

SHIRE OF NUNGARIN



ORDINARY MEETING OF COUNCIL AGENDA

HELD ON THE

18th March 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 18 March 2020**, commencing at 3:00 pm.

MEETING AGENDA ATTACHED

Yours faithfully

Mr Adam Majid
CHIEF EXECUTIVE OFFICER

12 March 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

18 March 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 19 FEBRUARY 2020.....	6
7.2	MINUTES OF GREAT EASTERN COUNTRY ZONE MEETING 26 FEBRUARY 2020	7
8.	CHIEF EXECUTIVE OFFICER REPORTS.....	8
8.1	URBAN PLANNING.....	8
8.2	INFRASTRUCTURE	9
8.3	COMMUNITY DEVELOPMENT	15
8.4	MANAGEMENT / GOVERNANCE / POLICY	18
8.5	CORPORATE	21
9.	DELEGATES REPORTS	38
10.	NEW BUSINESS OF AN URGENT NATURE	38
11.	MOTIONS ON NOTICE.....	38
12.	CONFIDENTIAL ITEMS OF BUSINESS.....	38
13.	CLOSURE.....	38



SHIRE OF NUNGARIN

Council Meeting Agenda

18 March 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

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

2.2 APOLOGIES

Nil

2.3 LEAVES OF ABSENCE

Cr Mizia is on an approved leave of absence.

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 19 FEBRUARY 2020

OFFICER RECOMMENDATION/S – ITEM NO 7.1

That the Minutes of the Ordinary Meeting, of the Shire of Nungarin held on 19 February 2020 in Council Chambers be confirmed.

7.2 MINUTES OF GREAT EASTERN COUNTRY ZONE MEETING 26 FEBRUARY 2020

OFFICER RECOMMENDATION/S – ITEM NO 7.1

That the Minutes of the Great Eastern Country Zone held on 26 February 2020 be received.

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

- Works at the refuse site is ongoing with the fencing around the cell now complete and works to commence on the access upgrades in the coming weeks.
- Recent rain events has seen significant damage to some roads in the north-east sector. This is being assessed with the potential of the event being activated by DFES as a claimable event.
- Maintenance grading is being undertaken on school bus routes after the recent rains to ensure these roads are safe for buses.

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:

Oval has recovered well with the recent rainfall and with potential follow up rains this should assist until such time that the weather cools off.

Once company has visited Nungarin to provide a quote for a new reticulation system to be considered as part of the 2020/21 budget.

Cricket Pitch:

Has good grass coverage since the recent rains. A treatment is being developed in conjunction with the turf consultant to treat the kikuyu grass.

Tennis Courts:

Received its summer fertilisation after a break in the hot weather during mid-February. Coupled with the recent rains, this has seen excellent results for the health of the courts which now present extremely well.

As with the cricket pitch, a treatment is being developed to deal with the kikuyu grass.

Hockey Ground:

Has been treated for weeds and ants and will be maintained on a weekly basis.

First inspection after the rain appears to have resolved previous year's issue of a soft surface due to the lack of rain therefore negating having to use the water cart to provide first initial soaking.

Bowling green:

Attended to as required to treat weeds etc.

General:

Two firms have been contacted regarding the netball court and both are working to provide a solution.

Generally, since the recent rains, everything has bounced back to a healthy state. However, with warm weather continuing, reticulation will be monitored and adjusted as required.

OFFICER RECOMMENDATION/S – ITEM NO 8.2.2

That the Recreation Grounds status report be received.

8.3 COMMUNITY DEVELOPMENT

8.3.1 Request for Financial Assistance – Panthers Hockey, Netball and Football.

COMMUNITY DEVELOPMENT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Letter from Hockey Club
Attachment 2	Letter from Netball Club
Attachment 3	Letter from Football Club

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	:	Hockey Club/Netball Club/Football Club
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 and applications for financial support submitted by the Town Panthers Hockey Club, Nungarin and Towns Football Club.

SUMMARY AND KEY ISSUES

- Council has traditionally established a sports development program to assist clubs in their operations and to be a competitive sporting club
- In the 2018/19 year, Town Panthers Hockey Club received \$3000 in funding and this year is requesting the same
- The football club is requesting \$12,000
- The netball club is requesting \$5000

LOCATION

N/A

BACKGROUND

Council has an established fund to assist Nungarin based sporting clubs to offset their operational costs and to assist in making clubs competitive.

Any club may at any time request funding as part of their annual operations. Examples of where funding is used is in the payment of umpires, coaching clinics, player development and so forth.

There are no set rules as to the handling of the funds and what they can be used for. However, the common sense approach would be to ensure that funds are being applied to enable clubs to continue by way of offsetting operational expenses.

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

GL 211312 – Recreation Development Program has been established under the budget for many years. It currently has a budget amount of \$22,500 with no expenditure to date as no requests have been received.

