

**Shire of Moora
Ordinary Council Meeting
18th May 2016**

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora
will be held on **Wednesday 18th May 2016**
in the Council Chambers, 34 Padbury Street, Moora
commencing at **5.30 pm**

AJ Leeson
Chief Executive Officer



12th May 2016

The Shire of Moora Vision and Mission Statement

Vision

Our vision is that:

The Moora region will be a place of brilliant opportunity over the next twenty years. Sustainable growth will result in a vibrant, healthy, wealthy and diverse community.

Mission

Our mission is:

To identify and stimulate growth through creative leadership and a willingness to get things done.

SHIRE OF MOORA

WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

Chief Executive Officer
Shire of Moora
PO Box 211
MOORA WA 6510

Dear Sir/Madam,

Re: Written Declaration of Interest in Matter Before Council

I, ⁽¹⁾ _____ wish to
declare an interest in the following item to be considered by Council at its meeting to be held on
⁽²⁾ _____.

Agenda Item ⁽³⁾ _____

The type of interest I wish to declare is: ⁽⁴⁾

- Financial pursuant to Section 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007.

The nature of my interest is ⁽⁵⁾

The extent of my interest is ⁽⁶⁾

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

Yours faithfully,

Signed

Date

1. Insert your name.
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

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SHIRE OF MOORA
ORDINARY COUNCIL MEETING AGENDA
18 MAY 2016
 COMMENCING AT 5.30PM

TABLE OF CONTENTS

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	7
1.1 DECLARATION OF OPENING.....	7
1.2 DISCLAIMER READING	7
2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE	7
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	7
4. PUBLIC QUESTION TIME	7
5. PETITIONS AND PRESENTATIONS.....	7
6. APPLICATIONS FOR LEAVE OF ABSENCE.....	7
7. ANNOUNCEMENTS BY THE PRESIDING MEMBER.....	7
8. CONFIRMATION OF MINUTES	7
8.1 ORDINARY COUNCIL MEETING - 20 APRIL 2016	7
9. REPORTS OF OFFICERS.....	8
9.1 GOVERNANCE AND CORPORATE SERVICES.....	8
9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31	8
9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 APRIL 2016.....	10
9.1.3 WA LOCAL GOVERNMENT ASSOCIATION – 2016 ANNUAL GENERAL MEETING VOTING DELEGATES	11
9.2.1 SHED CONSTRUCTION - LOT 2 PADBURY STREET, MOORA.....	12
9.2.2 SHED CONSTRUCTION - LOT 501/4 HAMILTON STREET, MOORA	14
9.2.3 LOT 22/58 GARDINER STREET - NEW DWELLING	16
10. REPORTS OF COMMITTEES	18
GENERAL PURPOSE COMMITTEE MEETING – 4 MAY 2016.....	18
10.1 BUSH FIRES ACT - FIRE CONTROL OFFICERS.....	18

11. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 20

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL 20

13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED 20

14. CLOSURE OF MEETING 20

- * Separate Attachments
 - 9.1.1 *List of Payments Authorised Under Delegation 1.31*
 - 9.1.2 *Statement of Financial Activity for Period Ended 30 April 2016*
 - 9.2.1 *Plans*
 - 9.2.2 *Plans*
 - 9.2.3 *Plans*
 - 10.1 *Bush Fire Advisory Committee minutes 22 March 2016*

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**1.1 DECLARATION OF OPENING****1.2 DISCLAIMER READING**

No responsibility whatsoever is implied or accepted by the Shire of Moora for any act, omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**APPROVED LEAVE OF ABSENCE**

DV Clydesdale-Gebert - Councillor

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**4. PUBLIC QUESTION TIME****5. PETITIONS AND PRESENTATIONS****6. APPLICATIONS FOR LEAVE OF ABSENCE****7. ANNOUNCEMENTS BY THE PRESIDING MEMBER****8. CONFIRMATION OF MINUTES****8.1 ORDINARY COUNCIL MEETING - 20 APRIL 2016**

That the Minutes of the Ordinary Meeting of Council held on 20 April 2016 be confirmed as a true and correct record of the meeting.

9. REPORTS OF OFFICERS

9.1 GOVERNANCE AND CORPORATE SERVICES

9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE: 10 May 2016

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

SCHEDULE PREPARED BY: Alida Fitzpatrick, Finance Creditors Officer

ATTACHMENTS: Accounts Paid Under Delegated Authority

PURPOSE OF REPORT

Payments have been made under delegated authority and a listing of these payments is attached for Council to note and endorse.

