

SHIRE OF WANDERING SPECIAL MEETING AGENDA



**24 January
2019**

SPECIAL COUNCIL MEETING

Agenda for the Special Council Meeting to be held on Thursday

24 January, 2019 in the Council Chambers commencing at 8.30am.



Notice of Meeting

The next Special Council Meeting for the Shire of Wandering will be held on Thursday 24 January, 2018 in the Wandering Council Chambers at 22 Watts Street, commencing at 8.30am, to discuss the matter requiring further information to appoint an Executive Manager of Technical Services as recommended at the December 2018 Council Meeting.

A handwritten signature in black ink, appearing to read 'A Halloran', with a stylized flourish at the end.

Amanda O'Halloran
Chief Executive Officer

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3. DISCLOSURE OF INTERESTS

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) (updated 13 March 2000)

A member who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting, which 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:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) 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 FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a Financial Interest in a matter. I intend to include these notes 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 measured 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 then 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 s5.69 (3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'. A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which 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.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

4. PUBLIC QUESTION TIME

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

The confirmation of minutes from the last Ordinary Meeting of Council will be included in the Agenda for the next Ordinary Meeting to be held at 3.30pm, Thursday 21 February, 2019.

6. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

7. REPORTS OF OFFICERS

7.1 CHIEF EXECUTIVE OFFICER

7.1.1 PROPOSED CHANGE TO SHIRE OF WANDERING ORGANISATIONAL STRUCTURE – IMPLEMENTATION OF EXECUTIVE MANAGER OF TECHNICAL SERVICES

File Reference	1.2.2
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	16 January 2019
Previously Before Council:	10.1.3 OCM - 13 December 2018
Author's Name & Position:	Amanda O'Halloran CEO
Attachments:	7.1.1.1 Executive Manager Technical Services Job Description and Salary Package
	7.1.2.1 Four Year Budget Forecast

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☒ Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☐ Legislative *Includes adopting local laws, local planning schemes and policies.*
- ☐ Review *When Council reviews decisions made by Officers.*
- ☐ Quasi-judicial *When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).*

PURPOSE OF THE REPORT

To present to Council, as requested at the 13 December 2018 Ordinary Meeting of Council, a report outlining a job description, selection criteria and salary package for the role of Executive Manager of Technical Services.

BACKGROUND

At the 13 December council meeting, the Council was recommended to approve the recruitment of a Works Manager due to the recent resignation of the role's incumbent. This item was lost and an alternative motion was carried which directed the CEO to:

Moved: CR WATTS

Seconded: CR FERGUSON

- That Council investigate the role of an Executive Manager of Works for a three year contract.*
- That the Chief Executive Officer prepares a report outlining further information for an Executive Manager of Works to include a job description, selection criteria and a salary package.*

CARRIED 6/0

This Item seeks to provide Council with the information they have requested and give confidence that the budget and organisation has capacity to support the role and maintain its sustainability in the future.

COMMENT/ DETAILS

It is proposed that this role will significantly elevate the planning and service delivery of infrastructure services in the Shire of Wandering, with specific emphasis on leading the works team. This senior position will provide high level strategic advice and planning across fleet and plant operations, road infrastructure, waste management, parks and gardens. The role will require a high level of engineering and technical expertise, with proficiency in finance and project management.

ATTACHMENT 7.1.1.1 JOB DESCRIPTION

The successful applicant will manage and mentor the works team and be given extensive scope to formulate new policies, drive a range of Shire projects and improve the road infrastructure program. There will also be an increased focus on maintaining relationships with key stakeholders and ensuring a responsive approach to customer service.

Council's 2018 – 2028 Strategic Plan has a significant emphasis on projects and outcomes that require expertise beyond our current workforce capabilities – projects such as Plant and Road Asset Plan, Roadside Reserve Management Plan, development of the Wandering Industrial Subdivision Stage 2 and Gravel Reserve Strategy to name a few. It is anticipated the proposed role will be able to undertake a significant proportion of these projects in-house over a three year tenure. This will result in greater shared knowledge and outcomes more focused on the Shire of Wandering's needs.

