



MINUTES

PUBLIC COPY

Council Meeting held
on Thursday 25 March 2010

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	1
2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (previously approved)	1
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	1
4. PUBLIC QUESTION TIME	1
5. APPLICATIONS FOR LEAVE OF ABSENCE	3
6. PETITIONS/DEPUTATIONS/PRESENTATIONS	3
7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	3
8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	3
9. REPORTS BY MEMBERS ATTENDING COMMITTEES	4

10. REPORTS OF OFFICERS

Minute No.	Item No.	Description	Page No.
8360	10.1	Flood Level Marker (Naming Recognition)	5
8361	10.2	Code of Conduct Review	7
8362	10.3	Local Emergency Management Advisory Committee (LEMAC)	9
8363	10.4	Monthly Financial Statements for 28 February 2010	11
	10.5	Rates Advisory Committee	12
8364	10.6	Electronic Payment of Accounts	14
8365	10.7	Policy Review – Indoor Staff Uniforms	17
8366	10.8	Policy Review – Study Leave	20
8367	10.9	Policy Review – Purchasing Policy	23
8368	10.10	Accounts for Payment	45
8371	10.11	Confidential Item (Separate Cover)	53

11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

(a) OFFICERS

(b) ELECTED MEMBERS 47

12. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

	12.1	Community Resource Centre	47
8369	12.2	Community Arboretum	48
	12.3	Naming of Council Facilities	51

13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	52
14. CLOSURE OF MEETING	52

Minutes

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairperson declared the meeting open at 4.23pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (previously approved)

Councillors Dunnet, Boulter, Camarri, Dean, Gilbert, Lorkiewicz, Mellema and Pinkerton.

Shane Collie – Chief Executive Officer.
Ewen Ross – Manager Development Services.
Chris Wade – Works Manager.

VISITORS

8

APOLOGIES

Nil.

LEAVE OF ABSENCE (previously approved)

Nil.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

"Mr Rob Lee asked if Councillor Mellema had taken into account with his notice of motion concerning the Community house the previous costs associated with the planning of the TimeWood Centre."

A response has been provided to Mr Lee advising "No" to this question.

4. PUBLIC QUESTION TIME

Mr M Loveland asked for an update on his prior query on Serena's cottage.

The Chief Executive Officer responded that the group approached for information has not responded at this point to the request for information.

Mr M Loveland asked on when the proposed standing orders will come into effect.

The Chief Executive Officer advised that this would normally be 14 days from gazettal. Gazettal has not yet occurred as the Department of Local Government has some final queries to put forward.

Mr M Loveland asked for an explanation on tar on the footpath on Warren Road.

Works Manager responded indicating that works were undertaken by Main Roads WA and that Council is not responsible for the situation that had occurred which is now understood to be corrected.

Dr B Longmore asked a number of questions as follows in respect of Council resolution 8357 regarding the community arboretum regional project.

I note with interest, the rescission motion put by Cr Camarri respect of Council resolution 8357 (part) from the February 2010 meeting regarding the Arboretum project. In that motion, Cr Camarri has put that some of the trees are inappropriate, namely lilly pilly, 'poplar' and Chinese white birch.

My questions are:

- 1. The name lilly pilly is generic in the sense that there are many different species and varieties, and one would be selected which would be most suitable for the purpose. I draw her attention to the white fruited lilly pilly trees gracing the Pemberton main park and which don't seem to present an environmental hazard to that Council. Would her objections continue if that tree was withdrawn from the lists?*
- 2. Has Cr Camarri taken note of the fact that there are many different species and varieties of 'poplar' and that the one named, ie the Simons poplar, *Populus simonii*, is a non-suckering tree, contrary to her statement that it may "become an environmental weed, requiring regular slashing to control offspring".*
- 3. I request Cr Camari to proffer evidence that the Chinese white birch, *Betula szechuanica*, has the potential to become an environmental weed. Do the silver birches at present in the Caravan Park present that same hazard?*
- 4. Cr Camarri states that "input into location and species type from Council's gardening staff was minimal". On the contrary, Steve Winfield is a*

significant member of the Arboretum Working Party, and indeed tabled the plant lists which were used to select suitable trees. This was a working party of selected interested persons. Can I ask Cr Camarri to suggest any other Council gardening staff who should be included in future deliberations?

5. *Has Cr Camarri consulted the Golden Valley Tree Park management to confirm her misgivings on the trees the working party selected?*
6. *Regarding her statement that "the site is inappropriate" - Can Cr Camarri provide reasons why that area is inappropriate? Large trees already grow there, and new trees have been planted in the recent past. It has been recently noted in other shires that deciduous trees may provide a degree of protection to an area during an advancing forest fire.*

I believe that several of the statements made by Cr Camarri are without reasonable foundation. Should one of the suggested trees grow to such stature that an objecting citizen is then able to take refuge in its branches, then I would be pleasantly surprised and pleased at the rate of growth achieved.

The questions were taken on notice.

Mr R Lee gave a note of thanks for recent soil delivery undertaken by Council's outside workforce.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Ms C Brown made a presentation on the Nannup Community Resource Network's new logo.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8359 BOULTER/CAMARRI

That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Council Chambers on 25 February 2010 be confirmed as a true and correct record.

CARRIED 8/0

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

9. REPORTS BY MEMBERS ATTENDING COMMITTEES

CSIRO meeting (Climate/Water)
Presentation of Oval (Cr Gilbert)
Risk Management
LEMAC Trails Project
Cultural Planning project
Water Quality Hardy Inlet
Presidents meeting (Warren Blackwood Strategic Alliance)
School Council

Signed: _____

Dated: 22 April 2010

10. REPORTS OF OFFICERS

AGENDA NUMBER: 10.1
SUBJECT: Flood Level Marker (Naming Recognition)
LOCATION/ADDRESS: Blackwood River Foreshore
NAME OF APPLICANT:
FILE REFERENCE: ADM 4
AUTHOR: Shane Collie – Chief Executive Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 15 March 2010

Attachment: Council Policy HAB 5.

BACKGROUND:

At the last Council Information Session Council dealt with a request from the Nannup Music Club to name the section of land between Templemore and the Old Roads Board building as "Blythe Park". Council did not proceed with the request however a suggestion was put forward that a replacement river level marker would be an appropriate recognition of the late Mr Dave Blythe given his association with the tree and signage where the old marker was located.

COMMENT:

Council resolved at its October 2009 meeting the following:

"That the high water mark level markers of the old 'marker tree' be moved to the tree located on the southern bank approximately 10 metres upstream from the old tree. Lower markers to be located on bridge timbers if they won't all go onto one tree."

The comment to this resolution was as follows:

"The Marker Tree near the Old Railway Bridge is a cultural icon of the region and many visitors and residents have viewed the tree over the years that mark the high water level and flood levels of the Blackwood River."

The tree fell recently in a storm and it is recommended that the markers are re-installed as per the recommendation.

A Lotterywest Conservation of Cultural Heritage grant is currently open and closes on the 6th November. There is an opportunity for the marker tree to be recognised under this program and I am currently talking to local artists, the Streetscape Advisory Committee and DEC regarding this."

Signed: _____

Dated: 22 April 2010

In terms of the possibility of a grant program as mentioned above this did not eventuate and the resolution is hence being enacted by moving the markers as indicated. The point of this item is in respect of the naming aspect suggested.

Council policy HAB 5 is attached however is not altogether relevant as it refers to the naming of existing Council facilities where as this matter refers to the establishment of an informal flood marker. As such the policy is considered not to apply (including the retention of confidentiality) however is recommended to be followed in terms of a consultation process if Council wishes to proceed with the naming aspect of the initiative.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: HAB 5.

FINANCIAL IMPLICATIONS:

No costs are associated with the naming aspect of the initiative. There would be some minor costs associated with a plaque or similar which would be determined at a later point in time. At this stage no specific budget allocation has been made.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council commence the consultation process per Council Policy HAB 5 in making recognition of the late Mr David Blythe as part of replacing the flood marker tree in the Foreshore Park area of the Blackwood River.

8360 GILBERT/PINKERTON

That Council commence the consultation process per Council Policy HAB 5 in making recognition of the late Mr David Blythe as part of replacing the flood marker tree in the Foreshore Park area of the Blackwood River.

CARRIED 8/0

Naming of Council Facilities

HAB 5

Objective:

The objective of this policy is to provide a framework for selecting and adopting new and replacement names for Council owned facilities including properties, buildings, parks and reserves, memorials, and other physical structures, but excluding road infrastructure throughout the Shire of Nannup.

Policy Statement:

Council recognises that the names of infrastructure owned by Council can have significant influence on the development of an improved sense of community within the Shire. It is important that the community be part of the process by having an opportunity to contribute possible names for Shire infrastructure.

The naming of facilities, buildings and amenities under the control of the Council will be undertaken in a planned, coordinated and inclusive manner which represents and acknowledges the area's history, heritage and environment.

Principles of Naming Facilities:

When proposing names for facilities developed and owned by the Shire of Nannup, the following criteria will be taken into consideration:

- i. The locality of the development (eg – Carlotta)
- ii. Any historical events associated with or near the site
- iii. Indigenous and cultural heritage relevant to the site
- iv. Pioneering families (family names only) associated with the immediate area
- v. Significant individuals who have contributed substantially to the community in a voluntary capacity
- vi. Social or calendar events
- vii. Community or corporate sponsorship

Procedure for Naming New Facilities:

- i. Elected members and members of the community may submit, in writing, names for consideration by Council for new facilities or for the renaming of facilities including in their submission their reasons for their suggestion. Where the suggestion is to name a facility after a person who is no longer living, who has made a significant contribution to the community, extensive background information on the person's voluntary contributions to the community is to be provided as part of the written submission.
- ii. Where a name or names are suggested other than a name relating to the locality or prime function of the facility, using the criteria above (Principles of Naming Facilities), The Chief Executive Officer shall cause a confidential report to be prepared on the proposed name(s) for Council consideration. Elected members shall select their preferred option by 1st past the post ballot. If no clear preference is decided on the 1st ballot, a second ballot shall be held with the two most popular choices from the first ballot, the only choices.
- iii. Where there is a request to rename an existing Council owned facility, in addition to the above criteria, the additional information is to be considered:
 - i. The historical reason for the original name,
 - ii. The public's acceptance and familiarity of the original name, and
 - iii. The costs associated with changing the name.

Consultation Process:

Following the completion of the above procedure Council will undertake community consultation on any proposed name. Consultation and background research will vary according to the nature of the nomination however should be generally in accordance with the following:

- (i) Nominee is an individual -

Consultation shall occur in the first instance with the nominee or relevant family members to ascertain their support. If the nominee disapproves the naming process will not be pursued. If the nominee is deceased, then appropriate relatives or friends will be contacted asking if they approve of the request. If the relatives or friends do not approve, the naming process will not be pursued. If the nomination is approved in either case, then background research and community consultation is then to be conducted.

HAB 5
(Page 2/3)

(ii) Nominee is a Community Group -

The community group will be asked if they approve of the nomination. If the nominated group disapproves the naming process will not be pursued. If the nomination is approved, then background research and community consultation is then to be conducted.

(iii) Nomination is an Historical, Social or Culturally Specific Name -

In the case of culturally specific names, consultation is to occur in the first instance with relevant cultural groups with any request for the use of indigenous names requiring the approval of the appropriate indigenous representatives. If the nomination is approved, then background research and community consultation is then to be conducted.

(iv) Background Research -

Appropriate background research should be conducted regarding the level of community or Council service of the nominee and the significance of any historical, social, or culturally specific names proposed. The purpose of the research is to provide a rationale for the merit of the nomination.

(v) Community Consultation -

Where appropriate, community consultation will be conducted with relevant stakeholders. The stakeholders, method and level of consultation required will be determined by the Chief Executive Officer and will include as a minimum local public notice of the proposed name. The purpose of the consultation is to seek stakeholder feedback on the naming request. Council is to consider all comments received and may accept or reject in whole or in part any such comments received in respect of the proposed name.

Memorial in Recognition of Reason for Name:

Once Council has made a determination on the preferred name, the Chief Executive Officer will cause the commissioning of a memorial to be placed upon the facility by way of the placement/erection of a plaque consistent with the facility's size and location. Such plaques will record the person's initials and surname (including post nominals) and, subject to preference, use of a single first (or preferred) name and the date of the memorialisation. Where appropriate the extent or significance of the person's or group's contribution to the community will be notated.

Policy Adopted at a Council Meeting on 24 April 2009.

HAB 5
(Page 3/3)

AGENDA NUMBER: 10.2
SUBJECT: Code of Conduct Review
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE: ADM 13
AUTHOR: Shane Collie - Chief Executive Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 15 March 2010

Attachment: Shire of Nannup Code of Conduct.

BACKGROUND:

Section 5.103 (1) of the Local Government Act 1995 states:

Every local government is to prepare or adopt a Code of Conduct to be observed by Council members, committee members and employees.

Section 5.103 (2) of the Local Government Act 1995 states:

A local government is to review its Code of Conduct within 12 months after each ordinary elections day and make such changes to the code as it considers appropriate.

Council's present Code of Conduct was last reviewed in April 2008 and is required to be reviewed prior to October 2011. The purpose of this item is to comply with that review function.

