



**MINUTES
ORDINARY MEETING
OF COUNCIL**

17 MAY 2022

**SHIRE OF CUE
Ordinary Council Meeting
MINUTES**

Held in the Council Chambers, 73 Austin Street Cue on
Tuesday 17 May 2022 commencing at 6:30pm

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1. DECLARATION OF OPENING

The meeting was opened at 6.30pm

The Presiding Member welcomed those present and read the following disclaimer:

No responsibility whatsoever is implied or accepted by the Shire of Cue 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.

PRESENT:

Councillor Ross Pigdon, Shire President

Councillor Les Price, Deputy Shire President

Councillor Ian Dennis

Councillor Ron Hogben via Zoom*

Councillor Leonie Fitzpatrick

Councillor Liz Houghton

Councillor Julie Humphreys

6.34pm Cr Hogben joined the meeting via Zoom

STAFF:

Mr Richard Towell, Chief Executive Officer

Mr Glenn Boyes, Deputy Chief Executive Officer

Mrs Janelle Duncan, Executive Assistant

GALLERY:

Mr Mitchell Mace

Ms Gloria Fogarty *

Miss Oadessa Little *

**entered the chambers at 6.51pm*

1.1 ATTENDANCE BY ELECTRONIC COMMUNICATION CR HOGBEN

APPLICANT: Cr Ron Hogben
DISCLOSURE OF INTEREST: Nil
AUTHOR: Richard Towell –Chief Executive Officer
DATE: 17 May 2022

Matters for Consideration:

Attendance at Council meeting by electronic communication.

Background:

Cr Hogben has requested permission to attend the May Council meeting by electronic communication.

Comments:

Nil

Statutory Environment:

LOCAL GOVERNMENT ACT 1995 - SECT 5.25

5.25 *Regulations about council and committee meetings and committees*

- (1) *Without limiting the generality of section 9.59, regulations may make provision in relation to —*
- (ba) *the holding of council or committee meetings by telephone, video conference or other electronic means; and*

LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 - REG 14A

14A. *Attendance by telephone etc. (Act s. 5.25(1)(ba))*

- (1) *A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —*
- (a) *the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and*
- (b) *the person is in a suitable place; and*
- (c) *the council has approved* of the arrangement.*

- (2) *A council cannot give approval under sub regulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person (other than a person with a disability) who was not physically present was taken to be present in accordance with this regulation.*
- (3) *A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.*
- (4) *In this regulation —*

disability has the meaning given in the ***Disability Services Act 1993 section 3***;

suitable place —

- (a) *in relation to a person with a disability — means a place that the council has approved* as a suitable place for the purpose of this paragraph; and*
- (b) *in relation to any other person — means a place that the council has approved* as a suitable place for the purpose of this paragraph and that is located —*
- (i) *in a townsite or other residential area; and*
- (ii) *150 km or further from the place at which the meeting is to be held under regulation 12, measured along the shortest road route ordinarily used for travelling;*

Policy Implications:

Nil

Financial Implications:

The cost of the communications call will be borne by the Shire. Cr Hogben will be entitled to receive a meeting attendance fee.

Strategic Implications:

Nil

Consultation:

Shire President – Cr Ross Pigdon

Officer's Recommendation:

Voting Requirement: Absolute Majority

1. *That Council approves of Cr Hogben's private office at his residence at 1 Calamar Place Woorree as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*
2. *That Council grant approval for Cr Hogben to attend this meeting by instantaneous communications.*

Council Decision:01052022

Voting requirement: Absolute Majority

MOVED:CR HOUGHTON

SECONDED:CR DENNIS

1. *That Council approves of Cr Hogben's private office at his residence at 1 Calamar Place Woorree as a suitable place for the purposes of Regulation 14A of the Local Government (Administration) Regulations 1996.*
2. *That Council grant approval for Cr Hogben to attend this meeting by instantaneous communications.*

CARRIED:5/0

6.34pm Cr Hogben joined the meeting via Zoom

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

Councillor Leonie Fitzpatrick

Ms Cheryl Walton, Manager Finance

3. DISCLOSURE OF MEMBERS' INTERESTS

Nil

4. PUBLIC QUESTION TIME

Mr Mitchell Mace 53 Dowley Street Cue

1. **Q1:** Are the ordinary council meetings recorded?

