



Shire of Ngaanyatjaraku

ON A JOURNEY

ORDINARY MEETING OF COUNCIL

MINUTES

**Tjulyuru Cultural and Civic Centre
Warburton Community**

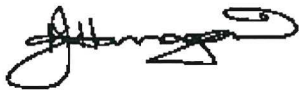
28 August 2019

at

1.00 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.



Acting Chief Executive Officer

Date: 28-8-2019

These minutes were confirmed by Council as a true and correct record of proceedings of the Meeting of Council held on the 28 August 2019.

Presiding Member: _____

Date: 25/9/19

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1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 1.00 pm.

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	D McLean P Thomas (by telephone) D Frazer L West J Frazer
Staff:	CEO DCEO	K Hannagan K Fisher
Guests:		
Members of Public:	Three members of the public attended the meeting at 1.08pm. H Olnik, D Green & J Porter	

3.2 APOLOGIES

Cr. A Bates

Cr. A Jones

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

The Shire President advised that:

- nominations for the 19 October 2019 General Election would open on Thursday 5 September and close on Thursday 12 September at 4pm;
- prospective candidates would need their \$80 payment;
- 150 word profile; and
- completed nomination form 8 or 9.

He further advised of the new requirement to complete the online candidate course of induction and that further details for candidates were on the Shire's website.

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 J Frazer

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 24 July 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

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
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	18 August 2019
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

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.

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 P Thomas

That Council notes the attached Council Resolutions – Status as at July 2019 (Attachment 10.1) and this report.

Carried: 5/0

10.2 ATTENDANCE BY TELEPHONE CR THOMAS

FILE REFERENCE:	GV.00
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	18 August 2019
DISCLOSURE OF INTERESTS:	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 not attended any 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 D Frazer

Seconded: Cr J Frazer

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

Carried: 5/0

10.3 USE OF COMMON SEAL

FILE REFERENCE:	IM.14
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	18 August 2019
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial, proximity or impartiality interest in the proposal.

Summary

The purpose of this agenda item is to report to Council for information, use of the Common Seal during the month of July 2019.

Background

In accordance with Council Policy 1.18, use of Common Seal, Council is to receive a copy of details from the register of all Common Seals affixed for the previous month at the first Ordinary Council Meeting of each month.

Comment

A report on use of the Common Seal has been prepared for Council and is attached.

Statutory Environment

Local Government Act 1995

9.49A. Execution of documents

- (1) *A document is duly executed by a local government if —*
- (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
- (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*

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

Council Policy CP1.18, Use of Common Seal

Attachments

Attachment 10.3 - Excerpt from Common Seal Register

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr P Thomas

Seconded: Cr J Frazer

That Council receive the report relating to the use of the Common Seal as per Attachment 10.3.

Carried: 5/0

10.4 DISABILITY ACCESS AND INCLUSION PLAN 2019-2022

FILE REFERENCE:	PL.09
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	18 August 2019
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

For Council to consider adopting the shire of Ngaanyatjarraku, Disability and Inclusion Plan (DAIP) 2019-2022.

Background

The Disability Services Act 1993 requires local authorities to produce a Disability Access and Inclusion Plan (DAIP). These plans must be lodged with the Disability Services Commission for 5-year periods. The current Shire of Ngaanyatjarraku DAIP expired in 2017. This DAIP will assist the Shire in achieving compliance with the Disability Services Act 1993.

Comment

The current Disability Access and Inclusion Plan 2012-2017 has been reviewed and updated to produce a consultation draft Disability Access and Inclusion Plan 2019-2022, which is attached to this agenda.

Since the current DAIP was last reviewed, Schedule 2 of the Disability Services Regulations 2004 has been amended to include a seventh requirement; namely, a means of reducing barriers to people with disability obtaining and maintaining employment. Consequently, this additional requirement has been provided for within the new draft.

There is a legislative requirement to undertake a consultation process before adopting the new DAIP, and the minimum is to invite public submissions. As the Shire does not have the resources for a more extensive consultation process, it was proposed to invite public submissions on the new draft DAIP closing on 30 July so that the new DAIP can be adopted at the August Council meeting. No submissions were received by the closing date.

The Shire also invited a submission from NG Health as the local institution that has the most dealings with and knowledge of local persons with disabilities.

It is recommended that a DAIP implementation plan be subsequently devised. The purpose of a DAIP implementation plan is to provide a plan that can be readily amended from time to time in response to the Shire's changing programs and operating environment. Although a DAIP can be reviewed and amended at any time, there is a statutory process for doing this whereas there is no statutory process required for the review and amendment of a DAIP implementation plan.

Statutory Environment

Disability Services Act 1993

Disability Services Regulations 2004

Financial Implications

The cost of developing, giving public notice of the draft plan and inviting submissions is accommodated within the current budget.

Strategic Implications

Integrated Strategic Plan 2018 - 2028

Goal 3, Leadership

Outcome 3.2, Good Leadership

Risk Management

Without this DAIP the Shire does not adhere to the requirements outlined in the Disability Services Act 1993. This non-compliance may contribute towards possible financial, reputational and compliance risk for the Shire.

