

MINUTES

23rd of October 2024

ORDINARY COUNCIL MEETING

To be held at the Shire of upper Gascoyne's Administration Building located at 4 Scott Street, Gascoyne Junction, commencing at 10.30am

DISCLAIMER

Disclaimer

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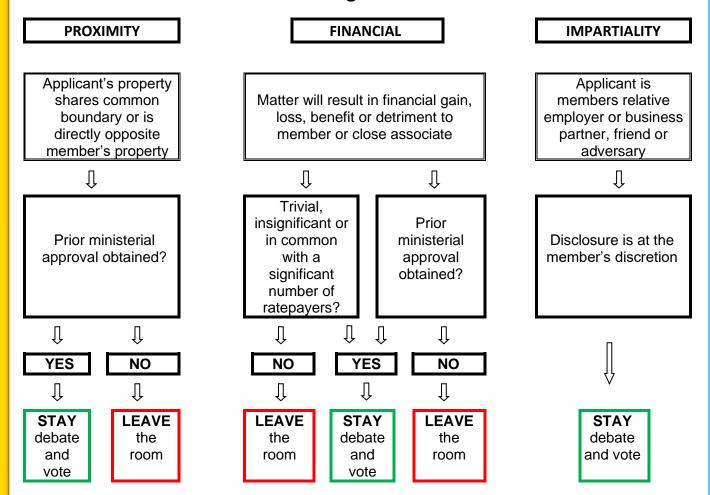
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John McCleary, JP CHIEF EXECUTIVE OFFICER

* 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 ON THE 23rd OF OCTOBER 2024 COMMENCING AT <u>10.30 AM</u>

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SHIRE OF UPPER GASCOYNE AGENDA FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRES ADMINISTRATION BUILDING ON THE 23RD OF OCTOBER 2024 COMMENCING AT 10.30 AM

1. DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS

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

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 P. Windie Councillor
Cr A. McKeough Councillor
Cr W. Baston Councillor

<u>Staff</u>

John McCleary Chief Executive Officer
Jarrod Walker Executive Manager of Works

Andrea Pears Executive Manager of Finance and

Corporate Services

Cherie Walker Senior Corporate Services Officer

Visitors

2.2 Absentees

2.3 <u>Leave of Absence previously approved</u>

Nil

3. APPLICATION FOR LEAVE OF ABSENCE

4. PUBLIC QUESTION TIME

4.1 Questions on Notice

Nil

4.2 Questions without Notice

5. DISCLOSURE OF INTEREST

10.13 - Cr Will Baston

- 6. PETITIONS/DEPUTATIONS/PRESENTATIONS
- 7. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION
- 8. MATTERS FOR WHICH THE MEETING MAY GO BEHIND CLOSED DOORS
- 9. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS
 - **9.1** Ordinary Meeting of Council held on 18th of September 2024.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution No: 01102024

MOVED: CR: B. WALKER SECONDED: CR: R. HOSEASON-SMITH

That the Unconfirmed Minutes from the Ordinary Meeting of Council held on the 18th of September 2024 be confirmed as a true and correct record of proceedings.

FOR: CR J CAUNT AGAINST: CR

CR H MCTAGGART

CR B WALKER
CR W BASTON

CR R HOSEASON-SMITH

CR P WINDIE

CR A MCKEOUGH

F/A: 7/0

10. REPORTS OF OFFICERS

	Council Resolution No: 02102024						
MOVED:	CR: B. WALKER	SECONDED:	CR: R. HOSEASON-SMITH				

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

FOR: CR J CAUNT AGAINST: CR

CR H MCTAGGART
CR B WALKER
CR W BASTON

CR R HOSEASON-SMITH
CR P WINDIE
CR A MCKEOUGH

F/A: 7/0

10.1 Manager of Finance and Corporate Services Report

The first draft of our Annual Financial Statements was forwarded to auditors on the 30 September 2024 and ensuring compliance with the Local Government Act. The weeklong onsite audit will commence the 21 October 2024 and our team will be on hand to ensure all queries and samples are provided with the focus being a smooth audit process and a successful outcome. To date the finance team has been diligently working to ensure that we are ready, and the auditors can commence their work without delay. They have been busy beavers and are to be commended for their efforts. Well Done! The audit process and the finalisation of the Annual Financial Statements are scheduled for early December 2024 in readiness for presentation to the Audit Committee for review and adoption by Council at that months OCM, prior to inclusion into the Council's Annual Report. As you can see there are many hurdles for the team to clear and takes considerable time to accomplish.

On a lighter note we had our first EV Station user arrive at the CRC to tup their car which just happened to be a Tesla. He specifically came to Gascoyne Junction to use the EV Station. As you can see from the pictures the car looks pretty impressive.







Community Resource Centre Update

Author - Ainlsey Hardie, Tourism & Community Development Officer

Medical

- As part of preparing for the Local Government Public Health Policy I attended the next information session based around Mental Health and received an update on the policy development process.
- In liaison with NDIS & Services Australia we are in negotiations to add NDIS to the services
 portfolio at the CRC. They will be conducting an onsite visit in November. This will operate
 the same as our current arrangement with Services Australia and NDIS will visit throughout
 the year for consults with the community.

- A second optometry clinic has been arranged for Wednesday October 23.
- Our GP Clinics continue to be well attended along with the physio clinics. We are working with nursing staff and WACHS on solidifying what can be offered through the nursing clinic.
- Attended the bi-monthly District Health Advisory Committee Meeting and have been invited to meet with the WACHS Board in late October.

Economic Development

- I am finalising a report from the Round Table Discussions held at the Mining Symposium in September. Lack of Accommodation, Housing, mechanical services and transport infrastructure were all key areas of concern from the attendees. Community Engagement, growth opportunities and road access were all seen as positive working pieces currently in the Shire.
- A call for submissions for the Gascoyne Regional Arts Strategy has been distributed by the Shire of Carnarvon. I have been invited to sit on the selection panel to appoint the consultants for this project. In the coming months they will visit the Upper Gascoyne to hold a community meeting to ascertain the needs of the Shire in the Arts space. The project is expected to be completed by April 2025.
- Met with the Wajarri Yamaji Aboriginal Corporation and had a conversation with the Project
 Officer for Conservation and the Communications Manager. It was a fruitful conversation
 discussing services they are trying to establish at Burringurrah and looking at it from a regional
 perspective.

Tourism

- Hosting Carnarvon Visitor Centre staff for a familiarisation trip in the Upper Gascoyne showcasing Gascoyne Junction, the road network and both Kennedy Range and Mount Augustus National Parks.
- Preparing collateral for Perth 4WD Show in November and have booked a site in partnership with the Shire of Carnarvon for the Perth Caravan and Camping Show next March.
- Working with Australia's Golden Outback in creating the Gascoyne Murchison Sub Region Marketing Strategy for 2025.
- Completed Phase 1 of Dark Sky Community Accreditation and have commenced Phase 2 of this process.
- I will be attending the Station Stays Workshop this month with some of our participants from the Accommodation Capability Project. This project continue to move forward and I am working on assisting in sourcing additional funding to assist with website development.
- Booked promotional materials for Caravan and Camping Brochure and Golden Outback
 Planner and updating content to reflect existing and new tourism product in the Shire
- Attended Mt Augustus Funding Reference Group Meeting with DBCA and GDC

Community

- Thanks to the Gascoyne Catchments group I attended a Mental Health First Aid Course which
 was beneficial, and I will be sourcing for funding over the coming months to run this course
 locally in the Upper Gascoyne.
- I am submitting a grant application to assist with cofounding the Aged Care Community Assist project planned for 2025.
- Preparation of the 2025 Events Calendar is underway
- Working with community donation recipients for events held over the past few weeks to complete acquittals.
- Our EV Charging Station was used with a visit of a pastoralist from the Wheatbelt in his Tesla.
 He visited Junction solely because we had an EV Charging Station and spent two nights in town visiting Kennedy Range.

