

MINUTES

5th OF FEBRUARY 2021

ORDINARY COUNCIL MEETING

Held in the Gascoyne Junction Shire Offices commencing at 9:25am

DISCLAIMER

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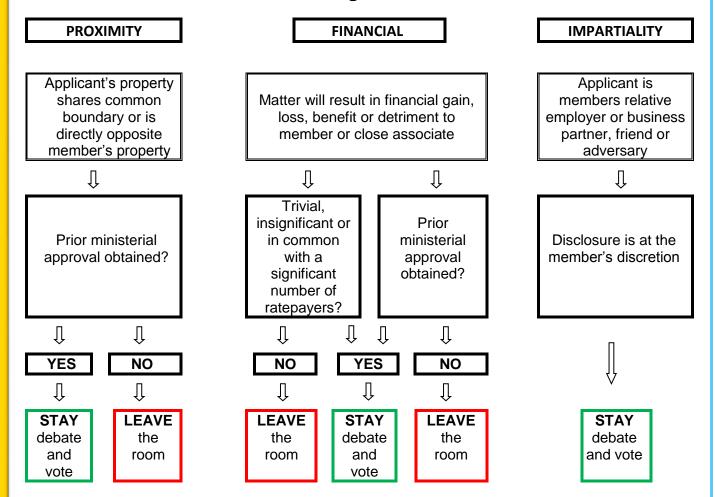
Please note this agenda contains recommendations which have not yet been adopted by Council.

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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

MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE GASCOYNE JUNCTION SHIRE OFFICES ON FRIDAY THE 5TH OF FEBRUARY 2021 COMMENCING AT 9:25AM

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SHIRE OF UPPER GASCOYNE

MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE GASCOYNE JUNCTION SHIRE OFFICES ON FRIDAY THE 5^{TH} OF FEBRUARY 2021 COMMENCING AT 9:25AM

1. DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS

The President welcomed those present and declared the meeting open at 9.25am

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

2.1 Councillors

Cr D. Hammarquist OAM JP Shire President Shire Vice President

Cr G. Watters Councillor
Cr A. McKeough Councillor
Cr R. Hoseason-Smith Councillor
Cr B. Walker Councillor

<u>Staff</u>

John McCleary JP Chief Executive Officer

Jarrod Walker Manager of Works and Services

Sa Toomalatai Manager of Finance and Corporate Services Ainsley Hardie Tourism Community Development Officer

Visitors

Nil

2.2 Absentees

Cr A. McKeough Absent due to flooding in local area, travel not

permitted due to road closures.

Cr R. Hoseason-Smith Absent due to flooding in local area, travel not

permitted due to road closures.

2.3 Leave of Absence previously approved

Cr: H. McTaggart

3. APPLICATION FOR LEAVE OF ABSENCE

Nil

4. PUBLIC QUESTION TIME

4.1 Questions on Notice

Nil

4.2 Questions without Notice

Nil

5. DISCLOSURE OF INTEREST

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

- 7. ANNOUNCEMENTS BY THE PERSON PRESCIDING 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 17th of December 2020.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution No: 01022021						
MOVED:	CR: B. WALKER	SECONDED:	CR: J. CAUNT			

That the Unconfirmed Minutes from the Ordinary Meeting of Council held on the 17th of December 2020 be confirmed as a true and correct record of proceedings.

10. REPORTS OF OFFICERS

10.1 Manager of Finance and Corporate Services Report

The Corporate Services team have returned from a much needed hiatus, having enjoyed the company of family and friends over the Christmas break and a bit of rest and relaxation. We start the New Year by welcoming Ainsley Hardie to the team, the new Tourism and Community Development Officer (TCDO), and sadly we say goodbye to a long standing member of the team, Amanda Leighton our Senior Corporate Services Officer. Amanda leaves the Shire to pursue another opportunity and we thank her for her service and wish her all the best in her endeavours.

With the much anticipated commencement of the TCDO position, our team have wasted no time in becoming acquainted with Ainsley and ensuring that she is settling into her new role. In the first week of returning to work, the team and I held our first formal team meeting and established our priorities for the year ahead - this has greatly assisted the team in identifying what commitments we have planned over the next 12 months and how we as a team, can deliver on these objectives to achieve our work goals. I find this process critical in the team's efforts to plan ahead and be prepared as 2021 is set to be a busy year for all.

Ainsley has made good use of her time during her first week in the office by familiarising herself with the Shire's adopted integrated plans, reading up on policies and procedures, and reviewing the Shire's previously developed tourism plans and marketing strategies. Ainsley is excited about reconnecting with our neighbouring Shire's and advocating for more of a collaborative partnership in the hopes that we can develop a greater support network with shared resources to promote tourism in the Gascoyne region.

Did I mention that we were busy? In 2021 staff are looking forward to a year of consolidation in a variety of minor projects. These include developing a library of internal processes and procedures, building on our human resources services to create a training matrix for staff to encourage professional growth, and expanding our knowledge and skills in the areas of records management and OSH. In addition we are eager to embrace new ventures centred around opportunities on the continued development of our community and lifting our profile in the tourism space.

