



SHIRE MINUTES

ORDINARY COUNCIL MEETING

Wednesday 21 April 2021

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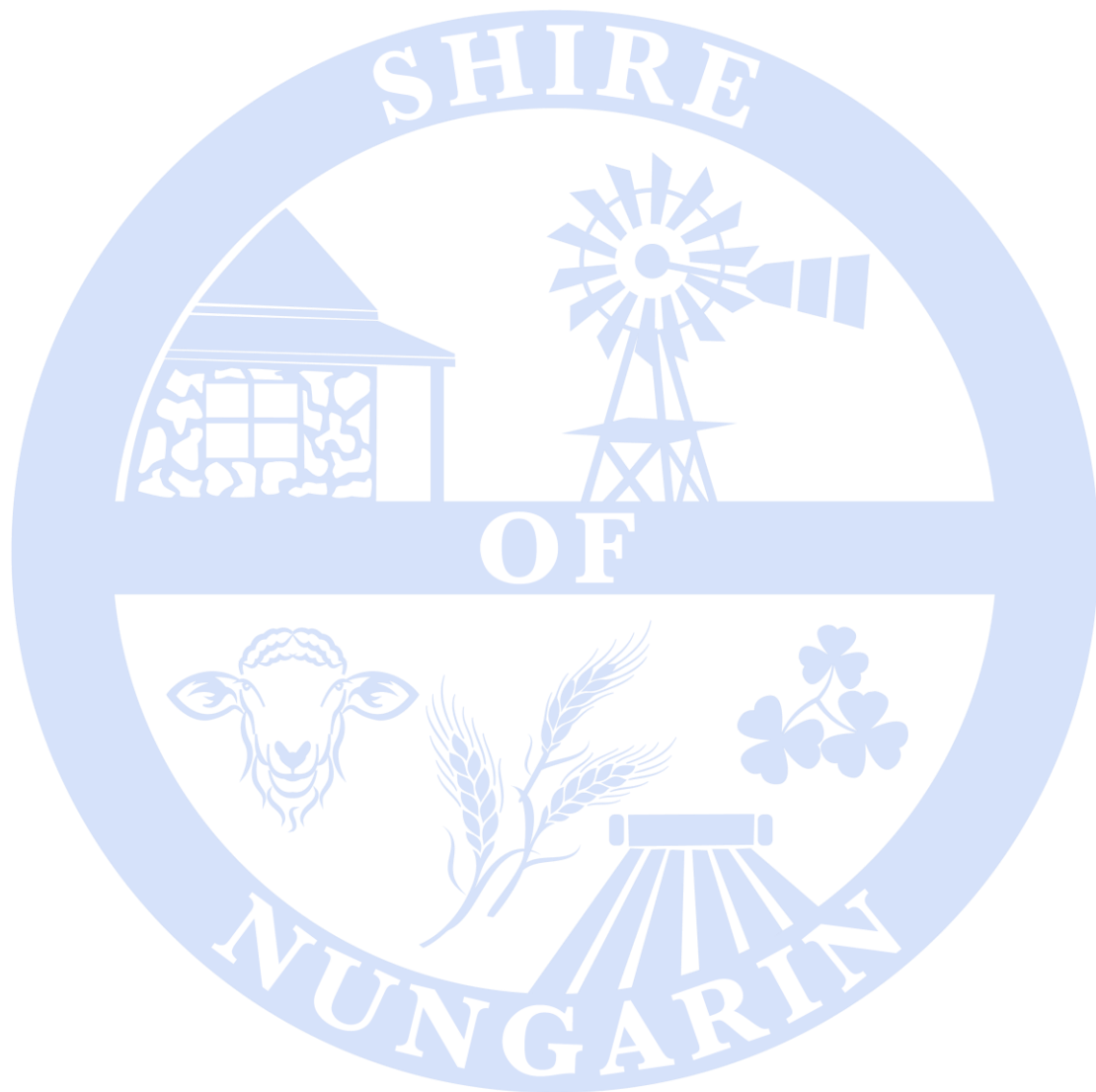
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AGENDA

1. DECLARATION OF OPENING

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

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 J Davis
Elected Member	Cr W Lee
Elected Member	Cr R Mizia
Chief Executive Officer	Mr L Long
Manager Works & Services	Mr C Large

2.2 APOLOGIES

Nil

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

Nil

5. DECLARATIONS OF INTEREST

5.1 FINANCIAL AND PROXIMITY INTEREST

- 5.1.1 Cr O’Connell – Item 10.1 Repair and Restoration of the Nungarin Post Office on Lot 15 Railway Avenue Nungarin.

Disclosure affecting Impartiality being a committee member of the Community Resource.

- 5.1.2 Cr O’Connell – Item 10.3 CEACA Membership Consideration for 2021/22 Financial Year.

Disclosure affecting Impartiality being a Board Member of CEACA.

- 5.1.3 Cr Dayman - Item 10.1 Repair and Restoration of the Nungarin Post Office on Lot 15 Railway Avenue Nungarin

Disclosure affecting Impartiality being a committee member of the Community Resource.

- 5.1.4 Cr de Lacy - Item 10.1 Repair and Restoration of the Nungarin Post Office on Lot 15 Railway Avenue Nungarin

Disclosure affecting Impartiality being the Shire Representative on the Committee.