Should all applications be supported it would total \$20,000.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The Hockey club is seeking assistance of \$3000 for the purposes of umpiring and coaching.

The Netball club is seeking assistance of \$5000 for coaching, umpiring and player development.

The Football club is seeking \$12,000 assistance for the purposes of coaching and player payments.

In line with previous years, it is recommended that Council support the applications.

OFFICER RECOMMENDATION/S – ITEM NO 8.3.1

That Council:

- 1. supports the application of the Town Panthers Hockey Club of \$3000 and authorises the Chief Executive Officer to make payment directly to the Club;**
- 2. supports the application of the Nungarin Panthers Netball Club of \$5000 and authorises the Chief Executive Officer to make payment directly to the Club; and**
- 3. supports the application of the Nungarin and Towns Football Club of \$12,000 and authorises the Chief Executive Officer to make payment directly to the Club;**

8.4 MANAGEMENT / GOVERNANCE / POLICY

8.4.1 2018/19 Annual Report

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Annual Report (distributed under separate cover)

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	:	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 and accept the Annual Financial Report, Independent Auditors Report and Annual Report for the 2018/19 year.

SUMMARY AND KEY ISSUES

- Local governments are required to prepare an Annual Report for each financial year by 31 December of each year or within two months of the auditor's report being received
- Once accepted, the local government is to set a date and time for the Annual Electors' meeting to be held within 56 days of accepting the Annual Report

LOCATION

N/A

BACKGROUND

The Local Government Act 1995 dictates that a local government is to prepare an Annual Report for each financial year. Section 5.53 lists the items required to be contained within that report.

Section 5.54 further dictates that the report must be adopted by 31 December or two (2) months after receipt of the auditor's report.

CONSULTATION

Financial Consultant, Darren Long and Office of the Auditor General

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 5.53 of the Local Government Act 1995, an Annual Report is to be prepared for each financial year containing the relevant information.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The Annual Report for 2018/19 has been prepared in accordance with the relevant legislation and is presented to Council for acceptance.

It is proposed that the Annual Electors' meeting be held after the April Council meeting on 15 April 2020 commencing at 6pm.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.1

That Council:

- 1. Accepts the 2018/19 Annual Report**
- 2. Sets the date and time of the Annual Electors' meeting for Wednesday 15 April 2020 commencing at 6pm and held in the Shire Chambers; and**
- 3. Requests the Chief Executive Office to give public notice advising of the availability of the 2018/19 Annual Report and the date and time of the Annual Electors' Meeting**

8.5 CORPORATE

8.5.1 Statutory Budget Review as at 31 December 2019

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Budget Review Workpapers – Under separate cover

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	:	Nil
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	D Long – Finance Consultant/ A Majid CEO

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

The purpose of this report is for Council to consider and adopt the Budget Review Report, with any amendments, for the period 1 July 2019 to 31 December 2019.

SUMMARY AND KEY ISSUES

- In summary, based on current trends, it is anticipated that a budget surplus of \$63,452 can be achieved as at 30 June 2020.

LOCATION

N/A

BACKGROUND

The Local Government Act provides for local governments, including regional local governments, to prepare an annual budget.

6.2. Local government to prepare annual budget

- (1) *During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

***Absolute majority required.**

The Local Government (Financial Management) Regulations 1996 require local governments to undertake a review of the Annual Budget.

33A. Review of Budget

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
 - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *consider the local government's financial position as at the date of the review; and*
 - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

A detailed analysis at account level incorporating year to date actual results and budget projections to 30 June 2020, for the period ending 31 December 2019, is presented for consideration. A Statement of Financial Activity at program level has been prepared to provide a summarisation of the budget review results, as well as a Statement of Closing Funds detailing the projected surplus as at 30 June 2020.

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 6.2
Local Government (Financial Management) Regulations 1996, Regulation 33A.

FINANCIAL IMPLICATIONS

The financial implications of this report are detailed in the commentary section. Based on current trends, the budget review analysis predicts:

1. an overall increase in operating revenue of \$89,893;
2. an overall increase in operating expenditure of \$37,037;
3. an overall decrease in capital expenditure of \$13,331; and
4. An increase in the opening surplus of \$7,432.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The budget review has been prepared to include the information required by the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996, and the Australian Accounting Standards. Council adopted a 10% or \$5,000 threshold

minimum for the reporting of material variances to be used in the Statement of Financial Activity and the annual Budget Review Report.

In summary, based on current trends, it is anticipated that a budget surplus can be achieved as at 30 June 2020 of \$63,452.

