



Ordinary Council Meeting

**17 April 2024**

66 Railway Ave, Nungarin, WA

**Meeting Minutes**

## TABLE OF CONTENTS

1.	DECLARATION OF OPENING .....	4
2.	ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE .....	4
2.1	ATTENDANCE.....	4
2.2	APOLOGIES .....	4
2.3	REQUEST FOR LEAVE OF ABSENCE .....	4
3.	DEPUTATIONS AND PETITIONS .....	4
3.1	DEPUTATIONS .....	4
3.2	PETITIONS.....	4
4.	PUBLIC QUESTION TIME .....	5
4.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	5
4.2	PUBLIC QUESTION TIME .....	5
5.	DECLARATIONS OF INTEREST .....	5
5.1	FINANCIAL AND PROXIMITY INTEREST.....	5
5.2	DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT .....	5
6.	ANNOUNCEMENT BY THE PRESIDING MEMBER.....	5
7.	PREVIOUS COUNCIL MEETING MINUTES.....	5
7.1	ORDINARY COUNCIL MEETING – 20 MARCH 2024 .....	5
8.1	LISTING OF PAYMENTS FOR THE MONTH OF MARCH 2024.....	6
8.2	MONTHLY FINANCIAL REPORT MARCH 2024 .....	9
8.3	INVESTMENT REPORT AS AT 31 MARCH 2024 .....	12
8.4	NORTH EASTERN WHEATBELT REGIONAL ORGANISATION OF COUNCILS (NEWROC) MEMORANDUM OF UNDERSTANDING.....	15
8.5	NUNGARIN SWIMMING POOL SAFETY ASSESSMENT 2023/2024 - ROYAL LIFE SAVING SERVICES WA.....	17
8.6	CONSIDERATION OF PURCHASE AND MODIFICATION OF TRAILER EQUIPMENT FOR NORTH NUNGARIN ROAD PROJECT .....	21
9.	CORRESPONDENCE RECEIVED .....	24
10.	NEW BUSINESS OF AN URGENT NATURE .....	24
12.	CLOSURE .....	25

## ATTACHMENTS

Click on the any blue text throughout the report and it will direct you to the attachment. If you require a copy of the attachments, please click on the blue text and go to 'save as' or download.

[OCM Minutes – 20th March 2024](#)

[8.1A – Payment listing March 2024](#)

[8.2A – Monthly Financial Report March 2024](#)

[8.4 \(NEWROC\) Memorandum of Understanding](#)

[8.5 Nungarin Swimming Pool Safety Assessment 2023/2024](#)

[8.6 Four-axle dog-trailer \(modified\)](#)

[8.7 Heavy Duty Tri-Axle Tag-a-long \(original\)](#)

[9.1 CouncilConnect Support & Google Analytics Report – March 2024](#)

[9.2.1 Rural Water Council Annual General Meeting 2024](#)

[9.2.2 Rural Water Council - 2023-07 - Minutes \(General\)](#)

[9.2.3 Rural Water Council - 2023-10 - Minutes \(General\)](#)

[9.2.4 Water Smart Dams Rural Water Council](#)

[9.3.1 Kununoppin Medical Practice Committee - MINUTES - 26 March 2024](#)

[9.4 Regional Road Group Report April 2024](#)

# AGENDA

## 1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 4:00pm.

### ***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 A Eksanow
Elected Member	Cr W Lee
Elected Member	Cr M Caughey

#### **Council Officers**

Chief Executive Officer	Mr R Halse
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**

Public Question Time allows individuals to ask questions relevant to Council business during Council meetings. Questions must be submitted in writing 48 hours before the meeting, directed to the President, and pertain to agenda items for Ordinary or Special Council Meetings. The public cannot interrupt or engage in discussions post-Question Time. The Presiding Member oversees the session, requiring individuals to state their name, address, and relevant agenda item number before speaking. Generally, individuals have two minutes to ask their questions, though this time can be adjusted by the Presiding Member.

**a) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**b) PUBLIC QUESTION TIME**

**5. DECLARATIONS OF INTEREST**

**a) FINANCIAL AND PROXIMITY INTEREST**

**b) DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT**

**6. ANNOUNCEMENT BY THE PRESIDING MEMBER**

Leave blank for Presiding Member.

