



Shire of **Ngaanyatjaraku**

ON A JOURNEY

MINUTES

**Ordinary Council Meeting
18 December 2024**

1:00pm

Notice Paper

Shire of Ngaanyatjaraku

Ordinary Council Meeting 18 December 2024

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



David Mosel
Chief Executive Officer

The minutes were confirmed by Council as a true and correct record of proceedings of the Meeting of Council held on 18 December 2024.

Damian McLean
Shire President
26 February 2025

Order of Business

1.	DECLARATION OF OPENING	3
2.	ANNOUNCEMENT OF VISITORS	3
3.	RECORD OF ATTENDANCE	3
3.1	Attendees	3
3.2	Apologies	3
3.3	Approved Leave of Absence	3
4.	APPLICATIONS FOR LEAVE OF ABSENCE	3
5.	DECLARATION OF INTEREST	3
6.	PUBLIC QUESTIONS	4
7.	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	4
8.	RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS	4
8.1	Petitions	4
8.2	Presentations	4
8.3	Deputations	4
9.	CONFIRMATION OF MINUTES	4
9.1	Confirmation of Minutes from the Ordinary Meeting of Council Held on 27 November 2024.	4
10.	CHIEF EXECUTIVE OFFICER REPORTS	6
10.1	Council Investments	6
10.2	Payments by Employees Via Purchasing Cards 28 October to 27 November 2024	9
10.3	Chief Executive Officer Report	11
11.	OPERATIONAL REPORTS	12
11.1	Action Report – Operational Services	12
11.2	Action Report – Environmental Health and Building Services	14
12.	CORPORATE AND COMMUNITY SERVICES REPORTS	15
12.1	Monthly Payments Listing – November 2024	15
12.2	Monthly Statement of Financial activity for the Months of November 2024.	17
13.	NEW BUSINESS OF AN URGENT NATURE AS ADMITTED BY DECISION	21
13.1	Outback Internet Digital TV Upgrades – Blackstone Community	21
14.	CONFIDENTIAL LATE ITEM	23
14.1	Road User Agreement	24
15.	NEXT MEETING	24
16.	CLOSURE OF MEETING	24

1. DECLARATION OF OPENING

Meeting to be declared open by the Presiding Member at 1.05pm

2. ANNOUNCEMENT OF VISITORS

Welcoming and recording of visitors to the public gallery by the Presiding Member.

3. RECORD OF ATTENDANCE

3.1 Attendees

Elected Members:	President Councillor Councillor	D McLean J Frazer (via telephone) J Porter
Staff:	CEO MO EO	D Mosel (via video conference) S Latham F Butler (via video conference) T Baldock (via video conference)
Guests:	Judy Thompson – UHY Haines Norton (via video conference)	
Members of the Public:	There were no members of the public in attendance at the commencement of the meeting.	

3.2 Apologies

Deputy Shire President - D Frazer

3.3 Approved Leave of Absence

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. DECLARATION OF INTEREST

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

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.

Declarations of Interest provided:

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

6. PUBLIC QUESTIONS

6.1 Response to Previous Public Questions Taken on Notice

Nil

6.2 Public Questions

Nil

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil

8. RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

8.1 Petitions

No petitions have been received.

8.2 Presentations

No awards or gifts have been accepted by the Council on behalf of the Shire of Ngaanyatjarraku or the community.

8.3 Deputations

No requests to formally address the Council have been received.

9. CONFIRMATION OF MINUTES

9.1 Confirmation of Minutes from the Ordinary Meeting of Council Held on 27 November 2024.

Voting Requirement

Simple majority

Officers Recommendation and Council Resolution

Moved: Cr J Porter

Seconded: Cr J Frazer

That the minutes of the Ordinary Council Meeting held on 27 November 2024 at the Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community be confirmed as a true and accurate record of that meeting.

Carried 3/0

Voting for: Cr D McLean, Cr J Porter, Cr J Frazer

Voting Against: Nil

Unconfirmed

10. CHIEF EXECUTIVE OFFICER REPORTS

10.1 Council Investments

File Reference:	FM.04
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	13 December 2024
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

Summary

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

Background

To invest the Shire of Ngaanyatjaraku 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 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 considers the Shire's risk tolerance. Any additional target set by the Shire will also consider the risk limitation and prudent investment principles.

