

# COUNCIL MEETING

## AGENDA

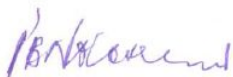


For the Ordinary Meeting of Council to be held on

**17 May 2017**

Dear Council Member,

The next Ordinary Meeting of the Shire of Cranbrook will be held on Wednesday 17 May 2017 at the Cranbrook Council Chambers commencing at 3.00pm.



Peter Northover  
Chief Executive Officer

## **DISCLAIMER**

This agenda has yet to be dealt with by the Council. The recommendations shown at the foot of each item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda should be read to ascertain the decision of the Council.

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# AGENDA

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Cunningham will declare the meeting open at   pm. The Shire President will alert the meeting to the procedures for emergencies including evacuation, designated exits and muster points.

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

### 2.1 ATTENDANCE

President	Cr JT (Twynam) Cunningham
Deputy President	Cr CY (Colin) Egerton-Warburton
Councillors	Cr DJ (David) Adams
	Cr PM (Peter) Beech
	Cr ER (Ruth) Bigwood
	Cr PL (Phil) Horrocks
	Cr HC (Helen) Parsons
Chief Executive Officer	Mr PB (Peter) Northover
Manager of Finance & Administration	Mrs PA (Trish) Standish
Manager of Works	Mr JE (Jeff) Alderton
Acting Manager of Finance & Administration	Mr PS (Phil) Rowe

Members of the Public

### 2.2 APOLOGIES

Nil

### 2.3 APPROVED LEAVE OF ABSENCE

Councillors	Cr P (Peter) Denton
	Cr TC (Tom) Standish

## 3. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

## 4. PUBLIC QUESTION TIME

### 4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

### 4.2 PUBLIC QUESTIONS

## 5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

### 5.1 PRESENTATION BY THE GILLAMII CENTRE

## 6. APPLICATIONS FOR LEAVE OF ABSENCE

## 7. DISCLOSURE OF INTEREST

**8. MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil

**9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**9.1 ORDINARY MEETING – 19 APRIL 2017**

That the minutes from the ordinary meeting of Council held on 19 April 2017 be confirmed as a true and correct record.

## 10. REPORTS OF OFFICERS

### 10.1 FINANCE & ADMINISTRATION

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#### 10.1.1 LIST OF PAYMENTS

**RESPONSIBLE OFFICER:** Trish Standish – Manager of Finance and Administration

**REPORT AUTHOR:** Jodi Vitler – Finance Administration Officer

**FILE REFERENCE:** FM2

**APPLICANT:** N/A

**DATE OF REPORT:** 11 May 2017

**ATTACHMENTS:** List of Payments – 12 April 2017 to 10 May 2017

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#### **Purpose**

The purpose of this report is to advise the Council of payments made during the period 12 April 2017 to 10 May 2017.

#### **Background**

Nil

#### **Officers Comment**

Nil

#### **Statutory Environment**

Local Government (Financial Management) Regulation 13 states:

##### *13. List of accounts*

(1) If the local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the Chief Executive Officer is to be prepared each month showing for each account paid since the last such list was prepared:

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

#### **Policy Applicable – Implications**

Council Policy 4.8 – 'Purchasing', states that:

*"The Chief Executive Officer is delegated authority to make payments from the Municipal Fund or the Trust Fund. Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing:*

- a) The payee's name*
- b) The amount of the payment*
- c) The date of the payment*
- d) Sufficient information to identify the transaction.*

*The list referred to above is to be presented to the Council at each ordinary meeting of the Council and is to be recorded in the minutes of the meeting at which it is presented.*

*It is considered appropriate to delegate this authority to the Chief Executive Officer as the payment of accounts is the final process after debts have been incurred through other processes and systems in place."*

### **Financial Implications**

There are no financial implications for this report.

### **Risk Implications**

The risks associated with matters in this report are:

- Misconduct
- Errors, Omissions and Delays
- Failure of IT and or Communication Systems and Infrastructure
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Document Management Processes
- Inadequate Supplier/Contract Management

The **impact** of the risk is Financial, Non-Compliance and Reputational.

The **consequences** of these risks are considered to be Major

The **likelihood** is Rare

Hence the **risk rating** for this item is Low

Risk mitigation includes the Council having strong financial policies and procedures in place and the requirement to report to the Council on a monthly basis.

### **Strategic Community Plan Reference**

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

*Aspiration 5.0: by 2023 the Shire of Cranbrook will demonstrate, Strong Governance, Leadership and Organisational Growth*

Objective: 5.4 Demonstrate Sound Financial Planning and Management

Strategy: 5.4.2 Responsible and Accountable Financial Management

### **Consultation**

Consultation was not required for this report.

### **VROC Implications**

There are no strategic VROC implications from this report

### **Voting Requirements**

Simple Majority

### **OFFICERS RECOMMENDATION**

**That the payment of accounts totalling \$304,707.45 as per the attachment be noted:**

- **Electronic Funds Transfers EFT 7509 to EFT 7627 - \$184,386.18;**
- **Municipal Fund Cheque No's 11996 – 12001 - \$7,235.82;**
- **Internal Account Transfers (Payroll) - \$94,414.86;**
- **Direct Debit - \$18,670.59.**

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**10.1.2****MONTHLY FINANCIAL STATEMENTS**

<b>RESPONSIBLE OFFICER:</b>	Trish Standish – Manager of Finance and Administration
<b>REPORT AUTHOR:</b>	Trish Standish – Manager of Finance and Administration
<b>FILE REFERENCE:</b>	FM12
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	3 May 2017
<b>ATTACHMENTS:</b>	Financial Statements April 2017

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**Purpose**

The purpose of this report is to present the financial position of the Shire of Cranbrook as at 30 April 2017.

**Background**

The Local Government (Financial Management) Regulations 1996 require the preparation of monthly financial statements and presentation of these statements to the Council.

**Officers Comment**

The March financial statements report on 10 months, or 83% of the financial year. It is worthy to note:

- The 'Municipal Fund Summary' on page 2 shows that we have raised 78% of our expected operating income;
- The 'Municipal Fund Summary' on page 2 shows that we have spent 73% of the budgeted operating expenditure for the year;
- The 'Municipal Fund Summary' on page 4 shows a net current assets position of \$483,123 (surplus), which is mainly made up of cash on hand; and
- The 'Variance Report' on page 9 and 10 defines the major variances between budget and actual figures as required by the regulations.

**Statutory Environment**

The Local Government (Financial Management) Regulations 1996 define the requirements for monthly financial reporting (Regulation 34).

**Policy Applicable – Implications**

Council Policy 4.1 Defining Material Variances, states that:

*When dividing the actual figures with the annual budget figure, a variance of plus or minus 10% of the percentage of the year elapsed will be reported. In addition, a variance must be greater than \$1,000 to be reported.*

**Financial Implications**

Whilst the financial statements report on the current position of the Council, the adoption of the recommendation below does not have a financial impact.

**Risk Implications**

The risks associated with matters in this report are:

- Misconduct
- Errors, Omissions and Delays
- Failure of IT and or Communication Systems and Infrastructure
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Document Management Processes
- Inadequate Supplier/Contract Management



The **impact** of the risk is Financial, Non-Compliance and Reputational

The **consequences** of these risks are considered to be Major

The **likelihood** is Rare

Hence the **risk rating** for this item is Medium

Risk mitigation includes the Council having strong financial policies and procedures in place and the requirement to report to the Council on a monthly basis.

