



MINUTES

24th OF MARCH 2021

ORDINARY COUNCIL MEETING

Held in the Gascoyne Junction Shire Offices commencing at 9:30am

DISCLAIMER

Disclaimer

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

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

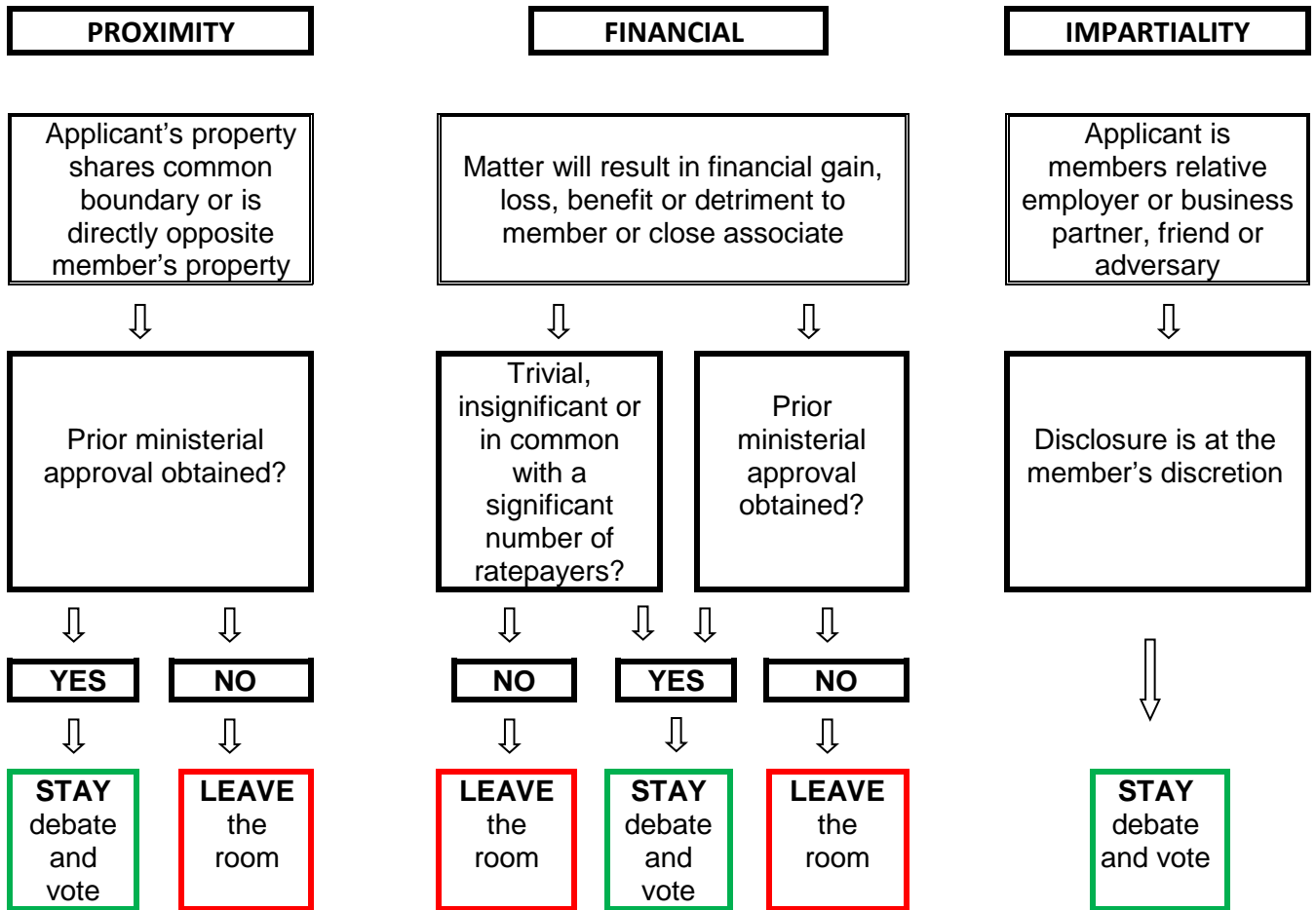
No responsibility whatsoever is implied or accepted by the Shire of Upper Gascoyne for any act, omission, statement or intimation occurring during the Council/Committee meetings or during formal/informal conversations with staff. The Shire of Upper Gascoyne disclaims any liability for any loss whatsoever and however caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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



John McCleary, JP
CHIEF EXECUTIVE OFFICER

* Declaring an Interest



Local Government Act 1995 - Extract

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

(1) A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest:

(Penalties apply).

(2) It is a defense to a prosecution under this section if the member proves that he or she did not know:

(a) that he or she had an interest in the matter; or (b) that the matter in which he or she had an interest would be discussed at the meeting.

(3) This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).

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

(1) In this section: 'employee' includes a person who, under a contract for services with the local government, provides advice or a report on a matter.

(2) An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report.

(3) An employee who discloses an interest under this section must, if required to do so by the council or committee, as the case may be, disclose the extent of the interest. (Penalties apply).

5.71 - Employees to disclose interests relating to delegated functions.

If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and:

(a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter. (Penalties apply).

'Local Government (Administration) Regulations 1996 - Extract

In this clause and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996:

"Interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

Table of Contents

<u>1.</u>	DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS	4
<u>2.</u>	APOLOGIES AND APPROVED LEAVE OF ABSENCE.....	4
<u>3.</u>	APPLICATION FOR LEAVE OF ABSENCE.....	4
<u>4.</u>	PUBLIC QUESTION TIME	4
<u>5.</u>	DISCLOSURE OF INTEREST	5
<u>6.</u>	PETITIONS/DEPUTATIONS/PRESENTATIONS	5
<u>7.</u>	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.....	5
<u>8.</u>	MATTERS FOR WHICH THE MEETING MAY GO BEHIND CLOSED DOORS.....	5
<u>9.</u>	CONFIRMATION OF MINUTES FROM PREVIOUS MEETING	5
<u>10.</u>	REPORTS OF OFFICERS	6
	10.1 MANAGER OF FINANCE AND CORPORATE SERVICES REPORT.....	6
	10.2 MANAGER OF WORKS REPORT	8
	10.3 CEO REPORT	9
	10.4 ACCOUNTS AND STATEMENT OF ACCOUNTS.....	12
	10.5 MONTHLY FINANCIAL STATEMENT.....	15
	10.6 TENDER DECISION CRITERIA – SUPPLY OF LABOUR / PLANT / EQUIPMENT FOR WORKS ASSOCIATED WITH A FLOOD EVENT IN FEBRUARY 2021 (AGRN 951).....	17
	10.7 STAFF HOUSING SURVEY / REPORT.....	20
	10.8 2020/2021 STATUTORY BUDGET REVEIEW	22
	10.9 2020 FINANCIAL MANAGEMENT REVIEW	24
	10.10 APPOINTMENT OF DRFAWA PROJECT MANAGER – (AGRN 951).....	29
<u>11.</u>	MATTERS BEHIND CLOSED DOORS.....	31
<u>12.</u>	MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	31
<u>13.</u>	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION...31	
	13.1 CEO’S DELEGATED LIMIT FOR THE PURCHASE OF GOODS AND SERVICES...32	
	13.2 STAFF HOUSING PROJECT.....	34
<u>14.</u>	ELECTED MEMBERS REPORT	36
<u>15.</u>	STATUS OF COUNCIL RESOLUTIONS	36
<u>16.</u>	STATUS OF PROJECTS	37
<u>17.</u>	MEETING CLOSURE.....	37



