



Shire of **Ngaanyatjaraku**
ON A JOURNEY

**Minutes of Ordinary Council Meeting
Held at Warburton
24th October 2014 at 1:00pm**

SHIRE OF NGAANYATJARRAKU
ORDINARY COUNCIL MEETING
24 October 2014

A G E N D A

1. **PRESENT**
2. **APOLOGIES**
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5. **QUESTION TIME**
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7. **CONFIRMATION OF MINUTES**
Ordinary Council meeting 24th September 2014
8. **REPORTS BY THE CHIEF EXECUTIVE OFFICER**
Report No. 041-14 Accounts paid & payable
Report No. 042-14 Financial Statements for the period ended September 2014
Report No. 043-14 Council Investments as at 20th October 2014
Report No. 044-14 Community Layout Plans – Request for Endorsement
Report No. 045-14 CEO Annual Performance Review

MATTERS FOR THE INFORMATION OF MEMBERS

CLOSURE OF MEETING BY SHIRE PRESIDENT

**MINUTES OF ORDINARY COUNCIL MEETING
HELD ON 24th OCTOBER 2014 AT 1:00PM (WST)
IN THE SHIRE OF NGAANYATJARRAKU MEETING ROOM**

Shire President, Councillor John Damian McLean declared the meeting open at 1:05pm.

PRESENT Cr. J.D. McLean (President)
Cr. B. Thomas (Deputy President)
Cr. P. Thomas
Cr. A. Bates
Cr. L. West
Cr. J. Frazer
Cr. C.F. Twine

Mr. Chris Paget – Chief Executive Officer

APOLOGIES

Councillor A. Jones

LEAVE OF ABSENCE

Nil

QUESTION TIME

No questions

PRESENTATIONS / PETITIONS / DEPUTATIONS

Nil

DECLARATION OF MEMBERS' AND OFFICERS' INTERESTS

Mr Chris Paget declared a financial interest in Report 045-14 CEO Annual Performance Appraisal, the nature and extent of which being he is the Officer the subject of this item.

CONFIRMATION OF MINUTES

Ordinary Council meeting 24th September 2014

MOVED Cr. B. Thomas, seconded Cr. Frazer, that the minutes of the Ordinary Council meeting held on 24th September 2014 be confirmed as a true record of the proceedings of that meeting.

CARRIED 7/0

REPORT NO: 041-14 TO: ORDINARY COUNCIL MEETING 24th OCTOBER 2014
SUBJECT: ACCOUNTS PAID AND PAYABLE

AUTHORITY: FINANCIAL MANAGEMENT REGULATIONS 12 & 13

In accordance with Financial Management Regulations 12 & 13, a list of all accounts paid or payable shall be presented to Council (Refer to Accounts for Payment attached).

Council is requested to confirm the payment of accounts listed in the Accounts for Payment. **(See attachments)**

RECOMMENDATION

That Council payment of accounts amounting to \$703,488.88 for period ending 30th September 2014 be received and noted.

VOTING REQUIREMENTS

Simple majority

MOVED Cr. P. Thomas, seconded Cr. Twine, that the recommendation contained within report 041-14 be adopted.

#041-14

RESOLUTION:

That Council payment of accounts amounting to \$703,488.88 for period ending 30th September 2014 be received and noted.

CARRIED 7/0

SHIRE OF NGAANYATJARRAKU WARRANT LISTING - SEPTEMBER 2014

Creditor	Number Payee	Cheque No	Date	Details	Amount
	For Bank: 1 Municipal	Fund		Account : 036-016 83-1911	
50.01	TELSTRA CORPORATION LTD	50914	9/05/2014	PHONE & DATA CHARGES AUGUST 2014	1405.2
854.01	QANTAS AIRWAYS LTD	91214	9/12/2014	QANTAS AIREFARES J HAND & J KERRISON	1027.96
559.01	WESTNET PTY LTD	230914	23/09/2014	EMAIL HOSTING CHARGES SHIRE OF NGKU & DNS	294.4
54.01	WA SUPER	501726	26/09/2014	SUPER CONTRIBUTIONS - 02100914-1	10087.56
300.01	AMP RETIREMENT SAVINGS A	501727	26/09/2014	SUPER CONTRIBUTIONS - 02230914-19	627.76
1034.01	AUSTRALIAN SUPER	501728	26/09/2014	SUPER CONTRIBUTIONS - 02100914-34	692.36
89100073.99	ATO MAIL PAYMENTS	8910073-01	17/09/2014	SHIRE OF NG INVOICE # 1721	24414.27
89100073.01	ATO MAIL PAYMENTS	8910073-01	17/09/2014	Payroll Deduction	22119.73
15.01	WESTPAC BANK	15-01	9/01/2014	CBA TRANSACTON FEE	23.75
15.01	WESTPAC BANK	15-01	9/02/2014	CREDIT CARD PAYMENT 2/9/14	3337.89
368.01	DEPT FOR PLANNING & INFR	368-01	9/08/2014	DOT AGENCY TRANSACTIONS 133010-133016	705.55
812.01	Mrs A L SHINKFIELD	812-01	9/09/2014	REIMBURSEMENT WARB PLAYGROUP, TYRE AND	1282.89
147.01	AUSTRALIA POST	147-01	9/09/2014	AUSTRALIA POST MAIL POSTAL CHARGES	9.3
72.01	BLACKSTONE ENTERPRISES (72-01	9/09/2014	SUPPLIES FOR BLACKSTONE PLAYGROUP	279.16
1078.01	BLADE STAKE	1078-01	9/09/2014	30 SETS OF CRISPY SKATEBOARDS SAFETY GEA	4500
1050.01	CARDINAL CONTRACTORS PTY	105-01	9/09/2014	HIRE OF GRADERS - WARBURTON LOCAL WORKS	27863

