



Ordinary Council Meeting Minutes

Date: 18 July 2012

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

The Shire of Moora Vision and Mission Statement

Vision

Our vision is that:

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

Mission

Our mission is:

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

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
18 JULY 2012

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* Separate Attachments

- Item 9.1.1* *List of Payments Authorised Under Delegation 1.31*
- Item 9.1.2* *Statement of Financial Activity for the Period Ended 30 June 2012*
- Item 9.1.3* *2012/13 Budget*

I. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

I.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 5.41pm.

I.2 DISCLAIMER READING

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

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

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

ATTENDANCE

CE Gardiner	-	Shire President
AR Tonkin	-	Deputy Shire President
SA Bryan	-	Councillor
R Keamy	-	Councillor
DV Clydesdale-Gebert	-	Councillor
JW McLagan	-	Councillor
OC Cocking	-	Councillor
TG Humphry	-	Councillor
AJ Leeson	-	Chief Executive Officer
JL Greay	-	Manager Engineering Services
LJ Parola	-	Manager Finance & Corporate Services
PR Williams	-	Manager Health, Building & Planning Services

APOLOGIES

CD Hawkins	-	Councillor
RL McCall	-	Manager Community & Economic Development

PUBLIC

Mr Shane Love	-	National Party endorsed candidate for the seat of Moore
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3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. PETITIONS AND PRESENTATIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

The Presiding member advised that Cr Cocking had applied in writing for leave of absence for the Meetings of Council to be held for the period 23 July 2012 to 14 September 2012, as he would be away from the district on leave.

COUNCIL RESOLUTION

72/12 Moved Cr Bryan, seconded Cr Tonkin that Cr Cocking be granted leave of absence for the Meetings of Council to be held for the period 23 July 2012 to 14 September 2012.

CARRIED 8/0

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil

8. CONFIRMATION OF MINUTES**8.1 ORDINARY COUNCIL MEETING - 20 JUNE 2012****COUNCIL RESOLUTION**

73/12 Moved Cr McLagan, seconded Cr Bryan that the Minutes of the Ordinary Meeting of Council held on 20 June 2012 be confirmed as a true and correct record of the meeting.

CARRIED 8/0

9. REPORTS OF OFFICERS**9.1 CORPORATE SERVICES****9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31**

REPORT DATE: 13 July 2012

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: Nicole Chappell, Finance Creditors & Records Officer

ATTACHMENTS: Accounts Paid Under Delegated Authority

PURPOSE OF REPORT

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

BACKGROUND

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

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

POLICY REQUIREMENTS

Delegation 1.31 – Payments from Municipal and Trust Funds.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 - Section 6.10

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

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS

Payments are in accordance with the adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

74/12 Moved Cr Bryan, seconded Cr Tonkin that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

Municipal Fund	Chqs 60810 - 60853	\$77,176.04
	EFT 8103 - 8303	\$715,887.11
Trust Fund	Chqs 4791 – 4796	\$664.88
Credit Card Payments		\$5,248.22
	Net Pays PPE 19.06.12	\$87,344.87
	PPE 03.07.12	<u>\$86,510.25</u>
Total		\$972,831.37

CARRIED**8/0**

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MAY 2012

REPORT DATE: 10 July 2012

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Leanne Parola, Manager Finance & Corporate Services

ATTACHMENTS: Statement of Financial Activity for the Period Ended 30 June 2012

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 30 June 2012.

BACKGROUND:

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

COMMENT:

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

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS:

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

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL IMPLICATIONS:

Year to date income and expenditure is provided by program to enable comparison to 2011/12 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

75/12 Moved Cr Bryan, seconded Cr Humphry that Council notes and receives the Statement of Financial Activity for the period ended 30 June 2012. CARRIED 8/0

9.1.3 ADOPTION OF 2012/2013 BUDGET

Cr Clydesdale-Gebert declared a proximity interest in the item as she is a director in a business on Lot 213 Melbourne Street, Moora in relation to the industrial park extension.

FILE REFERENCE: F/BUAI

REPORT DATE: 13 July 2012

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Leanne Parola, Manager Finance and Corporate Services

ATTACHMENTS: 2012/2013 Draft Budget (circulated under separate cover)

PURPOSE OF REPORT:

For Council to consider adoption of the 2012/2013 Budget.

COMMENT:

The 2012/2013 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.

The draft Budget for the 2012/2013 financial year includes the following information:

- Rates Setting Statement
- Operating Schedules
- Statement of Capital Works
- 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 Councillor Information Briefings. Since the last briefing on 11 July 2012, a small number of changes have been made and were communicated to Councillors in the Councillor Briefing Session Agenda papers for 18 July 2012. The changes result in a balanced budget.

