



# Ordinary Council Meeting Minutes

**Date: 18 April 2012**

**Please Note: These minutes and the decisions recorded therein have not as yet been confirmed by Council as a true and accurate record of the meeting.**

## **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**  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MOORA**  
**18 APRIL 2012**

**TABLE OF CONTENTS**

<b>1.</b>	<b>DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS</b>	<b>3</b>
	1.1 <b>DECLARATION OF OPENING</b>	<b>3</b>
	1.2 <b>DISCLAIMER READING</b>	<b>3</b>
<b>2.</b>	<b>ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE</b>	<b>3</b>
<b>3.</b>	<b>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</b>	<b>3</b>
<b>4.</b>	<b>PUBLIC QUESTION TIME</b>	<b>4</b>
<b>5.</b>	<b>PETITIONS AND PRESENTATIONS</b>	<b>4</b>
<b>6.</b>	<b>APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>4</b>
<b>7.</b>	<b>ANNOUNCEMENTS BY THE PRESIDING MEMBER</b>	<b>4</b>
<b>8.</b>	<b>CONFIRMATION OF MINUTES</b>	<b>4</b>
	8.1 <b>ORDINARY COUNCIL MEETING - 21 MARCH 2012</b>	<b>4</b>
<b>9.</b>	<b>REPORTS OF OFFICERS</b>	<b>5</b>
	9.1 <b>CORPORATE SERVICES</b>	<b>5</b>
	9.1.1 List of Payments Authorised Under Delegation 1.31 *	<b>5</b>
	9.1.2 Statement of Financial Activity for Period Ended 31 March 2012 *	<b>6</b>
	9.1.3 Lions Annual District 2011/12 Convention 2012	<b>7</b>
	9.1.4 Rating Strategy *	<b>9</b>
	9.2 <b>HEALTH, BUILDING &amp; PLANNING SERVICES</b>	<b>11</b>
	9.2.1 Agroforestry and Plantations – Local Planning Policy (LPP) 1 *	<b>11</b>
	9.2.2 Request to Name New Road – Lee Steere Street Development *	<b>15</b>
	9.2.3 Notification of Fixed wireless facility to be erected on existing Telstra Tower *	<b>17</b>
	9.2.4 National Television and Computer Recycling Scheme *	<b>19</b>

<b>9.3</b>	<b>COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>	<b>21</b>
<b>9.4</b>	<b>ENGINEERING SERVICES</b>	<b>21</b>
9.4.1	Parks and Recreation; Road Hierarchy; and Solid Waste Facilities & Rubbish Collection – Levels of Service *	<b>21</b>
9.4.2	Changeover of Caterpillar Grader *	<b>23</b>
<b>10.</b>	<b>ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>26</b>
<b>11.</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING</b>	<b>26</b>
<b>12.</b>	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED</b>	<b>26</b>
<b>13.</b>	<b>CLOSURE OF MEETING</b>	<b>26</b>

\* Separate Attachments

<i>Item 9.1.1</i>	<i>List of Payments Authorised Under Delegation 1.31</i>
<i>Item 9.1.2</i>	<i>Statement of Financial Activity for Period Ended 31 March 2012</i>
<i>Item 9.1.4</i>	<i>Rating Strategy</i>
<i>Item 9.2.1</i>	<i>Local Planning Policy (LPP) 1 - Agroforestry and Plantations</i>
<i>Item 9.2.2</i>	<i>Geographic Names Committee WA, Principles, Guidelines and Procedures</i>
<i>Item 9.2.3</i>	<i>Site Plan</i>
<i>Item 9.2.4</i>	<i>Fact Sheet - Guide for Local Government</i>
<i>Item 9.4.1</i>	<i>Levels of Service - Parks and Recreation; Solid Waste Facilities &amp; Rubbish Collection; and Road Hierarchy – Levels of Service</i>
<i>Item 9.4.2</i>	<i>Tender Evaluation Matrix &amp; Plant Replacement Program</i>

**I. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS****I.1 DECLARATION OF OPENING**

*The Shire President declared the meeting open at 5.36pm.*

**I.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****ATTENDANCE**

CE Gardiner	-	Shire President
AR Tonkin	-	Councillor
SA Bryan	-	Councillor
CD Hawkins	-	Councillor
R Keamy	-	Councillor
DV Clydesdale-Gebert	-	Councillor
OC Cocking	-	Councillor
TG Humphry	-	Councillor
JL Greay	-	Acting Chief Executive Officer
LJ Parola	-	Manager Finance & Corporate Services
RL McCall	-	Manager Community & Economic Development
P Williams	-	Manager Health Building & Planning Services

**APOLOGIES**

AJ Leeson	-	Chief Executive Officer
JW McLagan	-	Councillor

**PUBLIC**

Cynthia McMorran OAM JP	-	Freeman
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**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**4. PUBLIC QUESTION TIME**

Cynthia McMorran questioned whether the footpath on the east side of the Drovers Inn Hotel was in the works programme to do?

Shire President advised that there are safety issues relating to the verandah of the Drovers Inn Hotel and they are currently being worked through.

**5. PETITIONS AND PRESENTATIONS**

Nil

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

Prior to today's meetings Council hosted an afternoon tea with visiting delegates of the Rotary Group Study Exchange from Germany.

