



# MINUTES

18<sup>th</sup> of AUGUST 2021

## ORDINARY COUNCIL MEETING

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

### DISCLAIMER

#### Disclaimer

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

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

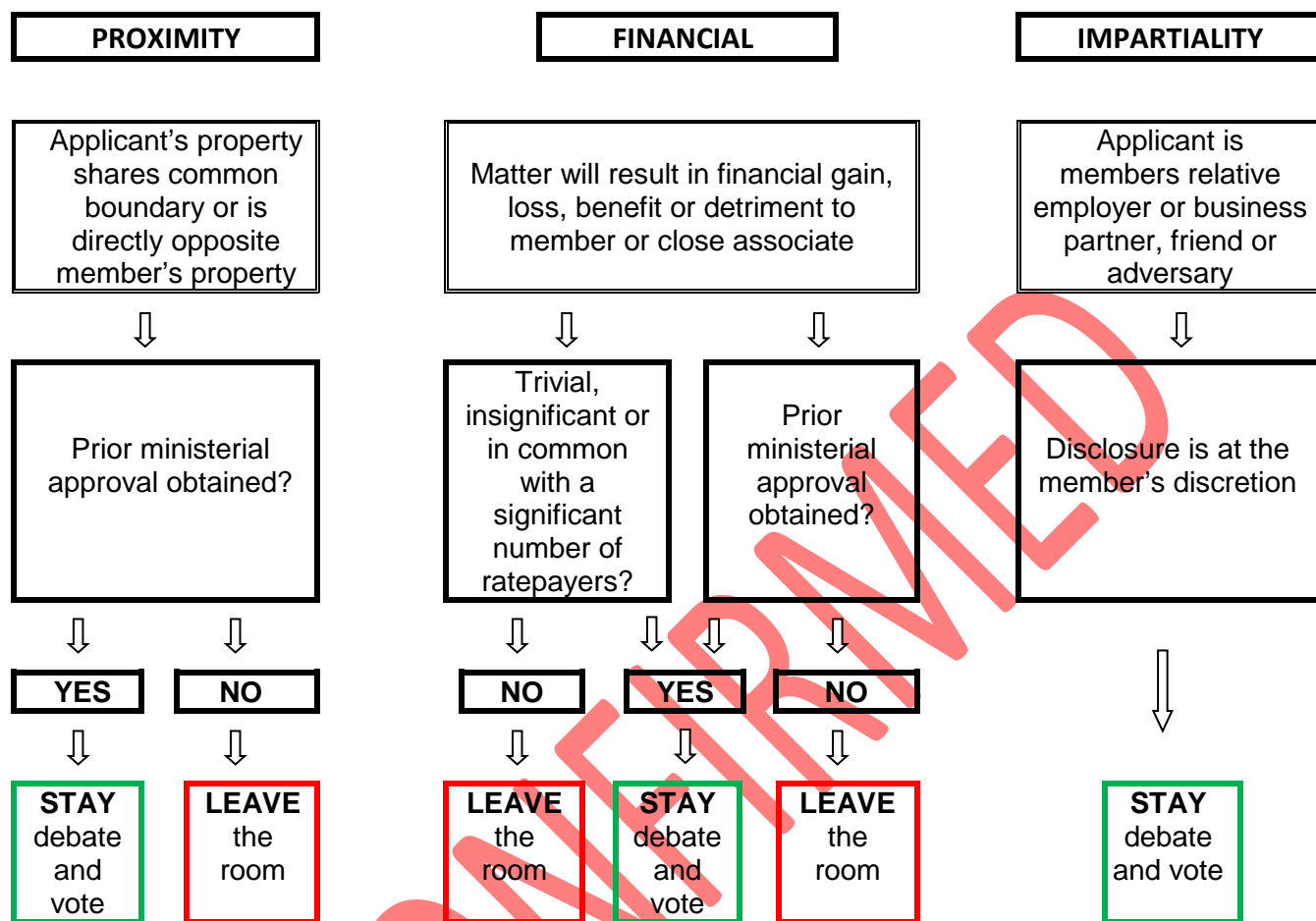
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John McCleary, JP  
CHIEF EXECUTIVE OFFICER

## \* Declaring an Interest



### Local Government Act 1995 - Extract

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

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

(Penalties apply).

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

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

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

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

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

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

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

#### 5.71 - Employees to disclose interests relating to delegated functions.

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

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

### 'Local Government (Administration) Regulations 1996 - Extract

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

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



**SHIRE OF UPPER GASCOYNE**  
**AGENDA FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRES ADMINISTRATION**  
**BUILDING SITUATED AT GASCOYNE JUNCTION ON THE 18<sup>th</sup> OF AUGUST 2021 COMMENCING AT**  
**8.30 AM**