**SHIRE OF UPPER GASCOYNE
MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE GASCOYNE
JUNCTION SHIRE OFFICES ON FRIDAY THE 24TH OF MARCH 2021 COMMENCING AT 9:30AM**

1. DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS

The President welcomed those present and declared the meeting open at 9.30am

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

2.1 Councillors

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

Staff

John McCleary JP	Chief Executive Officer
Jarrold Walker	Manager of Works and Services
Sa Toomalatai	Manager of Finance and Corporate Services
Travis Bate	Consultant Accountant – RSM
Aleshia Dynan	Consultant Accountant – RSM

Visitors

Josh Kirk	Greenfield Technical Services
Richard Nixon	Global Groundwater
Valerie Shrubbs	Gascoyne Development Commission (Observer)
Tim Kennedy	Shires Contract Solicitor

2.2 Absentees

Nil

2.3 Leave of Absence previously approved

Nil

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

1. Global Groundwater

Mr Richard Nixon provided a comprehensive report on the processes, factors, variabilities and statutory requirements to establish an alternative water supply.

2. Greenfield Technical Services

Mr Joshua Kirk provided Council with a report on the current DRFAWA (AGRN 908) works being carried out.

3. Kennedy Vinciullo

Mr Tim Kennedy provided Council with advice in relation to the Junction Pub and Tourist Precinct.

7. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

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

Nil

9. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

9.1 Ordinary Meeting of Council held on 5th of February 2021.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution No: 01032021			
MOVED:	CR: H. MCTAGGART	SECONDED:	CR: B. WALKER
That the Unconfirmed Minutes from the Ordinary Meeting of Council held on the 5 th of February 2021 be confirmed as a true and correct record of proceedings. F/A: 7/0			

10. REPORTS OF OFFICERS

10.1 Manager of Finance and Corporate Services Report

Corporate Services Update

February has been an absolute blur as time has flown by and staff have been busy chasing their tails! We started the month off by being inundated with rain which resulted in quite a substantial river and then led to subsequent flooding in our area. Whilst the rain was welcomed by all and seeing our dry riverbed transform into a constant flow of water that spanned from bank to bank, it became clear that the ripple effect of this weather event had the potential to be quite significant. This was evident when the rain continued to fall and the river levels kept rising. Decisions were then made to close roads and flood warnings were issued in the neighbouring shire of Carnarvon.

In addition to the bad weather and the rising water levels, we lost our communications due to an outage with the Telstra network. The town's water supply was also impacted when infrastructure used to deliver water to our local community was damaged – this reduced the supply capacity to our town and meant that the Water Corporation had to apply restrictions on use until they could assess and repair the damage.

Although we were limited in our capacity to deliver “business as usual” during this time, staff were focused on ensuring that residents were ok and to the best of our ability were kept informed and up to date with what was happening. I would like to say a huge thank you to the staff who continued to work behind the scenes and after hours. In particular I would like to give a special mention to Sean and Cherie for doing that little bit extra in assisting our community. Both officers made themselves available after hours and over the weekend to assist with information, checking water levels and road conditions and delivered cartons of water to local residents when our town supply was restricted.

Now that all the rain has cleared up and the water has subsided, it is back to the grind. The Corporate team are continuing to share the workload whilst we recruit for a new team member to assist with our day to day operations. Unfortunately we did not have much success with the first round of recruitment and intend to go back to the market in the hopes we can find a suitable applicant for our vacancy in the Corporate Services team. We will continue to update Council on this progress.

Since the completion of our Financial Management Reviews (including Audit Reg 17), staff have been working towards developing processes and procedures to meet the recommendations put forward by AMD. We hope to complete these tasks by the 30th June, however we are mindful that it is important for staff to roll out these internal changes properly so investing the time to capture all detail accurately as part of the overall process is critical.

On top of this, staff are also busy working on budget reviews and planning ahead for the 21/22 budget. This is part and parcel of our statutory obligations and we keen to begin this process and eager to start crossing these compliance items of our checklist.



Community Resource Centre Update

The CRC staff have spent time in February outlining and planning the essential services that the Centre is to provide in 2021 for the Shire of Upper Gascoyne Community and also identified opportunities to create more educational, cultural and social activities as part of the Centre's role.

Billie travelled to Perth this month to undergo training with the Department of Transport. She now holds this accreditation. Ainsley has undertaken online accreditation with Services Australia. Ensuring that staff are up to date with training with our key stakeholders is one of our essential services. Billie will undertake her update with Services Australia this month. Both Ainsley and Billie will also complete through WALGA online an Introduction to Local Government.

With the rainfall across the Shire, a big focus of February was keeping the community updated on road conditions throughout the Shire. This was done through the road conditions report on our website, facebook and answering calls. There were challenges with phone and internet outages throughout this time but solutions were found and we received positive feedback on our communications. A campaign about understanding road conditions in the Shire when wet weather events occur is being developed, to be used as an educational tool.

The team are beginning to make some changes to the layout of the Community Resource Centre to better cater for the needs of both the local community and visitors to the Centre. One of the goals for the Centre is to better inform our local community of the access to services available through the CRC for their benefit, and part of this process is by creating a more user friendly layout. The use of social media and the Shire website for regular communications is being established through a Social Media Plan for the CRC. The February/March edition of the Gassy Gossip was released on the first Wednesday of March. The Gassy Gossip will now continue to be published on the first Wednesday of each month moving forward. In the February/March edition feedback on the Community Christmas Event was sought from the local community to assist with the planning of the 2021 event.

In March, the CRC will be hosting a series of after school children's activities to celebrate Harmony Week and Easter. Work is also in progress to deliver a business workshop before June 30. It has been noted that we are receiving book deliveries from the State Library of WA on a monthly basis, an increase from the previous quarterly schedule.

Work is underway for the Centre to gain accreditation with the Tourism Council of WA and become an accredited Visitor Information Centre. The change of layout in the Centre is also aimed at creating a welcoming space for our visitors. A brochure reflecting Gascoyne Junction and the Shire of Upper Gascoyne is being published and will be ready for distribution at the Perth Caravan and Camping Show in March.

The first meeting of the Visit Upper Gascoyne working group consisting of key stakeholders in the Tourism Industry is being held on March 23. This group will aim to work collaboratively to communicate and grow tourism in the Shire. This forum will also provide a place where business support and education can be provided.

