

SHIRE OF NGAANYATJARRAKU
ORDINARY COUNCIL MEETING
31 May 2017

A G E N D A

1. **PRESENT**
2. **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
3. **DECLARATION OF MEMBERS' AND OFFICERS' INTERESTS**
4. **QUESTION TIME**
5. **PRESENTATIONS / PETITIONS / DEPUTATIONS**
6. **CONFIRMATION OF MINUTES**

Ordinary Council Meeting 31st March 2017
Special Council Meeting 21st April 2017

7. **REPORTS BY THE CHIEF EXECUTIVE OFFICER**

Report No. 018-17 Accounts paid & payable

Report No. 019-17 Council Investments as at 26th May 2017

Report No. 020-17 Adoption of 2016/17 Budget in Statutory Format

Report No. 021-17 Financial Reports for the periods ending 31 March & 30 April 2017

Report No. 022-17 2016/17 Mid-Year Budget Review

Report No. 023-17 Administrative Compliance with the LGA 1995

Report No. 024-17 Review of Risk Management Policy

Report No. 025-17 Review of Risk Management Framework

Report No. 026-17 Council Policy Review – Non Current Asset Accounting

Report No. 027-17 Council Policy – Investments

- Report No. 028-17 Council Policy – Credit Card Usage
- Report No. 029-17 Regional Price Preference Policy
- Report No. 030-17 Freedom of Information
- Report No. 031-17 National Asset Management Assessment Framework (NAMAF)
- Report No. 032-17 Extension of Contract – Accounting Services
- Report No. 033-17 Warburton Community Layout Plan – Request for Endorsement
- Report No. 034-17 WALGA AGM 2017 – Nomination of Delegates

LATE ITEMS / MATTERS OF URGENT BUSINESS

MATTERS FOR THE INFORMATION OF MEMBERS

CLOSURE OF MEETING BY SHIRE PRESIDENT

REPORTS BY THE CHIEF EXECUTIVE OFFICER

REPORT NO: 018-17 **TO: ORDINARY COUNCIL MEETING 31st MAY 2017**
SUBJECT: ACCOUNTS PAID AND PAYABLE

AUTHORITY: FINANCIAL MANAGEMENT REGULATIONS 12 & 13

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

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

RECOMMENDATION

That Council payment of accounts amounting to \$686,432.11 for period ending 31st March 2017 and \$771,831.68 for period ending 30th April 2017 be received and noted.

VOTING REQUIREMENTS

Simple majority

REPORT NO: 019-17 TO: ORDINARY COUNCIL MEETING 31st MAY 2017
SUBJECT: COUNCIL INVESTMENTS AS AT 26th MAY 2017

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

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

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

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

COUNCIL INVESTMENTS AS AT 26 MAY 2017

Institution	Amount Invested	Investment type	Assets Repl./Acq./Devp. Reserve Fund	Cultural Centre Reserve Fund	Municipal Account
Westpac Banking Corporation		Term deposit	\$825,183.40	\$69,687.03	
Westpac Banking Corporation		Operating a/c			\$2,989,260.68
TOTAL INVESTMENTS	\$3,884,131.11		\$825,183.40	\$69,687.03	\$2,989,260.68

RECOMMENDATION

That the report on Council investments as at 26th May 2017 be received and noted.

VOTING REQUIREMENTS

Simple majority

REPORT NO: 020-17 **TO: ORDINARY COUNCIL MEETING 31st MAY 2017**
SUBJECT: ADOPTION OF 2016/17 BUDGET IN STATUTORY FORMAT

DATE:	31 May 2017
PROPONENT:	Shire of Ngaanyatjarraku
LOCATION:	Shire of Ngaanyatjarraku
AUTHOR:	Kevin Hannagan, Acting Deputy Chief Executive Officer
REPORTING OFFICER:	Chris Paget, Chief Executive Officer
FILE NO:	FM.05
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to adopt its 2016/17 Budget in the form and manner prescribed by the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

BACKGROUND

At Council's August 2016, Ordinary Council Meeting the 'Budget Work-papers' were adopted as the Shire's 2016/17 Budget.

STATUTORY IMPLICATIONS

Local Government Act 1995

6.2. Local government to prepare annual budget

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

** Absolute majority required.*

Local Government (Financial Management) Regulations 1996, Regulations 22 to 33

22. Form and content of annual budget (Act s. 6.2(1))

(1) The annual budget of a local government is to be in a form that includes the following —

- (a) an income statement;
- (b) a cash flow statement;
- [(c) *deleted*]
- (d) a rate setting statement showing details of —

