



Shire of Northam

Notes

Council Forum Meeting

14 September 2022



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Preface

When the Chief Executive Officer approves these Notes for distribution they are in essence "informal notes."

At the next Ordinary Meeting of Council the Notes will be received, subject to any amendments made by the Council. The "Received" Notes are then signed off by the Presiding Person.

Please refer to the Ordinary Council meeting agenda and minutes for further information and details in relation to the matters and items discussed at the Forum meeting.

Unconfirmed Notes

These notes were approved for distribution on 16 September 2022.

JASON WHITEAKER
CHIEF EXECUTIVE OFFICER

Received Notes

These notes were received at an Ordinary Meeting of Council held on 21 September 2022.

Signed:

Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.

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1. DECLARATION OF OPENING

The Shire President, Cr C R Antonio, declared the meeting open at 5:31pm.

2. ACKNOWLEDGEMENT TO COUNTRY

The Shire President, Cr C R Antonio acknowledged the Traditional Owners of the land on which we meet, the Ballardong and Whadjuk people of the Nyoongar nation and paid our respects to Elders, past present and emerging.

3. ATTENDANCE

Council:

Shire President
Councillors

C R Antonio
D Galloway
R W Tinetti
A J Mencshelyi
J E G Williams
D A Hughes
H Appleton

Staff:

Chief Executive Officer
Executive Manager Engineering Services
Acting Executive Manager Development
Services
Acting Governance Coordinator
Acting Governance Officer
Mgr. Recreation and Youth Services
Mgr. Community Development & Tourism

J B Whiteaker
S Patterson

J Jurmann
A C McCall
T Van Beek
D Emery
J Hawkins (arrived at 5:35pm
and left at 5:36pm)

Gallery:

Northam & Districts Historical Society
Saint Margarets Homeless Foundation
Saint Margarets Homeless Foundation

Jeffrey Pollard
Michael Kiernan
George Ongarezos

3.1 APOLOGIES

Deputy Shire President
Councillor

Executive Manager Community Services
Executive Manager Corporate Services

M P Ryan
M I Girak
P Curtis
J Metcalf
C Young

3.2 APPROVED LEAVE OF ABSENCE

Nil.

3.3 ABSENT

Nil.

4. DISCLOSURE OF INTERESTS

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

As defined in section 5.60A of the Local Government Act 1995, a **financial interest** occurs where a Councillor / Committee Member, or a person with whom the Councillor / Committee Member is closely associated, has a direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

As defined in section 5.61 of the Local Government Act 1995, an **indirect financial** interest includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

As defined in section 5.60B of the Local Government Act 1995, a person has a **proximity interest** in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; or a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

As defined in 34C of the Local Government (Administration) Regulations 1996, an **impartiality interest** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

Item Name	Item No.	Name	Type of Interest	Nature of Interest
Lease of Wundowie Hall to Wundowie Progress Association.	13.1.2	Cr D J Galloway	Impartial	Cr Galloway is the president of the Wundowie Progress Association which is mentioned in the item.
Draft 5-year Path Program.	13.2.1	Cr H J Appleton	Impartiality	Path program includes works on East St, Cr Appleton's primary

				residence is located on East St.
Proposed Road Names – Lucy Place & Garfield Place.	13.3.1	Cr R W Tinetti	Impartiality	The families related to the proposed names are well known to Cr Tinetti.
		Cr D A Hughes	Impartiality	Cr Hughes has known a member of the Lucy family for many years.
		Cr C R Antonio	Impartiality	The family related to a proposed name is known to Cr Antonio and they have mentioned the request of naming to him.

5. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

No queries were raised in relation to this item.

6. PUBLIC QUESTION TIME

6.1 PUBLIC QUESTIONS

Name: Christopher Poulton.

