



MINUTES

23rd of AUGUST 2023

ORDINARY COUNCIL MEETING

Held at the Shires Administration Building situated at Gascoyne Junction
commencing at 10.00am

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.

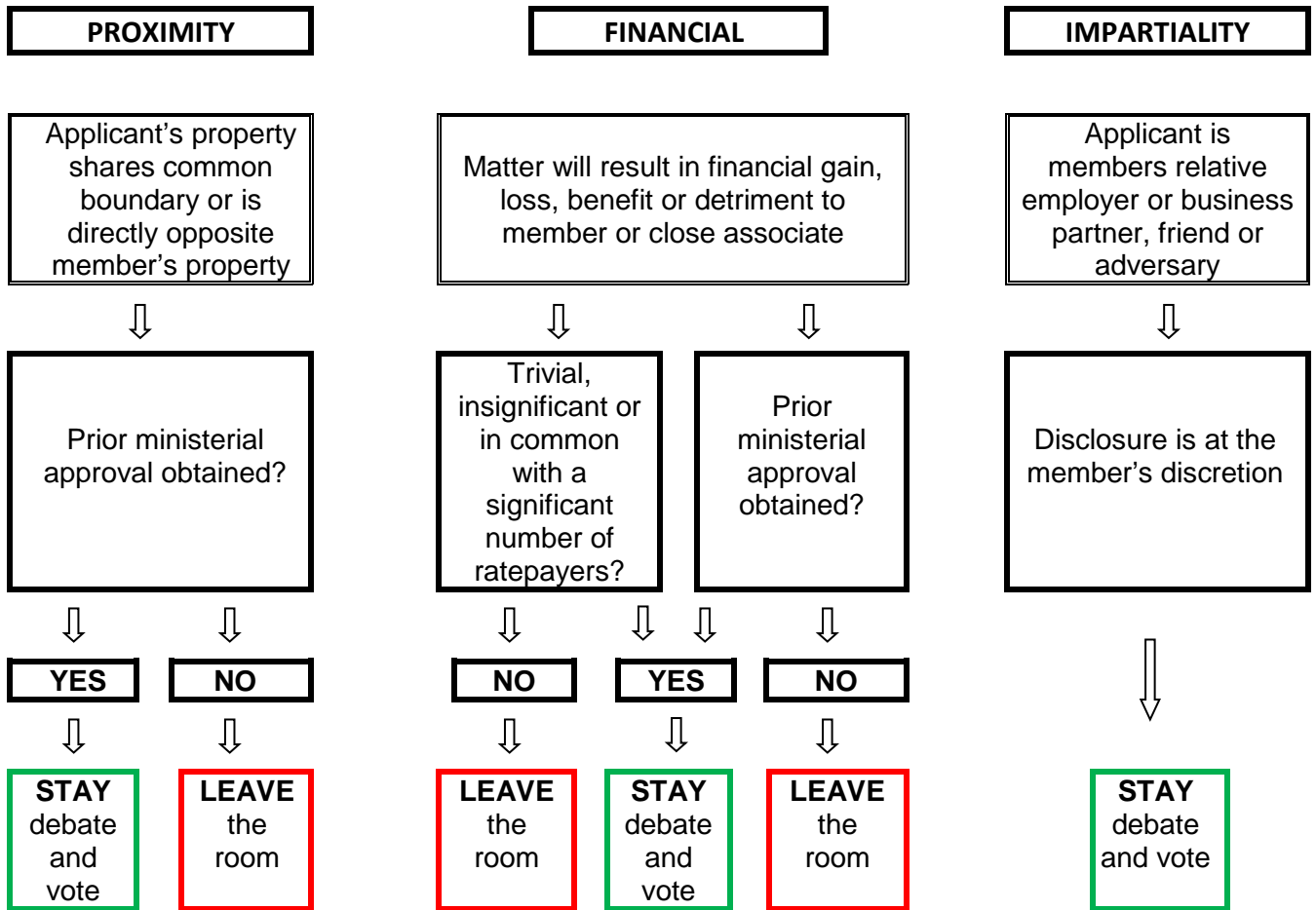
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In particular and without derogating in any way from the broader disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of 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 23rd OF AUGUST COMMENCING AT
10.00 AM

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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 23rd of August 2023
COMMENCING AT 10.00 AM**

1. DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS

The Deputy President welcomed those present and declared the meeting open at 10:00am

2. ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE

2.1 Councillors

Cr J. Caunt	Deputy Shire President
Cr A. McKeough	Councillor
Cr H. McTaggart	Councillor
Cr R. Hoseason-Smith	Councillor
Cr B. Walker	Councillor
Cr G. Watters	Councillor

Staff

John McCleary JP	Chief Executive Officer
Jarrod Walker	Manager of Works and Services
Cherie Walker	Acting Manager of Finance and Corporate Services

Visitors

Travis Bate	RSM (via conference call)
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2.2 Absentees

2.3 Leave of Absence previously approved

3. APPLICATION FOR LEAVE OF ABSENCE

MOVED: CR: G. WATTERS SECONDED: CR: A MCKEOUGH

That Councillor Ray Hoseason-Smith be granted leave of absence for the Ordinary Meeting of Council to be held on the 21st of September 2023.

FOR: CR J. CAUNT	AGAINST: CR
CR B. WALKER	
CR H. MCTAGGART	
CR G. WATTERS	
CR R. HOSEASON-SMITH	
CR A. MCKEOUGH	

F/A: 6/0

have been high in praise for our Chamber facilities, the hospitality of the Gascoyne Junction Pub and Tourist Park and our town.

In late July we also hosted the Tourism Experience Development Officer for Tourism Western Australia introducing him to Gascoyne Junction and our National Parks. He is working on a long term project for Tourism WA that is looking for business cases in and around National Parks. Research is now being undertaken to explore the potential of several project ideas identified over the two days.

Our Visitor Survey is beginning to gather responses and the results are supporting our anecdotal evidence of visitors spending longer in the Shire than what has been observed in recent years. Guests are spending to 2 to 3 nights in Gascoyne Junction and between 7 to 10 nights within the Shire. The high standards of the town and the facilities across the Shire along with welcoming locals at the Visitor Information Centre and at the two Tourist Parks are certainly having an impact on this.

The Storytown Podcast released in February, has received additional funding from RDA Midwest with a marketing push on radio and social media beginning late in July. In its first week 440 downloads of the app were made. I was interviewed by ABC Pilbara about the podcast and was able to also speak about tourism, the Tidy Town Award, our upcoming Race Meets and Gascoyne Food Festival events. I was also interviewed by the West Australian re Wildflowers and ABC Pilbara again about the Science Week Gascoyne Rocks event which saw locals and tourists alike learn about the geology of the region and again see the stars with Perth Observatory. This event was at no cost due to funding through the Science Week Grant.

Our first subcommittee meeting has been held in preparation for the 2024 National Tidy Town Conference. The date for the event will be Friday May 3 to Sunday May 5. The main outcome of the meeting was establishing the core programs that will be delivered for the conference, what resources they will require and the manpower required to deliver a successful event. A second meeting will be held at the conclusion of the August council meeting.

CUSTOMER SERVICES & ENQUIRIES		2023.2024	2022.2023	YTD	Jul-23	Jul-22	JUL DIFF
		TOTAL	TOTAL	DIFF			
Admin Support	Faxes	0	0	0	0	0	0
	Photocopying/Printing/Scanning/Emailing	1	25	-24	1	1	0
	Laminating/Binding	0	1	-1	0	0	0
	Hot Office Bookings	2	1	1	2	0	2
	External Training and Course	0	0	0	0	0	0
CRC	1:1 Assistance to Community Members	3	30	-27	3	1	2
	Computer/Internet Access	4	34	-30	4	4	0
	Community Education Events	0	2	-2	0	0	0
	Community Social Events	0	16	-16	0	0	0
	Community Economic Seminars	0	1	-1	0	0	0
	Department of Human Services	2	16	-14	2	1	1
	Government Access Point	1	37	-36	1	1	0
	Use of Paid WIFI Services	0	3	-3	0	2	-2
	Use of FREE WIFI Hub	7	27	-20	7	1	6
	Tourism	Road Condition Requests	183	830	-647	183	137
General Tourism Information	260	1036	-776	260	157	103	
Book Sales	6	29	-23	6	3	3	
CRC Merchandise Sales	65	308	-243	65	54	11	
Walking Tours	19	70	-51	19	13	6	
Info	Phonebook Purchases	0	0	0	0	0	0
	Gassy Gossip yearly subscription	0	0	0	0	0	0
	Gassy Gossip Advertisement	0	0	0	0	0	0
Health	Video Conference/Telehealth	0	8	-8	0	0	0
	RFDS Support	1	11	-10	1	1	0
Agencies	Medical Clinic Visits	6	82	-76	6	0	6
	Library	12	93	-81	12	7	5
	Postage Sales	14	94	-80	14	11	3
	Postage Collection	68	68	0	53	6	47
	Department of Transport	6	34	-28	6	3	3
	Horizon Power	8	68	-60	8	1	7
Total Customer Service Enquiries		668	2924	-2,256	653	404	249