- (i) the revenue and expenditure that have been taken into account to determine the budget deficiency; and
 - (ii) the total amount of the general rates to be imposed; and
 - (iii) any deficit or surplus remaining after the imposition of the general rates;
 - (e) in relation to the rates proposed to be imposed by the local government, the information set forth in regulation 23;
 - (f) in relation to the service charges proposed to be imposed by the local government, the information set forth in regulation 24;
 - (g) in relation to the fees and charges proposed to be imposed by the local government, whether under the Act or under any other written law, the information set forth in regulation 25;
 - (h) in relation to —
 - (i) any discount or other incentive proposed to be granted for early payment of any amount of money; or
 - (ii) the proposed waiver or grant of a concession in relation to any amount of money; or
 - (iii) the proposed writing off of any amount of money, the information set forth in regulation 26;
 - (i) notes containing the information set forth in regulation 27 and such other supporting notes, tables and other information as the local government considers will assist in the interpretation of the annual budget.
- (2) The financial information disclosed in the annual budget, other than the cash flow statement, is to be compiled on an accrual accounting basis.

POLICY IMPLICATIONS

Council Policies:

- 1.12. Members Expenses
- 1.13. Members Allowances

FINANCIAL IMPLICATIONS

For the Shire to raise Rates (Mining Tenements) and Service Charges (including rubbish collection) it must adopt the Budget ‘in the form and manner prescribed’. As such the adoption of the Budget Workpapers and support documents was not ‘in the form and manner prescribed’. This raises the issue of whether rates and service charges raised have been validly raised. As such it is imperative that the 2016/17 Budget be adopted in the form and manner prescribed.

STRATEGIC IMPLICATIONS

Strategic Community Plan

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

COMMUNITY CONSULTATION

Not required.

COMMENT

In accordance with the Local Government Act 1995, the Shire is to prepare and adopt its budget in the form and manner prescribed. This is commonly known as the 'Statutory Format'.

ATTACHMENTS

Attachment 1 – Statutory Budget 2016/17

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council pursuant to Section 6.2 of the Local Government Act 1995 and Local Government (Financial Management) Regulations Part 3, Regulations 22 to 33, Council adopts the Annual Budget for 2016/2017 as attached.

<p>REPORT NO: 021-17 TO: ORDINARY COUNCIL MEETING 31ST MAY 2017 SUBJECT: FINANCIAL STATEMENTS FOR THE PERIODS ENDED 31ST MARCH AND 30TH APRIL 2017</p>

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

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail-
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8.
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each Statement of Financial Activity to is to be accompanied by documents containing-

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a Statement of Financial Activity may be shown-
- (a) according to nature and type classification;
 - (b) by program; or
 - (c) by business unit.
- (4) A Statement of Financial Activity and the accompanying documents referred to in subregulation (2), are to be
- (a) presented to the Council –
 - (i) at the next ordinary meeting of the Council following the end of the month to which the Statement relates; or
 - (ii) if the Statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the Council after that meeting;
- and
- (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in Statements of Financial Activity for reporting material variances.
- (6) In this regulation –
- “committed assets”** means revenue unspent but set aside under the annual budget for a specific purpose;
- “restricted assets”** has the same meaning as in AAS 27.

STATUTORY ENVIRONMENT

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

RECOMMENDATION

That the financial activity statements and reports for the periods ending 31st March & 30th April 2017 be received and confirmed.

VOTING REQUIREMENTS

Simple majority

REPORT NO: 022-17 **TO: ORDINARY COUNCIL MEETING 31ST MAY 2017**
SUBJECT: 2016/17 MID-YEAR BUDGET REVIEW

DATE:	31 May 2017
PROPONENT:	Shire of Ngaanyatjarraku
LOCATION:	Shire of Ngaanyatjarraku
AUTHOR:	Kevin Hannagan, Acting Deputy Chief Executive Officer
REPORTING OFFICER:	Chris Paget, Chief Executive Officer
FILE NO:	FM.05
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to consider and adopt the proposed amendments to the 2016/17 Budget as a result of the Mid-Year Budget Review process.

BACKGROUND

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

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

Officers have completed a review of the Shire's 2016/17 budget. This review is now presented to Council and the outcome of that review is to be adopted by Council. As part of the process Officers have examined the operations of the Shire for the 2016-17 financial year to date identifying the reasons for significant variances and the action required to address them.

The attached review compares the year to date YTD Budget with YTD Actual and commentary is provided where the material variance exceeds the +/-10% threshold limits as outlined in the adopted budget. Officers have ensured that Council resolutions presented during the 2016-17 financial year have been incorporated in this Mid-Year Budget Review. Changes to the Adopted Budget are proposed by Officers where they believe that circumstances have occurred that impact permanently on the budget position for the financial year under review.

STATUTORY IMPLICATIONS

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

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

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

** Absolute majority required.*

*(1a) In subsection (1) — **additional purpose** means a purpose for which no expenditure estimate is included in the local government’s annual budget.*

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

Local Government (Financial Management) Regulations 1996

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

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

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

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

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
 - (2A) *The review of an annual budget for a financial year must —*
 - (a) *consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *consider the local government’s financial position as at the date of the review; and*
 - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
 - (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
 - (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
- *Absolute majority required.*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

After taking into account all adjustments considered to be permanent changes to the budget position for the 2016/17 financial year detailed in the mid-year Budget Review Report, the overall position of the Shire is forecast to be a decrease of \$159,858 at year end in the Closing Funding Surplus.

