

SHIRE OF NUNGARIN



ORDINARY MEETING OF COUNCIL AGENDA

HELD ON THE

16th September 2020

3:00 PM



SHIRE OF NUNGARIN

NOTICE OF MEETING

Dear Councillor

It is advised that the **COUNCIL MEETING** will be held in the Council Chamber of the **Shire of Nungarin**, Railway Avenue, Nungarin, on **Wednesday 16 September 2020**, commencing at 3:00 pm.

MEETING AGENDA ATTACHED

Yours faithfully

Mr Adam Majid
CHIEF EXECUTIVE OFFICER

10 September 2020

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Shire of Nungarin

TABLE OF CONTENTS

16 September 2020

ITEM	SUBJECT HEADING	PAGE
	NOTICE OF MEETING	
1.	DECLARATION OF OFFICIAL OPENING.....	4
2.	RECORDING OF ATTENDANCE, APOLOGIES & LEAVES OF ABSENCE	4
2.1	ATTENDANCE.....	4
2.2	APOLOGIES.....	5
2.3	LEAVES OF ABSENCE.....	5
2.4	NEW REQUESTS FOR LEAVES OF ABSENCE.....	5
3.	DELEGATIONS & PETITIONS	5
3.1	DELEGATIONS	5
3.2	PETITIONS	5
4.	PUBLIC QUESTION TIME	5
4.1	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....	5
4.2	QUESTIONS FROM MEMBERS OF THE PUBLIC.....	6
5.	DECLARATIONS OF INTEREST.....	6
5.1	FINANCIAL & PROXIMITY INTERESTS	6
5.2	DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT	6
6.	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)	6
7.	CONFIRMATION OF COUNCIL MINUTES AND RECEIVING OF MINUTES.....	6
7.1	ORDINARY COUNCIL MEETING 19 AUGUST 2020	6
7.2	MINUTES OF NEWROC COUNCIL MEETING 25 AUGUST 2020	7
7.3	MINUTES OF NEWROC COUNCIL MEETING 25 AUGUST 2020	7
8.	CHIEF EXECUTIVE OFFICER REPORTS.....	8
8.1	URBAN PLANNING.....	8
8.2	INFRASTRUCTURE	9
8.3	COMMUNITY DEVELOPMENT	22
8.4	MANAGEMENT / GOVERNANCE / POLICY.....	23
8.5	CORPORATE	30
9.	DELEGATES REPORTS	39
10.	NEW BUSINESS OF AN URGENT NATURE	39
11.	MOTIONS ON NOTICE.....	39
12.	CONFIDENTIAL ITEMS OF BUSINESS.....	39
13.	CLOSURE.....	39



SHIRE OF NUNGARIN

Council Meeting Agenda

16 September 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
Elected Member	Cr K Dayman
Elected Member	Cr W Lee

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

2.2 APOLOGIES

Nil

2.3 LEAVES OF ABSENCE

Cr Davis and Cr Mizia are on approved absence.

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

Meetings attended:

25 August 2020 NEWROC Meeting – Dowerin

27 August 2020 GECZ Meeting – Kellerberrin

4 September 2020 CEO Interviews

10 September 2020 Nungarin CRC Meeting

7. CONFIRMATION OF COUNCIL MINUTES AND RECEIVING OF MINUTES

7.1 ORDINARY COUNCIL MEETING 19 AUGUST 2020

OFFICER RECOMMENDATION/S – ITEM NO 7.1

That the Minutes of the Ordinary Meeting, of the Shire of Nungarin held on 19 August 2020 in Council Chambers and as an E-Meeting be confirmed.

7.2 MINUTES OF NEWROC COUNCIL MEETING 25 AUGUST 2020

OFFICER RECOMMENDATION/S – ITEM NO 7.2

That the Minutes of the NEWROC Council meeting held on 25 August 2020 be received.

7.3 MINUTES OF NEWROC COUNCIL MEETING 25 AUGUST 2020

OFFICER RECOMMENDATION/S – ITEM NO 7.3

That the Minutes of the Great Eastern Country Zone meeting held on 27 August 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.*
- 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

- Maintenance on machines is continuing as required with servicing and repairing.
- Grader has been grading on Chandler Nungarin Road, Chandler North West Road, English Road, and Lee's Road.
- Works are currently being undertaken at the refuse site on a regular basis
- Road counters are on Danberrin Road and Nungarin North Road in preparing for funding for blackspot
- Lime stabilisation works are programed to start on 21 September 2020 and the cement stabilisation after the lime works have been completed. It is anticipated that the bitumen spray seal will be completed before the end of the month.

