

**Shire of Moora**  
**Ordinary Council Meeting**  
**20<sup>th</sup> May 2009**

**NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora  
will be held on **Wednesday 20<sup>th</sup> May 2009**  
in the Council Chambers, 34 Padbury Street, Moora  
commencing at **3.30 pm**

LM O'Reilly  
Chief Executive Officer  
15<sup>th</sup> May 2009

**\*\* PLEASE NOTE \*\***

REPRESENTATIVES FROM THE MOORA DISTRICT TENNIS CLUB INC.  
WILL BE PROVIDING A PRESENTATION TO COUNCIL  
REGARDING THE FUTURE PLANS FOR THE CLUB

## **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,

**Re: Written Declaration of Interest in Matter Before Council**

I, <sup>(1)</sup> \_\_\_\_\_ wish to  
declare an interest in the following item to be considered by Council at its meeting to be held on  
<sup>(2)</sup> \_\_\_\_\_.

Agenda Item <sup>(3)</sup> \_\_\_\_\_

The type of interest I wish to declare is: <sup>(4)</sup>

- 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 <sup>(5)</sup>

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The extent of my interest is <sup>(6)</sup>

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

Yours faithfully,

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

1. Insert your name.
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

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**SHIRE OF MOORA**  
**ORDINARY COUNCIL MEETING AGENDA**  
**20 MAY 2009**  
**COMMENCING AT 3.30PM**

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\* Separate Attachments

Item 11.2.1	List of Payments Authorised Under Delegation 1.31
Item 11.2.2	Statement of Financial Activity for the Period Ended 31 March 2009
Item 11.2.3	Statement of Financial Activity for the Period Ended 30 April 2009
Item 11.4.2	Photo of vehicle & Letter of Offer
Item 11.4.3	Draft Townsite Expansion Strategy (A), Schedule of submissions (B), Map advertised for public comment (C) & Map with recommended modifications (D)
Item 11.4.4	Local Planning Scheme Amendment 9 & Local Planning Scheme No. 4 Maps
Item 11.6.2	Draft Tender 1/2009 Document

**1. DECLARATION OF OPENING & WELCOME OF VISITORS*****“Acknowledging of Country”***

*I would like to show my respect and acknowledge the traditional owners of this land and acknowledge their contribution to the Shire of Moora as I do for all its people.*

**2. DISCLAIMER READING**

To be read by the Shire President should members of the public be present at the meeting.

*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.*

**3. ATTENDANCE****APOLOGIES****PUBLIC****4. DECLARATIONS OF INTEREST****5. QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH SECTION 5.24 OF THE ACT****6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****7. APPLICATIONS FOR LEAVE OF ABSENCE****8. PETITIONS AND MEMORIALS****9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT**

## **10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS**

### **10.1 ORDINARY COUNCIL MEETING - 22 APRIL 2009**

*That the Minutes of the Ordinary Meeting of Council held on 22 April 2009, be confirmed as a true and correct record of the meeting.*

## **11. REPORTS OF OFFICERS**

### **11.1 ADMINISTRATION**

#### **11.1.1 LOCAL GOVERNMENT WEEK - ATTENDANCE**

**FILE REFERENCE:** EM/SUC1

**REPORT DATE:** 14 May 2009

**APPLICANT/PROPONENT:** WA Local Government Association

**OFFICER DISCLOSURE OF INTEREST:** The author of this report declares a financial interest in the matter, as she would normally attend the Convention. The extent of the interest is to the value of the associated attendance costs.

**PREVIOUS MEETING REFERENCES:** Not Applicable

**AUTHOR:** Lynnette O'Reilly, Chief Executive Officer

**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

To make Elected Members aware of the timing of Local Government Week and establish attendance numbers.

**BACKGROUND:**

Each year local government from around the State gather in Perth to attend the Annual Local Government Convention commonly known as Local Government Week.

The Western Australian Local Government Association (WALGA) is holding the Local Government Week from Thursday 6 August to Saturday 8 August 2009 at the Perth Convention Exhibition Centre (PCEC).

**COMMENT:**

This convention is an opportunity for Elected Members and Senior Staff to network with other Local Government Members and Staff and discuss different approaches to sometimes common problems.

Five (5) double rooms at Sullivans Hotel have been booked, (2) Thursday 6 August and Friday 7 August 2009, (2) from Thursday 6 August to Saturday 8 August 2009 and (1) from Thursday 6 August until Sunday 9 August. These can be cancelled if necessary; however, there may be some difficulty in getting additional rooms.

The Council needs to indicate who will attend the Convention and who the Shire's voting delegates will be. A voting delegate can be either Elected Members or serving officers. Each Local Government is restricted to two (2) voting delegates.



