

MINUTES

27th of March 2024

ORDINARY COUNCIL MEETING

Held at the Shires Administration Building situated at Gascoyne Junction
commencing at 10.30am

DISCLAIMER

Disclaimer

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations which have not yet been adopted by Council.

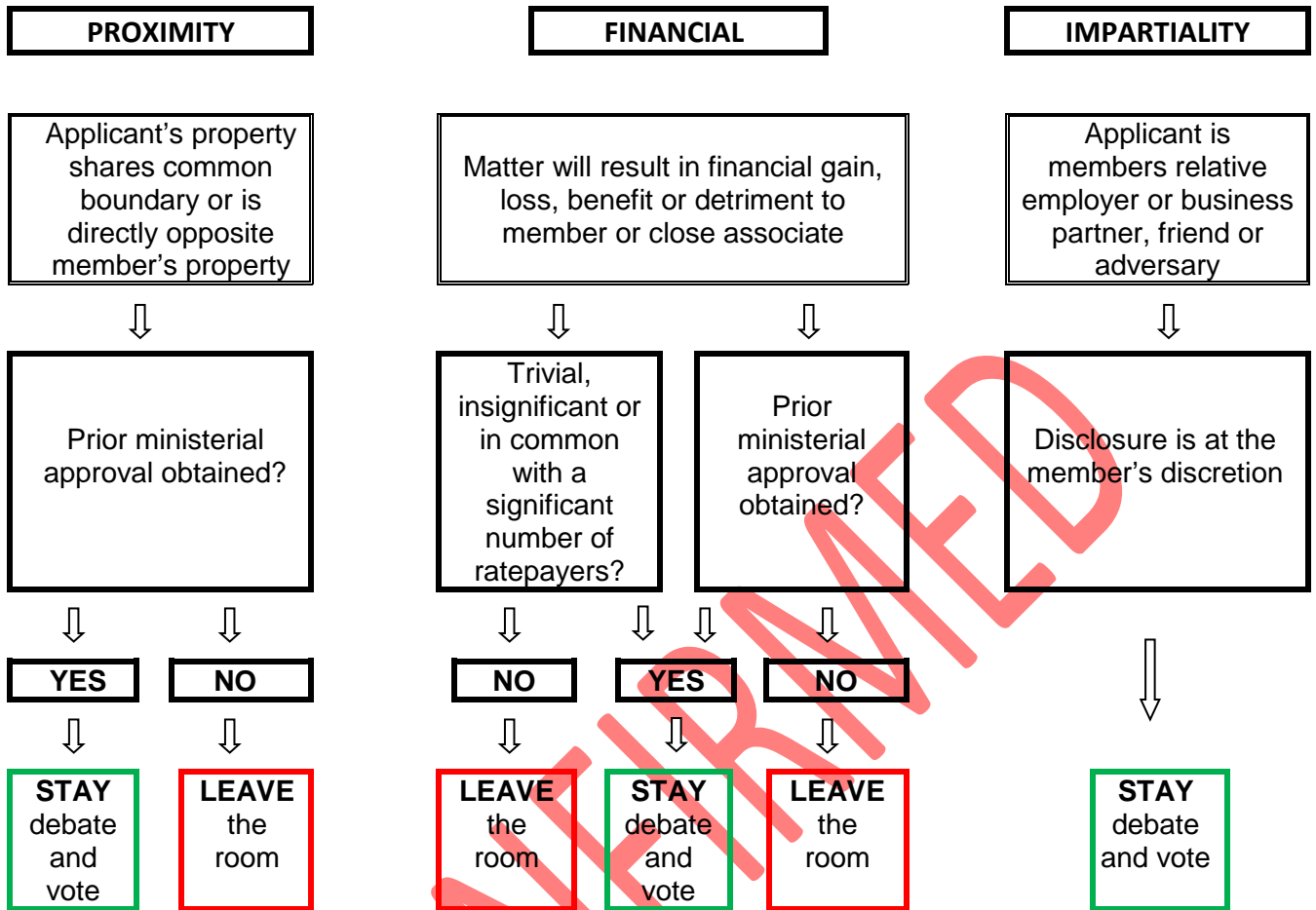
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In particular and without derogating in any way from the broader disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Upper Gascoyne during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Upper Gascoyne. The Shire of Upper Gascoyne warns that anyone who has an application lodged with the Shire of Upper Gascoyne must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attached to the decision made by the Shire of Upper Gascoyne in respect of the application.



John McCleary, JP
CHIEF EXECUTIVE OFFICER

* Declaring an Interest



Local Government Act 1995 - Extract

5.65 - Members' interests in matters to be discussed at meetings to be disclosed.

- (1) A member who has an 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. (Penalties apply).
- (2) It is a defense to a prosecution under this section if the member proves that he or she did not know:
 - (a) that he or she had an interest in the matter; or
 - (b) that the matter in which he or she had an interest would be discussed at the meeting.
- (3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

5.70 - Employees to disclose interests relating to advice or reports.

- (1) In this section: 'employee' includes a person who, under a contract for services with the local government, provides advice or a report on a matter.
- (2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report.
- (3) An employee who discloses an interest under this section must, if required to do so by the council or committee, as the case may be, disclose the extent of the interest. (Penalties apply).

5.71 - Employees to disclose interests relating to delegated functions.

- If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and:
- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and
 - (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter. (Penalties apply).

'Local Government (Administration) Regulations 1996 - Extract

In this clause and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996: "Interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.



