



Shire of Ngaanyatjaraku
ON A JOURNEY

ORDINARY MEETING OF COUNCIL

MINUTES

15 December 2021

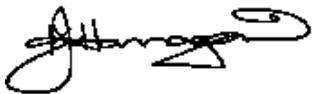
at

1.10 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 15 December 2021.

Presiding Member: _____



Date: 23 / 2 /2022

1.	DECLARATION OF OPENING.....	4
2.	ANNOUNCEMENT OF VISITORS.....	4
3.	ATTENDANCE	4
3.1	PRESENT.....	4
3.2	APOLOGIES.....	4
3.3	APPROVED LEAVE OF ABSENCE.....	4
4.	PUBLIC QUESTION TIME	4
4.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	4
4.2	PUBLIC QUESTION TIME	4
5.	APPLICATIONS FOR LEAVE OF ABSENCE.....	4
6.	DECLARATION BY MEMBERS.....	4
6.1	DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA.....	4
6.2	DECLARATIONS OF INTEREST	4
7.	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION.....	6
8.	PETITIONS, DEPUTATIONS, PRESENTATIONS	6
8.1	PETITIONS.....	6
8.2	DEPUTATIONS	6
8.3	PRESENTATIONS	6
9.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	6
9.1	ORDINARY MEETING OF COUNCIL.....	6
9.2	MINUTES OF SPECIAL MEETING OF COUNCIL	6
9.3	MINUTES OF AUDIT AND RISK COMMITTEE	6
9.4	MINUTES OF AUDIT AND RISK COMMITTEE	7
10.	CEO REPORTS.....	8
10.1	PROGRESS ON THE IMPLEMENTATION OF COUNCIL RESOLUTIONS	8
10.2	NORTHERN GOLDFIELDS LIQUOR ACCORD.....	10
10.3	MAIN ROADS WA REQUEST TO RENT OFFICE SPACE & ACCOMODATION.....	12
10.4	INDIGENOUS LAND USE AGREEMENT	14
11.	DEPUTY CEO / DIRECTOR CORPORATE REPORTS.....	16
11.1	MONTHLY PAYMENTS LISTING	16
11.2	COUNCIL INVESTMENTS.....	18
11.3	MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDED	20
12.	DIRECTOR GOVERNANCE & STRATEGIC REPORTS.....	23
12.1	RECORDS KEEPING PLAN	23
12.2	BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN (2021 – 2025)	25
13.	DIRECTOR INFRASTRUCTURE REPORTS	27
13.1	REVIEW OF LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS.....	27
13.2	CONTAMINATED SITES, NGAANYATJARRA LANDS.....	29
13.3	ACTION REPORT – ENVIRONMENTAL HEALTH & BUILDING SERVICES.....	32
13.4	ACTION REPORT – WORKS ENGINEER	33
14.	NEW BUSINESS OF AN URGENT NATURE AS ADMITTED BY DECISION	34
14.1	OFFICE CLOSURE OVER THE CHRISTMAS BREAK.....	34
15.	CONFIDENTIAL MATTERS	35
16.	NEXT MEETING	35
17.	CLOSURE OF MEETING	35

1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 1.10pm.

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

3.2 APOLOGIES

Cr. A Benning

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

Council Resolution

Moved: Cr D Frazer Seconded: Cr L West

That Council approves Cr P Thomas's request to attend the next Ordinary Meeting of Council and Audit & Risk Committee by telephone (if necessary), as he will be:

- (a) in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and**
- (b) will be in a suitable place.**

Carried: 7/0

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) withnot 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 leasedland 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

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 J Porter Seconded: Cr D Frazer

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 24 November 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: 7/0

9.2 MINUTES OF SPECIAL MEETING OF COUNCIL

Voting Requirement
Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr J Frazer Seconded: Cr D Frazer

That the Unconfirmed Minutes of the Special Meeting of Council held on 1 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: 7/0

9.3 MINUTES OF AUDIT AND RISK COMMITTEE

Voting Requirement
Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr L West Seconded: Cr J Frazer

That Council:

- 1. Adopts the Recommendations from the Minutes (as circulated and available on the Shires official website) of the Audit and Risk Committee Meeting held on Wednesday 24 November 2021 at the Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community.**

Carried: 7/0

9.4 MINUTES OF AUDIT AND RISK COMMITTEE

Voting Requirement
Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr J Frazer

That Council:

- 1. Notes the Unconfirmed Minutes (Tabled) of the Audit and Risk Committee Meeting held on Wednesday 15 December 2021 at the Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community; and**
- 2. Adopts the Recommendations from the Audit & Risk Committee**

Carried: 7/0

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:	8 December 2021
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 A Jones

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

Carried: 7/0

10.2 NORTHERN GOLDFIELDS LIQUOR ACCORD

FILE REFERENCE:	CM.14
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	2 December 2021
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

For Council to consider supporting the introduction of a Liquor Accord for the Northern Goldfields.

Background

The Northern Goldfields Liquor Accord is a co-operative arrangement aimed at developing safe and well managed environments in and around licensed premises in the Northern Goldfields.

The Accord is part of an overall strategy that seeks to achieve a standard of practice that assists in fostering a responsible drinking culture; ensure safety in the local community; and promote effective communication and problem solving between licensees and key stakeholders.

The Northern Goldfields Liquor Accord encourages the adoption of a range of positive and effective community-based harm minimisation and prevention strategies aimed at reducing crime, violence and antisocial behaviour stemming from the excessive consumption of liquor.

Comment

The proposed Liquor Accord is the result of the adjacent Shire communities suffering through many years of anti-social behaviour culminating in alcohol abuse, domestic violence, general violence, abuse, vandalism, breaking & entering, and littering.

This has also played a major part in local volunteer services within these Shires such as St John Ambulance losing members and finding it extremely difficult to attract new people to join the service.

The intent of introducing a Liquor Accord is not about impacting the business of any particular company or individual, it is more about supporting the Police and relevant authorities to help manage the anti-social behaviour when needed.

There are no licenced venues within the Shire of Ngaanyatjarraku, but the Shire has experienced instances of 'sly-grogging' from neighbouring Shire venues.

Shire officers have cooperated in the drafting of the accord to facilitate strategies to avoid harm through alcohol abuse and anti-social behaviour (as a result of alcohol abuse). Cooperation between the five (5) Shires involved is aimed at providing a unified approach to the problems previously mentioned.

A Liquor Accord is not a solution in its own right and it should be noted that the State Government has proposed for the Banned Drinkers Register (BDR) and Takeaway Alcohol Management System (TAMS) to be rolled out in the Northern Goldfields in December 2021.

Statutory Environment

Local Government Act 1995

Section 2.7(2) –Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies.

Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

The Northern Goldfields Liquor Accord is consistent with and gives effect to:

- *Liquor Control Act 1988*;
- *Western Australia Police Anti-Social Behaviour Reduction Strategy*;
- *Western Australia Police Alcohol & Drug Action Plan*;
- *Western Australian Alcohol Plan*;
- *Western Australian Drug & Alcohol Strategy*; and
- *Department of Local Government, Sport and Cultural Industries & Liquor Policies*.

Financial Implications

Not applicable.

Strategic Implications

Plan for the Future 2021 – 2031

Goal 3, Our Leadership

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

Strategy 7.1 Provide strategic leadership and good governance

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

Not Applicable

Attachments

Attachment 10.2, Draft Northern Goldfields Liquor Accord

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr P Thomas

Seconded: Cr L West

That Council:

- 1. Receives the draft Northern Goldfields Liquor Accord.**
- 2. Endorses and supports the introduction of the Northern Goldfields Liquor Accord following consultation with all vested parties.**

Carried: 7/0

10.3 MAIN ROADS WA REQUEST TO RENT OFFICE SPACE & ACCOMODATION

FILE REFERENCE:	FM.09
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	3 December 2021
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interest in the proposal.

Summary

For Council to consider a request for assistance with Community Resource Centre office and 2 accommodation rentals for MRWA.