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 and Cricket:

Reticulation is managed on an as required basis and mowed weekly.

All fertilisers, herbicides and wetting agents have been ordered for the spring cycle.

Tennis Courts:

Tennis club has now completed verti-mowing which will enable the commencement of applying all spring treatments as required.

Hockey Ground:
Under care and maintenance.

Bowling green:
Inspected and maintained as required.

General:
Spring treatment for beetles and weeds can now be commenced on all grass surfaces in particular the cricket pitch and tennis courts.

A second-hand triplex greens mower has been sourced and will be delivered at the end of September for use on the tennis courts and cricket pitch. This purchase will significantly improve the cutting quality of the grass and reduce staff hours.

OFFICER RECOMMENDATION/S – ITEM NO 8.2.2

That the Recreation Grounds status report be received.

8.2.3 NEWROC Waste Strategy

INFRASTRUCTURE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Waste Options Report – Distributed 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	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

COUNCIL ROLE

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PURPOSE OF REPORT

For Council to consider the Waste Options Report and the decision made by NEWROC in relation to the report.

SUMMARY AND KEY ISSUES

- ASK Waste Management was commissioned by NEWROC to undertake a waste management review
- The report provides a number of options for NEWROC to work collaboratively in relation to waste management
- NEWROC has considered the report and has supported one of the options, this is now subject to review by member Councils

LOCATION

N/A

BACKGROUND

Waste management was identified as a strategic priority by the NEWROC in 2018. Giles Perryman of ASK Waste Management attended and presented to member Councils in Koorda in 2018 to discuss waste and how the NEWROC could work together to improve infrastructure, practices and processes.

To further develop the priority, the NEWROC engaged ASK Waste Management in 2019 to achieve the following objectives:

- Assess current waste facilities across each member local government
- Investigate ways to improve each member's landfill site (and to use the study as a base for grant applications)
- Investigate improved options for waste management across the members

ASK Waste Management presented a report to the NEWROC which discussed a number of options to help member Councils meet the above objectives.

ASK Waste Management modelled four options to consider as a future strategy for members to adopt.

These options centred on:

- improving waste management infrastructure, practices and procedures both individually and collectively
- to meet compliance and anticipated new regulations and
- to work together to attract external funding.

The presented options included:

- Option 0: Baseline cost of current operation
- Option 1: All landfills unstaffed (remote access)
- Option 2: All landfills (remote access) plus two staffed landfills
- Option 3: All transfer stations (remote access) plus two staffed landfills - weekly collection
- Option 3: All transfer stations (remote access) plus two staffed landfills - fortnightly collection
- Option 4: All transfer stations (remote access) plus one staffed landfill - weekly collection
- Option 4: All transfer stations (remote access) plus one staffed landfill - fortnightly collection

NEWROC, at its August Council meeting resolved the following:

RESOLUTION

The preferred option for the NEWROC is 4: All transfer stations (remote access) plus one staffed landfill - weekly collection

Member Councils to discuss this option at their next Council meeting and provide feedback to the NEWROC

Moved Cr Sachse

Seconded Cr Shadbolt

CARRIED 5/1

Accordingly, this matter is now presented to Council for its review and consideration.

CONSULTATION

NEWROC

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

In considering the options, it should be noted that waste management is continually emerging as an issue of compliance for local government. Waste management is sensitive and clouded with risk that makes it an unviable aspect of local government.

In considering the options at hand, Council is reminded that at present, there is considerable effort being made to bring the Nungarin waste facility to a certain standard.

NEWROC has considered that Transfer Stations is the most viable solution and, from an officer's perspective, there is agreement in this view.

Accordingly, it is recommended that Council identify that it supports Option 4 as per the NEWROC resolution and request NEWROC to further continue its work on this matter.

OFFICER RECOMMENDATION/S – ITEM NO 8.2.3

That Council:

- 1. Receives the ASK Waste Management NEWROC Regional Landfill Strategy report as presented; and**
- 2. Advises NEWROC that it supports “Option 4: All Transfer Stations (remote access) plus one staffed landfill – weekly collection” and requests NEWROC to continue and further its research into this option.**

8.2.4 Award of Quotation – Oval Reticulation Upgrade

INFRASTRUCTURE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Confidential Attachment – 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	:	8.4.1 17 June 2020
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 CEO to issue a purchase order for the oval reticulation upgrades.

