



MINUTES

21st of September 2022

ORDINARY COUNCIL MEETING

To be held at the Shires Administration Building situated at Gascoyne Junction
commencing at 10.00am

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.

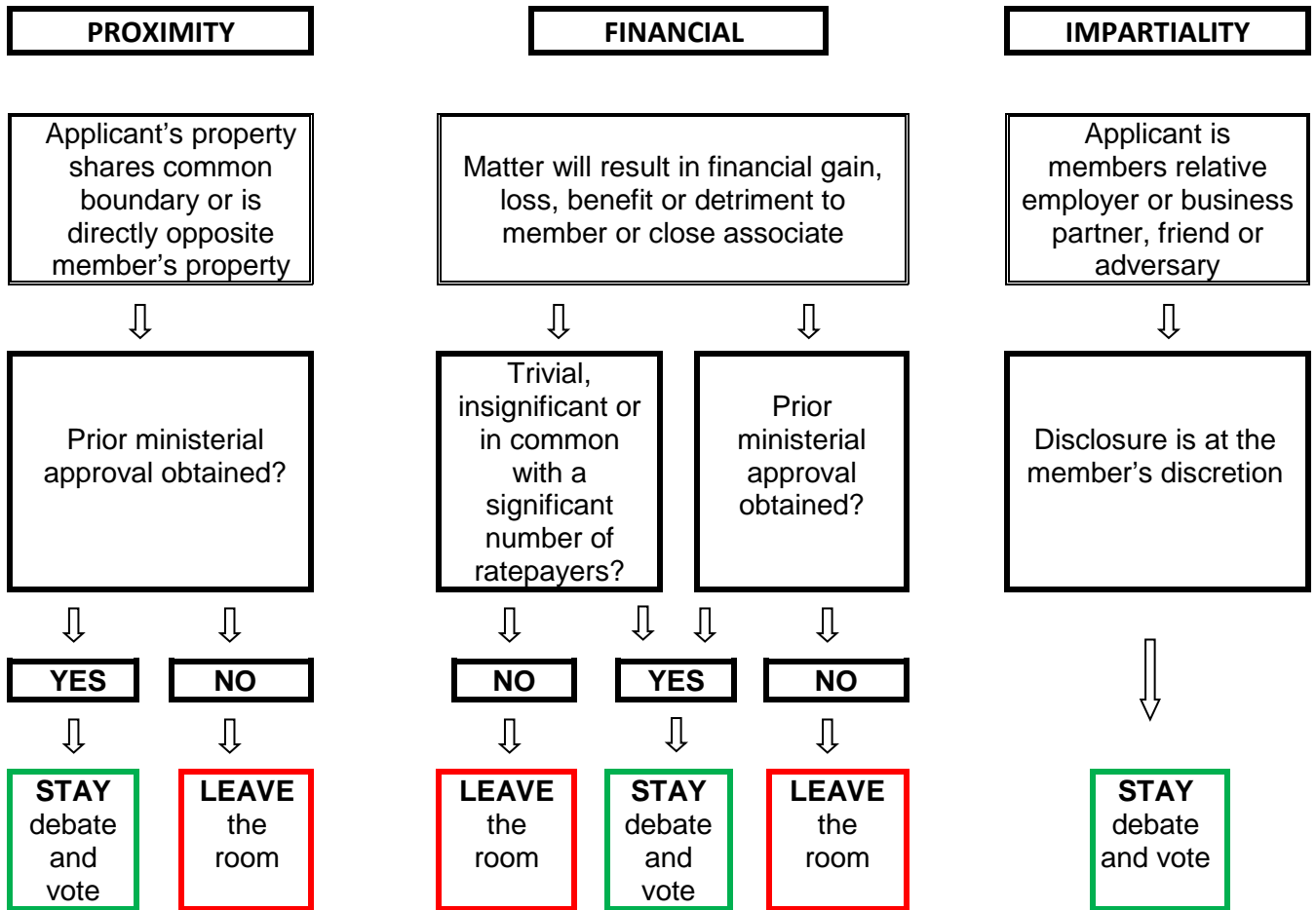
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John McCleary, JP
CHIEF EXECUTIVE OFFICER

* 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
MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRES ADMINISTRATION
BUILDING SITUATED AT GASCOYNE JUNCTION ON THE 21st OF SEPTEMBER 2022
COMMENCING AT 10.00 AM

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**SHIRE OF UPPER GASCOYNE
MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRES
ADMINISTRATION BUILDING SITUATED AT GASCOYNE JUNCTION ON THE 21ST OF SEPTEMBER
2022 COMMENCING AT 10.00 AM**

1. DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS

The President welcomed those present and declared the meeting open at 9:58am

2. ATTENDANCE, APOLOGIES AND APPROVED LEAVE OF ABSENCE

2.1 Councillors

Cr J. Caunt	Deputy Shire President
Cr G. Watters	Councillor
Cr B. Walker	Councillor
Cr R. Hoseason-Smith	Councillor
Cr A. McKeough	Councillor

Staff

John McCleary JP	Chief Executive Officer
Jarrod Walker	Manager of Works and Services
Sa Toomalatai	Manager of Finance and Corporate Services

Visitors

Joshua Kirk	Greenfield Technical Services
Hayden Andrews	Greenfield Technical Services

2.2 Absentees

Cr D. Hammarquist OAM JP	Shire President
Cr H. McTaggart	Councillor

2.3 Leave of Absence previously approved

Nil

3. APPLICATION FOR LEAVE OF ABSENCE

Nil

4. PUBLIC QUESTION TIME

4.1 Questions on Notice

Nil

4.2 Questions without Notice

Nil

5. DISCLOSURE OF INTEREST

11.4 – Cr J. Caunt

6. PETITIONS/DEPUTATIONS/PRESENTATIONS

6.1 Greenfield Technical Services provided their monthly report on the works carried out, proposed works for the coming month and financial report for AGRN 951 and 974.

7. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

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

Items 11.1, 11.2, 11.3 & 11.4

9. CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

9.1 Ordinary Meeting of Council held on 24th of August 2022.

OFFICER RECOMMENDATION / COUNCIL RESOLUTION

Council Resolution No: 01092022			
MOVED:	CR: G. WATTERS	SECONDED:	CR: A. MCKEOUGH
That the Unconfirmed Minutes from the Ordinary Meeting of Council held on the 24 th of August 2022 be confirmed as a true and correct record of proceedings.			
FOR: CR J. CAUNT CR B. WALKER CR G. WATTERS CR R. HOSEASON-SMITH CR A. MCKEOUGH		AGAINST: CR	
F/A: 5/0			

10. REPORTS OF OFFICERS

Council Resolution No: 02092022			
MOVED:	CR: B. WALKER	SECONDED:	CR: R. HOSEASON-SMITH
That Council receive the Manager of Finance and Corporate Services, the Manager of Works & Services and the Chief Executive Officer reports as read.			
FOR: CR J. CAUNT CR B. WALKER CR G. WATTERS CR R. HOSEASON-SMITH CR A. MCKEOUGH		AGAINST: CR	
F/A: 5/0			

10.1 Manager of Finance and Corporate Services Report

Last week the Shire was visited by the Auditors from William Buck, who were onsite to conduct the End of Financial Year audit for 2021/22. The auditors were here for a full week, reviewing accounts, financial reports and documentation to support our organisations financial management, processes and procedures. An informal exit meeting was arranged with the auditors for the last day onsite and the overall feedback given was positive. Whilst there are still some samples to be provided to complete the review, the auditors and staff are keen to finalise the process come October 2022.

The Corporate team have been incredibly busy this first quarter of the new financial year – staff are progressing through the ‘to-do-list’ for several upcoming events including the Two Rivers Memorial Park Opening, preparing for the CRC’s 10 Year Anniversary, overseeing the delivery of a Community First Aid Course and coordinating the Integrated Planning review.

The TCDO and I are working closely with Moore Australia to roll out the Integrated Planning Review process by promoting the community engagement workshop scheduled for 25th October 2022. The workshop will be held at the Pavillion and we are encouraging everyone to attend. This is an opportunity for all members of our community to have their say in the future of our region and ensure we continue to support growth and sustainability.

In addition to all of the promotion around our IPR process and the community engagement workshop, we have also issued surveys in person, by mail and online for our Strategic Community Plan. Again we are encouraging everyone to participate in the survey as this will assist staff and Moore Australia in collecting vital data needed to feed back into our integrated plans. We ask that Council act as advocates for this process and help our team get the word out to our community about the workshop and completing the survey.

Given what lays ahead, it is all systems go leading into October and we are hopeful that everything will run smoothly as staff ramp up for what is pegged to be one of our busiest months ahead.



Complete the [community survey online](http://www.uppergascoyne.wa.gov.au)
www.uppergascoyne.wa.gov.au
or collect a paper copy from the Shire Office
survey open until [4pm Tuesday 25 October 2022](#)
attend the [community engagement workshop](#)
[6pm Tuesday 25 October 2022](#)

Community Resource Centre Update



Author – Ainsley Hardie, Tourism & Community Development Officer

August, saw another successful COVID and flu vaccine clinic at the Community Resource Centre with 12 residents attending on the day. The medical room has a start date of Wednesday October 5. A GP will be available on the first Wednesday of each month offering a bulk bill service and providing a range of services including women’s and men’s health specific checks, blood collection, medication reviews, specialist referrals, wound care and skin checks. A nurse will be visiting fortnightly from Wednesday October 12 who will be able to assist the GP with care planning and follow ups.

In August, Shire staff supported three RFDS visits with the most major a multiple fracture to a jaw from a hiking fall at Kennedy Range. It is a reminder of the multiple roles that staff play on a daily basis. The CRC is coordinating three first aid courses from Saturday 22 October through to Thursday 27 October. Staff from the Shire, the Gascoyne Junction Remote Community School, DBCA and members of the community are attending the course with total enrolments currently at around 30. St Johns Ambulance who are facilitating the course will also be hosting free sessions at the school for students on the Friday as part of community service.

The events calendar for October through to December is full, and staff are working behind the scenes to ensure the success of each and every one.

Tourism

Walking Tours have continued in Gascoyne Junction throughout August. As we near the end of this first season, the tours have been a great tool in gaining first hand data from those visiting the region and to better understand what they are looking for. Many have had to shorten stays in town due to a lack of available accommodation. Increasing our bed capacity (motel style) in Gascoyne Junction is a crucial step in ensuring we have a solid framework for tourism moving forward.