Part of the Convention is a series of Elected Member Professional Development Sessions and those attending must nominate. The Sessions and Timings are as follows:

Tues 4	Module 1	Legal Responsibilities of an Elected Member	9am – 4.30pm
Wed 5	Module 2	Land Use Planning	9am – 4.30pm
“	Module 9	Ethics and Conduct of an Elected Member	9am – 12.30pm
“	Module 7	Local Government Finance	1.00pm – 4.30pm
Thur 6		Convention Sessions	9am – 5pm
Fri 7		Convention Sessions	9am – 5pm
Sat 8	Session 9	Re-generation – Emerging Leaders	9am
	Session 10	Convention Keynote Address	11am
“		** Annual General Meeting **	1.00pm
Sun 9	Module 17	Introduction to Environmental Management	8.30am – 4.30pm
“	Module 6	Strategic Planning	9.00am – 12.30pm
“	Module 10	Change Management	1.00pm – 4.30pm
Mon 10	Module 15	Sustainable Asset Management	9.00am – 4.30pm

#### **POLICY REQUIREMENTS:**

Nil

#### **LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements related to this item.

#### **STRATEGIC IMPLICATIONS:**

Attendance at Elected Member Professional Development Sessions allows Elected Members to become more familiar with their responsibilities and duties.

#### **SUSTAINABILITY IMPLICATIONS:**

##### ➤ **Environment**

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

##### ➤ **Economic**

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

##### ➤ **Social**

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

#### **FINANCIAL IMPLICATIONS:**

The following costs are applicable:-

	<b>Cr Bryan</b>	<b>Cr Pond</b>	<b>Cr Gardiner</b>	<b>Cr Clydesdale-Gebert</b>	<b>CEO</b>
<b>Registration</b>	1,250	1,250	1,250	1,250	1,250
<b>Various breakfasts</b>	127	160	40	60	147
<b>Accommodation (\$139pn)</b>	278	556	278	417	417
<b>Parking</b>	24	-	-	24	72
<b>Professional Development Sessions</b>	-	539	-	-	-
<b>Sundry</b>	300	300	300	300	300
<b>Cost / Delegate</b>	\$1,979	\$2,805	\$1,868	\$2,051	\$2,186

### **VOTING REQUIREMENTS**

Simple Majority Required

### **MANEX RECOMMENDATIONS**

*That Council authorise the Chief Executive Officer in relation to attendance at the Local Government Convention and Exhibition to be held at the Perth Convention Exhibition Centre,*

- i. to register the following to attend the Convention and whichever Professional Development Session they select*
  - *Cr Sheryl Bryan – Shire President*
  - *Cr James Pond – Deputy President*
  - *Cr Colin Gardiner*
  - *Cr Denise Clydesdale-Gebert*
  - *Lynnette O’Reilly – Chief Executive Officer*
  
- ii. to register the following as voting delegate representing the Shire of Moora any vote taken at the convention*
  - 1. Cr Sheryl Bryan*
  - 2. Cr James Pond or Lynnette O’Reilly*

## **11.2 FINANCIAL DEVELOPMENT**

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

**REPORT DATE:** 15 May 2009  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**AUTHOR:** Leanne Parola, Manager Finance & Corporate Services  
**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

**MANEX RECOMMENDATION**

***That Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31***

<b><i>Municipal Fund</i></b>	<b><i>Chqs 59137 to 59186</i></b>	<b><i>\$118,994.83</i></b>
<b><i>Direct Debits</i></b>	<b><i>EFT 2063 to EFT 2403</i></b>	<b><i>\$994,392.08</i></b>
	<b><i>Net Pays – PPE 28 April</i></b>	<b><i>\$71,357.06</i></b>
	<b><i>Net Pays – PPE 12 May</i></b>	<b><i>\$70,223.97</i></b>
<b><i>Total</i></b>		<b><i><u>\$1,254,967.94</u></i></b>

## **11.2.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MARCH 2009**

**REPORT DATE:** 13 May 2009

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

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

**ATTACHMENTS:** Statement of Financial Activity for the Period Ended 31 March 2009

### **PURPOSE OF REPORT:**

To note and receive the Statement of Financial Activity for the period ended 31 March 2009.

### **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 2007/2008 adopted budget.

### **VOTING REQUIREMENTS**

Simple Majority Required

**MANEX RECOMMENDATION**

*That Council notes and receives the Statement of Financial Activity for the period ended 31 March 2009.*

### **11.2.3 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 APRIL 2009**

**REPORT DATE:** 13 May 2009

**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 April 2009

**PURPOSE OF REPORT:**

To note and receive the Statement of Financial Activity for the period ended 30 April 2009.

