



Shire of **Ngaanyatjarra**  
ON A JOURNEY

# MINUTES

**Ordinary Council Meeting  
24 September 2025**

**1:00pm**

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## Ordinary Council Meeting 27 August 2025

President and Councillors

I inform you that an Ordinary Council Meeting of the Shire of Ngaanyatjaraku will be held on Wednesday 27 August 2025, commencing at 1:00pm.

This will take place in the Council Chambers of the Tjulyuru Cultural and Civic Centre in the Warburton community.

The business to be transacted is shown in the agenda.

Yours faithfully



**David Mosel**  
**Chief Executive Officer**

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The minutes were confirmed by Council as a true and correct recording of proceedings of the Meeting Council held on 27 August 2025.



**Damian McLeod**  
**Shire President**  
**24 September 2025**

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**1. DECLARATION OF OPENING**

Meeting was declared open by the Presiding Member at 1.00pm.

**2. ANNOUNCEMENT OF VISITORS**

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

**3. RECORD OF ATTENDANCE**

**3.2 Attendees**

<b>Elected Members:</b>	President Councillor Councillor	D McLean J Porter P Thomas D Frazer
<b>Staff:</b>	CEO Office Coordinator Finance Coordinator Executive Officer HR Coordinator	D Mosel (via videoconference) P O'Loughlin R King (via videoconference) T Baldock M Roberts (via videoconference)
<b>Guests:</b>	Judy Thompson, UHY Haines Norton (via videoconference)	
<b>Members of the Public:</b>	There were no members of the public in attendance at the commencement of the meeting.	

**3.3 Apologies**

Cr J Frazer

**3.4 Approved Leave of Absence**

Nil

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**5. DECLARATION OF INTEREST**

Nil

**6. PUBLIC QUESTIONS**

**6.2 Response to Previous Public Questions Taken on Notice**

Nil

**6.3 Public Questions**

Questions invited from the public gallery by the Presiding Member.

**7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

**8. RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS**

**8.2 Petitions**

No petitions have been received.

**8.3 Presentations**

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

**8.4 Deputations**

No requests to formally address the Council have been received.

**9. CONFIRMATION OF MINUTES**

**9.2 Confirmation of Minutes from the Ordinary Meeting of Council Held on  
27 August 2025**

**Voting Requirement**

Simple majority

**Council Resolution & Officers Recommendation**

**Moved: Cr Preston Thomas**

**Seconded: Cr Julie porter**

That the minutes of the Ordinary Council Meeting held on 27 August 2025 at the Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community be confirmed as a true and accurate record of that meeting.

**Carried 5/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

## CHIEF EXECUTIVE OFFICER REPORTS

### 10.1 Council Investments

<b>File Reference:</b>	FM.04
<b>Reporting Officer:</b>	David Mosel, Chief Executive Officer
<b>Date Report Written:</b>	19 September 2025
<b>Disclosure of Interest:</b>	The author has no financial, proximity, or impartiality interests in the proposal.
<b>Voting Requirement:</b>	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.

In a previous report within the agenda, the Shire Investments were presented. This report reflects the reconciliation of bank & investment accounts reported in the monthly financial report under Note 2 Cash & Cash Equivalent (August 2025).

#### Statutory Environment

*Local Government Act 1995, Section 6.14 – Power to Invest*

- (2) *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 –*
  - (e) *Make provision in respect of the investment of money referred to in subsection (1); and*
  - (e) *[deleted]*
  - (e) *Prescribe circumstances in which a local government is required to invest money held by it; and*
  - (e) *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))*

- (2) *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 –*
  - (b) *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 –*
    - (b) *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 –*
  - (e) *Deposit with an institution except an authorised institution;*
  - (e) *Deposit for a fixed term of more than 3 years;*
  - (e) *Invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;*

- (e) *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 Ngaanyatjaraku 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 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**

Attachment 10.1 Investment Register

#### **Council Resolution & Officers Recommendation**

**Moved: Cr Debra Fraser**

**Seconded: Cr Julie Porter**

That Council note the Council Investment Register detailing investment activity for August 2025 within the Financial report. (Attachment 10.1).