In addition, a considerable advantage will be to reduce the CEO's role in completing annual road applications, overseeing daily budget management, road hierarchy planning and prioritisation of issues. This would enable the CEO to be more involved in the activities of Council, such as;

- Supporting Council and delivering on key priorities and projects such as rates review, business growth strategy, investment strategy and continue to drive Council's policies and local laws; and
- supporting Council to influence and lobby State and Federal Government policy development to better understand and support the plight of small Council's and other matters considered a priority by Council; and
- Leading the Shires Strategic Integrated Planning activities

Council has typically had two senior roles within its organisational structure, the CEO and Manager of Finance and Administration in recent times and previous to that Deputy CEO. The role of Manager of Finance and Administration has been contracted to Williams and the service is provided over 2 days per week. Recently it has been identified that the Shire could benefit substantially from increased executive leadership support.

To attract a skilled Executive Manager of Technical Services, Council will need to increase the salary to support the skills and experience required to achieve the outcomes important to the Shire of Wandering. The proposed role will offer a salary up to \$125,000pa cash to the appropriate candidate. All other salary package conditions will remain the same. Whilst this is an increase in salary of up to the \$30,000pa more than the remuneration proposed for the previously discussed role of Works Manager, recent budgets have had allocations in other areas that can be redirected to this role with very little impact to the annual budget's bottom line.

CONSULTATION

Shire President
Shire of Wandering Councillors
Finance Manager

STATUTORY/ LEGAL ENVIRONMENT

LOCAL GOVERNMENT ACT 1995

Division 4 — Local government employees

5.36. Local government employees

- (1) A local government is to employ —
 - (a) a person to be the CEO of the local government; and
 - (b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.

5.37. Senior employees

- (1) A local government may designate employees or persons belonging to a class of employee to be senior employees.
- (2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.
- (3) Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.
- (4A) Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.
- (4) For the avoidance of doubt, subsection (3) does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.

[Section 5.37 amended by No. 49 of 2004 s. 45 and 46(4); No. 17 of 2009 s. 22.]

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Shire's annual budget over the last three years has had allocations to support consultants, Staff relief, technical advice and project support that can easily be directed into this area, and would sufficiently cover the increase in salary offered and leave surplus funds to support ongoing survey, valuation and data costs.

ATTACHMENT 7.1.1.2 FOUR YEAR BUDGET FORECAST

STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028

Council Priority 2 – Improve the Economic Growth of our Community

Strategic Community Plan		
Goal	Strategies	Our Measurement
Roads are a critical driver for our Shire	Develop a Road Management Plan, which incorporates a Road Hierarchy, Minimum Service Levels, Maintenance Policy, Contractor Policy and Asset Management Plan	Road infrastructure is maintained to satisfactory levels
		Plant and Road Asset Plan developed by 2021
	Lobby and build enduring partnerships with key government departments to better manage heavy vehicles and their impact on local roads	Road infrastructure is maintained to satisfactory levels
	Develop a Roadside Reserve Management Plan	Road Side Reserve Management Plan developed by 2021
	Develop a Strategic Gravel Reserve Plan and Policy	Gravel Reserve Policy and Plan developed by 2021

Council Priority 4 – Provide Strong Leadership

Strategic Community Plan		
Goal	Strategies	Our Measurement/ Outcomes
We plan for the future and are strategically focused	Service Level Plans detail operational roles, responsibilities and resources	We provide timely services and facilities by an adaptable workforce.
		Council makes informed decisions in regards to resource allocation and communicates this to the community

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Approves the change in organisational structure to include the role of the Executive Manager of Technical Services
2. Directs the CEO to proceed with the appointment of an Executive Manager of Technical Services for the Shire of Wandering; and
3. Appoint Councillors _____ and _____ to the recruitment panel.

