



Shire of Ngaanyatjaraku
ON A JOURNEY

ORDINARY MEETING OF COUNCIL

MINUTES

**Tjulyuru Cultural and Civic Centre
Warburton Community**

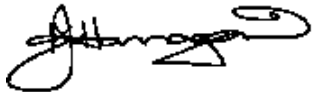
28 November 2018

at

1.00 pm

SHIRE OF NGAANYATJARRAKU
ORDINARY MEETING OF COUNCIL

The Acting Chief Executive Officer recommends the endorsement of these minutes at the next Ordinary Meeting of Council.



Acting Chief Executive Officer

Date: 28-11-2018

These minutes were confirmed by Council as a true and correct record of proceedings of the Meeting of Council held on the 28 November 2018.



Presiding Member:

Date:..20../12./2018

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1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at _1.02_ pm.

2. ANNOUNCEMENT OF VISITORS

The Presiding Member welcomed members of the public to the gallery.

3. ATTENDANCE

3.1 PRESENT

Elected Members:	President Deputy President Councillor Councillor Councillor	D McLean P Thomas D Frazer A Jones A Bates
Staff:	ACEO F&C Coord	K Hannagan G Handy
Guests:		
Members of Public:	There was __1__ member of the public in attendance at the commencement of the meeting.	

3.2 APOLOGIES

Cr. J Frazer

3.3 APPROVED LEAVE OF ABSENCE

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.2 PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. DECLARATION BY MEMBERS

6.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA

Councillors are requested to give due consideration to all matters contained in the Agenda presently before the meeting.

6.2 DECLARATIONS OF INTEREST

Councillors to Note

A member who has an Impartiality, Proximity or Financial Interest in any matter to be discussed at a Council or Committee Meeting, that will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (a) Preside at the part of the Meeting, relating to the matter or;
- (b) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under *Section 5.68 or Section 5.69 of the Local Government Act 1995*.

NOTES ON DECLARING INTERESTS (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have an interest in a matter.

These notes are included in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under *s.5.68(1)(b)(ii) or the Local Government Act*, or
 - 6.2 Where the Minister allows the Councillor to participate under *s.5.69(3) of the Local Government Act*, with or without conditions.

Declarations of Interest provided:

Item Number/ Name	Type of Interest	Nature/Extent of Interest

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- 7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**
- 8. PETITIONS, DEPUTATIONS, PRESENTATIONS**
 - 8.1 PETITIONS**
 - 8.2 DEPUTATIONS**
 - 8.3 PRESENTATIONS**
- 9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
 - 9.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD 24 October 2018 (ATT 9.1)**

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr A Jones

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 24 October 2018 at the Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community (ATTACHMENT 9.1) be confirmed as a true and accurate record.

Carried: 5/0

10. CEO REPORTS

10.1 PROGRESS ON THE IMPLEMENTATION OF COUNCIL DECISIONS, STATUS REPORT FOR OCTOBER 2018

FILE REFERENCE:	GV.05
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	15 November 2018
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

The purpose of this agenda item is to report back to Council on the progress of the implementation of Council resolutions.

Background

The best practice in governance supports the regular review of Council decisions to ensure that they are actioned and implemented in a timely manner.

Comment

Wherever possible, Council decisions are implemented as soon as practicable after a Council meeting. However, there are projects or circumstances that mean some decisions take longer to action than others.

Ongoing monthly reports will show the status of Council Resolutions that have not been actioned.

Statutory Environment

Section 2.7 of the Local Government Act 1995 states:

"Role of council

(1) The council —

(a) governs the local government's affairs; and

(b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the council is to —

(a) oversee the allocation of the local government's finances and resources; and

(b) determine the local government's policies."

The above section of the Act notwithstanding, there is no specific legal requirement to present such a report to Council or for Council to receive or consider such a report. The decision to have the report in the Council's monthly agenda is entirely Council's prerogative. Staff acknowledge the critical and ongoing nature of the document, in that Council 'speaks by resolution'.

Financial Implications

There are no known financial implications for this matter.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjaraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures, and is unlikely to need specific application of resources.

Policy Implications

There are no known policy implications for this matter.

Attachments

Attachment 10.1 - Council Resolutions - Status Report to September Council meeting 2018.

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr A Jones

That Council notes the attached Council Resolutions – Status as at October Council meeting 2018 (Attachment 10.1) and this report.

Carried: 5/0

10.2 ADMINISTRATIVE COMPLIANCE

FILE REFERENCE:	CS.06
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	15 November 2018
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

For Council to consider the Monthly Report of outstanding actions to achieve administrative compliance with the Local Government Act 1995 and other projects / tasks.

Background

The Minister for Local Government appointed an Approved Adviser to work with the Shire to meet the administrative requirements of the Local Government Act 1995. The Approved Advisers' Scope of Work is to "Undertake a review of the Shire's policies, systems and procedures to establish the level of compliance with the legislative provisions of the Local Government Act 1995". The Approved advisor has also requested that other important projects / tasks / actions involving operational matters also be added to the calendar.

Comment

Shire Staff have compiled for the Approved Adviser and Council a list of tasks to be undertaken, commonly known as a Compliance / Action Calendar.

A copy of the list of tasks is attached for Councillors information. Further monthly reports will be made to Council advising progress against the task 'due dates'.

The main remaining items outstanding to achieve compliance are the Annual Reports for 2016/17 & 2017/18 and Audits for 2016/17 & 2017/18 Financial Year Ends. Significant progress is now being made and it is proposed to be compliant by the end of December 2018.

Statutory Environment

Local Government Act 1995, various sections

Local Government (Financial Management) Regulations 1996, various sections

Local Government (Audit) Regulations 1996, various sections

Local Government (Administration) Regulations 1996, various sections

Financial Implications

The costs associated with the Approved Adviser are to be borne by Council, the Annual Budget takes this into account.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjaraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "High" risk and will require excellent controls,

managed by senior management / executive and subject to monthly monitoring with specific application of resources.

