



# MINUTES

22<sup>nd</sup> of JUNE 2022

## ORDINARY COUNCIL MEETING

**Held at the Shires Administration Building situated at Gascoyne Junction  
commencing at 8.30am**

### 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.

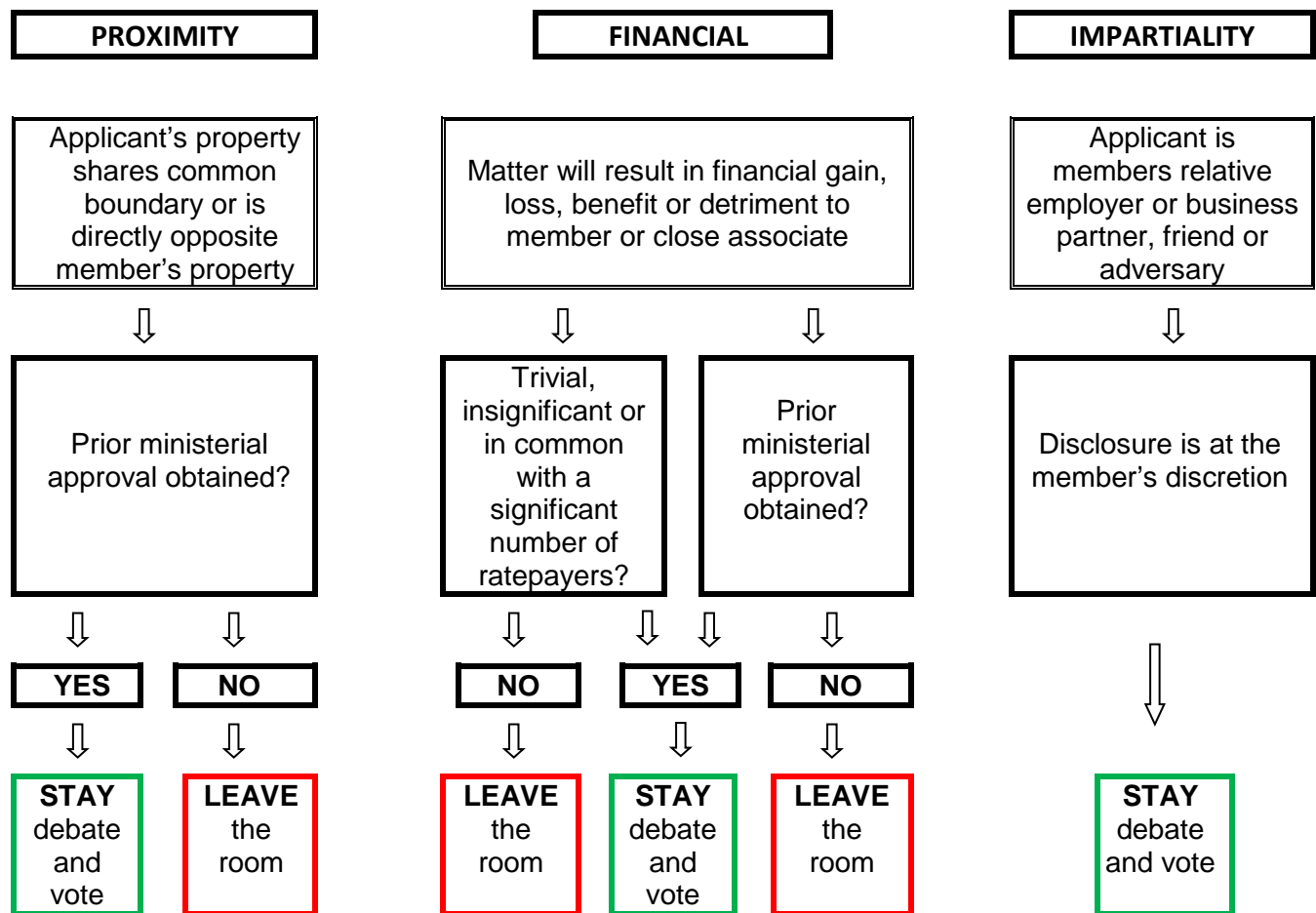
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John McCleary, JP  
CHIEF EXECUTIVE OFFICER

## \* 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.

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**SHIRE OF UPPER GASCOYNE  
MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRES  
ADMINISTRATION BUILDING SITUATED AT GASCOYNE JUNCTION ON THE 22<sup>nd</sup> of JUNE 2022  
COMMENCING AT 8.30 AM**

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**1. DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS**

The President welcomed those present and declared the meeting open at 8.30am

**2. ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE**

**2.1 Councillors**

Cr D. Hammarquist OAM JP	Shire President
Cr J. Caunt	Vice President
Cr H. McTaggart	Councillor
Cr R. Hoseason-Smith	Councillor
Cr G. Watters	Councillor
Cr B. Walker	Councillor
Cr A. McKeough	Councillor

**Staff**

John McCleary JP	Chief Executive Officer
Jarrod Walker	Manager of Works and Services
Sa Toomalatai	Manager of Finance and Corporate Services

**Visitors**

Peter Abhulimhen	Greenfield Technical Services
Travis Bate	RSM, Australia Pty Ltd

**2.2 Absentees**

Nil

**2.3 Leave of Absence previously approved**

Councillor A. McKeough – Councillor McKeough had a change of plans and was able to attend the June Meeting; however request that she be granted leave of absence for the July 22 Ordinary Meeting of Council.

**3. APPLICATION FOR LEAVE OF ABSENCE**

**MOVED: CR: R. HOSEASON-SMITH**

**SECONDED: CR: B. WATTERS**

That Councillor Alys McKeough be granted leave of absence for the Ordinary Meeting of Council to be held on the 27<sup>th</sup> of July 2022.

**F/A: 7/0**

**4. PUBLIC QUESTION TIME**

**4.1 Questions on Notice**

Nil

**4.2 Questions without Notice**

**5. DISCLOSURE OF INTEREST**

Nil

**6. PETITIONS/DEPUTATIONS/PRESENTATIONS**

**6.1** Greenfield Technical Services provided the Council with a report on the current and proposed works associated with the various DRFAWA projects being carried out within the Shire.

**6.2** RSM assisted staff and Councillors in the Budget workshop to build the 22/23 Budget.

**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 25<sup>th</sup> of May 2022.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION**

Council Resolution No: 01062022			
<b>MOVED:</b>	<b>CR: G. WATTERS</b>	<b>SECONDED:</b>	<b>CR: R. HOSEASON-SMITH</b>
That the Unconfirmed Minutes from the Ordinary Meeting of Council held on the 25 <sup>th</sup> of May 2022 be confirmed as a true and correct record of proceedings.			
<b>FOR:</b> Cr D. Hammarquist Cr J. Caunt Cr H. McTaggart Cr R. Hoseason-Smith Cr G. Watters Cr B. Walker Cr A. McKeough			
<b>AGAINST:</b> CR			
<b>F/A: 7/0</b>			

## 10. REPORTS OF OFFICERS

Council Resolution No: 02062022			
<b>MOVED:</b>	<b>CR: B. WALKER</b>	<b>SECONDED:</b>	<b>CR: R. HOSEASON-SMITH</b>
<p>That Council receive the Manager of Finance and Corporate Services, the Manager of Works &amp; Services and the Chief Executive Officer reports as read.</p> <p><b>FOR:</b> Cr D. Hammarquist Cr J. Caunt Cr H. McTaggart Cr R. Hoseason-Smith Cr G. Watters Cr B. Walker Cr A. McKeough</p> <p><b>AGAINST:</b> CR</p> <p><b>F/A: 7/0</b></p>			

### 10.1 Manager of Finance and Corporate Services Report

#### Corporate Services Update

This month has been super busy with staff preparing for the End of Financial Year (EOFY), continuing to work on the 22/23 draft budget and our getting ready for our Interim Audit with William Buck.

Initially the interim audit was meant to take place onsite, however due to a member of the audit team being identified as a COVID close contact the day before the audit, the onsite visit had to be conducted offsite (remotely) at the last minute. Despite this hurdle, the interim audit still went ahead in early June and staff are currently in the process of finalising this with the auditors.