The draft Budget is based on an overall rate increase of 5.5%, which the Western Australian Local Government Association estimates the Consumer Price Index increase will be for the year ended 30 June 2013, plus 2%. This additional 2% will be used to fund the acquisition and establishment of the Moora Airstrip, which is currently on private land.

The Shire of Moora Rating Strategy was reviewed and amended by Council on 18 April 2012 and includes the following new strategy which will be put into place from 2012/13 onwards:

Proportion of Rates from GRV vs UV

The Shire of Moora will increase the rates levied on GRV properties at a higher rate than UV properties to slowly change the balance of rates raised over time.

Strategy

Over the next ten years, the rate increases for UV will be lower than GRV to achieve a 70:30 split in 2021/22.

As a result the 2012/13 Draft Budget includes a proposed increase to the GRV rate in the dollar of 6.2% which provides an overall increase of 7.7% and an overall increase for the UV

rates of 4.6%. GRV rates will account for 26% of rates income, with the other 74% coming from UV properties.

Also of interest 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.

The Shire of Dalwallinu adopted its 2012/13 Budget with an overall rate increase of 5%. At the time of writing this report, no other surrounding Shires had appeared to have adopted their budgets.

POLICY REQUIREMENTS:

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

LEGISLATIVE REQUIREMENTS:

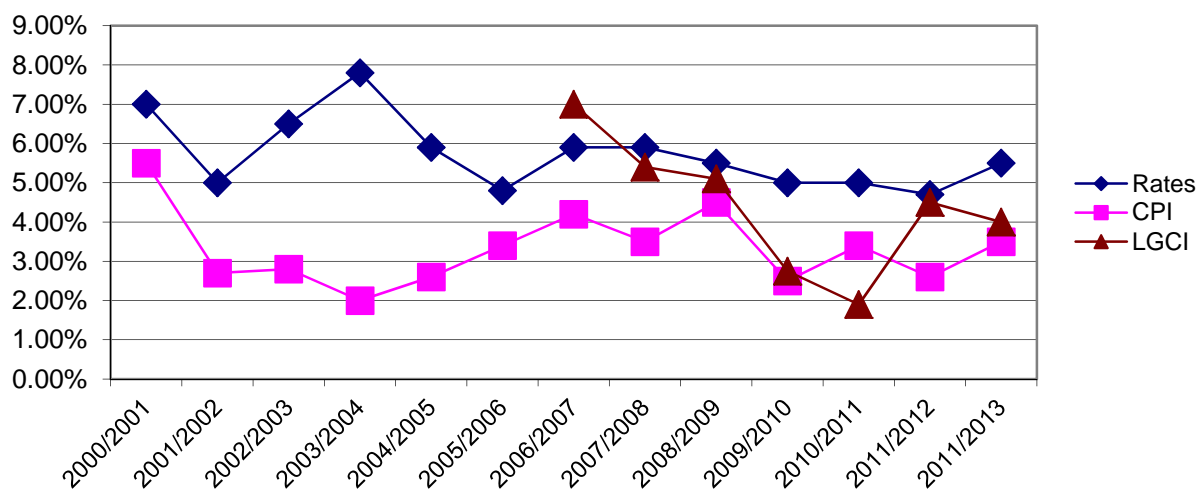
Section 6.2 of the Local Government Act 1995 requires Council to adopt its Annual Budget in the form and manner prescribed no later than 31 August in any financial year, subject to any extension past this date with Ministerial approval. The draft Budget, as presented to Council is prepared in the statutory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

A balanced budget enables Council to progress its strategic plan in a sustainable manner. The draft budget includes a number of operating and capital projects which will help Council deliver the priorities it has identified in its draft strategic plan, ie regional cooperation, planning for growth and existing asset renewal including the sewerage scheme.

The budget is based on an overall rate increase of 5.5%. While this increase exceeds the estimated CPI of 3.5% and Local Government Cost Index of 4%, if Council wants to achieve the desired priorities in its Strategic Plan, a minimum increase of 5.5% is necessary. 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 2012/2013 Budget.