Policy Implications

There are no known Policy implications for this matter.

Attachments

Attachment 10.2 - Compliance Action List as at 20 November 2018

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr A Jones Seconded: Cr D Frazer

That Council notes Compliance / Action Calendar as at 20 November 2018 (Attachment 10.2) and this Report.

Carried: 5/0

10.3 ATTENDANCE BY TELEPHONE CR THOMAS

FILE REFERENCE:	GV.00
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	15 November 2018
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

For Council to consider a request from Cr Thomas to attend the next Ordinary meeting of Council by telephone.

Background

Cr P Thomas has advised that he may not be able to attend the next ordinary meeting of Council in person and has requested Council approval to attend by telephone if necessary.

Comment

In accordance with Regulation 14A (2) Cr Thomas has only attended by telephone for the August 2018 meeting this financial year.

Statutory Environment

Local Government Act 1995

5.25. Regulations about council and committee meetings and committees

- (1) *Without limiting the generality of section 9.59, regulations may make provision in relation to —*
 - (a) *the matters to be dealt with at ordinary or at special meetings of councils; and*
 - (b) *the functions of committees or types of committee; and*
 - (ba) *the holding of council or committee meetings by telephone, video conference or other electronic means;*

Local Government (Administration) Regulations 1996

14A. Attendance by telephone etc. (Act s. 5.25 (1) (ba))

- (1) *A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —*
 - (a) *the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and*
 - (b) *the person is in a suitable place; and*
 - (c) *the council has approved* of the arrangement.*
- (2) *A council cannot give approval under sub-regulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person who was not physically present was taken to be present in accordance with this regulation.*

(3) A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.

(4) In this regulation —

suitable place means a place that the council has approved* as a suitable place for the purpose of this regulation and that is located —

(a) in a townsite or other residential area; and

(b) 150 km or further from the place at which the meeting is to be held under regulation 12, measured along the shortest road route ordinarily used for travelling;

townsite has the same meaning given to that term in the Land Administration Act 1997 section 3(1).

* Absolute majority required.

[Regulation 14A inserted in Gazette 31 Mar 2005 p. 1031.]

Financial Implications

There are no known financial implications.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjaraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

There are no known policy implications for this matter.

Attachments

Not applicable

Voting Requirement

Absolute Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr A Jones Seconded: Cr D Frazer

That Council approves Cr P Thomas request to attend the next Ordinary Meeting of Council by telephone if need be.

Carried: 5/0

10.4 DEED of BUILDING EXCHANGE WITH NGAANYATJARRA COUNCIL

FILE REFERENCE:	CP.00
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	17 October 2018
DISCLOSURE OF INTERESTS:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

For Council to consider swapping 2 vacant units with Ngaanyatjarra Council to save ongoing rental costs of \$57,000 p.a.

Background

The Shire currently rents:

- 1 x 2 bedroom house, Warburton for the Finance and Administration Coordinator, and
- 1 x 1 bedroom unit, Warakurna for Environmental Health staff when visiting the area.

The cost of rent is approximately \$57,000 p.a.

The Shire also has:

- Duplex x 2 bedrooms, Wanarn with one unit rented out and one vacant, and
- Duplex x 2 bedrooms, Jameson both vacant.

Comment

At the October Council resolved:

That Council:

1. *Supports the proposal to enter into a house swap with NG Council as outlined in this report;*
2. *Requests the Chief Executive Officer to give local public notice of the proposed disposition in accordance with section 3.58 of the Local Government Act 1995; and*
3. *Requests the Chief Executive Officer to instruct the Shires Lawyers to draft an appropriate agreement for the Shire and NG Council to consider.*

Local Public Notice has been given of the proposed disposition in accordance with section 3.58 of the Local Government Act 1995, with no submissions received.

In accordance with section 3.58 of the Local Government Act 1995, Council must comply with the following:

- (c) the market value of the disposition —
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

A Fair Valuation was undertaken for the units in 2014/15 and the 30 June 2018 Written Down Value for the units is:

- Wanarn, Duplex (2 units), \$548,357 x 50% = \$274,178; and
- Jameson, Duplex (2 units), \$542,246 x 50% = \$271,128.

As such it is proposed that the above values are based on a valuation carried out more than 6 months before the proposed disposition that the Shire believes to be a true indication of the value at the time of the proposed disposition.

Attached is a Deed of Transfer from the Shires lawyers McLeod Legal.

Statutory Environment

3.58. *Disposing of property*

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not; property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the

(d) any other disposition that is excluded by regulations from the application of this section.

opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

(5) This section does not apply to —

(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or

(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or

(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or

(d) any other disposition that is excluded by regulations from the application of this section.

Financial Implications

The Shire would save \$57,000 p.a. in rental costs.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.4, Efficient service offerings to the Community

Risk Management

This item has been evaluated against the Shire of Ngaanyatjaraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

There are no known policy implications for this matter

Attachments

Attachment 10.4 – Deed of Transfer, McLeod Legal

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr P Thomas

Seconded: Cr D Frazer

That Council:

- 1. Endorses the values contained in this report as a true indication of the value at the time of the proposed disposition based on a valuation carried out more than 6 months before the proposed disposal; and**
- 2. Authorises the use of the Common Seal to enable the President and Chief Executive Officer to enter into a Deed of Transfer, effective 30 November 2018 as attached to this report from the Shire's lawyers, McLeod Legal.**

Carried: 5/0

10.5 SCHEDULE OF ORDINARY MEETINGS OF COUNCIL FOR 2019

FILE REFERENCE:	GV.00
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	15 November 2018
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

It is a statutory requirement for Council to adopt the schedule of meeting dates, times and locations for all Ordinary Meetings of Council each year. Council Policy CP1.1, Council Meeting Schedule advises that the schedule for Ordinary meetings of Council and Committees for the upcoming year will be established at the Ordinary meeting held in November.

