



ANNUAL GENERAL ELECTORS' MEETING

MINUTES

**The Annual General Electors' Meeting was held
in the Council Chambers, Welcome Road, Karratha,
on 17 December 2012 at 5.34pm**

A handwritten signature in black ink, appearing to read 'Chris Adams', is positioned above a horizontal line.

**Chris Adams
CHIEF EXECUTIVE OFFICER**



No responsibility whatsoever is implied or accepted by the Shire of Roebourne for any act, omission or statement or intimation occurring during Council or Committee Meetings. The Shire of Roebourne disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or intimation of approval made by any member or Officer of the Shire of Roebourne during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Roebourne.

The Shire of Roebourne warns that anyone who has any application lodged with the Shire of Roebourne must obtain and should only rely on

WRITTEN CONFIRMATION

of the outcome of the application, and any conditions attaching to the decision made by the Shire of Roebourne in respect of the application.

Signed: _____

A handwritten signature in black ink, appearing to read 'Chris Adams', is written over a horizontal line.

Chris Adams
CHIEF EXECUTIVE OFFICER

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) (updated 13 March 2000)

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
 - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: *An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.*

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

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1 OFFICIAL OPENING

The Annual General Electors' Meeting held in the Council Chambers Welcome Road, Karratha on 17 December 2012 was declared open at 5.34pm. Cr White-Hartig acknowledged the traditions of the Ngarluma people, on whose land we are gathered here today.

2 RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE

Councillors:

- Cr Fiona White-Hartig [Shire President]
- Cr Peter Long [Deputy Shire President]
- Cr Margaret Bertling
- Cr John Lally
- Cr Nicole Lockwood
- Cr Janine Miller
- Cr Joanne Pritchard
- Cr Sharon Vertigan

Staff:

Chris Adams	Chief Executive Officer
Ray McDermott	Acting Director Community & Corporate Services
Craig Watts	Acting Director Development, Infrastructure & Regulatory Services
Henry Eaton	Manager Corporate Compliance
Robert Leeds	Manager Public Affairs
Josie Lanza	DAO – Executive Services (Minute Taker)
Toree Read	Executive Services Administration Assistant

Members of Public: Nil

Members of Media: Nil

Apologies:

- Cr Garry Bailey
- Cr Michael Saylor
- Cr Evette Smeathers

Absent: Nil

3 CHIEF EXECUTIVE OFFICER & EXECUTIVE SERVICES

3.1 RECEIVAL OF AUDIT REPORT 2011/12

File No:	FM.1
Responsible Executive Officer:	Chief Executive Officer
Reporting Author:	Manager Corporate Compliance
Date of Report:	8 November 2012
Applicant/Proponent:	P Warr, Grant Thornton Audit
Disclosure of Interest:	Nil
Attachment(s)	Annual Report 2011/12 (pp 111 – 112 Independent Auditor's Report)

PURPOSE

To receive and accept the 2011/12 Audit Report from Council's auditors for the affairs of the Shire of Roebourne for the last financial year.

BACKGROUND

The Shire is required to have its annual financial affairs for the past twelve month period assessed by an independent audit firm to ensure that the financial information is complete, accurate and reflective of the year of review. The Shire engaged auditing firm Grant Thornton for a two year contract. Their audit work covers the financial periods 2010/11 and 2011/12.

In May 2012, Grant Thornton visited the Shire and undertook an interim audit of the Shire's financial systems and administrative processes as required under Part 7 of the Local Government Act 1995.

In August 2012, Grant Thornton visited the Shire and undertook its annual year end audit. This audit opinion is required to establish that the financial health of the organisation is sound and if there are any concerns or matters to be addressed, that they are highlighted as part of the audit in their report. The audit report then forms part of the annual report that is presented to electors for the Shire of Roebourne at the annual electors meeting.

The audit undertaken by Grant Thornton examined the financial statements of the Shire for 2011/12 comprising of the statement of financial position as at 30 June 2012, the statement of comprehensive income, statement of charges in equity and statement of cash flows for the year ended 30 June 2012 inclusive of accounting policies and other explanatory notes and statements.

The audit opinion provided is that of a unqualified report where no indiscretions were observed and the financial data represents a true and fair view of the Shire's position as at 30 June 2012 and its compliance to legislative requirements and accepted national and international accounting standards.

