



MINUTES

28th of February 2024

ORDINARY COUNCIL MEETING

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

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.

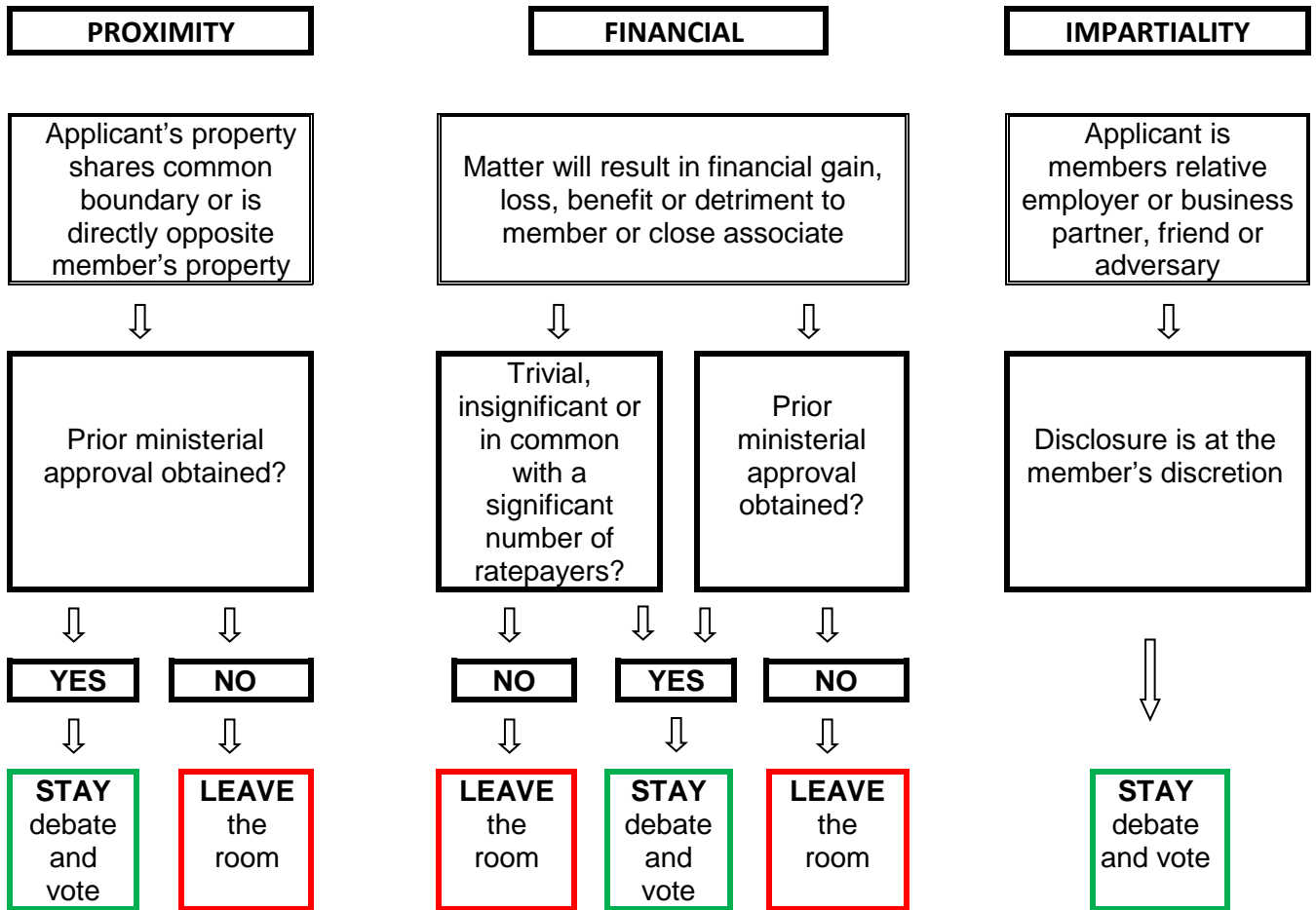
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John McCleary, JP
CHIEF EXECUTIVE OFFICER

* 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 28th of FEBRUARY 2024 COMMENCING
AT 10.45AM

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**SHIRE OF UPPER GASCOYNE
AGENDA FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRES
ADMINISTRATION BUILDING SITUATED AT GASCOYNE JUNCTION ON THE 28th OF FEBRUARY
2024 COMMENCING AT 10.45 AM**

1. DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS

The Shire President welcomed those present and declared the meeting open at 11.03am

2. ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE

2.1 Councillors

Cr J. Caunt	Shire President
Cr H. McTaggart	Deputy Shire President
Cr B. Walker	Councillor
Cr R. Hoseason-Smith	Councillor
Cr W. Baston	Councillor

Staff

John McCleary JP	Chief Executive Officer
Andrea Pears	Manager of Finance and Corporate Services
Cherie Walker	Senior Corporate Services Officer

Visitors

Joshua Kirk	Greenfield Technical Services
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2.2 Absentees

Jarrod Walker	Manager of Works and Services
Cr Peter Windie	Councillor

2.3 Leave of Absence previously approved

Cr A. McKeough

3. APPLICATION FOR LEAVE OF ABSENCE

Cr W Baston for the March Ordinary Council Meeting.

