MINUTES

22nd of NOVEMBER 2023

ORDINARY COUNCIL MEETING

Held at the Shires Administration Building situated at Gascoyne Junction commencing at 10.45am

DISCLAIMER

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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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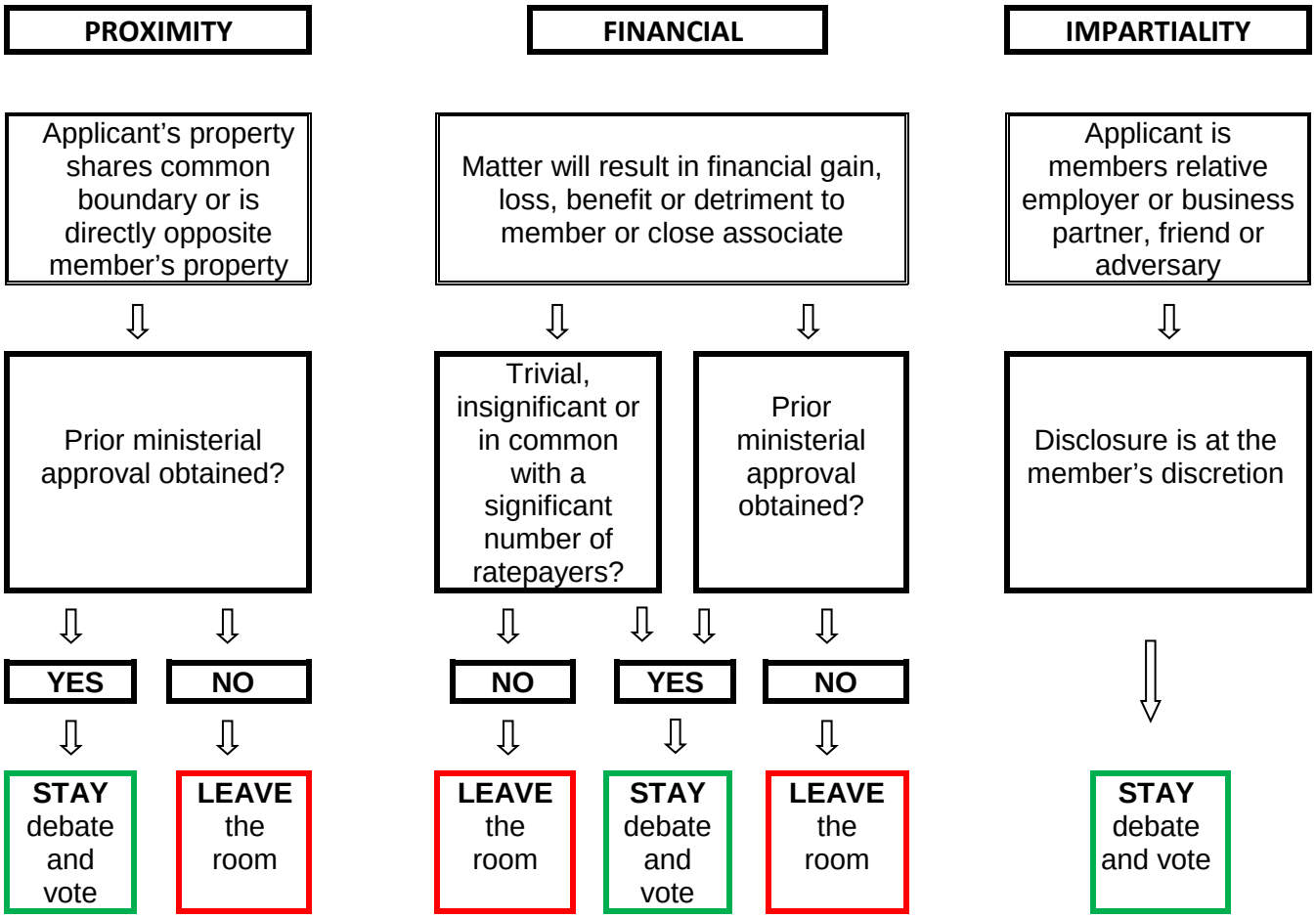
John McCleary, JP
CHIEF EXECUTIVE OFFICER

* 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.