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 10.4 – Disability Access & Inclusion Plan 2019-2022

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr L West

That Council:

- 1. adopts the Disability Access & Inclusion Plan 2019-2022 as per Attachment 10.4;**
- 2. requests the plan to be lodged with the Disability Services Commission; and**
- 3. develop a DAIP implementation plan.**

Carried: 5/0

10.5 ADOPTION OF 2019/20 BUDGET

FILE REFERENCE: FM.05

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

DATE REPORT WRITTEN: 20 August 2019

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

Summary

The Statutory Form of the Budget has now been finalised, the document is now submitted to Council for adoption.

Background

The 2019/20 Annual Budget has been prepared based on the principles contained in the Long Term Financial Plan (LTFP) and Corporate Business Plan as well as discussions with the Shire President / Councilors as well as a detailed review of expenditure and efficiency measures taking into account substantive matters raised in previous reports to Council.

Comment

The budget has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards.

Hillites include:

- General Minimum Rate unchanged at \$245 (three assessments affected);
- Rates UV unchanged at 21c in dollar (10% increase last year);
- Community Ex-gratia Rates \$64,882 unchanged;
- Rubbish Charges increase 20% (= loss of \$366k Operating and \$127k Capital);
- Warburton Community Resource Centre office rental increased 5% to contribute towards Capital cost of caging buildings to reduce break-ins and damages;
- Staff housing rental, \$135,000 (rental now vacant staff houses);
- GVRoC refund contributions (\$25,000 one off)
- Reduce the Warburton Community pool grant from \$50,000 p.a. to \$10,000 p.a. (Warakurna & Blackstone \$5,000 each);
- Introduce OS&H Management System, Stage 1, \$10,000 (OSH compliance);
- Electrical upgrade Shire Office & Gallery, \$45,000 (electrical safety compliance);
- Maintenance Plan, Shire Office & Gallery, \$40,000 (catch-up);
- Maintenance Plan, Staff housing, \$45,000 (catch-up)
- Ngaanyatjarra Lands Services Review, \$50,000 (current / future service provision proposal);
- IT Strategy, \$15,000 (IPRF compliance);
- Public Health Plan, \$20,000 (compliance Public Health Act);
- Rubbish Services, net loss \$493,000 (includes replacement Warburton Rubbish Truck \$120,000);
- Warburton Oval Shade Structure, \$25,000;
- Cage CRC Offices, \$35,000 (start on most broken into offices);
- NRGoC Tourism Strategy, \$45,000 (offset Grant RDAGE \$30,000);
- Warburton & Warakurna Town Entry Concepts, \$20,000 (GEDC Grant?);
- AMP Review, \$25,000 (IPRF compliance);
- R2030 Survey Centre Line MRWA, \$15,000 (current SLK's not correct);

- Works Plant Compound Fencing, \$35,000 (secure equipment);
- Elected Member Training, \$17,000 (compliance LGAct amendments, now compulsory), and
- Introduction of Councilor mileage allowance of \$1.0352/km.

Reviews of the following have been undertaken as per previous reports to Council:

- Youth / Recreation Services, (reduced services);
- Rubbish Collection, (reduced services);
- Environmental Health Program, (ceased);
- Dog Control Program, (ceased);
- Early Years Program, (ceases as funding ends December 2019)
- Car / Plant Fleet, (surplus stock sold);
- GVROC Regional Records Facility, (ceased);
- Staff Total Remuneration Packages; and
- Organisation Structure.

Statutory Environment

Section 6.2 of the Local Government Act 1995 requires that a local government is to prepare (in the prescribed manner) and adopt (by absolute majority), between 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

Section 6.16 of the Local Government Act 1995 allows a local government to impose and recover a fee or charge for any goods or services it provides or proposes to provide (absolute majority required).

Section 6.51 of the Local Government Act 1995 allows a local government to charge interest on a rate or service charge that remains unpaid after it is due and payable (absolute majority required).

Section 6.32 of the Local Government Act 1995 states that a local government in order to make up the budget deficiency is to impose a general rate on rateable land that may be imposed uniformly or differentially. A local government may also impose a minimum payment (absolute majority required).

Regulation 17 of the Local Government (Financial Management) Regulations 1996 states that a reserve account is to have a title that clearly identifies the purpose for which the money in the account is set aside.

Regulation 23(a) of the Local Government (Financial Management) Regulations 1996 requires the annual budget to include the objects and reasons of any differential rates imposed.

Regulation 26 of the Local Government (Financial Management) Regulations 1996 requires that the annual budget is to include details for each discount, incentive, concession and waiver to be allowed.

Regulation 27 of the Local Government (Financial Management) Regulations 1996 sets out the detail accompanying notes to the budget are to contain.

Regulation 34(5) of the Local Government (Financial Management) Regulations 1996 states that each financial year a local government is to adopt a percentage or value, calculated in accordance with AAS5, to be used in statements of financial activity for reporting material variances.

Regulation 64(2) of the Local Government (Financial Management) Regulations 1996 sets out the local government is to determine the due date of instalments after the first instalment.

Regulation 70 of the Local Government (Financial Management) Regulations 1996 states that the maximum interest rate for overdue rates under section 6.51(1), is 11%.