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

STRATEGIC IMPLICATIONS

Strategic Community Plan

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

COMMUNITY CONSULTATION

Not required.

COMMENT

The Chief Executive Officer will give a summary of the attached Budget Review Report at the Council meeting.

ATTACHMENTS

Attachment 1 – 2016/17 Mid-Year Budget Review Report

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

1. Receives the Mid-Year Budget Review Report for the period ended 31 March 2017; and
2. Adopts the 2016/17 revised budget position and associated budget amendments.

REPORT NO: 023-17 **TO: ORDINARY COUNCIL MEETING 31st MAY 2017**
SUBJECT: ADMINISTRATIVE COMPLIANCE WITH THE LG ACT 1995

DATE:	19 May 2017
PROPONENT:	Shire of Ngaanyatjarraku
LOCATION:	Shire of Ngaanyatjarraku
AUTHOR:	Kevin Hannagan, Deputy Chief Executive Officer
REPORTING OFFICER:	Chris Paget, Chief Executive Officer
FILE NO:	CS.06
DECLARATION OF	Nil

PURPOSE

For Council to consider the Monthly Report of outstanding actions to achieve administrative compliance with the Local Government Act 1995.

BACKGROUND

The Minister for Local Government appointed an Approved Adviser to work with the Shire to meet the administrative requirements of the Local Government Act 1995. The Approved Advisers' Scope of Work is to "Undertake a review of the Shire's policies, systems and procedures to establish the level of compliance with the legislative provisions of the Local Government Act 1995".

STATUTORY IMPLICATIONS

Local Government Act 1995, various Sections.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The costs associated with the Approved Adviser are to be borne by Council, the Mid-Year Budget Review has taken this into account.

STRATEGIC IMPLICATIONS

Strategic Community Plan

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

COMMUNITY CONSULTATION

Community consultation is not required.

COMMENT

Shire Staff have compiled for the Approved Adviser two lists of tasks to be undertaken:

1. Tasks (128) to be undertaken by a Local Government to maintain compliance with various Acts over a twelve month period; and
2. Tasks (33) to be undertaken by 30 June 2017 to achieve administrative compliance with the Local Government Act 1995.

A copy of the second list of tasks to be completed by 30 June 2017 is attached for Councillors information. Further monthly reports will be made to Council advising progress against the task 'due dates'; the Approved Advisor is supplied with a fortnightly update report on progress.

ATTACHMENTS

Attachment 1 – Prioritised Compliance Action List

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council notes the attached Prioritised Compliance Action List and this Report.

REPORT NO: 024-17 **TO: ORDINARY COUNCIL MEETING 31st MAY 2017**
SUBJECT: REVIEW OF RISK MANAGEMENT POLICY

DATE:	14 May 2017
PROPONENT:	Shire of Ngaanyatjarraku
LOCATION:	Shire of Ngaanyatjarraku
AUTHOR:	Kevin Hannagan, Acting Deputy Chief Executive Officer
REPORTING OFFICER:	Chris Paget, Chief Executive Officer
FILE NO:	RM.00
DECLARATION OF	Nil

PURPOSE

For Council to amend its existing Risk Management Policy following a review by Councils Management and its insurer Local Government Insurance Services (LGIS).

BACKGROUND

Council is required to regularly review its policies. This review is being coordinated with a major review of all elements of Risk Management and involve:

- a) reviews of existing:
 - Risk Management Policy, and
 - Risk Management Framework.
- b) development of:
 - Risk Register.

STATUTORY IMPLICATIONS

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures:

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.

POLICY IMPLICATIONS

The existing Council Policy CS2.22 is to be amended.

FINANCIAL IMPLICATIONS

Nil, the Reg 17 Review is being undertaken in consultation with LGIS (approx. \$5k) and will be

funded from the credit balance it has in its LGIS, Members Experience Fund (approx. \$9k).

STRATEGIC IMPLICATIONS

Strategic Community Plan

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

COMMUNITY CONSULTATION

Not required.

COMMENT

The Reg 17 review may relate to any or all the matters referred to in sub regulation (1) (a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years (2017).

The Chief Executive Officer has commenced the process of undertaking the 2017 review, to be completed and forwarded to the Audit Committee later this calendar year. The review is being undertaken in consultation with Council’s insurer LGIS.

The first step has been the review of Council’s Risk Management Policy. Recommended changes are around:

- expanded Risk Management Objectives
- include Risk Appetite
- include Roles, Responsibilities & Accountabilities
- include Monitor & Review.