Media

- Interviewed on ABC Pilbara Mornings re the impact of rain on the roads prior to Landor Races and the importance of following local road condition reports
- Interviewed by the Sunday Times for an article to appear on the Wool Wagon Pathway
- Prepared Media Release for distribution re the change of Lessee at the Gascoyne Junction Pub & Tourist Park

	CUSTOMER SERVICES & ENQUIRIES	2024.2025 TOTAL	2023.2024 TOTAL	YTD DIFF	Sep-24	Sep-23	SEP DIFF
	Faxes	0	1	-1	0	0	0
Admin	Photocopying/Printing/Scanning/Emailing	6	22	-16	3	3	0
Support	Laminating/Binding	3	0	3	2	0	2
Support	Hot Office Bookings	2	4	-2	2	1	1
	External Training and Course	0	1	-1	0	0	0
	1:1 Assistance to Community Members	15	39	-24	8	6	2
	Computer/Internet Access	10	39	-29	3	4	-1
	Community Education Events	1	1	0	1	1	0
	Community Social Events	8	24	-16	1	2	-1
CRC	Community Economic Seminars	1	3	-2	1	0	1
	Department of Human Services	1	15	-14	1	7	-6
	Government Access Point	2	43	-41	0	2	-2
	Use of Paid WIFI Services	0	3	-3	0	1	-1
	Use of FREE WIFI Hub	14	42	-28	7	6	1
	Road Condition Requests	392	591	-199	131	37	94
	General Tourism Information	1050	1644	-594	283	269	14
Tourism	Book Sales	159	25	134	13	1	12
	CRC Merchandise Sales	177	310	-133	59	30	29
	Walking Tours	14	70	-56	0	7	-7
	Phonebook Purchases	0	0	0	0	0	0
Info	Gassy Gossip yearly subscription	2	5	-3	2	0	2
	Gassy Gossip Advertisement	0	0	0	0	0	0
	Video Conference/Telehealth	3	1	2	1	0	1
Health	RFDS Support	10	33	-23	2	3	-1
	Medical Clinic Visits	55	120	-65	14	8	6
	Library	32	109	-77	9	9	0
	Postage Sales	33	124	-91	8	12	-4
Agencies	Postage Collection	226	68	158	71	62	9
	Department of Transport	13	45	-32	5	4	1
	Horizon Power	9	104	-95	6	5	1
	Total Customer Service Enquiries	2238	3486	-1,248	633	480	153

SHIRE OF UPPER GASCOYNE

Printed at: 14/10/24 Page No: General Ledger Detail Trial Balance (frmGLTrialBalance)

Options: Year 24/25, From Month 03, To Month 03, 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	-1,527.70	-763.85	-2,291.55
CRC INC(10841330	Transport Commission: CRC	-102.82	-54.97	-157.79
CRC INC(10841340	Postal Agency Commission: CRC	-1,313.49	-666.67	-1,980.16
CRC INC(10841360	Income from Events Held	-3,000.00	0.00	-3,000.00
CRC INC(10841380	Postal Agency Sales	-244.29	-74.90	-319.19
CRC INC(10841390	Sales: Books/Maps/Souvenirs/Sundries	-961.47	-551.15	-1,512.62
CRC INC(10841500	Grant: CRC Operating	-48,000.00	0.00	-48,000.00
CRC INC(10842600	CRC Income Misc.	-166.54	-17.74	-184.28
CRC INC(10842610	CRC Merchandise Sales	-2,353.84	-819.41	-3,173.25
Total CRC INCOME		-57,670.15	-2,948.69	-60,618.84
Total for division GE	N	-57,670.15	-2,948.69	-60,618.84
Grand Total		-57,670.15	-2,948.69	-60,618.84

10.2 Manager of Works and Services Report

I would to thank John and the Council for entrusting me with filling in as CEO while John was on leave. I enjoyed the month and look forward to future opportunities.

We have gone to public tender for the pub lease and hope that the net has been cast wide enough to attract some serious interest. The tender closes at the end of October. At the same time, we have engaged Tim Kennedy to assist in updating the proposed new lease agreement in readiness for the next lessee. I would like to wish Ken and Dianne Kempton the best in their future endeavours.

Our town crew have almost caught up with the town parks, gardens and verges. We have enlisted some labour hire to assist with this and town is looking great. The newly acquired house on Hatch Street is complete as is the new built home at the north end of Hatch Street. We expect Horizon Power to complete the electrical connection this week. Both residences have come up a treat and will provide a comfortable, high standard of housing for staff.

The works crew have completed resheeting north of the Thomas River on Landor Mount Augustus Road. This was funded by Aboriginal Community Access program. We are now resheeting and repairing several floodways approximately 20kms south of Burringurrah as part of our Regional Road Group works program this year. This section will take us through to mid-December before we close for Christmas.

Colas have arrived and begun our resealing work around town and on the Dalgety Downs Landor Road. The resealing should be completed within a week. We will complete approximately \$700,000 of reseals this year.

Kevin Burket, (WA Mowing), has mowed the verges on nearly all our sealed roads. This has improved safety and visibility for drivers.

ABBL Contracting have completed various jobs around town including grid maintenance, Hatch Street fencing, drainage repairs at the tourist park, rubbish tip expansion and rubbish and scrap cleanup on the south and east side of town that was abandoned by previous contractors and lessees.

Our maintenance grader fleet has been reduced to just Ray Hoseason Smith for the past month. Clive is expected to return in November after having personal leave. We hope to see Thomas Fletcher back to work early next year. We experienced some serious damage on some of our roads in the east caused by the storm at the end of September. Landor Meekatharra Road was worst hit with long sections of pavement being washed away near Errabiddy. There was also damaged to multiple floodways near Mount Augustus and on Waldburg Rd. We engaged MTF and Mt Augustus to assist Ray in tidying these areas up. Ray will be taking a break from grading for a few weeks mustering before returning in late November.

10.3 Chief Executive Officers Report

Firstly, I would like to thank Jarrod and the rest of the team for taking the reigns whilst I was on annual leave. Even with one person absent it does put a lot of pressure on the remainders to pick up the slack as well as perform their own duties.

I would love to report that my holiday was full of excitement and mirth however this was not the case. I came down with the worst flu of my life despite having been immunised and was effectively bedridden for nearly two weeks.

The Shire President and I attend a special meeting of all Band 4 Local Governments in Perth with the aim of identifying four major areas of concern that affect us. Unfortunately, in my opinion, this meeting missed the mark and was probably the most unproductive meeting I have attended.

Movement is still occurring with the Commercial Land development and the Residential Development projects.

We have managed to secure an additional \$200,000 for our Roads through the RRG and this may increase dependent on the take-up of the other three Local Governments.

10.4 ACCOUNTS & STATEMENTS OF ACCOUNTS			
Applicant:	Shire of Upper Gascoyne		
Disclosure of Interest:	Nil		
Author:	Andrea Pears - Executive Manager of Finance and Corporate Services		
Date:	14 October 2024		
Matters for Consideration:	To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Wednesday the 23 rd of October 2024 as attached – see <i>Appendix 1</i> .		

	In addition to the List of Accounts and as part of this agenda report, Council are also requested to receive the 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 <i>Appendix 1</i> .
Background:	The local government under its delegated authority to the CEO to make payments from the municipal and trust funds is required to prepare a list of accounts each month showing each account paid and presented to Council at the next ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.
Comments:	The list of accounts are for the month of September 2024
Statutory Environment:	Local Government (Financial Management Regulations) 1996
,	13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.
	(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
	(a) the payee's name; and
	(b) the amount of the payment; and
	(c) the date of the payment; and
	(d) Sufficient information to identify the transaction.
	(2) A list of accounts for approval to be paid is to be prepared each month showing —
	(a) for each account which requires council authorisation in that month —
	(i) the payee's name; and
	(ii) the amount of the payment; and
	(iii) sufficient information to identify the transaction; and
	(b) the date of the meeting of the council to which the list is to be presented.
	(3) A list prepared under sub regulation (1) or (2) is to be —
	(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.
Policy Implications:	Purchasing Policy
<u> </u>	

Financial Implications:	2024/2025 Budget
Strategic Implications:	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.