Background

In December 2017, Council adopted the meeting schedule for the 12-month period from January to December 2018. Council has generally set dates for Audit Committee meetings as required during the year.

This report sets out the proposed locations and commencement times of Council Meetings for the calendar year 2019.

Comment

In determining the dates, times and locations for the Ordinary Meeting of Council for the upcoming year, consideration has been given to a number of factors including travel and other events that may clash.

To have consistency with operational requirements for preparing Council agendas it is suggested that meetings be held on the fourth Wednesday of the month. It is also suggested that the January 2019 meeting be scheduled for the fifth Wednesday (30 January 2019) and the December 2019 meeting be scheduled for the third Wednesday (18 December 2019) to best accommodate the Christmas and New Year period.

It is also proposed to close the Warburton Administration Building from Thursday 27th December to and including Monday 31st December 2018. There will be some staff on duty who will be cleaning out the office whilst the opportunity arises.

Statutory Environment

Local Government Act 1995

Section 5.3 requires Council to hold an Ordinary Meeting not more than three months apart.

Section 5.25(g) indicates regulations may be made concerning the giving of public notice of the date and agenda for council or committee meetings.

Local Government (Administration) Regulations 1996

Regulation 12 specifies the Date, Time and Venue of Ordinary Council Meetings for the next 12 months must be advertised once a year.

Financial Implications

Council sets aside sufficient funds in its budget to meet the cost of the advertisement and the associated Council meetings.

Strategic Implications

Strategic Community Plan 2016 - 2026
Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

Council Policy 1.1 - Council Meeting Schedule

Attachments

Not applicable

Voting Requirement

Simple Majority Required.

Council Resolution**Moved: Cr D Frazer Seconded: Cr A Bates****That Council:**

- 1) adopts the Schedule of Ordinary Council Meeting dates, times and locations for the period January 2019 to December 2019 as outlined below:**

DATE	LOCATION	TIME
Wednesday, 23 January 2019	Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community	1.00 pm
Wednesday, 27 February 2019	Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community	1.00 pm
Wednesday, 27 March 2019	Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community	1.00 pm
Wednesday, 24 April 2019	Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community	1.00 pm
Wednesday, 22 May 2019	Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community	1.00 pm
Wednesday, 26 June 2019	Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community	1.00 pm
Wednesday, 24 July 2019	Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community	1.00 pm
Wednesday, 28 August 2019	Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community	1.00 pm
Wednesday, 25 September 2019	Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community	1.00 pm
Wednesday, 23 October 2019	Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community	1.00 pm
Wednesday, 27 November 2019	Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community	1.00 pm
Wednesday, 18 December 2019	Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community	1.00 pm

- 2) Gives local public notice to close the Warburton Administration Office from Thursday 27th December to and including Monday 31st December 2018.**

Carried: 5/0

Change to Recommendation of first meeting date from 30 January to 23 January made to enable others to attend the Council meeting on that date.

10.6 ORGANISATION STRUCTURE

FILE REFERENCE: PL.00

AUTHOR'S NAME AND POSITION: Kevin Hannagan
Acting Chief Executive Officer

DATE REPORT WRITTEN: 15 November 2018

DISCLOSURE OF INTERESTS: The author has an impartiality interest in the proposal as the position of CEO is in the organisation structure.

Summary

For Council to consider an Organisation Structure for the administration of the Shire.

Background

The Local Government Act 1995 requires Council to ensure there is an appropriate organisation structure for administration of the local government.

Comment

It is generally accepted that an organisation structure should contain all positions contained in the Shires Annual Budget.

Given that the position of Chief Executive Officer (CEO) will not be recruited until 2019 (after compliance with the LG Act 1995 is achieved) it is recommended that Council consider an interim structure until the appointment of a new CEO who will no doubt then review the structure.

The structure of positions below those attached will be subject to change due to other events such as the review of service identified in the Integrated Strategic Plan and Long Term Financial Plan. As such it is proposed to review the remaining structure for council approval for the 2019/20 Annual Budget.

Statutory Environment

Local Government Act 1995

5.2. *Administration of local governments*

The council of a local government is to ensure that there is an appropriate structure for administering the local government.

Financial Implications

The Deputy CEO position has now been made part-time, the Works Coordinator position abolished and a full-time Director Corporate Services created. As such there should be minimal impact on the overall salaries and wages cost.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

There are no known Policy implications for this matter.

Attachments

10.7 - Organisation Structure

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr A Bates Seconded: Cr D Frazer

That Council approves the attached Organisation Structure as an appropriate structure for administering the local government.

Carried: 5/0

10.7 INTEGRATED STRATEGIC PLAN 2018 - 2028

FILE REFERENCE:	CM.13
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	15 November 2018
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

For Council to consider adopting the new Integrated Strategic Plan.

Background

Planning for the future is a requirement of the Local Government Act 1995 and requires every local in Western Australia to engage with its community to prepare a set of documents that sets out how the local government will sustainably deliver services over the next 10 years, in line with community expectations and available resources including funding that's available and the availability of people with the necessary experience and skill to deliver the services.

Following review of feedback from our recent community engagement exercise, we found that our previous Strategic Community Plan and Corporate Business plan was far too complex, cumbersome and over-reaching both in terms of community understanding and our available resources. Additionally, heavy scrutiny from the Department of Local Government and Communities in relation to the Shire's performance in meeting statutory compliance has revealed that we really need to focus on our statutory obligations and limit our service delivery activities to those which our available resources allow for.

To address both the State Government's concerns and the community's aspirations, we have prepared a much simpler and more achievable set of integrated planning documents that meet our statutory requirements, provide good direction to both Council and the Community in relation to our future path and which also provide understanding around services and service levels in relation to what the Shire of Ngaanyatjarraku will deliver to the community.

