

SHIRE OF NUNGARIN



ORDINARY MEETING OF COUNCIL AGENDA

E-MEETING

20 May 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 20 May 2020**, commencing at 3:00 pm.

MEETING AGENDA ATTACHED

Yours faithfully

Mr Adam Majid
CHIEF EXECUTIVE OFFICER

14 May 2020

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Shire of Nungarin

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SHIRE OF NUNGARIN

Council Meeting Agenda

20 May 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 J Davis
Elected Member	Cr W Lee
Elected Member	Cr R Mizia

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 15 APRIL 2020

OFFICER RECOMMENDATION/S – ITEM NO 7.1

That the Minutes of the Ordinary Meeting, of the Shire of Nungarin held on 15 April 2020 in Council Chambers and as an E-Meeting be confirmed.

7.2 MINUTES OF GREAT EASTERN COUNTRY ZONE MEETING 30 APRIL 2020

OFFICER RECOMMENDATION/S – ITEM NO 7.2

That the Minutes of the Great Eastern Country Zone held on 30 April 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.*
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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 English Road, Caridi Road, Karomin Road, Sainsbury Road, Williams Road, and Herbert Road.
- Works are currently being undertaken at the refuse site.

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 mowed weekly.

Football line marks are being maintained as required.

Cricket Pitch:

Pitch will be treated for kikuyu at the end of May into June.

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 at the end of May into June.

Hockey Ground:

Under care and maintenance.

Bowling green:

Synthetic surfaces will be treated for mould in late May.

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 Extension of Contract – Kerbside Waste Collection

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Letter from Avon Waste

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	:	Not Known
Applicant	:	Avon Waste
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

COUNCIL ROLE

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PURPOSE OF REPORT

For Council to consider extending the contract from kerbside waste collection for a further three (3) years.

SUMMARY AND KEY ISSUES

- The current contract for kerbside collection commenced in January 2017 and expired at the end of December 2019
- Clause 19.2 of the contract allows for a three year extension

LOCATION

N/A

BACKGROUND

Kerbside waste collection services are currently contracted to Avon Waste.

The contract was entered into in 2017 for a three year period expiring at the end of December 2019.

As there were no records available to the current administration, the expiry date has been missed and awareness was made on receipt of correspondence from Avon Waste directly.

Despite the expiry, Clause 19.2 of the contract allows for a further three year extension through to 2022.

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

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

FINANCIAL IMPLICATIONS

Under the contract, rates for collection are determined annually and increases tied to rate of inflation.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The service received from Avon Waste is acceptable and therefore there is no reason to not enter into an extension of the contract.

An extension to the contract also allows for the continuous service to the community.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.1

That Council authorises the Chief Executive Officer to enter into an extension to the contract for Kerbside Waste Collection with Avon Waster for a period of three (3) years commencing on 1 January 2020 and expiring on 31 December 2022.

8.4.2 Purchase of Lot 76 First Avenue, Nungarin

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

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

Voting Requirement	:	Absolute 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 purchase of Lot 76 First Avenue, Nungarin for the Grangarin Effluent project.

SUMMARY AND KEY ISSUES

- Council had budgeted for the development of an effluent plant to resolve issues surrounding the effluent disposal for Grangarin and other Shire owned houses
- The CEO, with direction from Council, has negotiated a sale price with the current owner and approval is now sought to approve the purchase

LOCATION

Lot 76 (18) First Avenue, Nungarin.

BACKGROUND

Currently, effluent created by Grangarin and three Shire houses is collected into a storage tank where it is then pumped out weekly at an estimated annual cost of \$62,920.

Accordingly, Council has budgeted \$120,000 to construct an effluent plant to treat and dispose effluent as opposed to have to pump out every week. \$80,000 of this budget is proposed to be raised as a loan.

In considering the development of the plant, it is considered the best option is to develop the plant on a vacant block opposite the existing storage tank site.

The CEO has negotiated with the owner of Lot 76 First Avenue for the purchase of the block at a cost of \$5,000 plus costs associated with the transfer of land. The cost to purchase is in line with valuations received.

CONSULTATION

Discussions have been held with Council in relation 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

Council has budgeted for the purchase of the subject land.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

Securing the block of land is the first step to developing the project. Now that this can be achieved, contact can be made with utility providers and plant suppliers to finalise costings and the project itself.

