



Shire of **Ngaanyatjarra**
ON A JOURNEY

MINUTES

**Ordinary Council Meeting
17 June 2026**

1:00pm

Notice Paper

Ordinary Council Meeting 17 June 2026

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 17 June 2026.



Damian McLean
Shire President
29 July 2026

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1. DECLARATION OF OPENING

declared open by the Presiding Member at 1.02pm

2. ANNOUNCEMENT OF VISITORS

No visitors attending.

3. RECORD OF ATTENDANCE

3.1 Attendees

Elected Members:	President Councillor Councillor Councillor Councillor	D McLean J Frazer J Porter D Frazer P Thomas (joined the meeting at 1.13pm)
Staff:	CEO Executive Officer Finance Manager Human Resource Coordinator	D Mosel (via video conference) T Baldock M Parr (via video conference) M Roberts (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

Administration Coordinator

T Green

3.3 Approved Leave of Absence

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. DECLARATION OF INTEREST

Nil

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

Nil

8.2 Presentations

Nil

8.3 Deputations

Nil.

9. CONFIRMATION OF MINUTES

9.1 Confirmation of Minutes from the Ordinary Meeting of Council Held on 27 May 2026

Voting Requirement

Simple majority

Council Resolution & Officers Recommendation

Moved: Cr J Frazer

Seconded: Cr D Frazer

That the minutes of the Ordinary Council Meeting held on 27 May 2026 at the Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community be confirmed as a true and accurate record of that meeting.

Carried 4/0

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

10. CHIEF EXECUTIVE OFFICER REPORTS

10.1 Council Investments Report – May 2026

File Reference:	FM.04
Reporting Officer:	Max Parr, Finance Manager
Date Report Written:	9 June 2026
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 for May 2026.

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.

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

10.1 Investment report – May 2026

Council Resolution & Officers Recommendation

Moved: Cr D Frazer

Seconded: Cr J Frazer

That Council receive the Council Investment Register detailing investment activity for May 2026.

Carried 4/0

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

10.2 Payments by Employees Via Purchasing Cards 27 April – 27 May 2026

File Reference:	FM.02
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	5 June 2026
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 27 April to 26 May 2026.

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 27 April to 26 May 2026 of \$13,262.63 via credit card payments totalling \$13,262.63 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 27 April to 26 May 2026 (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 – 27 April to 26 May 2026.

Council Resolution & Officers Recommendation

Moved Cr D Frazer

Seconded: Cr J Porter

That Council receive the listing of payments made by authorised employees using transaction cards for the period of 27 April to 26 May 2026 (Attachment 10.1).

Carried 4/0

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

10.3 Chief Executive Officer Report

File Reference:	GV.05
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	5 June 2026
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
April 2026		
24	CEO Travel - Home to Perth	
25	CEO Travel – Perth to Warburton	
	Auditor site visit	In person
	Entrance meeting with Pitcher Partners	In person
	Building Valuations – Contractor onsite	In person
26	Team meeting	In person
27	EHO Ngaanyatjaraku Council	In person
	Council Meeting	In person
	Project meeting update - Moldelve	Online
	EHO Meeting	In person
	Building Valuations Site visit – Blackstone & Jameson	In person
29	OHDC Special Meeting	Online

	Building Valuation site visit – Wanarn & Warakurna	In person
	CEO Travel Warburton to Ulara - Sydney	
30	CEO Travel Sydney to Home	
June 2026		
2	Meeting with Governance Manager	Online
	Meeting with HR Coordinator	Online
	Meeting with Shire’s Contracted Building Surveyor	Phone
3	OHDC - Meeting	Online
	Property discussion with McLeod lawyers	Online
4	Meeting with UHY Haines Norton	In person
	Council First Meeting	In person
	Budget review meeting	Online
	Outback Highway – NG Council	Online
5	Meeting with NG Council	Phone
8	Market Creations fortnightly meeting	Online
9	Team Meeting	Online
	Meeting with McLeod Lawyers	Phone call
10	Council First meeting	In Person
11	Focus Network Quarterly meeting	Online

Council Resolution & Officers Recommendation

Moved: Cr D Frazer

Seconded: Cr J Frazer

That Council note the Chief Executive Officers Report for May/June 2026.

