Shire of Moora Ordinary Council Meeting 15th July 2015

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora will be held on **Wednesday 15th July 2015** in the Council Chambers, 34 Padbury Street, Moora commencing at **5.30 pm**

AJ Leeson Chief Executive Officer

10th July 2015

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

	(1)	w	ish	to
۰.				

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

- I. 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 15 JULY 2015 COMMENCING AT 5.30PM

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- 9.1.1 List of Payments Authorised Under Delegation 1.31
- 9.1.2 Statement of Financial Activity for Period Ended 30 June 2015
- 9.1.3 Shire of Moora Budget 2015/16
- 9.1.4 Fees and Charges

I. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

I.I 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

CD Hawkins - Councillor

APOLOGIES

JL Greay

Manager Engineering Services

3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

4. **PUBLIC QUESTION TIME**

5. <u>PETITIONS AND PRESENTATIONS</u> Petition to be presented from Steve Antonio of Miling

6. <u>APPLICATIONS FOR LEAVE OF ABSENCE</u>

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

8. <u>CONFIRMATION OF MINUTES</u>

8.1 ORDINARY COUNCIL MEETING - 17 JUNE 2015

That the Minutes of the Ordinary Meeting of Council held on 17 June 2015 be confirmed as a true and correct record of the meeting.

8.2 SPECIAL COUNCIL MEETING - 24 JUNE 2015

That the Minutes of the Special Meeting of Council held on 24 June 2015 be confirmed as a true and correct record of the meeting.

9. <u>REPORTS OF OFFICERS</u>

9.1 GOVERNANCE AND CORPORATE SERVICES

9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE:10 July 2015OFFICER DISCLOSURE OF INTEREST:NilAUTHOR:David Trevaskis, Deputy Chief Executive OfficerSCHEDULE PREPARED BY:Alida Fitzpatrick, Finance Debtors OfficerATTACHMENTS: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

Municipal Fund	Cheques 62024 - 62042	\$19,323.05
•	EFT 13813 - 13979	\$409,093.71
	Credit Card 15/05/15 to 14/06/15	\$4,246.82
	Net Pays – PPE 02/06/15	\$81,978.32
	Net Pays – PPE 16/06/15	\$87,441.42
	Net Pays – PPE 30/06/15	\$86,700.20
Trust Fund	Cheques 5090 - 5091	\$40.00
Total		<u>\$668,823.52</u>

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 JUNE 2015

REPORT DATE:10 July 2015OFFICER DISCLOSURE OF INTEREST: NilPREVIOUS MEETING REFERENCES: NilAUTHOR:David Trevaskis, Deputy Chief Executive OfficerATTACHMENTS:Statement of Financial Activity for the Period Ended 30 June 2015

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 30 June 2015.

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 2014/15 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council notes and receives the Statement of Financial Activity for the period ended 30 June 2015.

9.1.3 ADOPTION OF THE 2015/2016 BUDGET

REPORT DATE:10 July 2014OFFICER DISCLOSURE OF INTEREST: NilPREVIOUS MEETING REFERENCES: NilAUTHOR:David Trevaskis, Deputy Chief Executive OfficerATTACHMENTS:Shire of Moora 2015/16 Budget

PURPOSE OF REPORT:

For Council to consider adoption of the 2015/2016 Budget.

BACKGROUND:

The 2015/2016 draft Budget is circulated as an attachment to this report. As per the requirements of the Local Government Act 1995, Local Government (Financial Management) Regulations 1996, Australian Accounting Standards (AAS) and Australian International Reporting Financial Standards (AIFRS) the document has been prepared in its statutory format.

COMMENT:

The Budget for the 2015/2016 financial year includes the following information:

- Shire of Moora Budget
- Adopted Schedule of Fees & Charges

Over the past few months Councillors have had the opportunity to raise queries and have input into the draft Budget at a number of General Purpose Committee Meetings and Councillor Information sessions.