SHIRE OF UPPER GASCOYNE
AGENDA FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRES ADMINISTRATION BUILDING SITUATED AT GASCOYNE JUNCTION ON THE 22nd of November 2023 COMMENCING AT 10.45 AM

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1. DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS

The Shire President welcomed those present and declared the meeting open at 10:45am

2. ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE

2.1 Councillors

Cr J. Caunt	Shire President
Cr H. McTaggart	Deputy Shire President
Cr B. Walker	Councillor
Cr R. Hoseason-Smith	Councillor
Cr P. Windie	Councillor
Cr A. McKeough	Councillor
Cr W. Baston	Councillor Via Zoom

Staff

John McCleary JP	Chief Executive Officer
Andrea Pears	Manager of Finance & Corporate Services

Visitors

Andrew Hammond	Hammond Woodhouse Advisory

2.2 Absentees

2.3 Leave of Absence previously approved

3. APPLICATION FOR LEAVE OF ABSENCE

4. PUBLIC QUESTION TIME

4.1 Questions on Notice

Nil

4.2 Questions without Notice

Hamish McTaggart asked the question to Cr Will Baston from Jimba Jimba Station why they denied The Gascoyne Dash permission to continue use of Jimba Jimba Station for the 2024 Gascoyne Dash as per previous years and Cr Will Baston responded that they didn't live up to expectations and didn't think it was an appropriate question to ask during the council meeting and would discuss further if required outside of the November Council Meeting.

5. DISCLOSURE OF INTEREST

11.1 – CEO Performance Appraisal John McCleary

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

- Greenfield Technical Services – As delivered by the CEO

7. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

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

11.1 CEO Performance Appraisal

9. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

9.1 Ordinary Meeting of Council held on 25th of October 2023.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution No: 01112023			
MOVED:	**CR: B. WALKER**	**SECONDED:**	**CR: R. HOSEASON-SMITH**

That the Unconfirmed Minutes from the Ordinary Meeting of Council held on the 25th of October 2023 be confirmed as a true and correct record of proceedings subject to changes to the .

FOR: CR. J. CAUNT
CR. H. MCTAGGART
CR. B. WALKER
CR. R. HOSEASON-SMITH
CR. P. WINDIE
CR. A. MCKEOUGH
CR. W. BASTON (VIA ZOOM)

AGAINST: CR

F/A: 7/0

10. REPORTS OF OFFICERS

Council Resolution No: 02112023			
MOVED:	**CR: H. MCTAGGART**	**SECONDED:**	**CR: B. WALKER**

That Council receive the Manager of Finance and Corporate Services Report, Manager of Works and the Chief Executive Officer reports as read.

FOR: CR. J. CAUNT
CR. H. MCTAGGART
CR. B. WALKER
CR. R. HOSEASON-SMITH
CR. P. WINDIE
CR. A. MCKEOUGH
CR. W. BASTON (VIA ZOOM)

AGAINST: CR

F/A: 7/0

10.1 Manager of Finance and Corporate Services Report

It has been a fast paced month that has been helped along with the support of a wonderful team. Our financial audit exit interview was attended by the Shire of Upper Gascoyne Audit Committee, Chief Executive Officer, William Buck our auditors and the Office of the Auditor General. We received a recommendation for an unqualified (Clean) audit opinion and three best practice initiatives to improve our internal control and risk mitigation. Overall it was a very positive result and a tribute to the team. Once we receive the final audit documents and report in early November we will be putting our annual report together in readiness for holding an annual electors meeting in December finalising our statutory obligations.

Gascoyne Junction
Community Resource Centre
Your local connection

Community Resource Centre Update

On October 22 thanks to a grant from Meeralinga, the Upper Gascoyne celebrated Children's Week with 11 children from across the Shire solving clues and completing challenges enroute to their final treasure at the Upper Gascoyne Treasure Hunt. This was a great fun day for the children and the parents who participated. On Halloween, Billie led the little ghosts and ghouls of the Upper Gascoyne around Gascoyne Junction trick or treating. 13 houses participated in this fun community event. Youth Group in November was based around Constructing and Creating with Lego Building and craft making.

The installation works of the EV Charging station is underway. This infrastructure was a topic of conversation at the recent AGO Board meeting I attended with Tourism WA and the network that is spreading across WA. Tourism operators in the Upper Gascoyne are being asked about charging options as the options for larger vehicles is increasing in the market. Being on the map as an EV Charging town helps with our tourism promotion message and also as a sustainable community.