**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 2007/2008 adopted budget.

**VOTING REQUIREMENTS**

Simple Majority Required

**MANEX RECOMMENDATION**

*That Council notes and receives the Statement of Financial Activity for the period ended 30 April 2009.*

**11.3 OPERATIONAL DEVELOPMENT**

Nil



## **11.4 COMMUNITY DEVELOPMENT**

### **11.4.1 TOWN PLANNING SCHEME NO 4 – DELEGATION OF POWERS**

**FILE REFERENCE:** TP/PTM11  
**REPORT DATE:** 1 May 2009  
**APPLICANT/PROPONENT:** Mrs N Pratt  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Michael Prunster, Manager Community Services  
**ATTACHMENTS:** Nil

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

To note the town planning applications approved under delegated authority.

#### **BACKGROUND:**

Council resolved by absolute majority at the Council meeting held on the 25 February 2004, to delegate the Manager Corporate Services (now Community Development Manager) to approve planning applications that meet all the requirements of Councils Town Planning Scheme, for an indefinite period of time and amend its Register of Delegations accordingly, and that Council be provided with a list monthly of planning approvals issued under delegate authority.

#### **APPLICANT (S)**

The following Town Planning Applications have been approved under this delegated authority for the period ended 30 April 2009.

- **Mrs Nicky Pratt – Lot 103 Long Street - Application to keep a horse on residential land within Moora Townsite – approved under conditions outlined in Council Policy 7.7.**

#### **POLICY REQUIREMENTS:**

Register of Delegations and Shire of Moora Town Planning Scheme No 4 Text.  
Council Policy 7.7 – Keeping horses & animals on residential land within Moora Townsite.

#### **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

**MANEX RECOMMENDATION**

*That Council note the town planning application approved under delegated authority as shown below:-*

- *Mrs Nicky Pratt – Lot 103 Long Street - Application to keep a horse on residential land within Moora Townsite – approved under conditions outlined in Council Policy 7.7.*

**11.4.2 OLD KOOJAN FIRE TRUCK – REG. NO M6531**

**FILE REFERENCE:** LO/BUS2  
**REPORT DATE:** 14 May 2009  
**APPLICANT/PROPONENT:** F.E.S.A. – Midwest Gascoyne Region  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Michael Prunster, Manager Community Services  
**ATTACHMENTS:** Photo of vehicle & Letter of Offer

**PURPOSE OF REPORT:**

To consider an offer from the Fire & Emergency Services Authority (F.E.S.A.) Midwest Gascoyne Region to purchase the old Koojan International Fire Truck for \$500.00

**BACKGROUND:**

Back in October 2006, Council received a request from the Central Midlands Speedway Association for the old Koojan Fire Truck to be made available to them for use as a water truck for watering the speedway track.

We wrote to F.E.S.A. with this request on the 3<sup>rd</sup> October 2006 to which we received an application for “retention of an ESL replaced vehicle” in January 2007 which was then completed and returned to F.E.S.A. on the 9<sup>th</sup> January 2007. No response to the application was received from F.E.S.A. even though verbal contact was maintained with the Geraldton Office to make enquiries on our behalf. During August 2008 we received more forms to complete. The forms were completed and returned with a request for the Shire to retain the vehicle for “Historical Purposes”. (The Central Midlands Speedway Association had since obtained a water tanker and no longer required the Koojan truck).

The new Koojan 2.4 Tanker was eventually delivered to Moora on the 11<sup>th</sup> August 2008 and the old vehicle has remained enclosed within the Shire Depot.

We have now received correspondence from the Acting Regional Manager, F.E.S.A. Midwest Gascoyne Region, offering the vehicle to the Shire for the purchase price of \$500.00. (Letter attached). The offer is subject to the four conditions outlined in their letter.

The vehicle still has a current registration licence.

**COMMENT:**

Managers had discussed the proposal of retaining this vehicle back in October 2006 and their recommendation was to either hand it over to the Central Midlands Speedway Association or retain it for historical purposes.

It is recommended that Council accept the offer to retain the vehicle at a cost of \$500.00 under the conditions stipulated and that future plans involve it being maintained as a historical item in recognition of the Shire Bush Fire Brigade Network.

**POLICY REQUIREMENTS:**

Nil

**LEGISLATIVE REQUIREMENTS:**

LGA S6.8 (1)

**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:**

Funding provided within the Fire Prevention Budget.