Speaking of busy, since the departure of Amanda our team is one officer shy of being complete, and again we have wasted no time in recruiting for a replacement. The Shire has advertised for a new Corporate Services Officer via our website, online recruitment pages such as Seek, and also in the Midwest Times in our best efforts to quickly fill this vacancy.

Applications for this position close on the 10th of February and we are hopeful that a speedy recruitment process will follow. In the interim the team and I have discussed ways in which we can manage the extra workload and share the added responsibility - whilst this will place the team under a bit of pressure we are confident in our ability to work effectively together in overcoming this short-term hurdle.

Last but not least, we would like to give a shout out to all of our sponsors who helped to support our annual community Christmas party held on the 17th December 2020. We received many kind donations in the form of cash and gift contributions used for our raffle prizes. The Shire received \$10, 468 in cash donations which is almost \$1,500 more than the year before. Without the generosity of our sponsors, community events like this one would not be possible.

In addition, I would also like to thank all of our wonderful staff who helped to organise the event and ensure it ran smoothly on the night, and then came back early the next morning to clean it all up! Thank you team for your amazing efforts, you did a great job.





Community Resource Centre - Monthly Income Report

Printed at: 05/02/21 SHIRE OF UPPER GASCOYNE

Page No: 1 General Ledger Detail Trial Balance (frmGLTrialBalance)

Options: Year 20/21, From Month 06, To Month 06, 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	-5,218.82	0.00	-5,218.82
CRC INCO 10841330	Transport Commission: CRC	-459.06	-66.10	-525.16
CRC INCO 10841340	Postal Agency Commission: CRC	-4,072.90	-704.45	-4,777.35
CRC INCO 10841380	Postal Agency Sales	-259.23	-57.77	-317.00
CRC INCO 10841390	Sales: Books/Maps/Souvenirs/Sundries	-1,604.23	-120.01	-1,724.24
CRC INCO 10841500	Grant: CRC Operating	-2,430.11	0.00	-2,430.11
CRC INCO 10842600	CRC Income Misc.	-533.24	-3.75	-536.99
CRC INCO 10842610	CRC Merchandise Sales	-4,339.60	-396.16	-4,735.76
Total CRC INCOME		-18,917.19	-1,348.24	-20,265.43
Total for division GEN	Ñ	-18,917.19	-1,348.24	-20,265.43
Grand Total		-18,917.19	-1,348.24	-20,265.43

Community Resource Centre - Monthly Customer Service Stats

CUSTOMER SERVICES & EQNUIRIES	2020.2021 TOTAL	2019.2020 TOTAL	YTD DIFF	Dec-20	Dec-19	DEC DIFF
Aus Government Info/Roads	771	1257	-486	9	12	-3
Government Access Point	5	14	-9	0	0	0
Department of Human Services	8	38	-30	1	3	-2
Department of Transport	28	77	-49	6	6	0
Computer/Internet Access	11	31	-20	0	2	-2
Faxes	0	1	-1	0	0	0
General Tourism Information	286	290	-4	6	4	2
Phonebook Purchases	0	0	0	0	0	0
Community Seminars	0	1	-1	0	0	0
Gassy Gossip yearly subscription	0	3	-3	0	0	0
Training/Courses	0	4	-4	0	0	0
Hot Office Bookings	0	5	-5	0	0	0
Library	35	41	-6	2	3	-1
Video Conference/Telehealth	7	5	2	2	0	2
Book Sales	29	47	-18	2	1	1
Photocopying/Printing/Scanning/Emailing	12	29	-17	4	2	2
Laminating/Binding	4	2	2	1	1	0
CRC Merchandise Sales	225	324	-99	20	28	-8
Community Events	4	9	-5	1	2	-1
Gassy Gossip Advertisement	3	33	-30	0	0	0
Postage	36	0	36	2	0	2
Total Customer Service Enquiries	1464	2211	-747	56	64	-8

10.2 Manager of Works and Services

General:

It is good to be back and at it again for 2021 which is shaping up to be an extremely busy year even by our standards. December and January has seen the completion and commencement of a few projects already. The pub solar is finally up and running and the pavilion upgrades are all but complete. The pavilion floor will be painted once materials arrive in Carnarvon. The reconstruction of the pub and caravan park roads has begun. Dean contracting were awarded the contract and to date have proven to be extremely good to deal with and provide first class service.





The new tourist stop project is set to begin on February the 8th which see a hive of activity in our little town. As John will discuss in further detail, we have had another throw at the stumps in securing funding for two more major projects through the National Flood Mitigation Infrastructure

Program. We are also still pushing through the Building Better Regions Fund to seal our way to Meekatharra.

The town crew have managed to get back on top of the gardening and town maintenance after the break. The typical summer temperatures have taken their toll on the parks and gardens however the latest river flows have boosted our water reserves and are bringing the lawns and plants back to life.