SHIRE OF UPPER GASCOYNE
AGENDA FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRES ADMINISTRATION
BUILDING SITUATED AT GASCOYNE JUNCTION ON THE 27th of MARCH 2024 COMMENCING AT
10.30AM

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**SHIRE OF UPPER GASCOYNE
AGENDA FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRES
ADMINISTRATION BUILDING SITUATED AT GASCOYNE JUNCTION ON THE 27th OF MARCH 2024
COMMENCING AT 10.30 AM**

1. DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS

The Shire President welcomed those present and declared the meeting open at 10.36am

2. ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE

2.1 Councillors

Cr J. Caunt	Shire President
Cr H. McTaggart	Deputy Shire President
Cr B. Walker	Councillor
Cr R. Hoseason-Smith	Councillor
Cr P. Windie	Councillor
Cr W. Baston	Councillor (via Zoom)

Staff

John McCleary JP	Chief Executive Officer
Andrea Pears	Manager of Finance and Corporate Services
Cherie Walker	Senior Corporate Services Officer

Visitors

Joshua Kirk	Greenfield Technical Services
Russell Barnes	Moore Australia

2.2 Absentees

Jarrod Walker	Manager of Works and Services
Cr A. McKeough	Councillor

2.3 Leave of Absence previously approved

3. APPLICATION FOR LEAVE OF ABSENCE

Nil

4. PUBLIC QUESTION TIME

4.1 Questions on Notice

Nil

4.2 Questions without Notice

Nil

5. DISCLOSURE OF INTEREST

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

- Greenfield Technical Services

7. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

8. MATTERS FOR WHICH THE MEETING MAY GO BEHIND CLOSED DOORS

Nil

9. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

9.1 Ordinary Meeting of Council held on 28th of February 2024.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution No: 01032024

MOVED:

CR: R. HOSEASON-SMITH

SECONDED:

CR: B. WALKER

That the Unconfirmed Minutes from the Ordinary Meeting of Council held on the 28th of February 2024 be confirmed as a true and correct record of proceedings.

FOR: CR J. CAUNT

AGAINST: CR

CR H. MCTAGGART

CR B. WALKER

CR P. WINDIE

CR W. BASTON (VIA ZOOM)

CR R. HOSEASON-SMITH

F/A: 6/0

to take a wander outback. We will be sharing our new and updated Wander Outback brochure and launching the Under Gascoyne Skies Festival to be held in August focusing on food in the Upper Gascoyne with events in Gascoyne Junction, Kennedy Range and at Mount Augustus from August 24 to August 31.



A mentor has been appointed for the Upper Gascoyne Tourism Capability Building Project with seven establishments across the Shire participating. Tourism WA have been in the Shire this week visiting participants with the mentoring commencing the week of April 8. The excitement around this project is energizing to be around.



April will see two sundowner events for our pastoralists to bring them together in a relaxed and informal setting. From an economic development perspective, an expression of interest will be sent out before the end of March to better understand how we can best advocate for our agriculture sector.

We have almost finalized the MOU with WACHS re the GP Clinic. A proposal for a monthly physio clinic was also submitted for funding approval but the decision was held over whilst additional information was sought from the provider. This will be taken to the next funding meeting in July.

General Ledger Detail Trial Balance

Options: Year 23/24, From Month 08, By Responsible Officer (CRC INCOME CRC INCOME ACCOUNTS - MONTHLY REPORTING)

RespOf	Account	Description	Opening Bal	Movement	Balance
Division	GEN				
CRC INC	10841310	Commission Centrelink : CRC	-5,191.20	-604.69	-5,795.89
CRC INC	10841330	Transport Commission: CRC	-915.75	-102.35	-1,018.10
CRC INC	10841340	Postal Agency Commission: CRC	-4,687.83	-1,333.34	-6,021.17
CRC INC	10841350	CRC Room Hire Income	-109.10	0.00	-109.10
CRC INC	10841360	Income from Events Held	-20,920.00	806.30	-20,113.70
CRC INC	10841380	Postal Agency Sales	-593.49	-148.23	-741.72
CRC INC	10841390	Sales: Books/Maps/Souvenirs/Sundries	-637.98	-48.09	-686.07
CRC INC	10841500	Grant: CRC Operating	-48,000.00	0.00	-48,000.00
CRC INC	10842590	Community Fund Monies Held in Trust Transferred to CRC	-462.26	0.00	-462.26
CRC INC	10842600	CRC Income Misc.	-197.01	-8,200.26	-8,397.27
CRC INC	10842610	CRC Merchandise Sales	-4,455.47	-245.10	-4,700.57
Total	CRC INCOME		-86,170.09	-9,875.76	-96,045.85
Total for division GEN			-86,170.09	-9,875.76	-96,045.85
Grand Total			-86,170.09	-9,875.76	-96,045.85



CUSTOMER SERVICES & ENQUIRIES		2023.2024	2022.2023	YTD	Feb-24	Feb-23	FEB DIFF
		TOTAL	TOTAL	DIFF			
Admin Support	Faxes	1	0	1	0	0	0
	Photocopying/Printing/Scanning/Emailing	14	25	-11	3	0	3
	Laminating/Binding	0	1	-1	0	0	0
	Hot Office Bookings	3	1	2	0	0	0
	External Training and Course	1	0	1	0	0	0
CRC	1:1 Assistance to Community Members	31	30	1	4	2	2
	Computer/Internet Access	33	34	-1	0	0	0
	Community Education Events	1	2	-1	0	0	0
	Community Social Events	12	16	-4	4	1	3
	Community Economic Seminars	0	1	-1	0	0	0
	Department of Human Services	11	16	-5	0	0	0
	Government Access Point	38	37	1	4	3	1
	Use of Paid WIFI Services	3	3	0	0	0	0
	Use of FREE WIFI Hub	33	27	6	0	0	0
Tourism	Road Condition Requests	409	830	-421	13	23	-10
	General Tourism Information	1146	1036	110	17	13	4
	Book Sales	14	29	-15	0	0	0
	CRC Merchandise Sales	197	308	-111	4	4	0
	Walking Tours	67	70	-3	0	0	0
Info	Phonebook Purchases	0	0	0	0	0	0
	Gassy Gossip yearly subscription	4	0	4	1	0	1
	Gassy Gossip Advertisement	0	0	0	0	0	0
Health	Video Conference/Telehealth	1	8	-7	0	0	0
	RFDS Support	17	11	6	1	1	0
	Medical Clinic Visits	65	82	-17	8	0	8
Agencies	Library	81	93	-12	9	8	1
	Postage Sales	87	94	-7	10	4	6
	Postage Collection	68	68	0	48	36	12
	Department of Transport	35	34	1	8	3	5
	Horizon Power	58	68	-10	20	9	11
Total Customer Service Enquiries		2430	2924	-494	154	107	47

