



**City of  
Kalgoorlie  
Boulder**

# **AGENDA**

**Notice is hereby given  
for the Ordinary Council Meeting**

**commencing at 7:00 PM**

**on**

**27 FEBRUARY 2023**

**at the**

**Kalgoorlie Town Hall**

17 February 2023



## NOTICE OF MEETING

An Ordinary Council Meeting of the City of Kalgoorlie-Boulder will be held in the **Kalgoorlie Town Hall** on **Monday, 27 February 2023** commencing at **7:00 PM**.

Regards

A handwritten signature in black ink, appearing to read "Andrew Brien". The signature is stylized with a long, sweeping underline that extends to the right.

**ANDREW BRIEN**

Chief Executive Officer

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## **1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

### **2 OPENING PRAYER**

To be conducted by Reverend Dr Elizabeth Smith from the Anglican Church.

### **3 DISCLAIMER READING**

The Mayor will read the disclaimer to those present.

Please note this meeting is being recorded and streamed live on the Council's website in accordance with Council's Recording and Streaming of Council Meetings Policy, which can be viewed on Council's website.

All reasonable care is taken to maintain your privacy; however, as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is assumed your consent is given if your image is broadcast.

The recommendations contained in this Agenda are Officer's Recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the Minutes of the Council Meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

## **4 RECORD OF ATTENDANCE**

### **4.1 Attendance**

**In Attendance:**

**Members of Staff:**

**Visitors:**

**Press:**

### **4.2 Apologies**

**Apologies – Elected Members:**

**Apologies - Members of Staff:**

#### **4.3 Leave of Absence (Previously Approved)**

##### **Leave of Absence:**

Nil

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

Nil

#### **6 PUBLIC ACCESS AND PUBLIC QUESTION TIME**

##### **6.1 Public Access**

##### **6.2 Public Question Time**

#### **7 PETITIONS / DEPUTATIONS / PRESENTATIONS**

#### **8 NOTATIONS OF INTEREST**

##### **8.1 Interest Affecting Impartiality City of Kalgoorlie-Boulder Code of Conduct**

##### **8.2 Financial Interest Local Government Act Section 5.60A**

##### **8.3 Proximity Interest Local Government Act Section 5.60B**

#### **9 APPLICATIONS FOR LEAVE OF ABSENCE**

#### **10 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSIONS**

##### **10.1 Mayor Announcements**

#### **11 CONFIRMATION OF MINUTES**

That the minutes of the Ordinary Meeting of Council held on 23 January 2023 be confirmed as a true record of that meeting.

That the minutes of the Special Meeting of Council held on 6 February 2023 be confirmed as a true record of that meeting.

#### **12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

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

## 14 REPORTS OF COMMITTEES

### 14.1 Commercial Businesses Committee Minutes - 14 February 2023

#### 14.1.1 Presentation of the Commercial Businesses Profit and Loss Statements July 2022 to December 2022

<b>Responsible Officer:</b>	David Trevaskis Director of Corporate and Commercial
<b>Responsible Business Unit:</b>	Corporate and Commercial
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. GAC Commercial Business Committee Report Q 2 FINAL [<b>14.1.1.1</b> - 18 pages]</li> <li>2. Oasis Commercial Business Committee Report Q 2 2023- FINAL [<b>14.1.1.2</b> - 13 pages]</li> <li>3. Airport Commercial Business Committee Report Q 2 FINAL [<b>14.1.1.3</b> - 6 pages]</li> <li>4. Golf Course Commercial Business Committee Report Q 2 FINAL [<b>14.1.1.4</b> - 6 pages]</li> </ol>

#### Committee Recommendation

The Committee recommends Council endorse the following financial reports for the City Commercial Business Units:

- Goldfields Arts Centre
- Goldfields Oasis
- Kalgoorlie-Boulder Airport
- Kalgoorlie Golf Course

#### Committee Recommendation Amended

The Committee recommends Council:

1. Endorse the following financial reports for the City's Commercial Business Units:
  - Goldfields Arts Centre
  - Goldfields Oasis
  - Kalgoorlie-Boulder Airport
  - Kalgoorlie Golf Course
2. Request a report from the CEO to investigate additional business units at the next Commercial Businesses Committee meeting, with the report due at the next Commercial Businesses Committee meeting.



**Executive Summary**

The purpose of this report is to review the unaudited financial position of the City's commercial business units for the year to 31 December 2022.

**Community Engagement Consultation**

No community consultation was considered necessary in relation to the recommendations of the report.

**Community Strategic Plan Links**

This report links to the Strategic Community Plan through the following Guiding Theme/s:

EMPOWERED: We ensure considered decision making based on collaborative, transparent and accountable leadership.

CAPABLE: We will have the resources to contribute to our community and economy.

**Budget Implications**

There are no financial implications resulting from the recommendations of this report.

**Report**

The profit and loss statements of the City's commercial businesses for 1 July 2022 to 31 December 2022 have now been completed and are attached with commentary for Elected Members' consideration.

**Statutory Implications**

There are no statutory implications resulting from the recommendations of this report.

**Policy Implications**

There are no policy implications resulting from the recommendations of this report.

## 15 REPORTS OF OFFICERS

### 15.1 Chief Executive Officer

#### 15.1.1 Conduct of Local Government Election 2023

<b>Responsible Officer:</b>	Andrew Brien Chief Executive Officer
<b>Responsible Business Unit:</b>	Governance
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachments:</b>	1. Kalgoorlie- Boulder [15.1.1.1 - 3 pages]

#### Officer Recommendation

That Council:

1. Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2023, 2025 and 2027 ordinary elections together with any other elections or polls which may be required within that period; and
2. In accordance with section 4.61(2) of the Local Government Act 1995, determine that the method of conducting the election will be as a postal election.