The relocation of the town retic bore is still awaiting native title approval, if received then we will conduct a RFQ to carry out works. The town alternative water supply design and scope has been put on hold until a fully costed proposal is presented to us from Global Ground Water.

Sean is working with Phil Swain on the RFT for the construction of the new 4x2 staff house which expects to go to the market in the next month or so. We are also scoping costs to rejuvenate the town oval fencing and bringing the main street appearance into the 21st century.

Construction:

The crew returned to work on the 27th January and will begin prepping and mobilising equipment 25km east to start the C'von Mullewa road bitumen works funded by RRG, HSVPP and DFES. While the combination of funding allows us to complete the works it does not come without its own headaches. Additional recording, justification and evidence is required to recoup expenditure. As such we have engaged Greenfields to handle the reporting and tendering side of things. DFES have indicated that funds will not be paid until the completion. Dean Contracting will commence the bitumen construction on the Dalgety Downs Landor road once the pub seal is completed in mid-February.

Equipment:

Our end/side tipper truck arrived in the safe hands of Councillor Caunt. The truck has been commissioned by Max and hooked up to the two side tippers. The team at Ausquip have done a great job upgrading it and fabricating the tipper body.



Over the Christmas shutdown Max and Jox from Diesel and Dust along with Lance from Westrac carried out a heap of maintenance and repairs to our entire fleet. Other than a few minor defects to be completed over the next month the lads did a tremendous job in the heat. Thanks fellas.

10.3 Chief Executive Officers Report

Firstly, I would like to welcome everybody back for a new year which promises to be even busier than 2020 with a huge number of projects commencing. These projects will all bring their own individual challenges for all concerned but we must keep our eye on the end result. I will be taking a conservative approach with staff ensuring that they do not suffer burn out and will manage this closely and will not hesitate to get extra assistance if we find ourselves struggling.

We had a change in our staffing with Amanda Leighton leaving the Shire and relocating to the Shire of Carnarvon. Cherie is going to step into Amanda's role once we have appointed a person to go into Cherie's role. Our Tourism / Community Development Officer, Ainsley Hardie, has commenced her duties after a small isolation hiccup. It will take a bit of time for Ainsley to get her feet under the table and understand the lay of the land. As with all things, a bit of ying and yang, we will miss Amanda but Cherie now gets the opportunity to grow into the Admin position and I look forward to the contribution that I believe Ainsley and Cherie will provide to the Shire of Upper Gascoyne.

Sa, Jarrod and myself have undertaken the Budget Review, unfortunately due to the early February Meeting Date we cannot present this to this meeting as RSM will not have time to carry out the necessary work. We will be able to present this to the March meeting for Council's consideration. One of the challenges was that our initial estimate of the opening balance was \$68,000 out, in negative, at this stage we have accounted for this and after adjustments we are still approximately \$200,000 to the good.

Despite repeated requests to LGIS to get someone up here to provide an overview of the new OH&S framework to Council I have been unable to get anyone due to LGIS staffing issues. I will continue to make representation in order to get someone up here as soon as possible.

On or about the 23rd of December 2020 the Federal Government released a \$50M National Flood Mitigation Infrastructure Program which closed on the 15th of January 2021. The Shire has submitted two projects; namely the Dalgety Brood Floodway and the Landor (Gascoyne River) Floodway both valued at around \$1.5M each. Both of these projects are shovel ready and have been accepted by the State to go to the next stage of the application process. I was advised that there were 23 enquiries with the majority of the projects not being shovel ready. I am quietly confident we will get at least one of the projects up and a very real possibility of both getting approved.

The Solar Power project at the Junction Pub and Tourist Park is now complete with final commissioning being undertaken on the 20th of January 2021. Horizon Power are still doing some work on the system remotely. What should have been a relatively straight forward installation has been an elongated process due to Horizon Power changing the rules half way through the project, let's hope that we can now run the system at full capacity and reduce our carbon footprint as well as deliver some financial savings.

The WALGA Zone Meeting and Regional Road Group Meetings will be held in Carnarvon on the 19th of February 2021. There has been a lot of movement in the Chief Executive Officers positions for our three neighbours, Paul Anderson from Shark Bay has announced he will leave in September, Cameron Woods is leaving Exmouth and is heading to the Shire of Plantagenet and David Burton has resigned from Carnarvon and has been replaced by Andrea Selvey. Andrea has previously held positions as the CEO for the Shire of Dowerin and Coccus Keeling Islands.

On the 11th of February 2021 Jarrod and I have been invited to present to the WA Transport and Roads Forum in respect to our experiences with WANDRRA. This is a good opportunity for the Shire of Upper Gascoyne to get our names up in lights, this does help to give us some level of authority in this space.

I would like to express my gratitude to both Cherie and Sean for keeping things ticking over during the Christmas Holiday break with Cherie keeping the CRC open for mail and Sean doing the rubbish run.

Over the last couple of weeks I have been running the numbers and seriously looking at our cash flow position. At present we are in good position but we have three major projects coming online around the same time and the grants payments for these are in arrears and the fact that DFES are taking around six weeks to process claims we could find ourselves with short term liquidity issues. I am working with our Bankers and the WA Treasury to increase our overdraft arrangements in order to be comfortable in meeting our short term financial obligations.