ATTACHMENTS

Attachment 1 – Amended Council Policy CS2.22 Risk Management

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council:

- (a) notes the commencement of the Chief Executive Officer’s Reg 17 biennial review of the appropriateness and effectiveness of the Shire’s systems and procedures; and
- (b) adopts the attached amended Council Policy CS2.22 Risk Management.

REPORT NO: 025-17 **TO: ORDINARY COUNCIL MEETING 31st MAY 2017**
SUBJECT: REVIEW OF RISK MANAGEMENT FRAMEWORK

DATE:	31 May 2017
PROPONENT:	Shire of Ngaanyatjarraku
LOCATION:	Shire of Ngaanyatjarraku
AUTHOR:	Kevin Hannagan, Acting Deputy Chief Executive Officer
REPORTING OFFICER:	Chris Paget, Chief Executive Officer
FILE NO:	RM.00 & CM.14
DECLARATION OF	Nil

PURPOSE

For Council to amend its existing Risk Management Framework following a review by Councils Management and its insurer Local Government Insurance Services (LGIS).

BACKGROUND

Council is required to regularly review its policies and plans. This review is being coordinated with a major review of all elements of Risk Management and involve:

- c) reviews of existing:
 - Risk Management Policy, and
 - Risk Management Framework.
- d) development of:
 - Risk Register.

STATUTORY IMPLICATIONS

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures:

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.

POLICY IMPLICATIONS

The existing Council Policy CS2.22 is to be amended (see separate report).

FINANCIAL IMPLICATIONS

Nil, the Reg 17 Review is being undertaken in consultation with LGIS (approx. \$5k) and will be

funded from the credit balance it has in its LGIS, Members Experience Fund (approx. \$9k).

STRATEGIC IMPLICATIONS

Strategic Community Plan

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

COMMUNITY CONSULTATION

Not required.

COMMENT

The Reg 17 review may relate to any or all the matters referred to in sub regulation (1) (a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years (2017).

The Chief Executive Officer has commenced the process of undertaking the 2017 review, to be completed and forwarded to the Audit Committee later this calendar year. The review is being undertaken in consultation with Council’s insurer LGIS.

The first step has been the review of Council’s Risk Management Policy contained in a separate report to Council. This report is in relation to changes to the Risk Management Framework.

ATTACHMENTS

Attachment 1 – Amended Risk Management Framework.

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council notes:

- (a) the commencement of the Chief Executive Officer’s Reg 17 biennial review of the appropriateness and effectiveness of the Shire’s systems and procedures; and
- (b) the attached amended Risk Management Framework.

DATE:	31 May 2017
PROPONENT:	Shire of Ngaanyatjarraku
LOCATION:	Shire of Ngaanyatjarraku
AUTHOR:	Kevin Hannagan, Deputy CEO
REPORTING OFFICER:	Chris Paget, Chief Executive Officer
FILE NO:	CM.14
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to consider amending Council Policy CS.20, Non-Current Asset Accounting by increasing the existing capitalisation amount from \$1,000 to \$2,500.

BACKGROUND

In accordance with Council Policy all assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition.

Many of these items relate to purchase costs initially under \$1,000 (washing machines, fridges, ovens, air conditioners, etc.) but when incidental costs such as freight and other costs (e.g. installation) are included the 'cost' exceeds the capitalisation threshold.

The Shire's Asset Register has many items within the Asset Class, Furniture & Equipment that were put into service at a cost greater than \$1,000 and as such must be accounted for as a non-current asset.

STATUTORY IMPLICATIONS

Local Government Act 1995, Clause 2.7, Role of Council

- (1) *The council —*
 - (a) *governs the local government's affairs; and*
 - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the council is to —*
 - (a) *oversee the allocation of the local government's finances and resources; and*
 - (b) *determine the local government's policies.*

POLICY IMPLICATIONS

It is proposed to amend Council Policy CS.20, Non-Current Asset Accounting.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2015-2025

Goal 4: Our Leadership, A strong voice representing the interest of the community

Outcome 4.2: A capable and compliant local government

COMMUNITY ENGAGEMENT

No community engagement is required.

CONCLUSION/COMMENT

Councils current Asset Register, Asset Class, Furniture & Equipment contains many entries for small value items much lower than \$2,500 but above the existing capitalisation threshold of \$1,000. This adds an additional accounting workload to manage these items.

An exercise was carried out in late 2015 to determine the existence and completeness of assets in the Shire's asset register. Any assets which are to be scrapped, non-existent or unusable have been identified and proposed to be written off from the asset register will be with Council approval (report to be presented in 2016).

As required under the Local Government Act (Financial Management Regulations) 1995 the Shire of Ngaanyatjarraku was required to value all Furniture & Equipment (F&E) at fair value by 30 June 2013. There are many items within the Asset Class, Furniture & Equipment with minor written down values. It would be quite expensive for the Shire to obtain a 'fair value' for these items.