Section 67 of the Waste Avoidance and Resource Recovery Act 2007 enables a local government to impose an annual charge in respect of premises provided with a waste service by the local government.

Section 5.98 of the Local Government Act 1995 sets out fees etc payable to Council members.

Section 5.98A of the Local Government Act 1995 sets out fees etc payable to sets out allowances payable to deputy Presidents or deputy Mayors.

Section 5.98 (2) (3) and (4) of the Local Government Act 1995 sets out allowances payable of a kind prescribed as being an expense.

Section 7B(2) of the Salaries and Allowances Act 1975 requires the Tribunal, at intervals of not more than 12 months, to inquire into and determine –

- the amount of fees to be paid to Council members;
- the amount of expenses to be reimbursed to Council members;
- the amount of allowances to be paid to Council members.

Regulations 30-32 of the Local Government (Administration) Regulations 1996 set the limits, parameters and types of allowances that can be paid to elected members.

Section 30.6 of the Local Government Officers' (Western Australia) Interim Award 2011 sets the rate for meeting attendance travel costs per kilometre.

Financial Implications

The adopted budget outlines planned expenditure and revenue and determines the financial parameters for the Shire of Ngaanyatjarraku to operate within for the 2019/20 financial year. The Budget is a balanced budget.

It must be noted that \$2,012,248 in Financial Assistance Grants for the 2019/20 year was pre-paid by the Federal Government into the 2018/19 FYE and forms part of the Surplus brought forward in the Rate Setting Statement. After allowing for this amount the Surplus brought forward is \$581,285.

The shire is transferring a further \$1,060,341 to the Asset replacement, acquisition and development reserve. After allowing for the above net Surplus brought forward this means the Shire has achieved a cash positive result of \$479,056 on its' 2019/20 program activities. This has mainly been achieved by reductions in staff costs from restructure of the Shire's operations and services. There are still costs contained in the 2019/20 budget that will not continue into 2020/21.

The Shire's Long Term Financial Plan will be updated over the coming months to see the true impact of changes made to operations and services from 2020/21 onwards. This will be the subject of a further report to Council.

Strategic Implications

Strategic Community Plan 2016 - 2026

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Outcome 4.3, Sustainable service delivery

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

10.5A – 2019/20 Draft Statutory Budget

10.5B - 2019/20 Schedule of Fees and Charges

Voting Requirement

Recommendation 1 – Absolute Majority Required

Recommendation 2 – Absolute Majority Required

Recommendation 3 – Absolute Majority Required

Recommendation 4 – Absolute Majority Required

Recommendation 5 – Absolute Majority Required

Recommendation 6 – Absolute Majority Required

Recommendation 7 – Absolute Majority Required

Recommendation 8 – Absolute Majority Required

Officers Recommendation 1 and Council Resolution

Moved: Cr D Frazer Seconded: Cr L West

For the purpose of yielding the deficiency disclosed by the proposed Municipal Fund Budget and pursuant to sections 6.32 and 6.35 of the Local Government Act 1995, Council impose the following general and minimum rates on Unimproved Values:

UV Mining \$0.2100 in the \$

General Minimum \$245 per rateable property

Carried: 5/0

Officers Recommendation 2 and Council Resolution

Moved: Cr D Frazer Seconded: Cr J Frazer

Pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council offer the following options for the payment of rates by instalments:

Option 1 (Full Payment)

Full amount of rates and charges including arrears, to be paid on or before 30 October 2019 or 35 days after the date of service appearing on the rate notice whichever is the later.

Option 2 (Two Instalments)

First instalment to be made on or before 30 October 2019 or 35 days after the date of service appearing on the rate notice whichever is later and including all arrears and half the current rates and service charges; and

Second instalment to be made on or before 2 December 2019

Option 3 (Four Instalments)

First instalment to be made on or before 30 October 2019 or 35 days after the date of service appearing on the rate notice whichever is later and including all arrears and one quarter of the current rates and service charges;

Second instalment to be made on or before 2 December 2019;

Third instalment to be made on or before 28 January 2020; and

Fourth instalment to be made on or before 16 March 2020

Carried: 5/0

Officers Recommendation 3 and Council Resolution

Moved: Cr P Thomas Seconded: Cr L West

Pursuant to section 6.51 (1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, Council adopt an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

Carried: 5/0

Officers Recommendation 4 and Council Resolution

Moved: Cr D Frazer Seconded: Cr L West

That Council, in accordance with Section 67 of the Waste Avoidance and Recovery Act 2007, impose the following receptacle charge for 2019/20:

- **Domestic rubbish removal \$348 (GST Free) per bin; and**
- **Commercial rubbish removal - \$1,320 (GST Free) per service**

Carried: 5/0

Officers Recommendation 5 and Council Resolution

Moved: Cr J Frazer Seconded: Cr D Frazer

That Council, in accordance with Section 6.16 of the Local Government Act 1995, adopt the attached Schedule of Fees and Charges as presented in the Budget for the year ending 30 June 2020.

Carried: 5/0

Officers Recommendation 6 and Council Resolution

Moved: Cr D Frazer Seconded: Cr J Frazer

That Council, in accordance with section 6.2 of the Local Government Act 1995, adopt the attached annual Budget for the year ended 30 June 2020.