VOTING REQUIREMENTS

Absolute Majority Required

MANEX RECOMMENDATIONS

Moved Cr Gardiner, seconded Cr Tonkin that Council adopts the 2012/2013 Budget including the following matters:

- (1) *Imposing General Rate for Gross Rental Value (GRV) properties – the general rate be set at 9.4498 cents in the dollar on Gross Rental Values for all rateable land within the district, which equates to an increase of 6.5% in rates from GRV properties and an overall rates increase of 5.5%;*
- (2) *Imposing General Rate for Unimproved Value (UV) properties – the general rate be set at 0.9806 cents in the dollar on Unimproved Values for all rateable land within the district, which equates to an increase of 3.9% rates from GRV properties and an overall rates increase of 5.5%;*
- (3) *Imposing Minimum Payment (Rates) for Gross Rental Value (GRV) properties – the Minimum Payment (Rates) be set at \$550 per assessment for GRV properties;*
- (4) *Imposing Minimum Payment (Rates) for Unimproved Value (UV) properties – the Minimum Payment (Rates) be set at \$550 per assessment for all UV properties in the Shire of Moora;*
- (5) *Imposing Sewerage Rate – the sewerage rate in the dollar be set at 8.4286 cents in the dollar, and that the following apply:*
 - a. *That the minimum annual sewerage rates be as follows;*

<i>Residential properties</i>	<i>\$315.00</i>
<i>Commercial properties</i>	<i>\$315.00</i>
<i>Vacant Land properties</i>	<i>\$315.00</i>
<i>Ex-Gratia Commercial/Industrial properties</i>	<i>\$315.00</i>

- b. That the maximum annual sewerage rate be as follows;
- | | |
|------------------------|----------|
| Residential properties | \$820.00 |
| Vacant Land properties | \$820.00 |
- c. Non Rateable Properties connected to sewer
- Class 1 Institutional/Public & Charitable Purposes for each property:
- | | |
|-------------------------------|--------------------|
| First major fixture | \$205.00 per annum |
| Each additional major fixture | \$86.00 per annum |
- Class 2 State and Local Government properties of a commercial nature:
- | | |
|--|---------------------------|
| | \$1,140.00 per Connection |
|--|---------------------------|
- (6) Imposing Service Charge – Gardiner Street power – The non-residential and residential properties that benefited directly from the upgrade to the power supply in Gardiner Street in 2006/2007 pay the following annual charge:
- | | |
|-----------------|----------|
| Non-Residential | \$339.32 |
| Residential | \$169.66 |
- (7) Rubbish Removal Charges (per annum) – be set at;
- (i) Residential – Non-pensioner \$325 per 240-litre bin (weekly) & recycling bin (fortnightly)
- (ii) Residential– Pensioner \$240 per 240-litre bin (weekly) & recycling bin (fortnightly)
- (iii) Non-Residential \$325 per 240-litre bin (weekly)
- (8) Incentive for Early Payment of Rates – to use the incentive prize offered by: \$500 Cash - Shire of Moora as the prize for payment of rates, rubbish charges and arrears in full within 21 days from the issue date of the rate notice;
- (9) 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.
- (10) 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;
- (11) Instalment Plan Administration Charge – a charge of \$6.30 per instalment excluding the first instalment and applied to Rates and Rubbish Removal Charge;

- (12) *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;*
- (13) *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;*
- (14) *Reserve Accounts – Council confirms the names and purposes of its Reserve Accounts as listed within the 2012/2013 draft Budget:*
- (15) *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.*

Following discussion, the above motion was WITHDRAWN and an alternate motion moved.

MOTION

76/12 Moved Cr Keamy, seconded Cr Tonkin that adoption of the 2012/2013 Budget lay on the table to be considered for adoption at a special meeting of council to be held on the 25 July 2012.

LOST 2/6

COUNCIL RESOLUTION

77/12 Moved Cr Gardiner, seconded Cr Bryan that Council adopts the 2012/2013 Budget including the following matters:

- (1) ***Imposing General Rate for Gross Rental Value (GRV) properties – the general rate be set at 9.4498 cents in the dollar on Gross Rental Values for all rateable land within the district, which equates to an increase of 6.5% in rates from GRV properties and an overall rates increase of 5.5%;***
- (2) ***Imposing General Rate for Unimproved Value (UV) properties – the general rate be set at 0.9806 cents in the dollar on Unimproved Values for all rateable land within the district, which equates to an increase of 3.9% rates from UV properties and an overall rates increase of 5.5%;***
- (3) ***Imposing Minimum Payment (Rates) for Gross Rental Value (GRV) properties – the Minimum Payment (Rates) be set at \$550 per assessment for GRV properties;***
- (4) ***Imposing Minimum Payment (Rates) for Unimproved Value (UV) properties – the Minimum Payment (Rates) be set at \$550 per assessment for all UV properties in the Shire of Moora;***
- (5) ***Imposing Sewerage Rate – the sewerage rate in the dollar be set at 8.4286 cents in the dollar, and that the following apply:***