4. PUBLIC QUESTION TIME

4.1 Questions on Notice

Nil

4.2 Questions without Notice

F/A: 5/0

10. REPORTS OF OFFICERS

Council Resolution No: 02022024			
MOVED:	CR: R HOESEASON-SMITH	SECONDED:	CR: W BASTON
That Council receive the Manager of Finance and Corporate Services and the Chief Executive Officer reports as read.			
FOR: CR J CAUNT		AGAINST: CR	
CR H MCTAGGART			
CR R HOESEASON-SMITH			
CR W BASTON			
CR B WALKER			
F/A: 5/0			

10.1 Manager of Finance and Corporate Services Report

Happy New Year to all. January has been a very busy month for the team. In addition to our normal day to day operations we have had our Regulation 17 Risk and Financial Management Service Review auditors' onsite for the week commencing 22 January 2024. This audit focuses on internal controls and management of risk throughout the organisation and is required to be undertaken every three years. The auditors engage with and interview staff, from the CEO to Officer Level, ascertaining our procedures and policies and reviewing them against best practices to determine any recommended improvements. Overall the audit has progressed well and we are awaiting the finalisation and exit report to be presented to the CEO and myself in February 2024. I would like to thank the team for their support and contributions to this whole process and ensuring a successful outcome.

We are very happy to announce that Brooke Soltoggio commenced her new role of casual Community Resource Centre Customer Services Officer on the 5 February. Brooke will be working 8.30am to 11.30am Monday to Friday and am sure she will be a wonderful addition to our team.



Community Resource Centre Update

2023 finished on a high with the Youth Group Pool Party and the 2024 Community Christmas Party.

The GP Clinics have recommenced for the year along with fortnightly nursing clinics. A funding proposal is being considered to be decided on during the 3rd week of February about a potential monthly physio clinic in Gascoyne Junction. We continue to work to improve the services on offer. The WACHS team had their IT team on the ground at the last February clinic and will be back for the March clinic. Our Visitor Centre Accreditation has been renewed for the 2024 year.

Funding has been gained from Tourism WA to commence our Upper Gascoyne Tourism Capability Mentoring Project. We have received seven expressions of interest from across the Shire. Consultants DTM Consultants who have been involved with the Station Stays program have been appointed and will commence the initial discussions for the project in the next week. We are also close to finalising a project for a concept plan and business case for a Hot Spring facility in Gascoyne Junction.

We have hosted the staff from the Carnarvon Visitor Information Centre and their Media department on a famil across the shire to broaden their knowledge and understanding of our roads, accommodation and tourism experiences. This collaboration has been wonderful with great feedback from the participants, some incredible digital content created in both still and video format to utilise.

Our digital campaign has been going well and we are getting prepared to monitor the impact on visitation for this over the coming season. We have had over 1 million impressions to date. Both GDC and Tourism WA have requested video footage for us for showcase events about the Gascoyne region in Perth later in February. The new Wander Outback brochure is almost ready for print to be launched at the Perth Caravan and Camping Show in March. We have also received funding to host training on the use of the Shire telescope in the coming months and funding from the GDC to get our budgeted for Astrotourism signs for both Gascoyne Junction and Mount Augustus in this financial year.

We are fine tuning the details for the Tidy Town event in May. Sadly the Governor General is an apology for this event but indications show that approximately 35 delegates will be travelling to Gascoyne Junction for the event which is a good number for Keep Australia Beautiful. Keep Australia Beautiful will have ticket sales open next week. It is shaping up to be a wonderful event with Upper Gascoyne hospitality at its finest with volunteers coming forward to help make it a success. We will be chatting with councilors soon to seek assistance with roles throughout the weekend.

Youth Group is underway again for the year with funding from a Youth Group grant to host an overnight camp this year coming through. The Shire has been hosting social tennis on a Thursday night which has been well patronised so far.

General Ledger Detail Trial Balance

Options: Year 23/24, From Month 06, To Month 06, 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	-3,708.00	-741.60	-4,449.60
	CRC INC\ 10841330	Transport Commission: CRC	-709.61	-184.22	-893.83
	CRC INC\ 10841340	Postal Agency Commission: CRC	-3,354.49	-666.67	-4,021.16
	CRC INC\ 10841350	CRC Room Hire Income	-109.10	0.00	-109.10
	CRC INC\ 10841360	Income from Events Held	-19,500.00	-1,420.00	-20,920.00
	CRC INC\ 10841380	Postal Agency Sales	-475.05	-49.21	-524.26
	CRC INC\ 10841390	Sales: Books/Maps/Souvenirs/Sundries	-619.84	-4.55	-624.39
	CRC INC\ 10841500	Grant: CRC Operating	-48,000.00	0.00	-48,000.00
	CRC INC\ 10842590	Community Fund Monies Held in Trust Transferred to CRC	-462.26	0.00	-462.26
	CRC INC\ 10842600	CRC Income Misc.	-127.01	-70.00	-197.01
	CRC INC\ 10842610	CRC Merchandise Sales	-3,856.64	-539.83	-4,396.47
Total	CRC INCOME		-80,922.00	-3,676.08	-84,598.08
Total for division GEN			-80,922.00	-3,676.08	-84,598.08
Grand Total			-80,922.00	-3,676.08	-84,598.08