In late August, Carol Redford from Astrotourism WA visited the Shire to work on establishing a dark sky trail across the Shire. Gascoyne Junction will soon be joining the Astrotourism towns of WA, and a drive trail in conjunction with the Shire of Shark Bay and the Shire of Carnarvon is underway to encourage visitors to tour through the region. Events are planned for 2023 for both around the Solar Eclipse event and a second event later in the year. Gascoyne Junction is also a prime candidate for being recognised as an International Dark Sky Town which has the potential to attract astrotourists from across the globe to enjoy our Dark Skies. This would involve an assessment of our street lighting which I have begun talks with Horizon Power over.

The judging panel from Tidy Towns will be visiting Gascoyne Junction on Thursday September 22 to see for themselves the pride and tidiness of the Junction. The judges will be looking at the Two Rivers Memorial Park, along with the water saving measures on the Town Oval, and building upgrades at both the Shire and Junction Pub and Tourist Park.

WAITOC are visiting the Kennedy Ranges for two days in late September with a video crew to create content for Wooramulla Eco Cultural Tours who are looking to start tours across the Ranges in 2023. They will be filming, the night sky and walking tours with a focus on native medicines and foods of the area.

In October we are hosting members of the Australian Golden Outback executive for a three night visit in the Shire to continue discussions on aligning strategic planning and projects that will grow tourism both for the Shire and the Golden Outback.

Community Resource Centre – Monthly Income Report – August 2022

Page No :	1		General Ledger Detail Trial Balance		(frmGLTrialBalance)
Options :	Year 22/23,From Month 02,To Month 02,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	-720.00	-720.00	-1,440.00
CRC INC	10841330	Transport Commission: CRC	-65.39	-17.44	-82.83
CRC INC	10841340	Postal Agency Commission: CRC	0.00	-654.63	-654.63
CRC INC	10841380	Postal Agency Sales	-98.91	-59.04	-157.95
CRC INC	10841390	Sales: Books/Maps/Souvenirs/Sundries	-278.80	-439.73	-718.53
CRC INC	10842600	CRC Income Misc.	-5.09	-2.00	-7.09
CRC INC	10842610	CRC Merchandise Sales	-933.34	-780.75	-1,714.09
Total	CRC INCOME		<u>-2,101.53</u>	<u>-2,673.59</u>	<u>-4,775.12</u>
Total for division	GEN		<u>-2,101.53</u>	<u>-2,673.59</u>	<u>-4,775.12</u>
Grand Total			<u>-2,101.53</u>	<u>-2,673.59</u>	<u>-4,775.12</u>

Community Resource Centre – Monthly Customer Service Stats – August 2022

	CUSTOMER SERVICES & ENQUIRIES	2022.2023 TOTAL	2021.2022 TOTAL	YTD DIFF	Aug-22	Aug-21	AUG DIFF
Admin Support	Faxes	0	3	-3	0	0	0
	Photocopying/Printing/Scanning/Emailing	5	40	-35	4	2	2
	Laminating/Binding	0	8	-8	0	0	0
	Hot Office Bookings	0	2	-2	0	1	-1
	External Training and Course	0	0	0	0	0	0
CRC	1:1 Assistance to Community Members	4	0	4	3	0	3
	Computer/Internet Access	12	50	-38	8	7	1
	Community Education Events	0	4	-4	0	0	0
	Community Social Events	0	20	-20	0	3	-3
	Community Economic Seminars	0	1	-1	0	0	0
	Department of Human Services	1	21	-20	0	0	0
	Government Access Point	6	20	-14	5	3	2
	Use of Paid WIFI Services	2	0	2	0	0	0
Tourism	Use of FREE WIFI Hub	1	0	1	0	0	0
	Road Condition Requests	297	944	-647	160	182	-22
	General Tourism Information	346	745	-399	189	164	25
	Book Sales	10	43	-33	7	14	-7
	CRC Merchandise Sales	117	364	-247	63	82	-19
Info	Walking Tours	52	0	52	39	0	39
	Phonebook Purchases	0	0	0	0	0	0
	Gassy Gossip yearly subscription	0	4	-4	0	0	0
Health	Gassy Gossip Advertisement	0	7	-7	0	1	-1
	Video Conference/Telehealth	0	4	-4	0	0	0
	RFDS Support	4	0	4	3	0	3
Agencies	Medical Clinic Visits	12	0	12	12	0	12
	Library	18	66	-48	11	6	5
	Postage Sales	27	193	-166	16	20	-4
	Postage Collection	68	0	68	74		74
	Department of Transport	5	46	-41	2	5	-3
	Horizon Power	7	105	-98	6	0	6
Total Customer Service Enquiries		994	2690	-1,696	602	490	112

Community Sponsorship, Donations & Contributions for 2022/23

Applicant Name	Reason for Request	Date of Event	Approved Amount (ex GST)	In-Kind Contribution	Total Contribution Amount to Date	Acquittal Completed	Notes
Winning Gymkhana Club	Winning Gymkhana	08/07/2022	\$ 1,000	\$ 0.00	\$ 1,000	12/07/2022	Event held and Evaluation Report received in July 2022.
Gascoyne Offroad Racing Club	Kickstarters Gascoyne Dash	30/07/2022	\$ 3,000	\$ 0.00	\$ 3,000	31/08/2022	Event held and Evaluation Report received in August 2022.
Junction Race Club - Races & Gymkhana	Junction Races & Gymkhana	20/08/2022	\$ 6,000	\$ 2,400	\$ 8,400	Not yet received	Evaluation Report not received as at September 2022 OMC.
Gascoyne Food Council	Smoke & Stars GFC event	17/09/2022	\$ 1,000	\$ 0.00	\$ 0.00	Due 17/10/2022	As at September 2022 OMC, contribution not yet paid.
Eastern Gascoyne Gymkhana Club	Landor Gymkhana	02/10/2022	\$ 1,000	\$ 0.00	\$ 1,000	Due 02/11/2022	Contribution paid but event not held until October 2022.
Kennedy Range Campdraft Association	Kennedy Range Campdraft	08/10/2022	\$ 10,000	\$ 0.00	\$ 0.00	Due 08/11/2022	As at September 2022 OMC, contribution not yet paid.
TOTAL CONTRIBUTION AMOUNT YEAR TO DATE (ex GST)					\$ 13,400		