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

Regulation 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.*

Regulation 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

Shire of Ngaanyatjarraku 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 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

Corporate Policy. Finance 2.12 – Invest.

Attachments

10.1 – Council Investment Register

Officers Recommendation and Council Resolution

Moved: Cr J Frazer

Seconded: Cr J Porter

That Council receive the Council Investment Register detailing investment activity for December 2024. (Attachment 10.1).

Carried 3/0

Voting for: Cr D McLean, Cr J Porter, Cr J Frazer

Voting Against: Nil

10.2 Payments by Employees Via Purchasing Cards 28 October to 27 November 2024

File Reference:	FM.02
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	13 December 2024
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

Summary

To provide Council with the list of payments made by authorised employees using transaction cards for the period 28 October 2024 to 27 November 2024.

Background

On 1 September 2023, Regulation 13A of the *Local Government (Financial Management) Regulations 1996* was introduced requiring local governments to prepare a list of all payments made by an authorised employee using a credit, debit or other purchasing card.

Credit card payments were previously included in the accounts for payment listing presented to Council and are now provided as a separate attachment to distinguish these from the list of account payments made under delegated authority.

The listing of relevant cards has been prepared to highlight the information required by legislation:

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment;
- (d) sufficient information to identify the payment.

Comment

Purchasing card payments for the period 28 October to 27 November 2024 of \$14,820.05 via credit card payments totalling \$14,820.05 are presented to Council to be received.

The attached schedule provides the information required by legislation. A detailed copy of the payments and statements with supporting information will be kept in the Finance Office.

The list of payments made by authorised employees using transaction cards to be received by Council for the period 28 October to 27 November 2024 (Attachment 10.2) are presented to Council.

Statutory Environment

Regulation 13A of the Local Government (Financial Management) Regulations 1996 provides that a list of all payments made by an authorised employee using a credit, debit or other purchasing card be prepared and presented to Council.

This list must include all payments made since the list was last prepared and presented to Council and included in the minutes of the meeting.

Financial Implications

Expenditure relating to payments made using transaction cards is included in the 2023/24 budget.

Strategic Implications

Shire of Ngaanyatjarraku 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 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

There are no known policy implications for this matter.

Attachments

Attachment 10.2 – Schedule of Payments Made by Employees via Purchasing Cards – 28 October to 27 November 2024.

Officers Recommendation and Council Resolution

Moved: Cr J Frazer

Seconded: Cr J Porter

That Council receive the listing of payments made by authorised employees using transaction cards for the period of 28 October to 27 November 2024 (Attachment 10.2)

Carried 3/0

Voting for: Cr D McLean, Cr J Porter, Cr J Frazer

Voting Against: Nil

10.3 Chief Executive Officer Report

File Reference:	GV.05
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	13 December 2024
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Information Only report

Summary

This monthly report provides Council with a regular update of key activities and issues of the Chief Executive Officer (CEO) and is provided for information.

The CEO maintains regular communication with the Shire President both in person and via phone to discuss Council business.

Calendar of meetings and events		Meeting Format
November 2024		
23	Travel - Perth to Home	
25	Road Funding meeting – Road’s Coordinator	Online
	Auditor Meeting – Pitcher Partners	Online
27	Fortnightly GCR Road Meeting	Online
	November Council Meeting	Online
28	Finance meeting	Online
29	GVROC Meeting	Online
December 2024		
5	Financial Audit – Closing meeting with Auditors	Online
13	Northern Goldfields Working Group Meeting	Online

Officers Recommendation and Council Resolution:

Moved: Cr J Frazer

Seconded: Cr J Porter

That Council receive the Chief Executive Officers Report for 23 November – 13 December 2024.

Carried 3/0

Voting for: Cr D McLean, Cr J Porter, Cr J Frazer

Voting Against: Nil

11. OPERATIONAL REPORTS

11.1 Action Report – Operational Services

File Reference:	CP.00, PE.00, RD.00, WM.00
Business Area:	Operations
Reporting Officer:	Stephen Latham, Manager Operations
Date Report Written:	13 December 2024
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

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 for actions achieved.

Statutory Environment

Not applicable.

Financial Implications

There are no financial implications resulting for this matter.

