

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF ORDINARY COUNCIL MEETING

18 December 2012

MINUTES OF SHIRE OF MERREDIN COUNCIL MEETING HELD
TUESDAY 18 DECEMBER 2012

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**Minutes of the Ordinary Meeting of the Shire of Merredin held in the Council
Chambers, Corner King and Barrack Streets, Merredin on
Tuesday 18 December 2012 commencing at 3.02pm.**

ATTENDANCE:

Councillors:	M Morris	Deputy Shire President
	BJ Anderson	
	RM Crees	
	DN Hayes-Thompson	
	KA Hooper	
	T McFarlane	
	D Morris	
Apologies:	D Crook	Shire President
	W Wallace	
Staff:	G Powell	Chief Executive Officer
	M Ioppolo	Executive Manager of Developmental Services

1.0 OFFICIAL OPENING

The Deputy President opened the meeting at 3.02pm. Mr Mario Ioppolo and Mr Rob Endersbee were present.

In the absence of the Shire President Cr Martin Morris assumed the role of Chairperson.

2.0 PUBLIC QUESTION TIME

At the last Council Meeting Mr Vic London sought information on Council's refuse and recycling programmes. A letter in response to Mr London's query is as follows:

Mr Victor London
29 Cunningham Street
MERREDIN WA 6415

4 December 2012

Dear Mr London

I refer to the question asked at the November Council Meeting. If I understand correctly, in addition to the information provided previously, you require information on ownership of the bins. On researching this matter and after contacting Council's contractor I can advise as follows:

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1. The domestic waste bin have always been the property of the ratepayer with the contractor not required to supply any unless purchased by the ratepayer; and
2. The recycling bins were supplied by the contractor with ownership being transferred to the Shire at the conclusion of the Contract.

I hope this clarifies the position to your satisfaction.

Yours sincerely

Greg Powell
Chief Executive Officer

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Donna Crook has leave of absence granted for this meeting.
Cr Wayne Wallace tendered his apology for this meeting.

4.0 DISCLOSURE OF INTEREST

Cr Hooper declared an Impartiality Interest in item 13.3.
Cr D Morris declared a Financial Interest in item 16.1.
Cr M Morris declared a Financial Interest in item 16.1.

5.0 PETITIONS AND PRESENTATIONS

Mr Rob Endersbee advised Council that the Merredin Military Museum had been successful in obtaining a helicopter for the Museum. He explained it had been a very long process to get to this point with a great deal of challenges that needed to be met to satisfy the Government protocols.

The Museum is now at the stage of preparing to transport the helicopter and have found this will cost in the order of \$20,000. Mr Endersbee sought assistance from Council by way of the writing of grant applications or any other assistance Council was willing to give.

Some discussion ensued regarding the expansion of the Museum and the restrictions the current site imposes.

The Deputy President thanked Mr Endersbee for his update and requested that he keep Council informed of their progress.

Mr Endersbee left the meeting at 3.15pm

6.0 CONFIRMATION OF MINUTES

6.1 Ordinary Council Meeting
Attachment 6.1A

Confirmation of the minutes of the Ordinary Council Meeting held on 18 November 2012.

31010

Moved: Cr D Morris

Seconded: Cr McFarlane

Officer's Recommendation

That the minutes of the Ordinary Council Meeting held on 20 November 2012 be confirmed as a true and correct record of proceedings subject to the addition of the following:

Page 10 Item 12.2

Note: The services of a debt collection agency will be retained to issue letters of demand only at no cost to Council.

CARRIED 7/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

8.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

- 17.1 Enterprise Bargaining Agreement – Outside Crew
17.2 Merredin Medical Centre – Expressions of Interest

Refer to page 39 for more information about these items.

9.0 RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL

9.1 Minutes of the Great Eastern Country Zone Meeting held 29 November 2012
Attachment 9.1A

9.2 Minutes of Wheatbelt East Regional Organisation of Councils Executive Meeting held 28 November 2012
Attachment 9.2A

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31011

Moved: Cr Anderson

Seconded: Cr D Morris

Officers Recommendations:

That the minutes of the Great Eastern Country Zone Meeting held on 29 November 2012 and the Wheatbelt East Regional Organisation of Councils Executive Meeting held on 28 November 2012 be received.

CARRIED 7/0

10.0 **DEVELOPMENT SERVICES**

10.1 **LPS No6 - AMENDMENT No 2 LOT 13 LAW STREET MERREDIN - REZONING**

Reporting Department:	Development Services
Reporting Officer:	Mario Ioppolo
Legislation:	Planning and Development Act 2005; Town Planning Regulations 1967; The Shire of Merredin Local Planning Scheme No 6.
File Reference:	LUP 05/11 (A2385)
Disclosure of Interest:	Nil
Attachments:	01 Amendment No 2 to Local Planning Scheme No 6; (Attachment 10.1A) 02 Letter Ordinary Council Meeting resolution 17 April 2012 to Environmental Protection Authority - Amendment No 2; (Attachment 10.1B) 03 EPA Response - Local Planning Scheme No 6 Amendment No 2; (Attachment 10.1C) 04 Referral letter to Land Owners; (Attachment 10.1D) 05 Referral letter to Other Authorities; (Attachment 10.1E) 06 Diagram of adjacent properties - attachment to all referral letters; (Attachment 10.1F) 07 Photo close up of sign on gate at Lot 13 Law St Merredin; (Attachment 10.1G) 08 Photo distance of sign on gate at Lot 13 Law St Merredin (Attachment 10.1H) 09 Referral List of Property Owners for Local Planning Scheme No 6 Amendment No 2; (Attachment 10.1I) 10 Referral List of Other Authorities for Local Planning Scheme No 6 Amendment No 2; (Attachment 10.1J) 11 Wheatbelt Mercury newspaper - Local Planning Scheme No 6 Amendment No 2; (Attachment 10.1K) 12 Schedule of Submissions received for Local Planning Scheme No 6 Amendment No 2; (Attachment 10.1L) 13 Checklist - Local Planning Scheme No 6 Amendment No 2. (Attachment 10.1M)

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Background:

<i>Property Location:</i>	Lot 13 (Hse No 8) Law Street, Merredin.
<i>Owner/s:</i>	PD and RG Gerrand.
<i>Applicant:</i>	PD and RG Gerrand.
<i>Zoning:</i>	Residential.
<i>Lot Size:</i>	7112 square metres.