As mentioned above, we have also been occupied with work on the 22/23 draft budget – the Management team held a budget review meeting on the 9<sup>th</sup> of June which saw some more changes and updates being applied. The latest copy will be workshopped with Council and Travis Bate our Principal Accountant from RSM. The draft budget includes a range of significant projects that staff hope to deliver in the next financial year.

The 30<sup>th</sup> of June is fast approaching which means that the corporate team will be kept on their toes with implementing all of the usual EOFY procedures. We hope that this process will be a smooth transition into the new year and without any hassle or system glitches.



#### Community Resource Centre Update

Author – Ainsley Hardie, Tourism & Community Development Officer

The CRC has been a busier space throughout May with more visitors arriving each week to explore our region. They walk through the doors gushing about what a beautiful and unexpected oasis this is, how beautiful the town looks and the roads are amazing. Our colleagues do a great job at making our job easy. We have started our free walking tours with administration staff joining the TCDO for the

first tour just in case they need to fill in. We have conducted two to date, but with the route on our new town maps many are taking the tour themselves.

It was a pleasure to represent the Shire at the Aboriginal Cultural Heritage Workshop in Carnarvon. I returned to the team with piles of handouts, and a further smaller workshop for Shire staff was held before the first round of community feedback was required. If you have not already made yourself familiar with this new Act I would be happy to forward through the worksheets from the workshop.

The Medical Clinic is getting closer with the medical room looking like a clinic room. We are just waiting on a bed, and for the staff to be dropped into the schedule. The clinic will be free with all visits chargeable to Medicare.



After delays due to weather earlier in the year I attended the first two days of the Australian Rural Leadership Foundation with a focus on drought resilience in communities with fellow leaders from across the Gascoyne Murchison. I look forward to continuing to work with this group and to create a program that will assist our community to facilitate change.

Billie and I attended the 2022 Agents of Change CRC Conference which was professionally rewarding seeing how other CRCs support their communities. The theme of the conference was based on creating CRCs that can support digital literacy in our communities. We spoke with the Minister, representatives from NBN and the new Chair of Digital Strategy in the WA Government about the challenges of offering digital opportunities with the inconsistencies of our current services and the limitations. With more and more of our everyday life having to be accessed online our challenge is to provide a Digital Hub at the Gascoyne Junction CRC to ensure that our community has their needs met.

The Shire had two events come to the region in May. The first was the Carnarvon Horseman's Club Gascoyne Junction Gymkhana. Held in Hackers Hectare the event was well attended with locals joining the cheer squad on the same.

The same weekend Creality (formerly Gascoyne in May) returned to Gascoyne Junction before heading to Mt Augustus and Burringurrah the following weekend. The Shire provided the pavilion as a venue for the event. Due to road closures due to rain on the Thursday and Friday the program in the Junction was modified. The Friday night event was held at the Junction Pub and Tourist Park and was enjoyed by locals, visitors and performers that had the night off creating a great atmosphere. The rain had impacted on setting up and so the crew set up at the Pavilion throughout the day on Saturday with music and performers, and a fire breathing dragon. A smaller crowd was in attendance on Saturday. Creality have asked us to book them in for the same weekend in 2023.

Both groups have been asked to complete a feedback form on the event that can be used when making decisions for potential funding of future events.



## Tourism Update

In the tourism space we have new signage ordered and on their way for the town entrance signs and orientating tourists in Gascoyne Junction. Our next project are our orientation to Shire signage. In collaboration with the Shire of Carnarvon we jointly launched the Festival of the Solar Eclipse which will be a series of events across both Shires. We have begun our AstroTourism WA accreditation process and will be hosting the team in late August to identify key sites in the Upper Gascoyne.

Collaborations have also commenced with the GDC in participating in a project that will aim at improving data collection in the region with the aim of identifying key infrastructure projects. After our visit to Meekatharra Shire ongoing discussions have continued looking at ways that we can continue to work together including joining together for professional development opportunities and setting up an agenda to create a working group with neighbouring shires and our tourism counterparts.

Australian Regional Tourism have launched The Agritourism Project and an introductory workshop was attended on May 10. The project is to work with local governments and prospective tourism operators to grow in this emerging sector. Further consultations will be occurring throughout the year with a full day session at their conference to be held in Ballarat this year. This information has been shared with our current stakeholders and interested new business in the region.



## Community Resource Centre – Monthly Income Report – May 2022

Printed at: 09/06/22

Page No: 1

SHIRE OF UPPER GASCOYNE

### General Ledger Detail Trial Balance

(frmGLTrialBalance )

Options: Year 21/22, From Month 11, To Month 11, By Responsible Officer (CRC INCOME CRC INCOME ACCOUNTS - MONTHLY REPORTING)

RespOff	Account	Description	Opening Bal	Movement	Balance
Division	GEN				
CRC INCO	10841310	Commission Centrelink : CRC	-7,120.38	-720.00	-7,840.38
CRC INCO	10841330	Transport Commission: CRC	-708.71	-45.88	-754.59
CRC INCO	10841340	Postal Agency Commission: CRC	-6,869.45	-666.59	-7,536.04
CRC INCO	10841360	Income from Events Held	-90.91	0.00	-90.91
CRC INCO	10841380	Postal Agency Sales	-1,082.36	-127.26	-1,209.62
CRC INCO	10841390	Sales: Books/Maps/Souvenirs/Sundries	-1,619.77	-160.85	-1,780.62
CRC INCO	10841500	Grant: CRC Operating	-96,000.00	0.00	-96,000.00
CRC INCO	10842600	CRC Income Misc.	-81.03	-2.00	-83.03
CRC INCO	10842610	CRC Merchandise Sales	-3,796.91	-203.57	-4,000.48
Total	CRC INCOME		-117,369.52	-1,926.15	-119,295.67
Total for division	GEN		-117,369.52	-1,926.15	-119,295.67
Grand Total			-117,369.52	-1,926.15	-119,295.67



## Community Resource Centre – Monthly Customer Service Stats – May 2022

CUSTOMER SERVICES & ENQUIRIES	2021.2022 TOTAL	2020.2021 TOTAL	YTD DIFF	May- 22	May- 21	MAY DIFF
Aus Government Info/Roads	847	1318	- 471	79	81	4
Government Access Point	18	6	12	2	0	4
Department of Human Services	15	17	-2	0	2	0
Department of Transport	38	54	-16	5	3	3
Computer/Internet Access	44	19	25	3	0	1
Faxes	3	0	3	0	0	0
General Tourism Information	610	521	89	73	52	11
Phonebook Purchases	0	0	0	0	0	0
Community Seminars	1	1	0	1	0	0
Gassy Gossip yearly subscription	4	0	4	0	0	0
Training/Courses	4	0	4	0	0	0
Hot Office Bookings	2	2	0	0	0	-1
Library	58	55	3	7	2	4
Video Conference/Telehealth	3	11	-8	0	0	-1
Book Sales	40	40	0	1	3	2
Photocopying/Printing/Scanning/Emailing	36	26	10	4	1	0
Laminating/Binding	8	8	0	2	0	0
CRC Merchandise Sales	275	358	-83	22	12	5
Community Events	17	8	9	1	0	0
Gassy Gossip Advertisement	6	4	2	0	0	0
Postage	178	81	97	11	6	4
Horizon Power	134	0	134	6	0	8
<b>Total Customer Service Enquiries</b>	<b>2341</b>	<b>2529</b>	<b>- 188</b>	<b>217</b>	<b>162</b>	<b>44</b>

### 10.2 Manager of Works and Services Report

June as usual has been all about setting next financial year's budget. The team have been extremely busy squaring away 2021-22 works and finances at the same time planning for 2022-23. We are confident that we will bring a productive and sensible budget before Council this month.

The town crew have enjoyed the cooler weather which slows the lawns and gardens down so they can focus on spraying verges, fogging mosquitoes and the towns overall appearance. It is nice to have so many people commenting on how good the town looks and it is a credit to the town crew.

The oval reticulation upgrades have been started with the main lines to the oval replaced, controller and pump installed. The oval surfaced has been cored and fertilised. The contractor will return in August to replace the remaining PVC lines and sprinklers and install garden beds along the main street fencing.