We have reduced our focus to three strategic goals;

1. Looking after the Land which, we all depend upon and love living on, making sure that the Land will be good for our children and grandchildren.
2. Looking after our people so that they are healthy and happy.
3. Ensuring that we do the right things to look after the land and the people.

There are significant challenges for the Shire to achieve these strategic goals and to ensure that one strategic goal doesn't suffer as a result of more focus on one of the other goals. This will mean that in some instances we will be changing our focus to facilitating things rather than trying to do things ourselves. That means we want to ensure things are done and achieved but it may not necessarily be done by the Shire. We will continue to work closely with State and Federal Government agencies and our traditional partner, Ngaanyatjarra Council to deliver services across the Ngaanyatjarra Lands (Lands).

Comment

The Shire's management will be focused on implementing this integrated strategic plan ensuring the Shire meets its statutory requirements and refocuses service delivery with the aim of long-term sustainability. Without this approach, the Shire risks becoming financially unsustainable and if that

happens, there is always the risk that the State Government will modify or take away the ability for decision making to occur locally.

This new, integrated strategic plan, combines both the Shire's Strategic Community Plan and Corporate Business Plan into one simple, easily understood document that is scale appropriate for the Shire of Ngaanyatjarraku. It also helps key stakeholders including State and Federal Government agencies and other community partners such as Ngaanyatjarra Council, understand what the Shire does and importantly what it doesn't do.

The plan has been developed in consideration of;

- What the Shire needs to do - to look after all the roads, buildings, plant & equipment that the Shire has responsibility for. This information is contained in the Shire's Asset Management Plan.
- What resources the Shire needs to employ to deliver services, i.e. what staff and or contractors it needs to employ and what qualifications and experience do they need to have and how the Shire attracts and retains these resources into the future. This information is contained in the Shire's Workforce Plan.
- What long term income and grants can the Shire realistically expect and what services will this be spent on. This information is contained within the Shire's Long-Term Financial Plan.

While it's a challenging time, it's also an exciting time for the Shire as we embark upon implementation of this new integrated strategic plan aimed at underpinning the long-term sustainability of service delivery to the Lands and its people.

Statutory Environment

Council's minimum obligations relating to planning for the future (IPR) are listed in S5.56 (1) of the Local Government Act 1995.

5.56. Planning for the future

(1) A local government is to plan for the future of the district.

(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Adopting, implementing and regularly reviewing the ISP (SCP/CBP) is required for the Shire to comply with the provisions of the Integrated Planning & Reporting Framework.

Financial Implications

The Strategic Community Plan includes 'Strategies' and 'Key Performance Indicators' which will be delivered by the Shire. The plan will reference and further detail these items and include a cost to achieve each one. These costs will be included in the 'Long Term Financial Plan' and annual budgets.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

The Integrated Strategic Plan will help shape the services that the Shire of Ngaanyatjarraku will deliver over the next ten years. The ISP will inform and drive the content of the informing strategies (i.e. workforce plan, asset management plans and 10-year Long Term Financial Plan).

As the ISP is the Shire's main strategic document, the content of all Council policies will need to be designed to be in line with achievement of the community's aspirations, as identified in the ISP and associated documents.

Attachments

A - Integrated Strategic Plan 2018 – 2028 (to be tabled)

Voting Requirement

Absolute Majority

Officers Recommendation and Council Resolution

Moved: Cr A Bates Seconded: Cr D Frazer

That Council:

- 1. adopts the Integrated Strategic Plan 2018 – 2028;**
- 2. gives local public notice of the plans adoption;**
- 3. places a copy on the Shires website; and**
- 4. continues to review the ISP in accordance with the methodology detailed within the plan, on the following cycle:**
 - a. Major Review – Every four years; and**
 - b. Minor Review – Every two years**

Carried: 5/0

10.8 WORKFORCE PLAN 2018 – 2022

FILE REFERENCE:	CM.13
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	15 November 2018
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

For Council to consider adopting a revised Workforce Plan (WFP) to support the Integrated Strategic Plan.

Background

Planning for the future is a requirement of the Local Government Act 1995 and it is imperative to informing the Shire Council of how capable it is to deliver the services to the community.

The Integrated Planning and Reporting Framework (IPR) is a nationally consistent approach to local government planning for service delivery. The focus of IPR is to establish local priorities and link this information to operational functions.

Comment

The WFP incorporates:

- the capability of the labour market in terms of achieving the Integrated Strategic Plan (ISP) objectives;
- an analysis of the risks currently facing the workforce;
- high level recommendations for strategic development; and
- a discussion of how the workforce will need to change over time to deliver the core objectives in the ISP.

By completing this process, the Shire will have a workforce plan adequately addressing the human resourcing requirements to deliver Shire operations in accordance with the amendments specified by the Local Government (Administration) Amendment Regulations (No. 2) 2011.

The purpose of the WFP is to outline the future requirements for the Shire of Ngaanyatjaraku, based upon the Integrated Strategic Plan.

This includes:

1. Assessing the gap between the current and future WFP requirements; and
2. Development of a four-year WFP to close the gap and meet the expectations of the Integrated Strategic Plan with consideration to the Asset Management Plan and the Long Term Financial Plan of the Shire.

Statutory Environment

Council's minimum obligations relating to planning for the future (IPR) are listed in S5.56 (1) of the Local Government Act 1995.

- 5.56. Planning for the future
(1) A local government is to plan for the future of the district.

(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Adopting, implementing and regularly reviewing the ISP (SCP/CBP) is required for the Shire to comply with the provisions of the Integrated Planning & Reporting Framework.