Attended two Frail Aged Lodge Committee meetings

Cr Hawkins advised that Hon Mia Davies MLC recommended that Council continue to work towards Super Towns.

Cr Keamy advised that on a recent break he visited a number of Council's in the south west including Esperance, Hyden, Kondinin and Narembeen.

**8. CONFIRMATION OF MINUTES****8.1 ORDINARY COUNCIL MEETING - 21 MARCH 2012****COUNCIL RESOLUTION**

*28/12 Moved Cr Hawkins, seconded Cr Cocking that Minutes of the Ordinary Meeting of Council held on 21 March 2012 be confirmed as a true and correct record of the meeting.*

**CARRIED 8/0**

## **9. REPORTS OF OFFICERS**

### **9.1 CORPORATE SERVICES**

#### **9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31**

**REPORT DATE:** 12 April 2012

**OFFICER DISCLOSURE OF INTEREST:** Nil

**AUTHOR:** Nicole Chappell, Finance Creditors & Records 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

<b>COUNCIL RESOLUTION</b>
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**29/12 Moved Cr Cocking, seconded Cr Bryan that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31**

<b>Municipal Fund</b>	<b>Cheques 60708 - 60740</b>	<b>\$161,402.31</b>	
<b>Trust</b>	<b>Cheques 4763 - 4770</b>	<b>\$222.00</b>	
<b>Direct Debits</b>	<b>EFT 7694 - 7846</b>	<b>\$329,453.47</b>	
	<b>Net Pays – PPE 27 March 2012</b>	<b>\$84,779.70</b>	
	<b>Net Pays – PPE 10 April 2012</b>	<b>\$82,700.62</b>	
	<b>Credit Cards to 14 March 2012</b>	<b>\$3,197.52</b>	
	<b>Total</b>	<b><u>\$661,755.62</u></b>	
		<b><u>CARRIED</u></b>	<b><u>8/0</u></b>

### **9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 29 FEBRUARY 2012**

**REPORT DATE:** 10 April 2012

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Leanne Parola, Manager Finance & Corporate Services

**ATTACHMENTS:** Statement of Financial Activity for the Period Ended 31 March 2012

**PURPOSE OF REPORT:**

To note and receive the Statement of Financial Activity for the period ended 31 March 2012.

**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 2011/12 adopted budget.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

**30/12 Moved Cr Gardiner, seconded Cr Bryan that Council notes and receives the Statement of Financial Activity for the period ended 31 March 2012.**

**CARRIED                      8/0**

**9.1.3 LIONS ANNUAL DISTRICT 201 WI CONVENTION 2012**

Cr Gardiner declared an impartiality interest in item 9.1.3 as he is a Lions member.

**FILE REFERENCE:** CC/MLII

**REPORT DATE:** 11 April 2012

**APPLICANT/PROPONENT:** Lions Club of Moora

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Rebecca McCall, Manager Community & Economic Development

**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

For Council to consider assisting the Lions Club of Moora with the associated costs in hosting the Annual District 201 WI Convention 2012.

**BACKGROUND:**

The Lions Club of Moora has been selected by the District Cabinet to organise and host the Annual District 201 WI Convention scheduled for the 19<sup>th</sup>, 20<sup>th</sup> & 21<sup>st</sup> of October 2012.

In 2008 the Lions Club of Moora hosted the Convention for the first time. On this occasion the Shire of Moora contributed by providing the refreshments for the welcoming evening at a cost of \$1,000 and in addition reduced the facility hire fee.



**COMMENT:**

For the 2012 event the Lions Club of Moora are requesting the Shire of Moora consider assistance by:

- Provision of drinks and nibbles for approximately 100-125 people for the welcoming evening held on Friday, 19 October.
- Provision of reduced fees for the hiring of the Moora Performing Arts Centre and Moora Recreation Centre.

The Convention will take place in two Council facilities, the Moora Performing Arts Centre and the Moora Recreation Centre over a three day period. It is proposed that the Shire of Moora considers supporting the Lions Club of Moora by waiving the hire fee for the two venues to assist with the cost of running the Convention.

**POLICY REQUIREMENTS:**

There are no policy requirements related to this item.

**LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements related to this item.

**STRATEGIC IMPLICATIONS:**

The Shire of Moora's Community Strategic Plan key result area Community and Economic Development outlines the goal to plan and develop the Moora region through positive community development. This proposal identifies the opportunities for a community group to deliver a service which attracts visitors to the region.

**SUSTAINABILITY IMPLICATIONS:****➤ Environment**

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

**➤ Economic**

There are economic implications associated with this proposal through potential external spending generated from visitors attending the convention. In addition, nominated community groups will have the opportunity to raise funds through catering which will assist with operational costs.

**➤ Social**

There are potential social implications associated with this proposal with the opportunity for local Lions members to network with other members from other districts.

