



SHIRE OF IRWIN
DONGARA-PORT DENISON

A BRILLIANT BLEND

MINUTES

ORDINARY COUNCIL MEETING

Tuesday 26 May 2026



Disclaimer

The Shire of Irwin:

- advises that the purpose of an Ordinary Council Meeting is to discuss and, where possible, make resolutions about items appearing in the agenda. No person should rely on or act on the basis of any decision, advice or information provided by an Elected Member or Officer, or on the content of any discussion occurring during the course of the meeting. No person should rely on the decisions made by Council until formal written advice from the Council is received by that person.
- expressly disclaims any liability for any loss or damage whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Agenda Forums, Council or Committee Meetings.
- disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision in the audio recording. Council minutes provide the definitive record of Council's resolutions.

Nature of Council's Role in Decision Making

Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive	The substantial direction setting and oversight role of the Council e.g., performance of the Local Government's function under law, administration of Local Laws, adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws and local planning schemes.
Review	When Council reviews decisions made by Officers.
Quasi-judicial	When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g., local planning applications, building permits, other permits/licences (e.g. under the Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

By allocating these roles, the Shire ensures that the Council's decision-making is structured and aligned with its legal responsibilities, allowing it to effectively govern, serve its community, and maintain compliance with applicable laws.

Notes for Members of the Public

Meeting Formalities

Shire of Irwin Council Meetings are governed by legislation and regulations. During the meeting, no member of the public may interrupt the meeting proceedings or enter into conversation.

Members of the public shall ensure that their mobile phones are switched off and not used during any Shire meeting.

Members of the public are hereby advised that in line with Council Policy CP48 – Recording of Council Minutes, no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of a Council Meeting without the written permission of the Council.

Audio Recordings

This Meeting will be audio recorded. The recording will be made publicly available on the Shire's website within ten (10) days of the meeting being held.

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MINUTES

of the

ORDINARY COUNCIL MEETING

held

Tuesday, 26 May 2026

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member welcomed Councillors, Staff and the Gallery Member and declared the meeting open at 5.00pm.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Members

Councillor I Scott
Councillor A J Gillam
Councillor P Summers
Councillor J Melsom
Councillor S Hansen
Councillor L Berecz
Councillor L Musulin

Shire President
Deputy Shire President

Staff

Mr M Battilana
Mr M Connell
Mr M Jones
Miss P Machaka
Ms F Boksmati
Ms S Mearns

(Acting) Chief Executive Officer
Manager Development
Manager Operations
Manager Finance
Manager Community Services
Executive Assistant

Guests

Nil

Apologies

Mr S D Ivers
Mr M Antony

Chief Executive Officer
Community Emergency Services Manager

Approved Leave of Absence

Nil

Gallery

Denise Criddle

29 Smith Street, Dongara

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question: Mr Ian Maluish, 5 Abbot Terrace, Port Denison
What is the total budget for the ERP Project?

Response: A response was provided to Mr Maluish via email as per following:

Thank you for reaching out to us in relation to your questions not being recorded correctly in the OCM Minutes from the meeting held on 26 April 2026.

Please find following actual spends on the Project to date.

<i>Financial Year</i>	<i>Actual Spend</i>
<i>2024/25</i>	<i>\$143,845</i>
<i>2025/26</i>	<i>\$333,667</i>

Therefore, the total expenditure to date is \$477,512 which is within the budget (being \$600,250) over the same two financial years.

Both the actual and budgeted figure include a one-off implementation/deployment cost and an annual licence cost.

I can also advise that the ERP Tender and evaluation process identified the preferred respondent's tendered price being significantly lower than the next lowest tendered price (for both implementation/deployment and annual licence).

As you will be aware, the Shire is legally unable to release all tender information due to privacy and commercial in confidence legislation.

4. PUBLIC QUESTION TIME

Question: Denise Criddle, 29 Smith Street, Dongara
There is an area of land* just past the Priory Lodge which has been signposted as private property and there is no access to 'get through there' at all. Why is it signed posted as private property?

Response: The Shire President advised that this question would be taken on notice and will be available in the Minutes of this meeting as a record of public questions.

Update: Written response posted to Ms Criddle on 3 June 2026 as follows:

Response: Lot 3 St Dominics Road, Port Denison is a freehold lot that has recently been purchased. Under the Caravan Parks and Camping Grounds Regulations 1997 a person may camp for up to 5 nights in any period of 28 consecutive days on land the person owns or has a legal right to occupy.