The draft Budget is based on an overall rate increase of only 2% instead of the CPI plus 2% which was used in the Shire of Moora Corporate Business Plan (5.1%). At General Purpose Committee Meetings and Councillors Information sessions, Councillors have made it clear they would prefer a minimal rate rise this financial year.

GRV and UV rates in the dollar have been adjusted accordingly to achieve a 28% and 72% split between GRV and UV rates revenue for 2015/16 as per the Councils target.

Within the draft Budget are a number of projects that are reliant on applications for grant funding being successful. If the full amount of funding budgeted for is not received, a report will be put to Council to amend the budget accordingly.

POLICY REQUIREMENTS:

The Budget is consistent with adopted Council policies and the Shire of Moora Rating Strategy. This strategy is available on the Shire's webpage (<u>www.moora.wa.gov.au</u>).

LEGISLATIVE REQUIREMENTS:

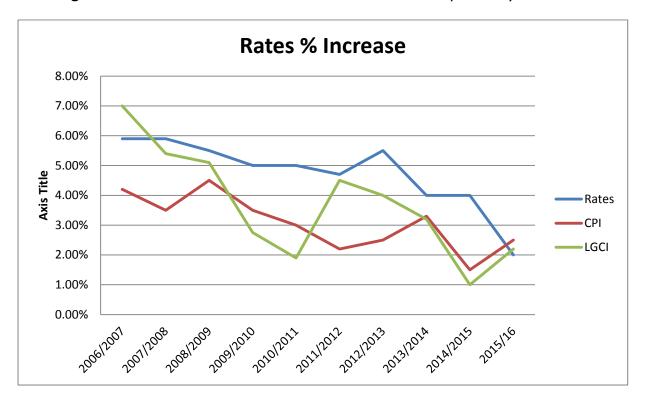
Section 6.2 of the Local Government Act 1995 requires Council to adopt its Annual Budget in the form and manner prescribed no later than 31 August in any financial year, subject to any extension past this date with Ministerial approval. The draft Budget, as presented to Council, is prepared in the statutory format required.

Within thirty (30) days of the adoption of the Budget, a copy must be forwarded to the Director General, Department of Local Government and Regional Development as provided by Regulation 33 of the Local Government (Financial Management) Regulations 1996.

STRATEGIC IMPLICATIONS:

The draft Budget includes a number of operating and capital projects which will help Council deliver the priorities it has identified in its Community Strategic Plan and Corporate Business Plan, i.e. regional cooperation, planning for growth and existing asset renewal including the sewerage scheme.

The budget is based on an overall rate increase of 2%. Rate rises in previous years have been:



SUSTAINABILITY IMPLICATIONS:

Environment

The proposed budget contains a number of initiatives that will enhance and support the environment within the Shire.

> Economic

The proposed budget contains a number of initiatives that will enhance and support economic development within the Shire.

Social

The proposed budget contains a number of initiatives that will enhance and support social development within the Shire.

FINANCIAL IMPLICATIONS:

The result of the following resolutions will be the adoption of the 2015/2016 Budget.

VOTING REQUIREMENTS

Absolute Majority Required

RECOMMENDATION

That Council adopts the 2015/2016 Budget including the following matters:

- (1) Imposing General Rate for Gross Rental Value (GRV) properties the general rate be set at 8.8611 cents in the dollar on Gross Rental Values for all rateable land within the district;
- (2) Imposing General Rate for Unimproved Value (UV) properties the general rate be set at 1.1381 cents in the dollar on Unimproved Values for all rateable land within the district;
- (3) Rates increase by area can be summarised as:

UV/Farming		\$2,659,805	
GRV/Town		<u>\$1,034,410</u>	
		\$3,694,215	
Resulting in an ac	tual increase in rate	e revenue across each area	a of:
	2014/15	2015/16	% Inc
UV/Farming	\$2,625,85 I	\$2,659,805	1.29%
GRV/Town	\$995,848	\$1,034,410	3.87%

