



Shire of **Ngaanyatjaraku**
ON A JOURNEY

ORDINARY MEETING OF COUNCIL

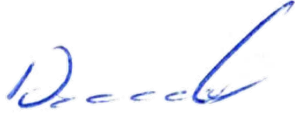
MINUTES

28 February 2024
1.00pm



SHIRE OF NGAANYATJARRAKU
ORDINARY MEETING OF COUNCIL

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



David Mosel
CHIEF EXECUTIVE OFFICER
28 February 2024

These minutes were confirmed by Council as a true and correct record of proceedings of the Meeting of Council held on 28 February 2024



Damian McLean
SHIRE PRESIDENT
27 March 2024



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1 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 1.01 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	D McLean D Frazer J Porter
Staff:	CEO AOM EO FAO SRC AC	D Mosel S Latham S Toska F Butler M Hardy S Richardson
Guests:	Michelle Blackhurst – WALGA Mel Forbes – Outback Way Council	
Members of the Public:	There were no members of the public in attendance at the commencement of the meeting.	

3.2 APOLOGIES

Cr. A Jones

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 INTEREST (FOR YOUR GUIDANCE)

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

These notes are included in each agenda 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 measured 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 no 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 that 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 *Section 5.68 (1)(b)(ii)* of the *Local Government Act 1995*; or
 - 6.2 Where the Minister allows the Councillor to participate in under *Section 5.69 (3)* of the *Local Government Act 1995*, with or without conditions.

Declarations of Interest provided:

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

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 THE PREVIOUS MEETING

9.1 ORDINARY MEETING OF COUNCIL

Voting Required

Simple Majority

Officer Recommendation and Council Resolution	
Moved: Cr J Porter	Seconded: Cr D Frazer
<p>That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 20 December 2023 at the Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community (as circulated and available on the Shires official website) be confirmed as a true and accurate record.</p>	
Carried: 3/0	



10 CEO REPORTS

10.1 OUTBACK INTERNET – DIGITAL TV AND FM RADIO UPGRADES

FILE REFERENCE: ET.00

AUTHORS NAME AND POSITION: David Mosel
Chief Executive Officer

DATE REPORT WRITTEN: 06 February 2024

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial, proximity, or impartiality interests in the proposal.

Summary

To consider increasing scope of approved works for the outback internet digital TV and FM radio upgrades to include replacement of failed transmitters and decoders required to bring the infrastructure to a contemporary standard.

Background

Following a procurement process, Outback Internet has been engaged by the Shire to supply, install and commission a new digital TV transmission system and FM radio antenna with cabling, as per purchase order 51547.

During the process of delivering the works, it was identified that half of the existing FM radio transmitters and decoders had failed, and additional works would be required to bring the infrastructure to a contemporary standard.

The initial works awarded to Outback Internet amounted to \$56,859.00. Additional work to replace all six FM transmitters and decoders will add \$26,592.45 to the total, resulting in a combined total project cost of \$83,451.45.

Comment

Completion of the additional works concurrently with the initial works will lead to overall cost savings for the project, as the Shire will not incur additional expenses for travel and accommodation.

Not replacing the failed equipment will result in incomplete functionality.

Statutory Environment

Local Government (Functions and General) Regulations 1996

Section 21A Varying a contract for the supply of goods or services

If a local government has entered into a contract for the supply of goods or services with a successful tenderer, the contract must not be varied unless -

- (1) The variation is necessary in order for the goods or service to be supplied and does not change the scope of the contract; or*
- (2) The variation is a renewal or extension of the term of the contact as described in regulation 11(2)(j), (ja) or (jb).*



Financial Implications

The initial works amounted to \$56,859.00. Additional work to replace all 6 FM transmitters and decoders will add \$26,592.45 to the total, resulting in a combined cost of \$83,451.45. While the adopted budget allocates \$70,000.00, there is a shortfall of \$13,451.45 to complete the required works.

Strategic Implications

Plan for the Future 2021-2031

Goal 1 – Our People: Looking after our people

Outcome 3 – Informed People

Strategy 3.2 – Advocate for adequate telecommunication infrastructure and services

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku 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

Policy 2.1 - Purchasing Policy - There is a requirement for at least three written quotations for procurement between \$25,000 and \$99,999 unless purchasing from a WALGA PSA, CUA or other tender exempt arrangement where a minimum of one written quotation is to be obtained. However, the Shire has entered into a contract for the supply of the works through the tender process. The variation is necessary for the agreed works to be successfully completed and therefore is deemed a variation to existing contract and not a new procurement.

Attachments

10.1 – Email received from Outback Internet advising of the additional works

Voting Requirement

Simple Majority Required.