#### Executive Summary

Council has received advice from the Electoral Commissioner in relation to the costs and processes for the 2023 Local Government Elections. To assist both the Electoral Commission and the City staff to prepare for the 2023 elections, a decision needs to be made now in relation to the conduct and process for the elections.

#### Community Engagement Consultation

No community consultation was considered necessary in relation to the recommendations of the report.

#### Community Strategic Plan Links

This report links to the Strategic Community Plan through the following Guiding Theme/s:

**EMPOWERED:** We continue to believe in the principles of representational democracy and are enabled to make decisions about our lives.

## **Budget Implications**

The budget for the election will be included in the 2023/24 Annual Budget, and the costs are estimated to be approximately \$105,000 based on estimates provided by the Electoral Commissioner. This figure may need to be reviewed once a determination has been made in relation to the transitional arrangements adopted by the State Government under the Local Government Electoral Reforms.

## **Report**

In accordance with the provisions of the Local Government Act 1995 (the Act), the Chief Executive Officer is the Returning Officer for the Local Government Elections unless alternative arrangements have been made by the local government. In accordance with Section 4.20(2) of the Act, a local government may appoint another person to be the returning officer.

The City has received written advice from the Electoral Commissioner that the Commission is agreeable to conducting the local government elections for the City for the 2023 elections. The Council can resolve to appoint the Electoral Commissioner for the 2023 elections only, or can resolve to appoint the Electoral Commissioner for all elections for a period of time. It is recommended that the appointment be for the next three ordinary elections (i.e. 2023, 2025, 2027) and any elections, polls or referendums required during this period. This provides certainty for planning purposes and is consistent with the direction proposed through the local government reform processes.

The choice of method for the conduct of the election can be either in-person or postal voting and the local government is required to make a determination in relation to the method in accordance with Clause 4.61 of the Act. It is recommended that the Council resolve to conduct the election as a postal election which is consistent with the proposal provided by the Electoral Commissioner.

Whilst it is noted that the proposal from the Electoral Commissioner is based on an election for five positions, this will need to be reviewed once a determination is made in relation to the election reform process and timetable. Based on preliminary advice a decision in relation to the changes should be made prior to the adoption of the budget for 2023/24.

## **Statutory Implications**

Division 7 - Provisions about electoral officers and the conduct of elections, specifically clauses 4.20 (2) and (4) apply to the appointment of the returning officer for local government elections and polls.

Division 9 – Electoral Process, specifically Clause 4.61 of the Act relates to the choice of methods of conducting elections.

## **Policy Implications**

There are no policy implications resulting from the recommendations of this report.

### 15.1.2 Accounts Payable Report January 2023

<b>Responsible Officer:</b>	Casey Radford Finance Manager
<b>Responsible Business Unit:</b>	Finance
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Municipal EFT Payments - January 2023 [15.1.2.1 - 26 pages]</li> <li>2. Municipal Cheque Payments - January 2023 [15.1.2.2 - 1 page]</li> <li>3. Municipal Direct Debit Payments - January 2023 [15.1.2.3 - 1 page]</li> <li>4. Municipal Credit Card Payments - January 203 [15.1.2.4 - 8 pages]</li> </ol>

#### Officer Recommendation

That Council receive the list of payments totalling \$8,230,097.92 as presented for the month of January 2023.

#### Executive Summary

The purpose of this report is for Council to receive the list of payments made from the Municipal and Trust funds including a summary report of the Corporate Credit Card transactions incurred by authorised card holders.

The Chief Executive Officer has been delegated the power to make payments from the Municipal and Trust funds in accordance with budget allocations. The City provides payment facilities to suppliers either by cheque, electronic funds transfer (EFT), direct debit, debit card and credit card.

#### Community Engagement Consultation

No community consultation was considered necessary in relation to the recommendations of the report.

#### Community Strategic Plan Links

This report links to the Strategic Community Plan through the following Guiding Theme/s:

**EMPOWERED:** We ensure considered decision making based on collaborative, transparent and accountable leadership.

**CAPABLE:** We will have the resources to contribute to our community and economy.

**Budget Implications**

There are no financial implications resulting from the recommendations of this report.

**Report**

Attached to this report are the lists of all cheque and EFT payments made during the month of January 2023 and a list of corporate credit card transactions by card holder of the same period totalling \$8,230,097.92.

Municipal EFT	\$7,783,729.99
Municipal Cheque	\$1,089.83
Direct Debit	\$389,415.77
Credit Cards	\$55,862.33
<b>Grand Total</b>	<b>\$ 8,230,097.92</b>

**Statutory Implications**

The Accounts Payable for the Month of January 2023 has been prepared in accordance with the requirements of the Local Government (Financial Management) Regulations 1996.

**Policy Implications**

All purchases by authorised officers are to be completed in accordance with Policy CORP AP 001– Purchasing.

### 15.1.3 Monthly Financial Report - December 2022

<b>Responsible Officer:</b>	Casey Radford Finance Manager
<b>Responsible Business Unit:</b>	Finance
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	1. Monthly Financial Report - December 2022 [15.1.3.1 - 25 pages]

#### Officer Recommendation

That Council in accordance with Regulation 34 of the Local Government (Financial Management Regulations 1996), receive the Statement of Financial Activity for the period ending 31 December 2022.