Summary of Question: Background

The Eastlink proposal originated from a strategy to solve a problem faced by the Mundaring Shire over 30 years ago (Trucks). The section added to the Northam Shire in the 90's was poorly planned and influenced by the Northam Shire council members at the time, as the 2 preferred routes proposed by Main Roads, were rejected by the Shire and coincidentally ran through property owned by members on the Council.

The original bypass for Mundaring finished at El Caballo, before entering our Shire.

There is going to be a significant impact on 3 towns in our Shire as well as the loss of significant assets to our region (which could be avoided).

Question

Do the current Shire Council members support the Eastlink proposal. Please justify its current support of the project.

Response: Council will form an appropriate response before Ordinary Council Meeting on 21 September 2022.

7. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

8. RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

8.1 PETITIONS

Nil.

8.2 PRESENTATIONS

Nil.

8.3 DEPUTATIONS

Name: Michael Kiernan.

Summary of Deputation: Saint Margarets Homeless Foundation Limited, a registered charity group, wish to purchase land within the Shire of Northam to build and operate a 50 cottage shelter village for homeless women, those who have suffered domestic violence or recently released from prison.

Intake of women will come from Women's Crisis Centres, Community Service Groups and appropriate authorities by way of Referrals and enter into a Residency Agreement before taking residence.

The village will be completely self-contained with its own solar power, sewerage disposal plant and below ground filtered water. It will be privately funded and operated at no cost to the Shire or State Government.

We have met with the Shire's Manager Planning & Environment and outlined our proposal, and we wish to seek from the Shire, subject to compliance to all Shire Regulations and Building Codes, an indication if such a proposal may receive Shire's approval.

The budgeted cost of construction, including land, is \$6.7m with annual operating costs of \$1.15m.

Clarification was sought in relation to:

- Whether Saint Margarets Homeless Foundation Limited have any other similar facilities in Western Australia?
Mr Michael Kiernan advised that they do not have any other village living facilities currently, but they do have services in Rockingham and Kwinana.
- According to the conceptual plan there will be limited spatial separation between the units, could this be seen as an issue?
Mr Michael Kiernan advised that they plan to have a 3m separation between the units and don't foresee this to be an issue.
- What will the thermal properties be for the concrete panels used in construction, will there be insulation?
Mr Michael Kiernan advised that there will be internal insulation between the concrete panel and inside the home.
- According to the presentation Saint Margarets will be installing below ground water services, are they aware that the underground

water in the area has a high salt content and will need further filtering?

Mr Michael Kiernan advised that they were not aware of that at this time. The plan to use underground water supply was in place as a consideration to not impact the existing water supply to Northam.

- There was a mention of a Residency Agreement that patrons of the Village will need to sign, will this be based on the Residential Tenancy Act 1987?

Mr Michael Kiernan advised that he can't answer that at this time but advises that they will be basing it on a similar agreement used by Uniting Care.

- What is the proposed timeframe for this construction?

Mr Michael Kiernan advised that the application process could be up to 3 months and they are looking to start construction within the first half of 2023.

- If the community raises concerns in relation to the proposed location would Saint Margarets consider other sites?

Mr Michael Kiernan advised that Saint Margarets chose Northam for a number of reasons, and they are keen to develop their project within the Northam Shire. The blocks identified in the report ticked all of the boxes that they were looking for but if their plan is rejected, they will look at other options.

- If the blocks in question are zoned appropriately to allow for the proposed development.

The Acting Executive Manager Development Services advised that this will be reviewed during the application stage however may fit within a community purpose which can be permitted on a residential property.

Michael Kiernan and George Ongarezos left the meeting at 6:04pm.

9. APPLICATION FOR LEAVE OF ABSENCE

Nil.

10. CONFIRMATION OF MINUTES

10.1 ORDINARY COUNCIL MEETING HELD 17 AUGUST 2022

Nil.

10.2 SPECIAL COUNCIL MEETING HELD 24 AUGUST 2022

Nil.

10.3 NOTES FROM THE COUNCIL FORUM MEETING HELD 14 SEPTEMBER 2022

Nil.

11. ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY

Nil.

12. REPORTS OF COMMITTEE MEETINGS

12.1 COMMUNITY SAFETY COMMITTEE MEETING HELD ON 16 AUGUST 2022

Nil.

12.2 AUDIT & RISK MANAGEMENT COMMITTEE MEETING HELD ON 25 AUGUST 2022

Nil.

13. OFFICER REPORTS

13.1 CEO'S Office

13.1.1 Lease of a portion of 139 Fitzgerald Street, Northam - Northam Town Teams Project Rediscovering the 'Old Railway Line' History of Northam

Clarification was sought in relation to:

- The exact location mentioned in the proposed lease.
The Acting Governance Coordinator clarified the location being behind the Max Employment building.
- The timeframe noted in the report was 2 years. If the proposed seating area does not go ahead, will it break the lease?
The Acting Governance Coordinator advised that the 2 year time frame was given to provide the opportunity to allow the project to go on. If it was not completed Council could terminate or not renew the lease.
- Who will the area be leased to?
The Acting Governance Coordinator advised that the Shire will be leasing the area from the landowner.

Cr D J Galloway declared an "Impartiality" interest in item 13.1.2 – Lease of Wundowie Hall to Wundowie Progress Association as Cr Galloway is the president of the Wundowie Progress Association which is mentioned in the item.

13.1.2 Lease of Wundowie Hall to Wundowie Progress Association

Clarification was sought in relation to:

- If the motion is carried who will receive the payment associated with hiring out the hall?
The Acting Governance Officer advised that the payments would be received by the lessee.
- In the report there is a comment regarding Memorial Hall/RSL Hall being treated differently to other halls, why is this?
The Chief Executive Officer advised that the Northam Memorial Hall is overseen by the Northam Memorial Hall Board of Management. This group is made up of representatives, including the Shire of Northam and users of the hall. The Deed covers the management and maintenance of the hall as the responsibility of the board.
- What is the timeline before this is put forward for community consultation?
The Acting Governance Coordinator advised that the timeline would be 1 to 2 week before getting the information out. The Chief Executive Officer advised that these results would likely be presented to the November Council meeting.

13.1.3 WALGA Annual General Meeting

Clarification was sought in relation to:

- How many of the councillors/staff will be attending the Local Government Week convention next month?
Cr Antonio, Cr Williams, Cr Mencshelyi, Cr Girak and the Chief Executive Officer indicated they will be attending.
- Why was there no item in the report regarding the fire brigades?
The Chief Executive Officer advised that the item was not raised during the by any local governments as a matter for discussion/debate at the WALGA AGM. It was noted that this was raised at the recent Avon Midland Zone meeting.

13.1.4 Review of Council Plans

Clarification was sought in relation to:

- Whether something be raised with the audit committee at any time with respect to the OSH Plan?
The Chief Executive Officer advised that an audit is conducted every 2 or 3 years and the report is then provided through the audit committee.
- Should the Minson Avenue Design Guidelines be archived as a lot of work is still required?
The Acting Executive Manager Development Services advised that the guidelines were completed over 10 years ago, so questions have been raised over relevance and need. It was noted that the guideline would still be used as a reference document and can still be used once archived. Note: The Chief Executive Officer has

identified this item as needing further review before archiving if the guideline will still be used.

- Confirmation of the recommendation for Emergency Response Plan – Sewerage Treatment Plant as it was left blank.

The Chief Executive Officer advised that the recommendation will be Review & Retain.

13.2 ENGINEERING SERVICES

Cr H J Appleton declared an "Impartiality" interest in item 13.2.1 – Draft 5-year Path Program as the Path program includes works on East Street and Cr Appleton's primary residence is located on East Street.

13.2.1 Draft 5-year Path Program

Clarification was sought in relation to:

- If the plan was Northam specific or if it would spread out to the other localities i.e. Grass Valley, Bakers Hill etc.?