Carried: 5/0

Officers Recommendation 7 and Council Resolution

Moved: Cr P Thomas Seconded: Cr J Frazer

That Council, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulation 1996, adopts the following materiality thresholds:

Condition	Action
Actual variances to Budget up to 5% of Budget	Don't Report
Actual variances to Budget up to 10% of Budget Discretion	Use Management
Variance exceeding 10% or \$20,000 whichever is greater	Must Report

Carried: 5/0

Officers Recommendation 8 and Council Resolution

Moved: Cr J Frazer Seconded: Cr D Frazer

That Council adopt the following Councilor Allowances for the 2019/20 period:

In accordance with Section 5.98 (1) & (2A) of the Local Government Act 1995, Local Government (Administration) Regulation 30, (3A) and Part 6.2 & 6.3 of the Local Government CEO EM Determination 2019 pursuant to Section 7 (B) of the Salaries and Allowances Act, Councilor meeting attendance fees be set at \$200 per Council meeting, and \$100 per Committee or other prescribed meeting.

In accordance with Section 5.98 (1) & (2A) of the Local Government Act 1995, Local Government (Administration) Regulation 30, (3A) and Part 6.2 & 6.3 of the Local Government CEO EM Determination 2019 pursuant to Section 7 (B) of the Salaries and Allowances Act, Shire President meeting attendance fees be set at \$400 per Council meeting, and \$100 per Committee or other prescribed meeting.

In accordance with Section 5.98(5) of the Local Government Act 1995, Local Government (Administration) Regulation 33, and Part 7.2 of the Local Government CEO EM Determination 2019 pursuant to Section 7B of the Salaries and Allowances Act, the annual allowance for the Shire President remains set at \$4,000.

In accordance with Section 5.98A (1) of the Local Government Act 1995, Local Government (Administration) Regulation 33A, and Part 7.3 of the Local Government CEO EM Determination 2019 pursuant to Section 7B of the Salaries and Allowances Act, the annual allowance for the Deputy Shire President remains set at \$1,000.

In accordance with Section 5.98 (2) (3) and (4) of the Local Government Act 1995, Local Government (Administration) Regulation 31 (1) (b) and Part 8.2 (5) of the Local Government CEO EM Determination 2019, travel costs incurred while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) are to be calculated at the same rate contained in Section 30.6 of the Local Government Officers' (Western Australia) Interim Award 2011 that as at the date of the 2019 determination, is currently \$1.0352 per kilometre.

Carried: 5/0

10.6 DE-RECOGNITION OF ASSETS

FILE REFERENCE:	CP.03
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	22 August 2019
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

For Council to be advised of de-recognition of non-current assets from its Asset Register.

Background

The Shire's Asset Register has been reviewed as part of the 2018/19 End of Year processes to ensure the assets contained there-in represent Fair Value. There are items that cannot be located and as such should be written off.

Comment

The review has identified:

- Massey tractor, Warakurna – whereabouts unknown
- Hydrapower angle sweeper, Warakurna – whereabouts unknown
- Howard Nugget Slasher 180, Warburton – whereabouts unknown
- 7 x 4 heavy Duty Trailer 1TFD 336, Warburton – whereabouts unknown
- FESA Emergency & Accident Response Trailers – possibly now under care and control WAPol
- Second hand PC210 Howard procut rollamowa – whereabouts unknown
- Trailer for road sweeper – whereabouts unknown
- Howard Nugget Slasher 180 – whereabouts unknown
- Hitachi Electric Jack Hammer – whereabouts unknown
- 3.5 KVA Chameleon Diesel Generator – whereabouts unknown
- Custom Built 5.5hp Honda Nova and 180 Litre Tank – whereabouts unknown
- Howard Porter 180 Roller Slasher Unit – whereabouts unknown
- PC210 Howard procut rollamowa – whereabouts unknown

Future storage options for a range of Shire assets is under consideration:

- Works signs etc are stored in a container alongside one of the shire houses
- Recreation equipment in a shed at back of Finance & Admin Coordinator's house that gets broken into if he isn't there.
- Cars stored in front of CEO / Finance & Admin Coordinator's house that get broken into, smashed windows, dented panels etc
- Bobcat, trailers etc stored at Works Officers house
- Loader etc stored at rear of Finance & Admin Coordinator's house, completely smashed up.
- Container at CEO house for Records etc.
- Trailers stored around communities that disappear.
- Warburton, Rubbish truck stored at roadhouse

Statutory Environment

Local Government (Financial Management) Regulations 1996

17A. *Assets, valuation of for financial reports etc.*
(4) *A local government must revalue an asset of the local government —*
(a) *whenever the local government is of the opinion that the fair value of the asset is likely to be materially different from its carrying amount;*

Financial Implications

The carrying amount of a non-current asset is removed from the statement of financial position if it is lost.

Removing the asset generates a loss that is to be shown in the statement of comprehensive income.

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

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr D Frazer

Seconded: Cr P Thomas

That Council notes this report and proposed future actions to improve secure storage of Shire assets.