Carried 4/0

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

10.4 Council Resolution Register

File Reference:	GV.05
Reporting Officer:	Tania Baldock, Governance Manager
Date Report Written:	5 June 2026
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 month's 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

Attachment

10.4 Council Resolution Register

Council Resolution & Officers Recommendation

Moved: Cr J Porter

Seconded: Cr J Frazer

That Council receive and note the Council Resolution Register for June 2026 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 D Frazer, Cr J Porter, Cr J Frazer

10.5 Waiving of Rent for Lot 255b and Lot 183 (Early Learning Centre), Warburton

File Reference:	GV.00
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	5 June 2026
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Absolute Majority

Summary

Council is requested to consider a further three-month waiver of rental charges for Lot 183 Warburton, being the Early Years Complex, and Lot 255B Warburton, being staff housing, to support the Ngaanyatjarra Council Group's continued delivery of the Early Learning community program.

Background

The Ngaanyatjarra Council Group has been provided rent-free access to Lot 183 Warburton, the Early Years Complex, and Lot 255B Warburton, staff housing, while it finalises arrangements for ongoing playgroup program funding. In March 2026, Council resolved to extend the rent waiver for a further three months to June 2026, with the arrangement to be reviewed at the end of that period.

Comment

The Shire has continued to support the Early Learning community program by providing rent-free access to both properties. The Ngaanyatjarra Council Group has been asked to provide an update on the status of the program and its ongoing funding arrangements to assist with reporting to Council; however, no formal response has been received to date.

It is recommended that Council consider approving a further three-month waiver of rental charges for Lot 183 Warburton and Lot 255B Warburton, on the basis that the arrangement continues to support the delivery of early years learning services in the community.

Lease documentation for both properties has been provided to Council, and the proposed waiver relates only to the rental charges payable during the further three-month period.

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 for Lot 255b under the 2025–2026 Schedule of Fees and Charges. A further three-month waiver would result in foregone rental income for the period approved by Council. Council may resolve to waive or reduce fees and charges where it considers this appropriate in the circumstances.

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 Ngaanyatjarraku Risk Management Framework and Risk Assessment Matrix. The perceived level of risk is low and can be managed through routine procedures, noting that Council's consideration of a defined three-month waiver provides a clear review point for the arrangement.

Policy Implications

There are no known policy implications for this matter.

Attachments

Nil

Council Resolution & Officers Recommendation

Moved: Cr J Frazer

Seconded: Cr D Frazer

That Council by absolute majority:

1. Authorises the CEO to waive the adopted rental fees and charges for Lot 183 Warburton (Early Learning Complex) and Lot 255B Motel Street, Warburton.
2. Authorises Lot 183 Warburton (Early Learning Complex) and Lot 255B Motel Street, Warburton to be made available to the Ngaanyatjarra Council Group on a month-to-month basis, with the arrangement to be reviewed in three months, being September 2026.

Carried/0

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

10.6 Removal of Rental Charges from Annual Fees and Charges

File Reference:	CP.00
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	5 June 2026
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Absolute Majority

Summary

The Shire has 14 residential properties and 13 commercial properties available to lease. Historically, weekly rental charges for both residential and commercial properties have been included in the Shire's Fees and Charges, adopted annually by Council.

Following a governance review of the Shire's rental agreements, it has been identified that the rental fees and charges should not be included in the Shire's Schedule of Fees and Charges adopted under section 6.16 of the *Local Government Act 1995 (LG Act)*. Shire property rental charges, being residential rental charges and, where applicable, commercial rental charges, should therefore be removed from the annual Fees and Charges schedule. The basis for this amendment is that residential tenancy rent setting and rent variation are matters governed by the *Residential Tenancies Act 1987 (WA)*, including section 30 of that Act, and are not matters properly determined through the annual adoption of Fees and Charges. Rental charges more generally are also a matter of commercial agreement to be determined upon entry into a lease agreement and are therefore not suitable for determination as a fee or charge under section 6.16 of the LG Act. Rental reviews are therefore to be administered in accordance with the relevant lease documentation and applicable legislative framework.