The negotiated price is in keeping with the valuations received and it is therefore recommended that Council authorise the purchase of the subject land.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.2

That Council:

- 1. Authorises the Chief Executive Officer to purchase Lot 76 on Deposited Plan 222933 being 18 First Avenue, Nungarin for the negotiated price of \$5000;**
- 2. Authorises the Chief Executive Officer to engage a suitable legal representative and conveyancer to undertake the purchase of the subject land on behalf of the Shire;**
- 3. Authorises the Chief Executive Officer and Shire President to apply the Shire Common Seal and sign all required documents associated with the purchase of the subject land referred to in 1 above.**

8.4.3 Review of Purchasing Policy

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Purchasing Policy

Voting Requirement	:	Absolute 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 19 December 2018
Applicant	:	N/A
Owner	:	N/A
Responsible Officer	:	Chief Executive Officer

COUNCIL ROLE

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PURPOSE OF REPORT

For Council to receive a revised Purchasing Policy and adopt accordingly.

SUMMARY AND KEY ISSUES

- The state has recently passed amendments increasing the Tender threshold from \$150,000 to \$250,000 with this change being provided for in the revised policy
- Minor formatting has been undertaken to the policy to bring it into line with other policies adopted by Council

LOCATION

N/A

BACKGROUND

Council originally adopted the Purchasing Policy on 16 May 2018 as there was never previously an adopted policy.

Further amendments were made and subsequently the policy was adopted in a revised format on 19 December 2018.

On 8 May 2020, amendments to the Local Government (Functions and General) Regulations 1996 were gazetted which increased the tender threshold from \$150,000 to \$250,000.

This change means that local governments will only need to go to public tender where it is believed the costs associated with a procurement activity is believed to exceed \$250,000. Accordingly, this change has been reflected in the revised policy.

While allowing for the legislative changes in the revised policy, it was also seen as a convenient time for a general refresh of the policy.

Accordingly, the further text based changes were made:

- General renaming of the policy from “Procurement and Tender Procedures Policy” to “Purchasing Policy”
- Formatted with new table being brought into beginning of policy in line with all other new financial policies;
- “2. Objectives” being taken out of body of policy and placed into table at beginning
- Renumber Clauses as a result of change above;
- Review and reformat/numbering of “Panels of Prequalified Suppliers”

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

Local Government Act 1995 – Section 3.57

Local Government (Functions and General) Regulations 1996 – Regulation 11A

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

As a result of the legislative changes, the Purchasing Policy has been updated accordingly.

There have been no changes to purchasing authorities to Shire staff and therefore all activities remain the same.

A general refresh was also undertaken to bring the document into line with other recently adopted finance policies.

OFFICER RECOMMENDATION/S – ITEM NO 8.4.3

That Council:

- 1. Receives the amended Purchasing Policy as detailed in this report and attached;**
- 2. Adopts the amended Purchasing Policy in accordance with Regulation 11A of the Local Government (Functions and General) Regulation 1996.**

8.4.4 COVID-19 Community Strategies/Initiatives

MANAGEMENT/GOVERNANCE/POLICY

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Letter of request – McCorry’s

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

COUNCIL ROLE

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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

Council previously considered an item at its April 2020 meeting where it resolved as follows:

Moved: Cr Coumbe, Seconded: Cr Lee

That Council:

1. *Commits to a 0% increase in rates for the 2020/21 year however Council also notes that it cannot influence any changes in UV which are controlled by the Valuer General;*
2. *Commits to a freeze in Fees and Charges for the 2020/21 year;*
3. *Considers further strategies at the May 2020 Ordinary Council Meeting.*

CARRIED: 7/0

Since the above occurred, notification from the Valuer General has been received indicating an overall increase in the UV valuation of 1.05% with the increase impacting the south-west of the Shire while the remainder of the Shire remains static.

Furthermore, the Minister had indicated that he was keen to make an order whereby local governments could not impose any penalty interest or instalment interest.

This was obviously met with strong opposition from the sector as such a move would potentially cripple local government where it could not ascertain its cash flow and therefore stopping expenditure. This would be contrary to what the government is trying to achieve by ensuring local governments are spending and investing into projects to help the economy move along.

Accordingly, the Minister has backed down and agreed to the following:

- Penalty interest reduced from a maximum of 11% to 8%;
- Instalment interest to remain at 5.5% where a local government has a hardship policy or a maximum of 3% in the absence of a hardship policy.

For Nungarin, the above changes would not have a significant impact on revenue as so far this year, penalty interest and instalment interest has remained very low. It is important to still impose interest to ensure that there is incentive for rates to be paid on time therefore ensuring cash flow.

However, Council will need to answer the question whether or not it wants to implement a hardship policy which delegates administration to implement or deal with hardship on a case by case basis presented to Council.

