

**Shire of Moora
Ordinary Council Meeting
5th July 2017**

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora
will be held on **Wednesday 5th July 2017**
in the Council Chambers, 34 Padbury Street, Moora
commencing at **5.30 pm**



AJ Leeson
Chief Executive Officer

30th June 2017

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
5th JULY 2017
COMMENCING AT 5.30PM

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* Separate Attachments

- 9.1.1 *List of Payments Authorised Under Delegation 1.31*
- 9.1.2 *Statement of Financial Activity for Period Ended 31 May 2017*
- 9.1.3 *Draft Shire of Moora Purchasing and Tender Policy July 2017*
- 9.1.4 *Moora Tennis Club Refinanced Loan 31 July 2017 to 31 July 2031*
- 9.2.1 *Plans*
- 9.2.2 *Plans*
- 10.1 *Bushfire Advisory Committee AGM Minutes*

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**

PF Nixon - Councillor

APOLOGIES

MR Holliday - 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 - 24 MAY 2017**

That the Minutes of the Ordinary Meeting of Council held on 24 May 2017 be confirmed as a true and correct record of the meeting.

8.2 SPECIAL COUNCIL MEETING - 7 JUNE 2017

That the Minutes of the Ordinary Meeting of Council held on 7 June 2017 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: 12 June 2017

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

SCHEDULE PREPARED BY: Alida Fitzpatrick, Finance 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 62261 to 62268</i>	<i>\$20,685.67</i>
	<i>EFT 17491 to 17633</i>	<i>\$392,800.42</i>
	<i>Credit Card 04/04/17 to 02/05/17</i>	<i>\$3,711.10</i>
	<i>Net Pays – PPE 02/05/14</i>	<i>\$100,091.68</i>
	<i>Net Pays – PPE 16/05/17</i>	<i>\$94,989.70</i>
	<i>Net Pays – PPE 30/05/17</i>	<i>\$93,635.39</i>
	<i>Direct Debits 11186.1 to 11250.11</i>	<i>\$64,639.74</i>
<i>Trust Fund</i>	<i>Cheques 5258 to 5264</i>	<i>\$4,131.58</i>
<i>Total</i>		<i><u>\$774,685.28</u></i>

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MAY 2017

REPORT DATE: 21 June 2017

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 31 May 2017

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 May 2017.

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 31 May 2017.

9.1.3 PURCHASING POLICY REVIEW

FILE REFERENCE: PL/POPI
REPORT DATE: 30 June 2017
AUTHOR: David Trevaskis, Deputy Chief Executive Officer
ATTACHMENTS: Draft Shire of Moora Purchasing and Tender Policy July 2017

PURPOSE OF REPORT:

For Council to adopt the amended Shire of Moora Purchasing and Tender Policy.

BACKGROUND:

The Purchasing and Tender Policy forms part of the Shire of Moora Policy Manual which was last reviewed on 20 April 2016.

COMMENT:

During the Shire's interim audit last month which was carried out by RSM, they identified the Shire's purchasing policy as something that should be reviewed. To improve processes and record keeping of purchase orders the Shire has recently moved to an electronic purchase order system which should help with some of the auditors concerns. It is also recommended that council update the current purchasing policy to better reflect how purchasing decisions are made by staff. The key change is to remove the need to obtain two quotes for all purchases under \$5,000 which is viewed as over onerous for what is mainly routine operating/general maintenance items.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Regulation 11A of the Local Government (Functions and General) Regulations 1996 requires a local government to prepare, adopt and implement a purchasing policy in relation to the supply of goods or services where the consideration is expected to be \$150,000 or less. Purchases above \$150,000 must follow the process detailed in Division 2 of the Local Government (Functions and General) Regulations 1996 and requires a local government to invite tenders.

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 adopts the Shire of Moora Purchasing and Tender Policy July 2017 as attached.

9.1.4 MOORA DISTRICT TENNIS CLUB COMMUNITY LOAN

FILE REFERENCE: CC/MTCI-2

REPORT DATE: 30 June 2017

APPLICANTS/PROPONENT: Moora District Tennis Club

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: 18/9/2013 (142/13 & 143/13)

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

ATTACHMENTS: Moora Tennis Club Refinanced Loan 31 July 2017 to 31 July 2031

PURPOSE OF REPORT:

To refinance the Moora District Tennis Club (MDTC) community loan on a 15 year term and an interest rate equal to half of the Western Australia Treasury Corporation indicative rate as at 30 June 2017.

