



# MINUTES

28<sup>th</sup> of November 2018

## ORDINARY COUNCIL MEETING

Ordinary meeting  
Of Council held on Wednesday 28<sup>th</sup> of November 2018  
At the Council Chambers, Gascoyne Junction commencing at 8.47am



#### DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Upper Gascoyne for any act, omission or statement or intimation occurring during Council Meeting. The Shire of Upper Gascoyne disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Meeting does so at that person's or legal entity's own risk.

The Shire of Upper Gascoyne warns that anyone who has any application or request with the Shire of Upper Gascoyne must obtain and should rely on

#### WRITTEN CONFIRMATION

Of the outcome of the application or request of the decision made by the Shire of Upper Gascoyne.

**John McCleary, JP**  
**CHIEF EXECUTIVE OFFICER**

**SHIRE OF UPPER GASCOYNE**  
**MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD AT COUNCIL CHAMBERS,**  
**GASCOYNE JUNCTION ON WEDNESDAY 28<sup>th</sup> of November 2018 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 8.47am.

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**

**2.1 Councillors**

Cr D Hammarquist, JP	Councillor	Shire President
Cr J. Caunt	Councillor	Deputy Shire President
Cr A McKeough	Councillor	
Cr R.J Collins	Councillor	
Cr G. Watters	Councillor	
Cr H. McTaggart	Councillor	
Cr B. Walker	Councillor	

**Staff**

Jarrold Walker	Works & Services Manager
Peter Hutchinson	Finance Manager
Phil Swain	Contract EHO / BS (8.52am – 9.35am)

**Visitors**

Josh Kirk	Greenfields Technical Services (11.45am – 12.15pm)
John King	TALIS Consulting Engineers (10.05am – 12.37pm)
Peter Stocker	TALIS Consulting Engineers (10.05am – 12.37pm)
Andrew Reid	Hastings – Chief Operating Officer (10.05am – 11.20am)
Roz	Hastings (10.05am – 11.20am)

**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**

Councillor B. Walker – Confidential Item 11.3

**6. PETITIONS/DEPUTATIONS/PRESENTATIONS**

1. Phil Swain – Provided an overview of the Town Planning Scheme and Building Act and Regulations as they apply to the Shire.

Council adjourned at 9.40am for morning tea.

Council reconvened at 10.05am.

2. Andrew Reid (Chief Operating Officer), Roz Davies - Hasting Technologies & John King – TALIS – provided an overview of the current status of Ullawarra & Edmund / Gifford Roads in relation to a staged remediation process and financial arrangements to achieve such.

3. Josh Kirk provided Council with an overview of current WANDRRA works.

4. John King provided an overview on the Kennedy Range project.

The meeting adjourned at 12.37pm for lunch.

The meeting reconvened at 1.27pm.

**7. ANNOUNCEMENTS BY THE PERSON PRESCIDING WITHOUT DISCUSSION**

Nil

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

Nil

**9. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

- 9.1 Ordinary Meeting of Council held on 31<sup>st</sup> of October 2018.

**OFFICER RECOMMENDATION / COUNCIL RESOLUTION**

**Resolution No. 0112018**

**MOVED: CR G. WATTERS**

**SECONDED: CR H.MCTAGGART**

That the Unconfirmed Minutes from the Ordinary Meeting of Council a held on the 31<sup>st</sup> of October 2018 be confirmed as a true and correct record of proceedings.

**CARRIED: 7/0**

## 10. REPORTS OF OFFICERS

### 10.1 CRC Report



Printed at: 19/11/18

Page No : 1

#### General Ledger Detail Trial Balance

SHIRE OF UPPER GASCOYNE

(frmGLTrialBalance )

Options : Year 18/19,From Month 01,To Month 05,By Responsible Officer (CRC INCOME CRC INCOME ACCOUNTS - MONTHLY REPORTING)

RespOf	Account	Description	Opening Bal	Movement	Balance
Division	GEN				
CRC INC	10841310	Commission Centrelink : CRC	0.00	-4,991.44	-4,991.44
CRC INC	10841330	Transport Commission: CRC	0.00	-781.02	-781.02
CRC INC	10841340	Postal Agency Commission: CRC	0.00	-3,040.98	-3,040.98
CRC INC	10841360	Income from Events Held	0.00	-100.00	-100.00
CRC INC	10841380	Postal Agency Sales	0.00	-807.88	-807.88
CRC INC	10841390	Sales: Books/Maps/Souvenirs/Sundries	0.00	-1,425.15	-1,425.15
CRC INC	10841500	Grant: CRC Operating	0.00	-72,000.00	-72,000.00
CRC INC	10842600	CRC Income Misc.	0.00	-253.05	-253.05
Total	CRC INCOME		0.00	-83,399.52	-83,399.52
Total for division	GEN		0.00	-83,399.52	-83,399.52
Grand Total			0.00	-83,399.52	-83,399.52

#### CUSTOMERS ACCESSING 'GASCOYNE JUNCTION CRC SERVICES' – October 2018

SERVICE	MTHLY	YTD from July 2018	SERVICE	MTHLY	YTD from July 2018
Aust' Government Info/Roads	54	728	Training/Courses	0	0
Government Access Point	14	21	Hot Office Bookings	1	3
Department of Human Services (Centrelink)	11	57	Library	5	33
Department of Transport	7	26	Video Conference	0	0
Computer/Internet Access	1	9	Book Sales	3	39
Faxes	1	2	Photocopying/Printing/Scanning/Emailing	1	18
General Tourism Information	10	67	Laminating/Binding	0	0
Phonebook Purchases	0	0	CRC Merchandise Sales	16	208
Community Seminars	0	0	Community Events	1	4
Gassy Gossip yearly subscription	0	0	Gassy Gossip advertisement	0	6

## REVERSE ADVENT CALENDAR

Give back this Christmas by being part of the reverse advent calendar, to get involved we have registered with CMSAC & Ngala for the reverse advent. Each day for 25 days we add an item to the basket from a list and cross off the calendar. By the 15<sup>th</sup> December it will be ready for distribution by the remote School attendance team to a local family in need.

## HORIZON POWER

The Horizon Power team came into the CRC and installed their new system for the local community of Woodgamia. Instead of purchasing power cards to insert into the meter box for power, they now can do this electronically at the CRC, which means we don't have to purchase cards anymore either. Which caused stress for staff on the weekends.

Now on weekends when the CRC is closed, there will also be a machine at the roadhouse for the residence to use.

## DoT REMOTE SERVICING TEAM

Rae and Bethwyn came last week and did some licencing with the locals, congratulations, we have a new community member on their "P" plates now. Bethwyn also provided training and updates on all important licencing matters with me which was great!

## TOURISTS

We are still having tourist coming through the Junction, mostly European tourists and some others who are trying to get away from the windy coastal weather.