Community Resource Centre - Monthly Income Report – January and February 2021

Printed at: 10/03/21

SHIRE OF UPPER GASCOYNE

Page No : 1

General Ledger Detail Trial Balance

(fmGLTrialBalance)

Options : Year 20/21,From Month 07,To Month 08,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	-525.16	-58.37	-583.53
	CRC INCO 10841340	Postal Agency Commission: CRC	-4,777.35	-1,411.62	-6,188.97
	CRC INCO 10841380	Postal Agency Sales	-317.00	-85.32	-402.32
	CRC INCO 10841390	Sales: Books/Maps/Souvenirs/Sundries	-1,724.24	-76.36	-1,800.60
	CRC INCO 10841500	Grant: CRC Operating	-2,430.11	0.00	-2,430.11
	CRC INCO 10842600	CRC Income Misc.	-536.99	-0.73	-537.72
	CRC INCO 10842610	CRC Merchandise Sales	-4,735.76	-171.04	-4,906.80
Total	CRC INCOME		-20,265.43	-1,803.44	-22,068.87
Total for division	GEN		-20,265.43	-1,803.44	-22,068.87
Grand Total			-20,265.43	-1,803.44	-22,068.87

Community Resource Centre - Monthly Customer Service Stats for January and February 2021

CUSTOMER SERVICES & ENQUIRIES	2020.2021 TOTAL	2019.2020 TOTAL	YTD DIFF	Jan-21	Jan-20	Feb-21	Feb-20	JAN DEC DIFF
Aus Government Info/Roads	1065	1486	-421	47	58	67	100	-44
Government Access Point	6	14	-8	0	0	1	0	1
Department of Human Services	10	47	-37	0	0	1	3	-2
Department of Transport	39	82	-43	3	2	4	7	-2
Computer/Internet Access	17	33	-16	2	0	4	0	6
Faxes	0	3	-3	0	0	0	1	-1
General Tourism Information	367	271	96	6	3	8	18	-7
Phonebook Purchases	0	1	-1	0	0	0	0	0
Community Seminars	1	1	0	0	0	1	0	1
Gassy Gossip yearly subscription	0	3	-3	0	0	0	0	0
Training/Courses	0	4	-4	0	0	0	0	0
Hot Office Bookings	1	6	-5	0	0	1	0	1
Library	44	45	-1	3	0	4	6	1
Video Conference/Telehealth	9	6	3	1	0	1	1	1
Book Sales	34	52	-18	2	0	0	2	0
Photocopying/Printing/Scanning/Emailing	24	30	-6	6	0	4	6	4
Laminating/Binding	5	2	3	0	0	1	0	1
CRC Merchandise Sales	322	327	-5	3	0	3	16	-10
Community Events	4	10	-6	0	0	0	0	0
Gassy Gossip Advertisement	4	33	-29	0	0	0	1	-1
Postage	58	0	58	4	0	8	0	12
Total Customer Service Enquiries	2010	2456	-446	77	63	108	161	-39

10.2 Manager of Works and Services

It seems like history is repeating itself with the wet start to the year causing significant damage to our roads. DRFWA have declared the event with occurred at the end of January, preliminary pickups and emergency works are well underway. Rather than chew up our own resources we engaged mostly contractors to perform the opening up works. This has dramatically reduce the reporting requirements from DFES for the purposes of recouping costs, however the event has added to our

already big schedule. I have managed to inspect most of our roads after the event and while there was significant damage to floodway's and some sections, as a whole I was impressed as to how our roads stood up to the huge amount of rain. We are close to completing emergency works to our priority roads and hope to have the remaining done before the end of April. I have been given permission from DFES to carry out Immediate Works on sections of the Carnarvon Mullewa road where the bitumen has failed or there is dangerous shoulder drop offs. We are in the process of obtaining quotes for this. I would like to thank the entire team for finding another gear during these demanding times with the added pressure of yet another damaged road network. I would also like to thank the public for their patience and understanding.

All of our major capital works projects are well underway, the team have been extremely busy coordinating the new tourist stop, HSVPP/DFES road works, pub seal reconstruction, new housing projects, shed refurbishment and town fencing projects. All projects are running relatively smoothly even with the rain delays and setbacks. Unfortunately we have hit a wall with plans to relocate the town bore to our proposed location. We are currently reviewing our options to move forward as the current bore casing is failing.



The alternate town water supply project has been put on hold until appropriate funding can be sourced. We have received a full hydrologists report to secure a suitable water source that is outside of our current budget.

The works crew had a bumpy start to the year with rain delays, breakdowns and low crew member numbers. Eventually we got a crack at it and have begun the new bitumen construction works on C'von Mullewa road. Due to the unique blend of funding it has been a challenge to correctly capture costs and data to ensure we are working within the confines of DFES and HSVPP protocol. Greenfields are assisting with data entry and reporting to DFES. So far the crew have reconstructed the sub grade of the section to be sealed and boxed out the floodway's for stabilising. More gravel samples were tested to ensure we are working within MRWA standards. The crew will begin backfilling the floodway's and carting in the base course in the coming days.

I will be attending training in Carnarvon at Main Roads from 22nd-26th March. We will be conducting both theory and onsite training in bituminous sealing and widening. The training has been offered for all LG's in our region.

10.3 Chief Executive Officers Report

On the 19th of February 2021 the Shire President and I attended both the Gascoyne WALGA Zone meeting and the Regional Road Group meeting held in Carnarvon. WALGA have requested that all the Zones indicate their preferred option in reviewing the Asset Preservation Model. Five (5) options were tabled and our Zone decided to commence at Option one with an incremental approach to option four. The issue of RAV road rating was also discussed as there has not been any movement from the sector for over 12 months, it was pointed out that Main Roads are looking to have a proposal in the next month so we requested that the RAV working group be reconvened as soon as possible to ensure we have a position prior to the Main Roads; this being a case of being proactive rather than being reactionary as is the current status. The Regional Road Group meeting was interesting after reading the State Advisory Committee meeting minutes with issues such as Level 1 Bridge Inspections, review of the funding distribution between metro / rural, review of the 2030 roads of regional significance and the review of the current RAV & CA – 02 arrangements. As a Shire we have engaged Greenfields to do the bridge inspection given we have had a number of flows since it was constructed. Jarrod and I are meeting with Ernie Reynolds to go through the 2030 document to ensure it provides information required to ensure business as usual given there are some slight changes to the RRG Guidelines.