Comment

In the Administration's view, rental charges for Shire-owned residential premises ought not to be included in, or determined by, the annual Fees and Charges schedule adopted by Council. Rather, the rights and obligations of the parties in relation to residential premises, including rent variation, arise under the relevant tenancy agreement (which comprises a commercial agreement between landlord and tenant) and in the case of residential tenancies the *Residential Tenancies Act 1987 (WA)*. In particular, section 30 of the *Residential Tenancies Act 1987 (WA)* prescribes the lawful mechanism by which rent may be increased, including the requirement for written notice in the approved form, not less than 60 days' notice, and compliance with the statutory limitation on the frequency of rent increases. In the case of fixed term residential tenancy agreements, section 30 further provides that rent cannot be increased during the fixed term unless the amount of the increase, or the method of calculating the increase, is set out in the lease agreement. Accordingly, residential rent matters should in the first instance have been administered under the *Residential Tenancies Act 1987 (WA)*, rather than through the annual Fees and

Charges process. Commercial tenancy arrangements are to be managed separately in accordance with the relevant lease terms and any applicable commercial leasing requirements.

Rental charges should also be determined in each case having regard to:

- current market rent evidence for comparable premises in the area;
- the general condition of the premises, including maintenance history and any constraints; and
- amenities and inclusions provided with the premises.

Statutory Environment

Section 30 of the *Residential Tenancies Act 1987 (WA)* provides that, subject to that section, rent payable under a residential tenancy agreement may be increased only by written notice to the tenant in the approved form specifying the amount of the increased rent and the day from which it is payable, being a day not less than 60 days after the notice is given and not less than 12 months after the tenancy commenced or the rent was last increased. Section 30 also provides that, in the case of a fixed term tenancy, rent is not to be increased during the currency of that term unless the amount of the increase, or the method of calculating the increase, is set out in the agreement.

The *Commercial Tenancy (Retail Shops) Agreements Act 1985 (WA)* also imposes statutory requirements in relation to commercial retail shop lease agreements. Commercial tenancies are managed in accordance with the terms of the lease and any other applicable legal requirements.

Section 6.16 – 6.19 of the *Local Government Act 1995* govern the imposition and amendment of fees and charges.

Financial Implications

There is no intended reduction in rental revenue arising from this change. The proposal changes the mechanism and timing of rent review and rent setting (lease-anniversary based), rather than the Shire's ability to charge rent. Administration time will be required to maintain a rolling schedule of rent review dates, undertake market rent checks, and issue compliant notices.

Strategic Implications

Our Land

Outcome 6 Living on our Land

6.1 Maintain Shire owned buildings and facilities

Risk Management

If rent is set through the annual Fees and Charges process, there is a risk of non-compliance with notice and timing requirements under the *Residential Tenancies Act 1987 (WA)*, leading to invalid notices, tenant disputes, and delayed revenue. This risk is mitigated by removing rental charges from the annual schedule and managing rent reviews through

a lease-based register (rent review dates and notice due dates), use of approved templates/forms, and retention of market evidence supporting each review.

Policy Implications

Nil

Attachments

Nil

Council Resolution & Officers Recommendation

Moved: Cr D Frazer

Seconded: Cr J Frazer

That Council endorses by absolute majority the findings of the review and approves the removal of rental charges from the Annual Fees and Charges commencing in the 2026/27 financial year, to enable rent reviews to be administered through lease agreements in accordance with applicable legislative requirements.

Carried 4/0

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

10.7 Business Continuity and Disaster Recovery Plan (2026 – 2030)

File Reference:	CP.00
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	10 June 2026
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Absolute Majority

Summary

For Council to endorse the Business Continuity and Disaster Recovery Plan (BCDRP) (2026- 2030) for the Shire.

Background

Under section 41 of the Emergency Management Act 2005, local governments are required to ensure that local emergency management arrangements are prepared for their district. These arrangements must be consistent with State emergency management policies and plans and include, among other matters, local emergency management policies, roles and responsibilities, coordination arrangements, likely emergencies, emergency management strategies and priorities, a recovery plan and the nomination of a local recovery coordinator. While the Act does not expressly require a stand-alone Business Continuity and Disaster Recovery Plan, the BCDRP supports the Shire's emergency management, recovery, risk management and organisational resilience obligations by helping ensure that critical business functions and services can continue during and following a disruptive event.