## MELBOURNE CUP

There was a good attendance at this year's Melbourne Cup function which was held at the Tavern. Robyn took out best dressed for the female and Alys took out best hat. For the boys Fred got best dressed with young Riley McKeough taking out best hat.



## 10.2 MWS Report

### General:

The past month has been kind with the weather giving Dave and Nat a chance to address some reticulation and gardening issues before the warmer weather kicks in. The eastern fence extension on Dave's house is progressing well and the lads have also started installing the shade structure over the accommodation, gym and craft room dongas.

Westerly Contractors were here for two days carrying out tree lopping around town, the crew focused on trees that posed any risk to infrastructure and housing. While in town they did some private work for other community members.

In John's absence I haven't been able to get around the traps to see how the WANDRAA crews are advancing though I have been in regular contact with Greenfields and all seems to be going well. Onward Drilling have installed two of the six new bores. The first wet bore was drilled on the Dalgety Landor Road (SLK16.30) while the second is in the Woodlands Road (SLK16.24). The remaining four will be drilled on the Landor Mount Augustus Road once Onward Drilling have carried out repairs to their rig.

We have identified issues with the bitumen seal at the tourist park precinct, soil samples have indicated an extremely high salinity rate which has caused the bitumen to laminate and break up. Greenfields are currently costing and scoping repairs. In any case it is looking like 90% of the seal and base course will need to be replaced or substituted.

I enlisted the help of Gascoyne Essential Services on behalf of the pub to spend time at the tourist park to diagnose and suggest solutions to some of the reticulation issues they are having. Peter walked the current managers around the park and showed them the problems and how to sort it.

The Ullawarra road damage has taken up a lot of all inside staff's time and effort this month. Talis have continued to monitor the temporary traffic management plan and instructed Midwest Traffic to implement any changes required. We will continue to use John King as our shire representative to communicate with Hastings.

I joined Andre Paulino (MRWA) and Steve McDermott (GHD) to conduct a Road Safety Audit on the two identified high risk sites within our shire. One being 4km south of Cobra on the Cobra Dairy Creek road and the other 13km south of Burringurrah on the Landor Mount Augustus road. Both locations have a corner on the back side of crests. Steve has submitted his report supporting our efforts to obtain funding to make improvements. We will now put a submission together to seek funding that makes itself available or the next round of Blackspot funding.

### Maintenance Graders:

Thomas and Frank are making their way south on the Cobra Dairy Creek road and are expected to complete it before the Christmas shutdown. Thomas will join the construction crew at the end of the current swing to assist in laying out material to speed the process up and ensure we don't have any windrows left over the Christmas break.

### Construction Crew:

*Pimbee Road*- We have carted in approximately 4km of gravel on the northern end of the job and completed 1.4km of it. Sourcing gravel has proved to be challenging however we have secured good quality gravel from four separate pits. Unfortunately the grid roller's hitch failed and had the potential to slow the job down so we mobilised the crew to Carnarvon Mullewa road to carry out to reworking a 1km

section for the installation of new bitumen seal in January. We will recommence work on Pimbee as soon as this work is complete. The Pimbee re-sheeting is expected to carry over into 2019 and be completed in early March. Our focus will then shift to our R2R project on Ullawarra road.

*2018/19 Reseals-* All quotes have been received and a recommendation will be made at this Council meeting to award a contract. We will reseal all of the town streets and various sections of the Carnarvon Mullewa West road. At this stage, based on the schedule of rates received and depending on Councils decision we will be able to put down 500-1000m of new seal where the bitumen currently stops just to the east of Bidgemia.

*Airstrip Crack Sealing-* Pro Crack Seal has been engaged to carry out the essential crack sealing on the town airstrip and Pimbee road and will start work on the 28<sup>th</sup> November. Works will take approximately 5 days to complete.

*Equipment-* When it rains it pours. We have had several major breakdowns this month. Pronto has been kept busy and has done a great job of getting us back on track. The crew have given me a defect list for all of the equipment and I have been sourcing parts and services for the Christmas shutdown.

P74 Grid Roller- tow hitch failed. Repaired

P99 Multi Roller- top end rebuild. Complete

P54 Camp generator- alternator failed. Alternator being rewound and top end rebuild ongoing.

P87 Grader- air conditioner failed and hydraulic pipe leak on boom. Both issues repaired under warranty.

P36 Truck - air conditioner failed. Cab pressuriser kit installed.

PLANT#	TYPE	1/09/2018	21/11/2018	VARIANCE
P18	FRONT END LOADER	6845	6848	3
P87	GRADER 140M	4148	4599	451
P76	LOADER 950H	5833	5970	137
P68	GRADER 140M	10985	11382	397
P87	GRADER 140M	897	1336	439
P36	PRIME MOVER	7763	8157	394
P27	ROLLER	1637	1730	93
P102	TRACTOR	5198	5521	323
P89	PADFOOT	595	645	50
P99	MULTI ROLLER	6789	6798	9
P91	Dual Cab Utility	89564	101262	11698
P83	4WD UTILITY	38895	42562	3667
P38	4WD UTILITY	95500	99700	4200
P66	4WD UTILITY	245598	246025	427
P102	4WD DUALCAB	3200	17980	14780
P95	DUAL CAB NPS	47012	59388	12376
P44	2WD UTILITY	76374	77112	738
P41	CANTER TRUCK	21825	23342	1517
P43	TRACTOR/MOWER	685	720	35
P77	FORKLIFT	2801	2897	96
P65	KANGA	618	621	3
P97	CASE SKID STEER	2008	2023	15

### 10.3 CEO Report

This month has been relatively challenging and somewhat interesting to say the least. As the CEO I have been away from my desk for a good period of the month. I returned to work on the 5<sup>th</sup> of November 2018 and had to leave again on the 14<sup>th</sup> of November and back at work again on the 19<sup>th</sup> of November 2018.

In the periods of my absence I have appointed Jarrod Walker to the position as the Acting CEO, Jarrod has done a great job in my absence. During this period where I have been away I have kept abreast of things as I have access to all my emails, the Shire's server and my mobile is always at hand. What this means is that I am able to respond to emails and telephone calls as well as continue to work online.

As mentioned my health continues to remain a work in progress. The operation to remove any lingering melanoma and infected lymph nodes went well. I was advised that 4 lymph nodes were infected, this was concerning, but the Surgeon advised that there are approximately 30 lymph nodes in the neck region. I am now required to undergo 6 weeks of radio therapy which is designed to kill any remaining melanoma cells. I commence treatment on the 3<sup>rd</sup> of December and finish on about the 15<sup>th</sup> of January 2019, I am intending to be back at work on the 28<sup>th</sup> of January 2019 but may have to extend this to the 4<sup>th</sup> of February 2019; this will depend on how well I recover.

I would like to thank all my staff and Councillors for your support, it is times such as these that knowing others have your back which makes all the difference.