The tourist stop is slowly taking shape. The bulk of the landscaping is complete, the grano workers are completing footpaths while the stone masons complete the rock pitching and facing the block wall. GBSC are still arranging for the carpark surface to be completed. The turf will arrive in August. New town signage has been ordered and will be installed once the tourist stop is complete.

THEM earthmoving have almost completed 6km of improvements to a sealed standard on the Carnarvon Mullewa road. Our original estimate of 8kms will not be achieved due to the extent of road

works and culverts required in that section. Sealing is planned to commence on the 20<sup>th</sup> June. The additional 6km of seal will add to a further 18km of seal completed by the shire in the last year between Gascoyne Junction and Meekatharra.

We have had some great news regarding the successful application to the Building Better Regions/ HSVPP funding body to construct a new concrete low level crossing on the Dalgety Brook on the Dalgety Glenburgh road. HSVPP have awarded the shire \$1.6M to construct the floodway and we hope to begin construction next year. This has been the culmination of some great work and effort by our team and is another opportunity to continue sealing from Gascoyne Junction to Meekatharra.

It has been another year of chasing our tails with regards to grading roads. We have spent the bulk of our time repairing washouts and damaged caused by people driving on closed roads. The rain has been a welcome relief but is a shame people still aren't getting the message or simply don't care. I am in the process of pricing remote cameras so we can start handing evidence to the Police to prosecute offenders.

We have replaced the Landor/Dalgety boundary grid as it was past its useful life. QEM completed the works last week at the same time as installing rock protection on the new sealed section on Landor Meekatharra road.



Our works crew have all but completed our construction program for the year. We have once again expended all of our funding commitments including an additional \$600,000 worth of projects in the final six months of the financial year. This included \$300,000 of resheeting and reforming on the Landor Mt Augustus road and \$300,000 of new seal on the Landor Meekatharra road. This is in addition to the 13km of new seal on Carnarvon Mullewa road, reconstructing 5km to a sealed standard on Landor Meekatharra road and expending \$1M worth of road maintenance. I would like to thank my team for their efforts and for the amazing work they do.



Figure 1: Landor Mt Augustus resheeting

### **10.3 Chief Executive Officers Report**

The month has come and gone in the blink of an eye. I attended Perth for my PET Scan on the 30<sup>th</sup> of June only to be told the machine had broken down so I beat a hasty retreat back to Gascoyne Junction. I next attended on the 7<sup>th</sup> of June and returned home late that night. My results were provided on the 8<sup>th</sup> and once again I have had a clear scan with no evidence of disease, so march on.

Staff and myself have been working diligently to deliver the 22/23 Budget which incorporates some of the Councillors suggestions; relatively significant increases in the day to day operational costs (insurance, fuel, tyres, plant and equipment, etc.) have been included to account for the inflationary pressures we currently find ourselves in.

We have had a dearth of political visitations with Minister Alannah McTiernan; Sabina Winton, Dr David Honey and Neil Thomson all paying a visit to our part of the world. As most would be aware we also received the news that our local member, Vincent Catania, has resigned. It is fitting that we put it on the record that Vince was a great supporter of our part of the world and made a significant contribution to the Shire. We wish Vince and his family all the very best in his future endeavours.

Movement is once again happening with the Two Rivers Memorial Park with the garden kerbs being installed and rock cladding of the limestone wall surrounding the aircraft. There is talk about the remaining bitumen being completed whilst Downer are in the area doing the Shires work and once completed the kerbing contractor will do his thing.

Don, Jarrod and myself will be attending the WALGA Zone Meeting and the Regional Road Group Meeting to be held in Shark Bay on the 24<sup>th</sup> of June 2022.

We have received confirmation that the Dalgety Brook Floodway Project has received funding under the HVSP for approximately \$1.6 million.

Carpet for the Council Chambers has been ordered with Barry Even coming out to the Junction on the 17<sup>th</sup> of June to measure up. I am continuing to work with our cabinet / furniture makers for the design of our new Council Chamber Desk and Side Board. I have taken on board suggestions by staff and Councillors to work on a design that is both unique and functional. I will be able to do a brief presentation at this Council Meeting.

I have been in discussions with DFES about the length of time being taken to reimburse expenditure on AGRN 951 and getting an AGRN for the April Event which looks like coming in north of \$8 million.

I am still trying to organise a meeting with both Stephen Dawson (Emergency Services) and John Carey (Local Government / Housing) as there are various issues pertinent to our space that need to be addressed, it appears that we may be able to see Minister Dawson at the Carnarvon Long Table Lunch.

## STATUS OF GRANTS FOR 2022

Submitted	Close Date	Project	Grant	Provider	Grant Amount	Project Cost	Result
4/2/2022	20/02/2022	Dalgety Brook Floodway	Bridges Renewable Program HVSP	Dept of Infrastructure, Transport, Regional Development and Communications	\$1,800,000	\$1,800,000	Successful
4/2/2022	10/2/2022	Landor Meekatharra Road Seal Project	Building Better Regions Fund	Dept of Infrastructure, Transport, Regional Development and Communications	\$4,734,371	\$5,216,078 (481,707 Shire Funds)	Pending
4/2/2022	20 February 2022	Landor Meekatharra Road Seal Project	Remote Roads Upgrade Pilot Program	Dept of Infrastructure, Transport, Regional Development and Communications	\$4,400,000	\$5,500,000 (\$1,100,000 Shire Funds over 3 years)	Unsuccessful
13/12/2021	N/A	Carnarvon / Mullewa Road Sealing Project	Ad hoc	Main Roads – State initiatives on Local Roads	Requested between 4.5 million	Ongoing	Pending

### 10.4 ACCOUNTS & STATEMENTS OF ACCOUNTS

<b>Applicant:</b>	Shire of Upper Gascoyne
<b>Disclosure of Interest:</b>	None
<b>Author:</b>	Sa Toomalatai – Manager of Finance & Corporate Services
<b>Date:</b>	9 June 2022
<b>Matters for Consideration:</b>	<p>To receive the List of Accounts Due &amp; Submitted to Ordinary Council Meeting on Wednesday the 22<sup>nd</sup> June 2022 as attached – see <a href="#">Appendix 1</a>.</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 <a href="#">Appendix 1</a>.</p>
<b>Background:</b>	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.
<b>Comments:</b>	The list of accounts are for the month of May 2022.
<b>Statutory Environment:</b>	Local Government (Financial Management Regulations) 1996

		<p><b>13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</b></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> <p>(a) the payee's name; and</p> <p>(b) the amount of the payment; and</p> <p>(c) the date of the payment; and</p> <p>(d) Sufficient information to identify the transaction.</p> <p>(2) A list of accounts for approval to be paid is to be prepared each month showing —</p> <p>(a) for each account which requires council authorisation in that month —</p> <p>(i) the payee's name; and</p> <p>(ii) the amount of the payment; and</p> <p>(iii) sufficient information to identify the transaction; and</p> <p>(b) the date of the meeting of the council to which the list is to be presented.</p> <p>(3) A list prepared under sub regulation (1) or (2) is to be —</p> <p>(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and</p> <p>(b) recorded in the minutes of that meeting.</p>			
<b>Policy Implications:</b>		Nil			
<b>Financial Implications:</b>		2021/2022 Budget			
<b>Strategic Implications:</b>		Civic Leadership – To responsibly manage Council's financial resources to ensure optimum value for money and sustainable asset management.			
<b>Risk:</b>					
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 1<sup>st</sup> of May 2022 to the 31<sup>st</sup> of May 2022 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 31<sup>st</sup> of May 2022.</i></p> <table><tr><td>Municipal Fund Bank EFTs (14266 - 14379)</td><td>\$3,338,650.73</td></tr><tr><td>Payroll</td><td>\$116,117.06</td></tr><tr><td>BPAY/Direct Debit</td><td>\$43,242.00</td></tr><tr><td><b>TOTAL</b></td><td><b>\$3,498,009.79</b></td></tr></table>			Municipal Fund Bank EFTs (14266 - 14379)	\$3,338,650.73	Payroll	\$116,117.06	BPAY/Direct Debit	\$43,242.00	<b>TOTAL</b>	<b>\$3,498,009.79</b>
Municipal Fund Bank EFTs (14266 - 14379)	\$3,338,650.73										
Payroll	\$116,117.06										
BPAY/Direct Debit	\$43,242.00										
<b>TOTAL</b>	<b>\$3,498,009.79</b>										
Council Resolution No: 03062022											
MOVED:	CR: B. WALKER	SECONED:	CR: R. HOSEASON-SMITH								
<p>That Council endorse the payments for the period 1<sup>st</sup> of May 2022 to the 31<sup>st</sup> of May 2022 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 31<sup>st</sup> of May 2022.</p> <table><tr><td>Municipal Fund Bank EFTs (14266 - 14379)</td><td>\$3,338,650.73</td></tr><tr><td>Payroll</td><td>\$116,117.06</td></tr><tr><td>BPAY/Direct Debit</td><td>\$43,242.00</td></tr><tr><td><b>TOTAL</b></td><td><b>\$3,498,009.79</b></td></tr></table> <p><b>FOR:</b> Cr D. Hammarquist Cr J. Caunt Cr H. McTaggart Cr R. Hoseason-Smith Cr G. Watters Cr B. Walker Cr A. McKeough</p> <p><b>AGAINST:</b> CR</p> <p><b>F/A: 7/0</b></p>				Municipal Fund Bank EFTs (14266 - 14379)	\$3,338,650.73	Payroll	\$116,117.06	BPAY/Direct Debit	\$43,242.00	<b>TOTAL</b>	<b>\$3,498,009.79</b>
Municipal Fund Bank EFTs (14266 - 14379)	\$3,338,650.73										
Payroll	\$116,117.06										
BPAY/Direct Debit	\$43,242.00										
<b>TOTAL</b>	<b>\$3,498,009.79</b>										

