

**Shire of Moora  
Ordinary Council Meeting  
22<sup>nd</sup> April 2009**

**NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora  
will be held on **Wednesday 22<sup>nd</sup> April 2009**  
in the Council Chambers, 34 Padbury Street, Moora  
commencing at **3.30 pm**

LM O'Reilly  
Chief Executive Officer  
17<sup>th</sup> April 2009

## **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>

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

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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**  
**22 APRIL 2009**  
**COMMENCING AT 3.30PM**

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Item 11.4.3	Site Plan & Management Plan
Item 11.6.1	West End Business Plan
Item 11.6.2	Cooperative Tourism Plan & Draft Tourism Development & Growth Plan

**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**

MJ Prunster

- Manager Community Services

**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 - 18 MARCH 2009**

*That the Minutes of the Ordinary Meeting of Council held on 18 March 2009, be confirmed as a true and correct record of the meeting.*

## **11. REPORTS OF OFFICERS**

### **11.1 ADMINISTRATION**

#### **11.1.1 ADOPTION OF AMENDED CMVROC CONSTITUTIONAL AGREEMENT**

**FILE REFERENCE:** GA/VRO1

**REPORT DATE:** 17 April 2009

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** 7/12/06 (254/06)

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

**ATTACHMENTS:** Amended CMVROC Constitutional Agreement

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

Council are required under the terms of the Central Midlands Voluntary Regional Organisation of Councils (CMVROC) agreement to approve alterations to the CMVROC Constitutional Agreement.

#### **BACKGROUND**

The Shire of Moora has been an active participant in the formation of the Central Midlands Voluntary Regional Organisation of Councils (CMVROC) since 7 December 2006 and has supported the ongoing operation of CMVROC through financial and human resources contributions.

At the most recent meeting of the CMVROC delegates, an amended constitution was considered and will be adopted subject to the member Councils endorsement.

#### **COMMENT**

At the December 2008 meeting of the CMVROC the following resolution was adopted;

*“That the CMVROC Constitutional Agreement be amended in the following manner*

–

*3.3.3 Chief Executive Officers give priority to attending each CMVROC Executive Officers Group meeting and only send another representative in exceptional circumstances. The representative is to be familiar within Projects within the CEO's responsibility or a written Report is to be submitted by the CEO to the Executive Officer for presentation at the meeting.*

*3.3.5 Chief Executive Officers to be allocated the responsibility for the oversight of Projects undertaken by CMVROC on the basis of CMVROC workload and personal interest and skills.”*



Council will need to resolve to endorse the agreement and authorise Council's delegate on the CMVROC, Cr Pond to sign an amended agreement on behalf of Council.

### **POLICY REQUIREMENTS**

There are no policy implications in respect to the recommendation of this report.

### **LEGISLATIVE REQUIREMENTS**

Sections 2.7 and 3.1 of the Local Government Act 1995, relating to the general function provisions.

### **STRATEGIC IMPLICATIONS**

Being a member of a voluntary regional Council can be beneficial at a Shire level and regional level in achieving positive outcomes for the residents of the district due to the strength of a combined voice of five Councils.

### **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:**

Nil.

### **VOTING REQUIREMENTS**

Simple Majority Required

## **MANEX RECOMMENDATIONS**

*That Council:*

- 1. Endorses the amended Central Midlands Voluntary Regional Organisation of Councils Constitutional Agreement as appended;*
- 2. Authorises Cr Jim Pond to sign the amended Agreement on behalf of the Shire of Moora.*

## **11.1.2 POLICY MANUAL REVIEW**

**FILE REFERENCE:** PL/MAP I  
**REPORT DATE:** 10 March 2009  
**APPLICANT/PROPONENT:** N/A  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Lynnette O'Reilly, Chief Executive Officer  
**ATTACHMENTS:** Copy of reviewed Policy Manual provided to Councillors previously.

### **PURPOSE OF REPORT:**

Council endorse and adopt the Shire of Moora Policy Manual reviewed in March 2009.

### **BACKGROUND:**

Council's current Policy Manual was produced in 1998 and hasn't had a thorough review since that time. To ensure current practices and requirements are met the document has been reviewed.

### **COMMENT:**

Managers have reviewed and edited the original policy document and have provided changes as required by current practices. Managers recommend that Council adopt the changes as identified in the provided document.

### **POLICY REQUIREMENTS:**

Nil

### **LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995, Section 2.7 Role of the Council

- (2) Without limiting subsection (1), the council is to —  
(b) determine the local government's policies.

### **STRATEGIC IMPLICATIONS:**

Operational practices need to be current and correct if strategic outcomes are to be met.

### **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 adopt the changes as identified in the draft document Shire of Moora Policy Manual reviewed in March 2009.*

### **11.1.3 REGIONAL WASTE MANAGEMENT PLAN**

**FILE REFERENCE:** AD/CMVI  
**REPORT DATE:** 17 April 2009  
**PREVIOUS MEETING REFERENCES:** CMVROC Executive Officer's Meeting 29 February 2009  
**AUTHOR:** Lynnette O'Reilly, Chief Executive Officer  
**ATTACHMENTS:** Draft CMVROC Strategic Waste Management Plan

**PURPOSE OF REPORT:**

This report is presented to Council for adoption of the CMVROC Regional Waste Management Plan.

**BACKGROUND**

Under phase two of the Zero Waste Plan Development Scheme, CMVROC was given funding of \$75,000 to work together on a regional basis to produce a Regional Strategic Waste Management Plan.

Cardno through the project manager Robert Sim, completed the consultation and drafting of the Plan.

The Draft Plan was advertised for public comment and now needs to be adopted.