It is my intention to still work during my absence, I have requested an appointment with the Minister for Health and the Minister for Parks and Wildlife, I want to progress the issues of getting the doctor visitation recommenced, the provision of a patient transfer vehicle and getting the Shire funded to provide Home and Community Care (HACC) for our residents who require assistance. This is in keeping with the Community Strategic Plan. In addition I want to get some momentum to progress the Kennedy Range Loop Road.

Ullawarra Road has been very time consuming, we have received a bank guarantee for the sum of \$1M but the remaining \$1.6M has not yet been provided. The road remains closed to certain types of traffic and will not be re-opened until we start work on the repair of the road, the repairs are contingent on the Shire receiving the required compensation as identified by an independent engineering consultant. We will continue to work with TALIS and Hastings to get a workable solution in place.

From an Administrative perspective I am pleased to be able to advise that Peter Hutchinson has received a Certificate of Appreciation from WALGA for the return of the 2017/8 Road Assets and Expenditure Report. I can also report that the CEO has for the third year in concession been awarded the 'Good Driver Award' and the Shire has received a rebate of \$3,830.99.

Significant work has been done on writing the 2017/18 Annual Report. This report runs from July 2017 through to June 2018; as such it is difficult to write as many things have occurred since these dates. In addition this is the first year of reporting against the revised Community Strategic Plan that we adopted in June 2017.

The recent VET program was again successful with 9 dogs brought to the clinic, 5 were sterilised and 4 had health checks.

We have made application for a further two grants, one being under the Commodity Freight Roads Fund and the other under the Building Better Regions Fund. These are considered to be long shots; however going into an election year can always throw welcome surprises. In any event we now have two very strong business cases that are written and these can be utilised for other grants that may become available.

## Grants

Submitted	Close Date	Project	Grant	Provider	Grant Amount	Project Cost	Result
18/04/2017	02/10/2017	War Memorial	Community Spaces - Outdoors	Lotterywest	\$25,000	\$50,000	Successful
18/04/2017	Open	War Memorial	Community Commemorative Grant	Department of Veterans Affairs	\$4,000	\$50,000	Successful
09/08/2017	22/09/2017	Mount Augustus / Woodlands Road	Commodity Route / Supplementary Fund	Main Roads	\$250,000	\$382,960	Successful
	Closed	Mesquite Program	Mesquite	NRM	\$50,000	\$50,000	Successful
16/09/2017	Open	Shade over the Arts and Craft Buildings	Community Spaces - Buildings & Fit Out	Lotterywest	\$20,000	\$30,000	Successful
20/02/2018	Open	War Memorial	Seating and Surrounds	DVA	\$13,500	\$15,500	Successful
12/09/2018	14/09/2018	Pavilion Up-Grade	Community Sport Infrastructure (Federal)	Federal	\$50,000	\$139,960	Pending
21/08/2018	Open	Share Path - Scott and Pimbee Roads	Regional Bicycle Network	Dept of Transport	\$18,775.90	\$37,551.80	Pending
31/08/2018	Open	Tourist Signage - Mt Augustus Turn-Off	Stronger Communities Program	Federal	\$9,600	\$19,200	Unsuccessful
12/10/2018	26/10/2018	Dalgety Brook Floodway	Commodity Freight Roads Fund	State Regional Road Group	\$1,000,000	\$1,014,580	Pending
14/11/2018	15/11/2018	Old Caravan Park Redevelopment	Building Better Regions Fund	Federal - Dept Industry, Innovation and Science.	\$2,498,500	\$2,583,500	Pending

## OFFICERS RECOMMENDATION / COUNCIL RESOLUTION - 02112018

**MOVED: CR R.J COLLINS                      SECONDED: CR H.MCTAGGART**

That Council receive the CRC Report, Manager of Works and Chief Executive Officers Reports.

**CARRIED: 7/0**

### 10.4 ACCOUNTS & STATEMENTS OF ACCOUNTS

APPLICANT: Shire of Upper Gascoyne

DISCLOSURE OF INTEREST: None

AUTHOR: Peter Hutchinson – Finance Manager

DATE: 6 November 2018

#### **Matters for Consideration:**

To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Wednesday the 28<sup>th</sup> of November 2018 as attached – see [Appendix 1](#)

<b>Comments:</b>	
The list of accounts is for the month of October 2018	
<b>Background:</b>	
The local government under its delegated authority to the CEO to make payments from the municipal and trust funds is required to prepare a list of accounts each month showing each account paid and presented to Council at the next ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.	
<b>Statutory Environment:</b>	
Local Government (Financial Management Regulations) 1996	
<b>13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</b>	
(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —	
(a) the payee's name; and	
(b) the amount of the payment; and	
(c) the date of the payment; and	
(d) sufficient information to identify the transaction.	
(2) A list of accounts for approval to be paid is to be prepared each month showing —	
(a) for each account which requires council authorisation in that month —	
(i) the payee's name; and	
(ii) the amount of the payment; and	
(iii) sufficient information to identify the transaction; and	
(b) the date of the meeting of the council to which the list is to be presented.	
(3) A list prepared under sub regulation (1) or (2) is to be —	
(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and	
(b) recorded in the minutes of that meeting.	
<b>Policy Implications:</b>	
Nil	
<b>Financial Implications:</b>	
2018/19 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>Consultation:</b>	
Nil	

**Officer's Recommendation:****Voting requirement:** Simple Majority

That Council endorse the payments for the period 1<sup>st</sup> of October 2018 through to the 31<sup>st</sup> of October 2018 as listed, which have been made in accordance with delegated authority per LGA 1995 S5.42.

Municipal Fund Bank EFTs (9714 - 9836)	\$1,688,427.21
Credit Card Payments	\$2,595.95
Payroll	\$160,755.35
BPAY/Direct Debit	\$28,476.55
<b>Total</b>	<b>\$1,880,255.06</b>

**Council Decision:03112018****MOVED: CR H. MCTAGGART****SECONDED: CR G.WATTERS**

That Council endorse the payments for the period 1<sup>st</sup> of October 2018 through to the 31<sup>st</sup> of October 2018 as listed, which have been made in accordance with delegated authority per LGA 1995 S5.42.

Municipal Fund Bank EFTs (9714 - 9836)	\$1,688,427.21
Credit Card Payments	\$2,595.95
Payroll	\$160,755.35
BPAY/Direct Debit	\$28,476.55
<b>Total</b>	<b>\$1,880,255.06</b>

**CARRIED: 7/0****10.5 MONTHLY FINANCIAL STATEMENT**

APPLICANT: Shire of Upper Gascoyne

DISCLOSURE OF INTEREST: None

AUTHOR: Peter Hutchinson – Finance Manager

DATE: 6 November 2018

**Matters for consideration:**

The Statement of Financial Activity for the period ended 30<sup>th</sup> of October 2018, include the following reports:

- Statement of Financial Activity
- Significant Accounting Policies
- Graphical Representation – Source Statement of Financial Activity
- Net Current Funding Position
- Cash and Investments
- Major Variances
- Budget Amendments
- Receivables
- Grants and Contributions
- Cash Backed Reserve
- Capital Disposals and Acquisitions
- Trust Fund

see [Appendix 2](#)

**Comments:**

The Statement of Financial Activity is for the month of October 2018.