**7. PREVIOUS COUNCIL MEETING MINUTES**

**a) ORDINARY COUNCIL MEETING – 20 MARCH 2024**

[OCM Minutes – 20th March 2024](#)

**COUNCIL RESOLUTION (17/04/2024)**

**That the Minutes of the Ordinary Council Meeting held on 20 March 2024 be confirmed as being a true and accurate record.**

**Moved: Cr A Eksanow**

**Seconded: Cr G Coumbe**

**CARRIED**

**7/0**

## 8. OFFICER REPORTS

8.1 LISTING OF PAYMENTS FOR THE MONTH OF MARCH 2024	
File Ref:	NA
Previous Items:	Nil
Responsible Officer:	Ric Halse, Chief Executive Officer
Author and Title:	Crystal Pearce, Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number	<a href="#">8.1A – Payment listing March 2024</a>

### COUNCIL RESOLUTION (17/04/2024)

That Council in relation to the Payment Listing for March 2024, resolves to formally accept and acknowledge the contents of the report. The following payments were outgoing throughout March 2024

#### Municipal:

- EFT: \$175,760.49
- Cheque: \$258.75
- Direct Debit: \$23,025.61

#### Trust:

- Cheque: \$0.00
- Credit Card: \$ 679.37
- Direct Debit: \$0

**Grand Total: \$199,044.85**

**Moved: Cr M Caughey**

**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, Trust and Credit Card funds throughout the month of March 2024.

### 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>Aspiration</b>	Effective forward planning and engagement with our community
<b>Objective</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 for each account which requires council authorisation in that month (i) the payee’s name;
  - i. the amount of the payment; and
  - ii. sufficient information to identify the transaction.
  - iii. 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

- b) prepared; and
- c) recorded in the minutes of that meeting.

## **SUSTAINABILITY AND RISK CONSIDERATIONS**

### **Economic**

Nil

### **Social**

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



## 8. OFFICER REPORTS (continued)

<b>8.2 MONTHLY FINANCIAL REPORT MARCH 2024</b>	
<b>File Ref:</b>	NA
<b>Previous Items:</b>	Nil
<b>Responsible Officer:</b>	Ric Halse Chief Executive Officer
<b>Author and Title:</b>	Darren Long Consultant
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	<a href="#">8.2A – Monthly Financial Report March 2024</a>

### **COUNCIL RESOLUTION (17/04/2024)**

**That Council Resolves to:**

**The Council, regarding the Monthly Financial Report for March 2024, resolves to formally accept and acknowledge the contents of the report.**

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

**CARRIED**

**7/0**

### **IN BRIEF**

For Council to consider the monthly financial report for the period ending 31 March 2024.

### **SUMMARY AND KEY ISSUES**

The Local Government Act and Regulations require local governments to prepare monthly reports containing the information that is prescribed.

### **BACKGROUND**

The Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 require local governments to prepare monthly reports containing the information that is prescribed.

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

<b>Focus Area</b>	Our organisation
<b>Aspiration</b>	Effective forward planning, and engagement with the community
<b>Objective</b>	We deliver sound financial and asset management

### **OTHER STRATEGIC LINKS**

There are no Strategic Plan implications evident at this time.

## **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: Monthly Statement of Financial Activity**

1. **Preparation of Monthly Statements:** A local government must prepare a monthly statement of financial activity. This statement reports on the sources and applications of funds as outlined in the annual budget under regulation 22(1)(d). The statement must include the following details for the month:
  - a) **Annual Budget Estimates:** Includes any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c).
  - b) **Budget Estimates to End of Month:** Estimates up to the end of the month to which the statement relates.
  - c) **Actual Amounts:** Details actual expenditure, revenue, and income up to the end of the month.
  - d) **Material Variances:** Highlights significant differences between the budget estimates and actual amounts.
  - e) **Net Current Assets:** Reports the net current assets at the end of the month.
2. **Subsequent Regulations (Sub-regulations 2, 3, 4, 5, and 6):** These sub-regulations prescribe additional details that must be included in the monthly statement of financial activity.

## **OFFICER COMMENT**

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
- 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 March 2024 shows a closing surplus of \$1,478,702.

## **SUSTAINABILITY AND RISK CONSIDERATIONS**

### **Economic**

No economic risks to report.

### **Social**

No social risks to report.

### **Policy Implications**

No policy risks to report.

### **Risk Management Implications**

<b>Risk Level</b>	<b>Comment</b>
Medium	

## **CONSULTATION**

Financial Consultant – Darren Long.

## **RESOURCE IMPLICATIONS**

### **Financial**

No financial implications to report.