*Agenda for the Special Council Meeting held in the Shire of Wandering Council Chambers on
Thursday 24 January, 2018*

8 BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
Nil

9 TIME AND DATE OF NEXT MEETING
Next Ordinary Council meeting to be held on 21 February, 2019 at 3:30pm.

10 CLOSURE OF MEETING



Executive Manager of Technical Services POSITION DESCRIPTION

TITLE:	Executive Manager of Technical Services
LEVEL:	Contract (3 years)
DEPARTMENT:	Works
REPORTS TO:	Chief Executive Officer
SUPERVISES:	Leading Hand, Plant Operators, Maintenance Worker, Gardener, Waste Service Operator and Casual Workers
EXTERNAL LIAISON:	Contractors and Suppliers
EFFECTIVE DATE:	January 2019

POSITION OBJECTIVE:

Make a positive contribution to the goals of Council including the Shire's sustainability, economic growth, roads, governance and leadership, and organisational direction both as an individual and as a member of the Executive Leadership Team.

To lead the planning, design, construction and maintenance of Council's civil and mechanical infrastructure in conjunction with the delivery of waste management services to create and sustain a vibrant physical environment to meet the needs of our community.

Key Responsibility Areas

Service Provision

The Executive Manager will reinforce and consistently demonstrate behaviour that promotes a culture of excellent customer service.

The Executive Manager will be responsible for the efficient and effective operation and management of the following Council services, asset management and human resource functions:

1) Projects and Assets

- Prepare concepts, investigate options and prepare designs to deliver the Capital Works Program.
- Provide project management services for all major and minor projects.
- Deliver high quality asset management which maximises value provided to the Shire's community from Council's inventory of infrastructure and assets.
- Deliver an effective building maintenance program.

- 2) Waste Management
 - Provide strategic direction for the operation of municipal waste management services including kerb side collections, transfer stations, and disposal facilities.
 - Ensure the effective and efficient implementation of the Waste Management Strategy.

- 3) Fleet and Plant Operations
 - Manage the workshop and works depot.
 - Ensure the efficient management of the plant and fleet including procurement, disposal, maintenance and repair.

- 4) Works

Manage the maintenance and refurbishment of Council's extensive parks and gardens.

 - Ensure that Council's infrastructure is adequately maintained through the effective programming and resourcing of the maintenance effort.

Manage Council's civil construction operations.

- 5) Property and Contracts
 - Provide advice and direction in relation to the administration of both external and internal contractors and major service providers within areas of responsibility.

- 6) Customer Service
 - The Executive Manager will ensure efficient customer focused services within his/her areas of responsibility are provided to the public and customers with the provision of accurate, quality and timely advice and response.

- 7) Staff Leadership and Development
 - Provide leadership, advice, effective communication and direction to staff within the Department, ensuring that the Directorate's objectives are met.
 - Maintain effective communication with staff within the directorate.
 - Undertake annual performance reviews for staff, followed up by management of appropriate staff development as a result of those reviews.

- 8) Professional Development
 - Attend appropriate peer networking events to enhance knowledge and information in relation to the position.
 - Ensure that current and appropriate levels of professional knowledge and technical accreditation are maintained.

- The Executive Manager will be responsible for the preparation and timely monitoring of budgets to deliver the above functions.***

- 9) Other duties
 - The Executive Manager will carry out such other duties as directed which are consistent with the general requirements of this position.

Accountability and Extent of Authority

- The Executive Manager has full authority to manage the Department in accordance with Council policies and/or delegations or as directed by the Chief Executive Officer.
- The Executive Manager will act as Chief Executive Officer in the absence of that Officer, if and when requested.
- Accountable for ensuring adequate resources are available to operate the Department effectively and efficiently, within budget constraints.
- The position is accountable for all functions under the Executive Manager's control, ensuring community and organisational needs are met on behalf of the organisation.

Judgment and Decision Making

The position principally involves problem solving and policy development, which relies on identification of possible options, other experiences, contestable procedures and specialist analytical tools. Extensive elements of innovative and creative approaches are required. Decisions are made with the context of organisational objectives, departmental procedures and broad Council policies and will include interpretation of standards and statutory requirements.