5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT
Nil

6. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)
Nil

7. ORDINARY COUNCIL MEETING – 17 March 2021

COUNCIL RESOLUTION 6686

That the Minutes of the Ordinary Council Meeting held on 17 March 2021 be confirmed as being a true and accurate record.

Moved: Cr R Mizia
Seconded: Cr G Coumbe

CARRIED 7/0

8. SPECIAL COUNCIL MEETING – 25 March 2021

COUNCIL RESOLUTION 6687

That the Minutes of the Special Council Meeting held on 25 March 2021 be confirmed as being a true and accurate record.

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

CARRIED 7/0

9. OUT OF SESSION CONFIRMATION – SHIRE PRESIDENTS REPORT - ANNUAL REPORT

BACKGROUND

On 30 March 2021, a request for Councillors to consider ‘out-of-session’ the Shire Presidents Report to be included in the Annual Report was emailed out to all Councillors.

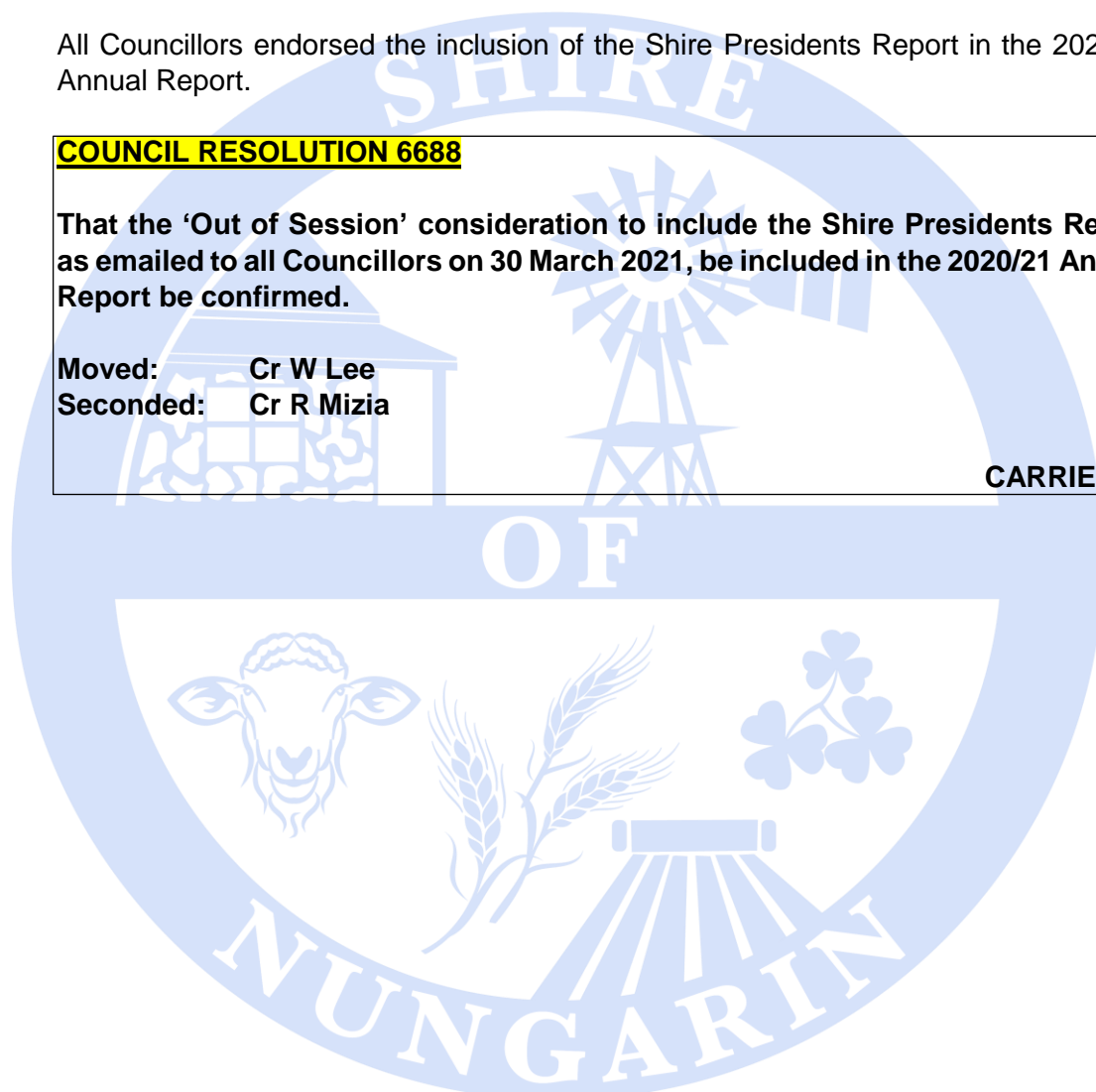
All Councillors endorsed the inclusion of the Shire Presidents Report in the 2020/21 Annual Report.

COUNCIL RESOLUTION 6688

That the ‘Out of Session’ consideration to include the Shire Presidents Report as emailed to all Councillors on 30 March 2021, be included in the 2020/21 Annual Report be confirmed.

