



MINUTES

ORDINARY COUNCIL MEETING

17 MAY 2023

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AGENDA

1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 4:32pm.

Affirmation of Civic Duty and Responsibility as Read

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

Acknowledgement of Traditional Custodians

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

2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors

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 M Caughey

Council Officers

Chief Executive Officer	Mr L Long
Manager Works & Services	Mr D Nayda

Observers / Visitors

- Nil

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
- Nil
 - 5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT
- Nil
- 6. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)
- Nil
- 7. PREVIOUS COUNCIL MEETING MINUTES / OUT OF SESSION CONFIRMATION
 - 7.1 ORDINARY COUNCIL MEETING – 19 April 2023

COUNCIL RESOLUTION 31/05/23

That the Minutes of the Ordinary Council Meeting held on 19 April 2023 be confirmed as being a true and accurate record.

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

CARRIED 7/0

- 7.2 SPECIAL COUNCIL MEETING – 10 May 2023

COUNCIL RESOLUTION 32/05/23

That the Minutes of the Confidential Special Council Meeting held on 10 May 2023 be confirmed as being a true and accurate record.

Moved: Cr G Coumbe
Seconded: Cr J Davis

CARRIED 7/0

8. OFFICER REPORTS

8.1 LISTING OF PAYMENTS FOR THE MONTH OF APRIL 2023	
File Ref:	10.13
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number	8.1A – Payment List

COUNCIL RESOLUTION 33/05/23

That Council Resolves to:

1. Receive the following payments made throughout the month of April 2023:

Municipal	Cheque	\$ 24,707.10
	EFT	\$248,739.67
	Direct Debit	<u>\$ 10,572.05</u>
		\$284,018.82

Trust	Cheque –	Nil
	Grand Total	\$284,018.82

Moved: Cr J Davis

Seconded: Cr W Lee

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 April 2023.

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 INTEGRATED STRATEGIC PLAN 2023 – 2033

Focus Area	Our Organisation
Community Priority	Effective forward planning, and engagement with our community
Success Measurement	We deliver sound financial and asset management

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

end

8.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 APRIL 2023	
File Ref:	10.2.2
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:	8.2A – Monthly Statement

COUNCIL RESOLUTION 34/05/23

That Council Resolves to:

- 1. Receives the monthly financial activity statement for the period ending 30 April 2023.**

Moved: Cr K Dayman

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:

- Statement of Comprehensive Income by Function/Program;
- Statement of Comprehensive Income by Nature/Type;
- Statement of Financial Activity;
- Summary of Net Current Asset Position;
- Statement of Explanation of Material Variances;
- Statement of Financial Position;
- Statement of Cash Flows;
- Detailed Operating and Non-Operating Schedules;
- Statement of Cash Back Reserves;
- Loan Borrowings Statement; and
- Trust Statement.

MATERIAL VARIANCE COMMENTARY ON YEAR TO DATE

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

The Statement of Financial Activity as at 30 April 2023 shows a closing surplus of \$783,448.

SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 – 2033

Focus Area	Our Organisation
Community Priority	Effective forward planning, and engagement with our community
Success Measurement	We deliver sound financial and asset management

OTHER STRATEGIC LINKS

Shire of Nungarin 2022/23 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

end

8.3 APPOINTMENT OF FINANCIAL CONSULTANCY	
File Ref:	10.31
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	8.3A – Request for Quotation 8.3B – Confidential DL Consulting 8.3C – Confidential Moore Australia Pty Ltd

COUNCIL RESOLUTION 35/05/23

That Council Resolves to:

- 1. Appoint DL Consulting as per Attachment 8.3B for a period of two (2) years (2023/24 and 2024/25) to provide financial consultancy services to the Shire of Nungarin.**

Moved: Cr RE O'Connell

Seconded: Cr W Lee

CARRIED 7/0

IN BRIEF

Council is requested to consider the appointment of DL Consulting to provide the Shire with financial services.

BACKGROUND

Due to the small workforce and the added difficulty of recruiting a suitably qualified person the Shire has always engaged the services of a Financial Consultant. DL Consulting has been engaged by the Shire for the past several years and has provided an outstanding service.

REPORT DETAIL

In January 2023, the Shire sent out a request for quotation to a number of financial consultancies requesting (if interested) to provide a quotation as per the 'Scope of Work' contained in the 'request for quotation' (**ATTACHMENT 8.3A**).

Two responses were received as a result of the 'request for quotation' sent out:

- Moore Australia (WA) Pty Ltd (**CONFIDENTIAL ATTACHMENT 8.3C**); and
- DL Consulting (**CONFIDENTIAL ATTACHMENT 8.3B**).

It is the opinion that either of the two applicants could do the work, as such the recommendation is based on the cost of the service, which is contained in the

SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 – 2033

Focus Area	Our Organisation
Community Priority	Skilled and capable shire staff and community leaders
Success Measurement	We deliver sound financial and asset management

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
High	It is imperative for the shire to ensure its financial responsibilities are met at all times, which will not be possible without financial services

CONSULTATION

Nil

RESOURCE IMPLICATIONS**Financial**

The cost of the Financial Consultancy will be included in the budgets for the subsequent years.