The Applicant had requested rezoning of this site from “Residential” to “Highway Service” to allow for the future construction of a new motel.

At the 17 April 2012 Ordinary Council Meeting, a resolution was passed to adopt Amendment No 2 of the Local Planning Scheme No 6.

Amendment No 2:

- *Rezone Lot 13 Law Street, Merredin, from its present “Residential” zone to “Highway Service” zone; and*
- *To delete the Residential Design Code applying to the land.*

The rezoning process has continued with:

- Receiving Environmental Protection Authority approval;
- Preparing and issuing referral documentation to:
 - I. Other Authorities;
 - II. Adjacent Property Owners;
- Advertising for submissions:
 - I. Regional newspaper;
 - II. On site signage; and
 - III. The Shire’s Website.
- Close of advertising and submission period;
- Summarizing the submissions.

The next step in the process is the preparation of recommendations for Council’s consideration.

Comment:

Subject to Council’s comments regarding the recommendations, the next step is to forward the submission documents along with Council’s resolution to the Western Australian Planning Commission.

Once the Western Australian Planning Commission has processed the submission favourably and the Minister for Planning has approved the rezoning, it will need to be published in the Government Gazette and the regional newspaper.

Statutory/Policy Implications:

Amendment to the Shire of Merredin’s Local Planning Scheme No 6.

Financial Implications:

Nil – all costs, including the advertising costs to the Government Gazette and the regional newspaper are recoverable from the Applicant.

31012

Moved: Cr D Morris

Seconded: Cr McFarlane

Officer's Recommendation:

That Council:

- 1. Note the Schedule of Submissions to Local Planning Scheme No. 6 Amendment No 2, as presented in Attachment 10.1L, and adopt the proposed recommendations contained within that Schedule.***
- 2. Adopt the Local Planning Scheme No. 6 Amendment No 2, as presented in Attachment 10.1A, for final approval and authorise the Shire President and Chief Executive Officer to sign and affix the common seal to the Local Planning Scheme No. 6 Amendment No 2 and submit the document to the Western Australian Planning Commission for approval.***

CARRIED 7/0

10.2 **RESERVE 28191 HINES HILL – PROSPECTING LICENCE 70/1478 - PRUMM CORPORATION PTY LTD**

Reporting Department:	Development Services
Reporting Officer:	Mario Ioppolo
Legislation:	The Mining Act 1978; The Shire of Merredin Local Planning Scheme No 6.
File Reference:	Reserve 28191
Disclosure of Interest:	Nil
Attachments:	Copy of letter from the Director General – Mines and Petroleum; (Attachment 10.1A) Copy of Application for Mining Tenement; (Attachment 10.2B) Copy of letter from Mr Edd Prumm; (Attachment 10.2C) Copy of locality plan at 1:20,000 scale; (Attachment 10.2D) Copy of locality Plan at 1:10,000 scale. (Attachment 10.2E)

Background:

<i>Property Location:</i>	Reserve 28191 Hines Hill, (also referred to as the rubbish disposal site).
<i>Owner/s:</i>	Vested with the Shire of Merredin.
<i>Applicant:</i>	The Minister for Mines and Petroleum on behalf of Prumm Corporation Pty Ltd.
<i>Zoning:</i>	Public Purposes Reserve – Public Utility.

An Application for a Prospecting Licence number 70/1478 by Prumm Corporation Pty Ltd has been received from the Director General of Mines and Petroleum on behalf of the Minister.

Prumm Corporation Pty Ltd intends to carry out exploration for gypsum by way of establishing a grid on a 50 metres by 50 metres spacing and hand auger out samples to be assayed.

This company also holds a mining lease M70/1293 on the property to the south and advise that they are in the process of converting a Prospecting Licence P77/1477 to a mining licence directly south of the subject Reserve.

The concerns expressed in the past over this area still stand:

- a) The land is salt affected and potentially environmentally sensitive;
- b) Hines Hill has low lying land to the west, south and north and changes to the water levels from these salt basins, when flowing may affect dwellings;
- c) The area to the east is a class "C" Conservation of Flora and Fauna Reserve.

Comment:

Advice received indicates that this form of hand auger prospecting is non-invasive and should pose no threats, however, should mining be permitted in the future, the issues noted above would need to be adequately addressed.