#### **Strategic Community Plan Reference**

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

*Aspiration 5.0: By 2023 the Shire of Cranbrook will demonstrate, Strong Governance, Leadership and Organisational Growth*

Objective: 5.4 Demonstrate Sound Financial Planning and Management

Strategy: 5.4.2 Responsible and Accountable Financial Management

#### **Consultation**

Consultation was not required for this report.

#### **VROC Implications**

There are no strategic VROC implications from this report

#### **Voting Requirements**

Simple Majority

#### **OFFICERS RECOMMENDATION**

**That the attached financial statements for the period ending 30 April 2017 be noted.**

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**10.1.3 LAKE POORRARECUP – CAMPING FEES**

**RESPONSIBLE OFFICER:** Jeff Alderton – Manager of Works  
**REPORT AUTHOR:** Jeff Alderton – Manager of Works  
**FILE REFERENCE:** CP401  
**APPLICANT:** N/A  
**DATE OF REPORT:** 2 May 2017  
**ATTACHMENTS:** Nil

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**Purpose**

The purpose of this report is for the Council to consider setting a fee for camping at Lake Poorrarecup whilst there are Caretakers in residence and including this fee in Council's Fees and Charges.

**Background**

At the 17 August 2016 meeting of Council it was resolved:

**“That Council:**

- 1. Implement camping fees for 2016/2017 of \$10.00 per passenger vehicle/motorbike per day for camping at Lake Poorrarecup during peak periods when caretakers are in residence;**
- 2. Advertise the implementation of the above fees as per Section 6.19 of the Local Government Act of 1995;**
- 3. Undertake advertising of the above fees to users of Lake Poorrarecup; and**
- 4. Review the viability and effectiveness of the implementation of camping fees after the 2017 Easter period.”**

**Officers Comment**

Caretakers were in residence during the Christmas/New Year and Easter periods. The cost to have the Caretakers and a skip bin on site this financial year was \$2,608.82. The revenue received from the camping fee was \$2,897.25.

The cost of the Caretakers has formed part of the budget allocation for Lake Poorrarecup previously. The camping fee has offset this cost. This extra revenue source could assist with improved signage and facilities at the lake.

Feed back was sought by the Shire and obtained by the Caretakers from the majority of campers. The majority were positive about the camping fee and would like to see the money put towards the improvement of the facilities.

There is an allocation in the 2017/2018 budget for improvements to the ECO Toilet and a submission for a grant will be submitted to the Department of Transport in February 2018 for further upgrades to Lake Poorrarecup.

**Statutory Environment**

There is no specific legislation applicable to this report.

**Policy Applicable – Implications**

There is no Council policy applicable to this report

### **Financial Implications**

If Lake Poorrarecup continues to attract similar numbers of campers it is anticipated the income will be approximately \$3,000 during 2017/2018 which can be used for improvements at the lake.

### **Risk Implications**

The risks associated with matters in this report are:

- Misconduct
- Inadequate Safety and Security Practices
- Inadequate Supplier/Contract Management
- Ineffective Management of Facilities/Venues/Events

The **impact** of the risk is Reputational

The **consequences** of these risks are considered to be Minor

The **likelihood** is Unlikely

Hence the **risk rating** for this item is Low

Risk mitigation includes the contracting of reliable Caretakers

### **Strategic Community Plan Reference**

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that

*Aspiration 1.0: By 2023 the Shire of Cranbrook will be respected for its Friendly, Vibrant, Connected and Safe Communities*

Objective: 1.5 Develop a Healthy Place to Grow and Age

Strategy: 1.5.3 Encourage a sporting and active community

*Aspiration 4.0: By 2023 the Shire of Cranbrook will have Envable Quality Infrastructure, Roads and Facilities*

Objective: 4.3 Provide Outstanding Public Facilities

Strategy: 4.3.2 Continue development of recreational and tourism facilities across the Shire

### **Consultation**

Consultation for this report included caretakers in residence during the Christmas/New Year period and the Easter long weekend. Fee paying campers, Shire Ranger and members of the Executive Management Team were also consulted.

### **VROC Implications**

There are no strategic VROC implications from this report

### **Voting Requirements**

***Absolute Majority***

### **OFFICERS RECOMMENDATION**

**That Council charge camping fees of \$10 per passenger vehicle/motorbike per day for camping at Lake Poorrarecup during peak periods when Caretakers are in residence and include this fee in Councils fees and charges.**

## 10.2 GOVERNANCE & EXECUTIVE SERVICES

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### 10.2.1 LEASE – RESERVE 52284 - CRANBROOK DISTRICTS MOTORCYCLE CLUB INC

<b>RESPONSIBLE OFFICER:</b>	Peter Northover – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Trish Standish – Manager of Finance and Administration
<b>FILE REFERENCE:</b>	R52284
<b>APPLICANT:</b>	Cranbrook Districts Motorcycle Club Inc
<b>DATE OF REPORT:</b>	8 April 2017
<b>ATTACHMENTS:</b>	Draft Lease Document

---

#### **Purpose**

The purpose of this report is for the Council to consider providing delegated authority to the Chief Executive Officer to execute the attached draft lease document for the lease of Reserve 52284 to the Cranbrook Districts Motorcycle Club Inc (CDMC).

#### **Background**

The Shire of Cranbrook has Management Orders over Reserve 52284 for the purpose of 'Recreation and Community'. Flora and fauna surveys have been completed to ensure no endangered species are present in this reserve. A feasibility study and business case has also been completed to ensure it is viable for the CDMC to operate from this reserve. To enable this to occur, it is necessary that the Council consider leasing this reserve to the CDMC.

At the 19 April 2017 meeting of Council it was resolved that:

**“The intent to lease Reserve 52284 to the Cranbrook Districts Motorcycle Club Inc for a period of 21 years at a peppercorn rental of \$1.00 per annum be advertised as per section 3.58 of the Local Government Act 1995 and inviting submissions for the consideration of the Council at the 17 May 2017 ordinary meeting.”**

#### **Officers Comment**

A valuation has been received for Reserve 52284 that indicates the current rental value of this reserve is \$1,500 per annum. It is proposed to lease the entire area of Reserve 52284 for a peppercorn lease to CDMC for a term of 21 years. There will be no operating costs for the Shire as these will be paid by the CDMC, as will all insurance costs. It is proposed that there are no restrictions on the use of Reserve 52284, providing the use is in accordance with the lease documents.

The lease is currently still being advertised, therefore it is considered appropriate to provide delegated authority to the Chief Executive Officer to execute the lease document once the submission period has ended, providing no submissions are received.

It is worthy to note that the lease document makes reference to the CDMC Noise Management Plan for Reserve 52284 that has been advertised as part of a planning development application for the construction of a track and associated buildings. No submissions were made in regards to the Noise Management Plan or the development application which is a separate agenda report for the May 2017 Council meeting.

### **Statutory Environment**

Section 3.58 of the Local Government Act 1995, states that a Council may dispose of property in one of three ways. The proposed lease is currently still being advertised in accordance with this section of the Act as follows:

- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
  - (a) it gives local public notice of the proposed disposition —
    - (i) describing the property concerned;
    - (ii) giving details of the proposed disposition; and inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
  - and
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

### **Policy Applicable – Implications**

There is no Council policy applicable to this report.

