



# **AGENDA**

Ordinary Council Meeting

Friday 24 September 2021

Commencing at 9.00AM

To be held in the Council Chambers, Hack St Sandstone

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**SHIRE OF SANDSTONE**  
S E R V E T H E P E O P L E

**ORDINARY COUNCIL MEETING NOTICE PAPER**

**Friday 24 September 2021 – 9.00am**

Dear President and Councillors,

An Ordinary Meeting of Council is called for Friday 24 September 2021, in the Council Chambers, Hack Street, Sandstone, commencing at 9.00 am.

**Councillors please note:**

A Briefing Session will be held prior to the Council Meeting.

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*Charlie Brown*

Chief Executive Officer

14 September 2021

**PUBLIC QUESTION TIME**

A 15-minute public question time is available to allow members of the public the opportunity of submitting questions to Council on matters concerning them. Questions should be submitted in writing prior to the meeting. The questions will be addressed by the President or their nominated person. Where an answer cannot be given at the meeting, a reply will be given in writing subsequent to the meeting.

Discussion will not be allowed.



### **DISCLAIMER**

*No responsibility whatsoever is implied or accepted by the Sandstone Shire Council for any act, omission, statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Sandstone Shire Council disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, statement, intimation or otherwise occurring during Council/Committee Meetings or discussions. Any person or legal entity that acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.*

*In particular but without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence or permit, any statement or limitation of approval made by an Elected Member or by a Staff Member of Sandstone Shire Council during the course of any Meeting is not intended to be and is not to be taken as notice of approval from the Sandstone Shire Council. The Sandstone Shire Council warns that anyone who has an application lodged with the Sandstone Shire Council must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application including any conditions attaching to the decision made by the Sandstone Shire Council in respect of the application.*

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***Charlie Brown***

**Chief Executive Officer**

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14 September 2021

**ORDINARY COUNCIL MEETING TO BE HELD ON  
FRIDAY 24 September 2021  
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## **AGENDA and STAFF REPORTS**

### **ORDINARY COUNCIL MEETING TO BE HELD IN**

**COUNCIL CHAMBERS, SANDSTONE ON THURSDAY 23 SEPTEMBER 2021**

#### **1 DECLARATION OF OPENING AND ANNOUNCEMENT OF ANY VISITORS**

The Presiding Member, Cr Bethel Walton (Shire President) to declare the Meeting open at 9.00am.

#### **2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER AND/OR COUNCILLORS (without discussion unless otherwise determined)**

Nil

#### **3 ATTENDANCE**

##### **3.1 Present**

###### **Elected Members**

Cr B (Beth) Walton                      Shire President (and Presiding member of this Meeting)

Cr F (Freda) May

Cr K (Kerry) Key

Cr D (David) Lefroy

Cr V (Vicki) McQuie

###### **Staff Members**

Mr Charlie Brown                      Chief Executive Officer

###### **Visitors**

Nil

##### **3.2 Apologies**

Cr C Hodshon

##### **3.3 Approved Leave of Absence**

Nil

#### **4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**6 DECLARATIONS OF INTEREST**

**6.1 Declarations of Financial Interest**

**6.2 Declarations of Proximity Interest**

**6.3 Declarations of Indirect Financial Interest**

**6.4 Declarations of Impartiality Interest**

**7 PUBLIC QUESTION TIME**

Nil

**8 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

8.1 Ordinary meeting of Council held on the 26 August 2021

**STAFF RECOMMENDATION**

Resolution No

**MOVED: Cr**

**SECONDED: Cr**

That the Minutes of the Ordinary Meeting of Council held on 23 August 2021 be confirmed as a true and accurate record of proceedings.

**NOT CARRIED/CARRIED (?/?)**

**9 PRESENTATIONS**

**9.1 Petitions**

Nil

**9.2 Presentations**

Nil

**9.3 Deputations**

Nil

**9.4 Delegates/Councillor's Reports**

Nil



## 10 OFFICERS REPORTS

### 10.1 CHIEF EXECUTIVE OFFICER'S REPORTS

#### 10.1.1 Status Report Update – August 2021

<b>Agenda Reference:</b>	CEO 09/21 - 01
<b>Name of Applicant:</b>	Shire of Sandstone
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	15/07/2021
<b>Previous References:</b>	Various
<b>Author:</b>	Charlie Brown CEO

#### **Summary**

The purpose of this report is to advise Council on the status of its decisions from previous Council meetings.

#### **Attachments**

Status Update September 2021

#### **Background**

It is important that the Council receives an update on the outcome of its resolutions on a regular basis.