Our new telescope has been collected and delivered safely and work is underway to create a series of events and activities around this in 2024 including onsite training early in the New Year. I am pleased to advise that the Shire has been chosen as one of 17 locations across the state (one of only five north of Geraldton) to be the permanent home of a night sky camera which will be mounted on the Community Resource Centre. The camera is part of program run by the Perth Observatory and the Global Meteor Network. Each night pictures will be taken of the night sky every 3 minutes which can be watched live from anywhere in the world. Each day's recordings will also create a time-lapse image of each night's sky. The data collected will help to monitor meteors and night sky phenomenon. Students across the world are using the data for scientific research with this a possibility for our local schools to participate.

Further from my visit to the Station Stays workshop at Bullara in October, I have obtained funding through Tourism WA to undertake a Tourism Capability and Development Mentoring Program for the Upper Gascoyne with at present seven potential businesses expressing an interest in being involved. This project has an aim of building our accommodation and experiences available across the Shire. An NFQ is being prepared ready to start the project in early 2024.

I represented the Shire at the Perth 4WD and Adventure Show. We had just under 1500 visitors through the display over the three day event with 700 brochures distributed. We received great feedback from visitors past who love our 'highway' like roads and the warm greetings received in our in our community. At the Perth Airport WA Tourism Awards we were finalists in the Marketing Campaign and Brand category for our Wander Outback campaign. It was humbling to be finalists in the category against larger competitors including WAITOC and the South West Regional Tourism Organisation. This was a great achievement in our first year of nominations and a fantastic benchmark from which to grow.

Gascoyne Junction has been recognised as finalists again this year in the 2023 Tidy Towns Sustainable Communities State Awards in the Waste Management category for the reduction of landfill by working with Woolworths on a new delivery method for groceries to the Shire and in the Young Legends category where Billie O'Sullivan is being recognised for her contribution to our community. Billie and I will attend the awards luncheon on November 24 and handover the State title to the new winner. A frame made of Gidgee wood from old fence posts at Winderie has been made to present to the State Winner in 2023.

Our GP Clinic's continue to be heavily patronised. Work is underway to bring a monthly Physio visit to the clinic in 2024. Gavin Griffiths visited Gascoyne Junction in early November to look at our facilities. He will look to run a physio clinic and a Fit4Life program to assist with chronic disease prevention and assistance with exercise and diet programs.

Community Resource Centre – Monthly Customer Service Stats – October 2023

	CUSTOMER SERVICES & ENQUIRIES	2023.2024 TOTAL	2022.2023 TOTAL	YTD DIFF	Oct-23	Oct-22	OCT DIFF
Admin Support	Faxes	1	0	1	1	0	1
	Photocopying/Printing/Scanning/Emailing	11	25	-14	4	3	1
	Laminating/Binding	0	1	-1	0	0	0
	Hot Office Bookings	3	1	2	0	0	0
	External Training and Course	1	0	1	1	0	1
CRC	1:1 Assistance to Community Members	19	30	-11	5	2	3
	Computer/Internet Access	21	34	-13	2	2	0
	Community Education Events	1	2	-1	0	1	-1
	Community Social Events	4	16	-12	2	5	-3
	Community Economic Seminars	0	1	-1	0	1	-1
	Department of Human Services	9	16	-7	0	0	0
	Government Access Point	24	37	-13	9	4	5
	Use of Paid WIFI Services	3	3	0	0	0	0
	Use of FREE WIFI Hub	24	27	-3	7	6	1
Tourism	Road Condition Requests	367	830	-463	36	48	-12
	General Tourism Information	1054	1036	18	73	72	1
	Book Sales	12	29	-17	0	2	-2
	CRC Merchandise Sales	176	308	-132	17	24	-7
	Walking Tours	67	70	-3	0	0	0
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	1	8	-7	0	2	-2
	RFDS Support	9	11	-2	3	3	0
	Medical Clinic Visits	35	82	-47	7	6	1
Agencies	Library	40	93	-53	11	7	4
	Postage Sales	55	94	-39	9	8	1
	Postage Collection	68	68	0	71	49	22
	Department of Transport	18	34	-16	5	1	4
	Horizon Power	20	68	-48	6	5	1
	Total Customer Service Enquiries	**2043**	**2924**	**-881**	**269**	**251**	**18**