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## Table of Contents

<b><u>1.</u></b>	<b>DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS .....</b>	<b>4</b>
<b><u>2.</u></b>	<b>APOLOGIES AND APPROVED LEAVE OF ABSENCE .....</b>	<b>4</b>
<b><u>3.</u></b>	<b>APPLICATION FOR LEAVE OF ABSENCE .....</b>	<b>4</b>
<b><u>4.</u></b>	<b>PUBLIC QUESTION TIME .....</b>	<b>4</b>
<b><u>5.</u></b>	<b>DISCLOSURE OF INTEREST .....</b>	<b>5</b>
<b><u>6.</u></b>	<b>PETITIONS/DEPUTATIONS/PRESENTATIONS .....</b>	<b>5</b>
<b><u>7.</u></b>	<b>ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION .....</b>	<b>5</b>
<b><u>8.</u></b>	<b>MATTERS FOR WHICH THE MEETING MAY GO BEHIND CLOSED DOORS .....</b>	<b>5</b>
<b><u>9.</u></b>	<b>CONFIRMATION OF MINUTES FROM PREVIOUS MEETING .....</b>	<b>5</b>
<b><u>10.</u></b>	<b>REPORTS OF OFFICERS .....</b>	<b>6</b>
	<b>10.1 MANAGER OF FINANCE AND CORPORATE SERVICES REPORT .....</b>	<b>6</b>
	<b>10.2 MANAGER OF WORKS REPORT .....</b>	<b>8</b>
	<b>10.3 CEO REPORT .....</b>	<b>9</b>
	<b>10.4 ACCOUNTS AND STATEMENT OF ACCOUNTS .....</b>	<b>11</b>
	<b>10.5 MONTHLY FINANCIAL STATEMENT .....</b>	<b>14</b>
	<b>10.6 2021/2022 ANNUAL BUDGET .....</b>	<b>15</b>
	<b>10.7 2021/2022 SCHEDULE OF FEES AND CHARGES .....</b>	<b>19</b>
	<b>10.8 ACTIVITIES IN THOROUGHFARES LOCAL LAW 2021 .....</b>	<b>21</b>
<b><u>11.</u></b>	<b>MATTERS BEHIND CLOSED DOORS .....</b>	<b>24</b>
<b><u>12.</u></b>	<b>MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>24</b>
<b><u>13.</u></b>	<b>URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY</b>	
	<b>DECISION .....</b>	<b>24</b>
<b><u>14.</u></b>	<b>ELECTED MEMBERS REPORT .....</b>	<b>24</b>
<b><u>15.</u></b>	<b>STATUS OF COUNCIL RESOLUTIONS .....</b>	<b>24</b>
<b><u>16.</u></b>	<b>STATUS OF PROJECTS .....</b>	<b>24</b>
<b><u>17.</u></b>	<b>MEETING CLOSURE .....</b>	<b>24</b>



**SHIRE OF UPPER GASCOYNE**  
**AGENDA FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRES**  
**ADMINISTRATION BUILDING SITUATED AT GASCOYNE JUNCTION ON THE 18<sup>th</sup> OF AUGUST 2021**  
**COMMENCING AT 8.30AM**

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

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

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

**2.1 Councillors**

Cr D. Hammarquist OAM JP	Shire President
Cr J. Caunt	Shire Vice President
Cr A. McKeough	Councillor
Cr H. McTaggart	Councillor
Cr R. Hoseason-Smith	Councillor
Cr B. Walker	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	Principal Accountant, RSM Australia

**Visitors**

Josh Kirk Greenfield Technical Services

**2.2 Absentees**

Councillor Watters (Informed the Shire President prior to the meeting)

**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**

6.1 Greenfield Technical Services – Joshua Kirk

**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 21<sup>st</sup> of July 2021.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION**

Council Resolution No: 01082021			
<b>MOVED:</b>	<b>CR: J. CAUNT</b>	<b>SECONDED:</b>	<b>CR: B. WALKER</b>
That the Unconfirmed Minutes from the Ordinary Meeting of Council held on the 21 <sup>st</sup> of July 2021 be confirmed as a true and correct record of proceedings.  <b>F: 6/0</b>			

The meeting adjourned at 9.40am for morning tea.

The meeting reconvened at 10.00am

## 10. REPORTS OF OFFICERS

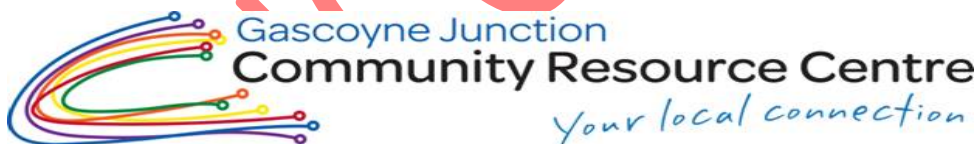
Council Resolution No: 02082021			
<b>MOVED:</b>	<b>CR: A. MCKEOUGH</b>	<b>SECONDED:</b>	<b>CR: R. HOSEASON-SMITH</b>
That Council receive the Manager of Finance and Corporate Services Report, Manager of Works and the Chief Executive Officer reports as read.			
<b>F/A: 6/0</b>			

### 10.1 Manager of Finance and Corporate Services Report

#### Corporate Services Update

July has been a busy month for the Corporate team as we complete end of financial year processes, induct and train new staff and finalise the 2021/22 annual budget. In addition, staff are assisting the WAEC in managing aspects of the LG election timetable to ensure smooth delivery of key objectives.

As we wind up the previous financial year, we enter into the acquittal phase of our completed 20/21 projects funded by grants such as our Roads to Recovery, and Phase One of the Local Roads and Community Infrastructure program. Although this volume of work required to be done at this time of the year is typical, staff are mindful of managing competing priorities and are being proactive in sharing the workload.



#### Community Resource Centre Update

The Community Resource Centre has been busy throughout July welcoming visitors to our region in the school holidays. The road closures from rain had some impact on the numbers of visitors, however, educating locals and visitors to the Shire on road closures and the reasons behind the decisions to close roads has been a focal point both in person and in online communications. We have received lovely feedback on the state of our roads, the appearance of our town and the friendly staff at the CRC demonstrating what a team effort it is to make our Shire a place to visit.