10.2 Manager of Works and Services Report

It seems that every monthly works report begins with “it’s been a busy month”, well it has certainly been the case once again this month. I have spent most of this month out at Dalgety Brook ensuring the earthworks and base for the new concrete floodway was ready for Yuin to begin. Dameon has done an amazing job getting the detour in place and floodway base spot on in time for the contractors. We have handed the job over to Yuin who began work on the 14th August. Their work is expected to take two months before we can return to cement stabilise the approaches and finish drainage works.



Thomas and Ian are currently working on Cobra Mt Augustus road, they previously completed the Ullawarra and Cobra Dairy Creek roads. Ian also graded the Ashburton section of Ullawarra road. The lads will focus on Landor Mt Augustus and Pingandy roads over the couple of months. I am well aware that some areas in our shire are well over due for grading however we have been under staffed and experiencing a lot more damage to roads due to the dry conditions and increased traffic volumes. Procuring outside assistance is proving harder and much more expensive as well. We are really starting to see the effect that the tourism, mining and exploration is having on our network.

I am pleased to say that Jamie Podmore is starting with us on the 21st August. Jamie will fill the role of serviceman and operator and will be a welcome member to the team. He and his family will be moving to Gascoyne Junction so if you see them please welcome them to the community and team. We are still searching for the right person to fill the MC/operators role.

Unfortunately Gascoyne Group have withdrawn from their current water cart contract in the middle of the Dalgety Brook project. Thankfully THEM have been able to provide two water carts to complete the works. We will need to re-tender this contract in the next few weeks.

THEM will demolish the storm damaged house on 6 Scott Street this week. It is sad to see the old building go as it was the house I spent my early childhood years in and also the first mud brick house constructed in Gascoyne Junction over 100 years ago.

Lance Root from ABBL Contracting has completed a run around the shire clearing overgrowth from nearly all of our floodway’s and erecting width markers that have been knocked over or damaged. They will return later to install missing depth markers and signage throughout the shire. Lance and his team will also return to assist us in relocation our plant and equipment to Cobra Dairy Creek to fill the gap of our unfilled MC driver position. Lance will also help coordinate the team as I will be taking three weeks leave at the end of the month.

Another busy month for all concerned with heaps of administrative tasks to be undertaken. It's that time of year where we are transitioning from one financial year to another with the closing out and doing end of year, getting set for the coming financial year (Budget) and preparing for Audit. In addition we have two new staff members to get familiarised with our business and area. As with most years it is the time when anyone who wants to undertake a site visit usually does, pity we didn't see them in summer so they can get a good handle of the extremes we deal with.

I can report that our 22/23 Audit was clean and timely with no adverse findings which is a reflection of Travis, Sa and her staff – Cherie and Cynthia. It shows that our systems are robust and are providing a good level of transparency, accountability, rigor, with good evidentiary documentation.

I managed to take a week's holiday with the goal to get my 40 series back from Perth, but once again it was not quite ready so another wasted venture but it is getting closer, so hopefully within the next week or so.

Hastings are still consuming an inordinate amount of time and patience. Councillor Caunt, Jarrod Walker and myself had a meeting with representatives from Hastings concerning the use of Ullawarra Road, this is subject to an agenda item.

I have received advice from the Department of Lands that our Commercial Land (Lot 556) is now ready to be converted to freehold land in the name of the Shire of Upper Gascoyne. All documentation to facilitate this has been sent to the Department and payment will be made once the budget is adopted and uploaded into Synergy. I will notify *DevelopmentWA*, this should strengthen our RDAP Application.

Andrea Pears will be in town and is ready to commence work on the 4th of September 2023. We are all looking forward to having Andrea working for us and are excited about what she can bring to our workplace.

It has been pleasing to see some of our regional organisations make use of our Council Chamber for their meetings. We have had the Australian Golden Outback, Regional Development Australia and Gascoyne Development Commission in attendance. They were all extremely complimentary of our town and the facilities we provided.

It is great to see development in our town with Jim Caunt putting a new building onto his lot and commencing development, Kenny and Diane are in the process of completely renovating their Gregory Street House and Jox Collins is also renovating his house due to the damage sustained in the storm. As mentioned by Jarrod, "Mick's House" has been demolished along with the old public toilets.

