



## MINUTES

# ORDINARY COUNCIL MEETING

17 MAY 2023

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## **AGENDA**

### **1. DECLARATION OF OPENING**

The Presiding Member declared the meeting open at 4:32pm.

#### **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**

- Nil

#### **2.2 APOLOGIES**

- Nil

#### **2.3 REQUEST FOR LEAVE OF ABSENCE**

- Nil

### **3. DEPUTATIONS AND PETITIONS**

#### **3.1 DEPUTATIONS**

- Nil

**3.2 PETITIONS**  
Nil

**4. PUBLIC QUESTION TIME**

**4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**  
- Nil

**4.2 PUBLIC QUESTION TIME**  
- Nil

**5. DECLARATIONS OF INTEREST**

**5.1 FINANCIAL AND PROXIMITY INTEREST**  
- Nil

**5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT**  
- Nil

**6. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**  
- Nil

**7. PREVIOUS COUNCIL MEETING MINUTES / OUT OF SESSION CONFIRMATION**

**7.1 ORDINARY COUNCIL MEETING – 19 April 2023**

**COUNCIL RESOLUTION 31/05/23**

That the Minutes of the Ordinary Council Meeting held on 19 April 2023 be confirmed as being a true and accurate record.

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

**CARRIED 7/0**

**7.2 SPECIAL COUNCIL MEETING – 10 May 2023**

**COUNCIL RESOLUTION 32/05/23**

That the Minutes of the Confidential Special Council Meeting held on 10 May 2023 be confirmed as being a true and accurate record.

Moved: Cr G Coumbe  
Seconded: Cr J Davis

**CARRIED 7/0**

**8. OFFICER REPORTS**

| <b>8.1 LISTING OF PAYMENTS FOR THE MONTH OF APRIL 2023</b> |                                       |
|--|---------------------------------------|
| <b>File Ref:</b>   | 10.13                                 |
| <b>Previous Items:</b>                                     | Nil                                   |
| <b>Applicant:</b>  | Nil                                   |
| <b>Author and Title:</b>                                   | Leonard Long, Chief Executive Officer |
| <b>Declaration of Interest:</b>                            | Nil                                   |
| <b>Voting Requirements:</b>                                | Simple Majority                       |
| <b>Attachment Number</b>                                   | 8.1A – Payment List                   |

**COUNCIL RESOLUTION 33/05/23**

That Council Resolves to:

1. Receive the following payments made throughout the month of April 2023:

|                  |                     |                            |
|------------------|---------------------|----------------------------|
| <b>Municipal</b> | <b>Cheque</b>       | <b>\$ 24,707.10</b>        |
|                  | <b>EFT</b>          | <b>\$248,739.67</b>        |
|                  | <b>Direct Debit</b> | <b><u>\$ 10,572.05</u></b> |
|                  |                     | <b>\$284,018.82</b>        |
| <b>Trust</b>     | <b>Cheque –</b>     | <b>Nil</b>                 |
|                  | <b>Grand Total</b>  | <b>\$284,018.82</b>        |

**Moved: Cr J Davis**

**Seconded: Cr W Lee**

**CARRIED 7/0**

**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 April 2023.

**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 INTEGRATED STRATEGIC PLAN 2023 – 2033**

|                            |   |
|----------------------------|---|
| <b>Focus Area</b>          | Our Organisation  |
| <b>Community Priority</b>  | Effective forward planning, and engagement with our community |
| <b>Success Measurement</b> | We deliver sound financial and asset management               |

**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**

| <b>Risk Level</b> | <b>Comment</b>  |
|-------------------|---|
| 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

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end

|  |  |
|--|--|
| <b>8.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 APRIL 2023</b> |  |
| <b>File Ref:</b>   | 10.2.2   |
| <b>Previous Item Ref:</b>  | Nil  |
| <b>Applicant:</b>  | Nil  |
| <b>Author and Title:</b>   | Leonard Long, Chief Executive Officer<br>Darren Long, Financial Consultant |
| <b>Declaration of Interest:</b>  | Nil  |
| <b>Voting Requirements</b>   | Simple Majority  |
| <b>Attachment Number:</b>  | 8.2A – Monthly Statement   |