### **Financial Implications**

The leasing of this facility to the CDMC ensures that all outgoings and utility charges for the running of this venue are met by the CDMC and not the Council.

### **Risk Implications**

The risks associated with matters in this report are:

- Inadequate Environmental Management
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Document Management Processes
- Inadequate Engagement Practices

The **impact** of the risk is Financial, Non-Compliance, Reputational, Natural Environment

The **consequences** of these risks are considered to be Minor

The **likelihood** is Unlikely

Hence the **risk rating** for this item is Low

Risk mitigation includes ensuring a current lease is in place.

### **Strategic Community Plan Reference**

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

*Aspiration 1.0: By 2023 the Shire of Cranbrook will be respected for its Friendly, Vibrant, Connected and Safe Communities*

Objective: 1.5 Develop a Healthy Place to Grow and Age

Strategy: 1.5.3 Support a sporting and active community

*Aspiration 4.0: By 2023 the Shire of Cranbrook will have Enviably Quality Infrastructure, Roads and Facilities*

Objective: 4.3 Outstanding Public Facilities

Strategy: 4.3.2 Continue development of recreational and tourism facilities across the Shire

**Consultation**

Consultation for this report included the Cranbrook Districts Motorcycle Club Inc

**VROC Implications**

There are no strategic VROC implications from this report

**Voting Requirements**

***Absolute Majority (Delegated Authority)***

**OFFICERS RECOMMENDATION**

**If no submissions are received, the Council provide delegated authority to the Chief Executive Officer to execute the attached lease document for the lease of Reserve 52284 to the Cranbrook Districts Motorcycle Club Inc.**

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**10.2.2 LOCAL GOVERNMENT CONVENTION AND EXHIBITION 2017**

<b>RESPONSIBLE OFFICER:</b>	Peter Northover – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Peter Northover – Chief Executive Officer
<b>FILE REFERENCE:</b>	GO24
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	26 April 2017
<b>ATTACHMENTS:</b>	2017 Information and Registration Brochure

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**Purpose**

The purpose of this report is to allow Councillors the opportunity to attend the annual Local Government Convention and Trade Exhibition.

**Background**

The annual Local Government Convention for 2017 will be held between Wednesday 2 and Friday 4 August 2017 at the Perth Convention and Exhibition Centre. The Annual General Meeting of the Western Australian Local Government Association (WALGA) will be held on Wednesday, 2 August 2017.

**Officers Comment**

An extract of the Convention programme is attached to this item. The full brochure is available from the Chief Executive Officer if required.

This convention includes the Annual General Meeting of WALGA which is free to attend. The Shire President and Deputy Shire President are the Council's voting delegates at this event. This convention has been well attended in recent years by the Council, however consideration may want to be given to those Councillors who have not previously attended.

This convention provides the year's most important professional development and networking opportunity to all Councillors. Prior to and after the convention, there are several elected member professional development modules also being offered.

**Statutory Environment**

There is no specific legislation applicable to this report.

**Policy Applicable – Implications**

Council Policy 1.6 – (Local Government Convention Attendance) states that:

- That the Shire President, Deputy Shire President and Chief Executive Officer will attend the annual WALGA Local Government Annual General Meeting;
- That the Council may decide and make a resolution to send other Elected Members as appropriate each year on a rotational basis to the WALGA Local Government Convention; and
- That the expenditure for the conference be contained responsibly by all attendees and be consistent with the Financial Policies and Code of Conduct of the Shire of Cranbrook.

**Financial Implications**

The 2016/2017 budget includes provision under Members' Conference Expenses for attendance at this year's convention. The average cost per person to attend the convention in recent years has ranged from \$3,500 in 2010 to \$1,500 in 2016.

### **Risk Implications**

The risks associated with matters in this report are:

- Failure to fulfil statutory, regulatory or compliance requirements

**The impacts** of these risks are Non-Compliance and Reputational

**The consequences** of these risks are considered to be Minor

**The likelihood** is Unlikely

Hence the **risk rating** for this item is Low

Risk mitigation includes adherence to Council Policies 1.6 – Local Government Convention – Attendance, and 1.7 – Elected Members – Allowances and Reimbursements, as well as the Shire of Cranbrook Code of Conduct.

### **Strategic Community Plan Reference**

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

*Aspiration 5.0: By 2023 the Shire of Cranbrook will demonstrate, Strong Governance, Leadership and Organisational Growth*

Objective 5.1: Deliver Excellence in Governance, Compliance, Regulation and Reporting

Strategy 5.1.1: Perform at the highest levels of corporate governance, responsibility and accountability

Objective 5.2: Demonstrate Strong Leadership and Management

Strategy 5.2.1: Provide outstanding leadership and opportunity to the community, staff and wider region

Objective 5.7: Effectively represent the Shire of Cranbrook.

Strategy 5.7.1: Undertake to represent the Shire in all possible opportunities.

### **Consultation**

Consultation was not required for this report.

### **VROC Implications**

There are no strategic VROC implications from this report.

### **Voting Requirements**

Simple Majority

### **OFFICERS RECOMMENDATION**

**That:**

- 1. The Shire President, Deputy Shire President and Chief Executive Officer, be authorised to attend the 2017 Local Government Convention and Trade Exhibition from 2 to 4 August 2017 at the Perth Convention and Exhibition Centre;**
- 2. The Shire President and Deputy Shire President be nominated as the Voting Delegates at the Annual General Meeting of the Association on Wednesday, 2 August 2017; and**
- 3. The Chief Executive Officer be nominated as the Proxy delegate at the Annual General Meeting of the Association in the event that either the President or Deputy President is unable to attend the Annual General Meeting of the Association on Wednesday, 2 August 2017.**



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**10.2.3 INTEGRATED PLANNING AND REPORTING – STRATEGIC COMMUNITY PLAN 2017 - 2027**

<b>RESPONSIBLE OFFICER:</b>	Peter Northover – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Trish Standish – Manager of Finance and Administration
<b>FILE REFERENCE:</b>	AD3
<b>APPLICANT:</b>	N/A
<b>DATE OF REPORT:</b>	12 May 2017
<b>ATTACHMENTS:</b>	Draft Strategic Community Plan 2017 – 2027

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**Purpose**

The purpose of this report is for the Council to consider adopting the attached Draft Strategic Community Plan 2017 – 2027.

**Background**

In 2013 all Local Governments were required to adopt the Integrated Planning and Reporting (IPR) Framework. The Shire of Cranbrook’s Strategic Community Plan 2013 – 2023 is the key document that underpins the legislative requirement for the IPR Framework. This document underwent a desktop review in 2015 and a formal review, including community consultation, is required prior to 30 June 2017.

Moore Stephens, consultants to Local Government were engaged to undertake a review of the suite of IPR documents.

**Officers Comment**

Community engagement included two workshops, one in Cranbrook and one in Frankland River as well as the circulation of a community survey and a session with the Council. This engagement assisted in establishing priorities for the Shire for the next ten years and with the development of the attached draft Strategic Community Plan 2013 – 2023.

The plan has been prepared in accordance with the Integrated Planning and Reporting Framework and Guidelines issued by the Department of Local Government.

**Statutory Environment**

Section 5.56 of the Local Government Act 1995 states:

Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Division 3 of the Local Government (Administration) Regulations states:

Planning for the future

19C. Strategic community plans, requirements for (Acts.5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.

- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
  - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
  - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
  - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
\*Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

19DA. Corporate business plans, requirements for (Acts.5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
  - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
  - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
  - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
\*Absolute majority required.
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

19D. Adoption of plan, public notice of to be given

- (1) After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).
- (2) The local public notice is to contain —
  - (a) notification that —
    - (i) a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and
    - (ii) details of where and when the plan may be inspected; or
  - (b) where a strategic community plan for the district has been modified —
    - (i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and
    - (ii) details of where and when the modified plan may be inspected.

**Policy Applicable – Implications**

There is no Council policy applicable to this report.

**Financial Implications**

***Budget***

The 2016/2017 adopted budget includes financial consideration for the provision of funding for this project within the Program Schedule 04 - Governance Operating Expense 041018 Integrated Planning & Reporting, the total cost of the consultants fees are anticipated to be approximately \$30,000.

***Long Term***

Ongoing Council budget considerations will be required for the individual actions that make up the Corporate Business Plan.

**Risk Implications**

The risks associated with matters in this report are:

- Errors, Omissions and Delays
- Failure to fulfil Statutory, Regulatory or Compliance Requirements
- Inadequate Engagement Practices

The **impact** of the risk is Financial, Non-Compliance and Reputational

The **consequences** of these risks are considered to be Moderate

The **likelihood** is Unlikely

Hence the **risk rating** for this item is Medium

Risk mitigation includes engaging a reputable company to undertake the preparation of all plans and ensuring they are presented to the Council in a timely manner.

**Strategic Community Plan Reference**

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

*Aspiration 5.0: By 2023 the Shire of Cranbrook will demonstrate, Strong Governance, Leadership and Organisational Growth*

Objective: 5.1 Deliver Excellence in Governance, Compliance, Regulation and Reporting

Strategy: 5.1.3 Best practice integrated planning and reporting

### **Consultation**

Consultation for this report included the Shire of Cranbrook community, Council and staff.

### **VROC Implications**

There are no strategic VROC implications from this report

### **Voting Requirements**

*Absolute Majority*

### **OFFICERS RECOMMENDATION**

**That:**

- 1. The attached Draft Strategic Community Plan 2017 – 2027 be adopted; and**
- 2. The attached Draft Strategic Community Plan 2017 – 2027 be advertised as per Section 19D of the Local Government (Administration) Regulations 1996.**

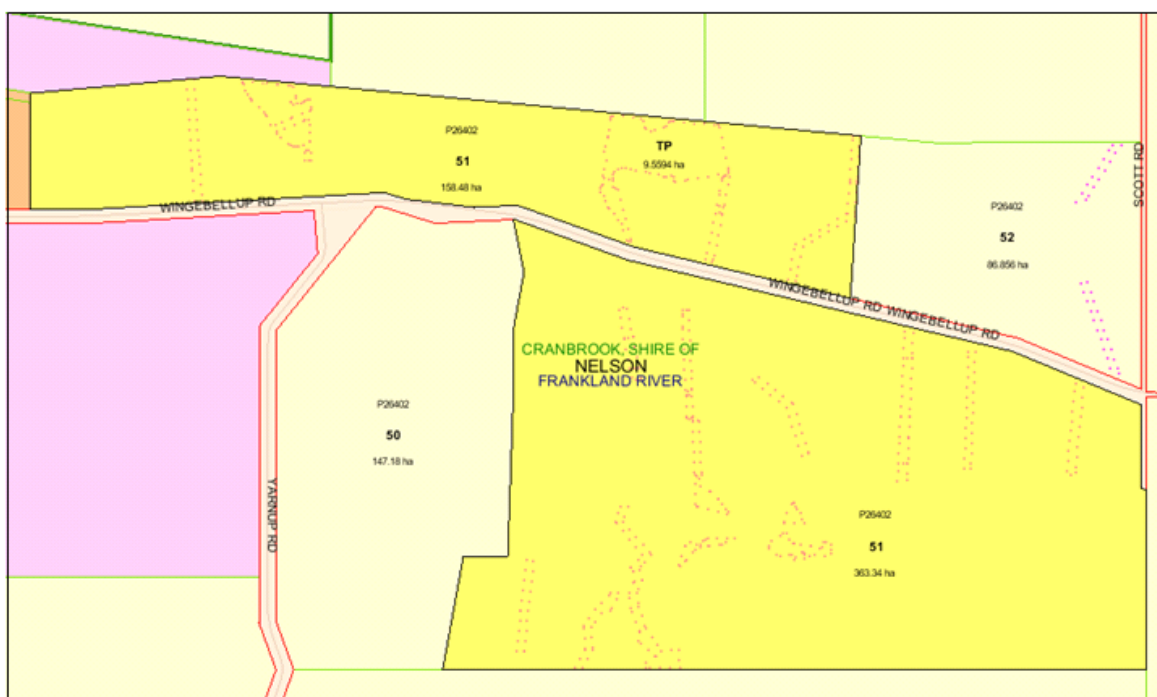
<b>10.2.4</b>	<b>PLANNING APPLICATION – PROPOSED DWELLING – LOT 51 (No 1901) WINGEBELLUP ROAD, FRANKLAND RIVER</b>
<b>RESPONSIBLE OFFICER:</b>	Peter Northover – Chief Executive Officer
<b>REPORT AUTHOR:</b>	Liz Bushby – Gray & Lewis Landuse Planners
<b>FILE REFERENCE:</b>	A9633
<b>APPLICANT:</b>	Robert & Monique Bain
<b>DATE OF REPORT:</b>	2 May 2017
<b>ATTACHMENTS:</b>	Photographs of Donga

**Purpose**

The purpose of this report is for the Council is to consider an application seeking retrospective planning approval for a partially constructed dwelling on Lot 51 (No 1901) Wingebellup Road, Frankland River, in the form of a donga. Approval is also sought for alterations and additions to convert the donga into a single house.

**Background**

Lot 51 is zoned ‘Rural’ under the Shire of Cranbrook Town Planning Scheme No 4 (‘the Scheme’). The lot traverses Wingebellup Road. There is an existing outbuilding located approximately 100 metres to the south of Wingebellup Road.