I have contacted the Department of Transport regarding our desire to put in a grant application for the boat ramp and stairs; I was advised that it would be highly unlikely that they would support this application as the grant is centred on registered power boats. I have contacted Lotterywest and they appear very interested in the concept.

STATUS OF GRANTS FOR 2023

Submitted	Close Date	Project	Grant	Provider	Grant Amount	Project Cost	Result
4/2/2022	20/02/2022	Dalgety Brook Floodway	Bridges Renewable Program	Dept of Infrastructure, Transport, Regional Development and Communications	\$1,800,000	\$1,800,000	Approved
13/12/2021	N/A	Carnarvon / Mullewa Road Sealing Project	Ad hoc	Main Roads – State initiatives on Local Roads	Requested between 3.9 and 4.5 million	Ongoing	Approved
28/01/2023	N/A	Hatch Street Footpaths	WA Bicycle Network Grant	Dept of Transport	\$22,000	\$44,000	Successful
01/02/2023	N/A	Up-date current Local Planning Strategy	Ad Hoc	Dept of Planning, Lands & Heritage	\$15,000	\$135,000	Successful
13/02/2023	13/03/2023	Gascoyne Junction Community Gym	Horizon Power Community Grant	Horizon Power	\$10000	\$12000	Successful
06/04/2023	06/09/2024.	Residential Land Development	Infrastructure Development Fund – Unlocking Regional Worker Accommodation Opportunities	Department of Planning, Lands and Heritage.	\$523,463.60 inc.I GST	\$743,463.60 inc.I GST	Pending
23/12/2022	09//01/2023	Water Treatment Plant – Reverse Osmosis	Development of Future Drought Fund Extension and Adoption of Drought Resilience Farming Practices Grants Program application	Department of Agriculture, Water and the Environment	\$400,000.00 inc.I GST	\$600,000.00 inc.I GST	Unsuccessful
18/04/2023	18/04/2023	Technology Equipment Upgrades	CRC Technology Grant	DPIRD	\$5167.00	\$5667.00	Successful
21/04/2023	21/04/2023	Save our Country Kids	Road Safety Commission SOCK Week	Narembeen CRC	\$1200	\$1200	Successful
17/04/2023	17/04/2023	Gascoyne Junction Rocks	National Science Week	WACC	\$4000	\$4500	Successful
15/08/2023		EV Charging Grant			\$11,817	\$22,753	Pending

10.4 ACCOUNTS & STATEMENTS OF ACCOUNTS

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	Cherie Walker
Date:	15 August 2023
Matters for Consideration:	<p>To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Thursday the 23rd of August as attached – see Appendix 1.</p> <p>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.</p>
Background:	<p>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.</p>
Comments:	<p>The list of accounts are for the month of July 2023.</p>
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.

	(3) A list prepared under sub regulation (1) or (2) is to be — (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and (b) recorded in the minutes of that meeting.												
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 July 2023 to the 31st of July 2023 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 30th of June 2023.</i></p> <table border="1"> <tr> <td><i>Municipal Fund Bank EFTs (15786-15856)</i></td> <td><i>\$526,808.20</i></td> </tr> <tr> <td><i>Payroll</i></td> <td><i>\$118,938.24</i></td> </tr> <tr> <td><i>BPAY/Direct Debit</i></td> <td><i>\$20,964.19</i></td> </tr> <tr> <td>TOTAL</td> <td>\$666,710.63</td> </tr> </table>					<i>Municipal Fund Bank EFTs (15786-15856)</i>	<i>\$526,808.20</i>	<i>Payroll</i>	<i>\$118,938.24</i>	<i>BPAY/Direct Debit</i>	<i>\$20,964.19</i>	TOTAL	\$666,710.63
<i>Municipal Fund Bank EFTs (15786-15856)</i>	<i>\$526,808.20</i>												
<i>Payroll</i>	<i>\$118,938.24</i>												
<i>BPAY/Direct Debit</i>	<i>\$20,964.19</i>												
TOTAL	\$666,710.63												
Council Resolution No: 03082023													
MOVED:	CR: B. WALKER	SECONED:	CR: A. MCKEOUGH										
That Council endorse the payments for the period 1 st of July 2023 to the 31 st of July 2023 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 30 th of June 2023.													