10.2 Chief Executive Officers Report

At last we have seen some rain, not sure if this will bring a river but any precipitation is welcome. Unfortunately this extended dry period has once again shown that water security for the town is paramount. With this in mind we are still looking at different options to make water that is capable of being used on our parks and gardens at an affordable cost.

Unfortunately Jarrod is still away but we are hoping that he returns in the very near future. Whilst away I have taken on Jarrod's role which has been challenging given my normal duties associated with a CEO still needing to be undertaken. I am grateful for all of my staff for assisting and going the extra yards.

The Shire President and Deputy President (via teams) accompanied me to Perth for a meeting with Hastings in order to move the Road Use Agreement along. The meeting commenced at 2.00pm and we worked through until approximately 9.30am. The majority of the document has been agreed, subject to Council approval; however, there are a couple of issues that still need further work. We have instructed our solicitor and Hastings solicitor to work together to find a solution that works, once done they are to appraise us with the detail for further consideration.

I attended the Burringurrah Service Providers Meeting, questions were raised about up-grading the Gascoyne River Crossing.

The transfer of Lot 45 Gregory Street to the freehold ownership of the Shire from the State has been completed with a sub-division application being processed. This land is where Ainsley currently resides and the new house will be situated to the rear of Ainsley's.

The new house is nearing completion and is due to be on-site on or around the 4th of April. Lance Root is doing the house pad, the Water connection is in place and we are now waiting on Horizon Power to provide a quote. I can advise that Horizon have indicated that the anticipated cost will be between \$20,000 - \$30,000 which is absolutely ridiculous.

The Shire are working in partnership with the Gascoyne Development Commission in developing a "Mining and Resources Symposium". The GDC will provide some financial assistance and a staff member to assist. It is proposed the event will be held on the 5th of September 2024.

I am pleased to advise that our new remote controlled depot security gate has been installed. This will provide security for the depot and will also cover off on adverse findings under Regulation 17.

10.3 ACCOUNTS & STATEMENTS OF ACCOUNTS	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	Andrea Pears
Date:	18 March 2024
Matters for Consideration:	To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Wednesday the 27 th of March 2024 as attached – see Appendix 1 .

	In addition to the List of Accounts and as part of this agenda report, Council are also requested to receive the Legal Expenses report. This report details all legal costs incurred to the end of this reporting period for both general legal and rates debt recovery expenses – refer to Appendix 1 .
Background:	The local government under its delegated authority to the CEO to make payments from the municipal and trust funds is required to prepare a list of accounts each month showing each account paid and presented to Council at the next ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.
Comments:	The list of accounts are for the month of February 2024.
Statutory Environment:	<p>Local Government (Financial Management Regulations) 1996</p> <p>13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p> <p>(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 —</p> <ul style="list-style-type: none"> (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. <p>(2) A list of accounts for approval to be paid is to be prepared each month showing —</p> <ul style="list-style-type: none"> (a) for each account which requires council authorisation in that month — <ul style="list-style-type: none"> (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. <p>(3) A list prepared under sub regulation (1) or (2) is to be —</p> <ul style="list-style-type: none"> (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.
Policy Implications:	Nil

Financial Implications:		2023/2024 Budget													
Strategic Implications:		SCP – Objective 4 – Our Leadership – 4.2 An efficient and effective organisation. Strategy 4.2.2 Maintain accountability and financial responsibility through effective planning. Strategy 4.2.3 Comply with statutory and legislative requirements.													
Risk:															
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)										
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation										
Consultation:		Nil													
Voting requirement:		Simple Majority													
Officer's Recommendation:		<p><i>That Council endorse the payments for the period 1st of February 2024 to the 29th of February 2024 as listed, which have been made in accordance with delegated authority per LGA 1995 s5.42 and receive the Legal Expenses Report detailing all legal costs incurred to the 29th of February 2024.</i></p> <table border="1"> <tr> <td>Municipal Fund Bank EFTs</td> <td>\$ 1,813,013.64</td> </tr> <tr> <td>Cheque</td> <td>\$ 0.00</td> </tr> <tr> <td>Payroll</td> <td>\$ 89,321.44</td> </tr> <tr> <td>BPAY/Direct Debit</td> <td>\$ 20,977.17</td> </tr> <tr> <td>TOTAL</td> <td>\$ 1,923,312.25</td> </tr> </table>				Municipal Fund Bank EFTs	\$ 1,813,013.64	Cheque	\$ 0.00	Payroll	\$ 89,321.44	BPAY/Direct Debit	\$ 20,977.17	TOTAL	\$ 1,923,312.25
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Cheque	\$ 0.00														
Payroll	\$ 89,321.44														
BPAY/Direct Debit	\$ 20,977.17														
TOTAL	\$ 1,923,312.25														
Council Resolution No: 03032024															
MOVED:	CR: R. HOSEASON-SMITH	SECONED:	CR: B. WALKER												
<p>That Council endorse the payments for the period 1st of February 2024 to the 29th of February 2024 as listed, which have been made in accordance with delegated authority per LGA 1995 s5.42 and receive the Legal Expenses Report detailing all legal costs incurred to the 29th of February 2024.</p> <table border="1"> <tr> <td>Municipal Fund Bank EFTs</td> <td>\$ 1,813,013.64</td> </tr> <tr> <td>Cheque</td> <td>\$ 0.00</td> </tr> <tr> <td>Payroll</td> <td>\$ 89,321.44</td> </tr> <tr> <td>BPAY/Direct Debit</td> <td>\$ 20,977.17</td> </tr> <tr> <td>TOTAL</td> <td>\$ 1,923,312.25</td> </tr> </table>						Municipal Fund Bank EFTs	\$ 1,813,013.64	Cheque	\$ 0.00	Payroll	\$ 89,321.44	BPAY/Direct Debit	\$ 20,977.17	TOTAL	\$ 1,923,312.25
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FOR: CR J. CAUNT
CR H. MCTAGGART
CR B. WALKER
CR P. WINDIE
CR W. BASTON (VIA ZOOM)
CR R. HOSEASON-SMITH