Risk:

	Risk Matrix						
Consequence		Insignificant	Minor	Moderate	Major	Catastrophic	
Likelihood		1	2	3	4	5	
Almost Certain 5		Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)	
Likely 4		Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)	
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)	
Unlikely 2		Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)	
Rare 1		Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)	

Risk Category	Description	Rating	Mitigating Actions
Financial Impact	Payments are made without appropriate budget authority	2/2 – Low	Purchasing Policy provides for differing levels of Purchase Order Authority and only invoices with a PO will be paid.
Health	N/A	N/A	
Service Interruption	N/A	N/A	
Compliance	N/A	N/A	
Reputational	N/A	N/A	
Property	N/A	N/A	
Environment	N/A	N/A	
Fraud	Accounting Fraud	4/1-Low	Internal Controls are in place, including using Eftsure which checks the creditor to ensure bank, contact details, ABN are correct, matching PO's with invoices, sign off by responsible officers, bank payments to be authorised by two officers exclusive of the PO authorising officer.

Consultation:	Nil		
Voting requirement:	Simple Majority		
Officer's Recommendation:	That Council endorse the payments for the period 1 st of September 2024 to the 30 th of September 2024 as listed, which have been made in accordance with delegated authority per LGA 1995 s5.4 and receive the Legal Expenses Report detailing all legal cost incurred to the 31 st of August 2024.		
	Municipal Fund Bank EFTs \$ 717,794.80		
	Cheque	\$ 0.00	
	Net Payroll \$ 91,190.18		
	BPAY/Direct Debit \$ 23,978.42		
	TOTAL \$ 832,963.40		

Council Resolution No: 03102024

MOVED: CR: W. BASTON SECONED: CR: P. WINDIE

That Council endorse the payments for the period 1st of September 2024 to the 30th of September 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 August 2024.

Municipal Fund Bank EFTs	\$ 717,794.80
Cheque	\$ 0.00
Net Payroll	\$ 91,190.18
BPAY/Direct Debit	\$ 23,978.42
TOTAL	\$ 832,963.40

FOR: CR J CAUNT AGAINST: CR

CR H MCTAGGART

CR B WALKER
CR W BASTON

CR R HOSEASON-SMITH

CR P WINDIE

CR A MCKEOUGH

10.5 MONTHLY FINANCIAL STATEMENT		
Applicant:	Shire of Upper Gascoyne	
Disclosure of Interest:	None	
Author:	Andrea Pears - Executive Manager of Finance and Corporate Services	
Date:	14 October 2024	
Matters for Consideration:	The Statement of Financial Activity for the periods of September 2024, includes 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	
Background:	Under the Local Government (Financial Management Regulations 1996), a monthly Statement of Financial Activity must be submitted to an Ordinary Council meeting within 2 months after the end of the month to which the statement relates. The statement of financial activity is a complex document but presents a complete overview of the financial position of the local government at the end of each month. The Statement of Financial Activity for each month must be adopted by Council and form part of the minutes.	
Comments:	The Statement of Financial Activity is for the month of September 2024 Note: The Manager of Finance and Corporate Services has been unable to review the RSM Management Accounts, due to computer issues, and they will be presented to Council as is. It is the intention that should any amendments be required it will be actioned in the	
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:	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.	

Risk:

	Risk Matrix					
Consequence Insig		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Risk Category	Description	Rating	Mitigating Actions
Financial Impact	Stakeholders may withdraw funding if the statements are not prepared according to the regulatory framework	2/2 – Low	Financial statements are prepared on time and according to the applicable Legislation and Regulations.
Health	N/A	N/A	N/A
Service Interruption	N/A	N/A	N/A
Compliance	N/A	2/2 – Low	Ensure that the Financial Statements are prepared on time and according to the applicable Legislation and Regulations.
Reputational	N/A	N/A	High priority has been placed on preparing Statutory reporting within legislated timeframes.
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	N/A	N/A	N/A

Consultation:	Nil
Voting requirement:	Simple Majority
Officer's Recommendation:	That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of September 2024.

Council Resolution No: 04102024

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

That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of September 2024.

FOR: CR J CAUNT AGAINST: CR

CR H MCTAGGART

CR B WALKER

CR W BASTON

CR R HOSEASON-SMITH
CR P WINDIE
CR A MCKEOUGH

10.6 EMPLOYEE CODE OF CONDUCT		
Applicant:	Shire of Upper Gascoyne	
Disclosure of Interest:	NIL	
Author:	John McCleary- CEO	
Date:	7 October 2024	
Matters for Consideration:	To adopt Employee Code of Conduct. See <i>Appendix 3</i>	
Background:	It was identified in the recent Regulation 17 Review that we needed to review our existing Code of Conduct for employees.	
Comments:	The Local Government Act provides that a Local is to prepare or adopt a code of conduct. For the sake of clarity, it is considered good governance to separate this statutory requirement from the policy manual.	
Statutory Environment:	Local Government Act 1995 – S5.103	
	Codes of conduct	
	(1) Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.	
	[(2) deleted]	
	(3) Regulations may prescribe codes of conduct or the content of, and matters in relation to, codes of conduct and any code of conduct or provision of a code of conduct applying to a local government under subsection (1) is of effect only to the extent to which it is not inconsistent with regulations.	
	Local Government (Administration) Regulations 1996 (Regs 34B & 34C)	
Delieu Impliestiene	Local Government (Rules of Conduct) Regulations 2007	
Policy Implications:	Nil	
Financial Implications:	Nil	
Strategic Implications:	Civic Leadership – Objective 4 – To provide good governance to the Shire of Upper Gascoyne through detailed and professional administration.	

Risk Assessment:

Risk Matrix						
Consequ	Consequence Insignificant		Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Risk Category	Description	Rating	Mitigating Actions
Health	N/A		
Financial Impact	N/A		
Service Interruption	N/A		
Compliance	Failure to prepare and adopt an "Employee Code of Conduct" is a breach of the Local Government Act	4 / 4 – high (16)	Prepare and adopt an "Employee Code of Conduct".
Reputational	N/A		
Property	N/A		
Environment	N/A		
Fraud	N/A		

Consultation:	Nil
Voting requirement:	Simple Majority
Officer's Recommendation:	That Council adopt the Employee Code of Conduct as detailed in Appendix 3

Council Resolution No: 05102024

AGAINST:

CR

MOVED: CR: H. MCTAGGART SECONDED: CR: R. HOSEASON-SMITH

That Council adopt the Employee Code of Conduct as detailed in Appendix 3

FOR: CR J CAUNT

CR H MCTAGGART

CR B WALKER
CR W BASTON

CR R HOSEASON-SMITH

CR P WINDIE

CR A MCKEOUGH

10.7 LOCAL GOVER	NMENT ELECTIONS – REVIEW OF WALGA ADVOCACY POSITIONS
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	NIL
Author:	Jarrod Walker - Acting CEO
Date:	14 October 2024
Matters for Consideration:	
Background:	The Local Government Amendment Act 2023 introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections: • the introduction of Optional Preferential Voting (OPV); • extending the election period to account for delays in postal services; • changes to the publication of information about candidates; • backfilling provisions for extraordinary vacancies after the 2023 election; • public election of the Mayor or President for larger Local Governments; • abolishing wards for smaller Local Governments; and • aligning the size of councils with the size of populations of each Local Government (change to representation) Following requests from several Zone's, WALGA undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

Comments:

The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting.

WALGA State Council current advocacy positions: The following is a summary of WALGA's current Advocacy Positions in relation to Local Government Elections:

2.5.15 ELECTIONS

Position Statement The Local Government Sector Supports:

- 1. Four year terms with a two year spill
- 2. Greater participation in Local Government elections
- 3. The option to hold elections through:
 - Online Voting
 - Postal voting, and
 - In-person voting
- 4. Voting at Local Government elections to be voluntary
- The first past the post method of counting votes
 The Local Government sector opposes the introduction
 of preferential voting, however if 'first past the post' voting
 is not retained then optional preferential voting is
 preferred.