Officer Recommendation and Council Resolution

Moved: Cr D Frazer

Seconded: Cr J Porter

That Council:

1. Approve an additional allocation of \$13,451.45 for the project, bringing the total budget allocation to \$83,451.45 with the proposed changes to be considered as part of the mid-year budget review.
2. Accept the quote of \$26,592.45 provided to replace six (6) FM transmitters and decoders and approve the delivery of the additional works.

Carried: 3/0

11 OPERATIONS REPORTS

11.1 ACTION REPORT – OPERATIONAL SERVICES

FILE REFERENCE: CP.00, PE.00, RD.00, WM.00

AUTHORS NAME AND POSITION: Stephen Latham
Acting Operations Manager

AUTHORISING OFFICER AND POSITION: David Mosel
Chief Executive Officer

DATE REPORT WRITTEN: 12 February 2024

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial, proximity, or impartiality interests in the proposal.

Summary

To inform Council of building maintenance, plant and equipment, road and waste activities and actions for the preceding month.

Background

Not applicable

Comment

See attachment 11.1.

Statutory Environment

Not applicable

Financial Implications

There are no known financial implications for this matter.

Strategic Implications

Plan for the Future 2021-2031

Goal 1 – Our People

Outcome 2 – Healthy People

Strategy 2.2 – Ensure appropriate regulatory health and waste services provision with funding

Goal 2 – Looking after our Land

Outcome 6 – Living on our Land

Strategy 6.1 – Maintain Shire owned buildings and facilities

Goal 3 – Our Leadership

Outcome 8 – A well-functioning organisation

Strategy 8.2 – Provide a good place to work

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" 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

11.1 – Action Report – Operational Services

Voting Requirement

Simple Majority

Officer Recommendation and Council Resolution

Moved: Cr D Frazer

Seconded: Cr J Porter

That Council receives the Action Report – Operational Services for December 2023 and January 2024 as per attachment 11.1.

Carried: 3/0

12 FINANCE

12.1 MONTHLY PAYMENTS LISTING FOR DECEMBER 2023 AND JANUARY 2024

FILE REFERENCE:	FM.07
AUTHORS NAME AND POSITION:	Fiona Butler Finance and Administration Officer
AUTHORISING OFFICER AND POSITION:	David Mosel Chief Executive Officer
DATE REPORT WRITTEN:	12 February 2024
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial, proximity, or impartiality interests in the proposal.

Summary

For Council to confirm the payment of accounts listed in the attached Accounts for Payment listing.

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

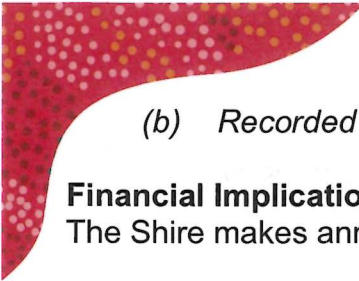
The payments made are consistent with previous months, as per attachment 12.1.

Statutory Environment

Local Government (Financial Management) Regulations 1996

Section 13 – 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 powers 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 for approval to be paid is to be prepared each month showing –*
 - 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 payments of accounts.

Strategic Implications

Plan for the Future 2021-2031

Goal 3 – Our Leadership

Outcome 8 – A well-functioning organisation

Strategy 8.1 – Maintain corporate governance, responsibility, and accountability

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" 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

12.1a – Payment Listing, December 2023

12.1b – Payment Listing, January 2024

Voting Requirement

Simple Majority

Officer Recommendation and Council Resolution

Moved: Cr J Porter

Seconded: Cr D Frazer

That Council:

- 1. Received the Payment Listing for December 2023 totalling payments of \$950,826.01 as per attachment 12.1a**
- 2. Receives the Payment Listing for January 2024 totalling payments of \$561,777.50 as per attachment 12.1b**

Carried: 3/0

12.2 COUNCIL INVESTMENTS FOR DECEMBER 2023 AND JANUARY 2024

FILE REFERENCE:	FM.04
AUTHORS NAME AND POSITION:	Fiona Butler Finance and Administration Officer
AUTHORISING OFFICER AND POSITION:	David Mosel Chief Executive Officer
DATE REPORT WRITTEN:	12 February 2024
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial, proximity, or impartiality interests in the proposal.

Summary

For Council to be advised of the Shires Municipal Account and Investments.

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 investments.

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.

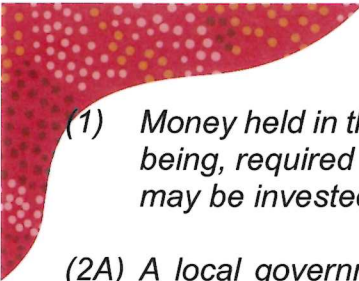
The investment is expected to achieve a predetermined market average rate of return that takes into account the Shire's risk tolerance. Any additional target set by the Shire will also consider the risk limitation and prudent investment principles.