- a. **That the minimum annual sewerage rates be as follows;**
- | | |
|---|-----------------|
| Residential properties | \$315.00 |
| Commercial properties | \$315.00 |
| Vacant Land properties | \$315.00 |
| Ex-Gratia Commercial/Industrial properties | \$315.00 |
- b. **That the maximum annual sewerage rate be as follows;**
- | | |
|-------------------------------|-----------------|
| Residential properties | \$820.00 |
| Vacant Land properties | \$820.00 |
- c. **Non Rateable Properties connected to sewer**
- Class 1 Institutional/Public & Charitable Purposes for each property:**
- | | |
|--------------------------------------|---------------------------|
| First major fixture | \$205.00 per annum |
| Each additional major fixture | \$86.00 per annum |
- Class 2 State and Local Government properties of a commercial nature:**
- \$1,140.00 per Connection**
- (7) **Imposing Service Charge – Gardiner Street power – The non-residential and residential properties that benefited directly from the upgrade to the power supply in Gardiner Street in 2006/2007 pay the following annual charge:**
- | | |
|------------------------|-----------------|
| Non-Residential | \$339.32 |
| Residential | \$169.66 |
- (7) **Rubbish Removal Charges (per annum) – be set at;**
- | | |
|--|---|
| (i) Residential – Non-pensioner | \$325 per 240-litre bin (weekly) & recycling bin (fortnightly) |
| (ii) Residential– Pensioner | \$240 per 240-litre bin (weekly) & recycling bin (fortnightly) |
| (iii) Non-Residential | \$325 per 240-litre bin (weekly) |
- (8) **Incentive for Early Payment of Rates – to use the incentive prize offered by: \$500 Cash - Shire of Moora as the prize for payment of rates, rubbish charges and arrears in full within 21 days from the issue date of the rate notice;**
- (9) **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) |
| (iv) | 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. |

- (10) **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;**
- (11) **Instalment Plan Administration Charge – a charge of \$6.30 per instalment excluding the first instalment and applied to Rates and Rubbish Removal Charge;**
- (12) **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;**
- (13) **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;**
- (14) **Reserve Accounts – Council confirms the names and purposes of its Reserve Accounts as listed within the 2012/2013 draft Budget:**
- (15) **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.**

CARRIED BY ABSOLUTE MAJORITY 7/1

9.1.4 COUNCIL CROSSOVER POLICY

FILE REFERENCE: PL/POPI

REPORT DATE: 12 July 2012

APPLICANT/PROPONENT: Mr Alan Leeson, Chief Executive Officer

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Mr Alan Leeson, Chief Executive Officer

ATTACHMENTS: Nil

PURPOSE OF REPORT:

To update Councils policy with reference to crossover standards and contributions from Council toward cost of constructing crossovers. The revised policy proposes to distinguish between residential crossovers and commercial crossovers.

BACKGROUND:

Councils existing crossover policy was first adopted on 20 May 1998. It is broad in description and doesn't clearly set out clear parameters.

4.2 Entrance to Properties.

Originally adopted by Council on 20th May 1998.

1. Rural Crossovers

- a) *That for the purposes of Uniform Local Provisions regulation 15a, standard rural crossing will be constructed to a pipe width of 7.3 metres.*

- b) *That for a first crossing, Council provides a standard crossing at its expense.*
- c) *That Council do not contribute to any subsequent crossing, or to the additional cost of providing a crossing, which is superior to a standard crossing.*
- d) *That culvert driveways damaged during road construction be restored by the Council at Council's expense.*

2. *Townsite Crossovers*

- a) *That for the purpose of Uniform Local Provisions regulation 15, a standard crossing within the townsite comprise a gravel, or similar base of sufficient depth and composition to provide a hard trafficable surface, to a pipe width of-*
 - 4.0 metres for residential and commercial premises-*
 - 4.5 metres for light industrial; and*
 - 6.0 metres for heavy industrial.*
- b) *That for a first crossing, Council provide 50% of the cost of a standard crossing.*
- c) *That Council do not contribute to the cost of a subsequent crossing or to the additional cost of providing a crossing, which is superior to a standard crossing.*
- d) *That an owner/occupier contribution to the cost of construction of a crossover to Shire specifications, whether standard or superior, is due and payable at the time of building licence issue if the request for a crossover is made at the same time/in conjunction with a development proposal and in any case prior to the construction of the crossover.*
- e) *That the 50% of cost charge payable by the landowner be included in Council's annual list of fees and charges and a separate charge be calculated for -*
 - *Rural areas crossovers*
 - *Townsite areas standard crossovers*
 - *Townsite areas non-standard crossovers (access to block over a ditch or otherwise difficult)*

3. *Street Paving Adjacent to Business Premises*

That Council be prepared, at a time convenient to its works program to provide rolled and levelled gravel paving between a bitumen road surface and commercial premises which the owner or occupier of the commercial premises may bituminise, as long as the standard of any such work is approved by Council's Manager Engineering Services.