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

Based on discussions at the April meeting, it was Council's view that only two businesses in Nungarin have been significantly impacted. Those being the Hotel, as they have essentially had to shut their doors, and the other being McCorry's B&B as they have not been able to make their accommodation available due to social distancing etc. Both have continued to be able to generate income from take away meals.

McCorry's B&B has since submitted a letter indicating they are experiencing difficulties in paying the commercial rent for the premises.

At the April 2020 meeting, it was presented that Council consider waiving commercial rents. In light of this request, Council is requested to consider this matter moving forward.

CONSULTATION

Council previously considered COVID-19 strategies at its April 2020 meeting.

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

Based on discussions had during the April 2020 meeting, the following strategies are presented for Council's consideration:

- Rate rebate to valid commercial premises provided rates are paid in full by the due date (rebate would not include rubbish and ESL)
- Waiving/Reducing 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

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

OFFICER RECOMMENDATION/S – ITEM NO 8.4.4

For Council's consideration.

8.5 CORPORATE

8.5.1 Write-Off of Rates Outstanding

CORPORATE

ATTACHMENT DETAILS

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

Voting Requirement	:	Absolute Majority
Subject Index	:	File Ref & File Title
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

- 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 e.g. 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 (e.g. 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 give consideration to the write-off of outstanding rates amounting to \$89,349.33.

SUMMARY AND KEY ISSUES

- Rate Assessments A1063, A1064, A1090, A1091, A1099 and A1100 have rates outstanding for greater than 5 years.
- The Shire has negotiated the surrender and transfer of the Certificate of Title for each property to the Shire of Nungarin in exchange for the write-off of the outstanding rates applicable to each property.
- The outstanding rates for each of the properties has been offset by a doubtful debt provision, ensuring there would be minimal cash impact on the current financial year if the debt was unrecoverable.
- It is recommended that Council write off the outstanding amounts.

LOCATION

N/A

BACKGROUND

Rate Assessments A1063, A1064, A1090, A1091, A1099 and A1100 have rates outstanding for greater than 3 years as at 30 June 2019.

The Shire has been in negotiations with the landholders to surrender and transfer the Certificate of Title to the Shire of Nungarin.

The Shire has successfully reach agreement with the concerned landowners recently in exchange for the write-off of rates outstanding applicable to each property.

The outstanding rates debt for each property has been offset by a doubtful debt provision to ensure there would be minimal cash impact on the current financial year if the debt was unrecoverable in the future.

The amount to be written off is:

A1063	\$12,497.02
A1064	\$14,472.92
A1090	\$16,137.52
A1091	\$12,795.73
A1099	\$16,358.80
A1100	<u>\$17,087.34</u>
Total	<u>\$89,349.33</u>

CONSULTATION

Existing landowners have been consulted.

- Finance and Administration Officer;
- Darren Long – Financial Consultant.

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

6.12. Power to defer, grant discounts, waive or write-off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money, which is owed to the local government.

** Absolute majority required.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

FINANCIAL IMPLICATIONS

The write-off of \$89,349.33 will have a small impact on the financial position of the Shire of \$7,295.54, as the provision for doubtful debts related to these rates debts only covers the outstanding amount as at 30 June 2019, which totals \$82,053.79. The \$7,295.54 relates to the rates raised for 2019/20.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

Transfer documentation has been prepared and filed for each of the properties concerned.

It is suggested that the amounts be written off in accordance with Section 6.12(1)(c) of the *Local Government Act 1995*.

OFFICER RECOMMENDATION/S – ITEM NO 8.5.1

That Council, in accordance with section 6.12(1)(c) of the *Local Government Act 1995* write off the following outstanding rates:

A1063	\$12,497.02
A1064	\$14,472.92
A1090	\$16,137.52
A1091	\$12,795.73
A1099	\$16,358.80
A1100	<u>\$17,087.34</u>
Total	<u>\$89,349.33</u>

8.5.2 Budget Amendment – Pioneers Pathway

CORPORATE

ATTACHMENT DETAILS

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

Voting Requirement	:	Absolute 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 consider a budget amendment for the 2019/20 year to allow for the Pioneers Pathway project at Mangowine Homestead.

SUMMARY AND KEY ISSUES

- Pioneers Pathway has successfully been awarded BBRF and Lotterywest funding to undertake interpretive projects in member Shires
- Approval is required from Council to authorise the new expenditure in the 2019/20 year

LOCATION

Mangowine Homestead

BACKGROUND

Pioneers Pathway focusses on certain sites within member Shires stretching from Toodyay to Merredin.

The subject site in Nungarin is Mangowine Homestead.