Better rates have been received through a quotation process with the Westpac and Commonwealth Bank and as such funds have been deposited with the bank providing better interest rates. Westpac Business Premium Reserve Account has also been opened with the intention of keeping surplus operating funds in this bank account yielding higher interest income. Money is also held in Westpac's 31-day Notice Account. These funds are mainly from the Commonwealth's FAGS 2023-2024 and Roads Grants paid in advance along with Shire reserve accounts.

Attached is a copy of the Shire Investment Register recording the details of these longer-term investments.

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
- (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

Section 19 – Investment of money, restrictions on (Act s. 6.14 (2)(a))

(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.

Section 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 Australia 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

There are no known financial implications for this matter.



Strategic Implications

Plan for the Future 2021-2031

Goal 3 – Our Leadership: Showing the way for our communities.

Outcome 8 – A well-functioning organisation

Strategy 8.1 – Maintain corporate governance, responsibility, and accountability.

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" and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

Corporate Policy – Finance 2.12 – Investment

Attachments

12.2a – Investment Register December 2023

12.2b – Investment Register January 2024

Voting Requirement

Simple Majority

Officer Recommendation and Council Resolution

Moved: Cr J Porter

Seconded: Cr D Frazer

That Council:

- 1. Receives the report on Council Investments as at 31 December 2023 as per attachment 12.2a**
- 2. Receives the report on Council Investments as at 31 January 2024 as per attachment 12.2b**

Carried: 3/0



12.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDING DECEMBER 2023 AND JANUARY 2024

FILE REFERENCE:	FM.10
AUTHORS NAME AND POSITION:	Fiona Butler Finance and Administration Officer
AUTHORISING OFFICER AND POSITION:	David Mosel Chief Executive Officer
DATE REPORT WRITTEN:	12 February 2024
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial, proximity, or impartiality interests in the proposal.

Summary

For Council to receive the monthly financial reports for December 2023 and January 2024.

Background

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

Council has resolved those details and explanations of the material variances reflected on the Statement of Financial Activity and are provided as required by Local Government (Financial Management) Regulation 34 (1)(d). The attached statements included details of variances between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold of \$20,000 or 10% whichever is the greater (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. Comments related to 'timing' refer to an estimate of when costs would occur at the time the budget was formulated versus actual costs being incurred.

'Permanent' variances to note as at month end are:

- Operating Grants under budget are yet to be received
- Building Fees over budget due to Oz Minerals building applications for their mine construction, noting that some is payable to the Building Commission

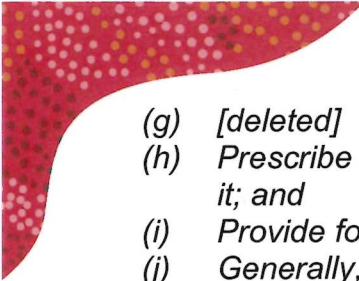
Statutory Environment

Local Government Act 1995, Section 6.14 – Power to Invest

(3) *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)*

(4) *Regulations in relation to investments by local governments may –*
(f) *Make provision in respect of the investment of money referred to in subsection (1); and*

- 
- (g) *[deleted]*
 - (h) *Prescribe circumstances in which a local government is required to invest money held by it; and*
 - (i) *Provide for the application of investment earnings; and*
 - (j) *Generally, provide for the management of those investments.*

Local Government (Financial Management) Regulations 1996

Section 19 – Investment of money, restrictions on (Act s. 6.14 (2)(a))

- (3) *A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.*
- (4) *The control procedures are to enable the identification of –*
 - (c) *The nature and location of all investments; and*
 - (d) *The transactions related to each investment.*

Section 19C – Investment of money, restrictions on (Act s. 6.14 (2)(a))

- (2) *In this regulation –*

Authorised institution means –

- (c) *An authorised deposit taking institution as defined in the Banking Act 1959 (Commonwealth) Section 5; or*
- (d) *The Western Australian Treasury Corporation established by the Western Australia Treasury Corporation Act 1986;*

Foreign currency means a currency except the currency of Australia.

- (3) *When investing money under section 6.14 (1), a local government may not do any of the following –*
 - (f) *Deposit with an institution except an authorised institution;*
 - (g) *Deposit for a fixed term of more than 3 years;*
 - (h) *Invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;*
 - (i) *Invest in bonds with a term to maturity of more than 3 years;*
 - (j) *Invest in a foreign currency.*

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

Plan for the Future 2021-2031

Goal 3 – Our Leadership: Showing the way for our communities.

Outcome 8 – A well-functioning organisation

Strategy 8.1 – Maintain corporate governance, responsibility, and accountability.



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" 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 this report.