**FINANCIAL IMPLICATIONS:**

The financial implications to Council in relation to this item include the waiver of fees associated to hiring the Council facilities. This cost consists of hiring both the Moora Performing Arts Centre and Recreation Centre facilities for three days equating to a cost of \$1,800. This contribution will be allocated in the 2012/13 budget.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

**31/12 Moved Cr Bryan, seconded Cr Humphry that Council provide the facilities of the Moora Performing Arts Centre and the Moora Recreation Centre free of charge for the purpose of hosting the Lions Annual District 201 WI Convention to be held on October 19, 20 and 21, 2012.**

**CARRIED 8/0**

**9.1.4 RATING STRATEGY**

**FILE REFERENCE:** F/BUAI

**REPORT DATE:** 5 April 2012

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** 20/4/11 (40/11)

**AUTHOR:** Leanne Parola, Manager Finance & Corporate Services

**ATTACHMENTS:** Draft Rating Strategy

**PURPOSE OF REPORT:**

For Council to consider amendments to its Rating Strategy.

**BACKGROUND:**

Staff have commenced the preparation of the 2012/13 draft budget and have had a number of informal meetings with the Financial Management Group and Councillors. During these meetings, a number of Councillors have requested that the method of rating used by the Shire of Moora be reviewed and the rating strategy be amended before drafting the 2012/13 Budget.

**COMMENT:**

Council adopted its first formal Rating Strategy in April 2011 as part of the 2011/12 Budget process. The strategy was developed as a tool for community and financial planning and aimed to articulate Council's rating objectives and establish strategies to achieve its rating objectives.

During recent workshops with Councillors, a number of Councillors requested that the strategy be revisited as they felt that the proportion of rates being paid by UV ratepayers was not equitable and that the proportion of rates raised from GRV properties should increase from 27% to 30% over the next ten years.

Councillors also expressed a desire to introduce differential rates so that Industrial/Commercial and Special Rural properties paid a higher rate in the dollar than other property types. The attached draft Rating Strategy includes a strategy to introduce differential rating in the 2013/14 year to accommodate this request at the same time as new GRV valuations are applied and to allow time for legislative process to be followed.

**POLICY REQUIREMENTS:**

There are no policy requirements in this regard.

**LEGISLATIVE REQUIREMENTS:**

There is no legislative requirement for a local government to carry out a rates review or publish a rating strategy. Council is however required to comply with the Local Government

Act 1995 and Local Government (Financial Management) Regulations 1996 when setting rates etc.

### **STRATEGIC IMPLICATIONS:**

By amending the Rating Strategy, Council will be setting a new strategic direction for the Shire in the future.

### **SUSTAINABILITY IMPLICATIONS:**

#### ➤ **Environment**

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

#### ➤ **Economic**

If the attached draft Rating Strategy is adopted it will have an economic impact on commercial and industrial property owners within the Moora townsite and may impact on their profitability and/or prices.

#### ➤ **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 for the current financial year, however it will impact on future budgets.

### **VOTING REQUIREMENTS**

Simple Majority Required

### **ORIGINAL MOTION (MANEX RECOMMENDATION)**

*Moved Cr Keamy, seconded Cr Tonkin that Council adopt the Rating Strategy as attached.*

### **AMENDMENT**

*Moved Cr Gardiner, seconded Cr Bryan that the motion be amended to include “with the deletion of clause 4.2.2.3”.*

The amendment was put and **CARRIED 5/4**

**NOTE:** As the votes of members present were equally divided, the Presiding Member cast a second vote under the Local Government Act 1995, s. 5.21. (3).

The Presiding Member then put the amended motion, which was **CARRIED 7/1**

### **COUNCIL RESOLUTION**

**32/12 That Council adopt the Rating Strategy as attached with the deletion of clause 4.2.2.3.**

Cr Clydesdale-Gebert requested her vote against the motion be recorded.

## 9.2 **HEALTH, BUILDING & PLANNING SERVICES**

### 9.2.1 **AGROFORESTRY AND PLANTATIONS POLICY – LOCAL PLANNING POLICY (LPP) I**

**FILE REFERENCE:** PL/POPI

**REPORT DATE:** 3 April 2012

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** 14/12/11 (171/11)

**AUTHOR:** Alan Leeson, Chief Executive Officer

**ATTACHMENTS:** LPP I – Agroforestry and Plantations

#### **PURPOSE OF REPORT:**

Council to consider final adoption of Local Planning Policy applicable to all Agroforestry and Plantation applications on General Agriculture zoned land throughout the Shire. The policy will be referenced / indexed (LPP I).

#### **BACKGROUND:**

As a result of Council receiving applications over the past twelve months for “carbon trading initiatives i.e. tree plantations” on general agriculture land within the Shire of Moora, Council resolved to prepare an Agroforestry Policy in order to provide Council and potential applicants with a consistent approach and guidelines relative to applications requiring a decision of Council. As part of the process Council acquired counsel and advice from Gray & Lewis Land Use Planners and the Shire of Jerramungup, whose agroforestry policy was used as a basis in the development of Moora Shires policy (LPP I).

#### **LEGISLATIVE REQUIREMENTS and CONSULTATION:**

### **8.7 LOCAL PLANNING POLICIES (Local Planning Scheme Number 4)**

*AMD 09 GG 11/03/11*

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area so as to apply:

- (a) generally or for a particular class or classes of matters; and
- (b) throughout the Scheme area or in one or more parts of the Scheme area,

and may amend or add to or rescind the local planning policy.