**COUNCIL RESOLUTION 34/05/23**

**That Council Resolves to:**

- 1. Receives the monthly financial activity statement for the period ending 30 April 2023.**

**Moved: Cr K Dayman**

**Seconded: Cr G Coumbe**

**CARRIED 7/0**

**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:

- Statement of Comprehensive Income by Function/Program;
- Statement of Comprehensive Income by Nature/Type;
- Statement of Financial Activity;
- Summary of Net Current Asset Position;
- Statement of Explanation of Material Variances;
- Statement of Financial Position;
- Statement of Cash Flows;
- Detailed Operating and Non-Operating Schedules;
- Statement of Cash Back Reserves;
- Loan Borrowings Statement; and
- 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 30 April 2023 shows a closing surplus of \$783,448.

## **SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 – 2033**

|                            |   |
|----------------------------|---|
| <b>Focus Area</b>          | Our Organisation  |
| <b>Community Priority</b>  | Effective forward planning, and engagement with our community |
| <b>Success Measurement</b> | We deliver sound financial and asset management               |

## **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**

| <b>Risk Level</b> | <b>Comment</b>   |
|-------------------|--|
| 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

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end

| <b>8.3 APPOINTMENT OF FINANCIAL CONSULTANCY</b> |  |
|---|--|
| <b>File Ref:</b>                                | 10.31  |
| <b>Previous Item Ref:</b>                       | Nil  |
| <b>Applicant:</b>                               | Nil  |
| <b>Author and Title:</b>                        | Leonard Long, Chief Executive Officer  |
| <b>Declaration of Interest:</b>                 | Nil  |
| <b>Voting Requirements</b>                      | Simple Majority  |
| <b>Attachment Number:</b>                       | 8.3A – Request for Quotation<br>8.3B – Confidential DL Consulting<br>8.3C – Confidential Moore Australia Pty Ltd |

### **COUNCIL RESOLUTION 35/05/23**

**That Council Resolves to:**

- Appoint DL Consulting as per Attachment 8.3B for a period of two (2) years (2023/24 and 2024/25) to provide financial consultancy services to the Shire of Nungarin.**

**Moved: Cr RE O'Connell**

**Seconded: Cr W Lee**

**CARRIED 7/0**

### **IN BRIEF**

Council is requested to consider the appointment of DL Consulting to provide the Shire with financial services.

### **BACKGROUND**

Due to the small workforce and the added difficulty of recruiting a suitably qualified person the Shire has always engaged the services of a Financial Consultant. DL Consulting has been engaged by the Shire for the past several years and has provided an outstanding service.

### **REPORT DETAIL**

In January 2023, the Shire sent out a request for quotation to a number of financial consultancies requesting (if interested) to provide a quotation as per the 'Scope of Work' contained in the 'request for quotation' (**ATTACHMENT 8.3A**).

Two responses were received as a result of the 'request for quotation' sent out:

- Moore Australia (WA) Pty Ltd (**CONFIDENTIAL ATTACHMENT 8.3C**); and
- DL Consulting (**CONFIDENTIAL ATTACHMENT 8.3B**).

It is the opinion that either of the two applicants could do the work, as such the recommendation is based on the cost of the service, which is contained in the

**SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 – 2033**

|                            |   |
|----------------------------|---|
| <b>Focus Area</b>          | Our Organisation                                      |
| <b>Community Priority</b>  | Skilled and capable shire staff and community leaders |
| <b>Success Measurement</b> | We deliver sound financial and asset management       |

**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**

| <b>Risk Level</b> | <b>Comment</b>  |
|-------------------|---|
| High              | It is imperative for the shire to ensure its financial responsibilities are met at all times, which will not be possible without financial services |

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS****Financial**

The cost of the Financial Consultancy will be included in the budgets for the subsequent years.

