



Shire of Ngaanyatjaraku
ON A JOURNEY

ORDINARY MEETING OF COUNCIL

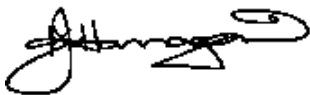
Minutes

23 February 2022
at
1.11 pm

SHIRE OF NGAANYATJARRAKU

ORDINARY MEETING OF COUNCIL

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



Chief Executive Officer

Date: 16-12-2021

These minutes were confirmed by Council as a true and correct record of proceedings of the Meeting of Council held on the 23 February 2022.

Presiding Member: _____



Date: 30 3 /2022

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1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 1.11pm.

2. ANNOUNCEMENT OF VISITORS

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

3. ATTENDANCE

3.1 PRESENT

Elected Members:	President Deputy President Councillor Councillor Councillor Councillor Councillor Councillor	D McLean P Thomas (via phone) A Jones D Frazer J Frazer L West J Porter A Benning
Staff:	CEO DCEO / DCS AC DGC DIS	K Hannagan (via videoconference) K Fisher (via videoconference) S Richardson C Green L Morgan (via videoconference)
Guests:		
Members of Public:	There was one member of the public in attendance at the commencement of the meeting, M Cooke.	

3.2 APOLOGIES

N.A.

3.3 APPROVED LEAVE OF ABSENCE

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.2 PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. DECLARATION BY MEMBERS

6.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA

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

6.2 DECLARATIONS OF INTEREST

Councillors to Note

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

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

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

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

NOTES ON DECLARING INTERESTS (FOR YOUR GUIDANCE)

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

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

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

Declarations of Interest provided:

Item Number/ Name	Type of Interest	Nature/Extent of Interest
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7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

8. PETITIONS, DEPUTATIONS, PRESENTATIONS

8.1 PETITIONS

8.2 DEPUTATIONS

8.3 PRESENTATIONS

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 MINUTES OF ORDINARY MEETING OF COUNCIL

Voting Requirement
Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr A Benning Seconded: Cr J Frazer

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 15 December 2021 at the Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community (as circulated and available on the Shires official website) be confirmed as a true and accurate record.

Carried: 8/0

9.2 MINUTES OF AUDIT AND RISK COMMITTEE

Voting Requirement
Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr A Benning

That Council:

- 1. Notes the Unconfirmed Minutes (Tabled) of the Audit and Risk Committee Meeting held on Wednesday 23 February 2022 at the Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community; and**
- 2. Adopts the Recommendations from the Audit & Risk Committee.**

Carried: 8/0

10. CEO REPORTS

10.1 PROGRESS ON THE IMPLEMENTATION OF COUNCIL RESOLUTIONS

FILE REFERENCE:	GV.05
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	14 January 2022
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interest in the proposal.

Summary

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

Background

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

Comment

All resolutions of Council have been acted upon.

Statutory Environment

Local Government Act 1995:

Section 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."

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

Section 5.100 of the Act expressly provides that a person who is a committee member but is not a council member or an employee is not to be paid a fee for attending any meeting.

Financial Implications

There are no known financial implications for this matter.

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 Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be

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

Policy Implications

There are no known policy implications for this matter.

Attachments

Not applicable

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr J Frazer Seconded: Cr D Frazer

That Council notes the monthly report Progress on the implementation of Council Resolutions.

Carried: 8/0

10.2 LANDS SERVICE REVIEW

FILE REFERENCE:	CM.14
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	14 February 2022
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interest in the proposal.

Summary

For Council to be updated on progress of the Lands Service Review with State and Federal Government departments.

Background

In June 2020 the Shire wrote to the Minister for Local Government; Culture and the Arts advising that the Shire was experiencing issues related to legislative change and seeking his advocacy to try and resolve some major issues that the Shire has been unsuccessful in negotiating with other State Ministers.

The Minister replied, advising that he noted the proposed actions to be undertaken by the Shire and had provided a copy of the report to the Department of Local Government, Sport and Cultural Industries (DLGSC) for actioning.

Furthermore, he advised that given the breadth of the issues raised, the department would need to liaise with other agencies for response. As such, he asked for the Shire's ongoing patience while additional information could be collated and confirmed the Shire would be notified shortly by a representative of the department regarding the proposed outcome.

Comment

Since then, the Aboriginal Engagement (DPC) unit and the Goldfields Regional and Remote Service Delivery (DoC) unit have set up a joint working group made up of State representatives across various portfolios, the National Indigenous Australians Agency (NIAA) and the Ngaanyatjarra Council Aboriginal Corporation (NCAC) and the Shire of Ngaanyatjarraku (SoNG).

The main issues raised by the Shire for urgent Stage 1 resolution by the working party are:

- Swimming pools to open in Warburton, Warakurna and Blackstone for the upcoming swim season (NCAC);
- Waste Management services;
- Recreation services;
- Youth Services;
- Early Years Child development;
- Environmental Health services; and
- Fire and Emergency Services

Longer term Stage 2 issues will cover the full range of services and infrastructure, including community and human services, economic development, including the link between service provision arrangements and employment, welfare, economic development, education and training that a normal local government provides. This will require a service-mapping exercise including:

1. Map current service provision arrangements across State, Local, Commonwealth, and non-government sectors:
 - a. What services are provided, and by whom?
 - b. What are the funding arrangements and costs?