Statutory/Policy Implications:

Nil

Financial Implications:

Nil

31013

Moved: Cr Hooper

Seconded: Cr McFarlane

Officer's Recommendation:

That the Minister for the Department of Mines and Petroleum be advised that the Shire of Merredin has no objections to the issue of a Prospecting Licence on Reserve 28191 to Prumm Corporation Pty Ltd for the purposes of carrying out exploration for gypsum by way of establishing a grid on a 50 metres by 50 metres spacing and hand auger out samples to be assayed in accordance with the following conditions:

- 1) There is to be no removal of any top soil, trees, shrubs and other vegetation;*
- 2) No mechanised equipment to be used;*
- 3) All surface holes drilled for the purpose of exploration are to be capped, back filled or made safe immediately after completion;*
- 4) All waste materials, rubbish, plastic sample bags, abandoned equipment and temporary structures are to be removed on completion of the exploration work;*
- 5) Use of the access "gravel/dirt" roads limited to fine weather only and access is to be agreed with the Shire of Merredin's Executive Manager of Engineering Services;*
- 6) Hours of operation limited to the normal hours of operation set by the Environmental (Noise) Regulations 1997, i.e. 7am – 7pm Monday – Saturday;*
- 7) The operation is to comply with the relevant annual Fire Orders issued by the Shire of Merredin.*
- 8) The Minister for Mines and Petroleum also be advised that if a future application for a Mining Licence be lodged, that the Shire of Merredin would only give support subject to the following:*

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- a) That the application for a Mining Licence be approved by the Environmental Protection Authority of Western Australia and the Executive Director, Environment Division of the Department of Mines and Petroleum of Western Australia;**
- b) That the application for a Mining Licence be approved by the Department of Environment and Conservation of Western Australia;**
- c) That the Applicant provides details of how they intend to satisfactorily address:**
 - **Any water level changes;**
 - **Rehabilitation the site within an acceptable time frame.**

CARRIED 7/0

10.3 **GREAT EASTERN HIGHWAY – SIGNAGE – TRANS TYRES WA PTY LTD.**

Reporting Department:	Development Services
Reporting Officer:	Mario Ioppolo
Legislation:	Main Roads – Signs on Main Roads
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Copy of Locality Plan; (Attachment 10.3A) Copy of Elevation of proposed sign; (Attachment 10.3B) Photo of approximate sign location. (Attachment 10.3C)

Background:

Property Location: The south side of the Great Eastern Highway Merredin – Approximately 4.1 kilometres eastward from the intersection of Barrack Street East, Merredin.

Owner/s: The Crown

Applicant: Trans Tyres WA Pty Ltd.

Zoning: N/A

Lot Size: N/A

An application has been received to erect a sign on the southern side of the Great Eastern Highway, Merredin, approximately 4.1 kilometres east from the intersection of Barrack Street East

This location is approximately 500 metres east from the existing “Subway” sign on the southern side of Great Eastern Highway, Merredin.

The script and border is to be in royal blue lettering on a 2400mm wide by 1200mm high white background panel supported on 50mm nominal bore galvanised poles with a height clearance from ground level to the underside of the sign of 2700mm.

Comment:

Main Roads Western Australia, which has jurisdiction over signage on this road reserve, requires the Applicant to make a request for a letter of no objection from Council before it will consider the application.

Statutory/Policy Implications:

Nil

Financial Implications:

Nil.

31014 Moved: Cr Crees Seconded: Cr Hayes-Thompson

Officer's Recommendation:

- 1. That the request for a letter of "no objection" to locate a sign with dimensions of 2400mm wide x 1200mm high on a 50mm nominal bore galvanised poles and struts and a clear head height from ground level to the underside of the sign of 2700mm on the southern side of the Great Eastern Highway, Merredin, approximately 4.1 kilometres east from the intersection of Barrack Street East, Merredin, be granted.**
- 2. That subject to the applicant receiving approval from Main Roads WA, the applicant be advised that the signage will be approved subject to obtaining the relevant licences and approvals.**

CARRIED 7/0

10.4 **LOTS 19442 AND 19443 HODGKISS ROAD NANGEENAN – APPROVAL FOR A TREE PLANTATION**

Reporting Department:	Development Services
Reporting Officer:	Mario Ioppolo
Legislation:	The Shire of Merredin Local Planning Scheme No 6.
File Reference:	A7183
Disclosure of Interest:	Nil
Attachments:	Copy of Management Plan for the Establishment and maintenance of a Carbon Sink Tree Plantation. (Attachment 10.4A) Copy of Locality Plan (Attachment 10.4B) Copy of Lot 19442 Site Plan (Attachment 10.4C) Copy of Lot 19443 Site Plan (Attachment 10.4D)

Background:

<i>Property Location:</i>	100 (Lots 19442 and 19443) Hodgkiss Road, Nangeenan.
<i>Owner/s:</i>	Terrence and Lois Winifred Willis.
<i>Applicant:</i>	Elementree Group Limited (Devinia Au).
<i>Zoning:</i>	General farming.
<i>Lot Size:</i>	For lot 19442 – 330.20 hectares; and For lot 19443 – 240.90 hectares Total 571.08 hectares

An application has been received to establish and maintain a Carbon Sink Tree Plantation.

It is proposed to plant approximately 23 hectares on lot 19442 and 48 hectares on lot 19443 (total of 71 hectares) with *Eucalyptus kochii* subspecies *Plenissima*, common name “oil mallee”.

The intent is to plant previously cleared land in narrow belts of about 10 metres wide consisting of 3 tree rows each 3 metres apart plus an allowance of 2 metres each side for the future canopy.

The rows will be about 30 metres apart to allow agricultural activities in between.

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Comment:

The Applicant advises that the property is currently being farmed and the areas selected for planting are either clear of natural vegetation or have been cleared as at 31 December 1989.

The Local Planning Scheme No 6 for a *Rural Use* in a *General Farming Zone* provides for:

Plantation as a 'D' use.

'D' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval;

Council can exercise its discretion for this proposed use.

Statutory/Policy Implications:

Nil

Financial Implications:

Nil.