Specialist Skills and Knowledge

- Tertiary qualifications in engineering or related discipline, relevant to the duties of the role and at least five years' experience in a senior management role.
- Demonstrated application of budgeting and accounting procedures.
- Understanding and ability to apply the knowledge of wider political, legal and socio-economic realities and requirements.
- Demonstrated relevant experience and sound knowledge of the operation of construction plant and machinery and within the road construction and maintenance industry or equivalent.
- Good understanding of governance principles and legislation relevant to the position including the Local Government Act and other relevant legislation.
- Skills to identify and develop policies and solutions from unspecified options for consideration by the Executive Leadership Team.
- Broad understanding of the current theories and practices of civil infrastructure maintenance and construction in an urban and rural context from an Australian perspective.

Management Skills

In fulfilling the key responsibilities the Executive Manager will:

- Apply corporate management and strategic planning techniques in managing the resources of the Department in the achievement of the corporate goals of Council.
- Manage and provide leadership to staff by communicating corporate objectives and expectations, developing the team and promoting the preferred organisational culture.
- Develop and implement appropriate organisational structures and use contemporary management practices to ensure the development of competent and committed staff.
- Demonstrate an understanding and commitment to the longer term goals of the organisation and its values and aspirations.
- Ensure the Department complies with all relevant legislation, policies and procedures including procurement.

- Demonstrate initiative and innovative thinking within a context characterised by professionalism and decisiveness in dealing with issues faced by the Department.
- Manage competing priorities and achieve customer satisfaction whilst completing work programs on time and within budget.

Interpersonal Skills

- Demonstrated ability to establish and maintain productive relationships with Council and the Leadership Team.
- Demonstrated ability to establish and foster strong and productive relationships with internal and external stakeholders, including government, government agencies and the community.
- Ability to negotiate, influence and gain cooperation from all employees, management, Councillors and the community.
- Excellent written and oral communication skills.
- An understanding of the needs and concerns of citizens. A willingness to listen and the ability to strike an acceptable compromise, where appropriate, to resolve outstanding matters.
- High level of enthusiasm with the ability to productively manage time and stressful situations.

Statutory Compliance

- Actively participate and promote the Shire's Occupational Safety and Health policies and procedures, throughout the operations areas.
- Understand and put into place actions to ensure the reduction of the Shire's exposure to risk.
- Enforce the Shire's and legislated safety policies, rules and regulations in relation to Occupational Safety and Health in the operational team.
- Ensure compliance of the waste management and Shire's landfill sites with all legislative requirements and Waste license conditions.
- Ensure business and legislative requirements are adhered to at all times and promote a culture of continuous improvement.

Qualifications and Experience

- Appropriate tertiary and post tertiary qualifications in Engineering, Design, Construction or related fields.
- Qualifications and/or training in Project Management or Business is desirable.
- A minimum of five years' experience in a senior management position.
- Strong ability to plan, develop, implement and manage the day to day operations of the Shire's employees and contractors in maintenance and construction.
- Relevant Local Government experience at a senior level is preferred.
- Senior level operations, contract or project management experience.
- Current 'HR' Class Driver's License.
- Satisfactory National Police Clearance is required prior to appointment to the position.
- Broad experience with community consultations on service delivery and policy development.
- Knowledge of the principles and practices of infrastructure services.



SELECTION CRITERIA

Essential Criteria

- Tertiary qualifications in engineering or related discipline, relevant to the duties of the role and at least five years' experience in a senior management role.
- Evidence of leadership in managing a diverse portfolio including professional, qualified and unqualified staff with a demonstrated commitment to the principles of equity, diversity and OSH principles.
- Ability to develop and implement plans within strategic direction.
- Demonstrated excellent oral, written and interpersonal communication skills including excellent negotiation, conflict resolution skills and the capacity to build and maintain positive relationships with stakeholders and staff.
- Proven experience in project management, major capital works programs and delivering within policy guidelines and budgetary expectations.
- Demonstrated ability to provide advice, policy development and decision making support to Council and the Chief Executive Officer.
- Demonstrated experience in managing state and commonwealth funded capital works grants.
- Demonstrated experience in delivering innovative approaches to challenges.
- Demonstrated understanding of the Integrated Planning and reporting requirements for Local Government and the challenges facing contemporary Local Government practice.
- High level computer skills.
- 'HR' Class Driver's License.