You will not notice that we have only presented the December financials. In normal circumstances we would present both December and January, however given that our February meeting is so close to the end of month for January there is not sufficient time to put it all together. We will present the January financials in March along with February's financials.

Unfortunately I have to advise that Ian has suffered a workplace injury where the large grader tine slipped as he was removing it and it jammed his finger between the tine and tine carrier causing a severe crush injury to his index finger. Ian will be flown to Perth to see if they can repair the damage.

STATUS OF GRANTS FOR 2021							
Submitted	Close Date	Project	Grant	Provider	Grant Amount	Project Cost	Result
11/1/2021	Open	Replace existing workshop area	Local Roads & Community Infrastructure	Department of Infrastructure, Transport, Regional Development & Communication	\$300,000	\$300.000	Successful
11/1/2021	Open	Gascoyne River Bore Community Water Project	Local Roads & Community Infrastructure	Department of Infrastructure, Transport, Regional Development & Communication	\$124,074	\$344,074	Successful
Pending finalisation	5/3/2021	Seal from Meekatharra Boundary towards the Landor Dalgety Turn-off	Building Better Regions Fund	Federal Government	\$7,971,000	\$10,000,000	Pending
5/1/2121	15/1/2021	Dalgety Brook Floodway	National Flood Mitigation Program	Department of Home Affairs	\$1,549,315	\$1,549,315	Pending
5/1/2021	15/1/2021	Landor Gascoyne River Floodway	National Flood Mitigation Program	Department of Home Affairs	\$1,580,307	\$1,580,307	Pending

Council Resolution No: 02022021						
MOVED:	CR: J. CAUNT	SECONDED:	CR: G. WATTERS			

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

10.4 ACCOUNTS & S	TATEMENTS OF ACCOUNTS
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	None
Author:	Sa Toomalatai – Manager of Finance & Corporate Services
Date:	20 January 2021
Matters for Consideration:	To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Friday the 5 th of February 2021 as attached – see <i>Appendix 1</i> In addition to the List of Accounts and as part of this agenda report, Council are also requested to receive the December 2020 Legal Expenses report. This report details all legal costs incurred to the end of this reporting period – refer to <i>Appendix 1</i> .
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 December 2020.
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 —

		the coun	cil after the list is	cil at the next ordinary prepared; and is of that meeting.	y meeting of		
Policy Im	nplications:	Nil					
Financia	I Implications:	2020/202	21 Budget				
Strategio	Implications:	resource	Civic Leadership – To responsibly manage Council's financial resources to ensure optimum value for money and sustainable asset management.				
Risk:							
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Conseq uence	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 December to the 31st of December 2020 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 December 2020.

TOTAL	\$2,299,220.70
BPAY/Direct Debit	\$18,281.58
Payroll	\$103,454.48
Municipal Fund Bank EFTs (12728 - 12839)	\$2,177,484.64

Council Resolution No: 03022021					
MOVED:	CR: B. WALKER		SECONED:	CR: J. CAUNT	

That Council endorse the payments for the period 1st of December to the 31st of December 2020 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 December 2020.

TOTAL	\$2,299,220.70
BPAY/Direct Debit	\$18,281.58
Payroll	\$103,454.48
Municipal Fund Bank EFTs (12728 - 12839)	\$2,177,484.64

10.5 MONTHLY FINANCIAL STATEMENT					
Applicant:	Shire of Upper Gascoyne				
Disclosure of Interest:	None				
Author:	Sa Toomalatai – Manager of Finance & Corporate Services				
Date:	20 January 2021				
Matters for Consideration: Background:	The Statement of Financial Activity for the periods of December 2020 include 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 Under the Local Government (Financial Management Regulations 1996), a monthly Statement of Financial Activity must be submitted to ar 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 financia				
	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 December 2020.				
Statutory Environment:	Local Government Act 1995 – Section 6.4 Local Government (Financial Management Regulations) 1996 – Subregulation 34.				
Policy Implications:	Nil				
Financial Implications	Nil				
Strategic Implications	Civic Leadership – To responsibly manage Council's financial resources to ensure optimum value for money and sustainable asset management.				
Risk:					
Risk Likeli (base	hood Impact / (Prior to Risk (Controls or				

	history and with existing controls)	Consequ ence	Treatment o Control)	r	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	Consultation:					
Voting requi	rement:	Simple Majority				
Officer's Recommendation:		accordance	with the Local C	nancial Statements, Government (Financ of December 2020.		
Council Resolution No: 04022021						
MOVED: CR: B. WALKER			SECONDED:	CR: G. WATTERS		

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of December 2020.

