Local Government (Functions and General) Regulations 1996* part 4: tenders for the provision of goods or services.

POLICY IMPLICATIONS:

-) AF1–Procurement of Goods and Services

) AF33–Regional Price Preference Policy – one tenderer qualified for application of this policy.

FINANCIAL IMPLICATIONS:

Main Roads WA have approved the Shire of Derby/West Kimberley’s estimates on all roads submitted within this Tender. Actual costs to reinstate the roads to pre-existing condition will be reimbursed by WANDRRA. The Shire of Derby/West Kimberley is liable for the first \$154,300 for the event which was included in last year’s budget.

Parks and Wildlife Service have allocated excess funds from the Bell Gorge carpark upgrade towards the improvement of sections of Silent Grove and Silent Grove-Bell Gorge Roads.

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>2: A balance between natural and built environments Sustainable natural and built environments that meet the needs of the community and support future growth.</p>	<p>2.3: Reliable and safe transport infrastructure.</p>	<p>2.3.1: Develop a road maintenance and upgrading strategy</p>
<p>2: A balance between natural and built environments Sustainable natural and built environments that meet the needs of the community and support future growth.</p>	<p>2.5: Assets and infrastructure managed over the long term to meet current and future needs.</p>	<p>2.5.2: Maintain effective liaison with other levels of government and regional bodies to ensure coordinated provision of regional infrastructure</p>

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Business Interruption: Pastoralists unable to import fuel / fodder and export cattle.</p>	Almost certain	Severe	Extreme	Reinstate roads to previous condition
<p>Community: Access to communities restricted.</p>	Likely	Moderate	High	Reinstate roads to previous condition

CONSULTATION:

The tender was advertised statewide with submissions closing at 2:00pm, 7 September 2017. Documents were downloaded by 19 companies with 2 submissions received.

COMMENT:

For the purpose of the project, the scope of works was split into separate sections detailing the damaged lengths of each road.

It is recommended that the tender be awarded to the contractor with the highest average score given by three assessors, using the Approved Tender Scoring Criteria that falls within the allocated budget. The Regional Price Preference Policy AF33 was applied to the prices submitted by the Jenkins Earthmoving and Transport/Young’s Earthmoving Joint Venture.

The Jenkins Earthmoving and Transport/Young’s Earthmoving Joint Venture submission detailed that if they were awarded T11-2017 and T12-2017, they would only be able to complete both if the works detailed in T11-2017 were able to be completed after the 2017/18 wet season. As the roads detailed in T11-2017 received the least amount of flood damage, this proposal would be acceptable for operational purposes if T12-2017 was also awarded to Jenkins Earthmoving and Transport.

Jenkins Earthmoving and Transport has the current maintenance grading contract on the flood damaged roads detailed in this tender.

The criteria and weighting for this tender were as follows;

Criteria	%
Related Experience	15
Key Personnel and Experience	15
Tenderer's Resources	20
Demonstrated Understanding	25
Price	25

A score summary is shown below;

Quadrio Earthmoving	C1
Jenkins Earthmoving and Transport / Young’s Earthmoving Joint Venture	C2

		C1	C2
Track History & Record 15%	Weighted Score	9.7	13.3
Skills & Experience 15%	Weighted Score	9.3	13.0
Resources 20%	Weighted Score	13.3	18.0
Demonstrated Understanding 25%	Weighted Score	5.0	20.3
Total non-price (qualitative) criteria	Total out of 75%	37.3	64.7
Area 1			
Normalised Price	25%	18.3	25.0
Totals	100%	55.6	89.7

As seen in the table above, Jenkins Earthmoving and Transport/Young’s Earthmoving Joint Venture was awarded the highest Total Score in the Assessment Criteria for T11-2017 Flood Damage Repairs – Beverley Springs, Tablelands, Marion Downs and Milliwindie Roads. It is recommended that this tender be awarded to Jenkins Earthmoving and Transport/Young’s Earthmoving Joint Venture.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council resolve to award Tender T11-2017 to Jenkins Earthmoving and Transport/Young’s Earthmoving Joint Venture for Flood Damage Repairs on Beverley Springs, Tablelands, Marion Downs and Milliwindie Roads.

10.3.5 TENDER T12-2017 – FLOOD DAMAGE REPAIRS

Location/Address:	Shire of Derby/West Kimberley
Name of Applicant:	Shire of Derby/West Kimberley
File Reference:	0481 – Infrastructure Management
Author:	Chris Hurstfield, Manager Engineering Services
Responsible Officer:	Wayne Neate, Director Technical and Development Services
Disclosure of any Interest:	Nil
Date of Report:	21 September 2017
Attachments:	10. Confidential Pricing
Authority/Discretion:	Administrative

SUMMARY:

This item is to award the tender for flood damage repairs on Mt Anderson, Camballin-Myroodah, Nerrima (including Kalyeeda access), GNH-Gee Gully, Dampier Downs, Mangel Creek-Udialla and Nillibubbica Roads.

BACKGROUND:

The Western Australian Office of Emergency Management activated the Western Australia Natural Disaster Relief and Recovery Arrangements (WANDRRA) following the extensive rainfall received across the majority of Western Australia in January and early February 2017.

Consultants were engaged to inspect all unsealed roads and prepare a report on each road when conditions allowed safe access without causing further damage. This process was not completed until early June due to access being restricted by flooded river crossings. Upon receipt of the reports, joint inspections were carried out by the Manager Engineering Services and Main Roads WA Kimberley Region's Asset Manager to validate the damage detailed in each report was flood related. Estimates were then prepared to repair the nominated flood damage for each road and submitted to Main Roads WA for approval. This process was completed 6 September 2017.

