

SHIRE OF NUNGARIN



ORDINARY MEETING OF COUNCIL AGENDA

HELD ON THE

17th June 2020

3:00 PM



SHIRE OF NUNGARIN

NOTICE OF MEETING

Dear Councillor

It is advised that the **COUNCIL MEETING** will be held in the Council Chamber of the **Shire of Nungarin**, Railway Avenue, Nungarin, on **Wednesday 17 June 2020**, commencing at 3:00 pm.

MEETING AGENDA ATTACHED

Yours faithfully

Mr Adam Majid
CHIEF EXECUTIVE OFFICER

11 June 2020

DISCLAIMER

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Any statement, comment or decision made at a Council or Forum meetings regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Forum meetings.

Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request.

Shire of Nungarin

TABLE OF CONTENTS

17 June 2020

ITEM	SUBJECT HEADING	PAGE
	NOTICE OF MEETING	
1.	DECLARATION OF OFFICIAL OPENING.....	4
2.	RECORDING OF ATTENDANCE, APOLOGIES & LEAVES OF ABSENCE	4
2.1	ATTENDANCE.....	4
2.2	APOLOGIES.....	5
2.3	LEAVES OF ABSENCE.....	5
2.4	NEW REQUESTS FOR LEAVES OF ABSENCE.....	5
3.	DELEGATIONS & PETITIONS	5
3.1	DELEGATIONS	5
3.2	PETITIONS	5
4.	PUBLIC QUESTION TIME.....	5
4.1	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....	5
4.2	QUESTIONS FROM MEMBERS OF THE PUBLIC.....	6
5.	DECLARATIONS OF INTEREST.....	6
5.1	FINANCIAL & PROXIMITY INTERESTS	6
5.2	DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT	6
6.	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)	6
7.	CONFIRMATION OF COUNCIL MINUTES AND RECEIVING OF MINUTES.....	6
7.1	ORDINARY COUNCIL MEETING 20 MAY 2020	6
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	43
10.	NEW BUSINESS OF AN URGENT NATURE	43
11.	MOTIONS ON NOTICE.....	43
12.	CONFIDENTIAL ITEMS OF BUSINESS.....	43
13.	CLOSURE.....	43



SHIRE OF NUNGARIN

Council Meeting Agenda

17 June 2020

1. DECLARATION OF OFFICIAL OPENING

Council recognises that it is permissible to record the Shire's Council and Forum Meetings in the written, sound, vision medium (or any combination of the mediums) when open to the public, however, people who intend to record meetings are requested to inform the Presiding Member of their intention to do so.

The Presiding Member will cause the Affirmation of Civic Duty and Responsibility to be read aloud by a Councillor.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Councillors and Officers of the Shire of Nungarin. We collectively declare that we will duly, faithfully, honestly, and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgment and ability.

Acknowledgement of Traditional Custodians

We wish to acknowledge the Traditional Custodians of the land we are meeting on, the Njaki Njaki Nyoongar people, and recognise the contributions of Elders past, present and future.

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

Record Councillor Leaves of Absence where previously endorsed for this meeting.

2.4 NEW REQUESTS FOR LEAVES OF ABSENCE

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.

7. CONFIRMATION OF COUNCIL MINUTES AND RECEIVING OF MINUTES

7.1 ORDINARY COUNCIL MEETING 20 MAY 2020

OFFICER RECOMMENDATION/S – ITEM NO 7.1

That the Minutes of the Ordinary Meeting, of the Shire of Nungarin held on 20 May 2020 in Council Chambers and as an E-Meeting be confirmed.

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 on Merredin-Knungajin Road.
- Maintenance on machines is continuing as required with servicing and repairing.
- Parking brakes on both the Front End Loader and 12H Grader have been repaired
- Grader has been grading on Elabbin East Road, Creagh Road, Herbert Road, and Lake Brown South Road.
- Rehabilitation works to a gravel pit has been undertaken on Evans Road
- Works are currently being undertaken at the refuse site.

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

8.2.2 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

- 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 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

Oval and Cricket:

Reticulation is managed on an as required basis and mowed weekly.

Football line marks are being maintained as required.

Winter weed treatments are being applied and monitored as required.

Tennis Courts:

Winter weed treatments are being applied and monitored as required.

Hockey Ground:

Under care and maintenance.

Bowling green:

Mould treatment has been applied and appears to be taking well.

General:

With the hold on winter sports currently in place, maintenance on all surfaces will be maintained to ensure that all surfaces present well.

OFFICER RECOMMENDATION/S – ITEM NO 8.2.2

That the Recreation Grounds status report be received.

8.2.3 Refuse Site Operations

INFRASTRUCTURE

ATTACHMENT DETAILS

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

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	Nungarin Refuse Site
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

- 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 consider a strategy to convert the Nungarin refuse site to a limited hour manned facility.

SUMMARY AND KEY ISSUES

- Shire administration has committed to cleaning up the refuse site to restore order in an attempt to comply with the relevant licence
- The refuse site is currently unmanned and open allowing rubbish from outside the Shire to be dumped
- There is also ingoing instances of prohibited waste being dumped such as tyres, oil and other chemicals
- It is proposed that the facility be locked and opening hours limited with staff supervision

LOCATION

Nungarin Refuse Site – Knungajin Road

BACKGROUND

The refuse site has traditionally been a site which has not been managed in accordance with licence conditions. Furthermore, it has been open at all times allowing for prohibited waste to be dumped in addition to waste generated from outside the Shire to be dumped.

In the past 12 months, efforts have been made to sort and reduce the scrap metal pile which had good results and even a small income for the Shire.

Efforts have also been made to improve the access track and circulation around the cell as well as properly separating waste in so far as practicable.

More recently, fencing has been erected around the perimeter with gates to be installed at the entry point allowing the site to be locked.

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

Environmental Protection Act 1986
Environmental Protection (Rural Landfill) Regulations 2002

FINANCIAL IMPLICATIONS

While in the planning stages, there is no additional financial implications.

Financial implications may arise where the plan to limit access to the refuse site is supported and implemented. This would include further capital investments including onsite staff facilities (office and toilet) in addition to added security such as mobile cameras and the like.

ENVIRONMENTAL IMPLICATIONS

Where the Shire continues to allow for unmanaged waste to enter the site in contravention of the licence, there is a risk of significant pollution occurring. This would further result in potential liability where penalties could be enforced by the State.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

Waste management can be a complicated activity particularly when there has been a lack of management in recent decades.

Accordingly, management has been working hard to elevate the standard of the Nungarin refuse site in an attempt to restore order so that the Shire can be seen to working towards compliance.

The first stage to better compliance is just about complete with the installation of perimeter fencing and gates. This will allow commencement on the second stage which would be to introduce a situation where the site access is limited and operating hours are conducted under staff supervision.

There are two main reasons to moving towards limited access and supervision, those being, restricting the dumping of waste from outside the Shire and two, preventing prohibited waste from entering the site.

Council support is being sought to complete the site security and moving towards a limited hour supervised site. Naturally, these changes would be advertised accordingly but there is still capital investment to be undertaken.

It is envisaged that a supervised site would allow for up to twelve (12) hours of access per week spread equally across three (3) days likely to be Wednesday, Friday and Saturday. For the weekly town kerbside collection, a key would be provided to the contractor to allow independent access to dump the collected waste.

Investments needed include an on-site office/shelter for staff and toilet. It is also expected that a degree of illegal dumping would occur near the entrance and therefore mobile security cameras would also be required.

Additionally, a significant onsite and road side signage campaign would be developed to support reducing prohibited waste.

OFFICER RECOMMENDATION/S – ITEM NO 8.2.3

That Council:

- 1. Supports the proposed transition of the Nungarin Refuse Site to a limited hour supervised site in order to prevent prohibited waste and waste from outside the Shire;**
- 2. Requests the Chief Executive Officer to include in the 2020/21 Draft Budget sufficient resources to accommodate the transition to a limited hour supervised site;**
- 3. Requests the Chief Executive Officer to undertake a marketing campaign to ensure all ratepayers/residents within the Shire of Nungarin are made aware of the transition and that the transition is completed within three months of the 2020/21 Draft Budget being adopted.**

8.3 COMMUNITY DEVELOPMENT

Nil

8.4 MANAGEMENT / GOVERNANCE / POLICY

8.4.1 Local Roads and Community Infrastructure Program

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Fact Sheet

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

- 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 consider prioritising projects to complete under the federal Local Roads and Community Infrastructure Program (LRCIP) through its 2020/21 budget.

SUMMARY AND KEY ISSUES

- The Federal government announced a new \$500 million program for the 2020/21 financial years
- The program is aimed at local road and community infrastructure projects to help stimulate the economy

LOCATION

N/A

BACKGROUND

On 22 May 2020, the Federal government announced a new \$500 million program for the 2020/21 year to be directed towards local roads and community infrastructure.

At this point in time, there is only basic guidance as to what works it would cover as per the attachment.

The Shire of Nungarin is set to receive an allocation of \$230,826.

In considering the new program and the opportunities this presents the Shire, the following projects are identified as priorities:

- Oval reticulation
- Netball court
- Main street playground
- Main street footpaths

The above projects are considered priorities as they are projects that would not ordinarily have the opportunity to be completed without the need of or some form of monetary commitment from municipal funds.

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

At this stage, the LRCIP is a one off program to be undertaken in the 2020/21 year with funding up to \$230,826 for the Shire. In terms of budget, it is expected that project costs would equal the funding available and therefore would not impact the overall budget.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The LRCIP is an opportunity for the Shire to complete its critical community infrastructure projects.

The identified projects for prioritising have been generated based on discussions already held between executive and Council and are issues that are outstanding from a community perspective.

With final details of the grant yet to be released, prioritising projects will allow the work on the draft budget to continue and then formalisation of the projects can be undertaken through budget adoption.

All projects would still be subject to approval by the Department of Infrastructure.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.1

That Council:

- 1. Receives the information in relation to the Australian Government Local Roads and Community Infrastructure Program to be administered through the Department of Infrastructure, Transport, Regional Development and Communications;**
- 2. Requests the Chief Executive Officer to allocate in the Draft 2020/21 budget projects costs with the following priority projects with one (1) being the first priority and so forth:**
 - 1. Oval Reticulation Upgrade**
 - 2. Netball Court redevelopment**
 - 3. Main Street Playground replacement**
 - 4. Main street footpath upgrades**

8.4.2 NEWHealth Scheme

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

- 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 consider its commitment to the NEWHealth Scheme for future years.

SUMMARY AND KEY ISSUES

- The Shire of Mukinbudin intends to withdraw from the Scheme
- Discussions held by CEO's within the scheme has identified the need to review the MOU
- The scheme has not been reviewed for a number of years and it is now an opportune time to review the service levels and requirements

LOCATION

N/A

BACKGROUND

The NEW Health scheme which provides Environmental Health Services to the NEWROC Shires is governed by a Memorandum of Understanding (MOU) signed by the parties involved in the scheme. The scheme employs an Environmental Health Officer (EHO) who provides health services to the Shires. Currently Mt Marshall administers the scheme.

The NEWROC Chief Executive Officer's (CEO) have been made aware that the Shire of Mukinbudin intend to pull out of the scheme as they have made alternative arrangements for provision of health services with another shire. Additionally the Shire of Trayning have indicated that they would wish to reduce the level of service that they currently receive.

Conversations have been held with the Shire of Dowerin CEO (given that they are now part of NEWROC) to determine if they would wish to be involved in the scheme. That decision will be taken by their council shortly.

CONSULTATION

All NEWROC CEO's have discussed this matter in addition to discussions with the contracted EHO.

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

At present, Nungarin contributes 6% towards the annual budget of the NEWHealth Scheme which equates to around \$11,500 per year.

It could be possible that if Dowerin does not come on board and Trayning reduce their input, that Nungarin could have to contribute more to the scheme which would also entitle it to more services being completed.

Until such time that all Shire's have considered this matter and CEO's meet again, it is unknown what the financial impact may be.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

From an administrative perspective, the NEWHealth scheme is a worthwhile service and ensures that regulatory compliance in relation to food premises and waste are met.

It is also considered to be an opportunity to review the service provision which the current EHO has indicated there are significant improvements to be made.

The fact that Mukinbudin intends to withdraw, and potential participation from Dowerin, there will be a requirement for a new MOU to be developed and endorsed.

It is recommended that Council stay committed to the NEWHealth scheme and allow the CEO to work with other participants to develop and new MOU for Council endorsement.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.2

That Council:

- 1. Confirm 'in principle' its commitment to participate in the NEWHealth scheme;**
- 2. Request the Chief Executive Officer to work with other participants to prepare a new Memorandum of Understanding in relation to service provision and operations of the NEWHealth scheme;**
- 3. Request the Chief Executive Officer to present to Council the Memorandum of Understanding, once developed, and proposed costs to Council prior to finalising the document.**

8.4.3 Amendment of Plant & Equipment Estimated Useful Life ranges in Significant Accounting Policy

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

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

Voting Requirement	:	Absolute 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	:	Finance Consultant and 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 e.g. 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 (e.g. 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 consider changing its policy position in relation to plant and equipment useful life ranges.