A1: Currently we do not record the meeting. It is likely we will be required to record meetings in the future as part of the Local Government reforms.

5. CONFIRMATION OF MINUTES

Council Decision:02052022

Voting Requirement: Simple Majority

MOVED:CR PRICE

SECONDED:CR HOUGHTON

That the Minutes of the Ordinary Meeting 26 April 2022 are confirmed as a true and correct record of the meeting.

CARRIED:6/0

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. DEPUTATIONS

Nil

8. PETITIONS

Nil

9. ANNOUNCEMENTS WITHOUT DISCUSSION

Nil

10. REPORTS

10.1 ACCOUNTS & STATEMENTS OF ACCOUNTS

APPLICANT: Shire of Cue

DISCLOSURE OF INTEREST: Nil

AUTHOR: Glenn Boyes – Acting Chief Executive Officer

DATE: 07 May 2022

Matters for Consideration:

To receive the List of Accounts Due and Submitted to the Ordinary Council Meeting on 17 May 2022 as attached – see [Appendix 1](#).

Background:

The Local Government under its delegated authority to the CEO to make payments from the municipal and trust funds is required to prepare a list of accounts each month showing each account paid and presented to Council at the next ordinary Council meeting. The list of accounts prepared and presented to Council must form part of the minutes of that meeting.

Comments:

The list of accounts is for the month of April 2022.

Statutory Environment:

Local Government (Financial Management Regulations) 1996 – Clause 13.

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Consultation:

Richard Towell, Chief Executive Officer

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council endorse the payments for the period 1 April to 30 April 2022 as listed at [Appendix 1](#), which have been made in accordance with delegated authority per LGA 1995 S5.42.

April 2022

Municipal Fund Bank EFTs	10810 - 10890	\$	246,968.96
Direct Debit Fund Transfer	General	\$	33,922.63
Direct Debit Fund Transfer	Credit Card	\$	1,387.02
Payroll		\$	112,164.59
BPAY		\$	23,193.35
Cheques		\$	0.00
Total		\$	417,636.55

Council Decision:03052022

Voting requirement: Simple Majority

MOVED:CR HUMPHREYS

SECONDED:CR PRICE

April 2022

Municipal Fund Bank EFTs	10810 - 10890	\$	246,968.96
Direct Debit Fund Transfer	General	\$	33,922.63
Direct Debit Fund Transfer	Credit Card	\$	1,387.02
Payroll		\$	112,164.59
BPAY		\$	23,193.35
Cheques		\$	0.00
Total		\$	417,636.55

CARRIED:5/1

AGAINST: CR HOUGHTON

6.49pm Mr Glenn Boyes and Janelle Duncan left the chambers

6.50pm Mr Glenn Boyes and Janelle Duncan returned to the chambers

The Shire President allowed Ms Gloria Fogarty to address the Council. Ms Fogarty gave Council a brief overview with regards to a local Aboriginal Corporation she is involved with, to be formed in Cue. The Corporation is currently applying for grants to hold a Naidoc Ball in Cue. The Ball is currently scheduled to take place in September 2022. This will be a free event for the community with a Country and Western theme.

7.05pm Ms Gloria Fogarty and Miss Oadessa Little left the chambers

10.2 FINANCIAL STATEMENT

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Glenn Boyes – Acting Chief Executive Officer
DATE: 07 May 2022

Matters for Consideration:

The Statement of Financial Activity is for the period ending 30 April 2022 and includes the following reports:

- Graphical Representation – Source Statement of Financial Activity
- Statement of Financial Activity
- Major Variances
- Net Current Funding Position
- Cash and Investments
- Trust Fund
- Cash Backed Reserve
- Receivables
- Capital Disposals
- Borrowings
- Capital Acquisitions
- Rate Revenue
- Grants and Contributions

See [Appendix 2](#).

Background:

Under the *Local Government (Financial Management) Regulations 1996*, a monthly Statement of Financial Activity must be submitted to an Ordinary Council meeting within two months after the end of the month to which the statement relates. The Statement of Financial Activity presents an overview of the financial position of the local government at the end of each month. The Statement of Financial Activity for each month must be adopted by Council and form part of the minutes.