**Moved: Cr W Lee
Seconded: Cr R Mizia**

CARRIED 7/0



10. OFFICER REPORTS

10.1 REPAIR AND RESTORATION OF THE NUNGARIN POST OFFICE ON LOT 15 RAILWAY AVENUE NUNGARIN	
File Ref:	101174
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 – Second Engineers Report

- Cr O’Connell – Disclosure affecting Impartiality being a committee member of the Community Resource Centre.
- Cr Dayman - Disclosure affecting Impartiality being a committee member of the Community Resource.
- Cr de Lacy - Disclosure affecting Impartiality being the Shire Representative on the Community Resource Centre.

COUNCIL RESOLUTION 6689**That Council:**

- 1. Accepts the Local Roads and Community Infrastructure Grant of \$160,429.**
- 2. Authorises the Chief Executive Officer to sign all documents pertaining to the Local Roads and Community Infrastructure Grant.**
- 3. Allocates the total value of the Local Roads and Community Infrastructure Grant being \$160,429 towards the repair and renovation of the Nungarin Post Office located on Lot 15 Railway Avenue, Nungarin.**

Moved: Cr G Coumbe
Seconded: Cr R Mizia

CARRIED 7/0**IN BRIEF**

Council is requested to allocate the grant received through Phase 2 of the Local Roads and Community Infrastructure towards the repair and restoration of the Nungarin Post office.

BACKGROUND

The Local Roads and Community Infrastructure Grant is a temporary, targeted stimulus measure responding to the series, ongoing economic impacts of COVID–19.

The Local Roads and Community Infrastructure program assists a community-led recovery from COVID-19 by supporting local jobs, firms and procurement.

REPORT DETAIL

In June 2020, the Shire commissioned and received dilapidation reports for a number of Shire owned building one of which being the Nungarin CRC / Post Office building.

The Engineers report identified the following issues with the building:

- Large deformation crack surround the building indicating differential settlement and lateral movement. These cracks indicate the building is in a fragile state and significant sections of walls lack mortar bonding between brick matrices.
- The entire north-western wall is >25mm out of plumb from the base. The deformation indicates the wall has shunted over the top as a result it is essentially pushed past the tolerance outlined in AS 3600:2018 – Masonry Structures. The wall requires sections to be removed and reinstated, while temporary supports are placed to reduce the risk of collapse.
- The 2nd main truss from the entry is effectively too short for the brick supports. The inclined vertical web member is bearing on the edge of the brick supports and has cracked the brickwork. The brickwork requires reinstating while a temporary prop is placed so the roof is supported

Through the process of obtaining quotes to repair the identified issues the decision was made to engage an Engineer for a second opinion. The Engineer's report is attached at [APPENDIX 10.1A](#).

The repairs to the CRC/Post Office will need to be done in two stages. Stage one (1) will be the stabilisation of the building which will prevent further movement in the future. This will be achieved through the use of a 'deep lift' method which involves the injection of structural resin well beneath the sunken sections of the affected areas filling any voids encountered to maximise ground support and re-support the settled sections. Then, from deeper in the ground, lifting the building and foundations towards level by the controlled force generated by expanding resin (as the site conditions allow).

It is envisaged the injection and stabilisation of the footings will stop further damage to the building. However, it must be noted that during the process of lifting the building there may be additional damage as the building is levelled. Once the building has been levelled, quotes for Stage two (2) will be sourced to restore the building this may include the construction of additional office space towards the rear of the building.

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	1. 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)***

Due to the lack of preventative maintenance, remedial works will have a significant impact on the Shire's budget for years to come. If maintenance is not undertaken urgently buildings like the Nungarin Post Office may need to be condemned. The closing of these (or any) buildings will have a detrimental impact on the already fragile economy of the town.

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

Without the required maintenance, the buildings are likely to fall into further disrepair and would ultimately need to be condemned. The closure of any building especially buildings frequently used by the public would have a negative impact on the quality of life of the community.

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	Not undertaking the remedial repairs may result in failure of building structures. Being publically used buildings the risk of injury to public is high.

CONSULTATION

- Initial Engineers report from RSA Consulting Engineers.
- Second Engineers report from Mainmark Ground Engineers.

RESOURCE IMPLICATIONS**Financial**

The repairs / renovations will be funded through the Local Roads and Community Infrastructure Grant, and will not have a negative impact on the adopted 2020/21 financial budget.