Planning for upcoming events in the second half of the year has also been a strong focus with upcoming Be Connected Events, the Stargazing in the Junction, Outback to Ocean Gascoyne Food Event and Community Christmas Party all underway.

We have been successful in receiving a library grant to purchase two new computers for public access use in the CRC. These will be all in one touch screen units which will not only free up bench space, but with the touch screen capability also provide access to those who are unfamiliar with a normal desktop. The computers will also come with the latest windows software, an upgrade on the current 2007 version that is operating. These computers will allow us to offer more services provided for free by the State Library including access to ancestry databases. Using a new library management tool we are also aiming to build local history access.

At the end of July we welcomed the Mid West Regional Director from DLGSCI to the Shire of Upper Gascoyne and discussed potential grants around water access but also to develop recreational facilities in the local community. A tour of the town followed our meeting enabling our guest to get a first hand experience of projects that we are considering around Gascoyne Junction.

Work continues on gaining a regular medical service for Gascoyne Junction based at the CRC. Conversations have now moved to storage options and equipment required for the space to be made available.

### Community Resource Centre - Monthly Income Report – July 2021

Printed at:	11/08/21	SHIRE OF UPPER GASCOYNE			
Page No :	1	General Ledger Detail Trial Balance (frmGLTrialBalance )			
Options :	Year 21/22,From Month 02,To Month 02,By Responsible Officer (CRC INCOME CRC INCOME ACCOUNTS - MONTHLY REPORTING)				
RespOff	Account	Description	Opening Bal	Movement	Balance
Division	GEN				
CRC INCO	10841340	Postal Agency Commission: CRC	-714.45	-664.32	-1,378.77
CRC INCO	10841380	Postal Agency Sales	-259.46	-103.96	-363.42
CRC INCO	10841390	Sales: Books/Maps/Souvenirs/Sundries	-424.10	-211.10	-635.20
CRC INCO	10842600	CRC Income Misc.	-10.29	-84.54	-94.83
CRC INCO	10842610	CRC Merchandise Sales	-633.60	-329.90	-963.50
Total	CRC INCOME		-2,041.90	-1,393.82	-3,435.72
Total for division	GEN		-2,041.90	-1,393.82	-3,435.72
Grand Total			-2,041.90	-1,393.82	-3,435.72

### Community Resource Centre - Monthly Customer Service Stats – July 2021

CUSTOMER SERVICES & ENQUIRIES	2021.2022 TOTAL	2020.2021 TOTAL	YTD DIFF	Jul-21	Jul-20	JUL DIFF
Aus Government Info/Roads	215	1318	1,103	215	386	-171
Government Access Point	0	6	-6	0	2	-2
Department of Human Services	0	17	-17	0	3	-3
Department of Transport	1	54	-53	1	4	-3
Computer/Internet Access	7	19	-12	7	5	2
Faxes	0	0	0	0	0	0
General Tourism Information	127	521	-394	127	112	15
Phonebook Purchases	0	0	0	0	0	0
Community Seminars	0	1	-1	0	0	0
Gassy Gossip yearly subscription	0	0	0	0	0	0
Training/Courses	0	0	0	0	0	0
Hot Office Bookings	0	2	-2	0	0	0
Library	8	55	-47	8	3	5
Video Conference/Telehealth	0	11	-11	0	2	-2
Book Sales	5	40	-35	5	2	3
Photocopying/Printing/Scanning/Emailing	6	26	-20	6	1	5
Laminating/Binding	1	8	-7	1	2	-1
CRC Merchandise Sales	51	358	-307	51	16	35
Community Events	0	8	-8	0	0	0
Gassy Gossip Advertisement	1	4	-3	1	2	-1
Postage	22	81	-59	22	3	19
<b>Total Customer Service Enquiries</b>	<b>444</b>	<b>2529</b>	<b>-2085</b>	<b>444</b>	<b>543</b>	<b>-99</b>



## 10.2 Manager of Works and Services

### **General/Town Works:**

Refurbishment works on Lot 39 Gregory Street are complete and we have made some good headway with insurance works on staff housing from storms earlier this year. Nat and Ali have had their work cut out keeping on top of the weeding and spraying around town and have the place looking really good. Sean is continuing to work with Modular WA and the new house is still on schedule for the end of September.

**Tourist Park-** We have had quite a few issues with water leaks at the pub and tourist park which rendered the facility without water on several occasions. We took the initiative to organise trades to make the necessary repairs to keep things going. Unfortunately these prolonged leaks have filled the septic leach drains and we have had to pump them out twice this month. Sean has organised the relevant trades and over the next few weeks we will begin repairing damages and defects to get the facility back to its condition prior to leasing.

**Visitor Stop-** The amphitheatre, shade and ablution frames have been delivered and erected. The cladding and services will begin to be installed over the next few weeks. The project manager is still working with the bitumen supplier and contractor to remedy the carpark bitumen. The landscaping, irrigation and turf is expected to be completed in September.



Figure 1: Visitor's Stop under construction.

**Roads-** Another month of closing roads due to rain, people continuing to ignore road closures and then we fix the roads again. Rain- wreck – repair- repeat. Thomas is working along the Ullawarra



road while Ian completes the Gilroyd road. While we wait to start our next construction project Dameon will maintenance grade the C'von Mullewa road east section. We will then focus on getting roads ready for the Landor Races. Dean Contracting will repair the damaged caused by a fuel truck on the Landor Mt Clere road and we have sent DBNGP (gas pipeline) a repair bill for the damage caused by their contractor on Pimbee road.