Background

MRWA propose to start in April 2022:

- Construction of the Warburton Bypass (after the Shire clears the land);
- Reconstruction and Sealing of the Great Central Road (GCR) from the seal section west of Warburton and thru the existing road alignment to just pass the extent of the township;
- Sealing of a section of the GCR at the approach to the Warakurna; and
- Sealing the eastern entrance into the Roadhouse precinct Warakurna with a sealed turnoff at the western junction.

The GCR will eventually be taken over by MRWA but the Warburton bypass and eastern sealed entry to Roadhouse precinct Warakurna will remain as Shire Roads to maintain into the future.

The Shire does not have the funds to construct the Warburton Bypass or the Warakurna sealed section. The Shire has been successful in negotiating with MRWA to allocate funds towards this (20%) and seek a contribution from the federal government (80%). In those negotiations a request was made for assistance with Project Management staff housing and office accommodation in both locations as a contribution towards the project. As such the Shire appreciates these contributions and strongly supports these initiatives.

Comment

In recognition of their support the Shire has agreed to assist the project by providing office and accommodation facilities from 1 April 2022 for 6 months as follows:

1. Shire Disaster Recovery backup office, Warburton Community Resource Centre.
2. Staff accommodation (DCEO / DGC) 2 bedroom unit Warburton roadhouse precinct
3. Staff accommodation / office (transit) duplex 1 br unit Warakurna Roadhouse precinct.

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.

(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

None of these facilities are usually rented out as they are required for Shire use. However, management can work around the buildings use for this period by shuffling things around and changing operating practices. As such there are no financial implications for the shires budget.

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 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 10.3 – Letter from Tony Chisolm, Project Manager

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr P Thomas

Seconded: Cr J Frazer

That Council:

- 1. authorises the Chief Executive Officer to enter into rental agreements for 6 months from 1 April 2021 without applying Fees and Charges for:**
 - **Shire Disaster Recovery backup office, Warburton Community Resource Centre**
 - **Staff accommodation (DCEO / DGC) 2 bedroom unit, Warburton roadhouse precinct**
 - **Staff accommodation / office (transit) duplex 1 bedroom unit Warakurna Roadhouse precinct**
- 2 authorises the Shire President, Chief Executive Officer or (in the absence of the CEO), another employee to affix the Common Seal for the Warburton CRC Rental Agreement.**

Carried: 7/0

10.4 INDIGENOUS LAND USE AGREEMENT

FILE REFERENCE:	LS.00
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	9 December 2021
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

This report is to brief elected members on the use of the Shires Common Seal for development of an Indigenous Land Use Agreement (ILUA) with Ngaanyatjarra Council (Aboriginal Corporation), on behalf of the Yarnangu Ngaanyatjarraku Parna (Aboriginal Corporation) as trustee for the Ngaanyatjarra Lands Common Law Holders and seek Councils approval to use the Common Seal to execute the ILUA for submission to the Native Title Tribunal.

Background

Councillors have received previous reports over the past 2.5 years on progress of the Shire development of an ILUA to cover the Shires Road network that it maintains.

At the September 2021 Ordinary Council Meeting Council resolved the following:

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr J Frazer

That Council:

- (1) Notes the Indigenous Land Use Agreement as made available separately to Councillors;**
- (2) Resolves that the Indigenous Land Use Agreement as made available separately to Councillors is confidential in accordance with s5.23 (2) the Local Government Act because it deals with;

(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; and**
- (3) Authorises the Shire President and Chief Executive Officer to attach the Common Seal to execute the ILUA for submission to the Native Title Tribunal.**

Carried: 6/0

Comment

Ngaanyatjarra Council (Aboriginal Corporation) have been delayed in consulting with their member communities on the ILUA. It is hoped they may complete this process prior to the Christmas break.

The CEO will not be on the lands at this time to sign the use of the common seal. As such Council needs to rescind part 3 of the above resolution and replace it with the ability for another employee to also sign and seal the ILUA in accordance with the Local Government Act S9.49A(4).

Statutory Environment

Local Government Act 1995:

Section 2.7

“Role of council

(3) The council —

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

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

(4) 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.”

Section 9.49A Execution of documents

(4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

Financial Implications

Not applicable.