Workforce

Nil

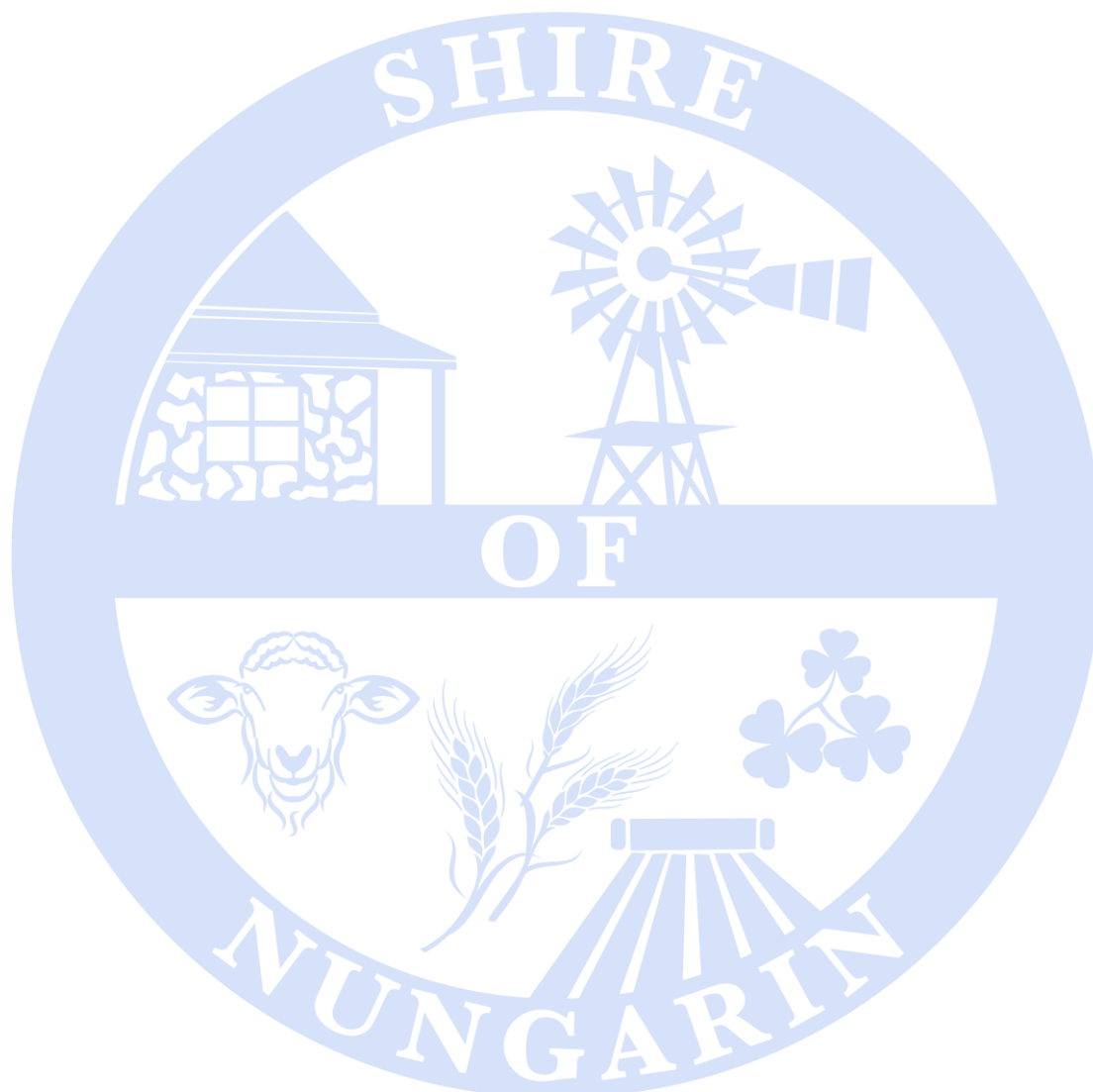
OPTIONS

Council has the option of:

1. Accepting the officer's recommendation.
2. Allocating the Local Roads and Community Infrastructure Grant to an alternative project.

CONCLUSION

The CRC / Post Office has been identified as the most urgent of the Shire owned buildings that need repair / restoration. The building which houses the Community Resource Centre as well as providing Australian Postal Services, is considered to be one of the important ‘community hubs’ in town. Should the required repairs / renovations not be undertaken there is a real risk the building may need to be closed to the public which will have a negative impact not only on the community’s health and wellbeing, but will also have a detrimental impact on essential services provided through the Australian Postal Services.



10.2 CHANGE OF COUNCIL MEETING DATE FOR OCTOBER 2021	
File Ref:	41001
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Appendix Number:	Nil

COUNCIL RESOLUTION 6690

That Council:

- Approves the change of date for the October Ordinary Council Meeting from 20 October 2021 to 27 October 2021 at 3pm in the Council Chambers.**

Moved: Cr K Dayman

Seconded: Cr J Davis

CARRIED 7/0

IN BRIEF

The Local Government Elections is held on the third Saturday of October. The current approved Ordinary Council Meeting date of 20 October 2021, will not provide sufficient time to arrange the swearing in of any potential new Elected Members. As such it is proposed to change the date to 27 October 2021 will ensure the relevant arrangements can be made.

BACKGROUND

Council resolved at its Ordinary Council Meeting of 17 February 2021 that Ordinary Council Meetings for 2021 be held on 20 October 2021 (third Wednesday of the month).

REPORT DETAIL

The Local Government Election will be held on 16 October 2021 (third Saturday of October), two working days prior to the currently scheduled Ordinary Council Meeting. This does not leave officers sufficient time to prepare the required reports for the scheduled October Ordinary Council Meeting.

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	16.4 Develop excellent communication tools, in a range of suitable formats to ensure a well-informed community.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

- *Local Government Act 1995*
- *Local Government (Elections) Regulations 1997*

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	For the Shire to operate efficiently it is important to set dates for Ordinary Council Meetings

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.

CONCLUSION

To ensure the outcome of the local elections are enacted upon in a timeous manner, it is important to reschedule the October 2021 OCM. This will enable staff to prepare the necessary documentation / reports for any new incoming or re-elected Councillors.

10.3 CEACA MEMBERSHIP CONSIDERATION FOR 2021/22 FINANCIAL YEAR.	
File Ref:	96010
Previous Item Ref:	Council Decision 6210 (19 June 2019)
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Appendix Number:	10.3A – CEACA Info Page

- Cr O’Connell – Disclosure affecting Impartiality being a Board Member of CEACA.