**C'von Mullewa bitumen works-** I have conducted more compaction testing of the prepared surface and while the results are starting to trend upwards, the sub moisture levels are still generating below par readings. We will continue to maintain the surface until sealing is possible. In the mean time I am trying to source contractors and equipment to make a start on the next section of bitumen works which will link the entire section together. I expect to start at the end of August if I can obtain services and weather permitting.

Dalgety Downs Landor bitumen- at last this project is completed. Dean Contracting have done a great job and the finished product has greatly improved this section of road. We had ongoing issues with the seal provider however Greenfields worked a suitable solution and we have 13km of new seal.



Figure 2: Dalgety Landor new seal

**Equipment-** We have advertise for public tenders for the disposal of our pad foot roller and we have utilised the WALGA eQuote portal to seek quotes for the new replacement machine.

### 10.3 Chief Executive Officers Report

Hopefully the start of beautiful relationship, the DBCA have moved into the “Old Police Station” and one of their officers will move into Kenny and Diane’s residence in Gregory Street, there are plans for an additional officer to also locate to Gascoyne Junction. The DBCA are also moving into the old police station site and they have commenced cleaning and painting the building.

I have completed writing the Gascoyne Regional Road Group guidelines as required by the State Road Funds to Local Government Procedures. This document is currently being reviewed prior to submitting to the RRG for their endorsement. I have commenced writing the SUG's RRG Induction Manual which will be provided to all Councillors so that all relevant information is in one place, this one part of an overall succession planning tool.

I am in the process of reviewing all our policies and adding new ones as recommended by the Regulation 17 and FMR Reports. I am about one third of the way through this process.

As a team we are still working through the budget, it has been quite difficult to get it to balance as every time we think it is looking solid the opening balance changes hence the closing balance and it has moved back into the red. We have one more review and I believe that it should firm up with a bit of tinkering.

On a sad note Don, Jim, Greg and I attended the funeral of Ross Collins (senior). It was a very well attended ceremony with many people from the Gascoyne in attendance. The service although solemn did Ross proud and highlighted his many achievements from a personal, business and Local Government perspective.

Phil Swain and I have worked through the Local Law that will deal with motorists driving on our closed roads, it is anticipated that I can present this at this Council Meeting. I have also written to the Police Minister seeking his assistance in working through the current legislative interventions that are available, highlighted the discrepancies contained within these pieces of legislation and the practicable application of such. I wait for a response and see where this will take the issue.

I will be away in early September as I am scheduled for my next PET Scan and Oncologist appointment, fingers crossed it is play on.

COVID 19 is still playing havoc globally and within Australia, even the SUG is effected to a small degree. I am advised that the Burringurrah Community and surrounds have had their vaccine shots and that the vaccine will be administered in Gascoyne Junction at the CRC on the 16<sup>th</sup> of September and the second dose will be administered on the 30<sup>th</sup> of September.

I have received a report from Hastings road engineers about their condition and standard of Hastings preferred transport route. I have disseminated this to the Shire of Carnarvon and the Shire of Ashburton for their comments. We will collate their responses along with our own and will bring this back to Council for further discussion.

As Jarrod mentions in his report we have had issues with the Tourist Park running out of water which caused a lot of problems both for guests and my staff.

We are still waiting on DFES to provide an AGRN for the May rain event which caused further damage to our road network. I have certainly let them know of my displeasure at the length of time it has taken and the possibility that they are once again changing the goal posts in respect to the level of evidence required.

It is evident that work is progressing on the visitors stop although at a slower pace than I was expecting; however, this is a symptom of the Cyclone and labour shortages across the state. Given the significance of this park it is my belief that it should have its own identifying name. I have requested that Ainsley put something in the Gassy Gossip seeking community input which we can then present to Council for consideration.

Work is still happening in and around our water issue with Richard Nixon looking at all possible ideas where to test for water. The idea of drilling in the Gascoyne Townsite is being explored but I am waiting on further geophysical reports to firm this idea up.

## STATUS OF GRANTS FOR 2021

Submitted	Close Date	Project	Grant	Provider	Grant Amount	Project Cost	Result
18/2/2021	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
2/3/2021	26/3/2021	New Broad Acre Fire Fighting Appliance & Rural Tanker	LGGS Grant	DFES	Unknown	Unknown	Pending

### 10.4 ACCOUNTS & STATEMENTS OF ACCOUNTS

<b>Applicant:</b>	Shire of Upper Gascoyne
<b>Disclosure of Interest:</b>	None
<b>Author:</b>	Sa Toomalatai – Manager of Finance & Corporate Services
<b>Date:</b>	6 August 2021
<b>Matters for Consideration:</b>	<p>To receive the List of Accounts Due &amp; Submitted to Ordinary Council Meeting on Wednesday the 18<sup>th</sup> of August as attached – see <a href="#">Appendix 1</a>.</p> <p>In addition to the List of Accounts and as part of this agenda report, Council are also requested to receive the Legal Expenses report. This report details all legal costs incurred to the end of this reporting period for both general legal and rates debt recovery expenses – refer to <a href="#">Appendix 1</a>.</p>
<b>Background:</b>	<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>
<b>Comments:</b>	The list of accounts are for the month of July 2021.
<b>Statutory Environment:</b>	<p>Local Government (Financial Management Regulations) 1996</p> <p><b>13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</b></p> <p>(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —</p> <p>(a) the payee's name; and</p> <p>(b) the amount of the payment; and</p>

