

SHIRE OF NUNGARIN



ORDINARY MEETING OF COUNCIL AGENDA

E-MEETING

15 April 2020

3:00 PM



SHIRE OF NUNGARIN

NOTICE OF MEETING

Dear Councillor

It is advised that the **COUNCIL MEETING** will be held as an E-Meeting, on **Wednesday 15 April 2020**, commencing at 3:00 pm.

MEETING AGENDA ATTACHED

Yours faithfully

Mr Adam Majid
CHIEF EXECUTIVE OFFICER

9 April 2020

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Shire of Nungarin

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SHIRE OF NUNGARIN

Council Meeting Agenda

15 April 2020

1. DECLARATION OF OFFICIAL OPENING

Council recognises that it is permissible to record the Shire's Council and Forum Meetings in the written, sound, vision medium (or any combination of the mediums) when open to the public, however, people who intend to record meetings are requested to inform the Presiding Member of their intention to do so.

The Presiding Member will cause the Affirmation of Civic Duty and Responsibility to be read aloud by a Councillor.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Councillors and Officers of the Shire of Nungarin. We collectively declare that 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 contributions of Elders past, present and future.

2. RECORDING OF ATTENDANCE, APOLOGIES & LEAVES OF ABSENCE

2.1 ATTENDANCE

Shire President	Cr P de Lacy
Deputy Shire President	Cr G Coumbe
Elected Member	Cr RE O'Connell (Video)
Elected Member	Cr K Dayman (Video)
Elected Member	Cr J Davis
Elected Member	Cr W Lee
Elected Member	Cr R Mizia (Video)

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

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

A declaration under this section 5.60 of the Act requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT

Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member / employee is also encouraged to disclose the nature of the interest. The member / employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member / employee declares that their impartiality will not be affected then they may participate in the decision making process.

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.

7. CONFIRMATION OF COUNCIL MINUTES AND RECEIVING OF MINUTES

7.1 ORDINARY COUNCIL MEETING 18 MARCH 2020

OFFICER RECOMMENDATION/S – ITEM NO 7.1

That the Minutes of the Ordinary Meeting, of the Shire of Nungarin held on 18 March 2020 in Council Chambers be confirmed.

7.2 MINUTES OF SPECIAL NEWROC COUNCIL MEETING 11 MARCH 2020

OFFICER RECOMMENDATION/S – ITEM NO 7.2

That the Minutes of the Special NEWROC Council Meeting held on 11 March 2020 be received.

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.*
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PURPOSE OF REPORT

For Council to receive the Manager Works and Services report.

SUMMARY AND KEY ISSUES

- Road counters are currently on Nungarin North Road and the other road counter is on Merredin Knungajin Road.
- Maintenance on machines is continuing as required with servicing and repairing.
- Grader has been grading on Lake Brown South Road, Jolly Road, Chandler Nungarin Road, Devlin Road, Lee Road and Talgomine Road.
- Gravel re-sheeting has taken place along the roads where the storm damage has affected.
- Culvert extensions have been undertaken on two separate box culverts where the storm water had run over the road on Nungarin North Road.
- Works are currently being undertaken on Burracoppin Campion Road where the floodway was damaged.

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

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

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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:

Reticulation is managed on an as required basis and the is mowed regularly.

One quote has been received regarding the new reticulation system.

Cricket Pitch:

A treatment is being developed in conjunction with the turf consultant to treat the kikuyu grass. This will be ordered in the coming weeks when the weather continues to fall off.

Tennis Courts:

Continue to receive treatments in line with maintenance program developed by the turf consultant.

As with the cricket pitch, a treatment to deal with the kikuyu grass will be applied when the weather continues to fall off.

Hockey Ground:

Was prepared in line with the start of the season. However, with no play expected in foreseeable future, it will receive necessary maintenance until such time that the season is rescheduled.

Bowling green:

Attended to as required to treat weeds etc.

General:

With the hold on winter sports currently in place, maintenance on all surfaces will be maintained to ensure that all surfaces present well.

OFFICER RECOMMENDATION/S – ITEM NO 8.2.2

That the Recreation Grounds status report be received.

8.3 COMMUNITY DEVELOPMENT

Nil

8.4 MANAGEMENT / GOVERNANCE / POLICY

8.4.1 COVID-19 Community Strategies/Initiatives

MANAGEMENT/GOVERNANCE/POLICY

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	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

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PURPOSE OF REPORT

For Council to consider developing and implementing COVID-19 response strategies to ensure the Nungarin community remains strong and viable.

SUMMARY AND KEY ISSUES

- COVID-19 has impacted the nation, in particular, the economy comprising of businesses of all sizes
- The state government is asking local government to develop strategies to minimise the impacts on their communities today and for the next financial year
- The state government has publically announced that it expects local government to have a nil increase in rates in addition to freezing fees and charges

LOCATION

N/A

BACKGROUND

The Issue of COVID-19 and the impacts it is having globally, nationally and locally is well known to all and therefore does not require an explanation.

