



BOGAN SHIRE COUNCIL

Minutes

28th June 2012





**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 28th June 2012 at 9.30am**

PRESENT: Councillors RL Donald (in the chair), JE Hampstead OAM, JL Douglas, LH Dutton, HJ Griffiths, AM Kennedy, EM McLaughlin, GRJ Neill and KM Ryan.

Also present were Mr Derek Francis (General Manager), Ms Theresa Haley (Manager of Corporate Services), Mr Tim Riley (Manager of Environmental Services), Mr Graeme Bourke (Acting Manager of Engineering Services) and Mrs CJ Ellison.

DECLARATION OF PECUNIARY INTEREST: Nil

154/2012 RESOLVED that the Minutes of the Extraordinary Meeting of Council held on 21st May 2012, copies of which has been circularised to Councillors be taken as read and confirmed. **(Griffiths/Dutton)**

Business Arising from the Minutes:

Nil

155/2012 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 24th May 2012, copies of which has been circularised to Councillors be taken as read and confirmed. **(Ryan/Neill)**

Business Arising from the Minutes:

Nil

The following resolutions arose from decisions made in the Closed and Confidential Section of the Meeting held on 28th June 2012.

147/2012 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that the Committee move into a closed and confidential section of the Council meeting because information provided and discussed involves commercial information of confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. **(Griffiths/Neill)**

148/2012 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 24th May 2012, copies of which has been circularised to Councillors be taken as read and confirmed. **(Hampstead/McLaughlin)**



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
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149/2012 RESOLVED that the two new dwellings Lot 10 and Lot 11 Flashman Ave be sold at public auction with a reserve price to be set by the Mayor and General Manager on the advice of a valuation. **(Hampstead/Dutton)**

150/2012 RESOLVED that:-

- a. the land bounded by Derrybong, Oxley and Dandaloo Streets be subdivided;
- b. the resulting four 20m x 45m, blocks be sold for current market value;
- c. the funds from the sale of Council housing/residential land assets be placed in reserve for the construction of additional housing for staff and sale at market value; and
- d. Council approve the development of 4 x 2 bedroom villas (stage 1) at a cost of \$550,000. **(Douglas/Neill)**

151/2012 RESOLVED that the tenders for provision of earthmoving and plant hire services to Council for the period to 30th June 2013, be accepted as submitted to form a panel of contracts, subject to the plant and operators meeting Council's requirements. **(Ryan/Douglas)**

152/2012 RESOLVED that the tenders for provision of Crushing Road Base services to Council for the period to 30th June 2013, be accepted as submitted to form a panel of contracts, subject to the plant and operators meeting Council's requirements. **(Hampstead/Ryan)**

153/2012 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting move into open Council. **(Griffiths/Hampstead)**



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COMMITTEE MEETING REPORT

1 MUSEUM

Minutes of the Museum Meeting held on 2nd May 2012.

156/2012 RESOLVED that the Minutes of the Museum Meeting held on 2nd May 2012 be received and noted. **(Hampstead/Neill)**

Council adjourned for morning tea and resumed at 10.50am.



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
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REPORTS TO ORDINARY MEETING OF COUNCIL – GENERAL MANAGER’S REPORT

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
1	23/08/2007 25/02/2010 22/07/2010	500/2007 371/2007 370/2007 20/2010 244/2010	Housing Residential & Aged Care Accommodation Aged Care Facility	Feasibility of developing Council owned land, subdivide, establish further aged care accommodation. Nyngan Community Homes Committee to meet with Council.	Mayor / GM	Meetings have been held with the Community Homes Committee to advance the project. Mayor & GM facilitated a meeting with Community Homes & Yarrabin who will now work together towards an agreement on the management of the Community homes. GM attended meeting of Community Homes to discuss proposal. Verbal report at the December 2011 Council meeting.



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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
	24/05/2012	126/2012		Call & arrange a public meeting to assess the need for aged care/self contained retirement facilities. Invite other communities; Invite Kevin Humphries; Invite an Independent Chairperson; Involve Nyngan Pensioner Association.	CDO	Meeting with Community Homes scheduled for April 2012 after Mick Glennie Committee Meeting. Mick Glennie Committee Meeting 28 April 2012. John Glennie has been invited to attend May 2012 Council meeting. Arrangements for public meeting proceeding in consultation with Mick Glennie Committee.
2	24/04/2008 16/12/2010	140/2008 421/2010	Main Street	Advertise preliminary street plans & seek community comment.	MES	Base plans of main street being prepared. Item included in Draft Budget.