Community Resource Centre – Monthly Income Report – October 2023

Printed at: 15/11/23 SHIRE OF UPPER GASCOYNE
Page No : 1 **General Ledger Detail Trial Balance** (frmGLTrialBalance)
Options : Year 23/24,From Month 04,To Month 04,By Respsonsible Officer (CRC INCOME CRC INCOME ACCOUNTS - MONTHLY REPORTING)

RespOf	Account	Description	Opening Bal	Movement	Balance
Division GEN					
CRC INC(	10841310	Commission Centrelink : CRC	-2,224.80	-741.60	-2,966.40
CRC INC(	10841330	Transport Commission: CRC	-419.13	-145.95	-565.08
CRC INC(	10841340	Postal Agency Commission: CRC	-2,021.15	-666.67	-2,687.82
CRC INC(	10841350	CRC Room Hire Income	-109.10	0.00	-109.10
CRC INC(	10841380	Postal Agency Sales	-336.97	-79.63	-416.60
CRC INC(	10841390	Sales: Books/Maps/Souvenirs/Sundries	-573.58	-46.26	-619.84
CRC INC(	10841500	Grant: CRC Operating	0.00	-48,000.00	-48,000.00
CRC INC(	10842590	Community Fund Monies Held in Trust Transfered to CRC	0.00	-462.26	-462.26
CRC INC(	10842600	CRC Income Misc.	-236.11	138.55	-97.56
CRC INC(	10842610	CRC Merchandise Sales	-3,414.67	-222.19	-3,636.86
Total	CRC INCOME		-9,335.51	-50,226.01	-59,561.52
Total for division	GEN		-9,335.51	-50,226.01	-59,561.52
Grand Total			-9,335.51	-50,226.01	-59,561.52

10.2 Manager of Works and Services Report

The installation of the electric vehicle charging station in front of the CRC has begun. The base slab and power supply have been installed with the new unit expected to be completed by the end of the month.

The footpath and crossover in front of the DBCA building have been completed along with filling in the redundant workshop pit and concrete apron at the CEO's new shed.

Unfortunately November saw a few separate medical emergencies involving the RFDS. Shire staff and members of the community did a great job to assist the patients and the RFDS team with limited training and resources. Once again it highlights the need for a full time nursing station here in town.

As per usual, the Telstra mobile network was faulty during the incidents and hampered efforts at times. The network has been intermittent or non-existent since August this year. We have contacted Telstra several times but the issues still remain. The installation of Starlink on admin buildings, staff houses and several vehicles has been a saviour.

The new Dalgety Brook concrete floodway is nearly fully completed. The approaches will be stabilised and sealed by the end of the month. The crew will then finish off the drainage and rehabilitate the detours before a final tidy up. We will also restabilise and reseal two floodways 25km east of town along with resealing various sections of the Carnarvon Mullewa (east) road.

Figure 1 Preparing for restabilising and reforming floodway

MTF are well progressed on the Landor Meekatharra bitumen upgrade. They have managed to achieve very good compaction results and will be completed by the 20th Dec. The bitumen crew will arrive on the 27th November to completed reseals and the Dalgety Brook before sealing approximately 12km of the Landor Meeka road.

Resheeting and reforming sections of the Cobra Dairy Creek is nearly completed. We have several sections on the south end needing reforming before we repair blowouts. We will then move onto the C'von Mullewa road to repair blown out sections before we demobilise for Christmas. When we return next year we will head towards Cobra Mount Augustus road to complete our RRG program for the 23-24 financial year.

10.3 Chief Executive Officers Report

This month has been focused on Administrative tasks and Health related issues. I took a week off and went to Perth / Collie and had my 6 monthly PET scan. The results can back positive with no further evidence of disease. Whilst in Perth I picked up the Shires new telescope and brought this back. We are now waiting on members of the Perth Observatory to come to Gascoyne Junction where they will

show us how to operate the telescope. I also went into Carnarvon and visited the dermatologist to keep a check on my skin as part of the monitoring regime.

As with most months I have been busy with Hastings and establishing another Road User Agreement. It has been very difficult to get them to commit to a certain process in order to move this forward. I am seeking a meeting with their CEO and others for the week commencing on the 4th of December so we can move this along.

Administratively I have been busy putting the Annual Report and Delegation Register together. This is the first year we have had to report against the new Community Strategic Plan and this has taken sometime to reformat and report.