#### Executive Summary

In accordance with regulation 34 of the Local Government (Financial Management) Regulations 1996 (“the Regulations”), the City is to prepare a monthly Statement of Financial Activity for approval by Council. Attached for consideration is the completed Statement of Financial Activity for the period ending 31 December 2022.

#### Community Engagement Consultation

No community consultation was considered necessary in relation to the recommendations of the report.

#### Community Strategic Plan Links

This report links to the Strategic Community Plan through the following Guiding Theme/s:

**EMPOWERED:** We ensure considered decision making based on collaborative, transparent and accountable leadership.

**CAPABLE:** We will have the resources to contribute to our community and economy.

#### Budget Implications

There are no financial implications resulting from the recommendations of this report.

#### Report

The Statement of Financial Activity was introduced by the Department of Local Government from 1 July 2005; the change was implemented to provide elected members with a better idea of operating and capital revenues and expenditures. It was

also intended to link operating results with balance sheet items and reconcile with the end of month balances.

In accordance with the Regulations, a report must be compiled on variances greater than the percentage agreed by Council which is currently plus (+) or minus (-) 10% or \$50,000, whichever is the greater.

For the year to date to 30 November 2022 income is over budget by 3.32% and expenditure is over budget by 8.26%, commentary is provided at sub program level. A nil variance means that the year to date actual value is identical to the year to date budget estimate. Comments are therefore provided where the variances value is > 10% and > \$50,000 under or over budget.

## INCOME CATEGORIES

Overall stated income is (3.47%), (\$2,338,616) under budget. The sub programs which are outside the allowable variance is as follows.

### Other General Purpose Funding

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other General Purpose Funding</b>	<b>\$523,105</b>	<b>\$868,847</b>	<b>\$345,743</b>

This variance is due to interest received on term deposits of \$352k being more than budget as the interest rate received is higher than expected. This will be adjusted at Mid-year.

### Other Welfare

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Welfare</b>	<b>\$138,775</b>	<b>\$763,533</b>	<b>\$624,758</b>

This variance is mainly due to the receipt of unbudgeted grant income from the department of social services Summer Response Program grant of \$500k and funds of \$83k received from the Goldfields Women's Healthcare centre. The receipt of income relating to the Dept of Social Services Job support Hub Project, makes up the remaining variance of \$39k

### Other Recreation & Sport

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Recreation &amp; Sport</b>	<b>\$2,456,124</b>	<b>\$2,814,950</b>	<b>\$358,826</b>

This variance is due to an increase in the Oasis health club income of \$139k due to increased membership numbers, higher Golf Course beverage income of \$106k attributable to a busy events schedule for the period, higher Golf Course membership income of \$55k, higher Golf Course retail sales income of \$29k, and a higher Golf Course Equipment Hire income of \$32k, compared to budget.

**Other Culture**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Culture</b>	<b>\$367,904</b>	<b>\$442,235</b>	<b>\$74,331</b>

This variance is attributable to increased sponsorship and completed acquittals of several City run events, including \$25k for the Sunset at the Soundshell events, \$15k for the Multicultural Festival and \$20k for the Australia Day Celebrations.

**Aerodromes**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Aerodromes</b>	<b>\$5,921,430</b>	<b>\$8,161,286</b>	<b>\$2,239,856</b>

This variance is mainly due to a 22% increase in passenger numbers when compared with budget. By comparing with last financial year, the passenger numbers for the period ending 31/12/2022 are 182,611, compared to passenger numbers for last financial year to 31/12/2021, which were 149,970.

**Economic Development**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Economic Development</b>	<b>\$7,447,567</b>	<b>\$1,297,618</b>	<b>\$6,149,949</b>

This variance is due to timing differences in the drawdown of grant funds for the Kalgoorlie City Centre project, held by the WA Treasury Corporation of \$5.6M, and the invoicing of commercial water customers of \$703k, which has occurred in February 2023.

**EXPENSE CATEGORIES**

Overall stated expenditure is 6.27%, \$2,364,200 over budget. The sub programs which are outside the allowable variance is as follows.

**Rates Revenue**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Rates Revenue</b>	<b>\$523,304</b>	<b>\$414,356</b>	<b>(\$108,948)</b>

This is due to a timing difference and will be cleared by year end.



**Other Governance**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Governance</b>	<b>\$1,133,478</b>	<b>\$758,965</b>	<b>(\$374,513)</b>

This variance is due to reduced expenditure on contributions, and donations & subsidies of (\$151k), contractors & consultants services of (\$111k), employee salaries & wages of (\$69k), and advertising of (\$47k).

**Other Law, Order & Public Safety**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Law, Order &amp; Public Safety</b>	<b>\$936,744</b>	<b>\$686,678</b>	<b>(\$250,066)</b>

This variance is attributable to reduced spend on employee salaries & wages of (\$115k) due to vacant positions, furniture & equipment depreciation of (\$37k) due to assets' useful lives adjustments during the City's asset revaluation in June 2022. Additionally, materials purchased of (\$48k), and contractors & consultants services of (\$45k) are less than budget due to timing differences of operational expenses.

**Preventive Services - Inspection/Admin**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Preventive Services – Inspection/Admin</b>	<b>\$770,480</b>	<b>\$578,862</b>	<b>(\$191,618)</b>

This variance is due to employee salaries & wages of (\$116k) and admin costs of (\$87k) being less than budget.

