



Shire of Ngaanyatjaraku
ON A JOURNEY

ORDINARY MEETING OF COUNCIL

MINUTES

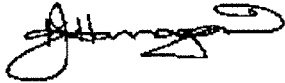
30 September 2020

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.

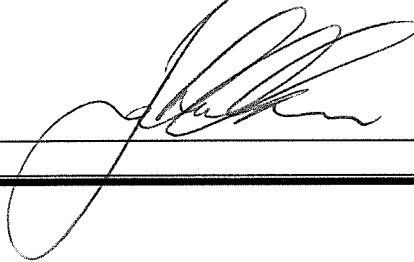


Chief Executive Officer

Date: 30-09-2020

These minutes were confirmed by Council as a true and correct record of proceedings of the Meeting of Council held on the 30 September 2020.

Presiding Member: _____



Date: 28/10/2020

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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 Councillor Councillor Councillor Councillor	D McLean A Jones J Frazer J Porter D Frazer A Bates
Staff:	CEO FAC	K Hannagan (via MS Teams on TV from 1.10pm) G Handy
Guests:		
Members of Public:	There was one member of the public in attendance at the commencement of the meeting, Harriet Olney, Independent, NCAC.	

3.2 APOLOGIES

Cr. L West

3.3 APPROVED LEAVE OF ABSENCE

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.2 PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. DECLARATION BY MEMBERS

6.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA

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

6.2 DECLARATIONS OF INTEREST

Councillors to Note

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

must disclose the nature of the interest:

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

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

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

NOTES ON DECLARING INTERESTS (FOR YOUR GUIDANCE)

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

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

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

Declarations of Interest provided:

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

8. PETITIONS, DEPUTATIONS, PRESENTATIONS

8.1 PETITIONS

8.2 DEPUTATIONS

8.3 PRESENTATIONS

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 MINUTES OF ORDINARY MEETING OF COUNCIL (ATT 9.1)

Voting Requirement
Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr J Frazer

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 24 August 2020 at the Council Chambers, Tjulyuru Cultural and Civic Centre, Warburton Community (ATTACHMENT 9.1) be confirmed as a true and accurate record.

Carried: 6/0

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:	20 September 2020
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

Several resolutions from the July 2020 meeting are still in progress, see Attachment 10.1 for details.

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 J Frazer

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

Carried: 6/0

10.2 UPDATE ON SEALING OF THE GREAT CENTRAL ROAD

FILE REFERENCE: RD.00

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

DATE REPORT WRITTEN: 18 September 2020

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

Summary

For Council to be updated on sealing of the Great Central Road and consider agreement for maintaining some sections off the road.

Background

The Outback Way Governance Group was been established to coordinate the planning and delivery of the works that will be undertaken to extend the sealing of the Great Central Road (GCR) which forms the WA Section of the Outback Way. The Outback Way is the name given to the route that extends from Laverton in WA to Winton in Qld, via Uluru and Alice Springs in the Northern Territory. The Commonwealth Government (80%), combined with the WA State Government (20) are investing in the upgrade and sealing of the Great Central Road so that it can meet the demands of mining, tourism, freight transport and community development from a safe, efficient and sustainable manner. The State Government is the recipient of the Commonwealth funding who have committed \$396m until 2026/27, further funding will be required to complete the whole length.

The Shires Chief Executive Officer has been attending meetings and advocating for works within the Shire of Ngaanyatjarraku. It is MRWA normal practice to construct the sealed road from Laverton and have one contiguous link to the NT Border. However, MRWA have recognised that it will be many years before the sealing is completed to the NT Border. The Shire has also secured funding of \$1.5m p.a. to maintain and renew the gravel section within the Shire until sealing is completed, this has greatly assisted the Shire's financial position.

The Shire has been advocating for some strategic sealing works to be undertaken within the Shire to improve tourism and development potential. MRWA have agreed to submit funding proposals for the following projects to commence in late 2021:

1. commence sealing from the existing seal section west of Warburton through to the end of the township using the existing road alignment;
2. construct a gravel road bypass of Warburton;
3. reconstruct and seal a section of the road at the intersection and entry towards Warakurna; and
4. seal from the above intersection along the western existing gravel road to join up with the sealed section to the roadhouse and caravan park precinct.