10.6 2021 CC	OUNCILLOR ELECTIONS
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	6 January 2021
Matters for Consideration:	To determine the type of election, in person or postal, and who will undertake the election process. Please refer to <i>Appendix 3</i> .
Background:	Nil
Comments:	The 2019 Election had four current councillors up for re-election.
	Postal Elections are conducted by the Commissioner and take the work away from the CEO who would otherwise most likely run the election.
	This year there will be three current councillors up for re-election which is to be held on the 16 th of October 2021 and the Western Australian Electoral Commission has provided an estimated cost of \$11,000 based on the following assumptions:
	 130 electors response rate of approximately 45% 3 vacancies count to be conducted at the offices of the Shire of Upper Gascoyne appointment of a local Returning Officer regular Australia Post delivery service to apply for the lodgement of the election packages.
Statutory	Local Government Act 1995 s4.20(4) and 4.61(2) states:
Environment:	If the returning officer is appointed, the Electoral Commissioner is to appoint one or more returning officers.
	and "postal election" which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or
	"voting in person election" which is and election at which the principal method of casting votes is by voting in person on election day but at which votes can also be posted or delivered, in accordance with regulations.
Policy Implications:	Nil
Financial Implications:	The cost of \$11,500 (inclusive of GST) to be allowed for in the 2021/22 budget.
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 requi	irement:	Absolute Majority				
Officer's Recommend	dation <i>:</i>	Goverr respon togethe require • Decide, Govern	e, in accordand nment Act 1999 sible for the co er with any oth ed; and in accordance	ce with section 4.205, the Electoral Con anduct of the 2021 cer elections or polls with section 4.61(2) with the method of cestal election.	nmissioner to be ordinary elections which may be	
		Council Res	solution No: 0	5022021		
MOVED: CR. B WALKER		KER SI	ECONDED:	CR: G. WATTER	s	

That Council:

- Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections together with any other elections or polls which may be required; and
- Decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.

10.7 2020 CC	MPLIANCE AUDIT RETURN (CAR)			
Applicant:	Shire of Upper Gascoyne			
Disclosure of Interest:	Nil			
Author:	John McCleary – Chief Executive Officer			
Date:	6 January 2021			
Matters for Consideration:	To receive the report of the Audit Committee in regard to the review of the Compliance Audit return for 2020 and for Council to adopt the return.			
Background:	Prior to the ordinary meeting of Council, the compliance audit return prepared by the CEO will be reviewed by the Audit Committee in accordance with regulation 14 of the Local Government (Audit) Regulations. The regulations provide that after the audit committee has reviewed the return, it is to report to Council the results of that review. Once the audit committee has reported to Council, the compliance return is to be presented to Council for adoption of the return.			
	Once the return is adopted by Council, a certified copy of the return together with a copy of the relevant minutes referred to in the regulations and any additional information will be submitted to the Executive Director of the Department of Local Government by March 31st.			
Comments:	The Audit Committee has reviewed the Compliance Audit Return as presented by the Chief Executive Officer and have no material misrepresentations as such recommend that Council adopt the CAR Report.			
Statutory Environment:	Local Government (Audit) Regulations 1996			
Liivii Oliillelit.	Reg14. Compliance Audits by local governments			
	(1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.			
	(2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.			
	(3A)The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.			
	(3) After the audit committee has reported to the council under sub regulation {3A}, the compliance audit return is to be -			
	(a) presented to the council at a meeting of the council; and			
	(b) adopted by the council; and			
	(c) recorded in the minutes of the meeting at which it is adopted			
Policy Implications:	Nil			

Financial In	nplications:	Nil				
Strategic Implications:		Civic Leadership –				
		To provide Good through:	d Governance	to the Upper Gas	scoyne Shire area	
		 Detailed and 	professional a	administration;		
		High levels of	of accountability	y;		
		Compliance	with statutory i	equirements;		
				of excellence	good financial in professional	
Risk:						
Risk	Risk Likelihood (based on history and with existing controls)	Risk Rating (Prior to Consequence Treatment or Control) Risk Impact / Consequence Treatment or Control) Risk Risk Risk Risk Action Plan (Controls or Treatment proposed)				
Not meeting Statutory Compliance		Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation	
Consultation	n <i>:</i>	Nil				
Voting requi	rement:	Absolute Majority				
Officer's Recommendation:		"That the report of the audit committee under Regulation (3A) of the Local Government (Audit) Regulations be received and the Compliance Audit Return for 2020 as presented in Appendix 4 of the Audit Committee Meeting Agenda be adopted".				
		Council Resolu	tion No: 0602	2021		
MOVED:	CR: G. WAT	TERS	SECONDED	: CR: J. CAI	UNT	

[&]quot;That the report of the audit committee under Regulation (3A) of the Local Government (Audit) Regulations be received and the Compliance Audit Return for 2020 as presented in **Appendix** 4 of the Audit Committee Meeting Agenda be adopted".

