

SHIRE OF NUNGARIN



ORDINARY MEETING MINUTES

20th November 2019

3:00 PM

Shire of Nungarin

TABLE OF CONTENTS

20 November 2019

ITEM	SUBJECT HEADING	PAGE
1.	DECLARATION OF OFFICIAL OPENING.....	3
2.	RECORDING OF ATTENDANCE, APOLOGIES & LEAVES OF ABSENCE	3
2.1	ATTENDANCE.....	3
2.2	APOLOGIES.....	3
2.3	LEAVES OF ABSENCE.....	3
2.4	NEW REQUESTS FOR LEAVES OF ABSENCE.....	3
3.	DELEGATIONS & PETITIONS	4
3.1	DELEGATIONS	4
3.2	PETITIONS	4
4.	PUBLIC QUESTION TIME.....	4
4.1	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....	4
4.2	QUESTIONS FROM MEMBERS OF THE PUBLIC.....	4
5.	DECLARATIONS OF INTEREST.....	4
5.1	FINANCIAL & PROXIMITY INTERESTS	4
5.2	DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT	5
6.	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)	5
7.	CONFIRMATION OF COUNCIL MINUTES AND RECEIVING OF MINUTES.....	5
7.1	ORDINARY COUNCIL MEETING 23 OCTOBER 2019.....	5
8.	CHIEF EXECUTIVE OFFICER REPORTS.....	7
8.1	URBAN PLANNING.....	7
8.2	INFRASTRUCTURE	8
8.3	COMMUNITY DEVELOPMENT	18
8.4	MANAGEMENT / GOVERNANCE / POLICY.....	19
8.5	CORPORATE	28
9.	DELEGATES REPORTS	38
10.	NEW BUSINESS OF AN URGENT NATURE	38
11.	MOTIONS ON NOTICE.....	43
12.	CONFIDENTIAL ITEMS OF BUSINESS.....	43
13.	CLOSURE.....	43



SHIRE OF NUNGARIN

Council Meeting Minutes

20 November 2019

1. DECLARATION OF OFFICIAL OPENING

At 3:00pm, the Shire President declared the meeting open and the Affirmation of Civic Duty and Responsibility was read aloud by Cr Dayman. The Shire President also made acknowledgement of the Traditional Custodians of the land.

2. RECORDING OF ATTENDANCE, APOLOGIES & LEAVES OF ABSENCE

2.1 ATTENDANCE

Shire President	Cr P de Lacy
Deputy Shire President	Cr G Coumbe
Elected Member	Cr RE O'Connell
Elected Member	Cr K Dayman
Elected Member	Cr J Davis
Elected Member	Cr W Lee
Elected Member	Cr R Mizia

Chief Executive Officer	Mr A Majid
Manager Works and Services	Mr A Richardson

2.2 APOLOGIES

Nil

2.3 LEAVES OF ABSENCE

Nil

2.4 NEW REQUESTS FOR LEAVES OF ABSENCE

Nil

3. DELEGATIONS & PETITIONS

3.1 DELEGATIONS

Nil

3.2 PETITIONS

Nil

4. PUBLIC QUESTION TIME

Rules for Council Meeting Public Question Time

- (a) *Public Question Time provides the public with an opportunity to put questions to the Council. Questions should only relate to the business of the Council and should not be a statement or personal opinion.*
- (b) *During the Council meeting, after Public Question Time no member of the public may interrupt the meeting's proceedings or enter into conversation.*
- (c) *Whenever possible, questions should be submitted in writing at least 48 hours prior to the start of the meeting.*
- (d) *All questions should be directed to the President and only questions relating to matters affecting Council may be answered at an Ordinary meeting, and at a Special meeting only questions that relate to the purpose of the meeting may be answered. Questions may be taken on notice and responded to after the meeting, at the discretion of the President.*
- (e) *The person presiding will control Public Question Time and ensure that each person wishing to ask a question should state his or her name and address before asking the question. If the question relates to an item on the agenda, the item number should also be stated. In general, persons seeking to ask a question will be given 2 minutes within which to address their question to the Council. The person presiding may shorten or lengthen this time in their discretion.*

4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

5. DECLARATIONS OF INTEREST

Councillors / Staff are reminded of the requirements of section 5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed, and also of the requirement to disclose an interest affecting impartiality under the Shire's Code of Conduct.

Councillors / staff are required to submit declarations of interest in writing on the prescribed form.

5.1 FINANCIAL & PROXIMITY INTERESTS

A declaration under this section 5.60 of the Act requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT

Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member / employee is also encouraged to disclose the nature of the interest. The member / employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member / employee declares that their impartiality will not be affected then they may participate in the decision making process.

6. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Written announcements by the Presiding Member or important forthcoming functions to be tabled at this point. The Presiding Member may, at their discretion, wish to make verbal announcements.

OFFICER RECOMMENDATION/S – ITEM NO 6

That the President's report be received.

COUNCIL DECISION – 6279

Moved: Cr Dayman, Seconded: Cr Coumbe

That the President's report be received.

CARRIED: 7/0

7. CONFIRMATION OF COUNCIL MINUTES AND RECEIVING OF MINUTES

7.1 ORDINARY COUNCIL MEETING 23 OCTOBER 2019

OFFICER RECOMMENDATION/S – ITEM NO 7.1

That the Minutes of the Ordinary Meeting, of the Shire of Nungarin held on 23 October 2019 in Council Chambers be confirmed.

COUNCIL DECISION – 6280

Moved: Cr O’Connell, Seconded: Cr Mizia

That the Minutes of the Ordinary Meeting, of the Shire of Nungarin held on 23 October 2019 in Council Chambers be confirmed.

CARRIED: 7/0

8. CHIEF EXECUTIVE OFFICER REPORTS

8.1 URBAN PLANNING

Nil

8.2 INFRASTRUCTURE

8.2.1 Works and Services Report

INFRASTRUCTURE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	All Council Meetings
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Manager Works and Services

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

PURPOSE OF REPORT

For Council to receive the Manager Works and Services report.

SUMMARY AND KEY ISSUES

- Road counter is currently out on Nungarin North Road and the other is currently at the Merredin Chandler Road.
- Maintenance on machines is continuing as required and small items of plant being repaired.
- Graders have been grading on Baird Road, McGlenn Road, which forms part of the R2R funded project.
- Maintenance grading on Quanta Cutting Road commenced and will continue in that area.
- Road patching is ongoing with works on Chandler Nungarin Road
- All bitumen reseals from 18/19 year have been added to the RAMM app.

LOCATION

N/A

BACKGROUND

N/A

CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

There are no specific statutory requirements in respect to this matter.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

Refer to summary and key issues above.

OFFICER RECOMMENDATION/S – ITEM NO 8.2.1

That the Manager Works and Services report be received

COUNCIL DECISION – 6281

Moved: Cr Dayman, Seconded: Cr Coumbe

That the Manager Works and Services report be received.

CARRIED: 7/0

8.2.2 RFT 19/20-1 Supply of Sealing Works for Regional Road Group Project

INFRASTRUCTURE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Confidential Attachment – Tendered Rates

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Manager Works and Services/Chief Executive Officer

COUNCIL ROLE

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PURPOSE OF REPORT

For Council to consider awarding Tender RFT 19/20-1.

SUMMARY AND KEY ISSUES

- RFT 19/20-1 was advertised in the West Australian on Wednesday 16 October 2019
- The tender relates to the 2019/20 Regional Road Group project for Chandler Nungarin Road

LOCATION

N/A

BACKGROUND

The year 2019/20 is the final year of the current five year road program endorsed by the Regional Road Group.

Regional Road Group is a joint funding program whereby funding is a 2/3 and 1/3 split between Main Roads WA and the Shire.

The 2019/20 approved project is the resealing of the Chandler-Nungarin Road with a total budget of \$279,951 of which \$96,451 is the Shire contribution. The Shire contribution is about \$3000 more than 1/3 to cover the shortfall in the allocation to the Wheatbelt North East Sub-Regional road group.

CONSULTATION

Main Roads WA
Secretary of Wheatbelt North sub RRG
Shire President
Manager Works and Services

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023: 4.3

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

Local Government (Functions and General) Regulations 1996

FINANCIAL IMPLICATIONS

GL 412102 (RRG03) has an adopted budget figure of \$289,190 meaning an over allocation of funds for the financial year.

For all intents and purposes, all submissions received in response to the Tender are under budgeted figures.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

At the close of the tender period on 8 November 2019, four (4) tenderers submitted a total of five (5) submissions. The submitted Schedule of Rates are included as part of confidential attachments.

Of the five (5) submissions received, two (2) are non-conforming meaning they did not meet the minimum requirements stipulated in the tender document. General observations regarding the submissions are as follows:

Tenderer 1 (Conforming):

- Indicated acceptable timing of January 2020
- Pricing is within budgeted figures
- Indicated application rate appears to be low and if adjustments on site are required would result in a greater cost which would affect the Shire's procurement tolerance of +/-10%

Tenderer 1 (Non-Conforming):

- Indicated timing of March 2020 with a fee less than that reflected if done January per above
- All other comments remain the same as per the above

Tenderer 2:

- Indicated pricing is within budget
- Indicated timing to be completed in December 2019 subject to timely approval by Council in November
- Application rate is considered good and process are reflective of a higher rate. If it needs to be reduced then this would result in an overall reduction

Tenderer 3 (Non-Conforming):

- Submission is proposing use of a smaller aggregate throughout the entire project not in keeping with the RFT document
- Application rates would appear to be low based on the proposed works
- Due to the non-conforming nature, price is excessively below budget

Tenderer 4:

- Indicated application rates are considered good for the project

- Timing has been stated from November so it would be subject to negotiation with the Tenderer
- Pricing is within budgeted figures

Generally, both the Manager Works and Services and the CEO are familiar with all companies except for Tenderer 3.

This item is for Council's consideration.

OFFICER RECOMMENDATION/S – ITEM NO 8.2.2

- 1 That Council awards RFT 19/20-1 Supply of Bituminous Sealing Works to _____ for the Tendered price of \$_____ (excluding GST);
- 2 Authorises the Chief Executive Officer to enter into a contract with the Tenderer above for the provision of the services offered and issue a Purchase Order to the value of the tendered price above.

COUNCIL DECISION – 6282

Moved: Cr O'Connell, Seconded: Cr Dayman

- 1 **That Council awards RFT 19/20-1 Supply of Bituminous Sealing Works to Colas Western Australia Pty Ltd. for the Tendered price of \$263,989.80(excluding GST);**
- 2 **Authorises the Chief Executive Officer to enter into a contract with the Tenderer above for the provision of the services offered and issue a Purchase Order to the value of the tendered price above.**

CARRIED: 7/0

8.2.3 Recreation Grounds

INFRASTRUCTURE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	Parks and Gardens
Location / Property Index	:	Various
Application Index	:	N/A
Land Use	:	Parks and Gardens
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	All Council Meetings
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

COUNCIL ROLE

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PURPOSE OF REPORT

For Council to receive Recreation Grounds status report.

SUMMARY AND KEY ISSUES

See officer's comments.

LOCATION

All Recreation grounds

BACKGROUND

Council has traditionally asked for status reports concerning Recreation Grounds and Gardens generally and this report is provided accordingly.

CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

There are no specific statutory requirements in respect to this matter.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

Reticulation Pump:

The reticulation pump which pumps the water for the oval and tennis courts reached its useful life and failed. A second hand pump was able to be sourced and installed which is now operational and runs quieter and smoother than the previous pump.

It would also appear that with the upgrade there is better pressure and more efficient use of water. Testing over the coming weeks by way of altering the number of stations on the oval

will take place to understand the full potential of the system in the hopes to improve watering and reducing costs.

Oval:

Reticulation testing will take place over the coming weeks to identify issues and possibilities given the performance of the new pump.

Despite the failure of the previous pump, the oval held up well with the assistance of some rain that helped get through the down time.