### **Workforce**

No workforce implications to report.

8. OFFICER REPORTS (continued)

8.3 INVESTMENT REPORT AS AT 31 MARCH 2024	
File Ref:	Nil
Previous Items:	Nil
Responsible Officer:	Ric Halse, Chief Executive Officer
Author and Title:	Crystal Pearce, Manager Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number	Nil

COUNCIL RESOLUTION (17/04/2024)	
That Council Resolves to:	
The Council, regarding the investment report April 2024, resolves to formally accept and acknowledge the contents of the report.	
Moved:	Cr G Coumbe
Seconded:	Cr M Caughey
<b>CARRIED</b>	
<b>7/0</b>	

**IN BRIEF**

The Investment Report has been prepared to provide the Council with an update regarding the investment pertaining to the transfer of surplus funds to a short-term deposit account.

**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 March 2024. Investment funds from the Municipal account ending in 1074 reached maturity at 04 March 2024. These funds and accumulated interest have since been transferred back into the associated bank account.

Account #	Date of Maturity	Interest Rate	Opening Balance	Interest Earned to 31.03.2024	Investment Transfers	Closing Balance 31.03.2024
38132004	04/03/2024	4.85%	\$1,500,000.00	\$18,137.67	\$1,518,137.67	\$0.00
38132004	03/06/2024	4.99%	\$860,204.92	\$0.00	\$0.00	\$860,204.92

## SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 - 2033

<b>Focus Area</b>	Our organisation
<b>Aspiration</b>	Effective forward planning, and engagement with our community
<b>Objective</b>	We deliver sound financial and asset management

### OTHER STRATEGIC LINKS

No Strategic Plan implications

### 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
  - (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 –**

Nil

### **Social**

Nil

### **Policy Implications**

Council Policy 3.07 applies to the investment of surplus funds.

### **Risk Management Implications**

<b>Risk Level</b>	<b>Comment</b>
Low	

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **RESOURCE IMPLICATIONS**

### **Financial**

Nil

### **Workforce**

Nil

## 8. OFFICER REPORTS (continued)

<b>8.4 North Eastern Wheatbelt Regional Organisation of Councils (NEWROC) Memorandum of Understanding</b>	
<b>File Ref:</b>	Nil
<b>Previous Items:</b>	Nil
<b>Responsible Officer:</b>	Ric Halse, Chief Executive Officer
<b>Author and Title:</b>	Ric Halse, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	<a href="#">8.4 (NEWROC) Memorandum of Understanding</a>

### **COUNCIL RESOLUTION (17/04/2024)**

**That in relation to the NEWROC MOU, the Shire of Nungarin Council resolves the following: -**

- a) Endorse the North Eastern Wheatbelt Regional Organisation of Councils (NEWROC) Memorandum of Understanding as attached to this agenda item.**
- b) Authorises the Shire President and Chief Executive Officer to affix the Common Seal of the Shire of Nungarin to the North Eastern Wheatbelt Regional Organisation of Councils (NEWROC) Memorandum of Understanding and execute all documentation as required.**

**Moved: Cr G Coumbe**  
**Seconded: Cr M Caughey**

**CARRIED**

**7/0**

### **Introduction**

This report has been prepared regarding the NEWROC Memorandum of Understanding to seek Council endorsement and authorisation to apply the Common Seal of the Shire of Nungarin. It has come to light that Shire officers signed the Memorandum of Understanding without realising that the NEWROC constitution requires council members to execute agreements using the common seal, as governed by Section 9.49A of the Local Government Act 1995.

## **Background**

### **NEWROC Memorandum of Understanding**

The Memorandum of Understanding (MoU) establishes a collaborative framework among seven local governments in Western Australia, aimed at enhancing regional cooperation through the North Eastern Wheatbelt Regional Organisation of Councils (NEWROC). Effective from July 1, 2023, to June 30, 2025, the agreement stipulates that each participating shire contributes equally to the budget and decision-making. This process is facilitated by a council appointed from each shire. Key roles include a rotating Chair and CEO who oversee the execution of regional projects and initiatives.

### **Use of Common Seal**

According to Section 9.49A of the Local Government Act 1995, a local government can officially sign documents by either using its official seal or by having an authorised person such as the CEO, another employee, or an agent sign on its behalf. This authorization may have specific conditions or restrictions.

## **SUSTAINABILITY AND RISK CONSIDERATIONS**

### **Economic**

- No economic risks to report.

### **Social**

- No social risks to report.