AGAINST:

F/A: 6/0

UNCONFIRMED

10.4 MONTHLY FINANCIAL STATEMENT	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	None
Author:	Andrea Pears
Date:	18 th March 2024
Matters for Consideration:	<p>The Statement of Financial Activity for the period of February 2024, includes the following reports:</p> <ul style="list-style-type: none"> • Statement of Financial Activity • Significant Accounting Policies • Graphical Representation – Source Statement of Financial Activity • Net Current Funding Position • Cash and Investments • Major Variances • Budget Amendments • Receivables • Grants and Contributions • Cash Backed Reserve • Capital Disposals and Acquisitions • Trust Fund <p style="text-align: center;">see Appendix 2</p>
Background:	<p>Under the Local Government (Financial Management Regulations 1996), a monthly Statement of Financial Activity must be submitted to an Ordinary Council meeting within 2 months after the end of the month to which the statement relates. The statement of financial activity is a complex document but presents a complete overview of the financial position of the local government at the end of each month. The Statement of Financial Activity for each month must be adopted by Council and form part of the minutes.</p>
Comments:	The Statement of Financial Activity is for the month of February 2024
Statutory Environment:	<p>Local Government Act 1995 – Section 6.4</p> <p>Local Government (Financial Management Regulations) 1996 – Sub-regulation 34.</p>
Policy Implications:	Nil
Financial Implications:	Nil
Strategic Implications:	<p>SCP – Objective 4 – Our Leadership – 4.2 An efficient and effective organisation.</p> <p>Strategy 4.2.2 Maintain accountability and financial responsibility through effective planning.</p> <p>Strategy 4.2.3 Comply with statutory and legislative requirements.</p>
Risk:	

10.5

TENDER DECISION CRITERIA – DRFAWA – AGRN 1062

Applicant:	Shire of Upper Gascoyne				
Disclosure of Interest:	Nil				
Author:	John McCleary – Chief Executive Officer				
Date:	13 March 2024				
Matters for Consideration:	To determine the decision criteria when awarding a tender to carry out Flood Damage works – AGRN 1062				
Background:	Between the 29 th of March 2023 and the 4 th of April 2023 the Shire experienced storms and associated flooding that caused damaged to the Shire's essential assets.				
Comments:	It is estimated that the costs to reinstate the roads will be between \$4 to \$5 million. DEFES have to the scope of works we now need to go the market to firm up the actual costs				
Statutory Environment:	Local Government Act				
Policy Implications:	Purchasing Policy				
Financial Implications:	The Shire's 24/25 Budget – This is a reimbursement program with monies expended being reimbursed under the DRFAWA; as such there is no cost against the budget except for the Shires required contribution.				
Strategic Implications:	SCP – Key Objective 2 – Economic – Our Prosperity Strategy 2.1.1 – Provide appropriate network infrastructure, supporting our community, local pastoral and mining industries and tourism. CBP – 2.1.1.1 Maintenance and upgrade of road network.				
Risk:					
Risk	Risk Likelihood (based on history and with existing controls)		Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)		Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

10.6 2023 / 24 STATUTORY BUDGET REVIEW

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	Andrea Pears – Manager of Finance & Corporate Services
Date:	18 March 2024
Matters for Consideration:	To consider and adopt the Budget Review as presented in the Statement of Projected Financial Activity for the period 1 July 2023 to 30 June 2024. A detailed budget review report and financial statements appear in Appendix 3 .
Background:	<p>The Local Government Financial Management Regulation 33A requires each local government between 1 January and 31 March in each financial year to carry out a review of its annual budget.</p> <p>The review must:</p> <ul style="list-style-type: none"> • Consider the financial performance in the period beginning on July 1 and ending no earlier than December 31 • Consider the financial position at the date of the review • Review the outcomes for the end of that financial year as forecast in the budget <p>The Council is to consider a review submitted to it and determine whether or not to adopt the review, and any parts of the review or any recommendation made in the review.</p>
Comments:	<p>At the time of adopting the 2023/24 Budget in August 2023, the opening balance was stated as a surplus of \$4,713,637 and this was mostly driven by the receipt of our advance payment for the Financial 23/24 financial year.</p> <p>Since the finalisation of the Shire’s 2022/23 Annual Financial Statements in November 2023, the confirmed carry forward balance into 2023/24 is a surplus amount of \$4,695,578. This reduced the Council’s original opening surplus balance adopted in the 2022/23 budget by \$18,059.</p> <p>Council’s Principal Accountant from RSM Australia, Travis Bate will provide a more detailed explanation of the movement between Original Budget adopted in August 2023 and this Budget Review report at Appendix 3.</p>