2. Identify service gaps, overlaps and inefficiencies, including by reference to:
 - Comparator Shires
 - RSRU Municipal Services Standards
3. Provide costed recommendations for future service delivery and funding arrangements.

Progress to date

1. Swimming Pools – initial funding has been made available from Department of communities to ensure the three community pools will operate during the 2021/22 swim season. It is then proposed the DoC will seek inclusion of these pools into the same program that is used to fund management of Pilbara / Kimberley remote community pool by Royal Life Saving WA..
2. Waste Management – the Shire does not receive Fees for waste services unlike other local governments as the housing is social housing owned by the State who are exempt from paying rates and the land is leased by the State to NCAC's communities similar to Aboriginal Land Trust Land.

As requested, the Shire has completed a Waste Management Plan (WMP) covering immediate and longer-term issues for consideration of funding by the State in future Budgets. The visit to the lands has identified two urgent issues;

- 2.1 Waste collection services were barely functioning at all the communities visited, resulting in residents burning household waste at the front of their homes. The combustion of waste materials results in dangerous toxic emissions that can include dioxins, sulphur dioxide, lead, and mercury. These emissions can cause immediate and long-term harm to the nervous system, lungs, liver and kidneys and result in reproductive and developmental disorders. As waste is being burnt so close to residential homes, members of the communities are almost certainly being exposed to harmful emissions. The Shire was requested to develop an urgent waste pickup plan for two years until the WMP could be considered in the States ongoing budgets. This has been presented to the committee but to date no funding (\$4.27m) is available to implement the urgent interim response.
- 2.2 Asbestos materials, and materials possibly containing asbestos, were identified at or near waste sites in Warburton, Warakurna, Mantamaru, Tjukurla, Tjirrkarli and Kanpa. In all instances it was apparent that these materials were at risk of being further fragmented and asbestos particles becoming airborne by vehicle movements, fire, or children playing. Whilst much of the asbestos identified may have been in-situ for decades, it poses an immediate and severe risk to human health. The DoC are liaising with DPLH to consider an urgent asbestos clean-up. To date it is unclear when the clean-up will be. In the interim the State have funded signs to be posted at the affected landfills warning residents of the asbestos and toxic waste issues.

These issues are presenting significant and ongoing risks to the health of the Shire's residents and staff. A copy of the Waste Management Plan has been submitted to DoC for consideration of funding.

It is noted that Waste Management Services are provided by the State under their Remote Essential Municipal Services program for other aboriginal communities within the State that were transferred in 2015/16 from the federal to State Government. The Shire has been advised by the State that the NG Lands will not be included in REMS services to remote aboriginal communities.

It is further noted that in Kununurra the Department of Housing have engaged the local Shire Council to provide such a waste pickup service for local indigenous communities within their Shire boundary on a fee for service basis similar to its ratepayers. Whilst this model is supported by the State in the Kimberley, it is not supported for the NG Lands communities as they would prefer to have the same level of service as that provided to Pilbara / Kimberley remote communities when services were transferred from the Federal to State Government.

A budget submission was to be made to the 2021/22 Budget to resolve the issue but this did not eventuate and DoC do not know when / if the matter will be resolved. The Shire has

been seeking a meeting with the Minister since November 2021 to discuss progression of this matter, but the Minister has not been available. The Shire and Community have now lost faith in the Minister and the State to resolve this matter and further action will be subject to a more detailed separate report in this Agenda and a 'Confidential Report' to Council later in this Agenda.

3. Recreation Services – As requested the Shire has completed its Sport & Recreation Plan (SRP) covering immediate and longer- term issues for consideration of funding by the State in future Budgets. No feedback has been received from the State.
4. Fire & Emergency Services - The Shire has responded to DFES letter regarding entering into an MoU with DFES / Warburton Community Council / Shire of NG for a Volunteer Emergency Services Unit to be located in Warburton. The Shire is awaiting a response from DFES.
5. Early Years Learning (EYL) –The NIAA have completed a review of services across the NG Lands. EYL are provided on an interim basis to Warburton & Blackstone until the NIAA details and recommendation in that review are known.
6. Aboriginal Environmental Health Services – the Shire was put in a position to exit provision of this State service as the funding only covered 30% of the cost. The State have subsequently made this funding available to NG Health to provide a reduced service for Warburton.
7. Lands Service Review – State Agencies are developing a Scope of Works covering all remaining service issues. This would Incorporate a service-mapping exercise including:
 1. Map current service provision arrangements across State, local, Commonwealth, and non-government sectors:
 - What services are provided, and by whom?
 - What are the funding arrangements and costs?
 2. Identify service gaps, overlaps and inefficiencies, including by reference to:
 - Comparator Shires
 - RSRU Municipal Services Standards
 3. Provide costed recommendations for future service delivery and funding arrangements.

It is not known when the State will have the resources to undertake this review.

