

Date: 13 May 2022

To: Shire President
Deputy Shire President
Councillors



NOTICE AND AGENDA - ORDINARY COUNCIL MEETING

An Ordinary Council Meeting of the Shire of Nungarin will be held in the Council Chambers on 15 June 2022 at 4:30pm to consider and resolve the matters set out in the attached agenda.

A handwritten signature in cursive script that reads 'Long'.

Leonard Long
Chief Executive Officer

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Any person or entity who has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Forum meetings.

Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request.

PUBLIC QUESTION TIME

1. The order of business allows for a Public Question time at the beginning of the meeting.
2. If you wish to ask a question about an agenda item before it is considered then it is recommended to be made at the Public Question Time item on the agenda in accordance with Council's Procedures and Guidelines for Public Question Time.
3. The visual or vocal recording of Council meeting proceedings is expressly prohibited, unless the prior approval of the Council has been given.

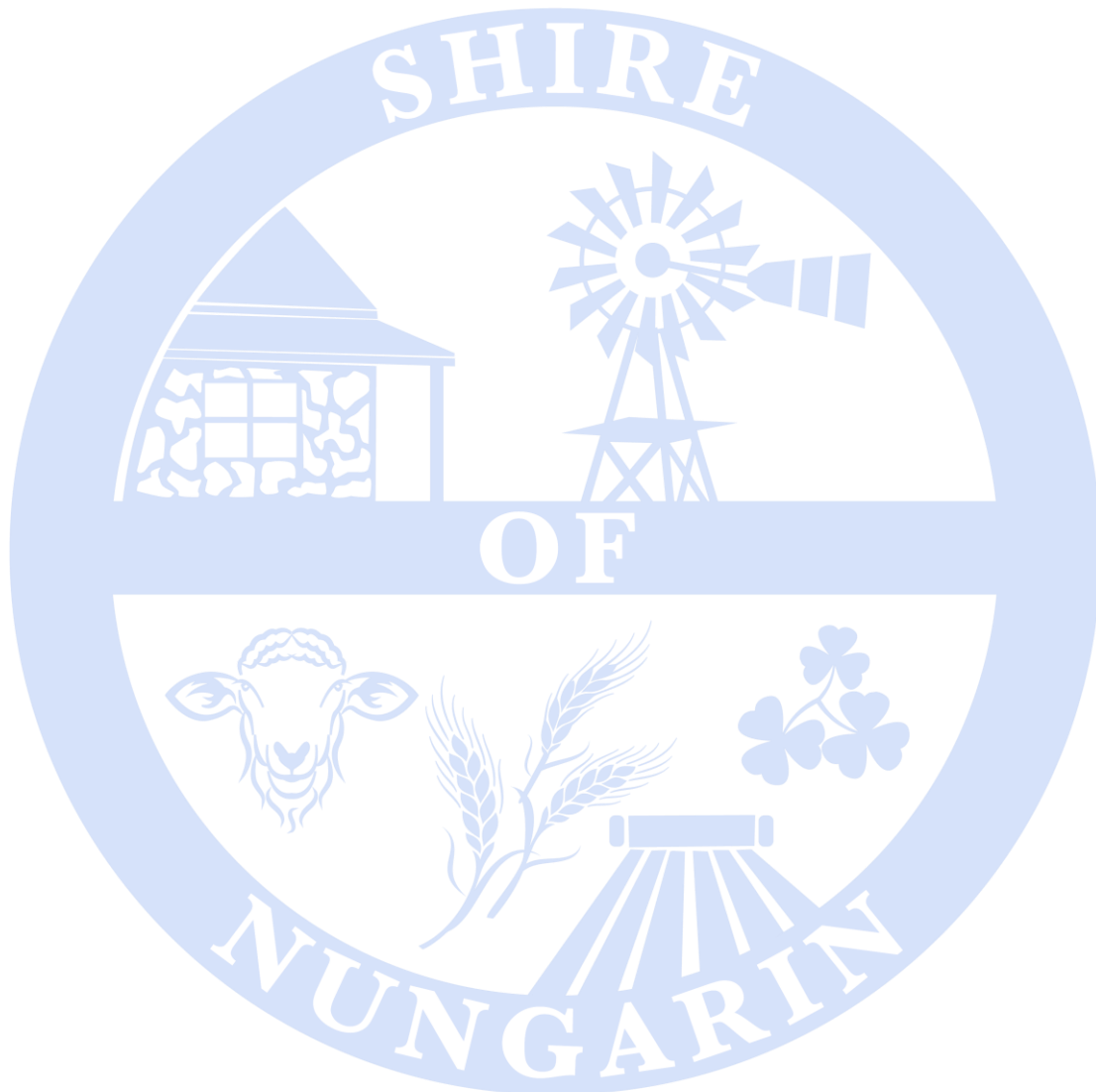
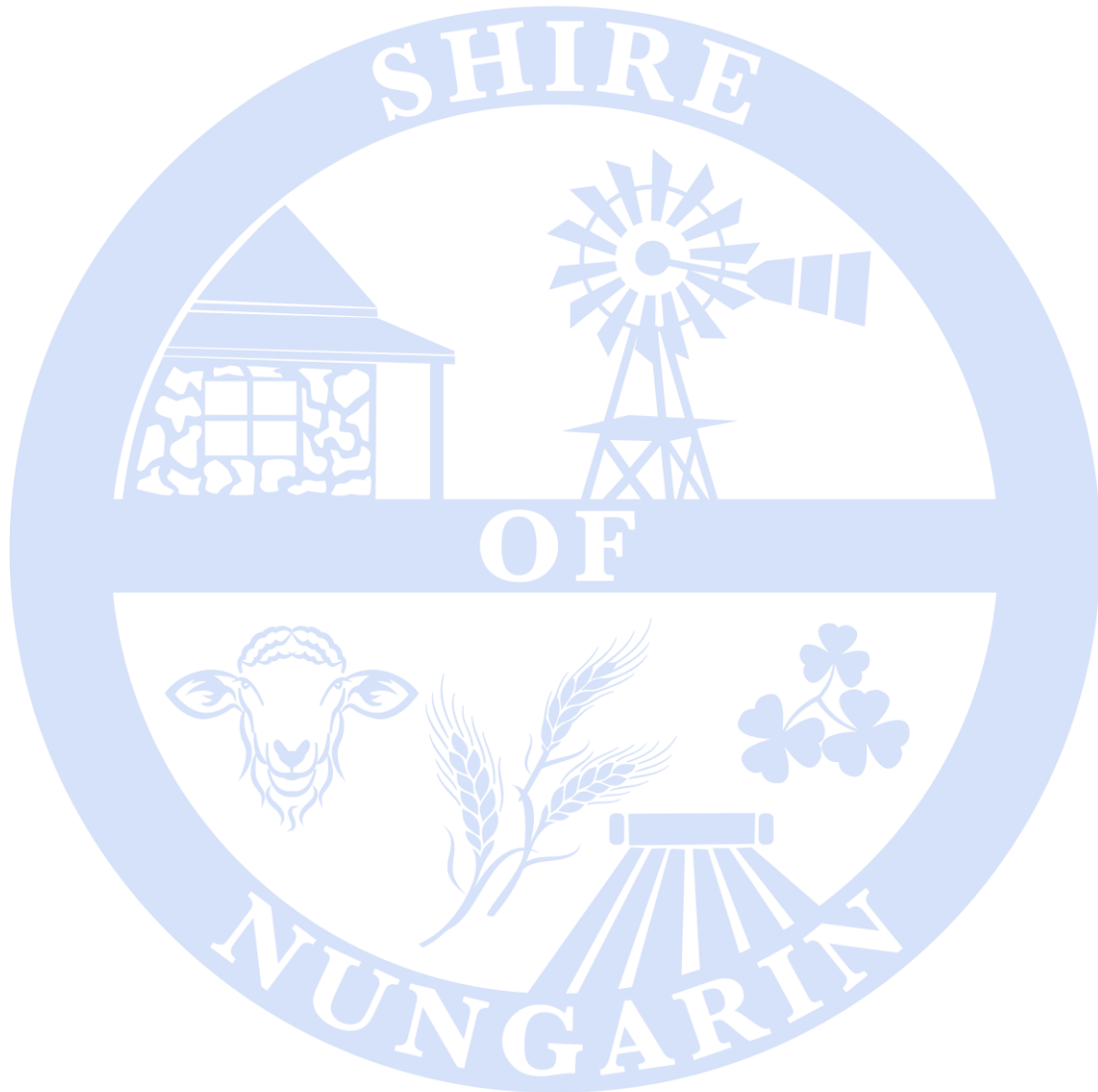


