



MINUTES

ORDINARY COUNCIL MEETING

Wednesday 15 September 2021

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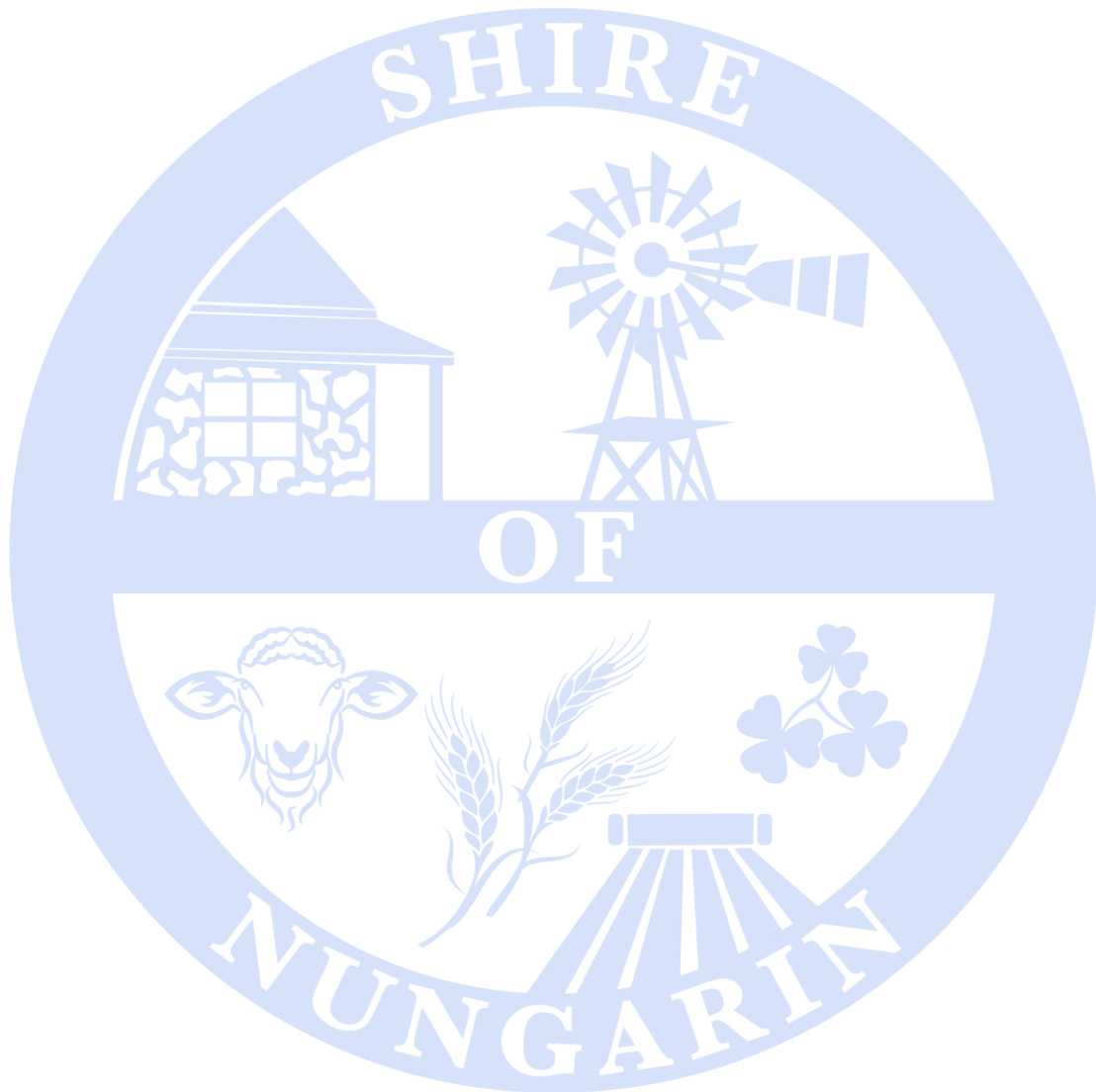
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AGENDA

1. DECLARATION OF OPENING

The Shire President declared the meeting open at 3:00pm Cr W Lee read the Affirmation of Civic Duty and Responsibility and Cr de Lacy read out the Acknowledgment of Traditional Custodians.

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 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 contribution of Elders past, present and future.

2. ATTENDANCE / APOLOGIES / LEAVE 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 W Lee
Elected Member	Cr R Mizia
Chief Executive Officer	Mr L Long
Manager Works & Services	Mr C Large

Members of the Public

Carrie Christmas
Warren Christmas

2.2 APOLOGIES

Elected Member Cr J Davis

2.3 REQUEST FOR LEAVE OF ABSENCE

Nil

3. DEPUTATIONS AND PETITIONS

3.1 DEPUTATIONS

Nil

3.2 PETITIONS

Nil

4. PUBLIC QUESTION TIME**4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

4.2 PUBLIC QUESTION TIME

Carrie Christmas, questions:

1. When will the Ranger Service be provided in town?

CEO responded that the Shire is currently finalising the arrangements with a Contract Rangers to provide a monthly service and if she has any concerns to please email to admin@nungarin.wa.gov.au for the Rangers to follow up.

2. When will the Shire be tidying up the Benson Avenue verge, not with chemicals but rather slashing?

Manager Works & Services responded that the Shire Depot staff are currently working through the town to clean up the verges and confirmed the verge in front of Mrs. Christmas lot will not be chemically sprayed.

3. Will the Shire permit the planting of trees in the verge in front of Mrs. Christmas's lot?

Manager Works & Services took the question on notice.

Warren Christmas, questions:

1. Will the Shire be undertaking mosquito fogging?

CEO responded that in the past the community has been divided on wanting fogging done. Nonetheless a survey will be done explaining what chemical (environmentally friendly) would be used and to gauge the support from the community.

2. Why does the Shire no longer deliver mosquito treatment blocks as they did years ago?

CEO responded that the Shire still provides treatment block which are available from the Administration Offices.

5. DECLARATIONS OF INTEREST

5.1 FINANCIAL AND PROXIMITY INTEREST

- Cr Coumbe Affecting Impartiality Item 8.5 Support for Mangowine Concert being the Chairman of Mangowine Concert Committee.