Comment

The Warburton bypass at 2 above has come about due to community concerns of the potential risks associated with extremely large bquad truck movements transporting mining product from the proposed Jameson, West Musgrave project as the road dissects the roadhouse and the main township. A bypass would divert such heavy vehicles and be an alternative access from the east should the Elder Creek overflow for a lengthier period than normal.

The Shire does not have the funds to construct such a bypass and has put the case that savings from using the existing road alignment could be used to construct the bypass. MRWA support this view as construction of a new alignment with all year-round access would cost much more. However, they have advised that the Shire would need to maintain the new 14.9 km gravel bypass.

The Shire has proposed earlier sealing of a section at the Warakurna turn-off to attract attention of increased tourist numbers to divert off the GCR and visit the roadhouse, caravan park and other facilities at Warakurna and hopefully generate a higher tourist \$ spend for the community. This proposal has MRWA support.

The Shire has also advocated for the section from the Roadhouse precinct to the GCR western intersection to also be sealed at the same time as the Shire does not have the funds to reconstruct and seal this. MRWA support this view but the Shire would need to maintain the new 2km sealed road to the Roadhouse precinct.

Statutory Environment

Section 2.7 of the Local Government Act 1995 states:

“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.”

Financial Implications

The Shire has previously resolved to enter into a Road Maintenance Agreement with the operators of the proposed Jameson, West Musgrave project, this could include the Warburton Bypass.

The Shire will also need to consider in its Long Term Financial Plan for the resealing of the Warakurna sealed section (15yrs time) as part of the resealing program for existing sealed town roads.

Strategic Implications

Integrated Strategic Plan 2018 - 2028

Goal 1, Our Land

Outcome 1.2, Travel the Land

Strategy: 1.2.1, Good Roads

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 – Map of proposed new Warburton bypass location.

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr A Bates

That Council advise Main Roads WA that it consents to the following:

- 1. assuming responsibility for maintenance of the 14.9 km Warburton Bypass after construction to a gravel road standard by MRWA; and**
- 2. assuming responsibility for maintenance of the 2.0km Warakurna Access Road (West) from the Great Central Road intersection to Warakurna Access Road (roadhouse precinct) after reconstruction to a sealed road standard by MRWA.**

Carried: 6/0

10.3 LANDS SERVICE REVIEW

FILE REFERENCE: CM.14

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

DATE REPORT WRITTEN: 23 September 2020

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

Summary

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

Background

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

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

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

Comment

Since then the Aboriginal Engagement unit and the Goldfields Regional and Remote Service Delivery unit have set up a joint working group made up of State representatives across various portfolios and the Ngaanyatjarra Council Aboriginal Corporation (NCAC) and the Shire of NG.

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

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

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

1. Map current service provision arrangements across State, Local, Commonwealth, and non-government sectors:
 - a. What services are provided, and by whom?
 - b. What are the funding arrangements and costs?
2. Identify service gaps, overlaps and inefficiencies, including by reference to:
 - Comparator Shires

- RSRU Municipal Services Standards

1. Provide costed recommendations for future service delivery and funding arrangements.

Progress to date

- Swimming Pools – whilst this is primarily an NCAC and member communities issue, the Shire has been advocating with various State agencies to try and have the State fund Royal Life Saving WA to operate these pools for the next two seasons to enable a longer term solution to be found.
- Waste Management – the Shire has listed on the WALGA Vendor Panel a request for Quotation for a consultancy to undertake development of a Waste Management Plan covering immediate and longer-term issues.
- Recreation Services - the Shire has listed on the WALGA Vendor Panel a request for Quotation for a consultancy to undertake development of a Sport & Recreation Plan covering immediate and longer-term issues.
- Lands Service Review – State Agencies are developing a Scope of Works covering all remaining issues.
- Fire and Emergency Services – See Confidential Report in this Agenda and the Working Group have listed this item as part of the Lands Service Review, Scope of Works.