BACKGROUND

At the December 2005 Ordinary Meeting of Council resolution 276/2005 delegated the authority of payments from Municipal and Trust Funds to the Chief Executive Officer.

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

POLICY REQUIREMENTS

Delegation 1.31 – Payments from Municipal and Trust Funds.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 - Section 6.10

Local Government (Financial Management) Regulations 1996 – Regulations 12 & 13.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS

➤ Environment

There are no known significant environmental implications associated with this proposal.

➤ Economic

There are no known significant economic implications associated with this proposal.

➤ Social

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS

Payments are in accordance with the adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

<i>Municipal Fund</i>	<i>Cheques 62147 to 62151</i>	<i>\$11,203.89</i>
	<i>EFT 15388 to 15562</i>	<i>\$539,317.00</i>
	<i>Credit Card 15/03/16 to 14/04/16</i>	<i>\$9,861.22</i>
	<i>Net Pays – PPE 05/04/16</i>	<i>\$89,176.09</i>
	<i>Net Pays – PPE 19/04/16</i>	<i>\$97,200.36</i>
<i>Trust Fund</i>	<i>Cheques 5175 to 5189</i>	<i>\$7,904.20</i>
<i>Total</i>		<i><u>\$754,662.76</u></i>

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 APRIL 2016

REPORT DATE: 12 May 2016

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

ATTACHMENTS: Statement of Financial Activity for the Period Ended 30 April 2016

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 30 April 2016.

BACKGROUND:

Council is provided with monthly financial reports to enable monitoring of revenues and expenditures against the adopted budget.

COMMENT:

The Statement of Financial Activity for the Period Ended is provided as a separate attachment in Program format.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS:

Monitoring of actual revenues and expenditures against the adopted budget assists Council in being informed as to the financial health of the organisation.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

Year to date income and expenditure is provided by program to enable comparison to 2016/17 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council notes and receives the Statement of Financial Activity for the period ended 30 April 2016.

9.1.3 WA LOCAL GOVERNMENT ASSOCIATION – 2016 ANNUAL GENERAL MEETING VOTING DELEGATES

FILE REFERENCE: GA/WAL3-2
REPORT DATE: 12 May 2016
APPLICANT/PROPONENT: WA Local Government Association
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Not Applicable
AUTHOR: Alan Leeson, Chief Executive Officer
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To consider nominating two Elected Members as Council's voting delegates at the 2016 Annual General Meeting (AGM) of the Western Australian Local Government Association (WALGA).

BACKGROUND:

Correspondence has been received from WALGA requesting two voting delegates and two proxy delegates for the WALGA AGM to be held on Wednesday 3rd August at the commencement of the WALGA Convention.

COMMENT:

Council can nominate either Elected Members or the Chief Executive Officer to act as voting delegates. It is normal practice to nominate the President and Deputy President as the voting delegates or if they are unable to attend another Elected Member.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no strategic implications related to this item.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this item.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

Council advises the Western Australian Local Government Association that Cr Ken Seymour and Cr Merrel Pond are the AGM voting delegates representing the Shire of Moora at the 2016 WALGA Convention.

9.2 DEVELOPMENT SERVICES**9.2.1 SHED CONSTRUCTION - LOT 2 PADBURY STREET, MOORA**

FILE REFERENCE: TP/PA29/1516

REPORT DATE: 29 April 2016

APPLICANT/PROPONENT: Rod Machin on behalf of Darral Staines

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Engineering Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

Application has been received from Rod Machin on behalf of Darral Staines to construct a shed on his property located at Lot 2 Padbury Street, Moora for the purpose of storage.

BACKGROUND:

The property Lot 2 Padbury Street is located in the Town Centre Zone and discussions with the owner resulted in the shed being classified as Industry Service. The Shire of Moora Town Planning Scheme No 4 "Zoning Table" allows a "D" Classification for Industry Service. The site requirements are at the discretion of the Local Government i.e. Council; the objectives are as follows:

Objectives

- (a) to ensure the town centre remains the principal place for retail, commercial, civic, and administrative functions within the district.
- (b) to encourage development that will not adversely affect local amenities, and will enhance the character of the town centre.
- (c) to provide sufficient parking spaces for vehicles without compromising pedestrian movements through the town centre.
- (d) to provide an increased level of public amenities including public toilets, shaded areas, and street furniture.