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AGENDA

1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at ___pm.

Affirmation of Civic Duty and Responsibility as read

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

Acknowledgement of Traditional Custodians as read

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

2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors

Shire President	Cr P de Lacy
Deputy Shire President	Cr G Coumbe
Elected Member	Cr RE O'Connell
Elected Member	Cr K Dayman
Elected Member	Cr J Davis
Elected Member	Cr W Lee
Elected Member	Cr M Caughey

Council Officers

Chief Executive Officer	Mr L Long
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Observers / Visitors

2.2 APOLOGIES

2.3 REQUEST FOR LEAVE OF ABSENCE

3. DEPUTATIONS AND PETITIONS

3.1 DEPUTATIONS

3.2 PETITIONS

4. 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 Council Meeting, and at a Special Council 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 Presiding Member.
- e. The Presiding member will control Question Time and ensure each person wishing to ask a question states their 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 questions will be given two (2) minutes within which to address their question to Council. The Presiding Member may shorten or lengthen this time at their discretion.

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.2 PUBLIC QUESTION TIME

5. DECLARATIONS OF INTEREST

5.1 FINANCIAL AND PROXIMITY INTEREST

5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT

6. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7. PREVIOUS COUNCIL MEETING MINUTES

7.1 ORDINARY COUNCIL MEETING – 18 May 2022

OFFICER RECOMMENDATION.../06/22

That the Minutes of the Ordinary Council Meeting held on 18 May 2022 be confirmed as being a true and accurate record.

Moved:

Seconded:

..... / ...

8. OFFICER REPORTS

8.1 LISTING OF PAYMENTS FOR THE MONTH OF MAY 2022	
File Ref:	10.13 Payment Listings
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Vanessa Seward, Executive Assistant
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number	8.1A – Payment List

OFFICER RECOMMENDATION .../06/22

That Council Resolves to:

1. Receive the following payments made throughout the month of May 2022:

Municipal	Cheque	\$ 3,731.25
	EFT	\$ 370,429.64
	Direct Debit	\$ 27,780.56
	Credit Card	\$ <u>86.99</u>
		\$ 402,028.44
Trust	Cheque –	Nil
	Grand Total	\$ 402,028.44

Moved:

Seconded:

..... / ...

IN BRIEF

The purpose of this report is to present the listing of payments made from the Shire’s Municipal and Trust funds throughout the month of May 2022

BACKGROUND

The attached appendix lists the payments from Council Municipal and Trust funds for the month applicable as per requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

As per Regulation 13 of the *Local Government (Financial Management) Regulations 1996* the following information is required to be presented to Council;

- The Payee’s name;
- The amount of the payment;
- The date of the Payment; and
- Sufficient information to identify the transaction

REPORT DETAIL

As Council has delegated authority to the Chief Executive Officer to execute payments from the municipal fund and the trust fund a list of accounts paid are required to be submitted to Council showing the prescribe information.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	Annually review compliance methods.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

As per Regulation 13 of the *Local Government (Financial Management) Regulations 1996* the following is required;

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared
 - (a) the payee's name;
 - (b) the amount of the payment;
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing
 - (a) for each account which requires council authorisation in that month
 - (i) the payee's name;
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction.
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

SUSTAINABILITY AND RISK CONSIDERATIONS**Economic – (Impact on the Economy of the Shire and Region)**

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	If the required information is not presented to Council in accordance with the Local Government (Financial Management) Regulation 1996 it may result in a qualified audit report and an unclear compliance return submitted to the Department of Local Government, Sport & Cultural Industries.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