COMMENT:

With the introduction of the Local Government (Rules of Conduct) Regulations in October 2007 adopted codes of conduct of all local governments in the State were effectively diminished to a local government staff management tool.

The reasons for this are as follows:

- The Local Government (Rules of Conduct) Regulations 2007 override any existing local government Codes of Conduct being State legislation.
- The Local Government (Rules of Conduct) Regulations 2007 are principally applicable to elected members.
- Existing codes of conduct were not enforceable to elected members, however are to employees who must abide by any such adopted code as part of employment conditions.

Signed: _____

Dated: 22 April 2010

Council's existing Code of Conduct has been reviewed and no significant changes have been made. Some minor text alterations, format, spelling and a cover page have been introduced. Council's Code of Conduct is based on the industry standard.

STATUTORY ENVIRONMENT:

Local Government Act 1995 section 5.103(2) as noted in the background to this report.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council adopt (reaffirm) the Shire of Nannup Code of Conduct as presented as the attachment to this report.

8361 BOULTER/MELLEMA

That Council adopt (reaffirm) the Shire of Nannup Code of Conduct as presented as the attachment to this report.

CARRIED 8/0

SHIRE OF NANNUP

CODE OF CONDUCT 2010

Section 5.103 (1) of the Local Government Act 1995 states:

Every local government is to prepare or adopt a Code of Conduct to be observed by Council members, committee members and employees.

Section 5.103 (2) of the Local Government Act 1995 states:

A local government is to review its Code of Conduct within 12 months after each ordinary elections day and make such changes to the code as it considers appropriate. Last election day 17 October 2009.

Adopted (Reaffirmed) at Council Meeting 25 March 2010

PREAMBLE

The Code of Conduct provides elected members and staff at the Shire of Nannup with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.

The Code is complementary to the principles adopted in the Local Government Act and regulations which incorporates four fundamental aims to result in :-

- (a) better decision-making by local governments;
- (b) greater community participation in the decisions and affairs of local governments;
- (c) greater accountability of local governments to their communities; and
- (d) more efficient and effective local government.

The Code provides a guide and a basis of expectations for elected members and staff. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

ROLE OF ELECTED MEMBERS

A Councillor's primary role is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Local Government will be the focus of the Councillor's public life.

A Councillor is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives.

In fulfilling the various roles, elected members' activities will focus on:

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to the Local Government's finances;
- ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level;

- having an awareness of the statutory obligations imposed on Councillors and on Local Governments.

1. CONFLICT AND DISCLOSURE OF INTEREST

1.1 Conflict of Interest

- Members and staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided. In the instance of the Chief Executive Officer the disclosure is to be made to the Shire President.
- Members and Staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the municipality or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence). In the instance of the Chief Executive Officer the disclosure is to be made to the Shire President.
- Members and Staff who exercise recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- Staff will refrain from partisan political activities, which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti discriminatory legislation.

1.2 Financial Interest

Members and staff will adopt the principles of disclosure of financial interest as contained within the Local Government Act.

1.3 Disclosure of Interest

- Members and appropriate staff will disclose, in a written return or at the relevant meeting, the interests which might be in conflict with their public or professional duties.
- Whenever disclosure is required, recommended in this Code, or otherwise seems appropriate, it will be made promptly, fully, and in writing within the register provided.

1.4 Disclosure of Interests Affecting Impartiality

For the purposes of this clause, "interest" means an interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in section 5.60 (Financial Interest)

- (a) A Council member or employee is to disclose any interest that he or she has in any matter to be discussed at a Council or committee meeting that will be attended by the member or employee.
- (b) A Council member or employee is to disclose any interest that he or she has in any matter to be discussed at a Council or committee meeting in respect of which the member or employee has given, or will give, advice.
- (c) A disclosure of an interest under Paragraph (a) or (b) above is to be made at the meeting immediately before the matter is discussed or at the time the advice is given, and is to be recorded in the minutes of the relevant meeting.
- (d) Nothing in this clause prohibits a person who has disclosed such an interest from speaking, voting or reporting on the matter in which they have the interest.

2. PERSONAL BENEFIT

2.1 Use of Confidential Information

Members and staff will not use confidential information to gain advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially, or to cause harm or detriment to any person or organisation.

2.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

2.3 Undue Influence

Members and staff will not take advantage of their position to unduly influence other members or staff in the performance of their duties or functions, in order to gain undue (direct or indirect) advantage or gain for themselves or for any other person or body.

2.4 Gifts and Bribery

- (a) Members and staff will not seek or accept (directly or indirectly) from any person or body, any immediate or future gift, reward or benefit (other than gifts of a token kind, or moderate acts of hospitality) for themselves

or for any other person or body, relating to their status with the Local Government or their performance of any duty or work which touches or concerns the Local Government.

- (b) If any gift, reward or benefit is offered (other than gifts of a token kind, or moderate acts of hospitality), disclosure will be made in a prompt and full manner and in writing in the appropriate register.
- (c) For the purposes of this clause, a gift shall be considered to be of a token nature if its value is less than \$30. However the receipt of all gifts up to this value shall be recorded in a register maintained by the Chief Executive Officer. The register will record the nature and value of the gift, who received the gift and when, and by whom the gift was given.
- (d) Minor gifts of a hospitality nature do not need to be included in this register.

3. CONDUCT OF MEMBERS AND STAFF

3.1 Personal Behaviour

(a) Members and staff will:

- (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- (ii) perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
- (iii) act in good faith (ie. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
- (iv) make no allegations which are improper or derogatory (unless true and in public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- (v) always act in accordance with their obligation of fidelity to the Local Government.

- (b) Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

3.2 Honesty and Integrity

Members and staff will

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;

- (b) bring to the notice of the President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer. If the President or Chief Executive Officer are the subject of dishonesty or possible dishonesty the notice is to be brought to the attention of the President in the instance of the Chief Executive Officer or the Chief Executive Officer in the instance of the President.
- (c) be frank and honest in their official dealing with each other.

3.3 Performance of Duties

- (a) While on duty, staff will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favorably both on them and on the Local Government.
- (b) Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

3.4 Compliance with Lawful Orders

- (a) Members and Staff will comply with any lawful order given by any person having authority to make or give such an order. If there is any doubt as to the propriety of any such order then the matter is to be taken up with the superior of the person who gave the order. If resolution can not be achieved the issue is to be addressed by the Chief Executive Officer in respect of a staff member, or the President if an elected member.
- (b) Members and Staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

3.5 Administrative and Management Practices

Members and staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

3.6 Corporate Obligations

- (a) Standard of Dress

Staff are expected to comply with neat and responsible dress standards at all times. Management reserves the right to raise the issue of dress with individual staff.

- (b) Members are expected to comply with neat and responsible dress standards at all times.

- (c) Communication and Public Relations

(i) All aspects of communication by staff (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.

(ii) As a representative of the community Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Members should acknowledge that:

- as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
- information of a confidential nature ought not be communicated until it is no longer treated as confidential;
- information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
- information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

3.7 Relationships between Members and Staff

- An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Members and staff have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position Members need to:
- accept that their role is a leadership, not a management or administrative one;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility

3.8 Appointments to Committees

As part of their representative role Members are often asked to represent the Council on external organisations. It is important that Members clearly understand the basis of their appointment and provide regular reports on the activities of the organisation.

4. DEALING WITH COUNCIL PROPERTY

4.1 Use of Local Government Resources

Members and staff will:

- (a) be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Local Government resources entrusted to them effectively and economically in the course of their duties and
- (c) not use the Local Government's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

4.2 Travelling and Sustenance Expenses

Members and staff will only claim or accept travelling and sustenance expenses arising out of matters where the action or representation undertaken is directly connected with Council and has a correlation with the services, policies or business of the Local Government in accordance with Local Government policy and the provision of the Local Government Act.

4.3 Access to Information

- (i) Staff will ensure that members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as members.

Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

AGENDA NUMBER: 10.3
SUBJECT: Local Emergency Management Advisory Committee (LEMAC)
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE: FRC 10
AUTHOR: Shane Collie – Chief Executive Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 16 March 2010

Attachment: LEMAC Minutes 15 March 2010.

BACKGROUND:

The Local Emergency Management Advisory Committee (LEMAC) met on 15 March 2010. There is one recommendation put forward by the committee as follows:

"That an amended version of the Shire of Nannup's Emergency Management Support Diagram be tabled at the next Shire meeting."

COMMENT:

The resolution is not required as by virtue of Council receiving the meeting minutes (which has the Emergency Management Support Diagram attached) the document is effectively tabled. A resolution to receive the meeting minutes has the same effect as tabling the document.

The *Emergency Management Support Diagram* forms part of the overall Emergency Management Arrangements which is being reviewed at this point in time. The updated document will be submitted for Council endorsement in due course along with an updated Community Recovery Plan and Bushfire Plan. The updating and review of these documents are key objectives of the LEMAC and are enshrined in the group's Terms of Reference.

Feedback will be provided to the LEMAC on the *Emergency Management Support Diagram* as part of the review and update of the abovementioned plans.

The documents will be dealt with as a whole by Council in terms of endorsement when the reviews are complete.

STATUTORY ENVIRONMENT:

Emergency Management Act 2005.
Local Government Act 1995.

POLICY IMPLICATIONS: Nil.

Signed:

Dated: 22 April 2010

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council receive the Local Emergency Management Advisory Committee (LEMAC) meeting minutes of 15 March 2010.

8362 PINKERTON/CAMARRI

That Council receive the Local Emergency Management Advisory Committee (LEMAC) meeting minutes of 15 March 2010.

CARRIED 8/0

Signed: _____

Dated: 22 April 2010

**SHIRE OF NANNUP
Local Emergency Management Advisory Committee
Monday March 15 2010
4.00pm Shire Offices**

<h2>MINUTES</h2>

1 .OPENING

Cr C Pinkerton chaired the meeting and declared the meeting open at 4.10pm

2. ATTENDANCE & APOLOGIES

Cr C Pinkerton – Shire of Nannup
Ms T Levick-Godwin - Chief Bushfire Control Officer/CESM
Mr P Richards – Nannup Police
Mr M Glynn – Nannup Police
Mrs G Millward – Nannup Country Womens Association
Mrs E West - Nannup Country Womens Association
Mr C Buckland- Nannup District High School
Mr V Cheema – FESA CEMO
Ms A Huxtable - Department for Child Protection (DCP)
Ms M Jones – Nannup Hospital
Mr B Commins – Department of the Environment

Apologies were received from:

Ms P Adams - Department for Child Protection (DCP)
Mr N Hamilton – Deputy Chief Bushfire Control Officer
Cr J Lorkiewicz – Shire of Nannup

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

G MILLWARD/C PINKERTON

That the meeting minutes of Local Emergency Management Advisory Committee meeting held February 8 be confirmed as true and correct with the correction of Mrs G Millward's name in 5.3 and a missed apology for Mrs E West.

CARRIED

4. BUSINESS ARISING FROM THE MINUTES

4.1 Shire of Nannup Emergency Management Support Diagram

Discussion was held regarding this and the following motion put;

A HUXTABLE/G MILLWARD

That an amended version of the Shire of Nannup's Emergency Management Support Diagram be tabled at the next Shire meeting.

CARRIED

The diagram has now been amended and is attached; this amended version will be tabled at the Council meeting on Thursday March 25 2010.

GENERAL BUSINESS

5.1 A continuation of the discussion of the points from the LEMC November 2009 exercise

- f) *Document and test triggers for activating Incident Support Group via Hazard Management Agency (HMA) if the HMA fails to activate one.*

After discussion a decision was made to leave this until after the Emergency Risk Management workshop is held on April 20 2010 when the top risks are known. Community group members will be invited to the workshop along with members from the LEMC with the maximum meeting size of 15. The workshop will be facilitated by Ms Q La Rosa and Mr V Cheema.

- g) *Conduct a LEMC Evacuation workshop to further develop evacuation plans for the town site and each settlement and cluster.*

Some of this work has already been carried out in the 2008 Bushfire Response Plan, for simplicity, the Shire will be divided into Brigade areas and consideration will be given to the vulnerable groups such as schools, day care groups, the hospital etc. The workshop is to be held on Monday May 17 2010 at 10am and the members who wished to attend are; Ms M Jones, Mr M Glynn, Mr V Cheema, Mrs C Pinkerton, Mrs G Millward, Mrs E West, Ms A Huxtable, Ms T Levick-Godwin.

The workshop will be facilitated by Mr V Cheema.

- h) *Consideration for an Animal Welfare Plan within the Local Emergency Management Arrangements to be developed for planning purposes during and evacuation.*

Mr V Cheema stated that the City of Bunbury Animal Welfare Plan would provide a good template. Mr P Richards stated that the Busselton Shire Animal Welfare Plan may well suit the Nannup Shire better as a template as there was more similarity between the two Shires and that he would source the document for consideration by the committee.

- i) *Establish an MOU/MOA between the Shire of Nannup and neighbouring Shires for sharing Shire facilities and resources during an evacuation.*

The CEO, Mr S Collie has stated that he is happy to write letters to the surrounding Shires to establish an accord.