31015

Moved: Cr D Morris

Seconded: Cr McFarlane

Officer's Recommendation:

That the application for a Tree Plantation of a total of 71 hectares on Lots 19442 and 19443 Hodgkiss Road, Nangeenan, in accordance with the attached Locality and Site Plans and the Management Plan for the Establishment and Maintenance of a Carbon Sink Tree Plantation be approved.

CARRIED 7/0

Mr Mario Ioppolo left the meeting at 3.28pm

11.0 **ENGINEERING SERVICES**

11.1 **FREE MULCH DAY**

Reporting Department:	Engineering
Reporting Officer:	Kevin Paust
Legislation:	Local Government Act 1995
File Reference:	EM 14/02
Disclosure of Interest:	Nil
Attachments:	Nil

Background

There is currently a considerable amount of mulch that has accumulated over the past few years on site at the Shire refuse site.

At the October Council Meeting the Shire of Merredin entered into an MOU with the Water Corporation which included a water audit of all Shire facilities and services. As part of the audit it was suggested that Council hold an annual free mulch day to encourage community members to become Water Wise.

This has been carried out in Northam once a year for the past few years and it has proven to be a successful Shire promotion. It has also been successful in Kalgoorlie.

Comment

The storage and maintenance of the mulch takes a considerable amount of space and time which is not recouped in the sales with year to date yielding \$240.90.

We currently sell our mulch at a rate of \$53.00 (delivered). Two Dog's Home sells the same mulch for \$64.00 per cubic metre (plus and additional \$5.00 for delivery).

We are permitted to be competitive with local business's, however it would appear our product and price may not be a consideration for prospective customers when deciding where to purchase mulch.

There is benefit however in encouraging residents to mulch gardens to minimise water use and thereby save money as well as conserve water supplies.

Statutory/Policy Implications

Nil

Financial Implications

This will not create an income for Council but would create good will and be good for public relations. It is suggested that a "free mulch day" be held on Sat 16 February 2013 during normal hours. Loads should be limited to a standard box trailer.

Officer's Recommendation

That a "free mulch day" be held on Saturday 16 February 2013 to encourage water minimisation.

31016

Moved: Cr McFarlane

Seconded: Cr D Morris

Resolution

- 1. That a "free mulch day" be held on Saturday 16 February 2013 to encourage water minimisation.***
- 2. That prior to "free mulch day" mulch retailers within the Shire of Merredin be approached to ascertain whether they are interested in purchasing mulch at a reduced price.***

CARRIED 6/1

12.0 CORPORATE AND COMMUNITY SERVICES

12.1 LIST OF ACCOUNTS PAID

Reporting Department:	Finance & Administration
Reporting Officer:	Evelyn Arnold
	Finance and Administration
Legislation:	Local Government Act 1995 & Financial Management Regulations
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	List of Accounts Paid

Background

The attached List of Account Paid (**Attachment 12.1A**) during the month under Delegated Authority is provided for Council's information.

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions. It should be noted that outstanding creditors total \$293,278.12.

31017

Moved: Cr Anderson

Seconded: Cr D Morris

Officer's Recommendation

That Council receive the schedule of accounts as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$865,114.04 from Council's Municipal Fund Bank Account.

CARRIED 7/0

12.2 **MONTHLY FINANCE REPORT**

Reporting Department:	Finance and Administration
Reporting Officer:	Evelyn Arnold
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Monthly Finance Report

Background

The Monthly Finance Report is attached for Council's information.
(Attachment 12.2A)

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

As outlined in Attachment 12.2A

31018

Moved: Cr Hooper

Seconded: Cr McFarlane

Officer's Recommendation

That Council receive the Monthly Finance Report for November 2012.

CARRIED 7/0

12.3 **SCHOLARSHIP - MERREDIN COLLEGE TRADE SCHOLARSHIP – 2013 SENIORS GAMES**

Reporting Department:	Administration
Reporting Officer:	Evelyn Arnold – Executive Manager of Corporate and Community Services
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Letter from Merredin College and Merredin Seniors Centre.

Background

Correspondence has been received (**Attachment 12.3A**) from Merredin College and Kaye Snell on behalf of the Merredin Seniors Centre requesting support for students studying at the Rutherford Trade Training Centre.

Comment

This scholarship has the potential to have many positive outcomes for the Shire of Merredin:

- It re-enforces the ongoing vocational partnership between the shire and Merredin College.
- It provides an opportunity to promote the variety of careers available within Local Government.
- It provides a chance to address work force planning by expanding our trainee program.
- It presents a chance to establish another avenue of positive involvement by the Shire within the community.
- Provides a platform to build a relationship with students to offer vocational training to keep them in the community.

In a similar vein, a contribution towards the Seniors Games will assist residents to participate in worthwhile activities while building a positive relationship. A contribution of \$1,000 suggested.

Statutory/Policy Implications

Local Government Act 1995 and the Local Government Regulations 1996 (amended 2007).

Financial Implications

Although not budgeted, \$2,000 can be met from A/C E041170 Public Relations and Donations with a budget of \$13030 and year to date of \$4,189.

Officer's Recommendation

That Council approve participation in the Trade Scholarships with an annual contribution of \$1000 and makes a donation of \$1,000 to the Merredin Seniors Centre to assist with participation in the 2013 Seniors Games.

CARRIED BY ABSOLUTE MAJORITY

31019

Moved: Cr Hayes-Thompson

Seconded: Cr McFarlane

Resolution:

- 1. That Council approve participation in the Trade Scholarships with a contribution of \$1000 for 2013 only and the matter be reviewed annually.***
- 2. That a donation of \$1,000 be made to the Merredin Seniors Centre to assist with participation in the 2013 Seniors Games.***

CARRIED BY ABSOLUTE MAJORITY 5/2

13.0 ADMINISTRATION

13.1 ROBSON REVIEW OF METROPOLITAN LOCAL GOVERNMENT

Reporting Department:	Administration
Reporting Officer:	CEO
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Metropolitan Local Government Review

Background

A copy of the entire report has previously been circulated to Councillors. A link to the report can be found on Department of Local Government website. A copy can also be found at **Attachment 13.1A**.