LEVEL OF SIGNIFICANCE

The auditors report is significant in respect to providing independent advice as to the financial well being and health of the organisation to the electors of the Shire of Roebourne and Council.

COUNCILLOR/OFFICER CONSULTATION

The Audit Committee have met with the audit team in May 2012 when they visited for the interim audit. Finance staff have had regular dialogue with the audit team on their final visit and throughout the engagement process. The Audit Committee also met with Mr Patrick Warr on 11 October 2012 and discussed the outcomes of the audit process and their resulting opinion.

Council is to accept the Audit Report at its Council meeting on 19 November 2012.

COMMUNITY CONSULTATION

No community consultation has occurred but is now subject to the Annual Electors Meeting accepting the opinion of the Auditors Annual Financial Report and the 2011/12 Annual Report for the Shire of Roebourne.

STATUTORY IMPLICATIONS

Section 7.2 requires that an audit is to be conducted annually to assess the accounts and annual financial report of the local government.

Section 7.9 of the *Local Government Act 1995* requires that an audit is to be conducted to examine the accounts and annual financial report of the year in review and shall then forward the outcomes of the audit to the president, CEO and Minister prior to 31 December. The auditor is required to report any errors, deficiencies or misapplications identified.

Section 5.53(2)(h) of the *Local Government Act 1995* requires that the annual report of the local government is to include the auditor's report for the financial year under review.

Section 5.27 of the *Local Government Act 1995* also requires that once the audit opinion has been provided, that an annual electors meeting be held within 56 days of the report being accepted by Council. The latest date by when the Annual Electors meeting can be held is 6 December 2012.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPLICATIONS

There are no financial implications.

STRATEGIC IMPLICATIONS

Key Goal #2: **Delivering Services** "We will provide efficient and effective Local Government service delivery that meets our communities' expectations"

Objectives: Meeting the set service standards.
Focusing on continuous improvement and best practice.

Initiatives 2009-13: Develop work improvement programs, implement and regularly review to meet current and future service standards.
Undertake quarterly reviews of the strategic plan implementation and performance delivery.
Continually review and streamline key work practices and work processes.

Priorities 2011/12: Develop the Integrated Strategic Community Plan to be endorsed by the Community and Government by June 2013.
Set service standards and regularly review to ensure they reflect the communities' priorities.
Implement internal business improvement program.
Develop and review the Shires Forward Financial Plan.
Review the Shires 10 year Capital Works Plan.

RISK MANAGEMENT CONSIDERATIONS

An unqualified report provided by the Auditor indicates that they have no material concerns in respect to their assessment of the Shire's financial position.

ISSUES

Economic Issues

There are no economic issues related to this matter.

Social Issues

There are no social issues related to this matter.

Environmental Issues

There are no environmental issues related to this matter.

Cultural & Heritage Issues

There are no Cultural & Heritage issues related to this matter.

IMPACT ON CAPACITY

There is no impact on capacity or resourcing to carry out the Officer's recommendation.

RELEVANT PRECEDENTS

There are no relevant precedents related to this matter.

DELEGATED AUTHORITY

There are no delegated authorities relevant to this matter.

VOTING REQUIREMENTS

Absolute Majority is required to accept the Audit Report

OPTIONS:Option 1

As per Officers Recommendation.

Option 2

That the Shire of Roebourne by SIMPLE Majority pursuant to sections 5.27 and 5.54(1) of the *Local Government Act 1995* and Regulation 15 of the *Local Government (Administration) Regulations 1996*, RESOLVES to:

DEFER its decision on the unqualified Audit Report provided by Grant Thornton on pages 111 and 112 of the Annual Report 2011/12 for the financial period ending 30 June 2012 to a meeting to be set prior to 6 December 2012.

CONCLUSION

The Audit Report has been provided by an independent body engaged to examine the financial affairs of the Shire of Roebourne. The results of the audit reveal an unqualified opinion indicating no issues were identified of any errors, misappropriations or deficiencies in reporting.