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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
3	23/10/2008	447/2008	Residences- Pangee Street	Council to speak to residents.	MEvS	<p>John Holland tender process completed. Selection of tender now underway for demolition work on street.</p> <p>Still awaiting advice from John Holland re Pangee Street.</p> <p>Nymagee Street sites have been identified as privately owned. Demolition Notices issued.</p>
4	25/02/2011 24/03/2011 28/04/2011	09/2009 467/2009 164/2010 384/2010 80/2011 114/2011	Ambulance Station	Council express interest in acquiring the former ambulance station premises.	Mayor	<p>Council write to Health Minister asking to acquire station at no cost to be used for community purposes.</p> <p>Mens Shed has acquired lease of both allotments at ambulance station.</p>



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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						<p>Council has approached Dept Health to have lot 9 transferred free of charge and offer to purchase lot 10 in its present condition for \$22,500.</p> <p>Department of Health has recommended to Government Asset Management Committee (GAMC) to accept Council's offer.</p> <p>Matter referred back to the Dept Lands by GAMC for recommendation. Dept of Lands has requested that Council buy Lots 9 & 10 at market value.</p> <p>Letter send to Minister Humphries requesting assistance to resolve this matter.</p>



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on 28th June 2012 at 9.30am**

Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
5	26/11/09	460/2009 223/2010	APC	<p>Letters to surrounding Councils advising of EOI to improve water delivery.</p> <p>Contact Fed Govt to ensure \$12m remains.</p> <p>Try and obtain more Government funding to complete the piping of the APC project.</p>	GM Mayor	<p>Mark Coulton has been contacted to organise a meeting with Ministers Burke & Crean.</p> <p>A meeting held with State Water Office who received a copy of quote from Irritek. Combined deputation with Cobar Shire Council to meet with Minister Katrina Hodgkinson.</p> <p>Cobar Shire Mayor & GM have agreed to meeting. Meeting request sent to Minister.</p> <p>Follow-up request for meeting sent to Minister.</p>



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6	24/03/2011	83/2011	Cinema	Investigate the recommencement of movies.	CDO	<p>Community Development Officer to look into having the SRC and Bourke Police involved in trying to recommence the movies.</p> <p>Cr Douglas to speak to the schools regarding Council's intention to try to recommence the movies, stress behaviour at the movies.</p> <p>On Hold – pending result of Management Plan for Palais Theatre.</p>
7	27/10/2011	318/2011	Upper & Lower Weir Users	Circularise Weir User' submission to Councillors. Council delegates to meet to discuss submission & agree on Council's position whether to support it or not.	ENG	<p>Mayor, Deputy Mayor, General Manager and Engineer attended community consultation meeting arranged by NSW Office of Water on 12 April 2012.</p>

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 28th June 2012 at 9.30am**

Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
						Office of Water has forwarded Draft Water Sharing Plan to the Minister. Mayor & GM met with Kevin Humphries & Weir Users regarding this matter.
8	27/10/2011	335/2011	Companion Animal Policy	Prepare a draft Companion Animal Policy – report back to Council, incorporating public feedback & recommendations.	GM/ MEvS	General Manager’s report refers. Action Plan has been developed and implementation is progressing. This will be followed by concentrated contract ranger activities. Community education process commenced.
9	24/11/2011	366/2011	Agronomist in Nyngan	Letter to the Department of Primary Industries asking to have the agronomist returned to Nyngan.	Mayor	Letter sent. No response received. Mayor & GM raised this matter with Kevin Humphries.



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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
10	24/11/2011	375/2011	State Property Authority (SPA) DOCS building	<p>Council agrees in principle to transfer Lot 32 (DOCS) to SPA on the condition that funding is provided to establish the Access Centre.</p> <p>Negotiation further with SPA for a contribution to relocate BBM.</p> <p>Request SPA to facilitate the transfer of trusteeship for the former Ambulance Station (Lot 9).</p> <p>Council agrees to grant right of way to SPA to all vehicular access to the rear of Lot 32.</p>	GM	<p>Letter sent to SPA advising of the four items.</p> <p>Awaiting response from SPA on Departmental approval for their proposal alterations.</p>
11	24/11/2011	376/2011	Bogan Bush Mobile	<p>Explore suitable options for relocation.</p> <p>Prepare a report with an estimate of costs and recommended funding sources for preferred options.</p>	MCS/MEvS	<p>Report to December 2011 Council Meeting.</p> <p>Pending progress with item 10.</p>



