

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
26 JULY 2017

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* Separate Attachments

- 9.1.1 *List of Payments Authorised Under Delegation 1.31*
- 9.1.2 *Statement of Financial Activity for Period Ended 30 June 2017*
- 9.1.3 *Shire of Moora 2017/18 Budget*
- 9.2.1 *Plans*
- 9.2.2 *Plans*

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 5.33pm.

1.2 DISCLAIMER READING

No responsibility whatsoever is implied or accepted by the Shire of Moora for any act, omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

ATTENDANCE

KM Seymour	-	Shire President / Presiding Member
MR Pond	-	Deputy Shire President
CE Gardiner	-	Councillor
TG Humphry	-	Councillor
DV Clydesdale-Gebert	-	Councillor
MR Holliday	-	Councillor
PF Nixon	-	Councillor
EI Hamilton	-	Councillor
LC House	-	Councillor
AJ Leeson	-	Chief Executive Officer
DK Trevaskis	-	Deputy Chief Executive Officer
PR Williams	-	Manager Development Services
MM Murray	-	Executive Support Officer (minute taker)

APOLOGIES

Nil

PUBLIC

Cynthia McMorran - Shire Freeman

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. **PUBLIC QUESTION TIME**

Cynthia McMorran

Is the Community Trust Fund still operating?

Cr Gardiner answered the question advising that the fund was actually run by the former Moora Community Recreation Council of which he is an existing committee member.

What is the status of the Aged Housing Project – Joint Venture – Central Midlands Construction – Innovation Central Midlands W.A Inc?

The CEO responded that project submission is still under consideration as a result of change of government.

5. **PETITIONS AND PRESENTATIONS**

Nil

6. **APPLICATIONS FOR LEAVE OF ABSENCE**

The Shire President advised that a written request for leave of absence had been received from Cr Hamilton for the meetings of Council to be held during the period 8 August to 12 September 2017.

COUNCIL RESOLUTION

80/17 Moved Cr Humphry, seconded Cr Pond that Council approve the request for leave of absence received from Cr Hamilton for the meetings of Council to be held during the period 8 August to 12 September 2017.

CARRIED 8/0

7. **ANNOUNCEMENTS BY THE PRESIDING MEMBER**

The following Council associated engagements were attended;

Shire President, Cr Seymour

14/7 Local Government Agricultural Freight group meeting, Perth

18/7 SOD turning Moora Mens Shed

21/7 Miling Primary School, opening of adventure playground

Cr Pond

19/7 Central Midlands Construction (CMC) workshop, Moora

24/7 CMC Board meeting, Wongan Hills

Cr Gardiner

7/7 Rural Water Council meeting, Northam

Cr House

- 8/7 Watheroo Development Association meeting
- 19/7 Heritage Committee meeting, Moora
- 25/7 Watheroo Pavilion refurbishment meeting, Watheroo

Cr Clydesdale-Gebert

- 29/6 Moora Rotary Changeover Night

Cr Hamilton

- 19/7 Heritage Committee meeting, Moora

8. CONFIRMATION OF MINUTES**8.1 ORDINARY COUNCIL MEETING - 5 JULY 2017****COUNCIL RESOLUTION**

81/17 Moved Cr Pond, seconded Cr Clydesdale that the Minutes of the Ordinary Meeting of Council held on 5 July 2017 be confirmed as a true and correct record of the meeting.

CARRIED 9/0

9. REPORTS OF OFFICERS**9.1 GOVERNANCE AND CORPORATE SERVICES****9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31**

REPORT DATE: 14 July 2017

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

SCHEDULE PREPARED BY: Alida Fitzpatrick, Rates Officer

ATTACHMENTS: Accounts Paid Under Delegated Authority

PURPOSE OF REPORT

Payments have been made under delegated authority and a listing of these payments is attached for Council to note and endorse.

BACKGROUND

At the December 2005 Ordinary Meeting of Council resolution 276/2005 delegated the authority of payments from Municipal and Trust Funds to the Chief Executive Officer.