BACKGROUND:

The Shire of Moora and MDTC entered into a loan agreement to help finance the upgrade of the MDTC courts in 2014. The loan was approved for \$55,000 over a ten year period and the interest was to be based on the current interest rate being received on the Shire's Term Deposits (*Council meeting 18 September 2013 142/13*)

As at 30 June 2017 the MDTC is two repayments behind on its loan commitment having only paid the first instalment of \$6,094.16. No payments have been received since May 2015 resulting in a total balance still owing of \$49,956.34.

COMMENT:

The MDTC approached the Shire on the 9th May 2017 to discuss the terms of their loan arrangement and to enquire what their options were with regards to the overdue instalments. Based on the current cash flow of the MDTC, the club is unable to pay the current annual loan instalment of \$6,094.16 and is unlikely to be able to in the near future with current membership levels.

A refinanced loan schedule has been drafted increasing the term of the loan (10 to 15 years) and reducing the interest rate (3.82% to 1.68%) – see attached Moora District Tennis Club Refinanced Loan 31 July 2017 to 31 July 2031. Refinancing the loan terms will reduce the annual loan instalment of the MDTC from \$6,094.16 to \$3,557.90. The interest rate of 1.68% has been calculated as 50% of the current Western Australia Treasury Corporation indicative 15 year borrowing rate as at 30 June 2017 (3.35%). This interest rate is consistent with recent community loans the Shire has granted to The Moora Lake View Golf Club (10 years at 1.52%) and the Central Midlands Riding and Pony Club (10 years at 1.53%).

POLICY REQUIREMENTS:

NIL

LEGISLATIVE REQUIREMENTS:

6.20 Local Government Act 1995.

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:

The Shire is currently owed \$49,956.34 which includes an outstanding amount of \$12,188.32 for two unpaid instalments May 2016 and May 2017. This amount was to be repaid in full by May 2024. The refinanced loan includes the full balance owing of \$49,956.34 with the balance to be paid in full by 31 July 2031. Total interest payable on the original loan was \$5,941.62 which will be reduced to \$3,412.19 with the lesser rate applied.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council agree to offer the Moora District Tennis Club the following refinanced terms for the \$49,956.34 outstanding monies due...

- *Repayable over 15 years with the first instalment due on 31 July 2017;*
- *Interest rate of 1.68%;*
- *Repayment schedule as per attached.*

9.2 DEVELOPMENT SERVICES

9.2.1 MANAVI FARM INCREASE IN CHICKEN NUMBERS

FILE REFERENCE: TP/PA12/1415/2

REPORT DATE: 31 May 2017

APPLICANT/PROPONENT: Lindsay & Robyn Cousins

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: 19/11/2014 (151/14)

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

Council is in receipt of a development application by Lindsay and Robyn Cousins the proponents requesting Council permission to increase the number of chickens from 300 to up to 4500. These are to be housed in 8 lots of 600 mobile chicken coops on their property at Manavi Farm located at 1359 Carot Well Road Watheroo.

BACKGROUND:

Mr & Mrs Cousins in 2014, initially applied to operate a free range egg business with 300 chickens at their property Manavi Farm located at 1359 Carot Well Road Watheroo, located in the General Agriculture Zone in the district of Watheroo. This business venture has gone well and they have successfully met and fixed all their start-up issues to the point where they now want to increase their chicken laying numbers to increase their production of eggs.

This will involve enlarging the production shed where all the eggs are cleansed, packed and stored for transport, and increasing the number of mobile chicken coops for the increased number of free range chickens and their security and safety from predators.

COMMENT:

Consultation with the Agriculture Department Bio Security Section revealed that flocks of over 1000 chickens require the whole flock to be vaccinated against Newcastle Disease therefore this will be a requirement of approval. As the flock is free range and the numbers are not concentrated in one area as like a feed lot there is no environmental conditions. This is similar to a flock of sheep or a herd of cows on free range Pasture. To date inspections of the property by the Shire's Manager of Development Services have not revealed any issues as all conditions of this Department and Health Department Food requirements are satisfactorily being met.

POLICY REQUIREMENTS:

There are not known policy requirements related to this item

LEGISLATIVE REQUIREMENTS:

Standard 4.2.5 – Primary production and processing for eggs and egg product; National Newcastle Disease Management Plan 2013-16

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, fees have been paid.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council approve the development application by proponents Lindsay and Robyn Cousins of Manavi Farm located at 1359 Carot Well Road Watheroo, and that they be permitted to increase their chicken egg laying flock from 300 to 4500, subject to supplied plans being enacted upon relevant to the drawings and once chicken numbers are increased above 1000 all birds are inoculated against Newcastle Disease as per the requirements of Department of Agriculture Bio Security.