5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT

Nil

6. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Nil

7. PREVIOUS COUNCIL MEETING MINUTES

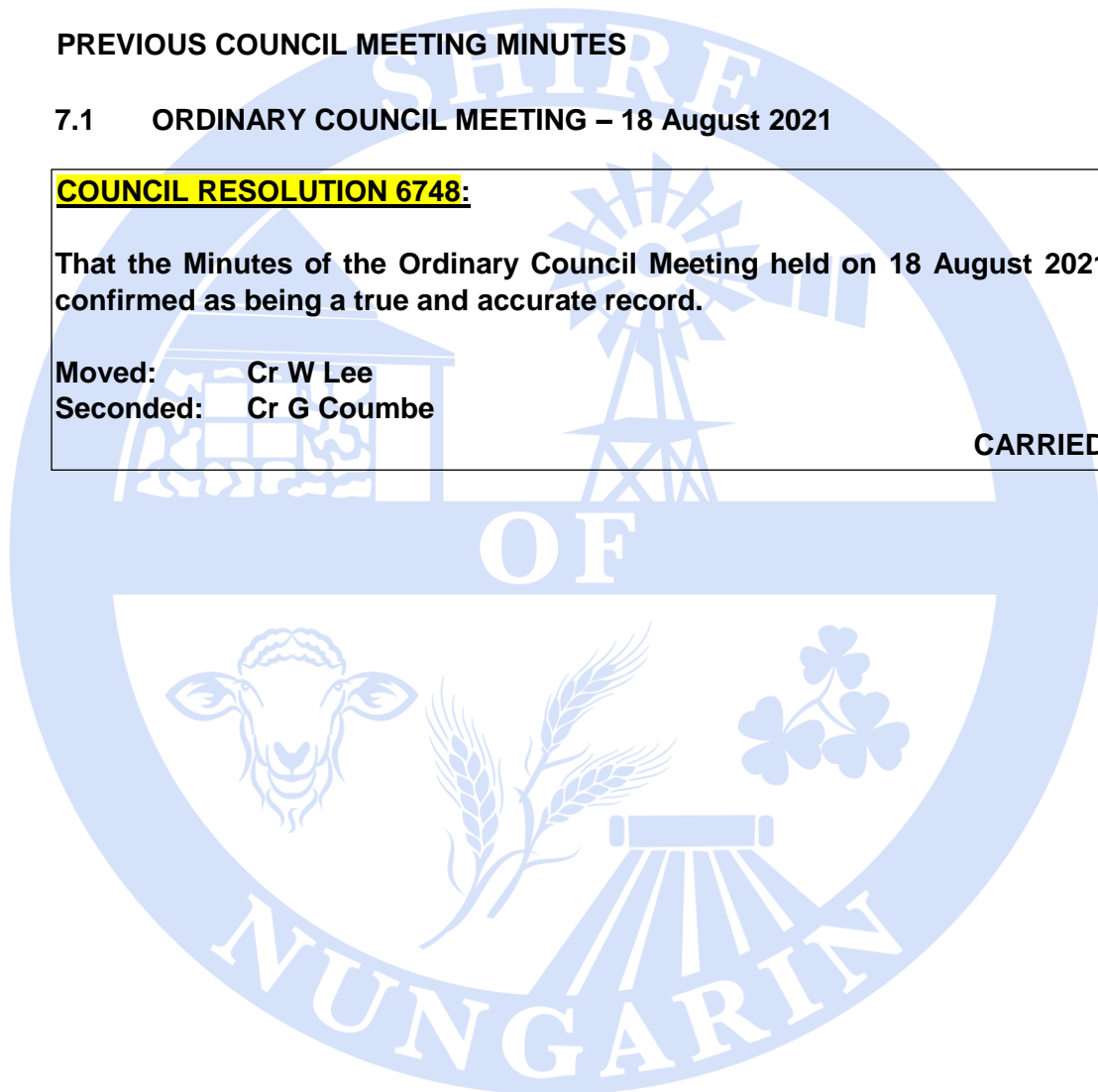
7.1 ORDINARY COUNCIL MEETING – 18 August 2021

COUNCIL RESOLUTION 6748:

That the Minutes of the Ordinary Council Meeting held on 18 August 2021 be confirmed as being a true and accurate record.

Moved: Cr W Lee
Seconded: Cr G Coumbe

CARRIED 6/0



8. OFFICER REPORTS

8.1 AMENDMENT TO PROCUREMENT AND TENDER PROCEDURES POLICY	
File Ref:	161005
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment:	Appendix 8.1A – Procurement and Tender Procedures Policy - Amended

COUNCIL RESOLUTION 6749:

That Council Resolves to:

1. Adopt the amended Procurement and Tender Procedures Policy (APPENDIX 8.1A).

Moved: Cr K Dayman
Seconded: Cr RE O'Connell

CARRIED 6/0

IN BRIEF

Council's consideration is required to consider amendments to the Procurement and Tender Procedures Policy.

BACKGROUND

Council adopted the Procurement and Tender Procedures Policy at the Ordinary Council Meeting in May 2018 meeting, and should be read together with policy number 1.19 Local Purchasing Policy adopted in October 2002.

REPORT DETAIL

Due to the increased cost of goods and services, being required to obtain multiple written quotes for purchases is not viable and time consuming as it is often difficult to obtain additional quotes.

To streamline the procurement of goods and services Council is requested to consider the following amendments:

Current Range (excl GST)	Requirements
\$0 – \$50	Under direction from authorised Supervisor, petty cash or credit card may be utilised for purchases in this range.

<p>\$51 – \$5,000</p> <p>\$0 - \$7,500</p>	<p>Under direction of an authorised officer, a purchase order will be utilised without verbal or written quotes necessarily being obtained.</p> <p>Purchase directly from a supplier or least one (1) oral written quotation must be obtained from a suitable supplier, either from:</p> <ul style="list-style-type: none"> • an existing panel of pre-qualified suppliers administered and maintained by the Shire; or • a pre-qualified supplier on the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA); or • from the open market.
<p>\$5,001 – \$50,000</p> <p>\$7,501 - \$50,000</p>	<p>A purchase order will be utilised following three two written quotes being obtained, or proof of requesting a quote can be provided.</p> <p>Staff must retain electronic evidence of the suppliers invited to supply a written quote. Each supplier must receive the same detailed description/specification of what goods/services are being requested.</p> <p>A completed Declaration of Quotes Form must be completed and attached to all purchase orders.</p> <p><i>[Two quotes must be sourced, including if using WALGA Preferred Supplier Panel or a Shire Local Panel]</i></p>
<p>\$50,001 – \$99,999</p> <p>\$50,001 - \$100,000</p>	<p>Obtain at least three written quotes from suppliers by formal invitation, by way of a Formal Request for Quotation Process which includes a detailed Scope of Works/Specification of Goods and Services required.</p> <p>The procurement decision is to be based on pre-determined evaluation criteria that assess all value for money considerations in accordance with the definition stated within this Policy.</p> <p>Quotations within this threshold may be obtained from the Shire's Local Preferred Supplier Panels; the WALGA Preferred Supply Programme or from the open market.</p> <p>A copy of the last page of the Recommendation Report The Declaration of Quotes form – Endorsement by CEO to Award the RFQ to the recommended respondent must be attached to the Purchase Order</p> <p>Under direction from the authorised officer Supervisor, and in consultation with the Chief Executive Officer a purchase order will be utilised following the RFQ process.</p>

	<i>[Three quotes must be sourced, including if using WALGA Preferred Supplier Panel or a Shire Local Panel]</i>
<p>\$100,000 – \$249,999</p> <p>\$100,001 - \$249,999</p>	<p>Obtain at least three written quotes from suppliers by formal invitation, by way of a Formal Request for Quotation Process which includes a detailed Scope of Works/Specification of Goods and Services required.</p> <p>The procurement decision is to be based on pre-determined evaluation criteria that assess all value for money considerations in accordance with the definition stated within this Policy.</p> <p>Quotations within this threshold may be obtained from the Shire's Local Preferred Supplier Panels; the WALGA Preferred Supply Programme or from the open market. At the close of the RFQ process, a detailed report shall be prepared by the CEO and submitted to the next available meeting of Council where Council will determine the successful submission accordingly.</p> <p>A copy of the Council Resolution must be attached to the Purchase Order.</p> <p><i>[Three quotes must be sourced, including if using WALGA Preferred Supplier Panel or a Shire Local Panel]</i></p>
\$250,000 & Greater	<p>Under direction from the authorised supervisor officer, Tenders will be invited as follows.</p> <p>If work is allowed for in the budget, a Request to Invite Tenders form is to be submitted to the Chief Executive Officer for approval. If the work is not allowed for in the budget, permission to go to Tender must be obtained from Council.</p> <p>A copy of the Council Resolution to award the Tender to the successful Tenderer must be attached to the Purchase Order.</p>

Currently only the Chief Executive Officer and the Manager Works and Services have authority to sign purchase orders. It is not uncommon for both the Chief Executive Officer and the Manager Works and Services to be unavailable to sign purchase order due to attending meetings or being out on site, resulting in purchase orders not being raised timeously.

