



**Shire of Ngaanyatjaraku**  
ON A JOURNEY

**ORDINARY MEETING OF COUNCIL**

**MINUTES**

**Tjulyuru Cultural and Civic Centre  
Warburton Community**

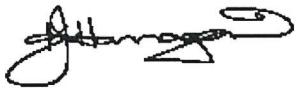
**26 February 2020**

**at**

**1.11 pm**

**SHIRE OF NGAANYATJARRAKU**  
**ORDINARY MEETING OF COUNCIL**

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

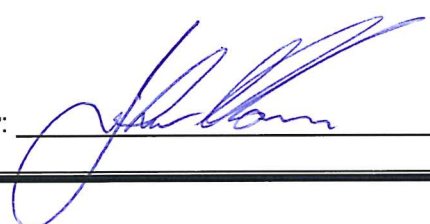


**Chief Executive Officer**

Date: 26-02-2020

These minutes were confirmed by Council as a true and correct record of proceedings of the Meeting of Council held on the 26 February 2020.

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



Date: 25/03/2020..

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**1. DECLARATION OF OPENING**

The Presiding Member declared the meeting open at 1.11 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<br>Councillor<br>Councillor<br>Councillor<br>Councillor  | D McLean<br>D Frazer<br>A Jones<br>L West<br>J Porter |
| <b>Staff:</b>             | CEO  | Kevin Hannagan  |
| <b>Guests:</b>            | Nil  |   |
| <b>Members of Public:</b> | There was one member of the public in attendance at the commencement of the meeting - Harriet Olney, Independent, NCAC |   |

**3.2 APOLOGIES**

Cr. P Thomas

Cr. J Frazer

**3.3 APPROVED LEAVE OF ABSENCE**

Cr A Bates

**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:**

| <b>Item Number/<br/>Name</b> | <b>Type of Interest</b> | <b>Nature/Extent of Interest</b> |
|------------------------------|-------------------------|----------------------------------|
|                              |                         |                                  |

**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 (ATT 9.1)**

**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 18 December 2019 at the Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community (ATTACHMENT 9.1) be confirmed as a true and accurate record.**

**Carried: 5/0**

**9.2 MINUTES OF AUDIT COMMITTEE MEETING (Tabled)**

**Officers Recommendation and Council Resolution**

**Moved: Cr J Porter      Seconded: Cr A Jones**

**That Council:**

- 1. Notes the Unconfirmed Minutes of Audit Committee Meeting held on Wednesday 26 February 2020 at the Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community (Tabled); and**

- 2. Adopts the Recommendations from the Audit Committee.**

**Carried: 5/0**

## 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<br>Chief Executive Officer  |
| <b>DATE REPORT WRITTEN:</b>        | 18 January 2020  |
| <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**

Wherever possible, Council decisions are implemented as soon as practicable after a Council meeting. However, there are projects or circumstances that mean some decisions take longer to action than others.

Ongoing monthly reports will show the status of Council Resolutions that have not been actioned.

Generally, all resolutions have been enacted. Some matters are of an on-going nature and will take several months to complete. Attached is a list of those items not yet completed.

#### **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.”*

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'.

#### **Financial Implications**

There are no known financial implications for this matter.

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

**Policy Implications**

There are no known policy implications for this matter.

**Attachments**

Attachment 10.1 - Council Resolutions - Status Report

**Voting Requirement**

Simple Majority

**Officers Recommendation and Council Resolution**

**Moved: Cr D Frazer      Seconded: Cr A Jones**

**That Council notes the attached Council Resolutions – Status as at January 2020 (Attachment 10.1) and this report.**

**Carried: 5/0**



## 10.2 ATTENDANCE BY TELEPHONE CR THOMAS

|                                    |   |
|------------------------------------|---|
| <b>FILE REFERENCE:</b>             | GV.00   |
| <b>AUTHOR'S NAME AND POSITION:</b> | Kevin Hannagan<br>Chief Executive Officer   |
| <b>DATE REPORT WRITTEN:</b>        | 10 January 2020   |
| <b>DISCLOSURE OF INTERESTS:</b>    | The author has no financial, proximity or impartiality interests in the proposal. |

### Summary

For Council to consider a request from Cr Thomas to attend the next Ordinary meeting of Council by telephone.