**Note:** Local planning policies are guidelines used to assist the local government in making decisions under the Scheme. Although local planning policies are not part of the Scheme they must be consistent with, and cannot vary, the intent of the Scheme provisions, including the Residential Design Codes. In considering an application for planning approval, the local government must have due regard to relevant local planning policies as required under clause 7.5.

#### 8.7.1 **Relationship of local planning policies to scheme**

- (a) If a provision of a local planning policy is inconsistent with the Scheme, the Scheme prevails.
- (b) A local planning policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local

government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

#### 8.7.2 Procedure for making or amending a local planning policy

If a local government resolves to prepare a local planning policy, the local government:

- (a) is to publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving details of:
  - (i) where the draft local planning policy may be inspected;
  - (ii) the subject and nature of the draft local planning policy; and
  - (iii) in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made;
- (b) may publish a notice of the proposed local planning policy in such other manner and carry out such other consultation as the local government considers appropriate.

8.7.3 After the expiry of the period within which submissions may be made, the local government is to:

- (a) review the proposed local planning policy in the light of any submissions made; and
- (b) resolve to adopt the local planning policy with or without modification, or not to proceed with the Policy.

8.7.4 If the local government resolves to adopt the local planning policy, the local government is to:

- (a) publish notice of the local planning policy once in a newspaper circulating in the Scheme area; and
- (b) if, in the opinion of the local government, the local planning policy affects the interests of the Commission, forward a copy of the local planning policy to the Commission.

8.7.5. A local planning policy has effect on publication of a notice under clause 8.7.4(a).

8.7.6 A copy of each local planning policy, as amended from time to time, is to be kept and made available for public inspection during business hours at the offices of the local government.

8.7.7 Clauses 8.7.1 to 8.7.6, with any necessary changes, apply to the amendment of a local planning policy.

In accordance with the relevant requirements of Councils Local Planning Scheme the following table sets out key dates in relation to resolutions of Council, advertising and public submissions.

<b>Date</b>	<b>Item / Outcome</b>
14 December 2011	Initial report to Council
22 December 2011	Advertised in Central Midlands & Coastal Advocate & Shire website for public submissions
9 January 2012	Advertised in Central Midlands & Coastal Advocate & Shire website for public submissions
27 January 2012	Submission period closed (no submissions received)
18 April 2012	Final report to Council

The draft policy was advertised in the Central Midlands Advocate on the 22 December 2011 and 9 January 2012. In addition information regarding the proposal was also on the front page of Councils website. As a result of advertising Council did not receive any submissions from the public.

#### **COMMENT:**

A copy of the draft policy (without amendment to previous copy circularised to Councillors) is presented for formal adoption by Council. In effect the Policy clearly sets out the background and objectives in relation to “Agroforestry”.

#### **POLICY REQUIREMENTS:**

This Policy will be adopted in accordance with provisions of Councils Local Planning Scheme.

#### **STRATEGIC IMPLICATIONS:**

The Policy will act as a tool to guide future development, whereby the potential impact of any proposal is not in line with previous land use and may potentially conflict with existing land uses.

#### **SUSTAINABILITY IMPLICATIONS:**

##### ➤ **Environment**

Councillors are already aware through dealing with recent plantation applications that there are environmental benefits associated with the use such as mitigating salinity, reducing waterlogged areas, reducing soil erosion through windbreaks etc.

The Policy allows flexibility as applicants can seek a variation where they demonstrate there are environmental benefits specific to the location (e.g. To mitigate salinity, provide vegetation corridors, provide vegetation along water courses).

- Code of Practice for Timber Plantations in Western Australia (as amended)

There is a comprehensive Code of Practice for Timber Plantations in WA (‘the Code’). The Policy makes reference to the Code but does not attempt to replicate its requirements.

The Code is largely orientated towards plantations for harvesting however includes requirements for plantation management plans, fire management plans and harvesting plans which are all referred to in the Policy.

- Fire Management Plans

All recent applications have included a Fire Management Plan (FMP) and applicants generally include them as part of the Plantation Management Plans.

There has been some concern that Fire Management Plans submitted to date often do not include details such as;

1. An explanation of the writers experience or expertise.
2. A bush fire hazard assessment and assessment of fire response times. If there is an absentee landowner FMP’s need to examine how the FMP will be implemented. If fire response times are a concern owners may need to consider having an on site water truck.

3. Many of the FMP's received to date are 'generic' and some have not been written specifically for WA properties. For example, some include irrelevant information on emergency weather and emergency contacts for the eastern states, rather than focusing on WA and local contacts.
  - All FMP's should be written for the specific property with all relevant WA details/contacts/fire maps etc.
  - Many FMP's submitted do not show tracks and accesses to water supplies and turnaround areas for fire emergency vehicles. If these plans are to be relied on by emergency vehicles provision needs to be made for their safe egress.

➤ **Economic**

Whilst the Scheme allows Council to consider wider economic benefits to the community the Policy places less emphasis on this matter in recognition that it is very hard to quantify the extent of the economic benefits associated with a specific landuse.

The issue of economic benefit will still be taken into consideration however the Policy places a greater emphasis on the continuation of agricultural uses.