In management's view, depreciated historical cost can be recognised as an acceptable surrogate for fair value for the following reasons:

Historical cost is an appropriate surrogate because any difference between fair value and depreciated historical cost is unlikely to be material. In other words, it equates with fair value in all material respects. Further, the benefit of ascertaining a more accurate fair value does not justify the additional cost of obtaining it. Finally, use of a surrogate is proposed to avoid the necessity of obtaining market evidence to justify that the difference is immaterial.

- Currently the Written down Value of F&E comprises less than 0.10% of the Shire's total Non-Current Fixed Assets. As all other asset classes are to be recognised at fair value in the 2014/15 FYE, this percentage is expected to decrease further.

- The income approach is not appropriate given the Shire does not generate cash flows from the use of these assets.
- The market value approach that would be best achieved through a qualified valuer is an expensive exercise for an asset class that lacks materiality. Given the Shire's remote location, there is not an active and liquid market for all F&E. It is questionable if the market approach is appropriate for all F&E. For example a refrigerator purchased for \$900 in Perth / Kalgoorlie would not be classed as a Non-Current Asset. However, when the Shire adds freight the cost is in the order of \$1,500 - \$1,800 (depending on transport) and is capitalised in the asset register and depreciated in the Shires' accounts.

For these reasons, the cost approach is the Shire's proposed valuation approach to represent fair value for the asset class F&E.

As such management seek Council's approval to amend the Shire's Non-Current Accounting Policy to increase the capitalisation threshold to \$2,500.

ATTACHMENTS

Attachment 1 – Amended Council Policy, CS.20, Non-Current Asset Accounting

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council amends Council Policy, CS.20, Non-Current Asset Accounting as attached to this report.

REPORT NO: 027-17 **TO: ORDINARY COUNCIL MEETING 31st MAY 2017**
SUBJECT: INVESTMENT POLICY REVIEW

DATE:	31 May 2017
PROPONENT:	Shire of Ngaanyatjarraku
LOCATION:	Shire of Ngaanyatjarraku
AUTHOR:	Kevin Hannagan, Acting Deputy Chief Executive Officer
REPORTING OFFICER:	Chris Paget, Chief Executive Officer
FILE NO:	CM.14
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to amend its existing Investment Policy and note an amendment to Chief Executive Officer Procedure, Internal Control in relation to Investments.

BACKGROUND

The Minister for Local Government has recently advised of amendments to the Local Government (Financial Management) Regulations 1996, 19C (2) in relation to extending the term of investments from one year to three years.

Additionally, the Shire's Auditor in the Management Letter for the 2014/15 Financial Year Audit advised in relation to the Local Government (Financial Management) Regulations 1996, 19, Investment Control Procedures:

“that a formal internal control procedural document be created to fully comply with the regulation.”

STATUTORY IMPLICATIONS

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.

POLICY IMPLICATIONS

The existing Council Policy CS2.7, Investments is to be amended.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Strategic Community Plan

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

COMMUNITY CONSULTATION

Not required.

COMMENT

Council's Policy CS2.7 Investments has been amended to incorporate recent changes to the Local Government (Financial Management) Regulations 1996, Regulation 19C.

As part of the review of this Policy it is also proposed to insert an additional clause in relation to prohibited investments as per Local Government (Financial Management) Regulation 1996, Regulation 19C.

The Chief Executive Officer, Procedure No. 5, Internal Control has also been amended to incorporate an internal control procedure as recommended by the Shire Auditor.

ATTACHMENTS

Attachment 1 – Amended Council Policy CS2.7 Investments

Attachment 2 – CEO Procedure No. 5 Internal Control (excerpt).

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- (a) adopts the attached amended Council Policy CS2.7 Investments,
- (b) instructs the Chief Executive Officer to update Council's Policy Manual, and
- (c) notes the amendment to Chief Executive Officer Procedure No. 5, Internal Control.

REPORT NO: 028-17 TO: ORDINARY COUNCIL MEETING 31st MAY 2017 SUBJECT: REVIEW - CREDIT CARD USAGE POLICY

DATE:	18 May 2017
PROPONENT:	Shire of Ngaanyatjarraku
LOCATION:	Shire of Ngaanyatjarraku
AUTHOR:	Kevin Hannagan, Acting Deputy Chief Executive Officer
REPORTING OFFICER:	Chris Paget, Chief Executive Officer
FILE NO:	CM.14
DECLARATION OF INTERESTS:	The Reporting Officer has an interest in that he has been issued with a Credit Card.

PURPOSE

For Council to amend its existing Credit Card Usage Policy.

BACKGROUND

Council is required to regularly review its policies. This review has been undertaken as recommended by its Auditors in their Management Letter for the 2014/15 Financial Year.

STATUTORY IMPLICATIONS

Local Government Act 1995

2.8. 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.

POLICY IMPLICATIONS

The existing Council Policy CS2.28 is to be amended.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Strategic Community Plan

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

COMMUNITY CONSULTATION

Not required.