186.01	GOLDFIELDS TOYOTA	186-01	9/09/2014	PARTS/WINDOWS FOR SHIRE VEHICLES	341
268.01	INDERVON PTY LTD	268-01	9/09/2014	DIESEL - SHIRE TROOPY 1DVB323	93.26
1079.01	Mr J BENDALL	1079-01	9/09/2014	CONSULTANCY WORK - REMOTE SHCOOL ATTENDA	5760
217.01	KEY FACTORS PTY LTD (DES	217-01	9/09/2014	PLANT HIRE & CONSTRUCITON WORKS SLK553.0	120722.8
60.01	WARBURTON STORE	60-01	9/09/2014	SUPPLY CHAIN & CABLE TIES LOT 98 CAGE	454.06
155.01	NGAANYATJARRA COUNCIL	155-01	9/09/2014	ELECTRICITY APR - JUNE	7502
155.01	NGAANYATJARRA COUNCIL	155-01	9/09/2014	MGMNT OF AND ACCESS HERIT & ENV 14/15 CO	55000
100.01	WANARN STORE	100-01	9/09/2014	DIESEL FOR WANARN YOUTH PROGRAM VEHICLE	119.28
59.01	WARBURTON ROADHOUSE	59-01	9/09/2014	DIESEL TOYOTA PC 1EJN112	8176.02
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Creditor	Number Payee	Cheque No	Date	Details	Amount
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1080.01	ALL MINE & CONSTRUCTION	1080-01	9/09/2014	EARTHMOVING & MACHINERY PLANT OPERATOR	3137.16
368.01	DEPT FOR PLANNING & INFR	368-01	23/09/2014	DOT AGENCY TRANSACTOINS 133017-133021	626.1
100.01	WANARN STORE	100-01	25/09/2014	DIESEL - WANARN YOUTH PROGRAM NAVARA UTE	65.3
1050.01	CARDINAL CONTRACTORS PTY	105-01	25/9/2014	GRADER HIRE GT CENTR RD F& 1WK	57596
1072.01	BERGMEIER EARTHMOVING	1072-01	25/9/2014	SUPPLY 5 TONS WASHED SAND FOR PLAY PITS	1375
1077.01	CORE BUSINESS AUSTRALIA	1077-01	25/9/2014	NA	4643.1
217.01	KEY FACTORS PTY LTD (DES	217-01	25/09/2014	PLANT HIRE & CONSTRUCTION WORKS SLK553-5	147310.9
257.01	KELYN TRAINING SERVICES	257-01	25/09/2014	ISSUE REPLACEMENT WHITE CARD FOR E BRITE	40
37.01	NATS	37-01	25/09/2014	FREIGHT CHARGE SKATE BOARD EQUIPMENT	91187.09

53.01	LANDGATE	53-01	25/09/2014	MINING TENEMENTS VALUATION SHCHEDULE	36.55
57.01	WARAKURNA ROADHOUSE	57-01	25/09/2014	DIESEL FUEL WARAKURNA DEPOT AUG '14	1502.58
61.01	WARRUNYINNA STORE	61-01	25/09/2014	DIESEL FUEL FOR JAMESON DEPOT FLEET	1351.77
671.01	BROADWATER RESORT APARTM	671-01	25/09/2014	PERTH ACCCOMM CEO C PAGET 15 SEPT	200
72.01	BLACKSTONE ENTERPRISES (72-01	25/09/2014	SUPPLIES FOR BLACKSTONE PLAYGROUP	38.7
726.01	DIPLOMAT MOTEL	726-01	25/09/2014	ACCOMM & MEALS YSM T O'BRIEN 5-7 JULY	740
815.01	WARBURTON MECHANICAL REP	815-01	25/09/2014	FIT WINDOW TO EHO PRADO 1DRS231	2454
866.01	MODERN TEACHING AIDS	866-01	25/09/2014	EQUP & SUPPLIES FOR PLAYGROUPS PROGRAM	1865.05
894.01	BUNNINGS GROUP LTD	894-01	25/09/2014	HARDWARE AND MATERIALS FOR STAFF HOUSE A	787.36
934.01	EAGLE PETROLEUM (WA) PTY	934-01	25/09/2014	DIESEL FUEL MWS TOYOTA L'CRUISER	1014.11
941.01	NGAANYATJARRA COUNCIL RE	941-01	25/09/2014	REPLACED DAMAGED LIGHTS ON EXTERNAL WARB	985.34
357.01	COMMONWEALTH BANK OF AUS	90314-01	9/03/2014	PAYMENT FOR CBA MERCHANT & POS FEE	57.71
	SHIRE OF NGAANYATJARRAKU	EFT		PAYROLL - PAY PERIOD 5	44615.54
	SHIRE OF NGAANYATJARRAKU	EFT		PAYROLL - PAY PERIOD 6	45020.32
	Total Bank Cheques				703488.88