This are moving along with the Commercial Development albeit at a glaucous pace. I am now being told that it could take up to 2 years to do a re-zoning. This is a work in progress but I will try every trick in the book to reduce this time frame.

I have been working with various colleagues to bring the issue of Miscellaneous Mining Licences to the table as rateable properties. It appears that there is no legal impairment and this would provide additional revenue that is badly needed.

The Shire have negotiated with Mr Clive Price to re-purchase the vacant Hatch Street Lot. These negotiations have now concluded and the necessary paperwork has been submitted to our lawyer to progress the sale. This purchase will ensure the Shire has sufficient land available to build any further staff homes into the future.

We have had two major medical emergencies in the last two weeks which further highlights the need for a nursing post and a patient transfer vehicle. It is unrealistic to expect staff to attend to these emergencies given our very limited training and availability.

10.4 ACCOUNTS & STATEMENTS OF ACCOUNTS	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	Andrea Pears
Date:	14 November 2023
Matters for Consideration:	To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Wednesday the 22nd of November as attached – see ***Appendix 1***. In addition to the List of Accounts and as part of this agenda report, Council are also requested to receive the Legal Expenses report. This report details all legal costs incurred to the end of this reporting period for both general legal and rates debt recovery expenses – refer to ***Appendix 1***.

Background:	The local government under its delegated authority to the CEO to make payments from the municipal and trust funds is required to prepare a list of accounts each month showing each account paid and presented to Council at the next ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.
Comments:	The list of accounts are for the month of October 2023.
Statutory Environment:	Local Government (Financial Management Regulations) 1996 **13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.** (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 — (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. (2) A list of accounts for approval to be paid is to be prepared each month showing — (a)for each account which requires council authorisation in that month — (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:	*That Council endorse the payments for the period 1st of October 2023 to the 31st of October 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 31st of October 2023.*

Municipal Fund Bank EFTs ()	*$ 1,286,911.59*
Cheque	*$ 63,326.96*
Payroll	*$ 87,163.62*
BPAY/Direct Debit	*$ 43,334.01*
TOTAL	***$ 1,480,736.18***

Council Resolution No: 03112023

MOVED:	**CR: A. MCKEOUGH**	**SECONED:**	**CR: P. WINDIE**

That Council endorse the payments for the period 1st of October 2023 to the 31st of October 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 31st of October 2023.

Municipal Fund Bank EFTs ()	$ 1,286,911.59
Cheque	$ 63,326.96
Payroll	$ 87,163.62
BPAY/Direct Debit	$ 43,334.01
TOTAL	**$ 1,480,736.18**

FOR: **FOR: CR. J. CAUNT**
CR. H. MCTAGGART
CR. B. WALKER
CR. R. HOSEASON-SMITH
CR. P. WINDIE

AGAINST: **CR**

CR. A. MCKEOUGH

CR. W. BASTON (VIA ZOOM)

F/A: 7/0

10.5 MONTHLY FINANCIAL STATEMENT	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	None
Author:	Andrea Pears
Date:	14 November 2023
Matters for Consideration:	The Statement of Financial Activity for the period of October 2023, includes the following reports: • 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 **see *Appendix 2***
Background:	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.
Comments:	The Statement of Financial Activity is for the month of October 2023
Statutory Environment:	Local Government Act 1995 – Section 6.4 Local Government (Financial Management Regulations) 1996 – Sub-regulation 34.
Policy Implications:	Nil
Financial Implications:	Nil
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:	*That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of October 2023.*

Council Resolution No: 04112023

MOVED:	**CR: B. WALKER**	**SECONDED:**	**CR: H. MCTAGGART**

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of October 2023.

FOR: **FOR: CR. J. CAUNT** **AGAINST: CR**

CR. H. MCTAGGART

CR. B. WALKER

CR. R. HOSEASON-SMITH

CR. P. WINDIE

CR. A. MCKEOUGH

CR. W. BASTON (VIA ZOOM)

