

# SHIRE OF NUNGARIN



## ORDINARY MEETING MINUTES

18<sup>th</sup> September 2019

# Shire of Nungarin

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Ordinary Council Meeting Minutes 18 September 2019

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**SHIRE OF NUNGARIN**

**Council Meeting Minutes**

**18 September 2019**

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**1. DECLARATION OF OFFICIAL OPENING**

At 3:00pm, the Shire President declared the meeting open and the Affirmation of Civic Duty and Responsibility was read aloud by Cr Davis. The Shire President also made acknowledgement of the Traditional Custodians of the land.

**2. RECORDING OF ATTENDANCE, APOLOGIES & LEAVES OF ABSENCE**

**2.1 ATTENDANCE**

Shire President	Cr RE O'Connell
Deputy Shire President	Cr G Coumbe
Elected Member	Cr B Palmer
Elected Member	Cr K Dayman
Elected Member	Cr P de Lacy
Elected Member	Cr J Davis

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

**2.2 APOLOGIES**

Nil

**2.3 LEAVES OF ABSENCE**

*Record Councillor Leaves of Absence where previously endorsed for this meeting.*

**2.4 NEW REQUESTS FOR LEAVES OF ABSENCE**

### **3. DELEGATIONS & PETITIONS**

#### **3.1 DELEGATIONS**

Nil

#### **3.2 PETITIONS**

Nil

### **4. PUBLIC QUESTION TIME**

#### **Rules for Council Meeting Public Question Time**

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

#### **4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

#### **4.2 QUESTIONS FROM MEMBERS OF THE PUBLIC**

Mr Malaspina of Railway Avenue, Nungarin, submitted the following questions to Council in writing prior to the Council meeting which were taken on notice and to be addressed in the Council meeting agenda for October 2019. Note, these questions are unedited and have been cut directly from an email dated 18 September 2019.

*1. Was aware I made an offer to purchase the office block from the Nungarin Shire that is next to the park*

*2. Was aware of the email Rachel and I received from the CEO regarding us have a problem with Mr Wegner*

3. Was aware the Nungarin Community & Men's Shed hand delivered a letter addressed to council and have not received a written reply.

4. Was aware of any progress in obtain the title to the property next to the park on railway avenue

5. Was aware if the Nungarin shire has been able to obtain any of the \$30,000.00 the previous CEO paid for fuel that the previous shop owner did not reanburse the Nungarin shire.

6. Was aware that it has taken two years, 20 emails to Nungarin shire, 5 emails to Mia Davies, one meeting with the CEO for both business in Railway avenue to be treated equally and it has been suggested by the CEO that I have a problem with Mr Wegner - Perhaps the blame is both CEO not doing there job in a timely manner.

6. Did the Nungarin Shire require Wegner Rural to get the boundary surveyed before the fence was re installed?

## 5. DECLARATIONS OF INTEREST

Councillors / Staff are reminded of the requirements of section 5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed, and also of the requirement to disclose an interest affecting impartiality under the Shire's Code of Conduct.

Councillors / staff are required to submit declarations of interest in writing on the prescribed form.

### 5.1 FINANCIAL & PROXIMITY INTERESTS

Nil

### 5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT

Nil

## 6. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Written announcements by the Presiding Member or important forthcoming functions to be tabled at this point. The Presiding Member may, at their discretion, wish to make verbal announcements.

### OFFICER RECOMMENDATION/S – ITEM NO 6

That the President's report be received.

### COUNCIL DECISION – 6255

**Moved: Cr de Lacy, Seconded: Cr Palmer**

**That the President's report be received.**

**CARRIED: 6/0**

**7. CONFIRMATION OF COUNCIL MINUTES AND RECEIVING OF MINUTES**

**7.1 ORDINARY COUNCIL MEETING 21 AUGUST 2019**

**OFFICER RECOMMENDATION/S – ITEM NO 7.1**

That the Minutes of the Ordinary Meeting, of the Shire of Nungarin held on 21 August 2019 in Council Chambers be confirmed.

**COUNCIL DECISION – 6256**

**Moved: Cr Dayman, Seconded: Cr Coumbe**

**That the Minutes of the Ordinary Meeting, of the Shire of Nungarin held on 21 August 2019 in Council Chambers be confirmed.**

**CARRIED: 6/0**

**7.2 MINUTES OF NEWROC COUNCIL MEETING 27 AUGUST 2019**

**OFFICER RECOMMENDATION/S – ITEM NO 7.2**

That the Minutes of the NEWROC Council Meeting held on 27 August 2019 be received.