**VOTING REQUIREMENTS**

Absolute Majority Required

**MANEX RECOMMENDATIONS***That Council*

- 1. accepts the offer from the Fire & Emergency Services Authority Midwest Gascoyne Region to purchase the old 1970 International Koojan Fire Truck for the purchase price of \$500.00 under the conditions as outlined in the offer;*  
*AND*
- 2. authorise the Chief Executive Officer to sign the offer of acceptance on behalf of the Shire of Moora.*

### **11.4.3 DRAFT TOWNSITE EXPANSION STRATEGY – MOORA**

**FILE REFERENCE:** TP/TPSI

**REPORT DATE:** 14 May 2009

**APPLICANT/PROPONENT:** N/A

**OFFICER DISCLOSURE OF INTEREST:** Gray & Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of Local Government Act 1995

**PREVIOUS MEETING REFERENCES:**

**AUTHOR:** Gray & Lewis Landuse Planners

**ATTACHMENTS:** Draft Townsite Expansion Strategy (A)

Schedule of submissions (B)

Map advertised for public comment (C)

Map with recommended modifications (D)

**PURPOSE OF REPORT:**

- Council is to consider final adoption of the Draft Townsite Expansion Strategy (with or without modifications).
- This report recommends that Council adopt the Draft Townsite Expansion Strategy for final approval with modifications.

**BACKGROUND:**

Workshop

On the 22<sup>nd</sup> September 2008, Gray & Lewis attended a workshop held by Shire staff with Councillors to informally discuss strategic planning issues and an omnibus scheme amendment. The workshop also identified a general need for townsite expansion strategies for Moora, Miling and Watheroo to provide future planning direction.

WAPC advice – Amendment 6

On the 6<sup>th</sup> November 2008, the Western Australian Planning Commission (WAPC) advised that it generally supported Amendment 6 subject to a number of modifications. In the correspondence WAPC advised that *'a local planning strategy should be prepared for Moora as a matter of urgency and should include guidance on future population growth and analysis of demand in regard to lot size, supply and other commercial uses, in the wider context of existing land supply in Moora.'*

Gray & Lewis has written to the WAPC and advised that Townsite Expansion Strategies will be pursued and implemented as an interim measure to address immediate strategic planning issues.

Townsite Expansion Strategies present as a much simpler document and have proved successful as a strategic tool in other local governments. Unlike a Local Planning Strategy, townsite expansion strategies can be implemented in a relatively short time period.

Gray & Lewis met with Department of Planning & Infrastructure (DPI) Officers on the 8<sup>th</sup> April 2009. The DPI expressed a preference for a local Planning Strategy however were prepared to support a Townsite Expansion Strategy as in interim step in recognition that it would provide the Shire with an immediate strategic planning tool. Gray & Lewis also explained to the DPI that the Shire has limited resources and

it is considered that a Townsite Planning Strategy will provide strategic direction sufficient to meet the Shires current needs.

Amendment 8 – Lot 16 Ferguson Street

Council has initiated Amendment 8 to its Scheme to rezone the subject lot to 'Rural Residential'. A copy of the amendment will be provided to the DPI with the strategy for preliminary consideration as the two documents are inter-related.

**COMMENT:**

A detailed townsite expansion strategy has been developed for Moora and will be used as a tool to provide for future growth of the town and the assessment of scheme amendments. Separate Strategies will be referred to Council for Miling and Watheroo (currently in draft form).

- Strategy Format

Gray & Lewis liaised closely with the WAPC in the development of a Townsite Expansion Strategy for the Shire of Williams. As part of that process, the WAPC agreed to a specific format for Expansion Strategies.

This Strategy follows the same format agreed to for the Shire of Williams. The benefit is that it results in a simple strategic tool and it is a document that is easily understood by the community, service authorities and key stakeholders.

- Strategy Content

From the WAPC perspective one of the main considerations is to ensure that the urban growth of townsites is not unduly constrained, and that there are options for unlimited future urban expansion.

The Strategy examines areas for future residential, rural residential and industrial whilst recognising existing development, the town centre, floodway and floodplain, and identification of buffers required to sensitive landuses.

The Strategy effectively provides a 'broad' overview of how the Shire sees future growth being planned in the short, medium and long term. Because the Strategy will also be referred to the WAPC for endorsement, it will be useful in pursuing future funding for projects.

- Advertising

The Strategy has been advertised for public comment and all public submissions are summarised in a schedule – (Attachment B)

- Modifications to the Strategy

Only one major modification is recommended as follows;

A number of landowners in Saleeba Street, Hamilton Street and Atbara Street objected to the inclusion of 'Area 8' (on the plan advertised) which earmarked potential for existing 'Special Rural' lots to become 'Residential' in the short to

medium term. This area was located to the immediate east of existing residential areas.

The landowners have expressed a desire to retain larger lots and object to any residential encroachment. Given that the landowners wish to maintain their existing lifestyle lots it is recommended that the area be deleted from the strategy. It is also recommended that the owners be advised of the Council decision.

The following minor modifications to the Strategy are also recommended as outlined in the submission table;

- The strategy text and map be modified to make it clear which areas will involve scheme amendments to facilitate the strategy recommendations.
- The Strategy text and maps to note existing zonings (e.g. for area 4 an additional point will be added to state 'Existing Development Zone').
- To address comments from the Water Corporation, an additional point is recommended for Area 4 to recognise that any Outline Development Plan would have to address the Waste Water Treatment Plant buffers.