#### **Comment**

Spreadsheet has been updated to include the decision regarding industrial land on the airport reserve and the reduced price for sale of the police house.

#### **Consultation**

Nil

#### **Statutory Environment**

Nil

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

#### **Strategic Implications**

Nil

## Voting Requirements

Simple majority

## Officer Recommendation

## Resolution No

**MOVED:** Cr

**SECONDED:** Cr

That Council accepts the Status Update for September 2021

### Status Update July 2021

The Status Update is used to provide information to Elected Members regarding the Status of decisions made at Council Meetings:

Meeting Date	Item No	Resolution (Action Required)	Response (Update)	Officer	Timeframe
31/17	10.1.7	That the plaque recognising George Dent at Hack's mine is reinstated and his family is offered the opportunity for a plaque to be placed in the new Heritage Park.	<b>03/05/2017</b> Letter sent to family of George Dent advising them of Council's decision <b>19/03/2018</b> Ceramic photo of George Dent received from his family for inclusion on plaque at Heritage Park <b>07/10/2020</b> Article in Midwest Times re lack of recognition of George Dent.		
85/17	10.1.4	That the right of way behind the power station between Rowe and Black Streets is closed	<b>06/10/2017</b> letters sent to begin process and advertising as per LAA undertaken. <b>06/11/2017</b> letter received from Water Corporation with no objection. <b>10/07/2018</b> Submission received from Telstra and application for closure sent to Dept of Lands <b>23/11/2018</b> Details of new Council resolution and other information sought sent to Dept of Lands <b>13/06/2019</b> More information sought by DOL sent as requested		
76/18	10.1.2	Transfer of management part of reserve 14178 – Caravan Park	Water Corporation advised. Awaiting the return of the CEO. <b>17/12/2018</b> Letter accepting part transfer of reserve sent to Water Corporation.		

			<p><b>03/05/2019</b> installation date of early 2020 confirmed for Sandstone plant.<b>08/06/2020</b> Documentation sent to DPLH to enable transfer of part of Reserve 14178 to Water Corp  <b>17/08/2020</b> Amended Stat Dec sent to DPLH to enable completion of transfer</p>	
<b>86/20</b>	<b>10.1.2</b>	Request a change to Management Order on Aerodrome Reserve 10898 to allow industrial land to be developed and leased	<p><b>23/10/2020</b> Robert Fenn Development WA advised of Council's decision and asked to send draft letter to DPLH  <b>26/10/2020</b> Letter sent to DPLH by Development WA  <b>05/11/2020</b></p> <p>Email rec'd from DPLH advising that land is generally excised from reserve and leased from the state govt. <b>06/11/2020</b> email from Development WA to DPLH arguing for land to remain in reserve and be leased from shire. <b>11/11/2020</b> DPLH advised that the shire will be able to lease the airport land but only for a maximum 5 year term.</p> <p><b>14/05/2021</b></p> <p>Awaiting information and update from Department of DPLH</p>	
<b>38/21</b>	<b>10.1.4</b>	Ramelius Resources Use of Roads to Cart Ore From Penny West Mine to Mount Magnet	<p>Origen Legal Requested to draw up road user agreement.</p> <p>Origen Legal have been used to have consistency in agreement. (Origen Legal used by Mount Magnet Shire)</p> <p>Requested to accompany Main Roads Department on the inspection of Haul Route.</p> <p>Road User Agreement Draft for Council perusal 13<sup>th</sup> August</p> <p>Road User agreement forwarded to Ramelius for comment.</p>	

**Legend**

<b>Category</b>	<b>Status</b>
Not Started	
In Progress	
Completed	

**CARRIED/NOT CARRIED (??)**

<b>10.1.2</b>	<b>Extra Ordinary Election</b>
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**Agenda Reference:** CEO 09/21– 02  
**Location/Address:** Shire of Sandstone  
**Name of Applicant:** Shire of Sandstone  
**Disclosure of Interest:** Nil  
**Date of Report:** 14 September 2021  
**Author:** Charlie Brown Chief Executive Officer

### **Summary**

Councillor Freda May has resigned from Council effective from the completion of the September meeting, an extra-ordinary election is required to be held within 4 months of the position becoming vacant.

### **Attachments**

10.1.2 (1) Draft Election Timetable

### **Background**

Councillor Freda May has been a councillor Since October 2015 and has advised that she will step down from this position at the conclusion of today meeting.

