



**Shire of Ngaanyatjaraku**  
ON A JOURNEY

**ORDINARY MEETING OF COUNCIL**

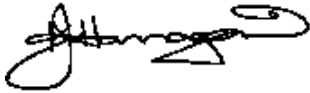
**Minutes**

**27 July 2022**  
**at**  
**1.05 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: 27-7-2022

These minutes were confirmed by Council as a true and correct record of proceedings of the Meeting of Council held on the 27 July 2022.

**Presiding Member:** \_\_\_\_\_



Date: 31 8/2022

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## 1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 1.05 pm.

## 2. ANNOUNCEMENT OF VISITORS

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

## 3. ATTENDANCE

### 3.1 PRESENT

<b>Elected Members:</b>	President Deputy President Councilor Councilor Councilor Councilor Councilor	D McLean P Thomas D Frazer J Frazer L West J Porter A Jones
<b>Staff:</b>	CEO CFO AC DGC DIS	K Hannagan K Fisher (via video-conference) S Richardson C Green (via video-conference) L Morgan (via video-conference)
<b>Guests:</b>		
<b>Members of Public:</b>	There were no members of the public in attendance at the commencement of the meeting.	

### 3.2 APOLOGIES

### 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) with not 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 ORDINARY MEETING OF COUNCIL**

**Voting Requirement**  
Simple Majority

**Officers Recommendation and Council Resolution**

**Moved: Cr D Frazer      Seconded: Cr L West**

**That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 29 June 2022 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: 7/0**

## 10. CEO REPORTS

### 10.1 PROGRESS ON THE IMPLEMENTATION OF COUNCIL RESOLUTIONS

<b>FILE REFERENCE:</b>	GV.05
<b>AUTHOR'S NAME AND POSITION:</b>	Kevin Hannagan Chief Executive Officer
<b>DATE REPORT WRITTEN:</b>	20 July 2022
<b>DISCLOSURE OF INTERESTS:</b>	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 J Porter**

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

**Carried: 7/0**



## 10.2 COUNCILLOR VACANCY TO REMAIN UNFILLED

FILE REFERENCE: GV.07

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

DATE REPORT WRITTEN: 5 July 2022

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

### Summary

For council to be advised of the response from the Electoral Commissioner to allow the vacancy caused through the resignation of Cr. Alex Benning to remain unfilled until the next ordinary Council election in accordance with section 4.17 of the Local Government Act 1995.

### Background

Council at its June 2022 meeting resolved as follows:

#### Officers Recommendation and Council Resolution

Moved: Cr D Frazer      Seconded: Cr L West

#### That Council:

1. pursuant to section 4.17(3) and 4 (A) of the Local Government Act 1995, Council requests the WA Electoral Commissioner to permit the vacancy created by the resignation of Councillor Alex Benning to remain unfilled until the next ordinary election in October 2023; and
2. writes a letter of thankyou to Cr Benning for his service with the Shire and Ngaanyatjaraku Community.

Carried: 6/0

### Comment

A response has now been received from the Electoral Commissioner advising:

Approval is given under section 4.17(3) of the *Local Government Act 1995* to defer filling this vacancy until the next ordinary local government elections.

### Statutory Environment

*Local Government Act 1995:*

#### **4.17. Cases in which vacant offices can remain unfilled**

(3) *If a councillor's office becomes vacant under section 2.32 and under subsection (4A) this subsection applies, the council may, with the approval of the Electoral Commissioner, allow\* the vacancy to remain unfilled and, subject to subsection (4), in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.*

*\* Absolute majority required.*

(4A) *Subsection (3) applies —*  
(a) *if —*

- (i) the office is for a district that has no wards; and  
(ii) at least 80% of the number of offices of member of the council in the district are still filled; or
- (b) if —  
(i) the office is for a ward for which there are 5 or more offices of councillor; and  
(ii) at least 80% of the number of offices of councillor for the ward are still filled.
- (4) If an ordinary or an extraordinary election is to be held in a district then an election to fill any vacancy in the office of councillor in that district that was allowed to remain unfilled under subsection (3) is to be held on the same election day and Division 9 applies to those elections as if they were one election to fill all the offices of councillor for the district or ward that need to be filled.