The owners of Lot 3 St Dominics Road, Port Denison are entitled to display signage identifying their land as 'Private Property'. While access to the river is not restricted, community members must not enter or cross Lot 3 St Dominics Road and are required to access the river by alternative routes around the property.

**Lot 3 St Dominics Road, Port Denison*

5. DECLARATIONS OF INTEREST

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS AND DEPUTATIONS

Nil

8. CONFIRMATION OF MINUTES AND TABLING OF AGENDA FORUM NOTES**8.1 Minutes of the Ordinary Council Meeting held 28 April 2026**

The Minutes of the Ordinary Council Meeting held 28 April 2026 are included in the *Attachment Booklet – May 2026*.

COUNCIL DECISION	010526
MOVED: Cr Musulin	SECONDED: Cr Gillam
That Council by Simple Majority confirms the Minutes of the Ordinary Council Meeting held 28 April 2026.	
VOTING DETAILS:	CARRIED: 7/0
For: Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom	
Against: Nil	

8.2 Agenda Forum Notes – 19 May 2026

At the Agenda Forum held 19 May 2026, Shire Officers presented background information and answered questions on items to be considered at the May 2026 Ordinary Council Meeting.

Notes from the Agenda Forum are included in the *Attachment Booklet – May 2026*.

COUNCIL DECISION	020526
MOVED: Cr Hansen	SECONDED: Cr Gillam
That Council by Simple Majority confirms the Notes of the Agenda Forum held 19 May 2026.	
VOTING DETAILS:	CARRIED: 7/0
For: Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom	
Against: Nil	

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

4 May 2026	Shire President and Acting CEO met with a representative from Thinktribe in relation to the North Midlands Destination Strategy
11 May 2026	Shire President attended the state Budget Briefing in Geraldton
19 May 2026	Shire President and Acting CEO met with representatives from BIA Energy

10. REPORTS OF OFFICERS AND COMMITTEES

10.1 Finance Reports

FIN 01-05/26 Accounts for Payment - April 2026	
Author:	S Clarkson, Senior Finance Officer
Responsible Officer:	P Machaka, Manager Finance
File Reference:	2.0057
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to receive the list of accounts paid under delegated authority during April 2026.

COUNCIL DECISION		030526																						
MOVED: Cr Gillam	SECONDED: Cr Summers																							
<p>That Council, by Simple Majority, receives the Accounts paid during April 2026 as contained in FIN01-05/26 Attachment 1 of the Attachment Booklet – May 2026 represented by:</p>																								
<table border="1"> <thead> <tr> <th>Payment Type/Numbers</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>EFT 00000009/1 – 00000013/52</td> <td>\$892,194.25</td> </tr> <tr> <td>Muni Cheques – 32265 – 32265</td> <td>\$86,159.98</td> </tr> <tr> <td>Direct Debit – Telstra</td> <td>\$1,968.73</td> </tr> <tr> <td>Direct Debit – WA Treasury Corporation</td> <td>\$137,512.52</td> </tr> <tr> <td>Direct Debit – Credit Card</td> <td>\$13,772.82</td> </tr> <tr> <td>Direct Debit – N-Able Pty Ltd</td> <td>\$2,636.79</td> </tr> <tr> <td>Direct Debit – Australian Phone Company</td> <td>\$225.23</td> </tr> <tr> <td>Direct Debit – Telair Pty Ltd</td> <td>\$2,560.90</td> </tr> <tr> <td>Direct Debit – Bonds Administrator</td> <td>\$1,600.00</td> </tr> <tr> <td>Grand Total</td> <td>\$1,138,631.22</td> </tr> </tbody> </table>		Payment Type/Numbers	Total Amount	EFT 00000009/1 – 00000013/52	\$892,194.25	Muni Cheques – 32265 – 32265	\$86,159.98	Direct Debit – Telstra	\$1,968.73	Direct Debit – WA Treasury Corporation	\$137,512.52	Direct Debit – Credit Card	\$13,772.82	Direct Debit – N-Able Pty Ltd	\$2,636.79	Direct Debit – Australian Phone Company	\$225.23	Direct Debit – Telair Pty Ltd	\$2,560.90	Direct Debit – Bonds Administrator	\$1,600.00	Grand Total	\$1,138,631.22	
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VOTING DETAILS:	CARRIED: 7/0																							
For:	Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom																							
Against:	Nil																							

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of April 2026.