The Metropolitan Local Government Review Panel (the Panel) in its final report listed 30 recommendations. They are as follows:

- 1. The State Government give consideration to the inequities that exist in local government rating, including rate-equivalent payments and State Agreement Acts.*
- 2. A collaborative process between State and local government be commenced to establish a new Partnership Agreement which will progress strategic issues and key result areas for both State Government and local government.*
- 3. The State Government facilitate improved co-ordination between State Government agencies in the metropolitan area, including between State Government agencies and local government.*
- 4. A full review of State and local government functions be undertaken by the proposed Local Government Commission as a second stage in the reform process.*
- 5. In conjunction with the proposed structural and governance reforms, that local government planning approval powers be reinstated in metropolitan Perth by the State Government.*
- 6. The State Government consider the management of waste treatment and disposal at a metropolitan-wide scale either be undertaken by a State authority or through a partnership with local government.*

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7. *A shared vision for the future of Perth be developed by the State Government, in conjunction with local government, stakeholder and community groups.*
8. *A Forum of Mayors be formed to facilitate regional collaboration and effective lobbying for the needs of the metropolitan area and to provide a voice for Perth.*
9. *The Forum of Mayors be chaired by the Lord Mayor of the modified City of Perth in the first instance.*
10. *The newly created local governments should make the development and support of best practice community engagement a priority, including consideration of place management approaches and participatory governance modes, recognition of new and emerging*
11. *The existing Regional Local Governments in the metropolitan area be dissolved, their provisions in the Local Government Act 1995 be repealed for the metropolitan area and a transitional plan for dissolving the existing bodies in the metropolitan area be developed.*
12. *The State Government give consideration to transferring oversight responsibility for developments at Perth's airports, major hospitals and universities to the Metropolitan Redevelopment Authority.*
13. *Periodic local government boundary reviews are undertaken by an independent body every 15 years to ensure the city's local government structure continues to be optimal as the metropolitan region develops.*
14. *The Local Government Advisory Board be dissolved and its operating and process provisions in the Local Government Act 1995 be rescinded, with the Local Government Commission taking over its roles, including consideration of representation reviews.*
15. *A new structure of local government in metropolitan Perth be created through specific legislation which:*
 - a) *incorporates all of the Swan and Canning Rivers within applicable local government areas*
 - b) *transfers Rottnest Island to the proposed local government centred around the City of Fremantle*
 - c) *reduces the number of local governments in metropolitan Perth to 12, with boundaries as detailed in Section 5 of this report.*
16. *Consideration be given to all local government elections being conducted by the Western Australian Electoral Commission.*

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17. *Compulsory voting for local government elections be enacted.*
18. *All Mayors and Presidents be directly elected by the community.*
19. *Party and group nominations for local government electoral vacancies be permitted.*
20. *Elected members be limited to serving three consecutive terms as councillor and two consecutive terms as Mayor/President.*
21. *Elected members be provided with appropriate training to encourage strategic leadership and board-like behaviour.*
22. *A full review of the current legislation be conducted to address the issue of the property franchise and the most appropriate voting system (noting the Panel considers that first-past-the-post is inappropriate for the larger districts that it has recommended).*
23. *Implementation of the proposed setting of fees and allowances for elected members as set by the Salaries and Allowances Tribunal.*
24. *Payments made to elected members be reported to the community on a regular basis by each local government.*
25. *The Public Sector Commission provide advice and assistance to local governments in the appointment and performance management of local government Chief Executive Officers with consideration given to the Public Sector Commission being represented on relevant selection panels and committees.*
26. *A State Government decision on reform should be made as soon as possible, and if the decision is to proceed with structural reforms, the process of implementation should begin without delay.*
27. *Councils take on a leadership role in the reform debate and prepare their residents now for the possibility of changes in the future.*
28. *The State Government assist and support local governments by providing tools to cope with change and developing an overarching communication and change management strategy.*
29. *A Local Government Commission be established as an independent body to administer and implement the structural and governance reforms recommended by the Panel, and facilitate the ongoing relationship between State and local government.*

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30. *The recommendations from the Panel should be considered as a complete reform package and be implemented in their entirety.*

Councillors would be aware that, whilst it was set up as a review of Metropolitan Local Government, many of the 30 recommendations contained within the Panel's Report, if adopted, will affect all local governments across the State. Given the potential for adverse change on rural and remote local governments throughout the State Council must consider carefully its course of action in this debate.

WALGA has recommended that its draft submission to the Final Report be considered at the February/March 2013 round of Zone Meetings and then the March 2013 State Council Zone. At the GECZ Meeting in Dowerin on 29 November it was resolved:

That:

- 1. a Special Meeting of the Great Eastern Country Zone be held, on a date to be determined, to consider the Metropolitan Local Government Review Panel's Final Report; and*
- 2. to ensure sector wide involvement in the preparation of WALGA's response to the Metropolitan Local Government Review Panel's Final Report, the Great Eastern Country Zone request WALGA to hold a Special State Conference to consider the matter.*

Comment

As mentioned above, some of the 30 recommendations, if implemented would have State-wide implications. Although WALGA processes have commenced to inform and direct the debate, there is a need for each Council to provide direction to its zone delegates.