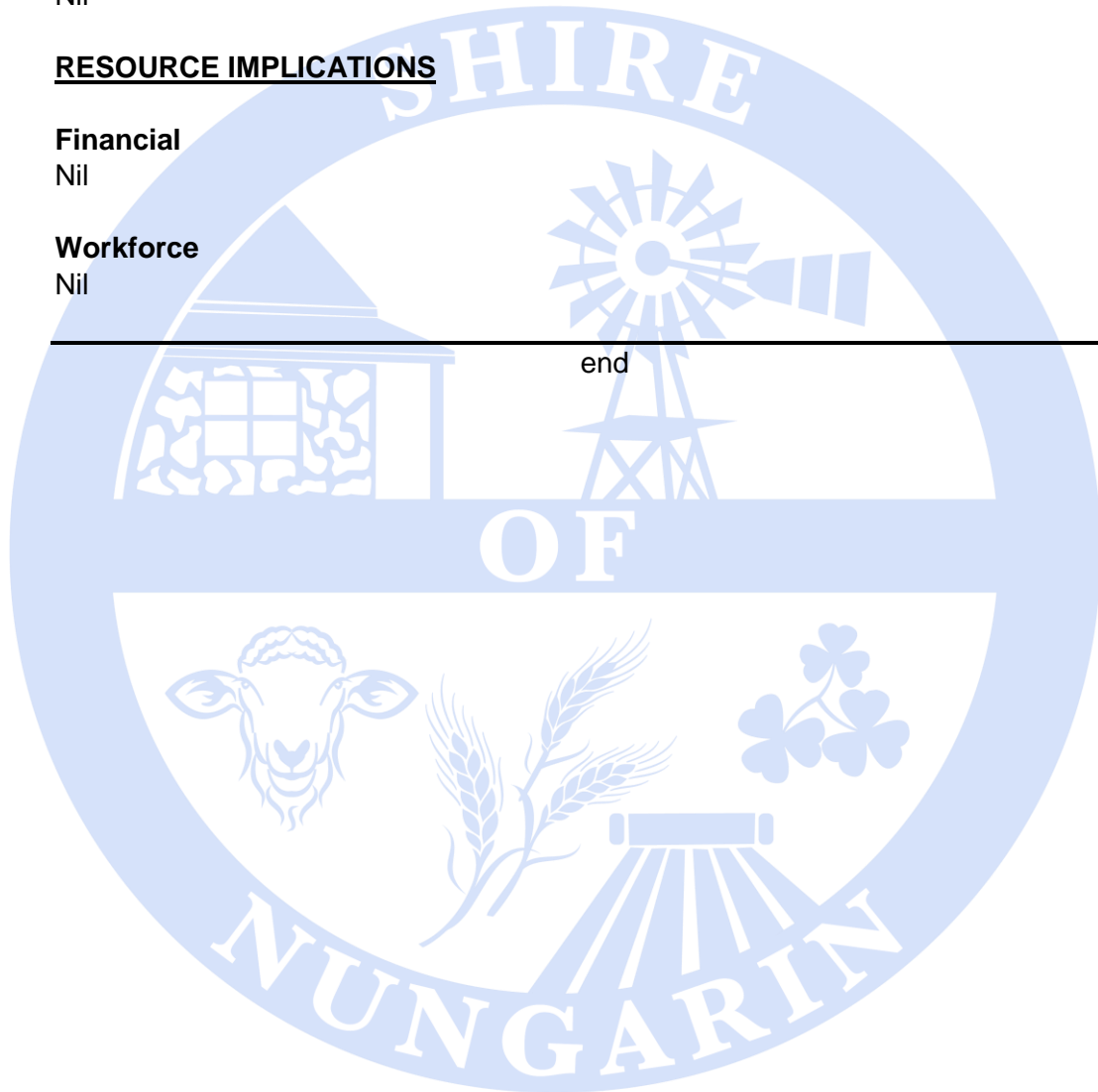
Financial

Nil

Workforce

Nil

end



8.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MAY 2022	
File Ref:	10.2.1 Annual Financial Statements 2021/22
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer Darren Long, Financial Consultant
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	8.2A – Monthly Statement

OFFICER RECOMMENDATION .../06/22

That Council Resolves to:

1. **Receives the monthly financial activity statement for the period ending 31 May 2022.**

Moved:

Seconded:

..... / ...

IN BRIEF

The purpose of this report is to present the financial position of Council as at the reporting date as per requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulation 1996*.

BACKGROUND

The *Local Government Act 1995* in conjunction with regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires a monthly Statement of Financial Activity to be presented to Council detailing the prescribed information within 2 months after the end of the month to which the statement relates.

REPORT DETAIL

The Shire prepares the monthly financial statements in the statutory format along with other supplementary financial reports consisting of:

- (a) Statement of Comprehensive Income by Function/Program;
- (b) Statement of Comprehensive Income by Nature/Type;
- (c) Statement of Financial Activity;
- (d) Summary of Net Current Asset Position;
- (e) Statement of Explanation of Material Variances;
- (f) Statement of Financial Position;
- (g) Statement of Cash Flows;
- (h) Detailed Operating and Non-Operating Schedules;
- (i) Statement of Cash Back Reserves;
- (j) Loan Borrowings Statement; and
- (k) Trust Statement.

MATERIAL VARIANCE COMMENTARY ON YEAR TO DATE

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* require local governments to prepare annual budget estimates and month by month budget estimates so that comparatives can be made to Year to Date (YTD) Actual amounts of expenditure, revenue and income.

At its budget meeting, Council adopted a material variance threshold of \$5,000 or 10%. For interpretation purposes, this means any variance at Function/Program level that is greater than 10% and exceeds \$5,000 in value is reported on and commentary is provided to explain the YTD budget estimate to YTD actual variance. The material variance is shown on the Statement of Financial Activity, in accordance with the *Local Government (Financial Management) Regulations 1996*. The material variance commentary is now provided in a separate statement, called the Statement of Explanation of Material Variances.

The Statement of Financial Activity as at 31 May 2022 shows a closing surplus of \$1,760,845. A substantial amount of this surplus (\$1,038,453) is due to the advance paid general purpose and local road grants for 2022/2023 by the Commonwealth Government.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	Annually review compliance methods.

OTHER STRATEGIC LINKS

Shire of Nungarin 2021/22 Annual Budget

STATUTORY ENVIRONMENT

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

Local Government (Financial Management) Regulations 1996:
Regulation 34 states:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month in the following detail:
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - (b) budget estimates to the end of month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c);
 - (e) the net current assets at the end of the month to which the statement relates.

Sub regulations 2, 3, 4, 5, and 6 prescribe further details of information to be included in the monthly statement of financial activity.

SUSTAINABILITY AND RISK CONSIDERATIONS

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

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	Inadequate financial performance monitoring could lead to over/under budget expenditure which could affect council's financial position and/or financial ratios.

CONSULTATION

Shires Financial Consultant

RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil

end

8.3 INVESTMENT REPORT AS AT 31 MAY 2022	
File Ref:	10.10.1 Annual Investment Reports 2021/22
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer Darren Long, Financial Consultant
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Nil

OFFICER RECOMMENDATION .../06/22	
That Council Resolves to:	
1. Receive the Investment Report as at 31 May 2022.	
Moved:
Seconded:
 / ...

IN BRIEF

The purpose of this report is to present the status of Council’s investments accounts.

BACKGROUND

Money held in the Municipal Fund of the Shire of Nungarin that is not required for the time being may be invested in accordance with the Local Government Act 1995 and the Trustees Act 1962 Part III.

REPORT DETAIL

The table below details the investments held by the Shire as at 31 May 2022:

INVESTMENT REGISTER						
1 MAY 2022 TO 31 MAY 2022						
COMMONWEALTH BANK – FIXED TERM DEPOSIT						
ACCOUNT N°	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 31.05.2022	INVESTMENT TRANSFERS	CLOSING BALANCE 31.5.2022
38132004.26	17/06/2022	0.43%	\$645,524.84	\$0	\$0	\$645,524.84

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	Annually review compliance methods.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

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.

SUSTAINABILITY AND RISK CONSIDERATIONS

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

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Council Policy 3.07 applies to the investment of surplus funds.

Risk Management Implications

Risk Level	Comment
Moderate	Inadequate financial performance could lead to the loss of potential income through interest earned from investment accounts.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil

end

8.4 ELECTED MEMBERS ALLOWANCES AND MEETING ATTENDANCE FEES	
File Ref:	11.1 Elected Members
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Attachment Number:	Nil

OFFICER RECOMMENDATION .../06/22

That Council Resolves to:

1. Approve the following meeting attendance fees and allowances for Elected Members for the 2022/23 financial year:

- | | |
|--------------------------------------------------|----------------|
| a. Presidents Annual Allowance | \$8,000 |
| b. Deputy President Annual Allowance | \$2,000 |
| c. Elected Members Annual Meeting Attendance Fee | \$3,679 |
| d. Elected Members Annual ICT Allowance | \$600 |

2. Request the Chief Executive Officer to pay the fees and allowance in (1.) above to Elected Members in May of every year;

3. Request the Chief Executive Officer, in the case of an Elected Member resigning prior to April, pay the Elected Member based on the months on Council divided by the approved fees and allowances in (1.) above.

Moved:

Seconded:

Absolute Majority Required

..... / ...

IN BRIEF

Council is requested to consider and set the Elected Members Sitting Fees and Allowances which are to be incorporated into the 2022/23 Financial Budget.

BACKGROUND

The Salary and Allowances Tribunal (hereafter referred to as the Tribunal) through the Salaries and Allowance Act 1975 determine the minimum and maximum salaries and allowances for local government Chief Executive Officers and Elected Members.

On 7 April 2022, the Tribunal determined that remuneration, fees and annual allowance ranges provided to Chief Executive Officers and Elected Members be increased by 2.5%.

The increase was considered to be appropriate within the wider framework of senior public offices and the current economic climate.

Elected members are provided these fees and allowances to recognise the commitment of their time and to ensure they are not out of pocket for expenses properly incurred in the fulfilment of their duties. The Tribunal's original 2013 determination stated that "*fees and allowances provided to elected members are not intended to be full time salaries for members*". The Tribunal continues to recognise the degree of voluntary community service in the role of elected members.