### **Financial Implications**

There would be a cost to hold an in-person extraordinary election if Council wished to fill the vacancy, this would vary in price depending on if it is conducted 'in-house' or via engaging the WA Electoral Commission (WAEC) to run the process on the Shire's behalf. Council's annual budget has generally made provision of approximately \$5,000 (plus staff and travel costs) for the costs of running elections in-house; appointing the WAEC to oversee and manage the election is likely to cost significantly more (estimated \$10,000 - \$20,000) and a quotation would be sought to ascertain the amount should Council wish to proceed in this way.

### **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's 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**

Not applicable

### **Attachments**

Attachment 10.2 – Response from WA Electoral Commissioner.

### **Voting Requirement**

Simple majority

#### **Officers Recommendation and Council Resolution**

**Moved: Cr J Frazer**

**Seconded: Cr D Frazer**

**That Council notes the response from the WA Electoral Commissioner as per Attachment 10.2.**

**Carried: 7/0**

## 10.3 REVIEW OF COUNCIL POLICY, 3.2

<b>FILE REFERENCE:</b>	PL.00
<b>AUTHORISING OFFICER AND POSITION</b>	Kevin Hannagan Chief Executive Officer
<b>DATE REPORT WRITTEN:</b>	15 July 2022
<b>DISCLOSURE OF INTERESTS:</b>	The author has no financial, proximity or impartiality interests in the proposal.

### Summary

For Council to consider changes to Council Policy 3.2, Acting CEO as a result of the creation of the position General Manager Operations.

### Background

At Councils May meeting the Shire approved a new Organisation structure that created the position of General Manager Operations. Council at its June meeting amended its Council Policy for senior Employees to also reflect the new position. As such the Shires Policy for Acting CEO will also need amendment to reflect these changes.

### Comment

The new Organisation Structure has abolished the position of Deputy CEO and created new positions of General Manager Operations and Chief Financial Officer. The Acting CEO Policy nominates the DCEO as an acting CEO if the CEO was not able to appoint an Acting CEO for some reason. As the DCEO position no longer exists it is proposed to have the GMO as an Acting CEO in the above circumstances.

### 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

Integrated Strategic Plan 2018 – 2028

Goal 3, Leadership

Outcome 3.2, Good Leadership

### 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 “Low” risk and can be managed by routine procedures and is unlikely to need specific application of resources.

### Policy Implications

Council Policy 3.2, Appointment of Acting CEO.

**Attachments**

Attachment 10.3 – amended Council Policy 3.2, Acting CEO

**Voting Requirement**

Absolute Majority

**Officers Recommendation and Council Resolution**

**Moved: Cr J Porter          Seconded: Cr J Frazer**

**That Council having reviewed its Policy 3.2, Appointment of Acting CEO:**

- 1.    adopts by absolute majority the amended Council Policy 3.2, Appointment of Acting CEO as per Attachment 10.3 to this report; and**
- 2.    updates the policy manual on the Shire’s official website.**

**Carried: 7/0**

Cr L West left the chamber at 1.17pm

Cr L West returned to the chamber at 1.18pm

# 11 CHIEF FINANCIAL OFFICER REPORTS

## 11.1 MONTHLY PAYMENTS LISTING

<b>FILE REFERENCE:</b>	FM.07
<b>AUTHOR'S NAME AND POSITION:</b>	Kerry Fisher Chief Financial Officer
<b>AUTHORISING OFFICER AND POSITION:</b>	Kevin Hannagan Chief Executive Officer
<b>DATE REPORT WRITTEN:</b>	21 July 2022
<b>DISCLOSURE OF INTERESTS:</b>	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 – Payment Listing

### **Voting Requirement**

Simple Majority Required.