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

## 10.2 Payments by Employees Via Purchasing Cards 29 July to 27 August 2025

<b>File Reference:</b>	FM.02
<b>Reporting Officer:</b>	David Mosel, Chief Executive Officer
<b>Date Report Written:</b>	19 September 2025
<b>Disclosure of Interest:</b>	The author has no financial, proximity, or impartiality interests in the proposal.
<b>Voting Requirement:</b>	Simple Majority

### Summary

To provide Council with the list of payments made by authorised employees using transaction cards for the period 29 July to 27 August 2025.

### 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 29 July to 27 August 2025 via credit card payments totaling \$11,313.13 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 29 July to 27 August 2025 (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 2024/25 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 – 29 July to 27 August 2025.

#### **Council Resolution & Officers Recommendation**

**Moved: Cr Debra Fraser**

**Seconded: Cr Preston Thomas**

That the Council received the listing of payment made by authorised employees using transaction cards for the period of 29 July to 27 August 2025, \$11,313.13. (Attachment 10.2).

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

### 10.3 Chief Executive Officer Report

<b>File Reference:</b>	GV.05
<b>Reporting Officer:</b>	David Mosel, Chief Executive Officer
<b>Date Report Written:</b>	19 September 2025
<b>Disclosure of Interest:</b>	The author has no financial, proximity, or impartiality interests in the proposal.
<b>Voting Requirement:</b>	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
<b>August</b>		
<b>26</b>	Meeting with Warburton Pool Supervisor	In person
	CEO and Finance Manager re Reg 17 review	Online
	Meeting with UHY Haines	Online
	NG Council staff re Waste Strategy	In person
<b>27</b>	Council Meeting	In person
	DLG Workshop	Online
	Market Creations – Marketing Strategy and Communication Plan review	Online
<b>28</b>	Team Meeting	Online and In person
	CEO Procedure review	Online
	Interview – Administration Coordinator	In person
	2024-25 Food Act and Public Health Act Reporting meeting with EHO	In person

<b>29</b>	ASK Waste Management & NG Council meeting	In person/Online
	Finance Meeting with Finance Manager	On line
<b>September</b>		
<b>1</b>	Waste Strategy Meeting	Online
	Budget Review meeting	Online
	Consultant Meeting	Online
	Review of SAMP	Online
	CEO and HR Coordinator meeting	Online
<b>2</b>	Consultant Meeting	Online
<b>3</b>	CEO Travel to Leonora	
	Meeting with Leonora CEO	In person
<b>4</b>	CEO Travel to Kalgoorlie	
	Meeting with Market Creations	In person
	CEO Travel to Perth	
<b>5</b>	CEO Travel to Home	
<b>8</b>	Market Creations – Waste Strategy	Online
	Outback Way Governance Meeting	Online
	Waste Management Meeting	Online
	LRCIP Review	Online
<b>9</b>	SoN 2025 Valuations update and methodology meeting	Online
<b>10</b>	Meeting with UHY Haines Norton	In person
<b>11</b>	EOY Financial Statement review	Online

	Attendance at Think Project – Asset & Work Manager Webinar	Online
	Intranet project meeting with Shire IT provider	Online
	E Commerce demonstration for Shire Website	Online
<b>15</b>	CEO Travel to Perth	
	OHDC Dinner	In person
<b>16</b>	OHDC AGM and Ordinary Meeting and Dinner	In person
<b>17</b>	OHDC Meeting	In person
	Meeting with Kris Starcevich, Chief Executive Officer Goldfields-Esperance Development Commission	In person
<b>18</b>	Meeting with Road Wise, Road Safety Advisor	In person
	CEO Interview (for Shire position)	Online
	CEO Travel to Kalgoorlie	
	Meeting with RDA Goldfields Esperance	In person
<b>19</b>	CEO Travel to Perth	
	Deliver car to Pickles Auction	

**Council Resolution & Officers Recommendation**

**Moved: Cr Julie Porter**

**Seconded: Cr Debra Fraser**

That the Council received the listing of payment made by authorised employees using transaction cards for the period of 29 July to 27 August 2025, \$11,313.13. (Attachment 10.2)

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

#### 10.4 Council Resolution Register

File Reference:	GV.05
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	19 September 2025
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

##### Background

To update Council on the status of outstanding resolutions at the time of the agenda preparation and allow Council to confirm resolutions market as complete.