CUSTOMER SERVICES & ENQUIRIES		2023.2024 TOTAL	2022.2023 TOTAL	YTD DIFF	Dec-23	Dec-22	DEC DIFF
Admin Support	Faxes	1	0	1	0	0	0
	Photocopying/Printing/Scanning/Emailing	11	25	-14	0	0	0
	Laminating/Binding	0	1	-1	0	0	0
	Hot Office Bookings	3	1	2	0	0	0
	External Training and Course	1	0	1	0	0	0
CRC	1:1 Assistance to Community Members	27	30	-3	3	3	0
	Computer/Internet Access	33	34	-1	5	4	1
	Community Education Events	1	2	-1	0	0	0
	Community Social Events	8	16	-8	3	1	2
	Community Economic Seminars	0	1	-1	0	0	0
	Department of Human Services	11	16	-5	2	0	2
	Government Access Point	34	37	-3	4	5	-1
	Use of Paid WIFI Services	3	3	0	0	0	0
	Use of FREE WIFI Hub	33	27	6	3	3	0
Tourism	Road Condition Requests	396	830	-434	2	6	-4
	General Tourism Information	1129	1036	93	13	8	5
	Book Sales	14	29	-15	1	0	1
	CRC Merchandise Sales	193	308	-115	4	7	-3
	Walking Tours	67	70	-3	0	0	0
Info	Phonebook Purchases	0	0	0	0	0	0
	Gassy Gossip yearly subscription	3	0	3	0	0	0
	Gassy Gossip Advertisement	0	0	0	0	0	0
Health	Video Conference/Telehealth	1	8	-7	0	0	0
	RFDS Support	16	11	5	2	0	2
	Medical Clinic Visits	57	82	-25	7	11	-4
Agencies	Library	72	93	-21	8	7	1
	Postage Sales	77	94	-17	7	4	3
	Postage Collection	68	68	0	49	42	7
	Department of Transport	27	34	-7	3	5	-2
	Horizon Power	38	68	-30	6	8	-2
Total Customer Service Enquiries		2324	2924	-600	122	114	8

General Ledger Detail Trial Balance

(frmGLTrialBalance)

Options : Year 23/24,From Month 07,To Month 07,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	-4,449.60	-741.60	-5,191.20
	CRC INC\ 10841330	Transport Commission: CRC	-893.83	-21.92	-915.75
	CRC INC\ 10841340	Postal Agency Commission: CRC	-4,021.16	-666.67	-4,687.83
	CRC INC\ 10841350	CRC Room Hire Income	-109.10	0.00	-109.10
	CRC INC\ 10841360	Income from Events Held	-20,920.00	0.00	-20,920.00
	CRC INC\ 10841380	Postal Agency Sales	-524.26	-69.23	-593.49
	CRC INC\ 10841390	Sales: Books/Maps/Souvenirs/Sundries	-624.39	-13.59	-637.98
	CRC INC\ 10841500	Grant: CRC Operating	-48,000.00	0.00	-48,000.00
	CRC INC\ 10842590	Community Fund Monies Held in Trust Transferred to CRC	-462.26	0.00	-462.26
	CRC INC\ 10842600	CRC Income Misc.	-197.01	0.00	-197.01
	CRC INC\ 10842610	CRC Merchandise Sales	-4,396.47	-59.00	-4,455.47
Total	CRC INCOME		<u>-84,598.08</u>	<u>-1,572.01</u>	<u>-86,170.09</u>
Total for division	GEN		<u>-84,598.08</u>	<u>-1,572.01</u>	<u>-86,170.09</u>
Grand Total			<u>-84,598.08</u>	<u>-1,572.01</u>	<u>-86,170.09</u>

CUSTOMER SERVICES & ENQUIRIES		2023.2024 TOTAL	2022.2023 TOTAL	YTD DIFF	Jan-24	Jan-23	JAN DIFF
Admin Support	Faxes	1	0	1	0	0	0
	Photocopying/Printing/Scanning/Emailing	11	25	-14	0	5	-5
	Laminating/Binding	0	1	-1	0	0	0
	Hot Office Bookings	3	1	2	0	0	0
	External Training and Course	1	0	1	0	0	0
CRC	1:1 Assistance to Community Members	27	30	-3	1	2	-1
	Computer/Internet Access	33	34	-1	4	3	1
	Community Education Events	1	2	-1	0	0	0
	Community Social Events	8	16	-8	0	0	0
	Community Economic Seminars	0	1	-1	0	0	0
	Department of Human Services	11	16	-5	0	0	0
	Government Access Point	34	37	-3	3	9	-6
	Use of Paid WIFI Services	3	3	0	0	1	-1
Use of FREE WIFI Hub	33	27	6	2	0	2	
Tourism	Road Condition Requests	396	830	-434	8	37	-29
	General Tourism Information	1129	1036	93	14	17	-3
	Book Sales	14	29	-15	1	0	1
	CRC Merchandise Sales	193	308	-115	4	4	0
	Walking Tours	67	70	-3	0	0	0
Info	Phonebook Purchases	0	0	0	0	0	0
	Gassy Gossip yearly subscription	3	0	3	3	0	3
	Gassy Gossip Advertisement	0	0	0	0	0	0
Health	Video Conference/Telehealth	1	8	-7	0	0	0
	RFDS Support	16	11	5	1	1	0
	Medical Clinic Visits	57	82	-25	8	5	3
Agencies	Library	72	93	-21	9	9	0
	Postage Sales	77	94	-17	6	6	0
	Postage Collection	68	68	0	37	34	3
	Department of Transport	27	34	-7	1	7	-6
	Horizon Power	38	68	-30	0	4	-4
Total Customer Service Enquiries		2324	2924	-600	102	144	-42

10.2 Chief Executive Officers Report

I would like to welcome all Councillors and Staff back for a new calendar year which will once again be busy and hopefully as fruitful as previous years.

Our last meeting was over two months ago which is a long time between drinks; however when you intercede Christmas, New Year and Australia Day public holidays mixed with officers both inside and outside taking well deserved holidays as well as absences caused by illness work on the ground has progressed albeit at slower than normal pace.

I can advise that our Works Manager will be away from the office until early April. During his absence I will take over and run the outside crew. Unfortunately this will mean that the extra workload will be spread over the entire workforce. Given the above please excuse us if we don't get to everything as we will need to prioritise with Statutory Reporting being our number 1 priority.

