

Date: 9 November 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 16 November 2022 at 4:30pm to consider and resolve the matters set out in the attached agenda.

A handwritten signature in cursive script, appearing to read 'Leonard Long'.

Leonard Long
Chief Executive Officer

DISCLAIMER

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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.

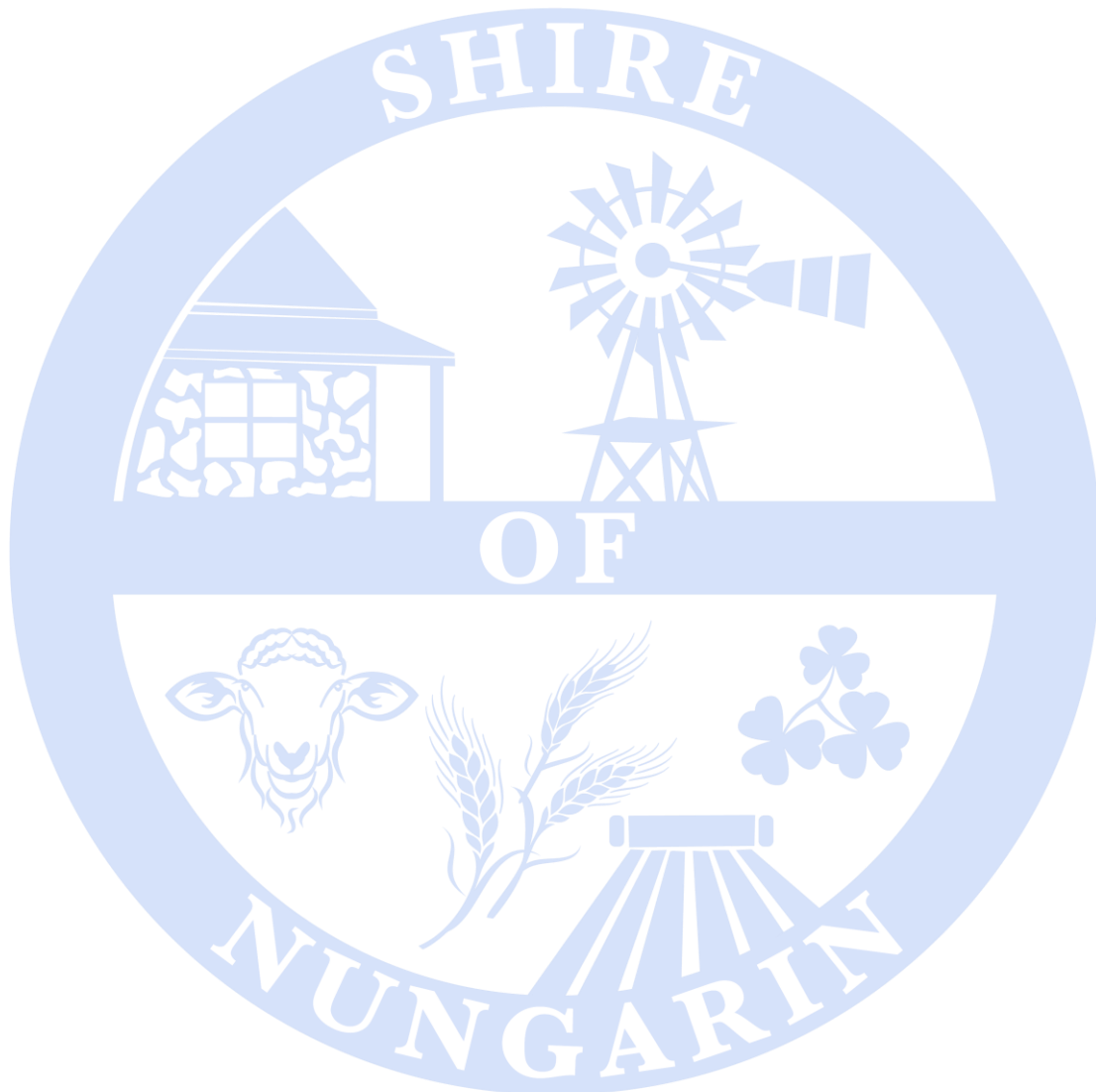


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AGENDA

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

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
Manager Works & Services	Mr D Nayda

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 / OUT OF SESSION CONFIRMATION

7.1 ORDINARY COUNCIL MEETING – 19 October 2022

OFFICER RECOMMENDATION 6899/11/22

That the Minutes of the Ordinary Council Meeting held on 19 October 2022 be confirmed as being a true and accurate record.

Moved:

Seconded:

.....

8. OFFICER REPORTS

8.1 LISTING OF PAYMENTS FOR THE MONTH OF OCTOBER 2022 (1/10/22 – 31/10/22)	
File Ref:	10.13
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number	8.1A – Payment List 8.1B – Credit Card Statement

OFFICER RECOMMENDATION 6900/11/22

That Council Resolves to:

1. Receive the following payments made throughout the month of October 2022 (1/10/22 – 31/10/22):

Municipal	Cheque	\$ 7,496.92
	EFT	\$145,814.60
	Direct Debit	\$ 14,838.95
	Credit Card	\$ _____ Nil
		\$168,150.47
Trust	Cheque –	Nil
	Grand Total	\$168,150.47

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 October 2022 (1/10/22 – 31/10/22).