F/A: 7/0

10.6	2022 / 2023 ANNUAL REPORT
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	John McCleary – CEO – John is the author of this report.
Author:	John McCleary – Chief Executive Officer
Date:	14 November 2023
Matters for Consideration:	To accept the Shire of Upper Gascoyne Annual Report for the financial year ending 30 June 2023, containing the audited financials and the auditor's independent report for the financial year as provided in ***Appendix 3***.
Background:	Section 5.53 requires the local government prepare an annual report for each financial year. Among other things, the annual report should contain the auditor's report for the financial year. Section 5.54 provides that the local government accept the annual report by no later than 31 December after that financial year. The CEO must give local public notice of the availability of the report as soon as practical after the report is accepted. An independent Audit as required under section 7.9 of the Local Government Act 1995 was carried out by the Office of the Auditor General. Section 5.27 Electors' General Meetings states that a general meeting of electors of the district must be held once every financial year and that a general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
Comments:	A copy of the Annual Report and Annual Financial Report for the 2022/23 financial year together with the Auditor's Independent Report have been provided to Council as part of this agenda. It must be noted that the Annual Financial Report including the Auditors Independent Report for the year ending 30 June 2023 has already been reviewed and accepted by the Audit Committee prior to the Ordinary Meeting of Council. The Office of the Auditor General (OAG) has given the Shire a clean bill of health with no adverse findings. The Audit Committee has referred the 2022/23 Annual Financial Report to be included in with the 2022/23 Annual Report for further review by Council.

Statutory Environment:	Local Government Act 1995 – Division 3 – Conduct of Audit: • Section 7.9 Audit to be conducted Local Government Act 1995 – Division 5 – Annual Reports and Planning: • Section 5.53 Annual Reports • Section 5.54 Acceptance of Annual Reports • Section 5.55 Notice of Annual Reports Local Government Act 1995 – Division 2 – Council meetings, Committees and their meetings and Electors' meetings: • Section 5.27 Electors' General Meetings • Section 5.29 Convening Electors' Meetings
Policy Implications:	Nil
Financial Implications:	Council has made an appropriate allowance for the costs associated with Auditing as required under the Local Government Act 1995.
Strategic Implications:	Nil
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*:*	Office of the Auditor General (OAG) William Buck - Auditors
Voting requirement:	Absolute Majority
Officer's Recommendation*:*	*That Council:* *1. Accepts the Annual Report together with Annual Financial Report including the Independent Auditors Report for the period 1st July 2022 to 30th June 2023.* *2. Sets the date for the Annual Meeting of Electors to be held on the 14th of December 2023, commencing at 9.30am in the Shire Council Chambers.*
Council Resolution No: 05112023	

MOVED:	CR: R. HOSEASON-SMITH	SECONDED:	CR: B. WALKER

That Council:

1. Accepts the Annual Report together with Annual Financial Report including the Independent Auditors Report for the period 1st July 2022 to 30th June 2023.

2. Sets the date for the Annual Meeting of Electors to be held on the 14th of December 2023, commencing at 9.30am in the Shire Council Chambers.

FOR: **FOR: CR. J. CAUNT**
CR. H. MCTAGGART
CR. B. WALKER
CR. R. HOSEASON-SMITH
CR. P. WINDIE
CR. A. MCKEOUGH
CR. W. BASTON (VIA ZOOM)

AGAINST: CR

F/A: 7/0

10.7 TRANSFER MONIES FROM BUILDING RESERVE	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	14 November 2023
Matters for Consideration:	To determine to transfer $250,000 from the Building Reserve for the purposes of purchasing land / residential house on 24 (Lot 51) Hatch Street and undertaking repairs.
Background:	The CEO was approached by the owner of the property, Mr Todd Quadrio, to see if the Shire were interested in purchasing the property for $300,000. The CEO brought this Council's attention at the Ordinary Meeting Council held on the 25th of October 2023. Council authorised the CEO to negotiate a price, subject to Council approval. The CEO contacted Ms Georgia Smith and offered $120,000, subject to Council approval, this offer was rejected and a counter offer of $150,000 plus all legal and settlement costs which are estimated at $5,000.
Comments:	Given the cost of purchasing and setting up a new home is around $550,000 and the cost of purchasing and renovating the Hatch Street house is in the order $250,000 I believe that this opportunity represents value for money and assists the Shire with meeting its Strategic Housing Plan. The Shire received $220,000 payout for "Mick's" House as compensation for its It is my recommendation that Council support the offer and authorise the CEO formalise the offer and purchase the residence.
Statutory Environment:	Section 6.8 of the Local Government Act 1995: Expenditure from municipal fund not included in annual Budget (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure — (b) is authorised in advance by resolution*
Policy Implications:	Nil
Financial Implications:	Building Reserve