	<p>(c )the date of the payment; and</p> <p>(d) Sufficient information to identify the transaction.</p> <p>(2) A list of accounts for approval to be paid is to be prepared each month showing —</p> <p>(a)for each account which requires council authorisation in that month —</p> <p style="padding-left: 40px;">(i) the payee’s name; and</p> <p style="padding-left: 40px;">(ii) the amount of the payment; and</p> <p style="padding-left: 40px;">(iii) sufficient information to identify the transaction; and</p> <p>(b) the date of the meeting of the council to which the list is to be presented.</p> <p>(3) A list prepared under sub regulation (1) or (2) is to be —</p> <p>(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and</p> <p>(b) recorded in the minutes of that meeting.</p>				
<b>Policy Implications:</b>	Nil				
<b>Financial Implications:</b>	2021/2022 Budget				
<b>Strategic Implications:</b>	Civic Leadership – To responsibly manage Council’s financial resources to ensure optimum value for money and sustainable asset management.				
<b>Risk:</b>					
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

<b>Consultation:</b>	Nil								
<b>Voting requirement:</b>	Simple Majority								
<b>Officer's Recommendation:</b>	<p><i>That Council endorse the payments for the period 1<sup>st</sup> of July to the 31<sup>st</sup> July 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 31<sup>st</sup> of July 2021.</i></p> <table border="1"> <tr> <td><i>Municipal Fund Bank EFTs (13315 - 13496)</i></td> <td><i>\$1,962,908.77</i></td> </tr> <tr> <td><i>Payroll</i></td> <td><i>\$108,793.43</i></td> </tr> <tr> <td><i>BPAY/Direct Debit</i></td> <td><i>\$23,323.64</i></td> </tr> <tr> <td><b>TOTAL</b></td> <td><b>\$2,095,025.84</b></td> </tr> </table>	<i>Municipal Fund Bank EFTs (13315 - 13496)</i>	<i>\$1,962,908.77</i>	<i>Payroll</i>	<i>\$108,793.43</i>	<i>BPAY/Direct Debit</i>	<i>\$23,323.64</i>	<b>TOTAL</b>	<b>\$2,095,025.84</b>
<i>Municipal Fund Bank EFTs (13315 - 13496)</i>	<i>\$1,962,908.77</i>								
<i>Payroll</i>	<i>\$108,793.43</i>								
<i>BPAY/Direct Debit</i>	<i>\$23,323.64</i>								
<b>TOTAL</b>	<b>\$2,095,025.84</b>								

**Council Resolution No: 03082021**

<b>MOVED:</b>	<b>CR: B. WALKER</b>	<b>SECONED:</b>	<b>CR: R. HOSEASON-SMITH</b>
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That Council endorse the payments for the period 1<sup>st</sup> of July to the 31<sup>st</sup> July 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 31<sup>st</sup> of July 2021.

Municipal Fund Bank EFTs (13315 - 13496)	\$1,962,908.77
Payroll	\$108,793.43
BPAY/Direct Debit	\$23,323.64
<b>TOTAL</b>	<b>\$2,095,025.84</b>

**F/A: 6/0**

<b>10.5 MONTHLY FINANCIAL STATEMENT</b>	
<b>Applicant:</b>	Shire of Upper Gascoyne
<b>Disclosure of Interest:</b>	None
<b>Author:</b>	Sa Toomalatai – Manager of Finance & Corporate Services
<b>Date:</b>	6 August 2021
<b>Matters for Consideration:</b>	<p>The Statement of Financial Activity for the period of July 2021, include the following reports:</p> <ul style="list-style-type: none"> <li>• Statement of Financial Activity</li> <li>• Significant Accounting Policies</li> <li>• Graphical Representation – Source Statement of Financial Activity</li> <li>• Net Current Funding Position</li> <li>• Cash and Investments</li> <li>• Major Variances</li> <li>• Budget Amendments</li> <li>• Receivables</li> <li>• Grants and Contributions</li> <li>• Cash Backed Reserve</li> <li>• Capital Disposals and Acquisitions</li> <li>• Trust Fund</li> </ul> <p><b>see <a href="#">Appendix 2</a></b></p>
<b>Background:</b>	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.
<b>Comments:</b>	The Statement of Financial Activity is for the month of July 2021.
<b>Statutory Environment:</b>	Local Government Act 1995 – Section 6.4  Local Government (Financial Management Regulations) 1996 – Sub-regulation 34.
<b>Policy Implications:</b>	Nil
<b>Financial Implications:</b>	Nil
<b>Strategic Implications:</b>	Civic Leadership – To responsibly manage Council's financial resources to ensure optimum value for money and sustainable asset management.
<b>Risk:</b>	



Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
<b>Consultation:</b>		Nil			
<b>Voting requirement:</b>		Simple Majority			
<b>Officer's Recommendation:</b>		<i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of July 2021.</i>			
<b>Council Resolution No: 04082021</b>					
<b>MOVED:</b>	<b>CR: B. WALKER</b>		<b>SECONDED:</b>	<b>CR: A. MCKEOUGH</b>	
That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of July 2021.					
<b>F/A: 6/0</b>					

<b>10.6 2021/2022 ANNUAL BUDGET</b>	
<b>APPLICANT:</b>	Shire of Upper Gascoyne
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>AUTHOR:</b>	John McCleary – Chief Executive Officer
<b>DATE:</b>	10 August 2021
<b>Matters for Consideration:</b>	
The 2021/22 Statutory Annual Budget is presented for Council's formal adoption as presented in <a href="#">Appendix 3</a> .	
<b>Background:</b>	
Council has discussed the 2021/22- Draft Annual Budget at the ordinary meetings of Council held in April, June and July 2021.	