Comments:

The Statements of Financial Activity is for the month of April 2022.

Statutory Environment:

Local Government (Financial Management Regulations) 1996 – Clause 14.

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Consultation:

Richard Towell – Chief Executive Officer

Officer's Recommendation:

Voting Requirement: Simple Majority

That Council receive the Financial Statement, prepared in accordance with the *Local Government (Financial Management) Regulations 1996*, for the period ending 30 April 2022, as presented at [Appendix 2](#).

Council Decision:04052022

Voting requirement: Simple Majority

MOVED:CR HUMPHREYS

SECONDED:CR PRICE

That Council receive the Financial Statement, prepared in accordance with the *Local Government (Financial Management) Regulations 1996*, for the period ending 30 April 2022, as presented at [Appendix 2](#).

CARRIED:6/0

10.3 2020 – 2021 ANNUAL REPORT

APPLICANT: Shire of Cue
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Glenn Boyes – Acting Chief Executive Officer
 DATE: 9 May 2022

Matters for Consideration:

Accepting of the 2020 - 2021 Annual Report including the audited financial statements attached at [Appendix 3](#) and setting the date for the general electors meeting.

Background:

Council has an obligation under the *Local Government Act 1995* to prepare an Annual Report and to present the report to the community. It is a requirement under the Act that Council accept the annual report by 31 December of the year following the report or within two months of the Auditors Report becoming available and hold a general electors meeting within fifty six (56) days of accepting the annual report.

Comments:

The 2020 - 2021 Annual Report includes:

- Shire President’s Report
- Chief Executive Officer’s Report – including Statutory Reports
- Audited Financial Statements
- Auditor’s Report

The report outlines the activities undertaken during 2020-2021 together with the financial position of the Shire of Cue as at 30 June 2021.

The proposed Annual Electors Meeting date will be for the same night as the June Forum meeting, being Tuesday 14 June 2022, with the Forum meeting scheduled to start following the Annual Electors meeting.

Statutory Environment:

Local Government Act 1995

Subdivision 4 – Electors’ meetings

5.26. Term used: electors

In this Subdivision —

“electors” includes ratepayers.

5.27. *Electors' general meetings*

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) *The matters to be discussed at general electors' meetings are to be those prescribed.*

5.29. *Convening electors' meetings*

- (1) *The CEO is to convene an electors' meeting by giving —*
 - (a) *at least 14 days' local public notice; and*
 - (b) *each council member at least 14 days' notice,*

of the date, time, place and purpose of the meeting.

- (2) *The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time of publication of the notice under section 1.7(1)(a) and is to continue by way of exhibition under section 1.7(1)(b) and (c) until the meeting has been held.*

5.30. *Who presides at electors' meetings*

- (1) *The mayor or president is to preside at electors' meetings.*
- (2) *If the circumstances mentioned in section 5.34(a) or (b) apply the deputy mayor or deputy president may preside at an electors' meeting in accordance with that section.*
- (3) *If the circumstances mentioned in section 5.34(a) or (b) apply and —*
 - (a) *the office of deputy mayor or deputy president is vacant; or*
 - (b) *the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president,*

then the electors present are to choose one of the councillors present to preside at the meeting but if there is no councillor present, able and willing to preside, then the electors present are to choose one of themselves to preside.

5.31. *Procedure for electors' meetings*

The procedure to be followed at, and in respect of, electors' meetings and the methods of voting at electors' meetings are to be in accordance with regulations.

5.32. *Minutes of electors' meetings*

The CEO is to —

- (a) *cause minutes of the proceedings at an electors' meeting to be kept and preserved; and*
- (b) *ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.*

5.33. *Decisions made at electors' meetings*

(1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —*

- (a) *at the first ordinary council meeting after that meeting; or*
- (b) *at a special meeting called for that purpose,*

whichever happens first.