Statutory Environment

Section 2.7 of the Local Government Act 1995 states:

“Role of council

(5) The council —

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

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

(6) Without limiting subsection (1), the council is to —

(a) oversee the allocation of the local government’s finances and resources; and

(b) determine the local government’s policies.”

Financial Implications

The Shire has made in its Annual Budget 2020/21 a budget allocation for the above-mentioned strategic plans.

Strategic Implications

Integrated Strategic Plan 2018 – 2028

Goal 1, Looking after our land

Outcome 1.4, Live on the Land

Strategy, 1.3.3 Appropriate services delivered to community

Action - Undertake Lands Service Review

Strategy, 1.3.4 Good Facilities

Action - Work with NCAC to Provide and Maintain Recreation Facilities

Goal 2, Looking after our people

Outcome 2.2 Healthy People

Strategy, 2.2.1 No Rubbish

Action - Rubbish service across lands included in REMS Contract

Strategy, 2.2.2 Good health service

Action - Facilitate delivery of good health service access

Action - Provide environmental health services

Outcome, 2.3 Smart People

Strategy, 2.3.1 Good Education

Action - Provide early years learning service

Goal 3, Leadership

Outcome 3.2, Good Leadership

Strategy, 3.1.2 Financially sustainable local government

Action - Review all Shire Services

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 the resolution of issues identified and the Shire's Long Term Financial Sustainability is resolved.

Policy Implications

Not Applicable.

Attachments

Attachment 10.3(a) – Scope of Works, Waste Management Plan

Attachment 10.3(b) – Scope of Works, Sport & Recreation Plan

Voting Requirement

Simple Majority

Officers Recommendation and Council Resolution

Moved: Cr J Frazer

Seconded: Cr D Frazer

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

Carried: 6/0

11 DEPUTY CEO REPORTS

11.1 PAYMENTS LISTING, AUGUST 2020

FILE REFERENCE:	FM.07
AUTHOR'S NAME AND POSITION:	Kerry Fisher Deputy Chief Executive Officer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	13 September 2020
DISCLOSURE OF INTERESTS:	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 J Porter

Seconded: Cr D Frazer

That Council receives the Payment Listing, August 2020 totaling payments of \$553,809.40 as per Attachment 11.1.

Carried: 6/0

11.2 COUNCIL INVESTMENTS

FILE REFERENCE:	FM.04
AUTHOR'S NAME AND POSITION:	Kerry Fisher Deputy Chief Executive Officer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	23 September 2020
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.

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 Finance 2.12 Investment.

Attachments

Attachment 11.2 – 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 D Frazer Seconded: Cr A Bates

That the report on Council Investments as at 23 September 2020 be received.

Carried: 6/0

11.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDED

FILE REFERENCE:	FM.10
AUTHOR'S NAME AND POSITION:	Kerry Fisher Deputy Chief Executive Officer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	13 September 2020
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 for July 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.

Please note that the figures in this report do not contain Depreciation Expenses as the depreciation model will not be run until the 2019/20 Annual Audit is completed.

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. Please note that the figures in this report do not contain Depreciation Expense as mentioned above.

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 11.3 - Monthly Financial Report, July 2020.

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr J Frazer

That Council receives the monthly financial report for July 2020.

Carried: 6/0

11.4 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH ENDED

FILE REFERENCE:	FM.10
AUTHOR'S NAME AND POSITION:	Kerry Fisher Deputy Chief Executive Officer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	13 September 2020
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 for August 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.

Please note that the figures in this report do not contain Depreciation Expenses as the depreciation model will not be run until the 2019/20 Annual Audit is completed.

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. Please note that the figures in this report do not contain Depreciation Expense as mentioned above.

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 11.3 - Monthly Financial Report, August 2020.

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr A Jones Seconded: Cr J Porter

That Council receives the monthly financial report for August 2020.

Carried: 6/0

12. EHO & BUILDING SERVICES REPORTS

12.1 ACTION REPORT – ENVIRONMENTAL HEALTH & BUILDING SERVICES

FILE REFERENCE: EM.00

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

AUTHORISING OFFICER AND POSITION: Kevin Hannagan
Chief Executive Officer

DATE REPORT WRITTEN: 17 September 2020

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

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 14.1 – Action Report, EHO / Building Services

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr A Bates

That Council receives the Action Report, EHO / Building Services for August 2020.