**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.

**Statutory Environment:**

Local Government Act 1995 – Section 6.4

Local Government (Financial Management Regulations) 1996 – Sub-regulation 34.

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

Civic Leadership – To responsibly manage Council’s financial resources to ensure optimum value for money and sustainable asset management.

**Consultation:**

Nil

**Officer’s Recommendation:**

**Voting requirement:** Simple Majority

*That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended the 31<sup>st</sup> of October 2018.*

**Council Decision: 04112018**

**MOVED: CR G.WATTERS**

**SECONDED: CR H. MCTAGGART**

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period ended the 31<sup>st</sup> of October 2018.

**CARRIED: 7/0**

**10.6 2017 / 2018 ANNUAL REPORT**

APPLICANT:	Shire of upper Gascoyne
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DISCLOSURE OF INTEREST:	Nil
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AUTHOR:	John McCleary
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DATE:	7 November 2018
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**Matters for Consideration:**

To accept the annual report for the financial year ending June 30, 2018 containing the auditor's report for the financial year as provided in [Appendix 1 – as contained in the Audit Committee Agenda](#).

**Background:**

Section 5.53 requires the local government prepare an annual report for each financial year. Among other things, the annual report should contain the auditor's report for the financial year.

Section 5.54 provides that the local government accept the annual report by no later than 31 December after that financial year.

The CEO must give local public notice of the availability of the report as soon as practical after the report is accepted.

An independent Audit as required under section 7.9 of the Local Government Act 1995 was carried out by independent Auditor, Anderson Munro and Wyllie.

**Comments:**

A copy of the Annual Report for the 2017/18 financial year together with the auditor's report are attached to the Audit Committee agenda and the matter will be considered at that meeting for recommendation to Council.

The Auditor has given the Shire a clean bill of health with no adverse findings or areas for improvement.

**Statutory Environment:**

Local Government Act 1995 – Division 3 – Conduct of Audit  
Audit to be conducted

7.9 (1) an auditor is required to examine the accounts and annual report submitted for audit and. By the 31<sup>st</sup> December next following the financial year to which the accounts and report relate or such later date as may be prescribed, the prepare a report thereon and forward a copy of that report to –

- (a) The mayor or president;
- (b) The CEO, the local government; and
- (c) The Minister.

**Policy Implications:**

Nil

**Financial Implications:**

Council has made an appropriate allowance for the costs associated with Auditing as required under the Local Government Act 1995.

**Strategic Implications:**

Nil

**Consultation:**

Nil

**Officer's Recommendation:**

**Voting requirement: Absolute Majority**

*That Council adopts the Annual Financial Report, Annual Report together with Auditors Management Letter for the period 1<sup>st</sup> July 2017 to 30<sup>th</sup> June 2018 as recommended by the Audit Committee.*

**Council Decision 05112018**

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

That Council adopts the Annual Financial Report, Annual Report together with Auditors Management Letter for the period 1<sup>st</sup> July 2017 to 30<sup>th</sup> June 2018 as recommended by the Audit Committee.

**CARRIED: 7/0**

**10.7 2019 MEETING DATES FOR ORDINARY COUNCIL MEETINGS**

APPLICANT:

Shire of Upper Gascoyne

DISCLOSURE OF INTEREST:

Nil

AUTHOR:

Margaret Rowe – Administration Manager

DATE:

7 November 2018

**Matters for Consideration:**

To set dates, times and places of Ordinary and Committee Council Meetings for 2019.

**Background:**

At least once each year a local government is required under section 5.25(1)(g) of the Local Government Act 1995 and Administration Regulation 12(1), to advertise ordinary council and committee meeting, dates, times and venues for the next 12 month period.

**Comments:**

Ordinary meetings

Ordinary Council meetings have been held on the last Wednesday of the month at Gascoyne Junction, commencing at 8.30am, with the exception of January when no ordinary meeting of Council is held, and September and December due to Landor Races and Christmas. With Easter in 2019 falling from 19<sup>th</sup> April to 22<sup>nd</sup> April we have scheduled the April meeting for 24<sup>th</sup> keeping in mind that Anzac Day then falls on the Thursday 25<sup>th</sup>.

Section 5.3 (2) of the Act provides that an ordinary meetings are to be held not more than 3 months apart.

Council is free to set and change meeting dates to whenever it deems necessary to carry out Local Government Business.

The CEO is to convene an ordinary meeting by giving each council member *at least 72 hours' notice of the date, time and place of the meeting and an agenda for the meeting.* [Section 5.5(1)]

Suggested Council Ordinary meeting dates for 2019 are as follows:

Wednesday 27<sup>th</sup> February 2019 at 8.30 am  
 Wednesday 27<sup>th</sup> March 2019 at 8.30 am  
 Wednesday 24<sup>th</sup> April 2019 at 8.30 am  
 Wednesday 29<sup>th</sup> May 2019 at 8.30 am  
 Wednesday 26<sup>th</sup> June 2019 at 8.30 am  
 Wednesday 31<sup>st</sup> July 2019 at 8.30 am  
 Wednesday 28<sup>th</sup> August 2019 at 8.30 am  
 Wednesday 18<sup>th</sup> September 2019 at 8.30 am  
 Wednesday 30<sup>th</sup> October 2019 at 8.30 am  
 Wednesday 27<sup>th</sup> November 2019 at 8.30 am  
 Friday 13<sup>th</sup> December 2019 at 8.30 am

**Statutory Environment:**

Local Government [Administration] 12(1)

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

The meetings of the Council and Audit Committees should be set to coincide with the Act and Regulation requirements.

**Consultation:**

Nil

**Officer's Recommendation:**

**Voting requirement: Simple Majority**

*That Council:*

*Adopt the meeting dates above for the 2019 Calendar year with the Ordinary Council Meeting commencing at 8.30am. Further that each meeting be held at the Council Chambers, Shire Administration Building, Gascoyne Junction.*

Wednesday 27<sup>th</sup> February 2019 at 8.30 am  
 Wednesday 27<sup>th</sup> March 2019 at 8.30 am  
 Wednesday 24<sup>th</sup> April 2019 at 8.30 am  
 Wednesday 29<sup>th</sup> May 2019 at 8.30 am  
 Wednesday 26<sup>th</sup> June 2019 at 8.30 am  
 Wednesday 31<sup>st</sup> July 2019 at 8.30 am

Wednesday 28<sup>th</sup> August 2019 at 8.30 am  
 Wednesday 18<sup>th</sup> September 2019 at 8.30 am  
 Wednesday 30<sup>th</sup> October 2019 at 8.30 am  
 Wednesday 27<sup>th</sup> November 2019 at 8.30 am  
 Friday 13<sup>th</sup> December 2019 at 8.30 am

**Council Decision 06112018**

**MOVED: CR A. MCKEOUGH**

**SECONDED: CR G. WATTERS**

That Council:

Adopt the meeting dates above for the 2019 Calendar year with the Ordinary Council Meeting commencing at 8.30am. Further that each meeting be held at the Council Chambers, Shire Administration Building, Gascoyne Junction.