As previously advised, we now own the proposed Commercial Land in freehold title. The step in the process is to get the lots re-zoned to commercial. This will be done separate to the existing Town Planning Scheme review as this will be quicker than waiting for the review. I am working with the Department of Planning, Lands and Heritage to facilitate this. Once re-zoned we can then start to work with DevelopmentWA to undertake this sub-division. There is an Agenda item at this meeting to facilitate the sub-division.

Sean, Liz and I have been working with the Department of Planning, Lands and Heritage to sub-divide Lot 45 Gregory Street. Unknown to the Shire the Land was still in the name of the Department of Planning, Lands and Heritage so we had to get this transferred into the Shires name. This was tricky as we had to establish the historical time frames and find the paperwork associated. I believe that we are now in a position for this land to be transferred to the Shire and then we can make application for sub-division as this is where the new house is to be located and Horizon won't connect the electricity unless the sub-division is approved.

As advised at the December OMC Meeting the Shire President, Deputy President, Stuart House (our solicitor in relation to Heritage) have attended meetings with the Yinggarda Board so as to move projects forward and to reach a broader agreement. Thanks to both Councillors we have been able to establish a sound working relationship with the Yinggarda Board. At the last meeting held on the 1st of February 2024 we have managed to get YAC resolutions for the River Stairs Project, Pells Re-alignment, ILUA for the residential land, broad agreement to enter into a Heritage Agreement and to look at how the Gascoyne Town-site is viewed from a nominated Heritage listed area. In keeping with this theme the Shire President and myself are meeting with the Jidi Jidi PBC in Meekatharra on the 20th of February 2024 to discuss the Landor Re-Alignment and associated gravel pits. I am still waiting on the Wadjari PBC to confirm a meeting date.

On the 22nd of February 2024 I am attending a meeting in Carnarvon with the Department of Planning, Land and Heritage as well as the Department of Water and Environment Regulation to get further information on the 1972 Aboriginal Heritage Act, Clearing / Beds and Banks Permits.

On the 23rd of February the President and Deputy President will attend the WALGA Zone Meeting and the Regional Road Group Meeting.

The Works Crew commenced work on the 29.01.2024 and have been down on Pimbee Road assisting NGE repair blow outs. This work will cease on the 14th of Feb and they will have their break. Upon returning from their break they will head up to Cobra and commence work.

As per normal all of our machinery have had the once over by our mechanics with repairs and servicing being undertaken on an as needed basis. All camps were inspected and fitted with handrails

in an attempt to prevent further falls. Whilst on this subject Thomas is still off work for at least another month.

Water is still a major concern, at the time of writing we are still waiting for our consultants to provide the operating cost of a PO Plant, once this is done I can identify the CAPEX required. The biggest hurdle is the disposal of the waste stream from the RO Plant, in the short term, we have numerous discussions with DWER as the waste water is a controlled substance. One good thing is that we don't have to register the PO plant as the throughput is not sufficient. If we dispose of the waste within the boundaries of the existing site then we have no issues apart from addressing the hyper salinity of the water if we take the waste offsite then it needs to be disposed of at an approved waste site. At this stage we are not convince the existing waste site would be acceptable given its proximity to creeks that discharge into the Gascoyne River. With this in mind we have identified an area more suitable but this will take some time to design the site and get all the necessary approvals inclusive of an ILUA.

As previously advised the sale of Lot 51 Hatch Street is set for settlement on the 26th of February 2024. There will be a reasonable amount of work required to bring the home up to standard. Sean has this in hand and some works are already scheduled in to commence early May. Whilst on the subject of housing, the new house has had its slab laid, all the wall and roof framing completed and the internal linings fitted.

10.3 ACCOUNTS & STATEMENTS OF ACCOUNTS	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	Andrea Pears
Date:	12 February 2024
Matters for Consideration:	<p>To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Wednesday the 28th of February 2024 as attached – see Appendix 1.</p> <p>In addition to the List of Accounts and as part of this agenda report, Council are also requested to receive the Legal Expenses report. This report details all legal costs incurred to the end of this reporting period for both general legal and rates debt recovery expenses – refer to Appendix 1.</p>
Background:	The local government under its delegated authority to the CEO to make payments from the municipal and trust funds is required to prepare a list of accounts each month showing each account paid and presented to Council at the next ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.
Comments:	The list of accounts are for the month of December 2023 & January 2024.
Statutory Environment:	Local Government (Financial Management Regulations) 1996

		<p>13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p> <p>(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —</p> <p>(a) the payee's name; and (b) the amount of the payment; and (c) the date of the payment; and (d) Sufficient information to identify the transaction.</p> <p>(2) A list of accounts for approval to be paid is to be prepared each month showing —</p> <p>(a) for each account which requires council authorisation in that month —</p> <p>(i) the payee's name; and (ii) the amount of the payment; and (iii) sufficient information to identify the transaction; and (b) the date of the meeting of the council to which the list is to be presented.</p> <p>(3) A list prepared under sub regulation (1) or (2) is to be —</p> <p>(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and (b) recorded in the minutes of that meeting.</p>			
Policy Implications:		Nil			
Financial Implications:		2023/2024 Budget			
Strategic Implications:		<p>SCP – Objective 4 – Our Leadership – 4.2 An efficient and effective organisation. Strategy 4.2.2 Maintain accountability and financial responsibility through effective planning. Strategy 4.2.3 Comply with statutory and legislative requirements.</p>			
Risk:					
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