A copy of the strategy 'as advertised' is included as (Attachment "C"). A copy of the Strategy with the recommended modifications is included as (Attachment "D"). The text modifications are in bold.

#### **POLICY REQUIREMENTS:**

N/A

#### **LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements related to this item.

#### **STRATEGIC IMPLICATIONS:**

The Strategy will give direction to the Shire, the Department for Planning and Infrastructure, Western Australian Planning Commission, the Minister and the State Administrative Tribunal in assessment of amendments, subdivision, development, applications for review and provide strategic planning support for this decision making.

#### **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:**

Council will be responsible for paying all costs associated with public advertising of the draft strategy.

**VOTING REQUIREMENTS:**

Simple Majority

**MANEX RECOMMENDATIONS**

*That Council;*

1. *Adopt the Townsite Expansion Strategy for Moora townsite for final approval subject to minor modifications as outlined in this report.*
2. *Adopt the recommendations in the schedule of submissions including deletion of 'Area 8' and minor modifications.*
3. *Staff write to all authorities / submitters and advise that;*
  - (i) *All submissions are appreciated and have assisted the Shire to finalise the Strategy.*
  - (ii) *Council has resolved to adopt the strategy with modifications.*
  - (ii) *The Strategy will be lodged with the Western Australian Planning Commission (WAPC) for endorsement, and copies of all submissions will be provided to the WAPC.*
4. *Authorise Gray & Lewis Landuse Planners to lodge the modified Strategy with the WAPC for endorsement.*



#### **11.4.4 PROPOSED SCHEME AMENDMENT NO. 9 – OMNIBUS AMENDMENT TO THE SHIRE OF MOORA TOWN PLANNING SCHEME NO 4**

**FILE REFERENCE:** TP/TPSI  
**REPORT DATE:** 14 May 2009  
**APPLICANT/PROPONENT:** Gray & Lewis on behalf of the Shire of Moora  
**OFFICER DISCLOSURE OF INTEREST:** Gray & Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of *Local Government Act 1995*  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Gray & Lewis Landuse Planners  
**ATTACHMENTS:** Local Planning Scheme Amendment 9  
Local Planning Scheme No. 4 Maps

**PURPOSE OF REPORT:**

Council is to consider adopting Amendment 9 to the Shire of Moora Town Planning Scheme No 4 (for the purpose of initiating public advertising).

Amendment 9 is a consolidated amendment which seeks to correct a number of anomalies in the Scheme text and update / make improvements to the Scheme text.

**BACKGROUND:**

The Shire of Moora Local Planning Scheme No 4 was published in the Government Gazette on 9 June 1998.

Due to the age of the Scheme it is in need of revision and updating which is the purpose of this amendment.

**COMMENT:**

This report does not propose to replicate the entire list of modifications proposed in Amendment 9 due to the number of items. The resolution includes a summary of changes proposed and a full copy of the statutory text is included in the attached amendment.

A summary of the main changes is included below;

- This amendment will introduce elements of the Model Scheme Text to simplify administration of the Scheme. The Model Scheme text is produced by the Western Australian Planning Commission
- In accordance with the Model Scheme Text the terminology used in the Scheme will be updated. For example some 'Special Rural' areas will be referred to as 'Rural Residential' and some will be referred to as 'Rural Small Holding'. The main difference is lot size as WAPC policies recognise lots between 1-4 hectares as 'Rural Residential' whereas 'Rural Small Holdings' are larger between 4 and 40 hectares. As an example, the land bound by Cooper/Halligan/Webb/ Molloy Streets, Moora will be changed from 'Special Rural' to 'Rural Small Holdings'.
- Land in the 'Farming' zone will be referred to as 'General Agriculture'. This is only a change of terminology.
- The flexible coded areas zoned Residential will be changed from 'R12.5/25' to 'R25'.

- References in the Scheme will also be updated. A number of state documents referred to in the Scheme have changed – eg. The Scheme will reference the current ‘State Planning Policy 3.1’ instead of the old ‘Statement of Planning Policy No. 1’.
- A home office is included in the list of uses that do not require planning approval.
- The defined landuses in the Scheme will be expanded to include a number of definitions from the model scheme text such as abattoir, ancillary tourist use, constructed road, dog kennels etc.
- There will be a number of zoning changes to single or groups of lots and these are predominantly to better recognise the landuse. For example, the Moora and Districts Tennis club will be rezoned to ‘Special Use’ zone for private recreation (tennis club).
- Currently there is no allocated density code for residential land in the ‘Rural Townsite’ zones which includes Bindi Bindi, Coomberdale, Koojan, Miling and Watheroo. A density of Residential R10 has always been applied so the Scheme will officially recognise that practice and allocate an R10 density for all the townsites.
- Co-operative Bulk Handling (CBH) sites will be recognised as ‘Industrial’ zones however will have a restricted use for ‘Rural Industry’. This simply ensures there is adequate zoning over all CBH sites and provides better recognition of the existing landuse.
- Introduces flood control areas and ensures that development requires planning approval for land subject to flooding, even a single house. It also makes reference to the flood study and requires a finished floor level not less than 500mm for habitable buildings.