REPORT NO: 042-14 TO: ORDINARY COUNCIL MEETING 24th OCTOBER 2014
SUBJECT: FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30th SEPTEMBER 2014

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires the following in relation to the Financial Activity Statement:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, 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.
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (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 to 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;
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a Statement of Financial Activity may be shown-
 - (a) according to nature and type classification;
 - (b) by program; or
 - (c) by business unit.
- (4) A Statement of Financial Activity and the accompanying documents referred to in subregulation (2), are to be

- (a) presented to the Council –
- (i) at the next ordinary meeting of the Council following the end of the month to which the Statement relates; or
 - (ii) if the Statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the Council after that meeting;
- 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 AAS 5, to be used in Statements of Financial Activity for reporting material variances.
- (6) In this regulation –
- “**committed assets**” means revenue unspent but set aside under the annual budget for a specific purpose;
- “**restricted assets**” has the same meaning as in AAS 27.

STATUTORY ENVIRONMENT

Section 6.4 *Local Government Act* 1995 and Financial Management Regulation 34.

RECOMMENDATION

That the financial activity statements and reports for the period ending 30th September 2014 be received and confirmed.

VOTING REQUIREMENTS

Simple majority

MOVED Cr. West, seconded Cr. P. Thomas, that the recommendation contained within report 042-14 be adopted.

#042-14

RESOLUTION:

That the financial activity statements and reports for the periods ending 30th September 2014 be received and confirmed.

CARRIED 7/0

REPORT NO: 043-14 TO: ORDINARY COUNCIL MEETING 24th OCTOBER 2014
SUBJECT: COUNCIL INVESTMENTS AS AT 20th OCTOBER 2014

The authority to invest money held in any Council Fund is delegated to the Chief Executive Officer. Council Funds may be invested in one or more of the following:

- Fixed Deposits
- Commercial Bills
- Government bonds
- Other Short-term Authorised Investments

Council funds are to be invested with the following financial institutions.

- Major banks
- Bonds Issued by Government and/ or Government Authorities.

COUNCIL INVESTMENTS AS AT 20 OCTOBER 2014

Institution	Amount Invested	Investment type	Assets Repl./Acq./Devp. Reserve Fund	Cultural Centre Reserve Fund	Municipal Account
Westpac Banking Corporation		Term deposit	\$766,471.54	\$64,745.14	
Westpac Banking Corporation		Operating a/c			\$1,528,256.09
TOTAL INVESTMENTS	\$2,359,472.77		\$766,471.54	\$64,745.14	\$1,528,256.09

RECOMMENDATION

That the report on Council investments as at 20th October 2014 be received and noted.

VOTING REQUIREMENTS

Simple majority

MOVED Cr. Twine, seconded Cr. Bates, that the recommendation contained within report 043-14 be adopted.

#043-14

RESOLUTION:

That the report on Council investments as at 20th October 2014 be received and noted.

CARRIED 7/0

REPORT NO: 044-14 TO: ORDINARY COUNCIL MEETING 24th OCTOBER 2014
SUBJECT: COMMUNITY LAYOUT PLANS – REQUEST FOR ENDORSEMENT

TABLED

Warakurna Community Layout Plan 1 – Amendment 5 (prepared 27th May 2014)
Tjukurla Community Layout Plan 2 (prepared 21st August 2014)

BACKGROUND

The Warakurna Community Layout Plan 1 Amendment 5 has been produced by the WA Department of Planning; the new version of the Plan has been formally endorsed by Warakurna Community Incorporated and the Ngaanyatjarra Land Council Aboriginal Corporation.

This Plan identifies all of the current Lots in the Community with buildings and structures located on them, as well as the provision of new lots for future development within the community. Additionally, some changes to designated land use types (eg housing, public open space, commercial and industrial use, buffer zones and flood areas), utilities services and a proposed new road are clearly identified on the document. The Primary amendment in this version is the creation of new housing lots immediately behind and to the north of the GROH residences used by the WA Police near the Multi-Function Police Facility at Warakurna.