### Background

Cr P Thomas has advised that he may not be able to attend the next ordinary meeting of Council in person and has requested Council approval to attend by telephone if necessary.

### Comment

In accordance with Regulation 14A (2) Cr Thomas has attended the July, August and September meetings by telephone for the 2019/20 financial year.

### Statutory Environment

#### **Local Government Act 1995**

##### **5.25. Regulations about council and committee meetings and committees**

- (1) *Without limiting the generality of section 9.59, regulations may make provision in relation to —*
- (a) *the matters to be dealt with at ordinary or at special meetings of councils; and*
  - (b) *the functions of committees or types of committee; and*
- (ba) *the holding of council or committee meetings by telephone, video conference or other electronic means;*

#### **Local Government (Administration) Regulations 1996**

##### **14A. Attendance by telephone etc. (Act s. 5.25 (1) (ba))**

- (1) *A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —*
- (a) *the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and*
  - (b) *the person is in a suitable place; and*
  - (c) *the council has approved\* of the arrangement.*
- (2) *A council cannot give approval under sub-regulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person who was not physically present was taken to be present in accordance with this regulation.*

(3) *A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.*

(4) *In this regulation —*

***suitable place*** means a place that the council has approved\* as a suitable place for the purpose of this regulation and that is located —

(a) *in a townsite or other residential area; and*

(b) *150 km or further from the place at which the meeting is to be held under regulation 12, measured along the shortest road route ordinarily used for travelling;*

***townsite*** has the same meaning given to that term in the Land Administration Act 1997 section 3(1).

*\* Absolute majority required.*

*[Regulation 14A inserted in Gazette 31 Mar 2005 p. 1031.]*

### **Financial Implications**

There are no known financial implications.

### **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 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**

Absolute majority Required

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

**Moved: Cr A Jones          Seconded: Cr J Porter**

**That Council approves Cr P Thomas request to attend the next Ordinary Meeting of Council by telephone if necessary.**

**Carried: 5/0**

### 10.3 2019/20 MID YEAR BUDGET REVIEW AS AT JANUARY 2020

|                                    |   |
|------------------------------------|---|
| <b>FILE REFERENCE:</b>             | FM.10   |
| <b>AUTHOR'S NAME AND POSITION:</b> | Kevin Hannagan<br>Chief Executive Officer   |
| <b>DATE REPORT WRITTEN:</b>        | 17 February 2020  |
| <b>DISCLOSURE OF INTERESTS:</b>    | The author has no financial, proximity or impartiality interests in the proposal. |

#### **Summary**

For Council to consider and adopt the proposed amendments to the 2019/20 Budget as a result of the Mid-Year Budget Review process.

#### **Background**

The Department of Local Government and Communities has issued Circular No. 06/2006 to provide local governments with information about the budget review process. The following paragraphs are key points from the circular:

*A budget review is a detailed comparison of the year to date actual results with the adopted budget. It establishes whether a local government continues meeting its budget commitments is in receipt of income and incurs expenditure in accordance with the adopted budget.*

Shire Officers have completed a review of the Shire's 2019/20 budget as at 31 January 2020. This review is now presented to Council and the outcome of that review is to be considered for adoption by Council. As part of the process Officers have examined the operations of the Shire for the 2019/20 financial year to date identifying the reasons for significant variances and the action required to address them.

The attached review compares the year to date (YTD) Budget with YTD Actual, and commentary is provided on variances to the adopted budget (see Note 4). Officers have ensured that Council resolutions presented during the 2010/20 financial year have been incorporated in this Mid-Year Budget Review. Changes to the Adopted Budget are proposed by Officers where they believe that circumstances have occurred that impact permanently on the budget position for the financial year under review.

#### **Comment**

The 'net result' of the recommended changes is to have a small surplus to budget at year-end of \$2,338.

2019/20 Operational savings of \$360,914 are to be transferred to the Asset Replacement / Acquisition and Cultural Centre Reserves for future years asset renewals.

Additionally, the Shire's financial result for 2018/19 was \$341,529 better than budget and is also to be transferred to the Asset Replacement / Acquisition Reserve for future years asset renewals.