10.5 MONTHLY FINANCIAL STATEMENT	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	None
Author:	Cherie Walker
Date:	15 August 2023
Matters for Consideration:	<p>The Statement of Financial Activity for the period of July 2023, 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
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 July 2023
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:	

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:		<i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of July 2023.</i>			
Council Resolution No: 04082023					
MOVED:	CR:	SECONDED:	CR:		
FOR:	CR	AGAINST:	CR		
F/A: 0/0					

This item was left on the table due to a lack of a Mover or Seconder. The reason for this was that the July Financial Report was irrelevant due to the fact the 23/24 had not been adopted and the financial system up-dated so a comparative analysis could be undertaken. The July & August Financial Reports will be presented at the September OMC.

10.6 CREATION OF A NEW RESERVE ACCOUNT	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	3 August 2023
Matters for Consideration:	To create a new Reserve Account for the purposes of allocating funds to assist with resealing the Shire’s existing and future sealed roads.
Background:	<p>The Shire of Upper Gascoyne has embarked on sealing program where the Shire is seeking to seal between Carnarvon and Meekatharra. The Shire currently has approximately 110 kilometres of seal on the road, inclusive of the Gascoyne Junction town site.</p> <p>The Shire have exclusively used bituminised chip seal as its method of sealing roads. This type of sealing has a useful life of between 7-10 years given the Shires climate and vehicle traffic movements.</p> <p>In the 2023/24 Budget we have made an allocation of \$360,440 towards resealing from Part B of the LRCI Grant. This will be enough for approximately 9 kilometres of road assuming the cost of approximately \$40,000 per kilometre. At some point in the future the additional 100km’s will also need to resealed at an estimated cost in today’s dollars of \$4 million +.</p>
Comments:	<p>In order to maintain our road assets it is considered prudent that the Shire commence putting funds aside now in order to have sufficient funds to carry out the work when required.</p> <p>In order to allocate a monetary amount it is recommended that the Shire take the length of the sealed roads (\$110kms) multiply this by \$40,000 per kilometre and then divide this by the estimated seal life. As it currently stands this would equate to \$40,000 (110 L x \$40,000 / by 10).</p> <p>An amount of \$10,000 has been included into the 23/24 Budget to be allocated to a Sealing Reserve Account in order to commence putting away funds for future expenditure which will occur.</p>

<p>Statutory Environment:</p>	<p>Local Government Act 1995 Section 6.11</p> <p>Reserve accounts (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose. (2) Subject to subsection (3), before a local government — (a) changes* the purpose of a reserve account; or (b) uses* the money in a reserve account for another purpose, it must give one month’s local public notice of the proposed change of purpose or proposed use. * Absolute majority required. (3) A local government is not required to give local public notice under subsection (2) — (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or (b) in such other circumstances as are prescribed. (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs. <u>(5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.</u></p> <p>Local Government (Financial Management) Regulations 1996 17. Title of reserve accounts (1) A reserve account is to have a title that clearly identifies the purpose for which the money in the account is set aside. (2) In the accounts, annual budget and financial reports of the local government a reserve account is to be referred to — (a) in the information required by regulations 27(g) and (ga) and 38, by its full title; and (b) otherwise, by its full title or by an abbreviation of that title.</p>				
<p>Policy Implications:</p>	<p>Nil</p>				
<p>Financial Implications:</p>	<p>2023 / 2024 Budget</p>				
<p>Strategic Implications:</p>	<p>SCP – Key objective 2 Economic – Our Prosperity Strategy 2.1.1. CBP 2.1.1.1. Maintenance and upgrade of road network in accordance with asset management planning and annual budget allocations.</p>				
<p>Risk:</p>					
<p>Risk</p>	<p>Risk Likelihood (based on history and with existing controls)</p>		<p>Risk Rating (Prior to Treatment or Control)</p>	<p>Principal Risk</p>	<p>Risk Action Plan (Controls or Treatment proposed)</p>

Background:

Council has discussed the 2023-2024 Draft Annual Budget at the ordinary meetings of Council held in April, June and July 2023.

Comments:

The annual budget is the principal management tool which is used during the financial year to monitor financial performance and provide sound reporting to Council through the monthly Financial Activity Statements and the Annual Statement of Accounts.

I am confident that this annual budget will be a strong management tool for Shire operations during the coming financial year.