On a state level, the Minister for Local Government has been vocal both in the media, and in webinars with local government, on the need for all local governments to consider, develop and implement strategies to assist communities both during the pandemic and during recovery.

The Minister has been very vocal on the matter of rates and the need for all local governments to consider a 0% rate increase across all categories and freezing fees and charges.

There is also a considerable emphasis on ensuring that local governments have assessed their local economies and population cohorts to identify vulnerable situations.

In terms of vulnerable business, on a desktop level it can be considered that there would be four (4) businesses at risk of being impacted in the short to medium term as a result of COVID-19.

In terms of vulnerable cohort, obviously desktop analysis has identified the elderly, in particular, those elderly on a pension who live alone with families in different regions/towns. This cohort may also be more inclined to isolate to the point where there is fear to even undertake essentials such as shopping.

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

Depending on what directions may result from an alternate resolution, financial implications would be realised on future items related to this subject matter.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

Depending on what directions may result from an alternate resolution, social implications would be realised on future items related to this subject matter.

OFFICER COMMENT

The inherent problem with the messages coming from a state level is that they are very metro-centric in nature. That is, the emphasis is on ensuring that industry and commercial businesses are supported in such a way from local government to ensure they can remain viable even during the pandemic.

In considering the COVID-19 pandemic and impacts on the Nungarin community, the following potential strategies have been identified:

- 0% rate increase
- Freeze on fees and charges
- Rate rebate to valid commercial premises provided rates are paid in full by the due date (rebate would not include rubbish and ESL)
- Expanding from four (4) rate instalment payments to eight (8)
- Waiving of commercial rents for an initial six month period
- Deferring capital projects to ensure sufficient cash on hand in Shire accounts
- Deferring existing capital projects towards more community based projects
- Redirecting deferred capital project monies to implementing a “Vulnerable Cohort Meal Program” by paying commercial premises to provide meals

On a desktop level, it can be viewed that because the Shire is very small in terms of local government size and structure, we will be impacted at a far lesser rate than those which have large commercial and industry premises.

The above strategies are seen as viable options for the Shire to protect it over the coming financial year where grant payments are not yet identified.

This item is presented for Council's consideration and to provide greater direction to Administration to refine/develop strategies.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.1

For Council's consideration.

8.5 CORPORATE

8.5.1 Investments Report as at 31 March 2020

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

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PURPOSE OF REPORT

For Council to receive the investment Report as at 31 March 2020.

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 March 2020:

SHIRE OF NUNGARIN INVESTMENTS AS AT 31 March 2020								
INSTITUTION	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N°	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
MUNICIPAL FUND								
CBA	N/A	Operating A/C	12481074	Ongoing	N/A	N/A	Variable	\$853,434.94
TOTAL								\$853,434.94

SHIRE OF NUNGARIN INVESTMENTS AS AT 31 March 2020								
INSTITUTION	SHORT TERM RATING	INVESTMENT TYPE	ACCOUNT N°	TERM	DATE OF TRANSACTION	DATE OF MATURITY	INTEREST RATE	PRINCIPAL
RESERVE FUNDS								
CBA	N/A	Interest Bearing Cheque A/C	12481082	Ongoing	N/A	N/A	Variable	\$477,568.77
TOTAL								\$477,568.77
TRUST								
CBA	N/A	Trust a/c	12481090	Ongoing	N/A	N/A	Variable	\$209.98
TOTAL								\$209.98

INVESTMENT REGISTER						
1 MARCH 2020 TO 31 March 2020						
COMMONWEALTH BANK						
ACCOUNT N°	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 31.10.2020	INVESTMENT TRANSFERS	CLOSING BALANCE 30.09.2020
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 March 2020 be received.

8.5.2 Accounts for Payment - March 2020

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Accounts Paid – March 2020

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.*
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PURPOSE OF REPORT

That Council receives and note the payment of accounts for the month of March 2020.

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	\$ 28,290.86
Cheque	\$ 2,374.20
Direct Debits	<u>\$ 6,848.51</u>
TOTAL	\$ 37,513.57

Payment Types for Trust Account:

Cheque	\$ 0.00
EFT	\$ 0.00
Direct Debits	<u>\$ 0.00</u>
TOTAL	\$ 0.00

The total amount for all payments from all accounts is therefore **\$37,513.57**.

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 March 2020, totalling \$37,513.57, and that the list be recorded in the minutes.

8.5.3 Financial Report - March 2020

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Monthly Financial Report 31 March 2020 (Under Separate Cover)

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

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PURPOSE OF REPORT

To report on financial activity for the period 1 July 2019 to 31 March 2020.

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 March 2020 be received.

9. DELEGATES REPORTS

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

Cr O'Connell has submitted a written report

10. NEW BUSINESS OF AN URGENT NATURE

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

Nil

11. MOTIONS ON NOTICE

(Automatically sent back to Administration for consideration at the next Council meeting)

Nil

12. CONFIDENTIAL ITEMS OF BUSINESS

Nil

13. CLOSURE

There being no further business the meeting closed at pm.

Presiding Member

Date