**Workforce**

Nil

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end

|   |                                       |
|---|---------------------------------------|
| <b>8.4 BUDGET AMENDMENT – DANBERRIN ROAD RECONSTRUCTION</b> |                                       |
| <b>File Ref:</b>  | 26.5.4.1                              |
| <b>Previous Item Ref:</b>                                   | Nil                                   |
| <b>Applicant:</b>   | Nil                                   |
| <b>Author and Title:</b>                                    | Leonard Long, Chief Executive Officer |
| <b>Declaration of Interest:</b>                             | Nil                                   |
| <b>Voting Requirements</b>                                  | Absolute Majority                     |
| <b>Attachment Number:</b>                                   | Nil                                   |

### **COUNCIL RESOLUTION 36/05/23**

**That Council Resolves to:**

- Approved the overspend of the RRG – Danberrin Road reconstruction project and the amendment of the approved 2022/23 budget as follows:**

| Description               | GL N#  | Reduce   | Increase |
|---------------------------|--------|----------|----------|
| RRG – Danberrin Road      | 412102 |          | \$30,000 |
| Lot 186 Danberrin Capital | 404211 | \$30,000 |          |

**Moved:** Cr J Davis

**Seconded:** Cr G Coumbe

**CARRIED BY ABSOLUTE MAJORITY 7/0**

### **IN BRIEF**

Council is requested to consider the amendment of the approved budget to fund the forecast budget overrun on the reconstruction of Danberrin Road.

### **BACKGROUND**

Danberrin Road reconstruction is a long-term project to be done over several years and mainly funded through the Regional Road Group funding stream, with a contribution from Council. The current phase, phase 2 of its reconstruction is nearing completion with phase 3 to be started in the next financial year.

### **REPORT DETAIL**

The expected forecast overrun for this project is estimated to be \$90,000, this is mainly due to cost escalations out of the officers control. To fund the forecast overrun, the Shire requested through the Sub Regional Roads Group (SRRG) to assist. The request to assist was approved subject to the Council contributing one third of the cost, \$30,000.

### **SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 – 2033**

|                           |   |
|---------------------------|---|
| <b>Focus Area</b>         | Our Organisation                                      |
| <b>Community Priority</b> | Skilled and capable shire staff and community leaders |

|                            |   |
|----------------------------|---|
| <b>Success Measurement</b> | We deliver sound financial and asset management |
|----------------------------|---|

**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**

| <b>Risk Level</b> | <b>Comment</b>   |
|-------------------|--|
| High              | Should the amendment not be approved the Shire will not be able to fund the completion of the current phase. |

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS****Financial**

The amendment will still ensure the budget remains a balanced budget.

**Workforce**

Nil

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 end

**9. MINUTES OF COMMITTEES**

(Minutes of the various Committees and other Forums where Council is represented by an Elected member is listed below for Councillors information only.)

**9.1 Kununoppin Medical Practice – 27 April 2023 (Attachment 9.1A)**

**9.2 Greater Eastern Zone - 17 April 2023 (Attachment 9.2A)**

**9.3 Sub Regional Roads Group – 18 April 2023 (Attachment 9.3A)**

**9.4 NEWROC Council Meeting – 27 April 2023 (attachment 9.4A)**

**10. DELEGATES REPORTS**

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

**10.1 Cr O’Connell**  
(ATTACHMENT 10.1A)

- Attended a WSFN meeting, John has offered to discuss the projects with the new CEO. Meeting was conducted via teams.

- Some Shires are behind on projects, funds may be considered to be relocated.

- Governance procedure manual has now been adopted.

**10.2 Cr Coumbe**

- Shed has been reduced in size by removing one bay due to the water tank requirements. The building permit has been submitted to the Shire with an estimated date to commence building in June.

**10.3 Cr de Lacy**

- Attended NEWROC Workshop followed by a Council meeting. NEWROC, looking at creating an economic development group, Cr de Lacy noted her interest in joining the ED group.

**10.4 Cr Lee**

- Attended a Museum meeting.

**11. NEW BUSINESS OF AN URGENT NATURE**

- Nil

**12. CONFIDENTIAL ITEMS OF BUSINESS**

- Nil

**13. CLOSURE**

There being no further business the meeting closed at 5:02pm

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Presiding Member

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Date