- (4) Imposing Minimum Payment (Rates) for Gross Rental Value (GRV) properties the Minimum Payment (Rates) be set at \$607 per assessment for GRV properties;
- (5) Imposing Minimum Payment (Rates) for Unimproved Value (UV) properties the Minimum Payment (Rates) be set at \$607 per assessment for all UV properties in the Shire of Moora;
- (6) Imposing Sewerage Rate the sewerage rate in the dollar be set at 7.1798 cents in the dollar, and that the following apply:

а.	That the minimum annual sewerage rates be as follows;		
	Residential properties	\$345.00	
	Commercial properties	\$345.00	
	Vacant Land properties	\$345.00	
	Ex-Gratia Commercial/Industrial properties	\$345.00	

Ь.	That the maximum annual sewerage rate be as follows;		
	Residential properties	\$902.00	
	Vacant Land properties	\$902.00	
	Commercial properties	\$4243.00	

c. Non Rateable Properties connected to sewer

Class I Institutional/Publ	ic & Charitable Purposes for each property:
First major fixture	\$222.00 per annum
Each additional major fixture	\$94.00 per annum

Class 2 State and Local Government properties of a commercial nature: \$1,236.00 per Connection

- (7) Rubbish Removal Charges (per annum) be set at;
 (i) Residential Non-pensioner \$352 per 240-litre bin (weekly) & recycling bin (fortnightly)
 (ii) Residential– Pensioner \$263 per 240-litre bin (weekly) & recycling bin (fortnightly)
 (iii) Non-Residential \$352 per 240-litre bin (weekly)
- (9) Incentive for Early Payment of Rates Council is offering a \$500 cash prize to ratepayers who pay their 2015/16 rates, rubbish charges and arrears in full within 21 days from the issue date of the rate notice;
- (10) Instalment Plan The following options be made available to ratepayers: a. To pay in full within 35 days of service of the rates notice.
 - b. To pay by 2 equal instalments as under.
 - (i) 50% of the rates within 35 days
 - (ii) 50% of the rates within 2 months of (i)
 - c. To pay by 4 equal instalments as under.
 - (i) 25% of the rates within 35 days
 - (ii) 25% of the rates within 2 months of (i)
 - (iii) 25% of the rates within 2 months of (ii)
 - (iii) 25% of the rates within 2 months of (iii) being 6 months from the expiration of the initial 35 day period and 6 months and 35 days from the date of service of the notice.
- (11) Instalment Plan Interest Rate a charge be set at 5.5% per annum calculated by simple interest method and applied to Rates and Rubbish Removal Charge;
- (12) Instalment Plan Administration Charge a charge of \$6.90 per instalment excluding the first instalment and applied to Rates and Rubbish Removal Charge;
- (13) Late Payment Interest Rate (Rates and Rubbish Removal Charge) a charge be set at 11% per annum, calculated by simple interest method, be applied for instalments past the due date, or where the instalment option is not in place, 35 days after the date of issue of the rate notice;
- (14) Late Payment Interest Rate (Sundry Debtors Charges) a charge be set at 11% per annum, calculated by simple interest method, be applied for outstanding sundry debtors past the due date, 30 days after the date of issue of the invoice;
- (15) Reserve Accounts Council confirms the names and purposes of its Reserve Accounts as listed within the Shire of Moora Budget 2015/2016:
- (16) Materiality Threshold that the materiality threshold for monthly financial reporting (Statement of Financial Activity – Program) be set at plus or minus 10% and greater than \$5,000 at Program and Category levels.

10. <u>REPORTS OF COMMITTEES</u>

MANAGEMENT & AUDIT COMMITTEE MEETING - 3 JUNE 2015

10.1 RISK MANAGEMENT POLICY

FILE REFERENCE:F/AUDI-2REPORT DATE:28 May 2015OFFICER DISCLOSURE OF INTEREST:PREVIOUS MEETING REFERENCES: NilAUTHOR:Alan Leeson, Chief Executive OfficerATTACHMENTS:Risk Management Policy and Risk Management Report

PURPOSE OF REPORT:

The Audit Regulations require the CEO to prepare a review system and procedures in relation to risk management, internal controls and legislative compliance for presentation to the Audit Committee every two calendar years.