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

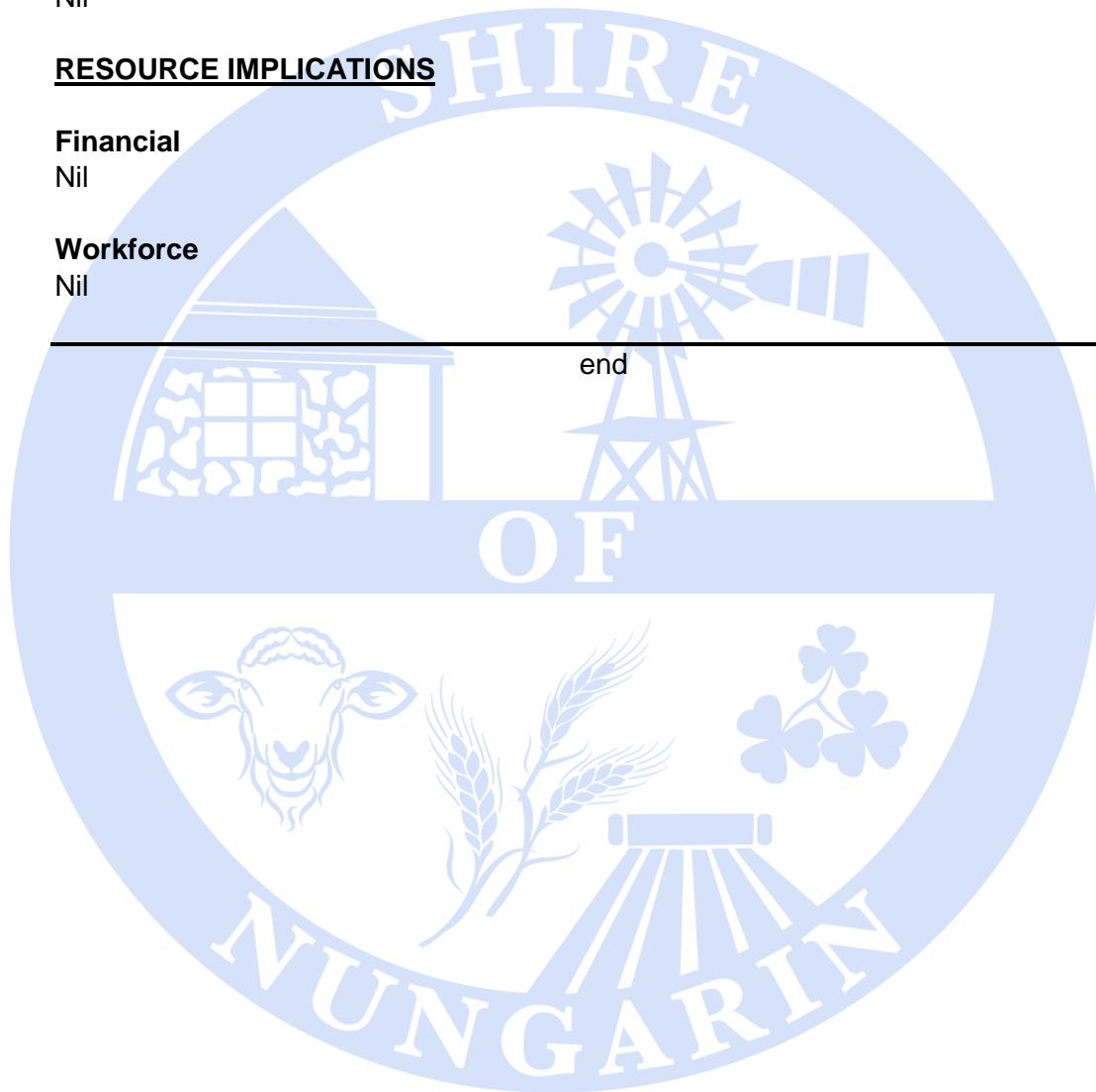
Financial

Nil

Workforce

Nil

end



8.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 OCTOBER 2022	
File Ref:	10.2.2
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 6901/11/22

That Council Resolves to:

- Receives the monthly financial activity statement for the period ending 31 October 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. Attached to this report is a copy of the month by month cumulative budget estimates, set out in the Statement of Financial Activity format.

The Statement of Financial Activity as at 31 October 2022 shows a closing surplus of \$1,660,219.

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 2022/23 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

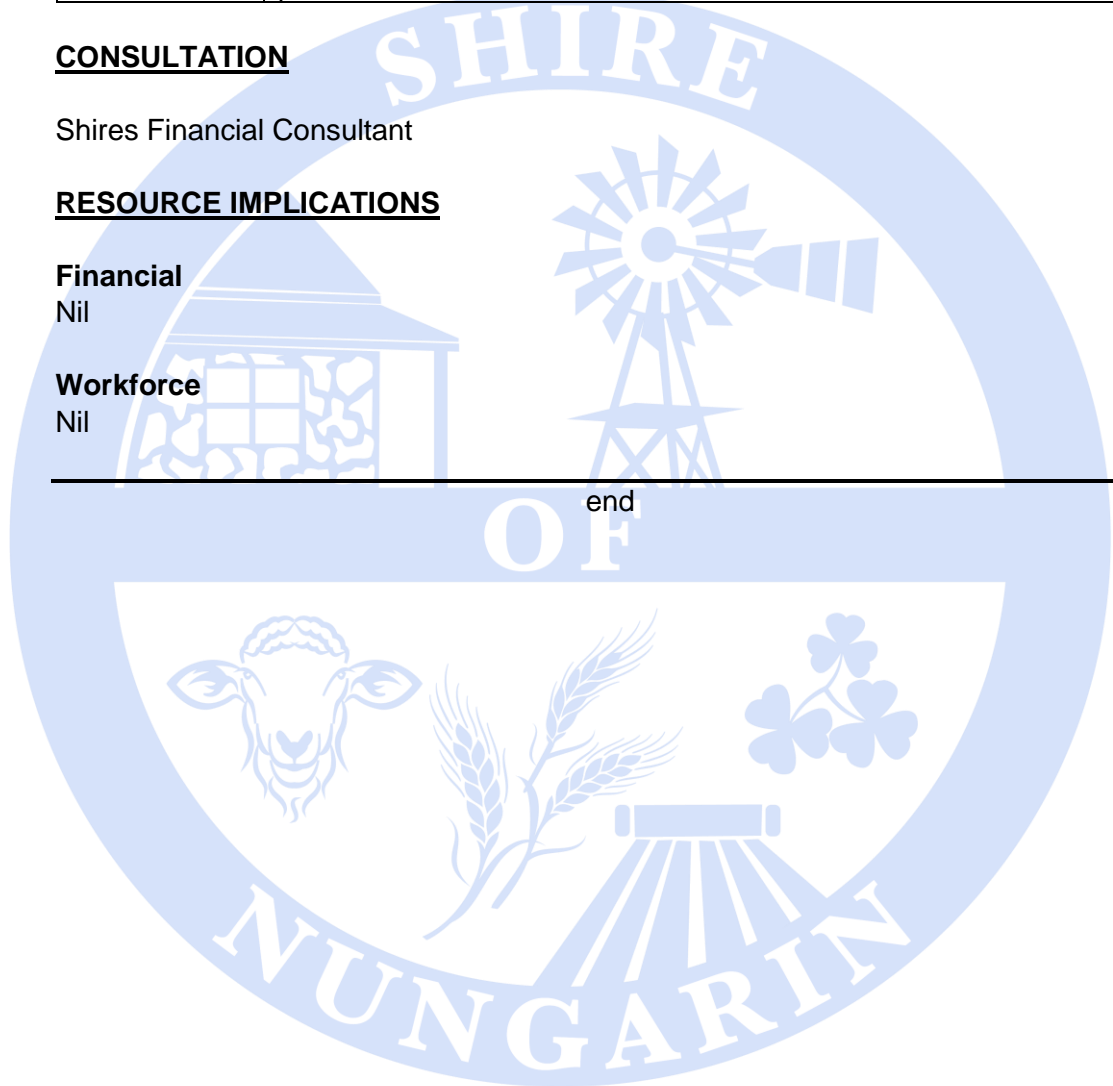
Financial

Nil

Workforce

Nil

end



8.3 COUNCIL MEETING DATES FOR 2023	
File Ref:	11.6
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 6902/11/22

That Council Resolves to:

1. Approve the 2023 Ordinary Council Meetings to be held on the third Wednesday of every month with the exception of the December meeting, with meetings to commence at 4:30pm and held at the Council Chambers.