The following table details the proposed budget amendments:

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
303101	Rates levied – decrease in interim rates	(\$580,085)	(\$573,881)		\$6,204
303210	WALGGC General Purpose Grant – Decrease in grant allocation	(\$482,322)	(\$473,832)		\$8,490
303235	Interest – Municipal Investments – Less interest earned due to less funds available for investment	(\$10,000)	(\$4,800)		\$5,200
204102	Council Conference Expenses – LG Week conference expenses less	\$20,627	\$15,125	(\$6,502)	
204206	Admin Building Maintenance – additional costs for crisp wireless, general materials and electricity	\$14,400	\$25,188		\$10,788
204207	Admin Office Gardens Maintenance – Additional wages, overheads and plant costs	\$4,099	\$20,494		\$16,395
204208	Electricity – Shift allocation to Building maintenance GL #204206	\$5,685	\$0	(\$5,685)	
204222	Accounting Services – Increase in end of year accounting requirements	\$35,000	\$40,000		\$5,000
304209	Legal costs recovered – Increase in reimbursement of legal costs incurred for debt recovery	\$0	(\$7,496)	(\$7,496)	
308101	Care of Families Reimbursement of Wages – Reimbursed wages from 2018/19	\$0	(\$25,477)	(\$25,477)	
209107	Aged Persons Units Maintenance All Units – Increase in blackwater pump out costs	\$66,040	\$71,710		\$5,670

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
210102	Refuse Site Maintenance – Additional wages, overheads and plant costs for maintenance	\$13,349	\$84,509		\$71,160
211302	Oval Maintenance – Increase in fertiliser costs, replacement reticulation pump and turf inspection costs	\$20,295	\$26,201		\$5,906
211201	Swimming Pool Salaries – Less salary paid	\$62,961	\$39,961	(\$23,000)	
212201	Road Maintenance Council – Reduction in overheads and plant costs	\$644,469	\$584,368	(\$60,101)	
312230	Main Roads Road Maintenance Grant – increase in maintenance grant allocation	(\$69,080)	(\$147,231)	(\$78,151)	
313103	Government Grants – LAG – Grant already held in restricted cash	(\$68,956)	(\$44,000)		\$24,956
214209	PWO Staff Training – Savings in training course costs	\$15,465	\$10,465	(\$5,000)	
214303	Tyres and Tubes – Additional purchase of tyres	\$12,000	\$20,000		\$8,000
214305	Fuels & Oils – Increase in fuel requirements for operation of plant	\$55,000	\$60,000		\$5,000
214403	Unallocated Salaries – Increase in workers compensation claims	\$0	\$8,583		\$8,583
314401	Other Income – Workers compensation insurance reimbursements	\$0	(\$8,583)	(\$8,583)	
000000	(Surplus)/Deficit Carried Forward – increase due to year-end adjustments	(944,775)	(\$952,207)	(\$7,432)	
404211	Lot 186 Danberrin Rd Capital – New project costs to refurbish bathroom	\$0	\$15,000		\$15,000
409308	Lot 188 Danberrin Rd Capital – Bathroom refurbishment not proceeding this year	\$8,000	\$0	(\$8,000)	

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
412301	Purchase Vehicle Replacement NA34 – Purchase price less	\$48,000	\$41,548	(\$6,452)	
412201	RCC200 Water Bore Project – Savings on bore costs	\$22,000	\$10,909	(\$11,091)	
	Other Minor variations below the \$5,000 threshold			(\$57,256)	\$50,422
TOTAL				(\$310,226)	\$246,774
Net Adjustment to 2019/20 Budget				(\$63,452)	

Estimated closing funds in 2019-20 Adopted Budget	\$ 0
Plus net savings as detailed in table above	<u>\$63,452</u>
Net Estimated Closing Funds	<u>\$63,452</u>

Based on current revenue and expenditure trends, and projections as at 31 December 2019, it is estimated that there will be an increase in closing funds as at 30 June 2020.

OFFICER RECOMMENDATION/S – ITEM NO 8.5.1

That Council:

1. Adopt the 2019/20 Annual Budget Review, as presented in Attachment 1, and note that the estimated closing funds are based on current revenue and expenditure trends; and
2. Approve the following budget amendments as authorised expenditure:

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
303101	Rates levied – decrease in interim rates	(\$580,085)	(\$573,881)		\$6,204
303210	WALGGC General Purpose Grant – Decrease in grant allocation	(\$482,322)	(\$473,832)		\$8,490
303235	Interest – Municipal Investments – Less interest earned due to less funds available for investment	(\$10,000)	(\$4,800)		\$5,200
204102	Council Conference Expenses – LG Week conference expenses less	\$20,627	\$15,125	(\$6,502)	
204206	Admin Building Maintenance – additional costs for crisp wireless, general materials and electricity	\$14,400	\$25,188		\$10,788