##### Comment

The attached register lists all Council resolutions since 2024 that are still in progress or not yet confirmed. It includes the meeting date, the latest progress commentary (if applicable), the status of each decision (Not Stared, IN progress, on hold or Complete), the intended date of completion and the responsible officer,

A Council decision that acknowledges the Council Resolution Register as a true and correct record, will confirm that Council is satisfied that decisions marked as ‘complete’ have been fully enacted to the satisfaction of Council. These decisions will then be closed by Administration and will no longer appear on the next Council Resolution Register. Confidential decisions that are still outstanding will be listed separately in the Council Resolution database and not included in this report.

If a Council member wishes to discuss a confidential decision, Council must move into confidence in accordance with section 5.23 of the Local Government Act 1999.

The attached Resolution Register will include decisions that are fully completed and confirmed from the previous months meeting. A full version, including all resolutions is available to Council members upon request.

##### Statutory Environment

Nil

##### Financial Implications

There are no financial implications of adopting this resolution.

##### Strategic Implications

Nil.

##### Risk Management

This item has been evaluated against the Shire of Ngaanyatjaraku 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

Nil

### **Council Resolution & Officers Recommendation**

**Moved: Cr Preston Thomas**

**Seconded: Cr Debra Fraser**

That Council receive the Council Resolution Register for August 2025 as presented in this meeting agenda, as a true and correct record, and confirms that it is satisfied that decisions marked as 'complete' have been fully enacted to the satisfaction of Council (Attachment 10.4)

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

## 10.5 Housing to Ngaanyatjarra Council to Reinitiate Community Program

File Reference:	GV.00
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	19 September 2025
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

### Summary

For Council to consider further provision of staff housing to the Ngaanyatjarra Council Group to reinitiate a program in the community.

### Background

Playgroup WA withdrew the delivery of a program within the Warburton community. Ngaanyatjarra Council Group is in the final stages of reinitiating a program and part of this process was the securement of staff housing. In October 2024 Council ratified to support the Ngaanyatjarra Council Group in providing short term accommodation until alternative accommodation can be found.

Whilst the Ngaanyatjarra Council Group are finalising arrangements for ongoing funding for the playgroup program, it is recommended that the Shire of Ngaanyatjarraku provide ongoing support to the Council during this time through the provision of Lot 255b Motel Street, Warburton for a further three-month period, followed by a review.

### Comment

Lot 255b Motel Street Warburton was previously under a rental agreement with Playgroup WA and was vacant when the program was withdrawn in May 2024.

To assist the Ngaanyatjarra Council Group in finalising the process it is recommended that the Shire provide housing on a month-to-month arrangement, with a report to Council to review the arrangement in three months.

### 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 current rent is set at \$552.00 per week, according to the 2025-2026 Schedule of Fees and Charges. The Shire Council has the power to rent staff housing for less than the Adopted Fees and Charges set by Council.

### **Strategic Implications**

Plan for the Future 2021 – 2031

Goal 1, Our People: looking after our people.

Outcome 3, Informed People.

Strategy 3.1, Support education opportunities and advocate for appropriate education services.

Action 3.1.1, Advocate for early years learning service.

### **Risk Management**

This item has been evaluated against the Shire of Ngaanyatjarra 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

#### **Council Resolution & Officers Recommendation**

**Moved: Cr Julie Porter**

**Seconded: Cr Debra Fraser**

That Council:

1. Authorises the CEO Officer to waive adopted Fees and Charges for the rental of Lot 255b Motel Street, Warburton; and
2. Authorises Lot 255b Motel Street, Warburton to be provided to Ngaanyatjarra Council Group on a month-to-month basis, to be reviewed in three (3) months (December 2025).