COMMENT

Council's 2014/15 Auditor's recommended in their Draft Management Letter that:

“We recommend that written agreements be made between the Shire of Ngaanyatjarraku and the cardholders in order to set out the cardholder's responsibilities and legal obligations when using the credit card. This is further recommended in the Department of Local Government's Guideline Number 11 “Use of Corporate Credit Cards”.

As such the Policy has been amended to include this recommendation.

ATTACHMENTS

Attachment 1 – Amended Council Policy CS2.28 Credit Card Usage.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) adopts the attached amended Council Policy CS2.28 Credit Card Usage, and
- 2) instructs the Chief Executive Officer to update Council's Policy Manual.

REPORT NO: 029-17 **TO: ORDINARY COUNCIL MEETING 31st MAY 2017**
SUBJECT: REVIEW – REGIONAL PRICE PREFERENCE

DATE:	31 May 2017
PROPONENT:	Shire of Ngaanyatjarraku
LOCATION:	Shire of Ngaanyatjarraku
AUTHOR:	Kevin Hannagan, Acting Deputy Chief Executive Officer
REPORTING OFFICER:	Chris Paget, Chief Executive Officer
FILE NO:	CM.14
DECLARATION OF	Nil

PURPOSE

For Council to advertise its intention to initiate a process to consider adopting a revised Regional Price Preference Policy.

BACKGROUND

The existing Regional Price Preference Policy has been reviewed to better align it with the Local Government (Functions and General) Regulations 1996.

STATUTORY IMPLICATIONS

Local Government (Functions and General) Regulations 1996, Part 4A

24C. Regional price preference may be given

A local government located outside the metropolitan area may give a regional price preference to a regional tenderer in accordance with this Part.

POLICY IMPLICATIONS

The existing Council Policy CS2.9 would need to be revised if it is to be amended.

FINANCIAL IMPLICATIONS

Should a Regional Price Preference be applied, the Shire would incur additional costs for the provision of the goods or services. However, the previous maximum amounts in the previous policy have been reduced.

STRATEGIC IMPLICATIONS

Strategic Community Plan

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

COMMUNITY CONSULTATION

Local Government ((Functions and General) Regulations 1996

24E. Regional price preference policies for local governments

- (4) A policy cannot be adopted by a local government until the local government has considered all submissions that are received in relation to the proposed policy and, if that consideration results in significant changes to the proposed policy, then the local government must again give State-wide public notice of the altered proposed regional price preference policy.

COMMENT

The current policy is;

- not prescriptive in defining the ‘Region’ that the policy covers in that it refers to “include the district of the Shire of Ngaanyatjarraku and the non-metropolitan Goldfields Region”. The proposed amendment is for the ‘Region’ to include the districts of the Shire’s of Ngaanyatjarraku, Laverton, Menzies and Leonora,
- the proposed amendment also better clarifies that only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the tender assessment
- the maximum discount levels have also been reduced a) from \$50,000 to \$20,000, b) from \$50,000 to \$20,000 and c) from \$500,000 to \$50,000.

ATTACHMENTS

Attachment 1 – Proposed, amended Council Policy CS2.9 Regional Price Preference

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council:

- (a) notes the attached proposed regional price preference policy;
- (b) gives State-wide public notice of the intention to amend its regional price preference policy and include in that notice -
 - (i) the region to which the policy is to relate; and
 - (ii) details of where a complete copy of the proposed policy may be obtained; and
 - (iii) a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions; and
- (c) makes a copy of the proposed regional price preference policy available for public inspection in accordance with the notice.

REPORT NO: 030-17 **TO: ORDINARY COUNCIL MEETING 31st MAY 2017**
SUBJECT: FREEDOM OF INFORMATION

DATE:	6 April 2017
PROPONENT:	Shire of Ngaanyatjarraku
LOCATION:	Shire of Ngaanyatjarraku
AUTHOR:	Kevin Hannagan, Acting Deputy Chief Executive Officer
REPORTING OFFICER:	Chris Paget, Chief Executive Officer
FILE NO:	IM.03
DECLARATION OF	Nil

PURPOSE

For Council to note a report on the development of the Shire's Freedom of Information Statement and associated Forms to comply with the Freedom of Information Act 1992.

BACKGROUND

In accordance with the Freedom of Information Act 1992 a person has a right to be given access to the documents of an agency (other than an exempt agency) subject to and in accordance with the Act.

STATUTORY IMPLICATIONS

Freedom of Information Act 1992

S4. Agencies, duties of when applying Act.

Agencies are to give effect to this Act in a way that —

- (a) assists the public to obtain access to documents; and
- (b) allows access to documents to be obtained promptly and at the lowest reasonable cost; and
- (c) assists the public to ensure that personal information contained in documents is accurate, complete, up to date and not misleading.

POLICY IMPLICATIONS

There are no Policy implications related with this report.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

COMMUNITY CONSULTATION

No community engagement is required.