- j) *Document who and how within the Shire of Nannup will provide support to the Department of Child Protection (DCP) in setting up the Welfare Centres both during work hours and after hours.*

After discussion with the CEO, the contact numbers for DCP will be the CEO and the Community Emergency Services Manager; those numbers have now been supplied to DCP.

- k) *Document procedures for transition from Response to Recovery within the Local Emergency Management Arrangements (LEMA) (handover forms). Handover will involve the HMA IC and the Shire CEO/President.*

A template for the transition is available from the Recovery Guide and this form will sit in the arrangements with the Recovery Checklists.

5.2 AUSTRALASIAN INTERAGENCY INCIDENT MANAGEMENT SYSTEM

An information session on this subject has been offered to the members of the LEMC and it was decided to open it to the members of the SES, Brigade members and the community and other interested persons. It was decided that an evening meeting would be appropriate. The CESM is to arrange a date and time and advertise it appropriately.

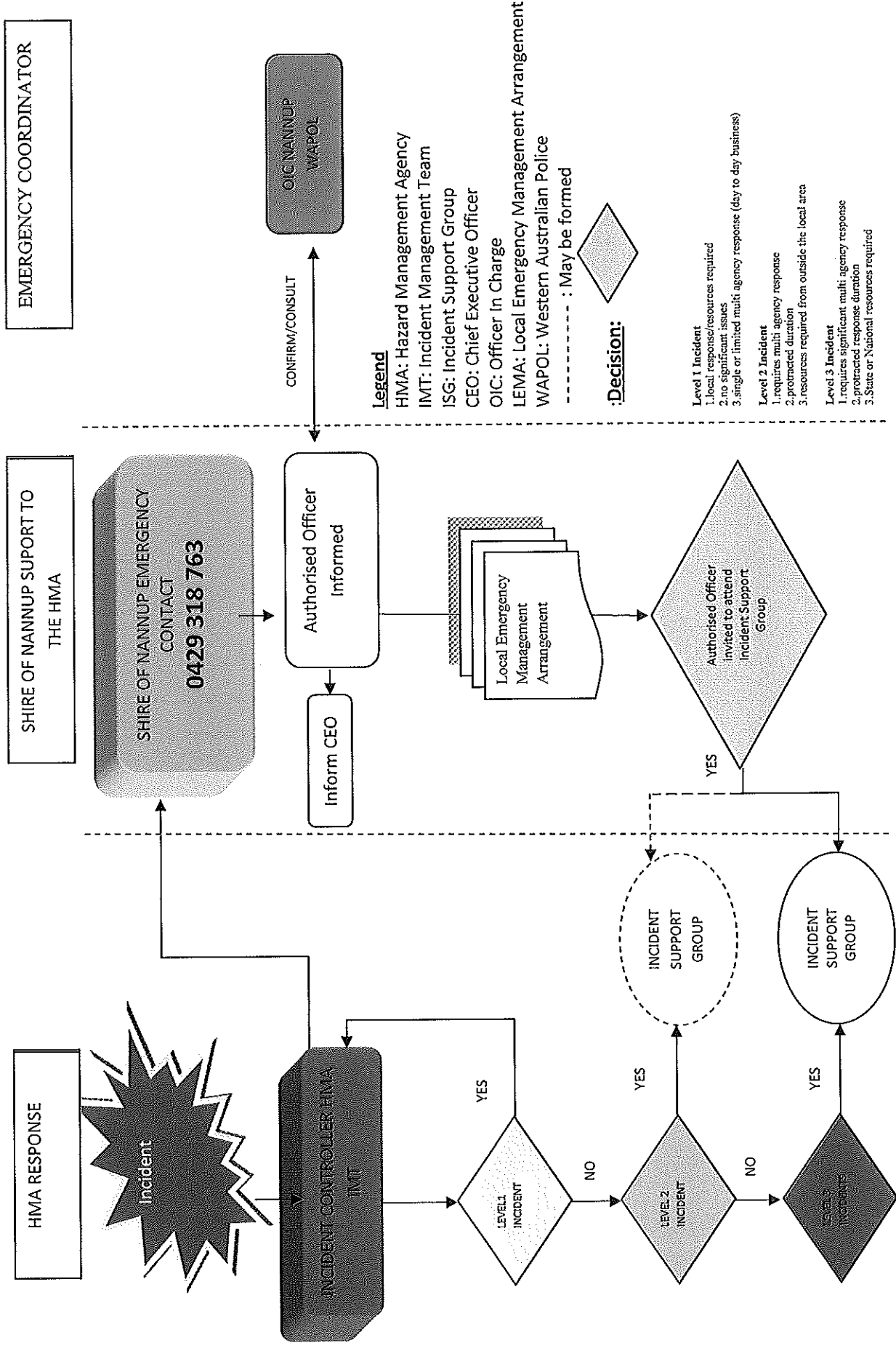
6. NEXT MEETING

The next meeting will be held on Monday June 14 2010 at 4pm at the Shire Office.

7. CLOSURE OF MEETING

There being no further business the meeting was closed at 5.25pm.

Shire of Nannup Emergency Management Support Diagram



AGENDA NUMBER: 10.4
SUBJECT: Monthly Financial Statements for 28 February 2010
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: FNC 15
AUTHOR: Craige Waddell – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 10 March 2010

Attachment: Monthly Financial Statements for the period ending 28 February 2010.

COMMENT:

The monthly Financial Statements for the period ending 28 February 2010 are attached.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 34 (1)(a).

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That the Monthly Financial Statements for the period ending 28 February 2010 be received.

8363 BOULTER/PINKERTON

That the Monthly Financial Statements for the period ending 28 February 2010 be received.

CARRIED 8/0

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2009 TO 28 FEBRUARY 2010

	Y-T-D Actual	Y-T-D Budget	2009/10 Budget	Variances Y-T-D Budget to Actual
<u>Operating</u>	\$	\$	\$	%
Revenues/Sources				
Governance	0	0	0	0%
General Purpose Funding	1,522,505	1,556,083	807,500	(2%)
Law, Order, Public Safety	79,809	45,200	89,690	77%
Health	1,296	1,328	2,000	(2%)
Education and Welfare	5,648	0	0	0%
Housing	23,883	20,616	30,940	16%
Community Amenities	99,219	93,940	82,400	6%
Recreation and Culture	101,607	2,464,270	1,691,742	(96%)
Transport	1,199,275	4,683,104	5,367,683	(74%)
Economic Services	37,100	11,328	17,000	228%
Other Property and Services	32,846	16,664	25,000	97%
	<u>3,103,188</u>	<u>8,892,533</u>	<u>8,113,955</u>	<u>(65%)</u>
(Expenses)/(Applications)				
Governance	(122,489)	(158,764)	(240,234)	(23%)
General Purpose Funding	(87,636)	(94,141)	(146,284)	(7%)
Law, Order, Public Safety	(141,767)	(83,128)	(212,889)	71%
Health	(20,734)	(21,067)	(32,970)	(2%)
Education and Welfare	(67,037)	(74,547)	(110,196)	(10%)
Housing	(20,175)	(22,313)	(46,556)	(10%)
Community Amenities	(201,724)	(354,924)	(510,493)	(43%)
Recreation & Culture	(393,641)	(415,123)	(626,026)	(5%)
Transport	(374,723)	(453,650)	(2,107,877)	(17%)
Economic Services	(111,390)	(149,080)	(230,376)	(25%)
Other Property and Services	184,762	88,028	(21,017)	110%
	<u>(1,356,554)</u>	<u>(1,738,708)</u>	<u>(4,284,918)</u>	<u>(22%)</u>
Adjustments for Non-Cash				
(Revenue) and Expenditure				
(Profit)/Loss on Asset Disposals	14,305	0	2,861	0%
Depreciation on Assets	942,401	864,808	1,782,936	9%
Capital Revenue and (Expenditure)				
Purchase Land and Buildings	(352,866)	(2,137,656)	(2,286,404)	(83%)
Purchase Infrastructure Assets - Roads	(1,432,351)	(4,595,884)	(4,906,000)	(69%)
Purchase Plant and Equipment	(515,160)	(339,328)	(495,400)	52%
Purchase Furniture and Equipment	(1,217)	(12,500)	(12,500)	(90%)
Proceeds from Disposal of Assets	32,954	152,664	211,000	(78%)
Repayment of Debentures	(9,232)	(12,904)	(19,375)	(28%)
Proceeds from New Debentures	0	51,209	449,209	0%
Leave Provisions	136,165	136,165	136,165	0%
Depreciation - Plant Reversal	0	0	(56,542)	0%
Accruals	23,728	23,728	23,728	0%
Transfers to Reserves (Restricted Assets)	0	0	(265,000)	0%
Transfers from Reserves (Restricted Assets)	0	0	620,500	0%
 ADD Net Current Assets July 1 B/Fwd	 87,271	 87,271	 87,271	
LESS Net Current Assets Year to Date	1,345,235	0	0	
 Amount Raised from Rates	 <u>(672,603)</u>	 <u>1,371,398</u>	 <u>(898,514)</u>	

SHIRE OF NANNUP

STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2009 TO 28 FEBRUARY 2010

	2009/10 Actual \$	Brought Forward 01-July-2009 \$
NET CURRENT ASSETS		
Composition of Estimated Net Current Asset Position		
CURRENT ASSETS		
Cash - Unrestricted	1,902,364	327,890
Cash - Restricted	91,697	1,662,903
Cash - Reserves	917,201	900,232
Receivables	444,163	325,478
Inventories	0	0
	<u>3,355,425</u>	<u>3,216,503</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	<u>(1,001,292)</u>	<u>(566,097)</u>
	2,354,133	2,650,406
Less: Cash - Reserves - Restricted	(1,008,898)	(2,563,135)
NET CURRENT ASSET POSITION	<u><u>1,345,235</u></u>	<u><u>87,271</u></u>

SHIRE OF NANNUP

STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2009 TO 28 FEBRUARY 2010

REPORT ON MATERIAL VARIANCES BETWEEN YEAR TO DATE BUDGET ESTIMATE AND YEAR TO DATE ACTUAL.

All except ten of the variances shown in the above named statement of financial activity are outside of the adopted variance of 10%.

The main reason for the variances is that expenditure and income is not occurring as predicted by Officers during the budget development stage. This is due to a number of reasons, the main one being not accurately projecting cashflows throughout the year, i.e. predicting when the budgeted income or expenditure will occur as opposed to when it actually occurs. Other reasons are not receiving a grant for grant dependant expenditure, projects controlled by Advisory Committees, suppliers/contractors not having the capacity to undertake the works within Council's timeframes, altered Council priorities, etc.

The following provides the major reasons for the programs that have variances outside of the adopted variance:

REVENUE:

Law, Order and Public Safety: FESA grants (\$32,000) not been received when anticipated.

Recreation and Culture: An accrual for a grant for the refurbishment of the Town Hall chairs (\$10,000) has not been received when anticipated. Three grants for outdoor gym equipment (-\$10,400), Royalties for Regions (-\$50,000) and bicycle racks (-\$7,710) were not budgeted for. Grant income of \$240,000 associated with the ablution blocks and Marinko Tomas playground upgrade have not been received as budgeted. Income relating to the Co-location Building (Grants, Reserve & Loan Funds totalling \$2,131,000 will not be received as the project has been discontinued.

Transport: Income from various Main Roads WA grants not received as predicted in budgeting process (-\$3,484,000). Income from Sale of Assets not received as budgeted (-\$117,000). Income from loan for plant not received as budgeted (-\$51,000).

Economic Services: Received more fees for building licenses and sale of material than predicted in budgeting process (\$9,000) and Ferel Pig Program income (\$15,000) received but not budgeted for.

Other Property and Services: Received more Private Works income than budgeted for (\$15,000).

EXPENDITURE

Governance: Councillor Allowances (-\$23,000), Donations (\$4,000) and Conference Expenses (-\$5,500) not expended as predicted in budgeting process.

Law, Order and Public Safety: Assistance to brigades (\$36,000), SES donation (\$9,000), Emergency response (-\$10,000), Fire Control Officer (\$5,000), ESL funded activities (10,000) and brigade expenditure (\$5,000) more than predicted in budgeting process. Insurance of \$10,000 not budgeted correctly.

Community Amenities: Expenditure not occurring as predicted in budgeting process in the areas of Parking Strategy (-\$8,000), Town Planning Scheme (\$5,000), Town Planning Services (-\$74,000), Administration Expenses (-\$16,000), Annual Leave Expenses (-\$4,200), Rubbish Site Maintenance (-\$22,000), community infrastructure plan (-\$6,000), Local Planning Scheme amendments (-\$13,500), cemetery operations (-\$13,000) and Community Infrastructure Plan (-\$10,000).

Transport: Expenditure not occurring as predicted in budgeting process in the areas of Bridge Maintenance (-\$7,000), Depot Maintenance (-\$4,000), Local Road Maintenance (-\$37,000), Profit and Loss on Sale of Assets (\$14,000), depreciation (\$92,000) and Gravel Pit rehabilitation (-\$13,000).

Economic Services: Expenditure not occurring as predicted in budgeting process in the areas of Functions and Events (-\$7,000), Ferel Pig Program (\$7,000), Caravan Parks (-\$12,000), Warren Blackwood Economic Alliance (\$3,900) and salaries (-\$28,000).