The Shire's previous BCDRP was completed in 2021. Officers have reviewed and updated the Plan to reflect current operational requirements, contemporary emergency management expectations, the Shire's risk environment and relevant legislative and governance obligations.

Comment

The purpose of the BCDRP is to ensure the continuation of the Shire operations during and following any critical incident that results in disruption to normal operational capability.

The Plan has been developed using a business continuity management approach that identifies critical functions, disruption risks, response priorities and recovery considerations relevant to the Shire of Ngaanyatjarraku. It is intended as a practical operational document for staff and should be reviewed, exercised and updated periodically to ensure it remains current and effective.

The aim of the Plan is to provide an effective procedure that equips the Shire to:

- ensure services that are critical to the Shire's strategic objectives continue, as far as practicable, during and following a disruptive event;
- stabilise the effects of a disruptive event and support a timely return to normal operations;
- minimise financial, operational and service delivery impacts;
- protect the Shire's assets, records, reputation and community service obligations through improved organisational resilience; and
- provide clear guidance for decision-making, communication and recovery priorities during a disruption.

Statutory Environment

Emergency Management Act 2005, section 41 — requires local governments to ensure that local emergency management arrangements are prepared for their district, including recovery planning and consistency with State emergency management policies and plans.

Local Government (Audit) Regulations 1996, regulation 17 — requires the CEO to review the appropriateness and effectiveness of systems and procedures relating to financial management, legislative compliance and risk management, and to report the results to the Audit, Risk and Improvement Committee.

Local Government Act 1995 and associated regulations — provide the broader governance, risk management, financial management and accountability framework within which the BCDRP operates.

Financial Implications

There are no immediate financial implications arising from Council's endorsement of the BCDRP. Any expenditure required to implement actions arising from the Plan will be considered through the annual budget process or reported to Council separately where required.

Strategic Implications

Plan for the Future 2021 – 2031

Goal 3, Our Leadership

Outcome 8, A well-functioning organisation

Strategy, 8.2, Maintain corporate governance, responsibility and accountability

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku's Risk Management Strategy Risk Assessment Matrix. The perceived level of risk is high prior to treatment, the progression of risk management activities aligned with the Risk Management Strategy will reduce the risk to low.

Policy Implications

Council Policy 1.3 - Risk Management

Attachments

10.7 - Business Continuity Disaster Recovery Plan 2026-2030

Voting Requirement

Simple Majority

Council Resolution & Officers Recommendation

Moved: Cr D Frazer

Seconded: Cr J Frazer

That Council endorse the Shire's Business Continuity and Disaster Recovery Plan 2026–2030 and request that it be reported to the Audit, Risk and Improvement Committee at its next meeting.

Carried 4/0

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

10.8 Information Privacy and Information Breach Policy

File Reference:	GV.00
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	10 June 2026
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Absolute Majority

Summary

To seek Council adoption of:

- **Policy 1.24 – Information Privacy**, and
- **Policy 1.25 – Information Breach Policy**,

The adoption of Policy 1.24 and Policy 1.25 is not discretionary and is necessary to ensure the Shire meets its statutory obligations under the *Privacy and Responsible Information Sharing Act 2024 (WA)* prior to the required implementation date of 1 July 2026.

Background

The Shire of Ngaanyatjarraku (The Shire) is a public entity for the purposes of the Act, and is therefore required to comply with its provisions relating to the collection, use, disclosure, and protection of personal information.

The Act establishes a comprehensive, whole-of-government privacy framework for Western Australia, replacing fragmented arrangements and introducing enforceable obligations, including oversight by the Information Commissioner.

The requirements of the Act, including the adoption of appropriate policies and procedures, must be implemented by **1 July 2026**, necessitating Council action to ensure compliance within the prescribed timeframe.

As a local government operating in remote communities, the Shire routinely handles personal and sensitive information in delivering services and performing statutory functions.