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

POLICY REQUIREMENTS

Delegation 1.31 – Payments from Municipal and Trust Funds.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 - Section 6.10

Local Government (Financial Management) Regulations 1996 – Regulations 12 & 13.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS

➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS

Payments are in accordance with the adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

82/17 Moved Cr Hamilton, seconded Cr House that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

Municipal Fund	Cheques 62269 to 62277	\$19,830.72
	EFT 17634 to 17847	\$1,236,385.34
	Credit Card 03/05/17 to 04/06/17	\$9,226.32
	Net Pays – PPE 13/06/17	\$93,727.02
	Net Pays – PPE 27/06/17	\$98,954.23
	Direct Debits – 11284.1 to 11301.11	\$42,497.70
Trust Fund	Cheques 5265 to 5269	\$2,244.30
Total		<u>\$1,502,865.63</u>

CARRIED 9/0

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 JUNE 2017

REPORT DATE: 20 July 2017

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

ATTACHMENTS: Statement of Financial Activity for the Period Ended 30 June 2017

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 30 June 2017.

BACKGROUND:

Council is provided with monthly financial reports to enable monitoring of revenues and expenditures against the adopted budget.

COMMENT:

The Statement of Financial Activity for the Period Ended is provided as a separate attachment in Program format.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS:

Monitoring of actual revenues and expenditures against the adopted budget assists Council in being informed as to the financial health of the organisation.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

Year to date income and expenditure is provided by program to enable comparison to 2016/17 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

83/17 Moved Cr Holliday, seconded Cr Pond that Council notes and receives the Statement of Financial Activity for the period ended 30 June 2017.

CARRIED 9/0

9.1.3 ADOPTION OF THE 2017/18 BUDGET

REPORT DATE: 20 July 2017

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

ATTACHMENTS: Shire of Moora 2017/18 Budget

PURPOSE OF REPORT:

For Council to consider adoption of the 2017/2018 Budget.

BACKGROUND:

The 2017/2018 draft Budget is circulated as an attachment to this report. As per the requirements of the Local Government Act 1995, Local Government (Financial Management) Regulations 1996, Australian Accounting Standards (AAS) and Australian International Reporting Financial Standards (AIFRS) the document has been prepared in its statutory format.

COMMENT:

The Budget for the 2017/2018 financial year includes the following information:

- Shire of Moora Budget
- Adopted Schedule of Fees & Charges
- Capital Projects Schedule
- Road Program Schedule

Over the past few months Councillors have had the opportunity to raise queries and have input into the draft Budget at a number of General Purpose Committee Meetings and Councillor Information sessions.

The draft Budget is based on an overall rate increase of only 2.5%.

GRV and UV rates in the dollar have been adjusted accordingly to achieve a 29% and 71% split between GRV and UV rates revenue for 2017/18 as per the Councils target.

Within the draft Budget are a number of projects that are reliant on applications for grant funding being successful. If the full amount of funding budgeted for is not received, a report will be put to Council to amend the budget accordingly.

POLICY REQUIREMENTS:

The Budget is consistent with adopted Council policies and the Shire of Moora Rating Strategy. This strategy is available on the Shire's webpage (www.moora.wa.gov.au).

LEGISLATIVE REQUIREMENTS:

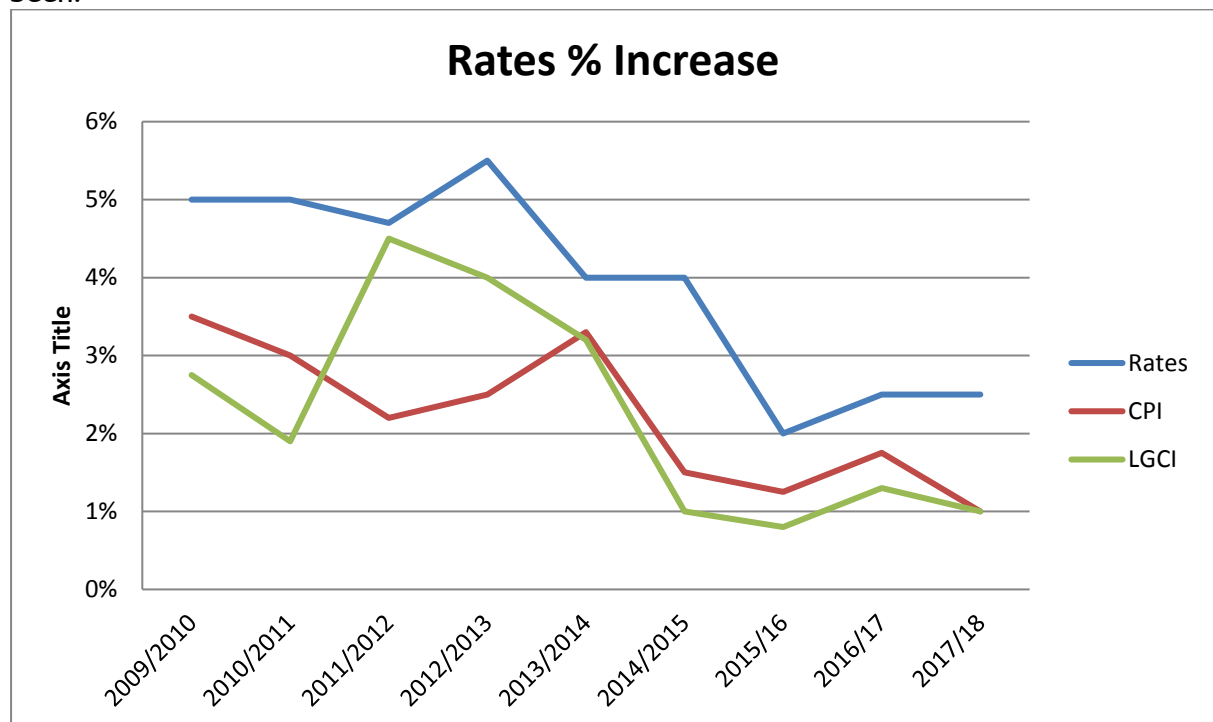
Section 6.2 of the Local Government Act 1995 requires Council to adopt its Annual Budget in the form and manner prescribed no later than 31 August in any financial year, subject to any extension past this date with Ministerial approval. The draft Budget, as presented to Council, is prepared in the statutory format required.