#### **POLICY REQUIREMENTS:**

There are no Policy implications associated with this proposal.

#### **LEGISLATIVE REQUIREMENTS:**

The statutory requirements for Amendments are controlled by the *Planning and Development Act 2005* and the *Town Planning Regulations 1967*. Only the Council can initiate an Amendment, final approval is granted by the Minister for Planning and Infrastructure having regard to advice from the Western Australian Planning Commission.

It is a statutory requirement that all amendments be referred to the Environmental Protection Authority (EPA) for advice prior to any formal advertising. Advertising can only commence once the EPA confirms that no environmental assessment will be required.

#### **STRATEGIC IMPLICATIONS:**

The amendment will allow for the Scheme to be administered with greater clarity and better recognises some existing landuses.

#### **SUSTAINABILITY IMPLICATIONS:**

##### ➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

**FINANCIAL IMPLICATIONS:**

The Shire will likely need assistance throughout the amendment process. The Shire pays fees to Gray & Lewis for planning advice.

**VOTING REQUIREMENTS:**

Simple Majority

**MANEX RECOMMENDATIONS**

*That Council:*

- A. Initiate Amendment 9 to the Shire of Moora Town Planning Scheme No. 4 pursuant to Section 75 of the Planning and Development Act 2005 for the purposes of:**
- 1. Introducing elements of the Model Scheme Text and other modifications to simplify administration of the Scheme; replacing the dual R12.5/25 with R25 density code for the Residential zone; introducing flood control areas, and amending the Zoning table to require planning approval for a single house in the Residential zone.**
  - 2. Amending the Scheme Map by:**
    - (a) in the Legend on the Scheme Map including “Rural Smallholding” zone in the list of Zones;**
    - (b) rezoning all of the Lots bounded by Cooper / Halligan / Webb / Molloy Streets, Moora from “Special Rural zone” to “Rural Smallholding” zone;**
    - (c) in the Legend on the Scheme Map replacing “Special Rural” zone with “Rural Residential” zone in the list of Zones and renaming all remaining Lots in the Scheme Area that are in the “Special Rural” zone as “Rural Residential” zone;**
    - (d) in the Legend on the Scheme Map replacing “Farming” zone with “General Agriculture” zone in the list of Zones and renaming all Lots in the Scheme Area that are in the “Farming” zone as “General Agriculture” zone;**
    - (e) replacing the dual density code R12.5/25 with R25 wherever it occurs;**
    - (f) rezoning Lots 1 and 2 Riley Road, Moora, from “Rural Residential” zone to “Light Industrial” zone;**

- (g) rezoning Lot 55 Lee Steere Street, Moora, from “Residential” zone to “Special Use” zone;**
- (h) rezoning Lot 2444 Airstrip Road, Moora, from “General Agriculture” zone to “Special Use” zone;**
- (i) rezoning Lot 241 Berkshire Valley Road / Barber Street, Moora, from “Special Use” zone to “Rural Residential” zone;**
- (j) reclassifying Lots 34 to 41 inclusive, Gardiner Street, Moora, from “Local Reserve for Recreation and Open Space” to “Special use” zone, and rezoning Lot 42 Gardiner Street, Moora from “Town Centre” zone to “Special Use” zone, for private recreation (tennis club);**
- (k) designating the “Rural Townsite” zone with the R Codes density R10;**
- (l) reclassifying part of Lot 77 Bindi Bindi - Toodyay Road, Bindi Bindi, from “Local Reserve for Railway” to “Industrial” zone with a Restricted Use for “industry-rural” for a grain depot;**
- (m) reclassifying part of Railway Reserve Kiaka Road, Coomberdale, from “Local Reserve for Railway” to “Industrial” zone with a Restricted Use for “industry-rural” for a grain depot;**
- (n) reclassifying Lot 3967 Miling West Road, and part of Lots 3847, 3954 and 4089 (Reserve 26009), Miling, from “Local Reserve for Railway” to “Special Use” zone for grain depot; and rezoning Lot 100 Richardson Street, Miling, from “General Agriculture” zone to “Industrial” zone with a Restricted Use for “industry-rural” for a grain depot;**
- (o) reclassifying Lot 4300 Findlater Street, and part of Lot 4171 (Reserve 33359) Wheatbin Road, Moora, from “Local Reserve for Public Purpose” to “Industrial” zone with a Restricted Use for “industry-rural” for a grain depot; rezoning part of Lot 101 Findlater Street, Moora, from “General Agriculture” zone to “Industrial” zone with a Restricted Use for “industry-rural” for a grain depot; and reclassifying part of Lot 4171 from “Local Reserve for Public Purpose” to “Local Reserve for Railway”;**
- (p) rezoning Lot 101 Grain Lane, and Lots 1171, 501, and 502, Watheroo, from “General Agriculture” zone to “Industrial” zone with a Restricted Use for “industry-rural” for a grain depot; and reclassifying Lot 4002 (Reserve 34331), Watheroo from “Local Reserve for Railway” to “Industrial” zone with a Restricted Use for “industry-rural” for a grain depot;**