**Staff Housing**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Staff Housing</b>	<b>\$105,118</b>	<b>\$191,028</b>	<b>\$85,910</b>

This variance is mainly due to depreciation on buildings of \$69k, which is due to assets' useful lives adjustments following the June 2022 asset revaluations, and materials purchased of \$16k being over budget.

**Town Planning & Regional Development**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Town Planning &amp; Regional Development</b>	<b>\$807,126</b>	<b>\$691,976</b>	<b>(\$115,150)</b>

This variance is mainly due to employee salaries & wages of (\$81k) due to vacant positions, and contributions, donations & subsidies of (\$30k) being less than budget.

### Other Community Amenities

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Community Amenities</b>	<b>\$235,736</b>	<b>\$81,977</b>	<b>(\$153,759)</b>

This variance is due to a timing variance in the payment of contributions, donations & subsidies of (\$132k) and employee salaries & wages of (\$14k) being less than budget.

### Libraries

Description	YTD Budget	YTD Actual	YTD Variance
<b>Libraries</b>	<b>\$545,370</b>	<b>\$474,487</b>	<b>(\$70,883)</b>

This variance is mainly due to employee salaries & wages of (\$92k) being less than budget.

### Heritage

Description	YTD Budget	YTD Actual	YTD Variance
<b>Heritage</b>	<b>\$244,410</b>	<b>\$174,009</b>	<b>(\$70,401)</b>

This variance is mainly due to employee salaries & wages of (\$58k) being less than budget.

### Const Roads Bridges Depots

Description	YTD Budget	YTD Actual	YTD Variance
<b>Const Roads Bridges Depots</b>	<b>\$2,426,708</b>	<b>\$5,138,617</b>	<b>\$2,711,909</b>

This variance is mainly due to depreciation on roads works being \$2.73m over budget, which is due to an adjustment to assets' useful lives following the June 2022 asset revaluations.

### Mtce Roads Bridges Depots

Description	YTD Budget	YTD Actual	YTD Variance
<b>Mtce Roads Bridges Depots</b>	<b>\$4,844,852</b>	<b>\$3,726,853</b>	<b>(\$1,117,999)</b>

This variance is due to a delay in contractors & consultant services payments of (\$404k) due to contractor shortage, employee salaries & wages of (\$365k), labour

overheads of (\$307k), and admin costs of (\$26k) being less than budget due to vacant positions.

**Parking Facilities**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Parking Facilities</b>	<b>\$271,626</b>	<b>\$167,691</b>	<b>(\$103,935)</b>

This variance is due to depreciation of (\$60k), and employee salaries & wages of (\$40k) being less than budget.

**Aerodromes**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Aerodromes</b>	<b>\$2,329,182</b>	<b>\$2,609,060</b>	<b>\$279,878</b>

This variance is due to depreciation on buildings of 335k, and depreciation on airport area infrastructure of \$227k being higher than budget which are due to adjustments to assets' useful lives following the June 2022 asset revaluations, employee salaries & wages of (\$86k), contractors & consultants services of (\$68k), materials purchased of (\$48k), total admin costs of (\$41k), loss on sale of assets of (\$25k), and subscriptions & memberships of (\$19k) being less than budget.

**Tourism & Area Promotion**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Tourism &amp; Area Promotion</b>	<b>\$633,100</b>	<b>\$562,305</b>	<b>(\$70,795)</b>

This variance is due to contractors & consultants services of (\$106k) being less than budget; contributions, donations & subsidies of \$35k being over budget.

**Building Control**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Building Control</b>	<b>\$501,850</b>	<b>\$352,563</b>	<b>(\$149,287)</b>

This variance is due to admin costs being (\$82k), and employee salaries & wages of (\$78k) being less than budget due to vacant positions

**General Administration Overheads**

Description	YTD Budget	YTD Actual	YTD Variance
<b>General Administration Overheads</b>	<b>\$86,244</b>	<b>\$0</b>	<b>(\$86,244)</b>

This is due to a timing difference, will be cleared by year end.

### Public Works Overheads

Description	YTD Budget	YTD Actual	YTD Variance
Public Works Overheads	\$179,501	\$1,368,809	\$1,189,308

This is due to a timing difference, will be cleared by year end.

### Plant Operation Costs

Description	YTD Budget	YTD Actual	YTD Variance
Plant Operation Costs	\$84,956	\$390,883	\$305,927

This is due to a timing difference, will be cleared by year end.

### Unclassified

Description	YTD Budget	YTD Actual	YTD Variance
Unclassified	\$27,816	\$148,848	\$121,032

This is mainly due to total depreciation of \$126k being higher than budget, which is due to the adjustment of assets' useful lives following the June 2022 asset revaluations.

## CAPITAL CATEGORIES

December 2022 year to date capital expenditure is under budget by (\$14.23m). Actual YTD expenditure is \$17.51m versus budgeted YTD spend of \$31.74m.

Main variances from Work in Progress of (\$5.47m) with the majority relating to Kal City Centre Project and Golf Course Resort, Sewerage of (\$2.66m) relating to the Water Bank project, Buildings of (\$2.28m) with delayed purchase of properties and Youth Hub Project, Infrastructure –Roads of (\$2.12m), mainly relating to delays in R2R and RRG projects, Plant & Equipment of (0.76m), and Investment Property of (\$0.62m). The majority of works for this have been delayed to next calendar year.