10.2 Manager of Works and Services Report

The town crew have been busy preparing for this year's Tidy Town Awards visit and we are hoping to bring home the bacon again. With the completion of the tourist park in sight and some recent rain the town is looking the goods. The town oval reticulation and top dressing is complete and with the recent rain it should start to pop. The new lawn has been installed at the tourist stop and has made a big difference. The final works and defect list is nearly complete and we are looking forward to the official opening in October.

We have put the water drilling back to the 19th of September due to a delay in sourcing casing materials within Australia. Austral have managed to source casing from overseas and do not expect any more delays.

THEM Earthmoving are party way through removing the redundant islands on Viveash Way. Unfortunately they discovered that the existing base course and sub grade was not acceptable and have excavated the unsuitable material out and are bringing in good quality material. Sealing was expected to be complete by now however we received 35mm of rain at the beginning of September which has delayed the work.

THEM are also halfway through completing the flood damage and betterment works on Bundagee Wash. Yuin Contracting will install a new concrete edge wall before the new seal is laid. Works are expected to be complete before October.

Our construction crew have completed the 4.8km reconstruction of Landor Meekatharra road. Sealing is expected to take place from the 20th to 25th September. We will then prepare a further 500m to get on the front foot for next year's sealing project.

At the time of writing this report I will attend a meeting on the 15th September in Carnarvon with the Yinggarda Aboriginal Corporation to discuss the proposed Black Spot works on Ullawarra (Mt Sandiman Crest). We have secured funding from the WA State Black Spot Program to lower and widen a crest that has been identified as a risk to driver safety. The project is located approximately 1.3km from a proposed Aboriginal Heritage site. I will meet with YAC and hope to alleviate their concerns so the project can go ahead in October/November this year.

August and September have been quite busy in regards to procuring our capital plant and equipment for the 2022-23 financial year. I am pleased to say that all of our purchases have been tendered and or ordered and are in the process of being built or delivered.

ABBL Contracting has completed installing signage on the Cobra Gifford and Edmund Gifford Creek roads including guide post installation. While onsite, they also cleaned out two grids on the Cobra Dairy Creek road and have commenced signage installation around town. They will return in late September to complete the directional signage around town to tie in with the opening of the Two Rivers Memorial Park.

Our maintenance graders have completed the C'von Mullewa Road and Pimbee Road. They will continue up Cobra Dairy Creek and across to Gifford Creek. The construction crew will water and roll section of the Landor Meekatharra and Landor Mount Augustus roads in time for the Landor Races.

10.3 Chief Executive Officers Report

As is the case in every monthly report that is presented I can categorially state that the previous month has been flat out and the coming month promises to go up another level. Given the small size of our

organisation I may well need to call on your assistance to ensure we have enough feet on the ground in order to deliver.

I can joyfully report that I have finally completed the Road Use Agreement between the Shire and Hastings. This has been a most challenging and time consuming process but I believe the agreement reached provides a process for the up-grade and maintenance of our asset and also provides certainty for Hastings so that they can now go-ahead and start the necessary works required.

I have had another set-back on the being able to progress an ILUA for the land adjacent to Hatch Street. The ILUA was scheduled to be discussed on the 15th of September but this has now been put back for third time to early October, fingers crossed. Once this completed we can then progress developing a report as to what need to happen both administratively and on the ground in order to get freehold title for the various blocks.

Although I cannot report that MRWA have given us the extra \$4.5M each year for the next 2 years to continue with the sealing of the Carnarvon to Meekatharra Road, I can report that the MRWA are supportive and have made recommendation to the Minister for Transport, things are now in the hands of the Minister and we wait with baited breath.

A brief unofficial conversation with our Auditors has indicated that the Shire will receive a clean Audit with no adverse findings. This is a direct reflection on all of our staff and in particular our Corporate Services Team.

As mentioned 'tidy towns' will be in town as part of the annual judging assessment. The town is looking an absolute treat, thanks to Sean and his crew. I reckon we are a better than even chance to take this out.

The 2 Rivers Memorial Park is all-but finished with only some cement footpaths to be replaced after the opening event. Sean and Nat have installed the Tables with the bin surrounds still a month or two way. As part of the contract with GBSC we will keep a retention bank guarantee of \$130k for 12 months as contingency for any failures.

Preparations for the opening ceremony for the Park is well underway with invitations being sent to our neighbouring Shires, Mellissa Price and other Shire dignitaries. We have secured two bands / performers with perhaps a surprise third. When we get a bit closer we will send out a full program of times and events.

The coming month or so promises to be very full and challenging with an absolute dearth of events both Shire and personal related, starting on the 16/09/2022 going right through to late October.