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Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
12	29/03/2012	067/2012	Debt Recovery Policy	MCS – review & report on changes to the existing debt recovery policy /procedures. Recommendations for dealing with long term debt.	MCS	Draft Policy prepared for Management Review. Report to August 2012 Council Meeting.
13	26/04/2012	109/2012	Seat at hospital	Council place a seat on Council land near entrance to hospital.	Eng	In progress.
14	26/04/2012		Senior Citizens Room	Paint Senior Citizens Room	MEvS	Program for 2012/13.
15	25/05/2012	116/2012	APC	A formal agreement be sought & entered into with CWB covering all aspects of the APC operation.	GM	In progress.
16	24/05/2012	123/2012	Vacant Block – Cnr Nymagee /Mitchell Streets	Asked John Holland to meet with Council ASAP to work towards some agreement concerning the block.	MEvS	Waiting on meeting with John Holland representatives.



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
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17	24/05/2012	124/2012	Parking – Heavy Vehicles outside Outback Motel.	To be presented to the Traffic Committee meeting.	Eng	Discussed at Traffic Committee Meeting 30 th May 2012. Best option- install raised blisters, signs set in concrete with chevron coating. Mud plan to be presented to June 2012 Council Meeting. Verbal report at Council Meeting 28 th June 2012.
18	24/05/2012	133/2012	Funding for Community Arts.	Inform three schools & WSPA of the availability of funds.	MCS	Grant application guidelines being drafted for Council approval.
19	24/05/2012	143/2012	Railway Signal Post.	Erect in an appropriate manner & location near the heritage railway crossing.	Eng	Seeking advice from David Moir for the best location /position.



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 28th June 2012 at 9.30am

157/2012 RESOLVED that Council send a letter of commendation to the Nyngan High School on their performance of "Footloose" at the Palais Theatre. (Douglas/Kennedy)

- Parking – Heavy Vehicles outside the Outback Motel

RESOLVED that Council adopt the installation of raised blisters on both sides of the road as the preferred option referred by the Traffic Meeting on 30th May 2012. (McLaughlin/Douglas)

An **AMENDMENT** was **MOVED** that Council install 'No Parking to Heavy Vehicles' signs on the northern side and from the position of the proposed third blister on the southern side. (Ryan/Dutton)

The **AMENDMENT** was **PUT** to Council and **CARRIED**.

158/2012 RESOLVED that Council install 'No Parking to Heavy Vehicles' signs on the northern side and from the position of the proposed third blister on the southern side. (Ryan/Dutton)

159/2012 RESOLVED that Council call for Expression of Interest to conduct an informal meeting for intending candidates for the Local Government Elections. (Ryan/Douglas)

160/2012 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as "Completed" be removed from the checklist. (Ryan/Douglas)

2 LAWLOR STREET INDUSTRIAL SUBDIVISION

161/2012 RESOLVED that Council advertise the sale of the industrial blocks subdivision in Lawlor Street, with the Mayor and General Manager to determine the price per square metre. (Ryan/Douglas)



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 28th June 2012 at 9.30am

3 COUNCIL REPORTING 2012/13

162/2012 RESOLVED that for the 2012/13 financial year, the General Manager provides progress reports on the 2012-16 Delivery Program at the Ordinary Meetings of Council in October 2012 and April 2013. **(Ryan/Douglas)**

4 WESTERN DIVISION OF COUNCILS CONFERENCE 2013

163/2012 RESOLVED that:-

1. Council hosts the Western Division of Councils Conference in February 2013 and that provision be made at the first 2012/13 budget review for associated conference income and expenditure.
2. Council engage an event management company to assist with obtaining sponsorships / exhibitors at a cost to be negotiated. **(Neill/Douglas)**

5 SEPTEMBER 2012 ELECTIONS

164/2012 RESOLVED that:-

1. The report be received and noted.
2. Council express concern about the increase in the cost and the pathetic format of the provided budget. **(Ryan/Dutton) Unanimous**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 28th June 2012 at 9.30am

**REPORTS TO ORDINARY MEETING OF COUNCIL - MANAGER OF
CORPORATE SERVICES' REPORT**

1 BANK RECONCILIATION

165/2012 RESOLVED that the bank reconciliation report be received and noted.
(Douglas/Kennedy)

2 INVESTMENTS

166/2012 RESOLVED that the investments report be received and noted.
(Griffiths/Neill)

3 SUMMARY OF RATE COLLECTIONS

167/2012 RESOLVED that the rates collections report be received and noted.
(Griffiths/Dutton)