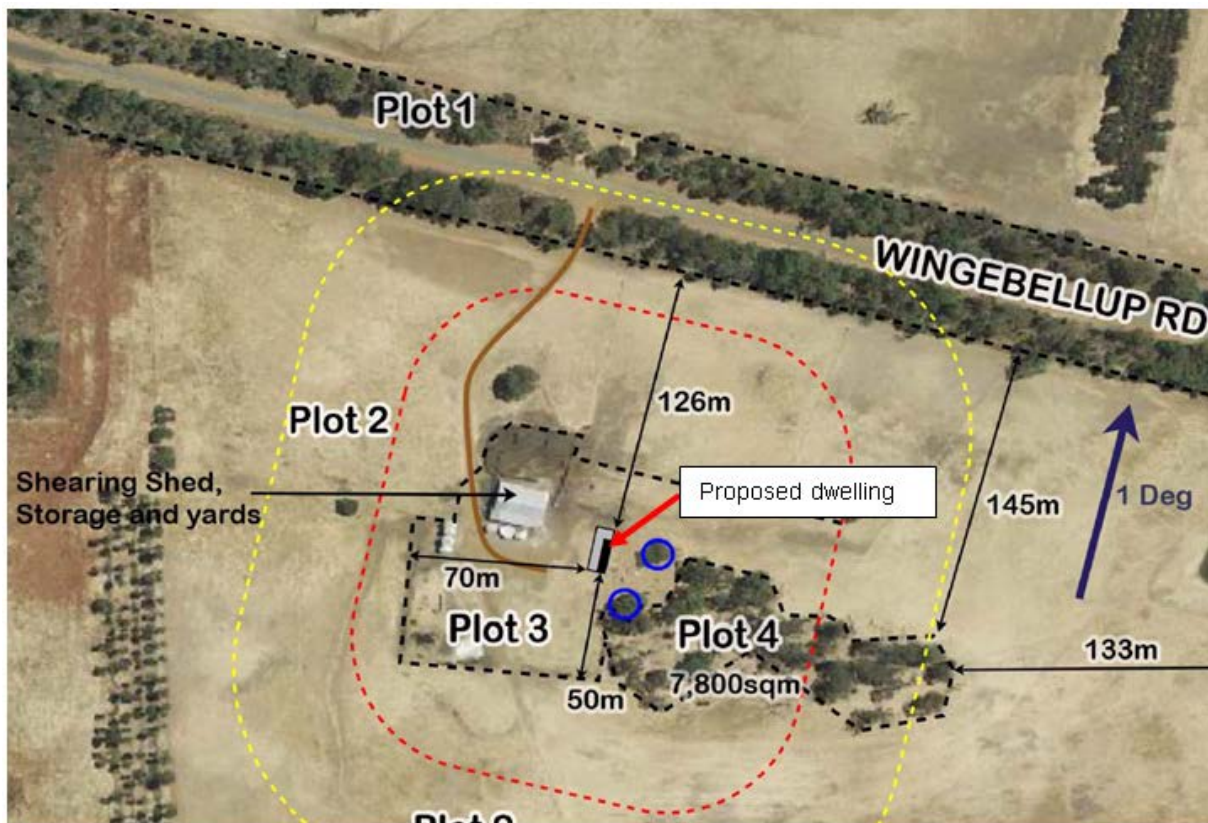


**Officers Comment**

**Description of Application**

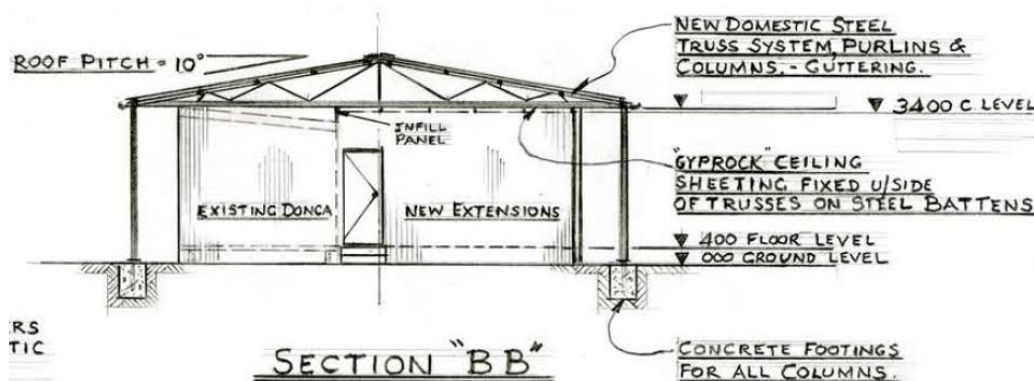
The owners have placed a 4 bedroom donga on the lot – refer Attachment 1. The donga will only form part of the floor area of a new dwelling. The owners propose to alter and extend it for use as a single house.

The house will be located approximately 126 metres south of Wingebellup Road and will be to the east of the existing outbuilding (shearing shed) – refer aerial below.



Source: Lushfire

The majority of the outside shell of the building will be colorbond (walls and roof). Only the south and east external walls of the donga will be exposed. The donga is being used as the base structure and additions will provide a new kitchen, lounge, carport and verandah.



**Setbacks**

The application complies with the setback requirements for the Rural zone being 20 metres front/rear and 10 metres to any side.

**Planning for Bushfire Protection**

The Western Australian Planning Commission released SPP3.7 and associated Guidelines for Planning in Bushfire Prone Areas ('the Guidelines') in December 2015. These documents apply to all land identified as Bushfire Prone and have been amended.

As the dwelling is proposed within a bushfire prone area a Bushfire Attack level (BAL) assessment is required. The BAL determines whether the dwelling has to meet higher constructions standards for fire mitigation.

A BAL assessment has been prepared by Lushfire and Planning. It examines the location of the proposed house, surrounding vegetation, distances to vegetation and slope of the land.

The assessment determined that the BAL is low, which means that there is insufficient risk to warrant any specific construction requirements.

SPP 3.7 states that 'a notice on title' advising that the site is located in a bushfire prone area should be required as a condition of any planning approval.

Council can impose a condition on any approval requiring a notification to be placed on the Certificate of Title of Lot 51 to alert any future purchaser that it is in a bushfire prone area.

Council has to have 'due regard' for SPP 3.7, however Gray & Lewis does not recommend any notification on the title for the following reasons:

- a) A notification would need to be compiled by a solicitor and there are costs associated with lodging any notification on a title.
- b) Bushfire mapping will be reviewed annually and the existing vegetation on site is a snapshot in time. A site specific BAL has identified that there is a low risk associated with the proposed house location.
- c) Bushfire mapping is readily available to purchasers through the DFES website. Any purchaser needs to undertake due diligence when buying land.

### **Visual amenity**

The elevation facing Wingebellup Road will have a colorbond facade with verandah. Having regard for vegetation screening within the Wingebellup Road reserve, proposed upgrading, and the 126 metre setback from the road, it is not considered that the proposal will have any negative visual impact.

### **Statutory Environment**

Shire of Cranbrook Town Planning Scheme No 4 – explained in the body of this report.

Planning and Development (Local Planning Schemes) Regulations 2015 – Regulation 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

### **Policy Applicable – Implications**

There is no Council policy applicable to this report.

### **Financial Implications**

The Shire pays consultancy fees to Gray & Lewis for planning advice.

### **Risk Implications**

The risks associated with matters in this report are:

- Failure to fulfil Statutory, Regulatory or Compliance Requirements

The **impact** of the risk is Non-Compliance and Reputational

The **consequences** of these risks are considered to be Minor

The **likelihood** is Unlikely

Hence the **risk rating** for this item is Low

Risk mitigation includes seeking professional planning advice.

### **Strategic Community Plan Reference**

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

*Aspiration 2.0: By 2023 the Shire of Cranbrook will have an Innovative, Diverse, Prosperous and Growing Economy*

Objective 2.2: Support Economic Growth and Development

Strategy 2.2.2: Provide business support and development

### **Consultation**

Consultation was not required for this report.

### **VROC Implications**

There are no strategic VROC implications from this report.