Differential Rates were discussed at the ordinary meeting of Council held in April, May and July 2023

Some of the major highlights include:

- New Staff House
- Refurbishment of Lot 39 Gregory Street
- Retaining Wall & Flooring for Lot 19 Gregory Street
- New Shed & Patio for L40 Gregory Street
- New patio for L21 Gregory Street
- New Shed Lot 50 Hatch Street
- Residential Land Sub-division
- Commercial Land Development
- New 966 Loader
- New light vehicles for CEO, MW&S and TMS
- New Works Caravan
- New Forklift
- Resealing Program
- New footpaths
- Street art – sculptures
- Fence Rubbish Tip
- Develop in town water supply options
- Landor / Meekatharra Road Sealing project
- Pimbee Road Re-sheet
- Cobra-Dairy Creek Re-sheet
- Ullawarra Road Re-sheet
- Dalgety Brook concrete crossing
- Landor / Mount Augustus Road Improvements.
- River Access Project – Require grant contribution.

Rate in the Dollar

Gross Rental Valuation – Residential/Industrial/Commercial	10.5000 cents in the dollar
Unimproved Valuation – Rural	9.0000 cents in the dollar
Unimproved Valuation – Mining Tenements	29.8000 cents in the dollar

Minimum Rates

Gross Rental Valuation – Residential/Industrial/Commercial	Minimum \$500.00
Unimproved Valuation – Rural	Minimum \$900.00
Unimproved Valuation – Mining Tenement	Minimum \$950.00

Voting Requirement: *Simple Majority - 08082023*

MOVED: CR R. HOSEASON-SMITH

SECONDED: CR G. WATTERS

Part C – Material Variance Reporting for 2023-24

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2023-2024 for reporting material variances shall be 10% or \$25,000, whichever is the greater.

FOR: CR J. CAUNT

AGAINST: CR

CR B. WALKER

CR H. MCTAGGART

CR G. WATTERS

CR R. HOSEASON-SMITH

CR A. MCKEOUGH

F/A: 6/0

10.8

CHANGE OF DATE FOR THE SEPTEMBER 2023 ORDINARY MEETING OF COUNCIL

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	15 August 2023
Matters for Consideration:	To change the date of the September 2023 Ordinary Meeting of Council
Background:	The original date for the meeting was the 20 th of September 2023. Unfortunately the WALGA Conference is scheduled to be held on the 17 – 19 September 2023. The CEO and the Deputy Shire President will be in attendance and will not return to the office until the 20 th of September 2023
Comments:	Given the above there will not be sufficient time for the CEO to compile the agenda for the meeting.
Statutory Environment:	<p>As per the local Government Act 1995:</p> <p>Part 5 – Administration</p> <p>(a) Deals with Council meetings, committees and their meetings and electors' meetings</p> <p>Division 2 – Council meetings, committees and their meetings and elector's meetings</p> <p>Subdivision 1 – Council meetings</p> <ul style="list-style-type: none"> • 5.4 – Calling council meetings • 5.25 - Regulations about council and committee meetings and committees <p>Local Government (Administration) Regulations 1996</p> <p>12.Publication of meeting details (Acts.5.25(1)(g))</p> <p>(1) In this regulation—meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.</p> <p>(2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held—</p> <p>(a) Ordinary council meetings.</p>
Policy Implications:	Nil
Financial Implications:	Nil
Strategic Implications:	The meetings of the Council and Audit Committees should be set to coincide with the Act and Regulation requirements.
Risk:	

10.9

TENDER FOR NEW STAFF HOUSE – HATCH STREET

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	15 August 2023
Matters for Consideration:	To accept or reject the tender for the construction of a new 3 x 2 modular Staff House. Please refer to Appendix 3 .
Background:	The Shire went to tender for the supply and installation of a new 3x2 modular home. The Shire has made a budget allocation of \$600,000 which was sourced from borrowings.
Comments:	<p>The Shire has received only one compliant tender and the tender price came in at \$599,498 (ex GST). This price includes provisional sums in addition to the home (Carport, Alfresco, Veranda's) which include:</p> <ul style="list-style-type: none"> • Septics • Storm water • Rain Water Tank • Landscaping • Reticulation • Fencing • External concrete – Crossover, Veranda's , Car port, Alfresco • Air conditioners for each room <p>It is estimated that there will be an additional cost of approximately \$30,000 made up of Shire Wages, Water and Electrical Connections.</p> <p>This effectively takes us over our budgeted amount, we do have monies in our reserve account we could use to augment to differential.</p> <p>Given that the Shire only received one tender it is difficult to determine if we are receiving value for money, it is recommended that the Council reject the tender and then instruct the CEO go back to the market and determine if there are any other companies that are willing to supply a house to the same specifications and also determine the cost.</p>