Consultation:	Nil										
Voting requirement:	Simple Majority										
Officer's Recommendation:	<p><i>That Council endorse the payments for the period 1st of December 2023 to the 31st of January 2024 as listed, which have been made in accordance with delegated authority per LGA 1995 s5.42 and receive the Legal Expenses Report detailing all legal costs incurred to the 31st of January 2024.</i></p> <table border="1"> <tr> <td>Municipal Fund Bank EFTs</td> <td>\$ 5,834,009.60</td> </tr> <tr> <td>Cheque</td> <td>\$ 0.00</td> </tr> <tr> <td>Payroll</td> <td>\$ 220,608.23</td> </tr> <tr> <td>BPAY/Direct Debit</td> <td>\$ 53,176.66</td> </tr> <tr> <td>TOTAL</td> <td>\$ 6,107,794.49</td> </tr> </table>	Municipal Fund Bank EFTs	\$ 5,834,009.60	Cheque	\$ 0.00	Payroll	\$ 220,608.23	BPAY/Direct Debit	\$ 53,176.66	TOTAL	\$ 6,107,794.49
Municipal Fund Bank EFTs	\$ 5,834,009.60										
Cheque	\$ 0.00										
Payroll	\$ 220,608.23										
BPAY/Direct Debit	\$ 53,176.66										
TOTAL	\$ 6,107,794.49										

Council Resolution No: 03022024

MOVED:	CR: B WALKER	SECONED:	CR: R HOESEASON-SMITH
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That Council endorse the payments for the period 1st of December 2023 to the 31st of January 2024 as listed, which have been made in accordance with delegated authority per LGA 1995 s5.42 and receive the Legal Expenses Report detailing all legal costs incurred to the 31st of January 2024.

Municipal Fund Bank EFTs ()	\$ 5,834,009.60
Cheque	\$ 0.00
Payroll	\$ 220,608.23
BPAY/Direct Debit	\$ 53,176.66
TOTAL	\$ 6,107,794.49

**FOR: CR J CAUNT
CR H MCTAGGART
CR R HOESEASON-SMITH
CR W BASTON
CR B WALKER**

AGAINST: CR

F/A: 5/0

10.4 MONTHLY FINANCIAL STATEMENT	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	None
Author:	Andrea Pears
Date:	12 February 2024
Matters for Consideration:	<p>The Statement of Financial Activity for the period of December 2023 & January 2024, includes the following reports:</p> <ul style="list-style-type: none"> • Statement of Financial Activity • Significant Accounting Policies • Graphical Representation – Source Statement of Financial Activity • Net Current Funding Position • Cash and Investments • Major Variances • Budget Amendments • Receivables • Grants and Contributions • Cash Backed Reserve • Capital Disposals and Acquisitions • Trust Fund <p>see Appendix 2</p>
Background:	<p>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.</p>
Comments:	<p>The Statement of Financial Activity is for the month of December 2023 and January 2024</p>
Statutory Environment:	<p>Local Government Act 1995 – Section 6.4</p> <p>Local Government (Financial Management Regulations) 1996 – Sub-regulation 34.</p>
Policy Implications:	Nil
Financial Implications:	Nil
Strategic Implications:	<p>SCP – Objective 4 – Our Leadership – 4.2 An efficient and effective organisation.</p> <p>Strategy 4.2.2 Maintain accountability and financial responsibility through effective planning.</p> <p>Strategy 4.2.3 Comply with statutory and legislative requirements.</p>
Risk:	

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Consultation:		Nil			
Voting requirement:		Simple Majority			
Officer's Recommendation:		<i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of December 2023 and January 2024.</i>			
Council Resolution No: 04022024					
MOVED:	CR: H MCTAGGART		SECONDED:	CR: B WALKER	
<p>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of December 2023 and January 2024.</p> <p>FOR: CR J CAUNT CR H MCTAGGART CR R HOESEASON-SMITH CR W BASTON CR B WALKER</p> <p style="text-align: right;">AGAINST: CR</p> <p>F/A: 5/0</p>					

10.5 COMPLIANCE AUDIT RETURN (CAR)	
APPLICANT:	Shire of Upper Gascoyne
DISCLOSURE OF INTEREST:	Nil
AUTHOR:	John McCleary – Chief Executive Officer
DATE:	12 February 2024
Matters for Consideration:	

To receive the report of the Audit Committee in regard to the review of the Compliance Audit return for 2023 and for Council to adopt the return as detailed in **Appendix 3** of the *Audit Committee agenda*

Background:

Prior to the ordinary meeting of Council, the compliance audit return prepared by the CEO will be reviewed by the Audit Committee in accordance with regulation 14 of the Local Government (Audit) Regulations. The regulations provide that after the audit committee has reviewed the return, it is to report to Council the results of that review. Once the audit committee has reported to Council, the compliance return is to be presented to Council for adoption of the return.

Once the return is adopted by Council, a certified copy of the return together with a copy of the relevant minutes referred to in the regulations and any additional information will be submitted to the Executive Director of the Department of Local Government by March 31st.

Comments:

All members have received a copy of the compliance audit return as well as members of the audit committee. It is unlikely that the committee will seek changes or seek further explanations in addition to those in the report to the Committee, however if that is the case, it should be in the report of the review done by the committee.

Once reviewed, it is expected that the chairman of the committee will report to Council the result of the review.

Statutory Environment:

Local Government (Audit) Regulations 1996

Reg14.Compliance Audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under sub regulation {3A}, the compliance audit return is to be -
 - (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Civic Leadership –

To provide Good Governance to the Upper Gascoyne Shire area through:

- Detailed and professional administration;
- 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;

Provision of quality customer services, good financial management and pursuit of excellence in professional administration and communication.

Consultation:

Nil

Officer's Recommendation:

Voting requirement: Absolute Majority

"That the report of the audit committee under Regulation (3A) of the Local Government (Audit) Regulations be received and the Compliance Audit Return for 2023 as presented in Appendix 1 of the Audit Committee Meeting Agenda be adopted".