➤ **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

**COUNCIL RESOLUTION**

**33/12 Moved Cr Hawkins, seconded Cr Tonkin that Council:**

1. ***Adopt Local Planning Policy No. LPP1 - Agroforestry and Plantations pursuant to Clause 8.7 of the Shire of Moora Town Planning Scheme No. 4 ('the Scheme') for final approval (without modifications).***
2. ***In accordance with Clause 8.7.4 of the Scheme publish notice of the adopted Policy once in a newspaper circulating in the Scheme area.***

**CARRIED                      8/0**

## **9.2.2 PROPOSED ROAD NAME – LEE STEERE STREET DEVELOPMENT**

**FILE REFERENCE:** TP/PTMOI

**REPORT DATE:** 3 April 2012

**APPLICANT/PROPONENT:** Landcorp

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Alan Leeson, Chief Executive Officer

**ATTACHMENTS:** Geographic Names Committee WA, Principles, Guidelines and Procedures

### **PURPOSE OF REPORT:**

Request to Council from Landcorp to provide a name for a street located in the Lee Steere Street Development based on a series of categories and Geographic Names Committee WA, Principles, Guidelines and procedures.

### **BACKGROUND:**

Council has received a request from Landcorp to provide a new road name for the first of the internal roads that will run alongside Lot 8 (off Lee Steere Street).

### **COMMENT:**

Council does not have a policy position or anything that would provide a historical premise thus giving some direction for the basis of naming new roads in the Shire.

It would seem that any previous road name proposals have not been based upon any themes such as; local flora or fauna features. To provide some context as an example Dandaragan Shire utilises or references the following themes when considering new road names.

Cervantes townsite: Spanish theme

Jurien townsite: Significant beaches or local flora. More recently, an “Outback theme” for the proposed composite lots in Drovers Estate.

In the authors experience road naming can potentially be a very delicate issue and the subject of quite some public input and comment, particularly where road names proposed are after families in the district. Naming roads after families in the past has been common practice; however in more recent times (past 20-25 years) naming roads has been based more upon themes. This approach has evolved as public scrutiny and interest of local government has increased significantly, therefore the ‘what has been simple process’ is no longer, simply because of the societal changes and public interest in what local governments and other tiers of governmental naming of roads is very much a subject of some public interest. On that basis it is recommended that Council adopt an in principle “theme” as a future reference point. Once the in principle theme is agreed upon it recommended that a list of proposed road / street names be put together.

### **POLICY REQUIREMENTS:**

There are no known policy implications as there is not a Council policy in place regarding the naming of roads.

### **LEGISLATIVE REQUIREMENTS:**

Land Administration Act 1997, Part 2 – General Administration, Division 3 – General



When naming roads Council must have regard for “Geographic Names Committee WA, Principles, Guidelines and Procedures”. Although not set in stone the broad context of this document will form the primary base for the Geographic Names Committee considering and road name proposal put forward by Council.

Some basic guidelines are;

- No duplication of name within adjoining shires where roads are within 50km
- Refer to page 8 of the attached guidelines / procedures

### **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**

As previously stated, naming of roads can be the subject of some public interest and consternation. It is on this basis the author would recommend a theme if there is to be one that relates to local natural features be that;

- Local fauna e.g. Carnaby Place, Salmon Court
- Local grain varieties e.g. Gamenga Drive

Other alternatives as per the Geographic Names Committee Guidelines may be but not limited to;

- Aboriginal languages – heritage currently or formerly identified within the general area.
- Pioneers of the State or area
- Citizens who have made a significant community contribution

### **FINANCIAL IMPLICATIONS:**

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

### **VOTING REQUIREMENTS**

Simple Majority Required

## **COUNCIL RESOLUTION**

**34/12 Moved Cr Bryan, seconded Cr Hawkins that Council**

- 1. Advise Landcorp that Council approves the road name “Carnaby Place” for the first internal road of the Landcorp Lee Steere Street subdivision in Moora.**
- 2. Compile a list of proposed road names to be extended to future Lee Steere Street subdivisional development under a theme of local fauna / flora and topographic features in the district.**

**CARRIED                      7/1**

### **9.2.3 NOTIFICATION OF FIXED WIRELESS FACILITY TO BE ERECTED ON EXISTING TELSTRA TOWER**

**FILE REFERENCE:** H/HEG I

**REPORT DATE:** 10 April 2012

**APPLICANT/PROPONENT:** NBN Co Limited

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Peter Williams, Manager Health Building & Planning Services

**ATTACHMENTS:** Site Plan

#### **PURPOSE OF REPORT:**

Notification of proposed fixed wireless facility at an existing site without a development application at Lot 26 Dandaragan Street, Moora (Legally known as Lot 26 on Diagram 73999)

#### **BACKGROUND:**

The Federal Government has established NBN Co to design, build and operate the NBN which will connect all Australian homes, schools and businesses to high-speed broadband services.

NBN Co provides wholesale access to broadband service providers so they can deliver broadband services to end users across the nation and is expected to encourage retail competition.

#### **Why is the National Broadband Network important**

The NBN is important because it aims to deliver a high-speed broadband service to all Australians – regardless of locality - with a combination of fibre, fixed wireless and satellite. The new network will build a new national telecommunications infrastructure assisting Australia to become a global leader in the online world. This is a unique nation building program that has the potential to enhance Australia's position within the global economy.