- 18 January 2023
- 15 February 2023
- 15 March 2023
- 19 April 2023
- 17 May 2023
- 21 June 2023
- 19 July 2023
- 16 August 2023
- 20 September 2023
- 18 October 2023
- 15 November 2023
- 13 December 2023

2. Requests the Chief Executive Officer to advertise the above dates accordingly.

Moved:

Seconded:

.....

IN BRIEF

Council is requested to consider the recommended dates for the Ordinary Council Meetings to be held in 2023.

BACKGROUND

Ordinary Council Meetings have traditionally been held on the third Wednesday of the month, with the exception of the December meeting which is proposed to be held on second Wednesday.

REPORT DETAIL

Councils are generally required to meet on a monthly basis to consider matters that have not been delegated to the Chief Executive Officer.

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*
s.5.25 Regulations about council and committee meetings and committees
- *Local Government (Administration) Regulations 1996*
r.12 Publication of meeting details

SUSTAINABILITY AND RISK CONSIDERATIONS

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

The timeous consideration of Council matters may have a positive impact on the local economy.

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

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	For the Shire to operate efficiently it is important to set dates for Ordinary Council Meetings.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil

8.4 PROPOSED SALE OF LOT 188(46) DANBERRIN ROAD, NUNGARIN	
File Ref:	4.27.4
Previous Item Ref:	Res 6859/07/22
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Attachment Number:	8.4A – Offer to Purchase 8.4B - Valuation Report

OFFICER RECOMMENDATION 6903/11/22

That Council Resolves to:

- 1. Acknowledge the “Offer to Purchase” for the amount of \$45,000 (ex GST) by Carol Rowntree for Lot 188 (46) Danberrin Road, Nungarin;**
- 2. Advertise the potential sale of Lot 188 (46) Danberrin Road, Nungarin in accordance with s3.58(3) of the Local Government Act 1995;**
- 3. In addition to the required advertising in (2.) above further advertise the proposed sale of the property by letter drop to the community, the Shire Website and Facebook Page;**
- 4. Following compliance with (2.) and (3.) above formally consider the “Offer to Purchase” Lot 188 (46) Danberrin Road, Nungarin; and**
- 5. Allocate proceeds received from the sale of land in (1.) above to the Building Reserve GL 102030.**

Moved:
Seconded:

Absolute Majority Required

IN BRIEF

Council is requested to consider whether it will be willing to consider the “Offer to Purchase”.

BACKGROUND

Council at its Ordinary Council Meeting of 20 July 2022 resolved to:

“1. Approve the listing of the following lots for sale at market valuation.

- a. Lot 188 (46) Danberrin Road*
- b. Lot 61 (48) First Avenue*
- c. Lot 76 (18) First Avenue*
- d. Lot 19 Elabbin*
- e. Lot 20 Elabbin*

- f. Lot 104 (39) Second Avenue
- g. Lot 22 (14) Railway Avenue
- h. Lot 23 (12) Railway Avenue
- i. Lot 24 (10) Railway Avenue.

2. Following compliance with s3.58(3) of the Local Government Act 1995, formally consider any “Offer to Purchase”.
3. Allocate proceeds received from the sale of land in (1.) above to the Building Reserve GL 102030.

Moved: Cr W Lee
 Seconded: Cr G Coumbe

CARRIED BY ABSOLUTE MAJORITY 7 / 0”

REPORT DETAIL

The subject property, has currently not been allocated to any staff. Although the house has had some renovations over the past year, there remains some more maintenance to be done. Further, the roof and cladding of the house is asbestos making any maintenance of the property costly.

The property has been valued by a registered valuator, attached hereto as **Attachment 8.4B**. Whilst the offer (\$45,000) is less than the market valuation (\$75,000) Council may want to take into account the current economic climate which is not considered to be a sellers’ market due to raising interest rates. An additional factor to take into consideration is the ongoing costs i.e. insurance, water connection and then also the continued deterioration of the structure.

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	Assist in providing housing affordability and choice.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

- *Local Government Act 1995*

The statutory requirements for the disposal of local government property is found in s3.58 of the LG Act. Unless the sale is exempt, the Shire can dispose of the land in one (1) of three (3) ways:

- At a public auction;
- Via a public tender process;
- By ‘private treaty’ (i.e. a sale to an individual privately).

Public Auction - If the sale is conducted by auction, the land must be sold to the highest bidder. The Auction Sales Act 1973 deals with the legalities of a sale by auction.

Tender - If the sale is conducted by public tender, the Shire may determine what is the “most acceptable tender, whether or not it is the highest tender”. In the sale of land, generally, the highest tender would be the most acceptable – although there may be cases where the tender is conditional, and the Shire may consider that the terms of the condition(s) mean the tender is not the most acceptable.

Part four of the Local Government (Functions and General) Regulations deals with the requirements for public tenders where the local government calls for tenders for the supply of goods or services under s.3.57 of the Act.

Private Treaty - It requires, in summary:

- Ascertaining the market value of the property through a valuation carried out not more than 6 months before the proposed disposition;
- Reaching a conditional agreement with a proposed purchaser (which may or may not reflect the market valuation);
- Giving 2 weeks’ local public notice of the proposed disposition, describing the property concerned and the details of the proposed disposition (which must include the other party’s details, the market valuation and the amount at which the Shire proposes to sell);
- Council then considers any submissions made to it before the date specified in the notice, and then records its decision and the reasons for it in the minutes.

SUSTAINABILITY AND RISK CONSIDERATIONS

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

Proceeding with the potential sale would reduce the “holding” cost of the property and if ultimately sold will generate albeit small a rate income.

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

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	Not proceeding with the potential sale would result in continued holding costs for an asset no longer used and costly to maintain / refurbish.

CONSULTATION

Should Council resolve to proceed, the “Offer to Purchase” will be advertised in accordance with the Local Government Act. In addition, it is proposed to advertised to the community via a letterbox drop, Shire Website, Shire Facebook Page.

Council will have the opportunity at the November Ordinary Council Meeting to formally consider the “Offer to Purchase” as well as any comments received.