BACKGROUND:

The Audit Regulations were amended on the 8th February 2013 to add Regulation 17 as set out below:

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to
 - (a) Risk management; and
 - (b) Internal control; and
 - (c) Legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of the review.

To effectively review the appropriateness and effectiveness of procedures and systems requires the establishments of formalised policies and or management procedures by the Shire. It is against these documented procedures that a review will be undertaken.

COMMENT:

Along with most regional Local Governments in WA including the Shire's of Dandaragan, Dalwallinu, Wongan-Ballidu and Victoria Plains the Shire of Moora engaged the services of LGIS consultants to help prepare a Risk Management Framework. This includes the preparation of a Risk Management Policy and Risk Management Procedures which sets out the Shire's approach to the identification, assessment, management, reporting and monitoring of risks. All components of the documents are based on Australia/New Zealand Standard ISO 310000:2009 Risk Management.

Management has identified and reviewed the various risk profiles of the Shire and evaluated these using the risk assessment and acceptance criteria and risk matrix provided in the Risk Management Framework.

VOTING REQUIREMENTS:

Simple Majority Required

COMMITTEE RECOMMENDATION

Council receive the <u>Shire of Moora Risk Report June 2015</u> being the CEO's review of the appropriateness and effectiveness of the Shires systems and procedures in regard to risk management, internal control and legislative compliance as per Audit Regulation 17.

GENERAL PURPOSE COMMITTEE MEETING – 1 JULY 2015

10.2 FIREBREAK REQUIREMENTS 2015/2016 - BUSH FIRES ACT (1954)

FILE REFERNCE:LO/BUFIREPORT DATE:23 June 2015OFFICER DISCLOSURE OF INTEREST: NilPREVIOUS MEETING REFERENCES: NilATTACHMENTS:NilAUTHORVicki Booth, Community Emergency Services Manager

PURPOSE OF REPORT:

To consider amendments to the Fire Break order to ensure an up to date and relevant document is utilised. The firebreak order is reviewed annually and put to Council to adopt any necessary changes. The adopted version is gazetted and put out for advertising.

BACKGROUND:

The 2015/16 review of the Fire Break order was conducted, after consultation with the Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer, Community Emergency Services Manager and Chief Executive Officer.

COMMENT:

The amendments are required so they may be included in the annual Bushfire regulations notice forwarded out with the Shire of Moora rates notices in August 2015

Listed below are the recommended changes from the 2014/15 Firebreak order to the 2015/16 Firebreak order;

Current

- 1. That the Shire of Moora adopts the regulation of a 2.7 metre firebreak in the following locations.
 - (a) Townsites land over $3,000m^2$
 - (b) Rural Land
 - (c) Fuel Pumps (Fuel Depots)
 - (d) Farm buildings, unattended electric motors and hay stacks
 - (e) Unattended fuel operated motors

(Adopted Ordinary Council Meeting 12 July 2006)

New

- 1. That the Shire of Moora adopts the regulation of a 3 metre firebreak in the following locations.
 - (a) Townsites land over 2,023m² (half an acre)
 - (b) Rural Land

- (c) Fuel Pumps (Fuel Depots)
- (d) Farm buildings, unattended electric motors and hay stacks
- (e) Unattended fuel operated motors
- 2. That the Shire of Moora adopts the regulation of land over 2,023m² (half an acre) (which is the correct area conversion from imperial to metric).

All other requirements/ regulations remain unchanged from previous year.