9.2.2 REDUCED SETBACK FOR NEW CARPORT - 47 GARDINER STREET, MOORA

FILE REFERENCE: TP/PA32/1617

REPORT DATE: 22 June 2017

APPLICANT/PROPONENT: Nusteel Patios & Sheds on behalf of R and S Hergatt

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

The proponent seeks to construct a new steel framed and clad 11.4m x 4.9m steel framed and clad carport at 47 Gardiner Street Moora on behalf of the owner of the property, R and S Hergatt. The applicant seeks a reduced setback for the carport of 600mm. The proposal does not meet the requirements of the Residential Design Codes.

BACKGROUND:

The proponent seeks approval for a Carport which requires a reduced setback from the side fence on the southern boundary. The edge of the gutter is 600mm from the boundary fence for the next door property.

The property is located at 47 Gardiner Street in Moora which is in the Residential Zone as described in the Shire of Moora Town Planning Scheme No 4 (Amendment 11). This requires compliance with the Residential Design Code.

This development application for the Carport is compliant with the Design Principles and the Deemed to Comply provisions in that the carport has no walls and the gutter is 600mm from the dividing fence with the neighbour on the south side of the property and presents no environmental issues with the next door neighbour. All storm water is contained within the property.

COMMENT:

The plans of the car port meet the requirements of the Residential Design Codes in that they are compliant with the Design Principles and the Deemed to Comply provisions

POLICY REQUIREMENTS:

There are no known policy requirements related to this item

LEGISLATIVE REQUIREMENTS:

Planning and Development (Local Planning Schemes) Regulations 2015 and State Planning Policy 3.1 Residential Design Codes

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:

Applicant has paid their Town Planning Development Application fee of \$147.00

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council approve the development application submitted by Nusteel Patios & Sheds on behalf of R and S Hergatt of 47 Gardiner Street Moora for a steel framed and clad carport subject to the following conditions:

- *The use of second hand materials are not permitted*
- *All storm water is to be directed to the front of the property and onto the road way*

10. REPORTS OF COMMITTEES**GENERAL PURPOSE COMMITTEE MEETING - 7 JUNE 2017****10.1 BUSH FIRES ACT – FIRE CONTROL OFFICERS 2017/2018 SEASON****FILE REFERENCE:** L/OBUFI**REPORT DATE:** 19 May 2017**OFFICER DISCLOSURE OF INTEREST:** Nil**PREVIOUS MEETING REFERENCES:** Nil**AUTHOR:** Vicki Booth, Community Emergency Services Manager**ATTACHMENTS:** Bushfire Advisory Committee AGM Minutes**PURPOSE OF REPORT:**

Confirmation of the appointment of the Shire of Moora Bush Fire Control Officers for the 2017/2018 season.

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 2017/2018 for the Shire of Moora District Bush Fire Brigade network.

Chief Bush Fire Control Officer	Brendan Pratt
Deputy Chief Bush Fire Control Officer	Derek Stewart
Deputy Chief Bush Fire Control Officer	Jimmy (James) McNamara
Community Emergency Services Manager	Vicki Booth
Fire Weather Officer	Hugh Bryan
Deputy Fire Weather Officers	Brendan Pratt
	Derek Stewart
	Jimmy (James) McNamara
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)
Fire Permits Only	Neil Martin (VFRS)
Fire Permits Only	Sean Harris (Ranger)

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

POLICY REQUIREMENTS:

Shire of Moora Bush Fire Policy 2.1 adopted 18 May 2009

LEGASLATIVE 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 Council adopt the following people as the Shire of Moora Bush Fire Control Officers for the 2017/2018 season and authorise the publishing of the list in the Northern Valleys News and Shire of Moora website 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
Jimmy (James) McNamara
Vicki Booth
Hugh Bryan
Brendan Pratt
Derek Stewart
Jimmy (James) McNamara

Fire Control Officers

Toby Ellis (Bindi Bindi)
Les Crane (Bindi Bindi)
Brad Tonkin (Coomberdale)
David McLean (Coomberdale)
Jaden Cocking (Koojan)
Glen Vanzetti (Koojan)

Fire Permits Only
Fire Permits Only

Terry Murray (Koojan)
Tom Sayers (Miling)
Mark Harrington (Miling)
Brad Millstead (Watheroo)
Len Mitchell (Watheroo)
Neil Martin (VFRS)
Sean Harris (Ranger)

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

Nil

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