RESOURCE IMPLICATIONS

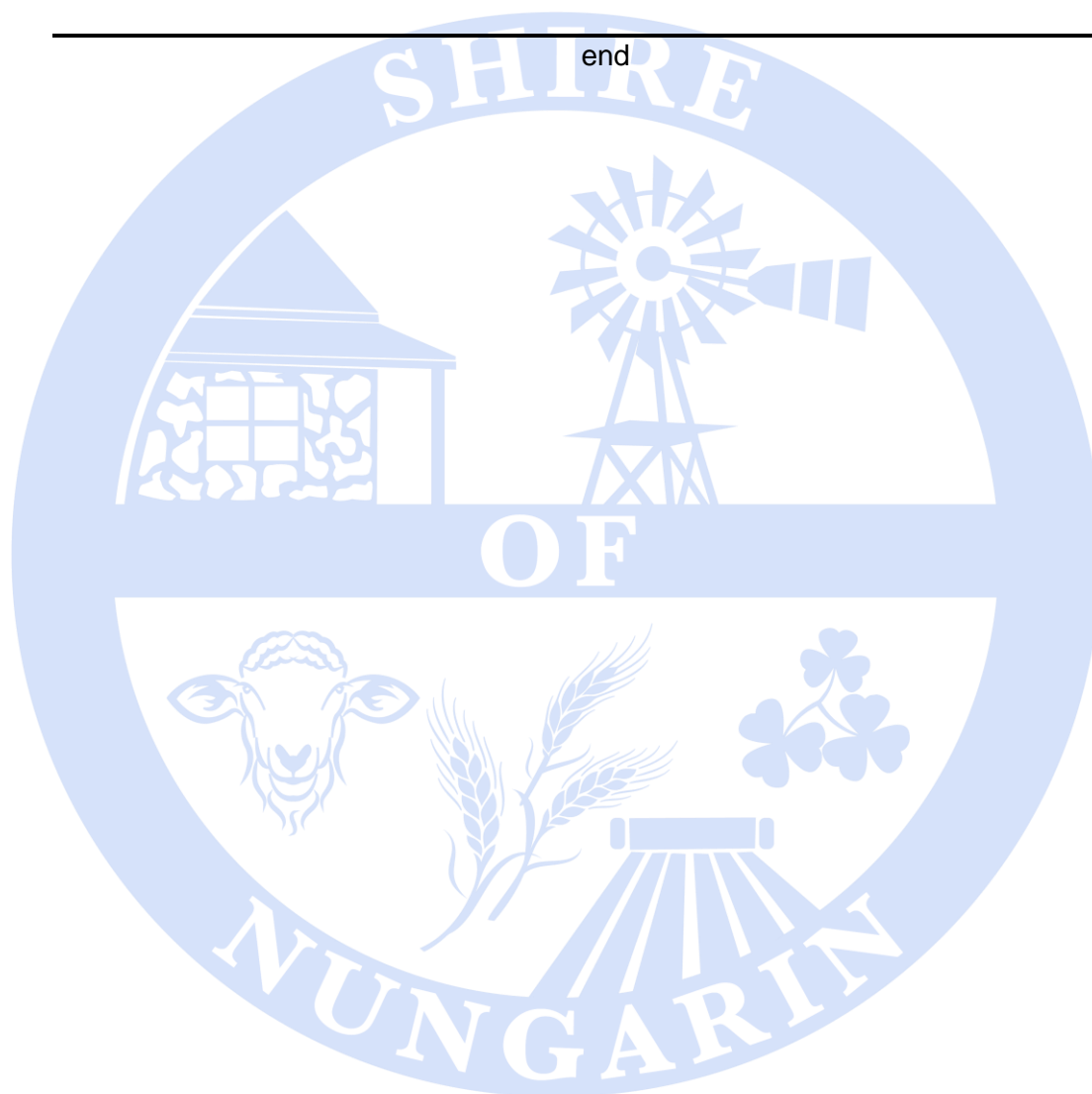
Financial

The funds received through the potential sale is proposed to be allocated to the Building Reserve to fund the potential construction of additional housing

Workforce

Nil

end



8.5 PROPOSED SALE OF LOT 61(48) FIRST AVENUE	
File Ref:	4.25.4
Previous Item Ref:	Res 6898/10/22
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Absolute Majority
Attachment Number:	Nil

OFFICER RECOMMENDATION 6904/11/22

That Council Resolves to:

- 1. Accept the “Offer to Purchase” from Kevin Patrick Savage for the purchase of Lot 61 (48) First Avenue, Nungarin for the amount of \$60,000 (ex GST);**
- 2. Authorises the Chief Executive Officer to sign the relevant documents pertaining to the sale of Lot 61 (48) First Avenue, Nungarin;**
- 3. Allocate all conveyancing costs and associated expenditure to account GL 209321; and**
- 4. Increase account GL414510 to transfer the net income to the Building Reserve.**

Moved:

Seconded:

Absolute Majority Required

.....

IN BRIEF

Following the required advertising Council is requested to formally consider the sale of Lot 16 (48) First Avenue, Nungarin.

BACKGROUND

At its Ordinary Council Meeting of 19 October 2022, Council resolved as follows:

“Council Resolution 6898/10/22

That Council Resolves to:

- 1. Acknowledge the “Offer to Purchase” for the amount of \$60,000 (ex GST) by Kevin Patrick Savage for Lot 61 (48) First Avenue, Nungarin;*
- 2. Advertise the potential sale of Lot 61 (48) First Avenue, Nungarin in accordance with s3.58(3) of the Local Government Act 1995;*

3. In addition to the required advertising in (2.) above further advertise the proposed sale of the property by letter drop to the community, the Shire Website, Facebook Page and Newslink;
4. Following compliance with (2.) and (3.) above formally consider the “Offer to Purchase” Lot 61 (48) First Avenue, Nungarin; and
5. Allocate proceeds received from the sale of land in (1.) above to the Building Reserve GL 102030.

Moved: Cr RE O'Connell

Seconded: Cr K Dayman

CARRIED BY ABSOLUTE MAJORITY 7/0”

REPORT DETAIL

The disposal of Lot 61(48) First Avenue has been advertised in accordance with Council Resolution 6898/10/11 clause (2) and (3).

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	Assist in providing housing affordability and choice

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

- *Local Government Act 1995*

The statutory requirements for the disposal of local government property is found in s3.58 of the LG Act. Unless the sale is exempt, the Shire can dispose of the land in one (1) of three (3) ways:

- At a public auction;
- Via a public tender process;
- By ‘private treaty’ (i.e. a sale to an individual privately).

Public Auction - If the sale is conducted by auction, the land must be sold to the highest bidder. The Auction Sales Act 1973 deals with the legalities of a sale by auction.

Tender - If the sale is conducted by public tender, the Shire may determine what is the “most acceptable tender, whether or not it is the highest tender”. In the sale of land, generally, the highest tender would be the most acceptable – although there may be cases where the tender is conditional, and the Shire may consider that the terms of the condition(s) mean the tender is not the most acceptable.