Hydrolink Gran Plus, as recommended by the Turf consultant has been applied and the results of this will be monitored over the coming months.

Cricket Pitch:

Soaking of the pitch helps to achieve good grass coverage on the unplayed surfaces in addition to helping with the early rolling of a game day pitch.

Cracks are filled as required and watered in accordingly.

Tennis Courts:

As per the oval Hyrdorlink Gran Plus has been applied and will be monitored over the next month for results.

Reticulation maintenance has also been undertaken in line with the oval.

Hockey Ground:

Reverts back to care and maintenance for the summer period.

Bowling green:

Attended to as required to treat weeds etc.

General:

Lawns continue to present well with adequate reticulation being undertaken.

OFFICER RECOMMENDATION/S – ITEM NO 8.2.3

That the Recreation Grounds status report be received.

COUNCIL DECISION – 6283

Moved: Cr Davis, Seconded: Cr Mizia

That the Recreation Grounds status report be received.

CARRIED: 7/0

8.3 COMMUNITY DEVELOPMENT

Nil

8.4 MANAGEMENT / GOVERNANCE / POLICY

8.4.1 Draft Policy – Elected Members Use of Council Supplied Electronic Equipment

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Draft Policy – Elected Members Use of Council Supplied Electronic Equipment.

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

COUNCIL ROLE

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PURPOSE OF REPORT

For Council to consider adopting the draft policy to guide the use of electronic equipment provided to Elected Members.

SUMMARY AND KEY ISSUES

- Policies are required to clearly define acceptable standards in operations, functions and the use of facilities and equipment
- In previous years, no policy has existed for equipment provided to Elected Members.

LOCATION

N/A

BACKGROUND

As part of the 2019/20 Budget, an allocation has been made for the procurement of new computing devices for elected members.

Previous devices supplied were iPad's with 3G connectivity. These devices were not set up with the appropriate accounts and the nature of the device made them difficult to use in any event.

New devices have been sourced with are Microsoft Surface Go's with 4G LTE connectivity. Being a Windows based product, it means users are already familiar with the operation and functions of the devices. They are no different to a personal computer within the home or office environment.

The added benefit of the Surface Go's is that they can be used in either Tablet or PC mode complete with a Type Cover. All devices will come with Microsoft based software including Outlook, Word, Excel etc.

From a governance perspective, it is best practice to implement a policy to govern the distribution and acceptable use of Council owned equipment. The draft policy is as simple as possible while defining that devices are given for the express purpose of Council related business.

CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 2.7.

FINANCIAL IMPLICATIONS

Purchase of devices has been covered under the 2019/20 Annual Budget.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The draft policy aims to be simple yet relevant for the purposes of governing the use of devices supplied to Elected Members.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.1

That Council adopts the Policy “Elected Members Use of Council Supplied Electronic Equipment”.

COUNCIL DECISION – 6284

Moved: Cr Dayman, Seconded: Cr Mizia

That Council adopts the Policy “Elected Members Use of Council Supplied Electronic Equipment”.

CARRIED: 7/0

8.4.2 Staff Christmas Bonus

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	Not known
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

COUNCIL ROLE

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PURPOSE OF REPORT

For Council to consider awarding a Christmas bonus to employees as recognition for their efforts over the preceding 12 months.

SUMMARY AND KEY ISSUES

- Council has previously awarded a Christmas bonus to employees to recognise their efforts.
- Since the changes in administration, there has been greater accountability placed in staff and generally, works standards have improved.

LOCATION

N/A

BACKGROUND

Council has previously awarded a \$200 bonus to staff at Christmas time in recognition of the hard work over a 12 month period.

In considering a bonus for 2019, it is considered that given the ongoing changes and improvements to the organisation, and the higher standard expected from workers, there has been a genuine lift in the quality of work performed.

It is therefore requested that Council again consider it appropriate.

CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

There are no specific statutory requirements in respect to this matter.

FINANCIAL IMPLICATIONS

The overall value of the bonus is \$1800. There are sufficient funds in the employee wages account to cover this cost.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

In total, there are nine employees identified for a bonus of \$200. The employees have worked hard and are continually committed to improving the culture of the Shire and its assets.