Carried: 5/0

11. DEPUTY CEO REPORTS

11.1 PAYMENTS LISTING, JULY 2019

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:	22 August 2019
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 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 – Payments Listing

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr J Frazer

Seconded: Cr D Frazer

That Council receives the Payment Listing, July 2019 totaling payments of \$846,610.46 as per Attachment 11.1.

Carried: 5/0

11.2 COUNCIL INVESTMENTS AS AT 22 AUGUST 2019

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:	22 August 2019
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 CS2.7 Investments.

Attachments

Attachment 11.2 – Westpac screen prints of Municipal and Investment Accounts, NAB and CBA documents for Term Deposits

Voting Requirement

Simple Majority Required.

Cr D Frazer left the chamber at 1.58pm

Cr D Frazer returned at 1.59pm.

Officers Recommendation and Council Resolution

Moved: Cr P Thomas

Seconded: Cr D Frazer

That the report on Council Investments as at 22 August 2019 be received.

Carried: 5/0

12. EHO & BUILDING SERVICES REPORTS

12.1 ACTION REPORT – ENVIRONMENTAL HEALTH & BUILDING SERVICES

FILE REFERENCE:	EM.00
AUTHOR'S NAME AND POSITION:	Phil Swain Principal EHO & Building Officer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	21 August 2019
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 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 J Frazer

That Council receives the Action Report, EHO / Building Services for June - August (Part) 2019.

Carried: 5/0

13. EARLY YEARS PROGRAM REPORTS

13.1 ACTION REPORT – EARLY YEARS PROGRAM

FILE REFERENCE:	CS.13
AUTHOR'S NAME AND POSITION:	Anne Shinkfield Early Years Program Coordinator
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	22 August 2019
DISCLOSURE OF INTERESTS:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

To inform Council of Early Years Program activities and events over the last few months.

Background

Not applicable

Comment

Not applicable

Statutory Environment

Not applicable

Financial Implications

No known financial implications for this matter.

Strategic Implications

Integrated Strategic Plan 2018 - 2028
Goal 2, Our People
Outcome, 2.3 Smart People
Strategy, 2.3.1 Good Education
Action, Provide early years learning service

Risk Management

This item has been evaluated against the Shire of Ngaanyatjarraku Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is "Low" risk and can be managed by routine procedures and is unlikely to need specific application of resources.

Policy Implications

There are no known policy implications for this matter

Attachments

Attachment 13.1 – Activity Report, Early Years Program, Term 2, 2019

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr J Frazer Seconded: Cr L West

That Council receives the Action Report, Early Years Program for Term 2, 2019.

Carried: 5/0

14. WORKS ENGINEERING REPORTS

14.1 ROAD NAME CHANGE PROCESS

FILE REFERENCE:	RD.00
AUTHOR'S NAME AND POSITION:	Peter Kerp Casual Works Engineer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	31 July 2019
DISCLOSURE OF INTERESTS:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

Council at its Ordinary Council Meeting held 24 July 2019 resolved:

The Works Engineer to liaise with Main Roads WA on the process for changing of road names and report back to Council.

Background

The Shire President advised Council at its OCM of the 24 July 2019:

“that several road names within the Shire would need to be changed as over time things have changed and are no longer relevant today. For example, the Giles – Mulga Park Road was named for its connection of the Giles Weather Station to Mulga Park Station in South Australia as it was the route taken to get to the weather station. However, today some of the connectivity is via the Warakurna Community Access Road, Great Central Road, Giles Mulga Park Road to intersection of Warburton Blackstone Road and through to Wingellina before continuing to Mulga Park Station in SA.”

Comment

The Minister for Lands (the Minister) is responsible for the *Land Administration Act 1997*.

Through delegated authority, the Minister enables Landgate to review submissions and identify, capture and maintain new place names, features, administrative boundaries, localities and roads within Western Australia and formally approve these actions on the Minister's behalf.

Local Government and government departments/authorities responsible for the administering of land within Western Australia are required to make submissions to Landgate (**MRWA has no jurisdiction**) for any naming proposals for place names, features, administrative boundaries, localities or roads within their jurisdiction.

Landgate advise any change to an existing approved name is discouraged. As all official names are meant to be enduring, any proposals to change the name of a feature, administrative boundary or road must include evidence of a compelling reason for such a change, for example the proposal is deemed to be in the public interest for safety reasons.

The changing of a name merely to correct or re-establish historical usage is not considered a reason to change a name.

Evidence of community consultation and feedback from all relevant agencies and jurisdictions must be included with the submission. All such requests will be required to be presented to Landgate for consideration.

If Landgate determines that the name change is unnecessary or non-essential, yet there is enough community support for the change and it is compliant with the relevant naming policies and standards, it may be approved but it shall incur a service charge.

The naming proposal must be prepared according to the relevant sections of the *Policies and Standards for Geographical Naming in Western Australia 2017*. If the proposed name is a traditional Aboriginal name or derived from an Aboriginal Australian language relevant to Western Australia, local governments must consult with the relevant Aboriginal groups prior to submitting the naming proposal.

General Process Steps

The following steps briefly outline local government requirements for preparing a naming submission:

Step 1 Check information

Ensure that all the necessary information has been provided by the local government proposing the name. The naming proposal must be prepared according to the relevant sections of the *Policies and Standards for Geographical Naming in Western Australia 2017*.