OFFICERS RECOMMENDATION / COUNCIL RESOLUTION

Res No : 152323
MOVED : Cr Pritchard
SECONDED : Cr Lally

That the Shire of Roebourne by ABSOLUTE Majority pursuant to sections 5.27 and 5.54(1) of the *Local Government Act 1995* and Regulation 15 of the *Local Government (Administration) Regulations 1996*, RESOLVES to ACCEPT the unqualified Audit Report provided by Grant Thornton on pages 111 and 112 of the Annual Report 2011/12 for the financial period ending 30 June 2012.

CARRIED

FOR : Cr White-Hartig, Cr Long, Cr Lockwood, Cr Lally, Cr Pritchard,
Cr Vertigan, Cr Miller, Cr Bertling
AGAINST : Nil

3.2 RECEIVAL OF THE ANNUAL FINANCIAL REPORT 2011/12

File No:	FM.3
Responsible Executive Officer:	Chief Executive Officer
Reporting Author:	Manager Corporate Compliance
Date of Report:	8 November 2012
Applicant/Proponent:	Financial Services
Disclosure of Interest:	Nil
Attachment(s)	Annual Report 2011/12 (pp 49 – 110 Annual Financial Reports)

PURPOSE

To receive and accept the 2011/12 Annual Financial Report that was independently reviewed by Council's auditors.

BACKGROUND

Council is required under the legislation and by national and international standards to provide financial data in approved formats and reports to indicate its sustainability, liquidity and community equity.

The financial information comes in the form of a statement of financial position as at 30 June 2012, a statement of comprehensive income, statement of charges in equity and statement of cash flows for the year ended 30 June 2012 inclusive of accounting policies and other explanatory notes and statements.

These reports have been audited by the Council's auditors and they have provided an unqualified opinion.

The Shire has at 30 June 2012:

- comprehensive income of \$42.453M of which substantially represents grants received in advance to undertake major strategic projects for 2012/13;
- Net assets of the Shire amounting to \$270M (↑\$40M on the previous year), with assets representing \$297.7M (↑ \$37.3M) and liabilities of \$26.8M (↓\$4.5M);
- Loan liability represents \$14.8M (↓\$3.1M);
- Cashed Reserves of \$76.2M and Unrestricted cash of \$0.6M
- Non-Current and Infrastructure Assets represent \$207.8M (↑\$44.2M)
- Surplus carried forward of \$4.477M as at 30 June 2012.

LEVEL OF SIGNIFICANCE

The financial health and sustainability of the Shire of Roebourne is crucial towards its ability to continue to provide services to the community and meet the objectives determined with the Shire's strategic plan.

COUNCILLOR/OFFICER CONSULTATION

The Audit Committee have met with the auditors in May 2012 when they visited for the interim audit. Finance staff have had regular dialogue with the audit team on their final visit and throughout the engagement process. The Audit Committee also met with Mr Patrick Warr on 11 October 2012 and discussed the outcomes of the audit process and their resulting opinion.

Council have received the Annual Financial Report at its Council meeting on 15 October 2012.

COMMUNITY CONSULTATION

No community consultation has occurred in the development of the report. Section 5.55 of the *Local Government Act 1995* requires notice of the annual report and its inclusions for the Annual Electors Meeting. The Annual Financial Report for 2011/12 is identified within the body of the Annual Report 2011/12 on pages 50 to 110.

STATUTORY IMPLICATIONS

Section 5.53(1) of the *Local Government Act 1995* requires that the annual report of the local government is to be prepared each year and shall contain prescribed matters as contained within subsection (2) including (f) "the financial report for the financial year".

POLICY IMPLICATIONS

CF1 – Significant Accounting Policy

FINANCIAL IMPLICATIONS

There are no financial implications.

STRATEGIC IMPLICATIONS

Key Goal #2:	Delivering Services "We will provide efficient and effective Local Government service delivery that meets our communities' expectations"
Objectives:	Meeting the set service standards. Focusing on continuous improvement and best practice.
Initiatives 2009-13:	Set service standards and regularly review to ensure they reflect the communities' priorities. Develop work improvement programs, implement and regularly review to meet current and future service standards. Undertake quarterly reviews of the strategic plan implementation and performance delivery. Continually review and streamline key work practices and work processes. Encourage improvement ideas and evaluated for implementation.
Priorities 2011/12:	Develop the Integrated Strategic Community Plan to be endorsed by the Community and Government by June 2013. Set service standards and regularly review to ensure they reflect the communities' priorities. Implement internal business improvement program. Develop and review the Shires Forward Financial Plan. Review the Shires 10 year Capital Works Plan.