On the morning of the 18th of February I had a meeting with representatives of the DBCA, Mr Nigel Sercombe (Regional Manager), Steve Nicholson (District Manager), Peter Sharp (Parks and Visitor Services Executive Director) and Allison Donavon (District Manager) to discuss the recent announcement of \$10M being allocated to Mount Augustus and what that may look like on the ground. From our perspective the most important issue was telecommunications, signage, improvements to the walk trail, having a DBCA officer based at Mount Augustus and possibly an all-weather landing strip. All of these proposals were taken on board as well as how they could also manage the Kennedy Ranges. It has been mooted that they would like to base two full-time DBCA Officers in Gascoyne Junction to manage the Kennedy Ranges and run Aboriginal Ranger programs. I have indicated that the Shire will fully support this and have made available the “Old Police Station” as an office as well as work with them in relation to housing requirements. Subsequent to this meeting I have been advised that it is a definite that at least one full time senior officer and possibly two will base themselves in Gascoyne Junction with DBCA taking over the ‘Old Police’ Station Building and use ‘Mick’s’ house until we get the land release sorted and new housing is constructed or they find rental accommodation in the private sector.

On the 18th of February I attended the LEMC Meeting held in our Council Chambers. It was disappointing that very few of the relevant stakeholders were in attendance. The Shire have submitted a grant application for 4 x 4 broad acre appliance.

The month of February certainly did not disappoint with respect to rain with most areas of the Shire getting a reasonable amount and some getting a lot. As much as this rain is needed by our Pastoral sector it does cause issues for our road network. The event has been declared by the Assistant Commissioner and an AGRN has been issued. We have had our pick-up undertaken and most of the roads with the exception of Cary Downs Road as it is still too wet. Emergency Opening-up Works are currently being undertaken and should be completed within the 3 month period. Greenfields are also taking photographs of the completed Emergency Works so as to meet the expectations of DFES. Greenfields will complete a full cost estimation for the reinstatement works, a very rough estimate without much scientific application is around the \$15M.

Work has commenced on the earth works for the Junction Tourist Stop. These should be completed at the time of this Council meeting. The architects came up on the 3rd of March to inspect the works to ensure they are proceeding according to the specifications. Most of the structure have been built off-site and will be transported up as soon as the footings / slabs have been constructed.

I had my quarterly PET scan on the 8th of February 2021 and got the results on the 9th of February. At his stage I am still cancer free with no sign of it having returned; as such, it is business as usual. My next PET scan will be on the 3rd of May 2021.

On the 27th and 28th of February in the company of Ainsley Hardie – Tourist and Community Development Officer, we did a small tour of the Shire. We went to Mount Augustus via Glenburgh, Landor and Burringurrah on the Saturday and stayed overnight and on the Sunday went to the Kennedy Ranges via Cattle Pool, Cobra and Wanna Stations. The primary purpose of the trip was to expose Ainsley to our region so she can get an appreciation of our tourist attractions.

We advertised for the CSO (finance) position and received a number of applications; out of these we identified two people that had the potential to fulfil the requirements of the position however; one withdrew as she found another position where she currently resides and the other we offered the position, however, her current employer made her a very attractive offer for her to stay and she accepted. Accordingly, we are going back out to the market to attempt to fill this vacancy.

Administratively the months of February and March have focused on the budget review, various grant reporting obligations and issues raised in the Regulation 17 & Financial Management Report. We are also starting to look at developing the 21 /22 Budget.

Unfortunately I have been advised that Max has decided to return to the Mining Sector; as such, we do not have a Mechanic. It appears that Jarrod has found a Geraldton based Mechanic that is prepared to undertake our work however; this will cost more and we will need to make allowance for this in the 21/22 Budget. In addition I am advised that Chris and Peter Polakiewicz are going on Long Service Leave and may not return once this is completed. We wish them all the very best in their future plans.

Josh Kirk of Greenfields attended a meeting with the Yinggarda Prescribed Body Corporate to put our case forward to put a new bore in the river adjacent to Nat Duca's existing bore and an associated easement where we can run the polly pipe and have access to the bore. The PBC had no issues with the easement but did not want a bore adjacent to the Yarning Spot water body and requested we go a further three kilometres up the river. As such we need to find an alternative answer to our water problem as the cost to run the power would be prohibitive.

I have been spending a lot of time attempting to progress the opening up of new residential land. It is quite a complex and time consuming process. It appears that we will need to do an ILUA with the Yinggarda people as this land is currently unallocated crown land.

The bitumen work at the Junction Tourist Precinct will be complete by the time of this meeting, it was held up primarily because of the rain and the material was too wet, so the contractors left it to dry out before attempting to any further work.

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
18/2/2021	5/3/2021	Seal from Meekatharra Boundary towards the Lander Dalgety Turn-off	Building Better Regions Fund	Federal Government	\$7,971,000	\$10,000,000	Pending
5/1/2021	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	Lander Gascoyne River Floodway	National Flood Mitigation Program	Department of Home Affairs	\$1,580,307	\$1,580,307	Pending
2/3/2021	26/3/2021	New Broad Acre Fire Fighting Appliance & Rural Tanker	LGGG Grant	DFES	Unknown	Unknown	Pending

Council Resolution No: 02032021

MOVED:

CR: G. WATTERS

SECONDED:

CR: R. HOSESEASON-SMITH

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

F/A: 7/0

Council adjourned for lunch at 12.40pm.
Council reconvened at 1.35pm.

10.4 ACCOUNTS & STATEMENTS OF ACCOUNTS

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	None
Author:	Sa Toomalatai – Manager of Finance & Corporate Services
Date:	2 March 2021
Matters for Consideration:	<p>To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Friday the 24th of March 2021 as attached – see Appendix 1</p> <p>In addition to the List of Accounts and as part of this agenda report, Council are also requested to receive the Legal Expenses report. This report details all legal costs incurred to the end of this reporting period for both general legal and rates debt recovery expenses – refer to Appendix 1.</p>
Background:	<p>The local government under its delegated authority to the CEO to make payments from the municipal and trust funds is required to prepare a list of accounts each month showing each account paid and presented to Council at the next ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.</p>
Comments:	<p>The list of accounts are for the month of January and February 2021.</p>
Statutory Environment:	<p>Local Government (Financial Management Regulations) 1996</p>

		<p>13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p> <p>(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —</p> <p>(a) the payee's name; and (b) the amount of the payment; and (c) the date of the payment; and (d) Sufficient information to identify the transaction.</p> <p>(2) A list of accounts for approval to be paid is to be prepared each month showing —</p> <p>(a) for each account which requires council authorisation in that month —</p> <p>(i) the payee's name; and (ii) the amount of the payment; and (iii) sufficient information to identify the transaction; and (b) the date of the meeting of the council to which the list is to be presented.</p> <p>(3) A list prepared under sub regulation (1) or (2) is to be —</p> <p>(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and (b) recorded in the minutes of that meeting.</p>			
Policy Implications:		Nil			
Financial Implications:		2020/2021 Budget			
Strategic Implications:		Civic Leadership – To responsibly manage Council's financial resources to ensure optimum value for money and sustainable asset management.			
Risk:					
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

Consultation:	Nil
Voting requirement:	Simple Majority
Officer's Recommendation:	

That Council endorse the payments for the period 1st of January to the 28th of February 2021 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 January 2021 and 28th February 2021.