Attachments

12.3a – Monthly Financial Report, December 2023

12.3b – Monthly Financial Report, January 2024

Voting Requirement

Simple Majority

Officer Recommendation and Council Resolution

Moved: Cr D Frazer

Seconded: Cr J Porter

That Council:

- 1. Receives the monthly financial report for December 2023 as per attachment 12.3a**
- 2. Receives the monthly financial report for January 2024 as per attachment 12.3b**

Carried: 3/0

13 NEW BUSINESS OF AN URGENT NATURE AS ADMITTED BY DECISION

14 CONFIDENTIAL MATTERS

Officer Recommendation and Council Resolution

Moved: Cr D Frazer

Seconded: Cr J Porter

That Council:

1. Resolves that Reports 14.1, 14.2, and 14.3 are confidential in accordance with s5.23 (2) of the Local Government Act 1995.
2. Close the meeting to the public pursuant to subsection 5.23 (2)(a) of the Local Government Act 1995.
3. Authorises the Chief Executive Officer and the Administration Coordinator to remain in the meeting for Reports 14.1, 14.2, and 14.3,

Carried: 3/0

All members of the public gallery and staff left the meeting at 1.12pm (Note: Chief Executive Officer to remain to answer any questions and Administration Coordinator to remain to take minutes).

Officer Recommendation and Council Resolution

Moved: Cr D Frazer

Seconded: Cr J Porter

That Council reopen the meeting to the public.

Carried: 3/0

No members of the public gallery or staff members re-entered the room at 1.30pm.

The Presiding Member advised of Council's decision for the Confidential Agenda items.

14.1 STAFF MATTER, CHIEF EXECUTIVE OFFICER EMPLOYMENT PROBATION REVIEW

FILE REFERENCE:

PL.00

AUTHORS NAME AND POSITION:

Dean McAuliffe
Director – DKM Workplace Solutions

AUTHORISING OFFICER AND POSITION:

David Mosel
Chief Executive Officer

DATE REPORT WRITTEN:

03 February 2024

DISCLOSURE OF FINANCIAL INTEREST:

The author has no financial, proximity, or impartiality interests in the proposal.



Attachments

Attachment provided under separate cover – Confidential Report 14.1

Voting Requirement

Simple Majority Required.

Officer Recommendation and Council Resolution

Moved: Cr J Porter

Seconded: Cr D Frazer

That Council:

1. **Endorses the review of the performance of the Chief Executive Officer conducted by reviewer with the Chief Executive Officer conducted by reviewer with the Chief Executive Officer being assessed as 'Exceeds Expectations'**
2. **Advises that the Chief Executive Officer, Mr David Mosel, is no longer deemed on probation as he has successfully completed his probation period as set out in the terms of employment.**
3. **Schedule the next annual review for the Chief Executive Officers performance and total remuneration package (TRP) for consideration by Council no later than 1 July 2024.**

Carried: 3/0

14.2 STAFF MATTER, ORGANISATION REVIEW

FILE REFERENCE:

PL.00

AUTHORS NAME AND POSITION:

David Mosel
Chief Executive Officer

DATE REPORT WRITTEN:

03 February 2024

DISCLOSURE OF FINANCIAL INTEREST:

The author has no financial, proximity, or impartiality interests in the proposal.

Attachments

Attachment provided under separate cover – Confidential Report 14.2

Voting Requirement

Simple Majority Required.

Officer Recommendation and Council Resolution

Moved: Cr D Frazer

Seconded: Cr J Porter

That Council approves the proposed changes to the organisation structure as an appropriate structure for administering the local government, as per attachments 14.2a and 14.2b

Carried: 3/0

14.3 BHP ROAD AGREEMENT

FILE REFERENCE: RD.00

AUTHORS NAME AND POSITION: David Mosel
Chief Executive Officer

DATE REPORT WRITTEN: 13 February 2024

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial, proximity, or impartiality interests in the proposal.

Attachments

Attachment provided under separate cover – Confidential Report 14.3

Voting Requirement

Simple Majority Required.

Officer Recommendation and Council Resolution

Moved: Cr D Frazer

Seconded: Cr J Porter

That Council:

- 1. Notes the terms of:
 - a. The proposed Road Construction and Maintenance Contract with Breakaway Earthmoving Pty Ltd (Proposed Contract); and**
 - b. The proposed Road User Deed for RAV access to designated Local Roads with Oz Minerals Musgrave Operations Pty Ltd (Proposed Deed);****
- 2. Approves the terms of the Proposed Contract and the Proposed Deed;**
- 3. Authorises the CEO to consider, and if satisfied to accept, any minor drafting changes recommended by the Shire's lawyers to the Proposed Contract and / or the Proposed Deed; and**
- 4. Authorising the affixing of the Shire's common seal to the final version Proposed Contract and the final version of the Proposed Deed.**

Carried: 3/0



15 NEXT MEETING

Scheduled for Wednesday 27 March 2024 at the Tjulyuru Cultural and Civic Centre, Warburton Community, commencing at 1.00pm

16 CLOSURE OF MEETING

There being no further business the Presiding Member closed the meeting at 1.32 pm.