Strategic Implications:		SCP – Economic – Strategy 2.2.3 – Corporate Business Plan – 2.2.3.3 – Increase and upgrade Shire Residential Stock.			
Risk:					
Risk	**Risk Likelihood (based on history and with existing controls)**		**Risk Rating (Prior to Treatment or Control)**	**Principal Risk**	**Risk Action Plan (Controls or Treatment proposed)**
Not meeting Statutory Compliance	Rare (1)		Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Consultation*:*		Councillors and Staff			
Voting requirement:		Absolute Majority			
Officer's Recommendation*:*		*That Council:* 1. *Authorise the CEO to formally accept the offer of $150,000 for Lot 51 Hatch Street-Gascoyne Junction;* 2. *Authorise the CEO to transfer $250,000 from the Building Reserve into the Municipal Account for the purpose of purchasing Lot 51, incidentals associated with the sale and undertaking renovations of said premise.*			

Council Resolution No: 06112023			
MOVED:	**CR. H. MCTAGGART**	**SECONDED:**	**CR. B. WALKER**

That Council:

1. Authorise the CEO to formally accept the offer of $150,000 for Lot 51 Hatch Street-Gascoyne Junction;

2. Authorise the CEO to transfer $250,000 from the Building Reserve into the Municipal Account for the purpose of purchasing Lot 51, incidentals associated with the sale and undertaking renovations of said premise.

FOR: **FOR: CR. J. CAUNT** **AGAINST: CR**

CR. H. MCTAGGART

CR. B. WALKER

CR. R. HOSEASON-SMITH

CR. P. WINDIE

CR. A. MCKEOUGH

CR. W. BASTON (VIA ZOOM)

F/A: 7/0

10.8	2022 DELEGATION REGISTER REVIEW
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	14 November 2023
Matters for Consideration:	To review the existing delegations register as provided in ***Appendix 4***.
Background:	Section 5.42 of the Local Government Act 1995 provides that a local government may delegate the exercise of some of its powers and duties to the Chief Executive Officer. Section 5.43 sets out those powers and duties which may not delegated. Section 5.46(1) requires the CEO to keep a register of all delegations and section 5.46 (2) of the Act provides that delegations be reviewed at least once every financial year.
Comments:	The previous Delegation Register was adopted by Council at the September 2022 meeting, therefore the delegations require review this calendar year. No changes have been made from the 2022 document.
Statutory Environment:	5.42. Delegation of some powers and duties to CEO
	(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43 and this power of delegation. **Absolute majority required.*
	(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
	5.46. Register of, and records relevant to, delegations to CEO and employees.
	(1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
	(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
Policy Implications:	Nil.
Financial Implications:	Nil.
Strategic Implications:	Nil.
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:	Absolute Majority
Officer's Recommendation*:*	*That Council endorse the Delegation Review Register of the Shire of Upper Gascoyne as listed in the document contained in **Appendix 4** of this Agenda.*

Council Resolution No: 07112023

MOVED:	**CR. R. HOSEASON-SMITH**	**SECONDED:**	**CR. A. MCKEOUGH**

That Council endorse the Delegation Review Register of the Shire of Upper Gascoyne as listed in the document contained in **Appendix 4** of this Agenda.

FOR: **FOR: CR. J. CAUNT** **AGAINST: CR**

CR. H. MCTAGGART

CR. B. WALKER

CR. R. HOSEASON-SMITH

CR. P. WINDIE

CR. A. MCKEOUGH

CR. W. BASTON (VIA ZOOM)

F/A: 7/0

10.9	2.3 BANK ACCOUNT SIGNING AUTHORITY POLICY REVIEW
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	Andrea Pears – Manager of Finance & Corporate Services
Date:	16 November 2023
Matters for Consideration:	To review existing Policy 2.3 Bank Account Signing Authority and adopt changes to policy as provided in ***Appendix 5.***
Background:	In keeping with 'good practice' the Shires Polices are reviewed to ensure that they are relevant and up-to date.
Comments:	As part of the Shire's Annual Audit Review it was recommended that for best practise we review our Bank Account Signing structure. Therefore we recommend to remove List B Shire President, Deputy President and councillors 1-5 as signatures for Cheques and merge List C to List A to reflect dual signatories in line with EFT authorisation policy.
Statutory Environment:	Nil
Policy Implications:	Nil
Financial Implications:	Nil
Strategic Implications:	Strategy 4.2.2 – Maintain accountability and financial responsibility through effective planning. Link – Corporate Plan 4.2.2.2 – Maintain effective policies, procedures and practices.
Risk:	