Strategic Implications

Shire of Ngaanyatjaraku 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 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

11.1 – Operations Report November 2024.

Officers Recommendation and Council Resolution

Moved: Cr J Frazer

Seconded: Cr J Porter

That Council receive the Operational Services Action Report for November 2024.
(Attachment 11.1).

Carried 3/0

Voting for: Cr D McLean, Cr J Porter, Cr J Frazer

Voting Against: Nil

11.2 Action Report – Environmental Health and Building Services

File Reference:	EM.00
Business Area:	Operations
Reporting Officer:	Terry Sargent, Environmental Health Officer
Date Report Written:	13 December 2024
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	N/A

Summary

To inform Council of Environmental Health and Building Services activities and actions for the preceding month.

Background

Not applicable.

Comment

As the Environmental Health Officer was not on-site, no report has been provided for this reporting period.

Statutory Environment

Not applicable.

Financial Implications

There are no financial implications resulting for this matter.

Strategic Implications

Shire of Ngaanyatjarraku 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.

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

There are no known policy implications for this matter.

Attachments

Nil

12. CORPORATE AND COMMUNITY SERVICES REPORTS

12.1 Monthly Payments Listing – November 2024

File Reference:	FM.02
Business Area:	Corporate & Community Services
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	13 December 2024
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

Summary

For Council to receive the list of payments made by authority as attached in the Monthly Payments Listing for November 2024 (Attachment 12.1).

Background

In accordance with Regulation 13 of 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 list of payments made during the month of November is consistent with previous months, as per Attachment 12.1, though the payments made by employees who are authorised to use credit cards have been removed from this listing and are presented in a separate report and listing.

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*

12.2 Monthly Statement of Financial activity for the Months of November 2024.

File Reference:	FM.10
Business Area:	Corporate and Community Services
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	13 December 2024
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

Summary

For Council to receive the monthly financial report for November 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 include 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.

Comment

Over recent weeks, a new financial reporting tool has been implemented via the Local Government Solutions (LGS) portal. The new monthly reporting format is prepared for November 2024.

Administration will continue to progress implementation of this new reporting format, which will evolve to allow alignment of budget timings with actual expenditure and timely variance reporting. This new format will result in financial data being presented in an alternative reporting sequence, updates will be communicated as they occur, with the main changes to date being outlined as below; no changes since last reported.

Table: Revised Format Changes to Financial Reporting

Old/ Existing Format	New LGS Format
Financial Activity & Activity Information	Cashflow and Statement of Financial
Note 3: Cash & Financial Assets	Cash & Cash Equivalents
Note 4: Reserve Accounts	Reserve Accounts
Note 5/6/7: Capital Acquisitions	Infrastructure movement and balances
Note 8: Receivables	Trade & Other Receivables
Note 9: Payables	Trade and Other Payables
Note 10: Rate Revenue	Rating Information

Further inclusion is the Shire's Investment Cash Position report is now included with in the monthly financial report under note 2 Cash & Cash Equivalent.

Once completed, this new monthly reporting will reflect the financial statements format on a monthly basis and so minimise the annual financial statements procedure at year end.

Comments in relation to 'timing' variances for each monthly report refer to expenditure delays between the budgeted timings versus the actual costs once incurred.

Note: This report is an indicative result for 30 June 2024 closing YTD Actuals, as the end of year process is still being finalised.

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

- Operating Grants - over budget as grants have been received earlier than projected.
- Interest Revenue – favourable to budget due to higher interest rates.
- Building Fees - over budget due to building applications for the Oz Minerals mine construction, noting that some is payable to the Building Commission.
- Other revenue – favourable to budget as a result reimbursement from the insurers in relation to vandalism of staff housing.
- Employee Expense – favourable to budget due to unfilled vacancies as at 30 November 2024.
- Depreciation – will be updated for next reporting period, now the financial statements have been complete.

Statutory Environment

Local Government (Financial Management) Regulations 1996

Regulation 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 the previous month (the *relevant 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 relevant month; and
 - c. actual amounts of expenditure, revenue and income to the end of the relevant month; 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 relevant month and a note containing a summary explaining the composition of the net current assets.
- (1B) The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).
- (1C) Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.
- (2) Each statement of financial activity is to be accompanied by documents containing —
- (a) [deleted]
 - (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 must be shown according to nature classification.
- (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 relevant month; 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.