### **Comment**

Following the resignation of Councillor May the Shire of Sandstone is required to hold an extra-ordinary election within 4 months of his resignation. To enable the election advertising and other information required, it is proposed to hold the election on the 8<sup>th</sup> January 2022 the latest Saturday available.

A draft election timetable document from the Department of Local Government, Sport and Cultural Industries is attached giving full details of the things to be done in the lead up to polling day.

### **Consultation**

Shire President

### **Statutory Environment**

*Local Government Act 1995:*

**Policy Implications**

Nil

**Financial Implications**

Being an in house in person election there will be minimal costs outside staff wages.

**Voting Requirements**

Simple majority

**Officers Recommendation**

**Resolution Number:**

**MOVED: Cr**

**SECONDED: Cr**

**That Council note Councillor May's resignation and agree to hold an extra ordinary election to fill the vacancy left by the resignation on Saturday 8<sup>th</sup> January 2022.**

**CARRIED/NOT CARRIED (0/0)**

### 10.1.3 Christmas New Year Shutdown 2021

<b>Agenda Reference:</b>	CEO 09/21 - 03
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Shire of Sandstone
<b>Disclosure of Interest:</b>	None
<b>Date of Report:</b>	10 September 2021
<b>Previous References:</b>	Nil
<b>Author:</b>	Charlie Brown CEO

#### Summary

Council approves to the shutdown of the depot and Office for the 2021 Christmas New Year break.

#### Attachments

Nil

#### Background

Each year the shire depot and office shut down for the Christmas and New Year period, it is proposed that the shutdown be from Wednesday 22<sup>nd</sup> December to 3<sup>rd</sup> January Inclusive.

#### Comment

By closing down for this period staff will have 3 days for travel and shopping before Christmas Day and return to work the Monday after the New Year's Day. Special arrangements for the Post Office for deliveries will be made for the 23<sup>rd</sup>, 28<sup>th</sup> and 30<sup>th</sup> December if required.

The Council meeting for December 2021 is set down for Thursday 16<sup>th</sup> December to implement any decisions made at that meeting prior to going off on leave.

At this stage I will be remaining in Sandstone for the shutdown period should any emergencies arise.

#### Consultation

Shire staff

#### Statutory Environment

Local Government Act 1995

#### Policy Implications

Nil

#### Financial Implications

None

**Strategic Implications**

Nil

**Voting Requirements**

Simple majority

**Officer Recommendation**

**Resolution Number**

**MOVED: Cr**

**SECONDED: Cr**

**That council approve the Christmas shutdown from the 22<sup>nd</sup> December 2021 to the 3<sup>rd</sup> January 2022, inclusive.**

**CARRIED/NOT CARRIED (0/0)**



**10.1.4****CEO End of Probation.**

<b>Agenda Reference:</b>	CEO 09/21 – 04
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Shire of Sandstone
<b>Disclosure of Interest:</b>	CEO declares an interest as this relates to his employment
<b>Date of Report:</b>	14 September 2021
<b>Author:</b>	Charlie Brown, Chief Executive Officer

**Summary**

The Chief Executive Officer's six-month probationary period expired on the 15<sup>th</sup> August 2021.

**Attachments**

Extract from CEO Contract

**Background**

The incumbent Chief Executive Officer commenced work at the Shire of Sandstone on the 15<sup>th</sup> February 20206 and Clause 4 of that contract states that the first 6 months of that contract shall be a probation period. That probation period finished on the 15<sup>th</sup> August 2021 and The Chief Executive Officer should now become a permanent employee, have his probation extended or be terminated.

**Comment**

There is no requirement under the terms of the contract for a performance review to be conducted at the expiry of the probation period and clause 8.2 states that a probationary performance review should be initiated in February 2021.

The current contract does not allow for executive days off. It seems that this provision has been previously offered to previous Chief Executive officers.

**Consultation**

Nil

**Statutory Environment**

Local Government Act 1995 Sections 5.36 to 5.41 relate to the employment and duties of senior employees of a Local Government including the Chief Executive Officer.

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

**Officer Recommendation**

Moved Cr

Seconded Cr

**That Council;**

- 1. approve the performance of the Chief Executive Officer on his performance in the first six months of his contract with a view of making his employment permanent for the term of the signed contract dated February 2021.**
- 2. Trigger the increase in the Regional/Isolation Allowance as per the contract.**
- 3. The provision of Executive Days off be approved, to a maximum of 10 days per year for the life of this employment contract.**

**CARRIED/NOT CARRIED (0/0)**

## 10.2 FINANCIAL REPORTS

### 10.2.1 Financial Statement for the month of August 2021

<b>Agenda Reference:</b>	F 09/21 – 01
<b>Location:</b>	Shire of Sandstone
<b>Applicant:</b>	Shire of Sandstone
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	09 September 2021
<b>Author:</b>	Charlie Brown Chief Executive Officer

#### Summary

The Statement of Financial Activity report for the month ending July 2021 is presented to Council in accordance with *Regulations 34 of the Local Government (Financial Management) Regulations 1996*.