(2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

Division 5 — Annual reports and planning

5.53. *Annual reports*

(1) *The local government is to prepare an annual report for each financial year.*

(2) *The annual report is to contain —*

- (a) *a report from the mayor or president; and*
- (b) *a report from the CEO; and*
- (e) *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*
- (f) *the financial report for the financial year; and*
- (g) *such information as may be prescribed in relation to the payments made to employees; and*
- (h) *the auditor's report for the financial year; and*
- (ha) *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
- (hb) *details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - (i) *the number of complaints recorded in the register of complaints; and*

- (ii) how the recorded complaints were dealt with; and*
 - (iii) any other details that the regulations may require;*
- and*
- (i) such other information as may be prescribed.*

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*

** Absolute majority required.*

- (2) If the auditor’s report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor’s report becomes available.*

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

Division 3 — Conduct of audit

7.9. Audit to be conducted

- (1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —*
 - (a) the mayor or president; and*
 - (b) the CEO of the local government; and*
 - (c) the Minister.*
- (2) Without limiting the generality of subsection (1), where the auditor considers that*
 - (a) there is any error or deficiency in an account or financial report submitted for audit; or*

(b) any money paid from, or due to, any fund or account of a local government has been or may have been misapplied to purposes not authorised by law; or

(c) there is a matter arising from the examination of the accounts and annual financial report that needs to be addressed by the local government, details of that error, deficiency, misapplication or matter, are to be included in the report by the auditor.

(3) The Minister may direct the auditor of a local government to examine a particular aspect of the accounts and the annual financial report submitted for audit by that local government and to —

(a) prepare a report thereon; and

(b) forward a copy of that report to the Minister, and that direction has effect according to its terms.

(4) If the Minister considers it appropriate to do so, the Minister is to forward a copy of the report referred to in subsection (3), or part of that report, to the CEO of the local government to be dealt with under section 7.12A.

Local Government (Administration) Regulations 1996

Part 3 — Electors' meetings

15. Matters to be discussed at general meeting (Act s. 5.27(3))

For the purposes of section 5.27(3), the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

17. Voting at meeting (Act s. 5.31)

(1) Each elector who is present at a general or special meeting of electors is entitled to one vote on each matter to be decided at the meeting but does not have to vote.

(2) All decisions at a general or special meeting of electors are to be made by a simple majority of votes.

(3) Voting at a general or special meeting of electors is to be conducted so that no voter's vote is secret.

18. Procedure at meeting (Act s. 5.31)

Subject to regulations 15 and 17, the procedure to be followed at a general or special meeting of electors is to be determined by the person presiding at the meeting.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Consultation:

Richard Towell – Chief Executive Officer

Officer's Recommendation: **Voting requirement: Absolute Majority**

That Council:

Accepts the 2020-2021 Annual Report as presented, including:

- *2020-2021 Annual Report;*
- *Audited Annual Financial Statements;*
- *Audit Report;*
and
- *Determine that the Annual Electors Meeting be held on Tuesday 14 June 2022 at 6.30pm in the Council Chambers.*

Council Decision:05052022

Voting requirement: Absolute Majority

MOVED:CR DENNIS

SECONDED:CR HOGBEN

That Council:

Accepts the 2020-2021 Annual Report as presented, including:

- *2020-2021 Annual Report;*
- *Audited Annual Financial Statements;*
- *Audit Report;*
and
- *Determine that the Annual Electors Meeting be held on Tuesday 14 June 2022 at 6.30pm in the Council Chambers.*

CARRIED:6/0

10.4 2023 - 2038 STRATEGIC COMMUNITY PLAN

APPLICANT: Shire of Cue
 DISCLOSURE OF INTEREST: Nil
 AUTHOR: Glenn Boyes – Acting Chief Executive Officer
 DATE: 9 May 2022

Matters for Consideration:

To adopt the Shire of Cue’s draft 2023 – 2038 Strategic Community Plan as attached at [Appendix 4](#).

Background:

The Local Government (Administration) Regulations 1996 were amended in August of 2011 with the inclusion of regulation 19C – *Planning for the Future: Strategic Community Plans*. This regulation requires Councils to produce and maintain a Strategic Community Plan (SCP) covering a period of not less than ten (10) years. The purpose of the Strategic Community Plan is to set out the visions, aspirations and objectives of the community.

Comments:

The Strategic Community Plan has been developed in consultation with the community and reflects the values, goals, aspirations and vision of the broadest community. Elected members, staff and the broader community have been significantly involved in critical stages in the SCP’s drafting process.