The Chair of the Lands Service review Committee was the Regional Manager, DoC, Kalgoorlie. The Regional Manager resigned in September 2021. The Director, Remote Communities, DoC was subsequently appointed to Chair future meetings. Unfortunately, no such meetings have since been held even though the Shire has requested a response as to when the next meeting will be held if at all.

Statutory Environment

Section 2.7 of the Local Government Act 1995 states:

“Role of council

(15) The council —

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

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

(16) 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 Shire has made in its Annual Budget 2020/21 a budget allocation for the above-mentioned strategic plans and progression of these matters.

Strategic Implications

Plan for the Future 2021 – 2031

Goal 1, Our People: Looking after our people

Outcome 2, Healthy People

Strategy, 2.1, Advocate for adequate health and emergency services provision

Strategy, 2.2, Ensure appropriate water supply for Warburton

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's Risk Management Strategy, Risk Assessment Matrix. The perceived consequence level of risk is Major prior to the resolution of issues identified in this report and the Shire's Long Term Financial Sustainability is resolved.

Policy Implications

Not Applicable.

Attachments

Not Applicable

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr J Frazer Seconded: Cr L West

That Council notes this report on progress made in undertaking the Lands Service Review in accordance with its' Plan for the Future (SCP/CBP).

Carried: 8/0

10.3 WASTE MANAGEMENT

FILE REFERENCE:	WM.00 & EM.00
AUTHORISING OFFICER AND POSITION	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	15 February 2022
DISCLOSURE OF INTERESTS:	The authorising officer has no financial, proximity or impartiality interests in the proposal.

Summary

For Council to be updated on progress with Department of Communities for provision of waste management services to the NG Lands.

Background

Councillors are aware of the long drawn-out discussions with the Department of Communities and other State Agencies via the Land Services Review Committee and direct discussions with the Minister for Housing; Lands; Homelessness; Local Government and Senior Directors within the Department of Communities.

After an unsuccessful meeting with the Minister via Video conference the Shire has continued to advocate for services to the lands consistent with that provided to Pilbara & Kimberley remote aboriginal communities when services were transferred from the Federal Government to the State Government in 2015/16.

The Shire has provided documentation to DoC confirming that a grant was made to the Shire in the first year after the transfer of services to '*continue to provide effective and efficient municipal and essential services across a number of communities for the 2015/16 financial year*'. Attachment 10.3(a) contains a copy of the Department of Housing letter offer of grant.

Shire Officers were advised that this 'one-off grant' was to enable the States transition from the Federal government for provision of services to enable them time to develop tender documentation and time to enable tendering out services for the 2016/17 FYE. Unfortunately, the contract that was let for 2016/17 did not include provision of waste services for the NG Lands. Attachment 10.3(b) contains copies of Appendix E from that tender for waste services to the Kimberley & Pilbara but not the Goldfields NG Lands.

The Shire has been advocating with the Department since 2018 for inclusion of waste services in the REMS contract as provided to the Kimberley & Pilbara remote aboriginal communities. There have been 3 major exercises that the Shire has participated in with the Department with no outcome:

1. 2018 – Acting CEO initiated email discussion with the Manager, Remote Essential and Municipal Services as to why waste services were not in the REMS Contract. Advice was received that - *At memory, the HA sought one grant agreement that achieved REMS municipal outcomes only and entered into discussions with NCAC to achieve this – there was a lack of clarity about who was doing what and areas of duplication.* It would appear that as the Federal government provided waste services via a RCJP Grant contracted with the Shire, DoC formed the view that it wasn't required to provide for services in its 2016/17 REMS (formerly MUNS) contract. However, this is contradicted by the Department of Housing letter at Appendix 1 wherein during the 2015/16 transitional year the State engaged the Shire via a MUNS Grant to provide '*municipal and essential services across a number of communities for the 2015/16 financial year*'. Since 2016/17 the State have provided no funding to the NG Lands for waste services of any kind.
2. 2019 – Department of Communities, Executive Director, Regional Services Reform and

Transformation culmination with a meeting in Perth wherein NCAC were requested to do an estimate for provision of waste services as a variation to their REMS contract. The DoC was to have the Minister send a letter requesting such an estimate for consideration of a variation to their contract. NCAC undertook the work to provide an estimate but the letter agreeing to consideration of a variation to the contract never came.