Background

The first past the post (FPTP) method is simple, allows an expression of the electorates' wishes and does not encourage tickets and alliances to be formed to allocate preferences.

State Council Resolution February 2022 – 312.1/2022

December 2020 - 142.6/2020

March 2019 - 06.3/2019

December 2017 - 121.6/2017

October 2008 - 427.5/2008

Supporting Documents Advocacy Positions for a New Local Government Act

WALGA submission: Local Government Reform Proposal (February 2022)

METHOD OF ELECTION OF MAYOR

Position Statement Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

State Council Resolution February 2022 – 312.1/2022

March 2019 - 06.3/2019

December 2017 - 121.6/2017

2.5.16 CONDUCT OF POSTAL ELECTIONS

Position Statement The *Local Government Act 1995* should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.

Background Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.

State Council Resolution May 2023 – 452.2/2023

March 2019 - 06.3/2019

December 2017 - 121.6/2017

March 2012 - 24.2/2012

WALGA has requested the following advocacy positions be considered by Councils:

1. PARTICIPATION

(a) The sector continues to support voluntary voting at Local Government elections.

OR

(b) The sector supports compulsory voting at Local Governments elections.

2. TERMS OF OFFICE

(a) The sector continues to support four-year terms with a two year spill;

OR

(b) The sector supports four-year terms on an all in/all out basis.

3. VOTING METHODS

(a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the

removal of the 'proportional' part of the voting method for general elections

OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

4. INTERNAL ELECTIONS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections. OR
- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

5. VOTING ACCESSIBLITY

The sector supports the option to hold general elections through:

- (a) Electronic voting; and/or
- (b) Postal voting; and/or
- (c) In-Person voting.

6. METHOD OF ELECTION OF MAYOR

The sector supports:

- (a) As per the current legislation with no change Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.
- (b) Return to previous legislated provisions all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.
- (c) Apply current provisions to all Bands of Local Governments apply the election by electors method to all classes of local governments.

Statutory Environment:	NIL
Policy Implications:	NIL
Financial Implications:	NIL
Strategic Implications:	NIL

Risk Assessment:

Risk Matrix						
Consequence Insignificant Minor Moderate Major Catastrophic				Catastrophic		
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Risk Category	Description	Rating	Mitigating Actions
Health	N/A	N/A	N/A
Financial Impact	N/A	N/A	N/A
Service Interruption	N/A	NA	NA
Compliance	NA	NA	NA
Reputational	NA	NA	NA
Property	N/A	NA	NA
Environment	N/A	NA	NA
Fraud	N/A	NA	NA

Consultation:	WALGA
Voting requirement:	Simple Majority
Officer's Recommendation:	That the Shire of Upper Gascoyne recommends that WALGA adopt the following Local Government Election Advocacy Positions:
	PARTICIPATION – Council support advocacy position (A) TERMS OF OFFICE - Council support advocacy
	position (A) 3. VOTING METHODS - Council support advocacy position (A)
	4. INTERNAL ELECTIONS - Council support advocacy position (A)
	5. VOTING ACCESSIBLITY - Council support advocacy position (A)
	6. METHOLD OF ELECTION OF MAYOR - Council support advocacy position (B)

	Council Resolution No: 06102024				
MOVED:	CR: W. BASTON	SECONDED:	CR: A. MCKEOUGH		

That the Shire of Upper Gascoyne recommends that WALGA adopt the following Local Government Election Advocacy Positions:

- 1. PARTICIPATION Council support advocacy position (A)
- 2. TERMS OF OFFICE Council support advocacy position (A)
- 3. VOTING METHODS Council support advocacy position (A)
- 4. INTERNAL ELECTIONS Council support advocacy position (A)
- 5. VOTING ACCESSIBLITY Council support advocacy position (B)
- 6. METHOLD OF ELECTION OF MAYOR Council support advocacy position (B)

FOR: CR J CAUNT AGAINST: CR

CR H MCTAGGART

CR B WALKER
CR W BASTON

CR R HOSEASON-SMITH

CR P WINDIE

CR A MCKEOUGH

10.8 2025 C	OUNCIL MEETING DATES
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	NIL
Author:	Senior Customer Services Officer – Cherie Walker
Date:	14 October 2024
Matters for Consideration:	To determine the dates and locations of the Ordinary Council Meetings and Committee Meetings for the 2025 calendar year.
Background:	As per the local Government Act 1995:
	Part 5 – Administration
	(a) Deals with Council meetings, committees and their meetings and electors' meetings
	Division 2 – Council meetings, committees and their meetings and elector's meetings
	Subdivision 1 – Council meetings
	 5.3 - Ordinary and special council meetings 5.4 - Calling council meetings 5.25 - Regulations about council and committee meetings and committees (1) Without limiting the generality of section 9.59, regulations may make provision in relation to- (g) The giving of public notice of the date and agenda for council or committee meetings
	Division 7 – Access to Information
	 5.96 – Copies of Information to be available 5.96A – Information published on official website
	 (1) The CEO must publish the following information on the local government's official website, unless it would be contrary to subsection (2) (2) to do so – (h) notice papers and agenda relating to council or committee meetings and reports and other documents

Comments:	Ordinary Council meetings have been held at the Gascoyne Junction Shire Chambers on the fourth Wednesday of each month for 2024, commencing at 10. 30am. The only exception in the past has been the January meeting (when no ordinary meeting of Council is held) and December (moved to coincide with the last day of school) due to Community Christmas Party. Section 5.3 (2) of the Act provides that ordinary meetings are to be held not more than 3 months apart. The Council is free to set and change meeting dates as 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)] I have drafted up a model for council consideration and am seeking for council to endorse Current model: Current model: Traditional model the last Wednesday of each month. This year the April meeting date conflicts with April school holidays by moving the meeting to the 3rd week of April this will avoid conflict and traditionally we move December meeting to the last day of school. WA school holidays 2025 First day of school Wednesday 5 February Autumn holidays Saturday 12 April — Sunday 27 April Winter holidays Saturday 27 September — Sunday 12 October Summer holidays Friday 19 December — Sunday 1 February 2026 Easter — 18th to 21st April
	Please refer to Appendix 4 for further detail.
Statutory Environment:	Local Government [Administration] 12(1)
Policy Implications:	Nil
Financial Implications:	Nil as this has been accounted for in the budgetary process.
Strategic Implications:	The meetings of the Council and Audit Committees should be set to coincide with the Act and Regulation requirements.

Risk Assessment:

	Risk Matrix						
Consequence Insignificant Minor Mod			Moderate	Major	Catastrophic		
Likelihood 1		1	2	3	4	5	
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)	
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)	
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)	
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)	
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)	

Risk Category	Description	Rating	Mitigating Actions
Health	N/A		
Financial Impact	N/A		
Service Interruption	N/A		
Compliance		4 / 4 - high (16)	
Reputational			
Property	N/A		
Environment	N/A		
Fraud	N/A		

Consultation:	Nil
Voting requirement:	Simple Majority
Officer's Recommendation:	That Council:
	Adopt the preferred model, for council meeting dates; and; Endorse that all meetings are to be held in the Shire Chambers located on 4 Scott Street, Gascoyne Junction, except for the May meeting – this will be held at the Mount Augustus Tourist Park in conjunction with the Eastern Road inspections. Western Road inspections – April 2022 Eastern Road Inspections – May 2022
	Council Resolution No: 07102024

SECONDED:

That Council:

MOVED:

Adopt the preferred model, for council meeting dates; and;

CR: W. BASTON

CR: B. WALKER

Endorse that all meetings are to be held in the Shire Chambers located on 4 Scott Street, Gascoyne Junction, except for the May meeting – this will be held at the Mount Augustus Tourist Park in conjunction with the Eastern Road inspections.