#### **Statutory Implications**

##### Local Government Act 1995

6.8. *Expenditure from municipal fund not included in annual budget*

- 1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –*

- a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
- b) *is authorised in advance by resolution\*;*
- c) *is authorised in advance by the mayor or president in an emergency.*

*\* Absolute majority required.*

- (1a) *In subsection (1) — additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.*
- 2) *Where expenditure has been incurred by a local government —*
  - a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; an*
  - b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council*
  - c) *[Section 6.8 amended by No. 1 of 1998 s. 19.]*

### Local Government (Financial Management) Regulations 1996

#### *32. Amounts which may be excluded when calculating budget deficiency (Act s. 6.2(3))*

*A local government may exclude from the calculation of the budget deficiency —*

- a) *money borrowed or to be borrowed, to the extent that it is proposed in the annual budget to remain unspent at the end of the financial year; and*
- b) *reserves, to the extent that they are proposed in the annual budget to remain unspent at the end of the financial year; and*
- c) *in relation to a land transaction or trading undertaking, assets and liabilities, to the extent to which they are proposed in the annual budget to remain restricted to the purposes of the land transaction or trading undertaking at the end of the financial year; and*
- d) *any proposed amounts of depreciation of non-current assets; and*
- e) *assets from grants or gifts or non-cash revenue or expenditure; and*
- f) *current liabilities which, by their nature, are restricted, to the extent that they are proposed in the annual budget to remain uncleared at the end of the financial year; and*
- g) *any other current assets which, by their nature, are restricted, to the extent that they are proposed in the annual budget to remain unused at the end of the financial year.*

#### *33A. Review of Budget - Local Government (Financial Management) Regulations 1996*

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
  - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
  - (b) *consider the local government's financial position as at the date of the review; and*
  - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*

(3) *A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

*\*Absolute majority required.*

(4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

### **Financial Implications**

After taking into account all adjustments considered to be permanent changes to the budget position for the 2019/20 financial year detailed in the mid-year Budget Review Report, the overall position of the Shire is forecast to have a small surplus budget at year-end of \$2,338. There have been savings made and It is proposed to transfer these into Asset Replacement / Acquisition and Cultural Centre Reserves for future years asset renewals.

Officers have ensured that Council resolutions presented during the financial year have been considered in the mid-year Budget Review Report. A summary of the financial implications is included in the attached report.

### **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'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**

No policy implications apply in the preparation of the report.

### **Attachments**

Attachment 10.3 – 2019 / 20 Mid-Year Budget Review Report

### **Voting Requirement**

Absolute Majority Required.

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

**Moved: Cr D Frazer**

**Seconded: Cr A Jones**

#### **That Council:**

- 1. Receives the Mid-Year Budget Review Report for the period ended 31 January 2020;**
- 2. Adopts the 2019/20 revised budget position and associated budget amendments as per Attachment 10.3 - 2019 / 20 Mid-Year Budget Review Report; and,**
- 3. Requests the Chief Executive Officer to, within 30 days of this determination, provide a copy of the review and determination to the Department of Local Government Sport and Community Industries.**

**Carried: 5/0**

## 10.4 ORGANISATION STRUCTURE

|                                    |  |
|------------------------------------|--|
| <b>FILE REFERENCE:</b>             | PL.00  |
| <b>AUTHOR'S NAME AND POSITION:</b> | Kevin Hannagan<br>Chief Executive Officer  |
| <b>DATE REPORT WRITTEN:</b>        | 18 February 2020   |
| <b>DISCLOSURE OF INTERESTS:</b>    | The author has an interest shared in common as the position of CEO is in the organisation structure. |

### Summary

For Council to consider an Organisation Structure for the administration of the Shire.

### Background

The Local Government Act 1995 requires Council to ensure there is an appropriate organisation structure for administration of the local government.

### Comment

It is generally accepted that an organisation structure should contain all positions contained in the Shires Annual Budget.

In October 2019, Council approved the creation of a new Casual / Part-Time position of Operations Coordinator due to the following reasons.

Chief Executive Officer – the CEO has been focused on Compliance with the Local Government Act and a range of other Federal and State Acts and supporting Legislation that the Shire has not been compliant with. Additionally, contemporary local government systems and processes were needed to be put in place. The Shires Long Term Financial Sustainability is a major matter for attention. Additionally, the CEO needs to drive a Lands Service Review with NCAC and other Federal / State Agencies to argue the case for better service provision to the shire's communities. This will also link into the major review of the Shires integrated Strategic Plan in 2020. Economic Development in the Tourism sector is another opportunity to be explored with development of a Tourism Strategy around the sealing of the Great Central Road and development of 'Town Entry' concepts for Warburton to capture more tourism dollars. For the CEO to focus more of these emerging 'strategic' matters he needs to pass more 'operational' matters to other staff.