3. 2021 - Department of the Premier and Cabinet, Remote Aboriginal Communities – Mobilisation Unit provided grant funding for installation of signage at 5 landfills identified as having contaminated waste in the community landfills as per the Waste Management Plan. This matter is now in the hands of DPLH & DoC to manage. Grant funding from the Remote Aboriginal Communities COVID-19 Emergency Relief Fund (RACCERF) provided funding to assist with waste management in Warburton only for the 2020/21 FYE and to end September 2021 as funding was expected to be included in the State 2021/22 Budget.
4. 2020/2021 - The States Aboriginal Engagement (DPC) unit and the Goldfields Regional and Remote Service Delivery (DoC) unit set up a joint working group made up of State representatives across various portfolios, the National Indigenous Australians Agency (NIAA) and the Ngaanyatjarra Council Aboriginal Corporation (NCAC) and the Shire of Ngaanyatjarraku (SoNG) to manage a Lands Service Review. This group was tasked with many service issue difficulties on the NG Lands, this report only focuses on waste. The Chair of the group advised members at her last meeting that the State Government were to include funding for waste management in September 202/22 State Budget. At a video conference with the Minister for Housing; Lands; Homelessness; Local Government in October 2021 the Shire was advised that no funding allocation was made in the state budget. The Shire then initiated via the Director General, DoC for a further review of provision of waste services to the NG Lands. The Shire has sought since November 2021 a meeting with the Minister to discuss this matter, but the Minister has not been available. The Shire has also sought an email response as to when the new Chair of the Lands Service Review group would call a meeting as it had not met since September 2021. The Shire CEO has been advised that the State did not want to meet until it had clearer direction on responses to the agenda items.
5. 2022 – Verbal advice was received from Assistant Director General, Capability, Reform and Government Priorities that the State was considering making a budget bid to the 2022/23 Budget process and that a detailed review of the Shires finances needed to be undertaken to determine what contribution could be made to reducing the funding contribution by the State. The Shire is concerned that the State does not make Kimberley and Pilbara Local Governments to make such contributions for services provided to remote aboriginal communities within their districts so why do this to the Shire of NG only. Furthermore, the Department was advised that as per the Shires Plan for the Future it was in the process of completing a comprehensive review of its Asset Management Plan and Long-Term Financial Plan to inform its 2022/23 Budget. Until this is completed. any analysis of the Shires financial capability would be contradictory to the whole Integrated Planning and Reporting Framework legislated by the State Government. The Department were asked if they would be prepared to confirm a budget bid in writing to the Shire as it was told a budget bid was being submitted in 2021/22 but this did not eventuate, the Shire was advised this would be unlikely.

Comment

The Shire has been patient in trying to resolve this matter with the State, but it is now evident that the Department of Communities is “at a crisis point in relation to providing services” to improve the lives of Aboriginal people. The Shire can only conclude that its concerns cannot be dealt with by the Department nor the Minister responsible. Experience has shown that the Department has continued to use tactics to ‘kick the can down the road’ and not resolve the problem. A letter was sent to the Minister culminating in a request to respond to the following two questions by the time of holding the Shires 23 February Ordinary Council Meeting:

- Will the Department confirm in writing that it accepts responsibility and an ongoing funding allocation for provision of Remote Essential Municipal Services, Waste (as provided to the Kimberley and Pilbara) for the Ngaanyatjarra Lands (Goldfields)?

- When will the Department start providing such services and funding for the 6 communities formerly funded by the Federal Government until 2014/15 and the State's, Department of Housing until 2015/16?

At the time of preparing this report no response has been received.

As advised to the Minister, if no response was received the Shire would consider its alternative options including legal redress. This matter is addressed in a separate confidential report later in this Agenda.

Statutory Environment

Section 2.7 of the Local Government Act 1995 states:

"Role of council

(15) The council —

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

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

(16) 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

Not applicable.

Strategic Implications

Plan for the Future 2021 – 2031

Goal 1, Our People: Looking after our people

Outcome 2, Healthy People

Strategy, 2.1, Advocate for adequate health and emergency services provision

Strategy, 2.2, Ensure appropriate water supply for Warburton

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 Strategy, Risk Assessment Matrix. The perceived consequence level of risk is "High" risk and is to be managed by prioritised action and specific application of resources.

Policy Implications

Not Applicable.

Attachments

Attachment 10.3(a) - Department of Housing letter offer of grant

Attachment 10.3(b) – Appendix E – REMS MUNS Waste Scope & Frequencies

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr J Frazer

Seconded: Cr J Porter

That Council notes the foregoing report updating Council and Community on progress on the provision of waste management services for the NG Lands.

Carried: 8/0

11 DEPUTY CEO / DIRECTOR CORPORATE SERVICES REPORTS

11.1 MONTHLY PAYMENTS LISTING

FILE REFERENCE: FM.07

AUTHOR'S NAME AND POSITION: Kerry Fisher
Deputy CEO / Director Corporate

AUTHORISING OFFICER AND POSITION: Kevin Hannagan
Chief Executive Officer

DATE REPORT WRITTEN: 11 February 2022

DISCLOSURE OF INTERESTS: The author has no financial, proximity or impartiality interest in the proposal

Summary

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

Background

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

Comment

The payments made are consistent with previous months.

Statutory Environment

Local Government (Financial Management) Regulations 1996

S13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared—*
 - (a) the payee's name; and*
 - (b) the amount of the payment; and*
 - (c) the date of the payment; and*
 - (d) sufficient information to identify the transaction.*
- (2) A list of accounts for approval to be paid is to be prepared each month showing-*
 - (a) for each account which requires council authorisation in that month—*
 - (i) the payee's name; and*
 - (ii) the amount of the payment; and*
 - (iii) sufficient information to identify the transaction; and*
 - (b) the date of the meeting of the council to which the list is to be presented.*
- (3) A list prepared under subregulation (1) or (2) is to be —*
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) recorded in the minutes of that meeting.*

Financial Implications

The Shire makes annual budget allocations for payment of accounts.