10.8 2019 / 20	020 ANNUAL REPORT				
Applicant:	Shire of Upper Gascoyne				
Disclosure of Interest:	Nil				
Author:	John McCleary - Chief Executive Officer				
Date:	3 December 2020				
Matters for Consideration:	To accept the Annual Report, including the audited financials and the auditor's report for the financial year ending 30 June 2020 as provided in <i>Appendix 5</i> .				
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 (2) provides that if the local government cannot accept the annual report by the 31 st December after that financial year, the report is accepted no later than two months after the auditor's report is made available.				
	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.				
Comments:	A copy of the Annual Report and Annual Financial Statements for the 2019/20 financial year together with the Auditor's Independent Report have been provided to Council under <i>Appendix 5</i> .				
	The Auditor has given the Shire a clean bill of health with no adverse findings or areas for improvement.				
Statutory Environment:	Local Government Act 1995 - Division 5, Section 5.53				
Environment.	Local Government Act 1995 - Division 5, Section 5.54				
	Local Government Act 1995 - Division 5, Section 5.55 and 5.55A Local Government Act 1995 - Division 2, Section 5.27 and 5.29				
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 Likelihood (based on	Risk Impact / Risk Rating (Prior to Principal Risk (Controls or				

	history and with existing controls)		Treatmer or Contro		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:		OAG				
Voting requi	rement:	Absolute Majority				
Officer's Recommendation: 1. Adopts the Annual Report together with the Annual Financial Statements, including the Auditors Independent Report for the period 1st July 2019 to 30th June 2020. 2. Sets 24 th of March 2021 as the date of the Annual Meeting of Electors. 3. Requests that the CEO, pursuant to sections 5.29 and 5.55 of the Local Government Act 1995, provide the requisite statutory local public notice of the acceptance of the 2019/2020 Shire of Upper Gascoyne Annual Report and the time and date of the Annual Meeting of Electors.			Auditors uly 2019 to the Annual as 5.29 and provide the e of the of Upper			
	Cou			07022021		
MOVED: CR: J. CAUNT S		SECONDED:	CR: G. WATTER	s		

That Council:

- 1. Adopts the Annual Report together with the Annual Financial Statements, including the Auditors Independent Report for the period 1st July 2019 to 30th June 2020.
- 2. Sets 24th of March 2021 as the date of the Annual Meeting of Electors.
- 3. Requests that the CEO, pursuant to sections 5.29 and 5.55 of the Local Government Act 1995, provide the requisite statutory local public notice of the acceptance of the 2019/2020 Shire of Upper Gascoyne Annual Report and the time and date of the Annual Meeting of Electors.

10.9 CASH F	LOW – WATC SHORT TERM LENDING FACILITY			
Applicant:	Shire of Upper Gascoyne			
Disclosure of Interest:	Nil			
Author:	John McCleary – Chief Executive Officer			
Date:	23 January 2021			
Matters for Consideration:	To establish a short term lending facility with the Western Australian Treasury Corporation. Please refer to <i>Appendix</i> 6.			
Background:	Currently the Shire has a \$3.5M overdraft facility with the Commonwealth Bank to assist with any cash flow issues in relation to our flood damage claims. This overdraft allows us to go into the overdraft and out of it very easily as transfers are part of our Municipal Account. We pay and administrative amount and interest for the period of the time we are using the overdraft facility. At this time we are not using the overdraft facility as we have had enough capital in our Municipal Account to pay our creditors, mainly because we have been provided with 20% advance payment on our DRFAWA Claim (AGRN 908). However, we are eating into this at a rapid rate given that DFES are taking in excess of 6 weeks to process claims. We are now in position that we have a further two major projects that will also impact on our cash flow; HVSPP \$2.8M (Landor/ Dalgety Sealing Project & Carnarvon / Mullewa Road Sealing Project) and the BBRF \$2.5M (Junction Tourist Stop). Both of these projects will occur simultaneously and both projects have payments centred around milestone achievements and payments in arrears to actual expenditure. In addition we have two smaller grants under the LRCI Fund; \$640,000 (Tourist Park and Pavilion) and another \$424k for the Shed and Water Project, both of these pay 50% up front with the remainder paid at the completion of the works. This could be further complicated if we receive one of two of the Flood Mitigation grants that we have made application for.			

Comments:

We will have \$5.8M worth of projects on the go at the same time which are separate to our DRFA AGRN 908 commitments. All these projects are reliant on funding coming available at key milestone dates and payment is based on arrears already paid.

Given the above I am very concerned that we could find ourselves struggling for cash particularly if any payments are held up and this can very easily happen as we have experienced in the DEFAWA in the past.

It is proposed that we leave our existing overdraft facilities in place and operate as per normal but also apply to the West Australian Treasury Corporation for a "Short Term Lending Facility" which operates in a similar manner to the overdraft but it is not linked to our Municipal Account. In this facility you get provided with an amount and then you draw down on the amount via a draw down notice, this can take 24hours to process before the money is deposited into the Municipal Account.

Given that we have approximately \$6M in projects that are ready to start within the next month and the grant funds will be relatively slow and milestone oriented, it is considered good business to ensure that we have a back-up plan to meet our cash flow requirements now rather than wait for a potential problem in the future.

It is proposed that we seek to have a \$3M Short Term Lending Facility provided by the WA Treasury Corporation available for the next 12 months in the event we do have issues with grant reimbursement. There are no costs involved until the facility is activated.