Notwithstanding the above, Council as part of its fees and charges has set a maximum contribution to crossovers. The contribution does not differentiate between residential and commercial. The current contribution is set at a maximum of \$360.

COMMENT:

The author believes there should be a clear distinction between residential and commercial crossovers. The following draft policy is compiled on that basis.

POLICY REQUIREMENTS:

Title: Crossover Policy

Statutory Obligations:

The legislation that governs crossovers or crossings from a public thoroughfare to private land or a private thoroughfare is:

- Local Government Act 1995, Schedule 9.1 (7)
- Local Government (Uniform Local Provisions) Regulation 1996, Sections 12,13,14,15 and 16.

The legislation describes requirements to construct or repair crossovers and Council's contribution (subsidy) towards the cost of crossovers. Copies are available from Council.

Objectives:

To provide a set of criteria by which to assess requests for the construction of new and upgrading of existing crossovers across the shire.

Standards of crossings:

Rural Crossover – Maximum Specification

Maximum width of 7.32 metres x 5 metres, provision of 375mm drainage pipe and headwalls. Material finish shall be bound gravel.

Townsite Residential Crossover – Maximum Specification

Maximum width of 5.0 metres x 5 metres;

Constructed with a cross fall back towards the road and with the finished surface flush with adjacent road carriageway;

Finished surface shall be approved with the agreement of Council. A standard surface shall be of composition to provide a hard trafficable surface that is not hazardous to pedestrians;

Council's maximum standard contribution is based upon a finished surface of concrete.

Townsite Commercial Crossover – Maximum Specification

Maximum width of 6.5metres x 5.0 metres;

Constructed with a cross fall back towards the road and with the finished surface flush with adjacent road carriageway;

Finished surface shall be approved with the agreement of Council. A standard surface shall be of composition to provide a hard trafficable surface that is not hazardous to pedestrians;

Council's maximum standard contribution is based upon a finished surface of concrete.

Policy Limitations:

Council will only contribute to one crossing per property;

That the 50% calculation of the Council subsidy toward the cost of the standard crossing shall be in accordance with the quantity calculation adopted by Council annually and listed in its fees and charges schedule detailing Councils maximum standard contribution;

Crossing subsidy cannot be applied for retrospectively.

Crossings subsidies are not relevant to renewal or upgrading of existing cross overs.

LEGISLATIVE REQUIREMENTS:

Local Government (Uniform Local Provisions) Regulation 1996

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:

Reviewed and adopted annually by Council. It is proposed for 2012/2013 the maximum standard contributions will be;

Rural Crossover – Maximum Contribution up to - \$250

Townsite Residential Crossover – Maximum Contribution up to - \$500

Townsite Commercial Crossover – Maximum Contribution up to - \$900

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

78/12 Moved Cr Cocking, seconded Cr Tonkin that Council adopt the following policy parameters in relation to crossovers in the Shire of Moora, replacing existing policy 4.2 Entrance to Properties:

Title: Crossover Policy

Statutory Obligations:

The legislation that governs crossovers or crossings from a public thoroughfare to private land or a private thoroughfare is:

- Local Government Act 1995, Schedule 9.1 (7)
- Local Government (Uniform Local Provisions) Regulation 1996, Sections 12,13,14,15 and 16.

The legislation describes requirements to construct or repair crossovers and Council's contribution (subsidy) towards the cost of crossovers. Copies are available from Council.

Objectives:

To provide a set of criteria by which to assess requests for the construction of new and upgrading of existing crossovers across the shire.

Standards of crossings:**Rural Crossover – Maximum Specification**

Maximum width of 7.32 metres x 5 metres, provision of 375mm drainage pipe and headwalls. Material finish shall be bound gravel.

Townsite Residential Crossover – Maximum Specification

Maximum width of 5.0 metres x 5 metres;

Constructed with a cross fall back towards the road and with the finished surface flush with adjacent road carriageway;

Finished surface shall be approved with the agreement of Council. A standard surface shall be of composition to provide a hard trafficable surface that is not hazardous to pedestrians;

Council's maximum standard contribution is based upon a finished surface of concrete.