10.5 MONTHLY FINANCIAL STATEMENT	
<b>Applicant:</b>	Shire of Upper Gascoyne
<b>Disclosure of Interest:</b>	None
<b>Author:</b>	Sa Toomalatai – Manager of Finance & Corporate Services
<b>Date:</b>	9 June 2022
<b>Matters for Consideration:</b>	<p>The Statement of Financial Activity for the period of May 2022, include the following reports:</p> <ul style="list-style-type: none"> <li>• Statement of Financial Activity</li> <li>• Significant Accounting Policies</li> <li>• Graphical Representation – Source Statement of Financial Activity</li> <li>• Net Current Funding Position</li> <li>• Cash and Investments</li> <li>• Major Variances</li> <li>• Budget Amendments</li> <li>• Receivables</li> <li>• Grants and Contributions</li> <li>• Cash Backed Reserve</li> <li>• Capital Disposals and Acquisitions</li> <li>• Trust Fund</li> </ul> <p>see <a href="#">Appendix 2</a></p>
<b>Background:</b>	<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>
<b>Comments:</b>	The Statement of Financial Activity is for the month of May 2022.
<b>Statutory Environment:</b>	<p>Local Government Act 1995 – Section 6.4</p> <p>Local Government (Financial Management Regulations) 1996 – Sub-regulation 34.</p>
<b>Policy Implications:</b>	Nil
<b>Financial Implications:</b>	Nil
<b>Strategic Implications:</b>	Civic Leadership – To responsibly manage Council's financial resources to ensure optimum value for money and sustainable asset management.
<b>Risk:</b>	



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:		That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of May 2022.			
Council Resolution No: 04062022					
MOVED:	CR: G. WATTERS		SECONDED:	CR: J. CAUNT	
That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of May 2022.					
<div>FOR: Cr D. Hammarquist Cr J. Caunt Cr H. McTaggart Cr R. Hoseason-Smith Cr G. Watters Cr B. Walker Cr A. McKeough</div> <div>AGAINST: CR</div>					
F/A: 7/0					

10.6 END OF FINANCIAL YEAR WRITE OFF OF SMALL RATES BALANCES					
<b>Applicant:</b>		Shire of Upper Gascoyne			
<b>Disclosure of Interest:</b>		None			
<b>Author:</b>		Sa Toomalatai – Manager of Finance & Corporate Services			
<b>Date:</b>		9 June 2022			
<b>Matters for Consideration:</b>		Write of small rates balances of \$35 or less			
<b>Background:</b>		<p>From time to time rate payers are late in paying their rates which can result in small amounts of interest being applied to the rate assessment. Given the relatively insignificant amounts of interest it is often not worth the time and effort to collect and will often lead to unnecessary animosity from rate payers.</p> <p>As part of the end of financial year processes it is recommended that small balances of rates arrears under \$35 be written off.</p> <p>For Emergency Services Levy (ESL) balances of more than \$2 the relevant minister needs to approve the write off.</p>			
<b>Comments:</b>		<p>This is general housekeeping and does not have a material impact on the financial statements or budgeted rates revenue.</p> <p>With the ESL balances of more than \$2 I will assess the likelihood of recovery on individual assessments and make an application to the relevant minister at a later date.</p>			
<b>Statutory Environment:</b>		<p>Local Government Act 1995</p> <p>Fire and Emergency Services Act 1998</p> <p>Fire and Emergency Services Regulations 1998</p>			
<b>Policy Implications:</b>		Nil			
<b>Financial Implications:</b>		A small write off for assessments with balances under \$35 will result in a reduction of rate revenue less than \$200.			
<b>Strategic Implications:</b>		Nil			
<b>Risk:</b>					
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:		Absolute Majority			
Officer's Recommendation:		<i>That council,</i>  <i>1) Write off rates balances of \$35 or less on outstanding assessments.</i>  <i>2) Write off Emergency Services Levy and penalty interest balances of less than \$2 on outstanding assessments.</i>			
Council Resolution No: 05062022					
MOVED:	CR: J. CAUNT		SECONDED:	CR: A. MCKEOUGH	
<p>That council,</p> <p>1) Write off rates balances of \$35 or less on outstanding assessments.</p> <p>2) Write off Emergency Services Levy and penalty interest balances of less than \$2 on outstanding assessments.</p> <div><div><p><b>FOR:</b></p><p>Cr D. Hammarquist</p><p>Cr J. Caunt</p><p>Cr H. McTaggart</p><p>Cr R. Hoseason-Smith</p><p>Cr G. Watters</p><p>Cr B. Walker</p><p>Cr A. McKeough</p></div><div><p><b>AGAINST:</b></p><p>CR</p></div></div> <p><b>F/A: 7/0</b></p>					

The meeting adjourned at 9.33am for morning tea.

The meeting reconvened at 10.11am.

**10.7 21/22 BUDGET AMENDMENT**

<b>Applicant:</b>	Shire of Upper Gascoyne
<b>Disclosure of Interest:</b>	Amendment
<b>Author:</b>	John McCleary – Chief Executive Officer
<b>Date:</b>	10 June 2022
<b>Matters for Consideration:</b>	To authorise a budget amendment
<b>Background:</b>	As part of the Council Chambers redevelopment an allowance for carpet and stopping the ingress of Water via the outside portico was not included.
<b>Comments:</b>	<p>Now that all the internal works are complete and the Audio Visual Equipment has been installed it is evident that in order to stop the echo within the room carpet will need to be laid to assist in dampening these reverberations.</p> <p>Initially we bricked up the double doors leading out to the portico where the water was coming from, causing damage to the walls and the floor coverings. Unfortunately the water is still finding a way in because the portico area fills up and ponds due to it being lower than the surrounding areas. The only way to fix this problem is to raise this area so that no water can pond and gain entry into the building.</p> <p>We have \$25,000 sitting in the “Staff Retention” account which will not be used given the impact of Fringe Benefits Tax making the proposed program financially unworkable.</p> <p>It is proposed to move the monies from the “Staff Retention” account into the Council Chamber Redevelopment Account and get the carpet ordered now, in the event the delivery time is months away and get the concreting works for the portico done as soon as possible in the event of rain as we do not want to see the new gyprock walls get impacted and damaged.</p>
<b>Statutory Environment:</b>	Local Government Act 1995 – Part 6 Financial Management, Division 4 General Financial Provisions, Section 6.8 Local Government Act 1995 – Part 6, Section 6.11. Local Government (Financial Management Regulations) 1996 – Part 3, Section 6.2 Regulation 27
<b>Policy Implications:</b>	Nil
<b>Financial Implications:</b>	There is no overall change to the 21/22 budget as this is just a re-allocation.
<b>Strategic Implications:</b>	Nil
<b>Risk:</b>	