Other Property and services: Recovery of expenses via Public Works Overheads and Plant Operating Costs not occurring as budgeted.

OTHER ITEMS

Purchase Land and Buildings: Expenditure not occurring as predicted in budgeting process in the areas of Co location Building (-\$1,966,000), Foreshore Park and Balingup Rd Caravan Park Ablution Blocks (\$176,000), Bush Fire Brigade and Depot Construction (\$5,000).

Purchase Infrastructure Assets Roads: Expenditure not occurring as predicted in budgeting process in the areas of Council Road Program (\$403,000), Mowen Road (-\$62,000), MRWA bridge program (-\$601,000), Balingup Rd Blackspot (-\$80,000) Jalbarragup Bridge (-\$2,799,600) and TIRES projects (\$-30,000).

Purchase Plant and Equipment: Purchase not undertaken as budgeted (-\$165,000).

Proceeds from Disposal of Assets: Sale of plant not occurring as budgeted (-\$120,000).

AGENDA NUMBER: 10.5
SUBJECT: Rates Advisory Committee
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: RAT 9
AUTHOR: Craig Waddell – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 10 March 2010

Attachment: Rates Advisory Committee Meeting Minutes 22 February 2010.

BACKGROUND:

Attached are the minutes from Council's Rates Advisory Committee meeting which met 22 February 2010.

COMMENT:

Contained within the minutes is one recommendation requiring Council's attention as follows:

"That models be developed with an outcome of Council over the next five financial years moving towards a GRV band of 110% - 120% variation and a UV band of 80%, 90% and 100% variation to the WALGGC assessed capacity."

Council's previous resolutions on this matter emanating from the Strategic and Organisational Review as presented to Council at the August 2009 Council meeting are:

"C1 That the Council adopt the principle the future rate increases should be at or above CPI and more closely linked to the LGCI given that the latter has more relevance to local governments' costs, and that Council actively seek to achieve the Grants Commission overall assessed rate capacity by reasonable incremental rate increases.

C2 That the Council review the relativities in rate contributions from the GRV and UV sectors to bring these more in line with the Local Government Grants Commission's assessment of the shire's rating capacity and with rates levied by neighbouring and regional local governments.

C2a Council also analyse and assess the minimum rate against operating revenue to achieve the required benchmark for a local government of this size."

It remains Council Officers opinion that the above resolutions will see Council heading in the right direction from an overall rates point of view, and also the

Signed:

Dated: 22 April 2010

relativity of the rate burden across both the GRV and UV sectors. It is on this basis that the recommendation from the Rates Advisory Committee is not concurred with.

The progression of the determination of an appropriate rate model/s for the 2010/11 financial year, based on the August 2009 resolutions, will be via an agenda item to be presented to Council during budget deliberations, currently scheduled to occur at the ordinary June meeting of Council

STATUTORY ENVIRONMENT: Local Government Act 1995.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That a rate model/s be developed as per Council's resolutions emanating from the Strategic and Organisational Review as resolved by Council at the August 2009 Council meeting for presentation at the June 2010 Ordinary meeting of Council.

DEAN/GILBERT

That a rate model/s be developed as per Council's resolutions emanating from the Strategic and Organisational Review as resolved by Council at the August 2009 Council meeting for presentation at the June 2010 Ordinary meeting of Council.

TIED 4/4

Councillors voting for the motion: Pinkerton, Mellema, Gilbert and Dean.
Councillor voting against: Boulter, Lorkiewicz, Dunnet and Camarri.

The casting vote from the Shire President was against the motion therefore the motion was lost.

MINUTES

Rates Advisory Committee

Minutes of a meeting of the
Shire of Nannup Rates Advisory Committee Meeting
held at 3.15pm, Monday 22 February 2010
in Council Chambers

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Officer declared the meeting open at 3.15pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (previously approved)

Councillors Dunnet, Boulter, Camarri, Dean, Gilbert, Pinkerton, Mellema (from 3.18 pm onwards), and Lorkiewicz (from 3.27 pm onwards).

Shane Collie – Chief Executive Officer.
Craig Waddell – Manager Corporate Services.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

BOULTER/PINKERTON

That the Minutes of the Rates Advisory Committee Meeting held in Council Chambers on 25 January 2010 be confirmed as a true and correct record.

CARRIED 6/0

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

9. REPORTS BY MEMBERS ATTENDING COMMITTEES

Nil.

10. REPORTS OF OFFICERS

AGENDA NUMBER: 10.1
SUBJECT: Rates
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE: RAT9
AUTHOR: Craig Waddell – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 15 February 2010

BACKGROUND:

Council resolved at its ordinary December 2009 meeting *That Council's Rates Advisory Committee convene to look at the 3 objectives C1, C2 and C2a from Council's August 2009 meeting minute number 8243 and differential rates and alternative rate models.*

COMMENT:

Discussion is required by Council on the following as per the above mentioned resolution:

1. The three objectives per resolutions C1, C2 and C2a of minute number 8243 of Council meeting of August 2009 reads as follows:

C1 That the Council adopt the principle the future rate increases should be at or above CPI and more closely linked to the LGCI given that the latter has more relevance to local governments' costs, and that Council actively seek to achieve the Grants Commission overall assessed rate capacity by reasonable incremental rate increases

C2 That the Council review the relativities in rate contributions from the GRV and UV sectors to bring these more in line with the Local Government Grants Commission's assessment of the shire's rating capacity and with rates levied by neighbouring and regional local governments.

C2a Council also analyse and assess the minimum rate against operating revenue to achieve the required benchmark for a local government of this size;

2. Differential rates

3. Alternative rate models.

At the previous meeting of the Rates Advisory Committee meeting, there was no resolution in terms of this item which was presented at that meeting. A request for further information regarding some rating issues was received and has been included as an attachment to this item.

The following table highlights the differences between the officer recommended increase in rates and Council's resolution regarding the imposition of rates for the past three years.

	2007-08	2008-09	2009-10
OFFICER RECOMMENDATION	3.5%	7.0%	9.1%
COUNCIL RESOLUTION	2.4%	3.2%	5.3%

Councillors will note there is no recommendation to this item as Officers have previously recommended the disbandment of this committee and this view has not changed.

STATUTORY ENVIRONMENT: Local Government Act 1995.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

VOTING REQUIREMENTS:

RECOMMENDATION:

Cr Mellema entered the meeting at 3.18 pm.

Cr Lorkiewicz entered the meeting at 3.27 pm.

DEAN/PINKERTON

That over the next four financial years Council move towards a GRV band of 110% - 120% variation and a UV band of 90% - 105% variation to the WALGGC assessed capacity.

TIED 4/4

Councillors voting for the motion: Dean, Gilbert, Mellema and Pinkerton.

Councillor voting against: Camarri, Lorkiewicz, Boulter and Dunnet.

The Presiding Officer exercised a casting vote and the motion was

LOST 5/4

Cr Boulter left the meeting at 4.34 pm.

Cr Dean left the meeting at 4.34 pm.

Cr Dean returned to the meeting at 4.35 pm.

GILBERT/DEAN

That models be developed with an outcome of Council over the next five financial years moving towards a GRV band of 110% - 120% variation and a UV band of 80%, 90% and 100% variation to the WALGGC assessed capacity.

CARRIED 7/0

11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

(a) OFFICERS

Nil.

(b) ELECTED MEMBERS

Nil.

12. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

14. CLOSURE OF MEETING

There being no further business to discuss the Presiding Member declared the meeting closed at 4.42pm.

AGENDA NUMBER: 10.6
SUBJECT: Electronic Payment of Accounts
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: FNC2
AUTHOR: Craig Waddell – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 10 March 2010

BACKGROUND:

Many requests for the provision of payment of accounts to Council through a web based application have been made over the past years. Council has looked at the issue of different payment options on numerous occasions, the last time in 2005 when Council resolved to put in place an EFTPOS facility.

COMMENT:

There exists a number of options for the payment of accounts via the internet using a web based application. If Council were to pursue this initiative, the product offered by the WALGA preferred supplier Commonwealth Bank of Australia (CBA) called BPOINT appears to be the most favourable. As a matter of interest, CBA is Council's banker.

This product is currently used by approximately seventy councils throughout Western Australia. It allows Council's debtors to pay their debts over the internet or by phone 24 hours a day, 7 days a week. It is compatible with Council's financial management system which means that little effort is required to upload the receipts via this process from the previous day into Council's accounts each morning.

To implement this product would require the addition of a hyperlink to Council's website to enable its debtors to access the secure CBA website, and have a biller code added to the rate notice or invoice. Both these actions require little effort to put in place.

The advantages to Council of offering this alternate form of payment is that Council's debtors will be able to make a payment over the internet or by phone 24 hours a day, 7 days a week. This will supplement the current options of payment by cheque, cash or EFTPOS, which are only available during business hours.

Signed: _____

Dated: 22 April 2010

The estimated GST exclusive charges applicable to using BPOINT are:

Monthly hosting fee	\$348
Merchant service fee	0.462% of value of transaction
Telephone transaction fee	\$0.38 / transaction
Internet transaction fee	\$0.22 / transaction

For the sake of determining the total cost of providing this service, a number of assumptions have been made based on the total number of transactions paid to Council. Based on these assumptions, the cost to Council would be approximately \$3,200 per annum. This will be offset by the reduction in EFTPOS fees due to some debtors who will pay using the new system rather than EFTPOS, however the extent of this and therefore the reduction in fees is not estimateable.

A consequence of implementing this payment option is that debtors may switch from paying via EFTPOS, which has its own fee structure, to BPOINT. Therefore the estimated annual fees as detailed above will not be additional in total, as some debtors will switch from EFTPOS to BPOINT, lowering the fees paid for the EFTPOS facility.

Putting in place this type of facility will bring Council in line with most organisations that receive payments from debtors. In terms of technology and modern business transactions, it is common practice to offer a variety of payment options, this being the one that is missing from this Council's options.

If Council resolves to accept the recommendation, an analysis of the use of and fees associated with providing BPOINT and EFTPOS will be undertaken and reported to Council in the future, say after twelve months operation. It is planned to have this facility in place for use for the new financial year being 1 July 2010.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

If Council resolves to accept the recommendation, an amount of \$3,000 will be included in the 2010/11 budget.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council implement BPOINT, a web based bill payment system, offered by the WALGA preferred supplier, Commonwealth Bank of Australia, from 1 July 2010 at an estimated cost of \$3,000 per annum.

8364 GILBERT/PINKERTON

That Council implement BPOINT, a web based bill payment system, offered by the WALGA preferred supplier, Commonwealth Bank of Australia, from 1 July 2010 at an estimated cost of \$3,000 per annum.

CARRIED 8/0

Signed: _____

Dated: 22 April 2010

AGENDA NUMBER: 10.7
SUBJECT: Policy Review – Indoor Staff Uniforms
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: ADM9
AUTHOR: Craige Waddell – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 11 March 2010

Attachment: Current Policy PSN4 Indoor Staff Uniforms

BACKGROUND:

Current policy PSN4 Indoor Staff Uniforms has not been reviewed by Council since August 2006 and is therefore presented for review.

COMMENT:

The current policy, as per the attachment to this item, is predominantly valid. Updated maximums in terms of Council's contribution have been included to allow for the increase in CPI as per the policy itself. Other than this change, the policy is still valid and relevant.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Policy PSN4.

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council adopt the following updated policy PSN4 Indoor Staff Uniforms:

Inside Staff Uniforms

PSN 4

Purpose

The purpose of the Policy is to assist Council in projecting a professional image and promote a feeling of team membership amongst staff.

Signed: _____

Dated: 22 April 2010

1. The official uniform for Council's office staff can be sourced from any Local Government preferred supplier.
2. The official uniform shall include suitable name badges which will be supplied by Council.
3. The wardrobe may be worn in conjunction with personal clothing provided that the personal clothing is deemed suitable and appropriate dress for an office situation. Any dispute on this matter is to be referred to the Chief Executive Officer who will make a determination on suitability.
4. The wardrobe must only be worn whilst on official duty, including travel to and from work.
5. Council will contribute to existing and new office staff a once only amount to a maximum of \$433 or 50% (whichever is the lesser) towards the initial purchase cost of the official uniform;
6. Council will make a further annual contribution to a maximum of \$217 or 50% (whichever is the lesser) for the purchase cost of additional uniform items. This contribution will be made on an annual basis and will not become available until the anniversary of Council's previous contribution towards uniform items for individual office staff members;
7. The prescribed amounts mentioned in paragraphs 5 and 6 of this policy are to be indexed annually by the change in CPI as published by ABS for the twelve months ending 30 June.
8. Council will contribute towards the cost of part-time office employees in proportion to the average hours worked by that employee.

Policy Adopted at a Council Meeting on 23 June 1994.

Policy Reviewed at a Council Meeting on 27 March 1997.

Policy Reviewed at a Council Meeting on 27 September 2001.

Policy Reviewed at a Council Meeting on 24 March 2005.

Policy Reviewed at a Council Meeting on 24 August 2006.

Policy Reviewed at a Council Meeting on 25 March 2010.