Townsite Commercial Crossover – Maximum Specification

Maximum width of 6.5metres x 5.0 metres;

Constructed with a cross fall back towards the road and with the finished surface flush with adjacent road carriageway;

Finished surface shall be approved with the agreement of Council. A standard surface shall be of composition to provide a hard trafficable surface that is not hazardous to pedestrians;

Council's maximum standard contribution is based upon a finished surface of concrete.

Policy Limitations:

Council will only contribute to one crossing per property;

That the 50% calculation of the Council subsidy toward the cost of the standard crossing shall be in accordance with the quantity calculation adopted by Council annually and listed in its fees and charges schedule detailing Councils maximum standard contribution;

Crossing subsidy cannot be applied for retrospectively.

Crossings subsidies are not relevant to renewal or upgrading of existing cross overs.

Legislative Requirements:

Local Government (Uniform Local Provisions) Regulation 1996

Financial Parameters:

As per fees and charges adopted annually;

Rural Crossover up to a Maximum Contribution of \$250

Townsite Residential Crossover up to a Maximum Contribution of \$500

Townsite Commercial Crossover up to a Maximum Contribution of \$900

CARRIED **8/0**

9.1.5 COUNCIL COMMITTEE / WORKING GROUPS TIMETABLE

FILE REFERENCE: EM/COAI

REPORT DATE: 13 July 2012

APPLICANT/PROPONENT: Mr Alan Leeson, Chief Executive Officer

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Mr Alan Leeson, Chief Executive Officer

ATTACHMENTS: Nil

PURPOSE OF REPORT:

For Council to consider a formal timetable/schedule of meetings for its various committees/working groups.

BACKGROUND:

Council for some time has run with an ad-hoc timetable in relation to scheduling of committee meetings and working group meetings. In the authors view this ad-hoc scheduling has become somewhat frustrating for some Councillors.

COMMENT:

To that end it is recommended that Council look at adopting a more formal structure in terms of scheduling for committees and working groups alike.

POLICY REQUIREMENTS:**DELEGATIONS TO COMMITTEES/WORKING GROUPS****(1) Audit Committee**

Membership:	9 Councillors
Role:	To fulfil Council's statutory requirements pursuant to the Local Government (Audit) Regulations.

(2) Management Review Committee

Membership:	Shire President, Deputy Shire President, Cr Bryan and the Chief Executive Officer.
Role:	Essentially to review the performance of the CEO and provide support to the CEO in employment related matters in respect to other staff. Power to accept the CEO's recommendation for employment of a senior employee according to contractual conditions agreed in advance by Council (see Policy 1.3). Such decisions to be endorsed by Council.
Delegated authority:	Nil.
Meet:	Annually

(3) Town Planning Committee

Membership:	Cr Cocking, Cr Hawkins, Cr Keamy, Chief Executive Officer, Manager Community & Economic Development, Manager Engineering Services
Role:	The functions of the committee will be <ol style="list-style-type: none"> a) Identify land in and around the Moora townsite that will be suitable for residential and industrial use. b) The investigation to take into account any impact resulting from industrial and residential development should such development be located in close proximity to each other. c) What buffer zones need to be created to lessen the impact of industrial areas on residential precincts? d) Determine if there is a need to provide a 'service industry' link between industrial and residential precincts? e) Consider the cost of extending services and infrastructure to any sites selected.
Meet:	as required

(4) **Avon-Midland Zone** Cr Gardiner, Cr Tonkin

(5) **CMVROC** Cr Gardiner, Cr Tonkin

PORTFOLIO GROUPS

(6) Business Development Group

Membership: Manager Community & Economic Development, Cr Clydesdale-Gebert (Chair), Cr Bryan, Cr Tonkin, Cr McLagan, Cr Humphry and the Chief Executive Officer.

Role: Portfolio group for discussion purposes only – with no decision making ability. Addresses issues such as:

- Business & Industry (CCI)
- Tourism
- Land Development

Meet: Monthly

(7) Operational Development Group

Membership: Manager Engineering Services, Cr Gardiner (Chair), Cr Tonkin, Cr McLagan, Cr Humphry.

Role: Portfolio group for discussion purposes only – with no decision making ability. Addresses issues such as:

- Road Program
- Plant Purchases

Meet: as required

(8) Financial Development Group

Membership: Manager Finance and Corporate Services, Cr Keamy (Chair) Cr Bryan, Cr Gardiner, Cr Cocking and the Chief Executive Officer.