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:		Staff Elected members			
Voting requirement:		Absolute Majority			
Officer's Recommendation:		That Council authorise the CEO to: 1. Transfer \$25,000 from Account Number 041072 (Retention and Attraction Policy) to Account Number 041800 CB5070 (Office Refurbishment).			
Council Resolution No: 06062022					
MOVED:	CR: G. WATTERS	SECONDED:	CR: R. HOSEASON-SMITH		
That Council authorise the CEO to: 1. Transfer \$25,000 from Account Number 041072 (Retention and Attraction Policy) to Account Number 041800 CB5070 (Office Refurbishment).					
<div>FOR: Cr D. Hammarquist Cr J. Caunt Cr H. McTaggart Cr R. Hoseason-Smith Cr G. Watters Cr B. Walker Cr A. McKeough</div> <div>AGAINST: CR</div> <div>F/A: 7/0</div>					

10.8 DECISION CRITERIA FOR THE SUPPLY AND INSTALLATION OF BORE CASING AND BORE SCREENS	
<b>Applicant:</b>	Shire of Upper Gascoyne
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Sean Walker- Manager, Works & Services
<b>Date:</b>	15 June 2022
<b>Matters for Consideration:</b>	For Council to determine the decision criteria around sourcing and installing bore casing and screens for the deep water project.
<b>Background:</b>	<p>The Shire has identified the lack of a reliable water source for the town's reticulation and potable water supply. The existing bore located directly north of the town site in the Gascoyne River is not reliable and there has been a request to relocate this bore by DWER. Attempts to relocate the existing bore have been hamstrung by insufficient water supply in the immediate surrounds and a lack of support from the Yinggarda Aboriginal Corporation to access proposed locations. Another long term option was required.</p> <p>On March 10<sup>th</sup> 2022, <b>Austral Drilling</b> was awarded the tender RFT 04 21-22 Exploration Drilling Program at a cost of \$427,845.33. This tender involved simply drilling a pilot hole and conducting basic logging of the hole to ascertain whether it was worth drilling another hole in the future and casing it. At the current high price of drilling a pilot hole, it was recommended that we case it to save redrilling another hole in the future.</p> <p>Upon recommendation by Richard of Global Groundwater it has become apparent that casing of the bore will produce accurate bore logging and water analysis of water available. Through discussion with Austral Drilling and Bore casing stockists, it was revealed that the option of purchasing the bore casing and then paying a restock fee should it not be required was not an option.</p> <p>Whilst drilling a pilot hole and conducting bore logging would reveal good results, casing the bore and then bore logging would yield highly accurate results and will result in a water source of some description regardless of water quality. The cost of remobilising <b>Austral Drilling</b> and drilling another bore hole in the future is far greater than simply purchasing the bore casing and casing the first pilot hole. To save costs, it was recommended that we case the bore hole instead of simply drilling a pilot hole and capping it.</p>

<b>Comments:</b>	<p>In May 2022, the Shire received formal approval from the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) to reallocate funds granted under Phase 3 of the LRCI program, to the –</p> <ul style="list-style-type: none"> <li>• Oval Refurbishment (for retic and turf upgrade) and the;</li> <li>• Exploration Drilling program</li> </ul> <p>The total grant funds allocated under Phase 3 is \$1,249,746 and of this amount, the Exploration Drilling program has been assigned \$1,164,746. This amount in addition to the existing budget of \$250,000 (transfer from the Economic Development Reserve) has been allocated to the job no. RC09, under GL account 11111860 for the “Out of Town Water Supply Project”, giving an overall total budget of \$1,414,746 for this project.</p> <p>The total cost of drilling the bore, casing the bore and undertaking the necessary testing and report writing comes to \$863,940.11 - \$427,845.33 (Drilling) + estimated \$312,696.78 (casing, screen and geophysical log) + \$123,398.00 (supervise drilling and casing of the bore, conduct test pumping and create, lodge the required completion report as stipulated by DWER) with an additional \$85,000 for the upgrade of the oval reticulation totalling \$948,940.11 leaving \$465, 805.89 for the supply and installation of pumping equipment and associated infrastructure.</p> <p>In a nutshell the original tender was only for the drilling and we were under the impression we could purchase the casing material and return these if the water proved to be of an unusable quality; however, we have now been advised that this is not the case and we have to purchase the casing / screens outright. Given the nature of drilling, the bore the casing will need to be installed at the same time by the driller; as such these costs will need to be combined in order to get the job done in the most economical way. In addition we omitted to include the cost of engaging the Hydrologist to carry out the required supervision, testing and report writing.</p> <p>Given that we have already awarded the tender to Austral Drilling and issued them with Purchase Order and the estimated cost of supplying the casing/screens and installation of such are over the \$250,000 purchasing threshold it is recommended that we go to public tender for the supply and installation of the casing and screens.</p>
<b>Statutory Environment:</b>	<p>Local Government (Functions &amp; General) Regulations 1996 Reg 14 (2a) If a local government —</p> <p>(a) is required to invite a tender; or</p> <p>(b) not being required to invite a tender, decides to invite a tender, the local government must, before tenders are publicly invited, <u>determine in writing the criteria for deciding which tender should be accepted.</u></p>
<b>Policy Implications:</b>	<p>Purchasing Policy</p>



<b>Financial Implications:</b>		<p><b>Austral Drilling</b> was awarded the tender RFT 04 21-22 Exploration Drilling Program at a cost of <b>\$427,845.33 Inc. G.S.T.</b></p> <p>As a variation, <b>Austral Drilling</b> has estimated that to case, screen and conduct a geophysical log of the bore hole would come at a cost of <b>\$312,696.78 inc GST</b>. Should we just drill a pilot hole, not case it, and Austral Drilling were to return at a later date to drill and case a new hole, it would come at an additional cost upwards of <b>\$740,000 Inc. G.S.T..</b></p> <p><b>Global Groundwater</b> has been our primary Hydrogeologist for the duration of the project and has estimated that to Supervise the drilling and casing of the bore hole, conduct test pumping, and to create and lodge the required completion report as stipulated by DWER will cost <b>\$123,398.00 inc GST</b>. Awarding the Supervision of this project to a different Hydrogeological contractor without any knowledge of the project to date would be counter-productive and have a harmful financial impact.</p>			
<b>Strategic Implications:</b>		<p><b>Civic Leadership</b></p> <p><b>Objective 4:</b>  <i>To provide Good Governance to the Upper Gascoyne Shire area through:</i></p> <ul style="list-style-type: none"> <li><i>Detailed and professional administration;</i></li> <li><i>High levels of accountability;</i></li> <li><i>Compliance with statutory requirements;</i></li> <li><i>High-quality forward planning, particularly for assets and finances;</i></li> <li><i>Openness and transparency and enhanced consultations and public participation;</i></li> <li><i>Provision of quality customer services, good financial management and pursuit of excellence in professional administration and communication.</i></li> </ul> <p><b>Economic</b></p> <p><b>Objective 1:</b>  <i>To develop and maintain a viable water source for the Parks and Gardens of the township of Gascoyne Junction.</i></p>			
<b>Risk:</b>					
<b>Risk</b>	<b>Risk Likelihood (based on history and with existing controls)</b>	<b>Risk Impact / Consequence</b>	<b>Risk Rating (Prior to Treatment or Control)</b>	<b>Principal Risk</b>	<b>Risk Action Plan (Controls or Treatment proposed)</b>