January 2021:

Municipal Fund Bank EFTs (12840 - 12914)	\$1,493,585.34
Payroll	\$106,380.44
BPAY/Direct Debit	\$21,460.53
TOTAL	\$1,621,426.31

February 2021:

Municipal Fund Bank EFTs (12915 - 12988)	\$948,536.48
Payroll	\$106,397.14
BPAY/Direct Debit	\$37,249.98
TOTAL	\$1,092,183.60

Council Resolution No: 03032021

MOVED: CR: B. WALKER

SECONED: CR: A. MCKEOUGH

That Council endorse the payments for the period 1st of January to the 28th of February 2021 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 January 2021 and 28th February 2021.

January 2021:

Municipal Fund Bank EFTs (12840 - 12914)	\$1,493,585.34
Payroll	\$106,380.44
BPAY/Direct Debit	\$21,460.53
TOTAL	\$1,621,426.31

February 2021:

Municipal Fund Bank EFTs (12915 - 12988)	\$948,536.48
Payroll	\$106,397.14
BPAY/Direct Debit	\$37,249.98
TOTAL	\$1,092,183.60

F/A: 7/0

10.5 MONTHLY FINANCIAL STATEMENT	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	None
Author:	Sa Toomalatai – Manager of Finance & Corporate Services
Date:	2 March 2021
Matters for Consideration:	<p>The Statement of Financial Activity for the periods of January and February 2021, include the following reports:</p> <ul style="list-style-type: none"> • Statement of Financial Activity • Significant Accounting Policies • Graphical Representation – Source Statement of Financial Activity • Net Current Funding Position • Cash and Investments • Major Variances • Budget Amendments • Receivables • Grants and Contributions • Cash Backed Reserve • Capital Disposals and Acquisitions • Trust Fund <p style="text-align: center;">see Appendix 2</p>
Background:	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 January and February 2021.
Statutory Environment:	<p>Local Government Act 1995 – Section 6.4</p> <p>Local Government (Financial Management Regulations) 1996 – Sub-regulation 34.</p>
Policy Implications:	Nil
Financial Implications:	Nil
Strategic Implications:	Civic Leadership – To responsibly manage Council’s financial resources to ensure optimum value for money and sustainable asset management.
Risk:	

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Consultation:		Nil			
Voting requirement:		Simple Majority			
Officer's Recommendation:		<i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of January and February 2021.</i>			
Council Resolution No: 04032021					
MOVED:	CR: B. WALKER	SECONDED:	CR: G. WATTERS		
<p>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of January and February 2021.</p> <p>F/A: 7/0</p>					

10.6

TENDER DECISION CRITERIA – SUPPLY OF LABOUR / PLANT / EQUIPMENT – FOR WORKS ASSOCIATED WITH A FLOOD EVENT THAT OCCURRED IN FEBRUARY 2021 (AGRN 951)

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	16 February 2021
Matters for Consideration:	To determine the decision making criteria for assessing tenders to carry out the DRFAWA works.
Background:	<p>The Fire and Emergency Services Commissioner has activated the <i>Disaster Recovery Funding Arrangements Western Australia (DRFAWA)</i> for the event 'Tropical Low and Associated Flooding (28 January - 8 February 2021)'.</p> <p>The Shire of Upper Gascoyne has been included in the activation.</p>
Comments:	The Shire has engaged Greenfields Technical Services to carry out a detailed site inspection and take the required photographs of any damage to our essential public assets.
Statutory Environment:	<p>Local Government (Functions & General) Regulations 1996</p> <p>Reg 14 (2a) If a local government —</p> <p>(a) is required to invite a tender; or</p> <p>(b) not being required to invite a tender, decides to invite a tender, the local government must, before tenders are publicly invited, <u>determine in writing the criteria for deciding which tender should be accepted.</u></p>
Policy Implications:	Purchasing Policy
Financial Implications:	Nil

Strategic Implications:	<p>Civic Leadership</p> <p>Objective 4: <i>To provide Good Governance to the Upper Gascoyne Shire area through:</i></p> <ul style="list-style-type: none"> • <i>Detailed and professional administration;</i> • <i>High levels of accountability;</i> • <i>Compliance with statutory requirements;</i> • <i>High-quality forward planning, particularly for assets and finances;</i> • <i>Openness and transparency and enhanced consultations and public participation;</i> • <i>Provision of quality customer services, good financial management and pursuit of excellence in professional administration and communication.</i> <p>Economic</p> <p>Objective 1: <i>To develop and maintain an efficient road transport system.</i></p>
--------------------------------	--

Risk:	
--------------	--

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

Consultation:	Nil		
Voting requirement:	Simple Majority		
Officer's Recommendation:	<p><i>That Council endorse the following decision making criteria when assessing tenders for the Tropical Low and Associated Flooding (28 January - 8 February 2021)' (AGRN 951).</i></p> <ul style="list-style-type: none"> • 25% Tender Price; • 15% Quality and Completeness of plant / equipment; • 10% Demonstrated Remote Area Construction Experience; • 10% Demonstrated Local Knowledge of sourcing appropriate materials; • 20% Percentage Local Content of Plant/Equipment (inclusive of operators) and Resources; • 10% Capacity to complete contract works; and • 10% Provisions for mechanical support. 		
Council Resolution No: 05032021			
MOVED:	CR: H. MCTAGGART	SECONDED:	CR: R. HOSEASON-SMITH
<p>That Council endorse the following decision making criteria when assessing tenders for the Tropical Low and Associated Flooding (28 January - 8 February 2021)' (AGRN 951).</p> <ul style="list-style-type: none"> • 25% Tender Price; • 15% Quality and Completeness of plant / equipment; • 10% Demonstrated Remote Area Construction Experience; • 10% Demonstrated Local Knowledge of sourcing appropriate materials; • 20% Percentage Local Content of Plant/Equipment (inclusive of operators) and Resources; • 10% Capacity to complete contract works; and • 10% Provisions for mechanical support. <p>F/A: 7/0</p>			

10.7 STAFF HOUSING SURVEY / REPORT

Applicant:		Shire of Upper Gascoyne			
Disclosure of Interest:		Nil			
Author:		John McCleary – Chief Executive Officer			
Date:		2 March 2021			
Matters for Consideration:		To receive the “Staff Housing Survey / Report” as presented in Appendix 3 .			
Background:		The purpose of the survey is to review our existing housing stock given our current workforce and to look to the future and see if this current situation will meet the demands of the future.			
Comments:		As presented in the report			
Statutory Environment:		Nil			
Policy Implications:		Nil			
Financial Implications:		Nil			
Strategic Implications:		<p><u>Economic Development</u></p> <p><u>Actions planned for the future</u></p> <ul style="list-style-type: none"> Increase and improve Shire housing stock: Ongoing maintenance and renewal of the Shire’s housing stock; 			
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:	Various staff members.		
Voting requirement:	Simple majority		
Officer's Recommendation:	<i>That Council receive the Housing Survey Report as information as contained in Appendix 3.</i>		
Council Resolution No: 06032021			
MOVED:	CR: H. MCTAGGART	SECONDED:	CR: R. HOSESEASON-SMITH
<p>That Council receive the Housing Survey Report as information as contained in Appendix 3.</p> <p>F/A: 7/0</p>			