AGAINST: CR

Western Road inspections – April 2022 Eastern Road Inspections – May 2022

FOR: CR J CAUNT

CR H MCTAGGART

CR B WALKER

CR W BASTON

CR R HOSEASON-SMITH

CR P WINDIE

CR A MCKEOUGH

10.9 CHRIS	TMAS SHUTDOWN PERIOD FOR 2024/25
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	NIL
Author:	John McCleary- CEO
Date:	19 September 2024
Matters for Consideration:	To determine the Christmas Shutdown Period for 2024/25.
Background:	This year we would like Council to consider changing the Christmas shutdown period dates for the Shire and CRC to close at 12:00pm (noon) on Friday 20th December 2024 and re-open on Monday the 6th of January 2025 as per normal business hours. With regards to the provision of services during this time, staff have identified a few options such as providing local residents an additional wheelie bin whilst the rubbish collection service is deferred until staff return to work. We also intend to give our community ample notice of our closure times to ensure they can be well prepared in accessing services such as DoT, Centrelink, postal, library and utilities prior to the shutdown. This includes giving notice to our suppliers and other trade services to our community. The Shire and CRC closure dates and times will be advertised well in advance and extensively leading up to the Christmas/New Year period. Staff will circulate a public notice with the closure information via our website, social media pages, mail drop and in the Gassy Gossip.
Comments:	The dates provided, allows staff to work right up to Christmas Eve, giving officers the opportunity to finalise pending work before taking leave at the end of the year. Starting a week later in the New Year will also be more aligned with when most businesses are back in operation. As it seems to be standard for most companies that the Shire trades with, to open up in the second week of January of the new year. It must also be noted that the dates proposed for the Shire and CRC shutdown is traditionally a very quiet period where there is little demand for administrative services – as a result of this, staff seize the opportunity to take leave during this time as there is no need to compete with other staff to get in first to have the Christmas break off. All staff have an equal opportunity to enjoy the festive holidays with their families. As per previous years, on-call arrangements will be put in place prior to the proposed Christmas/New Year closure to ensure emergencies can be responded to. CEO and Senior staff will be available on mobile phone and emergency contact details will also be distributed where required.

Statutory Environment:	Nil
Policy Implications:	Nil
Financial Implications:	Nil as this has been accounted for in the budgetary process.
Strategic Implications:	Nil.

Risk Assessment:

	Risk Matrix						
Consequence Insignificant			Minor	Moderate	Major	Catastrophic	
Likelihood		1	2	3	4	5	
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)	
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)	
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)	
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)	
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)	

Risk Category	Description	Rating	Mitigating Actions
Health	N/A		
Financial Impact	N/A		
Service Interruption	N/A		
Compliance		4 / 4 - high (16)	
Reputational			
Property	N/A		
Environment	N/A		
Fraud	N/A		

Consultation:	Nil	
Voting requirement:	Simple Majority	
Officer's Recommendation:	That Council – 1. Note the observance of a Christmas/New Year shut-down for the Shire Administration Office, Works Depot and Community Resource Centre; and endorse the following dates and time for the Christmas Closure Period: • Close from 12:00pm (noon) Friday 20th December 2024	
	 Re-open Monday 6th January 2025 (normal business hours) Works Depot Cease work from Thursday 19th of December 2024 and recommence work on the 28th of January 2025 for the Works Crew. 	

Council Resolution No: 08102024					
MOVED:	CR: B. WALKER	SECONDED:	CR: R. HOSEASON- SMITH		

That Council -

- 1. Note the observance of a Christmas/New Year shut-down for the Shire Administration Office, Works Depot and Community Resource Centre; and endorse the following dates and time for the Christmas Closure Period:
 - Close from 12:00pm (noon) Friday 20th December 2024
 - Re-open Monday 6th January 2025 (normal business hours)
- **2.** Works Depot Cease work from Thursday 19th of December 2024 and recommence work on the 28th of January 2025 for the Works Crew.

FOR: CR J CAUNT AGAINST: CR

CR H MCTAGGART

CR B WALKER

CR W BASTON

CR R HOSEASON-SMITH

CR P WINDIE

CR A MCKEOUGH

10.10 RFT02 24-25 Landor Meekatharra Rd Upgrade		
Applicant:	Shire of Upper Gascoyne	
Disclosure of Interest:	Nil	
Author:	Jarrod Walker-Works Manager	
Date:	16 October 2024	
Matters for Consideration:	Consider responses to RFT02 24-25 Landor Meekatharra Rd Upgrade <i>Appendix 5</i>	
Background:	A public tender (RFT02 24-25 Landor Meekatharra Rd Upgrade) was conducted seeking suitably qualified contractors to complete upgrades to Landor Meekatharra road consisting of reconstructing subgrade and importing new base course in preparation for sealing at a later stage.	
Comments:	Greenfields Technical Services (GTS) were engaged to assist in preparing a scope of works, conduct procurement process and evaluation of responses to RFT02 24-25 Landor Meekatharra Rd Upgrade. Two responses were received as per the attached evaluation	
Statutory Environment:	report prepared by GTS. Local Government Act 1995	
Statutory Environment.	Local Government (Function and General) Regulations 1996	
Policy Implications:	Nil	
Financial Implications:	Funded by Regional Road Group and consist of one third SUG contribution	
Strategic Implications:	SCP – Key Objective 2 – Economic – Our Prosperity	
	Strategy 2.1.1 – Provide appropriate network infrastructure, supporting our community, local pastoral and mining industries and tourism.	
	CBP – 2.1.1.2 Continue to undertake road works in line with the 2040 Roads of Regional Significance document.	
Risk:		

Risk Matrix						
Consequ	ience	Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Risk Category	Description	Rating	Mitigating Actions
Financial Impact	Funded by RRG and SUG	3 – Low	Do not exceed allocated budget
Health	N/A	N/A	N/A
Service Interruption	N/A	N/A	N/A
Compliance	Need to complete RRG projects within financial year and budget	3 – Low	Identified shortfall in SUG capacity- decided to seek external resources by way of tender
Reputational	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A
Fraud	N/A	N/A	N/A

Consultation:	Greenfields Technical Services, CEO, Works Manager		
Voting requirement:	Simple Majority		
Officer's Recommendation:	 That Council: reject all tender responses. authorise the CEO to seek alternative quotes directly from suitably qualified service providers. 		
	3. Authorise CEO to provide purchase to tenderer that offers best value for money to a value no greater than allocated budget.		

Council Resolution No: 09102024

MOVED: CR: R. HOSEASON-SMITH	SECONDED:	CR: B. WALKER
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That Council:

- 1. reject all tender responses.
- 2. authorise the CEO to seek alternative quotes directly from suitably qualified service providers.
- **3.** Authorise CEO to provide purchase to tenderer that offers best value for money to a value no greater than allocated budget.

FOR: CR J CAUNT AGAINST: CR

CR H MCTAGGART

CR B WALKER

CR W BASTON

CR R HOSEASON-SMITH

CR P WINDIE

CR A MCKEOUGH

10.11 TENDER CRI	TERIA FOR EVAPORATION POND		
Applicant:	Shire of Upper Gascoyne		
Disclosure of Interest:	NIL		
Author:	Sean Walker – Town Maintenance Supervisor		
Date:	30 September 2024		
Matters for Consideration:	To determine the evaluation criteria for assessing tenders for the provision of 1 x Evaporation Pond.		
Background:	The Shire have made an allocation for the construction of a Evaporation Pond to receive the waste water from a Reverse Osmosis Plant which will provide a viable water source for our Parks and Gardens.		
Comments:	As the total cost of the provision of this home is likely to be in exce of \$250,000 the Shire will be required to go to public tender. It is intention to Publish in accordance with the Act seeking compan to tender to construct the new office / storeroom addition.		
	Proposed Qualitative Criteria		
	In determining the most advantageous Tender, the Principal will score each Tenderer against the qualitative criteria.		
	It is essential that Tenderers address each qualitative criterion. The Tenders will be used to select the chosen Tenderer, and failure to provide the specified information may result in elimination from the tender evaluation process.		
	The qualitative criteria for this Request are as follows:		
	Description	n of Criteria	Weighting
	Organisational Capa	city (Timing)	40%
		oduct Quality	40%
	Occupational Hea		10%
	Methodology for Construction	n & Delivery	10%
	Price Consideration: Weighted Cost Criteria		
	Criteria	Criteria Weighting	
	Tendered price	100%	

Statutory Environment:	Local Government Act 1995	
	Local Government (Function and General) Regulations 1996	
	2A. If a local government —	
	(b) not being required to invite a tender, decides to invite a	
	tender	
	The local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.	
Policy Implications:	Purchasing Policy	
Financial Implications:	2024 / 25 Budget – An allocation of \$240,000 has been made in the current budget.	
Strategic Implications:	Strategy 3.2.2 Maintenance and upgrade of infrastructure	
	Planned Timing	
	Corporate Business Plan Actions	
	3.2.2.2	
	Maintain and upgrade infrastructure in line with asset	
	management planning.	

