



Ordinary Council Meeting

17 April 2024

66 Railway Ave, Nungarin, WA

Meeting Minutes

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](#)

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 (18/04/2024)

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

- 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

Focus Area	Our organisation
Aspiration	Effective forward planning and engagement with our community
Objective	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 prepared; and
 - b) prepared; and
 - c) recorded in the minutes of that meeting.

8. OFFICER REPORTS (continued)

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

COUNCIL RESOLUTION (20/04/2024)

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

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

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

OTHER STRATEGIC LINKS

There are no Strategic Plan implications evident at this time.

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

Risk Level	Comment
Medium	

CONSULTATION

Financial Consultant – Darren Long.

RESOURCE IMPLICATIONS

Financial

No financial implications to report.

Workforce

No workforce implications to report.

SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 - 2033

Focus Area	Our organisation
Aspiration	Effective forward planning, and engagement with our community
Objective	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

8. OFFICER REPORTS (continued)

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

COUNCIL RESOLUTION (22/04/2024)

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

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.

8. OFFICER REPORTS (continued)

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

COUNCIL RESOLUTION (23/04/2024)

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

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,

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

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

COUNCIL RESOLUTION 24/04/2024

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

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.

12. CLOSURE

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



Presiding Member

15-05-2024.
Date