Deputy CEO – The DCEO has been assisting the CEO with compliance matters and establishing contemporary local government systems and processes. The 2018/19 Annual Financial Statements for the first time in years have been completed within the DLGSC timeframes of 31 December 2019. The Shire has not renewed the 'Financial Services' component of the BPMS providers contract. These financial functions will now be done 'in-house' saving the Shire \$60k p.a. The CEO will also be passing more 'operational' matters to the DCEO and it was also proposed, to the new Operations Coordinator to free up his time for more 'strategic' matters.

Principal EH / Building Officer – has advised that he wishes to reduce his hours in 2020 due to other personal commitments and signaled further reductions in hours next year. Additionally, now that the Shire does not participate in the Aboriginal Environmental Health Program, this has reduced his management and supervision time. It is also proposed to pass the Waste Operations functions to NCAC as part of the REMS Contract.

There are also several projects that need progressing and will need to be transferred to somebody.

The proposed position of Operations Coordinator has not been progressed due to changed

circumstances. It is now proposed to abolish the position of Operations Coordinator and create a Casual (.5 FTE), contract Strategic Projects Manager, reporting to the CEO.

If the current Principal EH / Building Officer is not able to fulfill the role going forward, consideration will be given to liaison with the Northern Councils Working Group to consider sharing a resource across the region or commence a recruitment to process for the amended role.

It is now appropriate for Council to consider an organisation structure as a result of these changes to be implemented in 2020 and to also be reflected in the 2019/20 Mid-Year Budget Review.

### **Statutory Environment**

*Local Government Act 1995*

*5.2. Administration of local governments*

*The council of a local government is to ensure that there is an appropriate structure for administering the local government.*

### **Financial Implications**

The new position of Casual, Strategic Project Manager has been factored into the Shire's Mid-Year Budget Review. The impact of this change will not be significant as there are offsetting savings in other areas.

### **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 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**

10.4 – Proposed Organisation Structure, 1 March 2020

### **Voting Requirement**

Simple Majority Required.

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

**Moved: Cr D Frazer      Seconded: Cr A Jones**

**That Council approves the attached Proposed Organisation Structure, 1 March 2020 as an appropriate structure for administering the local government.**

**Carried: 5/0**

## 10.5 LOCAL GOVERNMENT HOUSE TRUST – DEED OF VARIATION

|                                    |   |
|------------------------------------|---|
| <b>FILE REFERENCE:</b>             | GR.00   |
| <b>AUTHOR'S NAME AND POSITION:</b> | Kevin Hannagan<br>Chief Executive Officer   |
| <b>DATE REPORT WRITTEN:</b>        | 20 February 2020  |
| <b>DISCLOSURE OF INTERESTS:</b>    | The author has no financial, proximity or impartiality interests in the proposal. |

### Summary

For Council to consider consenting by formal resolution to a variation to the WALGA Trust Deed for the Local Government House Trust (The Trust).

### Background

The Local Government House Trust ("The Trust") exists primarily to provide building accommodation for the Western Australian Local Government Association. Since January 2014, the Trust has provided WALGA with accommodation at 170 Railway Parade West Leederville.

The current trust deed commenced in 1993 and was amended in 2002 to reflect the merger of the metropolitan and country associations into WALGA. The current Trust Deed pronounces WALGA as Trustee and unit holders as Beneficiaries, with the Trustee holding property and associated monies "upon Trust" and in proportion to the units provided.

Commencement date of the current deed is 17 February 1993, with a vesting date 79 years from commencement - which means that the Trust ends in 2072.

The Trust is exempt from income tax on the basis of being a State / Territory Body (STB) pursuant to Division 1AB of the Income Tax Assessment Act 1936.

### Comment

Trust Deed amendments set out in the Deed of Variation are based on legal advice and are intended to assist the Trust's income tax exempt status by strengthening the position that the Trust is a State / Territory Body (STB).

Legal advice identified that the Trustee's ability to retire and appoint a new Trustee might affect the Trust's classification as a State or Territory Body (STB). This view, while based upon highly technical grounds, is a risk nonetheless.