<p>Statutory Environment:</p>	<p>Local Government (Functions and General) Regulations 1996 Reg 11</p> <p>(2)Tenders do not have to be publicly invited according to the requirements of this Division if —</p> <p style="padding-left: 40px;">I within the last 6 months —</p> <p style="padding-left: 80px;">(i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or</p> <p><u>Reg 20. Variation of requirements before entry into contract</u></p> <p>(1) If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.</p> <p>(2) If —</p> <p style="padding-left: 40px;">(a) the chosen tenderer is unable or unwilling to enter into a contract to supply the varied requirement; or</p> <p style="padding-left: 40px;">(b) the local government and the chosen tenderer cannot agree on any other variation to be included in the contract as a result of the varied requirement,</p> <p style="padding-left: 80px;">that tenderer ceases to be the chosen tenderer and the local government may, instead of again inviting tenders, choose the tenderer, if any, whose tender the local government considered it would be the next most advantageous to it to accept.</p>
<p>Policy Implications:</p>	<p>Purchasing Policy</p>
<p>Financial Implications:</p>	<p>23/24 Budget – The Shire have borrowed \$600,000 from the WA Treasury for the purpose of constructing a new modular Staff House and this money has been received and is sitting in our municipal account waiting to expended for its intended purpose.</p>
<p>Strategic Implications:</p>	<p>Shire of Upper Gascoyne Integrated Strategic Plans 2022-2032 Key Objective 2 Economic Our Prosperity</p> <p style="padding-left: 40px;">Strategy 2.2.3 – Develop industrial, residential and commercial land development and seek investment opportunities.</p> <p style="padding-left: 40px;">Corporate Business Plan – 2.2.3.3</p> <p style="padding-left: 40px;"><i>Increase and upgrade Shire residential stock.</i></p>
<p>Risk:</p>	

10.10 ADOPTION OF 23/24 FEE'S AND CHARGES

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	15 August 2023
Matters for Consideration:	To accept and adopt the Schedule of Fees and Charges for the 2023 / 24 financial year as listed in Appendix 4 and for those fees and charges to come into effect as of the 1 st September 2023.
Background:	As part of the budget process, fees and charges are to be determined and applied.
Comments:	<p>A review of our current fees and charges was undertaken by staff and through this process, a shortfall in cost recovery was identified in various areas. To help bridge the gap and to provide some level of consolidation across our services, an increase has been applied to some of our fees and charges such as items like the rubbish charges, to better assist in our cost recovery efforts. Some new fees and charges have also been added to the schedule – particularly in the hire of our facilities.</p> <p>For ease of transition and application, we ask that the fees and charges be made effective as of 1st September 2023 meaning that any services provided on and after this date will be charged under the new fees and charges schedule for 2023/24.</p>

Statutory Environment:		<p>Local Government Act 1995 – Section 6.16</p> <p>(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.</p> <p>(2) A fee or charge may be imposed for the following —</p> <p>(a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;</p> <p>(b) supplying a service or carrying out work at the request of a person;</p> <p>(c) subject to section 5.94, providing information from local government records;</p> <p>(d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;</p> <p>(e) supplying goods;</p> <p>(f) such other service as may be prescribed.</p> <p>(3) Fees and charges are to be imposed when adopting the annual budget but may be (a) imposed during a financial year; and</p> <p>(b) amended from time to time during a financial year.</p> <p>Local Government (Financial Management) Regulations 1996 Reg. 5 (2)(b)</p>			
Policy Implications:		Nil			
Financial Implications:		2023/24 Budget			
Strategic Implications:					
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

10.11 SELECTION CRITERIA PROVISION OF WATER CART SERVICES

Applicant:	Shire of Upper Gascoyne				
Disclosure of Interest:	Nil				
Author:	Jarrod Walker – Manager Works & Services				
Date:	15 August 2023				
Matters for Consideration:	To determine selection criteria to award a contract for the provision of water cart services to the Shire of Upper Gascoyne.				
Background:	Gascoyne Group recently withdrew from their current contract for the provision of water carts services prior to the contract ending. The Shire has accepted their withdrawal and will need to retender for this service.				
Comments:	<p>Given that the cost to the Shire will exceed \$150,000 over the life of the contract we are required to either go to public tender or use the WALGA preferred suppliers. In our case the vast majority of those who would be interested are not a preferred supplier as such the public tender process would provide the best option to get companies to submit a competitive tender.</p> <p>Prior to going to a public tender, Council must approve and adopt a selection criteria for the tender.</p> <p>The recommended selection criteria is as follow:</p> <p>30% Price (\$ per hour)</p> <p>30% Quality and suitability of equipment</p> <p>30% Experience working remotely</p> <p>10% Methodology including safety and risk mitigation</p>				
Statutory Environment:	<p>Local Government Act 1995</p> <p>Local Government (Functions & General) Regulations 1996</p> <p>Reg. 14 (2a) If a local government —</p> <p>(a) is required to invite a tender; or</p> <p>(b) 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:	Future budgets				
Strategic Implications:					
Risk:	Low				
Risk	Risk Likelihood (based on history and		Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)

	with existing controls)				
Not meeting Statutory Compliance	Rare (1)		Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