REPORT DETAIL

President and Deputy President Allowances:

Currently the Shire President Allowance is \$4,000 and the Deputy Shire President Allowance is \$1,000. In terms of table 10 of the *Salaries and Allowances Act 1975*, the Shire President should be paid a minimum allowance of \$526 and a maximum of \$20,565. To reflect the additional work required to be done by the Shire president which includes weekly meetings with the Chief Executive Officer, it is recommended the current allowance be increased to \$8,000. This is still well below the maximum determined by the Salaries and Allowances Tribunal. The Shire Presidents Allowance is well below

With regard to the Deputy Shire President, s5.98A of the *Local Government Act 1995* gives a local government the ability to decide to pay the Deputy Shire President an allowance of up to a percentage determined by the Salaries and Allowances Tribunal. In terms of s7.3(1) of the *Salaries and Allowances Act 1975*, this percentage has been determined to be up to 25% of the Shire Presidents allowance. As such it is recommended to increase the Deputy Shire Presidents Allowance from the current \$1,000 to \$2,000 being 25% of the Shire Presidents recommended allowance.

Elected Members Meeting Fees:

In terms of the *Salaries and Allowances Act 1975* the Shire of Nungarin is listed as a band 4 local government. There are two (2) options of payment available to Elected Members, payment per meeting or annual meeting attendance fees.

Council currently utilises the option of fees per meeting, in terms of table 4 of the *Salaries and Allowances Act 1975*, a band 4 local government should pay between \$93 (minimum) and \$244 (maximum) to a council member other than the president to attend Council meetings. Currently elected members are paid \$100 per meeting. In terms of the same table (table 4) the president should be paid between \$93 (minimum) and \$502 (maximum) to attend Council meetings. Currently the president is paid \$120 per meeting.

In addition to attending Council meetings, elected members also attend numerous committee meetings, as a representative of Council. Using the current payment system, table 6 of the *Salaries and Allowances Act 1975*, indicates the minimum payment for elected members including the Shire President and Deputy Shire President should be \$47 and a maximum of \$122 per committee meeting.

However, it should be considered Elected Members attend a number of meetings where they may not be directly representing Council but would be of interest to Council. These meetings are attended without the ability for Elected Members to claim payment

or out of pocket costs. Although the role of Elected Members is very much a voluntary role it should not result in a financial loss to the Elected Member.

Taking the above into consideration, as well as the potential loss of income incurred by Elected Members due to the attendance of Council and Committee meetings as well as various other Council functions it is recommended Council move from the current payment option to an annual payment option for the attendance of all meetings related to Council business.

Should Council resolve to move to an annual payment system, table 8 of the *Salaries and Allowances Act 1975*, will apply. Table 8 indicates the minimum annual payment for an Elected Member should be \$3,679 and the maximum \$9,742 and for the President a minimum of \$3,679 and a maximum of \$20,022. It is recommended, in light of the recommended Shire Presidents Allowance, all Elected Members including the Shire President receive the same meeting attendance fee.

Should Council accept the recommendation the meeting attendance fee will be paid to the Elected Members in April and any travel claims paid monthly.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Salaries and Allowances Act 1975*

SUSTAINABILITY AND RISK CONSIDERATIONS

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

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	Although Elected Members position are largely considered to be voluntary it is imperative to ensure Elected Members are not left out of pocket as a result of being on Council. This could result in a situation where nobody in the community is willing to become an Elected Member which could have a significant negative impact on the operations of the Shire.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

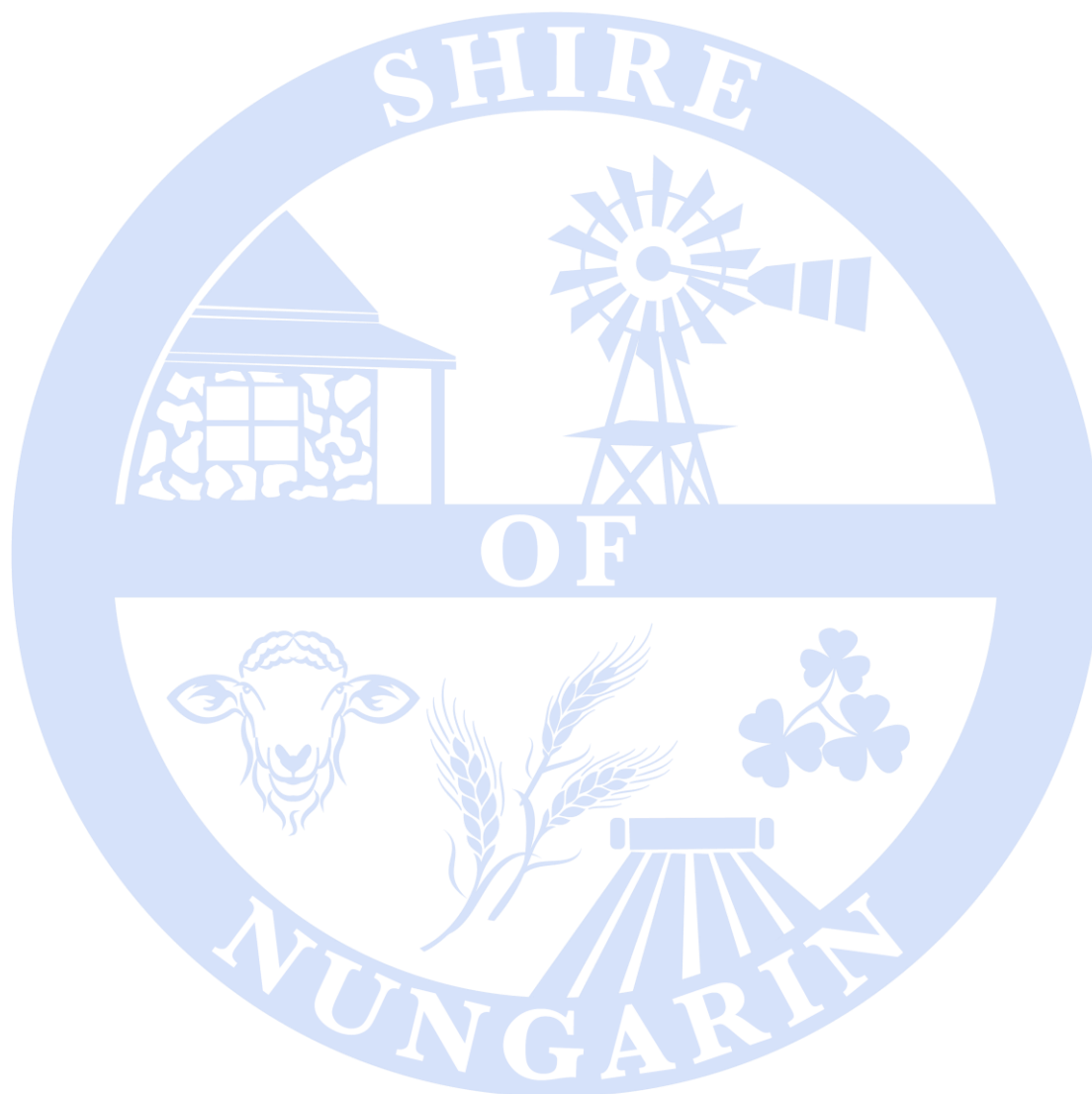
Financial

Should the recommendation be approved, the required funds will be incorporated in the 2022/23 financial budget.