	Risk Matrix					
Consequence Insignificant		Minor	Moderate	Major	Catastrophic	
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Risk Category	Description	Rating	Mitigating Actions
Health	N/A		
Financial Impact	N/A		
Service Interruption	N/A		
Compliance	Failure to follow the statutory tender process will result in a negative audit finding and possible action by the Department of Local Government	A/A – high	Comply with the legislative requirements as recommended by the author of this report.
Reputational			
Property	N/A		
Environment	N/A		
Fraud	N/A		

Consultation: Nil

Voting requirement: Simple Majority

Officer's Recommendation:

That Council adopt the following decision criteria for deciding which tender should be accepted;

Description of Criteria	Weighting
Organisational Capacity (Timing)	40%
Product Quality	40%
Occupational Health & Safety	10%
Methodology for Construction & Delivery	10%

Price Consideration: Weighted Cost Criteria

Criteria	Weighting
Tendered price	100%

Council Resolution No: 10102024

MOVED:	CR: R. HOSEASON- SMITH	SECONDED:	CR: A. MCKEOUGH
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That Council adopt the following decision criteria for deciding which tender should be accepted;

Description of Criteria	Weighting
Organisational Capacity (Timing)	40%
Product Quality	40%
Occupational Health & Safety	10%
Methodology for Construction & Delivery	10%

Price Consideration: Weighted Cost Criteria

Criteria	Weighting
Tendered price	100%

FOR: CR J CAUNT AGAINST: CR

CR H MCTAGGART

CR B WALKER
CR W BASTON

CR R HOSEASON-SMITH

CR P WINDIE

CR A MCKEOUGH

F/A: 7/0

10.12 TENDER	CRITERIA FOR REVERSE OSMOSIS PLANT		
Applicant:	Shire of Upper Gascoyne		
Disclosure of Interest:	NIL		
Author:	Sean Walker – Town Maintenance Supervisor		
Date:	30 September 2024		
Matters for Consideration:	To determine the evaluation criteria for assessing tenders for the provision of 1 x Reverse Osmosis Treatment Plant.		
Background:	The Shire have made an allocation for the purchase/construction of a Reverse Osmosis Plant to provide a viable water source for our Parks and Gardens.		
Comments:	As the total cost of the provision of this Plant is likely to be more than \$250,000, the Shire will be required to go to public tender. As per the Act Council must endorse a decision criterion It is our intention to Publish in accordance with the Act seeking companies to tender to construct the Reverse Osmosis Plant/Supply the Reverse Osmosis Plant.		
	Proposed Qualitative Criteria In determining the most advantageous Tender, the Principal will score each Tenderer against the qualitative criteria. It is essential that Tenderers address each qualitative criterion. The Tenders will be used to select the chosen Tenderer, and failure to provide the specified information may result in elimination from the tender evaluation process.		
	The qualitative criteria for this Request are as follows:		
	Description of Criteria	Weighting	
	Organisational Capacity (Timing)	30%	
	Product Quality	30%	
	Offers best value for money Methodology for Construction & Delivery	20%	
	iviethodology for Construction & Delivery	20%	

Price Consideration: Weighted Cost Criteria

Cı	riteria Weigh	ting
Tendered price	100%	

Statutory Environment:	Local Government Act 1995		
	Local Government (Function and General) Regulations 1996		
	2A. If a local government —		
	(b) not being required to invite a tender, decides to invite a		
	tender		
	The local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.		
Policy Implications:	Purchasing Policy		
Financial Implications:	2024 / 25 Budget – An allocation of \$1,000,000 has been made in the current budget.		
Strategic Implications:	Strategy 3.2.2 Maintenance and upgrade of infrastructure		
	Planned Timing		
	Corporate Business Plan Actions		
	3.2.2.2		
	Maintain and upgrade infrastructure in line with asset		
	management planning.		

	Risk Matrix					
Consequence Insignificant		Minor	Moderate	Major	Catastrophic	
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Risk Category	Description	Rating	Mitigating Actions
Health	N/A		
Financial Impact	N/A		
Service Interruption	N/A		
Compliance	Failure to follow the statutory tender process will result in a negative audit finding and possible action by the Department of Local Government	4 / 4 – high	Comply with the legislative requirements as recommended by the author of this report.
Reputational			
Property	N/A		
Environment	N/A		
Fraud	N/A		

Consultation:	Nil
Voting requirement:	Simple Majority

Officer's Recommendation:

That Council adopt the following decision criteria for the Reverse Osmosis Plant

Qualitative Criteria

Description of Criteria	Weighting
Organisational Capacity (Timing)	30%
Product Quality	30%
Offers best value for money	20%
Methodology for Construction & Delivery	20%

Price Consideration: Weighted Cost Criteria

Criteria	Weighting
Tendered price	100%

Council Resolution No: 11102024

MOVED: CR: W. BASTON SECONDED: CR: A. MCKEOUGH

That Council adopt the following decision criteria for the Reverse Osmosis Plant

Qualitative Criteria

Description of Criteria	Weighting
Organisational Capacity (Timing)	30%
Product Quality	30%
Offers best value for money	20%
Methodology for Construction & Delivery	20%

Price Consideration: Weighted Cost Criteria

Criteria	Weighting
Tendered price	100%

FOR: CR J CAUNT

CR H MCTAGGART

CR B WALKER

CR W BASTON

CR R HOSEASON-SMITH

CR P WINDIE

CR A MCKEOUGH

F/A: 7/0

11:45am CR W. Baston declared a interest in item 10.13 and has left the room.

AGAINST:

CR

10.13 TRANSFER FUNDS FROM ACCOUNT "TOURISM PRECINCT RESERVE GEN" TO "TOURISM PRECINCT REPAIRS & MAINTENANCE GEN" FOR THE PURCHASE AND INSTALL OF A LAUNDRY UNIT.	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	NIL
Author:	Sean Walker – Town Maintenance Supervisor
Date:	30 September 2024
Matters for Consideration:	Seek authorisation to transfer funds from "Tourism Precinct Reserve Gen" to "Tourism Precinct Capital Expenditure" account.
Background:	The original budget included \$65,000 for the purchase of a storage shed only.
Comments:	As part of a series of requests from the current Tenants of the Pub Lease, it was identified that an integral part of the facilities was not considered in the construction phase. A Laundry facility for the service of Caravan Park linen, general Pub linen, and for use by Staff is required.
	Initial estimates indicate that the purchase of a second hand/used Laundry Block, transport, installation, and connection of services will cost approximately \$60,909 excl GST.
	As part of our commitment to ensuring the serviceability of our assets and in line with best practice, it is recommended that the shire reallocate sufficient funds for the purchase, transport and installation of a Laundry Block.
	We currently have the following reserve account balances that could be drawn from:
	Tourism Precinct Reserve - \$87,569.89
Statutory Environment:	Local Government Act 1995
Policy Implications:	NIL
Financial Implications:	Reallocation from reserve accounts to capital works account in 2024- 25 budget. Impacts future budget as we will need to top up funds to the Tourism Precinct Reserve GEN account in 2025-26 budget.
Strategic Implications:	Strategy 3.2.2 Maintenance and upgrade of infrastructure
	Planned Timing
	Corporate Business Plan Actions
	3.2.2.2
	Maintain and upgrade infrastructure in line with asset
	management planning.