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

Council Policy, 1.17, Use of Common Seal

Attachments

Not Applicable

Voting Requirement

Absolute Majority

Officers Recommendation and Council Resolution

Moved: Cr A Jones

Seconded: Cr D Frazer

That Council Rescinds Part 3 of Council Resolution 10.3 of the September 2021, OCM and replaces it with the following:

- 3. authorises the Shire President, Chief Executive Officer or (in the absence of the CEO), another employee to affix the Common Seal to execute the ILUA for submission to the Native Title Tribunal.**

Carried: 7/0

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: 9 December 2021

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 – Payment Listing

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr J Porter

Seconded: Cr D Frazer

That Council receives the Payment Listing, November 2021 totaling payments of \$741,117.18 as per Attachment 11.1.

Carried: 7/0

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:	9 December 2021
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 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 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 J Frazer

Seconded: Cr D Frazer

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

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:	18 November 2021
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 are:

- Governance income is higher due to refunds for FBT and workers compensation;
- Rates income is higher due to Interim Rates higher than anticipated
- Governance expense generally tracking under with savings of \$19k due to no election required.
- 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 - Monthly Financial Report.

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr J Porter

Seconded: Cr D Frazer

That Council receives the monthly financial report for November 2021.

Carried: 7/0

12. DIRECTOR GOVERNANCE & STRATEGIC REPORTS

12.1 RECORDS KEEPING PLAN 5 YEAR REVIEW

FILE REFERENCE:	IM.14
AUTHOR'S NAME AND POSITION:	Cary Green Director Governance and Strategic
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	6 December 2021
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

For Council to endorse the Recordkeeping Plan, 2021 which was approved by the State Records Commission, on 16 November 2021.

Background

The Recordkeeping Plan 2021 was presented to the State Records Commission in accordance with Section 19 of the *State Records Act 2000* (the Act), which requires each government organization to have a Recordkeeping Plan approved by the State Records Commission every 5 years. As the Shire's last plan was adopted in 2016, it was due for review in 2021. Shire Officers have conducted the review and the updated Recordkeeping Plan was approved by the State Records Office, on 16 November 2021.

Comment

The purpose of the Recordkeeping Plan is to set out the matters about which records are to be created by the Shire and how it is to keep its records. The Recordkeeping Plan is to provide an accurate reflection of the recordkeeping program within the organization, including information regarding the organization's recordkeeping system(s), disposal arrangements, policies, practices and processes.

The main changes to the Records Keeping Plan are:

- Strategic Focus updated to include reference to the Shires' Integrated Planning and Reporting Framework (IPRF)
- Updated information on the Shires uses of the Synergy Soft Electronic Document Management System and Business Information Systems;
- Updated information on the Shires offsite Data Centre and cloud storage facility.
- Updated information on the Shires new ICT contractors.
- Updated Records Management Council Policy & CEO Procedures.
- Updated information on the storage of backups, and backup procedures
- Updated security and access measures

Statutory Environment

Section 19 of the State Records Act 2000.

Financial Implications

Any financial implications from the Recordkeeping Plan 2021 will be brought to council for consideration through the 2022/23 Budget process.

Strategic Implications

Plan for the Future 2021 – 2031

Goal 3, Our Leadership

Outcome 8, A well-functioning organisation

Strategy, 8.2, Maintain corporate governance, responsibility and accountability

Risk Management

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

Policy Implications

Council Policy 1.21 - Records Management.

Attachments

Attachment 12.1 – Approval letter from State Records Commission

Note: A copy of the Plan will be tabled at the meeting and uploaded to the Shires website.

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr P Thomas

Seconded: Cr D Frazer

That Council endorses the Records Keeping Plan 2021, which was approved by the State Records Commission, on 16 November 2021.

Carried: 7/0

12.2 BUSINESS CONTINUITY AND DISASTER RECOVERY PLAN (2021 – 2025)

FILE REFERENCE:	RM.00
AUTHOR'S NAME AND POSITION:	Cary Green Director Governance and Strategic
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	7 December 2021
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

For Council to endorse the Business Continuity and Disaster Recovery Plan (2021 – 2025) for the Shire.