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	2 March 2021
Matters for Consideration:	To consider and adopt the Budget Review as presented in the Statement of Projected Financial Activity for the period 1 July 2020 to 30 June 2021. A detailed budget review statement appears in Appendix 4 .
Background:	<p>The Local Government Financial Management Regulation 33A requires each local government between 1 January and 31 March in each financial year to carry out a review of its annual budget.</p> <p>The review must:</p> <ul style="list-style-type: none"> • Consider the financial performance in the period beginning on July 1 and ending no earlier than December 31 • Consider the financial position at the date of the review • Review the outcomes for the end of that financial year as forecast in the budget <p>The Council is to consider a review submitted to it and determine whether or not to adopt the review, and any parts of the review or any recommendation made in the review.</p>
Comments:	As discussed during the presentation of the report.

Statutory Environment:	<p>Local Govt. Act 1995 section 6.2 and Financial Management Regulations 33A –</p> <p>33A. Review of budget</p> <p>(1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.</p> <p>(2A) The review of an annual budget for a financial year must —</p> <p>(a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and</p> <p>(b) consider the local government’s financial position as at the date of the review; and</p> <p>(c) review the outcomes for the end of that financial year that are forecast in the budget.</p> <p>(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.</p> <p>(3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.</p> <p>*Absolute majority required.</p> <p>(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.</p>				
Policy Implications:	Nil				
Financial Implications:	To ensure the financial position of the Shire is on track to achieve the objectives outlined in the adopted budget and to make any adjustments as required.				
Strategic Implications:	Civic Leadership – To responsibly manage Council’s financial resources to ensure optimum value for money and sustainable asset management.				
Risk:					
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

Consultation:	Contract Accountants – RSM Staff		
Voting requirement:	Absolute Majority		
Officer's Recommendation:	<p><i>That Council:</i></p> <ol style="list-style-type: none"> 1. Adopt the changes to the 2020/21 budget as detailed in Appendix 4; and 2. Authorise the CEO to transfer any estimated / actual surplus into the Plant Reserve Account. 		
Council Resolution No: 07032021			
MOVED:	CR: A. MCKEOUGH	SECONDED:	CR: B. WALKER
<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt the changes to the 2020/21 budget as detailed in Appendix 4; and 2. Authorise the CEO to transfer any estimated / actual surplus into the Plant Reserve Account. <p>F/A: 7/0</p>			

10.9 2020 FINANCIAL MANAGEMENT REVIEW REPORT	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	3 March 2021
Matters for Consideration:	To receive the 2020 Financial Management Review Report
Background:	<p>The objective was to test the financial management system of the Shire of Upper Gascoyne and report on the appropriateness and effectiveness of the control environment within, as required by the Local Government (Financial Management) Regulation 5(2)(c).</p> <p>The Shire engaged the services of AMD Chartered Accountants to carry out the review and provide a report on their findings, please refer to Appendix 5 (Financial Management Review Report).</p>
Comments:	The primary objective of our Financial Management System Review (FMSR) was to assess the adequacy and effectiveness of systems and controls in place within the Shire focusing on accounts payable, accounts receivable, human resources and payroll procedures; in accordance with the Financial Management System Review Services Request for Quotation (the “Review”).

The responsibility of determining the adequacy of the procedures undertaken by us is that of the Chief Executive Officer (CEO). The procedures were performed solely to assist the CEO in satisfying his duty under Section 6.10 of the *Local Government Act 1995* and Regulation 5(1) of the *Local Government (Financial Management) Regulations 1996*.

The procedures performed and our findings on each of the focus areas are detailed in the following sections of the report:

- Section 2 – Collection of money;
- Section 3 - Custody and security of money;
- Section 4 - Maintenance and security of the financial records;
- Section 5 - Accounting for municipal or trust transactions;
- Section 6 - Authorisation for incurring liabilities and making payments;
- Section 7 - Maintenance of payroll, stock control and costing records; and
- Section 8 - Preparation of budgets, budget reviews, accounts and reports required by the *Local Government Act 1995* or the *Local Government (Financial Management) Regulations 1996*.

Following the completion of our review and subject to the recommendations outlined within sections 2 to 8, we 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.**

The following tables provide a summary of the findings raised in this report:

	Extreme Risk	High Risk	Medium Risk	Low Risk
Number of new issues reported	0	0	4	6

Ref	Risk Rating
1. Collection of money	We have no findings to raise in respect to the collection of money.
2. Custody and security of money	We have no findings to raise in respect to the custody and security of money other than those raised within the Regulation 17 Review report issued January 2021.
3. Maintenance and security of financial records	

	<p>IT Policies and Procedures</p> <p>4.2.1 A number of the Shire’s IT policies and procedures are not formally documented. Medium</p> <p>Gift and Financial Interest Registers</p> <p>4.2.2 The Gift Register was not published on the Shire website at the time of our review. The Financial Interest Register did not include interests declared at various Council meetings. Medium</p> <p>Perfect Computer Solutions</p> <p>4.2.3 At the time of the review there was no documented agreement in place with IT service provider, PCS. Low</p> <p>Key Register Policies and Procedures</p> <p>4.2.4 No documented records to identify the number of keys allocated to staff members. Low</p> <p>4. Accounting for municipal or trust transactions</p> <p>Review of BAS Returns and Supporting Calculation</p> <p>5.2.1 Business Activity Statement Returns and supporting documentation not consistently signed off by both the preparer and independent reviewer. Low</p> <p>Policy Manual including Investment Policy</p> <p>5.2.2 Shire Policy Manual including the Investment Policy indicates a last review date of 12 December 2018 however an annual review is indicated as the required review period. Low</p> <p>5. Authorisation for incurring liabilities and making payments</p> <p>Credit Card Exceptions</p> <p>6.2.1 Credit card policy may require updating. There is no signed credit card “Terms of Use Agreement” in place. The Shire credit card used by other Shire employees. Medium</p> <p>6. Maintenance of payroll, stock control and costing records</p> <p>Overhead and Administration Allocations</p> <p>7.2.1 No documented support for how the overhead and administration allocations were applied by the Shire for the year ended 30 June 2019. Medium</p> <p>Payroll Exceptions</p> <p>7.2.2 Questionnaire not utilised nor is a letter issued to confirm when an employee satisfies probation requirements. One instance identified where an employee had not completed their 2018 Annual Performance Review. Although a checklist has been implemented, this was not used for a recently terminated employee. Low</p> <p>Fuel Usage Analysis</p> <p>7.2.3 Further enhancement of the Shire’s fuel usage analysis recommended. Low</p> <p>7. Preparation of budgets, budget reviews, accounts and reports required by the Act or the Regulations</p> <p>We have no findings to raise in respect to the preparation of budgets, budget reviews, accounts and reports required by the Act or the Regulations.</p> <p>AMD made recommendations in regards to the above and have sought comments from Management of how we propose to deal with these issues identified. These are detailed in the report provided in Appendix 5.</p>	
<p>Statutory Environment:</p>	<p>Local Government (Financial Management) Regulations 1996</p> <p>5. CEO’s duties as to financial management</p> <p>(1) Efficient systems and procedures are to be established by the CEO of a local government —</p>	