	Risk Matrix					
Consequ	ience	Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Risk Category	Description	Rating	Mitigating Actions
Health	N/A		
Financial Impact	Impacts future budget	High 10	Do not exceed budget and top up funds to the Tourism Precinct Reserve GEN account in 2025-26 budget.
Service Interruption	N/A	NA	NA
Compliance	NA	NA	NA
Reputational	NA	NA	NA
Property	N/A	NA	NA
Environment	N/A	NA	NA
Fraud	N/A	NA	NA

Consultation:	NIL
Voting requirement:	Simple Majority
Officer's Recommendation:	That Council authorise the CEO to transfer: \$60,909 from Tourism Precinct Reserve GEN Reserve into 134356 Tourism Precinct Capital Expenditure GEN 24/25 Account.

Council Resolution No: 12102024

MOVED:	CR: P. WINDIE	SECONDED:	CR: R. HOSEASON- SMITH
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That Council authorise the CEO to transfer:

\$60,909 from Tourism Precinct Reserve GEN Reserve into 134356 Tourism Precinct Capital Expenditure GEN 24/25 Account.

FOR: CR J CAUNT AGAINST: CR

CR H MCTAGGART

CR B WALKER

CR R HOSEASON-SMITH

CR P WINDIE

CR A MCKEOUGH

F/A: 6/0

11:47am CR W Baston has re-entered the room.

10.14 AMENDMENT TO THE SHIRE OF UPPER GASCOYNE LOCAL PLANNIN SCHEME No 1	
Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	Liz Bushby, Town Planning Innovations (Planning Consultant)
Date:	16 October 2024
Matters for Consideration:	Shire of Upper Gascoyne Local Planning Scheme No. 1, Amendment No. 1
Background:	An amendment to the Shire of Upper Gascoyne Planning Scheme No. 1 (LPS 1) was initiated by Council at the Ordinary Meeting held on the 28th February 2024. The amendment proposes to re-zone 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 will should be amended accordingly. The amendment will assist to facilitate future subdivision of the land. The Shire has been in discussions with Development WA who support subdivision and future development of the lots. 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.

Comments:

The Amendment proposes to increase the availability of light industrial land within the Shire of Upper Gascoyne to 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.

The Amendment has been advertised for public comment. Advertising closed on the 23 August 2024.

The purpose of this report is for Council to:

- 1. Consider and make a recommendation on each submission.
- 2. Consider adopting the amendment for final approval (with or without modifications).

A total of four submissions were received during the public advertising period. All submissions were from government agencies/ service authorities, and no objections were lodged.

No submissions were received by members of the general public.

All submissions are included in *Appendix* 6. It is recommended that Council note all submissions and resolve that no modifications to the amendment be made as a result of the submissions.

Once Council makes a decision on the amendment, then it has to be lodged to the Western Australian Planning Commission (WAPC). The WAPC will assess the amendment and make a recommendation to the Minister for Planning.

The Minister for Planning makes the final decision on all scheme amendments in Western Australia. The Minister can refuse an amendment, or approve an amendment (with or without modifications).

Once a scheme amendment is approved by the Minister, then the decision has to be published in the Government Gazette. Once an amendment is gazetted, it becomes legal and operative.

Statutory Environment:

<u>Planning and Development Act 2005</u> – Sets out the procedure for amending a local planning scheme including referral to the Environmental Protection Authority, seeking consent to advertise the amendment from the WAPC, and submitting the amendment to the Minister for Planning seeking final approval.

Clause 83A is included below in full.

83A. Proposed scheme or amendment to be submitted to Minister for approval to advertise

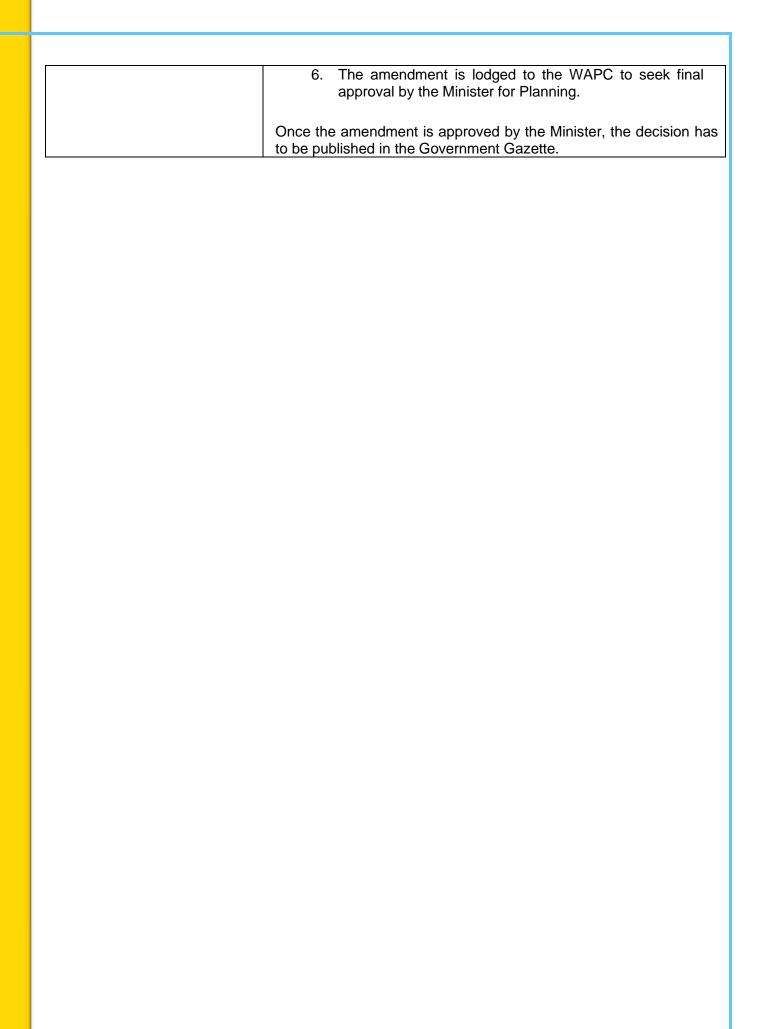
- (1) After preparing, or resolving to adopt, a proposed local planning scheme or a proposed amendment to a local planning scheme, and complying with sections 81 and 82 (if applicable) in relation to the proposed scheme or amendment, a local government must submit the proposed scheme or amendment to the Minister.
- (2) The Minister may —
- (a) approve the proposed scheme or amendment for advertising under section 84; or
- (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.
- (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.

<u>Planning and Development (Local Planning Schemes)</u> Regulations 2015:

The Planning and Development (Local Planning Schemes) Regulations 2015 were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations outline the process for any standard Scheme Amendment which is summarised below:

- 1. Amendment considered by Council for adoption for the purposes of initiating public advertising.
- The Scheme Amendment is referred to the Environmental Protection Authority. In this case the EPA has confirmed that no environmental assessment is required.
- The Scheme Amendment is lodged with the WAPC seeking consent to advertise. In this case the WAPC granted formal consent to advertise.
- 4. The amendment is advertised for 42 days. Advertising of this amendment closed on the 23 August 2024.
- 5. Council is to consider each submission and adoption of the amendment for final approval (with or without modification).