Workforce

Nil.

end



8.5 BUDGET AMENDMENT PHASE 1 CONSTRUCTION OF DANBERRIN ROAD	
File Ref:	26.5.1.1
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Attachment Number:	Nil

OFFICER RECOMMENDATION ONE .../06/22

That Council Resolves to:

- 1. Authorise an amendment to the 2021/22 Adopted budget as follows:**

Account	Description	Increase	Decrease	Purpose
RRRG02	RRG – Danberrin Rd	\$11,000		Account for additional contractor costs
RCC044	Waterhouse Road Construction		\$11,000	

Moved:
Seconded:

Absolute Majority Required
 / ...

IN BRIEF

Council is requested to consider the recommended budget amendment to cover an overspend on the project due to increase in contractor material costs.

BACKGROUND

At the time of preparing the construction budget it was not possible to foresee the high increases associated with materials used in the construction of roads i.e. diesel and road base. These increases led to the cost of the road material increasing beyond what was budgeted for.

REPORT DETAIL

The partial construction of Danberrin Road was funded through the Regional Road Group Road Project Grant. The initial total construction estimate was \$282,591 which was to be made up of the maximum state contribution of \$188,392 (2/3rds) and \$94,199 Councils own funds (1/3rd).

Due to the increase in costs the final total construction cost has come in at \$334,285, which effectively increases the Council contribution from \$94,199 to \$145,893.

However, the majority of the increase is staff wages which are funded in the adopted budget and will be reallocated with the closing of the 2021/22 budget.

Unfortunately, due to the higher material cost which could not have been predicted when preparing the initial project construction cost estimate, has resulted in a project overspend of approximately \$11,000.

It is recommended the funds to be carried over to the Danberrin Road construction be carried over from the Waterhouse Terrace intersection project. This project has currently received preliminary approval from Main Roads and it is envisaged the detailed design drawings and final Main Roads approval will be received in 2022/23 with the actual construction to be done in the following years.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Social
Aspiration	Our Shire is healthy and happy, contributing to our progress, with accessible places and spaces and our transport is well connected and safe.
Objective	Provide and maintain adequate community services and facilities that respond well to the needs of all ages and sectors of the community.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

- *Local Government Act 1995; and*
- *Local Government (Administration) Regulations 1996.*

SUSTAINABILITY AND RISK CONSIDERATIONS

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

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	Until the projects are completed there is a risk of further escalations in construction costs. To mitigate any additional costs the projects will need to be closely managed and staged to ensure funds are available to be reallocated to cover any escalated costs.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

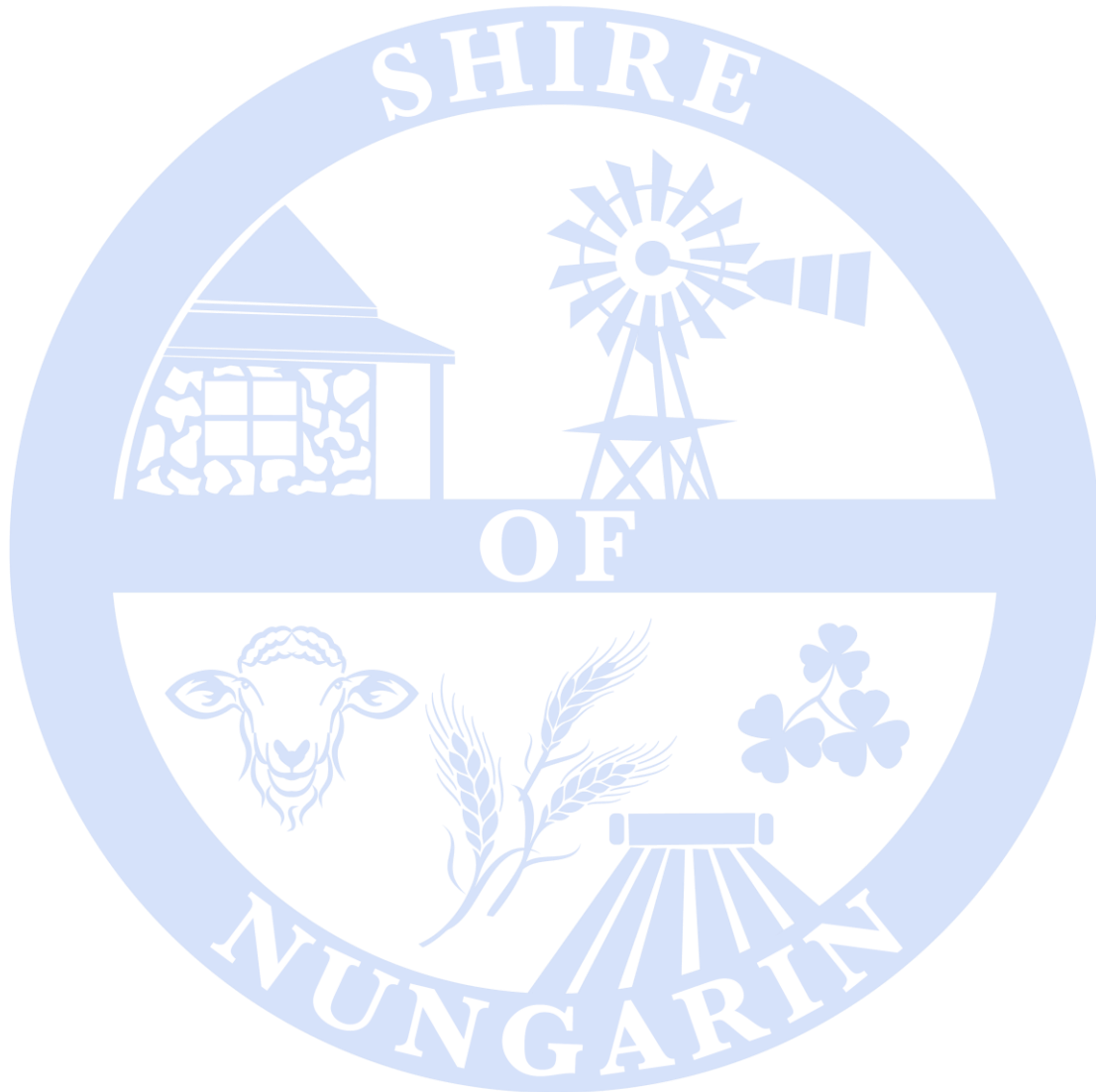
Financial

No additional Shire funds will be required.

Workforce

Nil

end



8.6 VOTING DELEGATES – WESTERN AUSTRALIA LOCAL GOVERNMENT ASSOCIATION ANNUAL GENERAL MEETING	
File Ref:	3.7
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Nil

OFFICER RECOMMENDATION/06/22

That Council Resolves to:

1. Nominate Cr _____ and Cr _____ to be the Shire of Nungarin’s voting delegates at the 2022 Western Australian Local Government Association Annual General Meeting to be held on 3 October 2022 at the Crown Perth.
2. Nominate Cr _____ (proxy 1) and Cr _____ (proxy 2) as proxy voting delegates at the 2022 Western Australian Local Government Association Annual General Meeting to be held on 3 October 2022 at the Crown Perth, should the Councillors nominated in (1.) above not be able to attend.

Moved:
 Seconded:
 / ...

IN BRIEF

Council is required to nominate voting delegates to attend the 2021 Annual General Meeting for the Western Australian Local Government Association.

BACKGROUND

In terms of the Western Australian Local Government Association constitution it is required to hold an Annual General Meeting, with each member Council requested to nominate two (2) voting delegates to represent the Council at the meeting.