Wednesday 13<sup>th</sup> February 2019 at 8.30 am  
 Wednesday 27<sup>th</sup> March 2019 at 8.30 am  
 Wednesday 24<sup>th</sup> April 2019 at 8.30 am  
 Wednesday 29<sup>th</sup> May 2019 at 8.30 am (Mount Augustus)  
 Wednesday 26<sup>th</sup> June 2019 at 8.30 am  
 Wednesday 31<sup>st</sup> July 2019 at 8.30 am  
 Wednesday 28<sup>th</sup> August 2019 at 8.30 am  
 Wednesday 25<sup>th</sup> September 2019 at 8.30 am  
 Wednesday 30<sup>th</sup> October 2019 at 8.30 am  
 Wednesday 27<sup>th</sup> November 2019 at 8.30 am  
 Thursday 19<sup>th</sup> December 2019 at 8.30 am

**CARRIED: 7/0**

**10.8 2017 / 18 ANNUAL ELECTORS MEETING**

APPLICANT:	Shire of upper Gascoyne
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	John McCleary
DATE:	7 November 2018

**Matters for Consideration:**

To set a date for the Annual Electors Meeting

**Background:**

Section 5.27 of the Local Government Act 1995 requires that a general meeting of electors of a district is to be held once every financial year. The meeting must be held on a day selected by

the local government but no more than 56 days after the acceptance of the Annual report for the previous financial year.

Section 5.29 requires the CEO to convene an elector's meeting by giving at least 14 days' local public notice and each council member at least 14 days' notice.

**Comments:**

In the event Council accepts the Annual Report and attached Financial Report at the meeting on 28<sup>th</sup> of November 2018, it is necessary to hold the Electors meeting no later than the 23<sup>rd</sup> of January, 2019.

As there is no Council meeting held in January 2019, it is considered good governance to hold the electors meeting on the 13<sup>th</sup> of December 2018, the same time as the ordinary meeting of Council. If this was the case there would be no reason for Councillors to make a special trip to attend an electors meeting at some subsequent date.

**Statutory Environment:**

Section 5.27 – Electors Meeting

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

Nil

**Consultation:**

Nil

**Officer's Recommendation:**

**Voting requirement: Simple Majority**

*That Council hold the Annual Meeting of Electors on Thursday December 13, 2018, commencing at 8.30am in the Council Chambers, Gascoyne Junction.*

**Council Decision 07112018**

**MOVED: CR A. MCKEOUGH**

**SECONDED: CR R.J.COLLINS**

That Council hold the Annual Meeting of Electors on Thursday December 13, 2018, commencing at 8.30am in the Council Chambers, Gascoyne Junction.

**CARRIED: 7/0**

**10.9 WRITE OFF RATES AND CHARGES – PROPERTY A1034**

APPLICANT: Shire of Upper Gascoyne

DISCLOSURE OF INTEREST: Nil

AUTHOR: Peter Hutchinson – Finance Manager

DATE: 19 November 2018

**Matters for Consideration:**

Write of rates and rubbish charges on A1034 being 2 Gregory Street (Old Caravan Park)

**Background:**

Previously occupied by Clive Price (Shiny) who used to pay the annual rates and rubbish charge.

**Comments:**

The house has been moved which will allow the progress of erecting the war memorial.

**Statutory Environment:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

Minor reduction in income of \$613.45

**Strategic Implications:**

Nil

**Consultation:**

CEO

**Officer's Recommendation:** **Voting requirement: Absolute Majority***That council authorise the CEO to write off rates and rubbish charges on property A1034 being 2 Gregory Street, Gascoyne Junction.***Council Decision 08112018****MOVED: CR B. WALKER                      SECONDED: CR G. WATTERS**

That council authorise the CEO to write off rates and rubbish charges on property A1034 being 2 Gregory Street, Gascoyne Junction.

**CARRIED: 7/0**

## 10.10 BUDGET AMENDMENT AND RESERVE WITHDRAWAL FOR AIRSTRIP CRACK SEALS

APPLICANT:	Shire of Upper Gascoyne
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	Peter Hutchinson
DATE:	19 November 2018
<b>Matters for Consideration:</b>	
Budget amendment and withdrawal from airport reserve for crack sealing works.	
<b>Background:</b>	
<p>A recent inspection of the Gascoyne Junction airstrip performed by the Works Manager and Nigel Goode of Greenfield Technical Services (GTS) confirmed the need to engage specialised services to crack seal various sections of the run way and shoulders. GTS were asked to prepare a Request For Quote (RFQ) of which two were received. The quote that represented best value for money was selected.</p> <p>The current budget for airport operating costs is \$17,881, the quoted price to repair the cracks is \$22,820.</p>	
<b>Comments:</b>	
<p>The crack sealing can be funded by a withdrawal of the airport reserve which has a current balance of \$62,830.</p> <p>By sealing the cracks now significant potential future repair costs will be avoided and the life of the asset should be extended.</p>	
<b>Statutory Environment:</b>	
Local Government Act 1995 section 6.2, Financial Management Regulations 33A and Local Government (Functions and General) Regulations section 11 (2).	
<b>Policy Implications:</b>	
Nil	
<b>Financial Implications:</b>	
Reduction in the cash backed airport reserve of \$22,820 which will leave \$39,560.	
<b>Strategic Implications:</b>	
Nil	
<b>Consultation:</b>	
Jarrod Walker – Works Supervisor Nigel Goode – Greenfields Technical Services	

**Officer's Recommendation:****Voting requirement: Absolute Majority***That council approves;*

- 1) *Withdrawal of \$22,820 from the Airport Reserve to pay for the crack sealing works on the Gascoyne Junction airstrip.*
- 2) *Increase budgeted expenditure for airport operating costs from \$17,881 to \$40,701.*

**Council Decision 09112018****MOVED: R.J.COLLINS      SECONDED: CR A. MCKEOUGH***That council approves;*

- 1) *Withdrawal of \$22,820 from the Airport Reserve to pay for the crack sealing works on the Gascoyne Junction airstrip.*
- 2) *Increase budgeted expenditure for airport operating costs from \$17,881 to \$40,701.*

**CARRIED: 7/0****10.11 RFT 02 -18-19 BITUMEN RESEAL 18/19****APPLICANT:**

Shire of Upper Gascoyne

**DISCLOSURE OF INTEREST:**

Nil

**AUTHOR:**

Jarrod Walker

**DATE:**

19 November 2018

**Matters for Consideration:**

To determine the best value for money for the provision of Supply, Spray, Spread and Cover Bitumen Sealing services based on the attached report prepared by Greenfield Technical Services. Please refer to [Appendix 3](#) for the Greenfields Report.