REMUNERATION INFORMATION

Salary & Superannuation

Cash component up to \$125,000 per annum depending on qualifications and/ or experience.

The salary takes into account attendance at out of hours meetings as required and includes on call availability to attend to necessary tasks or attend to emergencies.

Superannuation as per legislation, currently 9.5% plus an additional 5% on a matching basis if the employee contributes to superannuation (can be salary sacrificed).

Housing

Council Executive 4x2 housing is included.

Shire Vehicle

Full unlimited state wide use of Shire vehicle 4x4 utility.

Utilities allowance

A utilities allowance up to \$3000pa.

Communications Allowance

Provision of a mobile phone and home communications up to \$1,500pa.

Leave Provisions

Negotiated as per the Local Government Industry Award 2010.

Removal Expenses

The Shire will negotiate payment of the successful applicant's removal expenses to Wandering.

Professional Development and Professional Affiliation Membership

The Shire supports ongoing development of staff including attendance at training courses and workshops so an allowance of up to \$600 is available for professional affiliation membership.

PD Approved by: Chief Executive Officer

Supervisor: **Signature:**

.....

Employee: **Signature:**

.....

Date Appointed:

FOUR (4) YEAR FUNDING FORECAST

	1	2	3	4
	2019-20	2020-21	2021-22	2022-23
Revenues				
Rates	1,036,125	1,098,293	1,154,190	1,234,041
Operating Grants, Subsidies And Contributions	479,771	779,639	795,232	811,136
Profit on asset disposal	0	0	0	0
Fees & Charges	679,605	683,711	697,385	711,333
Interest Earnings	9,300	9,486	9,676	9,869
Other Revenue	22,000	22,440	22,889	23,347
	2,226,801	2,593,569	2,689,372	2,789,727
Expenses				
Employee Costs	(776,070)	(795,254)	(810,369)	(785,777)
Materials & Contracts	(1,284,257)	(1,123,267)	(1,146,533)	(1,230,263)
Utilities	(44,900)	(45,288)	(46,194)	(47,118)
Depreciation on non-current assets	(672,000)	(685,440)	(699,149)	(713,132)
Loss on asset disposal	(74,172)	0	0	0
Insurance Expenses	(87,475)	(88,373)	(90,140)	(91,943)
Interest Expenses	(10,291)	(4,377)	(4,464)	(4,554)
Other expenditure	(5,200)	(5,304)	(5,410)	(5,518)
	(2,954,365)	(2,747,313)	(2,802,259)	(2,878,304)
	(727,564)	(153,744)	(112,887)	(88,578)
Funding Position Adjustments				
Depreciation on non-current assets	672,000	685,440	699,149	713,132
Net profit and losses on disposal	74,172	0	0	0
Movement in employee benefit provisions	389	0	0	0
Net funding from Operational Activities	18,997	531,696	586,261	624,554
				706,407
FUNDING FROM CAPITAL ACTIVITIES				
Inflows				
Proceeds from disposal	30,000	153,000	54,000	70,000
Non-Operating Grants, Subsidies And Contributions	2,042,172	1,208,000	465,100	472,342
Outflows				
Purchase of property, plant and equipment	(170,000)	(482,000)	(525,000)	(410,000)
Purchase of Infrastructure	(1,597,283)	(1,391,000)	(651,560)	(662,533)
Net Funding From Capital Activities	304,889	(512,000)	(657,560)	(530,191)
				(562,895)
FUNDING FROM FINANCING ACTIVITIES				
Inflows				
Transfer from reserves	130,000	88,811	106,299	0
New borrowings	0	0	0	0
Outflows				
Transfer to reserves	(42,283)	(35,000)	(35,000)	(94,363)
Repayment of past borrowings	(621,710)	(73,507)	0	0
Net Funding From Financing Activities	(533,993)	(19,696)	71,299	(94,363)
				(143,512)
Estimated Surplus/Deficit July 1 B/Fwd	210,107	0	0	0
Estimated Surplus/Deficit June 30 C/Fwd	0	(0)	0	(0)

(Yearly 6% Rate Increase)
(19-20 demonstrates full FAGS Allocation)