It is recommended section 5.6 of the Procurement and Tender Policy - purchase authorisation be amended as follows:

Authorising Officer	Requirements
Chief Executive Officer	The Chief Executive Officer may raise a purchase order in accordance with the Procurement Thresholds and Requirements

	set out in 6.4 5.4 of this Procurement Policy to the maximum of \$100,000 (Excl GST)
Manager Works & Services	The Manager Works and Services may raise a purchase order in accordance with the Procurement Threshold and requirements set out in 6.4 5.4 of this Procurement Policy to the maximum value of \$10,000 (Excl GST)
Supervisor Works & Services	The Supervisor Works & Services may raise a purchase order to a maximum value of \$500.
Senior Finance Officer	The Senior Finance Officer may raise a purchase order to a maximum value of \$500.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	16.7 Annually review compliance methods.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

- *Local Government Act 1995*
- *Local Government (Functions and General) Regulations*

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Low	The amended Procurement and Tender Procedures Policy has been prepared to ensure that the appropriate controls are in place to ensure that the Shire obtains goods and services on the basis of best value for money and in a timely and efficient manner for the operations of the Shire.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

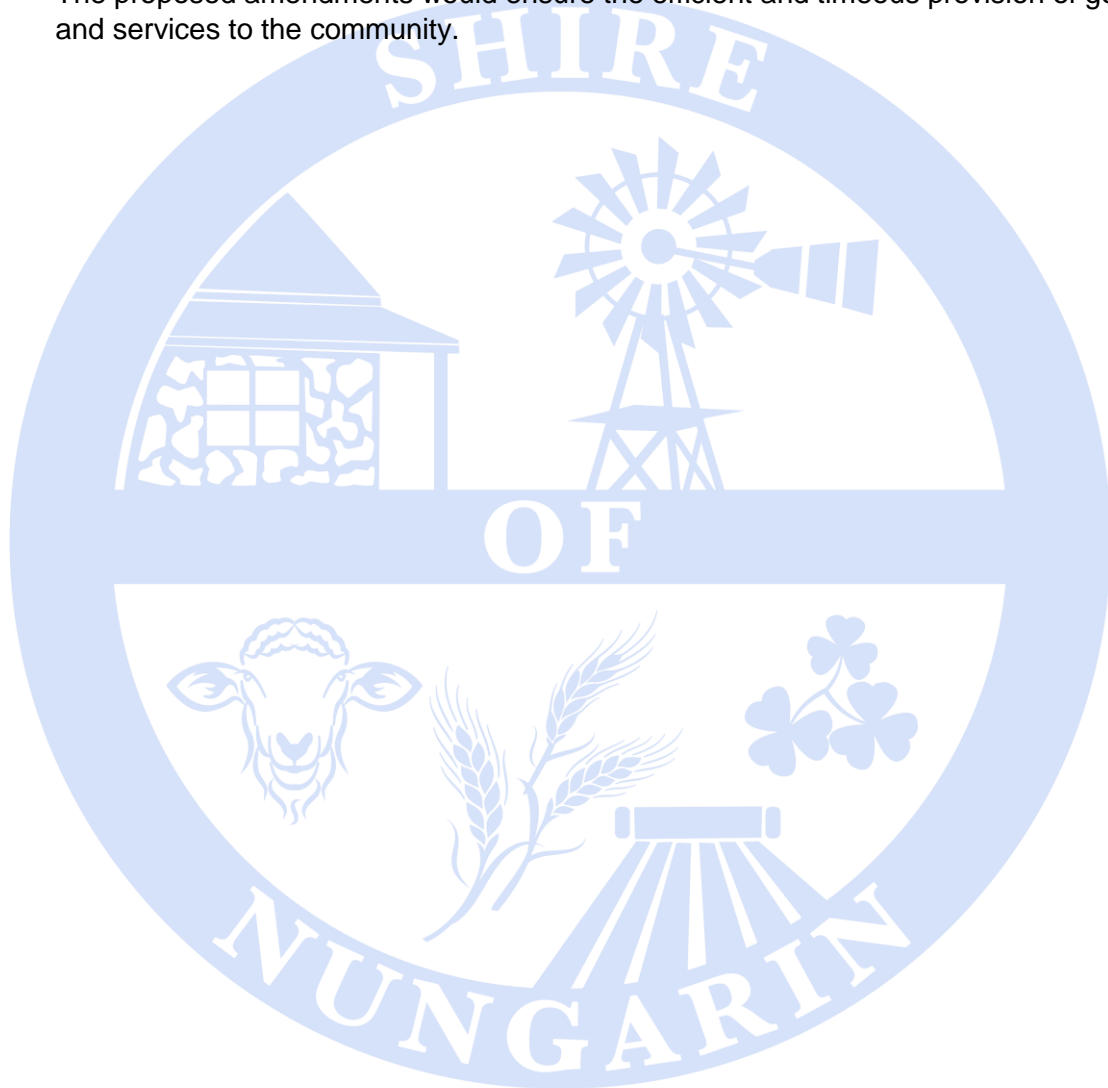
Nil

Workforce

Nil

CONCLUSION

The proposed amendments would ensure the efficient and timeous provision of goods and services to the community.



8.2 MANAGEMENT AND OPERATION OF NUNGARIN AQUATIC CENTRE.	
File Ref:	111050
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment:	CONFIDENTIAL under separate cover Attachment 8.2A – Tender Evaluation

COUNCIL RESOLUTION 6750:

That Council Resolves to:

1. Not accept tenders RFT 21/22-2 for Management and Operation of the Shire of Nungarin Aquatic Centre from Crystal Clear Aquatics Pty Ltd or Belgravia Health & Leisure Group Pty Ltd.
2. Request the Chief Executive Officer to investigate alternative option to open the Nungarin Aquatic Centre Pool during the 2021/22 season.

Moved: Cr R Mizia
Seconded: Cr K Dayman

CARRIED 6/0

IN BRIEF

The tenders received for the Management and Operations of the Nungarin Aquatic Centre have been assessed against the criteria and neither found to be acceptable. To close off the process Council is requested to formally not accept neither of the two tenders received.

BACKGROUND

In the past the Shire has appointed a Pool Manager on a contractual basis for the “pool season” on an annual basis. This places the full burden of managing, operating and maintaining the pool and surrounds.

Should the pool manager need time off for whatever reason the pool is closed since there is no other qualified person in town to manage / operate the pool. Having the pool closed ad-hoc reflects badly on the Shire.

REPORT DETAIL

The tender was for the management and operation of the Nungarin Aquatic Centre for a contract period of 3 years with an option to extend for a further 2 years. The Tender was advertised in the West Australian on 26 July 2021 with a closure date of 27 August 2021. Tenders were received from:

- Crystal Clear Aquatics; and

- Belgravia Health & Leisure Group Pty Ltd.

As part of the tender the following selection criteria had to be addressed:

- Compliance Criteria
- Qualitative Criteria

The following weightings were applied:

- Relevant Experience 15%
- Key Personnel Skills & Experience 15%
- Resources 15%
- Understanding 30%
- Price 25%

Both tenders were evaluated against the above criteria and scored out of 100% as follows: (CONFIDENTIAL under separate cover **Attachment 8.2A**)

- Crystal Clear Aquatics 40%
- Belgravia Health & Leisure Group Pty Ltd 57%

The scoring of the 2 tenders are low and were primarily due to either experience in similar scenarios or price. Given the low scoring it is recommended neither of the 2 tenders are accepted, and that the Chief Executive Officer investigate other options to open the pool.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Social
Aspiration	Our Shire is healthy and happy, contributing to our progress, with accessible places and spaces and our transport is well connected and safe.
Objective	3. Maintain community safety and accessibility to services and facilities.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

- Local Government Act 1995

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected land owners)

It is important to secure a competent and experienced pool operator as the community uses the pool on a daily basis during the open season which contributes to the quality of life.