Officer's Comment:

Changes to the format of the list of payments has been made to be aligned with Section 13(1) of the Local Government (Financial Management) Regulations.

Consultation:

Nil

Statutory Environment:

The *Local Government (Financial Management) Regulations 1996* provides as follows:

13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*
- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared*
- (a) *the payee's name;*
 - (b) *the amount of the payment;*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*
- (3) *A list prepared under sub-regulation (1) or (2) is to be —*
- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

Policy Implications:

Under Delegation CEO101 Council has delegated authority to the Chief Executive Officer to authorise payments from the municipal or trust fund.

Financial/Resource Implications:

Nil

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – May 2026

FIN01-05/26 Attachment 1: Accounts for Payment – April 2026

FIN 02-05/26 Monthly Financial Statements - March 2026	
Author:	P Machaka, Manager Finance
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	2.0057
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to consider and receive the Monthly Financial Statements for the period 1 July 2025 to 31 March 2026.

COUNCIL DECISION		040526
MOVED: Cr Summers	SECONDED: Cr Melsom	
That Council, by Simple Majority, receives the Monthly Financial Statements for the period 1 July 2025 to 31 March 2026 as contained in FIN02-05/26 Attachment 1 of the Attachment Booklet – May 2026.		
VOTING DETAILS:	CARRIED: 7/0	
For:	Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom	
Against:	Nil	

Background:

The Monthly Financial Statements to 31 March 2026 are prepared in accordance with the requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* and includes the following statutory reports:

- Statement of Financial Activity by Nature
- Statement of Financial Position
- Explanation of Material Variances
- Net Current Funding Position

The Statements also include various other financial information not required by legislation, but for Council information.

Officer's Comment:

The financial position to the end of March 2026 is detailed in the attached report and summarised as per following:

31/03/2026	YTD Budget	YTD Actual
Operating Revenue	10,513,725	10,552,379
Operating Expenditure	(10,947,726)	(10,279,533)
Net Operating	(434,001)	272,846
Non-Operating Revenue	725,898	765,629
Non-Operating Expenditure	(2,375,749)	(2,239,275)
Net Non-Operating	(1,649,851)	(1,473,646)
Cash at Bank		1,801,552
Cash at Bank Restricted		373,935
Reserve Bank		1,060,227
Total Cash Funds		3,235,714

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

- Section 6.4 Financial report

Local Government (Financial Management) Regulations

- Section 34 Financial activity statement report provides as follows:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing -
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) an explanation of each of the material variances referred to in sub-regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity must be shown according to the nature classification.
- (4) A statement of financial activity, and the accompanying documents referred to in sub-regulation (2), are to be -

- (a) presented to the council - at an ordinary meeting of the council within 2 months after the end of month to which the statement relates; and
(b) recorded in the minutes of the meeting at which it is presented.

Policy Implications:

Nil

Financial/Resource Implications:

Any issues in relation to expenditure and revenue allocations or variance trends are identified and addressed each month or at budget review.

Strategic Implications:

Our Brilliant Future - Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – May 2026

FIN02-05/26 Attachment 1: Financial Statements for the Period Ended 31 March 2026.

10.2 Development Reports

DEV 01-05/26 April 2026 Development Delegated and Authorised Authority Report	
Author:	M Connell, Manager Development
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.00125
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to receive the April 2026 Development Delegated and Authorised Authority Report.

COUNCIL DECISION		050526
MOVED: Cr Musulin	SECONDED: Cr Berecz	
That Council by Simple Majority, receives the April 2026 Development Delegated and Authorised Authority Report, as contained in DEV 01-05/26 Attachment 1.		
VOTING DETAILS:	CARRIED: 7/0	
For:	Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom	
Against:	Nil	

Background:

Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, strategic planning and community leadership, with the organisation focussing on the day-to-day operations of the Shire.

The use of delegated authority means the large volume of routine work can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

In addition, as of 1 July 2024, the determination of development applications for single houses or any development associated with a single house (excluding development associated with a heritage place), can now only be done by the CEO or authorised employees of the local government.

Officer's Comment:

This report presents the details of development functions made under delegated or authorised authority for the month of April 2026, with 5 building permits/certificates, 7 single house applications and 1 application for development approval having been issued.

Consultation:

Nil.

Statutory Environment:

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

Policy Implications:

Nil.