Workforce

Nil

 end

8.4 BUDGET AMENDMENT – DANBERRIN ROAD RECONSTRUCTION	
File Ref:	26.5.4.1
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Attachment Number:	Nil

COUNCIL RESOLUTION 36/05/23

That Council Resolves to:

1. **Approved the overspend of the RRG – Danberrin Road reconstruction project and the amendment of the approved 2022/23 budget as follows:**

Description	GL N#	Reduce	Increase
RRG – Danberrin Road	412102		\$30,000
Lot 186 Danberrin Capital	404211	\$30,000	

Moved: Cr J Davis

Seconded: Cr G Coumbe

CARRIED BY ABSOLUTE MAJORITY 7/0

IN BRIEF

Council is requested to consider the amendment of the approved budget to fund the forecast budget overrun on the reconstruction of Danberrin Road.

BACKGROUND

Danberrin Road reconstruction is a long-term project to be done over several years and mainly funded through the Regional Road Group funding stream, with a contribution from Council. The current phase, phase 2 of its reconstruction is nearing completion with phase 3 to be started in the next financial year.

REPORT DETAIL

The expected forecast overrun for this project is estimated to be \$90,000, this is mainly due to cost escalations out of the officers control. To fund the forecast overrun, the Shire requested through the Sub Regional Roads Group (SRRG) to assist. The request to assist was approved subject to the Council contributing one third of the cost, \$30,000.

SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 – 2033

Focus Area	Our Organisation
Community Priority	Skilled and capable shire staff and community leaders

Success Measurement	We deliver sound financial and asset management
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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 land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	Should the amendment not be approved the Shire will not be able to fund the completion of the current phase.

CONSULTATION

Nil

RESOURCE IMPLICATIONS**Financial**

The amendment will still ensure the budget remains a balanced budget.

Workforce

Nil

 end

9. MINUTES OF COMMITTEES

(Minutes of the various Committees and other Forums where Council is represented by an Elected member is listed below for Councillors information only.)

- 9.1 **Kununoppin Medical Practice – 27 April 2023 (Attachment 9.1A)**
- 9.2 **Greater Eastern Zone - 17 April 2023 (Attachment 9.2A)**
- 9.3 **Sub Regional Roads Group – 18 April 2023 (Attachment 9.3A)**
- 9.4 **NEWROC Council Meeting – 27 April 2023 (attachment 9.4A)**

10. DELEGATES REPORTS

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

10.1 Cr O'Connell

(ATTACHMENT 10.1A)

- Attended a WSNF meeting, John has offered to discuss the projects with the new CEO. Meeting was conducted via teams.
- Some Shires are behind on projects, funds may be considered to be relocated.
- Governance procedure manual has now been adopted.

10.2 Cr Coumbe

- Shed has been reduced in size by removing one bay due to the water tank requirements. The building permit has been submitted to the Shire with an estimated date to commence building in June.

10.3 Cr de Lacy

- Attended NEWROC Workshop followed by a Council meeting. NEWROC, looking at creating an economic development group, Cr de Lacy noted her interest in joining the ED group.

10.4 Cr Lee

- Attended a Museum meeting.

11. NEW BUSINESS OF AN URGENT NATURE

- Nil

12. CONFIDENTIAL ITEMS OF BUSINESS

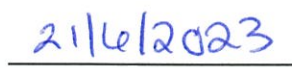
- Nil

13. CLOSURE

There being no further business the meeting closed at 5:02pm



Presiding Member



Date

11. NEW BUSINESS OF AN URGENT NATURE

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

OFFICER RECOMMENDATION

That Council considers Item 11.1 - Request to Waive Hire Fees – NEWROC Literary Lunch as new business of an urgent nature.

Moved:

Seconded:

.....

11.1 REQUEST TO WAIVE HIRE FEES – NEWROC LITERARY LUNCH

File Ref:	4.17
Previous Items:	Nil
Applicant:	Nil
Author and Title:	David Nayda, Acting Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number	11.1 – Email Request

OFFICER RECOMMENDATION

That Council approves the request from the Nungarin Community Resource Centre to waive the hire fees for the Nungarin Recreation Centre Building for the 2023 NEWROC Literary Lunch.

Moved:

Seconded:

.....

IN BRIEF

Council is requested to consider waiving the hire fee associated with hiring the Nungarin Recreation Centre for the 2023 NEWROC Literary Lunch.

BACKGROUND

A request has been received from the Nungarin Community Resource Centre to waive the hire fee imposed through the approved Fees and Charges for the 2023 NEWROC Literary Lunch.

REPORT DETAIL

Book Clubs within the NEWROC host an annual Literary Lunch on a rotational basis. This year the Nungarin Community Resource Centre is arranging to host the NEWROC Literary Lunch at the Nungarin Recreation Centre in August.

Functions held in Nungarin are good for the economy of the town due to the volume of visitors attracted to town, who use the local shop and or pub. It also showcases other attractions in town like the Nungarin Heritage Machinery and Army Museum.

Officers believe it is important for the Council to support any event held in town and as such recommend the waiver of hire fees. However, Officers do not support the waiver of any bonds due to the potential of damage to the facility, and the fact that should the facility and grounds be returned and provided the bonds will be refunded.

SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 - 2033

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

OTHER STRATEGIC LINKS

There are no other strategic links.

STATUTORY ENVIRONMENT

Local Government Act 1995, section 6.12 Power to defer, grant discounts, waive or write off debts applies.

SUSTAINABILITY AND RISK CONSIDERATIONS

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

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

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

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

Policy Implications

Nil.

Risk Management Implications

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

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

Waiving the fees will cost the Shire \$298 in potential income.

Workforce

Nil

end