**Background:**

A recent inspection of the Carnarvon Mullewa, Pimbee roads and town streets performed by the Works Manager and Nigel Goode from Greenfield Technical Services (GTS) was undertaken to identify sections of road needing resealing. A scope of works was prepared by GTS and an eQuote was sought through WALGA's Preferred Supplier Program.

GTS were engaged to provide an evaluation report of tenders received to the Shire to make recommendation to the Council.

**Comments:**

The Shire of Upper Gascoyne utilised the eQuote system through WALGA's Preferred Supplier Program to invite five suppliers to quote for the non-provisional supply of goods and services to

reseal various sections of the Carnarvon Mullewa Road, Pimbee Road and town streets and also a provisional item to supply 500m of new seal on the Carnarvon Mullewa road. Greenfield Technical Services (GTS) were engaged to handle all enquiries and provide an evaluation report to the Shire.

e-Quotes submissions were received from Bitutek, Downer Infrastructure and Fulton Hogan Industries. Bitumen Surfacing and Boral Resources were asked to quote but failed to submit a quote. All submitted quotes were deemed conforming.

Greenfields Technical services have recommended the Shire award the contract for Supply, Spray, Spread and Cover Bitumen Sealing to Bitutek on the basis of past experience and knowledge and representing best value for money as per the attached report. Bitutek's quoted price for the no provisional item is \$315,673 and \$30,651 for the provisional item.

Based on Bitutek's quoted schedule of rates the Shire will be in a position to afford 1000 lineal metres of new seal to the Carnarvon Mullewa road instead of the estimated 500 lineal metres bringing total cost to \$376,975.

**Statutory Environment:**

Local Government Act 1995 section (Functions and General) Regulations section 11.2 (b).  
*Tenders do not have to be publicly invited according to the requirements of this Division if:  
 (b) the supply of goods and services is to be obtained through the WALGA Preferred Supplier Program*

**Policy Implications:**

Nil

**Financial Implications:**

Nil- budgeted for in current budget

**Strategic Implications:**

Nil

**Consultation:**

Jarrod Walker – Works Supervisor  
 Nigel Goode – Greenfields Technical Services

**Officer's Recommendation:**

**Voting requirement: Absolute Majority**

*That Council award RFQ-01-2018/19 Annual Supply, Spray and Cover Bitumen Sealing including Seal Design and Aggregate to Bitutek for the total cost of \$376,975.*

**Council Decision 10112018**

**MOVED: CR G. WATTERS**

**SECONDED: CR J. CAUNT**

That Council award RFQ-01-2018/19 Annual Supply, Spray and Cover Bitumen Sealing including Seal Design and Aggregate to Bitutek for the total cost of \$376,975.

**CARRIED:7/0**

**10.12 POLICY 2.3 - BANK ACCOUNT SIGNING AUTHORITY REVIEW**

APPLICANT: Shire of Upper Gascoyne

DISCLOSURE OF INTEREST: Nil

AUTHOR: John McCleary – Chief Executive Officer

DATE: 20 November 2018

**Matters for Consideration:**

To make an amendment to an existing policy to improve organisational efficiencies.

**Background:**

The current 'Bank Account Signing Authority' Policy, Policy number 2.3 provides a list of who can authorise Cheque Payments. It comprises of three list (A,B & C), list 'A' consists of the CEO and they are required to have joint signature from one of the Councillors, if the CEO is unavailable then an officer from List 'C', Finance Manager, Finance Officer and the Administration Manager may sign but they still require a Councillor to conjointly sign.

As part of the Shire's governance regime we are making sure that any past Councillors are removed from the Bank records and new Councillors are added.

**Comments:**

It is proposed that we add the Manager of Works and Services to list 'C' in the event that the CEO is away. This will provide a broader level of authorised person and give the organisation more flexibility.

In general terms the Shire very rarely utilise cheques; however there are times that we still use them.

**Statutory Environment:**

Nil

**Policy Implications:**

Policy 2.3 – Bank Account Signing Authority

**Financial Implications:**

Nil

**Strategic Implications:**

Nil

**Consultation:**

Finance Staff

**Officer's Recommendation:**

**Voting requirement: Simple Majority**

*That Council authorise for the Manager of Works and Services to be included as a signatory under List "C" of the Bank Account Signing Authority.*

**Council Decision 11112018**

**MOVED: CR J. CAUNT**

**SECONDED: CR A. MCKEOUGH**

That Council authorise for the Manager of Works and Services to be included as a signatory under List "C" of the Bank Account Signing Authority.

**CARRIED: 7/0**

**11. MATTERS BEHIND CLOSED DOORS**

**Council Decision 12112018**

**MOVED: CR H. MCTAGGART**

**SECONDED: CR G. WATTERS**

That Council go behind closed doors to discuss confidential items.

**CARRIED: 7/0**

**11.1 CEO Performance Appraisal**

John McCleary left the chamber at 2.50pm.

**Council Decision 13112018**

**MOVED: CR H. MCTAGGART SECONDED: CR R.J COLLINS**

That Council:

1. Notes that John McCleary's Performance Review in his role as Chief Executive Officer for the Shire of Upper Gascoyne for 2017/18 has been undertaken;
2. Endorses Mr McCleary's overall rating of Exceeds Expectations;
3. Schedules the next review of the CEO's performance to be conducted by October 2019;
4. Schedules the next review of remuneration is considered by October 2019, in accordance with the contract of employment between Council and Mr McCleary; and

**CARRIED: 7/0**

John McCleary returned to the Chamber at 3.20pm

**11.2 CEO Employment Contract**

**Council Decision 14112018**

**Motion Lapsed as no mover or seconder, the Council sought further clarification surrounding the TRP differential between the previous contract the new contract.**

### 11.3 Appoint Acting CEO

Councillor Walker left the Chamber at 2.40pm

#### **Council Decision 15112018**

**MOVED: CR R.J. COLLINS**

**SECONDED: CR H. MCTAGGART**

That Council:

1. appoint Mr Jarrod Walker to the position as the Acting Chief Executive Officer;
2. for the period of the 3<sup>rd</sup> of December 2018 to the 28<sup>th</sup> of January 2019 or until the incumbent CEO returns to his duties;
3. increase Mr Walker's remuneration to reflect the higher duties associated with the Acting CEO's Position as nominated in the body of the agenda item; and
4. authorises the Acting CEO to appoint an Acting Manager of Works and Services for the period of time the Acting CEO is in this position.