	<p>(a) for the proper collection of all money owing to the local government; and</p> <p>(b) for the safe custody and security of all money collected or held by the local government; and</p> <p>(c) for the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process); and</p> <p>(d) to ensure proper accounting for municipal or trust —</p> <p>(i) revenue received or receivable; and</p> <p>(ii) expenses paid or payable; and</p> <p>(iii) assets and liabilities; and</p> <p>(e) to ensure proper authorisation for the incurring of liabilities and the making of payments; and</p> <p>(f) for the maintenance of payroll, stock control and costing records; and</p> <p>(g) to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.</p> <p>(2) The CEO is to —</p> <p>(a) ensure that the resources of the local government are effectively and efficiently managed; and</p> <p>(b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and</p> <p>(c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (<i>and not less than once in every 3 financial years</i>) and report to the local government the results of those reviews.</p>
Policy Implications:	Nil
Financial Implications:	Nil
Strategic Implications:	<p><i>To provide Good Governance to the Upper Gascoyne Shire area through:</i></p> <ul style="list-style-type: none"> • <i>Detailed and professional administration;</i> • <i>High levels of accountability;</i> • <i>Compliance with statutory requirements;</i> • <i>High-quality forward planning, particularly for assets and finances;</i> • <i>Openness and transparency and enhanced consultations and public participation;</i>

		<i>Provision of quality customer services, good financial management and pursuit of excellence in professional administration and communication.</i>			
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:		AMD Chartered Accountants Staff Audit Committee			
Voting requirement:		Simple Majority			
Officer's Recommendation:		<p><i>That Council accept the recommendations of the Audit Committee held on the 24th of March 2021:</i></p> <ol style="list-style-type: none"> <i>1. Receive the 2020 Financial Management Report prepared by AMD Chartered Accountants; and</i> <i>2. Note the recommendations and managements comments contained within the report and instruct the CEO to implement the actions detailed by the management's comments.</i> 			
Council Resolution No: 08032021					
MOVED:	CR A. MCKEOUGH	SECONDED:	CR G. WATTERS		
<p>That Council accept the recommendations of the Audit Committee held on the 24th of March 2021:</p> <ol style="list-style-type: none"> 1. Receive the 2020 Financial Management Report prepared by AMD Chartered Accountants; and 2. Note the recommendations and managements comments contained within the report and instruct the CEO to implement the actions detailed by the management's comments. <p>F/A: 7/0</p>					

10.10 APPOINTMENT OF DRFAWA PROJECT MANAGER – DRFAWA(AGRN 951)

APPLICANT:	Shire of Upper Gascoyne
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	John McCleary – Chief Executive Officer
DATE:	17 March 2021
Matters for Consideration:	
To consider suspending Council's Purchasing Policy in respect to securing three quotations for goods and services and appoint a project manager for DRFAWA (AGRN 951).	
Background:	
<p>The Shire have made application to Main Roads under DRFAWA for funds to repair our roads that were impacted by storm events in January 2021.</p> <p>We have engaged Greenfield Technical Services to do the initial road inspections and assign a cost to have the remedial work undertaken. It is estimated that the works will cost in the order of \$9-15M.</p>	
Comments:	
<p>The DRFAWA process is heavily steeped in bureaucratic paperwork that is to accompany any claim. These claims need to be spot on as there is generally 6 weeks lag time between the claim and payment and any issues with the claim submission holds up payment.</p> <p>In addition we will need at least one dedicated supervisor on site with the contractors to ensure their hourly machinery hire claims are okay and the works being carried out are being undertaken according to our requirements.</p> <p>Given the above scenarios it is considered prudent to appoint a project manager to oversee the claims process and on the ground work. The Shire of Upper Gascoyne will have a direct relationship with the project manager to ensure all deliverables are occurring to our satisfaction.</p> <p>The cost associated with engaging a project manager is incorporated in the DRFAWA claim, as such, there is no direct cost to the Shire of Upper Gascoyne.</p> <p>It is estimated the cost of providing the Project Management component will be in excess of \$250,000 as such I am required to either go to public tender or utilise the WALGA's preferred supplier facility. Our current Purchasing Policy requires that I obtain a minimum of three quotations when looking to purchase goods or services in excess of \$100,000.</p> <p>It is my recommendation that we waive the Purchasing Policy in this case and allow me to go through the preferred supplier's network and appoint a Project Manager who are highly experienced in this area and have carried out similar activities for a number of Local Governments.</p> <p>From a procurement perspective the Local Government Department are very keen to see that all local governments are achieving 'value for money'. This concept does not only relate to price but also other factors such as; experience, capacity, reliability, service, etc.</p>	

In view of the above I recommend that we use a WALGA preferred supplier and not go to public tender. WALGA have already vetted each supplier and have achieved 'value for money' as part of their processes.

Statutory Environment:

Local Government (Functions & General) Regulations 1996

(2a) If a local government —

- (a) is required to invite a tender; or
- (b) not being required to invite a tender, decides to invite a tender, the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

Local Government Act 1995

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—

- (a) this Act other than those referred to in section 5.43; or
- (b) the Planning and Development Act 2005 section 214(2), (3) or (5)

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties...

- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph.

Policy Implications:

Purchasing Policy

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Nil

Officer's Recommendation:

Voting requirement: Absolute Majority

That Council:

1. Waive the purchasing policy requirements to secure three quotes when seeking to engage the service of an Engineering Company to supervise the DRFAWA works and carry out the administrative function; and
2. Authorise the CEO to appoint a suitably experienced Engineering Company experienced in DRFAWA through WALGA's preferred supplier arrangements' for an

amount between \$900,000 and \$1,500,000 to be the Shire of Upper Gascoyne's Project Manager for the DRFAWA (AGRN 951) works and administration.

Council Resolution No: 09032021

MOVED:

CR J. CAUNT

SECONDED:

CR G. WATTERS

That Council:

1. Waive the purchasing policy requirements to secure three quotes when seeking to engage the service of an Engineering Company to supervise the DRFAWA works and carry out the administrative function; and
2. Authorise the CEO to appoint a suitably experienced Engineering Company experienced in DRFAWA through WALGA's preferred supplier arrangements' for an amount between \$900,000 and \$1,500,000 to be the Shire of Upper Gascoyne's Project Manager for the DRFAWA (AGRN 951) works and administration.