Carried: 6/0

13. WORKS ENGINEERING REPORTS

13.1 RAV NETWORK UPGRADE - MRWA REQUEST

FILE REFERENCE: RD.00

AUTHOR'S NAME AND POSITION: Peter Kerp
Works Engineer

AUTHORISING OFFICER AND POSITION: Kevin Hannagan
Chief Executive Officer

DATE REPORT WRITTEN: 14 September 2020

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

Summary

For Council to consider Main Roads proposal to upgrade Blackstone Warburton Road and Wingellina Access Road that are currently approved for RAV Network 2 to RAV Network 4.

Background

Shire received correspondence dated 17 August 2020 from Main Roads WA, Heavy Vehicle Section seeking Council comments to enable its Heavy Vehicle Section (HVS) to consider any potential issues as part of their assessment process. As these roads are currently already approved for 27.5 metre access, Main Roads has determined there is negligible risk to safety associated with upgrading them to RAV Network 4.

Comment

In Western Australia, Permits are required to operate certain types of Restricted Access Vehicles (RAVs) unless authorised under a Class of Order (formally known as a Notice). Permits are issued by the Commissioner of Main Roads and Orders can be issued by either the Commissioner of Main Roads or the Director General, Transport. Both are used to grant access to RAVs to access certain parts of the WA road network under specific operating conditions.

Generally, a vehicle or vehicle combination exceeding any of the following limits is a RAV and must be operated in accordance with a permit or order.

2.5m in width

4.3m in height

12.5m in length for a rigid vehicle

19m in length for a combination

42.5t gross mass

MRWA assess RAV categories by grouping into 4 assessment levels, of which Categories 2-4 (e.g. Pocket Road Train, B-Double, and other RAVs with a maximum length of either 25.0m or 27.5m)

Currently RAV2 network is approved along the following Shire roads:

- (i) Great Central Road from Laverton Shire boundary to WA/NT border (*not part of this report as Great Central Road is RAV2 – RAV10 Network approved route*).
- (ii) Blackstone Warburton Rd from Great Central Rd junction to Giles Mulga Park Rd.
- (iii) Wingellina Access Rd from Giles Mulga Park Rd junction into Wingellina Community.

What is missing is the section of Giles Mulga Park Rd from the Blackstone Warburton Junction to connect to Wingellina Access Rd as an existing approved RAV2 route. Discussion with HVS

could not shed any light as to the omission of this section of Giles Mulga Park Rd. Consideration and resolution of this report will correct this anomaly of the missing section.

Council would need to consider the RAV2 Network missing link of Giles Mulga Park Road terminating at Wingellina Access Road junction or continuing to WA/SA border. Continuation into SA impacts the jurisdiction of the adjoining local government/indigenous land council that would require their consultation. There is anecdotal evidence that long vehicles (live camel transporters) cross the WA/SA border along Giles Mulga Park Road.

If this is the case, it provides an opportunity for Council to support Giles Mulga Park Road as Tandem Drive Networks route from Blackstone Warburton Road junction to the WA/SA border.

MRWA will perform a physical assessment of the suitability for upgrade from RAV2 to RAV4 network, of Blackstone Warburton Rd (full length), Giles Mulga Park Rd (Blackstone Warburton Rd junction to WA/SA border), and Wingellina Access Rd (Giles Mulga Park Rd junction into community).

The Shire is obliged to provide current traffic counts for the particular road. The traffic counts will be considered by MRWA when determining appropriate road widths, potential congestion issues and operating conditions (such as speed limits, hours of operations, accreditation requirements etc.).

The current conditions existing on Tandem Drive RAV Networks within the Shire are:
All operators require Ngaanyatjaraku Council Aboriginal Corporation (location Alice Springs) Permit in addition to MRWA Permit to access LG roads off the Great Central Road. No operation on the unsealed road segment when visibly wet, without the road owner's approval.