Comment

Policy 1.24 – Information Privacy

Policy 1.24 establishes the Shire's overarching framework for the lawful handling of personal and sensitive information.

The policy:

- Sets out how the Shire manages personal information in accordance with the Act
- Commits the Shire to comply with the Information Privacy Principles (IPPs)
- Applies to elected members, employees, contractors and volunteers

- Provides processes for privacy complaints and escalation to the Information Commissioner
- Supports responsible information sharing and culturally appropriate handling of sensitive information.

The policy promotes transparency, accountability, and the protection of individual privacy while enabling appropriate information sharing to support service delivery and governance.

Without the adoption of this policy, the Shire would be unable to demonstrate compliance with the Act's Information Privacy Principles and associated statutory requirements.

2. Policy 1.25 – Information Breach Policy

Policy 1.25 establishes the Shire's framework for responding to suspected or confirmed information breaches.

The policy:

- Provides a structured process for identifying, containing, assessing and responding to breaches
- Requires immediate internal reporting and escalation to the Privacy Officer and CEO
- Establishes procedures for assessing risk and determining whether notification is required
- Requires notification to affected individuals and the Information Commissioner where applicable
- Mandates maintenance of an Information Breach Register and formal recordkeeping.

This policy ensures the Shire can meet mandatory data breach notification obligations and take prompt action to mitigate harm.

Without a formal breach response framework, the Shire faces regulatory, legal and reputational risks under the Act's enforcement provisions.

3. Relationship Between the Policies

While complementary, the two policies serve distinct purposes:

- **Policy 1.24 – Information Privacy:** governs the day-to-day handling and management of personal information.
- **Policy 1.25 – Information Breach:** sets out the response when a failure or incident occurs.

Maintaining separate policies ensures clarity for staff, supports targeted training, and aligns with best practice public sector information governance.

Statutory Environment

The adoption of these policies is required to support compliance with:

- *Privacy and Responsible Information Sharing Act 2024 (WA)* (implementation required by 1 July 2026)
- *Freedom of Information Act 1992 (WA)*
- *State Records Act 2000 (WA)*

Policy Implications

This report recommends the adoption of:

- Policy 1.24 – Information Privacy
- Policy 1.25 – Information Breach Policy

Both policies are new and are required to be implemented prior to 1 July 2026 to ensure legislative compliance.

Financial Implications

Nil direct financial impact.

Minor resourcing may be required for implementation activities including training, register maintenance, and compliance monitoring.

Risk Implications

Adoption of the policies will decrease the Shire's risk by establishing clear requirements for the lawful handling of personal information, providing a structured process for responding to information breaches, and supporting compliance with the *Privacy and Responsible Information Sharing Act 2024 (WA)*.

Strategic Implications

Plan for the Future 2021 – 2031

Goal 3, Our Leadership

Outcome 8, A well-functioning organisation

Strategy, 8.2, Maintain corporate governance, responsibility and accountability

Attachments

- Policy 1.24 – Information Privacy,

- Policy 1.25 – Information Breach Policy

Council Resolution & Officers Recommendation

Moved: Cr J Frazer

Seconded: Cr J Porter

That Council by absolute majority:

1. Adopts Policy 1.24 – Information Privacy, and
2. Adopts Policy 1.25 – Information Breach Policy, as attached.

Carried 4/0

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

Cr P Thomas joined the meeting at 1.13pm

11. OPERATIONAL REPORTS

11.1 Action Report – Operational Services

File Reference:	CP.00, PE.00, RD.00, WM.00
Business Area:	Operations
Reporting Officer:	Building Maintenance Officers
Date Report Written:	10 June 2026
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 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 June 2026

Council Resolution & Officers Recommendation

Moved: Cr D Frazer

Seconded: Cr J Frazer

That Council receive the Operational Services Action Report for June 2026.
(Attachment 11.1).

Carried 5/0

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

11.2 Action Report – Environmental Health

File Reference:	EM.00
Business Area:	Operations
Reporting Officer:	Environmental Health Officer
Date Report Written:	5 June 2026
Disclosure of Interest:	The author has no financial, proximity, or impartiality interests in the proposal.
Voting Requirement:	Simple Majority

Summary

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

Comment

The Shire engaged a contracted Environmental Health Officer to undertake an on-site review of operations across the region during the week of 25–29 May.