8365 LORKIEWICZ/CAMARRI

That Council adopt the following updated policy PSN4 Indoor Staff Uniforms:

Inside Staff Uniforms

Signed:

Dated: 22 April 2010

PSN 4**Purpose**

The purpose of the Policy is to assist Council in projecting a professional image and promote a feeling of team membership amongst staff.

1. The official uniform for Council's office staff can be sourced from any Local Government preferred supplier.
2. The official uniform shall include suitable name badges which will be supplied by Council.
3. The wardrobe may be worn in conjunction with personal clothing provided that the personal clothing is deemed suitable and appropriate dress for an office situation. Any dispute on this matter is to be referred to the Chief Executive Officer who will make a determination on suitability.
4. The wardrobe must only be worn whilst on official duty, including travel to and from work.
5. Council will contribute to existing and new office staff a once only amount to a maximum of \$433 or 50% (whichever is the lesser) towards the initial purchase cost of the official uniform;
6. Council will make a further annual contribution to a maximum of \$217 or 50% (whichever is the lesser) for the purchase cost of additional uniform items. This contribution will be made on an annual basis and will not become available until the anniversary of Council's previous contribution towards uniform items for individual office staff members;
7. The prescribed amounts mentioned in paragraphs 5 and 6 of this policy are to be indexed annually by the change in CPI as published by ABS for the twelve months ending 30 June.
8. Council will contribute towards the cost of part-time office employees in proportion to the average hours worked by that employee.

Policy Adopted at a Council Meeting on 23 June 1994.

Policy Reviewed at a Council Meeting on 27 March 1997.

Policy Reviewed at a Council Meeting on 27 September 2001.

Policy Reviewed at a Council Meeting on 24 March 2005.

Policy Reviewed at a Council Meeting on 24 August 2006.

Policy Reviewed at a Council Meeting on 25 March 2010.

CARRIED 8/0

Signed: _____

Dated: 22 April 2010

Inside Staff Uniforms

PSN 4

Purpose

The purpose of the Policy is to assist Council in projecting a professional image and promote a feeling of team membership amongst staff.

1. The official uniform for Council's office staff can be sourced from any Local Government preferred supplier.
2. The official uniform shall include suitable name badges which will be supplied by Council.
3. The wardrobe may be worn in conjunction with personal clothing provided that the personal clothing is deemed suitable and appropriate dress for an office situation. Any dispute on this matter is to be referred to the Chief Executive Officer who will make a determination on suitability.
4. The wardrobe must only be worn whilst on official duty, including travel to and from work.
5. Council will contribute to existing and new office staff a once only amount to a maximum of \$400 or 50% (whichever is the lesser) towards the initial purchase cost of the official uniform;
6. Council will make a further annual contribution to a maximum of \$200 or 50% (whichever is the lesser) for the purchase cost of additional uniform items. This contribution will be made on an annual basis and will not become available until the anniversary of Council's previous contribution towards uniform items for individual office staff members;
7. The prescribed amounts mentioned in paragraphs 5 and 6 of this policy are to be indexed annually by the change in CPI as published by ABS for the twelve months ending 30 June.
8. Council will contribute towards the cost of part-time office employees in proportion to the average hours worked by that employee.

Policy Adopted at a Council Meeting on 23 June 1994.

Policy Reviewed at a Council Meeting on 27 March 1997.

Policy Reviewed at a Council Meeting on 27 September 2001.

Policy Reviewed at a Council Meeting on 24 March 2005.

Policy Reviewed at a Council Meeting on 24 August 2006.

AGENDA NUMBER: 10.8
SUBJECT: Policy Review – Study Leave
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: ADM9
AUTHOR: Craige Waddell – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 11 March 2010

Attachment: Current Policy PSN3 Study Leave

BACKGROUND:

Current policy PSN3 Study Leave has not been reviewed by Council since March 1997 and is therefore presented for review.

COMMENT:

The current policy, as per the attachment to this item, is predominantly valid.

Reference to clause 52 of the Local Government Officers' (W.A.) Award 1988 is no longer valid and has been removed as there is no reference to study leave in this award.

Reference to the W.A. Television Link has been deleted from the policy as this service is no longer available, and therefore should not be eligible for study leave.

Other than this change, the policy is still valid and relevant.

Delegation 61 also refers to this policy. It is basically identical to this policy, and when next reviewed, will be brought in line with the changes that are recommended to this policy.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Policy PSN3

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council adopt the following updated policy PSN3 Study Leave:

Signed: _____

Dated: 22 April 2010

Study Leave

PSN 3

Council has allowed up to 50% of tuition time as paid study leave.
A maximum of 2 days paid study leave per course subject is permitted.
A maximum of 8 days paid study leave is permitted during any calendar year.

Intensive Study Course

Leave may be granted for up to 4 days per course for staff to attend an approved intensive course of study. Any leave so granted shall be split into equal portions of paid study leave, and accrued staff leave (ie Annual Recreation Leave, Rostered Days Off, etc.)

Correspondence

Leave may be granted for up to one half of the recognised full time equivalent tuition time associated with an approved correspondence course of study to be paid study leave. The balance of the time required to complete the course of study must be incurred in the officer's own time.

Approval for paid study leave will only be granted if the time away from the workplace does not adversely affect the normal operations of Council.

The authority to approve the granting of study leave shall be delegated to the Chief Executive Officer.

Policy Adopted at a Council Meeting on 28 September 1995.

Policy Reviewed at a Council Meeting on 27 March 1997.

Policy Reviewed at a Council Meeting on 25 March 2010.

8366 CAMARRI/MELLEMA

That Council adopt the following updated policy PSN3 Study Leave:

Study Leave

PSN 3

Council has allowed up to 50% of tuition time as paid study leave.
A maximum of 2 days paid study leave per course subject is permitted.
A maximum of 8 days paid study leave is permitted during any calendar year.

Signed: _____

Dated: 22 April 2010

Intensive Study Course

Leave may be granted for up to 4 days per course for staff to attend an approved intensive course of study. Any leave so granted shall be split into equal portions of paid study leave, and accrued staff leave (ie Annual Recreation Leave, Rostered Days Off, etc.)

Correspondence

Leave may be granted for up to one half of the recognised full time equivalent tuition time associated with an approved correspondence course of study to be paid study leave. The balance of the time required to complete the course of study must be incurred in the officer's own time.

Approval for paid study leave will only be granted if the time away from the workplace does not adversely affect the normal operations of Council.

The authority to approve the granting of study leave shall be delegated to the Chief Executive Officer.

Policy Adopted at a Council Meeting on 28 September 1995.

Policy Reviewed at a Council Meeting on 27 March 1997.

Policy Reviewed at a Council Meeting on 25 March 2010.

CARRIED 8/0

Signed: _____

Dated: 22 April 2010

Study Leave

PSN 3

Generally the conditions for the granting of, and allowances offered to staff requesting study leave, will be as per clause 52 of the Local Government Officers' (W.A.) Award 1988.

Council has allowed up to 50% of tuition time as paid study leave.
A Maximum of 2 days paid study leave per course subject is permitted.
A maximum of 8 days paid study leave is permitted during any calendar year.

Intensive Study Course

Leave may be granted for up to 4 days per course for staff to attend an approved intensive course of study. Any leave so granted shall be split into equal portions of paid study leave, and accrued staff leave (ie Annual Recreation Leave, Rostered Days Off, etc.)

Correspondence

Leave may be granted for up to one half of the recognised full time equivalent tuition time associated with an approved correspondence course of study to be paid study leave. The balance of the time required to complete the course of study must be incurred in the officer's own time.

W.A. Television Link

Leave may be granted for up to one half of the recognised full time equivalent tuition time associated with an approved W.A. Television Link course of study to be paid study leave. The balance of the time required to complete the course of study must be incurred in the officer's own time.

Approval for paid study leave will only be granted if the time away from the workplace does not adversely affect the normal operations of Council.

The authority to approve the granting of study leave shall be delegated to the Chief Executive Officer.

Policy Adopted at a Council Meeting on 28 September 1995.

Policy Reviewed at a Council Meeting on 27 March 1997.

AGENDA NUMBER: 10.9
SUBJECT: Policy Review – Purchasing Policy
LOCATION/ADDRESS: Nannup
NAME OF APPLICANT:
FILE REFERENCE: ADM9
AUTHOR: Craig Waddell – Manager Corporate Services
DISCLOSURE OF INTEREST:
DATE OF REPORT: 11 March 2010

Attachment: Current Policy ADM4 Purchasing Policy

BACKGROUND:

Current policy ADM4 Purchasing Policy has not been reviewed by Council since March 2007 and is therefore presented for review.

COMMENT:

The current policy, as per the attachment to this item, is predominantly valid.

Some minor formatting issues have been addressed and incorporated into the recommendation.

Section 6 “Local Purchase” has been altered to reflect the intent of the philosophy behind local purchase. The current wording is confusing, and if followed to the letter merely replicates the intent of the overall purchasing policy. The new paragraph quite clearly sets out the parameters required to be observed when analysing quotations/tenders where a local business has made a submission.

An exemption to the procurement range \$1,001 and \$19,999 has been included in section 7 to allow for one verbal or written quotation to be obtained in the procurement range \$1,001 and \$5,000 from a supplier that has a proven procurement history with Council for the supply of similar goods or services. This allows for some flexibility in this procurement range whereby previous purchasing history demonstrates that a supplier will provide the goods or services to the specification required. Nothing in this exemption precludes the observance of the balance of the policy, for example ensuring value for money.

One example of where this exemption would have been useful is when a settlement agent was required to assist Council with a land matter. Three quotations were sought. Delays in receiving the quotations and an attempt by some of the agencies to charge for the provision of the quotation caused problems with the process. When one of the quotations was accepted, it proved to be unsatisfactory for the services required. Based on this, a settlement agency that is aligned to a legal firm that this Council has previously used was

Signed:

Dated: 22 April 2010

appointed. This proved to be beneficial to Council, with the service provided at a high level. The above mentioned exemption would allow officers to directly liaise with this firm in the future.

Other than these changes, the policy is still valid and relevant.

STATUTORY ENVIRONMENT: Nil.

POLICY IMPLICATIONS: Policy ADM4

FINANCIAL IMPLICATIONS: Nil.

STRATEGIC IMPLICATIONS: Nil.

RECOMMENDATION:

That Council adopt the following updated policy ADM4 Purchasing Policy:

Purchasing Policy

ADM 4

1 OBJECTIVES

- To provide compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).
- To deliver a best practice approach and procedures to internal purchasing for the Shire of Nannup.
- To ensure consistency for all purchasing activities that integrates within all the Shire of Nannup operational areas.

2 WHY DO WE NEED A PURCHASING POLICY?

The Shire of Nannup is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This policy:

- Provides the Shire of Nannup with a more effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.

Signed: _____

Dated: 22 April 2010

- Ensures that the Shire of Nannup receives value for money in its purchasing.
- Ensures that the Shire of Nannup considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Shire of Nannup is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Uphold respect from the public and industry for the Shire of Nannup's purchasing practices that withstand probity.

3. ETHICS & INTEGRITY

All officers and employees of the Shire of Nannup shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire of Nannup.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire of Nannup policies and code of conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Shire of Nannup by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

4. VALUE FOR MONEY

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Nannup. It is important to note that compliance with the specification is more important than obtaining the

Signed: _____

Dated: 22 April 2010

lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- all relevant whole-of-life costs and benefits, whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

5. SUSTAINABLE PROCUREMENT

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

Local Government is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Shire of Nannup's sustainability objectives.

Practically, sustainable procurement means the Shire of Nannup shall endeavour at all times to identify and procure products and services that:

- Demonstrate environmental best practice in energy efficiency and / or consumption which can be demonstrated through suitable rating systems and eco-labelling.

- Demonstrate environmental best practice in water efficiency.
- Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.
- For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;
- For new buildings and refurbishments – where available use renewable energy and technologies.

6. LOCAL PURCHASE

Local businesses may be given preference on the supply of goods and services to Council subject to:

Their ability to provide the goods/services in accordance with the specification;
 Their ability to complete the contract within the time specified; and
 The economic benefit to the community of awarding the purchase locally.

7. PURCHASING THRESHOLDS

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

Amount of Purchase	Model Policy
Up to \$1,000	Direct purchase from suppliers requiring one verbal quotation.
\$1,001 - \$19,999	Obtain at least two verbal or written quotations (unless exempted by proven procurement history).
\$20,000 - \$39,999	Obtain at least three written quotations
\$40,000 - \$99,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$100,000 and above	Conduct a public tender process.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$100,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$100,000, a

Signed:

Dated: 22 April 2010

Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

7.1 Up to \$1,000

Where the value of procurement of goods or services does not exceed \$1,000, purchase on the basis of one verbal quotation is permitted. However it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Record keeping requirements must be maintained in accordance with record keeping policies.

7.2 \$1,001 to \$19,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$1,001 and \$19,999. At least two verbal or written quotations (or a combination of both) are required. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

The general principles for obtaining verbal quotations are:

- Ensure that the requirement / specification is clearly understood by the Shire of Nannup employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the Supplier contact person to confirm their accuracy.
- Written notes detailing each verbal quotation must be recorded.