Of the Panel's recommendations, it could be argued that they all impact on all local governments unless they are metropolitan specific. It is suggested that Council determine its position on each recommendation by way of notation of support or not. No specific recommendations will be offered from Staff at this time.

Statutory/Policy Implications

These are unknown at this stage but obviously would be significant.

Financial Implications

In the long term these could be significant.

Officer's Recommendation

That Council consider each of the recommendations of the Metropolitan Review Panel to inform delegates at WALGA Zone and other forums and that Council's position be forwarded to the GECZ Secretariat for information.

Cr Anderson left the meeting at 3.56pm and returned at 3.58pm.

31020

Moved: Cr D Morris

Seconded: Cr McFarlane

Resolution

That Councils "in principle" position on the recommendations contained in the Robson Review, subject to additional information that may be provided in due course, is as follows:

- 1. The State Government give consideration to the inequities that exist in local government rating, including rate-equivalent payments and State Agreement Acts.
SUPPORT IN PRINCIPLE SUBJECT TO CLARIFICATION OF "INEQUITIES"*
- 2. A collaborative process between State and local government be commenced to establish a new Partnership Agreement which will progress strategic issues and key result areas for both State Government and local government.
SUPPORT*
- 3. The State Government facilitate improved co-ordination between State Government agencies in the metropolitan area, including between State Government agencies and local government.
SUPPORT IN PRINCIPLE AND THIS BE EXTENDED TO THE REST OF THE STATE*
- 4. A full review of State and local government functions be undertaken by the proposed Local Government Commission as a second stage in the reform process.
SUPPORT AND THIS BE EXTENDED TO THE REST OF THE STATE*
- 5. In conjunction with the proposed structural and governance reforms, that local government planning approval powers be reinstated in metropolitan Perth by the State Government.
SUPPORT AND THIS BE EXTENDED TO THE REST OF THE STATE*
- 6. The State Government consider the management of waste treatment and disposal at a metropolitan-wide scale either be undertaken by a State authority or through a partnership with local government.
SUPPORT*

7. *A shared vision for the future of Perth be developed by the State Government, in conjunction with local government, stakeholder and community groups.*
SUPPORT – CONSULTATION TO OCCUR ON A STATEWIDE BASIS
8. *A Forum of Mayors be formed to facilitate regional collaboration and effective lobbying for the needs of the metropolitan area and to provide a voice for Perth.*
SUPPORT. PRINCIPLE SHOULD BE EXTENDED TO REGIONAL WESTERN AUSTRALIA
9. *The Forum of Mayors be chaired by the Lord Mayor of the modified City of Perth in the first instance.*
SUPPORT IN PRINCIPLE DEPENDANT ON OUTCOME OF 8
10. *The newly created local governments should make the development and support of best practice community engagement a priority, including consideration of place management approaches and participatory governance modes, recognition of new and emerging social media channels and the use of open-government platforms.*
SUPPORT
11. *The existing Regional Local Governments in the metropolitan area be dissolved, their provisions in the Local Government Act 1995 be repealed for the metropolitan area and a transitional plan for dissolving the existing bodies in the metropolitan area be developed.*
NOT SUPPORTED UNTIL DETAILS OF TRANSITIONAL PLANS KNOWN
12. *The State Government give consideration to transferring oversight responsibility for developments at Perth's airports, major hospitals and universities to the Metropolitan Redevelopment Authority.*
NOT SUPPORTED
13. *Periodic local government boundary reviews are undertaken by an independent body every 15 years to ensure the city's local government structure continues to be optimal as the metropolitan region develops.*
NOTED
14. *The Local Government Advisory Board be dissolved and its operating and process provisions in the Local Government Act 1995 be rescinded, with the Local Government Commission taking over its roles, including consideration of representation reviews.*
SUPPORT WALGA'S POSITION

15. *A new structure of local government in metropolitan Perth be created through specific legislation which:*
d) *incorporates all of the Swan and Canning Rivers within applicable local government areas*
e) *transfers Rottnest Island to the proposed local government centred around the City of Fremantle*
f) *reduces the number of local governments in metropolitan Perth to 12, with boundaries as detailed in Section 5 of this report.*
NO POSITION TAKEN
16. *Consideration be given to all local government elections being conducted by the Western Australian Electoral Commission.*
NOT SUPPORTED
17. *Compulsory voting for local government elections be enacted.*
NOT SUPPORTED
18. *All Mayors and Presidents be directly elected by the community.*
NOT SUPPORTED
19. *Party and group nominations for local government electoral vacancies be permitted.*
NOT SUPPORTED
20. *Elected members be limited to serving three consecutive terms as councillor and two consecutive terms as Mayor/President.*
NOT SUPPORTED
21. *Elected members be provided with appropriate training to encourage strategic leadership and board-like behaviour.*
SUPPORT SUBJECT TO TRAINING BEING VOLUNTARY AND COSTS MET BY OTHERS eg: STATE GOVERNMENT
22. *A full review of the current legislation be conducted to address the issue of the property franchise and the most appropriate voting system (noting the Panel considers that first-past-the-post is inappropriate for the larger districts that it has recommended).*
SUPPORT WALGA'S POSITION
23. *Implementation of the proposed setting of fees and allowances for elected members as set by the Salaries and Allowances Tribunal.*
SUPPORT
24. *Payments made to elected members be reported to the community on a regular basis by each local government.*
SUPPORT

25. *The Public Sector Commission provide advice and assistance to local governments in the appointment and performance management of local government Chief Executive Officers with consideration given to the Public Sector Commission being represented on relevant selection panels and committees.*