### Statutory Implications

The Statement of Financial Activity has been prepared in accordance with the requirements of the Local Government (Financial Management) Regulations.

### Policy Implications

There are no policy implications resulting from the recommendations of this report.

**15.1.4 Local Government National General Assembly 2023**

<b>Responsible Officer:</b>	Andrew Brien Chief Executive Officer
<b>Responsible Business Unit:</b>	Office of the CEO
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	1. Call for Motions [15.1.4.1 - 18 pages]

**Officer Recommendation**

That Council:

- 1) Authorise the Chief Executive Officer to prepare draft motions for consideration by Delegates at the National General Assembly being held in Canberra from 13-16 June 2023;
- 2) Note that in the event that Motions are presented to the National General Assembly, the Council moving the motion is expected to be in attendance to mover and speak to the Motions; and
- 3) Approve the attendance of Councillors \_\_\_\_\_, \_\_\_\_\_ .

**Executive Summary**

The National General Assembly is being held in Canberra from 13 to 16 June 2023, and ALGA is calling for Councils to submit motions. The theme for this year's NGA will be "Our Communities, Our Future". ALGA is seeking motions that align with this theme and identify opportunities for new federal programs and policies that will support councils to build stronger communities.

A copy of the discussion paper is attached for information of Councillors and outlines the key themes and process for lodging submissions.

**Community Engagement Consultation**

No community consultation was considered necessary in relation to the recommendations of the report.

**Community Strategic Plan Links**

This report links to the Strategic Community Plan through the following Guiding Theme/s:

**EMPOWERED:** We continue to believe in the principles of representational democracy and are enabled to make decisions about our lives.

## **Budget Implications**

Attendance of the Mayor and Chief Executive Officer (or their respective delegates) is covered in the Annual Budget. Should other elected members wish to attend, this can be considered by Council, and appropriate allocations made through the elected members professional development budget.

## **Report**

Each year the National General Assembly focuses on a different theme and all motions are focused around the theme and specific focus areas. This year the theme is “Our Communities – Our Future” with the following eight priority areas:

- Productivity;
- Local Government Infrastructure;
- Community Wellbeing;
- Local Government Workforce;
- Data, Digital Technology and Cyber Security;
- Climate Change and Renewable Energy;
- Natural Disasters; and
- Housing.

Many of the key priority areas are directly aligned to focus areas within the other key groups with which the City is involved including:

- Australian Mining Cities Alliance
- Regional Capitals Western Australia
- Regional Capitals Australia

It is proposed to investigate development of motions around the four of the key priority areas:

- Local Government Infrastructure
- Local Government Workforce
- Climate Change and Renewable Energy
- Housing

Whilst there are four areas identified, further review will need to be undertaken to ensure that the intent of the Council motions has not been previously addressed by the National Assembly. The City has previously considered many of the issues associated with the four priority areas and there is a direct relationship between issues such as housing and local government infrastructure.

The National Assembly is held during a Parliamentary Sitting Week and this time is also used to meet with relevant Federal Minister or their advisors to help progress Council projects. It is also proposed to attend the Meeting of the Australian Mining Cities Alliance and other relevant groups if they are arranged.

## **Statutory Implications**

There are no statutory implications resulting from the recommendations of this report.

**Policy Implications**

Attendance of the Mayor and Chief Executive Officer is addressed through Council Policy – Elected Member Continuing Professional Development Policy.

## 15.2 Development and Growth

### 15.2.1 2023 Kalgoorlie-Boulder Community Fair Sponsorship Request

<b>Responsible Officer:</b>	Alex Wiese Director Development and Growth
<b>Responsible Business Unit:</b>	Development and Growth
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	Nil

#### Officer Recommendation

That Council:

1. provide sponsorship of \$25,000 cash towards the 2023 Kalgoorlie-Boulder Community Fair plus \$7,000 in-kind for site cleaning/preparation and crowd barrier hire. Subject to:
  - a. the provision of documents demonstrating confirmation of insurance cover for - Public and Products Liability, Association Liability and Personal Accident/Volunteers for the Fair.
2. provide sponsorship of \$15,000 cash to the Kalgoorlie-Boulder Community Fair Society to support the relocation of the planned 2023 Country Music Festival to Centennial Park (Soundshell) for fencing and advertising. Subject to:
  - a. the provision of documents demonstrating confirmation of insurance cover for - Public and Products Liability, Association Liability and Personal Accident/Volunteers for the event;
  - b. the provision of quotations for fencing and advertising costs; and
  - c. evidence that the event is proceeding and that music performers have been secured.
3. Invite the Kalgoorlie-Boulder Community Fair Society to submit receipts dated prior to 18 February 2023 for any non-refundable costs (in relation to the Country Music Festival) should the event not be able to be relocated and/or rescheduled for the CEO's consideration for reimbursement.

#### Executive Summary

The City acknowledges that significant planning has been undertaken by the Kalgoorlie-Boulder Fair Society (the Society) to deliver the Kalgoorlie-Boulder Community Fair (the Fair) for the community, which is set to occur on 24 and 25 March 2023.

On 14 February 2023, the City received an application for sponsorship which has been assessed on its merit along with other considerations such as the impact of COVID on the Fair's previous events and the future of Cruikshank Sporting Arena (CSA).



The outcome of the assessment is that it is recommended that Council support the 2023 Kalgoorlie-Boulder Fair with a cash sponsorship of \$25,000 and \$7,000 in-kind support.