4 COUNCILLORS AND MAYORAL FEES

168/2012 RESOLVED that Council approve the minimum increase under the current fee structure as set by the Remuneration Tribunal. The fees payable from the 1st July 2012 to Councillors of \$7,740, the Deputy Mayor of \$3,168 and the Mayor of \$12,672. **(Ryan/Hampstead)**

5 COMMUNITY ARTS FUND

169/2012 RESOLVED that Council approve the 2012-2013 budget allocation of \$10,000 for Community Arts with unused funds being transferred to a Community Arts Restricted Reserves Account. **(Hampstead/Ryan)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 28th June 2012 at 9.30am

6 ADOPTION OF THE 2012-2016 DELIVERY PROGRAM

170/2012 RESOLVED that the draft Delivery Program 2012-2016 be adopted.
(Hampstead/Kennedy)

7 ADOPTION OF THE 2012-2013 OPERATIONAL PLAN AND BUDGETS

171/2012 RESOLVED that the Draft 2012-2013 Operational Plan and Budget be adopted with the following amendments:-

Increase in Expenditure

- Increase in various salary budgets [in-line with award increase 3.25%]
\$15,360
- Increase in GM Office - Community & Social Development [Arthur Hall
Portrait] \$ 2,500
- Increase in GM Office - Council Elections \$ 2,500

Total \$20,360

Increase in Revenue

- Environmental - Development control [building applications] - \$ 7,000

Decrease in Expenditure

- GM Office – Grants & Donations \$ 3,000
- Corporate Services – Records [Disposal & Storage] - \$ 5,000

Total \$15,000



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 28th June 2012 at 9.30am**

Revenue Policy Amendments

Re-sited Dwellings

Bonds – Bond payable for Old Buildings Transported into The Town Area

Was \$ 5,250 - Now \$30,000 (2012/2013)

Commercial Waste

(a) That Domestic Waste Chargers be as:

- Box Trailer Load (up to 1.5m x 2.4m)/ 1 tonne Utility
Nil
- Larger than a Box Trailer Load (up to size 1.5 x 2.4m) 1 Tonne Utility
\$35.00.m³
- Residential Demolition (Orders or part of DA approval)
 - Domestic Shed/additions
\$ 500 (separated material)
 - Dwelling (Weatherboard or Brick veneer)
\$1,300(separated material)
 - Dwelling (Weatherboard or Brick veneer) \$3,000(N/separated material)

(b) That the following Commercial Waste Chargers be payable upon submission of an Application for any form of construction work that generates waste material provide that such material is to be separated:

	2012/20	2011/2012
	2012/2013	2011/2012
Value \$0 – \$30,000	\$116.00	\$16.00
Value \$30,001 - \$60,000	\$140.00	\$36.00
Value \$61,000 - \$100,000	\$170.00	\$47.00
Value \$101,000 - \$150,000	\$200.00	\$62.00
Value \$151,000 - \$200,000	\$250.00	
Value \$201,000 - \$300,000	\$400.00	
Value \$300,000 - \$500,000	\$550.00	
Value \$501,000 and over \$50,000.	\$600.00 + \$100.00 per	

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 28th June 2012 at 9.30am**

- (c) That the following Commercial Waste Chargers be payable prior to the commencement of demolition of any of the following commercial/industrial buildings:

Single storey	\$5,000 (separated material)
Single storey	\$8,000(non-separated material).

Higher/complex demolition based on inspection and quotation by Council minimum fee of \$10,000 for separated material:

- (d) Tyre disposal (non Bogan Shire Residence/Business)
- | | |
|---------------------------|----------|
| Car | \$25.00 |
| Light Truck, 4WD | \$45.00 |
| Truck | \$60.00 |
| Super Single Truck (Wide) | \$75.00. |
- (e) Tyre disposal (Bogan Shire Residence/Business)
- | | |
|---------------------------|----------|
| Car | \$10.00 |
| Light Truck, 4WD | \$25.00 |
| Truck | \$30.00 |
| Super Single Truck (Wide) | \$45.00. |

External Plant Hire

Utilities - Plant Nos. 122, 148 and 150 be changed from \$40.00 per hour to \$60.00 per hour.

New tar patching truck –Plant No. 431 be charged \$260.00 per hour.

New grader - Plant No 534 be changed from \$180.00 per hour to \$185.00 per hour.