**CARRIED: 6/0**

Councillor Walker re-entered the Chamber at 2.48pm

### 11.4 CEO Application for Special Leave

#### **Council Decision 16112018**

**MOVED: CR H. MCTAGGART**

**SECONDED: CR B. WALKER**

That Council authorises the CEO to be paid special leave with no accruals in accordance with the CEO Contract of Employment.

**CARRIED: 7/0**

### 11.5 Organisation Structural Review

#### **Council Decision 17112018**

**MOVED: CR B. WALKER**

**SECONDED: CR G. WATTERS**

That Council:

1. endorse the Organisation Structure as proposed by the CEO;
2. implements the structural changes in March 2019; and
3. amends the workforce plan to reflect the new structure.

**CARRIED: 6/1**

#### **Council Decision 18112018**

**MOVED: CR G. WATTERS SECONDED: CR A. MCKEOUGH**

That Council come out from behind closed doors.

**CARRIED: 7/0**

**12. MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

**13.1 Purchase Order Authority**

***Council Decision 19112018***

**MOVED: CR R.J.COLLINS**

**SECONDED: CR J. CAUNT**

That Council authorise the CEO to authorise Mr Kevin Brand to issue Purchase Orders for the purpose of purchasing parts up to the value of \$5,000 per purchase order for the period 3<sup>rd</sup> of December 2018 through to the 15<sup>th</sup> of January 2019.

**CARRIED: 7/0**

**13.2 Coor De Wandy Creek Crossing**

<b>13.2 LATE ITEM – COOR DE WANDY CREEK CROSSING</b>	
APPLICANT:	Shire of Upper Gascoyne
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	John McCleary – Chief Executive Officer
DATE:	27 November 2018
<b><i>Matters for Consideration:</i></b>	
To determine if the Shire should increase the width of Coor De Wandy Crossing from 4 metres to 8 metres.	
<b><i>Background:</i></b>	
<p>The current Coor De Wandy Crossing was damaged beyond repair during a major flood event in January 2018.</p> <p>As part of the original cost estimate for the repairs it was estimated to replace the crossing to a four (4) metre crossing would cost approximately \$282,436. The road that the crossing services is the Carnarvon / Mullewa Road and this is a priority one road and is arguably the Shires busiest road. The Carnarvon / Mullewa Road is a RAV 8 rated road and the carriageway should be a minimum of 8 metres in width.</p> <p>The Council were of the opinion that the replacement crossing should be an 8 metre crossing so that it ties in with the current 8 metre standard of the road. On this basis the Shire requested that Greenfields technical Services scope the works to determine the extra cost of constructing a crossing to an 8 metre width. It was estimated that the extra cost would be \$126,308. The Shire made a submission to the Office of Emergency Management to have this extra cost incorporated into the current WANDRRA Claim. This submission was sent to the Federal Government for their comment / approval. The Shire have been advised that our submission was unsuccessful and that they would only provide reimbursement for a 4 metre crossing.</p>	

**Comments:**

Given the above, the situation has not changed where the crossing should be constructed to an 8 metre standard to ensure that carriageway stays in uniformity with the rest of the road.

To achieve this the Shire will need to provide the additional funding of approximately \$126,308 as a contribution towards the extra costs associated with the additional width. It is considered prudent to undertake the works as the earthworks are largely done and the workforce required to undertake the works will already be on site. There will be some additional costs for site works, cement, freight and labour; as such it is prudent to allow a budget provision of \$150,000.

The Shire do not currently have a budget item for this expenditure, however we do have capacity within our reserve accounts and municipal fund to accommodate this expenditure. It is recommended that the following reserve accounts be drawn down to achieve the required level of expenditure.

Reserve Account	Current Balance '000	Amount to be reallocated	Remaining Balance '000
Works	\$72,000	\$60,000	\$12,000
Economic Development Reserve	\$345,000	\$90,000	\$255,000

**Statutory Environment:**

Local Government Act 1995 section 6.8(b)  
Financial Management Regulations 33A

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

Nil

**Consultation:**

OEM  
Greenfields  
Shire President

**Officer's Recommendation:**

**Voting requirement: Absolute Majority**

*That Council authorise the withdrawal*

1. \$60,000 from the works reserve
2. \$90,000 from the economic development reserve

3. *Make an allowance in the budget for capital works at Coor De Wandy Creek Crossing*

**Council Decision 20112018**

**MOVED: CR H. MCTAGGART**

**SECONDED: CR B. WALKER**

That Council authorise the withdrawal :

1. \$60,000 from the works reserve
2. \$90,000 from the economic development reserve
3. Make an allowance in the budget for capital works at Coor De Wandy Creek Crossing

**CARRIED: 7/0**

**13.3 Increase in Overdraft Facility**

**13.3 LATE ITEM - INCREASE OVERFRAFT FACILITY**

**APPLICANT:**

Shire of Upper Gascoyne

**DISCLOSURE OF INTEREST:**

Nil

**AUTHOR:**

John McCleary – Chief Executive Officer

**DATE:**

28 November 2018

***Matters for Consideration:***

To increase our current overdraft facility from \$3 million to \$3.5 million.

***Background:***

The Shire currently have a bank overdraft facility of \$3,000,000 to be exclusively used to pay for works carried out under WANDRRA. This facility was established to ensure that the Shire had sufficient cash-flow to pay our contractors whilst waiting for the reimbursement claims to be processed and the monies deposited into our account.

This system has worked well whilst we had two Contractors where they drew down approximately \$30,000 per pay or approximately \$1,260,000 per 21 day swing. We were able to utilise some of our own monies held in our Municipal Account to defray the interest costs associated with the use of an overdraft facility.

The issue of timeliness on receiving the reimbursement from Main Roads was evident with some claims taking in excess of 45 days to process. The Shire have been very pro-active with our Project Managers and Main Roads in attempting to reduce this down to 28 days and preferably 21 days. The Shire has had some successes and in other cases we were back to extensive delays in receiving reimbursement.

***Comments:***

The situation has now changed as we have commenced work on what we refer to as WANDRRA 2. The Shire have 3 Contractors working on reinstating the sections of damaged roads. This means that we spend approximately \$90,000 per day or \$1,890,000 per 21 day swing. The reimbursement period for the Shire can range from 28 days through to 45+ days. This is creating a situation where income is not able to keep up with expenditure.

There are number of reasons why this is occurring the primary reason is that Main Roads are now required by the Federal and State Auditors to provide additional information in support of the claim; such as before and after pictures, additional clarification around individual pieces of work and the time taken between identifying an issue and then seeking clarification on the issue.

As the CEO I have made some structural changes so we can do everything possible at our disposal to improve the turnaround of the claim, this has included the provision of before and after photographs in respect to claims made, any payment over \$200,000 is sent in as a claim – we are not waiting on additional claims, we have negotiated for the contractors to take three weeks break over Christmas to provide the opportunity to catch up on reimbursements and we are seeking to increase the overdraft to provide more of a safety net in the event that we have delays in reimbursements. In addition I have laid these concerns out to various Ministers and others in the attempt to get payments sped up.