Policy Implications

- Procurement and Tender Procedures Policy

Risk Management Implications

Risk Level	Comment
Moderate	Not opening the pool this season would have a negative impact on the Shire and could have reputational damage.

CONSULTATION

- Shire of Trayning
- Shire of Mount Marshall
- Shire of Quairading

RESOURCE IMPLICATIONS**Financial**

An allocation has been included in the approved 2021/22 Annual Financial Budget for the provision of a contractor / employee to manage / operate the pool.

Workforce

Nil

CONCLUSION

It is not legal to open the pool to the public without a suitably qualified pool manager overseeing the pool during opening hours. Although not ideal if the Shire is unable to secure either a contractor or directly employ an employee to operate the pool, the pool will not be able to be opened this season.

Cr Lee left the chamber 3:24pm

Cr Lee returned to the chamber 3:26pm

8.3 CONSIDERATION OF CEACA MEMBERSHIP	
File Ref:	96010
Previous Item Ref:	Council Resolution 6733 of 18 August 2021 Council Resolution 6691 of 21 April 2021 Council Resolution 6210 of 19 June 2019
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment:	Attachment 8.3A – CEACA Minutes

OFFICERS RECOMMENDATION:

That Council Resolves to:

- 1. Accept the Central East Accommodation and Care Alliance Inc explanation that the Strategic Priorities are in no particular order and each strategy is of equal importance.**
- 2. Request the Chief Executive Officer to pay the annual membership fee for 2021/22 of \$22,000 (Incl GST).**

COUNCIL RESOLUTION 6751:

That Council Resolves to lay the item on the table and brought back to the October Ordinary Council Meeting.

Moved: Cr RE O'Connell

Seconded: Cr W Lee

CARRIED 6/0

Reason for Variation to Officers Recommendation:

To allow the Chief Executive Officer to provide additional information.

IN BRIEF

Following the Central East Accommodation and Care Alliance Inc (CEACA) Management Committee meeting of 23 August 2021, Council is requested to consider if the response provided by the CEACA Management Committee regarding Councils requested amendment to the Strategic Priorities is acceptable.

BACKGROUND

At the Ordinary Council Meeting of 18 August 2021, Council resolved as follows:

“That Council:

1. Resolves to continue the Shire of Nungarin's membership of the Central East Accommodation and Care Alliance (CEACA) subject to:
 - a. The Central East Accommodation and Care Alliance resolving to make the investigation of the possible expansion of CEACA accommodation units in locations required by each CEACA member its number one (1) strategic priority.
2. Requests the Chief Executive Officer to include the Central East Accommodation and Care Alliance membership fee of \$20,000 in the 2021/22 Financial Budget.

Moved: Cr RE O'Connell

Seconded: Cr K Dayman

CARRIED 7/0"

At the CEACA Management Meeting of 23 August 2021, regarding the request from the Shire of Nungarin to list, "The Central East Accommodation and Care Alliance resolving to make the investigation of the possible expansion of CEACA accommodation units in locations required by each CEACA member its number one (1) strategic priority." The CEACA Management Committee discussed the following:

- "In relation to ongoing membership, the Member for Nungarin read out the letter from the Shire to CEACA and advised that they would be happy to remain as a Member on the condition that the item relating to expansion of ILU's in the list of Strategic Priorities is move to the top.
- The Chairperson responded by saying the Strategic Priority items currently numbered 1 – 6 were not an indication of priority and all were of equal importance to CEACA. We have demonstrated this by arranging meetings with the State Government to discuss possible funding for future ILU's and joining Minister Carey today for a tour of Merredin units. Both are keen to assist CEACA with funding, on the understanding that we conduct research into the requirements for the region and can demonstrate a real need.
- The committee discussed the issue of numbering versus dot point and moving the ILU's to the top and were happy with dot points. The Chairman has concerns that if we move expansion of the ILU's to the top, there may be an assumption by Nungarin down the track that we were making it our top priority when they are all equal.
- The Member for Nungarin wanted it noted that the Shire was considering withdrawing as a Member until the Member of Kellerberrin and Member of Wyalkatchem presented to a full Council meeting, which made all the difference. The Chairman thanked the Members for their input and time to meet with the Shire.
- The CEO, Shire of Nungarin wanted it noted that strategic plan items were presented in a definite order of 1 – 6 by the Chairman and Interim CEO at their earlier meeting and were not advised that they were of equal importance."

Following the above debate, the CEACA Management Committee resolved as follows:

"It was agreed that CEACA Inc advises the Shire of Nungarin that the agreed strategies are in no particular order; they are of equal importance."

REPORT DETAIL

As has previously been discussed the CEACA Executive at its meeting of 23 March 2021, agreed on the strategic priorities shown below list 1 – 6. Of these strategic priorities the Shire of Nungarin only considers priority 2 as applicable to Nungarin.

At neither of the two presentations done by CEACA was it mentioned the strategic priorities were of equal importance even when questioned on some of the strategies. It was only when the Nungarin Shire wanted the strategic list amended that this matter arose.

The Chairman of CEACA has said with regard to additional housing “*We have demonstrated this by arranging meetings with the State Government to discuss possible funding for future ILU’s and joining Minister Carey today for a tour of Merredin units. Both are keen to assist CEACA with funding, on the understanding that we conduct research into the requirements for the region and can demonstrate a real need.*” However, no further information is being provided on how and when the research will be done to ascertain if there is in fact a need for additional housing.

Strategic Priorities:

1. *Investigate and develop proposals for the provision of care services, including NDIS and mental health support, for the citizens of CEACA members.*
2. *Investigate the possible expansion of CEACA accommodation units in locations required by each CEACA member.*
3. *Investigate and develop proposals for the provision of transport services for the citizens of each CEACA member.*
4. *Investigate the availability of government funding to CEACA from both state and federal governments to implement priorities 1 to 3 above.*
5. *Examine the feasibility of CEACA taking over the management of accommodation units owned by each CEACA member.*
6. *Investigate the possibility of other Wheatbelt shires becoming a member of CEACA.”*

With regard to investigating and developing proposals for the provision of care services, including NDIS and mental health support, for the citizens of CEACA members (priority 1), the CEACA Chairman and Interim CEO arrange a presentation by Helen Morton on the concept of a Virtual Village. The following explanation was provided on what a Virtual Village is:

- A virtual village utilises existing community members, infrastructure, services and available technology to support those in need of assistance and offers a supportive retirement community. People want to stay in their own communities and if supported will stay until end of life.
- There are approximately 400 virtual villages worldwide and they all focus on healthy body, mind, friendship and connect people to locally funded services and personal care services.

- People also want security, connections and safety, which are the main reason why they move into a retirement village. A virtual village environment can provide this and keep them close to family and friends.

A full description of the presentation provided to the CEACA Management Committee is included in the minutes (**ATTACHMENT 8.3A**).

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Social
Aspiration	Our Shire is healthy and happy, contributing to our progress, with accessible places and spaces and our transport is well connected and safe.
Objective	Provide and maintain adequate community services and facilities that responds well to the needs of all ages and sectors of the community.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Nil

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Moderate	Should Council resolve not to remain a member and CEACA is successful in obtaining funds to construct additional units, the Shire of Nungarin will not be eligible.

CONSULTATION

12 April 2021 – Chairman and the Interim Chief Executive Officer addressed Council.

21 July 2021 – Two Executive Committee Members addressed Council.

RESOURCE IMPLICATIONS

Financial

The Shire has since the 2016/17 financial year paid a total of \$117,821 membership fees, broken down as indicated below. In addition, the Shire also transferred land to CEACA on which six (6) independent living units could be constructed.