### **Policy Implications**

- No policy risks to report.

### **Risk Management Implications**

Risk Level	Comment
Medium	

## **CONSULTATION**

- Financial Consultant – Darren Long.

## **RESOURCE IMPLICATIONS**

### **Financial**

- No financial implications to report.

### **Workforce**

- No workforce implications to report.



## 8. OFFICER REPORTS (continued)

<b>8.5 Nungarin Swimming Pool Safety Assessment 2023/2024 - Royal Life Saving Services WA</b>	
<b>File Ref:</b>	Nil
<b>Previous Items:</b>	Nil
<b>Responsible Officer:</b>	Ric Halse, Chief Executive Officer
<b>Author and Title:</b>	Ric Halse, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	<a href="#">8.5 Nungarin Swimming Pool Safety Assessment 2023/2024</a>

### **COUNCIL RESOLUTION (17/04/2024)**

**That Council in relation to the Nungarin Swimming Pool Safety Assessment 2023/2024, resolves in the following:**

- a) Direct the Chief Executive Officer to prepare a comprehensive response to Royal Life Saving WA Safety Assessment (as attached), within the statutory time period imposed by the assessment body;**
- b) Prior to the new swimming pool season 24/25, the Chief Executive Officer must table for Council consideration, a suite of Standard Operating Procedures and a comprehensive Compliance Schedule;**
- c) Authorise the Chief Executive Officer to prepare a capital works budget forecasting over a three-year term the estimated cost of completing the capital improvements in accordance with the report recommendations;**

**Moved: Cr M Caughey**  
**Seconded: Cr RE O'Connell**

**CARRIED**

**7/0**

### **Introduction**

This report has been prepared to provide the Council with insights from the recent Nungarin Swimming Pool Safety Assessment. This assessment, carried out on March 6, 2024, is part of a four-year review cycle with the previous assessment conducted in 2019, and is supported by the Local Government Insurance Scheme (LGIS) and Royal Life Saving Services WA (RLSSWA). The review aims to ensure compliance with the Department of Health WA Code of Practice and Guidelines for Safe Pool Operations,

## Background

The 2023/24 assessment offers a thorough evaluation of the Nungarin Swimming Pool's adherence to established safety standards and operational guidelines. It highlights several critical areas requiring urgent attention to enhance safety and ensure regulatory compliance

## Key Recommendations

1. **Equipotential Bonding:** Immediate action is recommended to ensure all metallic objects within the pool area are properly earthed. This requires engaging an electrician to conduct testing and install the necessary bonding.
2. **Chemical Storage:** We advise the installation of bunding around areas storing Sodium Hypochlorite and Hydrochloric acid to prevent leakage risks.
3. **Signage and Safety Measures:** Additional safety signage, including "No Diving" and restricted access signs, is essential to mitigate risks and provide clear warnings to users.

## Major Faults Identified

- **Electrical Safety:** There is a critical need to earth metallic objects within the pool zone to prevent electric shock risks.
- **Chemical Safety:** Improper containment and incorrect signage for chemical storage areas have been noted.
- **Operational Concerns:** The water treatment system does not operate continuously when the facility is open, posing significant risks to water quality and safety.

## Operational and Procedural Lapses

- **Documentation:** A notable absence of essential operational documentation such as permits, compliance certificates, and maintenance logs.
- **Emergency Preparedness:** The lack of an updated Emergency Action Plan and evacuation diagrams could severely impact the facility's ability to respond effectively in emergency situations.
- **Maintenance and Testing:** The maintenance of water treatment systems and the testing of water quality are inadequate, with no established procedures for managing specific chemical levels.

## Risk Assessment and Management

Faults have been classified from 'Critical' to 'Advisory', with recommended time frames for addressing these issues to mitigate potential liability and enhance public safety. Immediate actions are critical to address high-risk concerns, with a plan to resolve moderate risks within the next 12 months.

## Compliance Documentation

### a) Permits

**Issue:** The pool lacks necessary operating permits from the Department of Health WA.

**Implication:** Permits ensure that the facility meets health and safety standards, protecting users from potential hazards

#### **b) Compliance Certificates**

**Issue:** The facility does not have up-to-date compliance certificates.

**Implication:** Compliance certificates demonstrate that the swimming pool meets specific safety and operational standards set by regulatory bodies.