Financial Implications

The Workforce Plan includes 'Strategies' and 'Key Performance Indicators' which will be delivered by the Shire with further detail on costs to achieve each one. These costs will be included in the 'Long Term Financial Plan' and annual budgets.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

The Integrated Strategic Plan will help shape the services that the Shire of Ngaanyatjarraku will deliver over the next ten years. The ISP will inform and drive the content of the informing strategies (i.e. workforce plan, asset management plans and 10-year Long Term Financial Plan).

Attachments

B - Workforce Plan 2018 – 2022 (to be tabled)

Voting Requirement

Absolute Majority

Officers Recommendation and Council Resolution

Moved: Cr A Bates

Seconded: Cr D Frazer

That Council:

- 1. adopts the Workforce Plan 2018 – 2022;**
- 2. gives local public notice of the plans adoption;**
- 3. places a copy on the Shire's website; and**
- 4. continues to review the WFP in accordance with the methodology detailed within the plan.**

Carried: 5/0

10.9 LONG TERM FINANCIAL PLAN 2018 - 2028

FILE REFERENCE:	CM.13
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	18 November 2018
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

For Council to consider adopting a revised Long Term Financial Plan (LTFP) to support the Integrated Strategic Plan.

Background

Planning for the future is a requirement of the Local Government Act 1995 and it is imperative to informing the Shire Council of how capable it is to deliver the services to the community.

The Integrated Planning and Reporting Framework (IPR) is a nationally consistent approach to local government planning for service delivery. The focus of IPR is to establish local priorities and link this information to operational functions.

The Long Term Financial Plan (LTFP) is a ten-year rolling plan that incorporates the four-year financial projections accompanying the Integrated Strategic Plan (ISP). It is a key tool for prioritisation and ensuring the financial sustainability of the local government. Annual Budgets are directly aligned to the ISP / LTFP.

Comment

The LTFP contains:

Assumptions

The LTFP identifies key assumptions such as demographic projections, rating base growth, consumer price index or local government cost index, interest rates and so on.

Significant Expenditure Implications of the IPR suite

Major capital and operational expenditure implications included in the IPR suite are included and specifically referenced in the LTFP.

Financial Strategies

The LTFP includes strategies regarding:

- Rating structure
- Fees and charges
- Alternative revenue sources
- Pursuit of grants
- Reserves
- Debt funding
- Asset disposal
- Investment policy

Sustainability Measures

The use of asset and financial ratios are key sustainability measures that can highlight where attention needs to focus in order to keep on track. Note that there are a number of mandatory ratios, however each local government is able to supplement these with other ratios.

Scenario Modelling and Sensitivity Testing

Scenario modelling is used to explore alternative futures (such as optimistic, conservative and worst case scenarios) to determine the level of flexibility in the LTFP, and sensitivity testing is used to ascertain the impact of variations in the key assumptions (such as CPI estimates, payroll, interest rates, recurrent grant funding).

Alignment with IPR suite

Activities to ensure alignment between the LTFP and other elements of the IPR suite include:
Ensuring that key assumptions are common across the local government. For example, service delivery and finance areas should all be using the same development assumptions
Incorporating detailed forecasts for the four years of the Corporate Business Plan, including asset management and workforce forecasts
Ensuring long term financial implications are considered in proposals for new or enhanced services, projects and activities

The key issue for the Shire contained in the Plan is the Shire's Long Term Financial Sustainability. The plan shows that under a 'business as usual' scenario the Shire will extinguish its Surplus in 2020/21. As such the plan recommends that the Shire undertake a comprehensive review of its services to achieve financial sustainability. Some items for consideration include:

- Cost Recovery of Rubbish Services (from \$92,000 to \$450,000)
- Cost Recovery or cease Dog Services (\$70,000)
- Increases in Ex-Gratia Rates (from \$64,000 to \$150,000)
- Reduce swimming pool grant to Warburton Community (\$40,000)
- Cease support of Willara creative staffing (\$40,000)
- Review other services to identify reductions in cost (Early Years Program, Youth & Recreation, Environmental Programs).

There has been a significant reduction in income several years ago that has resulted in a reduction of funds of approximately \$500,000 p.a. with no corresponding reduction in expenditure. These reductions were Mining Tenements \$170,000 and Municipal Services Grants \$340,000 (used to fund rubbish workers). As such the Shire has been eroding its 'free cash' at bank by approximately \$500,000 for the previous three financial years.

Statutory Environment

Council's minimum obligations relating to planning for the future (IPR) are listed in S5.56 (1) of the Local Government Act 1995.

5.56. Planning for the future

(1) A local government is to plan for the future of the district.

(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Adopting, implementing and regularly reviewing the LTFP is required for the Shire to comply with the provisions of the Integrated Planning & Reporting Framework.

Financial Implications

Major increases in Income and reductions in Expenditure are required to ensure Long Term Sustainability of the Shire.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership
Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku’s Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is “High” risk and can be managed by review of services and close monitoring by executive management.

Policy Implications

There are no known policy implications.

Attachments

C - Long Term Financial Plan 2018 – 2028 (to be tabled)

Voting Requirement

Absolute Majority

Officers Recommendation and Council Resolution

Moved: Cr P Thomas Seconded: Cr A Jones

That Council:

- 1. adopts the Long Term Financial Plan 2018 – 2028;**
- 2. gives local public notice of the plan’s adoption;**
- 3. places a copy on the Shire’s website;**
- 4. instructs the Chief Executive Officer to undertake a comprehensive review of Shire services to increase Income or reduce Expenditure: and**
- 5. continues to review the LTFP in accordance with the methodology detailed within the plan.**

Carried: 5/0

10.10 ASSET MANAGEMENT PLAN 2018 - 2038

FILE REFERENCE:	CM.13
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	18 November 2018
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

For Council to consider adopting a revised Asset Management Plan (AMP) to support the Integrated Strategic Plan.

Background

Planning for the future is a requirement of the Local Government Act 1995 and it is imperative to informing the Shire Council of how capable it is to deliver the services to the community.