Step 2 Apply the policies

Upon selection of a new name, local governments must ensure the proposal conforms to all of the policies outlined in the relevant sections of this policy.

Step 3 Consult with Aboriginal communities

If the proposed new name is derived from an Aboriginal language, from the outset the local government proposing the name, should consult with and obtain the input and approval of the relevant local Aboriginal community(s).

Step 4 Consult with emergency service response and other stakeholders

When local governments have ensured that the proposal adheres to the relevant naming policies, there should be no further need for consultation with emergency service response and other service providers. This is due to these policies having been endorsed by Landgate and the relevant agencies.

In instances of local governments not being certain whether the naming or renaming proposal conforms to the policies (for instance, in cases of possible duplication or confusion) they should consult with Landgate, and seek feedback from emergency service response and public service providers. Such consultation and feedback processes should unnecessarily provided to the public for their feedback.

Step 5 Consult with the public

The immediate community, including residents, ratepayers and businesses, must be consulted on any naming or renaming proposals that will affect their address.

Consultation with the immediate and/or extended community should only occur once Local Government is certain that the proposed name conforms to the relevant naming policies.

Step 6 Council consideration

Once the above steps have been undertaken a report must be prepared on the proposal.

The local government's decision to accept or reject a proposal needs to be formally recorded.

This also applies when the decision has been made under delegated authority.

Step 7 Lodgement of submission to Landgate

The local government endorses the proposal, a formal request seeking approval of the submission should be made to Landgate, via an online submission.

All naming proposals should include:

- applicant LGA Contact details
- the location of the development site in which the proposed road or feature will be situated
- supporting information as to why Landgate should consider naming or changing the name(s)
- the proposed name(s) and the origin/source/historical context
- a final road design plan (where applicable) correctly marked with road extents and names
- where applicable, evidence of landowner, family or community support
- if the name is Aboriginal in origin, evidence of support from relevant Aboriginal Community.

Landgate's consideration of submissions

Upon receiving a submission to name or rename a road, Landgate will notify the local government acknowledging it has received the submission. This notification will confirm that all the necessary information has been included or notify the local government that further information is required before the approval process can continue.

When considering the proposal, Landgate will check that the proposed naming or renaming conforms to all the relevant naming policies. If Landgate finds that the submission is non-compliant, the relevant local government will be issued with either a request for further information, or advice that the submission needs to be modified to confirm its compliance. If Landgate deems that the submission is compliant, the formal approval process will be undertaken.

Once a name has been formally approved, the new or amended name is entered into the State's Gazetteer and information regarding the name's origin, location, derivation, historical name/s (if available), the local government(s) and locality in which the name is located and the official approval date is also recorded.

Notification of approvals

Once the approval process has been finalised, Landgate will notify the relevant local government and provide a copy of the official naming approval for their records. The relevant local government(s) is required to notify any relevant stakeholders or service providers of the naming approval.

Statutory Environment

Section 26 and 26A of the *Land Administration Act 1997*

Financial Implications

Landgate charges a fee of \$262.73 (es GST) and \$289 (incl GST). It is a discretionary fee and may or may not be applied depending on the information considered.

Council would be advised by Landgate very early in the process if this fee is applicable

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 J Frazer Seconded: Cr P Thomas

That Council:

1. **Receives this Road Name Change Process Report regarding the steps the Shire of Ngaanyatjarraku must follow to be compliant with Landgate's Policy and Standards for Geographic Naming in Western Australia 2017; and**
2. **Recommends that Shire Officers start the process to consider changing the name of the following roads:**
 - **Giles Mulga Park Road**
 - **Wanarn Jameson Road**
 - **Warburton Blackstone Road**
3. **Shire Officers report back quarterly to Council on progress of item 2 above.**

Carried: 5/0

14.2 SPEED HUMPS, WARBURTON

FILE REFERENCE: RD.00

AUTHOR'S NAME AND POSITION: Peter Kerp
Casual Works Engineer

AUTHORISING OFFICER AND POSITION: Kevin Hannagan
Chief Executive Officer

DATE REPORT WRITTEN: 31 July 2019

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

Summary

To provide Council with details regarding a request for consideration of installing speed humps in Warburton community.

Background

Council at its Ordinary Council meeting held 24 July 2019 was asked the following:

Public Question Time:

Mr Dereck Harris wished to raise matters of Law and Order. In particular he outlined his concern with Warburton community members speeding around the town in vehicles and walking on the roads and not on the road verges. His suggestions were for the Shire to install more speed humps, establish more concrete footpaths and police community members.

The Shire President advised that:

- 1. some strategically placed speed humps could be looked at and the Chief Executive Officer gave an undertaking for the Works Engineer to provide a report to Council on this matter;*
- 2. people speeding in vehicles was a policing matter and he would speak to the Warburton Police about the matter;*
- 3. installation of concrete footpaths was expensive and they had a tendency to crack over time in the local climatic conditions, bitumen footpaths were a better alternative but again very expensive to get bitumen footpath contractors to Warburton. The Shire does not have a rate payer base to pay for such infrastructure, but the Shire would see if any grants may be available.*
- 4. the correct agency for policing people walking on the road was WAPol and he would also talk to Warburton Police about this matter.*

Comment

Speed limit within streets around Warburton Community fall under the definition of "built-up-area" under the Road Traffic Code 2000 and are posted at 40km/hr.