- 16/17 \$40,000
- 17/18 \$14,400
- 18/19 \$23,421
- 19/20 \$20,000
- 20/21 \$20,000

Considering the financial input of \$117,821 versus the outcome of two (2) residential units estimated to be worth \$400,000 to \$500,000 is considered a worthwhile financial outcome.

Workforce

Continued attendance by a Shire representative and Chief Executive Officer.

CONCLUSION

It is considered the original priority of CEACA, being the construction of Independent Living Units was a sound investment of Council funds.

The CEACA Management Committee have indicated the 6 strategic priorities are all of equal importance. The performance against each strategy will be measured by the level of progress against each item. Members will be able to evaluate the progress via written reports and quarterly management meetings.

Nonetheless, the opinion is held that remaining a member would be beneficial if CEACA was able to secure more funding. Although it must be noted, even if additional funding is secured it does not necessarily mean Nungarin will get any additional units.

8.4 USE OF SHIRE COMMON SEAL – DEED OF EXTENSION RELATING TO THE MANGOWINE HOMESTEAD	
File Ref:	41080/111204
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Attachment 8.4A – Deed of Extension

COUNCIL RESOLUTION 6752:

That Council Resolves to:

1. Subject the following amendments Authorise the Shire President and the Chief Executive Officer to sign the new lease document between The National Trust of Australia (WA) and the Shire of Nungarin.
 - a. Clause 16(a)(iii) A. to be changed from facsimile transmission to electronic mail.
 - b. Clause 16(a)(iv) change the reference made to facsimile number to electronic address.
 - c. Clause 16(b) change as follows:
A notice sent by pre-paid registered post, facsimile or hand delivery is taken to be received on signature of the recipient.
 - d. Clause 16(b)(i) to be changed to – in the case of post on signature of receipt from the recipient.
 - e. Clause 16(b)(ii) change reference made to facsimile to electronic mail
 - f. Schedule Item 7, insert the words per annum after \$2,796.94
2. Subject to the amendments noted in (1.) above Authorise the use of the Shire of Nungarin Common Seal on the Deed of Extension (lease).

Moved: Cr K Dayman
Seconded: Cr R Mizia

CARRIED 6/0

IN BRIEF

Council is required to execute the Deed of Extension (Lease) between The National Trust of Australia (WA) and the Shire of Nungarin pertaining to the lease of the Mangowine Homestead (**ATTACHMENT 8.4A**).

BACKGROUND

The initial lease held between The National Trust of Australia (WA) and the Shire expired on 24 May 2021. The lease provided an option to extend the lease by a further five (5) years allowing for a new expiry date of 24 May 2026.

REPORT DETAIL

The Mangowine Homestead is a major tourist attraction for the Shire, in addition is the location where the Mangowine Concert is held on an annual basis.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnerships.
Objective	1. Commit to the provision of essential and non-essential services in the community.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Nil

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic - (Impact on the Economy of the Shire and Region)

The extension of the Mangowine Homestead lease will continue to attract tourists to the Shire thereby contributing to its economy.

Social - (Quality of life to community and/or affected landowners)

In addition to being a well-known tourist attraction, the annual Mangowine Concert is also held at the Mangowine Homestead which provides an attraction for the local community to enjoy.

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	Not renewing the lease will result in the loss of an important tourist attraction and venue to host the Mangowine Concert.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

The lease payment of \$2,796.94 is payable, and is subject to an annual CPI increase. The approved 2021/22 financial budget has made provision for the required payment.

Workforce

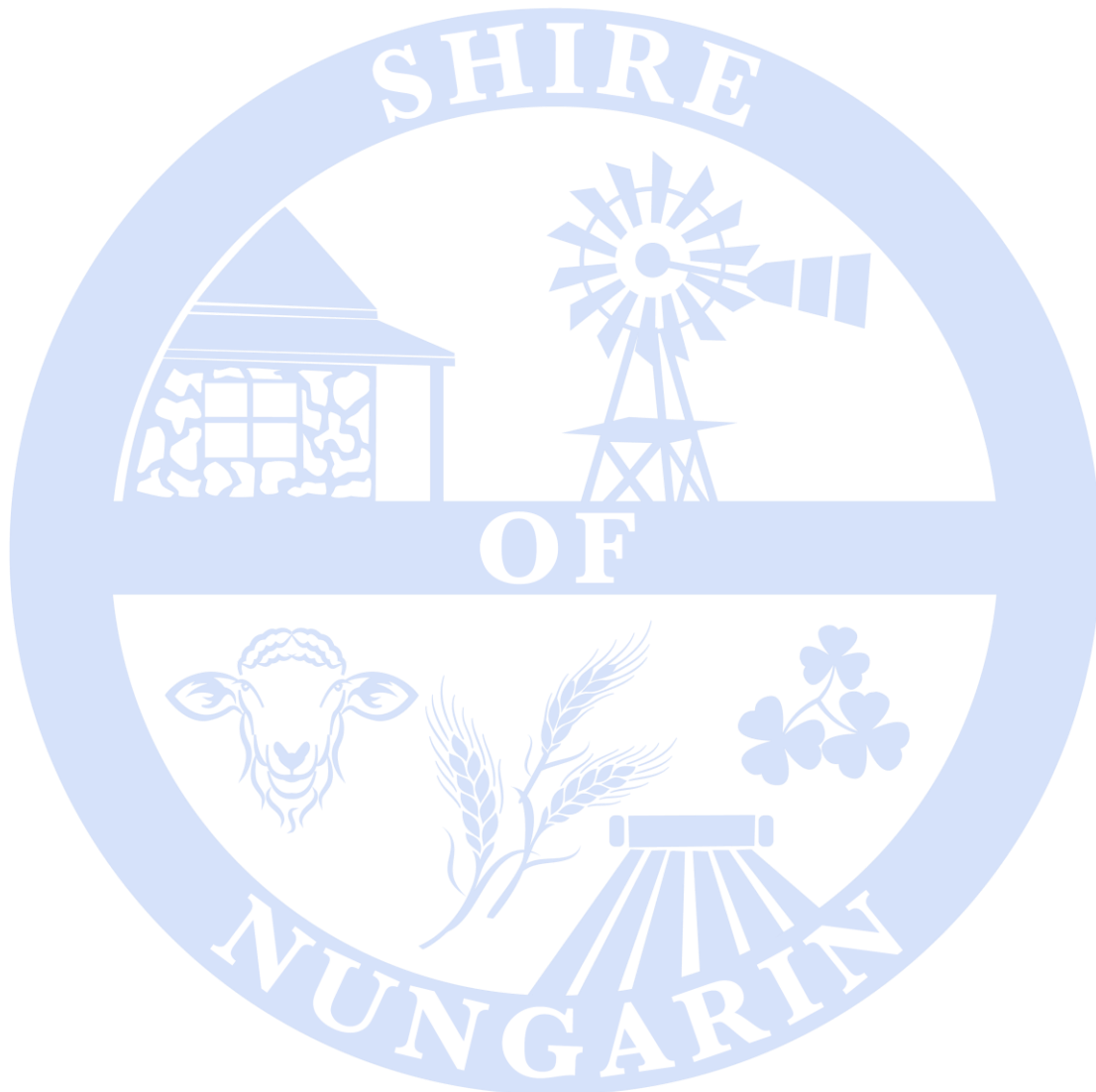
Nil

CONCLUSION

Mangowine Homestead is an important tourist attraction in the Shire and attracts hundreds of tourists on an annual basis. In addition to the annual tourists the annual

Mangowine Concert is held at the homestead and has over the years become a well attend event.

Retaining the lease for the homestead will have an economic benefit to the shire.



- Cr Coumbe Affecting Impartiality Item 8.5 Support for Mangowine Concert being the Chairman of Mangowine Concert Committee.