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
204207	Admin Office Gardens Maintenance – Additional wages, overheads and plant costs	\$4,099	\$20,494		\$16,395
204208	Electricity – Shift allocation to Building maintenance GL #204206	\$5,685	\$0	(\$5,685)	
204222	Accounting Services – Increase in end of year accounting requirements	\$35,000	\$40,000		\$5,000
304209	Legal costs recovered – Increase in reimbursement of legal costs incurred for debt recovery	\$0	(\$7,496)	(\$7,496)	
308101	Care of Families Reimbursement of Wages – Reimbursed wages from 2018/19	\$0	(\$25,477)	(\$25,477)	
209107	Aged Persons Units Maintenance All Units – Increase in blackwater pump out costs	\$66,040	\$71,710		\$5,670
210102	Refuse Site Maintenance – Additional wages, overheads and plant costs for maintenance	\$13,349	\$84,509		\$71,160
211302	Oval Maintenance – Increase in fertiliser costs, replacement reticulation pump and turf inspection costs	\$20,295	\$26,201		\$5,906
211201	Swimming Pool Salaries – Less salary paid	\$62,961	\$39,961	(\$23,000)	
212201	Road Maintenance Council – Reduction in overheads and plant costs	\$644,469	\$584,368	(\$60,101)	
312230	Main Roads Road Maintenance Grant – increase in maintenance grant allocation	(\$69,080)	(\$147,231)	(\$78,151)	
313103	Government Grants – LAG – Grant already held in restricted cash	(\$68,956)	(\$44,000)		\$24,956
214209	PWO Staff Training – Savings in training course costs	\$15,465	\$10,465	(\$5,000)	

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
214303	Tyres and Tubes – Additional purchase of tyres	\$12,000	\$20,000		\$8,000
214305	Fuels & Oils – Increase in fuel requirements for operation of plant	\$55,000	\$60,000		\$5,000
214403	Unallocated Salaries – Increase in workers compensation claims	\$0	\$8,583		\$8,583
314401	Other Income – Workers compensation insurance reimbursements	\$0	(\$8,583)	(\$8,583)	
000000	(Surplus)/Deficit Carried Forward – increase due to year-end adjustments	(944,775)	(\$952,207)	(\$7,432)	
404211	Lot 186 Danberrin Rd Capital – New project costs to refurbish bathroom	\$0	\$15,000		\$15,000
409308	Lot 188 Danberrin Rd Capital – Bathroom refurbishment not proceeding this year	\$8,000	\$0	(\$8,000)	
412301	Purchase Vehicle Replacement NA34 – Purchase price less	\$48,000	\$41,548	(\$6,452)	
412201	RCC200 Water Bore Project – Savings on bore costs	\$22,000	\$10,909	(\$11,091)	
	Other Minor variations below the \$5,000 threshold			(\$57,256)	\$50,422
TOTAL				(\$310,226)	\$246,774
Net Adjustment to 2019/20 Budget				(\$63,452)	

8.5.2 Investments Report as at 29 February 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 29 February 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 29 February 2020:

SHIRE OF NUNGARIN INVESTMENTS AS AT 29 FEBRUARY 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	\$576,451.32
TOTAL								\$576,451.32

SHIRE OF NUNGARIN INVESTMENTS AS AT 29 FEBRUARY 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	\$477,473.02
TOTAL								\$477,473.02
TRUST								
CBA	N/A	Trust a/c	12481090	Ongoing	N/A	N/A	Variable	\$144.95
TOTAL								\$144.95

INVESTMENT REGISTER						
1 FEBRUARY 2020 TO 29 FEBRUARY 2020						
COMMONWEALTH BANK						
ACCOUNT N°	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 31.10.2020	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 8.5.2

That the Investment Report as at 29 February 2020 be received.

8.5.3 Accounts for Payment - February 2020

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Accounts Paid – February 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 February 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	\$350,911.92
Cheque	\$ 32,871.41
Direct Debits	<u>\$ 7,001.69</u>
TOTAL	\$390,785.02

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 **\$390,785.02**.

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 8.5.3

That Council receives and notes the list of accounts paid for February 2020, totalling \$390,785.02, and that the list be recorded in the minutes.

8.5.4 Financial Report – February 2020

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Monthly Financial Report 29 February 2020 – Under Separate Cover

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 29 February 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 8.5.4

That the financial report for the period 1 July 2019 to 29 February 2020 be received.

9. DELEGATES REPORTS

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

Cr O'Connell has submitted a written report.

10. NEW BUSINESS OF AN URGENT NATURE

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

10.1 Minutes of the Audit Committee 18 March 2020

10.2 NEWROC Council Meeting 12 March 2020

11. MOTIONS ON NOTICE

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

12. CONFIDENTIAL ITEMS OF BUSINESS

Nil

13. CLOSURE

There being no further business the meeting closed at pm.

Presiding Member

Date