Where the procurement range is between \$1,001 and \$5,000, one verbal or written quotation may be obtained from a supplier that has a proven procurement history to Council for the supply of similar goods or services, even if not a sole supplier situation.

Record keeping requirements must be maintained in accordance with record keeping policies.

7.3 \$20,000 to \$39,999

For the procurement of goods or services where the value exceeds \$20,000 but is less than \$39,999, it is required to obtain at least three written quotes (commonly a sufficient number of quotes would be sought according to the type and nature of purchase).

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

NOTES: The general principles relating to written quotations are;

- An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- The request for written quotation should include as a minimum:
 - Written Specification
 - Selection Criteria to be applied
 - Price Schedule
 - Conditions of responding
 - Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

7.4 \$40,000 to \$99,999

For the procurement of goods or services where the value exceeds \$40,000 but is less than \$99,999, it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

Record keeping requirements must be maintained in accordance with record keeping policies.

For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements,

organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

8. REGULATORY COMPLIANCE

8.1 Tender Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

8.2 Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

8.3 Anti-Avoidance

The Shire of Nannup shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$100,000, thereby avoiding the need to publicly tender.

8.4 Tender Criteria

The Shire of Nannup shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

The evaluation panel shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

For requests with a total estimated (Ex GST) price of:

Between \$40,000 and \$99,999, the panel must contain a minimum of 2 members; and \$100,000 and above, the panel must contain a minimum of 3 members.

8.5 Advertising Tenders

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 days after the date the tender is advertised. Care must be taken to ensure that 14 full days are provided as a minimum.

The notice must include;

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted;
- particulars identifying a person from who more detailed information as to tendering may be obtained;
- detailed information shall include;
 - such information as the Shire of Nannup decides should be disclosed to those interested in submitting a tender;
 - detailed specifications of the goods or services required;
 - the criteria for deciding which tender should be accepted;
 - whether or not the Shire of Nannup has decided to submit a tender; and
 - whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

8.6 Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addendums or further communication is required prior to the close of tenders, all potential tenderers must have

equal access to this information in order for the Shire of Nannup not to compromise its duty to be fair.

8.7 Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

8.8 Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Local Government. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Shire of Nannup Officers present at the opening of tenders.

8.9 No Tenders Received

Where the Shire of Nannup has invited tenders, however no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$40,000 & \$99,999 (listed above);
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

8.10 Tender Evaluation

Tenders that have not been rejected shall be assessed by the Shire of Nannup by means of a written evaluation against the pre-determined

criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

8.11 Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Nannup may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

8.12 Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Nannup and tenderer have entered into a Contract, a minor variation may be made by the Shire of Nannup.

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

8.13 Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

The name of the successful tenderer; and
The total value of consideration of the winning offer.

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

9. Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation;
- Internal documentation;
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Shire of Nannup's internal records.

Policy Adopted at a Council Meeting on 22 March 2007.

Policy Reviewed at a Council Meeting on 25 March 2010.

8367 CAMARRI/BOULTER

That Council adopt the following updated policy ADM4 Purchasing Policy:

Purchasing Policy

ADM 4

1 OBJECTIVES

- To provide compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).
- To deliver a best practice approach and procedures to internal purchasing for the Shire of Nannup.
- To ensure consistency for all purchasing activities that integrates within all the Shire of Nannup operational areas.

2 WHY DO WE NEED A PURCHASING POLICY?

The Shire of Nannup is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This policy:

- Provides the Shire of Nannup with a more effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.

Signed: _____

Dated: 22 April 2010

- Ensures that the Shire of Nannup receives value for money in its purchasing.
- Ensures that the Shire of Nannup considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Shire of Nannup is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Uphold respect from the public and industry for the Shire of Nannup's purchasing practices that withstand probity.

3. ETHICS & INTEGRITY

All officers and employees of the Shire of Nannup shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire of Nannup.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire of Nannup policies and code of conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Shire of Nannup by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

4. VALUE FOR MONEY

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Nannup. It is important to note that compliance with the specification is more important than obtaining the

lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- all relevant whole-of-life costs and benefits, whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

5. SUSTAINABLE PROCUREMENT

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

Local Government is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Shire of Nannup's sustainability objectives.

Practically, sustainable procurement means the Shire of Nannup shall endeavour at all times to identify and procure products and services that:

- Demonstrate environmental best practice in energy efficiency and / or consumption which can be demonstrated through suitable rating systems and eco-labelling.

- Demonstrate environmental best practice in water efficiency.
- Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.
- For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;
- For new buildings and refurbishments – where available use renewable energy and technologies.

6. LOCAL PURCHASE

Local businesses may be given preference on the supply of goods and services to Council subject to:

Their ability to provide the goods/services in accordance with the specification;
 Their ability to complete the contract within the time specified; and
 The economic benefit to the community of awarding the purchase locally.

7. PURCHASING THRESHOLDS

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

Amount of Purchase	Model Policy
Up to \$1,000	Direct purchase from suppliers requiring one verbal quotation.
\$1,001 - \$19,999	Obtain at least two verbal or written quotations (unless exempted by proven procurement history).
\$20,000 - \$39,999	Obtain at least three written quotations
\$40,000 - \$99,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$100,000 and above	Conduct a public tender process.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$100,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$100,000, a

Signed:

Dated: 22 April 2010

Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

7.5 Up to \$1,000

Where the value of procurement of goods or services does not exceed \$1,000, purchase on the basis of one verbal quotation is permitted. However it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Record keeping requirements must be maintained in accordance with record keeping policies.

7.6 \$1,001 to \$19,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$1,001 and \$19,999. At least two verbal or written quotations (or a combination of both) are required. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

The general principles for obtaining verbal quotations are:

- Ensure that the requirement / specification is clearly understood by the Shire of Nannup employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the Supplier contact person to confirm their accuracy.
- Written notes detailing each verbal quotation must be recorded.

Where the procurement range is between \$1,001 and \$5,000, one verbal or written quotation may be obtained from a supplier that has a proven procurement history to Council for the supply of similar goods or services, even if not a sole supplier situation.

Record keeping requirements must be maintained in accordance with record keeping policies.

7.7 \$20,000 to \$39,999

For the procurement of goods or services where the value exceeds \$20,000 but is less than \$39,999, it is required to obtain at least three written quotes (commonly a sufficient number of quotes would be sought according to the type and nature of purchase).

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

NOTES: The general principles relating to written quotations are;

- An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- The request for written quotation should include as a minimum:
 - Written Specification
 - Selection Criteria to be applied
 - Price Schedule
 - Conditions of responding
 - Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

7.8 \$40,000 to \$99,999

For the procurement of goods or services where the value exceeds \$40,000 but is less than \$99,999, it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

Record keeping requirements must be maintained in accordance with record keeping policies.

For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements,

organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

8. REGULATORY COMPLIANCE

8.1 Tender Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

8.2 Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

8.3 Anti-Avoidance

The Shire of Nannup shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$100,000, thereby avoiding the need to publicly tender.

8.4 Tender Criteria

The Shire of Nannup shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

The evaluation panel shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

For requests with a total estimated (Ex GST) price of:

Between \$40,000 and \$99,999, the panel must contain a minimum of 2 members; and \$100,000 and above, the panel must contain a minimum of 3 members.

8.5 Advertising Tenders

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 days after the date the tender is advertised. Care must be taken to ensure that 14 full days are provided as a minimum.

The notice must include;

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted;
- particulars identifying a person from who more detailed information as to tendering may be obtained;
- detailed information shall include;
 - such information as the Shire of Nannup decides should be disclosed to those interested in submitting a tender;
 - detailed specifications of the goods or services required;
 - the criteria for deciding which tender should be accepted;
 - whether or not the Shire of Nannup has decided to submit a tender; and
 - whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

8.6 Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addendums or further communication is required prior to the close of tenders, all potential tenderers must have

equal access to this information in order for the Shire of Nannup not to compromise its duty to be fair.

8.7 Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

8.8 Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Local Government. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Shire of Nannup Officers present at the opening of tenders.

8.9 No Tenders Received

Where the Shire of Nannup has invited tenders, however no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$40,000 & \$99,999 (listed above);
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

8.10 Tender Evaluation

Tenders that have not been rejected shall be assessed by the Shire of Nannup by means of a written evaluation against the pre-determined

criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

8.11 Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Nannup may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

8.12 Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Nannup and tenderer have entered into a Contract, a minor variation may be made by the Shire of Nannup.

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

8.13 Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

The name of the successful tenderer; and
The total value of consideration of the winning offer.

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

9. Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation;
- Internal documentation;
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Shire of Nannup's internal records.

Policy Adopted at a Council Meeting on 22 March 2007.

Policy Reviewed at a Council Meeting on 25 March 2010.

CARRIED 8/0

Signed: _____

Dated: 22 April 2010

Purchasing Policy

ADM 4

1 OBJECTIVES

- To provide compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).
- To deliver a best practice approach and procedures to internal purchasing for the Shire of Nannup.
- To ensure consistency for all purchasing activities that integrates within all the Shire of Nannup operational areas.

2 WHY DO WE NEED A PURCHASING POLICY?

- The Shire of Nannup is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This policy:
- Provides the Shire of Nannup with a more effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.
- Ensures that the Shire of Nannup receives value for money in its purchasing.
- Ensures that the Shire of Nannup considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Shire of Nannup is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Uphold respect from the public and industry for the Shire of Nannup's purchasing practices that withstands probity.

3. ETHICS & INTEGRITY

All officers and employees of the Shire of Nannup shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire of Nannup.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire of Nannup policies and code of conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Shire of Nannup by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

4. VALUE FOR MONEY

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Nannup. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.

- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

5. SUSTAINABLE PROCUREMENT

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

Local Government is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Shire of Nannup's sustainability objectives.

Practically, sustainable procurement means the Shire of Nannup shall endeavour at all times to identify and procure products and services that:

Have been determined as necessary;

- Demonstrate environmental best practice in energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling.
- Demonstrate environmental best practice in water efficiency.
- Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.

- For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;
- For new buildings and refurbishments – where available use renewable energy and technologies.

6. LOCAL PURCHASE

6.1 Locally Produced and Supplied Goods/Services

- Local businesses may be given first preference on the supply of goods/services to Council subject to:
 - a) Being able to satisfy Council that they are able to provide the goods/services in accordance with the standards as set by the Australian Standards Association or to such other standard as determined by Council; and
 - b) Ability of the business to complete the contract within the time specified.

6.2 Other Minor Goods/Services

- Local businesses may be given an opportunity to quote and that preference may be given to them subject to:
 - (a) Quality of the items being supplied equal to all tenderers; and
 - (b) Ability of the business to complete the order.

6.3 Major Plant and Equipment:

- Local businesses be given an opportunity to quote and that preference may be given to them subject to:
 - (a) Consideration being afforded to locally manufactured content where applicable; and
 - (b) Quality and specification of the item being supplied being equal of the next tender; and
 - (c) Ability of the business to complete the order within a specified time where applicable.

7. PURCHASING THRESHOLDS

- Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

Amount of Purchase	Model Policy
Up to \$1,000	Direct purchase from suppliers requiring one verbal quotation.
\$1,001 - \$19,999	Obtain at least two verbal or written quotations.
\$20,000 - \$39,999	Obtain at least three written quotations
\$40,000 - \$99,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$100,000 and above	Conduct a public tender process.

- Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$100,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$100,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

7.1 Up to \$1,000

Where the value of procurement of goods or services does not exceed \$1,000, purchase on the basis of one verbal quotation is permitted. However it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Record keeping requirements must be maintained in accordance with record keeping policies.

7.2 \$1,001 to \$19,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$1,001 and \$19,999. At least two verbal or written quotations (or a combination of both) are required. Where this is not practical, e.g. due to limited suppliers, it must be noted through records relating to the process.

The general principles for obtaining verbal quotations are:

- Ensure that the requirement / specification is clearly understood by the Shire of Nannup employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the Supplier contact person to confirm their accuracy.
- Written notes detailing each verbal quotation must be recorded.

Record keeping requirements must be maintained in accordance with record keeping policies.

7.3 \$20,000 to \$39,999

For the procurement of goods or services where the value exceeds \$20,000 but is less than \$39,999, it is required to obtain at least three written quotes (commonly a sufficient number of quotes would be sought according to the type and nature of purchase).

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

NOTES: The general principles relating to written quotations are;

- An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- The request for written quotation should include as a minimum:
 - Written Specification
 - Selection Criteria to be applied
 - Price Schedule
 - Conditions of responding
 - Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

7.4 \$40,000 to \$99,999

For the procurement of goods or services where the value exceeds \$40,000 but is less than \$99,999, it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

Record keeping requirements must be maintained in accordance with record keeping policies.

For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

8. REGULATORY COMPLIANCE

8.1 Tender Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

8.2 Sole Source of Supply (Monopoly Suppliers)

- The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

8.3 Anti-Avoidance

The Shire of Nannup shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$100,000, thereby avoiding the need to publicly tender.

8.4 Tender Criteria

The Shire of Nannup shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

The evaluation panel shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

For Requests with a total estimated (Ex GST) price of:

- Between \$40,000 and \$99,999, the panel must contain a minimum of 2 members; and
- \$100,000 and above, the panel must contain a minimum of 3 members.