The Integrated Planning and Reporting Framework (IPR) is a nationally consistent approach to local government planning for service delivery. The focus of IPR is to establish local priorities and link this information to operational functions.

The Asset Management Plan (AMP) is a twenty-year rolling plan that is about ensuring that the local government has the necessary plans in place so that funds and resources are available at the optimum time to replace an asset before it starts to fail and threaten the ongoing delivery of a service.

What complicates this issue is that local governments have care, control and responsibility for vast networks of differing assets. Extensive asset networks and competing demands for new services in addition to demand to renew/refurbish/replace existing assets with finite resources is a complex issue.

To address this issue, each local government is required to develop informing strategies that help them plan for the future. A key informing strategy is an asset management plan (AMP).

The Shire has developed one summary AMP (this document) which covers all asset classes (excluding mobile plant).

Comment

The AMP has been prepared to show how we will manage our infrastructure assets and ensure service delivery continues in line with the aspirations of the community, set out in Council's Integrated Plan (ISP).

The AMP contains the basic tools to enable the Council to make informed decisions on the allocation of resources in order to maintain all major infrastructure assets under our care, control and responsibility to a standard reflective of the community's desires and affordability.

The AMP will ultimately provide guidance on the long-term (20 years) allocation of financial and physical resources required to ensure operational performance of our infrastructure assets continues. This version of the AMP is a compilation of the Shire's current identifiable knowledge about how we currently manage our infrastructure assets.

There are still some gaps in knowledge, systems and processes and some of the data pickup information is undertaken at 'network level' (rather than through a detailed inspection/ condition assessment) and will be updated once the next level of condition assessment is undertaken.

Statutory Environment

Council's minimum obligations relating to planning for the future (IPR) are listed in S5.56 (1) of the Local Government Act 1995.

5.56. Planning for the future

(1) A local government is to plan for the future of the district.

(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Adopting, implementing and regularly reviewing the AMP is required for the Shire to comply with the provisions of the Integrated Planning & Reporting Framework.

Financial Implications

Major increases in Income and reductions in Expenditure are required to support the Asset renewal requirements for non-road assets. Road assets are mainly funded through government grants and are sufficient to maintain the Shires road network for the foreseeable future.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "High" risk and can be managed by review of services and close monitoring by executive management.

Policy Implications

The Shire has adopted policy ES4.5, Asset Management

Attachments

D – Asset Management Plan 2018 – 2038 (to be tabled)

Voting Requirement

Absolute Majority

Officers Recommendation and Council Resolution

Moved: Cr A Bates

Seconded: Cr D Frazer

That Council:

- 1. adopts the Asset Management Plan 2018 – 2038;**
- 2. gives local public notice of the plan's adoption;**
- 3. places a copy on the Shire's website;**
- 4. continues to review the AMP in accordance with the methodology detailed within the plan.**

Carried: 5/0

11. DEPUTY CEO REPORTS

11.1 PAYMENTS LISTING, OCTOBER 2018

FILE REFERENCE:	FM.07
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Deputy Chief Executive Officer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	19 November 2018
DISCLOSURE OF INTERESTS:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

For Council to confirm the payment of accounts listed in the Accounts for Payment, November 2018.

Background

In accordance with the Local Government (Financial Management) Regulations 1996 the Chief Executive Officer is required to present a list of payments to the Council at the next ordinary meeting of the council after the list is prepared.

Comment

This month's payments also include the transfer of \$300,000 to the new Employee Entitlements Reserve..

Statutory Environment

Local Government (Financial Management) Regulations 1996

- S13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*
- (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; and*
 - (b) *the amount of the payment; and*
 - (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; and*
 - (ii) *the amount of the payment; and*
 - (iii) *sufficient information to identify the transaction;*
and
 - (b) *the date of the meeting of the council to which the list is to be presented.*
 - (3) *A list prepared under subregulation (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.*

Financial Implications

The Shire makes annual budget allocations for payment of accounts.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjaraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

There are no known policy implications for this matter

Attachments

Attachment 11.1 – Payment Listings, October 2018

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr A Jones

Seconded: Cr D Frazer

That Council receives the Payment Listings, October 2018 totaling payments of \$1,152,100.18, as per Attachment 11.1.

Carried: 5/0

11.2 COUNCIL INVESTMENTS AS AT 20 NOVEMBER 2018

FILE REFERENCE:	FM.04
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Deputy Chief Executive Officer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	15 November 2018
DISCLOSURE OF INTERESTS:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

For Council to be advised of the Shires Municipal Account and Investments as at 15 November 2018.

Background

To invest the Shire of Ngaanyatjarraku surplus funds with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, whilst ensuring that liquidity requirements are being met.

Comment

Preservation of capital is to be the principal objective with consideration given to liquidity, cash flow requirements and return on investment.

Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.

The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.

The investment is expected to achieve a predetermined market average rate of return that takes into account the Shire's risk tolerance. Any additional target set by the Shire will also consider the risk limitation and prudent investment principles.

Council will note that the new Term Deposit for Employee Entitlements Reserve has been set up in the Shire's Westpac Accounts and an initial reserve amount of \$300,000 allocated until the actual 2017/18 entitlements have been Audited and the balance adjusted at the next six monthly maturity interval.