The Community was involved in a comprehensive community engagement process to imagine their ideal future for the Shire of Cue.

Once adopted, local public notice of adoption of the Strategic Community Plan is required in accordance with the regulations.

Statutory Environment:

Local Government Act 1995 – Section 5.56 (1&2)

Local Government (Administration) Regulations 1996 – Section 19C(1)

Policy Implications:

As part of the integrated planning framework, the strategic community plan will guide Council’s future decision-making.

Financial Implications:

The SCP will inform the Corporate Business Plan, Budget and other plans and strategies as part of the integrated planning and reporting framework.

Financial Implications:

The SCP will inform the Corporate Business Plan, Budget and other plans and strategies as part of the integrated planning and reporting framework.

Strategic Implications:

Becomes the Communities and the Shire’s overarching Strategic Document that drives all other plans.

Consultation:

As per those listed in the Community plan that is designated as being [Appendix 4](#).

Officer’s Recommendation:

Voting Requirement: Absolute Majority

Adopt the Shire of Cue Strategic Community Plan 2023 – 2038 as provided in [Appendix 4](#).

Council Decision:06052022

Voting requirement: Absolute Majority

MOVED:CR HUMPHREYS

SECONDED:CR DENNIS

Adopt the Shire of Cue Strategic Community Plan 2023 – 2038 as provided in [Appendix 4](#).

CARRIED:6/0

10.5 CORPORATE BUSINESS PLAN 2023 - 2027

APPLICANT: Shire of Cue
DISCLOSURE OF INTEREST: Nil
AUTHOR: Glenn Boyes – Acting Chief Executive Officer
DATE: 9 May 2022

Matters for Consideration:

To adopt the Shire of Cue's draft 2023 – 2027 Corporate Business Plan as attached at [Appendix 5](#).

Background:

The Local Government (Administration) Regulations 1996 were amended in August of 2011 with the inclusion of regulation 19DA– *Corporate Business Plans*. This regulation requires Councils to produce and maintain a Corporate Business Plan covering a period of at least four (4) years. The Corporate Business Plan sets out the priority actions required to achieve the objectives in the Strategic Community Plan over the next 4 years.

Comments:

The Corporate Business Plan also draws upon the other planning documents which form part of Council's integrated planning. These include the Asset Management Plan, Long Term Financial Plan and Workforce Plan. The Corporate Business Plan shows the actions that will be undertaken to achieve each objective and the timing of each action. Some actions are ongoing while others relate to specific projects.

Statutory Environment:

Local Government Act 1995 – Section 5.56 (1&2)

Local Government (Administration) Regulations 1996 – Section 19DA

Policy Implications:

As part of the integrated planning framework, the Corporate Business Plan will guide Council's future budget decision-making processes.

Financial Implications:

The Corporate Business Plan guides the actions for the coming years to achieve the objectives in the Community Strategic Plan. Major projects over this time are expected to be funded by grant funding, reserve funds or operating revenues.

Strategic Implications:

Shire of Cue Strategic Community Plan 2023- 2038

Leadership Objective

Outcome 2.1.2 Continue to improve and review organisational plans.

Consultation:

Richard Towell – Chief Executive Officer

Officer's Recommendation:

Voting Requirement: Absolute Majority

That Council adopt the Shire of Cue's draft 2023 – 2027 Corporate Business Plan as detailed in [Appendix 5](#).

Council Decision:07052022

Voting requirement: Absolute Majority

MOVED:CR HOUGHTON

SECONDED:CR HOGBEN

That Council adopt the Shire of Cue's draft 2023 – 2027 Corporate Business Plan as detailed in [Appendix 5](#).

CARRIED:6/0

11. MOTIONS BY MEMBERS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12. MOTIONS FOR CONSIDERATION AT THE NEXT MEETING

Audit Committee Meeting & Special Council Meeting to address differential rates for the next financial year in the next week or two.

13. NEW BUSINESS OF AN URGENT NATURE

Nil

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

15. CLOSURE

The Presiding Member thanked those present for attending the meeting and declared the meeting closed at 7.24pm.

To be confirmed at Ordinary Meeting on the 21 June 2022.

Signed:.....

Presiding Member at the Meeting at which time the Minutes were confirmed.