The term speed hump is used to distinguish this device from the speed bumps used in parking lots. The speed hump is safe to use at much higher speeds than a bump thereby minimizing liability. Speed humps are generally placed along public roads as a speed reduction device and adhere to MRWA design guidelines – whereas speed bumps are placed in shopping centre car parks and commercial businesses where vehicle speeds are generally much lower.

Speed humps have been around for 30 or 40 years in one form or another and have been popular devices. There are 3 types of speed hump devices used to attempt to slow vehicle speeds.



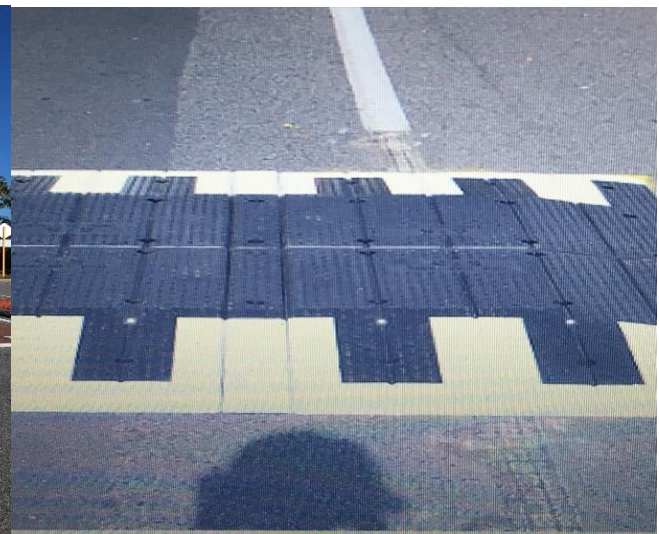
SPEED HUMPH



SPEED BUMP



WARNING SIGN



SPEED CUSHION

Watts Profile Hump

Your general, run-of-the-mill bitumen, asphalt, or in-situ concrete mound came into existence in the 1980's, that is usually laid out in a series of 4 or more along a street. Very efficient in slowing vehicle speeds, the Watts Profile lost its popularity in the 1990's due to the scraping damage it would do to lower vehicles and increase noise as vehicles braked just before hitting the hump, cross it and accelerate away.

Is expensive to install if constructed with in-situ concrete or hot asphaltic concrete. Accessibility to materials and contractor to a remote location such as Warburton is not a cost-effective option.

Plateau (Flat Top) Hump

Overtaking the hump position of the Watts Profile in the 1990's was the Plateau Hump. They're generally your brick paved speed humps with a bit of bitumen ramped either side. Flat Top humps seem to be a better option for higher volume roads as they are less noisy and less objectionable to emergency service operators.

Plateau hump is not a cost-effective option for similar reasons as the Watts Profile above.

Speed Cushion

In recent years speed cushions have been developed which overcome some of the emergency services' objections to speed humps, as they allow wide vehicles to straddle the cushion to cross at higher speed. They are best constructed from removable rubber segments. They need to be

carefully positioned and dimensioned so as to slow the majority of traffic. Speed cushions are made of the highest quality from recycled rubber.

Conclusion

Speed humps in general are effective in controlling vehicle speeds if installed correctly. Although they may cure a localised problem, they can also simply transfer a problem to another area. The problem you have though is that they quite often transfer traffic to a different street.

Rubber is lighter and easier to work with than asphalt and concrete, significantly reducing installation time. This is convenient for local governments who want to institute temporary measures to test an area or permanently control traffic speed. Unlike concrete and asphalt which necessitate frequent and high cost replacement, rubber products are long lasting and cost-efficient.

There are multiple suppliers of rubber speed cushions available in Western Australia and should Council consider their introduction to institute a temporary measure to test an area or permanently control traffic speed, this is a cost-effective option compared to asphalt or concrete.

However, introduction of speed humps is not considered a viable option in Warburton and not supported for the following reasons:

- Does not represent value for money due to Warburton's remoteness and cost to install and maintain;
- Low vehicle traffic volumes;
- Existing 40km speed limit;
- Speeding is a WAPol policing matter;
- No known statistics of road accidents as a consequence of people walking on the road;
- Noisy to adjacent residential dwellings; and
- No known funding source to pay for them.

Statutory Environment

Not applicable

Financial Implications

Unknown – subject to quotes from suppliers on numbers required – cost could be in the order of \$7,000 to \$9,000 installing speed cushions at 2 separate locations along one street. Advance speed hump warning signs are also an obligatory requirement and are an additional cost.

Shire Officers are not aware of any known grant funding to pay for the installation and ongoing maintenance. To use existing 'un-tied' road grant funding would require a reduction in maintenance or improvements to the existing road network.