There are no physical differences to the maximum length or weight of the vehicle combinations covering RAV2/RAV4 networks, so therefore it can be concluded there is minimal risk to safety associated with upgrade to RAV Network 4 from the current approved RAV2 Network.

A distinction must be made between engineered unsealed roads, and non-engineered unsealed roads and tracks. Each may have gravel or earth surfaces which influences both the level of service and the deterioration of the road. Engineered roads have controlled alignment, formation width, cross-section profile and drainage, whereas non-engineered unsealed roads are essentially tracks formed by trafficking along natural contours with or without the removal of topsoil.

Blackstone Warburton Road, Giles Mulga Park Road and Wingellina Access Road have sections that fall within poor geometric design standards (tight curves, restricted sight distance, poor signage and delineation, and poor vertical and horizontal coordination. Improving road construction standards on the unsealed road network poses a significant challenge for the Shire when there is often numerous roadworks needed to address the many potential hazardous situations within limited available budgets.

Road improvements are being or have been progressively carried out on Blackstone Warburton Road, Giles Mulga Park Road and Wingellina Access Road with increased road carriageway width, additional road material depth and delineation that has resulted in improved safety on the unsealed road network.

Statutory Environment

The Road Traffic (Vehicles) Regulations 2014.

Financial Implications

Unknown. There could be considerable funds required to install additional signage, delineation, and road upgrades.

Strategic Implications

Integrated Strategic Plan 2018 - 2028
Goal 1, Our Land
Outcome 1.2, Travel the Land
Strategy: 1.2.1, Good Roads

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 Required.

Officers Recommendation and Council Resolution

Moved: Cr A Jones Seconded: Cr J Frazer

That Council advise Main Roads WA Heavy Vehicle Section that it supports the upgrade of the following roads from RAV Network 2 to RAV Network 3 and 4:

- a). Blackstone Warburton Road from Great Central Road to Giles Mulga Park Road junction.**
- b). Giles Mulga Park Road from Blackstone Warburton Road junction to Wingellina Access Road and/or WA/SA border.**
- c). Wingellina Access Road from Giles Mulga Park Road junction to Wingellina Community.**
- d) Main Roads WA Heavy Vehicle Section consider applying the operating conditions below, as a condition of permit, to the very low traffic volume roads, described above:**
 - (i) Ngaanyatjarraku Aboriginal Council (location Alice Springs) Permit in addition to MRWA Permit.**
 - (ii) No operation on unsealed road segment when visibly wet, without road owner's approval.**
 - (iii) Headlights must always be switched on.**
 - (iv) Current written support from the road asset owner, endorsing use of the road, must be obtained, carried in the vehicle, and produced upon request.**
 - (v) Direct radio contact must be maintained with other RAVs to establish their position on or near the road (suggested UHF Ch 40).**

Carried: 6/0

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

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Resolution

Moved: Cr J Porter Seconded: Cr D Frazer

That Council:

1. That Council admits urgent business Report:

14.1 RAV NETWORK INCLUSION – JAMESON WANARN ROAD

Carried: 6/0

14.1 RAV NETWORK INCLUSION – JAMESON WANARN ROAD

FILE REFERENCE: RD.00

AUTHOR'S NAME AND POSITION: Peter Kerp
Works Engineer

AUTHORISING OFFICER AND POSITION: Kevin Hannagan
Chief Executive Officer

DATE REPORT WRITTEN: 30 September 2020

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

Summary

For Council to consider including Jameson Wanarn Road as an approved RAV Network 3-4.

Background

Collecting traffic data from the shire's rural road network is required to be forwarded to MRWA on a regular basis, and it has been observed that data collected from Jameson Wanarn Road showed long vehicle movements along this road. Existing MRWA records show that no permit (RAV2-10 network) had been approved for this road.

Comment

Data collected from Jameson Wanarn Road showed that during the period 5th May to 30th June 2020, Class 10 (b-doubles – total of 3), Class 11 vehicles (double road trains – total of 80) and Class 12 (triple road trains – total of 7) utilized this road travelling from the Great Central Road intersection.