#### **Officers Recommendation and Council Resolution**

**Moved: Cr D Frazer      Seconded: Cr J Frazer**

**That Council receives the Payment Listing May 2022 totaling payments of \$1,450,769.62 as per Attachment 11.1.**

**Carried: 7/0**

## 11.2 COUNCIL INVESTMENTS

<b>FILE REFERENCE:</b>	FM.04
<b>AUTHOR'S NAME AND POSITION:</b>	Kerry Fisher Chief Financial Officer
<b>AUTHORISING OFFICER AND POSITION:</b>	Kevin Hannagan Chief Executive Officer
<b>DATE REPORT WRITTEN:</b>	21 July 2022
<b>DISCLOSURE OF INTERESTS:</b>	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.

Better rates have been thru a quotation process with Commonwealth Banking and as such \$6.0m has now been deposited there. Westpac have now agreed to be more competitive and \$3m has been invested with them. These funds are mainly from the Commonwealth's FAG's 2022/23 grants paid in advance. An investment Register has now been developed to record the details of these longer-term investments.

### Statutory Environment

#### *Local Government Act 1995*

#### *Section 6.14 Power to Invest*

- (1) *Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the Trustees Act 1962 Part III.*

#### *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 Ngaanyatjarraku Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is “Low” risk and can be managed by routine procedures and is unlikely to need specific application of resources.

### **Policy Implications**

Corporate Policy Finance 2.12 Investment.

### **Attachments**

11.2 – Westpac screen prints of Municipal Accounts and CBA / Westpac Investment Register.

### **Voting Requirement**

Simple Majority Required.

### **Officers Recommendation and Council Resolution**

**Moved: Cr P Thomas**

**Seconded: Cr A Jones**

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

**Carried: 7/0**



## 11.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDED

<b>FILE REFERENCE:</b>	FM.10
<b>AUTHOR'S NAME AND POSITION:</b>	Kerry Fisher Chief Financial Officer
<b>AUTHORISING OFFICER AND POSITION:</b>	Kevin Hannagan Chief Executive Officer
<b>DATE REPORT WRITTEN:</b>	22 July 2022
<b>DISCLOSURE OF INTERESTS:</b>	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

The Monthly Financial Statements have been delayed to financial year end processes.

The statements will be tabled at the meeting and a commentary will be given on variances from the Chief Financial Officer.

The statements will be published as part of the Unconfirmed Minute Attachments.

Please note that the financials for June are 'interim' results as they are subject to yearend adjustments and annual financial audit.

### 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.

### **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 - Monthly Financial Report will be tabled at the meeting.

### **Voting Requirement**

Simple Majority Required.

#### **Officers Recommendation and Council Resolution**

**Moved: Cr A Jones**

**Seconded: Cr J Frazer**

**That Council receives the monthly financial report for June 2022.**

**Carried: 7/0**

## 12. DIRECTOR GOVERNANCE & STRATEGIC REPORTS

### 12.1 INTEGRATED PLANNING AND REPORTING (IPR) FRAMEWORK

<b>FILE REFERENCE:</b>	CM.14
<b>AUTHOR'S NAME AND POSITION:</b>	Cary Green Director Governance and Strategic
<b>AUTHORISING OFFICER AND POSITION:</b>	Kevin Hannagan Chief Executive Officer
<b>DATE REPORT WRITTEN:</b>	19 July 2022
<b>DISCLOSURE OF INTERESTS:</b>	The author has no financial, proximity or impartiality interest in the proposal.

#### **Summary**

For Council to consider adopting the following Integrated Planning and Reporting (IPR) Framework suite of documents:

- a) Plan for the Future (Strategic Community Plan / Corporate Business Plan)
- b) Strategic Resource Plan (Integrated Long Term Financial Plan (LTFP) and Asset Management Plan (AMP) 2022 – 2037.

#### **Background**

The Local Government Act 1995 and the Local Government (Administration) Regulations 1996 require each Local Government to adopt a Strategic Community Plan and Corporate Business Plan as part of a 'Plan for the Future'.