**COUNCIL DECISION – 6257**

**Moved: Cr Palmer, Seconded: Cr de Lacy**

**That the Minutes of the NEWROC Council Meeting held on 27 August 2019 be received.**

**CARRIED: 6/0**

**7.3 MINUTES OF GREAT EASTERN COUNTRY ZONE MEETING 27 AUGUST 2019**

**OFFICER RECOMMENDATION/S – ITEM NO 7.3**

That the Minutes of the Great Eastern Country Zone Meeting held on 27 August 2019 be received.

**COUNCIL DECISION – 6258**

**Moved: Cr Dayman, Seconded: Cr Palmer**

**That the Minutes of the Great Eastern Country Zone Meeting held on 27 August 2019 be received.**

**CARRIED: 6/0**

**8. CHIEF EXECUTIVE OFFICER REPORTS**

**8.1 URBAN PLANNING**

Nil

## 8.2 INFRASTRUCTURE

### 8.2.1 Works and Services Report

#### INFRASTRUCTURE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	All Council Meetings
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Manager Works and Services

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

#### PURPOSE OF REPORT

For Council to receive the Manager Works and Services report.



## **SUMMARY AND KEY ISSUES**

- Road counter is currently out on Nungarin North Road and the other is currently at the refuse site.
- Maintenance on machines is continuing as required and small items of plant being repaired. Trailers have been attended to with lights and brakes repaired to bring them all up to a working standard.
- Graders have been grading on Lees Road, Talgomine Reserve Road, Sainsbury Road, Youngs Road and Jolly Road.
- Road patching is ongoing with works on Chandler Nungarin Road
- Signage is being improved on throughout the shire with new signs being installed as time permits.
- The refuse site is being cleaned up in the metal area, with a contractor removing any metal products of value for this service. It is expected he will be here for another week.

## **LOCATION**

N/A

## **BACKGROUND**

N/A

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

## **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

## **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

## **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

**SOCIAL IMPLICATIONS**

There are no social implications at this time.

**OFFICER COMMENT**

Refer to summary and key issues above.

**OFFICER RECOMMENDATION/S – ITEM NO 8.2.1**

That the Manager Works and Services report be received

**COUNCIL DECISION – 6259**

**Moved: Cr Dayman, Seconded: Cr Palmer**

**That the Manager Works and Services report be received**

**CARRIED: 6/0**

## 8.2.2 Recreation Grounds

### INFRASTRUCTURE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	Parks and Gardens
Location / Property Index	:	Various
Application Index	:	N/A
Land Use	:	Parks and Gardens
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	All Council Meetings
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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#### PURPOSE OF REPORT

For Council to receive Recreation Grounds status report.

## **SUMMARY AND KEY ISSUES**

See officer's comments.

## **LOCATION**

All Recreation grounds

## **BACKGROUND**

Council has traditionally asked for status reports concerning Recreation Grounds and Gardens generally and this report is provided accordingly.

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

## **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

## **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

## **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

## **SOCIAL IMPLICATIONS**

There are no social implications at this time.

## **OFFICER COMMENT**

Oval:

Retic has remained off although with rising temperatures and reducing rains, this will be considered on a weekly basis depending on evidential stress.

Winter weeds are being treated with Kamba M as required. Meridian, for the treatment of beetles has been purchased and will be applied prior to the end of September.

**Cricket Pitch:**

Has been verti-mowed by staff and will be treated with Meridian as per the oval.

**Tennis Courts:**

The Tennis Club conducted a busy-bee to verti-mow the playing surfaces. The enthusiasm and cooperation of the Tennis Club is greatly appreciated and reflects how well clubs and the Shire can work together.

As per the oval and all other turf areas, the courts will be treated with Meridian towards the end of September.

Reticulation has been turned on to assist regrowth after the verti-mowing and will be monitored weekly according to weather patterns.

**Hockey Ground:**

Reverts back to care and maintenance for the summer period.

**Bowling green:**

Has been treated again for mould with another treatment planned before the end of October.

A general clean-up will be undertaken to remove debris from gutters and weed control as required.

**General:**

Pavilion lawns continue to present well with reticulation being managed on a needs basis. The area in front of the change rooms has again been verti-mowed.

All pavilion lawns will be treated with Meridian.