STATUS OF GRANTS FOR 2022							
Submitted	Close Date	Project	Grant	Provider	Grant Amount	Project Cost	Result
4/2/2022	10/2/2022	Landor / Meekatharra Road Seal Project	Building Better Regions Fund	Dept of Infrastructure, Transport, Regional Development and Communications	\$4,734,371	\$5,216,078 (481,707 Shire Funds)	Pending
13/12/2021	N/A	Carnarvon / Mullewa Road Sealing Project	Ad hoc	Main Roads – State initiatives on Local Roads	Requested between 4.5 million	Ongoing	Pending

10.4 ACCOUNTS & STATEMENTS OF ACCOUNTS

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	None
Author:	Sa Toomalatai – Manager of Finance & Corporate Services
Date:	31 August 2022
Matters for Consideration:	<p>To receive the List of Accounts Due & Submitted to Ordinary Council Meeting on Wednesday the 21st of September 2022 as attached – see Appendix 1.</p> <p>In addition to the List of Accounts and as part of this agenda report, Council are also requested to receive the Legal Expenses report. This report details all legal costs incurred to the end of this reporting period for both general legal and rates debt recovery expenses – refer to Appendix 1.</p>
Background:	<p>The local government under its delegated authority to the CEO to make payments from the municipal and trust funds is required to prepare a list of accounts each month showing each account paid and presented to Council at the next ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.</p>
Comments:	The list of accounts are for the month of July 2022.
Statutory Environment:	<p>Local Government (Financial Management Regulations) 1996</p> <p>13. Payments from municipal fund or trust fund by CEO, CEO’s duties as to etc.</p> <p>(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —</p> <ul style="list-style-type: none"> (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>(2) A list of accounts for approval to be paid is to be prepared each month showing —</p> <ul style="list-style-type: none"> (a) for each account which requires council authorisation in that month — <ul style="list-style-type: none"> (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:	Nil												
Financial Implications:	2022/2023 Budget												
Strategic Implications:	Civic Leadership – To responsibly manage Council’s financial resources to ensure optimum value for money and sustainable asset management.												
Risk:													
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)								
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation								
Consultation:	Nil												
Voting requirement:	Simple Majority												
Officer’s Recommendation:	<p><i>That Council endorse the payments for the period 1st of August 2022 to the 31st of August 2022 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 2022.</i></p> <table border="1"> <tr> <td><i>Municipal Fund Bank EFTs (14580 - 14728)</i></td> <td><i>\$1,884,655.26</i></td> </tr> <tr> <td><i>Payroll</i></td> <td><i>\$120,859.02</i></td> </tr> <tr> <td><i>BPAY/Direct Debit</i></td> <td><i>\$52,035.88</i></td> </tr> <tr> <td><i>TOTAL</i></td> <td><i>\$2,057,550.16</i></td> </tr> </table>					<i>Municipal Fund Bank EFTs (14580 - 14728)</i>	<i>\$1,884,655.26</i>	<i>Payroll</i>	<i>\$120,859.02</i>	<i>BPAY/Direct Debit</i>	<i>\$52,035.88</i>	<i>TOTAL</i>	<i>\$2,057,550.16</i>
<i>Municipal Fund Bank EFTs (14580 - 14728)</i>	<i>\$1,884,655.26</i>												
<i>Payroll</i>	<i>\$120,859.02</i>												
<i>BPAY/Direct Debit</i>	<i>\$52,035.88</i>												
<i>TOTAL</i>	<i>\$2,057,550.16</i>												
Council Resolution No: 03092022													
MOVED:	CR: B. WALKER	SECONED:	CR: A. MCKEOUGH										
That Council endorse the payments for the period 1 st of August 2022 to the 31 st of August 2022 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 2022.

Municipal Fund Bank EFTs (14580 - 14728)	\$1,884,655.26
Payroll	\$120,859.02
BPAY/Direct Debit	\$52,035.88
TOTAL	\$2,057,550.16

FOR: CR J. CAUNT
CR B. WALKER
CR G. WATTERS
CR R. HOSEASON-SMITH
CR A. MCKEOUGH

AGAINST: CR

F/A: 5/0

10.5 MONTHLY FINANCIAL STATEMENT

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	None
Author:	Sa Toomalatai – Manager of Finance & Corporate Services
Date:	9 September 2022
Matters for Consideration:	<p>The Statement of Financial Activity for the period of August 2022, include the following reports:</p> <ul style="list-style-type: none"> • Statement of Financial Activity • Significant Accounting Policies • Graphical Representation – Source Statement of Financial Activity • Net Current Funding Position • Cash and Investments • Major Variances • Budget Amendments • Receivables • Grants and Contributions • Cash Backed Reserve • Capital Disposals and Acquisitions • Trust Fund <p style="text-align: center;">see Appendix 2</p>
Background:	<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:	The Statement of Financial Activity is for the month of August 2022.
Statutory Environment:	<p>Local Government Act 1995 – Section 6.4</p> <p>Local Government (Financial Management Regulations) 1996 – Sub-regulation 34.</p>
Policy Implications:	Nil
Financial Implications:	Nil
Strategic Implications:	Civic Leadership – To responsibly manage Council’s financial resources to ensure optimum value for money and sustainable asset management.
Risk:	