NBN Co has engaged Ericsson as the equipment vendor and project manager to establish the infrastructure required to facilitate the fixed radio (wireless) component of the National Broadband Network. Ericsson has in turn engaged Daly International to undertake preliminary environmental, design and site acquisition investigations in relation to the establishment of the required radio network base station infrastructure.

The facilities proposed will involve the installation of three (3) panel antennas and one (1) dish antenna on an existing 38m high Telstra monopole. Associated equipment housing will be established inside the existing Telstra exchange building.

Ericsson on behalf of NBN Co is proposing to establish a radio network base station at Lot 26 Dandaragan Street utilising advanced technology to provide high quality wireless broadband services to customers in the Moora area. Fixed wireless provides broadband services over the air from a radio network base station to an antenna and network box installed at a certain home or business.

#### **COMMENT:**

Shire of Moora Town Planning Scheme No 4 Section 4.10 Radio Masts, Television Antennae, and Satellite Dish states Radio masts, television antennae, and satellite dishes whether for commercial or domestic purposes shall be located so that in the opinion of the local government they do not detract from or adversely affect local amenities.

The satellite dishes and wireless receive devices are located on an existing antenna so it is not a new antenna in town. Information received from the Radiation Council is that the radio wave levels coming off the devices are below the National maximum level of 1% in that the report tells us that the maximum levels at 200-300m is 0.034% and the existing levels are 0.021%.

The proposed facilities are deemed to be low impact facilities under the Telecommunications (Low Impact Facilities) Determination 1997 and as such do not require planning approval.

Discussions with the Department of Planning have confirmed that this is to be the case and it is occurring throughout regional areas of WA.

#### **POLICY REQUIREMENTS:**

Nil

#### **LEGISLATIVE REQUIREMENTS:**

Telecommunications (Low Impact Facilities) Determination 1997

#### **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

### **COUNCIL RESOLUTION**

***35/12 Moved Cr Tonkin, seconded Cr Cocking that Council accept the Notification of proposed fixed wireless facility at an existing site without a development application at Lot 26 Dandaragan Street, Moora (Legally known as Lot 26 on Diagram 73999) and agree to the project subject to:***

- 1. The tower and its radio devices are maintained in good order and repair and services maintained on a regular basis.***
- 2. Radio Emission levels do not exceed the nationally accepted ARPANSA Public Exposure Levels for Radiation.***

**CARRIED**

**8/0**

## **9.2.4 NATIONAL TELEVISION AND COMPUTER RECYCLING SCHEME**

**FILE REFERENCE:** H/WAMI

**REPORT DATE:** 11 April 2012

**APPLICANT/PROPONENT:** Department of Sustainability, Environment, Water,  
Populations & Community

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Peter Williams, Manager Health Building & Planning Services

**ATTACHMENTS:** Fact Sheet - Guide for Local Government

### **PURPOSE OF REPORT:**

To advise Council that the National Government has provided National Legislation through a Product Stewardship (Televisions & Computers) Regulations which commenced on 8 November 2011 to bring a new, efficient and environmentally responsible approach to managing waste televisions and computers in Australia.

### **BACKGROUND:**

The National Computer and Television Recycling Scheme will provide Australian householders and small business with access to free collection and recycling services for televisions and computers. The Scheme will recycle televisions, computers and printers and computer products (i.e. keyboards, mice and hard drives) regardless of their age or brand.

The first collections under the scheme will start in mid 2012 expanding across metropolitan, regional and remote areas of Australia by the end of 2013. Information about local activities will be provided to Local Governments as the scheme rolls out.

The scheme will be funded and run by the television and computer industry, and regulated by the Australian Government under the Product Stewardship Act 2011 and the Product Stewardship (Televisions and Computers) Regulations 2011. State and territory governments retain responsibility for regulating waste.

### **COMMENT:**

Local government, where relevant, will continue to have a role in managing e-waste:

- The scheme may provide opportunities for Local Governments to negotiate either partnerships or in some cases, commercial arrangements with approved collectors. This could mean that councils become collectors for the scheme.
- The scheme will not regulate Local government;
- The Scheme will significantly increase the recycling rate of waste televisions and computers and will in time meet community demand for recycling – but not all television and computer waste will be collected by the scheme.
- The scheme will collect televisions and computers, printers and computer products such as keyboards, mice, and hard drives, but will not collect other e-waste that householders may want to dispose of.
- Local Government is often the first point of contact for householders who want to recycle computers and televisions, and is therefore likely to be contacted about access to recycling opportunities under the scheme.

If Council was to get involved in the collection of e-waste the requirement of Moora Shire would be to provide an area where e-waste could be stored out of the weather. It would therefore need to be covered and provide protection from inclement weather.

The Shire would need to have an arrangement with a recognised e-waste recycler and collector who would once a year depending on the amount of waste collected come and collect the e-waste and take it away for nil payment.

The responsibility of the storage and collection of e-waste is with the television and computer industry, local government only needs to be involved if the local retail industry does not have the facility to store and protect e-waste. There is no reason why local government and local industry cannot work together for a mutual objective i.e. removal of e-waste from the Shire's landfill site.