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

## 10.6 Provision of Lot 183 Warburton (Early Years Complex) to Ngaanyatjarra Council to reinstate community service

<b>File Reference:</b>	FM.09
<b>Reporting Officer:</b>	David Mosel, Chief Executive Officer
<b>Date Report Written:</b>	19 September 2025
<b>Disclosure of Interest:</b>	The author has no financial, proximity, or impartiality interests in the proposal.
<b>Voting Requirement:</b>	Simple Majority

### Summary

For Council to approve the use of Lot 183 Warburton (Early Years complex) to the Ngaanyatjarra Council Group to reinitiate a program in the community.

### Background

Playgroup WA withdrew the delivery of a program within the Warburton community.

Whilst the Ngaanyatjarra Council Group are finalising arrangements for ongoing funding for the playgroup program, the Shire of Ngaanyatjarraku support the Council during this time through the provision of Lot 183 Warburton, (Early Years Complex) for an additional three-month period, followed by a review.

### Comment

Lot 183 Warburton (Early Years Complex) was previously under a rental agreement with Playgroup WA and was vacant since delivery of the program was withdrawn in May 2024.

To assist the Ngaanyatjarra Council Group it was recommended in October 2024 that the Shire waive rent on a month-to-month basis, with a report to Council to review the arrangement ongoing.

### 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 current rent is set at \$866.30 per week.

### **Strategic Implications**

Plan for the Future 2021 – 2031

Goal 1, Our People: looking after our people.

Outcome 3, Informed People.

Strategy 3.1, Support education opportunities and advocate for appropriate education services.

Action 3.1.1, Advocate for early years learning service.

### **Risk Management**

This item has been evaluated against the Shire of Ngaanyatjaraku 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

#### **Council Resolution & Officers Recommendation**

**Moved: Cr Debra Fraser**

**Seconded: Cr Preston Thomas**

That Council:

1. Authorises the CEO Officer to waive adopted Fees and Charges for the rental of Lot 183 Warburton (Early Years Complex).
2. Authorises Lot 183 Warburton (Early Years Complex) to be provided to Ngaanyatjarra Council Group on a month-to-month basis, to be reviewed in three (3) months (December 2025).

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

## 10.7 Local Government Elections 2025

File Reference:	GV.05
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	19 September 2025
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Absolute Majority

### Summary

This report is to brief Elected Members on the conduct of the 2025 LG election due to be held on 18 October 2025.

### Background

The Western Australia Electoral Commission (WAEC) administered the 2025 Local Government General Election. Two positions were open for nomination as of the beginning of the nomination period in August. At the Ordinary Council meeting on 29 April 2025 Item 10.5 Council approved WAEC to conduct the election on behalf of the Shire.

### Comment

At the close of nominations on 4 September 2025, two nominations were received: one from Ms Julie Porter and one from Mr Preston Neil Thomas. As of the deadline on Thursday, 4 September at 4pm, both Ms Porter and Mr Thomas were declared elected unopposed.

### Results and statistics

Ward:	Shire of Ngaanyatjarraku
Candidate elected:	PORTER, Julie THOMAS, Preston
Term of office:	20 October 2029

### Statutory environment

*Local Government Act 1995*

*Division 3 — Ordinary elections 4.4. Ordinary elections*

- (1) When the term of office of an elector mayor or president or a councillor is going to end under the Table to section 2.28 an election to fill the office is to be held.*
- (2) An election under this section is called an ordinary election.*
- (3) This section does not apply to the office of mayor or president if, under Part 2 Division 3, the next mayor or president is to be elected by the council*

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**Policy Implications**

There are no known policy implications for this matter.

**Financial implications**

The cost of conducting the 2025 ordinary election was included in the 2025/26 budget

**Strategic implications**

Not applicable.