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Consultation:		Nil			
Voting requirement:		Simple Majority			
Officer's Recommendation:		<i>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of August 2022.</i>			
Council Resolution No: 04092022					
MOVED:	CR: G. WATTERS	SECONDED:	CR: R. HOSEASON-SMITH		
<p>That Council receive the Financial Statements, prepared in accordance with the Local Government (Financial Management) Regulations, for the period of August 2022.</p> <p>FOR: CR J. CAUNT CR B. WALKER CR G. WATTERS CR R. HOSEASON-SMITH CR A. MCKEOUGH</p> <p>AGAINST: CR</p> <p>F/A: 5/0</p>					

10.6 2022 DELEGATION REGISTER REVIEW

Applicant:	Shire of Upper Gascoyne	
Disclosure of Interest:	Nil	
Author:	John McCleary – Chief Executive Officer	
Date:	9 September 2022	
Matters for Consideration:	To review the existing delegations register as provided in Appendix 3 .	
Background:	Section 5.42 of the Local Government Act 1995 provides that a local government may delegate the exercise of some of its powers and duties to the Chief Executive Officer. Section 5.43 sets out those powers and duties which may not be delegated. Section 5.46(1) requires the CEO to keep a register of all delegations and section 5.46 (2) of the Act provides that delegations be reviewed at least once every financial year.	
Comments:	The previous Delegation Register was adopted by Council at the November 2020 meeting, therefore the delegations require review this calendar year.	
Statutory Environment:	5.42. Delegation of some powers and duties to CEO	
	(1)	A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43 and this power of delegation. <i>*Absolute majority required.</i>
	(2)	A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
	5.46. Register of, and records relevant to, delegations to CEO and employees.	
	(1)	The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
	(2)	At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
Policy Implications:	Nil.	
Financial Implications:	Nil.	
Strategic Implications:	Nil.	
Risk:		

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Consultation:		Nil.			
Voting requirement:		Absolute Majority			
Officer's Recommendation:		<i>That Council endorse the Delegation Review Register of the Shire of Upper Gascoyne as listed in the document contained in Appendix 3 of this Agenda.</i>			
Council Resolution No: 05092022					
MOVED:	CR G. WATTERS	SECONDED:	CR R. HOSEASON-SMITH		
<p>That Council endorse the Delegation Review Register of the Shire of Upper Gascoyne as listed in the document contained in Appendix 3 of this Agenda.</p> <p>FOR: CR J. CAUNT CR B. WALKER CR G. WATTERS CR R. HOSEASON-SMITH CR A. MCKEOUGH</p> <p>AGAINST: CR</p> <p>F/A: 5/0</p>					

10.7

CHRISTMAS SHUTDOWN PERIOD FOR 2022

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	Nil
Author:	Sa Toomalatai – Manager, Finance & Corporate Services Cherie Walker – Senior Corporate Services Officer Administration
Date:	15 September 2022
Matters for Consideration:	To determine the Christmas Shutdown Period for 2022.
Background:	<p>In previous years the Shire has observed a Christmas/New Year stand down period in which both the Shire office and the CRC are closed during this time. Typically this would commence Friday lunchtime the day after the Community Christmas party, and then we would re-open the next working day after the New Year's day public holiday.</p> <p>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 23rd December 2022 and re-open on Monday the 9th January 2023 as per normal business hours.</p> <p>With regards to the provision of services during this time, staff have identified a few options for the weekly kerbside rubbish collection such as providing local residents an additional wheelie bin during this period whilst the service is deferred until staff return to work, or alternatively the CEO has offered to carry out the service, providing he is in town at the time. Management will continue to deliberate on our options for the bin collection service and make a decision accordingly.</p> <p>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.</p> <p>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.</p>

Comments:		<p>Last calendar year (2021) was the first year Council deviated from the 'usual' closure period and trialled dates that pushed out the closing and re-opening dates by a week - similar to the ones that are proposed for 2022. Once Council resolved to apply the 'revised' closure period for 2021, staff immediately started giving public notice to ensure our locally based and broader community were well prepared for our offices being closed leading up to this time. It is important to note that the actual length of time the office is closed does not differ and after trialling this period at the end of 2021, staff did not receive any complaints or negative feedback.</p> <p>By pushing the timeframe out by a week, this allows staff to work right up to the day before 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.</p> <p>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.</p> <p>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.</p>			
Statutory Environment:		Nil			
Policy Implications:		Nil			
Financial Implications:		Nil as this has been accounted for in the budgetary process.			
Strategic Implications:		Nil			
Risk:					
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or	Accept Officer Recommendation

Not meeting Statutory Compliance				Compliance Requirements	
Consultation:		Nil			
Voting requirement:		Simple Majority			
Officer's Recommendation:		<p><i>That Council –</i></p> <p>1. <i>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:</i></p> <ul style="list-style-type: none"> • <i>Close from 12:00pm (noon) Friday 23rd December 2022</i> • <i>Re-open Monday 9th January 2023 (normal business hours)</i> 			
Council Resolution No: 06092022					
MOVED:	CR B. WALKER	SECONDED:	CR R. HOSEASON-SMITH		
<p>That Council –</p> <p>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:</p> <ul style="list-style-type: none"> • Close from 12:00pm (noon) Friday 23rd December 2022 • Re-open Monday 9th January 2023 (normal business hours) <p>FOR: CR J. CAUNT CR B. WALKER CR G. WATTERS CR R. HOSEASON-SMITH CR A. MCKEOUGH</p> <p>AGAINST: CR</p> <p>F/A: 5/0</p>					