At time of reporting, dam was approximately 0.7m.

A Turf Consultant attended the Recreation Centre and met with the CEO and works staff. His initial comments are that the Shire should be congratulated on how well the areas are maintained.

A management programme will be developed which will guide staff as to appropriate times to apply certain fertilisers and insecticides to promote even greater growth, health and assist in maintenance. The programme will also identify supplements to be added on a seasonal basis.

**OFFICER RECOMMENDATION/S – ITEM NO 8.2.2**

That the Recreation Grounds status report be received.

**COUNCIL DECISION – 6260**

**Moved: Cr de Lacy, Seconded: Cr Palmer**

**That the Recreation Grounds status report be received.**

**CARRIED: 6/0**

## 8.2.3 Wheatbelt Secondary Freight Route – Governance Plans

### INFRASTRUCTURE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	WSFN Governance Plan
Attachment 2	WSFN Project Delivery Plan
Attachment 3	WSFN MCA Methodology

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	October 2018, June 2019
Applicant	:	Wheatbelt Secondary Freight Network
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

## **PURPOSE OF REPORT**

Council's consideration is required in relation to governance documents relating to the Wheatbelt Secondary Freight Network (WSFN).

## **SUMMARY AND KEY ISSUES**

- Mapping for the WSFN loosely started in 2014 through the various RRG's
- The WSFN started in 2016 with a working group consisting of the North and South RRG's, WALGA, MRWA, RDA Wheatbelt, Wheatbelt Development Commission and others
- Council has committed \$6000 to the WSFN for the 2019/20 year

## **LOCATION**

Whole of Wheatbelt

## **BACKGROUND**

The Wheatbelt Secondary Freight Route (WSFN) network in the Main Roads WA Wheatbelt region comprises some 4,400km of Local Government managed roads that connect with State and National highways to provide access for heavy vehicles into the region.

These roads are intended to enable large, high productivity trucks safe and cost effective access to business. The WSFR project is developing a business case, with the supporting evidence and documentation required, to seek the addition of a program of road improvements across the network be added to the Infrastructure Australia Priority List.

The WSFN has been successful in receiving grant monies to commence planning and projects. In addition to the grant funding, the 42 local governments covered have committed \$6000 each towards the project management.

According to grant requirements, and to ensure local government are aware as to how and where the money will be spent, it is necessary to implament governance plans to manage the project.

The WSFN has requested all local governments report to their Sub-Regional Road Group Council comments or identified issues.

## **CONSULTATION**

Numerous media releases exist in relation to the WSFN. In addition, Council is aware of the progress as a result of previous items relating to the funding.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.



### **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

### **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

### **FINANCIAL IMPLICATIONS**

There are no financial implications at this time.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

### **SOCIAL IMPLICATIONS**

There are no social implications at this time.

### **OFFICER COMMENT**

On review of the documents provided, they appear to be fit for purpose and clearly identify the roles of the WSN and how monies are to be utilised.

The methodology relating to the assessment criteria is firm in principle and is not dissimilar to existing processes undertaken through the Regional Road Group system.

It is considered appropriate for Council to endorse the documents and instruct the Shire President, as delegate to the Sub-Regional Road Group (Wheatbelt North East), to provide support to the same at the next meeting.

### **OFFICER RECOMMENDATION/S – ITEM NO 8.2.3**

**That Council receives and notes the Wheatbelt Secondary Freight Network Governance Documents and instructs the Shire President, as delegate to the Sub-Regional Road Group (Wheatbelt North East), to provide Council's support of the documents.**

### **COUNCIL DECISION – 6261**

**Moved: Cr Davis, Seconded: Cr de Lacy**

**That Council receives and notes the Wheatbelt Secondary Freight Network Governance Documents and instructs the Shire President, as delegate to the Sub-Regional Road Group (Wheatbelt North East), to provide Council's support of the documents.**

**CARRIED: 6/0**

**8.3 COMMUNITY DEVELOPMENT**

Nil

## 8.4 MANAGEMENT / GOVERNANCE / POLICY

### 8.4.1 Use of Shire Common Seal – Application for New Titles

#### MANAGEMENT/GOVERNANCE/POLICY

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	Lots 213, 214 and 217 Second Avenue
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
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## **PURPOSE OF REPORT**

For Council to authorise the application of the Shire Common Seal to an Application for New Titles document(s) and for the signing of the same.