### **Voting Requirements**

Simple Majority

### **OFFICERS RECOMMENDATION**

**That Council:**

1. **Approve the application lodged by Robert and Monique Bain for a single dwelling on Lot 51 (No 1901) Wingebellup Road, Frankland River subject to the following conditions and footnote advice notes:**
  - a. **The plans lodged with this application received on the 1 May 2017 shall form part of this planning approval. All development shall be in accordance with the approved plans unless otherwise approved in writing by the Chief Executive Officer.**
  - b. **All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into adjacent land or road reserve.**

#### **FOOTNOTE ADVICE:**

- (i) **The applicant and owner is advised that this is only a planning consent and is not authorisation to commence any construction works. A separate building permit may be required.**
- (ii) **This approval is for retention of the existing donga and for proposed alterations and additions.**
- (iii) **The subject lot is located in a bushfire prone area. The Shire notes and accepts the BAL assessment lodged as part of the application.**



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**10.2.5 PLANNING APPLICATION – PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE – LOT 12676 (No 1172) PINDICUP ROAD, UNICUP**

**RESPONSIBLE OFFICER:** Peter Northover – Chief Executive Officer  
**REPORT AUTHOR:** Liz Bushby – Gray & Lewis Landuse Planners  
**FILE REFERENCE:** A85  
**APPLICANT:** Deighton Pty Ltd (on behalf of Aurecon Australia for Telstra)  
**DATE OF REPORT:** 4 May 2017  
**ATTACHMENTS:** Nil

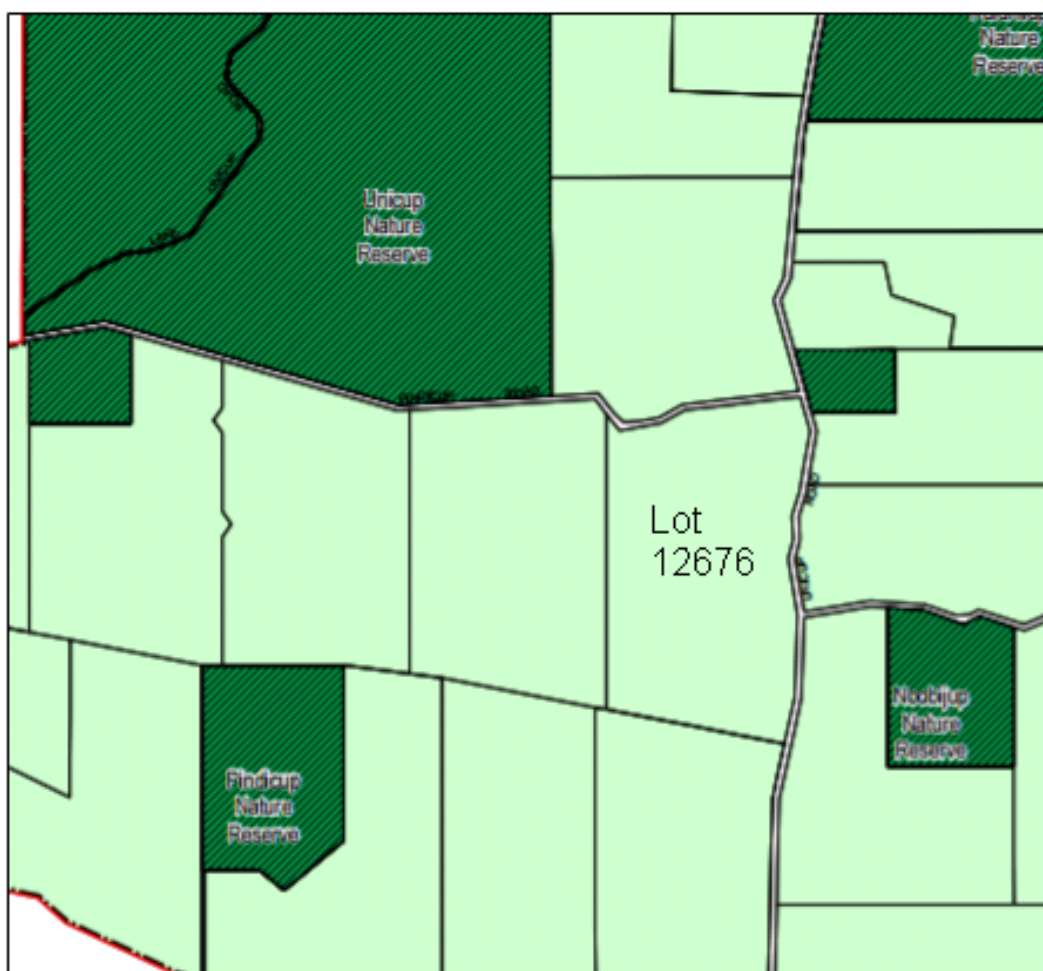
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**Purpose**

The purpose of this report is for the Council is to consider an application for telecommunications infrastructure (mobile phone tower) on Lot 12676 Pindicup Road (corner Unicup Road), Unicup.

**Background**

Lot 1172 is zoned Rural' under the Shire of Cranbrook Town Planning Scheme No 4 ('the Scheme'). It is located to the south east of the Unicup Nature Reserve.



Extract Shire of Cranbrook Town Planning Scheme No 4 zoning map

Lot 12676 has an approximate area of 580.24 hectares and has been developed with a 40.6 metre guyed mast. The applicants are proceeding with a new equipment room and three dishes as 'low impact' structures which are exempt from the need for planning approval.

**Officers Comment**

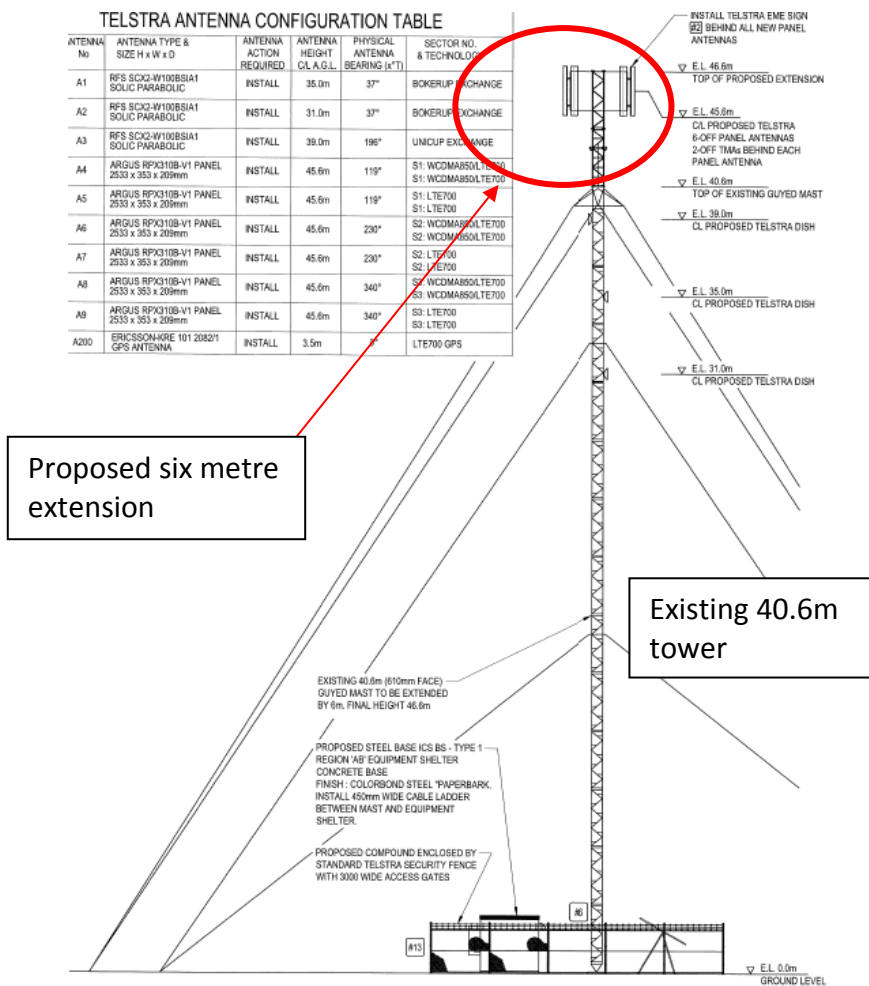
**Description of Application**

The application is for a six metre extension to the existing mast to increase the height from 40.6 metres to 46.6 metres. Six panel antennae’s are proposed at the 45.6 metre height.