Background

The Emergency Management Act 2005 requires Local Governments to have a Business Continuity Plan and Disaster Recovery Plan (BCDRP) to ensure the Shires critical business functions and services can be maintained at normal or near-normal performance following an incident that has the potential to disrupt or damage the Shire.

The Shires previous BCDRP was completed in 2016, as such officers are required to conduct a review of the existing plan and updated it, so it is compliant with current requirements.

Comment

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

This plan was designed and produced using a robust business continuity management framework and contains information pertinent to the Shire of Ngaanyatjarraku's ability to maintain business continuity. It has been designed to be used by the staff within the Shire and has been written accordingly.

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

- ensure services that are critical to our strategic objectives continue despite the occurrence of a potentially disruptive event.
- stabilise the effects of a disruptive event and return to normal operations as quickly as possible.
- minimise financial effects and impacts on service delivery targets in the event of a disruption.
- protect the Shire's assets and reputation through the development of organisational resilience.
- capitalise on opportunities created by the disruptive event.

Statutory Environment

Emergency Management Act 2005

Financial Implications

Any financial implications from the BCDRP Plan 2021 will be brought to council for consideration through the 2022/23 Budget process.

Strategic Implications

Plan for the Future 2021 – 2031

Goal 3, Our Leadership

Outcome 8, A well-functioning organisation

Strategy, 8.2, Maintain corporate governance, responsibility and accountability

Risk Management

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

Policy Implications

Council Policy 1.3 – Risk Management

Attachments

Attachment 12.2 – Business Continuity Disaster Recovery Plan

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr J Porter

That Council to endorse the Business Continuity and Disaster Recovery Plan (2021 – 2025) for the Shire.

Carried: 7/0

13. DIRECTOR INFRASTRUCTURE SERVICES REPORT

13.1 REVIEW OF LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS

FILE REFERENCE:	CM.00
AUTHOR'S NAME AND POSITION:	Les Morgan Director Infrastructure Services
AUTHORISING OFFICER'S NAME AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	1 December 2021
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interest in the proposal.

Background

Western Australia is subject to a variety of hazards that have the potential to cause loss of life and/or property damage and destruction. These hazards result from events that are either natural and/or man-made in origin. The Emergency Management Act 2005 (EM Act) formalises Western Australia's emergency management arrangements.

Local governments are the closest level of government to their communities and have access to specialised knowledge about the local environment and demographic features of their communities. Effective local emergency management arrangements enhance the community's resilience and preparedness for emergencies through strategies that apply prevention/mitigation, preparedness, response and recovery measures.

Under the EM Act, local governments are required to have local emergency management arrangements in place that are up to date and relevant. In line with this principle, the Shire of Ngaanyatjarraku has recently reviewed its Local Emergency Management Arrangements (LEMA) to bring it up to date and underline its relevance. The reviewed LEMA document was forwarded to the District Emergency Management Committee (DEMC) on 2/12/21 and officially endorsed. Accordingly, Council's consideration and endorsement of this review is now sought.

The Department Of Communities District Emergency Services Office have also developed an accompanying Local Emergency Welfare Plan (LEWP) that is to be read in conjunction with the State Emergency Welfare Plan, both prepared by the Department of Communities (Communities).

The State and Local Emergency Welfare Plans are support plans which document the strategic management and coordination of welfare services in emergencies, as part of the Western Australian State Emergency Management (EM) Arrangements. The scope of this local plan includes:

- Communities' responsibilities for the planning, response and recovery stages for the management and coordination of welfare services, including resources, within the identified geographical boundaries;
- agreed responsibilities of emergency management partnering agencies, coordinated by Communities to provide welfare services during emergencies.

Comment

The changes to the LEMA review were the 'contacts' and 'available equipment' details within the document to ensure that these critical aspects are relevant and accurate within the LEMA.

The LEMA and LEWP are now presented to Council for adoption and forwarding to relevant local agencies and the District Emergency Management Committee and Department of Communities

District Emergency Services Officer.

Statutory Environment

Emergency Management Act 2005

Financial Implications

There are no known financial implications.

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

Council Policy 1.12 - Committees.