**Comments:**

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

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

Differential Rates were discussed at the ordinary meeting of Council held in April and June 2021

This budget has been quite difficult to pull together due to changing grant allocations and ensure the figures and the calculations behind such are robust and accurate. In the time I have been the CEO I believe that this budget is the best I have been able to deliver with significant work on the ground.

Some of the major highlights include:

- Upgrade to Depot Workshop (for safety compliance)
- Integrated Plans Review (LTFP, CSP, CBP)
- Land and Buildings fair value revaluation assessment
- New Service Truck
- 1 x New Light Vehicles
- New Padfoot Roller
- New Side Tipper
- New Electronic Message Board (for road closures and roadworks)
- Refurbishment of Council Chambers and upgrade of IT resources
- Residential Land Development project
- Finalisation of Amalgamation of Depot and Admin Lots
- Update and Install of Tourism signage
- Engaging a Consultant to assist with the update of our OH&S and HR systems and procedures
- Completion of new Staff House on Hatch Street
- Bitumen reconstruct and reseal at the front of Tourist Precinct
- Completion of refurbishment repairs to Staff house at Lot 39 Gregory Street
- Payment for the Shire DRFAWA contribution
- Flood Damage retainer for Greenfields
- Continued project works on In-Town Water Supply resources
- Commencement of new project works on Out-of-Town Water Supply resources
- 2 x New Photocopiers for the Admin office (reception and works office)
- Finalisation of Visitors Stop Project
- Finalisation of Heavy Vehicle Safety and Productivity Program (HVSP) project
- Regional Road Group Carnarvon/Mullewa Road project
- Roads to Recovery Landor/Meekatharra Road project
- \$1,137,890 for Road Maintenance
- \$602,705 Transfer from Reserves

**Rate in the Dollar**

Gross Rental Valuation – Residential/Industrial/Commercial	8.8935 cents in the dollar
Unimproved Valuation – Rural	4.6865 cents in the dollar
Unimproved Valuation – Mining Tenements	18.1090 cents in the dollar

**Minimum Rates**

Gross Rental Valuation – Residential/Industrial/Commercial	Minimum \$206.00
Unimproved Valuation – Rural	Minimum \$412.00



Unimproved Valuation – Mining Tenements

18.1090 cents in the dollar

**Minimum Rates**

Gross Rental Valuation – Residential/Industrial/Commercial

Minimum \$206.00

Unimproved Valuation – Rural

Minimum \$412.00

Unimproved Valuation – Mining Tenement

Minimum \$450.00

Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996 Council adopts a charge of \$9 for the four instalment option.

Pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 3% where the ratepayer has elected to pay rates and service charges through an instalment option.

Pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council nominates the following due dates for payment in full and by instalments:

- 1st instalment & Full payment due 04 October 2021
- 2nd instalment due 06 December 2021
- 3rd instalment due 07 February 2022
- 4th instalment due 11 April 2022

Pursuant to section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 8% to be imposed on all outstanding rates and services charges and costs of proceedings to recover such charges that remain unpaid after 4<sup>th</sup> October 2021 or in the case of instalment options, on all outstanding rate amounts after the due date for payment of the instalment.

**CARRIED:**

**Voting Requirement: Simple Majority**

**MOVED: CR**

**SECONDED: CR**

**Part C – Material Variance Reporting for 2021-2022**

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2021-2022 for reporting material variances shall be 10% or \$25,000, whichever is the greater.

**CARRIED:**

**Council Decision 05082021**

**Voting Requirement: Absolute Majority**

**MOVED: CR B. WALKER**

**SECONDED: CR J. CAUNT**

## Part A – Adoption of 2021-22 Statutory Annual Budget

That pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, Council adopts the 2021-2022 Statutory Annual Budget as attached at [Appendix 3](#).

**F/A: 4/2**

Councillors McKeough and McTaggart voted against the motion.

**Voting Requirement: Absolute Majority**

**MOVED: CR H. MCTAGGART**

**SECONDED: CR J. CAUNT**

## Part B - Imposition of General and Minimum Rates, Instalment Payment Arrangements, Charges and Interest.

Pursuant to section 6.45 of the Local Government Act 1995, that the rates and charges specified hereunder and in the attached budget document be imposed on all rateable property within the district of the Shire of Upper Gascoyne for the 2021-2022 financial period.

### Rate in the Dollar

Gross Rental Valuation – Residential/Industrial/Commercial	8.8935 cents in the dollar
Unimproved Valuation – Rural	4.6865 cents in the dollar
Unimproved Valuation – Mining Tenements	18.1090 cents in the dollar

### Minimum Rates

Gross Rental Valuation – Residential/Industrial/Commercial	Minimum \$206.00
Unimproved Valuation – Rural	Minimum \$412.00
Unimproved Valuation – Mining Tenement	Minimum \$450.00

Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996 Council adopts a charge of \$9 for the four instalment option.

Pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 3% where the ratepayer has elected to pay rates and service charges through an instalment option.

Pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council nominates the following due dates for payment in full and by instalments:

- 1st instalment & Full payment due 04 October 2021
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- 4th instalment due 11 April 2022

Pursuant to section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, Council adopts an interest rate of 8% to be imposed on all outstanding rates and services charges and costs of proceedings to recover such charges that remain unpaid after 4<sup>th</sup> October 2021 or in the

case of instalment options, on all outstanding rate amounts after the due date for payment of the instalment.

F/A: 6/0

**Voting Requirement: Simple Majority**

**MOVED: CR B. WALKER**

**SECONDED: CR R. HOSEASON=SMITH**

**Part C – Material Variance Reporting for 2021-2022**

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 1031 Materiality, the level to be used in statements of financial activity in 2021-2022 for reporting material variances shall be 10% or \$25,000, whichever is the greater.

F/A: 6/0

**10.7 2021/2022 SCHEDULE OF FEES AND CHARGES**

APPLICANT:

Shire of Upper Gascoyne

DISCLOSURE OF INTEREST:

Nil

AUTHOR:

John McCleary – Chief Executive Officer

DATE:

6 August 2021

***Matters for Consideration:***

To accept and adopt the Schedule of Fees and Charges for the 2021 / 22 financial year as listed in [Appendix 4](#) and for those fees and charges to come into effect as of the 1<sup>st</sup> September 2021.

***Background:***

As part of the budget process, fees and charges are to be determined and applied.

***Comments:***

In 2020/21 Council endorsed the directive from the State Government to freeze fees and charges and as a result of this no changes were applied to the schedule last financial year.

A minor review of our current fees and charges was undertaken by staff and through this process, a shortfall in cost recovery was identified in many areas of our services. After much deliberation and taking into consideration the fees and charges had not changed for two consecutive years, staff deemed it reasonable to amend some of our existing fees and charges for the 21/22 year to help bridge the cost recovery gap and to provide some level of consolidation across our services.

For ease of transition and application, we ask that the fees and charges be made effective as of 1<sup>st</sup> September 2021 meaning that any services provided on and after this date will be charged under the new fees and charges schedule for 2021/22.



<b>Statutory Environment:</b>	
<p><b>Local Government Act 1995 – Section 6.16</b>  (1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.  (2) A fee or charge may be imposed for the following —  (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;  (b) supplying a service or carrying out work at the request of a person;  (c) subject to section 5.94, providing information from local government records;  (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;  (e) supplying goods;  (f) such other service as may be prescribed.  (3) Fees and charges are to be imposed when adopting the annual budget but may be  (a) imposed during a financial year; and  (b) amended from time to time during a financial year.</p> <p><b>Local Government (Financial Management) Regulations 1996</b>  Reg. 5 (2)(b)</p>	
<b>Policy Implications:</b>	
Nil	
<b>Financial Implications:</b>	
2021 / 22 Budget	
<b>Strategic Implications:</b>	
Nil	
<b>Consultation:</b>	
Staff	
<b>Officer's Recommendation:</b>	<b>Voting requirement: Absolute Majority</b>
<p><i>That Council –</i></p> <ol style="list-style-type: none"> <li><i>Adopt the schedule of fees and charges presented in <b>Appendix 4</b> for the 2021 / 2022 financial year as part of adopting the 2021 / 2022 annual budget.</i></li> <li><i>Adopt the date of 1<sup>st</sup> September 2021 as the effective date for the 2021 / 2022 fees and charges.</i></li> </ol>	
<b>Council Decision 06082021</b>	
<b>MOVED: CR A. MCKEOUGH</b>	<b>SECONDED: CR B. WALKER</b>
That Council –	

1. Adopt the schedule of fees and charges presented in **Appendix 4** for the 2021 / 2022 financial year as part of adopting the 2021 / 2022 annual budget.
2. Adopt the date of 1<sup>st</sup> September 2021 as the effective date for the 2021 / 2022 fees and charges.

**F/A: 6/0**

## 10.8 ACTIVITIES IN THOROUGHFARES LOCAL LAW 2021

APPLICANT:	Shire of Upper Gascoyne
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Philip Swain – Health & Building Officer
DATE:	18 <sup>th</sup> August 2021
<b>Matters for Consideration:</b>	
<p>Council is requested to commence the process of adopting, in accordance with the Local Government Act 1995, a new local law for the Shire of Upper Gascoyne, by approving the state-wide and local public notice of the draft local law.</p>	
<b>Background:</b>	
<p>A search of the Department of Local Government, Sport and Cultural Industries website shows that the Shire of Upper Gascoyne has no existing Local Laws, either current or repealed. The remote nature of the Shire and the sparse population have not necessitated the introduction of local laws to control and manage activities within the local environs in the past.</p> <p>More recently activities including tourism and mining have had localised impacts that require some intervention by the Shire to assist in managing its scarce resources. Most specifically the Shire has in recent years experienced damage to the Shire road network due to cars, caravans, trucks and machinery being driven on closed roads.</p>	
<b>Comments:</b>	
<p>In accordance with guidelines issued by the Western Australian Local Government Association (WALGA) the Shire's local laws should aim to satisfy the following objectives:</p> <ol style="list-style-type: none"> <li>a) the use of plain English in all local laws that they are easy to read and readily understandable to both the public and the members of Administration;</li> <li>b) relevance to the needs of the Shire of Upper Gascoyne;</li> <li>c) compliance with the <i>Local Government Act 1995 (WA)</i> and other legislation;</li> </ol>	

- d) deletion of legislative duplication;
- e) avoidance of legislative inconsistency between other local laws, State and Federal legislation;
- f) the creation of laws that are able to stand alone without the need to be cross-referenced.