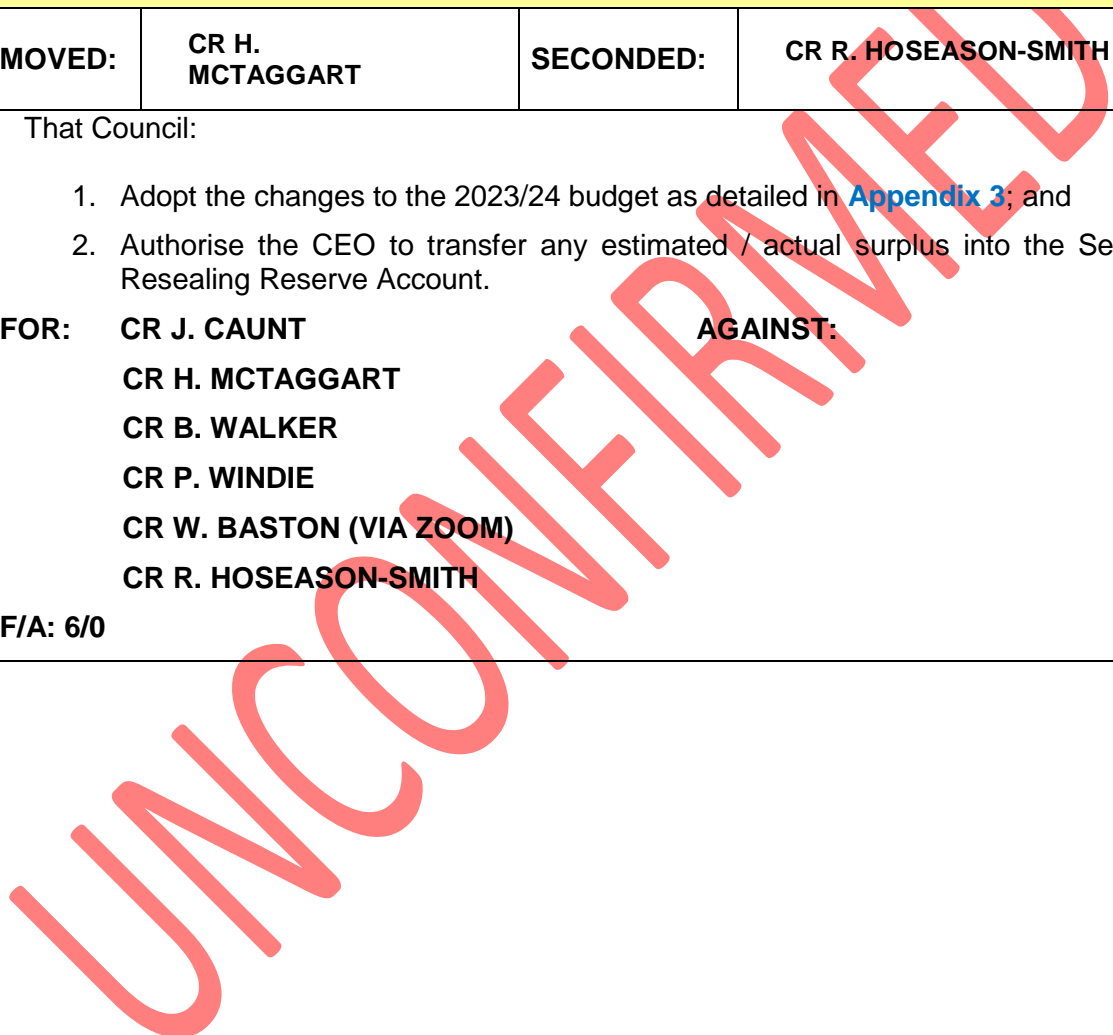
Statutory Environment:	<p>Local Govt. Act 1995 section 6.2 and Financial Management Regulations 33A –</p> <p>33A. Review of budget</p> <p>(1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.</p> <p>(2A) The review of an annual budget for a financial year must —</p> <p>(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</p> <p>(b) consider the local government’s financial position as at the date of the review; and</p> <p>(c) review the outcomes for the end of that financial year that are forecast in the budget.</p> <p>(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.</p> <p>(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.</p> <p>*Absolute majority required.</p> <p>(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.</p>				
Policy Implications:	Nil				
Financial Implications:	To ensure the financial position of the Shire is on track to achieve the objectives outlined in the adopted budget and to make any adjustments as required.				
Strategic Implications:	Civic Leadership – To responsibly manage Council’s financial resources to ensure optimum value for money and sustainable asset management.				
Risk:					
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

Consultation:	Contract Accountants – RSM Management Staff
Voting requirement:	Absolute Majority
Officer's Recommendation:	<p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. Adopt the changes to the 2023/24 budget as detailed in Appendix 3; and 2. Authorise the CEO to transfer any estimated / actual surplus into the Sealed Road Resealing Reserve Account.

Council Resolution No:06032024

MOVED:	CR H. MCTAGGART	SECONDED:	CR R. HOSEASON-SMITH
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<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt the changes to the 2023/24 budget as detailed in Appendix 3; and 2. Authorise the CEO to transfer any estimated / actual surplus into the Sealed Road Resealing Reserve Account. <p>FOR: CR J. CAUNT CR H. MCTAGGART CR B. WALKER CR P. WINDIE CR W. BASTON (VIA ZOOM) CR R. HOSEASON-SMITH</p> <p>F/A: 6/0</p>	<p>AGAINST:</p>
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Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	13 March 2024
Matters for Consideration:	To determine to de-gazette various roads within the Shire.
Background:	The Shire has a considerable unsealed road network with many of the roads associated with pastoral properties / station homesteads which are no longer used due stations being amalgamated. These roads were originally put in place to service the station homesteads with mail and other goods.
Comments:	<p>These roads are now used very seldom or they are just used by an individual pastoralist for their station operations. These roads have very little strategic importance to the Shire; however, the liability for the repair and maintenance remains with the Shire.</p> <p>By de-gazetting these roads:-</p> <p>Bingegaroo Road; Wanna Road; Yalbra Road; and Mooka Road.</p> <p>the Shire will receive less road funding amounting to \$47,201. The loss of road funds is far less than the liability of maintaining / repairing these roads on an annual basis.</p> <p>For this to occur the Shire is to first advertise the notice of the proposed motion in a newspaper circulating the district and after 35 days consider any objections made before a resolution requesting the Minister to close the nominated roads.</p> <p>In keeping with the Shire's ethos of transparency it is proposed to write to each effected land holder, advertise via our Web-site & social media and the "Gassy Gossip".</p>