While on site, the Environmental Health Officer completed 10 food premises inspections, one wastewater system assessment, one public building inspection, and visits to several waste sites.

Following the review, the contracted Environmental Health Officer provided a report to the CEO outlining the Shire's current operational position, key observations, and priority areas for consideration.

Statutory Environment

Food Act 2008 (WA),
Food Regulations 2009 (WA)

Financial Implications

There are no financial implications resulting from 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 and Risk Assessment Matrix. The perceived level of risk is low and can be managed through routine procedures, with no specific application of additional resources expected.

Policy Implications

There are no known policy implications for this matter.

Attachments

Nil

Council Resolution & Officers Recommendation

Moved: Cr J Frazer

Seconded: Cr P Thomas

That Council note the Environmental Health report for June 2026.

Carried 5/0

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

12. CORPORATE AND COMMUNITY SERVICES REPORTS

12.1 Monthly Payments Listing - May 2026

File Reference:	FM.02
Business Area:	Corporate & Community Services
Reporting Officer:	David Mosel, Chief Executive Officer
Date Report Written:	8 June 2026
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 May 2026 (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 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

12.1 - Payment Listing May 2026

Council Resolution & Officers Recommendation

Moved: Cr J Frazer

Seconded: Cr D Frazer

That the Council received the month payment listing for May 2026 showing payments of \$981,729.22 (Attachment 12.1)

Carried 5/0

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

12.2 Monthly Statement of Financial activity for the Months of May 2026

File Reference:	FM.10
Reporting Officer:	Max Parr, Finance Manager
Date Report Written:	10 June 2026
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 May 2026.

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

Comments in relation to budget to actual variances are included below. Comments related to 'timing' refer to an estimate of when costs would occur at the time the budget was formulated versus the actual costs once incurred.

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

- **Grants, Subsidies & Contribution** - *Unfavourable*: Result due to timing of grant funding. Expected to be in-line with budget by the end of year.
- **Fees and Charges** – *Favourable*: Increase in rentals income.
- **Interest Revenue** – *Favourable*: Increase in interest income due to higher interest rates and more active approach to investments.
- **Other revenue** – *Favourable*: Increased income from insurance reimbursements.
- **Employee Costs** – *Favourable*: Reflects savings from current vacancies in budgeted positions.
- **Utility Charges** – *Favourable*: Caused by timing differences between budgeted and actual expenditure.
- **Other Expenditure** – *Favourable*: General underspending across various accounts.

The Council has also been advised that the variance between the cash and cash equivalents position disclosed in the monthly financial report of \$18,051,046 differs from that of the cash position disclosed in the investment register of \$18,276,788 (\$225,742 variance) due to a creditor payment which had not cleared the bank at the date of reporting.

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

12.2 – Monthly Financial Report May 2026

Council Resolution & Officer Recommendation

Moved: Cr P Thomas

Seconded: Cr D Frazer

That Council receive the Monthly Financial Report for the periods ended 31 May 2026. (Attachment 12.2)

Carried 5/0

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

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

14. CONFIDENTIAL ITEMS

14.1 CEO Performance Review – 2025-2026 Review Period

Council Resolution & Officers Recommendation

Moved: Cr D Frazer

Seconded: Cr P Thomas

That council by absolute majority

1. Resolves that Report 14.1 CO Performance Review 2025-26 is confidential in accordance with s5.23(2) (a) 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.
3. Authorises the Chief Executive Officer and the Governance Manager to remain in the room for Report 14.1.

Carried 5/0

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

Attachments

Attachment provided under separate cover – confidential report 14.1

Voting Requirement

Absolute Majority required

Council Resolution & Officers Recommendation

Moved: Cr J Porter

Cr P Thomas

That Council reopen the meeting to the public at 1.24pm

Carried 5/0

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

15. NEXT MEETING

The next meeting is scheduled for Wednesday 29 July 2026 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 1.25pm