STATUTORY ENVIRONMENT:

-) *Local Government Act 1995*–3.57 Tenders for the provision goods or services; and
-) *Local Government (Functions and General) Regulations 1996* part 4: tenders for the provision of goods or services.

POLICY IMPLICATIONS:

-) AF1–Procurement of Goods and Services

) AF33–Regional Price Preference Policy – two tenderers qualified for application of this policy.

FINANCIAL IMPLICATIONS:

Main Roads WA have approved the Shire of Derby/West Kimberley’s estimates on all roads submitted within this Tender. Actual costs to reinstate the roads to pre-existing condition will be reimbursed by WANDRRA. The Shire of Derby/West Kimberley is liable for the first \$154,300 for the event which was included in last year’s budget.

STRATEGIC IMPLICATIONS:

GOAL	OUTCOME	STRATEGY
<p>2: A balance between natural and built environments Sustainable natural and built environments that meet the needs of the community and support future growth.</p>	<p>2.3: Reliable and safe transport infrastructure.</p>	<p>2.3.1: Develop a road maintenance and upgrading strategy</p>
<p>2: A balance between natural and built environments Sustainable natural and built environments that meet the needs of the community and support future growth.</p>	<p>2.5: Assets and infrastructure managed over the long term to meet current and future needs.</p>	<p>2.5.2: Maintain effective liaison with other levels of government and regional bodies to ensure coordinated provision of regional infrastructure</p>

RISK MANAGEMENT CONSIDERATIONS:

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<p>Business Interruption: Pastoralists unable to import fuel / fodder and export cattle.</p>	Almost certain	Severe	Extreme	Reinstate roads to previous condition
<p>Community: Access to communities restricted.</p>	Likely	Moderate	High	Reinstate roads to previous condition

CONSULTATION:

The tender was advertised statewide with submissions closing at 2:00pm, 7 September 2017. Documents were downloaded by 21 companies with 3 submissions received.

COMMENT:

It is recommended that the tender be awarded to the contractor with the highest average score given by three assessors, using the Approved Tender Scoring Criteria that falls within the allocated budget. The Regional Price Preference Policy AF33 was applied to the prices submitted by Buckley’s Earthworks and Paving and the Jenkins Earthmoving and Transport/Young’s Earthmoving Joint Venture.

The Jenkins Earthmoving and Transport / Young’s Earthmoving Joint Venture submission detailed that if they were awarded T11-2017 and T12-2017, they would only be able to complete both if the works detailed in T11-2017 were able to be completed after the 2017/18 wet season. As the roads detailed in T11-2017 received the least amount of flood damage, this proposal would be acceptable for operational purposes.

The Director of Technical and Development Services contacted Buckley’s Earthworks and Paving to confirm what they could achieve prior to the up and coming wet season. During this meeting Buckley’s Earthworks and Paving confirmed they could only complete two out of the four nominated tenders. During this conversation Buckley’s Earthworks and Paving were also asked if they were awarded all four tenders which ones would they accept and which ones would they decline knowing the time constraints on the work. The tenders they nominated as their preferred tenders would be T9-2017 and T12-2017. The Director of Technical and Development services when having this conversation was not aware of the scores nor was he on the scoring panel for any of the tenders.

Jenkins Earthmoving and Transport has the current maintenance grading contract on the flood damaged roads detailed in this tender.

The criteria and weighting for this tender were as follows;

Criteria	%
Related Experience	15
Key Personnel and Experience	15
Tenderer's Resources	20
Demonstrated Understanding	25
Price	25

A score summary is shown below;

Buckley’s Earthworks and Paving	C1
Quadrio Earthmoving	C2
Jenkins Earthmoving and Transport / Young’s Earthmoving Joint Venture	C3

		C1	C2	C3
Track History & Record 15%	Weighted Score	13.3	9.7	13.3
Skills & Experience 15%	Weighted Score	13.3	9.3	13.3
Resources 20%	Weighted Score	15.7	13.3	18.0
Demonstrated Understanding 25%	Weighted Score	14.0	5.0	21.0
Total non-price (qualitative) criteria	Total out of 75%	56.3	37.3	65.7
Area 1				
Normalised Price	25%	25.0	13.8	15.6
Totals	100%	81.3	51.2	81.2

As seen in the table above, Buckley’s Earthworks and Paving was awarded the highest Total Score in the Assessment Criteria for T12-2017 Flood Damage Repairs – Mt Anderson, Camballin-Myroodah, Nerrima, GNH-Gee Gully, Dampier Downs, Manguel Creek-Udialla and Nillibubbica Roads. It is recommended that this tender be awarded to Buckley’s Earthworks and Paving.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION:

That Council resolve to award Tender T12-2017 to Buckley’s Earthworks and Paving for Flood Damage Repairs on Mt Anderson, Camballin-Myroodah, Nerrima, GNH-Gee Gully, Dampier Downs, Manguel Creek-Udialla and Nillibubbica Roads.

10.4 DEVELOPMENT SERVICES

Nil

10.5 COMMUNITY SERVICES

Nil

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.0 NEW BUSINESS OF AN URGENT NATURE

**13.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED
(CONFIDENTIAL MATTERS)**

13.1 REQUEST TO WAIVE PENALTY INTEREST, ASSESSMENTS A500090, A500220, A900725, A300621, A900839, A900840, A900841, A900842, A900843 AND A900844

13.2 REQUEST FOR RATES CONCESSION, ASSESSMENT A105780

14.0 CLOSURE

14.1 DATE OF NEXT MEETING

The next ordinary meeting of Council will be held Thursday, 26 October 2017 in the Council Chambers, Clarendon Street Derby.

14.2 CLOSURE OF MEETING

The Presiding Member closed the meeting at pm

These minutes were confirmed at a meeting on

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Signed:

Presiding Person at the meeting at which these minutes were confirmed.

Date: