

Date: 22 October 2021

To: Councillors



NOTICE AND AGENDA - ORDINARY COUNCIL MEETING

An Ordinary Council Meeting of the Shire of Nungarin will be held in the Council Chambers on 27 October 2021 at 3:00pm to consider and resolve the matters set out in the attached agenda.

A handwritten signature in black ink that reads 'Long'.

Leonard Long
Chief Executive Officer

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PUBLIC QUESTION TIME

1. The order of business allows for a Public Question time at the beginning of the meeting.
2. If you wish to ask a question about an agenda item before it is considered then it is recommended to be made at the Public Question Time item on the agenda in accordance with Council's Procedures and Guidelines for Public Question Time.
3. The visual or vocal recording of Council meeting proceedings is expressly prohibited, unless the prior approval of the Council has been given.

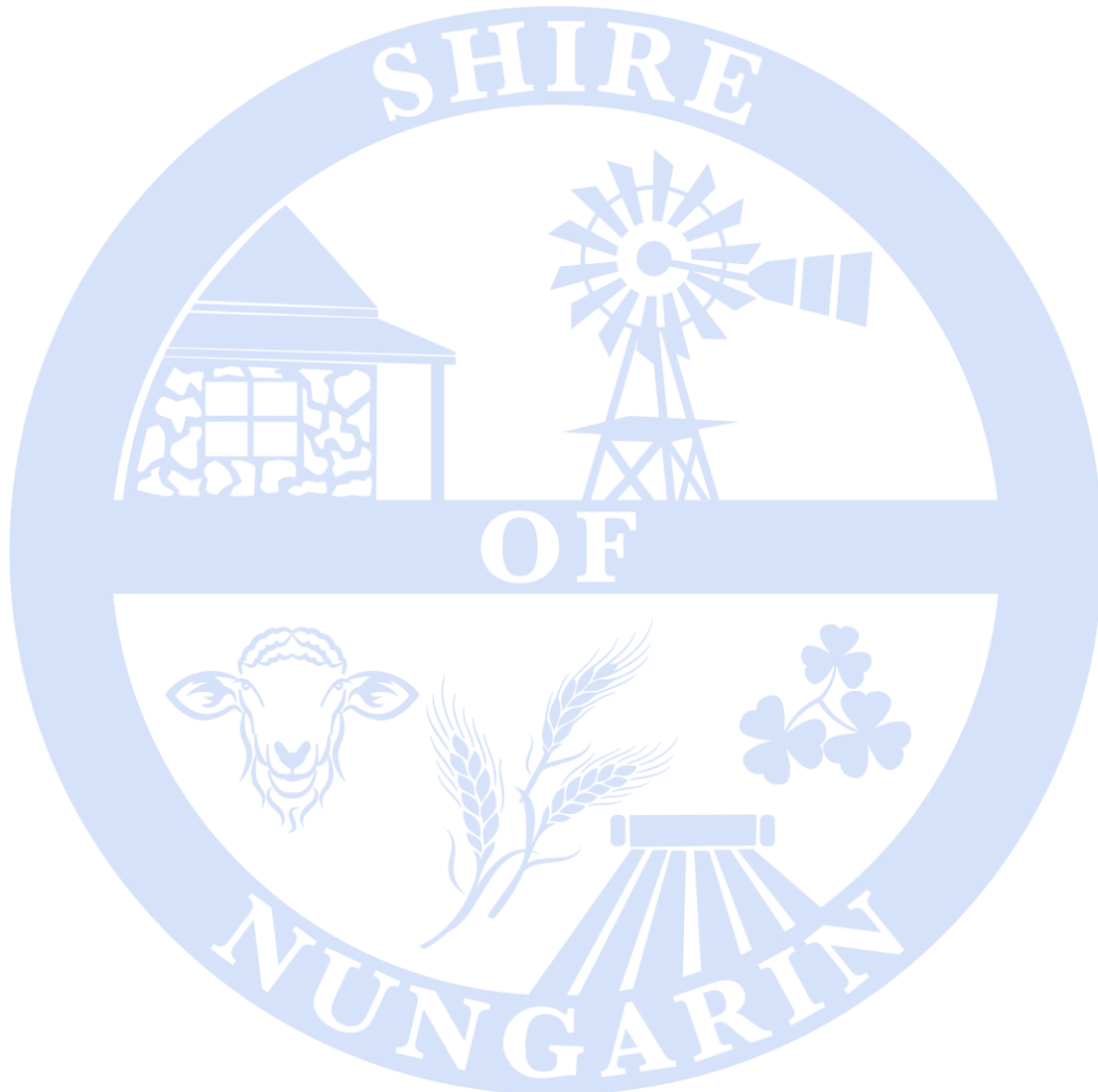


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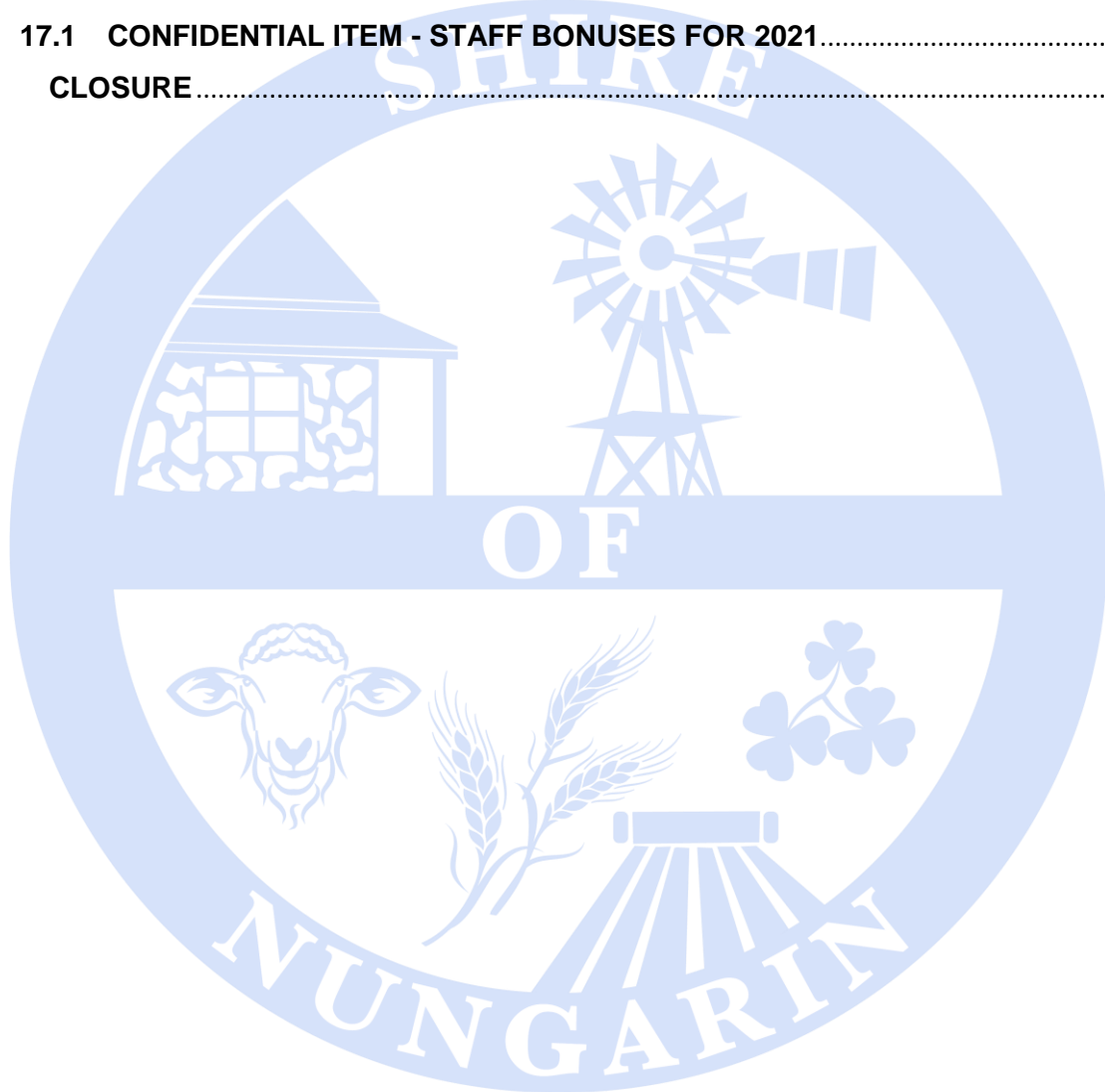
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AGENDA

1. DECLARATION OF OPENING

In accordance with Clause 3 of Schedule 2.3 of the Local Government Act 1995 the CEO is to preside over the meeting until the office of the Shire President is filled.

The Chief Executive Officer to declare the meeting open at ____ pm

2. ATTENDANCE / APOLOGIES

2.1 ATTENDANCE

Councillors

Elected Member	Cr P de Lacy
Elected Member	Cr J Davis
Elected Member	Cr W Lee
Cr Elect	Cr G Coumbe
Cr Elect	Cr M Caughey
Cr Elect	Cr E O’Connell
Cr Elect	Cr K Dayman

Council Officers

Chief Executive Officer	Mr L Long
Manager Works & Services	Mr C Large

Justice of the Peace

Mr Peter Michael Geraghty

Observers / Visitors

2.2 APOLOGIES

3. OATH OR AFFIRMATION OF ALLEGIANCE AND DECLARATION OF OFFICE TO BE TAKEN BY ELECTED COUNCILLORS.

Mr Peter Geraghty JP will conduct the Oath or Affirmation of Allegiance and Declaration of office for the elected Councillors.

i.	Cr Elect Gary Coumbe	Four Year Term
ii.	Cr Elect Mick Caughey	Four Year Term
iii.	Cr Elect Eileen O’Connell	Four Year Term
iv.	Cr Elect Kerry Dayman	Two Year Term

4. ELECTION OF SHIRE PRESIDENT

4.1 ELECTION OF SHIRE PRESIDENT	
File Ref:	41001
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Attachment	4.1A – Nomination Form

OFFICERS RECOMMENDATION

That

1. The Chief Executive Officer reads aloud nominations for the position of Shire President and requests those nominated to state verbally if they are willing to accept that nomination, and that votes are cast accordingly as per the Local Government Act (1995).
2. That those nominated for Shire President are invited to speak to their nomination for no more than five (5) minutes.
3. If more than one member is nominated a ballot is held to determine the Shire President.

IN BRIEF

Under the *Local Government Act 1995* (as amended) for the election of President, when elected by the Council, nominations are to be given to the CEO in writing at a time announced by the CEO.

If a Councillor is nominated by another Councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.

Voting is by secret ballot as if they were electors voting at an election.

If, when the votes are counted there is an equality of votes, the count is to be discontinued and the meeting is to be adjourned for not more than seven days.

BACKGROUND

As the election for President may be conducted as if they were electors voting at an election, it is requested that all nominations be received by 1:00pm on Wednesday 27 October 2021. This will give officers time to have election papers printed prior to the 3:00pm commencement of the Ordinary Council Meeting.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 2.11 – Alternative methods of filling office of mayor or president.

- (1) When an order is made under section 2.1 declaring an area of the State to be a district, the Governor is, by order, to specify whether the first mayor or president of the local government is to be –
 - (a) Elected by electors of the district under Part 4; or
 - (b) Election by council from amongst the councillors under Schedule 2.3, Division 1.
- (2) A local government may change* the method of filling the office of mayor or president used by the local government from the election by the council method to the election by the electors method.

*Special Majority Required

- (3) A local government may exercise the power conferred by subsection (2) whether or not a proposal has been made under section 2.12.
- (4) The method of filling the office of mayor or president used by the local government is changed from the election by the electors method to the election by the council method if the result of a poll declared under section 2.12A(4) is that a majority of electors of the district who voted at the poll voted in favour of the change.

Section 2.15 – Filling office of deputy mayor or president.

The deputy mayor or president is to be elected by the council under Schedule 2.3, Division 2.

Schedule 2.3 – When and how mayors, presidents, deputy mayors and deputy presidents are elected by Council.

Division 1 – Mayors and presidents

1. Terms used

In this Division –

Extraordinary vacancy means a vacancy that occurs under section 2.34(1)

Office means the office of councillor, mayor or president

2. When council elects mayor or president

- (1) The office is to be filled as the first matter dealt with –
 - (a) At the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary election day; and
 - (b) At the first meeting of the council after an extraordinary vacancy occurs in the office.
- (2) If the first ordinary meeting of the council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.

3. CEO to preside

The CEO is to preside at the meeting until the office is filled.

4. How mayor or president is elected

- (1) The council is to elect a councillor to fill the office.
- (2) The election is to be conducted by the CEO in accordance with the procedure prescribed.
- (3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- (3a) Nominations close at the meeting at a time announced by the CEO, which is to be sufficient time after the announcement by the CEO that nominations are about to close or allow for any nominations made to be dealt with.
- (4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.

5. Votes may be cast a second time

- (1) If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.
- (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.
- (3) When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.
- (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.

Division 2 — Deputy mayors and deputy presidents

6. Terms used

In this Division —

extraordinary vacancy means a vacancy that occurs under section 2.34(1);

office means the office of deputy mayor or deputy president.

7. When council elect's deputy mayor or deputy president

- (1) If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with —
 - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (2) If the local government has a councillor mayor or president the office of deputy mayor or deputy president is to be filled —
 - (a) as the next matter dealt with after the mayor or president is elected at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
 - (b) subject to subclause (3), as the first matter dealt with at the first meeting of the council after an extraordinary vacancy occurs in the office.
- (3) If at a meeting referred to in clause 2(1)(b) the deputy mayor or deputy president is elected to be the mayor or president, the resulting extraordinary vacancy in the office is to be filled as the next matter dealt with at the same meeting.

8. How deputy mayor or deputy president is elected

- (1) The council is to elect a councillor (other than the mayor or president) to fill the office.
- (2) The election is to be conducted in accordance with the procedure prescribed by the mayor or president, or if he or she is not present, by the CEO.
- (3) Nominations for the office are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.
 - (3a) Nominations close at the meeting at a time announced by the person conducting the election, which is to be a sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.
- (4) If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.
- (5) The council members are to vote on the matter by secret ballot as if they were electors voting at an election.

- (6) Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.
- (7) As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.

9. Votes may be cast a second time

- (1) If, when the votes cast under clause 8(5) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.
- (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.
- (3) When the special meeting is held the council, members are to vote again on the matter by secret ballot as if they were voting at an election.
- (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.

SUMMARY

Although it would be preferential to receive nominations for Shire President by 1:00pm on 27 October 2021, nomination may be made prior to, or at the time of dealing with the item on this agenda. Should nominations be received prior to or at the time of dealing with the item, a short adjournment will be required to allow staff to prepare and print the ballot paper.

5. SWEARING IN OF SHIRE PRESIDENT

Mr Peter Michael Geraghty JP will conduct the Oath or Affirmation of Allegiance and Declaration of office of Shire President.

6. ELECTION OF DEPUTY SHIRE PRESIDENT

6.1 ELECTION OF DEPUTY SHIRE PRESIDENT	
File Ref:	41001
Attachment	6.1A – Nomination Form

OFFICERS RECOMMENDATION

That

- 1. **The Elected Shire President calls for nomination for the position of Deputy Shire President from the members.**

2. If more than one member is nominated a ballot is held to determine the Deputy Shire President.

IN BRIEF

Once nominations close for the position of Deputy Shire President, if there is more than one nomination, there will be a short adjournment to print the ballot papers.

In regards to the election of the Deputy Shire President, Schedule 2.3(2) of the *Local Government Act 1995* (as amended) state that this election is to be conducted in accordance with the procedure prescribed by the President, or if he or she is not present, by the CEO.

Nominations are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations which would be when the item is ready to be considered. Council members are to vote on the matter by way of secret ballot.

7. SWEARING IN OF DEPUTY SHIRE PRESIDENT

Mr Peter Michael Geraghty JP will conduct the Oath or Affirmation of Allegiance and Declaration of office of Deputy Shire President

8. REQUEST FOR LEAVE OF ABSENCE

9. DEPUTATIONS AND PETITIONS

9.1 DEPUTATIONS

9.2 PETITIONS

10. PUBLIC QUESTION TIME

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

10.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Q' 1:

Will the Shire permit the planting of trees in the verge in front of Lot 16, Benson Avenue, Nungarin owned by Mrs Christmass?

A':

Due to potential liability issues with planting within verges the Shire does not permit planting by a third party. The land owner is able to plant within their own property boundary but is advised to take into consideration the required firebreak of 3m.

10.2 PUBLIC QUESTION TIME

11. DECLARATIONS OF INTEREST

11.1 FINANCIAL AND PROXIMITY INTEREST

11.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT

12. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

13. PREVIOUS COUNCIL MEETING MINUTES

13.1 ORDINARY COUNCIL MEETING – 15 September 2021

OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on 15 September 2021 be confirmed as being a true and accurate record.

Moved:

Seconded:

.....

14. OFFICER REPORTS

14.1 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 14.1A – CEACA Minutes

OFFICER RECOMMENDATION:

That Council Resolves to:

1. **Terminate the Shire of Nungarin’s membership with the Central East Accommodation and Care Alliance Inc.**
2. **Requests the Central East Accommodation and Care Alliance Inc to transfer the vacant land given to Central East Accommodation and Care Alliance Inc for the construction of additional units back to the Shire of Nungarin.**
3. **Authorise an amendment to the 2021/22 Adopted budget as follows:**

Account	Description	Increase	Decrease	Purpose
GL 209110	Aged Person Acc – Contribution towards CEACA Housing		\$20,000	
GL11102030	Building Reserve	\$20,000		Towards the construction of future residential / tourist units

Moved:

Seconded:

.....

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 and whether or not the Shire wants to remain a member of CEACA.

BACKGROUND

The item was presented to Council at its Ordinary Council Meeting of 15 September 2021. At the meeting Council resolved to lay the item on the table to allow the Chief Executive Officer to obtain additional information pertaining to other housing options

“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.”

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

Following the September Ordinary Council meeting additional information has been obtained around the cost to Council should Council decide to terminate its membership with CEACA and construct its own units. To this extent a financial scenario has been investigated using a ten-year repayment schedule. The financial aspect is set out under the heading Resource Implication – Financial.

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.

It must be noted that in the event CEACA does manage to obtain funding for the construction of additional units they would not necessarily be constructed in Nungarin.

They would likely be built taking into consideration demand which is directly linked to population. Given the Shire of Nungarin's low population base there is some trepidation as to whether or not Nungarin will be considered for any 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 14.1A**).

The virtual concept relies heavily on local volunteers, although there would be some paid position. However, the volunteer base in Nungarin is already stretched to its limit and it is the officer's opinion the concept as described would not be feasible in Nungarin.

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
Low	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 cost of a two-bedroom one-bathroom unit is estimated as follows:

- Unit \$110,000
- Transport the \$15,000
- Installation \$40,000
- \$165,000

A loan through the Western Australian Treasury Corporation of \$300,000 over a period of 10 years would have a total interest amount of \$21,915.

The repayments of a \$300,000 loan are done in two instalments a year of \$16,095 (\$32,191). Taking into consideration the membership fee of \$20,000 the Shire would only have to budget an additional \$12,191 to construct two units.

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

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 (ILU's) was a sound investment of Council funds, and if the construction of further ILU's was the primary strategy with a guarantee additional ILU's will be constructed in Nungarin would remain a sound investment.

However, the opinion is held the original purpose of CEACA, which was to provide ILU's is no longer the primary goal, an opinion supported by the fact only one of the 6 strategic goals refers to additional ILU's.

To remain a member, paying the same as other Shire's despite the undeniable difference in rate base without the guarantee of additional ILUs is not considered a sound investment. The funds allocated to remain a member could be used to finance other developments in the Shire that provide a revenue source.

14.2 ELECTION OF EXTERNAL COMMITTEE MEMBERS AND REPRESENTATIVE.	
File Ref:	41001
Previous Item Ref:	Council Decision 6275 of 23 October 2019
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Nil

OFFICER RECOMMENDATION:

That Council Resolves:

1. To nominate the following Elected Members to represent the Shire of Nungarin on the following external / internal committees / groups.

a. Rural Water Council

..... as the representative, as proxy.

b. Wheatbelt NRM

..... as the representative, as proxy.

c. Tidy Towns

..... as the representative, as proxy.

d. Nungarin Sporting Club Inc.

..... as the representative, as proxy.

e. Wheatbelt AgCare

..... as the representative, as proxy.

f. Nungarin Community Development Group

..... as the representative, as proxy.

g. Nungarin Community Resource Centre

..... as the representative, as proxy.

h. Friends of Mangowine

..... as the representative, as proxy.

i. Kununoppin Local Health Advisory Group

..... as the representative, as proxy.

j. Nungarin Heritage Machinery and Army Museum

..... as the representative, as proxy.

k. Eastern Wheatbelt Biosecurity Group

..... as the representative, as proxy.

l. NEWROC

..... as the representative, as proxy.

m. NEWTravel

..... as the representative, as proxy.

n. Pioneers Pathway

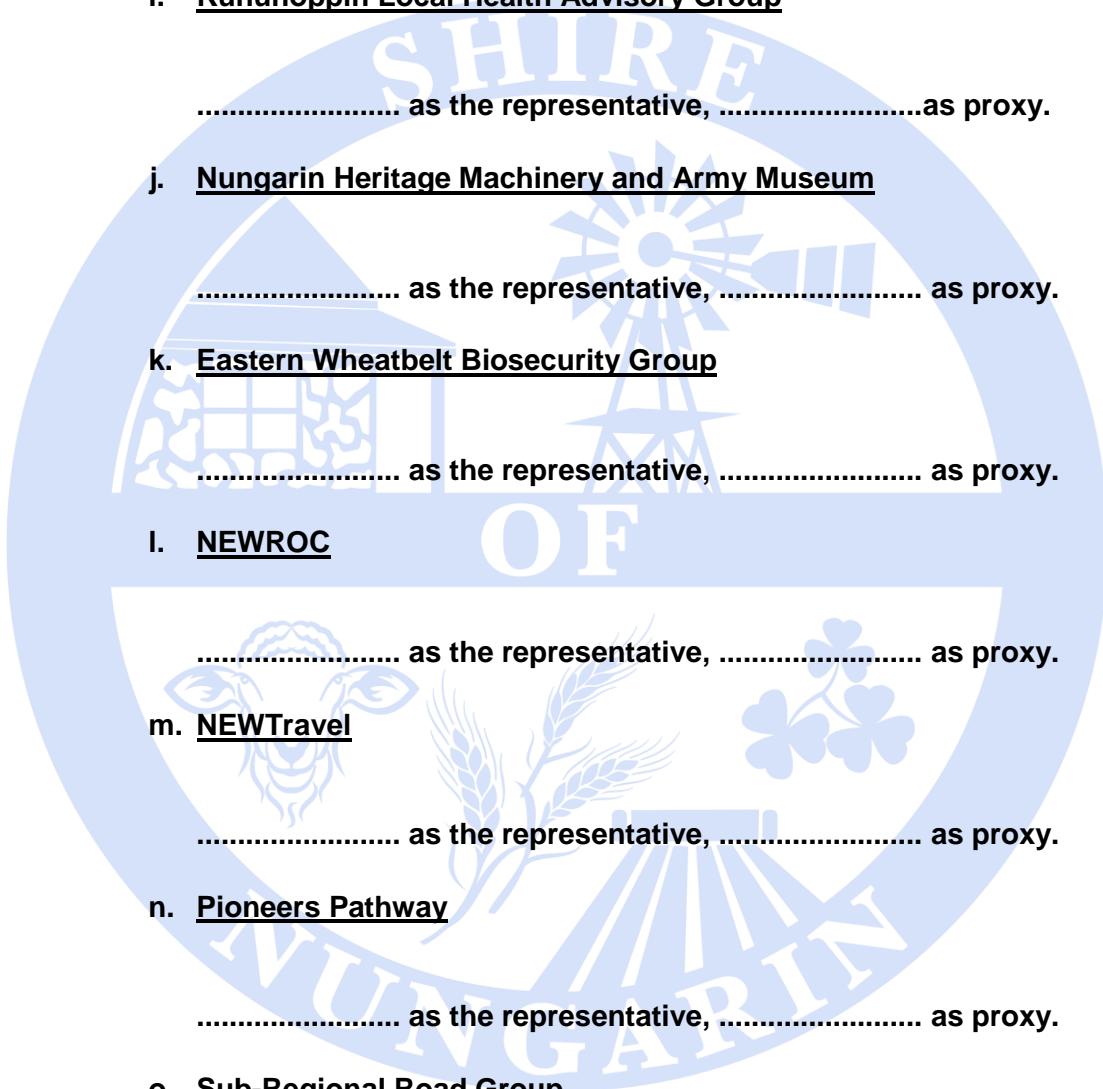
..... as the representative, as proxy.

o. Sub-Regional Road Group

..... as the representative, as proxy.

p. Great Eastern Country Zone

..... and as the representatives; and
..... as proxy.



q. Development Assessment Panel

..... as Member 1 and as Member 2
 as Alternate Member 1; and
 as Alternate Member 2

r. Central East Aged Care Alliance.

..... as the representative, as proxy.

s. Local Emergency Management Committee

..... as the representative, as proxy.

t. Finance & Audit Committee

.....
Moved:
Seconded:

IN BRIEF

Council is requested to nominate Councillors to represent the Shire of Nungarin at the various committees / groups.

BACKGROUND

The Council has been represented on a number of committees and groups over the years. After each local government election Council is required to nominate representative to the various committees / groups.

REPORT DETAIL

Representation at the various committees / groups is important to ensure the Council remains up to date with matters that may arise in certain areas. Further, it provides the opportunity for the Council to become involved in potential initiative that may have a positive outcome for the Town.

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	A Shire that prospers through partnerships and good governance.
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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 landowners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Moderate	Non-representation on the various committees / groups could result in the Council not being included in certain initiatives.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil

CONCLUSION

Having a representative on the various committees / groups is important to ensure Council remains up to date with any future initiatives.

14.3 WAIVER OF HIRE FEE FOR THE PORTABLE ABLUTION.	
File Ref:	123090
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment:	Nil

OFFICER RECOMMENDATION:

That Council Resolves to:

1. Approve the waiver of the hire fee for the portable abluion to Geoff Dayman for a period between 29 September 2021 and 6 October 2021.

Moved:

Seconded:

.....

IN BRIEF

Council is requested to consider waiving the hire fee for the portable abluion.

BACKGROUND

The hire of the portable abluion was due to the failure of the domestic effluent system and the timeframe to have the problem resolved.

REPORT DETAIL

The approved 2021/22 fees and charges list the hire fee of the portable abluion at \$67 per day. The purpose of hiring the Shires plant and equipment is to create an additional yet small revenue source.

Generally, the plant in question is hired out for a commercial event or possibly large private parties. However, the hire in question was solely for personal use whilst their own abluion was being repaired.

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	A welcoming community that cares and looks after each other.

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
Low	This situation is considered to be unique and unlikely to create a precedent.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

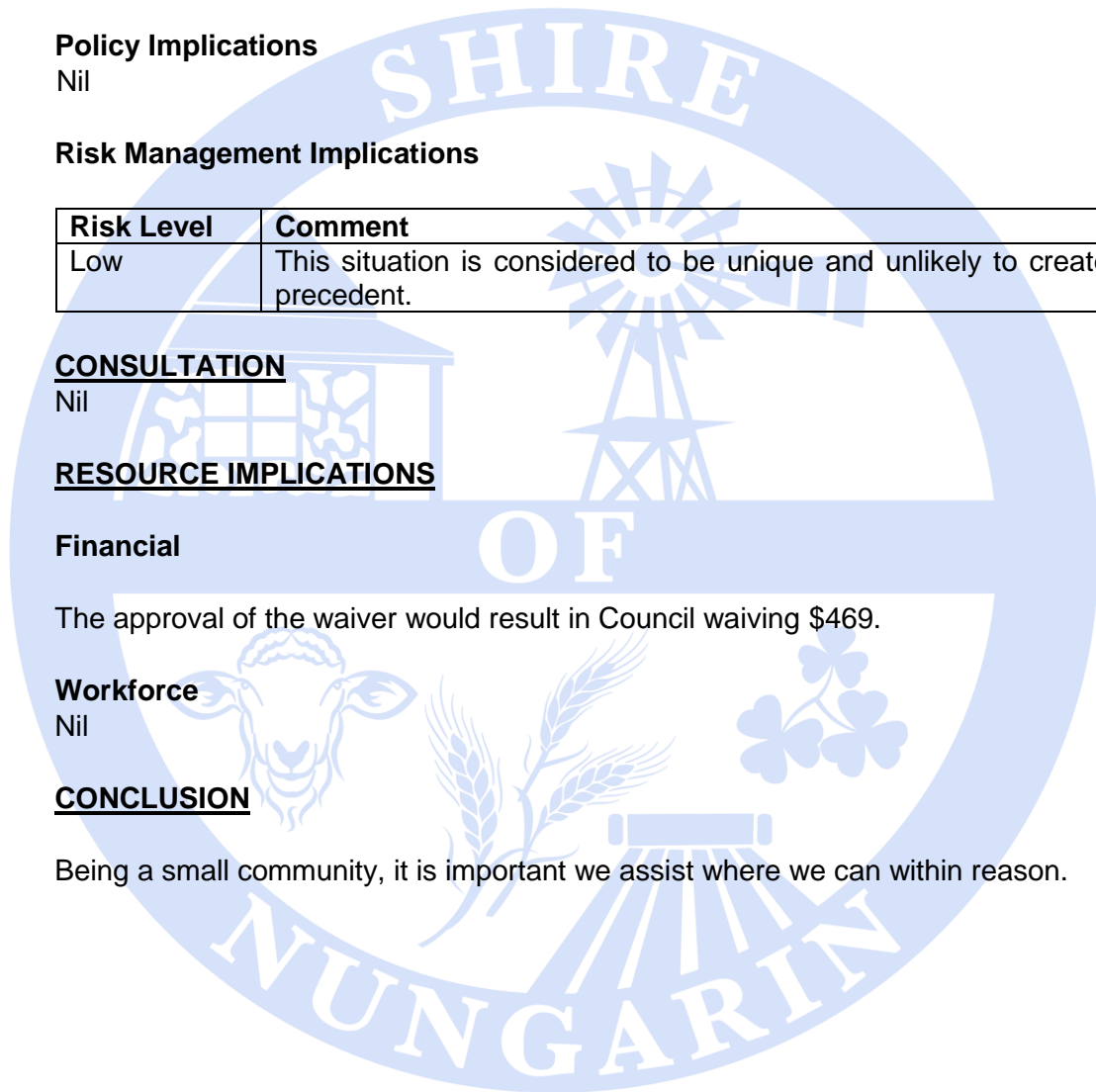
The approval of the waiver would result in Council waiving \$469.

Workforce

Nil

CONCLUSION

Being a small community, it is important we assist where we can within reason.



14.4 WAIVER OF FEE FOR THE NUNGARIN COMMUNITY & MEN’S SHED	
File Ref:	121061
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Nil

OFFICER RECOMMENDATION:

That Council Resolves to:

1. Approve the waiver of fees request from the Nungarin Community & Men’s Shed for 3 (three) tons of sand delivered to the Nungarin Community & Men’s Shed building.

Moved:
 Seconded:

.....

IN BRIEF

Council is requested to consider waiving the fee for sand delivered to the Nungarin Community & Men’s Shed.

BACKGROUND

In September the Nungarin Community & Men’s Shed requested 3 (three) tons of sand be delivered to the Nungarin Community & Men’s Shed building. The sand is to be used for repair to the ablution facility.

REPORT DETAIL

Being a community group in town it is the opinion that the waiver of fees should be considered favourably.

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 landowners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Low	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 approval of the waiver would result in Council waiving \$129.

Workforce

Nil

CONCLUSION

The Council currently provides a service of some kind or another to a number of the community groups in town i.e. Nungarin Markets. The waiver of the cost of the sand will not result in financial benefit for any one person but will assist the Nungarin Community and Men’s Shed in a small way.

14.5 SHIRE OF NUNGARIN STAFF / COMMUNITY CHRISTMAS FUNCTION	
File Ref:	41050
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment:	Nil

OFFICER RECOMMENDATION:

That Council Resolves to:

1. Host a joint Shire Staff and Community Christmas function at the Nungarin Swimming Pool on ____ November / December 2001.
2. Waive the entry fee to the Nungarin Swimming Pool for the community attending the Staff and Community Christmas Function.

Moved:

Seconded:

.....

IN BRIEF

Council is requested to consider the date for the annual Christmas function.

BACKGROUND

Generally, the Council hosts a Christmas Function to close off the calendar year and acknowledge the work staff have put in during the year.

REPORT DETAIL

Earlier in the year officers meet with all the community groups to obtain support / assistance to host a community Christmas function that would incorporate the staff annual Christmas function.

A community survey was conducted to gauge the community’s interest to attend a community Christmas function along with some other festive season initiatives i.e. Christmas Lights Competition. Unfortunately, no support was received from the community.

Officers are of the opinion the lack of support may be due to a community Christmas function not having hosted by Council for a long time and may have led to community scepticism. As such officers recommend Council host a community Christmas function regardless, the function would be a BYO with an open invitation to the community.

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
Low	The risk to Council to host the function is considered low and would not likely have any impact on Council

CONSULTATION

– a joint community group meeting as well as a community survey

RESOURCE IMPLICATIONS**Financial**

The cost of the function will be within the allocation made in the 2021/22 Adopted budget.