Strategic Implications

Plan for the Future 2021 – 2031

Goal 3, Our Leadership: Showing the way for our communities

Outcome 8, A well-functioning organisation

Strategy, 8.1, Maintain corporate governance, responsibility and accountability

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku 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(a) – Payment Listing, December

11.1(b) – Payment Listing, January

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr A Benning

Seconded: Cr J Frazer

That Council receives the Payment Listings;

- **December 2021 totaling payments of \$ 690,333.25 as per Attachment 11.1(a).**
- **January 2022 totaling payments of \$ 365,405.86 as per Attachment 11.1(b).**

Carried: 8/0

11.2 COUNCIL INVESTMENTS

FILE REFERENCE:	FM.04
AUTHOR'S NAME AND POSITION:	Kerry Fisher Deputy CEO / Director Corporate
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	17 February 2022
DISCLOSURE OF INTERESTS:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

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

Background

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

Comment

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

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

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

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

The reduction of RBA interest rate has greatly reduced term deposit interest.

Statutory Environment

Local Government Act 1995

Section 6.14 Power to Invest

- (1) *Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the Trustees Act 1962 Part III.*
- (2A) *A local government is to comply with the regulations when investing money referred to in subsection (1).*
- (2) *Regulations in relation to investments by local governments may—*
 - (a) *make provision in respect of the investment of money referred to in subsection (1); and*
 - [(b) deleted]*
 - (c) *prescribe circumstances in which a local government is required to invest money held by it; and*

- (d) provide for the application of investment earnings; and
 - (e) generally, provide for the management of those investments.
- Local Government (Financial Management) Regulations 1996*
19. *Investments, control procedures for*
- (1) *A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.*
 - (2) *The control procedures are to enable the identification of —*
 - (a) *the nature and location of all investments; and*
 - (b) *the transactions related to each investment.*
- 19C. *Investment of money, restrictions on (Act s. 6.14(2)(a))*
- (1) *In this regulation —*
 - authorised institution means —*
 - (a) *an authorised deposit taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or*
 - (b) *the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986;*
 - foreign currency means a currency except the currency of Australia.*
 - (2) *When investing money under section 6.14(1), a local government may not do any of the following —*
 - (a) *deposit with an institution except an authorised institution;*
 - (b) *deposit for a fixed term of more than 3 years;*
 - (c) *invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;*
 - (d) *invest in bonds with a term to maturity of more than 3 years;*
 - (e) *invest in a foreign currency.*

Financial Implications

Not applicable.

Strategic Implications

Plan for the Future 2021 – 2031

Goal 3, Our Leadership: Showing the way for our communities

Outcome 8, A well-functioning organisation

Strategy, 8.1, Maintain corporate governance, responsibility and accountability

Risk Management

This item has been evaluated against the Shire of 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 Investment.

Attachments

11.2 – Westpac screen prints of Municipal and Investment Accounts. (No monies are recurrently being held with any other institutions.)

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr P Thomas

Seconded: Cr D Frazer

That the report on Council Investments as at Attachment 11.2 be received.

Carried: 8/0

11.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDED

FILE REFERENCE:	FM.10
AUTHOR'S NAME AND POSITION:	Kerry Fisher Deputy CEO / Director Corporate
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	14 February 2022
DISCLOSURE OF INTERESTS:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

For Council to receive the monthly financial report.

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 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 10.00% whichever is the greater (refer last page of statements). These materiality levels have been applied in the preparation of this report.

Comment

Comments in relation to budget to actual variances are included as notes (last page) in the Financial Reports attached. Comments related to 'Timing' refer to an estimate of when costs would occur at the time the budget was formulated versus actual costs being incurred. 'Permanent' variances to note as at end January 2021 are:

- Governance income is higher due to refunds for FBT higher and workers compensation claims and a legal fees reimbursement of \$159,807.73
- Rates income is higher due to Interim Rates higher than anticipated
- Housing Income is higher as additional properties available to rent a/c staff vacancies
- Recreation and culture is higher as higher take up of units at CRC
- Governance expense generally tracking under with savings of \$19k due to no election required offset by higher compliance costs
- Health inspection staffing costs higher than budgeted
- Housing Expenses are under budget in as the Maintenance Officer has not returned to the lands as yet to undertake budgeted works;
- Housing maintenance is under budget due to unavailability of staff;
- Community Amenities expenditure under as difficulty in sourcing rubbish collection staff and replacement of the Operations Coordinator;
- Recreation expenditure under due to difficulty in recruiting replacement staff;
- Transport expenditure under due to difficulty sourcing grader operators and Covid border closures.
- Tourism under as consultancy projects have begun but are behind in timing.

Statutory Environment

Local Government Act 1995

6.4. Financial report

- (1) A local government is to prepare an annual financial report for the preceding financial

year and such other financial reports as are prescribed.

(2) The financial report is to —

- (a) be prepared and presented in the manner and form prescribed; and
- (b) contain the prescribed information.

Local Government (Financial Management) Regulations 1996.

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

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Financial Implications

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

Strategic Implications

Plan for the Future 2021 – 2031

Goal 3, Our Leadership: Showing the way for our communities

Outcome 8, A well-functioning organisation

Strategy, 8.1, Maintain corporate governance, responsibility and accountability

Risk Management

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

Policy Implications

No policy implications apply in the preparation of the report.