COMMENT

The Shire has not yet had in place a complete:

- Freedom of Information Statement;
- FoI Application to Access Documents Form; and
- FoI Amendment of Personal Information Form,

in full compliance with the Freedom of Information Act 1992.

These documents have now been developed and are available on the Shire's website:
www.ngaanyatjarraku.wa.gov.au

ATTACHMENTS

Attachment 1 – FoI Statement

Attachment 2 – FoI Application to Access Documents Form

Attachment 3 - FoI Amendment of Personal Information Form

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council notes the above report advising of development of a Freedom of Information Statement and associated Forms in compliance with the Freedom of Information Act 1992.

REPORT NO: 031-17 TO: ORDINARY COUNCIL MEETING 31st MAY 2017
SUBJECT: NATIONAL ASSET MANAGEMENT ASSESSMENT FRAMEWORK (NAMAF)

DATE:	31 May 2017
PROPONENT:	Shire of Ngaanyatjarraku
LOCATION:	Shire of Ngaanyatjarraku
AUTHOR:	Kevin Hannagan, Actg Deputy CEO
REPORTING OFFICER:	Chris Paget, Chief Executive Officer
FILE NO:	CM.14
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to consider progress and compliance with the Department for Local Government's NAMAF project.

BACKGROUND

The Department of Local Government and Communities (DLGC) has identified a number of challenges that face local governments in relation to asset management:

- data knowledge;
- data management;
- staff capacity; and
- difficulties integrating data across the suite of Integrated Planning and Reporting plans.

The Shire of Ngaanyatjarraku (the Shire) is being assisted by the DLGC, with funding from the Royalties for Regions Country Local Government Fund, to improve:

- its asset management capability;
- effectively addressing the asset renewal gap; and
- how Councils manage their assets, maintain them and plan for their replacement as it impacts on local government operations and services to the community.

The DLGC have engaged GHD to manage the project and provide training, support and mentoring to the Shire through the two phases.

STATUTORY IMPLICATIONS

Council's minimum obligations relating to planning for the future (IPR) are listed in S5.56 (1) of the Local Government Act 1995.

POLICY IMPLICATIONS

The NAMAFA is a separate plan and forms part of Councils suit of documents directly related to Asset Management including:

- Asset Management Policy;
- Asset Management Plan; and
- Asset Management procedures and guidelines.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2016-2026

Goal 4: Our Leadership, A strong voice representing the interest of the community

Outcome 4.2: A capable and compliant local government

COMMUNITY ENGAGEMENT

No community engagement is required.

CONCLUSION/COMMENT

The local communities rely on the Shire of Ngaanyatjarraku to deliver services. The Shire has finite resources and limited income streams that can be targeted to fund service delivery.

The Shire must ensure that service delivery is well targeted and aligns with the Community's aspirations identified via the development of the Strategic Community Plan.

To ensure that scarce resources are optimally allocated, it is important informed decisions are made when considering the acquisition, ongoing ownership, management and disposal of infrastructure assets. The Shire also needs to continuously consider whether it needs to provide and / or own assets in order to deliver services or whether it can simply facilitate the provision of the service by a third party, i.e. non asset ownership service delivery.

Through the National Asset Management Assessment Framework (NAMAFA) project, the Shire has received training in asset management on the NAMAFA purpose, process and report outcome. The NAMAFA project has the potential to improve the financial sustainability of the Shire and improve the prospect of attracting assets and infrastructure funding in the future. A review of the Country Local Government Fund conducted in 2012 flagged that future fund investments in assets and infrastructure may be directed only to those local governments that can demonstrate adequate asset management planning.

The NAMAF self-assessment process includes evaluation of strategic planning, budgeting, financial planning and asset management planning. Within the 11 NAMAF elements, there are 76 evaluations (total) that are used to determine the Shire’s core maturity level and a further 67 evaluations that Councils can address for an advanced level of maturity. The element areas are:

1. Strategic longer-term plan
2. Budget
3. Annual Report
4. Asset management policy
5. Asset management strategy
6. Asset management plans
7. Governances and management
8. Defining levels of service
9. Data and systems
10. Skills and processes
11. Evaluation

Section 3 of the attached report contains Conclusions and Recommendations that show the Shire is progressing well towards completion of Phase 1 of this project.
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ATTACHMENTS

Attachment 1 – National Asset Management Assessment Framework report.

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council notes the attached National Asset Management Assessment Framework, Phase 1 report and the Shires progress in compliance with the Department for Local Government & Communities’ project.

REPORT NO: 032-17 **TO: ORDINARY COUNCIL MEETING 31st MAY 2017**
SUBJECT: EXTENSION OF CONTRACT – ACCOUNTING SERVICES

DATE:	31 May 2017
PROPONENT:	Shire of Ngaanyatjarraku
LOCATION:	Shire of Ngaanyatjarraku
AUTHOR:	Kevin Hannagan, Actg. Deputy Chief Executive Officer
REPORTING OFFICER:	Chris Paget, Chief Executive Officer
FILE NO:	CM.19
DECLARATION OF INTERESTS:	Nil

PURPOSE

To Council to consider a one year extension of Contract T02 15/16 Accounting Services (AS).