**Risk Management**

This item has been evaluated against the Shire of Ngaanyatjaraku 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.

**Attachments**

Nil

**Council Resolution & Officers Recommendation:**

**Moved: Cr Debra Fraser**

**Seconded: Cr Julie Porter**

That the Council notes Report 10.7 Local Government Election 2025.

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

## 10.8 Information Report: Sublease Renewal – Cultural Centre (Sublease J096492)

File Reference:	GV.05
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	19 September 2025
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

### Purpose

To advise Council of the progress regarding the renewal and extension of Sublease J096492 for the Cultural Centre site, including the transmission of the draft sublease to Warburton Community Inc for consent and to the Minister for Aboriginal Affairs for ministerial approval.

### Background

- Sublease J096492 covers a 1.2201-hectare portion of Lot 8 on Deposited Plan 91735, part of Reserve 21471, where the Cultural Centre is located.
- The Shire of Ngaanyatjarraku holds this sublease from Warburton Community Inc, which itself leases the land from the Ngaanyatjarra Land Council under Sublease J096967.
- Sublease J096967 commenced on 25 October 2000 for a term of 25 years, with an option to renew for a further term of 25 years less one day, as provided under the agreement.
- The current term of the Shire's sublease will expire on 24 October 2025. The proposed renewal will extend the term to 23 October 2050.

### Comments

### Process and Current Status

#### 1. Draft Deed of Extension

The Shire's lawyers (McLeods Lawyers) have prepared a draft Deed of Extension of Sublease, which sets out the terms for the further 25-year term and includes all necessary covenants and conditions. The extension is subject to the consent of the Minister for Aboriginal Affairs

#### 2. Consent from Warburton Community Inc

On 12 September 2025, the Shire formally notified Warburton Community Inc (Attention: Community Development Advisor) of its intention to renew Sublease J096492 and provided the draft Deed of Extension for review and consent. The letter highlights the ongoing partnership and shared commitment to the Cultural Centre and broader community.

### 3. Ministerial Consent

On the same date, the Shire wrote to the Hon Don Punch MLA, Minister for Aboriginal Affairs, requesting ministerial consent for the extension of Sublease J096492 as required by the sublease terms. The letter included the draft Deed of Extension for reference.

### 4. Legal and Statutory Compliance

The draft Deed of Extension references the relevant statutory framework, including the Aboriginal Affairs Planning Authority Act 1972 (WA), and confirms that the extension is conditional upon ministerial consent being obtained.

### Next Steps

- Await formal consent from Warburton Community Inc.
- Await ministerial consent from the Hon Don Punch MLA.
- Upon receipt of both consents, the Deed of Extension will be executed and registered, securing the Cultural Centre site for a further 25-year term.

### Statutory environment

*Local Government Act 1995*

#### 2.7. Role of council

*(1) The council —*

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

*(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

No known financial implications

### Strategic Implications

Shire of Ngaanyatjarraku Plan for the Future 2021-2031

*Our Land*

Outcome 6 Living on our Land

6.1 Maintain Shire owned buildings and facilities

6.3 Ensure good community facilities

### Risk Management

This item has been assessed using the Shire of Ngaanyatjarraku Risk Management Framework and Risk Assessment Matrix. The determined risk level is "Moderate," due to the timeliness of the sub-lease.

### Policy Implications

There are no known policy implications for this matter.

## Attachments

Nil

### **Council Resolution & Officers Recommendation**

**Moved: Cr Preston Thomas**

**Seconded: Cr Debra Fraser**

That Council notes:

- The draft Deed of Extension of Sublease J096492 has been prepared and circulated for consent.
- The renewal process is progressing in accordance with statutory requirements and partnership agreements.
- The Shire is awaiting formal consents from Warburton Community Inc and the Minister for Aboriginal Affairs.
- The CEO will report back to Council to advise the finalisation of Sublease J096492.