The legislative requirements of the Plan for the Future are underpinned by the Department of Local Government, Sport and Cultural Industries' Advisory Standards and Guidelines, titled the Integrated Planning and Reporting (IPR) Framework. The IPR framework identifies three 'informing strategies', namely a Long-Term Financial Plan (LTFP), Asset Management Plan (AMP) and Workforce Plan (WFP) that Local Governments are required to complete. The WFP was recently reviewed and adopted by Council in June 2022.

In consultation with Moore Australia, the Shires has developed a Strategic Resource Plan (SRP), which is an integrated - Long Term Financial Plan (LTFP) and Asset Management Plan (AMP) for the period 2022 – 2037. The SRP provides the Council and the community with a picture of the Shire's long term financial and asset management circumstances and assists us to meet our strategic outcomes and objectives,

#### **Comment**

The Plan for the Future (2021-2031) was adopted by Council in May 2021, and in accordance with the above statutory requirements a review of that plan will be submitted to the July 2023 Council Meeting. The revised Asset Management Plan & Long Term Financial Plan will also be submitted to this meeting, in the form of a Strategic Resource Plan.

#### **Plan for the Future (SCP/CBP)**

The Plan for the Future is the integrated approach to combining the Strategic Community Plan and Corporate Business Plan into one document and is our principal strategy and planning document that links community aspirations with the Council's vision and long-term strategy.

The *Strategic Community Plan (SCP)* forms the basis of the IPR Framework and provides the foundation to develop other strategic documents, including the Corporate Business Plan, Workforce Plan, Asset Management Plan and Long-Term Financial Plan.

In accordance with statutory requirements, the SCP is reviewed and updated on a 4-year review cycle including community consultation, with a desktop review being undertaken every 2 years (2023).

The *Corporate Business Plan (CBP)* identifies projects, initiatives, and actions that the Shire will undertake over a four-year period to improve operations whilst delivering key services and facilities that support the community vision.

In accordance with statutory requirements, the CBP component of this Plan for the Future is reviewed and updated annually to assess the progress of projects and realign the Plan's actions and priorities based on current information and available funding

#### Strategic Resource Plan (SRP)

The SRP is an integrated - Long Term Financial Plan (LTFP) and Asset Management Plan (AMP) 2022 – 2037. The SRP provides the Council and the community with a picture of the Shire's long term financial and asset management circumstances and assists to meet our strategic outcomes and objectives

The *Long Term Financial Plan (LTFP)* comprises long term financial forecasting over a fifteen-year period. This consists of projecting revenue (money coming in) and expenditure (money going out) over the fifteen years. The LTFP does this by using assumptions about the economy, future spending, funding sources and other variables. The LTFP then aligns the Shire's financial capacity with the strategic priorities of the community to ensure the Local Government remains financially sustainable while planning for new or improved services.

The Long Term Financial Plan is reviewed annually to ensure it remains contemporary and reflects any relevant changes that have occurred during the preceding twelve months. The draft Long Term Financial Plan is presented to Council for adoption as part of this item.

The *Asset Management Plan (AMP)* identifies, records and values Shire-owned assets. The Plan also identifies the point at which assets need to be replaced or renewed, and the associated cost, to ensure that services can be delivered for future generations.

An assessment and valuation of the Shires – Sealed and Unsealed roads was recently completed and compiled into an Operational Manual. The Operations manual included the Fair Value valuations of these assets, as at March 2022, and this information has been used to compile the attached SRP.