Statutory Environment:

Local Government Act 1995

6.20. Power to borrow

- (1) Subject to this Act, a local government may
 - (a) borrow or re-borrow money; or
 - (b) obtain credit; or
 - arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit,

to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.

- (2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (power to borrow) and details of that proposal have not been included in the annual budget for that financial year
 - (a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and
 - (b) the resolution to exercise that power is to be by absolute majority.

6.21 Restrictions on borrowing

6.21(2) Where, under section 6.20(1), a local government borrows money, obtains credit or arranges for financial accommodation to be extended to the local government that money, credit or financial accommodation is only to be secured by giving security over the general funds of the local government.

Local Government (Financial Management) Regulations 1996 Reg 20. When local public notice not required for exercise of power to borrow (Act s. 6.20(2)(a))

- (1) A local government is not required to give local public notice of a proposal to exercise a power to borrow when the power is to be exercised to re-finance a loan or to continue other financial accommodation (whether with the same or another bank or financial institution) except where the re-financing or continuation is a major variation.
- (2) In this regulation —

major variation means a variation in the terms of a loan or other financial accommodation which is —

- (a) a capitalisation of interest accruals; or
- (b) an increase in the term of the loan or other financial accommodation:

re-finance in relation to a loan or other financial accommodation (the **existing loan**), means to borrow

		an amount (the new loan) which is, at the date of the new loan —			
		(a) equal to the principal amount owing on the existing loan; or			
		(b) not more than \$5 000 more or less than the principal amount owing on the existing loan, for the principal purpose of paying out the existing loan or preserving the credit originally provided by the existing loan.			
Policy Impl	ications:	Nil			
Financial In	nplications:	Cash flow for the current budget and the 2021 / 22 Budget and increased borrowing charges.			I / 22 Budget and
Strategic In	Strategic Implications: Nil				
Risk:					
		Risk Impact / Consequence Risk Rating (Prior to Treatment or Control) Risk Rating (Prior to Treatment or Control) Principal Risk Risk Action Plan (Controls or Treatment proposed)			
Risk	Risk Likelihood (based on history and with existing controls)	-	(Prior to Treatment	Principal Risk	(Controls or Treatment

Consultation	n <i>:</i>	WA Treasury Corporation				
Voting requ	irement:	Absolute Maj	ority			
Officer's Recommendation:		That Council:: 1. Authorise the CEO to establish a Short Term Lending Facility as provided by the WA Treasury Corporation with a limit of \$3,000,000 for the purpose of funding the HVSPP and BBRF Projects pending reimbursement under the DRFAWA (Disaster Recovery Funding Arrangements), HVSPP (Heavy Vehicle Safely Productivity Program) and BBRF (Building Better Regions Fund) arrangements.				
		2. That Council instruct the CEO to advertise in the Mid-West Times that the Shire intends to increase the overdraft to \$3,000,000 for the purposes of funding flood damage works pending reimbursement under the DRFAWA, HVSPP and BBRF arrangements.				
3. That subject to the approval of the new overdraft facility li Council authorise the CEO in the presence of the President approval of the new overdraft facility li Council seal to the loan documentation where required.			the presence of the President apply the			
4. Where loan documentation does not require the council sea the CEO can sign the documentation in the presence of the Fin Manager.						
	Council Resolution No: 08022021					
MOVED:	CR: J. CA	CR: J. CAUNT SECONDED: CR: G. WATTERS				

That Council::

- 1. Authorise the CEO to establish a Short Term Lending Facility as provided by the WA Treasury Corporation with a limit of \$3,000,000 for the purpose of funding the HVSPP and BBRF Projects pending reimbursement under the DRFAWA (Disaster Recovery Funding Arrangements), HVSPP (Heavy Vehicle Safely Productivity Program) and BBRF (Building Better Regions Fund) arrangements.
- 2. That Council instruct the CEO to advertise in the Mid-West Times that the Shire intends to increase the overdraft to \$3,000,000 for the purposes of funding flood damage works pending reimbursement under the DRFAWA, HVSPP and BBRF arrangements.
- 3. That subject to the approval of the new overdraft facility limit that Council authorise the CEO in the presence of the President apply the council seal to the loan documentation where required.
- 4. Where loan documentation does not require the council seal that the CEO can sign the documentation in the presence of the Finance Manager.