SUMMARY AND KEY ISSUES

- Funding has been made available through the Local Roads and Community Infrastructure (LRCIP) grant scheme to upgrade the oval reticulation
- Council prioritised the Oval Reticulation as its number one project to use part of the grant funding
- Three companies were invited to a site inspection and submit a quote

LOCATION

Nungarin Recreation Centre Oval

BACKGROUND

Council, at its meeting held on 17 June 2020 resolved as follows:

Moved: Cr O'Connell, Seconded: Cr Mizia

That Council:

1. *Receives the information in relation to the Australian Government Local Roads and Community Infrastructure Program to be administered through the Department of Infrastructure, Transport, Regional Development and Communications;*
2. *Requests the Chief Executive Officer to allocate in the Draft 2020/21 budget projects costs with the following priority projects with one (1) being the first priority and so forth:*
 1. *Oval Reticulation Upgrade*
 2. *Netball Court redevelopment*
 3. *Main Street Playground replacement*
 4. *Main street footpath upgrades*

CARRIED: 7/0

Accordingly, three firms were contacted and invited to a site inspection in relation to the reticulation upgrade to the oval.

In brief, the main items relating to the quote are as follows:

- Supply and install new water storage tank – minimum 200kl and connect to existing pump;
- Supply and install new controller unit with minimum 3G technology including tennis courts;
- Install new main line from existing pump to oval including re-establishing connection to tennis courts;
- Install injector system on new main line;
- Design and install reticulation to oval including expanded area on scoreboard sign and behind western goals;
- Provide concentrated reticulation around cricket pitch for pitch preparation;

- Provide clean sand and backfill all trenching;

All site inspection took place during the month of August 2020 and at the time of writing this report, only two of the three invites to quote had submitted a price.

Refer to confidential attachment.

CONSULTATION

Manager Works and Services

STRATEGIC IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

The Shire's purchasing policy requires that the CEO present a report to Council for authorisation of purchasing over the value of \$100,000.

STATUTORY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The LRCIP is a one off program to be undertaken in the 2020/21 year with funding of \$230,826 available to the Shire.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

All parties invited to quote were provided the same information and same brief on which to base their quote. The confidential attachment details the quotes received.

OFFICER RECOMMENDATION/S – ITEM NO 8.2.4

That Council authorises the Chief Executive Officer to issue a Purchase Order to _____ for the value of \$_____ to undertake the Oval Reticulation Project.

8.3 COMMUNITY DEVELOPMENT

Nil

8.4 MANAGEMENT / GOVERNANCE / POLICY

8.4.1 NEWROC Memorandum of Understanding

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	NEWROC MoU

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 new updated NEWROC Memorandum of Understanding (MoU) and authorise the Shire President and CEO to sign the same.

SUMMARY AND KEY ISSUES

- NEWROC undertook a strategic planning day which included working with the Executive Officer to update the MoU
- The new MoU is more robust and consistent with requirements of today

LOCATION

N/A

BACKGROUND

The purpose for which NEWROC is established is to:

Provide a means for the local governments, through voluntary participation and the integration and sharing of resources to:

- a. Assess the possibilities and methodology of facilitating a range of projects, services and facilities on a regional basis under the themes of advocacy, community, economic, environment and governance*
- b. Promote, initiate, undertake, manage and facilitate under the themes of advocacy, community, economic, environment and governance;*
- c. Promote productive effectiveness and financial benefit to the Participants where there are common and shared community of interest linkages;*
- d. To take an active interest in all matters affecting the communities of the Participants with the view to improving, promoting and protecting them*
- e. Recognition as representing the view of community and business in the Participants*

The purpose of the NEWROC Memorandum of Understanding (MoU) is to affirm the partnership and collaboration of the seven local governments and to further the shared aims of the organisation.

A number of changes have been made from the current MoU to the new MoU. These changes were endorsed at the August NEWROC Council meeting and the MoU is now presented to member Councils for adoption and to issue the member's common seal.

CONSULTATION

NEWROC

STRATEGIC IMPLICATIONS

Council, through its strategic planning, has committed to remaining a member of NEWROC.

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

The purpose of the NEWROC is to work together for successful communities. The NEWROC achieves this through regional collaboration and championing opportunities for member communities. The NEWROC MoU provides the framework and vehicle to help achieve the group's purpose and mission.