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:		Absolute Majority											
Officer's Recommendation:		<p><i>That Council:</i></p> <p>1. <i>authorises the CEO to go to Public Tender for the supply and installation of bore casing and screens for the deep water bore; and</i></p> <p>2. <i>Adopts the following Decision Criteria:</i></p> <table><tr><td>• Price</td><td>30%</td></tr><tr><td>• Availability</td><td>40%</td></tr><tr><td>• Safety</td><td>10%</td></tr><tr><td>• Experience</td><td>20%</td></tr></table>				• Price	30%	• Availability	40%	• Safety	10%	• Experience	20%
• Price	30%												
• Availability	40%												
• Safety	10%												
• Experience	20%												
Council Resolution No: 07062022													
MOVED:	CR: A. MCKEOUGH	SECONDED:	CR: B. WALKER										
<p>That Council:</p> <p>1. authorises the CEO to go to Public Tender for the supply and installation of bore casing and screens for the deep water bore; and</p> <p>2. Adopts the following Decision Criteria:</p> <table><tr><td>• Price</td><td>30%</td></tr><tr><td>• Availability</td><td>40%</td></tr><tr><td>• Safety</td><td>10%</td></tr><tr><td>• Experience</td><td>20%</td></tr></table> <p><b>FOR:</b> Cr D. Hammarquist Cr J. Caunt Cr H. McTaggart Cr R. Hoseason-Smith Cr G. Watters Cr B. Walker Cr A. McKeough</p> <p><b>AGAINST:</b> CR</p> <p><b>F/A: 7/0</b></p>						• Price	30%	• Availability	40%	• Safety	10%	• Experience	20%
• Price	30%												
• Availability	40%												
• Safety	10%												
• Experience	20%												

10.9 WALGA's PROPOSED ADVOCAY POSITION	
<b>Applicant:</b>	Shire of Upper Gascoyne
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	John McCleary – Chief Executive Officer
<b>Date:</b>	15 June 2022
<b>Matters for Consideration:</b>	To consider supporting DFES or the State Government to take responsibility of the local Bush Fire Brigade, under WALGA's new Proposed Advocacy Position, in line with other State Governments.
<b>Background:</b>	<p>WALGA is seeking the views of the sector on a new Advocacy Position on the management of Bushfire Brigades. This matter will be of most relevance to those 111 Local Governments that manage brigades, however the views of all members have been sought.</p> <p>WALGA have allowed for a 6 week consultation on this matter, to enable consultation with local volunteers and communities, and for Councils to make a decision. An Item will go to WALGA State Council in September 2022.</p> <p>Western Australian Local Governments have extensive roles and responsibilities embedded in the State Emergency Management Framework across the emergency management spectrum of prevention, preparedness, response, and recovery. Under the Bush Fires Act 1954, Local Governments have responsibility for bushfire and the management of volunteer Bush Fire Brigades (BFBs). 111 Local Governments manage 563 BFBs involving approximately 20,000 volunteers.</p> <p>As part of WALGA's 2021 Emergency Management Survey, Local Governments were asked about their level of satisfaction with current arrangements for managing BFBs. 92 Local Governments (69 of which manage BFBs) provided the following feedback:</p> <ul style="list-style-type: none"> <li>• 93% were not wholly satisfied with the current arrangements for the management of BFBs; and</li> <li>• 51% expressed that their Local Government does not support the requirements for Local Governments to manage BFBs.</li> </ul> <p>The State Government is currently drafting the Consolidated Emergency Services Act (CES Act), which consolidates the Fire Brigades Act 1942, Bush Fires Act 1954 and Fire and Emergency Services Act 1998 into a single piece of legislation, anticipated to be released as a Green Bill for consultation in early 2023. The introduction of the Work Health and Safety Act 2020 has also shone a spotlight on Local Government responsibilities for managing volunteer BFBs.</p>

<b>Comments:</b>		Options for future management of BFBs			
		<p>Four options are identified for the future management of BFBs:</p> <ol style="list-style-type: none"> <li>1. Status quo - continue with the current arrangements for management of BFBs whereby the majority are managed by Local Government and transfer arrangements are negotiated on an ad hoc basis between DFES and Local Governments (or their BFBs).</li> <li>2. Improvements - continue with the current arrangements for Local Government management of BFBs with additional support provided by the State Government with respect to increased funding and better access to training resources and other support.</li> <li>3. Hybrid Model - Local Government continues to manage BFBs where they have the capacity, capability and resources to do so; however where they do not have the capacity, capability and resources, responsibility for management of BFBs is transferred to DFES.</li> <li>4. Transfer - Responsibility for management of all BFBs is transferred to the State Government, consistent with the arrangements in other States and Territories.</li> </ol> <p>See attached <a href="#">APPENDIX 3 and 4</a></p>			
<b>Statutory Environment:</b>		Fire Brigades Act 1942 Bush Fires Act 1954 Fire and Emergency Services Act 1998			
<b>Policy Implications:</b>		Nil			
<b>Financial Implications:</b>		Current DFES funding for the BFB is \$5,200 per annum. Transferring the management of the BFB to DFES or State Government will remove the financial burden on the Shire of Upper Gascoyne that may arise in future Bushfires, and shift it to an organisation with Firefighting as its core business such as DFES or the State Government.			
<b>Strategic Implications:</b>		Transferring the management of the BFB to DFES or State Government will ensure that correctly trained staff will manage and operate the BFB. The core business of the Shire of Upper Gascoyne is not fighting fires, however it is the core business of DFES or a State Government run Fire Division.			
<b>Risk:</b>					
<b>Risk</b>	<b>Risk Likelihood (based on history and with existing controls)</b>		<b>Risk Rating (Prior to Treatment or Control)</b>	<b>Principal Risk</b>	<b>Risk Action Plan (Controls or Treatment proposed)</b>

Not meeting Statutory Compliance	Rare (1)		Low (1-4)	Nil	Nil
Consultation:		Various staff members, brigade members, DFES personnel.			
Voting requirement:		Simple Majority			
Officer's Recommendation:		That Council endorse the transfer of the management of the Bush Fire Brigade from the Local Government to the State Government to align with other arrangements within all the other State Governments.			
Council Resolution No: 08062022					
MOVED:	CR: B. WALKER	SECONDED:	CR: R. HOSEASON-SMITH		
That Council endorse the transfer of the management of the Bush Fire Brigade from the Local Government to the State Government to align with other arrangements within all the other State Governments.					
<div>FOR: Cr D. Hammarquist Cr J. Caunt Cr H. McTaggart Cr R. Hoseason-Smith Cr G. Watters Cr B. Walker Cr A. McKeough</div> <div>AGAINST: CR</div> <div>F/A: 7/0</div>					

**10. 10****ACTIVITIES ON THOROUGHFARES LOCAL LAW 2022**

<b>Applicant:</b>	Shire of Upper Gascoyne
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Philip Swain – Health & Building Officer
<b>Date:</b>	16 June 2022
<b>Matters for Consideration:</b>	Council is requested to make, in accordance with the Local Government Act 1995, a new local law for the Shire of Upper Gascoyne.
<b>Background:</b>	<p>The Shire of Upper Gascoyne has no existing Local Laws, either current or repealed. The remote nature of the Shire and the sparse population have not necessitated the introduction of local laws to control and manage activities within the local environs in the past.</p> <p>More recently, activities including tourism and mining have had localised impacts that require some intervention by the Shire to assist in managing scarce resources. Most specifically, the Shire has in recent years experienced damage to the road network due to cars, caravans, trucks and machinery being driven on closed roads.</p>