Subsequently the Deed of Variation aims to strengthen the position that the Trust is a STB through the following amendments:

1. removing the existing Trustee's power to retire and appoint a new Trustee (Clause 2.1 and 2.2 (22.3) of the Deed of Variation)
2. enabling the beneficiaries to appoint and remove a Trustee (Clause 2.2 (22.4) of the Deed of Variation), and
3. ensuring that the Board of Management is the 'governing body' of the Trust (Clause 2.3 of the Deed of Variation)

The three proposed amendments when applied to the relevant clauses inserted by the Deed of Variation dated 5 June 2002 will subsequently read as follows (proposed amendments shown in *italics* text):

1. Variation 2.1 amends clause 22.1 to point to additional clause:  
22.1 Any Trustee of the Trust may retire as Trustee of the Trust. ~~The Subject to clause 22.3,~~ the right to appoint any new or additional trustee or trustees of the Trust is hereby vested in the retiring or continuing trustee. A corporation or incorporated association may be appointed



as Trustee of the Trust.

2. Variation 2.2 inserts two new clauses:

*22.3 The retiring or continuing trustee shall only be entitled to appoint any new or additional trustee of the Trust with the consent of not less than 75% of the Beneficiaries.*

*22.4 The Beneficiaries may at any time by Special Resolution:*

*(a) remove a Trustee from the office as Trustee of the Trust;  
and*

*(b) appoint such new or additional Trustee.*

3. Variation 2.3 insert a new clause 13A

**13A Delegation to the Board of Management**

*Unless the Beneficiaries otherwise direct (such direction to be given by not less than 75% of the Beneficiaries), the Trustees shall delegate all of the powers authorities and discretions contained in subclauses (a) to (x) of clause 12 to the Board of Management. The Trustees shall, at the direction of the Board of Management, do such things as may be necessary to give effect to the exercise of a power, authority or discretion by the Board of Management.*

The first two amendments outlined above remove powers granted to the Trustee in the 2002 Deed Variation resulting from the merger to a single Association representing WA Local Governments. These amendments which previously facilitated the transfer of trusteeship to the then new Western Australian Local Government Association are removed, but with the clarification that any appointment must be with the consent of the beneficiaries.

The final amendment intends to confirm that power rests with the Board of Management. As the Board of Management comprises Local Governments, this satisfies the requirements of a STB for tax purposes. This amendment reflects the actual operation of the Trustee in implementing the decisions of the Board of Management whilst retaining sufficient operational discretion to place and renew investments and pay suppliers.

These amendments provide greater power to beneficiaries through the Board of Management, and as such it is anticipated they will be considered acceptable.

The Shire of Ngaanyatjarraku is a unit holder and beneficiary to the Local Government House Trust, holding 2 unit/s as advised in WALGA's recent Quarterly Report Q4 2019.

The Trust's Board of Management is seeking to vary the Trust Deed in order to assist the Trust's income tax exempt status. As stipulated by the Deed, the Trust requires consent of at least 75 per cent of all beneficiaries in order to execute this variation.

As a beneficiary, the Shire of Ngaanyatjarraku is requested to consent to the enclosed Deed of Variation supported by a resolution of Council; and to communicate this consent to WALGA in writing. Please note, WALGA are requesting consent for the Trustee to formally execute the attached Deed of Variation – the Shire is not required to sign the attached document.

**Statutory Environment**

Not applicable.

**Financial Implications**

There are no known financial implications.

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

**Policy Implications**

There are no known policy implications for this matter.

**Attachments**

Attachment 10.5 – Deed of Variation

**Voting Requirement**

Simple Majority Required.

**Officers Recommendation and Council Resolution**

**Moved: Cr J Porter            Seconded: Cr A Jones**

**That Council advise WALGA that it consents to changes to the Trust Deed for the Local Government House Trust (The Trust) as outlined in this report and the Deed of Variation (Attachment 10.5).**

**Carried: 5/0**

## 11 DEPUTY CEO REPORTS

### 11.1 PAYMENTS LISTING, DECEMBER 2019

|  |  |
|--|--|
| <b>FILE REFERENCE:</b>                   | FM.07  |
| <b>AUTHOR'S NAME AND POSITION:</b>       | Kerry Fisher<br>Deputy Chief Executive Officer |
| <b>AUTHORISING OFFICER AND POSITION:</b> | Kevin Hannagan<br>Chief Executive Officer      |
| <b>DATE REPORT WRITTEN:</b>              | 13 January 2020                                |
| <b>DISCLOSURE OF INTERESTS:</b>          | Nil  |

#### 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**

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'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**

There are no known policy implications for this matter

**Attachments**

Attachment 11.1 – Payment Listings

**Voting Requirement**

Simple Majority Required.