## **SUMMARY AND KEY ISSUES**

- Lots 213, 214 and 217 are the subject lots where the CEACA houses are being constructed.
- As part of the CEACA project, Council has previously committed to amalgamating the lots and then transferring the new titles to CEACA
- The application for new titles is the final phase of the subdivision (amalgamation) of the subject lots
- Following the issue of the new title, a transfer to CEACA would need to take place.

## **LOCATION**

Lots 213, 214 and 217 Second Avenue, Nungarin.

## **BACKGROUND**

An application for new title is required to finalise the amalgamation of the CEACA housing lots to progress the overall development of the project.

Council is aware, that as part of its commitments to CEACA, the land where the houses are built are owned by the Shire. As the development required building over existing boundary lines, and to make more efficient use of space, the subject lots were required to be amalgamated.

Accordingly, all surveys have been undertaken and documents lodged as part of the CEACA project expenses, of which the Shire contributes annually towards.

The final step in the amalgamation is to apply for the new title for the land. Following this, the Shire would then be required to transfer the land to CEACA further forming part of its contribution to the project.

All legal documents of this nature require the Shire Common Seal to be applied.

## **CONSULTATION**

Metro Settlements and CEACA.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

### **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

### **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

### **FINANCIAL IMPLICATIONS**

Professional fees of \$725.81 will be incurred on completion of this project. A reimbursement from the CEACA project funds will be sought.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

### **SOCIAL IMPLICATIONS**

There are no social implications at this time.

### **OFFICER COMMENT**

The application of new titles is the final process in the amalgamation of the lots to enable the CEACA project to continue successfully.

### **OFFICER RECOMMENDATION/S – ITEM NO 8.4.1**

That Council authorises the Shire President and Chief Executive Officer to sign the Application for New Title document in relation to Deposited Plan 410914 and apply the Shire Common Seal to the same.

### **COUNCIL DECISION – 6262**

**Moved: Cr Dayman, Seconded: Cr Davis**

**That Council authorises the Shire President and Chief Executive Officer to sign the Application for New Title document in relation to Deposited Plan 410914 and apply the Shire Common Seal to the same.**

**CARRIED: 6/0**

## 8.5 CORPORATE

### 8.5.1 Investments Report as at 31 August 2019

#### CORPORATE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	Nil
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

#### PURPOSE OF REPORT

For Council to receive the investment Report as at 31 August 2019.

## **SUMMARY AND KEY ISSUES**

- The Investment Report is presented for Council to receive.

## **LOCATION**

N/A

## **BACKGROUND**

Money held in the Municipal Fund of the Shire of Nungarin that is not required for the time being may be invested under the Trustee Act 1962 Part III.

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

Council Policy 3.07 applies to the investment of surplus funds.

## **STATUTORY IMPLICATIONS**

### **Local Government Act 1995**

#### **6.14. Power to invest**

- (1) Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the *Trustees Act 1962* Part III.
- (2A) A local government is to comply with the regulations when investing money referred to in subsection (1).
- (2) Regulations in relation to investments by local governments may —
  - (a) make provision in respect of the investment of money referred to in subsection (1); and
  - [(b) *deleted*]
  - (c) prescribe circumstances in which a local government is required to invest money held by it; and
  - (d) provide for the application of investment earnings; and

- (e) generally provide for the management of those investments.

### **Local Government (Financial Management) Regulations 1996**

#### **19. Investments, control procedures for**

- (1) A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.
- (2) The control procedures are to enable the identification of —
  - (a) the nature and location of all investments; and
  - (b) the transactions related to each investment.

#### **19C. Investment of money, restrictions on (Act s. 6.14(2)(a))**

- (1) In this regulation —

**authorised institution** means —

- (a) an authorised deposit-taking institution as defined in the *Banking Act 1959 (Commonwealth)* section 5; or
- (b) the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*;

**foreign currency** means a currency except the currency of Australia.

- (2) When investing money under section 6.14(1), a local government may not do any of the following —
- (a) deposit with an institution except an authorised institution;
  - (b) deposit for a fixed term of more than 12 months;
  - (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
  - (d) invest in bonds with a term to maturity of more than 3 years;
  - (e) invest in a foreign currency.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

#### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

#### **SOCIAL IMPLICATIONS**

There are no social implications at this time.