<p><b>Comments:</b></p>	<p>In accordance with guidelines issued by the Western Australian Local Government Association (WALGA) the Shire's local laws should aim to satisfy the following objectives:</p> <ul style="list-style-type: none"> <li>a) the use of plain English in all local laws that they are easy to read and readily understandable to both the public and the members of Administration;</li> <li>b) relevance to the needs of the Shire of Upper Gascoyne;</li> <li>c) compliance with the <i>Local Government Act 1995 (WA)</i> and other legislation;</li> <li>d) deletion of legislative duplication;</li> <li>e) avoidance of legislative inconsistency between other local laws, State and Federal legislation;</li> <li>f) the creation of laws that can stand alone without the need to be cross-referenced.</li> </ul> <p>Furthermore, all local laws are required to be consistent with National Competition Policy and unless justified under a Public Benefit Test, should not contain provisions that restrict competition. Generally, new local laws are adopted following models developed by the WALGA to minimise legal costs and the complications of the benefit tests. The Shire's draft <i>Activities on Thoroughfares Local Law 2022</i> is based on the WALGA model of a similar name, however a number of Divisions of the template local law have been removed, as they are not relevant within the Shire.</p> <p>The draft local law contains provisions that relate to general restrictions on activities within public thoroughfares, protections for public works conducted on thoroughfares, property numbering provisions, signage on thoroughfares and prohibitions relating to driving on thoroughfares. The local law also creates a permit system to allow for the Shire to approve certain activities, as there may be exceptional circumstances where a blanket ban, without the ability to vary, would be regarded as unacceptable. And the local law also creates a series of offences relating to the provisions including the ability to issue infringements in accordance with the Act.</p> <p>Following the discussion period, only minor grammatical and formatting amendments have been requested by the Minister via the Department of Local Government, Sports and Cultural Industries. The Shire has advertised the local law in accordance with the requirements of the Act and can now make the Act by adopting the same with an absolute majority.</p>
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<b>Statutory Environment:</b>	<p>It is a requirement of the Local Government Act that at a Council meeting the person presiding is to give notice to the meeting of the purpose and effect of any proposed local law including any amendment. The Local Government (Functions and General) Regulations 1996 Part 1A - Local Laws, prescribe the following:</p> <p><b><i>Notice of purpose and effect of proposed local law - s. 3.12(2)</i></b>  <i>For the purpose of section 3.12, the person presiding at a council meeting is to give notice of the purpose and effect of a local law by ensuring that -</i></p> <p style="padding-left: 40px;"><i>(a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and</i>  <i>(b) the minutes of the meeting of the council include the purpose and effect of the proposed local law.</i></p> <p>The intended Purpose and Effect of the Shire of Upper Gascoyne, Activities on Thoroughfares Local Law 2022 are:</p> <p><b>Purpose:</b> The purpose of the local law is to provide for the regulation, control and management of activities on thoroughfares within the district of the Shire of Upper Gascoyne.</p> <p><b>Effect:</b> The effect of the local law is to control and manage the impacts of activities on thoroughfares within the district of the Shire of Upper Gascoyne</p> <p>Council gave notice of the Purpose and Effect of the proposed local law in the Agenda for the meeting of 18<sup>th</sup> August 2021 and the same was subsequently minuted.</p> <p>Where it has been determined that a local law should be adopted a local government is required give state-wide notice of the proposed local law. The Shire gave State-wide public notice of the draft local law 18<sup>th</sup> September 2021. No submissions were received during the six (6) week submission period. The law also requires the approval, under the Act, of the Local Government Minister and hence consultation with the Department of Local Government, Sports and Cultural Industries. To finalise the adoption of the local law must be printed in the government gazette and Administration needs to forward an Explanatory Memorandum of the local law process followed, to the Minister, within 10 business days of the gazettal.</p>
<b>Policy Implications:</b>	<p>The following current Council policies may impact upon the Shire's new Local Law:</p> <p style="padding-left: 40px;">12.1 Use of Heavy Vehicle Combinations on Local Roads Policy;  12.2 Road Closure Policy; and  12.3 Traffic Sign Policy.</p>
<b>Financial Implications:</b>	<p>Direct costs associated with this report will be limited to consultant fees to draft the local laws and reports. New local laws attract additional advertising costs associated with the State-wide and local public notice of the same. Once the local law adoption has been made by Council, there will be gazettal costs to finalise the adoption process. These costs will be borne via budgeted expenditure.</p>

<b>Strategic Implications:</b>		The Strategic Community Plan includes Objective 4 - Civic Leadership, which includes the following aims:  <i>To provide Good Governance to the Upper Gascoyne Shire area through:</i> <ul style="list-style-type: none"><li>• <i>High levels of accountability;</i></li><li>• <i>Compliance with statutory requirements;</i></li><li>• <i>High-quality forward planning, particularly for assets and finances;</i></li><li>• <i>Openness and transparency and enhanced consultations and public participation.</i></li></ul>			
<b>Risk:</b>					
<b>Risk</b>	<b>Risk Likelihood (based on history and with existing controls)</b>		<b>Risk Rating (Prior to Treatment or Control)</b>	<b>Principal Risk</b>	<b>Risk Action Plan (Controls or Treatment proposed)</b>
Not meeting Statutory Compliance	Rare (1)		Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
<b>Consultation:</b>		The adoption of a Shire of Upper Gascoyne Local Law is both a legislative and consultative process.			
<b>Voting requirement:</b>		Absolute Majority			
<b>Officer's Recommendation:</b>		<i>That Council makes the Activities on Thoroughfares Local Law 2022, as contained in Attachment A, in accordance with section 3.12 of the Local Government Act 1995.</i>			
<b>Council Resolution No: 09062022</b>					
<b>MOVED:</b>	<b>CR: G. WATTERS</b>	<b>SECONDED:</b>	<b>CR: B. WALKER</b>		
That Council makes the Activities on Thoroughfares Local Law 2022, as contained in Attachment A, in accordance with section 3.12 of the Local Government Act 1995.  <b>FOR:</b> Cr D. Hammarquist Cr J. Caunt Cr H. McTaggart Cr R. Hoseason-Smith Cr G. Watters Cr B. Walker Cr A. McKeough  <b>AGAINST:</b> CR  <b>F/A: 7/0</b>					

**11. MATTERS BEHIND CLOSED DOORS**

Nil

**12. PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

**13.1 PROVISION OF ACCOUNTING AND FINANCIAL SERVICES**

13.1 LATE ITEM - PROVISION OF ACCOUNTING AND FINANCIAL SERVICES	
<b>Applicant:</b>	Shire of Upper Gascoyne
<b>Disclosure of Interest:</b>	None
<b>Authors:</b>	John McCleary - CEO Sa Toomalatai – Manager of Finance & Corporate Services
<b>Date:</b>	21 June 2022
<b>Matters for Consideration:</b>	To determine the decision criteria for assessing tenders for the provision of accounting and financial services.
<b>Background:</b>	<p>The current contract the Shire has in place for the provision of Accounting and Financial Services with RSM Australia Pty Ltd is due to expire 30 June 2022. The original term commenced in July 2018 for an initial two year period, meaning the original expiry date was 30 June 2020. Within the existing contract is a clause that allows the contract terms to be extended by another two years if so required at the Principals discretion.</p> <p>A decision was made at the end of the previous financial year, that the Shire would seek an extension of the contract with RSM Australia for another one year term, or until such times as the Shire could go out to tender again to renew the Provision of Accounting and Financial Services contract.</p>

**Comments:**

The provision of professional accounting and financial services is critical to the welfare of this Local Government. The provision of off-site services compliments and supports our own small workforce that requires the benefit and knowledge of functional specialists that have the expertise to deliver on the statutory reporting and management requirements as provided for in the Local Government Act and associated regulations.

Due to the existing contract fast approaching its end date, Management are keen to go to tender as soon as possible and then return to Council with a recommendation of appointment.

It is a requirement that the Shire must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted. In this case I propose the following criteria with the attached weighting.

<b>A) Relevant Experience</b> Describe your experience in completing /supplying similar Requirements. Tenderer's must, as a minimum, address the following information in an attachment and label it " <b>Relevant Experience</b> ": (a) Provide details of similar work; (b) Provide scope of the Tenderer's involvement including details of outcomes; (c) Provide details of issues that arose during the project and how these were managed; (d) Demonstrate sound judgement and discretion; and (e) Demonstrate competency and proven track record of achieving outcomes.	<b>Weighting &lt; 30%&gt;</b>	
	<b>"Relevant Experience"</b>	<b>Tick if attached</b> <input type="checkbox"/>
<b>B) Key Personnel skills and experience</b> Tenderer's should provide as a minimum information of proposed personnel to be allocated to this project, such as: (a) Their role in the performance of the Contract; (b) Curriculum vitae; (c) Membership to any professional or business association; (d) Qualifications, with particular emphasis on experience of personnel in projects of a similar requirement; and (e) Any additional information. Supply details in an attachment and label it " <b>Key Personnel</b> ".	<b>Weighting &lt; 15%&gt;</b>	
	<b>"Key Personnel"</b>	<b>Tick if attached</b> <input type="checkbox"/>