#### **c) Maintenance Logs**

**Issue:** There is a lack of recorded logs detailing maintenance activities.

**Implication:** Without proper maintenance logs, it's difficult to track the history of equipment checks, repairs, and general upkeep, which are crucial for ensuring the operational integrity of the pool's infrastructure.

#### **2019 vs 2024 Comparison**

- **Overall Safety Score:** The 2019 report showed a high compliance rate (92.08%), but the 2024 assessment indicates urgent issues, particularly with electrical safety and chemical storage.
- **Chemical Safety:** Remains a concern, with ongoing issues about storage and signage.
- **Electrical Safety:** A new focus in 2024, highlighting the urgent need for safety improvements in this area.
- **Documentation and Compliance:** Continual problems with documentation, pointing to systemic issues in maintaining essential safety records.
- **Infrastructure and Equipment:** Persistent issues with signage and equipment suggest the need for ongoing investment in facility upgrades.

#### **Conclusion**

The latest assessment reveals both advancements and ongoing challenges in the safety management of the Nungarin Swimming Pool. While there are areas of maintained standards, significant improvements are required in electrical and chemical safety, signage, documentation, and overall operational protocols. Continuous monitoring and updating of safety measures are crucial to address both existing and emerging challenges and to ensure compliance with health and safety regulations. This proactive approach is essential for safeguarding the wellbeing of all pool users.

#### **SUSTAINABILITY AND RISK CONSIDERATIONS**

##### **Economic**

- The only path to avoid an economic impact is to voluntarily comply and work collaboratively with Royal Life Saving Australia, LGIS, and Department of Health.

##### **Social**

- The Shire should consider a social assessment of the swimming pool to ascertain the community value versus the cost of achieving compliance.

### **Policy Implications**

- Failure to comply with the recommendations could lead to a mandatory closure of the facility by the regulator, in addition to potential financial penalties.

### **Risk Management Implications**

<b>Risk Level</b>	<b>Comment</b>
<b>High</b>	<p>The assessment does not bode well for the Shire exposing us to greater public liability with the possibility of compliance action.</p> <p>It's important for the Shire to make pragmatic financial decisions to avoid closure or improvements enforced through a direction notice or court order.</p>

### **CONSULTATION**

- Financial Consultant – Darren Long.

### **RESOURCE IMPLICATIONS**

#### **Financial**

- The exact financial cost is immeasurable at this point in time as considerable effort and investigation will be needed to determine the true cost of achieving compliance.

#### **Workforce**

- No workforce implications to report.

<b>8.6 Consideration of Purchase and Modification of Trailer Equipment for North Nungarin Road Project</b>	
<b>File Ref:</b>	Nil
<b>Previous Items:</b>	Nil
<b>Responsible Officer:</b>	Ric Halse, Chief Executive Officer
<b>Author and Title:</b>	Ric Halse, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	<a href="#">8.6 Four-axle dog-trailer (modified)</a> <a href="#">8.7 Heavy Duty Tri-Axle Tag-a-long (original)</a>

#### **COUNCIL RESOLUTION 16/04/2024**

**The council resolves the following actions regarding the trailer equipment for the North Nungarin Road Project:**

- a) **Endorse the modification of the trailer equipment from a 'Heavy Duty Tri-Axle Tag-a-long' to a 'Four Axle Dog Trailer'.**
- b) **Approve the expenditure of \$144,000 for a Four Axle Dog Trailer in accordance with the contract terms and conditions outlined in quotation number (QB24014).**
- c) **Approve the reallocation of \$30,860 from the Plant Reserve Account (303221) to the General Ledger Account.**

**Moved: Cr A Eksanow**  
**Seconded: Cr RE O'Connell**

**CARRIED**

**6/1**

#### **Introduction**

This report provides the Council with pertinent information and recommendations regarding the acquisition and modification of trailer equipment, specifically transitioning to a 4-axle dog-trailer for the North Nungarin Road Project. It addresses the shortcomings in the initial specification of a Tri-axle tag-a-long and details the contractual obligations and subsequent negotiations for modifications and budget adjustments.

#### **Background**

Initially, the contract for the North Nungarin Road Project involved purchasing a Tri-axle tag-a-long with a load carrying capacity of 21 tonnes. It was later discovered that the project's demands require a trailer with a 23-tonne capacity. This necessitated a reevaluation of the equipment specifications.

#### **Contractual Considerations**

The Shire is bound by an agreement with Lombardi Pty Ltd for a 21-tonne trailer. Deviating from this contract would result in financial penalties. Consultations with the supplier and technical assessments concluded that increasing the load capacity of the existing trailer to 23 tonnes was impractical and posed safety risks.