#### **OFFICER COMMENT**

The worksheet below details the investments held by the Shire as at 31 August 2019:



SHIRE OF NUNGARIN INVESTMENTS AS AT 31 AUGUST 2019								
INSTITUTION	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N°	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
<b>MUNICIPAL FUND</b>								
CBA	N/A	Operating A/C	12481074	Ongoing	N/A	N/A	Variable	\$903,112.99
<b>TOTAL</b>								<b>\$903,112.99</b>

SHIRE OF NUNGARIN INVESTMENTS AS AT 31 AUGUST 2019								
INSTITUTION	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N°	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
<b>RESERVE FUNDS</b>								
CBA	N/A	Interest Bearing Cheque A/C	12481082	Ongoing	N/A	N/A	Variable	\$502,130.40
<b>TOTAL</b>								<b>\$502,130.40</b>
<b>TRUST</b>								
CBA	N/A	Trust a/c	12481090	Ongoing	N/A	N/A	Variable	\$7,835.61
<b>TOTAL</b>								<b>\$7,835.61</b>

INVESTMENT REGISTER						
1 AUGUST 2019 TO 31 AUGUST 2019						
COMMONWEALTH BANK						
ACCOUNT N°	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 31.07.2019	INVESTMENT TRANSFERS	CLOSING BALANCE 31.07.2019
38132004	N/A	N/A	\$0.00	\$0.00	\$0.00	\$0.00

**OFFICER RECOMMENDATION/S – ITEM NO 8.5.1**

That the Investment Report as at 31 August 2019 be received.

**COUNCIL DECISION – 6263**

**Moved: Cr Coumbe, Seconded: Cr de Lacy**

**That the Investment Report as at 31 August 2019 be received.**

**CARRIED: 6/0**

## 8.5.2 Accounts for Payment - August 2019

### CORPORATE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Accounts Paid – August 2019

Voting Requirement	:	Simple Majority
Subject Index	:	Finance
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	All Council Meetings
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

#### PURPOSE OF REPORT

That Council receives and note the payment of accounts for the month of August 2019.

## **SUMMARY AND KEY ISSUES**

All payments relate to normal operational matters for the Shire.

## **LOCATION**

N/A

## **BACKGROUND**

Attachment 1 details all accounts paid since the last reporting period.

Payment Types for Municipal Account:

EFT	\$ 47,282.54
Cheque	\$ 15,144.66
Direct Debits	<u>\$ 23,674.46</u>
<b>TOTAL</b>	<b>\$ 86,101.66</b>

Payment Types for Trust Account:

Cheque	<u>\$ 202.00</u>
<b>TOTAL</b>	<b>\$ 202.00</b>

The total amount for all payments from all accounts is therefore **\$86,303.66**

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

## **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

## **FINANCIAL IMPLICATIONS**

There are no financial implications at this time.

## **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

**SOCIAL IMPLICATIONS**

There are no social implications at this time.

**OFFICER COMMENT**

Nil

**OFFICER RECOMMENDATION/S – ITEM NO 8.5.2**

That Council receives and notes the list of accounts paid for August 2019, totalling \$86,303.66, and that the list be recorded in the minutes.

**COUNCIL DECISION – 6264**

**Moved: Cr Dayman, Seconded: Cr Palmer**

**That Council receives and notes the list of accounts paid for August 2019, totalling \$86,303.66, and that the list be recorded in the minutes.**

**CARRIED: 6/0**

### 8.5.3 Financial report – August 2019

#### CORPORATE

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Monthly Financial Report 31 August 2019

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	N/A
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	All Council Meetings
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, town planning schemes & policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application / matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

#### PURPOSE OF REPORT

To report on financial activity for the period 1 July 2019 to 31 August 2019.

## **SUMMARY AND KEY ISSUES**

The Local Government Act and Regulations require local governments to prepare monthly reports containing the information that is prescribed.

## **LOCATION**

N/A

## **BACKGROUND**

Nil

## **CONSULTATION**

Financial Consultant – Darren Long

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

## **STATUTORY IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

There are no financial implications at this time.

## **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

## **SOCIAL IMPLICATIONS**

There are no social implications at this time.

## **OFFICER COMMENT**

Nil

## **OFFICER RECOMMENDATION/S – ITEM NO 8.5.3**

That the financial report for the period 1 July 2019 to 31 August 2019 be received.