Development Requirements

- (a) Development shall not exceed 2 storeys in height except where the local government considers that particular circumstances may warrant an exception being made and provided the local government's objectives are not compromised.
- (b) In considering an application for planning approval for a proposed development (including additions and alterations to existing development) the local government shall have regard to:
 - (i) the colour and texture of external building materials; the local government may require the building facade and side walls to be constructed in masonry;
 - (ii) building size, height, bulk, roof pitch;
 - (iii) setback and location of the building on its lot;
 - (iv) architectural style and design details of the building;

- (v) function of the building;
 - (vi) relationship to surrounding development; and
 - (vii) other characteristics considered by the local government to be relevant.
- (c) Landscaping shall be provided to complement the appearance of the proposed development and the town centre.
- (d) The layout of car parking shall have regard for traffic circulation in existing car parking areas and shall be integrated with any existing and adjoining car park

COMMENT:

The Lot is divided into two lots, one to the south Lot 3 is owned by Mr Tim Broad unfenced between the two and the lot in question Lot 2 is owned by Mr Darral Staines. There is already one shed on Lot 2 at the front of the Lot. It is felt pertinent to place conditions on the shed so that it cannot be used for other purposes other than storage. If the usage changes Council permission will be required.

The premise is located in the Flood Zone area and will require a letter from the Department of Water advising of Finished Floor Levels (FFL). Council has the discretion to reduce the (FFL) to 0.15m above the 1999 May highest flood level due to it not being a dwelling.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council approve the application by Mr Rod Machin on behalf of Mr Darral Staines to construct a steel framed and steel clad shed 16.07lgth x 9.97width x 4.47 ht on his property located at Lot 2 Padbury Street, Moora subject to the following conditions:

1. *The shed is to be used for storage purposes, if any mechanical servicing is to be carried out a separate Town Planning application is to be submitted to Council and toilets are to be installed as per Building Code requirements incorporating Disabled access;*
2. *Shed is not to be used as a dwelling;*
3. *Finished Floor Level can be 0.15mm above the highest 1999 May Flood level for the area;*
4. *No alteration to the plans submitted for this application are permitted, if this is to be the case a separate application is required.*
5. *Finish of the outside surface of the Shed is to be colorbond as per Town Planning requirements for the Town Centre Zone.*

9.2.2 SHED CONSTRUCTION - LOT 501/4 HAMILTON STREET, MOORA

FILE REFERENCE: TP/PA31/1516

REPORT DATE: 5 May 2016

APPLICANT/PROponent: Charlie Ray

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

Application received from Mr Charlie Ray to construct two sheds in his backyard located at lot 501/4 Hamilton Street, Moora.

BACKGROUND:

The property Lot 501 Hamilton Street, Moora is located in the Residential Zone as defined in the Shire of Moora Town Planning Scheme No 4 Amendment II, the objectives of which are:

Objectives

- (a) to provide for the predominant form of residential development to be single houses whilst providing for diversity with higher density close to the town centre.
- (b) to provide for diversity of lifestyle choice with a range of residential densities.
- (c) to allow for the establishment of non-residential uses which are compatible with the predominant residential use and which will not adversely affect local amenities.

Site Requirements

In accordance with the Residential Design Codes.

Both sheds are 5m x 10m steel framed and clad and have coverage of 50m² each with a total of 100m² which is permissible according to Shire Policy manual.

The sheds are to be used for storage purposes and the continued pursuit of Mr Ray's hobbies which involves woodwork.

COMMENT:

The two sheds meet the Shire of Moora Out Buildings Policy requirements with the proviso that noise does not present a nuisance to his neighbours outside the hours of 7.00pm to 7.00am, sheds are not to be used for dwelling purposes.

As this premise is not located in the Shire of Moora Flood Plain adjusted Finished Floor Levels are not required.

POLICY REQUIREMENTS:

Shire of Moora Out Building Policy

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council approve the application by Mr Charles Ray to construct two 5m x 10m steel framed and clad sheds on his property at Lot 501/ 4 Hamilton Street, Moora, as per his deposited drawings subject to the following conditions:

- 1. No noise nuisance to be presented to neighbours from the hours of 7.00pm and 7.00am;*
- 2. Sheds are not to be used for dwelling purposes.*

9.2.3 LOT 22/58 GARDINER STREET - NEW DWELLING

FILE REFERENCE: TP/PA32/1516

REPORT DATE: 5 May 2016

APPLICANT/PROPONENT: Kara McGree

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

Town Planning Application received from Ms Kara McGree to construct a dwelling with veranda and a steel framed and clad shed on her property located at Lot 22 Hn 58 Gardiner Street, Moora.

BACKGROUND:

The property is located in the Residential Zone and is required to comply with Shire Town Planning Scheme Flood Provisions. The Lot is covered by Town Sewerage and has no caveats attached. The house is a new transportable with verandas front and rear. Once the house is situated and verandas installed boundary fences will be installed.