Attachments

11.3(a) - Monthly Financial Report, December

11.3(b) - Monthly Financial Report, January

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr J Porter

Seconded: Cr L West

That Council receives the monthly financial reports for December 2021 and January 2022.

Carried: 8/0

12. DIRECTOR GOVERNANCE & STRATEGIC REPORTS

12.1 QUARTERLY PROGRESS REPORT ON THE PLAN FOR THE FUTURE

FILE REFERENCE:	CM.14
AUTHOR'S NAME AND POSITION:	Cary Green Director Governance and Strategic
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	3 February 2022
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interest in the proposal.

Summary

To provide Council with a quarterly progress report on the Plan for the Future (2021 – 2031), including a summary of Strategic Projects as at 3 February 2022.

Background

The Plan for the Future (2021 – 2031) was adopted by the Shire on the 26 May 2021 and was developed after extensive community engagement with the community's aspirations and needs at its heart. The Plan for the Future, combines both the Shire's Strategic Community Plan and Corporate Business Plan into one simple, easily understood document that is scale appropriate for the Shire of Ngaanyatjarraku. It will help shape the services that the Shire of Ngaanyatjarraku will deliver over the next ten years.

The Plan for the Future is underpinned by a 10-year Long-Term Financial Plan, a 20-year Asset Management Plan and a Workforce Plan which will set out the resources required to deliver the CBP.

Comment

This report provides a quarterly progress update on the strategic goals listed in the plan, to ensure Council and the community are kept abreast of the achievements of the plan. The Shire will conduct a major review of the plan every four years with a desktop review every two years

The Shire is currently progressing the following Strategic Projects, to deliver on the strategic outcomes detailed in the Plan.

- Warburton Concept Plan
- Waste Management Plan
- Sport and Recreation Plan
- Information and Communications Plan
- Record Keeping Plan
- Fleet Management

Warburton Concept Plan - Progress to date:

- Engaged The Fulcrum Agency and KPMG, to develop a Concept Plan and Business case
- Conducted initial onsite visit to Warburton with the consultants and the project manager.
- Interviewed key stakeholders from the Council and community.
- Data collection on the facilities and civic precinct
- Determine 4 key elements of the project, (Warburton Civic precinct, Art Collection, Arts space and Gallery)
- Second on-site visit to be conducted 21-25 February

Waste Management Plan - Progress to date:

- Waste management Plan completed
- Development of an abridged financial plan, for Year 1 and Year 2.
- Submit financial plan for consideration in the September State Budget.
- Submit financial plan to the Department of Communities for consideration and response.
- Send letter to Minister requesting response
- No response and now subject of a separate report to Council.

Sport and Recreation Plan – Progress to Date_

- Sport and Recreation Plan completed
- S&R Plan tabled at the Land Service Review committee meeting. Awaiting response.
- Completion of 2021/22 School Holiday Program
- Application for grant funding through the Department of Local Government, Sport and Cultural (DLGSC) for \$50,000 per annum for 3 years to assist fund the S&R School Holiday Program in Warburton.
- Successful - The Shire has recently been advised that this application was successful, and they have forwarded through a grant agreement for \$150,000, for signing.

Information and Communications Plan – Progress to date_

- Information and Communications plan completed.
- Engaged Focus Networks to manage our ICT services
- Completed audit of existing hardware and software
- Upgraded the video and audio facilities in the conference room
- Migration of SharePoint data onto the Focus server
- Migration of Synergy Soft data onto the Focus server
- Implemented an email protection system.
- Engaged Market Creations to assist with our internal and external messaging. (including LinkedIn page and Facebook account)

Next Steps:

- Scheduled ongoing maintenance program
- Development of an IT Disaster Recovery Plan
- Developing security solutions

Record Keeping Plan – Progress to date_

- Record Keeping plan update – 16 November 2021
- Approved by State Records Commissioner
- Disaster recovery Plan adopted
- Ongoing liaison with Focus networks and other external providers
- Review of existing records storage facilities

Fleet Management – Progress to date_

- Fleet Replacement Program (FRP) completed
- Linked the FRP with the Long Term Financial Plan
- Provider for the Servicing of the fleet (GTN Services)
- Annual replacement program.
- Scheduled ongoing maintenance program
- Regular review of the FRP, in line with budget priorities

Future Strategic Projects

No.	Project	Action
1	Disaster Recovery Plan	Completed
2	Business Continuity Plan	In progress
3	CEO Procedures	In progress
4	Tele-Communications proposal	Completed awaiting response
5	Housing Strategy	Submission sent Dept Housing, no response as yet
6	GVROC Regional Climate Alliance Program	In progress
7	Upgrade of the Community Drop-in Facility	Awaiting response to grant application

Statutory Environment

S5.56 (1) of the Local Government Act 1995.

Council's minimum obligations relating to planning for the future (IPR).

Financial Implications

The Plan for the Future is an informing document that links the Shires Strategic objectives with the operational functions. This plan provides a valuable management tool to allow the Shire to focus on financial sustainability and informs the Long-Term Financial Plan and the Annual Budgets.