**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**

This will remove e-waste from the landfill site and make the site less hazardous will mean less waste going into the landfill site

➤ **Economic**

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

➤ **Social**

The community will be happy to see a positive recycling of e-waste

**FINANCIAL IMPLICATIONS:**

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

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

**36/12 Moved Cr Cocking, seconded Cr Tonkin**

- 1. That Council accept its role as collection agency for the storage of television and computer e-waste for the community and liaise with the local Retravision store and collaborate with them to organise the collection of the e-waste by recognised collection recyclers.**
- 2. That a bay of the shed at the Moora landfill site be set aside for the collection and storage of television and computer e-waste.**

**CARRIED**

**8/0**

### **9.3 COMMUNITY & ECONOMIC DEVELOPMENT**

Nil

### **9.4 ENGINEERING SERVICES**

#### **9.4.1 PARKS AND RECREATION; ROAD HIERARCHY; and SOLID WASTE FACILITIES & RUBBISH COLLECTION – LEVELS OF SERVICE**

**FILE REFERENCE:** P/MKRI, S/ROGI, H/REC I

**REPORT DATE:** 12 April 2012

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** John Greay, Manager Engineering Services

**ATTACHMENTS:** Levels of Service - Parks and Recreation; Road Hierarchy; and Solid Waste Facilities & Rubbish Collection

#### **PURPOSE OF REPORT:**

To adopt the levels of service for Parks and Recreation; Road Hierarchy; and Solid Waste Facilities & Rubbish Collection to comply with Councils Asset Management Improvement Strategy.

#### **BACKGROUND:**

As part of the ongoing process of managing the major assets of the Shire, within the constraints of Council's budgetary capacity, Managers have continued to develop levels of service (LOS) for shire infrastructure. In this case, Council is asked to adopt policies that define the hierarchy and LOS for Parks and Recreation; Road Hierarchy; and Solid Waste Facilities & Rubbish Collection within the Shire.

At the meeting, held on Wednesday 7 March 2012 documents outlining the above were presented to Council for information via their Information Bulletin. The proposed LOS are to inform Councils' plans for managing those assets.

#### **COMMENT:**

The proposed LOS for Parks and Recreation; Road Hierarchy; and Solid Waste Facilities & Rubbish Collection are based on the existing standard adopted by Council staff. That is, the policy is a document stating the status quo.

The benefit of recording the hierarchy and LOS within a Council policy is it empowers Council to make decisions on the maintenance priorities of the community and appropriate standards of maintenance.

#### **POLICY REQUIREMENTS:**

The proposed LOS detail the standard of maintenance LOS for major operational budgets.

#### **LEGISLATIVE REQUIREMENTS:**

Policy development is a core responsibility of Council under the Local Government Act 1995.

**STRATEGIC IMPLICATIONS:**

Strategically the LOS documents enable better decision making about how Council invests its limited financial capacity, in terms of new investment, and the maintenance of existing assets.

**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**

The LOS describes the status quo and therefore does not change the social impact. However through these LOS, Council could increase investment into specific areas, such as Parks and Recreation, in order to generate an additional social benefit.

**FINANCIAL IMPLICATIONS:**

The proposed documents describe the status quo, thereby resulting in no financial change. However, if Council desire an increase in the LOS for a particular asset type, without a decrease in the LOS for another asset, there would be a need to increase the corresponding budget allocation.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

***37/12 Moved Cr Hawkins, seconded Cr Gardiner that Council adopt the identified Levels of Service for Parks and Recreation; Road Hierarchy; and Solid Waste Facilities & Rubbish Collection in managing their assets to meet the requirements as outlined in their Asset Management Improvement Programme.***

**CARRIED                      8/0**

#### **9.4.2 PROPOSAL TO PURCHASE NEW MOTOR GRADER – BUDGET AMENDMENT 2011/2012 FINANCIAL YEAR**

Prior to Council discussion on the item, the Acting Chief Executive Officer advised that the tender had closed and provided a copy of the tender evaluation matrix.

**FILE REFERENCE:** L/TEPI  
**REPORT DATE:** 3 April 2012  
**APPLICANT/PROPONENT:** Acting Chief Executive Officer, John Greay  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** N/A  
**AUTHOR:** CEO Alan Leeson / Manager of Engineering Services / Acting CEO, John Greay  
**ATTACHMENTS:** Tender Evaluation Matrix and Plant Replacement Program

#### **PURPOSE OF REPORT:**

For Council to consider the changeover of one of its grader fleet being a 2001 Caterpillar “H” Series. The current grader has approximately 11,000 hours worked. “Rego #M10499, Eng. #6NC25022, Chassis #2WR00940”.

#### **BACKGROUND:**

As Council has been previously briefed, there are some major wear and tear issues with the aforementioned grader, in particular at this juncture, the “turning Circle” of the machine has become warped and is no longer circular and consequently binds up when repositioning the blade each time. It has been estimated by Westrac Equipment to cost \$25,000 to repair.

#### **COMMENT:**

The machine has been very serviceable to the Shire of Moora but has now reached a point where considerable funds need to be invested into it to have it back in a good working order. Given the age of the machine and the expected increase in other major components of the machine over the next two to five years, management are of the view the machine has expired in terms of its useful life to the Shire of Moora and should be traded as is without repairing the turning circle.

To that end Management have had Western Australian Local Government Association (WALGA) Purchasing Services seek out quotations for the trade in and replacement of the 2001 Caterpillar Grader. Tenders close on the 17<sup>th</sup> April 2012.