Workforce

Nil

CONCLUSION

Generally, the Council would host a Christmas function to show their appreciation to staff for their work throughout the year. However, the Nungarin community is very much involved in the Town and it would be a great gesture for Council to involve the community.

14.6 CHRISTMAS PERIOD CLOSURE OF SHIRE OFFICES / DEPOT	
File Ref:	41050
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Nil

OFFICER RECOMMENDATION:

That Council Resolves to:

- Approve the closure of the Shire administration office and Depot on 22 December 2021 and reopening on 5 January 2022.**

Moved:

Seconded:

.....

IN BRIEF

Council is requested to consider the closure of the Shire Administration Office and Depot over the Christmas period.

BACKGROUND

Annually the Shire Administration Office and Depot is closed for the Christmas period.

REPORT DETAIL

It is recommended the Administration Office close on 22 December 2021 as well as the Depot and reopen on 5 January 2022.

During the closure period the Depot will operate on skeleton staff allowing the much-needed maintenance of machinery and equipment to be done. The Chief Executive Officer, Manager Works and Services and the Supervisor Works and Service will be on call should an urgent matter occur requiring immediate action.

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)

Nil

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

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Low	Whilst the Administration Office / Depot will be closed staff will still be available should an urgent matter occur.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

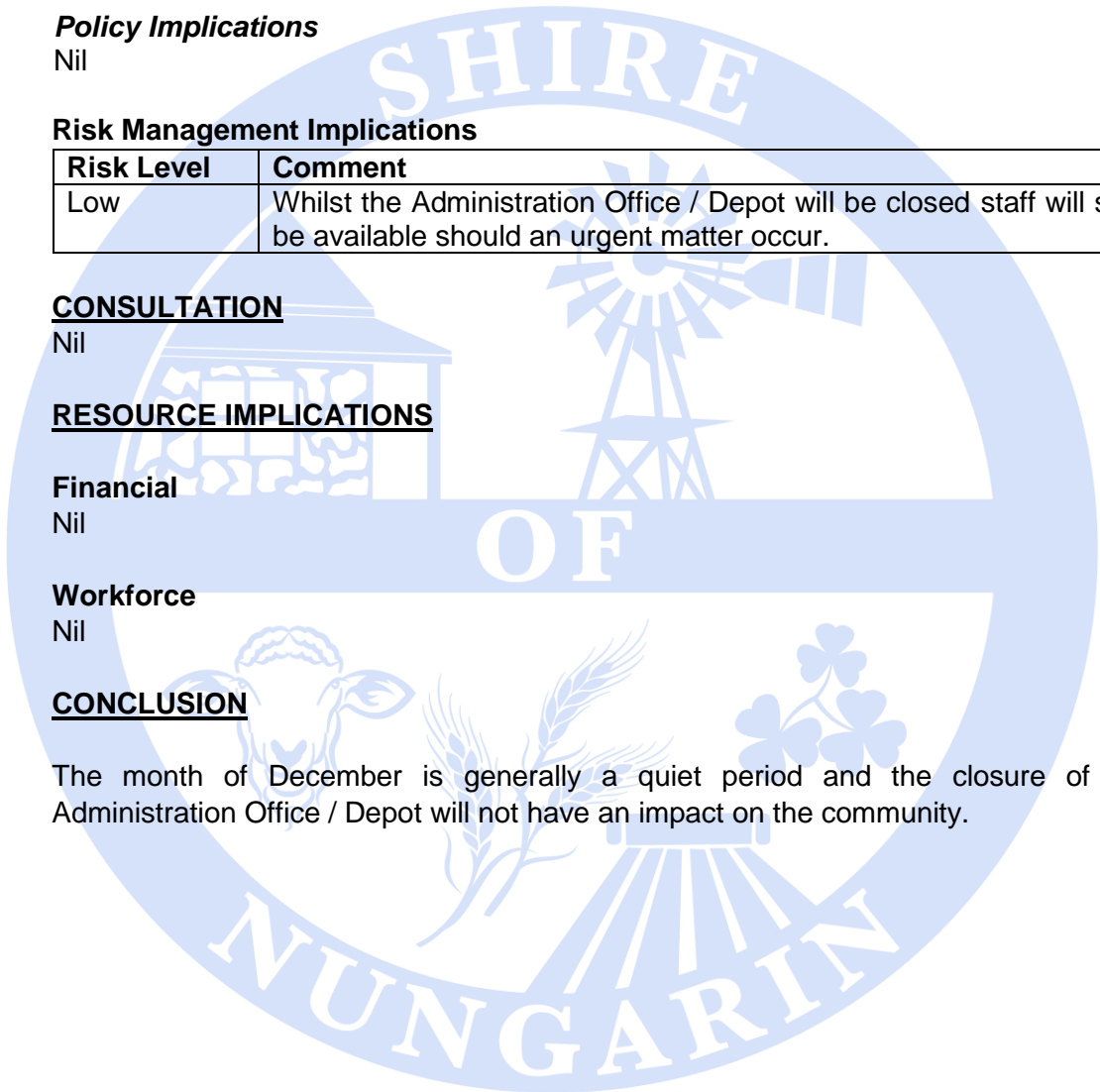
Nil

Workforce

Nil

CONCLUSION

The month of December is generally a quiet period and the closure of the Administration Office / Depot will not have an impact on the community.



14.7 ELECTED MEMBER SUPERANNUATION POLICY POSITION	
File Ref:	41009
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	14.7(A) – Draft WALGA Superannuation Policy for Elected Members

OFFICER RECOMMENDATION:

That Council Resolves to:

- 1. Not support the proposal by the Western Australian Local Government Association to lobby for superannuation for Elected Members.**
- 2. Make the following submission should the matter be considered further:**
 - a. Council believes if Elected Members wish to receive greater attendance fees (or allowances) it should be able to be achieved within the current approved bands.**
 - b. Council believes if the legislation is proposed to be changed, it should be optional for Council’s to participate.**
 - c. If a Council opts to participate (by majority vote) it must be implemented for all Elected Members.**

Moved:

Seconded:

.....

IN BRIEF

Council is requested to consider its position on the draft policy proposal by the Western Australian Local Government Association (WALGA) regarding superannuation being paid to Elected Members.

BACKGROUND

WALGA has requested local governments provide feedback as to whether or not WALGA should pursue elected members receive superannuation based on their sitting fees.

The proposal from WALGA is to have the *Local Government Act 1995* amended in order to permit elected members to receive in addition to their sitting fees and allowances a superannuation payment.

Currently there are problems associated with the need to withhold income tax and also to pay fringe benefits tax, which WALGA is proposing to overcome by amending the Act.

WALGA has requested feedback be received no later than 29 October 2021 to allow sufficient time to prepare a report on the matter to the December State Council.

REPORT DETAIL

There is no obligation on local governments to pay superannuation on behalf of councillors, as they are not considered employees.