It should be noted that the CEO is not included in the bonus.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.2

That Council authorises the Chief Executive Officer to provide a Christmas Bonus of \$200 to employees with the total value of the bonus being \$1800.

COUNCIL DECISION – 6285

Moved: Cr Coumbe, Seconded: Cr Mizia

That Council authorises the Chief Executive Officer to provide a Christmas Bonus of \$200 to employees with the total value of the bonus being \$1800.

CARRIED: 7/0

8.4.3 Christmas/New Year Closure

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

COUNCIL ROLE

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PURPOSE OF REPORT

For Council to receive and note the details regarding the Christmas/New Year office closure.

SUMMARY AND KEY ISSUES

- The Shire has traditionally closed the office and depot for the Christmas and New Year period
- Arrangements are made with staff regarding skeleton crew/on call where required

LOCATION

N/A

BACKGROUND

For the 2018/19 holiday period, the Shire was closed for a period of two weeks allowing staff to have a break and utilise unused leave entitlements.

Last year the CEO remained in town working on days which were not public holidays which allowed much needed quiet time to achieve back of house tasks and duties. This will more than likely be the case again this coming period unless advised otherwise at a later date.

CONSULTATION

Manager Works and Services.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

There are no specific statutory requirements in respect to this matter.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

For this coming Christmas/New Year, the closing the closure would be in place from 4pm on Friday 20 December and reopening from 8am on Monday 6 January.

This equate to approximately an additional five days where employees will be able to use their unused leave entitlements.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.3

That Council notes the Christmas/New Year shutdown being from close of business on Friday 20 December 2019 and resuming on Monday 6 January 2020.

COUNCIL DECISION – 6286

Moved: Cr O’Connell, Seconded: Cr Dayman

That Council notes the Christmas/New Year shutdown being from close of business on Friday 20 December 2019 and resuming on Monday 6 January 2020.

CARRIED: 7/0

8.5 CORPORATE

8.5.1 Investments Report as at 31 October 2019

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	Nil
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

COUNCIL ROLE

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- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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PURPOSE OF REPORT

For Council to receive the investment Report as at 31 October 2019.

SUMMARY AND KEY ISSUES

- The Investment Report is presented for Council to receive.

LOCATION

N/A

BACKGROUND

Money held in the Municipal Fund of the Shire of Nungarin that is not required for the time being may be invested under the Trustee Act 1962 Part III.

CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

Council Policy 3.07 applies to the investment of surplus funds.

STATUTORY IMPLICATIONS

Local Government Act 1995

6.14. Power to invest

- (1) Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the *Trustees Act 1962* Part III.
- (2A) A local government is to comply with the regulations when investing money referred to in subsection (1).
- (2) Regulations in relation to investments by local governments may —
 - (a) make provision in respect of the investment of money referred to in subsection (1); and
 - [(b) *deleted*]
 - (c) prescribe circumstances in which a local government is required to invest money held by it; and
 - (d) provide for the application of investment earnings; and
 - (e) generally provide for the management of those investments.

Local Government (Financial Management) Regulations 1996

19. Investments, control procedures for

- (1) A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.
- (2) The control procedures are to enable the identification of —
 - (a) the nature and location of all investments; and
 - (b) the transactions related to each investment.

19C. Investment of money, restrictions on (Act s. 6.14(2)(a))

- (1) In this regulation —

authorised institution means —

- (a) an authorised deposit-taking institution as defined in the *Banking Act 1959 (Commonwealth)* section 5; or
- (b) the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*;

foreign currency means a currency except the currency of Australia.