Part four of the Local Government (Functions and General) Regulations deals with the

requirements for public tenders where the local government calls for tenders for the supply of goods or services under s.3.57 of the Act.

Private Treaty - It requires, in summary:

- Ascertaining the market value of the property through a valuation carried out not more than 6 months before the proposed disposition;
- Reaching a conditional agreement with a proposed purchaser (which may or may not reflect the market valuation);
- Giving 2 weeks' local public notice of the proposed disposition, describing the property concerned and the details of the proposed disposition (which must include the other party's details, the market valuation and the amount at which the Shire proposes to sell);
- Council then considers any submissions made to it before the date specified in the notice, and then records its decision and the reasons for it in the minutes.

SUSTAINABILITY AND RISK CONSIDERATIONS

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

The sale of the lot will generate albeit a small rate income for the Council, but more importantly will put Council in a better position to be able to construct a new dwelling in town either for future staff or open market rental.

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

Nil

Policy Implications

- Policy CM 10 – Disposal of Property

Risk Management Implications

Risk Level	Comment
Medium	Not proceeding with the potential sale would result in continued holding costs for an asset no longer used and costly to maintain / refurbish.

CONSULTATION

The proposed disposal of property has been as required by Council Resolution 6898/10/22, in the local Newslink, Shire Facebook Page as well as the Shire Website, providing opportunity to provide comments until 10 November 2022.

No comments were received during the consultation / advertising period.

RESOURCE IMPLICATIONS

Financial

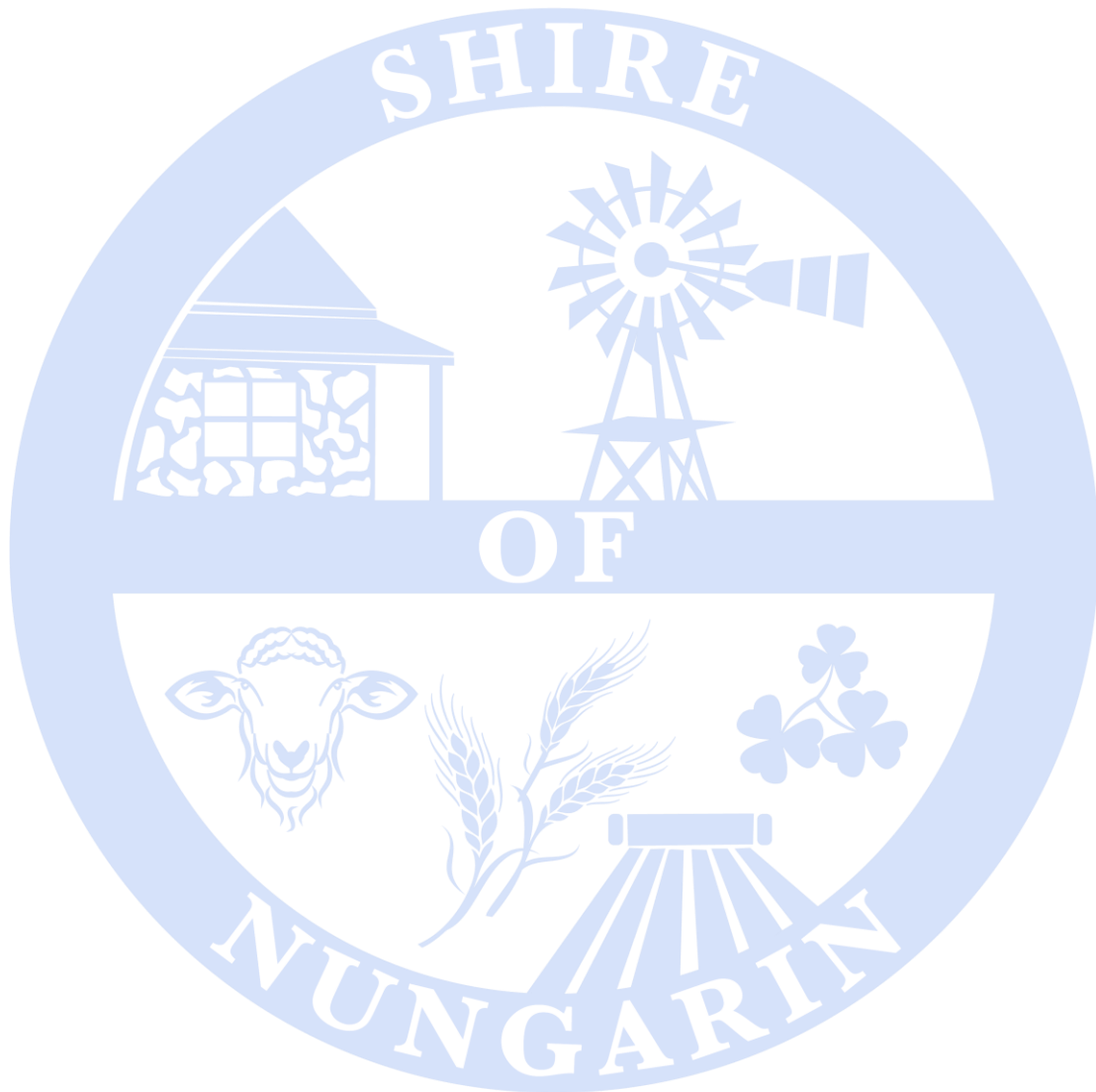
The conveying costs can be absorbed into the current budget allocation in GL 209321.

The income derived from the sale would be placed in a building reserve to be used for future building projects approved by Council.

Workforce

Nil

End



8.6 APPOINTMENT OF DUAL BUSHFIRE CONTROL OFFICER	
File Ref:	8.3
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 6905/11/22

That Council Resolves to:

- 1. Approve the Merredin Deputy Bushfire Control Officer - Mick Caughey as Dual Fire Control Officer with the Nungarin Bushfire Brigade.**

Moved:

Seconded:

.....

IN BRIEF

Council is requested to consider the appointment of a Dual Bushfire Control Officer.

BACKGROUND

Under the Bush Fires Act 1954, a Fire Control Officer has significant authority in a fire emergency, where they may assume responsibility of the situation, which will then override any volunteer on the ground.

A Fire Control Officer, including the Chief Bush Fire Control Officer may have their authority superseded by a Department of Fire and Emergency Services Liaison Officer or a Department of Biodiversity, Conservation and Attractions', Parks and Wildlife Service Officer in certain situations.

REPORT DETAIL

At the Nungarin Bushfire Brigade Annual General Meeting held earlier this year, the following recommendations were made:

“Chief Bushfire Control Officer –

Cameron Large – Gary Coumbe handed responsibility to Cameron Large at the DOAC meeting. Cameron was approved as CBFCO at the DOAC meeting and approved by CEO’s delegated authority.