The Salaries and Allowances Tribunal has released the following statement previously:

“Nothing in this determination establishes a liability for the payment of superannuation by local governments. Elected council members are eligible for superannuation payments if their council has resolved unanimously to become an Eligible Local Governing Body (ELGB) pursuant to section 221A and section 221B of the Income Tax Assessment Act 1936 (Cwlth). Where the council is an ELGB, it is deemed to have an employer/employee relationship with its elected council members and this attracts the application of a number of statutory obligations. Alternative arrangements described in Australian Taxation Office (ATO) Interpretative Decision ATO ID 2007/205 allow for elected council members and councils to agree for whole or part of meeting attendance fees to be paid into a superannuation fund. Where the council is an ELGB, fees for attendance at council, committee and prescribed meetings (whether paid via a per meeting fee or annual allowance) are to be inclusive of any superannuation guarantee liability. This information is not published by way of legal or financial advice.”

It is not recommended Council consider becoming an ELGB, as it has withholding implications for councillor sitting fees as well as FBT implications on the taxable value of expenses paid and facilities provided to Councillors.

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	A Shire that prospers through partnerships and good governance

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 landowners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Low	Council is not committed as this report is merely to provide its opinion on the WALGA proposal.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

Table 4, of the Salary and Allowances Tribunal (SAT) determination allows elected members of a band four (4) local government to be remunerated per Council Meeting as follows:

- Minimum	\$91	Maximum	\$238
-----------	------	---------	-------

At its Ordinary Council Meeting of 21 July 2021 Council resolved to pay elected members as follows:

a. Presidents Annual Allowance	\$4,000
b. Presidents Sitting Fee	\$120
c. Deputy Shire President Annual Allowance	\$1,000
d. Elected Members Sitting Fee – Council Meetings	\$100
e. Elected Members Sitting Fee – Other Meetings	\$50

The implications are if Council resolves (absolute majority would be required) to pay superannuation (but not to be an ELGB), then the Council will have to pay 10% into an approved super fund, on top of the sitting fees/allowances currently paid to Councillors.

Workforce

Nil

OPTIONS

Council has the option of:

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

CONCLUSION

Should Council wish to increase their sitting fees there is sufficient scope within the approved, Table 4, of the Salary and Allowances Tribunal (SAT) Band 4. As such an increase in the sitting fees can be accommodated without the need to introduce superannuation payments as proposed.

14.8 DISPOSAL OF COUNCIL ASSETS – 2001 CASE BACKHOE	
File Ref:	41504
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Cameron Large, Manager Works and Services
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Attachment Number:	Confidential Attachment 14.8(A) – Reserve Price under separate cover.

OFFICER RECOMMENDATION:

That Council Resolves to,

1. Authorise the Chief Executive Officer to dispose of the 2000 Caterpillar Backhoe in accordance with the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996* requirements.

Moved:

Seconded:

Absolute Majority Required

.....

IN BRIEF

The 2001 Case Backhoe is excess to Council needs, and Council is requested to consider disposing of the asset.

BACKGROUND

Council has recently taken possession of its new Kubota Mini Excavator, which will be used in place of the 2001 Case Backhoe resulting in the 2001 Case Backhoe now being obsolete.

REPORT DETAIL

Shire officers obtained an estimated reserve price for the 2001 Case Backhoe from a registered auctioneering company. (**Confidential Attachment 14.8(A)**).

The sale of the obsolete plant will enable the Shire to work towards a sustainable plant replacement program.

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	A Shire that prospers through partnerships and good governance.

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.

Local Government (Functions and General) Regulations 1996

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)

Keeping plant / equipment beyond its useful life is detrimental and does not have any positive impact on the economy.

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

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
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High	Keeping plant / equipment beyond its useful life is detrimental and costly due to increasing maintenance cost and increase in the depreciation value.
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CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

Funds obtained through the sale of redundant plant / equipment will be used towards the purchase of new plant / equipment.

Workforce

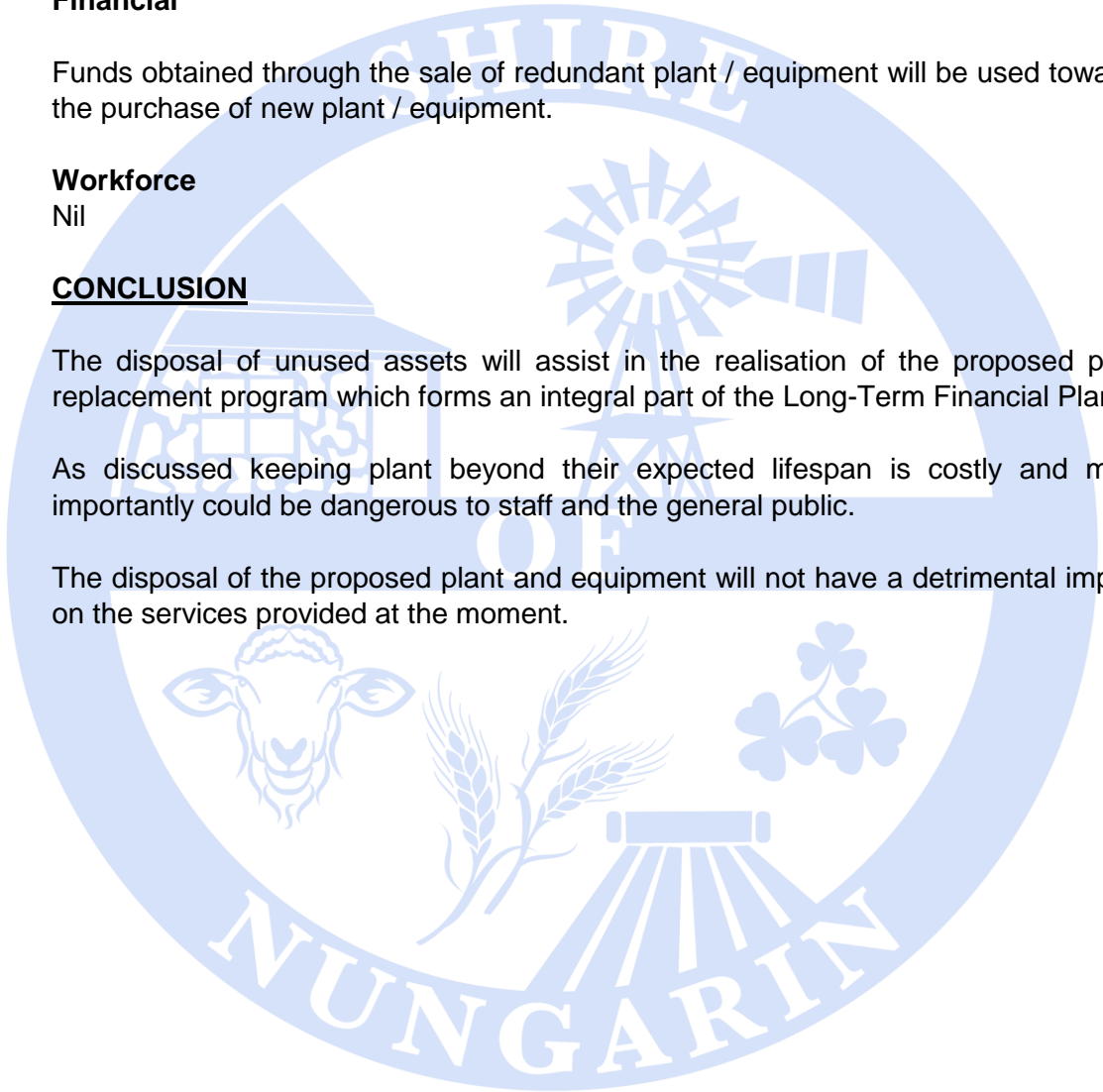
Nil

CONCLUSION

The disposal of unused assets will assist in the realisation of the proposed plant replacement program which forms an integral part of the Long-Term Financial Plan.