REPORT DETAIL

This year the Western Australian Local Government Association’s Annual General Meeting will again be held at the Crown Perth on Monday 3 October 2022, at 9:00am.

The agenda for the meeting is not yet available, once it becomes available a report will be presented to Council to discuss the items and provide the voting delegates with direction.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnerships
Objective	A Shire that prospers through partnerships and good governance

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Nil

SUSTAINABILITY AND RISK CONSIDERATIONS

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

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

- G002 Members Fees, Allowances and Reimbursements of Expenses; and
- G007 Council Members Attendance at Events and Functions.

Risk Management Implications

Risk Level	Comment
Medium	Attendance at the Annual General Meeting will ensure the Shire remains informed of upcoming issues within local government.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

The cost for attendance of the AGM is free of charge for all Elected Members and staff of the local government.

Workforce

Nil

end

8.7 PROPOSED SIGNAGE SITUATED ON LOT 5 (50) RAILWAY AVENUE	
File Ref:	A1031
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	8.7A – Proposed Signage

OFFICER RECOMMENDATION/06/22

That Council Resolves to:

1. **Approve the placement of an advertisement sign advertising Vidal Construction on Lot 5 (50) Railway Avenue, Nungarin, for a period of 12 months with subject to Council approval the ability to extend for a further 12 months, subject to the following conditions:**
 - a. **All cost associated with the sign including its placement on site will be the responsibility of the applicant;**
 - b. **The Shire shall not be responsible for any damage or vandalism to the sign;**
 - c. **The sign shall be maintained to the satisfaction of the Chief Executive Officer at all times; and**
 - d. **The applicant will shall have 14 days from the date written notice is provided to the applicant to repair any damage to the sign, failing which the Shire will remove the sign at the cost of the applicant.**

Moved:

Seconded:

..... / ...

IN BRIEF

Council is requested to consider approving the placement of an advertisement sign on Lot 5 (50) Railway Avenue, advertising a Construction Company.

BACKGROUND

The Shire is in the final stages of obtaining the title to Lot 5 (50) Railway Avenue. The property is developed with an open “shed” as well as an old dilapidated office structure. There is also a demountable office located on the site purchased by the Shire a number of years ago.

Due to the state of the structures located on the property, there would be a substantial cost to repair or remove the structures. The Shire does not have the funds and not likely to have the ability to repair or remove the structures in the coming years.

The Chief Executive Officer has approached a local business to gauge their interest to occupy the property thereby creating a business front on the main street, unfortunately no interest was shown due to the potential repair / removal costs.

REPORT DETAIL

The Chief Executive Officer has been investigating potential economic development opportunities, through the Wheatbelt Business Network contacted Vidal Construction who have expressed an interest in operating their construction business in the Wheatbelt region.

The Directors of Vidal construction have jointly approximately 60 years' experience in the construction industry, primarily in the rural areas of South Africa where they successfully completed millions of dollars of construction projects.

In 2020, Vidal Construction was registered with the Department of Mines, Industry Regulation and Safety and have since entered the Building Maintenance and Works in the government sector including having completed a number of construction projects in the Perth Metropolitan area.

It is costly and difficult for any business to infiltrate a new market and as mentioned Vidal Construction who have significant experience in construction in rural areas are keen in establishing a permanent base in the Wheatbelt.

The eagerness from Vidal Construction to infiltrating the Wheatbelt construction market has provided the Shire with a unique opportunity to possibly attract and retain a new business to town which may have positive economic knock on effects for the town.

Although all subject to Council approval and compliance with relevant legislation, preliminary discussions between the Chief Executive Officer and Vidal Construction has resulted in Vidal Construction, agreeing, should it become economically viable to establish a permanent presence in the Wheatbelt it will be in Nungarin.

The directors have visited Lot 5 (50) Railway Avenue, and would be willing to consider removing the dilapidated structures and potentially construct suitable offices and yard at their cost, in lieu of a suitable tenancy agreement with Council.

Whilst this is possibly a number of years away from potentially happening it is important Council explore all potential opportunities that may have a positive impact on the economy of the town.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Economic
Aspiration	A diverse business environment with equitable telecommunications and infrastructure. We are uniquely Nungarin in providing a memorable visitor experience.
Objective	Develop and maintain a prosperous local economy supported by an increased population and, new value adding industries.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Nil

SUSTAINABILITY AND RISK CONSIDERATIONS

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

Should the placement of a sign led to the establishment of a new business in Nungarin it will have an immediate positive impact and may also result in additional economic development opportunities within the Shire.

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Low	The favourable consideration of the request is considered to be a low risk level, as it will not have any financial impact on the Shire and with the proposed conditions still provides Council sufficient control on the aesthetics of the sign as well as having a time limit.

CONSULTATION

- Local business

RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil

end

8.8 PROPOSED NEWROC REGIONAL SUBSIDIARY	
File Ref:	7.1.2
Previous Item Ref:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	8.8A – Business Plan 8.8B – Communications Plan 8.8C - Charter

OFFICER RECOMMENDATION .../06/22

That Council Resolves to:

1. Endorse the following NEWROC Regional Subsidiary documents for community consultation, with the closing date for submission / comments being 31 July 2022:
 - a. Business Plan
 - b. Communications Plan
 - c. Charter
2. Request the Chief Executive to arrange a community workshop to discuss the documents listed in (1.) above.
3. Request the Chief Executive Officer to invite submissions on the documents listed in (1.) above by:
 - a. Advertising on the Shire website;
 - b. Advertising on the Shire FaceBook page;
 - c. Advertising in the June edition of the local Newslink; and
 - d. Flyer drop in all post boxes.
4. Should no substantial submission be received by 31 July 2022, requiring a potential amendment of the documents listed in (1.) above, the documents be considered Adopted, with the adoption date being the date of the August Ordinary Council Meeting.

Moved:

Seconded:

..... / ...

IN BRIEF

Council is requested to endorse the documentation pertaining to the proposed establishment of a Regional Subsidiary, attached as, Attachment 8.8A, 8.8B and 8.8C for public consultation.

BACKGROUND

The North Eastern Wheatbelt Region of Council (hereafter referred to as NEWROC) was established in 1994, and is led by Councillors from the Shires of Nungarin, Koorda, Mt Marshall, Mukinbudin, Trayning, Wyalkatchem and Dowerin. NEWROC was established to provide the seven (7) member Councils a united voice advocating, promoting and marketing the communities as a great place to live, work and invest.

The State Government is currently poised to make amendments to the *Local Government Act 1995* (hereafter referred to as the Act). The NEWROC have advocated for changes to the ACT to enable the NEWROC to form a Regional Subsidiary as the current Act and regulations are not suitable. If the changes to the Act are sufficient, the NEWROC will be prepared and will subsequently submit its Regional Subsidiary Charter to the Minister.

Prior the NEWROC being in a position to apply to the Minister for the establishment of a Regional Subsidiary the following is required:

- Prepare and advertise a business plan in each Shire of the NEWROC for comment by the communities;
- Respond to submission / comments from the community; and
- Draft a Charter for the subsidiary.

REPORT DETAIL

A regional subsidiary will allow its member local governments to pool their resources and cooperate more closely.

In addition to increasing the efficiency of existing services, a regional subsidiary may increase the viability of new services which local governments want to and are required to provide. It may also form a mechanism for groups of local governments to come together to deal with region-specific issues.

A regional subsidiary is:

- Similar to a Voluntary Regional Association of Councils (VROC), but is more binding on its members; and
- Similar to a regional council but has more flexibility and fewer reporting requirements.