Regulation 35. Financial position statement required each month.

- (1) A local government must prepare each month a statement of financial position showing the financial position of the local government as at the last day of the previous month (the *previous month*) and —
- (a) the financial position of the local government as at the last day of the previous financial year; or
 - (b) if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.
- (2) A statement of financial position must be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the previous month; and
 - (b) recorded in the minutes of the meeting at which it is presented.

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

Shire of Ngaanyatjarraku 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 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

No policy implications apply in the preparation of this report.

Attachments

To be provided - 12.2 – Monthly Financial Report November 2024

Officer Recommendation and Councillor Resolution

Moved: Cr J Porter

Seconded: Cr J Frazer

That Council receive the Monthly Financial Report for the periods ended 30 November 2024.

Carried 3/0

Voting for: Cr D McLean, Cr J Porter, Cr J Frazer

Voting Against: Nil

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

13.1 Outback Internet Digital TV Upgrades – Blackstone Community

File Reference:	ET.00
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	18 December 2024
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

Summary

To consider the supply installation and commissioning of digital TV transmitter system at the Blackstone Community.

Background

A procurement process was undertaken in October 2023, where council received three submissions for the supply, installation and commissioning of digital TV transmission system for the Warburton and Blackstone Communities. In consideration to the budget allocation, Council engaged Outback Internet to undertake the works within the Warburton community.

As part of the 2024-25 budget process the Shire adopted to proceed with the works within the Blackstone Community.

Outback Internet were asked to review their original submission and have confirmed that the price is consistent with their original submission.

Engaging outback internet will ensure that both systems are compatible and will ensure consistent upkeep and maintenance by the one contractor.

Comment

Not replacing the failed equipment will result in incomplete functionality.

Statutory Environment

Local Government (Functions and General) Regulations 1996

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

Within the allocated 2024/25 budget allocation.

Strategic Implications

Shire of Ngaanyatjarraku 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

There are no known policy implications for this matter.

Attachments

Nil

Officers Recommendation and Council Resolution

Moved: Cr J Porter

Seconded: Cr J Frazer

That Council approves the CEO to progress with the engagement of Outback Internet for the supply, installation and commission of digital TV transmission system in the Blackstone Community.

Carried 3/0

Voting for: Cr D McLean, Cr J Porter, Cr J Frazer

Voting Against: Nil

14. CONFIDENTIAL LATE ITEM

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr J Frazer

Seconded: Cr J Porter

That Council:

1. Resolves that Reports 14.1 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 Executive Officer to remain in the meeting for Reports 14.1.

Carried 3/0

Voting for: Cr D McLean, Cr J Porter, Cr J Frazer

Voting Against: Nil

All members of the public gallery and staff left the meeting at 1.21pm (Note: Chief Executive Officer to remain to answer any questions and Executive Officer to remain to take minutes).

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr J Porter

Seconded: Cr J Frazer

That Council reopen the meeting to the public at 1.27pm.

Carried 3/0

Voting for: Cr D McLean, Cr J Porter, Cr J Frazer

Voting Against: Nil

14.1 Road User Agreement

File Reference:	RR.00
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	18 December 2024
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

Attachment

Attachments provided under separate cover – Confidential Report 14.1

Officers Recommendation and Council Resolution

Moved: Cr J Porter

Seconded: Cr J Frazer

That the Council authorises the CEO:

1. To negotiate and finalise a settlement, within the terms outlined in the report to the Council, with Oz Minerals Musgrave Operations Pty Ltd and Breakaway Earthmoving Pty Ltd, in relation to BHP's decision to suspend its West Musgrave operations; and
2. To execute a Deed of Settlement and Release, substantially in the terms of the draft deed attached to the report to the Council, with each of Oz Minerals Musgrave Operations Pty Ltd and Breakaway Earthmoving Pty Ltd.

Carried 3/0

Voting for: Cr D McLean, Cr J Porter, Cr J Frazer

Voting Against: Nil

15. NEXT MEETING

The next meeting is scheduled for Wednesday 26 February 2025 at the Tjulyuru Cultural and Civic Centre, Warburton Community, commencing at 1.00pm.

16. CLOSURE OF MEETING

Meeting to be declared closed by the Presiding Member at 1.30pm