8.5 Advertising Tenders

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 days after the date the tender is advertised. Care must be taken to ensure that 14 full days are provided as a minimum.

The notice must include;

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted;
- particulars identifying a person from who more detailed information as to tendering may be obtained;
- detailed information shall include;

- such information as the Shire of Nannup decides should be disclosed to those interested in submitting a tender;
- detailed specifications of the goods or services required;
- the criteria for deciding which tender should be accepted;
- whether or not the Shire of Nannup has decided to submit a tender; and
- whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

8.6 Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addendums or further communication is required prior to the close of tenders, all potential tenderers must have equal access to this information in order for the Shire of Nannup not to compromise its Duty to be Fair.

8.7 Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

8.8 Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Local Government. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Shire of Nannup Officers present at the opening of tenders.

8.9 No Tenders Received

Where the Shire of Nannup has invited tenders, however no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$40,000 & \$99,999 (listed above);
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

8.10 Tender Evaluation

Tenders that have not been rejected shall be assessed by the Shire of Nannup by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

8.11 Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Nannup may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

8.12 Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Nannup and tenderer have entered into a Contract, a minor variation may be made by the Shire of Nannup.

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

8.13 Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- The name of the successful tenderer
- The total value of consideration of the winning offer

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

8.14 Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation;
- Internal documentation;
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Shire of Nannup's internal records.

Policy Adopted at a Council Meeting on 22 March 2007.

AGENDA NUMBER: 10.10
SUBJECT: Accounts for Payment
LOCATION/ADDRESS: Nannup Shire
FILE REFERENCE: FNC 8
AUTHOR: Tracie Bishop – Administration Officer
DISCLOSURE OF INTEREST:
DATE OF REPORT: 15 March 2010

Attachment: Schedule of Accounts for Payment.

COMMENT:

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund are detailed hereunder and noted on the attached schedule are submitted to Council.

Municipal Account

Accounts Paid By EFT	
EFT 1204 - 1291	\$748,468.87
Accounts Paid By Cheque	
Vouchers 18012 – 18053	\$374,398.47
Direct Debits	
Vouchers 99166 – 99169	\$ 17,846.94

Trust Account

Accounts Paid By Cheque	
Voucher – 22722 - 22723	\$ 1,940.24
EFT Voucher 1282	\$ 310.50

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 13

POLICY IMPLICATIONS: Nil.

FINANCIAL IMPLICATIONS:

As indicated in the Schedule of Accounts for Payment.

STRATEGIC IMPLICATIONS: Nil.

Signed: _____

Dated: 22 April 2010

RECOMMENDATION:

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$1,142,965.02 in the attached schedule be accepted.

8368 BOULTER/LORKIEWICZ

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$1,142,965.02 in the attached schedule be accepted.

CARRIED 8/0

Signed: _____

Dated: 22 April 2010

SCHEDULE OF ACCOUNTS PAYABLE
SHIRE OF NANNUP
SUBMITTED TO COUNCIL'S MARCH 2010 MEETING

MUNICIPAL PAYMENTS

Chq/EFT	Name	Description	Amount
EFT1204	RED 11	2 X HP 146GB DRIVES	\$506.37
EFT1205	NANNUP SURVEYS	WARREN ROAD FEATURE SURVEY BRIDGE TO FPC	\$3,278.00
EFT1206	PICTON TYRE CENTRE PTY LTD	TYRE SUPPLIES	\$192.00
EFT1207	VISIMAX SAFETY PRODUCTS	INFRINGEMENT BOOK PLANNING & DEVELOPEMENT	\$23.30
EFT1208	BAY SIGNS	12 PRINTED AND LAMINATED SIGNS FIRE ACCESS	\$480.00
EFT1209	WAYNE'S METAL FABRICATION	FABRICATE BRIDGE REPAIR	\$129.80
EFT1210	SOLARWEST	TOWN HALL MAINTENANCE	\$1,914.00
EFT1211	DEPARTMENT OF AGRICULTURE	CERT III RURAL OPS FERAL PIG TRAINING	\$500.00
EFT1212	BELL FIRE EQUIPMENT	FIRE BLANKETS X 50	\$2,282.50
EFT1213	COURIER AUSTRALIA	FREIGHT CHARGES	\$921.91
EFT1214	D & J COMMUNICATIONS	BRB RADIOS MAINTENANCE	\$1,251.25
EFT1215	CHAMP PTY LTD (COMSOFT)	12 MONTH LSMI SUBSCRIPTION	\$1,138.50
EFT1216	CJD EQUIPMENT PTY. LTD.	LOADER REPAIRS	\$1,153.57
EFT1217	CORPORATE EXPRESS	OFFICE STATIONERY	\$233.33
EFT1218	LANDGATE	LAND ENQUIRY	\$74.50
EFT1219	KIM DAWE	FOOTPATH CONSTRUCTION	\$3,322.00
EFT1220	D & J MILLER (DO YOUR BLOCK CONTRACTING)	GRAVEL CARTAGE	\$8,305.00
EFT1221	INSIGHT CCS PTY LTD	MONTHLY CONTRACT FEE AFTER HOURS SERVICE	\$98.67
EFT1222	JASON SIGNMAKERS	SIGNAGE	\$88.00
EFT1223	STATE LIBRARY OF WESTERN AUSTRALIA	LIBRARY BOOKS	\$16.50
EFT1224	LOCAL GOVERNMENT MANAGERS AUSTRALIA	LGMA LGMA FINANCE PROFESSIONALS CONFERENCE	\$631.00
EFT1225	LGIS WORKCARE	WORKCARE INSURANCE	\$12,335.40
EFT1226	NANNUP HARDWARE & AGENCIES	SUNDRY HARDWARE SUPPLIES	\$1,833.95
EFT1227	NANNUP NEWSAGENCY	STATIONERY & POSTAGE	\$336.85
EFT1228	NANNUP EZIWAY SELF SERVICE STORE	REFRESHMENTS AND CLEANING	\$797.63
EFT1229	NANNUP TELECENTRE	SHIRE NOTES & ADVERTISING	\$363.00
EFT1230	RICOH BUSINESS CENTRE	PHOTOCOPIER MAINTENANCE	\$51.70
EFT1231	R & R TAPE & SAFETY SUPPLIES	EAR PLUGS, INSECT REPELLENT AND WHITE SPRAY	\$654.72
EFT1232	SERENE HABITATS GARDEN DESIGN	BROCHURE DESIGN COMMUNITY ARBORETUM	\$100.00
EFT1233	STEWART & HEATON CLOTHING CO. PTY LTD	SAFETY WEAR	\$2,312.86
EFT1234	TRADE HIRE	EQUIPMENT HIRE FLOODLIGHTS	\$43.50
EFT1235	WALGA	LOCAL GOVERNMENT DIRECTORY	\$206.50
EFT1236	CRAIGE WADDELL	REIMBURSEMENT OF EXPENSES	\$317.30
EFT1237	WESTSIDE WINDSCREENS	NEW WINDSCREEN HAMM ROLLER	\$132.00
EFT1238	DARRADUP VOLUNTEER BUSH FIRE BRIGADE	FUNDING ALLOCATION 09/10	\$13,700.00
EFT1239	DEPARTMENT OF ENVIRONMENT AND CONSERVATION	CLEARING PERMIT EXTENSION	\$100.00
EFT1240	NANNUP SURVEYS	FEATURE SURVEY NANNUP RECREATION RESERVE	\$3,388.00
EFT1241	B & B STREET SWEEPING PTY LTD	HIRE OF STREET SWEEPER	\$3,646.50
EFT1242	JP REPAIRS	SUPPLY AND FIT TYRES	\$1,867.50
EFT1243	DEPARTMENT OF PREMIER AND CABINET	LPS NO 3 AMEND 4	\$674.28
EFT1244	PHOENIX BUILDING COMPANY	ABLUTION BLOCKS	\$9,196.00
EFT1245	ALL 4X4 SERVICES	HEMA NAVIGATOR	\$990.00
EFT1246	FHM CONSULTING	NANNUP BIKE RACK PROJECT	\$5,075.00
EFT1247	COURIER AUSTRALIA	FREIGHT CHARGES	\$26.50
EFT1248	SHANE COLLIE	REIMBURSEMENT OF EXPENSES	\$623.32
EFT1249	D & J MILLER (DO YOUR BLOCK CONTRACTING)	GRAVEL CARTAGE	\$4,292.75
EFT1250	FIRE AND EMERGENCY SERVICES AUTHORITY	ESL FOR THRID QUARTER 2009/10	\$13,975.29
EFT1251	K & C HARPER	REPAIR WATER MAIN LIA	\$1,231.95
EFT1252	NANNUP TELECENTRE	SHIRE NOTES & ADVERTISING	\$434.50
EFT1253	NANNUP LIQUOR STORE	REFRESHMENTS	\$168.94
EFT1254	SW PRECISION PRINT	BUSINESS CARDS	\$176.00
EFT1255	GT BRAKE & CLUTCH REPAIRS	OVERHAUL BRAKES	\$1,896.42
EFT1256	VAN DIEMEN QUALITY BULBS	BULB PURCHASES 2010	\$6,096.09
EFT1257	WADIFARM CONSULTANCY SERVICES	CONSULTANCY FEES	\$1,842.50
EFT1258	WESTSIDE WINDSCREENS	SUPPLY AND FIT GRADER WINDSCREEN	\$330.00
EFT1259	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	\$10,459.11
EFT1260	LAUREN CARTLEDGE	CIRCUIT CLASSES	\$312.50
EFT1261	PICTON TYRE CENTRE PTY LTD	TYRE SUPPLIES	\$7,960.00
EFT1262	NANNUP SKIP BINS	SKIP BIN SERVICE	\$1,200.00
EFT1263	AMY MYERS	RIMBURSEMENT OF EXPENSES	\$187.00
EFT1264	COURIER AUSTRALIA	FREIGHT CHARGES	\$16.08
EFT1265	HOLCIM AUSTRALIA PTY LTD	GP GUMP CONCRETE	\$3,826.90
EFT1266	GL HAPP PTY LTD	FUEL EXPENSES	\$64.79
EFT1267	JASON SIGNMAKERS	STREET SIGNAGE	\$253.00
EFT1268	LOCAL GOVERNMENT MANAGERS AUSTRALIA	2010 LGMA PROFESSIONAL DEVELOPMENT CONFERENCE	\$400.00

EFT1269	MAIN ROADS WA	AGG BRIDGE CONSTRUCTION	\$572,000.00
EFT1270	NANNUP HANDY FOODS	FUELS AND REFRESHMENTS	\$69.44
EFT1271	NANNUP TELECENTRE	CULTURAL PLAN INSERT	\$121.00
EFT1272	RECORDS MAINTENANCE AND STORAGE	DESTROY OLD RECORDS	\$177.65
EFT1273	RICOH BUSINESS CENTRE	METER PLAN	\$992.11
EFT1274	R & R TAPE & SAFETY SUPPLIES	WHITE SPRAY & MARK	\$192.72
EFT1275	LOUISE STOKES	REIMBURSEMENT OF EXPENSES	\$49.68
EFT1276	VOGUE FURNITURE	BOOKCASE	\$592.00
EFT1277	WML CONSULTANTS	MOWEN ROAD PROJECT MANAGEMENT CLAIM 21	\$12,720.40
EFT1278	WALGA	FAMILY FUN DAY ADVERTISING	\$1,062.20
EFT1279	WARREN BLACKWOOD WASTE	BIN PICKUPS FEB 2010	\$4,950.60
EFT1280	WORTHY CONTRACTING	MONTHLY NWF CONTRACT MARCH 2010	\$9,463.33
EFT1281	TOTALLY SOUND	HIRE OF PA SYSTEM FAMILY FUN DAY 14/01/10	\$1,602.30
EFT1283	BOX 'N' DICE	LARGE PRINT BINGO CARDS	\$42.00
EFT1284	TYRON SWAIN	REIMBURSEMENT OF EXPENSES	\$93.85
EFT1285	MT BARKER COMMUNICATIONS	GME TX3100 UHF RADIO	\$299.00
EFT1286	D & J COMMUNICATIONS	REPROGRAM RADIOS INTO NEW TRUCKS	\$299.75
EFT1287	CORPORATE EXPRESS	ARCHIVE BOXES	\$254.76
EFT1288	LANDGATE	MINING TENEMENTS M2010/2	\$31.50
EFT1289	JASON SIGNMAKERS	D/S STREET SIGNAGE	\$60.50
EFT1290	NANNUP HARDWARE & AGENCIES	SUNDRY HARDWARE SUPPLIES	\$1,692.55
EFT1291	WADIFARM CONSULTANCY SERVICES	CONSULTANCY FEES	\$1,265.00
TOTAL EFT PAYMENTS:			<u>\$748,468.87</u>