SUPPORT WALGA'S POSITION

26. *A State Government decision on reform should be made as soon as possible, and if the decision is to proceed with structural reforms, the process of implementation should begin without delay.*

SUPPORT

27. *Councils take on a leadership role in the reform debate and prepare their residents now for the possibility of changes in the future.*

**SUPPORT IN PRINCIPLE BUT NO CONSULTATION SHOULD OCCUR UNTIL
AFTER THE CHANGES ARE KNOWN**

28. *The State Government assist and support local governments by providing tools to cope with change and developing an overarching communication and change management strategy.*

SUPPORT

29. *A Local Government Commission be established as an independent body to administer and implement the structural and governance reforms recommended by the Panel, and facilitate the ongoing relationship between State and local government.*

NOT SUPPORTED

30. *The recommendations from the Panel should be considered as a complete reform package and be implemented in their entirety.*

NOT SUPPORTED

CARRIED 6/1

13.2 **CENTRAL EAST AGED CARE ALLIANCE – FINAL REPORT**

Reporting Department:	Administration
Reporting Officer:	CEO
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil
Attachment:	

Background

A hard copy of the final CEACA Report has previously been provided to Councillors. At the last CEACA meeting held recently in Wyalkatchem (minutes circulated previously via weekly information bulletin) it was agreed that a generic report and recommendations be prepared by the Wheatbelt Development Commission for consideration by each of the CEACA Councils. A copy of that report and recommendations can be found at **Attachment 13.2A**

Comment

The Attachment provides a summary and recommendations. The document has been sent to each Council which participated in the CEACA process for consideration and adoption. It is seen as paramount that each Council has a consistent approach from this point on as engagement with government agencies and government itself must be undertaken from a common point of view.

By way of summary, the recommendations are as follows:

- 1. That the six steps for adoption and implementation of the two CEACA Reports be endorsed; and specifically:*
- 2. That Council adopt the CEACA Needs Study and Central East Wheatbelt Aged Support and Care Regional Solution/s Reports.*
- 3. Each of the CEACA Councils make provision of up to \$5000 in their 2013/14 budgets to fund ongoing advocacy and research in order to implement the recommendations of the CEACA Report.*
- 4. That endorsement of the Report is sought from the respective ROC's with a view to seeking funding to implement the recommendations of the CEACA Report on a regional basis.*

It is recommended that they be adopted as amended below.

Statutory/Policy Implications

Nil at this time.

Financial Implications

As suggested Council should make provision within its draft budget for a contribution towards the ongoing work of CEACA.

- 31021** Moved: Cr D Morris Seconded: Cr McFarlane
Officer's Recommendation
That the six steps for adoption and implementation of the two CEACA Reports be endorsed; and specifically:
- a. That Council adopt the CEACA Needs Study and Central East Wheatbelt Aged Support and Care Regional Solution/s Reports.*
 - b. That Council makes provision of \$5000 in its draft 2013/14 budget to fund ongoing advocacy and research in order to implement the recommendations of the CEACA Report; and*
 - c. That endorsement of the Report be sought from the WE-ROC's with a view to seeking funding to implement the recommendations of the CEACA Report on a regional basis.*

CARRIED 7/0

13.3 **MRC&LC – FEES AND CHARGES**

Reporting Department:	MRC&LC
Reporting Officer:	Rebecca Hutton
Legislation:	Local Government Act 1995
File Number:	
Disclosure of Interest:	Nil
Attachments:	Proposed Fee Structure for MRC&LC - Feedback

Background

In September, 2012 Council considered a draft fee structure for the MRC&LC. This document was put together by staff after considerable research into other regional and metropolitan facility fee structures throughout the state. Council resolved in September:

30953

Moved: Cr Hooper

Seconded: Cr M Morris

Resolution

- 1. That Council adopt a user pays methodology for the MRC&LC as outlined in Attachment 13.7A effective from the winter 2013 season.***
- 2. That Council gives consideration to a long term strategy for recovery of operation and renewal costs.***
- 3. That the Volunteer Fire Brigade make a contribution of \$500 pa indexed annually to reflect increasing costs.***
- 4. That Council supports the simplified MOU approach to sports management.***
- 5. That the Sports Council be advised of the new methodology and requested to advise and seek comment from member sports to be provided by end of November 2012.***

CARRIED 9/0

Subsequently, the Merredin Sports Council was advised of the Council resolution and the 'draft' Proposed fee structure for MRC&LC document was circulated to the sports. From this point the following has occurred;

- Winter sports were given the opportunity to discuss the proposal with the MRC&LC Manager as many of these clubs had impending AGM's where 2013 fee structures would be considered.
- The document was presented at the Merredin Sports Council AGM on 23rd October by Council staff.

All feedback from the sports has been collated and included within the revised proposed fee structure document (**Attachment 13.3A**)

In Summary;

- Many sports found the calculations within the fee structure difficult to understand. Some thought them inconsistent between the different sports. Although the calculations are based on 'usage' the majority of

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sports just wanted to know a single fee for them to have access to the facilities that they currently use without the need to monitor or restrict use.

- The football clubs are concerned about junior players within the senior teams having to pay what is perceived as a 'senior fee', where junior sports were able to play at a subsidised rate.
- When would clubs be invoiced the fee?
- Some comments that surfaces need to be better maintained should the current fee structure change (ie. Cricket & Golf)
- Some concern that an increase in a fee would result in a loss of members
- Would the fee structure preclude clubs from charging opposition teams (and own players) a 'green fee' as a way of revenue raising, similar to what the football clubs do at the moment with a gate charge?
- Generally the proposed fee structure was well received. Most sports understood the requirement to change the current structure to one of user pays. However, there was some concern about heavy users (members playing multiple sports) being penalised for doing so as the current arrangement is 'value for money' for these people.
- A detailed response to the issues raised by the sports is noted in blue on the attachment.