The Tjukurla Layout Plan was originally developed in 2008 by the Dept of Planning, however was not endorsed by any of the key parties at the time. Since then the Department and Ngaanyatjarra Services have engaged with Tjukurla Community regarding housing issues and to update and redefine the Plan, presented herewith as version two. The WA Planning Commission requires consultation with the Local Government Authority prior to the Plan being formally endorsed and adopted.

Endorsement by the Shire of Ngaanyatjarraku is now required so that the Plan can be presented to and formally adopted by the Western Australian Planning Commission.

STATUTORY ENVIRONMENT

Not applicable

POLICY IMPLICATIONS

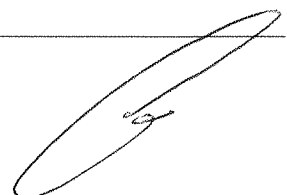
The Community Layout Plans provide the Shire with a tool to guide appropriate land use planning, building and development with the Ngaanyatjarra Lands Communities.

RECOMMENDATION

That Council endorses the Warakurna Community Layout Plan (No. 1, Draft Amendment 5) and the Tjukurla Layout Plan 2, both as presented.

VOTING REQUIREMENTS

Simple majority



MOVED Cr. Bates, seconded Cr. P. Thomas, that the recommendation contained within report 044-14 be adopted.

#044-14

RESOLUTION:

That Council endorses the Warakurna Community Layout Plan (No. 1, Draft Amendment 5) and the Tjukurla Layout Plan 2, both as presented.

CARRIED 7/0

CEO Mr Chris Paget declared a financial interest in the following report, the nature and extent of which being he is the officer the subject of this item.

REPORT NO: 045-14 TO: ORDINARY COUNCIL MEETING 24th OCTOBER 2014 SUBJECT: CEO ANNUAL PERFORMANCE REVIEW

PURPOSE

Section 5.38 of the *Local Government Act* 1995 states as follows:

5.38. Annual review of certain employees' performances

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

The Council shall give the CEO a minimum of ten working days notice in writing that a performance review is to be conducted to enable the CEO sufficient time to prepare. Where an external facilitator is to be used, both parties shall agree to the nominated facilitator.

The CEO shall prepare and submit to the Council and/or facilitator an assessment of his/her own performance prior to the assessment by the Council.

The final report on the performance of the CEO is to be forwarded to the Council for it to consider and decide on whether to accept or reject the report.

COMMENT:

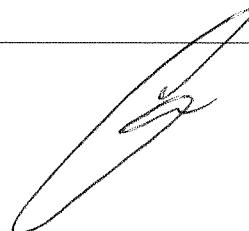
Council resolved to conduct the CEO performance review in house this year with the review held prior to the Council meeting. Council should formally make comment on the outcome of the review.

POLICY IMPLICATIONS

Not applicable

FINANCIAL IMPLICATIONS

Salaries and wages are included in the annual operating budget, however no change will be made as the current contract is set until expiration.



RECOMMENDATION

That Council accepts the Chief Executive Officer performance review report.

VOTING REQUIREMENTS

Simple majority

MOVED Cr. P. Thomas, seconded Cr. Frazer, that the recommendation contained within report 045-14 be adopted.

#045-14

RESOLUTION:

That Council accepts the Chief Executive Officer performance review report.

CARRIED 7/0

MATTERS FOR THE INFORMATION OF MEMBERS

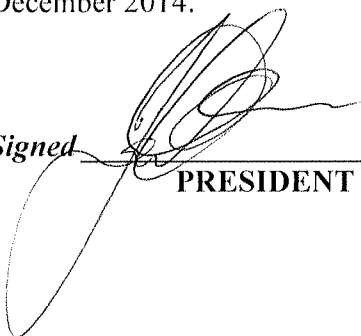
The Chief Executive Officer advised the Members that the West Australian Local Government Grants Commission were visiting Warburton on Friday 7th November to undertake a scheduled public hearing in accordance with section 11(2)(c) of the *Local Government (Financial Assistance) Act 1995*. This hearing provides an opportunity for the Commission to present on the methodology currently used to calculate the Shire's General Purpose Grants and allow the Shire to make a submission to the Grants Commission delegation if it wishes to do so.

Councillor McLean then provided background on the history of the Shire, the unique circumstances of its operations and community of interest, and how we manage the current MUNS and reform agendas within this region.

CLOSURE

There being no further business, the President thanked everyone for their attendance and closed the meeting at 2.15pm (WST).

These minutes of the meeting held 24th October 2014 were confirmed at the meeting held on 18th December 2014.

Signed  _____
PRESIDENT

Date 18/12/14