#### Attachments

- 10.2.1 (1) Financial Statements for August 2021
- 10.2.1 (2) Detailed Statements
- 10.2.1 (3) Variance at Sub Program Level
- 10.2.1 (4) Capital Expenditure Summary
- 10.2.1 (5) Investment Register

#### Comments

Total Income reports a 10.81% variance on anticipated budget expectations, largely due to sales in fuel and Caravan Park income being greater than anticipated. If sales continue as they have in July and August a budget adjustment will be required in both income and expenditure.

Total Expenditure shows a 2.29% variance

A look at variances can be seen in attachment 10.2.1 (3)

Rates were issued on the 2<sup>nd</sup> September with the discount period concluding on 16<sup>th</sup> September.

#### Capital Expenditure

A detailed look at capital expenditure can be found in note 8, as well as attachment 10.2.1 (4) showing levels of expenditure.

#### Others

Attachment 10.2.1 (3) reports variances by Sub Program, making it easier to drill down on variances to a greater degree.

#### Summary of Cash on Hand – Shire of Sandstone as at: 31 August 2021

Municipal Cheque Account - On-line (BWA)	\$85,497.49
Municipal Investment Account – On-line (BWA)	\$520,179.65
Trust Fund (Bankwest)	\$6,285.00
Reserve Term Deposits (Bankwest)	\$5,021,762.64
Muni Term Deposit	\$804,883.98

### **Consultation**

Finance Officer

### **Statutory Environment**

*Local Government (Financial Management) Regulations 1996 - Regulations 34 (1A) and 17.*

The Regulations require a Local Government to prepare each month a statement of financial activity, accompanied by relevant documents and that this information must be presented to Council at an ordinary meeting within 2 months after the end of the month.

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

Nil

### **Risk Implications**

The Financial Activity report is presented monthly and provides a retrospective picture of the activities at the Shire. Contained within the report is information pertaining to the financial cost and delivery of strategic initiatives and key projects.

To mitigate the risk of budget over-runs or non-delivery of projects, the Chief Executive Officer has implemented internal control measures such as regular Council and management reporting and a quarterly process to monitor financial performance against budget estimates. Materiality reporting thresholds have been established at half the adopted Council levels, which equate to \$10,000 for operating budget line items and \$10,000 for capital items, to alert management prior to there being irreversible impacts.

It should also be noted that there is an inherent level of risk of misrepresentation of the financials through either human error or potential fraud. The establishment of control measures through a series of efficient systems, policies and procedures, which fall under the responsibility of the CEO as laid out in the Local Government (Financial Management Regulations) 1996 regulation 5, seek to mitigate the possibility of this occurring. These controls are set in place to provide daily, weekly, and monthly checks to ensure that the integrity of the data provided is reasonably assured.

### **Voting Requirements**

Simple Majority

**STAFF RECOMMENDATION**

**Resolution No**

**MOVED: Cr**

**SECONDED: Cr**

**That in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, the Statement of Financial Activity and the Investment Report for the period ending 31 August 2021 be received.**

**CARRIED / NOTCARRIED 0/0**

## 10.2.2 ACCOUNTS UPDATE FOR THE MONTH OF August 2021

(Includes Credit Cards, the Caravan Park, Fuel Sales and Rates report)

<b>Agenda Reference:</b>	F 09/21 – 02
<b>Location:</b>	Shire of Sandstone
<b>Applicant:</b>	Shire of Sandstone
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	14 August 2021
<b>Author:</b>	Rhonda Miles - Finance Officer
<b>Senior Officer:</b>	Charlie Brown – Chief Executive Officer

### Summary

Presented for Council's information is the list of accounts paid in the month from the Municipal Fund and Trust Fund in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*. Payments made through the corporate credit cards as well as income from the Caravan Park and Fuel Sales are included as attachments.

### Attachments

10.2.2 A to D: The list of accounts (EFT, DD and cheque payments) is attached which will enable Council to see the payments made to the Shire's creditors.

10.2.2 E to G: Payments via Credit Cards (CEO and Works Supervisor), Caravan Park Income and Fuel Sales Income.

### Background

Council has delegated to the CEO the exercise of its power under Financial Management Regulation 12 to make payments from Municipal Fund and Trust Fund.