Attachments

Attachment 13.1(a) - LEMA 2021-2026

Attachment 13.1(b) – LEWP 2021

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr J Frazer Seconded: Cr D Frazer

That Council:

- 1 Adopts the amended Local Emergency Management Arrangements 2021 – 2026 and the Local Emergency Welfare Plan 2021;**
- 2 Forwards a copy to the Goldfields Esperance District Emergency Management Committee, relevant local agencies, and Department of Communities District Emergency Services Officer; and**
- 3. Updates the Shires Website with combined documents.**

Carried: 7/0

13.2 CONTAMINATED SITES, NGAANYATJARRA LANDS

FILE REFERENCE:	PH.00
AUTHOR'S NAME AND POSITION:	Les Morgan Director Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan, Chief Executive Officer
DATE REPORT WRITTEN:	6 December 2021
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interest in the proposal.

Summary

The Shire engaged a consultancy to develop a waste management model for services across all of the communities in the Ngaanyatjarra Lands. This consultancy subsequently identified landfill sites that may contain asbestos and/or materials possibly containing asbestos.

Hence, the Shire made a number of attempts to have this issue addressed appropriately without success. Accordingly, a new stronger path forward was decided on, which has now resulted in a significant step forward being attained.

Background

At the Ordinary Council Meeting held on 29th September 2021, it was resolved as follows:

That Council endorses the following action to have the potentially Contaminated Sites, identified by the Shire's Consultants, listed on Department of Water and Environmental Regulation Contaminated Sites register:

- (1) *The Shire formally write to the Director General of the Department of Water and Environmental Regulation, officially informing of these potentially Contaminated Sites, in accordance with the Contaminated Sites Act – 2003.*

Subsequently, a formal letter was forwarded to the Director General of the Department of Water and Environmental Regulation (DWER), officially informing of these potentially Contaminated Sites (see Attachment A) on 29th October 2021. The Director General responded to this letter on 19th November 2021 (see Attachment B). In summary, this letter outlines that:

- The landfills referred to in the Shire's letter have been reported as known or suspected contaminated sites to the Department of Water and Environmental Regulation under the Contaminated Sites Act 2003 (the CS Act).
- As, these sites have now been formally reported, they will be captured on DWER's database and classified accordingly under the CS Act within 45 days of reporting.
- The Department of Communities has requested that the Department of Planning, Lands and Heritage assist them with a waste and contamination audit of the Shire of Ngaanyatjarraku lands, and the roles of each agency are currently being determined.

Comment

Whilst the Shire did not have a statutory duty to report these contaminated sites, it was always important to do so in the interests of its community's public health.

Considering that the Shire has consistently attempted to address the waste situation through various methods of correspondence since 2019, the above response, formal listing and pending investigation of these sites is a significant and positive step forward. Hopefully, this step will lead to better overall management of waste and thus better environmental and health outcomes for the

people and communities within the Ngaanyatjarra lands.

Statutory Environment

Contaminated Sites Act – 2003, Part 2 — Reporting, classifying and recording sites, Division 1 — Reporting of sites, Section 11. Reporting of known, or suspected, contaminated sites

- (1) *A person may report to the CEO (of the Department) any site that the person knows, or suspects, is contaminated.*
- (2) *A report is to —*
 - (a) *be in the prescribed form;*
 - (b) *contain a description of the location and extent of the site sufficient to identify it; and*
 - (c) *summarise the information on which the person bases their knowledge or suspicion that the site is contaminated.*
- (3) *Except as provided in subsection (5), a person referred to in subsection (4) must report to the CEO any site that the person —*
 - (a) *knows is contaminated, within 21 days after the day on which the person first knew that the site was contaminated, or such later period as the CEO approves in writing before the expiry of that 21 days; or*
 - (b) *suspects is contaminated, as soon as it is reasonably practicable to do so.*
- (4) *The following persons have a duty to report a site under subsection (3) —*
 - (a) *an owner or occupier of the site;*
 - (b) *a person who knows, or suspects, that he or she has caused, or contributed to, the contamination;*
 - (c) *an auditor engaged to provide a report that is required for the purposes of this Act in respect of the site.*
- (5) *It is a defence to a charge of an offence under subsection (3) for the person to prove that the person knew or believed on reasonable grounds that —*
 - (a) *the site had already been reported to the CEO;*
 - (b) *the contamination, or suspected contamination, was caused by a discharge of waste of which the CEO had already been notified under section 72 of the EP Act; or*
 - (c) *the site was, or was to be, reported under a programme approved by the CEO under section 12, or in a programme submitted for that approval and approval has not been refused.*
- (6) *A person does not contravene subsection (3), even though he or she does not comply with that provision, during the period of 6 months after the commencement of this Act.*
- (7) *The CEO is to ensure that each owner and occupier of a site in relation to which the CEO has received a report is informed in writing within 14 days after the day on which the report was received that a report has been made under this section or that reasonable attempts have been made to do so.*
- (8) *Subsection (7) does not apply in respect of an owner or occupier who made the report.*
- (9) *A person must not report a site —*
 - (a) *maliciously; and*
 - (b) *without reasonable grounds to believe or suspect that the site was contaminated.*