Risk	Risk Likelihood (based on history and with existing controls)		Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)		Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

Consultation:	Staff
Voting requirement:	Simple Majority
Officer's Recommendation:	*That Council endorse and adopt the changes to the policy 2.3 Bank Account Signing Authority contained within the Shire of Upper Gascoyne's Policy Manual as provided in* ***Appendix 5.***

Council Resolution No: 08112023

MOVED:	**CR. A. MCKEOUGH**	**SECONDED:**	**CR. P. WINDIE**

That Council endorse and adopt the changes to the policy 2.3 Bank Account Signing Authority contained within the Shire of Upper Gascoyne's Policy Manual as provided in **Appendix 5.**

FOR: **FOR: CR. J. CAUNT** **AGAINST: CR**

CR. H. MCTAGGART

CR. B. WALKER

CR. R. HOSEASON-SMITH

CR. P. WINDIE

CR. A. MCKEOUGH

CR. W. BASTON (VIA ZOOM)

F/A: 7/0

Meeting Adjourned for lunch 11:55am

Meeting commenced 12:57pm

11. MATTERS BEHIND CLOSED DOORS

MOVED: CR: B. WALKER **SECONDED: CR: A. MCKEOUGH**

That Council go behind closed doors to discuss confidential items.

FOR: CR. J. CAUNT **AGAINST: CR**
CR. H. MCTAGGART
CR. B. WALKER
CR. R. HOSEASON-SMITH
CR. P. WINDIE
CR. A. MCKEOUGH
CR. W. BASTON (VIA ZOOM)

F/A: 7/0

CEO left the Chambers at 12:58pm

11.1 CEO Performance Appraisal

Council Resolution No: 09112023			
MOVED:	**CR. B. WALKER**	**SECONDED:**	**CR. R. HOSEASON-SMITH**

That Council:

1. Notes that John McCleary's Performance Review in his role as Chief Executive Officer for the Shire of Upper Gascoyne for 2021/22 has been undertaken;
2. Endorses Mr McCleary's overall rating of Meeting Expectations;
3. Maintain existing levels of communication, engagement and consultation with the Council.

FOR: **FOR: CR. J. CAUNT** **AGAINST: CR**
CR. H. MCTAGGART
CR. B. WALKER
CR. R. HOSEASON-SMITH
CR. P. WINDIE
CR. A. MCKEOUGH
CR. W. BASTON (VIA ZOOM)

F/A: 7/0

MOVED: CR: B. WALKER **SECONDED: CR: A. MCKEOUGH**

That Council come out from behind closed doors.

FOR: CR. J. CAUNT **AGAINST: CR**
CR. H. MCTAGGART
CR. B. WALKER
CR. R. HOSEASON-SMITH
CR. P. WINDIE
CR. A. MCKEOUGH
CR. W. BASTON (VIA ZOOM)

F/A: 7/0

CEO enters the chambers 1.17pm

12. PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

14. ELECTED MEMBERS REPORTS

14.1 Cr J Caunt – Nil to Report

14.2 Cr H McTaggart – Nil to Report

14.3 Cr B Walker - Nil to Report

14.4 Cr W Baston - Nil to Report

14.5 Cr R Hoseason-Smith - Nil to Report

14.6 Cr P Windie – Nil to Report

14.7 Cr A McKeough - Attended the Gascoyne Catchment Group Annual Forum in Coral Bay which was informative and another fantastic event.

15. OUTSTANDING COUNCIL MEETING RESOLUTIONS

Resolution Nº	Subject	Status	Open / Close	Responsible Officer
05102023	2024 Council Meeting Dates	Advertised	**Close**	SCSO
06102023	2023 Christmas Shut Down	Advertised	**Close**	SCSO
07102023	Application to change valuation method – Yangibana	The application has been sent to the Department of Local Government.	**Open**	Consultant
08102023	Provision of Water Cart Services	Contract Awarded	**Close**	MW&S
09102023	Pimbee Road Works	Purchase Order provided to contractor	**Close**	MW&S

16. STATUS OF SHIRE PROJECTS

As per ***Appendix 6***

17. MEETING CLOSURE

The Shire President closed the meeting at 2.24pm.

To be confirmed at the Ordinary Meeting on the 14th December 2023.

Signed.....

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