F / A 7/0

11. MATTERS BEHIND CLOSED DOORS

Nil

12. PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

13.1 CEO'S DELEGATED LIMIT FOR THE PURCHASE OF GOODS AND SERVICES	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	John McCleary
Author:	John McCleary – Chief executive Officer
Date:	23 March 2021
Matters for Consideration:	To determine the limit that the CEO is able to authorise the purchase of goods and services.
Background:	<p>Currently the authorisation for the purchase of goods and services for the CEO is covered under the Purchasing Policy and Delegation Register (Delegation 13 – Signing of Requisitions and Purchase Orders).</p> <p>The Purchasing Policy allows for the purchase of goods and services up to the value of \$250,000 without the requirement to go to tender or via the WALGA preferred supplier arrangement.</p> <p>Previous to the current limit, the limit was set by statute at \$150,000, this changed when COVID-19 threatened to become a major economic impediment.</p>
Comments:	As it currently stands my limit that has been set by our Synergy Financial System is still at \$150,000 and for this to be increased to \$250,000 as provided for in our Purchasing Policy I need a resolution of Council to satisfy our audit requirements.
Statutory Environment:	Local Government Act 1995
Policy Implications:	Purchasing Policy & Delegation 13
Financial Implications:	Nil

Strategic Implications:		<p>Civic Leadership</p> <p>Objective 4:</p> <p><i>To provide Good Governance to the Upper Gascoyne Shire area through:</i></p> <ul style="list-style-type: none"> • <i>Detailed and professional administration;</i> • <i>High levels of accountability;</i> • <i>Compliance with statutory requirements;</i> • <i>High-quality forward planning, particularly for assets and finances;</i> • <i>Openness and transparency and enhanced consultations and public participation;</i> • <i>Provision of quality customer services, good financial management and pursuit of excellence in professional administration and communication.</i> 			
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:		Manager of Finance and Corporate Services			
Voting requirement:		Absolute Majority			
Officer's Recommendation:		<i>That Council authorise to increase the purchasing authority for the CEO from \$150,000 to \$250,000 (ex GST).</i>			
Council Resolution No: 10032021					
MOVED:	CR R. HOSEASON-SMITH	SECONDED:	CR B. WALKER		

That Council authorise to increase the purchasing authority for the CEO from \$150,000 to \$250,000 (ex GST).

F/A: 7/0

13.2 STAFF HOUSING PROJECT	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	John McCleary – Chief Executive Officer
Date:	23 March 2021
Matters for Consideration:	To authorise the CEO to determine and award the tender to provide a staff house.
Background:	<p>The Shire recently went to tender for the supply of one 4 bed x 2 bathroom home which includes fencing, septics, gardens, earthworks and all other ancillary services.</p> <p>The tender closed on the 3rd of March 2021. We received three compliant tenders these have been sent to Phil Swain for him to review and provide a report with a recommendation as to which supplier provides the best value for money for the Shire.</p> <p>Unfortunately Phil is away in Sydney and has not been able to have the report ready for this Shire meeting and would need to be presented at the next Council meeting in late April 2021</p>
Comments:	<p>The Shire has a critical lack of housing and this is impacting on our ability to fill the Corporate Services Officer (Finance) which we desperately need. Accordingly the longer it takes to make a decision on the successful tenderer the greater the problem we face with attracting and appointing a staff member.</p> <p>It is anticipated that I should receive a report from Phil in the next week or so with his recommendation.</p> <p>Of the three tenders received two fall within our budget allocation and the other one falls well outside this allocation.</p>
Statutory Environment:	<p><i>Local Government (Functions & General) Regulations 1996</i></p> <p>(2a) If a local government —</p> <p>(a) is required to invite a tender; or</p> <p>(b) not being required to invite a tender, decides to invite a tender, the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.</p>

		<p>Local Government Act 1995</p> <p><i>5.42. Delegation of some powers and duties to CEO</i></p> <p>(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—</p> <p>(a) this Act other than those referred to in section 5.43; or</p> <p>(b) the Planning and Development Act 2005 section 214(2), (3) or (5)</p> <p><i>5.43. Limits on delegations to CEO</i></p> <p>A local government cannot delegate to a CEO any of the following powers or duties...</p> <p>(b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph.</p>			
Policy Implications:		Purchasing Policy			
Financial Implications:		Current Budget Allocation			
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:		<i>That Council authorise the CEO to determine the successful tenderer for the supply of a staff house and award the tender for an amount not to exceed \$450,000 (ex GST).</i>			
Council Resolution No: 11032021					
MOVED:	CR H. MCTAGGART	SECONDED:	CR B. WALKER		

That Council authorise the CEO to determine the successful tenderer for the supply of a staff house and award the tender for an amount not to exceed \$450,000 (ex GST).

F/A: 7/0

14. ELECTED MEMBERS REPORTS

- 14.1 Cr Hammarquist OAM JP
Attended the WALGA and Regional Road Group meetings and a meeting with the Shire's solicitor.
- 14.2 Cr Caunt
Attended a meeting with the Shire's solicitor.
- 14.3 Cr Watters
Attended a meeting with the East Gascoyne Race Club.
- 14.4 Cr McKeough
Nothing to report.
- 14.5 Cr Walker
Nothing to report.
- 14.6 Cr Hoseason-Smith
Nothing to report.
- 14.7 Cr McTaggart
Nothing to report.

15. STATUS OF COUNCIL MEETING RESOLUTIONS

Resolution N°	Subject	Status	Open / Close	Responsible Officer
10042019	Formation of a Tourism Working Group	First meeting between the various Tourism operators has been held.	Close	TDCO
08022021	WATC Short Term Lending Facility	Advertising completed in accordance with the legislation. Information supplied to the WATC	Close	MFCS
10022021	Reg 17 Review	We are working through the recommendations. We will prepare a report that details the recommendations contained both in the Reg 17 & FMR and this will detail our progress towards completing the recommendations, this will be presented as an information report for each Council meeting.	Close	CEO / MFCS

16. STATUS OF SHIRE PROJECTS

As per [Appendix 6](#).

17. MEETING CLOSURE

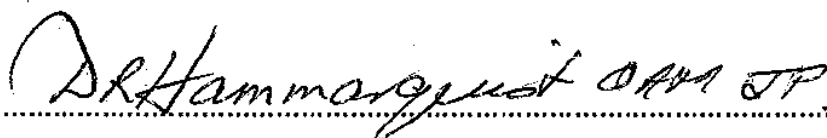
The Shire President closed the meeting at 4.30pm.

Notes:

The next Shire meeting will be held on the 21st of April with the Western Road Inspections taking place on the 20th of April 2021.

The Shire meeting in May will be held in Mt Augustus on the 19th of May 2021 with the Eastern Road Inspections being carried out on the 18th of May and carried forward to the 20th if required.

To be confirmed at the Ordinary Meeting on the 21st April 2021.

Signed.....

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