172/2012 RESOLVED any vote from 2011/12 involving new construction works that have not been expended be transferred to 2012/13. **(Ryan/Griffiths)**



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 28th June 2012 at 9.30am**

REPORTS TO ORDINARY MEETING OF COUNCIL – WORKS SUPERVISOR

Works Supervisor Alister Quarmby now attended the meeting.

173/2012 RESOLVED that both the Civil Works and Roads Reports be received and noted. **(Hampstead/Neill)**

Mr Quarmby now left the meeting.

Council adjourned for lunch at 12.30pm and resumed at 2.00pm.

Father Kevin Murphy and Mr Mark Bartolo joined with Councillors and Senior Staff for lunch.

Cr Kennedy now left the meeting.

Mr Rowen Cleaver now addressed meeting 2.00pm regarding the Duck Creek Races being held on Saturday 30th June 2012.

REPORTS TO ORDINARY MEETING OF COUNCIL – MANAGER OF ENVIRONMENTAL SERVICES REPORT

1 DEVELOPMENT APPLICATIONS

174/2012 RESOLVED that the report be received and noted. (Ryan/Neill)

2 WASTE –RECYCLING COLLECTION DATA

175/2012 RESOLVED that the report be received and noted. (Douglas/Griffiths)

3 DEVELOPMENT CONTROL PLAN 2012

176/2012 RESOLVED that the Draft Development Control Plan 2012 be adopted. (Ryan/Douglas)

4 KEEPING OF ANIMALS POLICY - ORDERS

177/2012 RESOLVED that the Draft Keeping of Animals Policy – Orders be adopted. (Neill/Hampstead)

5 FEES & CHARGES – RESITED DWELLINGS

178/2012 RESOLVED that:-

(a) The Bond for “Resisted Dwellings” be fixed at \$30,000 and adjusted by CPI annually and to be paid at the time of a submission of a Development Application to Council.

(b) The Bond not returned until all restorations works have been completed within the twelve month period after being relocated on the nominated site and Council has issued an Occupation Certificate or other similar statutory documentation. (Douglas/Ryan)

6 FEES & CHARGES – COMMERCIAL WASTE

This item had been dealt with in the Manager of Corporate Services' Report
Adoption of the 2012-2013 Operational Plan and Budget.

Cr Neill left the meeting

7 PROPOSED DOG POUND

179/2012 RESOLVED that Council approve the construction of the new dog
pound in the location closer to the main road in the airport complex.
(Ryan/Griffiths)

Cr Neill returned to meeting

8 WASTE MANAGEMENT PROGRAM – MGB REPLACEMENT PROGRAM

180/2012 RESOLVED that a budget adjustment be made to accommodate the
additional costs. (Dutton/Hampstead)

9 NYNGAN MEMORIAL SWIMMING POOL UPGRADE

181/2012 RESOLVED that Council agree in principle to an upgrade of the pool
including relining. Staff are to investigate costs and prepare a detailed report on
what work needs to be done for further consideration by Council.
(Ryan/Hampstead) **Unanimous**

Cr McLaughlin now left the meeting.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 28th June 2012 at 9.30am**

182/2012 RESOLVED that Council bring the existing concrete Starting Blocks into a reasonable presentation by:-

- Raising the existing leading edge by 50mm;
- finishing with the required angle, of 9⁰ – 10⁰ degrees with the non-slip surface finish as to be a minimum of 700mm above the water level and minimum width of platform of 600mm; and
- then installing a continual step to the rear of the existing Concrete Starting Blocks, for access and safety reasons. **(Douglas/Griffiths)**

183/2010 RESOLVED that Council purchase a new diving board based on estimates provided by the Manager of Environmental Services. **(Douglas/Neill)**

10 DEMOLITION ORDERS – COURT PROCEEDINGS

184/2012 RESOLVED that the report be noted. **(Ryan/Hampstead)**

Discussion:

185/2012 RESOLVED that a report be presented to Council on the merits of purchasing a water cart. **(Douglas/Hampstead)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 28th June 2012 at 9.30am

PRECIS OF CORRESPONDENCE

1 OFFICE OF COMMUNITIES SPORT & RECREATION

186/2012 RESOLVED that the report be received and noted. **(Ryan/Neill)**

Cr Douglas provided verbal report of the meeting she had attended.

2 GOVERNMENT WEEKLY CIRCULARS

187/2012 RESOLVED that the Local Government Weekly Circulars be noted.
(Ryan/Neill)

There being no further business the meeting closed at 3.15pm.

These minutes were confirmed by resolution at a meeting held on 26th July 2012 and were signed as a true record.

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GENERAL MANAGER

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MAYOR