Council Decision 05022024

MOVED: CR H MCTAGGART

SECONDED: R HOSEASON-SMITH

"That the report of the audit committee under Regulation (3A) of the Local Government (Audit) Regulations be received and the Compliance Audit Return for 2023 as presented in Appendix 1 of the Audit Committee Meeting Agenda be adopted".

**FOR: CR J CAUNT
CR H MCTAGGART
CR R HOESEASON-SMITH
CR W BASTON
CR B WALKER**

AGAINST: CR

F/A: 5/0

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	Chief Executive Officer
Date:	15 February 2024
Matters for Consideration:	Shire of Upper Gascoyne Local Planning Scheme No. 1, Amendment No. 1
Background:	<p>An amendment to the Shire of Upper Gascoyne Planning Scheme No. 1 (LPS 1) has been prepared. The amendment proposes the re-zoning of Lot 556 on Deposited Plan 72451, corner of Wansborough Road and Pimbee Road, Upper Gascoyne (subject land) from 'Rural' to 'Light Industry'. The scheme maps should be amended accordingly.</p> <p>This amendment will allow for the Shire of Upper Gascoyne to subdivide the subject land and create increased 'Light Industry' zoned land within the Gascoyne Junction townsite.</p> <p>There is significant demand for light industrial land in Gascoyne Junction, particularly for lots which can be owned in freehold by businesses. There are currently only two light industrial zoned lots in the town. The Shire considers these lots to be utilised to their full potential, while demand for light industrial land is anticipated to increase.</p> <p>There is an uptick in mining activity in the region. The Shire aims to encourage mining servicing businesses to base themselves in Gascoyne Junction, which is the nearest town to mine sites such as the Yangibana rare earth deposits mine. Land uses which may become available to the town through the development of the lots could include offices and warehouses for suppliers of relevant materials, equipment and vehicles for the future mine sites within the Shire.</p> <p>DevelopmentWA has been in discussions with the Shire to support the development of the lots.</p>
Comments:	<p>The amendment seeks to re-zone Lot 556 on Deposited Plan 72451 in Gascoyne Junction from 'Rural' to 'Light Industry'.</p> <p>The proposal to increase the availability of light industrial land within the Shire of Upper Gascoyne will provide residents of Gascoyne Junction and surrounding areas with access to increased services. The proposal will provide the opportunity for the region to grow and allow for the services required for an increase in population.</p>

The Local Planning Strategy (2018) sets out the Shire's objectives for the future planning and development of the local area and includes a strategic framework to pursue these objectives. Lot 556 is shown as 'Business' on the Local Planning Strategy. This land use description is for other uses not identified as 'Residential' or 'Rural Residential' within the town of Gascoyne Junction.

The Local Planning Strategy also identifies several expansion options for the Gascoyne Junction townsite. These options highlight the subject land for either business, industry, or industry (long term) uses. The proposal is in line with the Local Planning Strategy, and accordingly, based on the *Planning and Development (Local Planning Schemes) Regulations 2015*, is considered a 'standard' amendment.

The following aim of the Shire of Upper Gascoyne Local Planning Scheme No.1 is relevant to the proposal:

"To provide land use zones that allow for diversification of the local economy."

The objectives of the 'Light Industry' zone, which the subject land is to be rezoned to, are as follows:

- *"To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.*
- *To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity."*

The proposed uses are compatible with the 'Light Industry' zone and do not adjoin any residential uses.

The proposed scheme amendment is considered to be a 'standard' amendment to the Shire of Upper Gascoyne Local Planning Scheme as per the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- The amendment is consistent with the Shire of Upper Gascoyne Local Planning Strategy which has been endorsed by the Western Australian Planning Commission; and
- The amendment is not a basic or complex amendment.

A standard amendment will require consent to advertise from the Minister for Planning and following this, advertisement for a period of 42 days.

At this stage, Council's resolution is sought to initiate and advertise the scheme amendment only.

	<p>Should the Council resolve to initiate and advertise, the amendment will be advertised to gather community feedback as further information for the final decision. It is noted that the item will be brought back to Council for adoption following the advertising period.</p>
<p>Statutory Environment:</p>	<p><i>Planning and Development Act 2005:</i></p> <p>75. Amending scheme A local government may amend a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district, by an amendment —</p> <p>(a) prepared by the local government, approved by the Minister and published in the Gazette; or</p> <p>(b) proposed by all or any of the owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the Gazette.</p> <p>81. Referral of proposed scheme or amendment to EPA (1) As soon as practicable after preparing, or resolving to adopt, a proposed local planning scheme or a proposed amendment to a local planning scheme, a local government must refer the proposed scheme or amendment to the EPA by giving to the EPA —</p> <p>(a) a copy of the proposed scheme or amendment; and</p> <p>(b) any other written information about the proposed scheme or amendment that is necessary to enable the EPA to comply with the EP Act section 48A in relation to the proposed scheme or amendment.</p> <p>(2) Despite subsection (1), a proposed local planning scheme or amendment to a local planning scheme of a class prescribed by regulations under the EP Act section 48AAA (2) is not required to be referred to the EPA.</p> <p>83A. Proposed scheme or amendment to be submitted to Minister for approval to advertise (1) After preparing, or resolving to adopt, a proposed local planning scheme or a proposed amendment to a local planning scheme, and complying with sections 81 and 82 (if applicable) in relation to the proposed scheme or amendment, a local government must submit the proposed scheme or amendment to the Minister.</p> <p>(2) The Minister may —</p> <p>(a) approve the proposed scheme or amendment for advertising under section 84; or</p> <p>(b) require the local government to modify the proposed scheme or amendment in such manner as the Minister specifies and to resubmit the proposed scheme or amendment to the Minister under subsection (1); or (c) refuse approval for the proposed scheme or amendment to be advertised under section 84.</p> <p>(3) A requirement under subsection (2)(b) may include a requirement that sections 81 and 82 (if applicable) be complied with again in relation to the modified scheme or amendment.</p>

(4) If approval is refused under subsection (2)(c), the local government cannot proceed with the proposed scheme or amendment.