Salient points from the plans are:

#### Plan for the Future

- Update of 'Actions' for the CBP component of the P4F

#### Strategic Resource Plan

- The continued provision of community infrastructure remains one of the key priorities and major expenditure items for the Shire.
- Adequate maintenance, renewal and upgrading of the road network remains highly dependent on the receipt of external grants and contributions.
- Rate revenue is forecast to increase by 5% in 2022/23 to \$198,956; 4% in 2023/24; 51.33% in 2024/25 with an expected increase in mining rates and 3% per year from 2025/26 for the remainder of the Plan.
- The Shire has a low rate revenue base given the lack of economic activity. Rate increases have negligible impact on the long term financial position of the Shire, which remains highly dependent on its annual Financial Assistance Grant allocation.
- It is noted that the Shires FAG, General allocation may decrease in future years due to lower population numbers in the ABS2021.
- The Shire has been keeping detailed records of 'unit rates' and has been progressively

updating its Road Asset Maintenance Management System as higher unit rates will affect future funding requirements. The Shire is aware of the year 2000 asset construction component standards for the four community sealed road networks affecting future funding requirements.

- A positive net result occurs during the first two years due to the forecast level of capital grants before becoming negative for the balance of the Plan due to reducing Government funding, rising costs and very limited alternative revenue sources. A negative net result over the long term indicates net asset values will decrease as depreciation expenses erode asset values with assets not being adequately replaced.
- The low net book value of plant and equipment, and inadequate asset renewals results in the value of plant and equipment dropping to zero and fluctuations in depreciation as assets are renewed. As the Shire has no significant ratepayers or grant programs of this type, it has no income stream to renew these classes of assets. Traditionally the Shire has used its Financial Assistance Grants (general) to fund this class of assets however, as the State expects the Shire to use these grants to reduce their contribution to waste management, this is no longer possible.
- The current maintenance expenditure allocated in the annual operating budget is expected to continue at current levels, with inflationary increases occurring each year.
- In general, the finances of the Shire are expected to decrease significantly over the long term. Reserves will be utilised as far as possible to cover required asset renewals, resulting in the decrease in reserve levels.
- There is limited income to replenish and rebuild these reserves, along with pressure from the State to provide contributions towards waste and sport and recreation services to reduce their funding contribution.
- The Shire's heavy reliance on grants and contributions limits the Shire's capacity and appetite for borrowings. With no finance capacity and no alternative revenue sources the Shire has not planned to take up any borrowings.
- The Shire does not forecast having adequate funds to meet planned asset renewal levels from years 10 to 15 and will require additional funding for these works to be undertaken.

### **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. The SRP integrates the LTFP, and AMP and will provide the basis for items considered in future 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 Ngaanyatjarraku Risk Management Strategy, Risk Assessment Matrix. The perceived level of risk is medium as the IPR Framework provides guidance to Council on how to manage its business. However, continuing to monitor and progress the outcomes of the plan will further reduce the risk.

### **Policy Implications**

Not Applicable.

**Attachments**

12.1

- a) Plan for the Future (Strategic Community Plan / Community Business Plan)
- b) Strategic Resource Plan (Integrated Long Term Financial Plan (LTFFP) and Asset Management Plan (AMP) 2022 – 2037

**Voting Requirement**

Absolute Majority

**Officers Recommendation and Council Resolution**

**Moved: Cr P Thomas**

**Seconded: Cr D Frazer**

**That Council:**

1. adopts the following Integrated Planning and Reporting (IPR) Framework suite of documents:
  - a) Plan for the Future (Strategic Community Plan / Community Business Plan)
  - b) Strategic Resource Plan (Integrated Long Term Financial Plan (LTFFP) and Asset Management Plan (AMP) 2022 – 2037.
2. gives local public notice that the above plans have been adopted by the Council, and publishes copies of the plans on the Shires website.

**Carried: 7/0**

## **13. DIRECTOR INFRASTRUCTURE SERVICES REPORT**

### **13.1 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:** 18 July 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 13.1 – Action Report, Works Engineering

#### **Voting Requirement**

Simple Majority Required.