The regional subsidiary is predominantly governed by its Charter, which can be individually tailored to suit the subsidiary's activities and role in the community. Under its current voluntary organisation of Councils structure, the NEWROC experiences the following challenges:

- A lead local government is required for projects, shared resources and grant applications which is additional administration for the lead local government as well as compliance and financial management;
- MoU guides the voluntary Region of Councils but requires good faith as its underlying principle;
- No legal entity to apply for grants;
- Chair and CEO positions rotate every two (2) years with a 'host' Council;

- Regional shared equipment requires a ‘host’ Council to purchase the asset and for it to be shown on their asset management register; and
- NEWROC initiatives and projects are limited by the MoU and the ‘host’ Council commitments.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	A Shire that prospers through partnerships and good governance

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

- *Local Government Act 1995*

SUSTAINABILITY AND RISK CONSIDERATIONS

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

The establishment of a Regional Subsidiary would build upon the economic development of the area done through the NEWROC, in a far more streamlined manner and would work towards the following objectives:

- Provide a means for the member Councils, to assess the possibilities and methodology of facilitating a range of projects, services and facilities on a regional basis under the themes of advocacy, community, economy, environment and governance, without the rationalisation of jobs;
- Provide a means for the member Councils to attract specialist skills and create employment opportunities;
- Take an active interest in all matters affecting the communities of the member Councils with the view to improving, promoting and protecting them; and

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	Not being a member of the proposed Regional Subsidiary would place Council at a disadvantage with potential devastating impacts on the Shire and community.

CONSULTATION

As per the recommendation, the relevant Regional Subsidiary documentation will be workshopped with the community and advertised for submissions / comments.

RESOURCE IMPLICATIONS

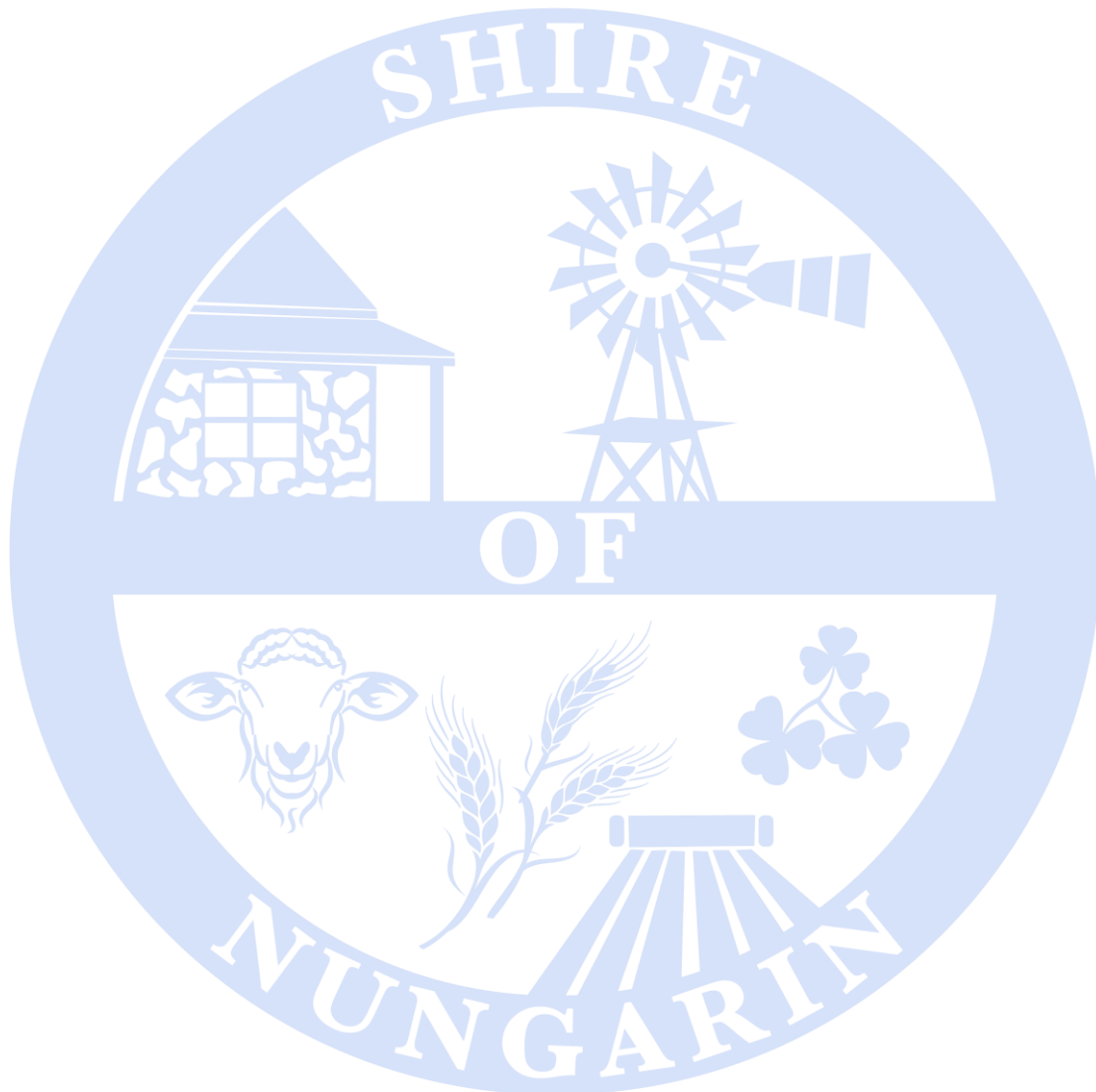
Financial

Currently the membership fee for NEWROC is \$13,000 per year. It is anticipated this will remain the same with the creation of a Regional Subsidiary.

Workforce

Nil

end



8.9 QUARTERLY UPDATE - CEO KEY PERFORMANCE INDICATORS	
File Ref:	20.2.9
Previous Item Ref:	OCM Res 6816/03/22
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Nil

OFFICER RECOMMENDATION06/22

That Council:

- Notes the quarterly update on the Chief Executive Officers Key Performance Indicators.**

Moved:

Seconded: / ...

IN BRIEF

The report is to provide an update / status of the Chief Executive Officers Key Performance Indicators for the period February 2022 – February 2023, and to provide the Elected Members an opportunity to ask any questions on their progress.

BACKGROUND

At its Ordinary Council Meetings of 16 March 2022 Council inter alia resolved as follows:

“That Council Resolves to:

1. (Confidential)
2. (Confidential)
3. *Approves the following Key Performance Indicators for the period February 2022 – February 2023:*
 - a. *Meet all statutory functions required of the Chief Executive Officer including but not limited to;*
 - i. *Finalise the major review of the Community Strategic Plan;*
 - ii. *Begin preparation of the Asset Management Plan;*
 - iii. *Begin major review of the Records Keeping Plan;*
 - iv. *Begin major review of the Policy Manual;*
 - b. *Complete stage 2 of the Local Roads and Community Infrastructure Phase 2 funding (subject to Federal approval);*

- c. *Begin the planning and implementation of Local Roads and Community Infrastructure Phase 3 projects identified by Council (subject to Federal approval);*
- d. *Re-establish the Local Emergency Management Committee;*
- e. *Continue to research opportunities to grow the economy and attract new business to the Shire.*

Moved: Cr J Davis
 Seconded: Cr RE O'Connell

CARRIED 7/0"

REPORT DETAIL

- a. Meet all statutory functions required of the Chief Executive Officer including but not limited to:

- i. Finalise the major review of the Community Strategic Plan;

The Community Strategic Plan is currently being reviewed for the final edits prior to it being presented to Council at a briefing session in the coming months. Following the briefing the document will be finalised and presented to the community prior to be submitted to Council for final adoption.