SUMMARY AND KEY ISSUES

- A review has been conducted of light vehicle depreciation rates and it is recommended the useful life range for depreciation for Plant & Equipment be amended from 5-15 years to 4-15 years to better reflect current practice.

LOCATION

N/A

BACKGROUND

Local governments are required to depreciate each item of property, plant and equipment separately over the items' estimated useful life, in accordance with Australian Accounting Standard 116 (AASB116) and International Accounting Standard 16 (IAS16).

Both standards also require the depreciable amount of an asset item to be allocated on a systematic basis over its estimated useful life.

Useful life under the accounting standards is defined as the 'period over which an asset is expected to be available for use by an entity'.

The Shire has adopted set useful life ranges for each asset class, within its Significant Accounting Policy. Current useful life ranges for property, plant and equipment are set out in the table below:

Asset Class	Useful Life Range
Buildings	30 to 50 years
Furniture & equipment	4 to 10 years
Plant & equipment	5 to 15 years

CONSULTATION

Consultation has occurred between the CEO and the finance consultant.

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

Changes to the estimated useful lives for an asset class requires amendments to Council's Significant Accounting Policy

STATUTORY IMPLICATIONS

Regulation 5A of the *Local Government (Financial Management) Regulations 1996* requires local governments to comply with the Australian Accounting Standards (AAS).

5A. Local governments to comply with AAS

Subject to regulation 4, the annual budget, annual financial report and other financial reports of a local government must comply with the AAS.

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

A recent review of the useful lives for property, plant and equipment has been completed, including reviewing historical data of time periods light vehicle assets are held for.

Historical data from the Shire's asset register details light vehicles are, on average, generally held for between 4 to 13 years; with the occasional light vehicle held for a minimum of 3 years and a maximum of 15 years. This is particularly evident for the CEO and Works Managers vehicles.

Based on this evidence, it is recommended that the plant and equipment useful life range be amended from 5 to 15 years to 4 to 15 years, to better reflect current practice. This will ensure that the light vehicles being held on a 4 year cycle are able to be depreciated over a 4 year period, in accordance with AASB116 and IAS16.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.3

That Council amend its Significant Accounting Policy by changing the major depreciation period useful life range for the Plant & Equipment asset class from 5 to 15 years to 4 to 15 years.

8.5 CORPORATE

8.5.1 Elected Member Sitting Fees/Allowances 2020/21

CORPORATE

ATTACHMENT DETAILS

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

Voting Requirement	:	Absolute Majority
Subject Index	:	41001
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	June 2019
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

Council is required to consider Elected Member sitting fees and other allowances for the draft 2020/21 Budget.

SUMMARY AND KEY ISSUES

- Each year the Salaries and Allowance Tribunal considers the remuneration of CEO's and Elected Members
- On 8 April 2020, the Tribunal determined there would be no increases
- Council is required to consider sitting fees to as part of the Budget process

LOCATION

N/A

BACKGROUND

At present, the Shire of Nungarin has the following fees and allowances:

- \$100 per Council meeting for Councillors excluding the Shire President
- \$50 per Committee meeting including Shire President
- \$110 per Council meeting for the Shire President
- \$4000 per annum Shire President Allowance

The Shire of Nungarin is a Band 4 Local Government, and the *minimum* fees per Council meeting under the 2019 Tribunal determination are as follows:

Councillor other than President - \$91

President - \$91

Minimum fees per Committee meeting:

Councillor other than President - \$46

President - \$46

Presidential Allowance:

Minimum \$513 up to a maximum of \$20,063 per annum

Deputy President Allowance:

25% of the Presidential Allowance per annum

Reimbursement for kilometres travelled in an Elected Members own vehicle is currently 78 cents per kilometre. This is derived from the Local Government Industry Award (WA) 2020. There has been no change to this amount and therefore it should remain as such.

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 determination of the sitting fees will form part of the 2020/21 Annual Budget.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

While the tribunal has not allowed for any increases, Council still has the option to increase sitting fees and allowances in line with Band 4 limits.

It is also noted that all elected members received new electronic devices to conduct business with.