Statutory Environment

Local Government Act 1995

Section 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*
- and*
- [(b) deleted]*
- (c) *prescribe circumstances in which a local government is required to invest money held by it; and*
- (d) *provide for the application of investment earnings; and*
- (e) *generally provide for the management of those investments.*

Local Government (Financial Management) Regulations 1996

19. *Investments, control procedures for*
- (1) *A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.*
 - (2) *The control procedures are to enable the identification of —*
 - (a) *the nature and location of all investments; and*
 - (b) *the transactions related to each investment.*
- 19C. *Investment of money, restrictions on (Act s. 6.14(2)(a))*
- (1) *In this regulation —*
 - authorised institution means —*
 - (a) *an authorised deposit taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or*
 - (b) *the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986;*
 - foreign currency means a currency except the currency of Australia.*
 - (2) *When investing money under section 6.14(1), a local government may not do any of the following —*
 - (a) *deposit with an institution except an authorised institution;*
 - (b) *deposit for a fixed term of more than 3 years;*
 - (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.*

Financial Implications

The amount invested in the Cash Management Account includes approximately \$350,000 of Employee Entitlements, a separate reserve Account will soon be created for this.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjaraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

Corporate Policy CS2.7 Investments.

Attachments

Attachment 11.2 – Westpac screen print of Municipal and Investment Accounts

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr A Jones

That the report on Council Investments as at 20 November 2018 be received.

Carried: 5/0

11.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 OCTOBER 2018

FILE REFERENCE:	FM.10
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Deputy Chief Executive Officer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	20 November 2018
DISCLOSURE OF INTERESTS:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

For Council to receive the monthly financial report for the period ended 31 October 2018.

Background

Council is to prepare monthly financial reports as required by the Local Government (Financial Management Regulations) 1996.

Council has resolved that details and explanations of the material variances reflected on the Statement of Financial Activity are provided as required by Local Government (Financial Management) Regulation 34(1) (d). The attached statements include details of variances between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold of 10% (refer last page of statements). These materiality levels have been applied in the preparation of this report.

Comment

Comments in relation to budget to actual variances are included as notes (last page) in the Financial Report attached for October 2018. Most comments are related to 'Timing' regarding when the budget was formulated versus actual costs being incurred. Overhead recoveries have not been run yet causing Governance Expenditure to be over and other Programs to be under. Plant recoveries have also not been run yet.

Statutory Environment

Local Government Act 1995

6.4. Financial report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.
- (2) The financial report is to —
 - (a) be prepared and presented in the manner and form prescribed; and
 - (b) contain the prescribed information.

Local Government (Financial Management) Regulations 1996.

34. Financial activity statement required each month (Act s. 6.4)

- (1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.
- (1) A local government is to prepare each month a statement of financial activity

reporting on the revenue and expenditure, 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); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
- (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Financial Implications

Monthly financial reporting is a primary financial management and control process. It provides the Council with the ability to oversee the Shire's financial performance against budgeted targets.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjaraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

No policy implications apply in the preparation of the report.

Attachments

Attachment 11.3 - Monthly Financial Report for the period to 31 October 2018

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr A Bates Seconded: Cr A Jones

That Council receives the monthly financial report for 31 October 2018.

Carried: 5/0

11.4 DEED OF TRANSFER

FILE REFERENCE:	CP.03
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Deputy Chief Executive Officer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	19 November 2018
DISCLOSURE OF INTERESTS:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

For Council to transfer the former Place for Parents building to NG Health for use in their Home and Community Care (HACC) program.

Background

The Shire at its October meeting resolved the following:

That Council commence the process in accordance with Section 3.58 of the Local Government Act 1995 to transfer ownership of the Place for Parents building to Ngaanyatjarra Health Service for use in their HACC program as outlined in this report.

Comment

The Building Asset is surplus to the Shire's operating requirements and it is proposed to transfer ownership to NG Health for the provision of HACC Services.

Local Public Notice has been given of the proposed disposition in accordance with section 3.58 of the Local Government Act 1995, with no submissions received.

In accordance with section 3.58 of the Local Government Act 1995, Council must comply with the following:

- (c) the market value of the disposition —
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

A Fair Valuation was undertaken for the building 2014/15 and the 30 June 2018 Written Down Value for the building is \$215,655.81.

As such it is proposed that the above values are based on a valuation carried out more than 6 months before the proposed disposition that the Shire believes to be a true indication of the value at the time of the proposed disposition.

Attached is a Deed of Transfer from the Shires lawyers McLeod Legal.

Statutory Environment

Local Government Act 1995

- 3.58. *Disposing of property*
(1) *In this section —*
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

(5) This section does not apply to —

(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or

(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or

(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or

(d) any other disposition that is excluded by regulations from the application of this section.

WA Accounting Manual, Section 9

The carrying amount of a non-current asset is removed from the statement of financial position under the following conditions:

- It is disposed (e.g. on sale, trade or gifted or lost), or*
- There is no further economic benefit expected from its use or disposal (e.g. technical obsolescence or exhaustion of capacity).*

Removing the asset generates a profit or loss that is to be shown in the statement of comprehensive income. There may be an exception to this rule if the asset class is on the revaluation model (see the section on revaluation of assets).

Financial Implications

The write off of \$215,655.81 will generate a loss that is to be shown in the statement of comprehensive income. However, this will be a 'non-cash' item.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjaraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

There are no known policy implications for this matter

Attachments

11.4 Deed of Transfer

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr A Bates

Seconded: Cr D Frazer

That Council:

- 1. authorises the transfer of the former Place for People building to NG Health for the provision of HACCC Services effective 30 November 2018;**
- 2. Endorses the written down value of \$215,655 as a true indication of the value at the time of the proposed disposition based on a valuation carried out more than 6 months before the proposed disposal; and**
- 3. Authorises the use of the Common Seal to enable the President and Chief Executive Officer to enter into a Deed of Transfer as attached to this report from the Shire's lawyers, McLeod Legal.**

Carried: 5/0

11.5 APPROVAL OF INVOICES FOR PAYMENT

FILE REFERENCE:	FM.07
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	21 November 2018
DISCLOSURE OF INTERESTS:	The author has a proximity or impartiality interests in the proposal.

Summary

For Council to approve two Invoices from Core Business Australia for payment.

Background

The first invoice is related to a progress payment for RFQ 2017/18, Youth Services Review that Council awarded to Core Business Australia at its July 2018 Council meeting.