Role: Portfolio group for discussion purposes only – with no decision making ability. Addresses issues such as:

- Budget Review
- Draft Budget
- Audit

Meet: as required

(9) Local Emergency Management Committee (LEMC)

Membership: Shire President (Chair), Chief Executive Officer, Manager Engineering Services, Manager Health, Building & Planning Services and Community Emergency Services Manager plus representatives appointed by the LEMC Committee

Role: To fulfil Council's statutory requirements pursuant to the Emergency Management Act (s.39) 2005.

- a. To advise and assist the local government in establishing local emergency managements for the district;
 - b. to liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements; and
 - c. to carry out other emergency management activities as directed by SEMC or prescribed by regulations
- Shire Bushfire Brigade Network to report to LEMC via CESM

Meet: Quarterly

(10) Council Membership to other Committees

- Aged Care Steering Committee	Cr Gardiner
- St James Residential College Board	Cr Bryan
- Australia Day Awards Committee	Cr Bryan
- Community Resource Centre Management Committee	Cr Bryan
- Landcare Groups (Rural Water Council / West Koojan-Gillingarra Land Conservation Committee)	Cr Tonkin
- Youth, Crime & Safety Committee	Cr Gardiner and Cr Bryan

Date Adopted: 19 October 2011 (Res # 124/11)

Date Reviewed: 20 June 2012

Date Reviewed and Amended: 20 June 2012

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

STRATEGIC IMPLICATIONS:

Structured in the correct manner the committees and working groups can be a strong strategic tool of Council. It does however require the buy-in of all Councillors. Over the course of the next twelve months I would expect there will be some significant challenges across a range of portfolios, which at the end of the day cross over from one to the other in some shape or form. Some of the key issues that Council will deliberate over but are not limited to;

- Town Planning & Business Development: Affordability in Council developing land, ability to measure demand in a sound way, Commence new town planning scheme, Marketing strategies.
- Future Financial Strategies: Moora Lifestyle Village, Moora Waste Management Services, Moora Childcare Services; Debt reduction, Rating strategy.
- Future Infrastructure Plans: Mapping of town drainage infrastructure, Plant replacement program.

SUSTAINABILITY IMPLICATIONS:

➤ Environment

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

➤ Economic

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

➤ **Social**

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

FINANCIAL IMPLICATIONS:

As the working groups are not official committees of Council sitting fees are not payable on Councillors attendance. Council will pay sitting fees and travelling for the Audit and Town Planning Committees. The author is of the view that Councillors should be paid for travel associated with attending working group meetings.

SUMMARY:

The aim of this report is to achieve a balanced outcome that will facilitate a more consistent and strategic approach to some key areas of Councils business. It does however require a strong mandate which requires strong support from all Councillors. The below mentioned time schedule is only a suggestion and can be tailored to achieve a reasonable balance.

VOTING REQUIREMENTS

Simple Majority Required

OFFICER RECOMMENDATION

Moved Cr McLagan, seconded Cr Clydesdale-Gebert that the following meeting schedule be adopted by Council in relation to the operation of its committees/working groups;

Audit Committee

4th Wednesday of June/Oct of each year – 5.30pm

Town Planning Committee

1st Monday of February/April/June/August/October of each year – 9.00am

Finance Working Group

Prior to the scheduled Council meeting set in the months of February/April/June/August/October of each year – 1.30pm

Operational Development Group

4th Wednesday of March and May of each year – 1.00pm

Business Development Group

2nd Wednesday of February/April/June/October of each year – 5.30pm

Following discussion, the above motion was WITHDRAWN and an alternate motion moved.

COUNCIL RESOLUTION

79/12 Moved Cr Gardiner, seconded Cr Clydesdale-Gebert that the item lay on the table to be discussed further at the next Council Briefing Session on the 15th August 2012.

CARRIED 7/1

9.2 HEALTH, BUILDING & PLANNING SERVICES

9.2.1 ANNE DRAYTON - HOME OCCUPATION

FILE REFERENCE: PA19/1112

REPORT DATE: 12 July 2012

APPLICANT/PROPONENT: Max Employment on behalf of Ms Anne Drayton

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Health Building & Planning Services

ATTACHMENTS: Nil

PURPOSE OF REPORT:

Ms Anne Drayton has submitted a planning application to operate a home based business designing, painting & selling aboriginal dot paintings from her premises located at 114 Roberts Road, Moora; and is requesting Council for approval to operate her business from home.