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

## 10.9 Outback Highway Development Council deputy representative

File Reference:	GV.05
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	19 September 2025
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

### Purpose

The purpose of this report is to seek Councils endorsement for the nomination of a new Deputy representative to the Outback Highway Development Council, filling the vacancy resulting from the recent organisational restructure.

### Background

At the October 2023 Council Meeting, following the 2023 Local Government Elections, Council considered Report 10.1: Appointment of Councillors and Staff to Committees. As part of these appointments, the following resolution was adopted for the Outback Highway Development Council:

- Delegates: Chief Executive Officer
- Deputy: Works Manager

Since that time, the Chief Executive Officer has served as Council's primary delegate to the Outback Highway Development Council, with the position of 'Works Manager' appointed as Deputy.

### Comments

In August 2025, Council approved an organisational restructure that resulted in the position of Works Manager becoming obsolete. As a result, the Deputy Representative position for the Outback Highway Development Council is currently vacant and requires a new appointment.

It is proposed that Council nominates a suitably qualified staff member or elected member to serve as Deputy Representative to the Outback Highway Development Council. The appointment of a new Deputy will ensure uninterrupted representation at Outback Highway Development Council meetings and maintain Council's commitment to regional collaboration and infrastructure development.

The nominated deputy should:

- Possess a sound understanding of Council operations, particularly as they relate to regional infrastructure and development initiatives
- Demonstrate the ability to represent Council's interests in a regional forum

- Be available to attend meetings (both online and in person) and participate in relevant activities when required.

The endorsement of a new Deputy Representative to the Outback Highway Development Council is essential to ensure ongoing advocacy for Council's priorities in the region and to support the delivery of key infrastructure initiatives. Council's prompt action to fill this position will reaffirm its commitment to regional partnership and effective governance

### **Statutory environment**

*Local Government Act 1995*

#### **2.7. Role of council**

*(1) The council —*

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

*(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**

No known financial implications

### **Strategic Implications**

Shire of Ngaanyatjaraku 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 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

**Councils Resolution & Officers Recommendation**

**Moved: Cr Julie porter**

**Seconded: Cr Preston Thomas**

1. That Council endorse Cr Preston Thomas as the Deputy Representative for the Outback Highway Development Council
2. The Chief Executive Officer to advise the General Manager of the Outback Highway Development Council of the new deputy representative.

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

## 10.10 Information Report - Shire's contribution to the Desert Dust up Fireworks

File Reference:	GV.05
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	19 September 2025
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

### Purpose

The purpose of this report is to provide Council with an update on the Shire's contribution to the annual Desert Dust Up held in Warakurna from 9 – 11 September 2025.

### Background

The Shire continues to support the Desert Dust Up event through its annual contribution to the fireworks display. For the 2025 event, Council's contribution of 50% of the fireworks cost was \$14,300, which is budgeted each year to ensure the success of the display.

### Comments

According to the reports from the Ngaanyatjarra Lands School, this years Desert Dust up was a spectacular event that was enjoyed by many attendees. The fireworks display remains a focal point and is highly anticipated by the community. Included are some photos provided of the fireworks display.





### **Statutory environment**

*Nil*

### **Financial Implications**

The contribution for the fireworks display is included in the annual budget.

### **Strategic Implications**

Shire of Ngaanyatjarraku Plan for the Future 2021-2031

Goal 1, Our People: looking after our people.

Outcome 1, Happy People

Strategy 1.1, Support and facilitate community involvement and participation opportunities.

### **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*

**Council Resolution & Officers Recommendation**

**Moved: Cr Julie Porter**

**Seconded: Cr Debra Fraser**

That Council notes 10.10 Information Report - Shires Contribution to the Desert Dust Up Fireworks 2025.

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

## OPERATIONAL REPORTS

### 11.1 Action Report – Operational Services

<b>File Reference:</b>	CP.00, PE.00, RD.00, WM.00
<b>Reporting Officer:</b>	David Mosel, Chief Executive Officer
<b>Date Report Written:</b>	19 September 2025
<b>Disclosure of Interest:</b>	The author has no financial, proximity, or impartiality interests in the proposal.
<b>Voting Requirement:</b>	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 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.