8.5 COUNCIL SUPPORT FOR MANGOWINE CONCERT	
File Ref:	41080/111204
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Attachment 8.5A – Mangowine Committee Request

COUNCIL RESOLUTION 6753:

That Council Resolves to:

1. Approve the request from the Mangowine Concert Committee to:
 - a. Host the annual Mangowine Concert at the Mangowine Homestead on 2 October 2021.
 - b. Waive the fee for the hire of the community bus for the event.
 - c. Waive the fee for the Shire to print the program for the event, subject to the program being received by the Administration by no later than 20 September 2021.
 - d. Waive the hire fee for the use of the Blue Room at the recreation centre by the Curtin Volunteers.
 - e. Pay a maximum of \$300 towards meals for the Curtin Volunteers.
2. Advise the Mangowine Concert Committee that a refundable bond of \$300 is payable prior to the event.
3. Request the Mangowine Concert Committee to recognise the Shire of Nungarin as a sponsor of the event on all advertising material.

Moved: Cr RE O'Connell
 Seconded: Cr R Mizia

CARRIED 6/0

IN BRIEF

Council is requested to consider waiving fees associated with hiring Council facilities and Community bus required to host the annual Mangowine Music Festival.

BACKGROUND

A request has been received from the Mangowine Concert Committee to waive certain fees contained in the approved fees and charges and to contribute financially towards the meals required for the volunteers.

REPORT DETAIL

The Mangowine music festival is a well know event throughout the regional area as well as the Perth Metropolitan area. The event attracts hundreds of patrons to Nungarin and provides a strong economic boost to the town.

The cost of hosting such an event is considerably high and can only be hosted through sponsorships.

It is considered important for the Council to support events such as the Mangowine Music Festival through the waiver of fees. However, Officers do not support the waiver of any bonds due to the potential of damage to the facility and equipment, as the bonds will be refunded should the facility and equipment be returned without any damage.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Social
Aspiration	Our Shire is healthy and happy, contributing to our progress, with accessible places and spaces and our transport is well connected and safe.
Objective	2. Plan and deliver sport and recreation, public and community events.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Nil

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic - (Impact on the Economy of the Shire and Region)

The economy of the Shire will benefit from the event, due to the number of people the event attracts to town who are likely to spend money in town.

Social - (Quality of life to community and/or affected landowners)

Due to the relative remote location of Nungarin an event such as being proposed will provide both the immediate community as well as the surrounding community an additional social event to attend.

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Moderate	Events as proposed could attract large numbers of people. Waiving the bond is considered a risk due to potential damage.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

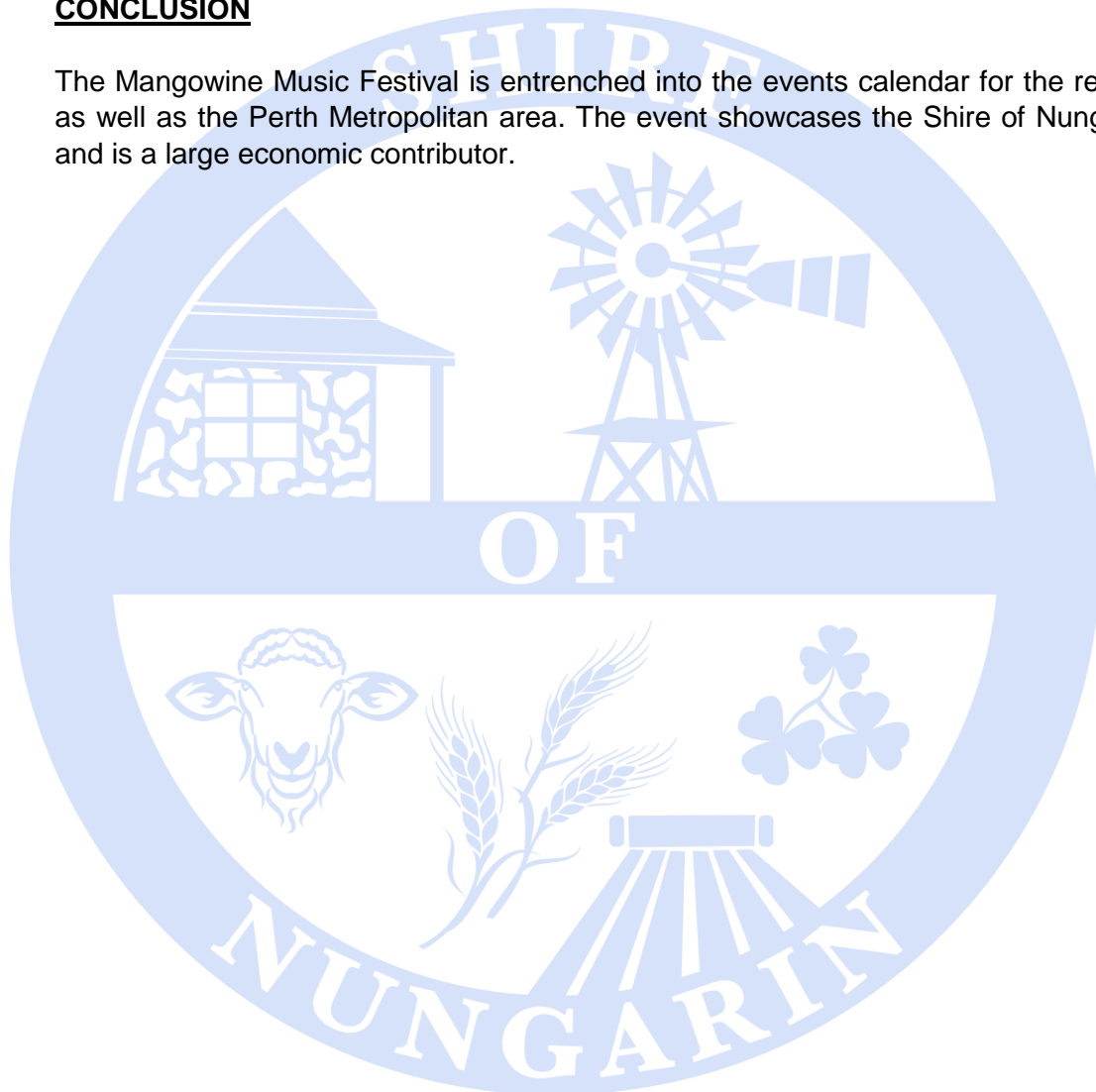
The cost to Council is estimated to be \$531, with the bonds payable being \$300 (\$200 – Community Bus & \$100 Facility).

Workforce

Nil

CONCLUSION

The Mangowine Music Festival is entrenched into the events calendar for the region as well as the Perth Metropolitan area. The event showcases the Shire of Nungarin and is a large economic contributor.



8.6 LISTING OF PAYMENTS FOR THE MONTH OF AUGUST 2021	
File Ref:	161001
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Vanessa Seward, Customer Service and Records Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Attachment 8.6A – Payment List

COUNCIL RESOLUTION 6754:

That Council,

1. Receives the following payments made throughout the month of August 2021:

Municipal	Cheque	\$ 11,610.02
	EFT	\$ 176,831.96
	Direct Debit	\$ 18502.66
		\$ 206,944.64

Trust	Cheque – Nil	\$ 0.00
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	Grand Total	\$ 206,944.64
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Moved: Cr K Dayman

Seconded: Cr G Coumbe

CARRIED 6/0

IN BRIEF

The purpose of this report is to present the listing of payments made from the Shire's Municipal and Trust funds throughout the month of August 2021.

BACKGROUND

The attached appendix lists the payments from Council Municipal and Trust funds for the month applicable as per requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

As per Regulation 13 of the *Local Government (Financial Management) Regulations 1996* the following information is required to be presented to Council.

- The Payee's name.
- The amount of the payment.
- The date of the Payment; and
- Sufficient information to identify the transaction.