The Society has also lodged a booking request with the City to hold a Country Music Festival from 3 to 5 March 2023 at CSA which has not been supported due to the conditions of the facilities and grounds, coupled with insurance considerations.

The City has offered to support the Society in holding this event at an alternate location and it is recommended that Council approve sponsorship support of \$15,000 to cover fencing and some advertising that will be required to facilitate the event at a new location.

Both recommendations for sponsorship are subject to the provision of information as outlined in the recommendations of the report.

### **Community Engagement Consultation**

No community consultation was considered necessary in relation to the recommendations of the report.

### **Community Strategic Plan Links**

This report links to the Strategic Community Plan through the following Guiding Theme/s:

SAFE: We support families and youth.

CONNECTED: We provide public spaces that facilitate a diverse range of activities and strengthen social bonds within the community.

### **Budget Implications**

There are sufficient funds in the City sponsorship budget to provide the sponsorship values proposed.

### **Report**

#### *Background*

Prior to 2019, the City did not provide a cash sponsorship contribution towards the Fair. In 2019, sponsorship of \$11,000 was provided and the Fair was held. In 2020, \$25,300 was provided in sponsorship and \$14,620.31 was approved under the COVID Recovery Fund but the Fair was deferred due to COVID. In 2021 and 2022, due to COVID, the Kalgoorlie-Boulder Community Fair was not held.

The Society has indicated that they wish to continue to expand the event with City support.

#### *Sponsorship Assessment*

The City assessed the application for sponsorship from the Society against EXEC-CEO-006 Event Sponsorship Policy. The outcome of the assessment is that it is recommended that Council support the 2023 Kalgoorlie-Boulder Fair with a cash sponsorship of \$25,000 and \$7,000 in-kind support.

The following table provides income versus revenue modelling based on the stated 4,000 attendees estimated in the Society’s sponsorship application. Noting this estimate is substantially less than the Society has indicated for attendance in previous applications whereby attendance numbers were quoted at 9,000 attendees.

The City has not received acquittals from previous sponsorships from the Society to verify attendance numbers. However, the City acknowledges that the Fair has not run for two years and therefore, the estimated attendees have been used in the modelling. Based on a sponsorship from the City of \$25,000 the event will break-even and, should additional attendees be realised, the Fair should make a strong profit.

Income		Expenditure	
Description	Amount	Description	Amount
Gate Fees (based on 4,000 attendees at \$5 per person)	\$20,000	Entertainment	\$60,000
Space Fees	\$10,000	Cleaning	(in-kind CKB contribution valued at \$7,000)
CKB sponsorship	\$25,000	Security	\$10,000
Other sponsorship	\$20,000	Marketing	\$5,000
<b>Total</b>	<b>\$75,000</b>	<b>Total</b>	<b>\$75,000</b>

The Society, in accordance with Council’s policy and guidelines, must submit an acquittal report for the 2023 Fair in order to be eligible for future funding.

Sponsorship applications that require Council consideration, in accordance with the City’s policy, must also be submitted with sufficient lead time to allow assessment and a report to Council.

*Booking Request*

In recognition of a booking request being lodged by the Society to hire the CSA for a Country Music Festival and the City being unable to accommodate the request, it is recommended that Council approve sponsorship to support the Society to relocate and/or reschedule this event at an alternate location.

In determining the \$15,000 sponsorship amount recommended in this report, advice has been sought from the City’s events team around the estimated cost considerations in relocating an event and holding it at a different location that does not have fencing. The main expenses are expected to be fencing (to comply with liquor licensing requirement and to support a ticketed event) and marketing.

City Officers advise that the booking was never confirmed by the City and as per the City’s CS-AL-002 Conditions of Use of Recreational Reserves Policy (available on the City’s website) bookings are only deemed confirmed when deposits for venues have been paid for and administered.

**Statutory Implications**

There are no statutory implications resulting from the recommendations of this report.

**Policy Implications**

EXEC-CEO-006 Event Sponsorship Policy.

CS-AL-002 Conditions of Use of Recreational Reserves Policy.

## 15.3 Community Development

### 15.4 Engineering

#### 15.4.1 Road Reserve Closures - KCGM Fimiston South Project

<b>Responsible Officer:</b>	Kevin Ketterer Director of Engineering
<b>Responsible Business Unit:</b>	Engineering
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. KCGM Proposed Road Closures Map [15.4.1.1 - 1 page]</li> <li>2. KCGM Road Closures Public Consultation (3) [15.4.1.2 - 7 pages]</li> </ol>

#### Officer Recommendation

That Council:

1. Note the public comments received during the advertising period for the proposed road closures as requested by Kalgoorlie Consolidated Gold Mines (KCGM) to facilitate the expansion of the Fimiston South Mine.
2. Pursuant to Section 58 of the [Land Administration Act 1997 and Regulation 9 of the Land Administration Regulations 1998](#), submissions relating to the proposed road closures have been considered and it is proposed that Council:
  - a. Support the closure of the portions of road as depicted in the attached map (Attachment 1); and
  - b. Authorise the Chief Executive Officer to request the Minister of Lands to close these portions of road.
3. Pursuant to Section 56 of the [Land Administration Act 1997](#) and Regulation 8 of the [Land Administration Regulations 1998](#), based on the requirement for the provision of a turning circle at the end of Hopkins Road:
  - a. Support the dedication of Lot 4488 from “Unallocated Crown Land” (UCL) to “road”; and
  - b. Authorise the Chief Executive Officer to request the Minister of Lands to dedicate Lot 4488 from “UCL” to “road”.