COUNCIL RESOLUTION 6691

That Council:

1. Subject to the commitment from the Central East Accommodation and Care Alliance to prioritise the construction of the remaining four (4) independent living units in Nungarin as its number one priority, will commit to paying the \$20,000 to remain a member of the Central East Accommodation and Care Alliance for the 2021/22 financial year only.
2. Will commit to paying a maximum of \$3,333 to remain a member of the Central East Accommodation and Care Alliance for the 2021/22 financial year only should the Executive and Management Committee not prioritise the construction of the remaining four (4) independent living units as requested in (1.) above.
3. Advise the Central East Accommodation and Care Alliance, should neither (1.) or (2.) above be accepted, the Shire withdraws from CEACA and request that CEACA subdivide and transfer back to the Shire at their cost the portion of land given to the Central East Accommodation and Care Alliance which is vacant.

Moved: Cr K Dayman
Seconded: Cr R Mizia

LOST

AMENDED COUNCIL RESOLUTION 6692

That Council:

1. Subject to the commitment from the Central East Accommodation and Care Alliance to prioritise the construction of the remaining four (4) independent living units in Nungarin as its number one priority, will commit to paying the \$20,000 to remain a member of the Central East Accommodation and Care Alliance for the 2021/22 financial year only.

- 2. Advise the Central East Accommodation and Care Alliance, should (1.) above not be accepted, the Shire withdraws from CEACA and request that CEACA subdivide and transfer back to the Shire at their cost the portion of land given to the Central East Accommodation and Care Alliance which is vacant.**

Reason

To continue being a member will not be beneficial to the Shire

Moved: Cr RE O'Connell

Seconded: Cr R Mizia

CARRIED 7/0

IN BRIEF

The Shire will begin preparation of the 2021/22 Financial Budget in the coming weeks. Council is requested to consider the Shires continued membership on the Central East Accommodation and Care Alliance (CEACA).

BACKGROUND

In 2012, eleven local governments formed an alliance known as the Central East Aged Care Alliance (CEACA), to address the issues affecting aged care in the Central Wheatbelt Region. CEACA was successful in obtaining funds through both Federal and State grants to construct a number of independent living units spread across the member shires.

The Shire of Nungarin was earmarked to receive six (6) independent living units but to date only two (2) independent living units have been constructed.

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

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

At its Ordinary Council Meeting of 19 June 2019, Council resolved as follows:

“That Council:

- 1. Advises Central East Aged Care Alliance that it supports the member contribution of \$20,000 (ex GST) for the 2019/20 year;*
- 2. Further advises Central East Aged Care Alliance that it will not support a general member contribution for the 2020/21 year and onwards unless such contributions are reduced by offsetting such with income from housing and other activities.*

CARRIED: 6/0"

Notwithstanding the above resolution the approved 2020/21 financial budget included the CEACA membership fee of \$20,000 and was subsequently paid in November 2020.

REPORT DETAIL

At its meeting of 23 March 2021, the Executive Committee of CEACA agreed on the following priorities for 2021/22:

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 strategic priorities 1 to 3 noted above.*
5. *Examine the feasibility of CEACA taking over management of accommodation units owned by each CEACA member.*
6. *Investigate the possibility of other Wheatbelt shires becoming a member of CEACA.*

The Executive Committee has also recommended that to pursue the strategic priorities above, the Annual Membership Levy (AML) for CEACA members should remain at \$20,000 per annum and proposes this would be the case for at least the next three years.

At a meeting in the Council Chambers on 12 April 2021, the Chairman and the interim Chief Executive Officer provided a breakdown of the current funding / costs. In addition also sighted the following benefits of continuing the Shires membership with CEACA.

- *Direct involvement and influence in a social housing scheme covering the Member Shire and also the wider region of the central east Wheatbelt.*
- *Direct involvement and influence in the future direction of CEACA, which may include an expansion of the number of units and the development of a care services model.*

Taking into account the CEACA Executive Committee's strategic direction, the following needs to be considered:

1. There are a number of rural health service providers already available to residents who qualify for such services. It is not considered to be of much if any benefit to the Shire if CEACA was to investigating similar services.

2. During the initial stages the Shire identified the need for at least six (6) independent living units, only two (2) independent living units have been constructed.

Should the CEACA Executive Committee resolve to actively seek the additional funding required to construct the remaining four (4) independent living units in Nungarin, and is willing to confirm this through a resolution of the Executive and Management Committees it would be beneficial for the Shire to remain a member of CEACA.

3. With regard to investigating transport service, the Shire already operates a community bus and as such there may not be much if any further benefit to the Shire.

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	1. 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)

The opinion is held that the continued membership will have very little to no benefit to the social quality of the community, unless the Executive Committee resolves to prioritise seeking the funding to construct the remaining four (4) independent living units.

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
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Low	Should Council resolve not to continue its membership as proposed, it would have a minimal if any quantifiable risk.
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CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

The Shire has a very small income base and needs to ensure any expenditure can be justified to the rate payers. Taking into consideration the tight budget constraints expected in the 2021/22 financial year, a membership fee of \$20,000 is considered a significant amount.

The Interim Chief Executive Officer has provided a snapshot of the funding for the 2021/22 financial year ([APPENDIX 10.3A](#)).