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 Ngaanyatjaraku Risk Management Strategy, Risk Assessment Matrix. The perceived level of risk is low, however, continuing to monitor the progress of the projects will further reduce the risk.

Policy Implications

Not Applicable.

Attachments

Attachment 12.1 - Plan for the Future (Strategic Community Plan / Community Business Plan) progress comments

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr J Porter Seconded: Cr J Frazer

That council notes the quarterly progress report on the Plan for the Future (2021 – 20131), including a summary of Strategic Projects as at 3 February 2022.

Carried: 8/0

12.2 DLGSC \$150,000 GRANT FOR SCHOOL HOLIDAY PROGRAM)

FILE REFERENCE:	RC.00
AUTHOR'S NAME AND POSITION:	Cary Green Director Governance and Strategic
AUTHORISING OFFICER AND POSITION	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	8 February 2022
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interest in the proposal.

Summary

That Council notes the successful grant of \$150,000, over 3 years from the Department of Local Government, Sport and Cultural Industries (DLGSC), for the Sport and Recreation, School Holiday Program. (20/12/21 – 31/01/2024).

Background

The Sport and Recreation team applied for a Community Place Based Grant through the DLGSC, for \$150,000 over 3 years (2021 – 2024) to assist with funding the School Holiday Program in Warburton. The Shire has recently been advised that the Department has agreed to provide a total of \$150,000 for the period of (20/12/2021 to 31/01/2024) towards the achievement of this Project.

Comment

The Sport & Recreation - School Holiday Program serves as a structured sport and nutrition program that operates during the Department of Education school term breaks. The outcomes of the program are for the coordination and provision of out-of-school hours and holiday programs using sport and recreation in the identified communities in Warburton.

The aim of the SHP is to meet the following strategic objectives as outlined in our Sport and recreation plan:

- Increased community cohesiveness/ sense of shared purpose;
- Health benefits to members from physical activity;
- Reduced crime (generally youth related);
- Physiological and social development for children and Youth;
- Employment opportunities; and
- Lower rates of depression, anxiety and improved mental wellbeing

This program has been running for the last 3 years without any grant funding or ratepayer funding and has put a strain on Councils finances to continue. The grant funding will assist to improve the program and the resources available.

Statutory Environment

Section 2.7 of the Local Government Act 1995 states:

“Role of council

1. The council —

- (a) governs the local government's affairs; and*
 - (b) is responsible for the performance of the local government's functions.*
- 1. 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 2021/22 Budget will be updated to reflect the grant funding, and this will occur for the 2 subsequent years, as per the grant agreement.

Strategic Implications

Plan for the Future 2021 – 2031

Goal 1, Our People

Outcome 1, Happy people

Strategy, 1.1.3, Implement Sport and Recreation Programs and services across the lands

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 low prior to treatment, the progression of risk management activities aligned with the Risk Management Strategy will maintain the risk at low.

Policy Implications

Not Applicable

Attachments

N/A

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr L West Seconded: Cr A Benning

That Council notes the successful grant of \$150,000, over 3 years from the Department of Local Government, Sport and Cultural Industries, for the Sport and Recreation, School Holiday Program. (20/12/21 – 31/01/2024).

Carried: 8/0

12.3 GVROC REGIONAL CLIMATE ALLIANCE PROGRAM

FILE REFERENCE:	CS.09 & EM.00
AUTHOR'S NAME AND POSITION:	Cary Green Director Governance and Strategic
AUTHORISING OFFICER AND POSITION	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	10 February 2022
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interest in the proposal.

Summary

To update Council on the GVROC Regional Climate Alliance Program.

Background

The GVROC Regional Climate Alliance Program was formed in May 2021 to pool resources and networks to enable local government authorities (LGAs) in the Goldfields Esperance (GE) region to advocate for and deliver positive climate change outcomes that would otherwise not be possible individually.

Comment

This report provides an update on the GVROC Regional Climate Alliance Program, to ensure Council and the community are kept abreast of the activities of the alliance.

The GVROC were officially advised on the 5 July 2021, that we were successful as one of the two Regional Climate Alliances (RCA) to be awarded funding under the program based on our application. The GVROC Chair and Executive Officer executed the letter of offer and funding agreement on behalf of the GVROC with WALGA on 20 September 2021.

The next step was the recruitment of the GVROC RCA Coordinator, which has been finalised, with Niki Curtis the successfully appointed candidate. Niki officially started in the role on 27 January 2022. Now Niki is onboard, the Alliance must start, to finalise the required adaptation and mitigation planning to support Project funding applications.

This means that Niki will be seeking the GVROC LGAs nominated working group representatives to workshop the following projects as recommended by GVROC on 26 November 2021.

1. Undertaken a research project to determine each GVROC LGAs current Carbon Footprint.
2. Developing a Feasibility Study that could be used for seeking funding under the Microgrid Pilots Program to undertake a pilot trial in the Shire of Ngaanyatjarraku to supplement the diesel power generation network in Warburton with solar/battery backup.
3. Undertake a feasibility planning study investigating EV Charging Stations being installed across the region.
4. Investigate the feasibility of the development of the hydrogen hub being planned for the Eucla and how it could assist in water security – in turn also assisting with bushfire mitigation and providing alternative renewable energy source for the region.