BACKGROUND

At the August 2016, Ordinary Council Meeting Council resolved to appoint Paxon Group to provide Accounting Services for the Shire for a period of up to five financial years on a one financial year end basis.

The services incorporated provision of:

- Month End Review and Statement of Financial Activity;
- Annual Financial Statements;
- Annual Budget Statements;
- Annual Budget Review;
- Month-end Tax Services;
- FBT and Other Tax Services;
- Annual Grants Commission Information Return; and
- General Advice.

STATUTORY IMPLICATIONS

Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Shire makes annual budget allocations for Accounting Services.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2015 - 2025

Outcome: 4.2 A capable and compliant local government.

COMMUNITY CONSULTATION

No community engagement is required.

COMMENT

Contract documents were entered after the August 2016 Council Resolution to award the contract, and services were commenced late 2016 for the 2016/17 Financial Year End. As such Paxon Group have not had a full financial year to provide the services and conversely Shire management have not had a long enough period to adequately assess the full range of services to be provided over a financial year end. However, Paxon Group have undertaken a range of tasks in accordance with the contract and to date have performed the services to the satisfaction of Shire management. As such it is fair to offer another one financial year extension to enable measurement of their performance over the full range of services to be provided for the 2017/18 Financial Year End.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council approves the extension of Contract T02 15/16 Accounting Services to Paxon Group, Level 5, 160 St Georges Terrace, WA 6000 for a further one year term for accounting services associated with the 2017/18 Financial Year End.

REPORT NO: 033-17 **TO: ORDINARY COUNCIL MEETING 31ST MAY 2017**
SUBJECT: COMMUNITY LAYOUT PLAN – REQUEST FOR ENDORSEMENT

TABLED

Warburton Community Layout Plan 1 – Amendment 6 (prepared 3rd May 2017)

BACKGROUND

The Warburton Community Layout Plan No.1 Amendment 6 has been produced by the WA Department of Planning; this new version of the Plan is required to be formally endorsed by Warburton Community Incorporated, Ngaanyatjarra Land Council Aboriginal Corporation, WA Planning Commission and the Shire of Ngaanyatjarraku.

This Plan identifies all of the current Lots in the Community with buildings and structures located on them, as well as the provision of new lots for future development within the community. Additionally, some changes to designated land use types (eg housing, public open space, commercial and industrial use, buffer zones and flood areas), utilities services and a proposed new road are clearly identified on the document. The primary amendment in this version is the formal creation of “Eighth Street” on the western side of the Community, and the spatial alignment of new housing lots and power poles to allow the construction of 6 new houses by Ngaanyatjarra Council.

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

STATUTORY ENVIRONMENT

Not applicable

POLICY IMPLICATIONS

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

RECOMMENDATION

That Council endorses the Warburton Community Layout Plan No. 1, Amendment 5 as presented.

VOTING REQUIREMENTS

Simple majority

REPORT NO: 008-17 TO: ORDINARY COUNCIL MEETING 31st MAY 2017
SUBJECT: WALGA AGM – NOMINATION OF DELEGATES

SUMMARY

For Council to nominate its delegates to the 2017 Annual General Meeting of the Western Australian Local Government Association (WALGA).

Background

Each year WALGA holds its Annual General Meeting (AGM) to which each member local government is entitled to be represented by two (2) voting delegates.

The delegates are to be registered by Monday 3rd July 2017.

The AGM is to be held at the Perth Convention Centre on Wednesday 2nd August 2017 commencing at 1.30 pm.

Comment

Council has previously nominated the Shire President and Deputy President as its delegates to the WALGA AGM. In addition the Goldfields Esperance VROC ('GVROC') holds a regular meeting on the morning the AGM commences, which is one of the primary group meetings for the year and requires our participation.

It is appropriate that the Zone delegates be nominated to represent the Shire at the AGM. In addition, for the AGM, it is requested that Council nominate proxy delegates in the event that one or both of the voting delegates are unable to attend.

Legal Implications

Not applicable

Policy Implications

Not applicable

Consultation

Not applicable

Financial Implications

The costs of attending the WALGA Convention vary according the number of days delegates register for the event. Any fees for our Shire delegates are provided for within the Shire's Conference & Training expenses allocations in the annual budget.

Strategic Implications

Strategic Community Plan

Goal 4, Our Leadership

Outcome 4.2, A capable and compliant local government

Officer's Recommendation

That Council appoint delegates to the Western Australian Local Government Association Annual General Meeting 2017 as follows:

- Voting delegates: – Cr John Damian McLean (President)
 - Cr Beverley Thomas (Deputy President)

- Proxy delegate: - Cr Preston Thomas

Voting Requirements

Simple majority