REPORT DETAIL

As Council has delegated authority to the Chief Executive Officer to execute payments from the municipal fund and the trust fund a list of accounts paid are required to be submitted to Council showing the prescribe information.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	16.7 Annually review compliance methods.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

As per Regulation 13 of the *Local Government (Financial Management) Regulations 1996* the following is required;

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared*
 - (a) *the payee's name;*
 - (b) *the amount of the payment;*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing*
 - (a) *for each account which requires council authorisation in that month*
 - (i) *the payee's name;*
 - (ii) *the amount of the payment; and*
 - (iii) *sufficient information to identify the transaction.*
 - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub regulation (1) or (2) is to be —*
 - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

SUSTAINABILITY AND RISK CONSIDERATIONS**Economic – (Impact on the Economy of the Shire and Region)**

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Moderate	If the required information is not presented to Council in accordance with the Local Government (Financial Management) Regulation 1996 it may result in a qualified audit report and an unclear compliance return submitted to the Department of Local Government, Sport & Cultural Industries.

CONSULTATION

Nil

RESOURCE IMPLICATIONS**Financial**

Nil

Workforce

Nil

OPTIONS

Council has the option of:

1. Accepting the officer's recommendation.
2. Amend the officer's recommendation and provide reasons.

CONCLUSION

The listing of payments as per the attached **Appendix 8.6A** – Payment List, is a true reflection of the expenditure from the Municipal and Trust Fund accounts for the month of August 2021.

8.7 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 AUGUST 2021	
File Ref:	1/1 Annual Statements
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer Darren Long, Financial Consultant
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Attachment 8.7A – Monthly Statement

COUNCIL RESOLUTION 6755:

That Council:

1. **Receives the monthly financial activity statement for the period ending 31 August 2021.**

Moved: Cr R Mizia

Seconded: Cr G Coumbe

CARRIED 6/0**IN BRIEF**

The purpose of this report is to present the financial position of Council as at the reporting date as per requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulation 1996*.

BACKGROUND

The *Local Government Act 1995* in conjunction with regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires a monthly Statement of Financial Activity to be presented to Council detailing the prescribed information within 2 months after the end of the month to which the statement relates.

REPORT DETAIL

The Shire prepares the monthly financial statements in the statutory format along with other supplementary financial reports consisting of:

- (a) Statement of Comprehensive Income by Function/Program;
- (b) Statement of Comprehensive Income by Nature/Type;
- (c) Statement of Financial Activity;
- (d) Summary of Net Current Asset Position;
- (e) Statement of Explanation of Material Variances;
- (f) Statement of Financial Position;
- (g) Statement of Cash Flows;
- (h) Detailed Operating and Non-Operating Schedules;
- (i) Statement of Cash Back Reserves;
- (j) Loan Borrowings Statement; and
- (k) Trust Statement.

MATERIAL VARIANCE COMMENTARY ON YEAR TO DATE

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* require local governments to prepare annual budget estimates and month by month budget estimates so that comparatives can be made to Year to Date (YTD) Actual amounts of expenditure, revenue and income. Attached to this report is a copy of the month by month cumulative budget estimates, set out in the Statement of Financial Activity format.

As the 2021-22 budget was only adopted at the end of August 2021, no comparatives are provided for this month's reporting.

The Statement of Financial Activity as at 31 August 2021 shows a closing surplus of \$1,913,901.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	16.7 Annually review compliance methods.

OTHER STRATEGIC LINKS

Shire of Nungarin 2021/22 Annual Budget

STATUTORY ENVIRONMENT

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

Local Government (Financial Management) Regulations 1996:
Regulation 34 states:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month in the following detail:
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - (b) budget estimates to the end of month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c);
 - (e) the net current assets at the end of the month to which the statement relates.

Sub regulations 2, 3, 4, 5, and 6 prescribe further details of information to be included in the monthly statement of financial activity.

SUSTAINABILITY AND RISK CONSIDERATIONS**Economic – (Impact on the Economy of the Shire and Region)**

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	Inadequate financial performance monitoring could lead to over/under budget expenditure which could affect council's financial position and/or financial ratios.

CONSULTATION

Shires Financial Consultant

RESOURCE IMPLICATIONS**Financial**

Nil

Workforce

Nil

OPTIONS

Council has the option of:

1. Accepting the officer's recommendation.
2. Amend the officer's recommendation and provide reasons.

CONCLUSION

The financial activity statement provides current status of the Shires financial position and is required in accordance with the *Local Government Act 6.4* and *Local Government (Financial Management) Regulations 1996, r.34*

9. DELEGATES REPORTS

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

9.1 Cr O’Connell (APPENDIX 9.1A)

9.2 Cr Coumbe – Attended Museum AGM, will be having a vintage rally labour day weekend, breakfast 10 Oct at Rec Centre not Museum, attended DOAC meeting apps used by DFES Fire Mapper, Whatsapp, Corporate farmer should have 600L per harvester in the paddock and 30m hose, 200lt water onboard each chaser bins being a recommendation to FESA.

9.3 Cr Lee Attended Museum AGM

10. NEW BUSINESS OF AN URGENT NATURE

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

COUNCIL RESOLUTION 6756:

That Council consider item 10.1

Moved: Cr K Dayman
 Seconded: Cr G Coumbe

Simple Majority
 CARRIED 6/0

10.1 PROPOSED DISPOSAL OF ASSETS – UNIT A & B LOT 48 FIRST AVENUE	
File Ref:	A1121
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Appendix Number:	Appendix 10.1A – Offer to purchase

COUNCIL RESOLUTION 6757:

That Council Resolves to:

1. Determine the value of unit A and unit B on Lot 48 First Avenue, Nungarin to be less than \$20,000 due to the lack of interest following the Expression of Interest calling for purchaser’s in November 2020.
2. Accept the offer of \$1,000 per unit to purchase A and unit B on Lot 48 First Avenue, Nungarin in accordance with the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996* requirements, from Tina Vernon - Mount Jackson Station subject to:
 - a. The purchaser acknowledging in writing that both unit A and unit B contain asbestos.
 - b. The units being removed without any damage to the asbestos sheeting walls

- c. Units are sold “as is”.
d. Units are to be removed from Lot 48 First Avenue by 5 January 2022.

Moved: Cr R Mizia
Seconded: Cr RE O'Connell

CARRIED BY ABSOLUTE MAJORITY 6/0

IN BRIEF

The Shire has received an offer to purchase the units, Council is requested to consider the offer to purchase.

BACKGROUND

Council has since 2016 been trying to sell unit A and unit B on Lot 48 First Avenue, Nungarin. The two units are in a state of disrepair and not considered worth the while for Council to invest funds to refurbish the two units. The cost of any refurbishment will be excessive due to both the units containing asbestos.

REPORT DETAIL

Currently the two units are an eyesore for the town and will continue to deteriorate. The Community Resource Centre has recently begun to incorporate the old Roads Board building in their tours. The two units detract from the aesthetical value of the old building.

Shire officers have discussed the potential of refurbishing the two units but have found this to be cost prohibitive.