18012	BARRY J WORTHINGTON	RATES REFUND	\$161.39
18013	SCANIA AUSTRALIA	SCANIA P420 LA6X4MNA	\$347,881.10
18014	AUSRECORD	2D SYSTEM FILES	\$73.70
18015	AMY MYERS	REIMBURSEMENT OF EXPENSES	\$93.42
18016	WAX SEALS INTERNATIONAL PTY LTD	NOTARIAL SEALS 50MM RED	\$50.00
18017	BUNNINGS BUSSELTON	SEEDLINGS	\$132.94
18018	BUNBURY CEMETERY BOARD	12 X CONCRETE BASES 143 X 117	\$158.40
18019	PROTECTOR ALSAFE	SAFETY EQUIPMENT	\$232.32
18020	DEPARTMENT FOR TRANSPORT	VEHICLE REGISTRATIONS	\$277.25
18021	CARLOTTA AG SERVICES	CONSTRUCTION OF POST AND RAIL FENCE	\$1,320.00
18022	ESPLANADE HOTEL FREMANTLE	ACCOMODATION - LGMA CONFERENCE	\$845.50
18023	SHIRE OF CAPEL	TRAINING COURSE HEALTH INSPECTIONS	\$361.48
18024	BUNNINGS BUSSELTON	SEEDLINGS	\$143.71
18025	CEMETERIES & CREMATORIA ASSOC OF WA	REGISTRATION FOR SEMINAR	\$80.00
18026	FTE ENGINEERING	SUNDRY SUPPLIES	\$261.05
18027	PROTECTOR ALSAFE	SAFETY EQUIPMENT DARRADUP VBFB	\$39.49
18028	DEPARTMENT FOR TRANSPORT	VEHICLE REGISTRATIONS	\$14.70
18029	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	\$89.25
18030	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	\$766.15
18031	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	\$277.46
18032	WESTSCHEME	SUPERANNUATION CONTRIBUTIONS	\$287.18
18033	NORWICH UNION SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	\$277.46
18034	COMMONWEALTH SUPER SELECT	SUPERANNUATION CONTRIBUTIONS	\$75.18
18035	IIML ACF IPS APPLICATION TRUST	SUPERANNUATION CONTRIBUTIONS	\$302.40
18036	HOSTPLUS EXECUTIVE	SUPERANNUATION CONTRIBUTIONS	\$105.82
18037	CRANE DISTRIBUTION LIMITED	DRINKING FOUNTAIN PARTS	\$68.35
18038	THE GRYGLICKI FAMILY TRUST	BUS CHARTER YOUTH SCHOOL HOLIDAYS ACTIVITY	\$968.00
18039	ABOMINATION	PEDAL TO THE METAL YOUTH CONCERT	\$200.00
18040	ANDROULLA PTY LTD	FIREBREAK INSPECTIONS	\$1,908.00
18041	STEPHANIE CAMARRI	REIMBURSEMENT OF EXPENSES FORM 11	\$1,600.60
18042	DIRECT FUEL SUPPLIES	FUEL & OILS	\$2,469.77
18043	MANSELL PTY LTD	SUPPLY OF 2009/10 RATE COMPARISON REPORT	\$148.50
18044	PROTECTOR ALSAFE	SAFETY EQUIPMENT DARRADUP VBFB	\$1,122.00
18045	TELSTRA	MOBILE CAR KIT DEVICE	\$264.00
18046	CHEQUE CANCELLED		\$0.00
18047	TIMCARE DISTRIBUTORS	ELASTOSEAL HD, AUSSIE CLEAR	\$3,883.00
18048	SJ ROADWORKS	TRAFFIC CONTROLLERS	\$2,131.25
18049	DEPARTMENT FOR TRANSPORT	VEHICLE REGISTRATIONS	\$65.10
18050	SYNERGY	ELECTRICITY EXPENSES - SHIRE OF NANNUP	\$4,720.45
18051	THE SALVATION ARMY	3 BAGS OF RAGS	\$33.00
18052	WATER CORPORATION	WATER EXPENSES	\$289.10
18053	WORK CLOBBER	SAFETY WEAR	\$220.00
TOTAL CHEQUE PAYMENTS:			<u>\$374,398.47</u>

99166	BP AUSTRALIA	FUEL EXPENSES	\$940.47
99167	CALTEX AUSTRALIA	FUEL EXPENSES	\$15,908.85
99168	TELSTRA	TELEPHONE EXPENSES	\$877.73
99169	WESTNET	INTERNET EXPENSES	\$119.89
TOTAL DIRECT DEBITS:			<u>\$17,846.94</u>

TRUST PAYMENTS

22722	BUILDING CONSTRUCTION INDUSTRY TRAINING FUND	BUILDING & CONSTRUCTION LEVY COLLECTED	\$1,857.74
22723	SHIRE OF NANNUP	BRB & BCITF COMMISSION EARNT	\$82.50
TOTAL CHEQUE PAYMENTS:			<u>\$1,940.24</u>

EFT1282	BUILDERS REGISTRATION BOARD OF WA	BRB COLLECTED JAN FEB 2010	\$310.50
TOTAL EFT PAYMENTS:			<u>\$310.50</u>

TOTAL MUNICIPAL PAYMENTS: \$1,140,714.28

TOTAL TRUST PAYMENTS: \$2,250.74

TOTAL PAYMENTS FOR THE PERIOD 16 FEB TO 15 MAR 2010: \$1,142,965.02

11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

- (a) OFFICERS
- (b) ELECTED MEMBERS

Cr Boulter Submitted a Notice of Motion regarding the laneway in the Nannup townsite. Cr Boulter indicated that he wished to withdraw the Notice of Motion until after Council's road inspection 29 April 2010.

12. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 Community Resource Centre

The following notice of motion was included in the January and February 2010 agendas and was requested to be laid on the table by the mover Cr Mellema;

Cr Mellema

I move that:

"the Shire of Nannup commence an investigation for the provision of a "purpose-built" Community Resource Centre facility to house the Telecentre that will cater for their current and anticipated needs for the short to medium term in the future in addition to providing for future extensions for other community purposes.

As part of the investigation, Council will undertake the following:

- *Identification of possible suitable sites*
- *Independent preparation of a needs analysis*
- *Independent preparation of a feasibility study*
- *Preparation of concept plans and indicative costing*
- *Extensive community consultation to gauge the level of community support for a Community Resource Centre against other proposed major infrastructure projects (estimated costs of each project to be detailed and how each project is to be funded included in, the survey)*
- *If the Community Resource Centre attains the highest priority, a quantity surveyor's report on the proposed concept plans to be prepared*
- *Funding sources to be identified and finalised*
- *Tenders called for architects*
- *Tenders or quotes for project management*
- *Tenders for construction"*

Signed:

Dated: 22 April 2010

Justification for the Notice of Motion (Cr Mellema):

1. Council recognises that the current Telecentre facility is insufficient to meet the current needs of the community for the following reasons:
2. The infrastructure being used was the old hall supper room and any proposal to extend the building to cater for the Telecentre's future requirements is constrained by the location of the Town hall's effluent disposal holding tanks and drains and setback limits on the site.
3. To provide proper training facilities, a Telecentre requires a training room separate from the public area to allow students uninterrupted time.
4. A training room can also be utilised for video-conferencing purposes etc.
5. A separate area for internet cafe purposes is also desirable to allow users greater privacy than currently available.

Other Comments (Cr Mellema):

The location of a new Community Resource Centre should, if at all possible, have main street frontage to maximise the accessibility to the public, however careful consideration of any proposed site should ensure that the site should be capable of not only accommodating the building but also all parking required under the Nannup Town Planning Scheme #3 without reallocating some of it in other areas of the townsite.

The site should also have considerable room for extensions for other community purposes in the future without compromising the provision of parking onsite.

Any such site should be situated so as to avoid any complications associated with the 1 in 100 year flood level.

Cr Mellema wished that the notice of motion remain on the table.

12.2 Community Arboretum

Cr Camarri wishes to move a rescission motion in respect of Council resolution 8357 (part) from February 2010. The Council resolution was as follows:

"8357 MELLEMA/LORKIEWICZ

1. That Council endorse the concept plan for the Community Arboretum as tabled.
2. That Council endorse the following selection of trees for the Community Arboretum:

Deciduous:

Acer platanoides c.n. Norway Maple
Acer rubrum c.n. Red Maple
Betula szechuanica c.n. Chinese White Birch
Fraxinus angustifolia c.n. Claret Ash
Populus simonii c.n. Simons Poplar (if suitable)
Pyrus ussuriensis c.n. Mongolian/Manchurian Pear

Evergreen/Natives:

Magnolia grandiflora c.n. Bull Bay
Michelia champaca c.n. Michelia
Syzigium sp. c.n. Lilly Pilly (if suitable)
Hymenosporum flavum c.n. Native Frangipani
Pleogynium timorense c.n. Burdekin Plum
Arbutus unedo c.n. Irish Strawberry Tree"

The reasons put forward by Cr Camarri are as follows:

1. The site is inappropriate.
2. Some of the trees are inappropriate including:
 - Lilly Pilly
 - Poplar
 - Chinese White Birch

which can become environmental weeds; they need regular slashing to control offspring.

3. Input into location and species type from Council's gardening staff was minimal.
4. Propose a "Tree Policy" containing plants which:
 - grow in this region WITHOUT problems, (already growing, can be seen in adjoining shires (e.g. Golden Valley Tree Park)
 - do not need regular maintenance e.g. pruning, slashing, spreading, etc.
 - select a range of trees suitable for different uses. (There are trees in the main street which will have to come out AGAIN because of footpath interference).
 - The "Man up the Tree" saga in Perth is a shining example of "wrong plant, wrong place".

OFFICER COMMENT (CEO)

The Local Government (Administration) Regulations 1996 sets out the process for dealing with rescission motions. Regulation 10 (1) states:

"(1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported -

(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or

(b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(1a) Notice of a motion to revoke or change a decision referred to in sub regulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover."

The Notice of Motion put forward by Cr Camarri complies with this regulation as the original document has been signed by Crs Boulter, Lorkiewicz and Camarri and 1/3 of the offices of the Shire of Nannup is 3 members.

Regulation 10 (2) states:

"(2) If a decision has been made at a council or committee meeting then any decision to revoke or change the first mentioned decision must be made –

(a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or

(b) in any other case, by an absolute majority.

The Notice of Motion put forward by Cr Camarri is required to obtain an absolute majority to pass, which in Nannup's case is 5 members.

It is noted that there is no replacement motion submitted by Cr Camarri however a further agenda item or a Notice of Motion may be developed in the future for Council's consideration on this matter.

8369 CAMARRI/BOULTER

Council decision 8357 endorsing the concept plan for the community arboretum and the selection the trees be rescinded.

**CARRIED 5/3
BY ABSOLUTE MAJORITY**

Councillors voting for the motion: Boulter, Camarri, Dean Dunnet and Lorkiewicz.
Councillors voting against: Gilbert, Pinkerton and Mellema.

12.3 Naming of Council Facilities

Cr Camarri has put forward the following Notice of Motion:

"That Council amend Policy HAB 5 (Naming of Council Facilities) by removing points iv and v and adding in Generic names or common usage names."

Points iv and v reads as follows in respect of a principle attached to the naming of a facility:

When proposing names for facilities developed and owned by the Shire of Nannup, the following criteria will be taken into consideration:

- i. The locality of the development (eg – Carlotta)
- ii. Any historical events associated with or near the site
- iii. Indigenous and cultural heritage relevant to the site
- iv. Pioneering families (family names only) associated with the immediate area
- v. Significant individuals who have contributed substantially to the community in a voluntary capacity

The full text of Policy HAB 5 is contained as an attachment in current Agenda item 10.1.

The reasons put forward by Cr Camarri for the proposed change are as follows:

1. Naming parks, buildings etc suggests that some people's contribution to Nannup is greater than others.
2. Some families/people left off are disappointed and hurt because their contribution is just as important as another's.

CAMARRI/BOULTER

Council amend policy HAB 5, naming of Council facilities by removing points 4 & 5 and adding general names or common usage names.

Signed: _____

Dated: 22 April 2010

Councillors voting for the motion: Boulter, Lorkiewicz, and Camarri.
Councillor voting against: Pinkerton, Dean, Mellema, Gilbert and Dunnet

8370 LORKIEWICZ/CAMARRI

That the meeting be closed to the public to discuss the confidential item.

CARRIED 8/0

The meeting was closed to the public at 5.45pm
The members of the public, Manager Development Services and Works Manager
left the meeting at 5.45pm.

Pursuant to Section 5.23 (2) of the Local Government Act 1995 the following item deals with:

(a) a matter affecting an employee, and

(b) the personal affairs of a person,

and hence Council is advised to close the meeting to members of the public by resolution.

AGENDA NUMBER: 10.11

SUBJECT: CEO Performance and Remuneration Review

LOCATION/ADDRESS:

NAME OF APPLICANT: Mr Shane Collie

FILE REFERENCE: P088

AUTHOR: Shane Collie - Chief Executive Officer

DISCLOSURE OF INTEREST: Mr Shane Collie LG Act 5.63 (1) (d) (i)

DATE OF REPORT: 19 March 2010

8371 DEAN/MELLEMA

That Council approve a salary increase of \$2,200 to the Chief Executive Officer,
and an increase in the electricity/gas allowance of \$300.

CARRIED 8/0

13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
Nil.

14. CLOSURE OF MEETING

There being no further business to discuss the Shire President declared the
meeting closed at 6.05pm.