The review of the document is on track to be finalised by the end of the calendar year.

- ii. Begin preparation of the Asset Management Plan;

Preliminary work has begun around the financial aspects of the Asset Management Plan. However, the engagement of a consultant to undertake the necessary building asset audit is subject to approval of the 2022/23 budget.

- iii. Begin major review of the Records Keeping Plan;

Following the successful implementation of the Altus Records Keeping System, a detailed record keeping plan as well as all its associated documentation has commenced.

- iv. Begin major review of the Policy Manual.

A review of the current Policy Manual has commenced and it is envisaged to have the full review completed in the coming months.

- b. Complete stage 2 of the Local Roads and Community Infrastructure Phase 2 funding.

Approval was obtained for the variation to the project scope, all materials have been ordered and delivered with the planting already commenced. However, the project is currently on hold to allow for the installation of the reticulation expected in mid-June. Following the installation of the reticulation the final planting will be done and the required annual report submitted to the relevant Federal department.

- c. Begin the planning and implementation of Local Roads and Community Infrastructure Phase 3 projects identified by Council.

As a result of increased project costs, at its May Council Meeting Council reassessed its resolution of 16 June 2021, which listed the identified projects. An amended projects nomination application has been submitted to the relevant Federal department for approval and is expected in the coming weeks.

In anticipation of the required amended project nomination application, quotations have been received for the Caravan Park Ablution project. A preliminary cost for the Community Resource Centre has been received and an application to Lotterywest for additional funding will be prepared in the coming weeks. With regard to the Main Street Revitalisation the consultants are in the process of preparing the master plan.

- d. Re-establish the Local Emergency Management Committee

The Shire President and Chief Executive Officer have attended the Mukinbudin Local Emergency Management Committee meeting to ascertain if it would be viable to form a joint committee.

- e. Continue to research opportunities to grow the economy and attract new business.

This aspect is ongoing.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Civic Leadership
Aspiration	A strong local democracy with an actively engaged community and effective partnership.
Objective	A Shire that prospers through partnerships and good governance

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Nil

SUSTAINABILITY AND RISK CONSIDERATIONS

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

Nil

Social – (Quality of life to community and / or affected land owners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	It is considered good practice to ensure Council is kept informed on a quarterly basis of the progress of the Chief Executives Key Performance Indicators.

CONSULTATION

Nil

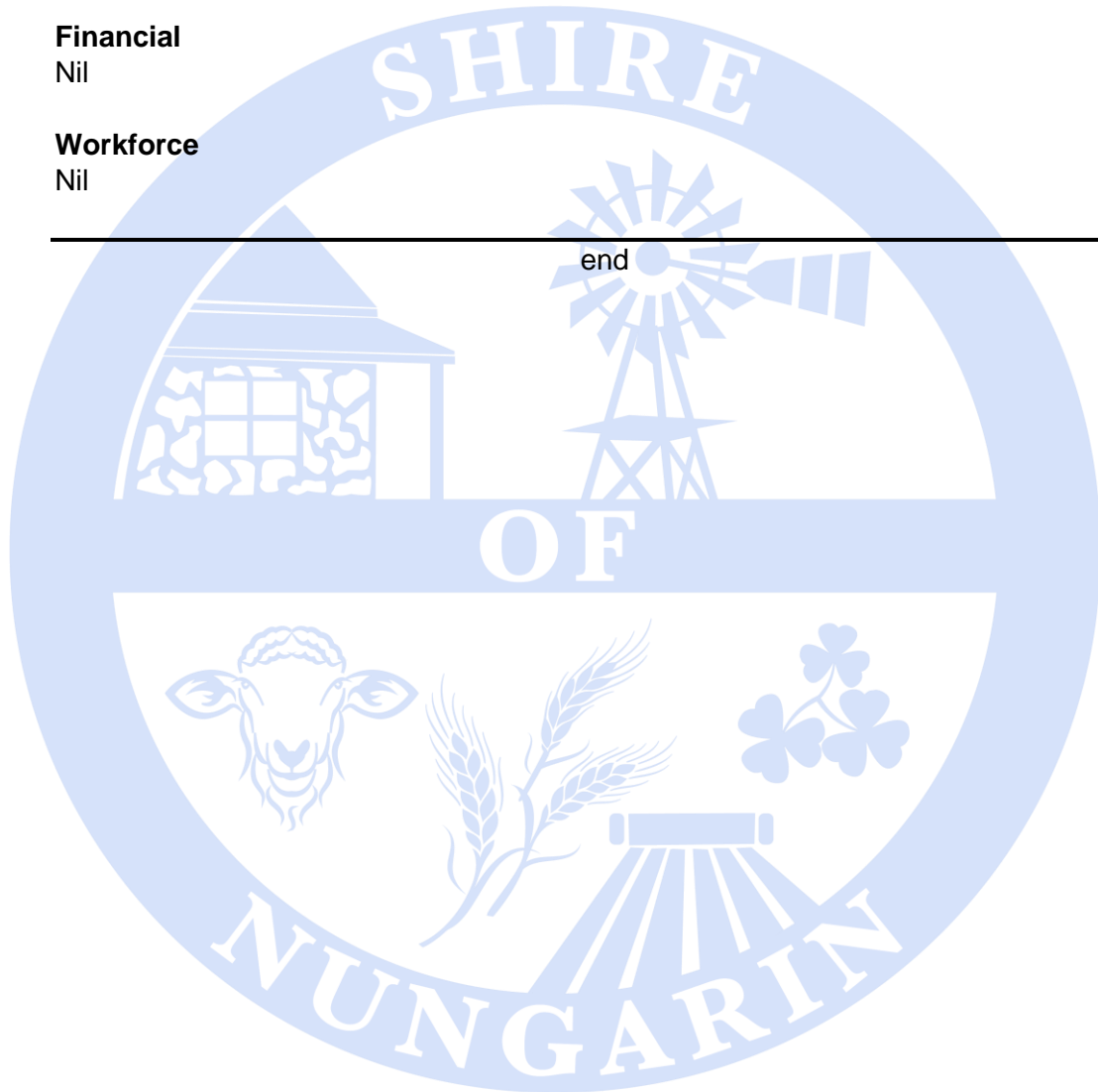
RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil



9. DELEGATES REPORTS

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

9.1 Cr O’Connell (APPENDIX 9.1A)

10. NEW BUSINESS OF AN URGENT NATURE

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

11. CONFIDENTIAL ITEMS OF BUSINESS

OFFICER RECOMMENDATION .../06/22

That Council Resolves to:

- Proceed behind closed doors as per Section 5.23(2) of the *Local Government Act 1995*, for considering item 11.1, the time beingpm.

Moved:

Seconded:

CARRIED ... / ...

11.1 Quarterly Report for Default Rate Payers	
File Ref:	23
Previous Item Ref:	OCM 6815/03/22
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Nil

Note: Council Resolution for item 11.1 (**COUNCIL RESOLUTION/06/22**) will remain confidential in accordance with Regulation 14(2) of the Local Government (Administration) Regulations 1996.

OFFICER RECOMMENDATION .../06/22

That Council Resolves to:

- Proceed with the meeting in public, the time beingpm.

Moved:

Seconded:

CARRIED ... / ...

12. CLOSURE

The being no further business the meeting closed at

Presiding Member

Date