Furthermore, all local laws are required to be consistent with National Competition Policy and unless justified under a Public Benefit Test, should not contain provisions that restrict competition. Generally new local laws are adopted following models developed by the WALGA to minimise legal costs and the complications of the benefit tests. The Shire's draft Activities on Thoroughfares Local Law 2021 is based on the WALGA model of a similar name, however a number of Divisions of the template local law have been removed as they are not relevant within the Shire.

The draft local law contains provisions that relate to general restrictions on activities within public thoroughfares, protections for public works conducted on thoroughfares, property numbering provisions, signage on thoroughfares and prohibitions relating to driving on thoroughfares. The local law also creates a permit system to allow for the Shire to approve certain activities, as there may be exceptional circumstances in many cases where a blanket ban without the ability to vary would be regarded as unacceptable. And the local law also creates a series of offences relating to the provisions including the ability to issue infringements in accordance with the Act.

The Shire needs to initiate the process of adoption for any new local law by giving local public and state-wide public notice and seeking comments on the proposed legislation.

**Statutory Environment:**

It is a requirement of the Local Government Act that at a Council meeting the person presiding is to give notice to the meeting of the purpose and effect of any proposed local law including any amendment. The Local Government (Functions and General) Regulations 1996 Part 1A - Local Laws, prescribe the following:

***Notice of purpose and effect of proposed local law - s. 3.12(2)***

*For the purpose of section 3.12, the person presiding at a council meeting is to give notice of the purpose and effect of a local law by ensuring that -*

*(a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and*

*(b) the minutes of the meeting of the council include the purpose and effect of the proposed local law.*

The intended Purpose and Effect of the Shire of Upper Gascoyne, Activities on Thoroughfares Local Law 2021 are:

**Purpose:** The purpose of the local law is to provide for the regulation, control and management of activities on thoroughfares within the district of the Shire of Upper Gascoyne.

**Effect:** The effect of the local law is to control and manage the impacts of activities on thoroughfares within the district of the Shire of Upper Gascoyne

Where it has been determined that a local law should be adopted or amended, a local government is required give state-wide notice of the proposed local law. Submissions must be accepted for a period of six (6) weeks. Council must consider any submissions made before making or amending a local law. The law also requires the approval, under the Act, of the Local Government Minister and hence consultation with the Department of Local Government, Sports and Cultural Industries.

**Policy Implications:**

The following current Council policies may impact upon the Shire's new Local Law:

- 12.1 Use of Heavy Vehicle Combinations on Local Roads Policy;
- 12.2 Road Closure Policy; and
- 12.3 Traffic Sign Policy.

**Financial Implications:**

Direct costs associated with this report will be limited to consultant fees to draft the local laws and reports. These costs will be borne via budgeted expenditure. Where a draft Amendment local laws and new local laws will attract additional advertising costs associated with the State-wide and local public notice of the same. Following the discussion period, and depending upon any submissions, further amendment review and legal advice may be incurred. Once the local law adoption has been finalised by Council, there will be gazettal costs in due course. Fees will be incurred for any gazettal.

**Strategic Implications:**

The Strategic Community Plan includes Objective 4 - Civic Leadership, which includes the following aims:

- To provide Good Governance to the Upper Gascoyne Shire area through:*
- *High levels of accountability;*
  - *Compliance with statutory requirements;*
  - *High-quality forward planning, particularly for assets and finances;*
  - *Openness and transparency and enhanced consultations and public participation.*

**Consultation:**

The adoption of a Shire of Upper Gascoyne Local Law is both a legislative and consultative process.

**Officer's Recommendation:**

**Voting requirement: Absolute Majority**

*That Council directs Administration to give local public notice and state-wide public notice in accordance with section 3.12 of the Local Government Act 1995, seeking public comment on the draft Activities on Thoroughfares Local Law 2021 as contained in [Appendix 5](#).*

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

**SECONDED: H. MCTAGGART**

That Council directs Administration to give local public notice and state-wide public notice in accordance with section 3.12 of the Local Government Act 1995, seeking public comment on the draft Activities on Thoroughfares Local Law 2021 as contained in [Appendix 5](#).

**F/A: 6/0**

**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 funeral of Ross Collins

14.2 Cr Caunt  
Attended the funeral of Ross Collins

14.3 Cr McKeough  
Attended the star gazing event

14.4 Cr Hoseason-Smith  
Nil

14.5 Cr McTaggart  
Nil

14.6 Cr Walker  
Nil

## 15. STATUS OF COUNCIL MEETING RESOLUTIONS

Resolution N°	Subject	Status	Open / Close	Responsible Officer
05072021	Water Cart Contract	Letter sent to contractor	Close	CEO
06072021	Bull Dozing Contract	Letter sent to contractor	Close	CEO
Confidential Item	Sale of Roller	Currently in the tender stage.	Open	MWS/CEO
Confidential Item	Tourist Park Lease	Bond paid waiting on the transfer of liquor licence and business name as well as stock transfer which is happening on the 24 <sup>th</sup> of August 2021.	Open	CEO
Confidential Item	AGRN 951	Have advised successful and non-successful tenderers. Still waiting on DFES to approve the claim.	Close	CEO

## 16. STATUS OF SHIRE PROJECTS

As per [Appendix 6](#).

## 17. MEETING CLOSURE

The Shire President closed the meeting at 12.15pm.