Division 4 — Contaminated sites database and other records, Section 19. Contaminated sites database — public access

- (1) *The CEO is to keep an accurate and up to date contaminated sites database containing-*
 - (a) *a list of all sites classified as —*
 - (i) *contaminated — remediation required;*
 - (ii) *contaminated — restricted use;*
 - (iii) *remediated for restricted use;*
 - (b) *a description of the location and extent of each of those sites sufficient to identify it; and*
 - (c) *a description of the nature and extent of the known contamination of each of those sites.*
- (2) *The CEO is to ensure that members of the public have access, free of charge, to the contaminated sites database.*

Financial Implications

The Shire has reported the matter to DPLH as the landowner and they are awaiting a response for funding to commence the process in the State Governments budget.

Strategic Implications

Integrated Strategic Plan 2018 – 2028

Goal 2, Our People

Outcome 2.2 Healthy People

Strategy, 2.2.1 No Rubbish

Goal 3, Leadership

Outcome 3.2 Good Leadership

Strategy, 3.1.2 Financially sustainable local government

Risk Management

The risk inherent in the contaminated sites is deemed “High” under the Shire’s Risk Matrix which requires a prioritised response.

Policy Implications

N/A

Attachments

Attachment 13.2 – Response letter from DWER to Shire of Ngaanyatjarraku

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr P Thomas

Seconded: Cr J Frazer

That Council notes the response from the Department of Water and Environmental Regulation.

Carried: 7/0

13.3 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: 8 December 2021

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 D Frazer

Seconded: Cr J Porter

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

Carried: 7/0

13.4 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: 8 December 2021

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 13.4 – Action Report, Works Engineering

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr J Frazer

Seconded: Cr L West

That Council receives the Action Report, Works Engineering for December 2021.

Carried: 7/0

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

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr A Jones

That Council admits the below urgent new business report.

Carried: 7/0

14.1 OFFICE CLOSURE OVER THE CHRISTMAS BREAK

FILE REFERENCE: GV.00

AUTHOR'S NAME AND POSITION: Kerry Fisher
Director Corporate Services

AUTHORISING OFFICER AND POSITION: Kevin Hannagan
Chief Executive Officer

DATE REPORT WRITTEN: 15 December 2021

DISCLOSURE OF INTERESTS The author has no financial, proximity or impartial interests in the proposal.

Summary

At the Ordinary Council Meeting held 27 October 2021 Council adopted the dates for the office closure over the Christmas period. Due to staffing shortages an extension of 4 days is required.

Comment

Due to staffing shortages and to incorporate the Christmas Break it is proposed to close the Warburton Administration Building from 4.30pm Wednesday 22nd December 2021 up to and including Friday 7th January 2022. Staff will be available on some days and appointments may be available for urgent matters.

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

Nil.

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

Not Applicable

Attachments

Not applicable

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr D Frazer

Seconded: Cr L West

That Council gives Public Notice of closure of the Warburton Administration Building from 4.30pm Wednesday 22nd December 2021 up to and including Friday 7th January 2022.

Carried: 7/0

15. CONFIDENTIAL MATTERS**16. NEXT MEETING**

Scheduled for Wednesday, 23 February 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 1.44pm.