The current NEWROC MoU was presented at the NEWROC Strategy Day for review and discussion. Members felt it needed refreshing and alignment to the NEWROC purpose, mission, vision, values as well as an inclusion of roles and responsibilities and amendments to membership admission and withdrawal.

It was due to be re-signed in July 2020.

The NEWROC EO has worked on the MoU based on member feedback from the Strategy day and both the Executive and Council have reviewed the proposed amendments.

The NEWROC MoU is aligned to the organisations strategic planning review period (3yrs) and the minimum term of membership (3yrs).

The term of agreement is from 1 July 2020 – 30 June 2023.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.1

That Council:

- 1. Accepts and endorses the revised NEWROC Memorandum of Understanding with the term of agreement being from 1 July 2020 to 30 June 2023; and**
- 2. Authorises the Shire President and Chief Executive Officer to sign and apply the Shire Common Seal to the endorsed Memorandum of Understanding.**

8.4.2 Appointment of Acting CEO

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

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

Voting Requirement	:	Absolute Majority
Subject Index	:	41050
Location / Property Index	:	N/A
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

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- 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 consider the appointment of an Acting CEO given the current CEO has resigned and is looking to depart from the Shire as of close of business on 30 September 2020.

SUMMARY AND KEY ISSUES

- Local governments are required to employ a CEO
- In the absence of a permanent CEO, Council is required to appoint an Acting CEO

LOCATION

N/A

BACKGROUND

Council's current CEO tendered his resignation in July 2020.

Since then, and in discussion with the Shire President, it has been requested that the current CEO be allowed to separate from the Shire at the end of September.

Accordingly, Council is required to appoint an Acting CEO until such time that the new CEO is appointed and able to commence in the role.

CONSULTATION

Shire President
Manager Works and Services

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 5.36 of the Local Government Act 1995

FINANCIAL IMPLICATIONS

An Acting CEO will need to be paid higher duties.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

In consultation with the Shire President, it is recommended that Council appoint the Manager Works and Services, Mr Alex Richardson to the position of Acting CEO and that the remuneration be in line with the outgoing CEO contract cash component.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.2

- 1. That pursuant to section 5.36, Council appoints Mr Alex Richardson as Acting Chief Executive Officer for the period of 1 October 2020 to 22 October 2020 (inclusive);**
- 2. Is satisfied that the person above is suitably qualified to undertake the role of Acting Chief Executive Officer for that period of time above; and**
- 3. Pays the person in 1 above higher duties being the cash component of the outgoing Chief Executive Officer.**

8.5 CORPORATE

8.5.1 Investments Report as at 31 August 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

- 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.*
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PURPOSE OF REPORT

For Council to receive the investment Report as at 31 August 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 August 2020:

SHIRE OF NUNGARIN INVESTMENTS AS AT 31 AUGUST 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	\$1,027,389.35
TOTAL								\$1,027,389.35

SHIRE OF NUNGARIN INVESTMENTS AS AT 31 AUGUST 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	\$627,578.58
TOTAL								\$627,578.58
TRUST								
CBA	N/A	Trust a/c	12481090	Ongoing	N/A	N/A	Variable	\$221.38
TOTAL								\$221.38

INVESTMENT REGISTER						
1 AUGUST 2020 TO 31 AUGUST 2020						
COMMONWEALTH BANK						
ACCOUNT N°	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 30.10.2020	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 August 2020 be received.

8.5.2 Accounts for Payment – August 2020

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Accounts Paid – August 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.*
- 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

That Council receives and note the payment of accounts for the month of August 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	\$ 60,327.60
Cheque	\$ 11,079.38
Direct Debits	\$ 6,433.19
TOTAL	\$ 77,840.17

Payment Types for Trust Account:

Cheque	\$ 0.00
EFT	\$ 0.00
Direct Debits	\$ 0.00
TOTAL	\$ 0.00

The total amount for all payments from all accounts is therefore **\$77,840.17**.

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 2020, totalling \$77,840.17, and that the list be recorded in the minutes.

8.5.3 Financial Report – August 2020

CORPORATE

ATTACHMENT DETAILS

Attachment No	Details
Attachment 1	Monthly Financial Report 31 August 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

- 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

To report on financial activity for the period 1 July 2020 to 31 August 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 2020 to 31 August 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