**Officers Recommendation and Council Resolution**

**Moved: Cr L West**

**Seconded: Cr D Frazer**

**That Council receives the Payment Listing, December 2019 totaling payments of \$727,094.05 as per Attachment 11.1.**

**Carried: 5/0**

## 11.2 PAYMENTS LISTING, JANUARY 2020

|  |  |
|--|--|
| <b>FILE REFERENCE:</b>                   | FM.07  |
| <b>AUTHOR'S NAME AND POSITION:</b>       | Kerry Fisher<br>Deputy Chief Executive Officer |
| <b>AUTHORISING OFFICER AND POSITION:</b> | Kevin Hannagan<br>Chief Executive Officer      |
| <b>DATE REPORT WRITTEN:</b>              | 17 February 2020                               |
| <b>DISCLOSURE OF INTERESTS:</b>          | Nil  |

### 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

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'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**

There are no known policy implications for this matter

**Attachments**

Attachment 11.2 – Payment Listings

**Voting Requirement**

Simple Majority Required.

**Officers Recommendation and Council Resolution**

**Moved: Cr J Porter      Seconded: Cr A Jones**

**That Council receives the Payment Listing, January 2020 totalling payments of \$353,102.19 as per Attachment 11.2.**

**Carried: 5/0**

## 11.3 COUNCIL INVESTMENTS

|  |  |
|--|--|
| <b>FILE REFERENCE:</b>                   | FM.04  |
| <b>AUTHOR'S NAME AND POSITION:</b>       | Kerry Fisher<br>Deputy Chief Executive Officer   |
| <b>AUTHORISING OFFICER AND POSITION:</b> | Kevin Hannagan<br>Chief Executive Officer  |
| <b>DATE REPORT WRITTEN:</b>              | 18 February 2020   |
| <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.

### 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**

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 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 CS2.7 Investments.

**Attachments**

Attachment 11.3 – Westpac screen prints of Municipal and Investment Accounts. (No monies are currently being held with any other institutions.)

**Voting Requirement**

Simple Majority Required.

**Officers Recommendation and Council Resolution**

**Moved: Cr A Jones**

**Seconded: Cr D Frazer**

**That the report on Council Investments as at 18 February 2020 be received.**

**Carried: 5/0**



## 11.4 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDED DECEMBER 2019

|  |  |
|--|--|
| <b>FILE REFERENCE:</b>                   | FM.10  |
| <b>AUTHOR'S NAME AND POSITION:</b>       | Kerry Fisher<br>Deputy Chief Executive Officer   |
| <b>AUTHORISING OFFICER AND POSITION:</b> | Kevin Hannagan<br>Chief Executive Officer  |
| <b>DATE REPORT WRITTEN:</b>              | 13 January 2020  |
| <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 for December 2019.

### Background

Council is to prepare monthly financial reports as required by the Local Government (Financial Management Regulations) 1996.

Council has resolved that 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. Depreciation is yet to be run for 2019-20, awaiting the finalisation of the audit of the 2018/19 Annual Financial Statements.

### 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 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; or
  - (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 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**

Integrated Strategic Plan 2018 - 2028

Goal 3, Leadership

Outcome 3.2, Good Leadership

### **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**

No policy implications apply in the preparation of the report.

### **Attachments**

Attachment 11.4 - Monthly Financial Report December 2019.

### **Voting Requirement**

Simple Majority Required.

**Officers Recommendation and Council Resolution**

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

**That Council receives the monthly financial reports for December 2019.**

**Carried: 5/0**

## 11.5 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDED JANUARY 2020

|  |  |
|--|--|
| <b>FILE REFERENCE:</b>                   | FM.10  |
| <b>AUTHOR'S NAME AND POSITION:</b>       | Kerry Fisher<br>Deputy Chief Executive Officer   |
| <b>AUTHORISING OFFICER AND POSITION:</b> | Kevin Hannagan<br>Chief Executive Officer  |
| <b>DATE REPORT WRITTEN:</b>              | 20 February 2020   |
| <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 for January 2020.