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.
	Objective 2 – Economic – Our Prosperity 2.2.3 Develop industrial, residential and commercial land development and seek investment opportunities.
	Objective 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 Matrix							
Consequ	Consequence Insignificant Minor Moderate Major Catastrophic						
Likelihood		1	2	3	4	5	
Almost Certain	5	Moderate (5)	Moderate (5) High (10) High (15)		Extreme (20)	Extreme (25)	
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)	
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)	
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)	
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)	

Risk Category	Description	Rating	Mitigating Actions
Health	N/A	NA	N/A
Financial Impact	N/A	NA	NA
Service Interruption	N/A	NA	NA
Compliance	NA	NA	NA
Reputational	NA	NA	NA
Property	N/A	NA	NA
Environment	N/A	NA	NA
Fraud	N/A	NA	NA

Consultation:	Explained in the body of this report.
Voting requirement:	Simple Majority

Officer's Recommendation:

That Council by Simple Majority:

- 1. Note that Scheme Amendment No 1 has been advertised for public comment for 42 days and four non-objections have been received.
- 2. Note the Table of Submissions included as Attachment 1 and resolve to note the submissions and not to modify Scheme Amendment No 1 as a result of submissions.
- Pursuant to Section 75 of the Planning and Development Act 2005, resolve to adopt Amendment 1 to the Shire of Upper Gascoyne Local Planning Scheme No. 1 (without modification) to re-zone Lot 556 on Deposited Plan 72451, corner of Wansborough Road and Pimbee Road, Upper Gascoyne from 'Rural' to 'Light Industry' and updating the scheme maps accordingly.
- 4. Authorise the Chief Executive Officer and Shire President to sign the Amendment No 1 document and apply the Shires seal to the document.
- 5. Pursuant to Clause 53 of the Planning and Development (Local Planning Schemes) Regulations 2015authorise Liz Bushby of Town Planning Innovations to lodge Amendment 1 and relevant advertising material to the Western Australian Planning Commission to seek final approval of the amendment by the Minister or Planning

MOVED: CR: B. WALKER SECONDED: CR: P. WINDIE

That Council by Simple Majority:

- 6. Note that Scheme Amendment No 1 has been advertised for public comment for 42 days and four non-objections have been received.
- 7. Note the Table of Submissions included as Attachment 1 and resolve to note the submissions and not to modify Scheme Amendment No 1 as a result of submissions.
- 8. Pursuant to Section 75 of the *Planning and Development Act 2005*, resolve to adopt Amendment 1 to the Shire of Upper Gascoyne Local Planning Scheme No. 1 (without modification) to re-zone Lot 556 on Deposited Plan 72451, corner of Wansborough Road and Pimbee Road, Upper Gascoyne from 'Rural' to 'Light Industry' and updating the scheme maps accordingly.
- 9. Authorise the Chief Executive Officer and Shire President to sign the Amendment No 1 document and apply the Shires seal to the document.
- 10. Pursuant to Clause 53 of the Planning and Development (Local Planning Schemes) Regulations 2015authorise Liz Bushby of Town Planning Innovations to lodge Amendment 1 and relevant advertising material to the Western Australian Planning Commission to seek final approval of the amendment by the Minister or Planning

FOR: CR J CAUNT AGAINST: CR

CR H MCTAGGART

CR B WALKER
CR W BASTON

CR R HOSEASON-SMITH

CR P WINDIE

CR A MCKEOUGH

F/A: 7/0

11. MATTERS BEHIND CLOSED DOORS

Nil

12. PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

13.1 WRITE OFF	OF RATES BALANCES		
Applicant:	Shire of Upper Gascoyne		
Author:	Andrea Pears – Manager of Finance & Corporate Services		
Date:	22 October 2024		
Matters for Consideration:	Unratable Property, Rates Offset for Storing Bulk Pipe and Minor Rate Write off on mining tenements no longer operational.		
Background:	Unratable Property		
	A1025 – Property located at 4 Cream Street Gascoyne Junction. Historically this property incorporated residential property which was subsequentially demolished in a major flood and has never been reinstated. As the property is in a known flood zone new infrastructure cannot be insured thereby making the property unratable due to its inability to be developed and a saleable commodity.		
	s for this property have been outstanding since 2017 and have accruing interest. Outstanding amount as at today's date amount seem of the second of the seco		

	ELS Penalty Arrears : \$202.54 Total \$4,160.30			
	For Emergency Services Levy (ESL) balances of more than \$2 the relevant minister needs to approve the write off.			
	Rates Offset for Storing Bulk Pipe			
	A1022 – Property located at Lot 74 Smith Street, Gascoyne Junction. The Shire stores bulk pipe in her shed in consideration of her rates being written off for each year of storage. At present the rate outstanding for this assessment are:			
	Rates Current : \$1037.84 Rates Arrears : \$982.80 Interest : \$109.06 Emergency Services Levy Current : \$103.00 Emergency Services Levy Arrears : \$98.00 ESL Penalty Current : \$1.84 ELS Penalty Arrears : \$7.90 Total \$2,340.44			
	Minor Rate Write on Non Operational Tenements			
	A6295 and A6396 are two mining tenements that are no longer operational but have paid their rates due except for minor interest charges of \$6.06 and \$5.04 respectively.			
Comments:	Should Council approve the write off of A1025 the Shire will need to apply to the Fire and Emergency Services for approval to write off the Emergency Services Levy.			
	Should Council approve the write off of A1022 it will be shown as rental expense in the Shire's accounts to reflect the consideration for storage of bulk pipe.			
2011	Local Government Act 1995			
Statutory Environment:	Fire and Emergency Services Act 1998			
	Fire and Emergency Services Regulations 1998			
Policy Implications:	Nil			
Financial Implications:	The recommended write off totalling \$6,511.84 is immaterial in comparison to the total rate yield and would have minimal impact financially.			
Strategic Implications:	Nil			

	Risk Matrix						
Consequ	Consequence Insignificant Minor Moderate Major Catastrophic						
Likelihood	Likelihood 1		2	3	4	5	
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)	
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)	
Possible 3 Low (3)		Moderate (6)	Moderate (9)	High (12)	High (15)		
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)	
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)	

Risk Category	Description	Rating	Mitigating Actions	
Health	N/A	NA	N/A	
immaterial in compa total rate yield and		write off totalling \$6,511.84 is immaterial in comparison to the total rate yield and would have minimal impact financially.		
Service Interruption	N/A	NA	NA	
Compliance NA		NA	NA	
Reputational	NA	NA	NA	
Property	N/A	NA	NA	
Environment N/A		NA	NA	
Fraud	N/A	NA	NA	

Consultation:	Nil			
Voting requirement:	Absolute Majority			
Officer's Recommendation:	That council,			
Recommendation.	1) Write off A1025 due to the property being non rateable.			
	2) Write off A1022 in consideration for the bulk pipe stored at this property.			
	3) Write off A6295 and A6396 as interest of less than \$10 remains outstanding on non operational tenements.			
Council Resolution No: 14102024				

MOVED:	CR: H. MCTAGGART	SECONDED:	CR: W. BASTON
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That council,

- 4) Write off A1025 due to the property being non rateable.
- 5) Write off A1022 in consideration for the bulk pipe stored at this property.

Write off A6295 and A6396 as interest of less than \$10 remains outstanding on non operational tenements.

FOR: CR J CAUNT

AGAINST:

CR

CR H MCTAGGART

CR B WALKER

CR W BASTON

CR R HOSEASON-SMITH

CR P WINDIE

CR A MCKEOUGH

F/A: 7/0

ELECTED MEMBERS REPORTS 14.

14.1	Cr J Caunt – Attended Band 4 Local Government Meeting in Perth
14.2	Cr H McTaggart – Nil to report
14.3	Cr B Walker – Attended the WALGA Conference
14.4	Cr W Baston – Attended the WALGA Conference
14.5	Cr R Hoseason-Smith – Nil to report
14.6	Cr P Windie – Nil to report
14.7	Cr A McKeough – Attended the Opening Ceremony for the WALGA Conference

15. **OUTSTANDING COUNCIL MEETING RESOLUTIONS**

Resolution N°	Subject	Status	Open / Close	Responsible Officer
			Close	

16. **MEETING CLOSURE**

The Shire President closed the meeting at 12:16pm.

To be confirmed at the Ordinary Meeting on the 27th November 2024. Signed..... Presiding member at the meeting at which time the minutes were confirmed.