- (2) When investing money under section 6.14(1), a local government may not do any of the following —
 - (a) deposit with an institution except an authorised institution;
 - (b) deposit for a fixed term of more than 12 months;
 - (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
 - (d) invest in bonds with a term to maturity of more than 3 years;
 - (e) invest in a foreign currency.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The worksheet below details the investments held by the Shire as at 31 October 2019:

SHIRE OF NUNGARIN INVESTMENTS AS AT 31 OCTOBER 2019								
INSTITUTION	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N°	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
MUNICIPAL FUND								
CBA	N/A	Operating A/C	12481074	Ongoing	N/A	N/A	Variable	\$1,065,717.16
TOTAL								\$1,065,717.16

SHIRE OF NUNGARIN INVESTMENTS AS AT 31 OCTOBER 2019								
INSTITUTION	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N°	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
RESERVE FUNDS								
CBA	N/A	Interest Bearing Cheque A/C	12481082	Ongoing	N/A	N/A	Variable	\$502,550.07
TOTAL								\$502,550.07
TRUST								
CBA	N/A	Trust a/c	12481090	Ongoing	N/A	N/A	Variable	\$7,640.09
TOTAL								\$7,640.09

INVESTMENT REGISTER						
1 OCTOBER 2019 TO 31 OCTOBER 2019						
COMMONWEALTH BANK						
ACCOUNT N°	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 31.10.2019	INVESTMENT TRANSFERS	CLOSING BALANCE 30.09.2019
38132004	N/A	N/A	\$0.00	\$0.00	\$0.00	\$0.00

OFFICER RECOMMENDATION/S – ITEM NO 8.5.1

That the Investment Report as at 31 October 2019 be received.

COUNCIL DECISION – 6287

Moved: Cr Mizia, Seconded: Cr Coumbe

That the Investment Report as at 31 October 2019 be received.

CARRIED: 7/0

8.5.2 Accounts for Payment - October 2019

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Accounts Paid – October 2019

Voting Requirement	:	Simple Majority
Subject Index	:	Finance
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	All Council Meetings
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

PURPOSE OF REPORT

That Council receives and note the payment of accounts for the month of October 2019.

SUMMARY AND KEY ISSUES

All payments relate to normal operational matters for the Shire.

LOCATION

N/A

BACKGROUND

Attachment 1 details all accounts paid since the last reporting period.

Payment Types for Municipal Account:

EFT	\$111,724.29
Cheque	\$ 12,548.84
Direct Debits	<u>\$ 10,048.93</u>
TOTAL	\$134,232.06

Payment Types for Trust Account:

Cheque	\$ 0.00
EFT	\$ 0.00
Direct Debits	<u>\$ 0.00</u>
TOTAL	\$ 0.00

The total amount for all payments from all accounts is therefore **\$134,232.06**.

CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

There are no specific statutory requirements in respect to this matter.

FINANCIAL IMPLICATIONS

There are no financial implications at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

Nil

OFFICER RECOMMENDATION/S – ITEM NO 8.5.2

That Council receives and notes the list of accounts paid for October 2019, totalling \$134,232.06, and that the list be recorded in the minutes.

COUNCIL DECISION – 6288

Moved: Cr Lee, Seconded: Cr Dayman

That Council receives and notes the list of accounts paid for October 2019, totalling \$134,232.06, and that the list be recorded in the minutes.

CARRIED: 7/0

8.5.3 Financial report – October 2019

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Monthly Financial Report 31 October 2019

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	All Council Meetings
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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PURPOSE OF REPORT

To report on financial activity for the period 1 July 2019 to 31 October 2019.

SUMMARY AND KEY ISSUES

The Local Government Act and Regulations require local governments to prepare monthly reports containing the information that is prescribed.

LOCATION

N/A

BACKGROUND

Nil

CONSULTATION

Financial Consultant – Darren Long

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Finance) Regulations 1996.

FINANCIAL IMPLICATIONS

There are no financial implications at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

Nil

OFFICER RECOMMENDATION/S – ITEM NO 8.5.3

That the financial report for the period 1 July 2019 to 31 October 2019 be received.

COUNCIL DECISION – 6289

Moved: Cr Coumbe, Seconded: Cr Dayman

That the financial report for the period 1 July 2019 to 31 October 2019 be received.

CARRIED: 7/0

9. DELEGATES REPORTS

(Elected members who are delegates to other Forums may present a verbal or written report)

Cr RE O'Connell has provided a written report.

Cr Coumbe provided a verbal report in relation to the Wheatbelt AGCare AGM.