Planning and Development (Local Planning Schemes) Regulations 2015:

35. Resolution to prepare or adopt amendment to local planning scheme

(1) A resolution of a local government to prepare or adopt an amendment to a local planning scheme must be in a form approved by the Commission.

(2) A resolution must —

(a) specify whether, in the opinion of the local government, the amendment is a complex amendment, a standard amendment or a basic amendment; and

(b) include an explanation of the reason for the local government forming that opinion.

(3) An amendment to a local planning scheme must be accompanied by all documents necessary to convey the intent and reasons for the amendment.

47. Advertisement of standard amendment

(1) Subject to sections 81 and 82 of the Act, if a local government resolves under regulation 35(1) to prepare a standard amendment to a local planning scheme or to adopt a standard amendment to a local planning scheme proposed by the owner of land in the scheme area, the local government must, as soon as is reasonably practicable, prepare a notice in a form approved by the Commission giving details of —

(a) the purpose of the amendment; and

(b) how the amendment is to be made available to the public in accordance with regulation 76A; and

(c) the manner and form in which submissions may be made; and

(d) the period under sub regulation (3) for making submissions and the last day of that period.

(2) On completion of the preparation of the notice, the local government must advertise the standard amendment to a local planning scheme as follows —

(a) publish in accordance with regulation 76A —

(i) the notice; and

(ii) the amendment;

(c) give a copy of the notice to each public authority that the local government considers is likely to be affected by the amendment;

(e) advertise the amendment as directed by the Commission and in any other way the local government considers appropriate.

(3) The period for making submissions on a standard amendment to a local planning scheme is —

(a) the period of 42 days after the day on which the notice is first published under sub regulation (2)(a)(i); or

	(b) a longer period approved by the Commission.				
Policy Implications:	Nil				
Financial Implications:	Relevant financial implications to consider at development stage for the light industrial subdivision once the scheme amendment process has been completed.				
Strategic Implications:	SCP – Objective 1 – Social – Our People – 1.2.2 Ensure there is appropriate infrastructure, facilities and services to meet the current and future needs of our community. Object 2 – Economic – Our Prosperity 2.2.3 Develop industrial, residential and commercial land development and seek investment opportunities. Object 4 Governance – Our Leadership – 4.2.2 Maintain accountability and financial responsibility through effective planning. Strategy 4.2.3 Comply with statutory and legislative requirements.				
Risk:	The Local Planning Scheme permits uses according to zoning. To ensure the proposed subdivision can be appropriately developed, this scheme amendment is required. If the land is not re-zoned in accordance with this scheme amendment, the uses proposed as part of the future subdivision may not be permitted based on current zoning.				
Risk	Risk Likelihood (based on history and with existing controls)		Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)		Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Consultation:	Nil				
Voting requirement:	Simple majority				
Officer's Recommendation:	<p>That Council by simple majority:</p> <ol style="list-style-type: none"> 1. Pursuant to Section 75 of the <i>Planning and Development Act 2005</i>, resolves to amend Shire of Upper Gascoyne Local Planning Scheme No. 1 by re-zoning Lot 556 on Deposited Plan 72451, corner of Wansborough Road and Pimbee Road, Upper Gascoyne (subject land) from 'Rural' to 'Light Industry' and updating the scheme maps accordingly. 2. Pursuant to Regulation 35 (2) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, resolves that Local Planning Scheme Amendment No. 1 is a 'standard' scheme amendment on the basis that: <ol style="list-style-type: none"> a) The amendment is consistent with the Shire of Upper Gascoyne Local Planning Strategy which has been endorsed by the Western Australian Planning Commission; and b) The amendment is not a basic or complex amendment. 				

3. Pursuant to section 81 and 82 of the *Planning and Development Act 2005*, resolves to refer Local Planning Scheme Amendment No. 1 to the Environmental Protection Authority for the level of assessment to be set pursuant to Section 48A of the *Environmental Protection Act 1986*.
4. Pursuant to section 83A of the *Planning and Development Act 2005*, request that the Chief Executive Officer forward this resolution and the amendment documentation to the Minister for Planning for approval to advertise.
5. Subject to the approval of the Minister for Planning and advice of the Environmental Protection Authority, requests that the Chief Executive Officer advertise the amendment for a minimum of 42 days.

Council Resolution No: 06022024

MOVED:

CR H MCTAGGART

SECONDED:

CR B WALKER

That Council by simple majority:

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, resolves to amend Shire of Upper Gascoyne Local Planning Scheme No. 1 by re-zoning Lot 556 on Deposited Plan 72451, corner of Wansborough Road and Pimbee Road, Upper Gascoyne (subject land) from 'Rural' to 'Light Industry' and updating the scheme maps accordingly.
2. Pursuant to Regulation 35 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves that Local Planning Scheme Amendment No. 1 is a 'standard' scheme amendment on the basis that:
 - a) The amendment is consistent with the Shire of Upper Gascoyne Local Planning Strategy which has been endorsed by the Western Australian Planning Commission; and
 - b) The amendment is not a basic or complex amendment.
3. Pursuant to section 81 and 82 of the *Planning and Development Act 2005*, resolves to refer Local Planning Scheme Amendment No. 1 to the Environmental Protection Authority for the level of assessment to be set pursuant to Section 48A of the *Environmental Protection Act 1986*.
4. Pursuant to section 83A of the *Planning and Development Act 2005*, request that the Chief Executive Officer forward this resolution and the amendment documentation to the Minister for Planning for approval to advertise.
5. Subject to the approval of the Minister for Planning and advice of the Environmental Protection Authority, requests that the Chief Executive Officer advertise the amendment for a minimum of 42 days.