Statutory Environment:		<p>9. Local government request to close road permanently (Act s. 58(2)), requirements for</p> <p>For the purposes of preparing and delivering under section 58 of the Act a request to the Minister to close a road permanently a local government must include with the request —</p> <ul style="list-style-type: none"> (a) written confirmation that the local government has resolved to make the request, details of the date when the relevant resolution was passed and any other information relating to that resolution that the Minister may require; and (b) sketch plans showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed; and (c) copies of any submissions relating to the request that, after complying with the requirement to publish the relevant notice of motion under section 58(3) of the Act, the local government has received, and the local government's comments on those submissions; and (d) a copy of the relevant notice of motion referred to in paragraph (c); and (e) any other information the local government considers relevant to the Minister's consideration of the request; and (f) written confirmation that the local government has complied with section 58(2) and (3) of the Act. <p>Land Administration Act 1997</p> <p><i>3) A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.</i></p>			
Policy Implications:		Nil			
Financial Implications:		Nil			
Strategic Implications:		<p>SCP – Key Objective 2 – Economic – Our Prosperity Strategy 2.1.1 – Provide appropriate network infrastructure, supporting our community, local pastoral and mining industries and tourism.</p> <p>CBP – 2.1.1.2 Continue to undertake road works in line with the 2040 Roads of Regional Significance document.</p>			
Risk:					
Risk	Risk Likelihood (based on history and with existing controls)		Risk Rating (Prior to Treatment)	Principal Risk	Risk Action Plan (Controls or

10.8

CSRFF APPLICATION – JUNCTION RACE TRACK SOLAR PUMP & WATER TANK UPGRADE

Applicant:	Shire of Upper Gascoyne												
Disclosure of Interest:	Nil												
Author:	John McCleary – Chief Executive Officer												
Date:	14 March 2024												
Matters for Consideration:	To consider a financial contribution towards the upgrade of water supply equipment at Junction Race Track and endorse a Community Sport & Recreation Facilities Fund Small Grant Application from Kennedy Range Campdraft Association seeking funding for same.												
Background:	<p>The Community Sport & Recreation Facilities Fund (CSRFF) aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of sustainable, good quality, well-designed and well-utilised facilities.</p> <p>Applicants must be either a local government authority, not for profit sport, recreation or community organisation and incorporated under the WA Associations Incorporation Act 1987.</p> <p>There are two small grant rounds advertised annually (February and July) for projects with a cost up to \$500,000. The maximum grant offered for small grant applications is 50% of the project cost, capped at \$200,000. There is no guarantee a successful application will receive the full amount of the grant requested, or the maximum level of funding. The level of financial assistance offered will be based on the overall significance of the proposed project, including the benefits provided to the community.</p> <p>All CSRFF grant applications need to be submitted to the relevant local government authority for assessment and ranking before they are lodged with the DLGSC. The CSRFF application process tasks the local government authority with rating projects using the following structure:</p> <table border="1"> <tr> <td>A</td> <td>Well planned and needed by municipality</td> </tr> <tr> <td>B</td> <td>Well planned and needed by applicant</td> </tr> <tr> <td>C</td> <td>Needed by municipality, more planning required</td> </tr> <tr> <td>D</td> <td>Needed by applicant, more planning required</td> </tr> <tr> <td>E</td> <td>Idea has merit, more planning work needed</td> </tr> <tr> <td>F</td> <td>Not recommended</td> </tr> </table> <p>Each Local Government Authority is required to forward all documentation to the Midwest Gascoyne Office of the DLGSC no later than 28 March 2024.</p> <p>Applications will be evaluated and ranked by relevant State Sporting Associations and the CSRFF Assessment Panel, prior to the outcome being announced by the Minister for Sport and Recreation. Funds for successful applications will become available mid 2024.</p>	A	Well planned and needed by municipality	B	Well planned and needed by applicant	C	Needed by municipality, more planning required	D	Needed by applicant, more planning required	E	Idea has merit, more planning work needed	F	Not recommended
A	Well planned and needed by municipality												
B	Well planned and needed by applicant												
C	Needed by municipality, more planning required												
D	Needed by applicant, more planning required												
E	Idea has merit, more planning work needed												
F	Not recommended												