This provides an opportunity for Council to consider supporting Jameson Wanarn Road as Tandem Drive Network route from Great Central Road junction to the Jameson, Blackstone and Wingellina community townships as it provides a direct route for freight operators.

MRWA will perform a physical assessment of the suitability of Jameson Wanarn Road for inclusion to RAV3-4 network. It can be concluded there is minimal risk to safety associated with

inclusion to RAV Network 4.

The Shire is obliged to provide current traffic counts for this road. The traffic counts will be considered by MRWA when determining appropriate road widths, potential congestion issues and operating conditions (such as speed limits, hours of operations, accreditation requirements etc.).

The current conditions existing on Tandem Drive RAV Networks within the Shire are:
All operators require Ngaanyatjarraku Aboriginal Council (location Alice Springs) Permit in addition to MRWA Permit to access LG roads off Great Central. No operation on unsealed road segment when visibly wet, without road owner's approval

Jameson Wanarn Road has sections that fall within poor geometric design standards (tight curves, restricted sight distance, poor signage and delineation, and poor vertical and horizontal coordination. Road improvements have been progressively carried out on Jameson Wanarn Road with increased road carriageway width, additional road material depth and delineation that has resulted in improved safety on the unsealed road network.

Statutory Environment

The Road Traffic (Vehicles) Regulations 2014.

Financial Implications

Funds will be required on an ongoing basis to install additional signage, delineation, and road upgrades for the sections mentioned in this report.

Strategic Implications

Integrated Strategic Plan 2018 - 2028

Goal 1, Our Land

Outcome 1.2, Travel the Land

Strategy: 1.2.1, Good Roads

Risk Management and relevant operating conditions

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

NIL

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr J Frazer Seconded: Cr D Frazer

That Council advise Main Roads WA Heavy Vehicle Services it has no objection to include Jameson Wanarn Road from Great Central Road to Jameson community township, as an approved RAV3-4 network route, subject to the following operating conditions, as a condition of permit, as below:

- (i) Ngaanyatjarraku Council Aboriginal Council Permit in addition to MRWA Permit.**
- (ii) No operation on unsealed road segment when visibly wet, without road owner's approval.**
- (iii) Headlights must always be switched on.**
- (iv) Current written support from the road asset owner, endorsing use of the road, must be obtained, carried in the vehicle, and produced upon request.**
- (v) Direct radio contact must be maintained with other RAVs to establish their position on or near the road (suggested UHF Ch 40).**

Carried: 6/0

15. CONFIDENTIAL MATTERS

15.1 BUSH FIRE AND FIRE BRIGADE ACTS

FILE REFERENCE: ES.00

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

DATE REPORT WRITTEN: 24 September 2020

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

Voting Requirement
Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr A Jones

That Council:

1. **Resolve that the Bushfire and Fire Brigade Acts Report Attached is confidential in accordance with s5.23 (2) the Local Government Act because it deals with matters affecting s5.23 (2):**
(d) legal advice.....
2. **Close the meeting to the public at 1.28pm pursuant to sub section 5.23 (2)(d) of the Local Government Act 1995.**

Carried: 6/0

All members of the public gallery left the meeting at 1.28 pm. (Note: Chief Executive Officer and Finance & Administration Coordinator to remain and take any minutes.)

Voting Requirement
Simple Majority.

Officers Recommendation and Council Resolution

Moved: Cr J Porter Seconded: Cr D Frazer

That Council re-open the meeting to the public at 1.35 pm.

Carried: 6/0

Members of the public gallery re-entered the room at 1.35 pm.

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

Officers Recommendation and Council Resolution

Moved: Cr A Jones Seconded: Cr A Bates

That Council request DFES:

- 1. under the Bush Fires Act 1954 to appoint a bushfire control officer from their staff to work with the Shire to resolve issues in relation to bushfire management; and**
- 2. to specify the Shire as a fire district, which would enable the Fire and Emergency Services Commissioner to provide assistance to the Shire in the manner contemplated in the Fire Brigades Act 1942.**

Carried: 6/0

16. NEXT MEETING

Scheduled for Wednesday, 28 October 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 1.38pm.