**COUNCIL DECISION – 6265**

**Moved: Cr de Lacy, Seconded: Cr Coumbe**

**That the financial report for the period 1 July 2019 to 31 August 2019 be received.**

**CARRIED: 6/0**

**9. DELEGATES REPORTS**

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

Nil



## 10. NEW BUSINESS OF AN URGENT NATURE

### 10.1 Use of Shire Common Seal – Withdrawal of Caveat(s)

#### MANAGEMENT/GOVERNANCE/POLICY

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil	

Voting Requirement	:	Simple Majority
Subject Index	:	N/A
Location / Property Index	:	Lot 72 First Avenue and Lot 104 Second Avenue, Nungarin
Application Index	:	N/A
Land Use	:	N/A
Lot Area	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	July 2019
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

#### COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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## **PURPOSE OF REPORT**

For Council to authorise the application of the Shire Common Seal to a Withdrawal of Caveat.

## **SUMMARY AND KEY ISSUES**

- Lot 72 First Avenue and Lot 104 Second Avenue were owned by Mr Praniess and had outstanding rates for a number of years
- A deed has been previously approved at the July meeting to enable the Shire to take ownership of the subject lots.
- To enable the transfer of land to the Shire to finalise the process, Caveats need to be withdrawn.

## **LOCATION**

N/A

## **BACKGROUND**

As part of an ongoing issue in relation to outstanding rates on the subject properties, the Shire previously lodged Caveats on the properties in the event that the properties were sold. This would have meant that outstanding rates would have to be paid.

Now that the deed of agreement has been completed, the Caveats need to be withdrawn to enable transfer of ownership into the Shire's name.

The Withdrawal of Caveats was received at the Shire office on 16 September 2019. Accordingly, to enable the transfer to continue, it is requested that Council authorise the signing and sealing of the required documents.

## **CONSULTATION**

Nil

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

### **STATUTORY IMPLICATIONS**

There are no specific statutory requirements in respect to this matter.

### **FINANCIAL IMPLICATIONS**

Rates monies outstanding will not be realised and will be required to be written off once titles are obtained.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

### **SOCIAL IMPLICATIONS**

There are no social implications at this time.

### **OFFICER COMMENT**

In order for the transfer to be completed, Caveats need to be withdrawn which requires execution of the required documents.

### **OFFICER RECOMMENDATION/S – ITEM NO 10.1**

That Council authorises the Shire President and Chief Executive Officer to sign a Withdrawal of Caveat(s) in relation to Lot 72 on DP 222933 and Lot 104 on DP 222933 and apply the Shire Common Seal to the same.

### **COUNCIL DECISION – 6266**

**Moved: Cr Coumbe, Seconded: Cr Palmer**

**That Council authorises the Shire President and Chief Executive Officer to sign a Withdrawal of Caveat(s) in relation to Lot 72 on DP 222933 and Lot 104 on DP 222933 and apply the Shire Common Seal to the same.**

**CARRIED: 6/0**

**11. MOTIONS ON NOTICE**

Nil

**12. CONFIDENTIAL ITEMS OF BUSINESS**

12.1 Chief Executive Officer Performance Appraisal

**COUNCIL DECISION – 6267**

**Moved: Cr Palmer, Seconded: Cr de Lacy**

**That Council move into confidence to consider Item 12.1 Chief Executive Officer Performance Appraisal.**

**CARRIED: 6/0**

**COUNCIL DECISION – 6268**

**Moved: Cr Dayman, Seconded: Cr Palmer**

**That Council:**

- 1 Notes that Mr Adam Majid's Performance Review in his role as Chief Executive Officer for the Shire of Nungarin for 2018/19 has been undertaken;**
- 2 Endorses Mr Majid's overall rating of "Meets Performance Requirements";**
- 3 Schedules the next review of the CEO's performance to be commenced by 31 July 2020 and completed by 31 August 2020;**
- 4 Endorses the performance criteria for the 2019/20 appraisal period;**
- 5 Notes with appreciation that Mr Majid has elected not to seek an increase in his Total Reward Package due to challenging economic environment.**

**CARRIED: 6/0**

**COUNCIL DECISION – 6269**

**Moved: Cr Palmer, Seconded: Cr de Lacy**


**That Council move out of confidence.**

**CARRIED: 6/0**

**13. CLOSURE**

On Closing the meeting, the Shire President thanks Cr Palmer for her efforts and commitment to Council over the past four years and wished her well for the future.

There being no further business the meeting closed at 3:59pm.

  
\_\_\_\_\_  
Presiding Member

23-10-2019  
Date