The Removal of the two units will contribute positively to the environment.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	16.3 Provide excellent customer service functions to all community members and rate payers.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

3.58. *Disposing of property*

(1) *In this section —*

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

- (2) Except as stated in this section, a local government can only dispose of property to —
- (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
 - and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

30. *Dispositions of property excluded from Act s. 3.58*

- (1) *A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.*
- (2) *A disposition of land is an exempt disposition if —*
- (a) *the land is disposed of to an owner of adjoining land (in this paragraph called the **transferee**) and —*
- (i) *its market value is less than \$5 000; and*
- (ii) *the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;*
- or*
- (b) *the land is disposed of to a body, whether incorporated or not —*
- (i) *the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
- (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*
- or*
- (c) *the land is disposed of to —*
- (i) *the Crown in right of the State or the Commonwealth; or*
- (ii) *a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or*
- (iii) *another local government or a regional local government;*
- or*
- (d) *it is the leasing of land to an employee of the local government for use as the employee's residence; or*
- (e) *it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or*
- (f) *it is the leasing of land to a person registered under the Health Practitioner Regulation National Law (Western Australia) in the medical profession to be used for carrying on his or her medical practice; or*
- (g) *it is the leasing of residential property to a person.*
- (2a) *A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —*
- (a) *put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government; or*
- (b) *the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable; or*

- (c) *the subject of Statewide public notice under section 3.59(4) of the Act, and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including —*
 - (i) *the names of all other parties concerned; and*
 - (ii) *the consideration to be received by the local government for the disposition; and*
 - (iii) *the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.*
- (2b) *Details of a disposition of property under subregulation (2a) must, for a period of 1 year beginning on the day of the initial auction or tender —*
 - (a) *be made available for public inspection; and*
 - (b) *be published on the local government’s official website.*
- (3) *A disposition of property other than land is an exempt disposition if —*
 - (a) *its market value is less than \$20 000; or*
 - (b) *the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.*

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	The units both contain asbestos, should they continue to deteriorate they would need to be removed before becoming a potential health hazard.

CONSULTATION

- WALGA

RESOURCE IMPLICATIONS

Financial

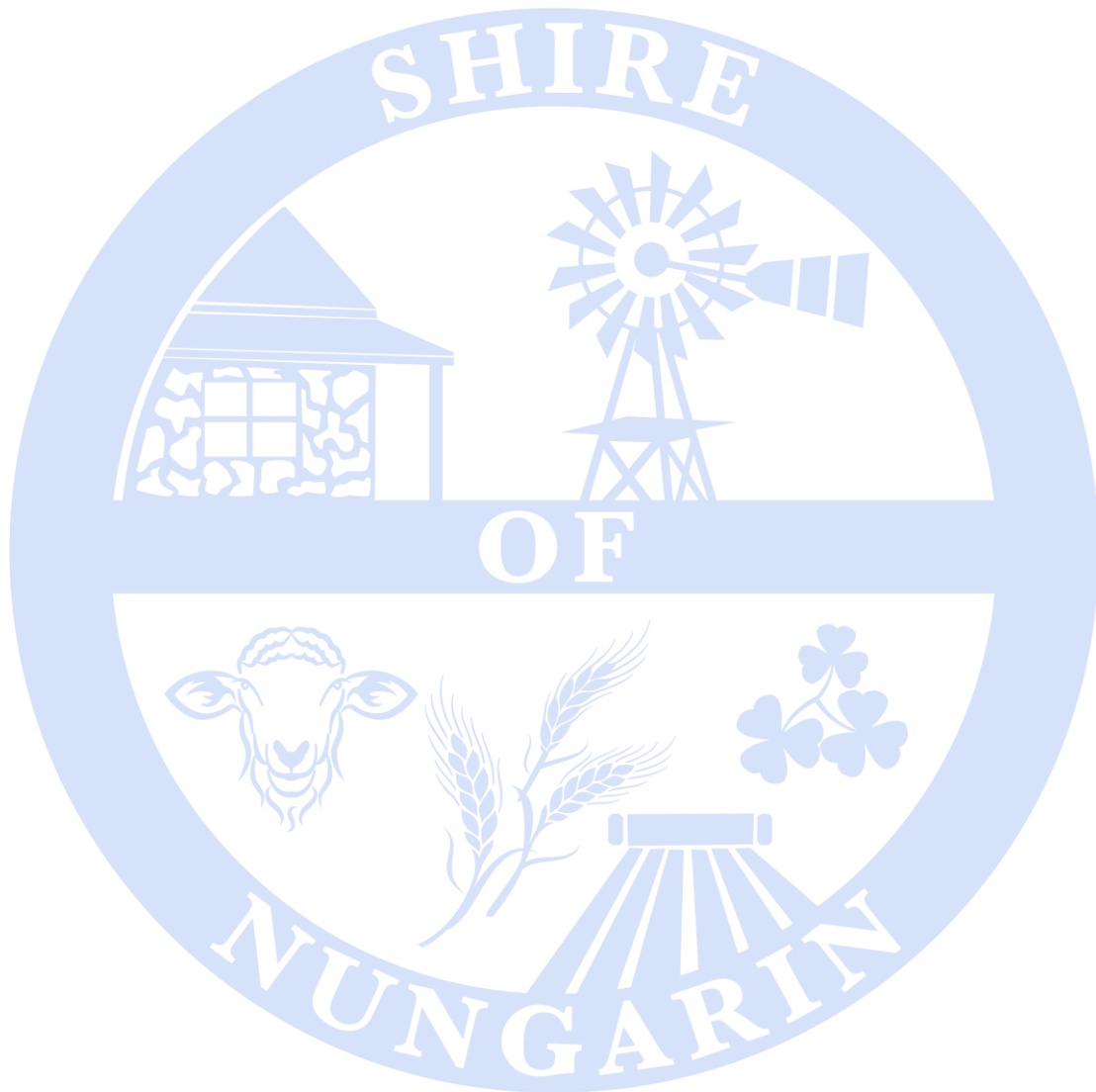
The income of \$2,000 from the sale of the units will offset the expenditure to have the power and water disconnected. It is estimated the disconnection cost will be \$1,400.

Workforce

Nil

CONCLUSION

It is inevitable that the units will continue to deteriorate and ultimately need to be removed from the lot. The sale of the units will enable Council to tidy the vacant property which could be developed or sold in the future.



Cameron Large left the Chamber at 4:51pm
Cameron Large returned to the Chamber at 4:53pm

COUNCIL RESOLUTION 6758:

That Council consider item 10.2

Moved: Cr RE O'Connell
Seconded: Cr G Coumbe

CARRIED 6/0

10.2 WALGA ANNUAL GENERAL MEETING - AGENDA

File Ref:	A1121
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Appendix Number:	Nil

COUNCIL RESOLUTION 6759:

That Council Resolves to:

1. Authorise the voting delegates and their proxy to vote as follows on the agenda items contained in the WALGA Annual General Meeting Agenda:
 - a. Item 3.1 Amendments to WALGA's Constitution – Supported
 - b. Item 3.2 Cost of Regional Development – Supported
 - c. Item 3.3 CSRFF Funding Pool and Contribution Ratio – Supported
 - d. Item 3.4 Regional Telecommunications Project – Supported
 - e. Item 3.5 Review of the Environmental Regulations for Mining – Supported
2. Authorise the voting delegates and their proxy to decide on any of the items listed in (1.) above should any amendments be proposed at the meeting.

Moved: Cr RE O'Connell
Seconded: Cr G Coumbe

CARRIED 6/0

11. CONFIDENTIAL ITEMS OF BUSINESS**COUNCIL RESOLUTION 6760:**

That Council proceeds behind closed doors as per Section 5.23(2) of the Local Government Act for considering item 11.1, the time being 4:58pm

Moved: Cr RE O'Connell

Seconded: Cr R Mizia

CARRIED 6/0

11.1 SALE OF LAND FOR UNPAID RATES

File Ref:	41081
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Appendix Number:	Nil

COUNCIL RESOLUTION 6761:

Note: Council Resolution 6761 remain confidential in accordance with Regulation 14(2) of the Local Government (Administration) Regulations 1996.

COUNCIL RESOLUTION 6762:

That the meeting proceeds in public, the time being 5:04pm

Moved: Cr K Dayman

Seconded: Cr RE O'Connell

CARRIED 6/0

12. CLOSURE

The being no further business the meeting closed at 5:05pm

Presiding Member

Date