### Background

Council is to prepare monthly financial reports as required by the Local Government (Financial Management Regulations) 1996.

Council has resolved that 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. A substantial amount of these issues will be addressed in the Mid-Year Budget review. Depreciation has been applied to September and is yet to be run for the remainder of 2019-20.

### 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 subregulation (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**

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 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**

Attachment 11.5 - Monthly Financial Report January 2020.

### **Voting Requirement**

Simple Majority Required.

**Officers Recommendation and Council Resolution**

**Moved: Cr L West**

**Seconded: Cr D Frazer**

**That Council receives the monthly financial report for January 2020.**

**Carried: 5/0**

## 11.6 DRESS CODE FOR CITIZENSHIP CEREMONIES

|  |  |
|--|--|
| <b>FILE REFERENCE:</b>                   | GR.00  |
| <b>AUTHOR'S NAME AND POSITION:</b>       | Kerry Fisher<br>Deputy Chief Executive Officer   |
| <b>AUTHORISING OFFICER AND POSITION:</b> | Kevin Hannagan<br>Chief Executive Officer  |
| <b>DATE REPORT WRITTEN:</b>              | 14 February 2020   |
| <b>DISCLOSURE OF INTERESTS:</b>          | The author and the authorising officer have no financial, proximity or impartiality interests in the proposal. |

### Summary

Shire of Ngaanyatjarraku is required to adopt a dress code for Citizenship Ceremonies.

### Background

The revised Australian Citizenship Ceremonies Code (see attachment) was announced by the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, The Honourable David Coleman MP, on 20 September 2019. It requires individual Local Governments to set an appropriate dress code

### Comment

One of the new requirements of the revised Australian Citizenship Ceremonies Code is for Councils to adopt a Dress Code: On page 25 of the Citizenship Ceremony Code it says:

*The attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion. A Dress Code is to be set by individual councils. Councils must provide a current copy of their Dress Code to the Department of Home Affairs.*

The Department has been contacting local governments and advising of their 'non-compliance' with the Australian Citizenship Ceremonies Code as the Shire has not provided a copy of its code.

In compliance with the revised Australian Citizenship Ceremony Code, a draft Shire of Ngaanyatjarraku Citizenship Ceremony Dress Code is at Attachment 16.1.

### Statutory Environment

Australian Citizenship Ceremonies Code

### Financial Implications

Nil

### 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'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

An additional policy, Citizenship Ceremony Dress Code is required to be added to the Policy

Manual in Section 1 Members, Meetings and Council.

**Attachments**

Attachment 11.6 - Policy 1:19 Citizenship Ceremony Dress Code.

**Voting Requirement**

Absolute Majority Required

**Officers Recommendation and Council Resolution**

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

**That Council adopt new Policy 1:19 Citizenship Ceremony Dress Code.**

**Carried: 5/0**



## **12. EHO & BUILDING SERVICES REPORTS**

### **12.1 ACTION REPORT – ENVIRONMENTAL HEALTH & BUILDING SERVICES**

|  |  |
|--|--|
| <b>FILE REFERENCE:</b>                   | EM.00  |
| <b>AUTHOR'S NAME AND POSITION:</b>       | Phil Swain<br>Principal EHO & Building Officer   |
| <b>AUTHORISING OFFICER AND POSITION:</b> | Kevin Hannagan<br>Chief Executive Officer  |
| <b>DATE REPORT WRITTEN:</b>              | 10 December 2019   |
| <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 Environmental Health program & 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**

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 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 12.1 – Action Report, EHO / Building Services

#### **Voting Requirement**

Simple Majority Required.

**Officers Recommendation and Council Resolution**

**Moved: Cr D Frazer      Seconded: Cr A Jones**

**That Council receives the Action Report, EHO / Building Services for January / February 2020.**

**Carried: 5/0**

**13.      WORKS ENGINEERING REPORTS**

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

**15.      CONFIDENTIAL MATTERS**

**16.      NEXT MEETING**

Scheduled for Wednesday, 25 March 2020 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 1.40 pm.