10.8 BUDGET VARIATION REQUEST- CAPITAL PURCHASE PLANT AND EQUIPMENT

Applicant:	Shire of Upper Gascoyne
Disclosure of Interest:	None
Author:	Jarrod Walker – Manager of Works and Services
Date:	13 September 2022
Matters for Consideration:	Budget variation request to reallocate funds from Plant Replacement Reserve fund to purchase a 20kva generator.
Background:	<p>The Works Manager has requested an increase in budget funds to the Capital Expenditure GL account 11280200 to purchase a new diesel single phase generator. To cover this expenditure, we seek Council's approval to reduce the transfer of funds into the Plant Replacement Reserve fund by the ex GST purchase price of the new generator.</p> <p>For Council's reference, at the time of adopting the 22/23 budget Council resolved to transfer a total of \$160,054 into the Plant Replacement Reserve fund.</p>
Comments:	<p>The existing generator on P79 Grader Accommodation trailer has failed due to overheating and needs to be replaced. This accommodation unit is occupied by our Leading Hand, Dameon Whitby, and as such needed to be replaced immediately.</p> <p>This is a non-planned capital purchase. Quotes were requested and a suitable and on-hand generator was quoted from Generator Power Australia for the amount of \$18,389 exclusive of GST (note: \$20,227.90 inclusive). This quote was deemed comparable with other quotes and the same brand previously used by the shire without any issues.</p> <p>The CEO authorised the Works Manager to purchase the generator and seek retrospective authorisation from the Council at the next meeting.</p>

Statutory Environment:	<p>Local Government Act 1995 – Part 6 Financial Management, Division 4 General Financial Provisions, Section 6.8</p> <p>6.8. Expenditure from municipal fund not included in annual budget</p> <p>(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —</p> <p style="padding-left: 40px;">(b) is authorised in advance by resolution*; or</p> <p style="padding-left: 40px;">(c) is authorised in advance by the mayor or president in an emergency.</p> <p style="padding-left: 40px;">* <i>Absolute majority required.</i></p> <p>(1a) In subsection (1) —</p> <p style="padding-left: 40px;">additional purpose means a purpose for which no expenditure estimate is included in the local government’s annual budget.</p> <p>(2) Where expenditure has been incurred by a local government —</p> <p style="padding-left: 40px;">(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and</p> <p style="padding-left: 40px;">(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.</p>				
Policy Implications:	Nil				
Financial Implications:	There is nil financial implications on the budget bottom line if Council approve this budget variation request, however there is a risk of recording a further overspend on the plant budget if the request is not approved.				
Strategic Implications:	Civic Leadership – To responsibly manage Council’s financial resources to ensure optimum value for money and sustainable asset management.				
Risk:					
Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

Consultation:	Consultation has been made at the management level regarding the budget variations.
Voting requirement:	Absolute Majority
Officer's Recommendation:	<p><i>That Council, in accordance with section 6.8(1)(b) of the Local Government Act, adopt the following budget variations;</i></p> <p><i>Decrease budget funds at following Reserve Fund (by the value of):</i></p> <ul style="list-style-type: none"> • <i>Transfer <u>into</u> the Plant Replacement Reserve \$18,389</i> <p><i>Increase budget funds at following GL Account (by the value of):</i></p> <ul style="list-style-type: none"> • <i>GL 11280200 Purchase Plant and Equipment \$18,389</i>

Council Resolution No: 07092022

MOVED:	CR: B. WALKER	SECONDED:	CR: R. HOSEASON-SMITH
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That Council, in accordance with section 6.8(1)(b) of the Local Government Act, adopt the following budget variations;

Decrease budget funds at following Reserve Fund (by the value of):

- Transfer into the Plant Replacement Reserve \$18,389

Increase budget funds at following GL Account (by the value of):

- GL 11280200 Purchase Plant and Equipment \$18,389

FOR: CR J. CAUNT
CR B. WALKER
CR G. WATTERS
CR R. HOSEASON-SMITH
CR A. MCKEOUGH

AGAINST: CR

F/A: 5/0

10. 9

ROAD USE AGREEMENT BETWEEN THE SHIRE OF UPPER GASCOYNE AND YANGIBANA PROPRIETARY LIMITED (HASTINGS TECHNOLOGY METALS)

Applicant:	Shire of Upper Gascoyne				
Disclosure of Interest:	Nil				
Author:	John McCleary – Chief Executive Officer				
Date:	14 September 2022				
Matters for Consideration:	To accept the Road Use Agreement and the associated annexure's as tabled and authorise the CEO and the Shire President to execute as a deed.				
Background:	This is to allow Hastings and their Contractors to seek an upgraded RAV Rating for the roads (RAV 7) and to ensure the roads meet Type 3 Standard and are maintained in a satisfactory standard.				
Comments:	It is to be noted that the tabled RUA has been developed in association with the Shires of Carnarvon and Ashburton and the agreements, although separate, are virtually identical in nature.				
Statutory Environment:	Section 132(4) of the Road Traffic (Administration) Act 2008				
Policy Implications:	Nil				
Financial Implications:	Nil				
Strategic Implications:	Nil				
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:	Hastings Shire of Ashburton Shire of Carnarvon Phil Mavor – Moray & Agnew Lawyers
Voting requirement:	Simple Majority
Officer's Recommendation:	<i>That Council:</i> 1. <i>Accept the deed and its various supporting annexures and schedules between the Shire of Upper Gascoyne and Yangibana Pty Ltd as tabled; and</i> 2. <i>Authorise the Shire President and the CEO execute the deed and affix the common seal.</i>

Council Resolution No: 08092022

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

1. Accept the deed and its various supporting annexures and schedules between the Shire of Upper Gascoyne and Yangibana Pty Ltd as tabled; and
2. Authorise the Shire President and the CEO execute the deed and affix the common seal.