	<p>One (1) application was received for the current Small Grants round as follows:</p> <ol style="list-style-type: none"> 1. Kennedy Range Campdraft Association – Junction Race Track Solar Pump & Water Tank Upgrade
Comments:	<p>Consultation with the Kennedy Range Campdraft Association confirms the necessity for this Project to occur to enable the long-term sustainability of the Association and the infrastructure. Participation in recreation activities is highly valued in the Shire and this Project meets the Shire’s vision and goals as set out in the Strategic Community Plan.</p> <p>It is recommended to allocate the Junction Race Track Solar Pump & Water Tank Upgrade project a priority ranking of 1, rate it as “A – Well planned and needed by municipality”; and to submit this application to the Department of Local Government, Sport & Cultural Industries for consideration in the CSRFF in the February/March 2024 funding round.</p>
Statutory Environment:	Local Government Act 1995
Policy Implications:	Nil
Financial Implications:	<p>24/25 Budget - The Junction Race Track Solar Pump & Water Tank Upgrade project has a budget of \$52,981 (ex gst), inclusive of a 10% cost escalation. Kennedy Range Campdraft Association has sourced quotes from reputable suppliers.</p> <p>CSRFF applicants can seek up to one third of total eligible project costs (equating to \$17,660 ex gst), with the remaining two thirds to be contributed by the applicant and/or another third party. The Kennedy Range Campdraft Association has confirmed a cash contribution of \$18,821 (ex gst) together with an in-kind contribution to the value of \$2,000. An in-kind contribution from Carnarvon Electrics has also been confirmed in the sum of \$7,000. The sum of \$7,500 is sought from the Shire, being 14.15% of total project costs.</p>
Strategic Implications:	<p>Shire of Upper Gascoyne Integrated Strategic Plan 2022-2032:</p> <p><i>Strategy 1.1.2: Support community in sporting, recreational and volunteering initiatives</i></p> <p><i>1.1.2.1: Encourage and support local sporting events and opportunities</i></p> <p><i>1.1.2.2: Support club development and growth</i></p> <p><i>1.1.2.3: Foster and support volunteering initiatives</i></p> <p><i>Strategy 1.2.2 Ensure there is appropriate infrastructure, facilities and services to meet the current and future needs of our community</i></p> <p><i>1.2.2.3 Seek funding for community infrastructure development</i></p> <p><i>Strategy 2.2.2 Pursue water security development opportunities</i></p> <p><i>2.2.2.1 Maintain water supply assets and seek further development opportunities</i></p>

		<p>2.2.2.2 Investigate environmentally sustainable water source for parks and gardens usage</p> <p>Strategy 3.2.2 Maintenance and upgrade of infrastructure</p> <p>3.2.2.2 Maintain and upgrade infrastructure in line with asset management planning</p>			
Risk:					
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Consultation:		<p>Craig Vinci, DLGSC Midwest Gascoyne Regional Office Lauren Rampling, DLGSC Midwest Gascoyne Regional Office John McCleary, Chief Executive Officer David Kearney, President Kennedy Range Campdraft Association</p>			
Voting requirement:		Simple Majority			
Officer's Recommendation:		<p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. <i>ENDORSE a CSRFF Small Grant Application seeking a one third contribution towards the Junction Race Track Solar Pump & Water Tank Upgrade project;</i> 2. <i>RANK the Junction Race Track Solar Pump & Water Tank Upgrade project as 'A – Well Planned and Needed by Municipality'; and</i> 3. <i>COMMIT expenditure in the 2024/25 financial year in the sum of \$7,500 ex gst towards the Junction Race Track Solar Pump & Water Tank Upgrade project.</i> 			
Council Resolution No: 08032024					
MOVED:	CR R. HOSEASON-SMITH	SECONDED:	CR P. WINDIE		
<p>That Council:</p> <ol style="list-style-type: none"> 1 ENDORSE a CSRFF Small Grant Application seeking a one third contribution towards the Junction Race Track Solar Pump & Water Tank Upgrade project; 2. RANK the Junction Race Track Solar Pump & Water Tank Upgrade project as 'A – Well Planned and Needed by Municipality'; and 					

COMMIT expenditure in the 2024/25 financial year in the sum of \$7,500 ex gst towards the Junction Race Track Solar Pump & Water Tank Upgrade project.

FOR: CR J. CAUNT

AGAINST:

CR H. MCTAGGART

CR B. WALKER

CR P. WINDIE

CR W. BASTON (VIA ZOOM)

CR R. HOSEASON-SMITH

F/A: 6/0

UNCONFIRMED

10.9

DECISION CRITERIA TO ENAGE A CIVIL EARTH CONTRACTOR FOR STATE INITIATIVES PROGRAM (CARNARVON / MEEKATHARRA ROAD SEALING PROGRAM)

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	13 March 2024
Matters for Consideration:	To determine the decision criteria to be used when evaluating the tenders for the Civil Earth Contractor for the Carnarvon / Mullewa Road Sealing Program.
Background:	<p>The Shire have secured a \$4.5 million dollar grant through the State Roads Initiative Program for the 2024/25 financial year to continue with the sealing of the Carnarvon / Meekatharra Route.</p> <p>These criteria only relate to the Civil Works component and not the Project Management or the Bitumen which will be covered by separate agenda items.</p>
Comments:	<p>In keeping with our ethos of delivering projects both on time and on budget it is prudent to get to the market early and lock in contractors as soon as possible with the goal to commence works on the ground as close as possible to the commencement of the new financial year.</p> <p>For this to occur we need to go to the market as soon as possible, this item is just the first part of the procurement process. Accordingly it is recommended that we use the following decision multi-criteria to determine the successful tenderer once we publically go to tender:</p> <ul style="list-style-type: none"> a) Quality and Completeness of Road Construction Plant/ Equipment – 15% b) Demonstrated Remote Area Construction Experience – 20% c) Demonstrated Local Knowledge of Sourcing appropriate materials – 20% d) Capacity to commence and complete contract works within designated time-frame – 35% e) Provision for Mechanical Support – 10%
Statutory Environment:	<p>Reg 14 – Local Government (Functions and General) Regulations</p> <p>(2a) If a local government — (a) is required to invite a tender; or (b) not being required to invite a tender, decides to invite a tender, the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.</p>