- (q) **reclassifying Lot 104 (part of Reserve 30131) George Street and Elliot Way, Watheroo, from “Rural Townsite” zone to “Local Reserve for Recreation and Open Space”.**
- B. **Authorise Gray & Lewis to refer Amendment 9 to the Environmental Protection Authority (which is a statutory requirement) for advice, prior to commencement of formal advertising.**

## **11.5 ENVIRONMENTAL DEVELOPMENT**

Nil

## **11.6 ECONOMIC DEVELOPMENT**

### **11.6.1 SHIRE OF MOORA 100<sup>TH</sup> YEAR CELEBRATIONS**

**FILE REFERENCE:** CC/100th  
**REPORT DATE:** 14<sup>th</sup> May 2009  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Rebecca McCall, Manager Economic Development  
**ATTACHMENTS:** Nil

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

For Council to endorse an allocation of \$10,000 in the 2009/10 budget for the purpose of the Shire of Moora's 100<sup>th</sup> Celebrations.

#### **BACKGROUND:**

2009 marks the 100<sup>th</sup> year the Shire of Moora has operated as a local municipality. In recognition of this milestone the event will be celebrated in conjunction with the Moora Show scheduled for the 18<sup>th</sup> & 19<sup>th</sup> September 2009. It is hoped that the local community at all levels will be involved to mark this occasion with the acknowledgment it deserves.

#### **COMMENT:**

Acknowledging the 100<sup>th</sup> milestone in festivities that involve the whole of the community requires planning and resources. To ensure that this occasion is celebrated appropriately it is necessary to allocate funds to arrange a memorable event for the local community to partake and enjoy.

#### **POLICY REQUIREMENTS:**

Nil

#### **LEGISLATIVE REQUIREMENTS:**

Section 6.2 of the Local Government Act 1998 relating to preparing annual budgets.

#### **STRATEGIC IMPLICATIONS:**

The Shire of Moora's Strategic Plan outlines in the Key Result Area 'People' the goal to improve the level of understanding, respect and pride within the community.

#### **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 potential social implications associated with this proposal through encouraging community members to participate in the 100<sup>th</sup> celebrations and develop an understanding, respect and pride of our municipality's history.

**FINANCIAL IMPLICATIONS:**

Financial implications include an allocation of \$10,000 in the 2009/10 budget.

**VOTING REQUIREMENTS:**

Simple Majority Required

**MANEX RECOMMENDATION**

*That Council allocates \$10,000 in the 2009/10 budget for the Shire of Moora's 100<sup>th</sup> Year Celebrations.*

**11.6.2 TENDER 1/2009 – LEE STEERE STREET ESTATE DEVELOPMENT**

**FILE REFERENCE:** TP/LSSI  
**REPORT DATE:** 14<sup>th</sup> May 2009  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** 26/07/06 (130/06), 14/05/07 (55/07, 17/12/08 (204/08), 19/02/09 (23/09)  
**AUTHOR:** Rebecca McCall, Manager Economic Development  
**ATTACHMENTS:** Draft Tender 1/2009 Document

**PURPOSE OF REPORT:**

Adopt prepared tender document 1/2009 for the residential development of Lots 18, 19 & 20 Lee Steere Street Moora.

**BACKGROUND:**

Council will be aware of the acute housing shortage in the townsite of Moora and the demand for development and subsequent problems with the floodway area within the Moora townsite.

The development of areas for housing has long been an issue for Moora and this has only increased in the last few years with the rapid growth in our region and the demand for suitable housing in the town of Moora.

In recognition of this issue Council resolved to purchase land at the Ordinary Council meeting on the 26<sup>th</sup> July 2006;

*130/06 Moved Cr Gardiner, seconded Cr McLagan that Council proceeds with the option to purchase Lots 18-21 Lee Steere Street, Moora for \$100,000 and proceed with the transaction before the 31<sup>st</sup> July 2006.*

The properties are located outside the flood impact area and as such are an excellent opportunity to assist in the development of Moora in a flood free area.