10.10 NEW POLICIES						
Applicant:		Shire of Upper Gascoyne				
Disclosure	of Interest:	Nil				
Author:		John McCleary - Chief Executive Officer				
Date:	25 January 2021					
Matters for Considerati	ion:	To adopt a new	Policies as pres	sented in <i>Append</i>	ix 7.	
Background	d:		s part of the prod	vere required to re cess it was identifi Keeping Policy.		
Comments:		Nil				
Statutory State Records Act 2000 Environment:						
Policy Impl	ications:	New Policy				
Financial In	nplications:	Nil				
Strategic In	nplications:	Civic Leadership				
		through: Detailed a High level Complian High-qual Openness participati	and professional and professional and sometimes of accountability ce with statutory rational planning and transparencion; ality customer sometimes and transparence on;	administration; y; requirements; ng, particularly for a y and enhanced cor	ascoyne Shire area assets and finances; asultations and public ancial management administration and	
Risk:						
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence Risk Rating (Prior to Treatment or Control) Risk Rating (Prior to Treatment proposed) Principal Risk Risk Action Plan (Controls or Treatment proposed)				
Not meeting	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or	Accept Officer Recommendation	

Statutory Compliance				Compliance Requirements		
Consultation:		State Records Office				
Voting requirement:		Simple Majority				
Officer's Recommendation:		That the Counci	il adopt the new	Policies as presei	nted in Appendix 7.	
	Council Resolution No: 09022021					
MOVED:	MOVED: CR: B. WALKER		SECONDED:	CR: G. WAT	TERS	

That the Council adopt the new Policies as presented in Appendix 7.

10.11 REVIEN	W OF REGULATION 17-LOCAL GOVERNMENT (AUDIT) ATIONS				
Applicant:	Shire of Upper Gascoyne				
Disclosure of Interest:	Nil				
Author:	John McCleary – Chief Executive Officer				
Date:	26 January 2021				
Matters for Consideration:	To review the Regulation 17 report undertaken and presented by AMD Chartered Accountant. Please refer to <i>Appendix 8</i> .				
Background:	To undertake a review of the appropriateness and effectiveness of risk management, internal controls and legislative compliance of the Shire in accordance with the <i>Local Government (Audit) Regulations 1996</i> , Regulation 17 for the period ended 31 October 2021 (the "Review"). The CEO is to review certain systems and procedures at least once every three (3) years. The Last review was undertaken on the 28 th of March 2018. The findings included within the attached report are based on the site work completed by AMD from the 16 to 20 November 2020. Findings are based on information provided and made available to AMD during and subsequent to this site visit to 20 January 2021.				
Comments:	The procedures performed and the findings on each of the focus areas are detailed in the following sections of the report: • Section 2 – Risk management; • Section 3 – Internal controls; and • Section 4 – Legislative compliance. Following the completion of our review and subject to the recommendations outlined within sections 2 to 4, AMD are pleased to report that in context of the Shire's overall internal control environment, policies, procedures and processes in place are appropriate, and have been operating effectively at the time of the review. Findings reported are on an exceptions basis, and do not take into account the many focus areas tested during our review where policies, procedures and processes were deemed to be appropriate and in accordance with best practice.				

Statutory		17.CEO to review certain systems and procedures			
Environment:		(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to—			
		(a) risk management; and			
		(b) internal control; and			
		(c) legislative compliance.			
		(2) The review may relate to any or all of the matters referred to in subregulation(1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.			
		(3) The CEO is to report to the audit committee the results of that review.			
Policy Implications:		Nil			
Financial Implications:		2019/20 Budget – An allocation has been made to engage a consultant to undertake the review.			
Strategic Implications:		Objective 4: To provide Good Governance to the Upper Gascoyne Shire area			
		through:			
		 Detailed and professional administration; 			
		High levels of accountability;			
		Compliance with statutory 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	n <i>:</i>	AMD Chartered Accountants` Manager of Finance & Administration.			
Voting requi	Voting requirement: Simple Majority				
Officer's Recommendation:		That Council: 1. Receives the Reg 17 Audit Report; and 2. Endorses the comments provided by management.			
Committee Resolution No: 10022021					
MOVED:	MOVED: CR: B. WALKER		SECONDED:	CR: G. WATTERS	

That Council:

- 1. Receives the Reg 17 Audit Report; and
- 2. Endorses the comments provided by management.

CARRIED 4/0

11. MATTERS BEHIND CLOSED DOORS

Nil

12. PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

14. ELECTED MEMBERS REPORTS

- 14.1 Cr Hammarquist OAM JP Attended the Shire Christmas function.
- 14.2 Cr Caunt
 Attended the Shire Christmas function.
- 14.3 Cr Watters
 Attended the Shire Christmas function.
- 14.4 Cr Walker
 Attended the Shire Christmas function.

15. STATUS OF COUNCIL MEETING RESOLUTIONS

Resolution N°	Subject	Status	Open / Close	Responsible Officer
10042019	Formation of a Tourism Working Group	This is still being worked on, I need to establish the terms of reference prior to advertising for members.	Open	TDCO
06122020	Sealing Program	Have developed a RFQ scope of works and have gone to the marked through 'E-quotes.	Open	CEO / MWS
07122020	BBRF Grant Application	Had to reduce the scope of the application back to \$10M as this is the maximum amount available under the grant.	Close	CEO

16. STATUS OF SHIRE PROJECTS

As per **Appendix 9**

17. MEETING CLOSURE

The Shire President closed the meeting at 12.30am.

To be confirmed at the Ordinary Meeting on the 24th March 2021.

Signed Sk Hammarquist OAH JP.

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