### ***Statutory Environment:***

#### **Local Government Act 1995**

##### **6.20. Power to borrow**

- (1) Subject to this Act, a local government may —
  - (a) borrow or re-borrow money; or
  - (b) obtain credit; or
  - (c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit,to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.
- (2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (***power to borrow***) and details of that proposal have not been included in the annual budget for that financial year —
  - (a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and
  - (b) the resolution to exercise that power is to be by absolute majority.

##### **6.21 Restrictions on borrowing**

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

#### **Local Government (Financial Management) Regulations 1996**

##### ***Reg 20. When local public notice not required for exercise of power to borrow (Act s. 6.20(2)(a))***

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

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

  - (a) a capitalisation of interest accruals; or

- (b) an increase in the term of the loan or other financial accommodation;  
**re-finance** in relation to a loan or other financial accommodation (the **existing loan**), means to borrow an amount (the **new loan**) which is, at the date of the new loan —
- (a) equal to the principal amount owing on the existing loan; or
- (b) not more than \$5 000 more or less than the principal amount owing on the existing loan, for the principal purpose of paying out the existing loan or preserving the credit originally provided by the existing loan.

**Policy Implications:**

Nil

**Financial Implications:**

Cash flow for the current budget and increased interest charges.

**Strategic Implications:**

Nil

**Consultation:**

Commonwealth Bank

**Officer's Recommendation:**

**Voting requirement: Absolute Majority**

*That Council::*

1. *Authorise the CEO to establish increase the current overdraft facility with a limit of \$3,500,000 for the purpose of funding the flood damage works pending reimbursement under the WANDRRA arrangements.*
2. *That Council instruct the CEO to advertise in the Mid-West Times that the Shire intends to increase the overdraft to \$3,500,000 for the purposes of funding flood damage works pending reimbursement under the WANDRRA arrangements.*
3. *That subject to the approval of the new overdraft facility limit that Council authorise the CEO in the presence of the President apply the council seal to the loan documentation where required.*
4. *Where loan documentation does not require the council seal that the CEO can sign the documentation in the presence of the Finance Manager.*

**Council Decision 21112018**

**MOVED: CR J. CAUNT**

**SECONDED: CR G. WATTERS**

*That Council::*

1. Authorise the CEO to establish increase the current overdraft facility with a limit of \$3,500,000 for the purpose of funding the flood damage works pending reimbursement under the WANDRRA arrangements.
2. That Council instruct the CEO to advertise in the Mid-West Times that the Shire intends to increase the overdraft to \$3,500,000 for the purposes of funding flood damage works pending reimbursement under the WANDRRA arrangements.

3. That subject to the approval of the new overdraft facility limit that Council authorise the CEO in the presence of the President apply the council seal to the loan documentation where required.
4. Where loan documentation does not require the council seal that the CEO can sign the documentation in the presence of the Finance Manager.

**CARRIED: 7/0**

### 13.4 Ullawarra Road Repairs

<b>13.4 LATE ITEM - ULLAWARRA ROAD REPAIRS</b>	
APPLICANT:	Shire of Upper Gascoyne
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	John McCleary – Chief Executive Officer
DATE:	28 November 2018
<b><i>Matters for Consideration:</i></b>	
To delegate authority to the CEO to finalise the scope of repair works and to award contracts through the WALGA preferred suppliers to undertake the required works.	
<b><i>Background:</i></b>	
As previously reported to Council the issue of damage to Ullawarra and Edmund Gifford Creak Roads have been investigated by our consultants, TALIS. Discussions have been also been undertaken with representative of Hastings.	
<b><i>Comments:</i></b>	
<p>Issues around the scope and funding of the works are continuing and ongoing with Hastings.</p> <p>Urgent repair works are required to make the road safer and usable by all stakeholders.</p> <p>To enable an expeditious partial solution to the repairs the CEO needs the ability to work with our TALIS to establish a scope of works, this may be a moving target as we are still working with Hastings to establish a dollar amount in respect their contribution. At this stage we have \$1 million dollars in the form of a bank guarantee that we can utilise to carry our repair works; however, we are still in discussions with Hastings as to the scope of the initial repair works.</p> <p>It is proposed that the Shire will utilise the WALGA preferred supplier program to secure a contractor due to the urgency of the situation.</p> <p>The CEO will ensure that works will be funded from contributions from Hastings without impacting the Shire cash flow position and the Shires current planned works program.</p>	
<b><i>Statutory Environment:</i></b>	
Local Government Act 1995	



**14.3** Councillor J. Caunt

Attended the Pink Stumps Day and the opening of the School Time Capsule

**14.4** Councillor R.J. Collins

Attended the Pink Stumps Day

**14.5** Councillor B. Walker

Attended the Pink Stumps Day

**14.6** Councillor H. McTaggart

Attended the Pink Stumps Day

**14.7** Councillor A. McKeough

Attended the Pink Stumps Day, Melbourne Cup Day, Gascoyne Catchment Group Meeting

**15. STATUS OF COUNCIL RESOLUTIONS**

Resolution N°	Subject	Status	Open / Close	Responsible Officer
09062018	Junction Caravan Park and Tourist Park	Mr Clark has agreed to the outgoings being taken from the bond, as such, I have instructed the solicitors to prepare the assignment of lease on the terms that we have previously agreed to, given that there is a change in the lease we will need to advertise as required by section 5.38.	Open	CEO
18082018	Kapoo Holdings-Deed of Settlement	Document executed and sent to the Solicitors. Document now signed by Brendan Clark and is being returned to the Shire via mail and the necessary monies have been deducted from the bond. Still waiting for Mitch to provide the guarantee.	Open	CEO
06102018	Hastings Reimbursements Budget Amendments, Ullawarra Traffic Management	Amendments made to the budget, and the temporary traffic management signage contract has been awarded and the signs have been erected.	Close	MFS
07102018	Closure of Ullawarra Road	Ullawarra is closed to all heavy vehicles except those associated with	Close	MWS

		pastoral activities until the 28 <sup>th</sup> of February 2019.		
08102018	Project Management for Ullawarra Road	TALIS have been appointed.	Close	MWS
10102018	Tender for Water Bores	Tender advertised, waiting for the close of tender before bring a recommendation back to Council.	Close	MWS
11102018	Organisation Structure review	This has been undertaken and is subject to a further item under the cover of a confidential item.	Close	CEO
12112018	2019 Meeting Dates	Item re-presented at the November Meeting	Close	CEO
15102018	Dozer Contract	Successful tenderer notified, currently putting together a contract.	Close	CEO
16102018	Water Cart Contract	Still in negotiations with a select supplier	Open	CEO / MWS

## 16. MEETING CLOSURE

The President thanked those present for attending the meeting and declared the meeting closed at 4.48 pm.