Concept plans have been developed by Statewest Surveying & Planning for Lot 18-20 Lee Steere Street. The plan provides for 31 blocks and the opportunity for future development in the adjoining privately owned Lots. Lot 21 Lee Steere Street is a wooded area and it is proposed to rezone the lot from 'Special Rural' to a 'Scheme Reserve for Conservation'.

In accordance with the Local Government Act 1995, Section 3.59 (1) determines that this development is a Major Land Transaction as the protected consideration is well in excess of the prescribed amount of \$1,000,000. Section 3.59(2) of the Local Government Act 1995 requires that before a local government enters into a Major Land Transaction it must prepare a business plan.

The prepared business plan for the Lee Steere Street Estate includes an overall assessment of the major land transaction and includes the description of the land, development options, recommendations, timelines, service and facilities, demand and financial implications.



At the Ordinary Council meeting on the 17<sup>th</sup> December 2008 Council resolved to:

204/08

*Moved Cr Gardiner, seconded Cr Bryan that Council;*

- 1. endorses the Lee Steere Street business plan*
- 2. advertises state wide public notice of the business plan in accordance with Section 3.59 of the Local Government Act 1995*

The business plan was advertised in the West Australian on the 27<sup>th</sup> December 2008 and also the Central Midlands & Coastal Advocate on the 15<sup>th</sup> January 2009. Submissions on the business plan closed on the 6<sup>th</sup> February 2009. No submissions were received.

Subsequent to the preparation of the business plan, and calling for submissions, Council can proceed with the development provided it is as proposed and is not significantly different from what was advertised. Council can then proceed to call for developers/contractors to either express their interest via expressions of interest, formal process or proceed direct to tender.

Council staff have identified the necessity for a townsite expansion strategy for Moora to provide future planning direction. Amendments (particularly Amendment 6) to the Town Planning Scheme were recognised and submitted to the Western Australian Planning Commission (WAPC).

The WAPC advised that it generally supported Amendment 6 subject to a number of modifications. In the correspondence WAPC advised that *'a local planning strategy should be prepared for Moora as a matter of urgency and should include guidance on future population growth and analysis of demand in regard to lot size, supply and other commercial uses, in the wider context of existing land supply in Moora.'*

(The Townsite Expansion Strategy has now been completed and included in this agenda 20 May 2009, item 11.4.3, for Council consideration.)

**COMMENT:**

The draft tender document has been prepared by WALGA and reviewed by the Residential Development Committee. The tender documentation is attached for Council's perusal and comment. Upon Council's deliberation it is recommended that the tender documentation be endorsed and consider the calling of tenders.

**POLICY REQUIREMENTS:**

Complying with Council's policy in regards to the calling of tenders.

**LEGISLATIVE REQUIREMENTS:**

Sections 3.58 and 3.59 of the Local Government Act 1995 relating to disposal of land and major land transactions.

**STRATEGIC IMPLICATIONS:**

The Shire of Moora's Strategic Plan outlines in the Key Result Area 'Growth' the goal to attract increased population and investment, to realise our brilliant opportunities and diversify our region's employment and economic base.

The development of residential land will assist in alleviating current housing shortfalls, thus allowing potential residents to establish homes within Moora. In addition, residential land development will assist local businesses accommodate employees.

#### **SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are no known significant environmental implications associated with this proposal.
- **Economic**  
There are potential economic implications associated with this item including economic growth for the local community as well as attracting possible new residents to Moora. In addition, there is potential growth for businesses with housing availability for staff.
- **Social**  
There are potential social implications associated with this proposal through encouraging potential new investment or growth of residents, which benefit the community at large.

#### **FINANCIAL IMPLICATIONS:**

Financial implications include future unknown income from the proceeds of sale of the land and ongoing rate income from the residential lots once sold. There will also be advertising cost involved.

#### **VOTING REQUIREMENTS:**

Simple Majority Required

#### **MANEX RECOMMENDATIONS**

*That Council;*

- 1. Accept the tender document 1/2009 as presented meeting for the residential development of Lots 18, 19 & 20 Lee Steere Street Moora.*
- 2. Approve the calling of tender 1/2009 'Lee Steere Street Estate Development'.*

#### **11.7 SPORT AND RECREATION**

Nil

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

The following was put forward as a motion of notice by Cr Pond.

**12.1 Regulations Relating to Farm Plates**

*That the Shire of Moora supports a recommendation to the Avon Midland Voluntary Regional Organisation of Councils to amend the regulations relating to Farm Plates.*

**13. MOTIONS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL****14. NOTICE ON MOTIONS FOR THE NEXT COUNCIL MEETING****15. MATTERS BEHIND CLOSED DOORS****16. CLOSURE OF MEETING**