As discussed keeping plant beyond their expected lifespan is costly and more importantly could be dangerous to staff and the general public.

The disposal of the proposed plant and equipment will not have a detrimental impact on the services provided at the moment.



14.9 LISTING OF PAYMENTS FOR THE MONTH OF SEPTEMBER 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 14.9A – Payment List

OFFICER RECOMMENDATION:

That Council,

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

Municipal	Cheque	\$ 1,885.64
	EFT	\$ 99,738.38
	Direct Debit	\$ 11,344.03
		\$ 112,968.05
Trust	Cheque – Nil	\$ 0.00
	Grand Total	\$ 112,968.05

Moved:

Seconded:

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 September 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

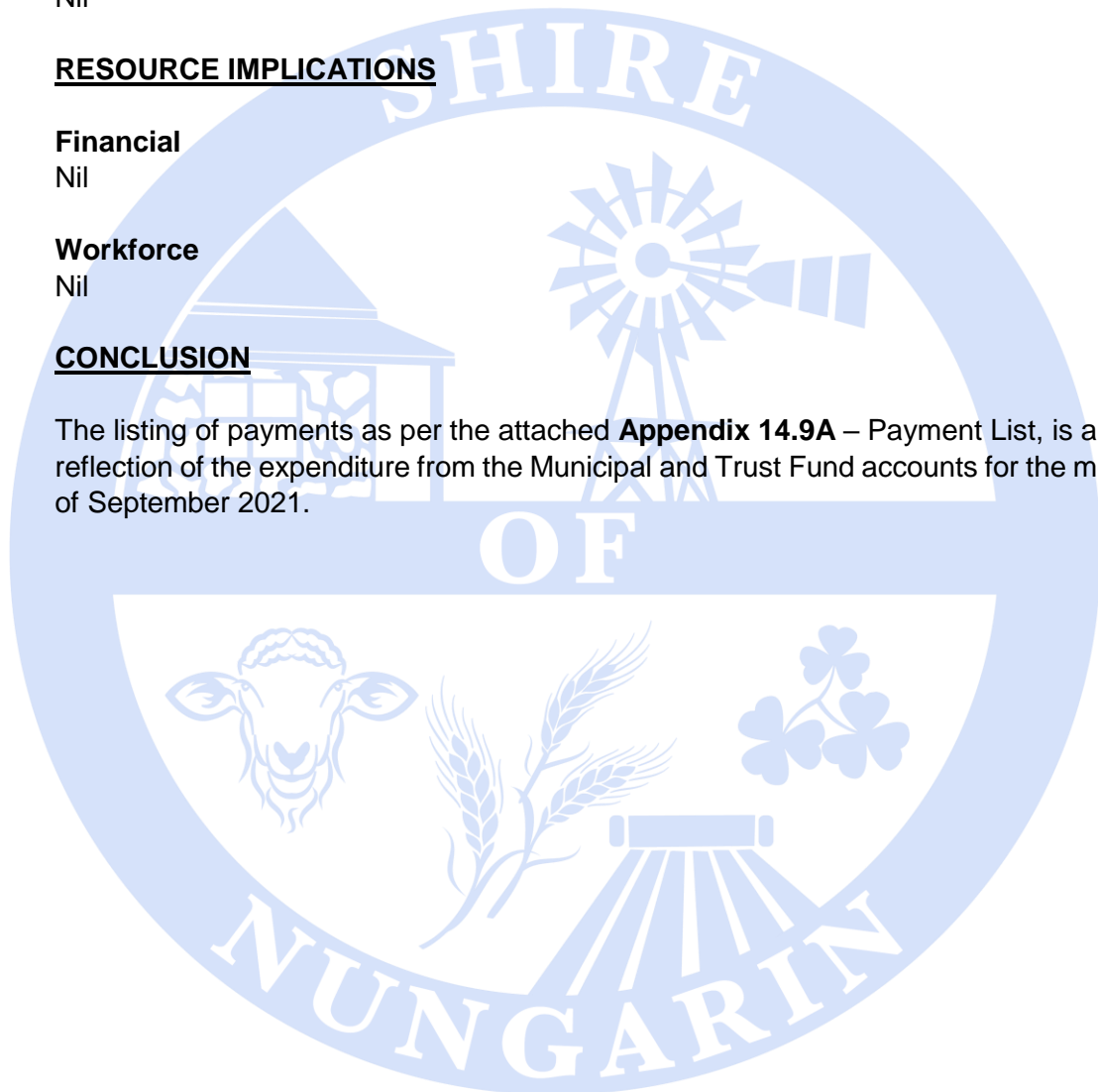
Nil

Workforce

Nil

CONCLUSION

The listing of payments as per the attached **Appendix 14.9A** – Payment List, is a true reflection of the expenditure from the Municipal and Trust Fund accounts for the month of September 2021.



14.10 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 SEPTEMBER 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 14.10A – Monthly Statement

OFFICER RECOMMENDATION:

That Council:

1. **Receives the monthly financial activity statement for the period ending 30 September 2021.**

Moved:

Seconded:

.....

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 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.

The Statement of Financial Activity as at 30 September 2021 shows a closing surplus of \$1,806,412.

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

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*

15. DELEGATES REPORTS

15.1 Cr O’Connell (**APPENDIX 15.1A**)

16. NEW BUSINESS OF AN URGENT NATURE

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

17. CONFIDENTIAL ITEMS OF BUSINESS

OFFICER RECOMMENDATION

That Council proceeds behind closed doors as per Section 5.23(2) of the Local Government Act for considering item 17.1, the time beingpm

Moved:

Seconded:

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17.1 CONFIDENTIAL ITEM - STAFF BONUSES FOR 2021	
File Ref:	41081
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Nil

OFFICER RECOMMENDATION:

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

OFFICER RECOMMENDATION:

That the meeting proceeds in public, the time beingpm

Moved:

Seconded:

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18. CLOSURE

The being no further business the meeting closed at

Presiding Member

Date