RISK MANAGEMENT CONSIDERATIONS

There are no risk management considerations applicable.

ISSUES**Economic Issues**

There are no economic issues related to this matter.

Social Issues

There are no social issues related to this matter.

Environmental Issues

There are no environmental issues related to this matter.

Cultural & Heritage Issues

There are no Cultural & Heritage issues related to this matter.

IMPACT ON CAPACITY

There is no impact on capacity or resourcing to carry out the Officer's recommendation.

RELEVANT PRECEDENTS

There are no relevant precedents related to this matter.

DELEGATED AUTHORITY

There are no delegated authorities relevant to this matter.

VOTING REQUIREMENTS

Absolute Majority

OPTIONS:Option 1

As per Officers recommendation.

Option 2

That the Shire of Roebourne by ABSOLUTE Majority pursuant to sections 5.27 and 5.54(1) of the *Local Government Act 1995* and Regulation 15 of the *Local Government (Administration) Regulations 1996*, RESOLVES to DEFER its decision on the audited Annual Financial Report found on pages 50 – 110 of the Annual Report 2011/12 for the financial period ending 30 June 2012.

CONCLUSION

The audited Annual Financial Report is contained within the Annual Report 2011/12 and indicates the financial viability and position as at 30 June 2012 for the Shire of Roebourne.

OFFICERS RECOMMENDATION / COUNCIL RESOLUTION

Res No : 152324
MOVED : Cr Lockwood
SECONDED : Cr Miller

That the Shire of Roebourne by ABSOLUTE Majority pursuant to sections 5.27, 5.53 and 5.54 of the *Local Government Act 1995* and Regulation 15 of the *Local Government (Administration) Regulations 1996*, RESOLVES to ACCEPT the audited Annual Financial Report on pages 50 – 110 of the Annual Report 2011/12 for the financial period ending 30 June 2012.

CARRIED

FOR : Cr White-Hartig, Cr Long, Cr Lockwood, Cr Lally, Cr Pritchard,
Cr Vertigan, Cr Miller, Cr Bertling
AGAINST : Nil

3.3 RECEIVAL OF ANNUAL REPORT 2011/12

File No:	FM.3
Responsible Executive Officer:	Chief Executive Officer
Reporting Author:	Manager Corporate Compliance
Date of Report:	8 November 2012
Applicant/Proponent:	Executive Services
Disclosure of Interest:	Nil
Attachment(s)	Annual Report 2011/12 (pp 1- 49)

PURPOSE

To receive and accept the Annual Report 2011/12 that provides an overview of the performance of Council and its administration team in achieving outcomes as determined by the Community and Council through the endorsed Shire of Roebourne Strategic Plan 2009 – 2013.

BACKGROUND

The Annual Report is to be annual publication indicating information about the Shire of Roebourne and includes such matters as measures in performance of the Council against predetermined outcomes detailed in the Shire of Roebourne Strategic Plan 2009 – 2013. In addition there is a requirement to produce statistical information and or reports to other legislative bodies in respect to activity that has been carried out by the Shire on behalf of other government instrumentalities. Legislation embodying these requirements include the *State Records Act 2000*, *Freedom of Information Act 1992*, *Local Government Act 1995*, *Disability Services Act 1993* and *Equal Opportunity Act 1984*.

The Shire President's Report and the Chief Executive Officer's Report provide a snapshot of the activities and outcomes undertaken throughout the reporting year.

LEVEL OF SIGNIFICANCE

The Annual Report is significant in so far as providing the community an understanding of the Council's ability to deliver and meet community expectations as determined in the Council's strategic plan (or Plan for the Future). Additionally it is a resource and record to also identify what the Council has achieved during the past financial period.

COUNCILLOR/OFFICER CONSULTATION

Councillors and staff have been made aware of the progress of service delivery and infrastructure roll outs through regular briefings and budget reviews throughout the past 12 months.

COMMUNITY CONSULTATION

No community consultation has occurred in the development of the report. Section 5.55 of the *Local Government Act 1995* requires notice of the annual report and its inclusions for the Annual Electors Meeting.