#### Executive Summary

Council, at the OCM of 21 November 2022, supported road closures as proposed by Kalgoorlie Consolidated Gold Mines (KCGM) relating to the expansion of the Fimiston South Mine, subject to a range of conditions inter alia the requirement to

give public notice of the proposed closure and to invite comment. These proposed road closures have been depicted in **Attachment 1**.

Comment has been received from 64 correspondents and these have been discussed in the body of this report.

This report recommends that the road closures be supported.

### **Community Engagement Consultation**

Community consultation was undertaken in accordance with the statutory requirements of *Section 58 of the Land Administration Act 1997* in the form of a 45 - day advertising period between December 2022 and January 2023. 64 responses were received (without reference to the names or addresses of respondents) and has been provided in **Attachment 2**.

### **Community Strategic Plan Links**

This report links to the Strategic Community Plan through the following Guiding Theme/s:

FUTURISTIC: We plan for the future proofing of our City by being a thinking and innovative society.

SUSTAINABLE: We advocate for the provision of land use.

### **Budget Implications**

Costs associated with the road closures are to be borne by KCGM. Therefore, there are no budget implications for the City.

### **Report**

#### ***Responses to Public Notice***

Council, at the OCM of 21 November 2022, supported road closures as proposed by KCGM relating to the expansion of the Fimiston South Mine, subject to a range of conditions, inter alia the requirement to give public notice of the proposed closure and to invite comment.

The public notice period closed on 30 January 2023 with comment received from 64 correspondents. The details of the comments have been provided in **Attachment 2**. The names and addresses of correspondents have not been provided to ensure privacy.

Of these, 18 were opposed to the road closures and 46 in support.

Of those in support, the comments were largely positive because of the economic benefit the mine brings to the community of the City of Kalgoorlie-Boulder (CKB), as well as the associated supporting industries. Whilst still being supportive, some of these comments requested that KCGM provide additional treatment to the proposed bund as well as compensation to affected owners.

For those opposing the road closures, most concerns referred to:

- The negative impact the proposed 15m high noise bund would have on the image of the City and more broadly, dust concerns;
- The negative impact which an “Aggressive Corporate Miner” would have on CKB as a 130-year-old mining town;
- The negative impact of the mining activities on their private properties and the right to enjoyment of these properties;
- The lack of details regarding the relocation of the Lookout and the timing thereof;
- The negative impact of the proposal and the mining activities would have on the cultural heritage of the City; and
- Alleged inefficient mining practices which have a negative impact on the City and inhabitants.

Whilst the City is in communication with KCGM in respect of the Lookout relocation and timing, most of these objections relate to aspects which are beyond the control of Council or the City and cannot be considered as part of application assessment.

It is therefore recommended that Council proceed to request the Minister to close such roads as depicted in **Attachment 1**.

***Lot 4488 – Dedication from “Unallocated Crown Land (UCL)” to “road”***

In the initial report on the road closures to Council on 21 November, there was a requirement that Lot 4488 be closed in order to create the turning circle at the end of Hopkins Rd through the dedication of the Unallocated Crown Land (UCL), known as Lot 4488, to “road”. This requires that Council formally resolve for this to be requested from the Minister of Lands.

Following the Council consideration of this matter in November 2022, the applicant has requested that Council formally support this dedication in order for the application to the Minister to be initiated. From the City’s perspective, there is no objection to the proposed dedication, and is supported.

The proposed dedication of subject Lot 4488 is indicated in the plan below.



**Statutory Implications**

The Road Closure will need to be undertaken in accordance with the provisions of the *Land Administration Act Clause 58 – Closure of Roads*. This provision focuses specifically on the permanent closure of a road.

**Policy Implications**

There are no policy implications resulting from the recommendations of this report.

## 15.5 Corporate and Commercial

### 15.5.1 Airport Car Hire Licence and Lease

<b>Responsible Officer:</b>	David Trevaskis Director of Corporate and Commercial
<b>Responsible Business Unit:</b>	Airport
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	Nil

#### Officer Recommendation

That Council:

1. Authorise the CEO to approve up to a maximum five (5) year lease with a five (5) year extension option between the City and Terry Truck Rentals Pty Ltd for Part of Lot 4531 Hart Kerspian Drive, Broadwood, under the following conditions:
  - (a) The rent be assessed in accordance with an independent valuation to be undertaken by the City; and
  - (b) The City effects public notice as required in accordance with s3.58 of the Local Government Act 1995;
2. Authorise the CEO to approve a five (5) year hire car concession licence with a five (5) year extension option under the terms and conditions which are standard for such arrangements in relation to the Kalgoorlie-Boulder Airport;
3. Approve for the CEO to request written authorisation of the Lease and Licence from the Minister in accordance with s18 of the Land Administration Act 1997; and
4. Approve for the Common Seal of the City to be affixed to the required Form for the removal of expired term lease to be lodged with Landgate in respect of the existing registered lease.

#### Executive Summary

Terry Truck Rentals Pty Ltd - Franchisee of Hertz Australia Pty Ltd (**Licensee**), is operating under an expired lease and licence and new commercial agreements are required to be registered. The City has the Management Order over Reserve No. 4219, being lot 4531 Hart Kerspian Drive, Broadwood (Airport). This includes the power to lease subject to the consent of the Minister. In accordance with s5.43 of the Local Government Act 1995 (the Act), Council cannot delegate to the CEO any power or duty that requires the approval of the Minister or Governor. Therefore, Council approval of the lease and car hire concession licence is recommended subject to the City's fulfilment of the requirements of s3.58 of the Act relating to the disposition of property.