The second invoice is for the 2017/18 Fair Value, Infrastructure review to be undertaken in compliance with Fair Value legislation.

Comment

The Acting Chief Executive Officer is not able to authorise invoices for payment as he has a conflict in approving the payment. As such it is proposed to refer the attached invoices to Council for approval of payment.

Statutory Environment

Local Government Act 1995

2.7. *Role of council*

(1) *The council —*

(a) *governs the local government's affairs; and*

(b) *is responsible for the performance of the local government's functions.*

(2) *Without limiting subsection (1), the council is to —*

(a) *oversee the allocation of the local government's finances and resources; and*

(b) *determine the local government's policies.*

Financial Implications

The associated cost of Youth Services Review and Fair Value Review have been made in the 2018/19 adopted budget.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.4.3, Provide local government services

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

Not Applicable

Attachments

Attachment 11.5 – Core Business Australia, Invoices 0817A & 0828.

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr P Thomas

Seconded: Cr D Frazer

That Council approves the attached Invoices 0817A & 0828 from Core Business Australia for payment.

Carried: 5/0

12. EHO & BUILDING SERVICES REPORTS

12.1 ACTION REPORT – ENVIRONMENTAL HEALTH & BUILDING SERVICES

FILE REFERENCE:	EM.00
AUTHOR'S NAME AND POSITION:	Phil Swain Principal EHO & Building Officer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	16 November 2018
DISCLOSURE OF INTERESTS:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

To inform Council of Environmental Health program & Building Services activities and actions through the period on-site October 2018.

Background

Not applicable

Comment

Not Applicable

Statutory Environment

Not applicable

Financial Implications

No known financial implications for this matter.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

There are no known policy implications for this matter

Attachments

Attachment 12.1 – Action Report, EHO / Building Services, October 2018

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr A Bates Seconded: Cr D Frazer

That Council receives the Action Report, EHO / Building Services for October 2018.

Carried: 5/0

12.2 CONTAINER DEPOSIT LEGISLATION – CUSTOMER SERVICE STANDARDS

FILE REFERENCE:	WM.00 Waste Management
AUTHOR'S NAME AND POSITION:	Philip Swain Principal EHO & Building Officer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	9 November 2018
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

An opportunity for the Shire to provide comment to the State Government with respect to potential customer service standards for the collection network, for the container deposit scheme (CDS) to be introduced in WA in 2021.

Background

The discussion paper sets out potential customer service standards for the collection network for the container deposit scheme (CDS) and models the resultant network to estimate the location and numbers of refund points required in Western Australia. The document acknowledges the need to balance the number of refund points to provide an appropriate level of access and coverage at a reasonable scheme cost in the design of the CDS.

The Department of Water and Environmental Regulation is seeking comment on proposed customer service standards and the results of the modelling that sets out a potential collection network that is consistent with the minimum standards. The document considers two options, each of which would provide a distribution of refund points that would achieve the minimum service standards for approximately 98.8 per cent of the state's population.

The preferred option is comprised of a full-time refund point for every 20,000 people as an overarching target, subject to:

- one full time refund point for major regional centres with a population between 10,000 and 20,000;
- at least two full time refund points for major regional centres with a population over 20,000; and
- a population threshold of 500 for a flexible refund point.

The modelling suggests a minimum of 196 refund points, comprising 111 full time refund points and 85 flexible refund points, would be required to meet the recommended minimum service standards state-wide.

An alternative option is also considered, providing a full-time refund point for every 15,000 people. This option will not change the likely customer service coverage for the Shire of Ngaanyatjarraku.

Comment

The CDL will mean that residents in communities will be paying an additional 10c for every beverage container up to three (3) litres in size, to be introduced in 2021. The CDL aims to reduce litter and increase recycling by creating real value for containers, that can be redeemed at collection points. The ability to provide for collection points in areas as remote as Ngaanyatjarra creates major issues for the roll out of the legislation. By committing to the statewide system of

collection locations, with a customer service standard, the state has agreed to enable even those in remote locations, to redeem their container deposits.

The current proposals will provide for CDL collection points in Warburton and Warakurna. The collection points will be what are termed “flexible refund points” meaning that they are not manned full time and may even be mobile collections. Flexible refund points are to meet the requirements of smaller or fluctuating populations and could be provided on a part time, seasonal, mobile, or event based (pop-up) basis. Allocation of a flexible refund point as a minimum service, as proposed within the Shire, would not prevent full- time operation if the operator chose to do so based on profitability.

Statutory Environment

The CDL is proposed to become law in 2021 and will result in a 10c deposit on most recyclable beverage containers.

Financial Implications

The financial implications for this matter with respect to the Shire are unclear at this stage, as determinations regarding the operation and funding of collection points will be resolved between now and the CDL introduction.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku’s Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is “Low” risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

There are no policy implications for this matter currently.

Attachments

Attachment E - Discussion Paper, Customer service standards for collection network - Container deposit scheme (due to size to be tabled at the meeting).

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr P Thomas

Seconded: Cr A Bates

That Council provides comment to the Department of Water and Environmental Regulation that, whilst it would like to see more flexible refund points located within the Shire’s nine (9) Communities with active stores, the current proposals for customer service standards, and the Container Deposit Legislation collection network, are acceptable to the Shire of Ngaanyatjarraku.

Carried: 5/0

13. EYP REPORTS

14. NEW BUSINESS OF AN URGENT NATURE AS ADMITTED BY DECISION

15. CONFIDENTIAL MATTERS

16. NEXT MEETING

Scheduled for Wednesday, 19 December 2018 at the Tjulyuru Cultural and Civic Centre, Warburton Community commencing at 1:00 pm.

17. CLOSURE OF MEETING

There being no further business to discuss the Presiding Member closed the meeting at 1.45 pm.