Financial/Resource Implications:

Nil.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – May 2026

DEV 01-05/26 Attachment 1: April 2026 Development Delegated and Authorised Authority Report

10.3 Operations Reports

Nil

10.4 Community Services Reports

Nil

10.5 Office of the CEO Reports

CEO 01-05/26 Updated Code of Conduct for Council Members, Committee Members and Candidates	
Author:	S Mearns, Executive Assistant
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.00121
Council Role:	Executive
Voting Requirements:	Absolute Majority

Report Purpose:

For Council to adopt, by Absolute Majority, the updated Code of Conduct for Council Members, Committee Members and Candidates, revised in response to recent local government reforms and to ensure alignment with the requirements and intent of the *Local Government (Model Code of Conduct) Regulations 2021*.

COUNCIL DECISION		060526
MOVED: Cr Melsom		SECONDED: Cr Gillam
That Council;		
<ol style="list-style-type: none"> by Absolute Majority adopts the updated Code of Conduct for Council Members, Committee Members and Candidates in accordance with CEO 01-05/26 Attachment 1; and notes the amendments made to the Code of Conduct for Council Members, Committee Members and Candidates. 		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom	
Against:	Nil	

Background:

Recent reforms to the local government sector in Western Australia, including the establishment of the Local Government Inspector and the strengthening of governance and accountability frameworks, have reinforced the importance of maintaining contemporary and compliant Codes of Conduct.

While the Code of Conduct for Council Members, Committee Members and Candidates is prescribed under the *Local Government (Model Code of Conduct) Regulations 2021*, these reforms have introduced enhanced oversight, expanded complaint mechanisms, and increased expectations regarding the behaviour and conduct of elected members.

Accordingly, it is necessary to review and update the Shire's Code of Conduct for Council Members, Committee Members and Candidates to ensure alignment with the current legislative environment, reflect the role of the Local Government Inspector, and support best practice in governance, transparency and accountability.

Officer's Comment:

Proposed changes to the current Code of Conduct for Council Members, Committee Members and Candidates reflect the new requirements as provided by legislation. The Code of Conduct for Council Members, Committee Members and Candidates 2026 includes the following differences only:

1. Addition of Clauses 11(4),(5)&(6);
2. Addition of entire Clause 14A;
3. Addition of entire Clause 14B;
4. Addition of Clause 15(3); and
5. Changes to the legislation references in the Notes under Division 4.

Shire Officers are to ensure that Committee Members of the following Shire of Irwin Committees are provided with an updated copy of the Code of Conduct, as required:

- Audit Committee*
* *Councillors are advised that an Agenda item will be presented at the June 2026 Ordinary Council Meeting proposing changes to the function of the Shire of Irwin Audit Committee, together with a renaming to reflect Risk and Improvement responsibilities.*
- Work Health & Safety (WHS) Committee
- Local Emergency Management (LEM) Committee
- Community Assistance Scheme & Events (CASE) Committee

Consultation:

WALGA

Statutory Environment:

Under the *Local Government (Model Code of Conduct) Regulations 2021*, the Shire of Irwin is required to have a Code of Conduct for Council Members, Committee Members and Candidates.

Policy Implications:

There are no direct policy implications attached to this report.

Financial/Resource Implications:

Nil

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.2 Adopt and follow better practice processes

Attachments:

Attachment Booklet – May 2026

CEO 01-05/26 Attachment 1: Updated Code of Conduct for Council Members, Committee Members and Candidates

CEO 01-05/26 Attachment 2: Amended Local Government Model Code of Conduct Regulations 2021

10.6 Committee Reports**10.6.1 Audit Committee Meeting**

The Minutes of the Shire of Irwin Audit Committee Meeting held 5 May 2026 have been provided as Attachment 10.6.1 in Attachment Booklet – May 2026.

COUNCIL DECISION		070526
MOVED: Cr Gillam	SECONDED: Cr Summers	
That Council by Simple Majority receives the minutes of the Shire of Irwin Audit Committee Meeting held 5 May 2026.		
VOTING DETAILS:	CARRIED: 7/0	
For:	Cr Scott, Cr Gillam, Cr Summers, Cr Berecz, Cr Hansen, Cr Musulin, Cr Melsom	
Against:	Nil	

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

13. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION

Nil

14. MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC

Nil

15. CLOSURE

There being no further business, the Presiding Member closed the meeting at 5.14pm.