The Executive Manager Engineering Services advised that the items listed have been determined from existing plans and priorities and based on condition need assessments.

- Why the footpaths need to be wider than before?

The Executive Manager Engineering Services advised that some footpaths are only approx. 1m wide and will be extended to 2m wide as the existing footpaths are not in line with current standards.

- What is the legal minimum requirement for the width of the footpaths?

The Executive Manager Engineering Services advised that there are no legal requirements but there are standards and guidelines to follow in relations to bikes and wheelchairs using the paths.

13.3 DEVELOPMENT SERVICES

Cr R W Tinetti declared an "Impartiality" interest in item 13.3.1 – Proposed Road Names – Lucy Place & Garfield Place as the families related to the proposed names are well known to Cr Tinetti.

Cr D A Hughes declared an "Impartiality" interest in item 13.3.1 – Proposed Road Names – Lucy Place & Garfield Place as Cr Hughes has known a member of the Lucy family for many years.

Cr C R Antonio declared an "Impartiality" interest in item 13.3.1 – Proposed Road Names – Lucy Place & Garfield Place as the family related to a proposed name is known to Cr Antonio and they have mentioned the request of naming to him.

13.3.1 Proposed Road Names – Lucy Place & Garfield Place

Clarification was sought in relation to:

- A list of proposed road names was previously considered by Council, how do these new names effect the existing ones?
Acting Executive Manager Development Services advised that the Geographical Names Committee previously had an approved list of road names that could be used however that list is no longer kept. Now proposed names must be run through a testing database to identify if the names are appropriate for use. It was noted that the Shire could develop their own list of approved names, but this process would not save anytime compared to the current process.
- How were Leake Street, Leake Road and Louisa Circle identified as similar road names to Lucy Place?
The Acting Executive Manager Development Services advised that it may have something to do with the algorithm used in the testing database.

13.4 CORPORATE SERVICES

13.4.1 Accounts & Statements of Accounts – 1st August 2022 – 31st August 2022

Clarification sought and answered in below table.

13.4.1 Accounts and Statements Queries					
Reference	Page #	Question	Query By	Answer	Answered By
35522	292	P292 ref 35522 Western Power, cut trees at 83 Kimberley Rd, \$838.55 – is this a Shire owned property	Cr Williams	Yes, Clackline Post Office	Kristy Hopkins
EFT44488	298	The Workwear Group, uniforms, \$722.62 – why are invoices from Jan/Feb only being paid now	Cr williams	Invoices were not sent directly to creditors; unpaid invoices picked up from checking statements	Kristy Hopkins
INV1430	308	DCM Carpentry and Maintenance, repair hole in wall in Mens' toilets after Railways Football Club event, \$445.50 – was this done during the event and are the football club being billed	Cr williams	Yes damage done during event, a debtors invoice was raised 27229 and paid	David Emery/Megan Worthington
EFT44568	311	Shire of Toodyay, various expenses for AROC, 20250.00 – is this AROC's contribution or Northam's? Also P342, EFT44766	Cr williams	Funds paid from the AROC trust account to Shire of Toodyay for the AROC Secretariat payment, engagement of AROC EO as per Nov 2021 AROC minutes for engagement and laptop and mobile for the AROC EO	Kristy Hopkins
EFT44578	313	Astro Synthetic Turf, long jump repairs, \$1485.00 – reimbursed by whoever uses it	Cr williams	Damage was due to vandalism, Shire to cover cost	Keith Boase
EFT44638	322	Stanlee WA, paella pan, \$615.60 – to purchase? Will it be sold or retained if so	Cr williams	The pan was purchased for the Community cook up at the Bilya festival – we created a stand so that it fits perfectly over the firepit and is an investment in our events equipment as we plan to use it for future events to cook bacon and eggs at community breakfasts/ Avon descent for example, or roo stew for NAIDOC week. The paella was a huge success – so we are likely to do that again also. We may also hire it out to people booking BKB for their own events	Jo Metcalf
EFT44649	324	P324 EFT44649 WNRN, corella research and report \$11999.90 – AROC bill or SoN? Also P346, EFT44779	Cr williams	Funds paid from AROC trust	Kristy Hopkins
EFT44692	331	P331 EFT44692 DCM Carpentry and Maintenance, stainless steel wire rope etc for River Festival, \$9185.00 – for the umbrella display? How much did this display cost the Shire all up please? And how long was it up for? And what has happened to it	Cr Williams	Umbrella's, structure and installation came to \$16,558 excl GST. The structure (poles & wire) is a permanent strategic investment in our events infrastructure that will be used into the future. The umbrellas are stored for the next event/on-going CBD activation. The umbrellas were highly successful in attracting people to Northam and engaging people via social media. Due to the storms that followed the Bilya Festival the umbrella's had to be taken down after just a few days.	Jo Metcalf
EFT44709	334	Moray and Agnew, professional costs employment investigation Whitting, \$2420.00 – what is this please	Cr Williams	Professional advice sought in relation to investigation conducted by the Shire on behalf of the CCC	Bev Jones