FOR: CR J. CAUNT
CR B. WALKER
CR G. WATTERS
CR R. HOSEASON-SMITH
CR A. MCKEOUGH

AGAINST: CR

F/A: 5/0

11. MATTERS BEHIND CLOSED DOORS

MOVED: CR: A. MCKEOUGH	SECONDED: CR: R. HOSEASON-SMITH
That Council go behind closed doors to discuss confidential items.	
FOR: CR J. CAUNT CR B. WALKER CR G. WATTERS CR R. HOSEASON-SMITH CR A. MCKEOUGH	AGAINST: CR
F/A 5/0	

11.1 Plant and Labour Hire AGRN 1021

Council Resolution No: 09092022

MOVED:	CR G. WATTERS	SECONDED:	CR A. MCKEOUGH
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Council award RFT 03 22-23 as follows:

- PACKAGE 1: MTF SERVICES PTY LTD for the estimated total cost of \$4,950,500 + GST
- PACKAGE 2: THEM EARTHMOVING for the estimated total cost of \$4,555,750 + GST.

FOR: CR J. CAUNT
CR B. WALKER
CR G. WATTERS
CR R. HOSEASON-SMITH
CR A. MCKEOUGH

AGAINST: CR

F/A: 5/0

11.2 Provision of Legal Services – 2082 Albany Highway / M. Garbutt

Council Resolution No: 10092022

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

1. Authorise the CEO to sign Part C – Acknowledgement & Acceptance of the offer from Kennedy Vinciullo up to an amount of \$45,000 to carry out the Scope of Works as detailed in Part A of the letter of offer dated the 12th of September 2022; and
2. In accordance with section 6.8(1)(b) of the Local Government Act, adopt the following Budget Variation –

Decrease budget funds at following Reserve Fund (by the value of):

- Transfer into the Plant Replacement Reserve \$30,000

Increase budget funds at following GL Account (by the value of):

- GL 11342600 Tourism Precinct Legal Fees \$30,000

FOR: CR J. CAUNT
CR B. WALKER
CR G. WATTERS
CR R. HOSEASON-SMITH
CR A. MCKEOUGH

AGAINST: CR

F/A: 5/0

11.3 Provision of Water Cart Contract

Council Resolution No: 11092022			
MOVED:	CR R. HOSEASON	SECONDED:	CR G. WATTERS
That Council: <ol style="list-style-type: none">award RFT 05 22-23 Provision of Water Cart Hire to Gascoyne Group T/A Junction Contracting Services at the rate \$180/hr + GST.award the contract for an initial 1 year period with the option of extending the contract by a further 3 x 1 year terms should the Council see fit.			
FOR:	CR J. CAUNT CR B. WALKER CR G. WATTERS CR R. HOSEASON-SMITH CR A. MCKEOUGH	AGAINST:	CR
F/A: 5/0			

Cr J. Caunt has declared an interest and left the Chamber 11:07am.

11.4 Provision of Dozer Contract

Council Resolution No: 12092022			
MOVED:	CR R. HOSEASON-SMITH	SECONDED:	CR A. MCKEOUGH
That Council: <ol style="list-style-type: none">award RFT 04 22-23 Provision of Bull Dozer Hire to Gascoyne Earthmoving based on the tendered rate of \$1.65/m³ and \$320/hr.award the contract for an initial 2 year period with the option of extending the contract by a further 2 x 1 year terms should the Council see fit.			
FOR:	CR B. WALKER CR G. WATTERS CR R. HOSEASON-SMITH CR A. MCKEOUGH	AGAINST:	CR
F/A: 4/0			

Cr J. Caunt entered the Chamber at 11.09am

MOVED: CR: A. MCKEOUGH SECONDED: CR: R. HOSEASON-SMITH

That Council come out from behind closed doors.

FOR: CR J. CAUNT
CR B. WALKER
CR G. WATTERS
CR R. HOSEASON-SMITH
CR A. MCKEOUGH

AGAINST: CR

F/A 5/0

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 Caunt – Nil
- 14.2 Cr Watters - Nil
- 14.3 Cr Walker - Nil
- 14.4 Cr McKeough – Nil
- 14.5 Cr Hoseason-Smith – Nil

15. STATUS OF COUNCIL MEETING RESOLUTIONS

Resolution N°	Subject	Status	Open / Close	Responsible Officer
07082021	Activities in Thoroughfares Local	Explanatory Memorandum sent to the Department of Local Government, Advertisements have been organised.	Closed	CEO

16. STATUS OF PROJECTS

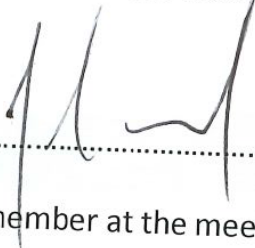
As per Appendix 4

17. MEETING CLOSURE

The Deputy Shire President closed the meeting at 11.38 am.

To be confirmed at the Ordinary Meeting on the 26th October 2022.

Signed.....

A handwritten signature in black ink, consisting of a large 'M' followed by a wavy line and another 'M'.

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