Policy Implications:	Nil				
Financial Implications:	24/25 Budget. The project is based around reimbursement with monies out and in with a zero variance over the project				
Strategic Implications:	SCP – Key Objective 2 – Economic – Our Prosperity Strategy 2.1.1 – Provide appropriate network infrastructure, supporting our community, local pastoral and mining industries and tourism. CBP – 2.1.1.3 Seal Road between Gascoyne Junction and Meekatharra.				
Risk:					
Risk	Risk Likelihood (based on history and with existing controls)		Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)		Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Consultation:	Greenfield Technical Services				
Voting requirement:	Simple Majority				
Officer's Recommendation:	<p><i>That Council adopt the following decision criteria used to determine the successful tenderer for the Civil Works on the Carnarvon / Mullewa Road:</i></p> <ul style="list-style-type: none"> a) <i>Quality and Completeness of Road Construction Plant/ Equipment – 15%</i> b) <i>Demonstrated Remote Area Construction Experience – 20%</i> c) <i>Demonstrated Local Knowledge of Sourcing appropriate materials – 20%</i> d) <i>Capacity to commence and complete contract works within designated time-frame – 35%</i> e) <i>Provision for Mechanical Support – 10%</i> 				
Council Resolution No: 09032024					
MOVED:	CR H. MCTAGGART	SECONDED:	CR R. HOSEASON-SMITH		
<p>That Council adopt the following decision criteria used to determine the successful tenderer for the Civil Works on the Carnarvon / Mullewa Road:</p> <ul style="list-style-type: none"> a) Quality and Completeness of Road Construction Plant/ Equipment – 15% b) Demonstrated Remote Area Construction Experience – 20% c) Demonstrated Local Knowledge of Sourcing appropriate materials – 20% d) Capacity to commence and complete contract works within designated time-frame – 35% 					

e) Provision for Mechanical Support – 10%

FOR: CR J. CAUNT

AGAINST: CR

CR H. MCTAGGART

CR B. WALKER

CR P. WINDIE

CR W. BASTON (VIA ZOOM)

CR R. HOSEASON-SMITH

F/A: 6/0

UNCONFIRMED

10.10

SUSPENSION OF COUNCIL'S PURCHASING POLICY

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	18 March 2024
Matters for Consideration:	To determine whether Council supports suspending its Purchasing Policy.
Background:	The Shire have two major projects that are to be delivered in the calendar year 24 & 25, namely AGRN 1062 valued at \$4-5 million and our State Initiatives Program valued at \$4.5 million.
Comments:	<p>In both these projects we will need to appoint a Project Manager to carry out the on-site management and project administration. It is estimated that the cost to engage a consultant Project Manager will be in excess of \$250,000 requiring the Shire to either undertake a full public tender or seek quotations from suppliers under the WALGA preferred supplier panel.</p> <p>It is far quicker, easier and cost effective to utilise the WALGA preferred panel as these suppliers have already been vetted and approved by WALGA.</p> <p>Under our current Purchasing Policy any purchases over \$150,000 - \$249,999 require three quotations.</p> <p>I am seeking Council's approval to seek one quotation via the WALGA preferred supplier program to engage the services of Project Manager for AGRN 1062 and the State Initiatives Program.</p>
Statutory Environment:	<p>The regulations are largely silent on this as the Purchasing Policy deals with purchases \$250,000 and under.</p> <p>It is anticipated that the contract will be more than \$250,000, as such section 11 states that tenders have to be publically invited or through the WALGA Preferred Supplier Program.</p> <p>In this case we are electing to go through the WALGA Preferred Supplier Program – there is no requirement to get a pre-determined number of quotes as long as the supplier is on the WALGA Supplier List.</p>
Policy Implications:	Purchasing Policy
Financial Implications:	24/25 Budget
Strategic Implications:	<p>SCP – Key Objective 2 – Economic – Our Prosperity</p> <p>Strategy 2.1.1 – Provide appropriate network infrastructure, supporting our community, local pastoral and mining industries and tourism.</p> <p>CBP – 2.1.1.1 Maintenance and upgrade of road network.</p>

Risk:					
Risk	Risk Likelihood (based on history and with existing controls)		Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)		Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Consultation:		NIL			
Voting requirement:		Simple Majority			
Officer's Recommendation:		<i>That Council authorise the CEO to seek one quote via the WALGA Preferred Supplier Panel to secure the services of a Project Manager for DRFAWA AGRN 1062 and the Carnarvon-Mullewa Road State Initiatives Sealing Program.</i>			
Council Resolution No: 10032024					
MOVED:	CR R. HOSEASON-SMITH	SECONDED:	CR P. WINDIE		
<p>That Council authorise the CEO to seek one quote via the WALGA Preferred Supplier Panel to secure the services of a Project Manager for DRFAWA AGRN 1062 and the Carnarvon-Mullewa Road State Initiatives Sealing Program.</p> <p>FOR: CR J. CAUNT CR H. MCTAGGART CR B. WALKER CR P. WINDIE CR W. BASTON (VIA ZOOM) CR R. HOSEASON-SMITH</p> <p>AGAINST:</p> <p>F/A: 6/0</p>					

11. MATTERS BEHIND CLOSED DOORS

Nil

12. PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

14. ELECTED MEMBERS REPORTS

- 14.1 Cr J Caunt –** I attended a meeting between the Shire and Hastings in Perth to further negotiations for the Road User Agreement. I attended the WALGA Zone meeting; however the meeting was deferred due to an impending cyclone. Attended WALGA Cultural Heritage workshop.
- 14.2 Cr H McTaggart -** I attended a meeting between the Shire and Hastings (via teams) to further negotiations for the Road User Agreement. I attended the RRG meeting and attended WALGA Cultural Heritage workshop.
- 14.3 Cr B Walker** No report supplied
- 14.4 Cr W Baston** No report supplied
- 14.5 Cr R Hoseason-Smith** No report supplied
- 14.6 Cr A McKeough** No report supplied
- 14.7 Cr P Windie** No report supplied

15. OUTSTANDING COUNCIL MEETING RESOLUTIONS

Resolution N°	Subject	Status	Open / Close	Responsible Officer
07102023	Application to change valuation method – Yangibana	Waiting on approval from the Department of Local Government. We now need to get the parcel of land valued by the valuer general.	Open	Consultant
06022024	Amendment to the SoUG Local Planning Scheme No 1.	Resolution has been forwarded to the Minister for Planning	Open	CEO

16. STATUS OF SHIRE PROJECTS

As per [Appendix 4](#)

17. MEETING CLOSURE

The Shire President closed the meeting at 12.23pm.