The applicant has advised as follows:

- Telstra is working on a government funded project to put emergency services and mobile telephone communications in areas where current coverage is deficient. It is known as the Black Spot Program.
- The lower area of the structure is to be reserved for emergency services organisations for potential future requirements.
- Colorbond fencing will provide security for the compound at ground level.

The existing tower is located in the south east portion of Lot 12676 and is accessed via Unicup Road. A full copy of the development plans are available to Councillors on request. The elevation is included below for ease of reference.



**Landuse classification and permissibility**

When an application is lodged, part of the planning assessment involves examining the landuse definitions in the Scheme, and determining the ‘best fit’ landuse classification.

There is a specific landuse definition for ‘telecommunications infrastructure’ under the Shire of Cranbrook Town Planning No 4 (‘the Scheme’) and it is defined as ‘means land used to accommodate any part of the infrastructure of a telecommunications network and includes any

*line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in connection with, a telecommunications network'.*

Whilst the 'telecommunications infrastructure' landuse is defined in the Scheme, it is not specifically listed in the Zoning Table in the Scheme.

It is therefore recommended that Council process the 'telecommunications infrastructure' as a 'Use Not Listed'.

Council has three options when dealing with a 'Use Not Listed' in accordance with Clause 4.4.2 of the Scheme as follows:

- '(a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- (b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of Clause 9.4 in considering an application for planning approval; or*
- (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted.'*

It is recommended that Council pursue Option (b) as:

- The proposed tower will not prevent the remainder of the land being continued to be used for rural activities.
- Option (b) allows for public advertising so surrounding landowners can be consulted.

### ***Advertising***

The application has been advertised for public comment and no submissions have been received. The Shire wrote to nearby and adjacent landowners.

### ***Western Australian Planning Commission Statement of Planning Policy No 5.2 on 'Telecommunications Infrastructure'.***

The Western Australian Planning Commission (WAPC) has an adopted Statement of Planning Policy No 5.2 for Telecommunications Infrastructure ('SPP 5.2') (September 2015).

The WAPC Policy discusses issues such as the need to meet the communication needs of the community and minimising potential adverse visual impact.

The Policy includes a series of guiding principles for the location, siting, and design of telecommunications infrastructure.

The Policy states that *'telecommunications infrastructure should be sited and designed to minimise visual impact'*. In particular the Policy discusses impacts on significant viewing locations, prominent landscapes and vistas, and general views in the locality.

It is important to acknowledge the Policy references *'to minimise visual impact'* and that SPP2.5 does not require a tower to be invisible or have no visual impact.

From a practical perspective, height is an essential attribute of telecommunications infrastructure and is integral to the development being able to provide a service to the community.

### **Statutory Environment**

*Shire of Cranbrook Town Planning Scheme No 4* – explained in the body of this report.

*Planning and Development (Local Planning Schemes) Regulations 2015* – The Regulations were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include ‘Deemed Provisions’ that automatically apply and override parts of the *Shire of Cranbrook Town Planning Scheme No 4*.

Regulation 67 outlines ‘matters to be considered by Council’ including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

### **Policy Applicable – Implications**

There is no Council policy applicable to this report.

### **Financial Implications**

The Shire pays consultancy fees to Gray & Lewis for planning advice.

### **Risk Implications**

The risks associated with matters in this report are:

- Failure to fulfil Statutory, Regulatory or Compliance Requirements

The **impact** of the risk is Non-Compliance and Reputational

The **consequences** of these risks are considered to be Minor

The **likelihood** is Unlikely

Hence the **risk rating** for this item is Low

Risk mitigation includes seeking professional planning advice.

### **Strategic Community Plan Reference**

The 2013-2023 *Shire of Cranbrook, Strategic Community Plan* states that:

*Aspiration 2.0: By 2023 the Shire of Cranbrook will have an Innovative, Diverse, Prosperous and Growing Economy*

Objective 2.2: Support Economic Growth and Development

Strategy 2.2.2: Provide business support and development

### **Consultation**

Discussed in the body of this report.

### **VROC Implications**

There are no strategic VROC implications from this report,

### **Voting Requirements**

Simple Majority

**OFFICERS RECOMMENDATION**

**That Council:**

- 1. Determine that the proposed telecommunication infrastructure may be consistent with the objectives of the Rural zone and note that the application has been advertised in accordance with Clause 8.3 of the Scheme.**
- 2. Note that no submissions were received during the advertising period.**
- 3. Approve the application lodged by Aurecon for 'telecommunications infrastructure' on Lot 12676 (No 1172) Pindicup (corner Unicup Road), Unicup subject to the following conditions:**
  - (i) All development to be in accordance with the plans lodged as part of this application unless otherwise agreed to in writing by the Chief Executive Officer.**
  - (ii) If the development the subject of this approval is not substantially commenced within a period of two years, the approval shall lapse and be of no further effect.**
- 4. Advise the applicant through footnotes on any planning consents as follows:**
  - a. A planning consent is not an approval to commence any works. A building permit may also be required for construction works.**

**10.2.6 PLANNING APPLICATION – PROPOSED MOTOCROSS TRACK AND ANCILLARY DEVELOPMENT – RESERVE 52284, LOT 300 SUKEY HILL ROAD, CRANBROOK**

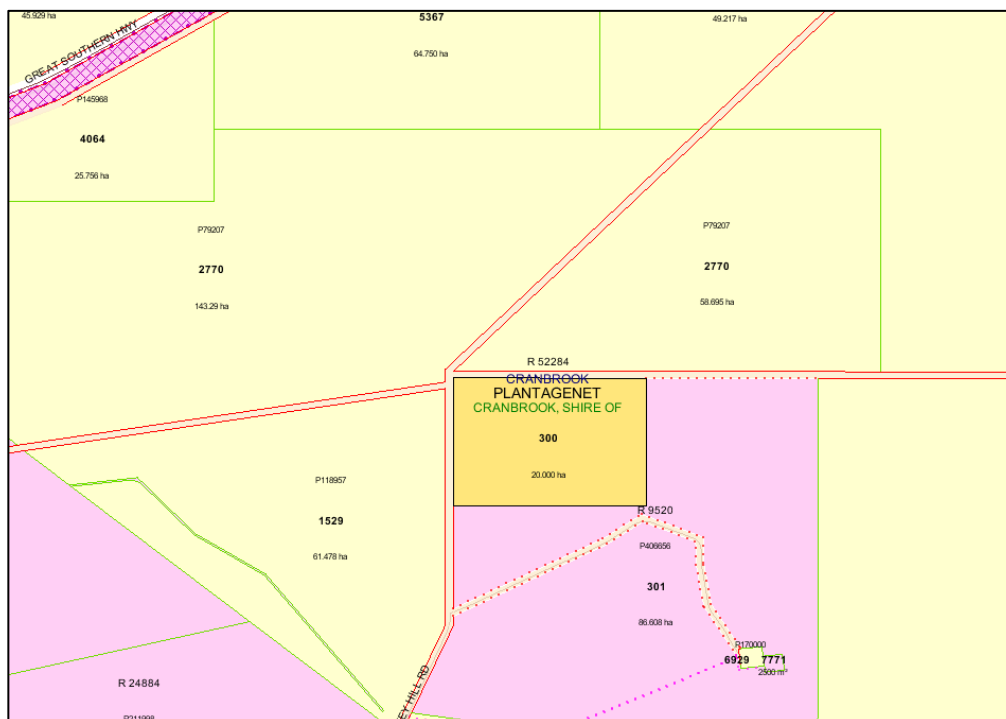
**RESPONSIBLE OFFICER:** Peter Northover, Chief Executive Officer  
**REPORT AUTHOR:** Liz Bushby, Gray & Lewis Landuse Planners  
**FILE REFERENCE:** R52284  
**APPLICANT:** Shire of Cranbrook  
**DATE OF REPORT:** 9 May 2017  
**ATTACHMENTS:** Nil