BACKGROUND:

A Home Based Business requires Council Approval due to it being a “D” Classification on the Zoning Table in the Residential Zone. This application also requires notification of the adjoining properties and asking them if they have any objections to a business being operated next door.

“A Home Occupation” means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:-

- (a) Does not employ any person not a member of the of the occupiers household;
- (b) Will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) Does not occupy an area greater than 20 square metres
- (d) Does display a sign exceeding 0.2 square metres.
- (e) Does not involve the retail sale, display or hire of goods of any nature;
- (f) In relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, or use or calling of a vehicle more than two tonnes tare weight, and does not include provision for fuelling, repair or maintenance of motor vehicles; and
- (g) Does not involve the use of an essential service of greater capacity than normally required for that zone.

Requirements of this application advise that the adjoining neighbours be invited to comment as to their approval of the application going ahead; this was duly carried out.

COMMENT:

Ms Anne Drayton advises that she intends to do large and small acrylic painting on canvas and will be selling at the local markets, over the internet and on Facebook. Ms Drayton also advises that she wishes to display and sell her paintings at various locations such as the Moora Art Gallery, Lions weekend markets and local coffee shops.

The paints she will be using are water based acrylic paints which are non-toxic and therefore safe around children.

Letters were sent to surrounding neighbours asking whether they consented to the application, of the letters sent out one neighbour phoned in their comment which was giving their consent. There have been no formal objections registered against the proposal.

POLICY REQUIREMENTS:

That this Planning Application requires neighbours being notified and given two weeks to respond if they have any objections to the proposal.

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:**➤ Environment**

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

➤ Economic

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

➤ Social

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

FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

80/12 Moved Cr McLagan, seconded Cr Tonkin that Council approve this application subject to the following conditions:-

- (a) Does not employ any person not a member of the of the occupiers household;**
- (b) Will not cause injury to or adversely affect the amenity of the neighbourhood;**
- (c) Does not occupy an area greater than 20 square metres**
- (d) Does not display a sign exceeding 0.2 square metres.**
- (e) That the application allows the painting of aboriginal dot art pieces but not the retail sale of paintings from the premises.**
- (f) In relation to vehicles and parking: That this does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, or use or calling of a vehicle more than two tonnes tare weight, and does not include provision for fuelling, repair or maintenance of motor vehicles; and**
- (g) Does not involve the use of an essential service of greater capacity than normally required for that zone.**
- (h) That an application fee of \$200.00 and an annual fee of \$67.00 be paid prior to a license being issued.**

CARRIED

8/0

9.3 COMMUNITY & ECONOMIC DEVELOPMENT

Nil

9.4 ENGINEERING SERVICES

Nil

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

Nil

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

The Chief Executive Officer tabled a late item dealing with the Moora Tennis Club - Synthetic Courts Proposal for Council's consideration. The purpose of the item was to ensure the Moora Tennis Clubs' request to Council for financial support was given due consideration prior to the closure of applications to the Department of Sport and Recreation Community Sport and Recreation Facilities Fund.

COUNCIL RESOLUTION

81/12 Moved Cr McLagan, seconded Cr Clydesdale-Gebert that Council consider the late item as tabled by the Chief Executive Officer titled Moora Tennis Club - Synthetic Courts Proposal.

CARRIED 8/0

11.1 MOORA TENNIS CLUB – SYNTHETIC COURTS PROPOSAL**COUNCIL RESOLUTION**

82/12 Moved Cr McLagan, seconded Cr Bryan that the Shire of Moora formally support the Moora Tennis Club's proposal to lay four new synthetic courts at the Moora Tennis Club in accordance with the following financial parameters;

<i>Moora Tennis Club</i>	<i>\$100,000</i>
<i>CSRFF (State Government)</i>	<i>\$ 90,000</i>
<i>Shire of Moora</i>	<i>\$20,000 (Cash)</i>
	<i>\$25,000 (In kind)</i>
<i>Moora Tennis Club (Self Supporting) Repay Community Reserve Fund</i>	<i><u>\$ 45,000</u></i>
<i>Proposed Total Project Cost</i>	<i><u>\$ 280,000</u></i>

Subject to the following conditions;

- **Interest will be charged at 50% of the W.A Treasury Corporation borrowing rate over a nominated period not to exceed 7 years;**
- **Any increase in the price of court construction will be met by the Moora Tennis Clubs contribution funded from the Shire of Moora Community Facilities Reserve Fund.**

CARRIED BY ABSOLUTE MAJORITY 7/1

12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

13. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 6.29pm.

CONFIRMED

PRESIDING MEMBER