Within thirty (30) days of the adoption of the Budget, a copy must be forwarded to the Director General, Department of Local Government and Regional Development as provided by Regulation 33 of the Local Government (Financial Management) Regulations 1996.

STRATEGIC IMPLICATIONS:

The draft Budget includes a number of operating and capital projects which will help Council deliver the priorities it has identified in its Community Strategic Plan and Corporate Business Plan, i.e. regional cooperation, planning for growth and existing asset renewal including the sewerage scheme.

The budget is based on an overall rate increase of 2.5%. Rate rises in previous years have been:

**SUSTAINABILITY IMPLICATIONS:**

- **Environment**
The proposed budget contains a number of initiatives that will enhance and support the environment within the Shire.
- **Economic**
The proposed budget contains a number of initiatives that will enhance and support economic development within the Shire.
- **Social**
The proposed budget contains a number of initiatives that will enhance and support social development within the Shire.

FINANCIAL IMPLICATIONS:

The result of the following resolutions will be the adoption of the 2017/2018 Budget.

VOTING REQUIREMENTS

Absolute Majority Required

COUNCIL RESOLUTION

84/17 Moved Cr Hamilton, seconded Cr Pond that Council adopts the 2017/2018 Budget including the following matters:

(1) **Imposing General Rate for Gross Rental Value (GRV) properties – the general rate be set at 9.6585 cents in the dollar on Gross Rental Values for all rateable land within the district;**

(2) **Imposing General Rate for Unimproved Value (UV) properties – the general rate be set at 1.0039 cents in the dollar on Unimproved Values for all rateable land within the district;**

(3) **Rates increase by area can be summarised as:**

UV/Farming	\$2,757,688
GRV/Town	<u>\$1,125,599</u>
	\$3,883,287

Resulting in an actual increase in rate revenue across each area of:

	2016/17	2017/18	% increase
UV/Farming	\$2,707,504	\$2,757,688	1.85%
GRV/Town	\$1,079,195	\$1,125,599	4.30%

(4) **Imposing Minimum Payment (Rates) for Gross Rental Value (GRV) properties – the Minimum Payment (Rates) be set at \$637 per assessment for GRV properties;**

(5) **Imposing Minimum Payment (Rates) for Unimproved Value (UV) properties – the Minimum Payment (Rates) be set at \$637 per assessment for all UV properties in the Shire of Moora;**

(6) **Imposing Sewerage Rate – the sewerage rate in the dollar be set at 7.5433 cents in the dollar, and that the following apply:**

a. **That the minimum annual sewerage rates be as follows;**

Residential properties	\$363.00
Commercial properties	\$363.00
Vacant Land properties	\$363.00
Ex-Gratia Commercial/Industrial properties	\$363.00

b. **That the maximum annual sewerage rate be as follows;**

Residential properties	\$948.00
Vacant Land properties	\$948.00
Commercial properties	\$4,458.00

c. Non Rateable Properties connected to sewer

Class 1 Institutional/Public & Charitable Purposes for each property:

First major fixture \$234.00 per annum

Each additional major fixture \$98.00 per annum

Class 2 State and Local Government properties of a commercial nature:

\$1,267.00 per Connection

- (7) **Rubbish Removal Charges (per annum) – be set at;**
- (i) **Residential – Non-pensioner \$370 per 240-litre bin (weekly) & recycling bin (fortnightly)**
- (ii) **Residential– Pensioner \$277 per 240-litre bin (weekly) & recycling bin (fortnightly)**
- (iii) **Non-Residential \$370 per 240-litre bin (weekly)**
- (9) **Incentive for Early Payment of Rates – Council is offering a \$600 cash prize to ratepayers who pay their 2017/18 rates, rubbish charges and arrears in full within 21 days from the issue date of the rate notice;**
- (10) **Instalment Plan – The following options be made available to ratepayers:-**
- a. **To pay in full within 35 days of service of the rates notice.**
- b. **To pay by 2 equal instalments as under.**
- (i) **50% of the rates within 35 days**
- (ii) **50% of the rates within 2 months of (i)**
- c. **To pay by 4 equal instalments as under.**
- (i) **25% of the rates within 35 days**
- (ii) **25% of the rates within 2 months of (i)**
- (iii) **25% of the rates within 2 months of (ii)**
- (iii) **25% of the rates within 2 months of (iii) being 6 months from the expiration of the initial 35 day period and 6 months and 35 days from the date of service of the notice.**
- (11) **Instalment Plan Interest Rate – a charge be set at 5.5% per annum calculated by simple interest method and applied to Rates and Rubbish Removal Charge;**
- (12) **Instalment Plan Administration Charge – a charge of \$7.20 per instalment excluding the first instalment and applied to Rates and Rubbish Removal Charge;**
- (13) **Late Payment Interest Rate – (Rates and Rubbish Removal Charge) - a charge be set at 11% per annum, calculated by simple interest method, be applied for instalments past the due date, or where the instalment option is not in place, 35 days after the date of issue of the rate notice;**
- (14) **Late Payment Interest Rate – (Sundry Debtors Charges) - a charge be set at 11% per annum, calculated by simple interest method, be applied for outstanding sundry debtors past the due date, 30 days after the date of issue of the invoice;**

- (15) **Reserve Accounts – Council confirms the names and purposes of its Reserve Accounts as listed within the Shire of Moora Budget 2017/2018:**
- (16) **Materiality Threshold – that the materiality threshold for monthly financial reporting (Statement of Financial Activity – Program) be set at plus or minus 5% and greater than \$5,000 at Program and Category levels.**
- (17) **Confirms the meeting fees to be paid to all Councillors at \$150 per Committee meeting; and for Council meetings \$300 per meeting to Councillors and \$380 per meeting for the Shire President.
Shire President’s allowance at \$7,500 per annum and Deputy President at \$1,875.**

Subject to the following amendments to the draft budget document presented for adoption;

- Electronic notice board expenditure reduced from \$20,000 to \$0
- Entry statements reduced from \$100,000 to \$20,000
- Management consultancy of the Moora Lifestyle Village included \$36,000
- Purchase of display home for Moora Lifestyle Village included \$100,000
- Direct Road Grant income reduced from \$150,000 to \$80,000

Total changes reduced the estimated budget deficit from \$9,181 to an estimated budget deficit of \$115,181.

CARRIED by ABSOLUTE MAJORITY 9/0

9.2 DEVELOPMENT SERVICES

9.2.1 LOT 940 LONG STREET, MOORA – CONSTRUCTION OF SHED AND STABLE

FILE REFERENCE: TP/PA01/1718

REPORT DATE: 12 July 2017

APPLICANT/PROPONENT: Nusteel Patios and Sheds on behalf of Greg & Sue Wall

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

A development application has been received from Nusteel Patios and Sheds to construct a steel framed and clad 18m x 9m x4.2m shed with lean-to, to house horses to be located at Lot 940 Long Street on behalf of Mr Greg and Sue Wall.

BACKGROUND:

Lot 940 Long Street is located in the Rural Residential Zone on a property that has recently been subdivided.

The Objectives of the Rural Residential Zone are:

- (a) To select areas wherein closer subdivision will be permitted to provide for such uses as hobby farms, horse breeding, rural-residential retreats.
- (b) To make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas.

Site Requirements:

The minimum building setbacks shall be:

Front: 15.0m

Rear: 15.0m

Side: 10.0m

COMMENT:

Mr & Mrs Wall (Proponents) wish to construct a shed and stables to facilitate general storage of horse float, camper and hay and protection for horses.