Cr Mizia provided a report in relation to NEWTRAVEL.

COUNCIL DECISION – 6290

Moved: Cr Davis, Seconded: Cr Dayman

That the Delegate(s) report(s) be received.

CARRIED: 7/0

10. NEW BUSINESS OF AN URGENT NATURE

COUNCIL DECISION – 6291

Moved: Cr O'Connell, Seconded: Cr Dayman

That Item 10.1 be introduced as business of an urgent nature.

CARRIED: 7/0

10.1 Transfer of Land Titles to Central East Aged Care Alliance Inc.

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	Lot 300 Second Avenue, Nungarin
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	Not known
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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PURPOSE OF REPORT

For Council to formally resolve to transfer land titles to Central East Aged Care Alliance Inc. (CEACA).

SUMMARY AND KEY ISSUES

- The CEACA houses are now complete and ready to be occupied
- The Transfer of Titles from the Shire to CEACA is still to be undertaken
- Given the lack of records indicating a commitment to the land transfer, a new resolution is sought.

LOCATION

Lot 300 Second Avenue, Nungarin

BACKGROUND

Council is aware of the CEACA project concerning the development of primarily aged persons housing catering for those ageing in-situ within the central and eastern parts of the Wheatbelt.

As part of the development, the Shire identified three (3) lots where the development of up to six (6) independent units could potentially occur. As part of the first stage of the project, Nungarin has been allocated two houses which have recently been completed and arrangements are being made to lease them.

In the interim, also part of the development was the amalgamation of the three lots to create the current tenure being Lot 300 Second Avenue, Nungarin. Titles for this lot were only issued on 14 November 2019.

In light of the new Title being issued, the Shire is now in a position to undertake to transfer ownership of the land to CEACA. While it is the CEO's understanding that this has been discussed both formally and informally by Council, the CEO is yet to be shown any firm evidence of an appropriate recommendation being passed. It is also considered a drain on resources to research previous minutes which are not presented in a user friendly manner.

The transfer of Title to CEACA is the final process needed to fully complete stage 1 of the Nungarin development. The transfer would be done in fee-simple and without a sale price, therefore, it is essentially gifting the land to CEACA. It is understood that this was always to be the case and recognised as a Shire contribution to the project when funding was sought from state and federal agencies.

CONSULTATION

Council has had discussions in round-table concerning CEACA on numerous occasions.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023:

1. Provide and maintain adequate community services and facilities that responds well to the needs of all ages and sectors of the community.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

There are no specific statutory requirements in respect to this matter.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

Accommodation for the aged is identified in the Strategic Community Plan.

OFFICER COMMENT

In absence of a formal resolution to undertake the transfer of Title to CEACA, it is recommended that Council formally resolve to commit to and undertake the transfer.

This will enable the entire CEACA development to progress unhindered during future stages.

OFFICER RECOMMENDATION/S – ITEM NO 10.1

That Council:

1. Supports the proposal to Transfer the Certificate of Title pertaining to Lot 300 on DP 410914 in fee-simple and without cost to Central East Aged Care Alliance Inc.
2. authorises the Shire President and Chief Executive Officer to sign the necessary documentation in relation to the Transfer of Land of Lot 300 on Deposited Plan 410914 and apply the Shire Common Seal to the same.

COUNCIL DECISION – 6292

Moved: Cr O’Connell, Seconded: Cr Coumbe

That Council:

- 1. Supports the proposal to Transfer the Certificate of Title pertaining to Lot 300 on DP 410914 in fee-simple and without cost to Central East Aged Care Alliance Inc.**
- 2. authorises the Shire President and Chief Executive Officer to sign the necessary documentation in relation to the Transfer of Land of Lot 300 on Deposited Plan 410914 and apply the Shire Common Seal to the same.**

CARRIED: 7/0

11. MOTIONS ON NOTICE

(Automatically sent back to Administration for consideration at the next Council meeting)

Nil

12. CONFIDENTIAL ITEMS OF BUSINESS

Nil

13. CLOSURE

There being no further business the meeting closed at 4:11pm.

Presiding Member

Date