13.4.2 Financial Statement for the period ending 31 July 2022 and 31 August 2022

Report to be provided next week and questions to be emailed in.

13.5 COMMUNITY SERVICES

13.5.1 Draft Northam Trail Master Plan

Clarification sought in relation to:

- Whether the proposed projects align with the Shires current community plans?
Manager Recreation and Youth Services advised that there is a priority list of projects, and they are asking that Council consider the 3 projects listed in this report, others will be looked at in coming years. The Chief Executive Officer noted that there are provisional amounts listed in the budget and long-term financial plan in relation to this. Manager Recreation and Youth Services also advised that some projects have dropped in priority due to not linking with the Shires Strategic Plan.
- Will there be a public consultation held?
Manager Recreation and Youth Services advised that the consultation has already occurred, and the draft plan had been sent out to a number of key people in the community. A consultation was also held with Aboriginal Elders and Nyoongar Advisory Groups.

The following agenda items were late items discussed which were provided to council separate to the Forum Agenda.

13.2.2 RFQ 11 of 2022 Spencers Brook Road Spray Seal & Asphalt Works

Clarification was sought in relation to:

- Was the final projected cost only \$5000 over the predicted budget for this project?
The Executive Manager Engineering Services confirmed that this is correct but there may be some additional minor costs that are incurred.
- Why would there be variations prior to the tender/contract has being awarded?
The Executive Manager Engineering Services advised that while estimations are provided prior to awarding the tender any changes made during the project may lead to additional charges. The Chief Executive Officer advised that this will not automatically be approved and justification would need to be provided and assessed by Officers.

- How many times has a variation increase occurred prior to a contract being awarded?
The Executive Manager Engineering Services advised that it is only a very low percentage.

13.3.2 RFT 02 of 2022 – Fire Mitigation Services (MAF 2021/22)

Clarification was sought in relation to:

- There is only one successful tender, were they the only ones to apply?
The Acting Executive Manager Engineering Services advised that 3 tender were received but 2 were only for a small portion of the required work.
- Is the cost of the tender covered by the Mitigation Activity Fund Grant and does it cover any variations?
The Acting Executive Manager Development Services confirmed this is correct.

14. MATTERS BEHIND CLOSED DOORS

As there were no questions to be raised regarding 14.1 Chief Executive Officer Review Committee Meeting held on 10 August 2022, Council did not go behind closed doors.

14.1 CHIEF EXECUTIVE OFFICER REVIEW COMMITTEE MEETING HELD ON 10 AUGUST 2022

Nil.

15. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

16. URGENT BUSINESS APPROVED BY DECISION

Nil.

17. DECLARATION OF CLOSURE

The Shire President, Cr C R Antonio, declared the meeting closed at 6:41pm.