Further, it was explained by the interim Chief Executive Officer that the current income derived from the 71 rentals amounts to approximately \$500,000. Of this approximately \$400,000 is set aside for management services, Operational Manager and maintenance. The surplus of approximately \$100,000 is set aside for the future “end of life” refurbishment of the units. The breakdown of the proposed membership fees are contained in [APPENDIX 10.3A](#).

Workforce

Nil

OPTIONS

Council has the option of:

1. Accepting the officer’s recommendation.
2. Amend the officer’s recommendation.

CONCLUSION

In considering the future membership of CEAC, the membership Council would need consider the past membership contributions into the following context.

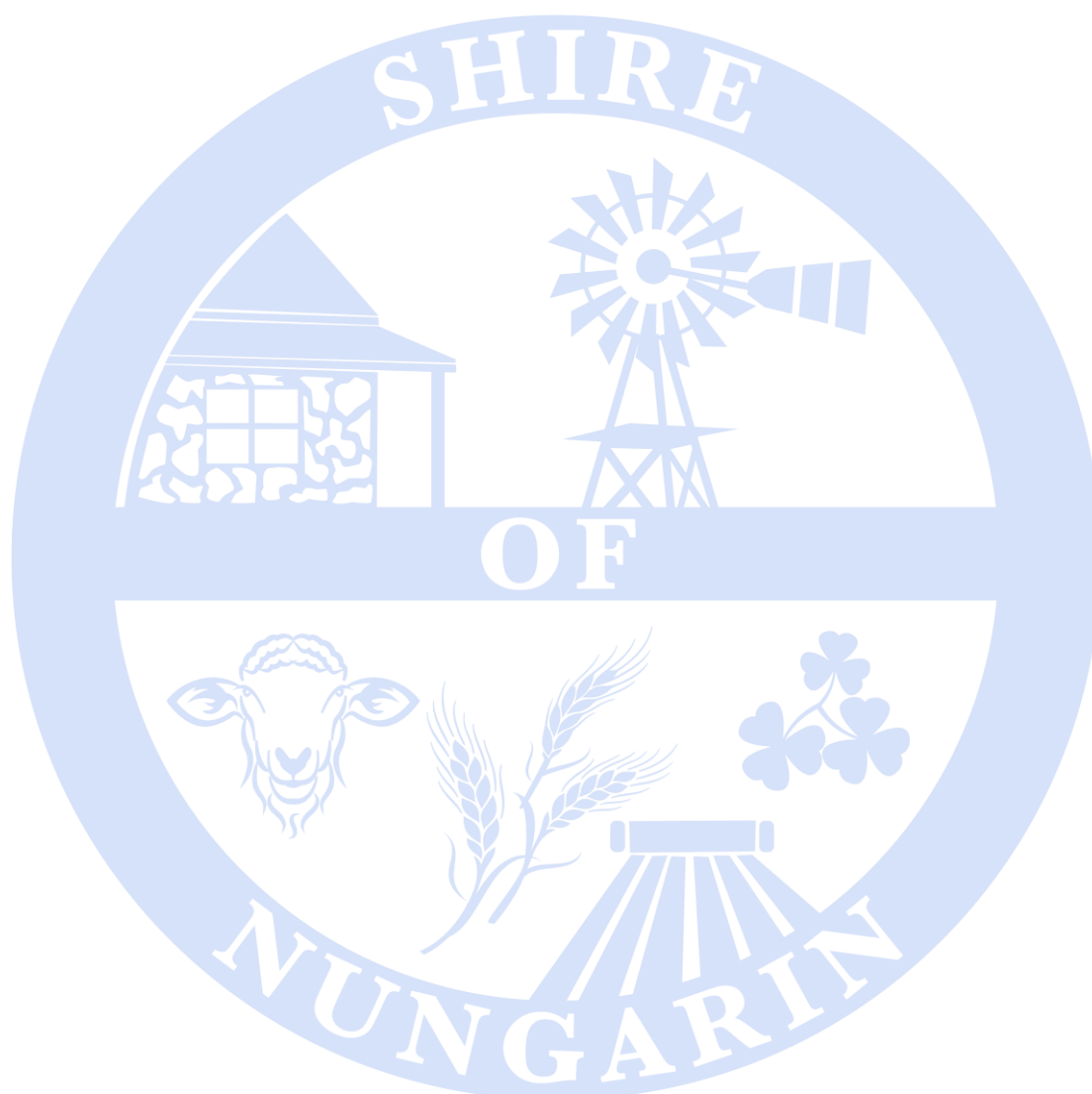
The Shires total contribution over the past five (5) years has equated to \$117,821. However, this has resulted in the construction of two independent living units with an estimated combined value of \$600,000 - \$700,000. Should the continuation of the membership result in the construction of the remaining four (4) independent living units it would be beneficial to remain a member.

Notwithstanding the above should the CEACA Executive and Management Committee’s not resolve to prioritise seeking funding to construct the remaining four (4) independent living units as their main priority, the benefit to the Shire is considered to be very little if any.

If the CEACA Executive and Management Committees are not able to agree to the above, council may want to still retain its membership subject to the membership fee being reduced proportionately based on the independent living units constructed versus those forfeited due to the loss of funding.

[(\$20,000 membership fee) / (6 initial units) = \$3,333]

[(\$20,000 membership fee) / (4 outstanding units) = \$5,000]



10.4 LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS	
File Ref:	41079
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Appendix Number:	10.4A – Draft Local Emergency Management Arrangements (LEMA)

COUNCIL RESOLUTION 6693

That Council:

1. Adopts the Shire of Nungarin Local Emergency Management Arrangements ([APPENDIX 10.4A](#)).
2. Requests the Chief Executive Officer to forward a copy of the Nungarin Local Emergency Management Arrangements to the State Emergency Management Committee.