**Purpose**

The purpose of this report is for the Council to consider an application for a motocross track and ancillary development on Reserve 52284 (Lot 300) Sukey Hill Road, Cranbrook.

**Background**

There is a Management Order over Reserve 52284 to the Shire of Cranbrook for ‘Community Purposes’ and ‘Recreation’.



The land is reserved under the Shire of Cranbrook Town Planning Scheme No 4 (the Scheme) for ‘Public Purposes’. The Local Scheme Reserve classification is different to the purpose of the Management Order which is not unusual.

The Shire Council endorsed the Sukey Hill Regional Motocross Facility and Business Case Study at the meeting held on the 16 November 2016.

The Shire has two separate roles in dealing with this application. The first role is as the owner of the land, and the second role is as the relevant decision making authority for the planning application. As the decision making authority Council has an obligation to consider relevant planning matters.

**Officers Comment**

**Description of Development**

An application has been lodged by the Shire of Cranbrook on behalf of the Cranbrook Districts Motorcycle Club for a motocross track on Reserve 52284 – refer plan below.



The application includes ancillary development such as parking areas, scrutineer/first aid area, a covered start area, and supporting water supply in the form of dams, a standpipe and water tanks.

It is understood that construction plans are being developed for associated facilities such as a club room, camping area and scorers hut. These facilities do not form part of the current planning application.

**Noise**

Potential noise is a planning consideration for the proposal as any noise nuisance could impact on the amenity of the area. Noise is not being assessed as part of this application for the following reasons:

1. The Club has submitted a Noise Management Plan outlining measures for noise mitigation, and complaint procedures.

2. A separate Noise Management Plan (NMP) has already been approved by the Shire Chief Executive Officer as permissible under the *Environmental Protection (Noise) Regulations 1997*. In this circumstance, Gray & Lewis simply accepts that there is an approved NMP already supported by the Shire.
3. The approved NMP exempts the Club from having to comply with any assigned noise levels.

### **Statutory Environment**

#### Shire of Cranbrook Town Planning Scheme No 4 –

Under Clause 3.4.1 a person must not:

- (a) use a Local Reserve; or
  - (b) commence or carry out development on a local reserve
- without first having obtained planning approval under Part 9 of the Scheme.

Under Clause 3.4.2 the local government is to have regard to (a) the matters set out in clause 1.2 and (b) the ultimate purpose intended for the reserve.

Building Regulations 2012 – A Building Permit cannot be issued in the absence of a planning approval under Regulation 18.

Environmental Protection (Noise) Regulations 1997 – There are acceptable noise emissions under the Regulations.

Regulation 16A of the Regulations allows certain motorsport venues to be exempt from the assigned levels, provided that the Shire Chief Executive Officer has approved a Noise Management Plan and the motorsport is being conducted in accordance with that Regulation.

### **Policy Applicable – Implications**

There is no Council policy applicable to this report.

### **Financial Implications**

#### **Budget**

The Shire Chief Executive Officer has advised that a budget provision of \$50,000 has been provided by the Shire for an access road. Grant funding of \$200,000 has also been received through the Great Southern Development Commission Regional Grants Scheme.

### **Risk Implications**

The risks associated with matters in this report are:

- Failure to fulfil Statutory, Regulatory or Compliance Requirements

The **impact** of the risk is Non-Compliance.

The **consequences** of these risks are considered to be Minor.

The **likelihood** is Unlikely.

Hence the **risk rating** for this item is Low.

Risk mitigation includes liaising with Gray & Lewis and the Shires Environmental Health Officer / Building Surveyor to ensure all necessary approvals are obtained (including planning approval, building permits and public building/health approvals).



### **Strategic Community Plan Reference**

The 2013-2023 Shire of Cranbrook, Strategic Community Plan states that:

*Aspiration 1.0: By 2023 the Shire of Cranbrook will be respected for its Friendly, Vibrant, Connected and Safe Communities*

Objective: 1.5 Develop a Healthy Place to Grow and Age

Strategy: 1.5.3 Support a sporting and active community

### **Consultation**

The Shire has advertised the planning application for the proposal concurrently with the Noise Management Plan. No submissions had been received at the time of writing this report.

### **VROC Implications**

There are no strategic VROC implications from this report.

### **Voting Requirements**

Simple Majority

### **OFFICERS RECOMMENDATION**

**That Council:**

- 1. Authorise the Chief Executive Officer to sign the planning application form for the proposed motocross and ancillary development on Reserve 52284.**
- 2. Approve the application lodged by the Shire of Cranbrook on behalf of the Cranbrook Districts Motorcycle Club for a motocross track and ancillary development on Reserve 52284 subject to the following conditions and advice notes:**

#### **Conditions:**

- (i) The applicant to lodge a detailed site plan showing the location of ancillary development (scrutineer/first aid area and a covered start area) for separate written approval of the Chief Executive Officer prior to the issue of a Building Permit. In the event that any amenities need to be included (to comply with the Health (Public Building) Regulations 1992) they may be approved as part of the detailed plan stage as ancillary development.**
- (ii) All development to be generally in accordance with the approved plans to the satisfaction of the Chief Executive officer.**

#### **Advice Notes:**

- (a) This is a planning consent only for the motocross track and ancillary development including parking areas, scrutineer/first aid area, a covered start area, and supporting water supply in the form of dams, a standpipe and water tanks. This is not an approval for any future stages of development such as a clubroom, camping areas etc**
- (b) A separate Building Permit needs to be obtained prior to placement of any building on the reserve. Separate approval is also required under the Health (Public Building) Regulations 1992.**
- (c) It is noted that the applicant is liaising with the Department of Environment and Regulation (DER) in regards to future clearing of the reserve.**

**10.3 WORKS**

Nil

**10.4 ECONOMIC & COMMUNITY**

Nil

**11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF THE MEETING**

**13. MATTERS BEHIND CLOSED DOORS**

Nil

**14. CLOSURE OF MEETING**

There being no further business to discuss, the Shire President, Cr Cunningham will declare the meeting closed at pm.