The GVROC, Regional Climate Alliance Program, Working Group representative for the Shire of Ngaanyatjarraku is Cary Green, Director of Governance and Strategic.

Statutory Environment

Local Government Act 1995:
Section 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

Any funding requirements for the RCA program will be brought to Council for consideration through individual reports or future budget submissions.

Strategic Implications

Plan for the Future, 2021 – 2031

Goal 3, Our Leadership

Outcome 7, Good leadership, effectively representing and advocating for our communities

Strategy, 7.2.2, Collaborate with regional partners, key stakeholders and other relevant organisations

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku Risk Management Strategy, Risk Assessment Matrix. The perceived level of risk is medium, however, continuing to monitor the progress of the projects will further reduce the risk.

Policy Implications

Not Applicable.

Attachments

Not Applicable.

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr J Frazer

That Council notes the update on the GVROC Regional Climate Alliance Program.

Carried: 8/0

Cr Thomas phone call dropped out of the meeting at 1.33pm.

Cr Thomas phoned back into the meeting at 1.33pm

13. DIRECTOR INFRASTRUCTURE SERVICES REPORT

13.1 ACTION REPORT – ENVIRONMENTAL HEALTH & BUILDING SERVICES

FILE REFERENCE: EM.00

AUTHOR’S NAME AND POSITION: Maurice Walsh
EHO & Building Officer

AUTHORISING OFFICER AND POSITION: Les Morgan
Director Infrastructure

DATE REPORT WRITTEN: 16 February 2022

DISCLOSURE OF INTERESTS: The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

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

Background

Not applicable

Comment

See attachment.

Statutory Environment

Not applicable

Financial Implications

No known financial implications for this matter.

Strategic Implications

Plan for the Future 2021 - 2031

Goal 1, Our People

Outcome 2, Healthy People

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

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 13.1 – Action Report, EHO / Building Services

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr A Benning

Seconded: Cr D Frazer

That Council receives the Action Report, EHO / Building Services for December 2021.

Carried: 8/0

13.2 ACTION REPORT – WORKS ENGINEER

FILE REFERENCE:	RD.00
AUTHOR'S NAME AND POSITION:	Peter Kerp Works Engineer
AUTHORISING OFFICER AND POSITION:	Les Morgan Director Infrastructure
DATE REPORT WRITTEN:	16 February 2022
DISCLOSURE OF INTERESTS:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

To inform Council of Works Engineering activities and actions for the preceding month.

Background

Not applicable

Comment

See attachment.

Statutory Environment

Not applicable

Financial Implications

No known financial implications for this matter.

Strategic Implications

Plan for the Future 2021 - 2031

Goal 2, Our Land

Outcome 5, Travelling our Land

Strategy: 5.1, Effective management and planning of road infrastructure

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 13.2 – Action Report, Works Engineering

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr D Frazer

Seconded: Cr J Porter

That Council receives the Action Report, Works Engineering 16 February 2022.

Carried: 8/0

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

15. CONFIDENTIAL MATTERS

15.1 WASTE MANAGEMENT

FILE REFERENCE: WM.00 & EM.00

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

DATE REPORT WRITTEN: 16 February 2022

DISCLOSURE OF FINANCIAL INTEREST: The author has no interest in the proposal.

Voting Requirement
Simple Majority Required.

<p>Council Resolution</p> <p>Moved: Cr D Frazer Seconded: Cr A Benning</p> <p>That Council:</p> <p>Resolve that the:</p> <p>1 Waste Management Report and Attachments; as attached is confidential in accordance with s5.23 (2) the Local Government Act because it deals with;</p> <p>(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting</p> <p>1. Close the meeting to the public at 1.39pm pursuant to sub section 5.23 (2)(d) of the Local Government Act 1995.</p> <p>2. That the Executive Officers and Administration Coordinator may remain in the chamber.</p> <p style="text-align: right;">Carried: 8/0</p>

All members of the public gallery left the meeting at 1.39 pm.

Voting Requirement
Simple Majority Required.

<p>Officers Recommendation and Council Resolution</p> <p>Moved: Cr L West Seconded: Cr A Benning</p> <p>That Council re-open the meeting to the public at 1.44 pm.</p> <p style="text-align: right;">Carried: 8/0</p>
--

There were no Members of the public gallery to re-enter the room at 1.44 pm.

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

Officer Recommendation and Council Resolution

Moved: Cr P Thomas

Seconded: Cr A Jones

That Council:

- 1 notes the foregoing report updating Council on what legal action it could take if no reasonable response to its letter of 3 February 2022 regarding provision of waste services is received from the State Government by this meeting date;**
- 2 Implements Option:**
 - State 1 as outlined in this report;**
- 3 Commences implementation of Options:**
 - Federal 1**
 - State 2**
 - State 3**
 - State 4**

if a favorable response is not obtained from the State Government within 1 month of Option, State 1 being implemented.

Carried: 8/0

16 NEXT MEETING

Scheduled for Wednesday, 30 March 2022 at the Tjulyuru Cultural and Civic Centre, Warburton Community commencing at 1:00 pm.

17 CLOSURE OF MEETING

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