## Community Engagement Consultation

In accordance with s3.58 of the Act, local public notice of the proposed disposition will be advertised describing the property concerned giving details of the proposed disposition and inviting submissions to be made before a date to be specified being a date not less than two (2) weeks after the notice is first given. Any submissions received will be considered by Council at an Ordinary Council meeting.

## Community Strategic Plan Links

This report links to the Strategic Community Plan through the following Guiding Theme/s:

SUSTAINABLE: We support opportunities for commercial and industrial land.

EMPOWERED: We ensure considered decision making based on collaborative, transparent and accountable leadership.

## Budget Implications

There is sufficient budget allocation in the 2022/23 annual budget for the purposes of public notices, associated with the publishing costs. A further allocation is provided for the estimated legal fees associated with drafting the legal documents. As this is an existing commercial arrangement the rent and licence fees are included in the 2022/23 annual budget.

## Report

The City and Licensee are currently operating under holding terms as per an expired ground lease and car hire concession licence. The Licensee is a long-term tenant at the Kalgoorlie-Boulder Airport and provides a valuable service to businesses and visitors to Kalgoorlie-Boulder. To continue this commercial arrangement a new ground lease is required for the ongoing lease of the land where the Licensee's hire car maintenance facility and offices are located. The Licensee also requires a car hire concession for the use of car hire booth within the terminal and access to parking adjacent to the terminal.

There is no statutory means to deal with the removal of the expired term lease nor a provision requiring consent of the Department of Lands for the same. To remove an expired lease, the Commissioner for Titles exercises his or her power pursuant to section 184 of the Transfer of Land Act, which will only be done where they are satisfied that any rights or interest notified as encumbrances on the Certificate of Title have been fully satisfied, extinguished or otherwise determined and no longer affect the land. As the City will be registering a new lease at the same time as the removal of the expired term application, it can seek consent from the Minister of both documents for convenience. In accordance with the *Part 19.1 (2) of the Standing Orders Local Law 2013*, Council approval is recommended to approve affixing the Common Seal of the City to the removal of expired term lease form to be lodged with Landgate.

**Master plan implications**

The proposed lease and licence will be renewal of existing commercial agreements and the ongoing use of the land for commercial car hire purposes aligns with the draft Master Plan.

**Statutory Implications****3.58 Disposition of property**

- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property -
- a) it gives local public notice of the proposed disposition -
    - i) describing the property concerned; and
    - ii) giving details of the proposed disposition; and
    - iii) inviting public submissions to be made to the local government before a date to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
- and
- b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

*Land Administration Act 1997***S 18. Crown Land transactions that need Minister's approval**

- (2) A person must not without authorisation under subsection (7) -
- a) Grant a lease or licence under this Act, or a licence under the Local Government Act 1995, in respect of the whole or any part of that Crown land.
- (7) A person or lessee may make a transaction under subsection (1), (2), (3) or (4)-
- a) With the prior approval in writing of the Minister;

**Policy Implications**

There are no policy implications resulting from the recommendations of this report.

### 15.5.2 2023/24 Budget Development Timetable

<b>Responsible Officer:</b>	David Trevaskis Director of Corporate and Commercial
<b>Responsible Business Unit:</b>	Finance
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	1. Budget time table 2023-24 [ <b>15.5.2.1</b> - 1 page]

#### Officer Recommendation

That Council endorse the 2023/24 budget development timeline as attached to this report.

#### Executive Summary

The initial task for the preparation of the annual budget is to develop a budget timetable for endorsement by Council.

#### Community Engagement Consultation

No community consultation was considered necessary in relation to the recommendations of the report.

#### Community Strategic Plan Links

This report links to the Strategic Community Plan through the following Guiding Theme/s:

EMPOWERED: We ensure considered decision making based on collaborative, transparent and accountable leadership.

#### Budget Implications

The report is in relation to the planned timeline for the development of the 2023/24 annual budget.

#### Report

In accordance with the *Local Government Act 1995* the City must adopt its budget by 31 August each year.

An important part of the budgeting process is early and thorough preparation and planning. The objective of early preparation is to:

- Inform staff, management and councillors of the process and their respective roles; and

- Ensure there is sufficient emphasis on program objectives and outputs rather than the previous year's activities and outputs.

The budget process must be linked to the City's plan for the future and align directly with the corporate business plan for that year.

The steps including in the budget process are designed to progress the budget from its earliest planning stages when the capital works program is being put together through to adoption of the approved budget and subsequent, ongoing monitoring of the budget and actual results.

The attached budget development timeline takes into consideration the City's legislative requirements if it is going to impose differential rates which requires the City to give public notice and an application for Ministerial approval. The key dates with regards to differential rates to take note of are highlighted in the timeline in blue text. Other key dates for Councillors are highlighted in bold text. These dates are based on the approved Council meeting schedule. The 2023/24 budget is planned to be approved by Council at the OCM scheduled for 24 July 2023.

### **Statutory Implications**

In accordance with s6.2(1) of the *Local Government Act 1995*, the City must adopt its budget by 31 August each year.

### **Policy Implications**

There are no policy implications resulting from the recommendations of this report.

**16 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**17 CONFIDENTIAL ITEMS**

Nil

**18 DATE OF NEXT MEETING**

The next Ordinary Council Meeting will be held on 27 March 2023.

**19 CLOSURE**