OFFICER RECOMMENDATION/S – ITEM NO 8.5.1

That Council, by Absolute Majority, set the Elected member sitting fees and allowances, to be effective from the date of the adoption of the 2020/21 Annual Budget, as follows:

- 1. Councillor sitting fees per Council meeting not including the President be \$____ per meeting;**
- 2. Sitting fee for the Shire President be \$____ per meeting;**
- 3. Sitting fees for Councillors including the Shire President for Committee meetings of the Shire of Nungarin be \$____ per committee meeting;**
- 4. A Presidential Allowance of \$_____ per annum;**
- 5. The Deputy President be paid 25% of the Presidential Allowance as above per annum; and**
- 6. That where any Elected Member uses their own private vehicle to travel to a business related meeting of the Shire, training or otherwise approved by Council, reimbursement be at a rate of 78 cents per kilometre.**

8.5.2 Fees and Charges 2020/21

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Draft Fees and Charges 2020/21

Voting Requirement	:	Absolute 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	:	August 2019
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

For Council to consider setting fees and charges for 2020/21 financial year.

SUMMARY AND KEY ISSUES

- Fees and Charges are to be reviewed and imposed annually
- Council resolved in April 2020 to freeze all fees and charges for the 2020/21 year

LOCATION

N/A

BACKGROUND

Pursuant to Section 6.16 of the Local Government Act 1995, a local government may impose fees and charges for any good or service it provides.

In accordance with Council's resolution from its April 2020 meeting, the fees and charges are presented with a nil increase.

CONSULTATION

Nil

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

Pursuant to Section 6.16 of the Local Government Act 1995, a local government may impose fees and charges.

FINANCIAL IMPLICATIONS

It is important that fees and charges are realistically applied and applied across all of the Shire's facilities and services it provides. Failure to do will result in a situation of unsustainability and the inability to maintain Shire assets.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The fees and charges are presented with a nil increase.

In accordance with the Local Government Act 1995, it is recommended that Council adopt the fees and charges for the 2020/21 year.

OFFICER RECOMMENDATION/S – ITEM NO 8.5.2

That Council:

- 1 Pursuant to Section 6.16 of the Local Government Act 1995, adopts the proposed 2020/21 Fees and Charges by Absolute Majority;**
- 2 Request the Chief Executive Officer to give local public notice of the Fees and Charges and that the 2020/21 Fees and Charges come into effect on the date of the Public Notice.**

8.5.3 Investments Report as at 31 May 2020

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

- 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 investment Report as at 31 May 2020.

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 May 2020:

SHIRE OF NUNGARIN INVESTMENTS AS AT 31 May 2020								
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	\$1,455,801.82
TOTAL								\$1,455,801.82

SHIRE OF NUNGARIN INVESTMENTS AS AT 31 May 2020								
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	\$477,578.58
TOTAL								\$477,578.58
TRUST								
CBA	N/A	Trust a/c	12481090	Ongoing	N/A	N/A	Variable	\$221.38
TOTAL								\$221.38

INVESTMENT REGISTER						
1 MAY 2020 TO 31 May 2020						
COMMONWEALTH BANK						
ACCOUNT N°	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 30.10.2020	INVESTMENT TRANSFERS	CLOSING BALANCE 30.09.2020
38132004	N/A	N/A	\$0.00	\$0.00	\$0.00	\$0.00

OFFICER RECOMMENDATION/S – ITEM NO 8.5.3

That the Investment Report as at 31 May 2020 be received.

8.5.4 Accounts Paid May 2020

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Accounts Paid – May 2020

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 May 2020.

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	\$ 50,189.01
Cheque	\$ 4,481.28
Direct Debits	<u>\$ 5,400.48</u>
TOTAL	\$ 60,070.77

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 **\$60,070.77**.

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 8.5.4

That Council receives and notes the list of accounts paid for May 2020, totalling \$60,070.77, and that the list be recorded in the minutes.

8.5.5 Financial Report May 2020

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Monthly Financial Report 31 May 2020

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.*
- 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

To report on financial activity for the period 1 July 2019 to 31 May 2020.

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 8.5.5

That the financial report for the period 1 July 2019 to 31 May 2020 be received.

9. DELEGATES REPORTS

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

10. NEW BUSINESS OF AN URGENT NATURE

(New business of an urgent nature approved by the Presiding member)

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 pm.

Presiding Member

Date