Statutory Implications

Nil

Financial Implications

If adopted, the new fee structure will have positive financial implications for Council and reduce the impost on ratepayers who do not utilise the facility.

Comment

The MRC&LC 'Centaman' booking system will allow staff to continue to monitor facility usage from the each of the sports into the future. The proposed fee structure can be implemented in time for the 2013 winter sporting fixtures.

The fee can be charged to local clubs OR associations with an MOU (ie. some sports represent one club/team within an entire association like the Merredin Mens Hockey Club, or an entire association like basketball or netball with several local teams in each). Any outside clubs or associations utilising the facilities can be charged on a 'per use' basis via the weekly invoicing system. The new fee structure can be implemented with the simplified MOU approach to sports management that Council considered at its September meeting.

Cr Hooper declared an Impartiality Interest in this item.

31022

Moved: Cr D Morris

Seconded: Cr McFarlane

Officer's Recommendation

- 1. That the new fee structure for the MRC&LC as outlined in the 'proposed fee structure for MRC&LC' from the winter 2013 season be adopted.**
- 2. That the fees be charged to clubs and/or associations after the third playing date when fixtures and training dates are finalised and seasonal facility usage is known.**
- 3. That the new fee structure be advertised.**

CARRIED BY ABSOLUTE MAJORITY 6/1

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13.4 **SHIRE OF MERREDIN ANNUAL REPORT 2011/2012**

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Shire of Merredin Annual Report 2011-2012 including Council's Audited Financial Statements to year ended 30 June 2012

Background

Council's Annual Financial statements for the year ended 30 June 2012 have been completed as has the annual audit of the financial statements by Council's auditors, UHY Haines Norton Chartered Accountants. The Annual Report is included in **Attachment 13.4A**.

Comment

Taking into account the statutory requirements for adoption of the report and advertising of the annual electors meeting, the options for dates are as follows:

	Adoption Date	Advertising Availability of Report	Advertising minimum (notice of Meeting)	Electors Meeting (56 days max)
Option 1	18 Dec 2012	16 Jan 2013	29 Jan 2013	12 Feb 2013
Option 2	15 Jan 2013	22 Jan 2013	5 Feb 2012	19 Feb 2013

Statutory/Policy Implications

The Local Government Act 1995 requires Council to adopt the Annual Report and to set the meeting date for the Annual General Meeting of Electors.

The Chief Executive Officer is required to advertise by local public notice the availability of the Annual Report after it has been adopted by Council and an Annual Electors meeting is to be held no later than 56 days after the adoption of the report (Section 5.55 of the Act).

Council is required to give 14 days' notice of the Annual Electors Meeting (Section 5.29 of the Act).

If the Annual Report is adopted at this meeting the 56 days would expire on Tuesday 12 February 2013. If the report is adopted at the January 2013 Council meeting the Annual Electors meeting can be held on 19 February 2013 and is also an Ordinary Council Meeting day.

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Last year the Annual Electors Meeting was held on a separate night to the February Council meeting. In previous years the Annual Electors Meeting and Council meeting day have been held congruently.

Financial Implications

Nil.

Officer's Recommendation

That Council:

- 1. adopt the Shire of Merredin Annual Report for the 2011/2012 financial year and receive the Auditor's Report from UHY Haines Norton Chartered Accountants for the 2011/2012 financial year; and***
- 2. hold its Annual General Meeting of Electors on _____ commencing at _____ in the Shire Administration Centre.***

31023

Moved: Cr McFarlane

Seconded Cr Anderson

Resolution

That the matter lay on the table until the January meeting.

CARRIED 5/2

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

16.1 Review of the Western Australian Community Resource Network

Cr M Morris declared a financial interest left the meeting at 5.25pm and requested he be allowed to remain in the meeting for discussion and voting purposes.

Cr D Morris declared a financial interest left the meeting at 5.25pm

Cr Anderson left the meeting at 5.26pm

Cr Anderson returned to the meeting at 5.28pm

31024 Moved: Cr Hooper Seconded: Cr Hayes-Thompson

That Cr Crees assume the Chair

CARRIED 4/1

31025 Moved: Cr Anderson Seconded: Cr Hayes-Thompson

That Cr M Morris not be allowed to participate in the discussion or voting.

CARRIED 5/0

31026 Moved: Cr Hooper Seconded: Cr Hayes-Thompson

That the CEO prepare a draft submission to the Trust for consideration by Councillors prior to lodgement on 20 December 2012.

CARRIED 5/0

Cr M Morris and Cr D Morris returned to the meeting at 5.37pm.

17.0 MATTERS BEHIND CLOSED DOORS

31027 Moved: Cr McFarlane Seconded: Cr D Morris
That the meeting move behind closed doors.
CARRIED 7/0

31028 Moved: Cr Hayes-Thompson Seconded: Cr Anderson
That the meeting return to open session.
CARRIED 7/0

17.1 Enterprise Bargaining Agreement – Outside Crew

31029 Moved: Cr Anderson Seconded: Cr McFarlane
Resolution
That Councils position be communicated to the bargaining representatives.
CARRIED 7/0

17.2 Merredin Medical Centre –
Expressions Of Interest – Lease To 2018

31030 Moved: Cr Anderson Seconded: Cr McFarlane
Officer's Recommendation
That this item lay on the table until the January 2013 meeting of Council.
CARRIED 7/0

18.0 CLOSURE

There being no further business the Deputy President declared the meeting closed at 5.39 pm.