FOR: CR J CAUNT
 CR H MCTAGGART
 CR R HOESEASON-SMITH
 CR W BASTON
 CR B WALKER

AGAINST: CR

F/A: 5/0

10.7 2023/24 BUDGET RE-ALLOCATION

Applicant:	Shire of Upper Gascoyne				
Disclosure of Interest:	Nil				
Author:	John McCleary – Chief Executive Officer				
Date:	16 February 2024				
Matters for Consideration:	To reallocate \$42,000 from the Cement Stabilisation Account to a new Water Bore Account				
Background:	The Shire has made an allocation of \$42,000 towards purchasing bulk cement as part of the unsealed road maintenance programme where we stabilise sections of the roads to provide more strength and durability to the road pavement				
Comments:	<p>The Works Manager has advised that there is no requirement to purchase any cement for the 23/24 financial year as there is sufficient stock left over from the 22/23 financial year.</p> <p>Given that the Shire is going to continue with the sealing of the Carnarvon / Meekatharra Route the requirement for water in order to construct the road base is imperative. Currently there is a lack of water points along the next section of the road to be constructed and an existing bore has failed.</p> <p>It is requested that we allocate \$20,000 towards reconstructing a new bore at the Congo Creek site as the existing bore appears to have collapsed. Allocate a further \$20,000 towards constructing a new bore on Dairy Creek Pastoral Station in relative proximity to the intersection of Carnarvon / Mullewa Road and to remove a lay flat pipe stuck down a bore located near the Glenburgh – Carnarvon / Mullewa Intersection (\$2,000).</p>				
Statutory Environment:					
Policy Implications:	Nil				
Financial Implications:	Nil – It is a reallocation of an existing amount already budgeted for.				
Strategic Implications:	SCP – Key Objective 2 Economic Our Prosperity – Strategy 2.1.1 Provide appropriate transport network infrastructure, supporting our community, local pastoral and mining industries and tourism.				
Risk:					
Risk	Risk Likelihood (based on history and with existing controls)		Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)

Not meeting Statutory Compliance	Rare (1)		Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Consultation:		Works Manager			
Voting requirement:		Absolute Majority			
Officer's Recommendation:		<i>That Council authorise the CEO to reallocate \$42,000 from Account No 12274.361 to Account CN 2080 – Job WB100 (Water Bore – Congo) \$20,000; WB101 (Water Bore – Dairy Creek) \$20,000 and maintenance Account 11215150.370 - \$2,000.</i>			
Council Resolution No:07022024					
MOVED:	CR R HOESEASON-SMITH	SECONDED:	CR W BASTON		
<p>That Council authorise the CEO to reallocate \$42,000 from Account No 12274.361 to Account CN 2080 – Job WB100 (Water Bore – Congo) \$20,000; WB101 (Water Bore – Dairy Creek) \$20,000 and maintenance Account 11215150.370 - \$2,000.</p> <p>FOR: CR J CAUNT CR H MCTAGGART CR R HOESEASON-SMITH CR W BASTON CR B WALKER</p> <p>AGAINST: CR</p> <p>F/A: 5/0</p>					

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 J Caunt – Attended a meeting with Hastings after the December council meeting and the community Christmas party in January I attended a meeting in Perth with the Yinggarda Aboriginal Corporation and the Jidi Jidi PBC in Meekatharra to assist with Native Title and Heritage requirements. Attended a WALGA meeting regarding the Aboriginal Heritage Act 1972. Attended a meeting with Hastings regarding a Road Use Agreement.

14.2 Cr H McTaggart – Attended a meeting with Hastings after the December council meeting and the community Christmas party in January I attended a meeting in Perth with the Yinggarda Aboriginal Corporation and the Jidi Jidi PBC in Meekatharra to assist with Native Title and Heritage requirements. Attended a WALGA meeting regarding the Aboriginal Heritage Act 1972. Attended a meeting with Hastings regarding a Road Use Agreement.

14.3 Cr B Walker – Attended the community Christmas party.

14.4 Cr W Baston – Chaired the LEMC in Gascoyne Junction on the 15 of February 2024.

14.5 Cr R Hoseason-Smith – Attended the community Christmas party.

14.6 Cr P Windie – Attended the community Christmas party.

14.7 Cr A McKeough – Attended and catered the community Christmas party.

15. OUTSTANDING COUNCIL MEETING RESOLUTIONS

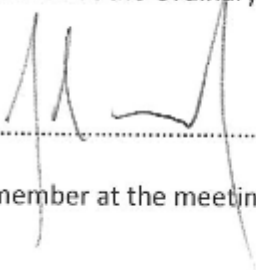
Resolution N°	Subject	Status	Open / Close	Responsible Officer
07102023	Application to change valuation method – Yangibana	Waiting on approval from the Department of Local Government. We now need to get the parcel of land valued by the valuer general.	Open	Consultant

16. STATUS OF SHIRE PROJECTS

As per [Appendix 4](#)

17. MEETING CLOSURE

The Shire President closed the meeting at 12.20pm.

<p>To be confirmed at the Ordinary Meeting on the 27th March 2024.</p> <p>Signed.....</p> <p>Presiding member at the meeting at which time the minutes were confirmed.</p>
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