Site is located in the Townsite boundary of Moora so the flood provisions prevail, though Council can give dispensation of 150mm reduction as it is a non-habitable building. Providing setbacks are adhered to there are no issues involved with this application.

Minimum setback requirements are to be complied with:

- Front 15.0m
- Rear 15.0m
- Side 10.0m

POLICY REQUIREMENTS:

There are no known policy requirements related to this item.

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:**➤ Environment**

There are no known significant environmental implications associated with this proposal.

➤ Economic

There are no known significant economic implications associated with this proposal.

➤ Social

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

Standard application fees of \$147.00 have been paid by the proponent

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

85/17 Moved Cr Hamilton, seconded Cr House that Council approve the application by Nusteel Patios and Sheds to construct on behalf of proponents Greg and Sue Wall 18m x 9m x 4.2m steel framed and clad shed with lean-to attached for the purpose of general storage and; a 16.0m x 6.0m steel framed and clad horse shelter subject to the following conditions:

- 1. Shed and stable are not to be made habitable;***
- 2. Shed and stable are not to be constructed of second hand materials;***
- 3. This is not a building approval, a separate building application is required to be applied for at the Shire to proceed with construction;***
- 4. Finished floor level for an out building (non-habitable) is required (under Shire flood provisions) to comply with minimum height level being 150mm above the highest known 1999 flood level. This level for the property can be obtained from Mr Simon Rodgers of the Department of Water 08 6364 7600.***

CARRIED 9/0

9.2.2 STEEL FRAMED SHED - 88/90 GARDINER STREET, MOORA

FILE REFERENCE: TP/PA02/1718

REPORT DATE: 20 July 2017

APPLICANT/PROPONENT: Tim Polglase

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

Shire is in receipt of development application from proponent Mr Tim Polglase requesting permission to construct a steel framed and colour bond clad 10.0m x 3.4m x4.4m storage shed to be positioned in the rear of his yard

BACKGROUND:

88/90 Gardiner Street is the Dr Myles House it is located in the residential zone in the Moora Townsite. Mr Polglase is in the process of renovating the property and requires a storage shed for general storage. The property sits within the Town boundary and is therefore affected by the Flood Provision imposed upon the Shire by the Department of Water and Department of Planning.

Shire of Moora Town Planning Scheme No 4 (amendment 11)

4.11.4 Relevant Considerations

4.11.4.1 Special Control Area 1

- (a) Council has discretion to consider a minimum finished floor level less than 300mm above the March 1999 flood levels where the local government determines that:
- (i) The non-habitable buildings and structures are infill development in the Town Centre zone (with a minimum FFL of 0.15 metres above the March 1999 flood levels); or
 - (ii) The proposed development is a minor extension to an existing building or structure already approved and constructed; or
 - (iii) The non-habitable building or structure is ancillary development to a dwelling on the same lot inclusive of a carport, garage, patio, pergola, gazebo, and outbuilding; and
 - (iv) The local government considers fill is impractical and/or will have a negative impact on an established streetscape.

COMMENT:

The rear yard of 88/90 Gardiner Street is covered in concrete and it would require the proponent to build up on top of the concrete which would look unsightly and have a negative impact on the streetscape. Should the building be required to be raised as per the flood provisions this would make access to the shed difficult for the proponent.

Recommended that Council give dispensation to the proponent by allowing the proponent to build the shed without adhering to the flood provisions as per Section 4.11.4.1 (e) (iii) & (iv).

POLICY REQUIREMENTS:

There are no known policy requirements related to this item.

LEGISLATIVE REQUIREMENTS:

Shire of Moora Town Planning Scheme No 4 (amendment 11)

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

The required fee of \$147.00 has been paid by the proponent

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

86/17 Moved Cr Humphry, seconded Cr Holliday that Council approve the application by proponent Mr Tim Polglase to construct a 10m x 3.4m x 4.4m steel framed and colour bond clad shed for the purpose of general storage subject to the following conditions:

- 1. Shed is not to be made habitable;***
- 2. Shed is not to be constructed of second hand materials;***
- 3. This is not a building approval, a separate building application is required to be applied for at the Shire to proceed with construction.***

CARRIED 9/0

10. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**

Nil

12. **MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

13. **CLOSURE OF MEETING**

There being no further business, the President declared the meeting closed at 5.57pm.

CONFIRMED

PRESIDING MEMBER