Moved: Cr R Mizia
 Seconded: Cr G Coumbe

CARRIED 7/0**IN BRIEF**

In terms of s.41 of the *Local Emergency Management Act 2005*, a local government is required to prepare an Emergency Management Arrangement (LEMA) document. Council is requested to consider adopting the attached LEMA.

BACKGROUND

The LEMA is required to be endorsed by the Local Emergency Management Committee (LEMC), which should meet at least twice a year generally March and November. Unfortunately, no minutes of any previous LEMC meetings held in Nungarin could be located on the Shires records. The Department of Fire and Emergency Services (DFES) have indicated the review of the Shire LEMA was due in December 2018.

REPORT DETAIL

In December 2018 a full review of the shires LEMA was undertaken by John Lane Emergency Services. As indicated above, no records of a LEMC meeting could be located to confirm the LEMA was endorsed.

DFES have advised due to document being so long overdue and it being unlikely to be able to arrange a LEMC meeting in the coming months. The requirement for the LEMA to be endorsed by the LEMC be bypassed, subject to DFES doing a compliance check.

Once it has been confirmed the compliance check has been completed the draft LEMA could be presented to Council for consideration. After liaising and amending the document as per DFES request officers have received confirmation the document complies with the relevant checklist.

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

Emergency Management Act 2005

36. *Functions of local government*

It is a function of a local government —

- (a) *subject to this Act, to ensure that effective local emergency management arrangements are prepared and maintained for its district;*
- (b) *to manage recovery following an emergency affecting the community in its district; and*
- (c) *to perform other functions given to the local government under this Act.*

41. *Emergency management arrangements in local government district*

- (1) *A local government is to ensure that arrangements (local emergency management arrangements) for emergency management in the local government’s district are prepared.*
- (2) *The local emergency management arrangements are to set out —*
 - (a) *the local government’s policies for emergency management;*
 - (b) *the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;*
 - (c) *provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b);*
 - (d) *a description of emergencies that are likely to occur in the local government district;*
 - (e) *strategies and priorities for emergency management in the local government district;*
 - (f) *other matters about emergency management in the local government district prescribed by the regulations; and*

- (g) *other matters about emergency management in the local government district the local government considers appropriate.*
- (3) *Local emergency management arrangements are to be consistent with the State emergency management policies and State emergency management plans.*
- (4) *Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator.*
- (5) *A local government is to deliver a copy of its local emergency management arrangements, and any amendment to the arrangements, to the SEMC as soon as is practicable after they are prepared.*

SUSTAINABILITY AND RISK CONSIDERATIONS

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

Without a LEMA in place it could have an impact on the time it takes to recover from an emergency situation which in turn may impact upon the economy of the Shire.

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

Emergency events are likely to have an impact of the community, by ensuring emergencies are dealt with in the best possible way will lessen the social impact on the community.

Policy Implications

State Emergency Management Policy:

Section 2.5.3 states “Development, distribution/communication, review and testing of LEMA should be in accordance with State Emergency Preparedness Procedure 8”.

State Emergency Preparedness Procedure 8 states “The local government must ensure the review of the LEMA on the following basis:

- After an event or incident requiring the activation of an Incident Support Group or after an incident requiring significant recovery coordination
- Every 5 years; and
- Whenever the local government considers it appropriate.”

Risk Management Implications

Risk Level	Comment
Medium	In terms of the relevant act Council is required to have an endorsed LEMA. Not having an endorsed LEMA leave Council non-compliant with the <i>Emergency Management Act 2005</i> .

CONSULTATION

Shire Officers have undertaken consultation with the Department Fire Emergency Services with regard to the process being followed to adopt the LEMA without LEMC endorsement.

RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil

OPTIONS

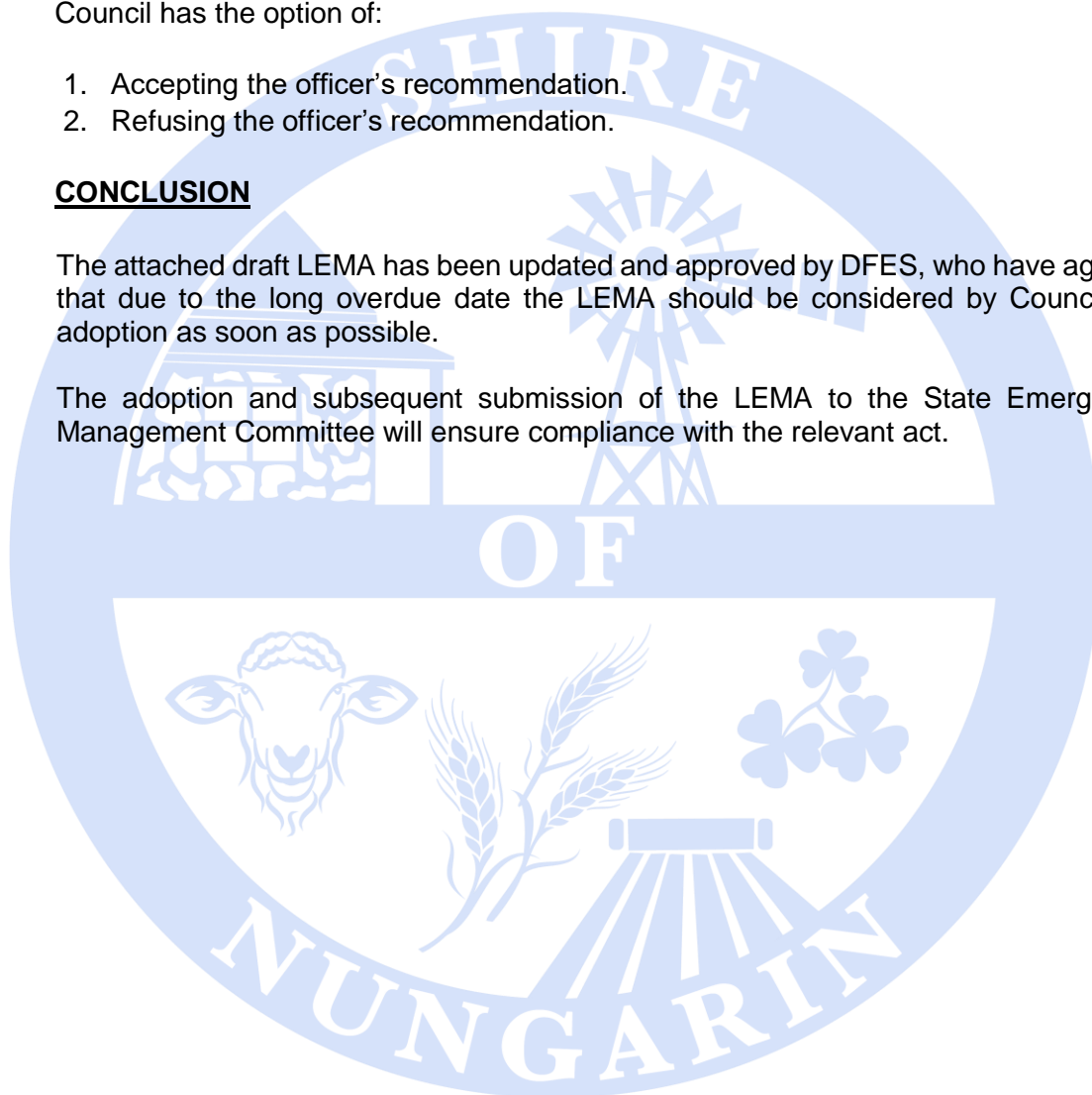
Council has the option of:

1. Accepting the officer's recommendation.
2. Refusing the officer's recommendation.

CONCLUSION

The attached draft LEMA has been updated and approved by DFES, who have agreed that due to the long overdue date the LEMA should be considered by Council for adoption as soon as possible.

The adoption and subsequent submission of the LEMA to the State Emergency Management Committee will ensure compliance with the relevant act.



10.5 LISTING OF PAYMENTS FOR THE MONTH OF MARCH 2021	
File Ref:	161001
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Vanessa Seward, Acting Senior Finance Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Appendix Number:	Appendix 10.5A – Payment List

COUNCIL RESOLUTION 6694

That Council,

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

Municipal	Cheque	\$ 15,282.96
	EFT	\$ 84,560.15
	Direct Debit	\$ 23,279.62
		\$111,785.27
Trust	Cheque – Nil	\$0.00
	Grand Total	\$111,785.27

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

CARRIED 7/0

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 March 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
Medium	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 10.5A](#) – Payment List, is a true reflection of the expenditure from the Municipal and Trust Fund accounts for the month of March 2021.

10.6 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MARCH 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
Appendix Number:	Appendix 10.6A – Monthly Statement

COUNCIL RESOLUTION 6695

That Council:

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

Moved: Cr R Mizia
Seconded: Cr G Coumbe

CARRIED 7/0**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 SEPTEMBER 2020

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.

At its budget meeting, Council adopted a material variance threshold of \$5,000 or 10%. For interpretation purposes, this means any variance at Function/Program level that is greater than 10% and exceeds \$5,000 in value is reported on and commentary is provided to explain the YTD budget estimate to YTD actual variance. The material variance in dollar and percentage is shown on the Statement of Financial Activity, in accordance with the *Local Government (Financial Management) Regulations 1996*.

The material variance commentary is now provided in a separate statement, called the Statement of Explanation of Material Variances. This statement categorises the variance commentary according to reporting Functions/Programs and groups the variances by Operating Revenue, Operating Expenditure, Non-Operating/Capital Revenue, and Capital Expenditure.

The Statement of Financial Activity as at 31 March 2021 shows a closing surplus of \$852,073.

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 2020/21 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 – Darren Long

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*

11. DELEGATES REPORTS

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

- 11.1 Cr O’Connell ([APPENDIX 11.1A](#))
- 11.2 Cr Dayman – Tidy Town meeting
- 11.3 Cr Lee – Museum meeting 1st of May Campfire dinner
- 11.4 Cr Coumbe – Attended Water Council Meeting
- 11.5 Cr de Lacy – NEWROC meeting

12. NEW BUSINESS OF AN URGENT NATURE

Nil

13. CONFIDENTIAL ITEMS OF BUSINESS

Nil

14. CLOSURE

The being no further business the meeting closed at 4:08pm

Presiding Member

Date