		<b>C) Tenderer's Resources</b> Tenderer's should demonstrate their ability to supply and sustain the necessary: (a) Plant, equipment and materials; and (b) Any contingency measures or back up of resources including personnel (where applicable). As a minimum, Tenderer's should provide a current commitment schedule and plant/equipment schedule in an attachment and label it " <b>Tenderer's Resources</b> ".	<b>Weighting &lt; 35%&gt;</b>	
		<b>Tenderer's Resources</b>	<b>Tick if attached</b> <input type="checkbox"/>	
		<b>Weighting &lt; 20%&gt;</b>		
		<b>D) Demonstrated Understanding</b> Tenderer's should detail the process they intend to use to achieve the Requirements of the Specification. Areas that you may wish to cover include: (a) A project schedule/timeline (where applicable); (b) The process for the delivery of the goods/services; (c) Training processes (if required); and (d) A demonstrated understanding of the scope of work Supply details and provide an outline of your proposed methodology in an attachment labelled " <b>Demonstrated Understanding</b> ".	<b>Demonstrated Understanding</b>	<b>Tick if attached</b> <input type="checkbox"/>
<p>The Contract may be awarded to a sole Tenderer who best demonstrates the ability to provide quality products and/or services at a competitive price. The tendered prices will be assessed together with qualitative and compliance criteria to determine the most advantageous outcome to the Shire.</p> <p>The Shire has adopted a best value for money approach to this Request. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender ranked the highest on the qualitative criteria.</p> <p>A scoring system will be used as part of the assessment of the qualitative criteria. Unless otherwise stated, a Tender that provides all the information requested will be assessed as satisfactory. The extent to which a Tender demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregate score of each Tender will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.</p>				

<b>Statutory Environment:</b>	<p>Local Government Act 1995</p> <p>Local Government (Functions &amp; 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) 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>				
<b>Policy Implications:</b>	Nil				
<b>Financial Implications:</b>	2022/2023 Budget				
<b>Strategic Implications:</b>	<p><b>Civic Leadership</b></p> <p><b>Objective 4:</b></p> <p><i>To provide Good Governance to the Upper Gascoyne Shire area through:</i></p> <ul style="list-style-type: none"> <li>• <i>Detailed and professional administration;</i></li> <li>• <i>High levels of accountability;</i></li> <li>• <i>Compliance with statutory requirements;</i></li> <li>• <i>High-quality forward planning, particularly for assets and finances;</i></li> <li>• <i>Openness and transparency and enhanced consultations and public participation;</i></li> <li>• <i>Provision of quality customer services, good financial management and pursuit of excellence in professional administration and communication.</i></li> </ul>				
<b>Risk:</b>					
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

<b>Consultation:</b>	Nil
<b>Voting requirement:</b>	Simple Majority



**Officer's  
Recommendation:**

*That Council determine the following criteria be accepted:*

<p><b>A) Relevant Experience</b> Describe your experience in completing /supplying similar Requirements. Tenderer's must, as a minimum, address the following information in an attachment and label it "<b>Relevant Experience</b>": (f) Provide details of similar work; (g) Provide scope of the Tenderer's involvement including details of outcomes; (h) Provide details of issues that arose during the project and how these were managed; (i) Demonstrate sound judgement and discretion; and (j) Demonstrate competency and proven track record of achieving outcomes.</p>	<b>Weighting &lt;_30%&gt;</b>	
	<b>"Relevant Experience"</b>	<b>Tick if attached</b> <input type="checkbox"/>
	<b>Weighting &lt;_15%&gt;</b>	
	<b>"Key Personnel"</b>	<b>Tick if attached</b> <input type="checkbox"/>
	<b>Weighting &lt;_35%&gt;</b>	
	<b>Tenderer's Resources</b>	<b>Tick if attached</b> <input type="checkbox"/>

		schedule in an attachment and label it “ <b>Tenderer’s Resources</b> ”.			
		<b>D) Demonstrated Understanding</b> Tenderer’s should detail the process they intend to use to achieve the Requirements of the Specification. Areas that you may wish to cover include: (e) A project schedule/timeline (where applicable); (f) The process for the delivery of the goods/services; (g) Training processes (if required); and (h) A demonstrated understanding of the scope of work Supply details and provide an outline of your proposed methodology in an attachment labelled “ <b>Demonstrated Understanding</b> ”.	<b>Weighting &lt;_20%&gt;</b>	<b>Demonstrated Understanding</b>	<b>Tick if attached</b> <input type="checkbox"/>

**Council Resolution No: 10062022**

<b>MOVED:</b>	<b>CR: H. MCTAGGART</b>	<b>SECONDED:</b>	<b>CR: G. WATTERS</b>
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That Council determine the following criteria be accepted:

<b>A) Relevant Experience</b> Describe your experience in completing /supplying similar Requirements. Tenderer’s must, as a minimum, address the following information in an attachment and label it “ <b>Relevant Experience</b> ”: (k) Provide details of similar work; (l) Provide scope of the Tenderer’s involvement including details of outcomes; (m) Provide details of issues that arose during the project and how these were managed; (n) Demonstrate sound judgement and discretion; and (o) Demonstrate competency and proven track record of achieving outcomes.	<b>Weighting &lt; 30%&gt;</b>	<b>“Relevant Experience”</b>	<b>Tick if attached</b> <input type="checkbox"/>
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	<b>B) Key Personnel skills and experience</b> Tenderer's should provide as a minimum information of proposed personnel to be allocated to this project, such as: (k) Their role in the performance of the Contract; (l) Curriculum vitae; (m) Membership to any professional or business association; (n) Qualifications, with particular emphasis on experience of personnel in projects of a similar requirement; and (o) Any additional information. Supply details in an attachment and label it " <b>Key Personnel</b> ".	<b>Weighting</b> < <u>15</u> % >	
		<b>"Key Personnel"</b>	<b>Tick if attached</b> <input type="checkbox"/>
	<b>C) Tenderer's Resources</b> Tenderer's should demonstrate their ability to supply and sustain the necessary: (e) Plant, equipment and materials; and (f) Any contingency measures or back up of resources including personnel (where applicable). As a minimum, Tenderer's should provide a current commitment schedule and plant/equipment schedule in an attachment and label it " <b>Tenderer's Resources</b> ".	<b>Weighting</b> < <u>35</u> % >	
		<b>Tenderer's Resources</b>	<b>Tick if attached</b> <input type="checkbox"/>
	<b>D) Demonstrated Understanding</b> Tenderer's should detail the process they intend to use to achieve the Requirements of the Specification. Areas that you may wish to cover include: (i) A project schedule/timeline (where applicable); (j) The process for the delivery of the goods/services; (k) Training processes (if required); and (l) A demonstrated understanding of the scope of work Supply details and provide an outline of your proposed methodology in an attachment labelled " <b>Demonstrated Understanding</b> ".	<b>Weighting</b> < <u>20</u> % >	
		<b>Demonstrated Understanding</b>	<b>Tick if attached</b> <input type="checkbox"/>

**FOR:** Cr D. Hammarquist  
Cr J. Caunt  
Cr H. McTaggart  
Cr R. Hoseason-Smith  
Cr G. Watters  
Cr B. Walker  
Cr A. McKeough

**AGAINST:** CR

**F/A: 7/0**

#### 14. ELECTED MEMBERS REPORTS

14.1 Cr Hammarquist OAM JP

Nil

14.2 Cr Caunt

Nil

14.3 Cr McTaggart

Nil

14.4 Cr Hoseason-Smith

Nil

14.5 Cr Watters

Road Inspection – MW&S

14.6 Cr Walker

Attended Bogan Bingo

14.7 Cr McKeough

Attended Bogan Bingo and LEMC Meeting

#### 15. STATUS OF COUNCIL MEETING RESOLUTIONS

Resolution N°	Subject	Status	Open / Close	Responsible Officer
07082021	Activities in Thoroughfares Local	Subject to an agenda item at this meeting.	Open	CEO

**16. STATUS OF SHIRE PROJECTS**

As per [Appendix 5](#).

**17. MEETING CLOSURE**

The Shire President closed the meeting at 11.40am.

To be confirmed at the Ordinary Meeting on the 27<sup>th</sup> July 2022.

Signed.....

Presiding member at the meeting at which time the minutes were confirmed.