### **Negotiations and Modifications**

Following negotiations, it was determined that a new trailer, a 4-axle dog-trailer, would better meet the project's requirements. This change incurs additional costs over the initially contracted amount, prompting a need for budget amendments.

### **Financial Implications**

The Council's 23/24 mid-year budget, previously endorsed, included a provisional allocation for the trailer modification. However, exact costs were unknown, leading to a remaining balance that will be covered by the Plant Reserve account.

### **Summary of Trailer Modification Costs**

<b>Description</b>	<b>Amount</b>
Original Contract (Tri-Axle Tag-a-long)	\$83,543
Revised Contract (4-Axle Dog-Trailer)	\$144,403
<b>Difference</b>	<b>-\$60,860</b>

### **Summary of Budget Provisioning**

Approved 23/24 Mid-Year Budget Adjustment	\$30,000
Additional Funding from Plant Reserve	-\$30,860
<b>Total</b>	<b>\$60,860</b>

### **Justification**

The proposed 4-axle dog-trailer, priced at \$144,000 by Lombardi Pty Ltd, offers enhancements over standard market options, including larger wheel sizes, a hydraulic ramp, thicker ramp steel, and stabilizing collapsible legs. These improvements justify the higher cost compared to the market average of \$117,000 for similar trailers.

### **Safety and Design Considerations**

Considering the inability to safely modify the tag-a-long within a reasonable cost, and to mitigate safety risks with inexperienced crew members, a more suitable and safer trailer system was deemed necessary.

### **Conclusion**

Despite the administrative oversight and its financial repercussions, Shire officers have addressed the issue before the commencement of trailer fabrication, emphasizing the need for a swift resolution to meet the October delivery timeline. Should the Council find the proposed solution unsatisfactory, they may consider soliciting new quotes for a 4-axle dog-trailer, though this would likely involve penalties and additional delays.

## **SUSTAINABILITY AND RISK CONSIDERATIONS**

### **Economic**

- No economic risks to report.

### **Social**

- No social risks to report.

### **Policy Implications**

- No policy risks to report.

### **Risk Management Implications**

Risk Level	Comment
Medium	<p>The greatest risk surrounding this report is the financial penalty as a result of rescinding the contract for the 3-axel trailer.</p> <p>There is also some risk in the delivery of the trailer prior to the project commencement date.</p>

### **CONSULTATION**

- Financial Consultant – Darren Long.

### **RESOURCE IMPLICATIONS**

#### **Financial**

- No financial implications to report.

#### **Workforce**

- No workforce implications to report.

**9. CORRESPONDENCE RECEIVED**

[9.1 CouncilConnect Support & Google Analytics Report – March 2024](#)

[9.2.1 Rural Water Council Annual General Meeting 2024](#)

[9.2.2 Rural Water Council - 2023-07 - Minutes \(General\)](#)

[9.2.3 Rural Water Council - 2023-10 - Minutes \(General\)](#)

[9.2.4 Water Smart Dams Rural Water Council](#)

[9.3.1 Kununoppin Medical Practice Committee - MINUTES - 26 March 2024](#)

[9.4 Regional Road Group Report April 2024](#)

**COUNCIL RESOLUTION (17/04/2024)**

**That Council resolves to receive the correspondence as attached to this report.**

**Moved: Cr G Coumbe**

**Seconded: Cr RE O'Connell**

**CARRIED**

**7/0**

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

Presiding Member, Cr Pippa de Lacy, in relation to the [9.3.1 Kununoppin Medical Practice Committee - MINUTES - 26 March 2024](#), rises to motion new business of an urgent nature.

**Moved: Cr M Caughey**

**Seconded: Cr A Eksanow**

**Carried**

**7/0**

**COUNCIL RESOLUTION (17/04/2024)**

**The Council resolves to support the Kununoppin Medical Practice Committee's recommendation to extend the Memorandum of Understanding (MoU) expiry by up to six months. This amendment will change the MoU's end of term from 30 June 2024 to 30 December 2024, allowing for more detailed discussions and amendments to the MoU.**

**Moved: Cr K Dayman**

**Seconded: Cr G Coumbe**

**CARRIED**

**7/0**



**12. CLOSURE**

The being no further business the meeting closed at **5:48pm**.

\_\_\_\_\_  
Presiding Member

\_\_\_\_\_  
Date