Objectives of the Residential Zone

- (a) to provide for the predominant form of residential development to be single houses whilst providing for diversity with higher density close to the town centre.
- (b) to provide for diversity of lifestyle choice with a range of residential densities.
- (c) to allow for the establishment of non-residential uses which are compatible with the predominant residential use and which will not adversely affect local amenities.

Site Requirements

To be in accordance with the Residential Design Codes.

COMMENT:

The House will be a three bedroom two bathroom steel framed hardiplank covered dwelling and it is recommended that Council approve the application.

POLICY REQUIREMENTS:

No known policies related to this item

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council approve the application by Kara McGree to have a prefabricated new 3 bedroom 2 bathroom dwelling constructed and sited at Lot 22/58 Gardiner Street Moora, subject to the following conditions:

- *Application to the Shire for sewerage connection to be made prior to connection to sewerage and an as constructed diagram to be provided by the plumber to the Shire of Moora;*
- *An application is to be made to the Department of Water for a Finished Floor Level in relation to the Shire of Moora Flood Provisions which requires a Finished Floor Level that is 300mm above the highest May 1999 Flood Level.*
- *This is not a Building approval as a separate Building application is required to be submitted to the Shire for approval by the Shire of Moora Building Surveyor.*
- *A crossover application is to be made to the Shire of Moora in accordance with policy parameters*

10. REPORTS OF COMMITTEES

GENERAL PURPOSE COMMITTEE MEETING – 4 MAY 2016

10.1 BUSH FIRES ACT - FIRE CONTROL OFFICERS

FILE REFERENCE: L/OBUFI
REPORT DATE: 18 April 2016
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR Vicki Booth, Community Emergency Services Manager
ATTACHMENTS: Bush Fire Advisory Committee minutes 22 March 2016

PURPOSE OF REPORT:

Confirmation of the appointment of the Shire of Moora Bush Fire Control Officers 2016/2017.

BACKGROUND:

A Local Government may from time to time appoint such persons as it thinks necessary to be its Bush Fire Control Officers under and for the purposes of the Bush Fire Act 1954, and those officers shall appoint the Chief Bush Fire Control Officer and two (2) Deputy Bush Fire Control Officers who shall be first and second in seniority of the other bush fire control officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

The Local Government shall cause notice of appointment under the provisions of the Act to be published at least once in a newspaper circulating the district.

COMMENT:

Below is a list of appointed Fire Control Officers for the year 2016/2017 for the Shire of Moora District Bush Fire Brigade network.

Council is required to adopt this list and authorise the publishing of the names in the Northern Valley News for public information.

POLICY REQUIREMENTS:

Shire of Moora Bush Fire Policy 2.1 adopted 18 May 2009

LEGISLATIVE REQUIREMENTS:

Bush Fires Act 1954 - (with amendments) and Regulations – Section 38 (1) & (2a).

STRATEGIC IMPLICATIONS:

Experienced Fire Control Officers throughout the Shire of Moora district for the protection of rural property

SUSTAINABILITY IMPLICATIONS:

➤ Environment

Efficient fire control and enforcement for fire breaks protects the natural environment and cereal crops.

➤ **Economic**

There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

Funding for the Bush Fire Brigades operations is funded from the Local Government Grants Scheme (ESL)

VOTING RECOMMENDATIONS:

Simple Majority required

COMMITTEE RECOMMENDATION

That the Shire of Moora adopt the following list of current Bush Fire Control Officers for the 2016/2017 season and that Council authorise the publishing of the list in the Northern Valley News for public information.

*Chief Bush Fire Control Officer
Deputy Chief Bush Fire Control Officer
Deputy Chief Bush Fire Control Officer
Community Emergency Services Manager
Fire Weather Officer
Deputy Fire Weather Officers*

*Brendan Pratt
Derek Stewart
James (Jimmy) McNamara
Vicki Booth
Jeremy Lefroy
Brendan Pratt
Derek Stewart*

Fire Control Officers

*Toby Ellis (Bindi Bindi)
Les Crane (Bindi Bindi)
Brad Tonkin (Coomberdale)
David McLean (Coomberdale)
Jaden Cocking (Koojan)
Glen Vanzetti (Koojan)
Terry Murray (Koojan)
Tom Sayers (Miling)
Mark Harrington (Miling)
Brad Millstead (Watheroo)
Len Mitchell (Watheroo)
Neil Martin (Moora VFRS)
Sean Harris (Ranger)*

*Burning Permits Only
Burning Permits Only*

11. **ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
12. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**
13. **MATTERS FOR WHICH THE MEETING MAY BE CLOSED**
14. **CLOSURE OF MEETING**