STATUTORY IMPLICATIONS

Section 5.27 of the *Local Government Act 1995* also requires that once the audit opinion has been provided, that an annual electors meeting be held within 56 days of the report being accepted by Council.

Section 5.53(2)(h) of the *Local Government Act 1995* requires that the annual report of the local government is to include a variety of matters for the financial year under review.

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;
 - (b) a report from the CEO;
 - [(c), (d) deleted.]*
 - (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;
 - (f) the financial report for the financial year;
 - (g) such information as may be prescribed in relation to the payments made to employees;
 - (h) the auditor's report for the financial year;
 - (ha) a matter on which a report must be made under section 29(2) of the *Disability Services Act 1993*;
 - (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;
 - (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.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPLICATIONS

There are no financial implications.

STRATEGIC IMPLICATIONS

Key Goal #2: **Delivering Services** "We will provide efficient and effective Local Government service delivery that meets our communities' expectations"

Objectives: Meeting the set service standards.
Building a high performance work culture.
Focusing on continuous improvement and best practice.

Initiatives 2009-13: Set service standards and regularly review to ensure they reflect the communities' priorities.
Develop work improvement programs, implement and regularly review to meet current and future service standards.
Undertake quarterly reviews of the strategic plan implementation and performance delivery.
Continually review and streamline key work practices and work processes.
Encourage improvement ideas and evaluated for implementation.

Priorities 2011/12: Develop the Integrated Strategic Community Plan to be endorsed by the Community and Government by June 2013.
Set service standards and regularly review to ensure they reflect the communities' priorities.
Implement internal business improvement program.
Develop and review the Shires Forward Financial Plan.
Review the Shires 10 year Capital Works Plan.
Seek partners to deliver community requirements.

RISK MANAGEMENT CONSIDERATIONS

There are no risk management considerations applicable.

ISSUES

Economic Issues

There are no economic issues related to this matter.

Social Issues

There are no social issues related to this matter.

Environmental Issues

There are no environmental issues related to this matter.

Cultural & Heritage Issues

There are no Cultural & Heritage issues related to this matter.

IMPACT ON CAPACITY

There is no impact on capacity or resourcing to carry out the Officer's recommendation.

RELEVANT PRECEDENTS

There are no relevant precedents related to this matter.

DELEGATED AUTHORITY

There are no delegated authorities relevant to this matter.

VOTING REQUIREMENTS

Absolute Majority

OPTIONS:Option 1

As per Officers recommendation.

Option 2

That the Shire of Roebourne by ABSOLUTE Majority pursuant to sections 5.27, 5.53 and 5.54(1) of the *Local Government Act 1995* and Regulation 15 of the *Local Government (Administration) Regulations 1996*, RESOLVES to DEFER acceptance of the Annual Report 2011/12 and the Shire President and CEO's Reports for the financial period ending 30 June 2012 to a date to be set prior to 6 December 2012.

CONCLUSION

The Annual Report is to be received and accepted as a community record of events for the period 2011/12 where elected members and the administration were engaged to provide services and infrastructure to all current and future residents of the Shire of Roebourne.

OFFICERS RECOMMENDATION / COUNCIL RESOLUTION

Res No : 152325
MOVED : Cr Vertigan
SECONDED : Cr Long

That the Shire of Roebourne by ABSOLUTE Majority pursuant to sections 5.27, 5.53 and 5.54(1) of the *Local Government Act 1995* and Regulation 15 of the *Local Government (Administration) Regulations 1996*, RESOLVES to ACCEPT the Annual Report 2011/12 and the Shire President and CEO's Reports for the financial period ending 30 June 2012.

CARRIED

FOR : Cr White-Hartig, Cr Long, Cr Lockwood, Cr Lally, Cr Pritchard,
Cr Vertigan, Cr Miller, Cr Bertling
AGAINST : Nil

4 OTHER GENERAL BUSINESS

Nil

5 CLOSURE

The meeting closed at 5.37pm.

I, Shire President, **Fiona White-Hartig** of the Shire of Roebourne, hereby declare on behalf of the Councillors of the Shire of Roebourne that the enclosed Minutes are a true and accurate record of the Annual General Electors' meeting held on 17 December 2012.

.....

Date ____/____/