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 J Frazer Seconded: Cr D Frazer

That Council does not support the introduction of speed reduction devices such as speed humps in the Warburton Community for the following reasons:

- 1. Does not represent value for money due to Warburton's remoteness and cost to install and maintain;**
- 2. Low vehicle traffic volumes;**
- 3. Existing 40km speed limit;**
- 4. Speeding is a WAPol policing matter;**
- 5. No known statistics of road accidents as a consequence of people walking on the road;**
- 6. Noisy to adjacent residential dwellings; and**
- 7. No known funding source to pay for them.**

Carried: 5/0

14.3 ACTION REPORT – WORKS ENGINEER

FILE REFERENCE:	RD.00
AUTHOR'S NAME AND POSITION:	Peter Kerp Works Engineer
AUTHORISING OFFICER AND POSITION:	Kevin Hannagan Acting Chief Executive Officer
DATE REPORT WRITTEN:	2 August 2019
DISCLOSURE OF INTERESTS:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

Summary

To inform Council of Works Engineering activities and actions for the preceding month.

Background

Not applicable

Comment

See attachment.

Statutory Environment

Not applicable

Financial Implications

No known financial implications for this matter.

Strategic Implications

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

Attachment 14.3 – Action Report, Works Engineering

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr P Thomas

Seconded: Cr L West

That Council receives the Action Report, Works Engineering for July 2019.

Carried: 5/0

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

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr J Frazer

That Council:

1. That Council admits urgent business Reports:
 - a) 15.1 Change of name - Goldfields Tourism Network Association
 - b) 15.2 Election 2019 - Appointment of Deputy Returning Officers

Carried: 5/0

15.1 CHANGE OF NAME - GOLDFIELDS TOURISM NETWORK ASSOCIATION

FILE REFERENCE: ED.00

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

DATE REPORT WRITTEN: 25 August 2019

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

Summary

To request Council to support change of name of the Goldfields Tourism Network Association to Golden Quest Trail.

Background

The Northern Goldfields Shire Presidents and Chief Executive Officers' Meeting held on Friday 31st May 2019 discussed reverting back to using the Golden Quest Trail name to represent tourism initiatives for the Goldfields Region.

The Shires were to endorse the rejuvenation of the Trail name through their own Council meetings.

Comment

The Chief Executive Officer did attend the above meeting and has no objection or further comment on the groups request.

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

Not applicable

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr D Frazer Seconded: Cr L West

That Council endorses the Northern Goldfields Shire Presidents and Chief Executive Officers Groups’ request to change of name from Goldfields Tourism Network Association back to Golden Quest Trail.

Carried: 5/0

15.2 ELECTION 2019 - APPOINTMENT OF DEPUTY RETURNING OFFICERS

FILE REFERENCE:	GV.07
AUTHOR'S NAME AND POSITION:	Kevin Hannagan Chief Executive Officer
DATE REPORT WRITTEN:	25 August 2019
DISCLOSURE OF INTERESTS:	The author has no financial, proximity or impartiality interests in the proposal.

Summary

To request Council to support the appointment of two Deputy Returning Officers for the upcoming Shire Council Elections.

Background

Local Government Elections are to be held on Saturday 19 October 2019.

Comment

The Chief Executive Officer is the Returning Officer for the Shires' upcoming election. The DLGSCI Returning Officer Manual advises the following:

Deputy returning officers

The returning officer must appoint one or more deputy returning officers.

If the returning officer is absent or cannot perform his or her functions a deputy returning officer is to perform the returning officer's functions.

In some local governments the deputy returning officer makes many of the arrangements for the election because the returning officer cannot be available for the amount of time involved in complying with the necessary administrative and procedural matters.

Irrespective of whether the deputy returning officer carries out some of the duties, the returning officer remains accountable for the election process.

Delegation

A returning officer may delegate any of his or her powers or duties under the Act (except the power of delegation) to a deputy returning officer.

Delegations must be in writing. The delegation does not need to be listed in the local government's delegations register but it is good practice to do so. It is not necessary that a written record be made of the exercise of the delegation from a returning officer as is the case with delegations from the CEO or council.

The Returning Officer is appointing two deputies:

- (1) Deputy Chief Executive Officer who can assist during the nomination process; and
- (2) Finance & Administration Officer, who can assist conduct the election if needed.

Statutory Environment

Local Government Act 1995

Section 4.20. CEO to be returning officer unless other arrangements made

(1) Subject to this section the CEO is the returning officer of a local government for each election.

Section 4.21. Deputy returning officers

- (1) A returning officer appointed under section 4.20(1) or (2) is to appoint one or more deputy returning officers.*

Section 4.22. Returning officer to conduct elections

- (3) If the returning officer is absent or cannot perform his or her functions a deputy returning officer is to perform the returning officer's functions.*

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

Not applicable

Voting Requirement

Simple Majority Required.

Officers Recommendation and Council Resolution

Moved: Cr D Frazer

Seconded: Cr J Frazer

That Council notes the Returning Officers appointment of two Deputy Returning Officers as outlined in this report.

Carried: 5/0

16. CONFIDENTIAL MATTERS**17. NEXT MEETING**

Scheduled for Wednesday, 25 September 2019 at the Tjulyuru Cultural and Civic Centre, Warburton Community commencing at 1:00 pm.

18. CLOSURE OF MEETING

There being no further business to discuss the Presiding Member closed the meeting at 2.29 pm.