#### **POLICY REQUIREMENTS:**

##### **Council Policy 9.12 – Purchasing and Procurement**

*Adopted by Council 15th March 2000*

The Shire is committed to maximising opportunities for the economic development of business and industry in the Shire of Moora.

The Shire has a responsibility to achieve value for money in its procurement of goods and services.



### Value for money

Is an important consideration in the determining of contracts and purchasing of goods and services. Purchasing decisions will be based on the total cost of the product over its serviced life, considering factors such as quality, service standards, timely delivery, local back up, benefits and risk.

Suppliers within the Shire can actively seek business with the Shire of Moora by:

- Actively promoting goods and services to the Shire of Moora
- Offering competitive prices the first time
- Supplying quality goods and services
- Seeking information about proposed purchases to be made by the Shire of Moora.

Where practical, the Shire of Moora shall seek to support business and industry with the shire. The Shire of Moora will ensure that business and industry within the shire have every opportunity to bid for and where competitive, supply the required needs. As part of considering the value for money decisions, the benefits of purchasing goods and services for local suppliers shall be considered.

In considering value for money decision, the following considerations will be included when analysing purchasing from local business and industry:

- Local Government Act 1995 tender regulations
- National Competition Policy principles
- Trade Practises Act
- The social and economic impact of major contract decisions on local business
- Possible flow on effect to local businesses
- The potential for local product demonstrations and references, which consequently reduced risk in the decision making process
- More convenient communications and liaison
- Local backup, spare parts, warranty and quality of servicing
- Ability of local business to the Shire, thereby increasing economic activity
- Conformity with tender bid requirements
- Ability to meet the Shire of Moora's needs

The Shire of Moora will support and assist local business and industry by:

- Recognising the benefits of purchasing from local business and industry
- Advertising all tenders and expressions of interest in the Central Midlands and Coastal Advocate
- Where requested, provide feedback to unsuccessful tenderers highlighting how bids can be improved to be more competitive.

In terms of Councils existing policy the most relevant and critical reference at this juncture is; **“The Shire has a responsibility to achieve value for money in its procurement of goods and services.”** After some detailed analysis Management are of the firm view that notwithstanding Councils Plant Replacement Program, the repairing of the grader given its age and working hours does not represent good value for money. The estimate of repairs being some \$30,000 to \$35,000 is significant and given that the grader is due to be changed over in 2012/2013 Council will certainly not see the benefit in terms of the major expense incurred nor will it see that level of value in comparative analysis of what Council could be offered as trade value of the existing grader should the repairs be proceeded with.

**LEGISLATIVE REQUIREMENTS:**

Council has not budgeted for the changeover of this plant item in its current 2011/2012 budget. On that basis Council would need to carry any motion to changeover the machine in this years' budget by absolute majority, and depending on the mechanism of finance there could also be other implications in terms of advertising proposals to borrow funds or even changing the purpose of reserve funds.

In this particular instance Management are recommending Council fund the acquisition of a new grader directly from Municipal Funds therefore it would require a resolution of Council by absolute majority.

**Local Government Act 1995- Division 6 (section 8)**

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

\* **Absolute majority required.**

**STRATEGIC IMPLICATIONS:**

Strategically the appropriate resourcing of heavy plant and equipment should be a priority of Council on an annual basis. Timely changing over of major plant and equipment will generally mitigate against the risk of major repairs and rebuilds as has occurred on this occasion.

In a general sense Council should undertake a closer examination of its heavy plant and equipment fleet a look to establish or re-establish outer markers in terms of maximum years/working hours of such items.

It is understood there is always annual budget parameters and it's a difficult task to provide the appropriate fiscal resources to keep up with a plant and equipment replacement program.

**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 economic implications associated with this proposal.

**FINANCIAL IMPLICATIONS:**

It is expected the net changeover for the grader will be in the vicinity of \$240,000 to \$260,000 plus GST. As per the existing Plant Replacement Program the subject Grader was due to be changed over in the 2012/2013 financial year. Although not budgeted it is recommended Council proceed with the changeover in 2011/2012. In effect the changeover will result in a lessor result in terms of Cash at Bank come 30 June 2012 closing position.

Management have examined the option of borrowings but recommend against this strategy. Over a four year term based upon current interest rates Council could expect to pay in the vicinity of \$27,000 in interest on an approximate principal uptake of \$250,000.

### **VOTING REQUIREMENTS**

Absolute Majority Required

### **COUNCIL RESOLUTION**

**38/12 Moved Cr Cocking, seconded Keamy that Council accept the quotation from Westrac Equipment for the purchase of one new motor grader (model 12M) with extras of spare tyre carrier, Accugrade levelling system, 14' blade and 17.5 radial tyre size, on the basis of trading one 2001 Caterpillar 12H grader (Rego #M10499, Eng. #6NC25022, Chassis #2WR00940) at a net changeover of \$270,780 (GST Excluded), further that Council amend its 2011/2012 Municipal Budget accordingly.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**10. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**

Nil

**12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

**13. CLOSURE OF MEETING**

***There being no further business, the Shire President declared the meeting closed at 6.46pm.***

**CONFIRMED**

**PRESIDING MEMBER**