Consultation: Greenfields Technical Services

Voting requirement: Absolute Majority

Officer's Recommendation:
That Council endorse the tender decision making criteria for the provision of Water Cart services.
 30% Price (\$ per hour)
 30% Quality and suitability of equipment
 30% Experience working remotely
 10% Methodology including safety and risk mitigation

Council Resolution No: 12082023

MOVED:	CR H. MCTAGGART	SECONDED:	CR G. WATTERS
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That Council endorse the tender decision making criteria for the provision of Water Cart services.
 30% Price (\$ per hour)
 30% Quality and suitability of equipment
 30% Experience working remotely
 10% Methodology including safety and risk mitigation

FOR: CR J. CAUNT
CR B. WALKER
CR H. MCTAGGART
CR G. WATTERS
CR R. HOSEASON-SMITH
CR A. MCKEOUGH

AGAINST: CR

F/A: 6/0

10.12

ROAD USE AGREEMENT – HASTINGS TECHNOLOGIES

Applicant:	Shire of Upper Gascoyne				
Disclosure of Interest:	Nil				
Author:	John McCleary – Chief Executive Officer				
Date:	18 August 2023				
Matters for Consideration:	To consider entering into a Road Use Agreement with Hastings for the use of Carnarvon/Mullewa Road, Ullawarra Road and Edmund-Gifford Creek Road.				
Background:	<p>Hastings and the Shire have a current RUA where Hastings were going to use Lyndon Minnie Creek Road and ship out of Onslow; however, this has now changed and Hastings are looking to get their inputs from and export out of either Geraldton or Perth.</p> <p>Hastings have now requested that a new RUA is prepared so that they can use Ullawarra Road and Carnarvon / Mullewa Road.</p>				
Comments:	<p>A meeting between Hastings, the Deputy President, Manager of Works and Services and the CEO was undertaken on the 15th of August 2023 to discuss this request.</p> <p>As part of the discussions Hastings has agreed to funding a compliance officer, reimbursing payment for our legal costs and reimbursing the Shire for an Engineers report.</p>				
Statutory Environment:	Nil				
Policy Implications:	Nil				
Financial Implications:	Nil – All costs to prepare the RUA will be underwritten by Hastings.				
Strategic Implications:	<p>Key Objective 2 Economic</p> <p>Strategy 2.3.3 – Encourage diversity and growth of local business, industry and investment.</p> <p>CBP – 2.3.3.1 Look for opportunities to support economic growth and diversity</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)
	Rare (1)		Low (1-4)	Failure to meet Statutory, Regulatory or	Accept Officer Recommendation

14. ELECTED MEMBERS REPORTS

14.1 Cr Caunt -

On the 4/8/23 gave an opening address to the Australian Golden Outback meeting that was held in the Shire chambers, looked to me to be a good turn out, and those attending I think were impressed with what we have to offer at the Junction, then on 15/8/23 John, Jarod and myself had a meeting with Hastings, regarding the use of the Ullawarra Rd, the main thing to come out of that for me is the position of a project manager to be appointed, which is agreed to by both parties , and after a lengthy discussion with Hastings and no doubt long discussion at the coming shire meeting the Ullawarra Rd being there final decision on their preferred Rd.

14.2 Cr Walker - Attended the Tourism Industry Sundowner on the 2/08/2023

14.3 Cr McTaggart - Nil to Report

14.4 Cr Hoseason-Smith - Nil to report

14.5 Cr McKeough - Nil to report

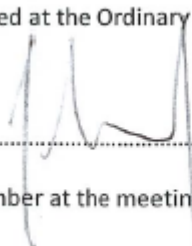
14.6 Cr Watters - Nil to report

15. OUTSTANDING COUNCIL MEETING RESOLUTIONS

Resolution N°	Subject	Status	Open / Close	Responsible Officer

16. MEETING CLOSURE

The Shire President closed the meeting at 11:00am.

To be confirmed at the Ordinary Meeting on the 21 st September 2023.
Signed..... 
Presiding member at the meeting at which time the minutes were confirmed.