#### 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 Ngaanyatjaraku 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 September 2025.

#### **Council Resolution & Officers Recommendation**

**Moved: Cr Preston Thomas**

**Seconded: Cr Debra Fraser**

That Council receive the Operational Services Action Report for September 2025 (Attachment 11.1).

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

## 11.2 Action Report – Environmental Health and Building Services

<b>File Reference:</b>	EM.00
<b>Business Area:</b>	Operations
<b>Reporting Officer:</b>	Ming Zhou, Environmental Health Officer
<b>Date Report Written:</b>	19 September 2025
<b>Disclosure of Interest:</b>	The author has no financial, proximity, or impartiality interests in the proposal.
<b>Voting Requirement:</b>	Simple Majority

### Summary

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

### Background

Not applicable.

### Comment

Since the commencement of the new Environmental Health Officer in July 2025, the following inspections and actions were undertaken for the month of August:

- Completed inspections on four (4) food premises in the Shire area and provided ongoing advice to the businesses and kitchens inspected.
- Contacted additional organisations within the Shire which provide food services under the Food Act 2008 to coordinate future site visits.
- Working with the Pool supervisor, the EHO verified water test results for Warburton pool's season opening.
- Site visits to Warakurna and Warburton wastewater treatment plants.
- Completed 2024-25 Food Act 2008 and Public Health Act 2016 reports in readiness for submission in October 2025.

### Statutory Environment

*Food Act 2008 and Public Health Act 2016.*

### 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 Ngaanyatjaraku 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

#### **Council Resolution & Officers Recommendation**

**Moved: Cr Debra Fraser**

**Seconded: Cr Julie Porter**

That Council note the Environmental Health and Building Services report for August 2025.

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

## 12. CORPORATE AND COMMUNITY SERVICES REPORTS

### 12.1 Monthly Payments Listing – August 2025

<b>File Reference:</b>	FM.02
<b>Reporting Officer:</b>	Racheal King, Finance Manager
<b>Date Report Written:</b>	19 September 2025
<b>Disclosure of Interest:</b>	The author has no financial, proximity, or impartiality interests in the proposal.
<b>Voting Requirement:</b>	Simple Majority

#### Summary

For Council to receive the list of payments made by authority as attached in the Monthly Payments Listing for August 2025 (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 June 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*
    - 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 sub regulation (1) or (2) is to be –*
  - a. *Presented to the council at the next ordinary meeting of the council 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**

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**

12.1 - Payment Listing August 2025

#### **Council Resolution & Officers Recommendation**

**Moved: Cr Debra Fraser**

**Seconded: Cr Julie porter**

That the Council received the month payment listing for August 2025 payments of \$844,958.51. (Attachment 12.1)

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

## 12.2 Monthly Statement of Financial activity for the August 2025 Month End

<b>File Reference:</b>	FM.10
<b>Reporting Officer:</b>	David Mosel, Chief Executive Officer
<b>Date Report Written:</b>	19 September 2025
<b>Disclosure of Interest:</b>	The author has no financial, proximity, or impartiality interests in the proposal.
<b>Voting Requirement:</b>	Simple Majority

### Summary

For Council to receive the monthly financial report for August 2025.

### 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

This report 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.

### 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 Ngaanyatjaraku 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 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**

12.2 – Monthly Financial Report August 2025

#### **Council Resolution & Officer Recommendation**

**Moved: Cr Julie Porter**

**Seconded: Cr Preston Thomas**

That Council receive the Monthly Financial Report for the periods ended 31<sup>st</sup> August 2025 (Attachment 12.2 )

**Carried 4/0**

**Voting For: Cr D McLean, Cr J Porter, Cr P Thomas, Cr D Frazer**

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

**14. CONFIDENTIAL ITEMS**

**15. NEXT MEETING**

The next meeting is scheduled for Wednesday 29 October 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 1.15pm.