Deputy CBFCO –

Paul Cosson

Moved – Cameron Large, Seconded – Vanessa Seward

Fire Control Officer –

David Nayda

*Moved – Cameron Large, Seconded – Glen Buder
Gary Coumbe*

Moved Cameron Large, Seconded Vanessa Seward”

A Dual Bushfire Control Officer was not discussed at the Nungarin Bushfire Brigade AGM. However, following recent discussions between the Chief Executive Officer, the Chief Bushfire Control Officer as well as the Merredin Deputy Chief Bushfire Control Officer the benefits were discussed in having an experience Dual Bushfire Control Officer on the fire ground to assist the Chief Bushfire Control Officer.

SHIRE OF NUNGARIN COMMUNITY STRATEGIC PLAN 2023

Focus Area	Environment
Aspiration	Our environment is understood, maintained and protected.
Objective	Protect and enhance the natural environment

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Sections of the Acts, Regulations and/or Local Laws that apply to this item include:

- Bush Fires Act 1954 Section 38, 39, 40 and 56 – Appointment of Bush Fire Control Officers; and
- Work Health and Safety Act 2020 (Act) and Regulations.

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
High	Any bushfire is a risk to both life and property, the appointment of a Dual Bushfire Control Officer will add to the experience of the current volunteer brigade and assist the Chief Bushfire Control Officer.

CONSULTATION

The consideration of appointing a Dual Bushfire Control Officer has been discussed and is supported by the current Chief Bushfire Control Officer as well as the Merredin Deputy Chief Bushfire Control Officer.

RESOURCE IMPLICATIONS

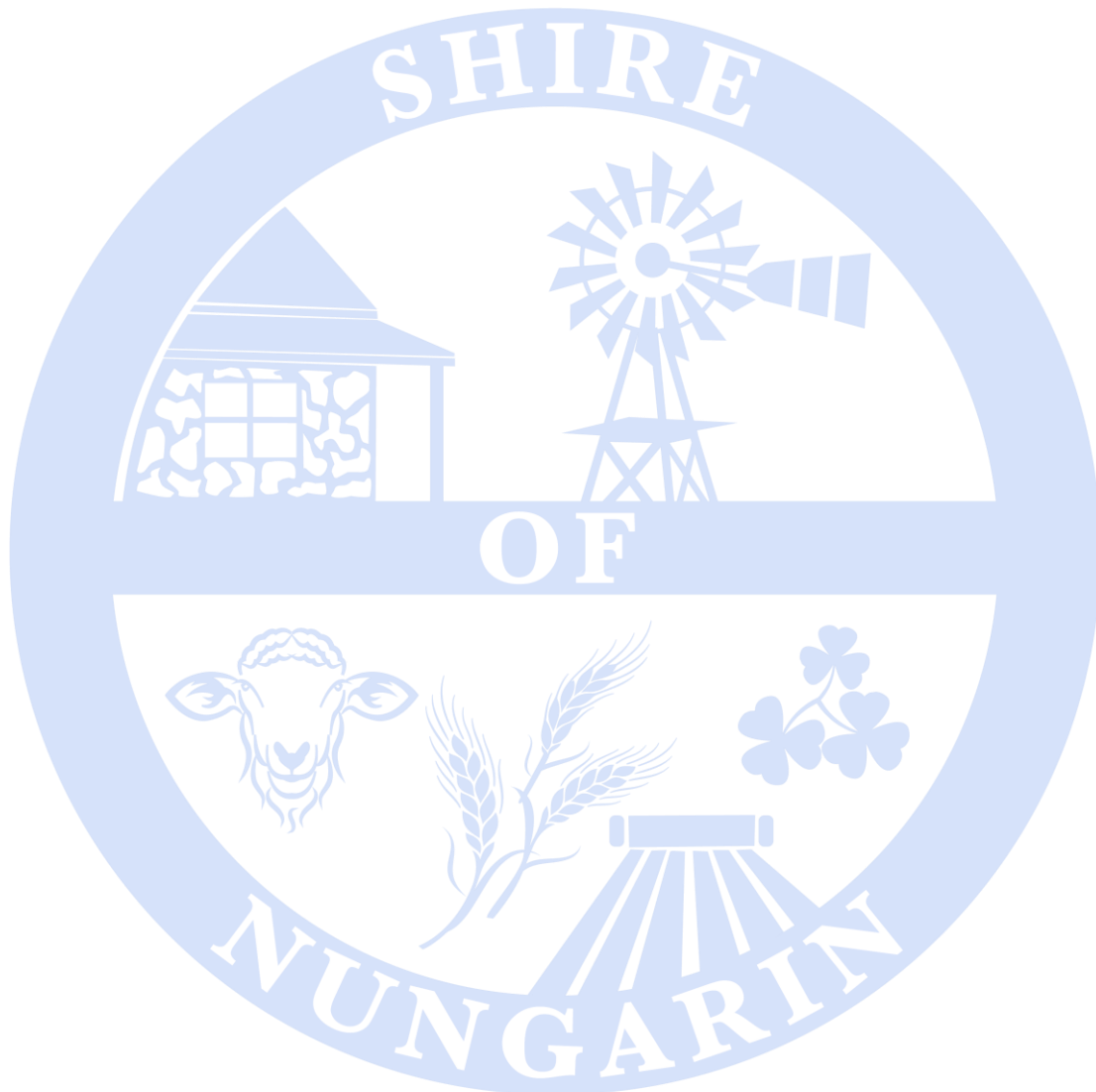
Financial

Nil

Workforce

Nil

end



8.7 RENEWAL OF (MEMORIAL HALL) LEASE – STUDIO ARTISTIQUE	
File Ref:	4.15.3
Previous Item Ref:	Res 6779 of 17 Nov 21
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Nil

OFFICER RECOMMENDATION 6906/11/22

That Council Resolves to:

1. Authorise the Chief Executive Officer to enter into a three (3) year lease of the Memorial Hall to Ms. Natalie Veal (Lessee) for the purpose of an Artist Studio including the conducting of classes and serving light meals, subject to:
 - a. Compliance with s3.58 of the *Local Government Act 1995*;
 - b. The lessee being liable for the cost of obtaining a valuation in accordance with s3.58 of the *Local Government Act 1995*;
 - c. The lessee being liable for the cost of placing the advertisement in the West Australian in accordance with s3.58 of the *Local Government Act 1995*;
 - d. A monthly rental fee of \$220 per month, payable on the first of each month in advance;
 - e. The rental fee is increased annually by 10% for the duration of the lease;
 - f. The lessee will be liable for all utility costs;
 - g. Prior to the commencement of any works (internal or external) the approval of the Chief Executive Officer is to be obtained in writing.