The *Financial Management Regulations (Regulation 13 (3))* requires a schedule of payments made through the Shire's bank accounts to be presented to Council.

The lists include details for each payment made incorporating the payee's name, amount of payment, date of payment and a brief transaction description.

### Comment

Invoices supporting all payments are available for inspection. Queries regarding any payment should be made through the CEO to the staff member who handles the financial transactions prior to this meeting.

All invoices and vouchers presented to Council have been certified as to receipt of the goods or services and that the amounts shown were due for payment.

#### Municipal Fund August 2021

- Cheque Numbers 105499 – 105502 totalling \$861.10
- EFT payment numbers 8367 – 8443 totalling \$590,145.17
- DD Payment numbers 5157.1 – 5193.1 totalling \$12,108.97
- Superannuation \$7,713.43 & \$8,560.69 totalling \$16,274.12
- Payroll \$32,277.00 & \$35,566.00 totalling \$67,843.00

#### Trust Fund August 2021

- Nil

#### **Consultation**

Nil

#### **Statutory Environment**

*Local Government Act 1995*

*Financial Management (Local Government) Regulations 1996 – Regulation 12*

#### **Policy Implications**

Payments have been made under Council delegation.

#### **Financial Implications**

None, funds were available to meet the expenditure.

#### **Strategic Implications**

Nil

#### **Voting Requirements**

Simple majority

#### **Staff Recommendation**

Resolution No

**MOVED: Cr**

**SECONDED: Cr**

**That the schedule of accounts paid during August 2021 as listed, covering cheques, EFT's, Bank Charges, directly debited payments and wages as numbered from councils Municipal Fund Bank and councils Trust Fund Bank be endorsed by council**

**CARRIED /NOT CARRIED (?/?)**

## 10.4 WORKS and SERVICES

### 10.4.1 WORKS SUPERVISOR'S REPORT AUGUST 2021

**Agenda Reference:** WS 09/21 – 01  
**Location/Address:** Shire of Sandstone  
**Name of Applicant:** Shire of Sandstone  
**Disclosure of Interest:** None  
**Date of Report:** 10 September 2021  
**Previous References:** Nil  
**Author:** Charlie Brown, Chief Executive Officer

#### Summary

##### 1. Roads Construction

The construction crew has started the Shires 2021/2022 RRG road program, the Sandstone Paynes Find Road from 112.89 SLK to 117.87 SLK

As At 15<sup>th</sup> September;

	Regional Road Group Construction	Budget	Actual
RG0002	Paynes Find Sandstone Road	\$453,787.00	\$156,372.65

##### 2. Maintenance Grader

The Maintenance Grader is currently on the Yeelirrie Road and will progress to the Wiluna Road, then the Meekatharra Road and Cogla Downs Road.

Grading of the Heritage Route will take place as soon as possible.

##### 3. Contract Grader

The Contract Grader is currently on the Sandstone Paynes Find Road.

##### 4. Employees

Mary Bailee is still on workers compensation; however, this is thought to be not as serious as first suspected, and a return to work expected soon than first anticipated.

##### 5. Town

Fencing around pioneer park has been completed, we will now look at other works required to complete the park.

Painting of the Community Centre, Contractors House, 2A Griffith Street and the Depot Fuel Tank will commence shortly.

#### Consultation

All Staff



**Statutory Environment**

Local Government Act 1995

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirements**

Simple majority

**Officer Recommendation**

**Resolution No**

Moved Cr

Seconded Cr

**That Council receive the Works Supervisor's Report for August 2021.**

**CARRIED/NOT CARRIED (0/0)**

**11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**12 QUESTIONS FROM MEMBERS WITHOUT NOTICE**

Nil

**13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

Nil

**14 MEETING ITEMS CLOSED TO THE PUBLIC**

**14.1 Meeting Closed to the Public**

**CONFIDENTIAL ITEMS**

**14.2 Public Reading of Resolution**

**TIME and DATE of NEXT MEETING**

The next scheduled Ordinary Council Meeting will be held on Thursday 28 October 2021.

**15 CLOSURE OF MEETING**

There being no further business, the Shire President closed the meeting at \_\_\_\_\_pm.

**CERTIFICATION**

I, \_\_\_\_\_, certify that the Minutes of the Ordinary Council Meeting held on 26 August 2021, as shown, were confirmed as a true and accurate record at the Meeting held on 24 September 2021.

\_\_\_\_\_  
**(Presiding Member)**