POLICY REQUIREMENTS:

Shire of Moora Bush Fire Policy 2.1 adopted 18 May 2009

LEGASLATIVE REQUIREMENTS:

Bush Fires Act 1954 - (with amendments) and Regulations

STRATEGIC IMPLICATIONS:

Town and Rural resident's awareness to Fire Prevention and Safety

SUSTAINABILITY IMPLICATIONS:

> Environment

Efficient fire control 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 ESL levy Grant

VOTING RECOMMENDATIONS:

Simple Majority required

COMMITTEE RECOMMENDATION

That Council

- 1. note the following amendments to the Fire Break notice regulations for 2015/16
- 2. adopts the regulation of a 3 metre firebreak in the following locations;
 - (a) Townsites land over 2,032m² (half an acre);
 - (b) Rural Land;
 - (c) Fuel Pumps (Fuel Depots);
 - (d) Farm buildings, unattended electric motors and hay stacks;
 - (e) Unattended fuel operated motors.
- 3. Authorise the publishing of the amendments to the Shire of Moora Firebreak notice in the Advocate and WA Government Gazette.

10.3 <u>RELOCATION OF TRANSPORTABLE HOME</u>

FILE REFERENCE:TP/PA33REPORT DATE:25 June 2015APPLICANT/PROPONENT:Neville & Lyn HamiltonOFFICER DISCLOSURE OF INTEREST:NilPREVIOUS MEETING REFERENCES:NilAUTHOR:Peter Williams, Manager Development ServicesATTACHMENTS:Plans

PURPOSE OF REPORT:

Neville and Lyn Hamilton seek Council permission to relocate a transportable dwelling which is currently located on their son's property at Lot 196 Riley Road, to a property located at Lot 49 / House no. 87 Long Street.

BACKGROUND:

The transportable has previously been used as a residence previously and is currently clad with asbestos which is to be removed on site as part of a demolition application. The dwelling also has a veranda and a carport attached which is also to be removed.

The proponents have submitted an application for a demolition and a building application for this development and the proposal is to remove the asbestos cladding from the dwelling on site at its current location. This will be subject to a demolition licence and an Asbestos Management Plan; the de-clad frame will be transported to the property at 87 Long Street. The house will then be reclad using new materials to a state where it can be either sold or rented. The veranda and carport will be added as part of the building application.

The current property at Lot 196 Riley Road is classified as Rural Residential 3 under the Shire of Moora Town Planning Scheme No 4 (Amendment 10) and 87 Long Street is located in the Residential Zone and as such is subject to the residential Design Codes.

COMMENT:

As this is a second-hand transportable dwelling it is therefore subject to Councils policy for second hand transportable dwellings and will have to pay a \$10,000 bond to ensure the dwelling is satisfactorily completed to Councils satisfaction. The land, once the dwelling has been removed shall be required to have the top 150mm scraped clean of topsoil and any asbestos fibres, septic tanks compacted and leach drains collapsed.

It is recommended that this application be approved as the plans meet the requirements of the Shire's Town Planning Scheme and the Residential Design Code.

POLICY REQUIREMENTS:

Shire's Policy for Second-hand Transportable Dwellings requires a \$10,000.00 bond be placed with Council to ensure satisfactory completion.

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

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

COMMITTEE RECOMMENDATION

That Council approve the application by proponents Neville and Lyn Hamilton to declad a second hand transportable dwelling located at Lot 196 Riley Road of asbestos and transport the de-clad residence to Lot 49 / House no. 87 Long Street, Moora where it is to be reclad with compliant materials subject to the following conditions:

- The de-cladding is subject to a Demolition Licence and an Asbestos Management Plan;
- The transportation of the second hand timber residence shall be subject to Councils Second Hand Transportable Dwelling Policy and the proponents will have to pay a \$10,000 bond that will be returned once the dwelling is satisfactorily completed to Councils satisfaction;
- Once located on site at 87 Long Street, Moora the dwelling shall be connected to Councils Sewerage Scheme after an application has been submitted to Council for connection;
- No second hand materials are to be used for the cladding and the reconstruction of the dwelling;
- No development can take place until a building permit has been issued subject to the Building Code of Australia (BCA), the Building Act 2011 and the Shire of Moora Local Planning Scheme No 4.

11. <u>ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN</u> <u>GIVEN</u>

12. <u>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF</u> <u>COUNCIL</u>

13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

14. <u>CLOSURE OF MEETING</u>