Moved:

Seconded:

.....

IN BRIEF

Council is requested to consider renewing the lease of the Memorial Hall to Natalie Veal to continue operating Studio Artistique.

BACKGROUND

Council at its Ordinary Council Meeting of 17 November 2021 resolved as follows:

“COUNCIL RESOLUTION 6779:

That Council Resolves to:

1. Authorise the Chief Executive Officer to enter into a six-month lease with the possibility of a further six (6) month extension of the Memorial Hall “as is” to Ms.

Natalie Veal (Lessee) for the purposes of an Artist Studio including the conducting of art classes, subject to:

- a. *The reinstatement of the ablutions at the rear of the building by the Shire prior to the lessee moving in.*
- b. *The first three (3) months of the lease being rent free, thereafter a rental fee of \$200 per month, payable on the 1st of every month in advance.*
- c. *All utility costs will be for the lessee to pay.*
- d. *Any works to be carried out internally to be at the cost of Lessee; and*
- e. *Prior to the commencement of any works (internal or external) the approval of the Chief Executive Officer is to be obtained.*

Moved: Cr K Dayman
Seconded: Cr RE O'Connell

CARRIED 7/0"

REPORT DETAIL

Following the re-instatement of the ablutions, the lease was entered into in April 2022. The Studio has now been operating for a number of months and has proven to be successful and has also succeeded in activating the main street albeit in a small way.

The studio has since its inception grown to now include other artists paintings and crafts which attracts additional customer to the studio and the town. The approval of a three (3) year lease will provide the lessee with confidence to continue operating and improving both the building and the studio.

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)

The activation of the main street is an important economic driver, and the opening of the feature business as proven to have resulted positive impacts on the economy of the Shire by attracting additional visitors / tourists to town.

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

The potential for an additional activity i.e. art / sculpture services brought into town will be beneficial for the local community.

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	Not leasing the building would have any detrimental impact on the main street activation as well as the economy of the town. Further, it could lead to the building once again remaining unused for a number of years resulting in its dilapidation.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

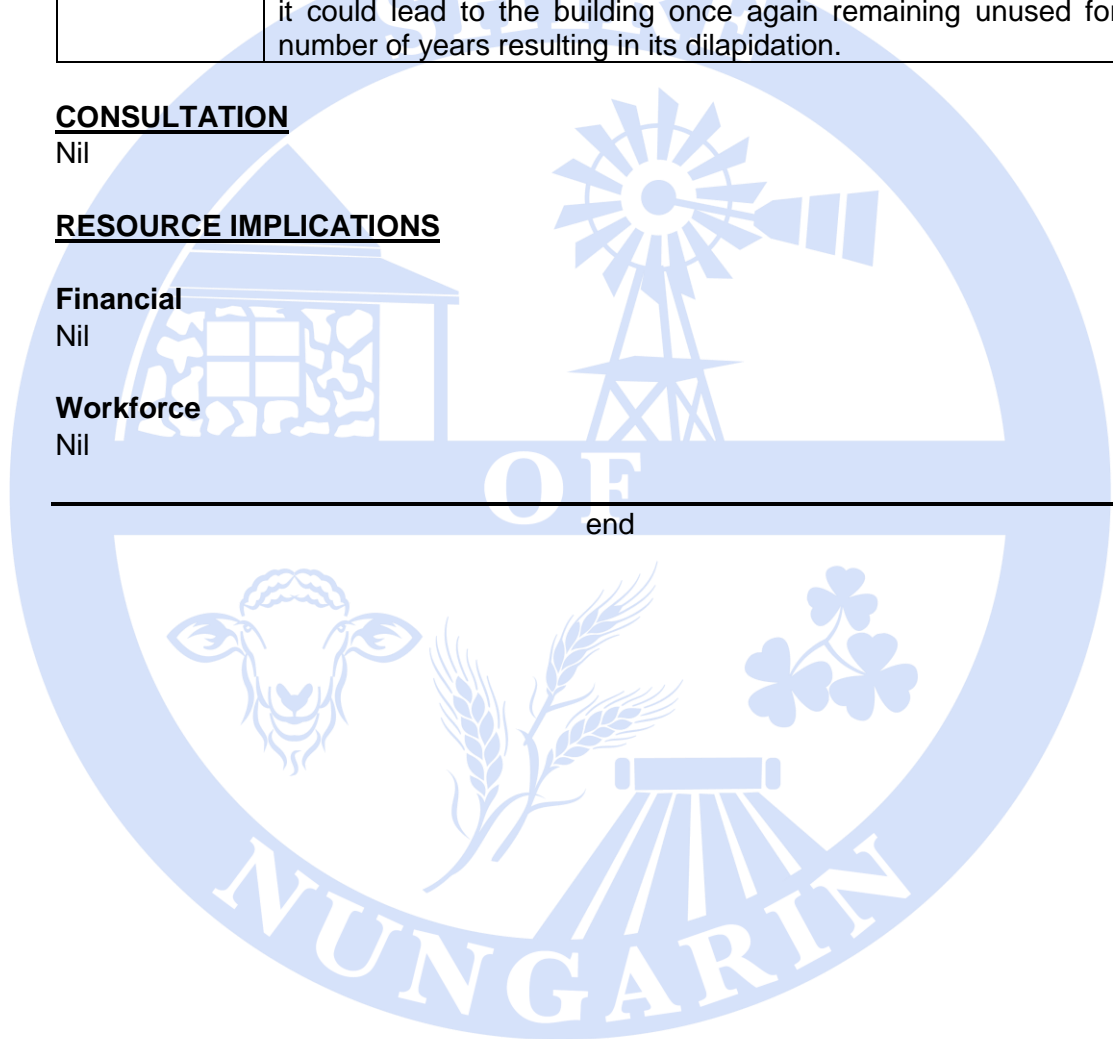
Financial

Nil

Workforce

Nil

end



8.8 ADOPTION OF THE NUNGARIN INTEGRATED STRATEGIC PLAN	
File Ref:	3.4.2
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 – Draft Integrated Strategic Plan

OFFICER RECOMMENDATION 6907/11/22

That Council Resolves to:

- Adopt the Nungarin Integrated Strategic Plan Attachment 8.8A, in accordance with Section 5.56(1) of the *Local Government Act 1995*.**

Moved:

Seconded:

IN BRIEF

Council is requested to consider the adoption of the Nungarin Integrated Strategic Plan.

BACKGROUND

In 2013 the Shire of Nungarin prepared its first Strategic Community Plan 2013 – 2023, to meet requirements of the Western Australia’s Integrated Planning and Reporting Framework.

Council has the responsibility of making strategic decisions, set policy and direction and provider oversight and monitor to ensure adopted plans are achieved on behalf of the community.