#### **Officers Recommendation and Council Resolution**

**Moved: Cr J Frazer**

**Seconded: Cr D Frazer**

**That Council receives the Action Report, Works Engineering July 2022.**

**Carried: 7/0**

## 13.2 ACTION REPORT – OPERATIONS COORDINATOR

<b>FILE REFERENCE:</b>	RD.00
<b>AUTHOR'S NAME AND POSITION:</b>	Joseph Joseph Operations Coordinator
<b>AUTHORISING OFFICER AND POSITION:</b>	Les Morgan Director Infrastructure
<b>DATE REPORT WRITTEN:</b>	18 July 2022
<b>DISCLOSURE OF INTERESTS:</b>	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

### Summary

To inform Council of Operational 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 6, Living on our Land

Strategy: 6.1, Maintain Shire owned buildings and facilities

### 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, Operations Coordinator

### Voting Requirement

Simple Majority Required.

### Officers Recommendation and Council Resolution

Moved: Cr J Frazer

Seconded: Cr A Jones

That Council receives the Action Report, Operations July 2022.

Carried: 7/0



### 13.3 ACTION REPORT – ENVIRONMENTAL HEALTH & BUILDING SERVICES

**FILE REFERENCE:** EM.00

**AUTHOR’S NAME AND POSITION:** Gordon Houston  
EHO & Building Officer

**AUTHORISING OFFICER AND POSITION:** Les Morgan  
Director Infrastructure

**DATE REPORT WRITTEN:** 20 July 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 13.3 – Action Report, EHO / Building Services

#### **Voting Requirement**

Simple Majority Required.

#### **Officers Recommendation and Council Resolution**

**Moved: Cr J Porter**

**Seconded: Cr D Frazer**

**That Council receives the Action Report, EHO / Building Services for June / July 2022.**

**Carried: 7/0**

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

The Shire President asked the Chief Executive Officer to update Councillors on recent discussions with Department of Fire and Emergency Services (DFES) regarding the establishment of a Warburton Volunteer Bushfire Brigade.

The Chief Executive Officer outlined matters related to addressing the Shires concerns regarding risks for the Shire associated with such a proposal and that those risks could be mitigated as advised by DFES. Furthermore, that the Warburton Community Development Adviser had also advised that the Warburton community was keen to provide volunteers to establish such a service for Warburton.

### **Officers Recommendation and Council Resolution**

**Moved: Cr J Porter          Seconded: Cr D Frazer**

**That Council request the Chief Executive Officer to:**

- 1. further advance with DFES the proposal to establish a Warburton Volunteer Bushfire Brigade under Section 41 (2a) of the Bush Fire Act 1954, and**
- 2. Report back to Council on progress as needed.**

**Carried: 7/0**

## **15. CONFIDENTIAL MATTERS**

### **15.1 APPOINTMENT OF GENERAL MANAGER OPERATIONS**

**FILE REFERENCE:** PL.23

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

**DATE REPORT WRITTEN:** 14 July 2022

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

**Voting Requirement**  
Simple Majority Required.

**Officers Recommendation and Council Resolution**

**Moved: Cr D Frazer      Seconded: Cr L West**

**That Council:**

- 1. Resolve that Reports 15.1 is confidential in accordance with s5.23 (2) the Local Government Act because it deals with matters affecting s5.23 (2):**
  - (a) a matter affecting an employee or employees;**
- 2. Close the meeting to the public at 1.42 pm pursuant to sub section 5.23 (2)(a) of the Local Government Act 1995.**
- 3. Authorises the Chief Executive Officer to remain in the meeting for report 15.1.**

**Carried: 7/0**

All members of the public gallery and staff left the meeting at 1.42 pm. (Note: Chief Executive Officer to take any minutes.)

**Voting Requirement**

Simple Majority.

**Officers Recommendation and Council Resolution**

**Moved: Cr J Frazer      Seconded: Cr D Frazer**

**That Council re-open the meeting to the public at 1.46 pm.**

**Carried: 7/0**

No Members of the public gallery and staff members re-entered the room at 1.46 pm.

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

**Officers Recommendation and Council Resolution**

**Moved: Cr A Jones      Seconded: Cr L West**

**That Council notes the Chief Executives Officers proposal to appoint Mr David Mosel as a Senior Employee – General Manager Operations.**

**Carried: 7/0**

**16      NEXT MEETING**

Scheduled for Wednesday, 31 August 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 1.47pm.