As part of the successful project, new interpretive displays will be provided to Mangowine and includes the following:

- 6 interpretive panels;
- 1 cellar panel;
- Printing and fabrication of various interpretations throughout the site;
- New brochure;
- Research and writing;
- 1 hand cranked audio unit;
- Design and project management.

The following graphic identifies the total funding available in addition to Council's required contribution:

Site	BBRF	Development Fund – already committed	Lotterywest	Development Fund – additional	Council	Other	Total
Toodyay	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00			\$ 9,000.00
Goomalling	\$2,500.00	\$2,500.00	\$20,000.00	\$4,000.00	\$4,930.00		\$33,930.00
Dowerin	\$2,500.00	\$2,500.00	\$13,048.00	\$4,000.00	\$4,006.00	\$4,000.00	\$30,054.00
Wyalkatchem	\$2,500.00	\$2,500.00	\$4,000.00		\$ 2,000.00		\$11,000.00
Trayning	\$2,500.00	\$2,500.00	\$13,400.00		\$5,000.00		\$23,400.00
Nungarin	\$ 2,500.00	\$2,500.00	\$16,220.00	\$4,000.00	\$5,000.00	\$325.00	\$30,545.00
Merredin	\$2,500.00	\$2,500.00	\$8,790.00	\$4,000.00	\$5,000.00		\$22,790.00
Site Visits			\$5,000.00				\$5,000.00
TOTALS	<u>\$17,500.00</u>	<u>\$17,500.00</u>	<u>\$82,458.00</u>	<u>\$18,000.00</u>	<u>\$25,936.00</u>	<u>\$43,25.00</u>	<u>\$165,719.00</u>

CONSULTATION

Darren Long – Financial Consultant

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023:
10. Promote and develop a thriving tourism sector.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 6.8(1)(b)

FINANCIAL IMPLICATIONS

Council is required to contribute \$5000 towards the project under the funding agreement.

Council's budget review, adopted in March 2020, indicates an estimated surplus of \$63,452. If approved, the revised estimated surplus would be \$58,452.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER COMMENT

The total project cost amounts to \$30,545 inclusive of Council's required contribution of \$5000.

The total expenditure will be offset by income of \$25,545 which is made up of Pioneers Pathway, BBRF and Lotterywest.

Accordingly, the overall impact to the Shire is \$5000 which results in a slightly lower than expected end of year surplus.

Given that Mangowine Homestead is a well-recognised asset to the community for tourism purposes, it is recommended that Council supports the budget amendment as presented.

OFFICER RECOMMENDATION/S – ITEM NO 8.5.2

That Council:

- 1. Pursuant to Section 6.8(1)(b) of the Local Government Act 1995, authorises the amendment to the 2019/20 budget to allow for the expenditure of \$30,545 for the completion of the Mangowine Interpretive Project;**
- 2. Notes that the expenditure will be offset by revenue of \$25,545 as a result of funding from BBRF, Lotterywest and Pioneers Pathway.**

8.5.3 Investments Report as at 30 April 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.*
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PURPOSE OF REPORT

For Council to receive the investment Report as at 30 April 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 30 April 2020:

SHIRE OF NUNGARIN INVESTMENTS AS AT 30 April 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	\$713,706.91
TOTAL								\$713,706.91

SHIRE OF NUNGARIN INVESTMENTS AS AT 30 April 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	\$477,578.58
TOTAL								\$477,578.58
TRUST								
CBA	N/A	Trust a/c	12481090	Ongoing	N/A	N/A	Variable	\$221.38
TOTAL								\$221.38

INVESTMENT REGISTER						
1 APRIL 2020 TO 30 April 2020						
COMMONWEALTH BANK						
ACCOUNT N°	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT 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 8.5.3

That the Investment Report as at 30 April 2020 be received.

8.5.4 Accounts for Payment - April 2020

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Accounts Paid – April 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 April 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	\$ 93,175.57
Cheque	\$ 30,910.83
Direct Debits	<u>\$ 9,169.91</u>
TOTAL	\$133,256.31

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 **\$133,256.31**.

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 8.5.4

That Council receives and notes the list of accounts paid for April 2020, totalling \$133,256.31, and that the list be recorded in the minutes.

8.5.5 Financial Report – April 2020

CORPORATE

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1	Monthly Financial Report 30 April 2020

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.*
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PURPOSE OF REPORT

To report on financial activity for the period 1 July 2019 to 30 April 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 8.5.5

That the financial report for the period 1 July 2019 to 30 April 2020 be received.

9. DELEGATES REPORTS

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

12. CONFIDENTIAL ITEMS OF BUSINESS

Nil

13. CLOSURE

There being no further business the meeting closed at pm.

Presiding Member

Date