The CEO and the Administration’s Integrated Planning and Reporting responsibilities are to support Council through:

- the design of the planning and monitoring processes;
- providing Council with the best available information to make decisions;
- following through to implement plans with the allocated resources; and
- tracking performance and reporting progress to Council.

The Integrated Planning and Reporting and monitoring cycle is continuous. The planning cycle requires all local governments to undertake a major review every four years.

REPORT DETAIL

The review process commenced in 2021, included the facilitation of a community engagement workshops, Business engagement workshop as well as a workshop with

Elected Members. With the completion of the review, the revised Integrated Strategic Plan integrates the Strategic Community Plan and Corporate Business Plan elements of the Western Australia's IPR Framework.

This Integrated Strategic Plan will be subjected to a major review requiring community engagement in 2025 as legislated. In addition, community priorities will be reviewed and updated annually to reflect changes to regional or local priorities, the budget and to service levels. Our Integrated Strategic Plan reinforces our commitment to the people who live, work and visit our Shire and to regional co-operation and prosperity.

The purpose of this document is to provide a clear purpose and strategic direction for our Shire, and to reinforce our commitment to regional cooperation to source the funding and support required to address the priorities detailed in this plan. The Integrated Strategic Plan is presented to Council for consideration.

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*

Section 5.56(1) of the Local Government Act 1995 requires all local governments to produce plans for the future. The IPR Framework was introduced in Western Australia as part of the State Government's Local Government Reform Program.

SUSTAINABILITY AND RISK CONSIDERATIONS

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

An Integrated Strategic Plan is a fundamental document which informs the preparation of the annual budget.

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

The Integrated Strategic Plan, reflects what the community envisages for the future development within the Shire, and what is considered will improve the quality of life for the community.

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	The preparation of the Integrated Strategic Plan is a requirement of the act, not providing the document will be a breach of the act.

CONSULTATION

- Community Workshops
- Business Community Breakfast
- Elected Member Workshop
- Staff Workshop

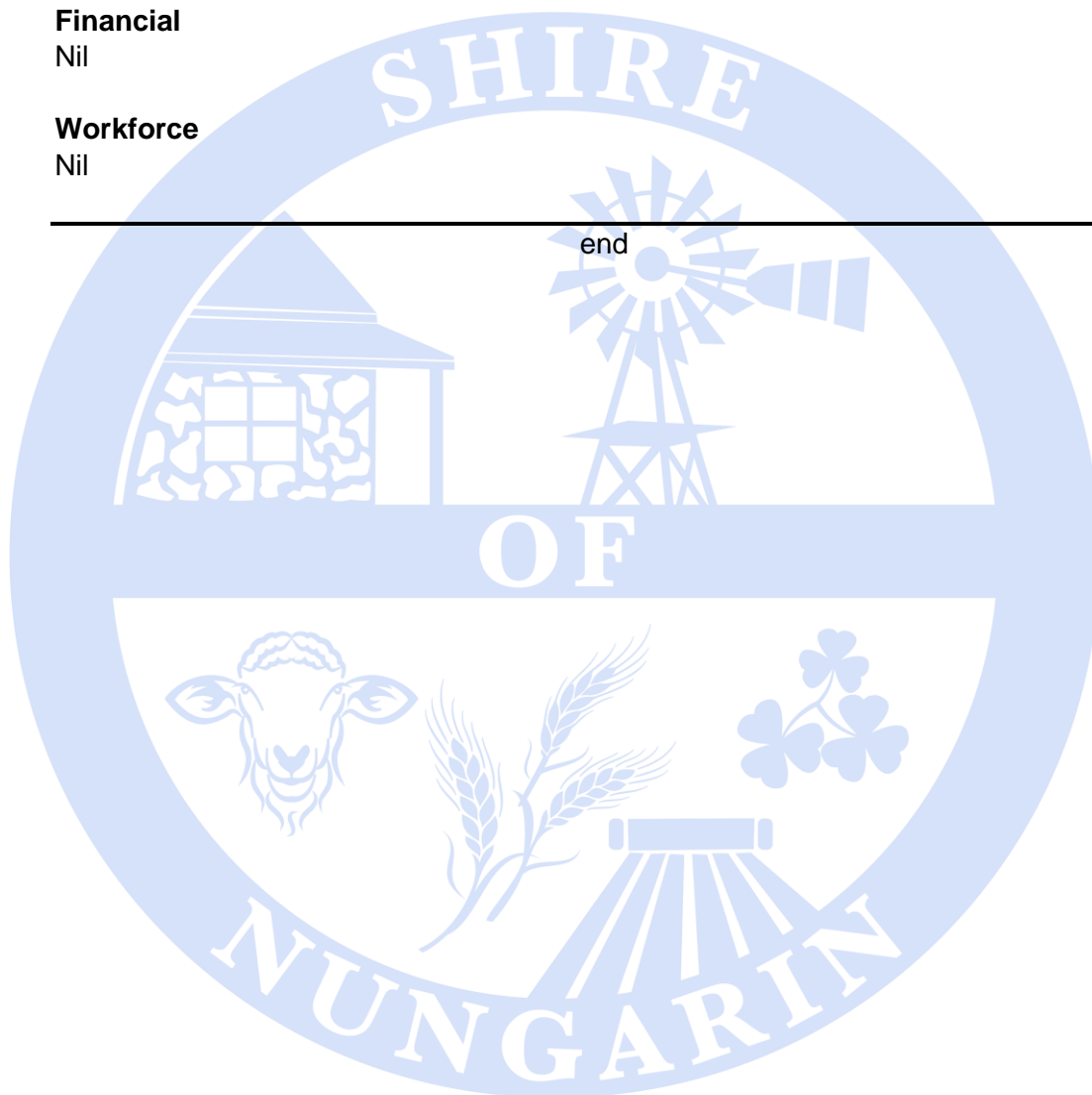
RESOURCE IMPLICATIONS

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 6908/11/22

That Council Resolves to:

1. Proceed behind closed doors as per Section 5.23(2) of the Local Government Act 1995 to consider item 11.1 atpm.

Moved:

Seconded:

..... /

OFFICER RECOMMENDATION 6909/11/22

11.1 CONFIDENTIAL ITEM: AUSTRALIA DAY COUNCIL OF WA CITIZEN OF THE YEAR AWARD 2023

File Ref:	3.1.1
Previous Item Ref:	OCM RES 6791/12/21
Applicant:	Nil
Author and Title:	Leonard Long, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements	Simple Majority
Attachment Number:	Confidential

OFFICER RECOMMENDATION 6910/11/22

That Council Resolves to:

1. Proceed with the meeting on public, the time beingpm.

Moved:

Seconded:

..... /

12. CLOSURE

The being no further business the meeting closed at

Presiding Member

Date