In relation to submitting the Plan to the Waste Authority the CMVROC Chief Executive Officer's at their meeting of 16 March 2009 resolved the following –

*“That CMVROC seek an extension until the 30th April 2009 for submission of the Regional Waste Management Plan to allow the five participating local governments to submit the Plan to their respective Councils for adoption.*

*Harry Hawkins/Lynnette O'Reilly 4/0”*

In relation to their adoption of the Plan the CMVROC Chief Executive Officer's at their 16 March 2009 meeting recommended and resolved the following;

*“That CMVROC Council adopt the Regional Waste Management Plan at its 3<sup>rd</sup> April 2009 meeting and recommend to the Councils of the five participating local governments that they adopt the Plan at their respective April 2009 meetings.*

*Stuart Taylor/Harry Hawkins 4/0”*

**COMMENT:**

At the CMVROC Council meeting held on 3 April 2009 it was resolved;

*“That CMVROC Council adopt the Regional Waste Management Plan and recommend to the Councils of the five participating local governments that they adopt the Plan at their respective April 2009 meetings.*

*Cr Holme/Cr Erickson 4/0”*

Council is required to adopt the draft Regional Waste Management Plan for progression of the strategy.

**POLICY REQUIREMENTS:**

Nil

**LEGISLATIVE REQUIREMENTS:**

Waste Avoidance & Resource Recovery Bill 2006

**STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

**SUSTAINABILITY IMPLICATIONS:****➤ Environment**

Environmental implications associated with this proposal are the reduction in waste being produced within the region therefore progressing the Waste Management Boards' 'Towards Zero Waste Policy' under the Zero Waste Plan Development Scheme. It will also ensure the long term availability of waste disposal within the region with the added benefits of improved recycling which will positively impact on the environment.

**➤ Economic**

A regional waste plan will be more cost effective for the Shire of Moora and the potential recycling process will provide opportunities for economic and business development within the region.

**➤ Social**

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

**FINANCIAL IMPLICATIONS:**

A shared waste management plan will reduce the overall costs for the waste management for the Shire of Moora.

**VOTING REQUIREMENTS**

Simple Majority Required

**OFFICER RECOMMENDATION:**

*That Council adopt the Regional Waste Management Plan as appended, as recommended by the Central Midlands Voluntary Regional Organisation of Councils.*

## **11.2 FINANCIAL DEVELOPMENT**

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

**REPORT DATE:** 17 April 2009  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**AUTHOR:** Rebecca McCall, Acting Chief Executive 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

**MANEX RECOMMENDATION**

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

<i>Municipal Fund</i>	<i>Chqs 59050 to 59136</i>	<i>\$917,914.66</i>
<i>Direct Debits</i>	<i>EFT 1990 to EFT 2062</i>	<i>\$570,754.19</i>
	<i>Net Pays – PPE 14 April</i>	<i>\$77,227.34</i>
<i>Total</i>		<i><u>\$1,565,896.19</u></i>

## **11.2.2 MOORA RACE CLUB INC – REQUEST FOR COMMUNITY FACILITIES RESERVE LOAN**

**FILE REFERENCE:** CC/MRAI  
**REPORT DATE:** 16 April 2009  
**APPLICANT/PROPONENT:** Moora Race Club Inc  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Rebecca McCall, Acting Chief Executive Officer  
**ATTACHMENTS:** Letter of request and clubroom fit out plan  
Community Facilities Reserve Fund Guidelines

### **PURPOSE OF REPORT:**

To consider an application from the Moora Race Club Inc for a loan from Council's Community Facilities Reserve for up to \$15,000 to assist in fitting out the new clubrooms.

### **BACKGROUND:**

The proponent has written requesting that Council approve a loan via its Community Facilities Reserve. The loan would be used to fit out the new clubrooms prior to the Annual race day on the 10<sup>th</sup> October 2009.

A facility audit was conducted by Racing & Wagering WA and the outcome resulted in the requirement for the Moora Race Club Inc to upgrade their facilities to a specified standard in order to continue conducting race meets. The new clubrooms and fit out will accommodate a common area, male & female jockey facilities, toilets, sound proof steward's office, and a Secretary's office which were all identified as requirements.

The Moora Race Club Inc has already purchased the shed which will become the new clubrooms. This cost was \$14,936. In addition, \$27,000 has been allocated by the Moora Race Club to contribute towards the erection of the shed and the fit out. The loan of \$15,000 would contribute towards the fit out of the new clubrooms.

### **COMMENT:**

The Shire of Moora has a cashed backed Reserve titled "Community Facilities Reserve", the purpose of which is to provide funds to eligible community organisations for approved projects. Maximum Loan is \$15,000 repayable over terms of 3-7 years under certain conditions.

Moora Race Inc has written to Council (copy attached) and completed the necessary application form for financial assistance from Council. The assistance is in the form of a loan of up to \$15,000 to be repaid as required by Council.

Attached are the rules and conditions regarding the granting of assistance from the Reserve Account.

As the request falls within the purpose/guidelines it is recommended that Council approves the loan.

The Moora Race Club Inc have sourced quotes and estimations for the erection and fit out of the clubrooms. To ensure that the new clubrooms are completed in time



for the scheduled race meet, construction will need to commence shortly, therefore the loan would need to be arranged as soon as possible.

#### **POLICY REQUIREMENTS:**

Each application for funding via Council's Community Facilities Reserve is treated on its individual merits.

#### **LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements related to this item.

#### **STRATEGIC IMPLICATIONS:**

The Shire of Moora's Strategic Plan outlines Key Result Area 'Infrastructure' the goal to maintain, improve and increase community facilities and services.

#### **SUSTAINABILITY IMPLICATIONS:**

##### ➤ **Environment**

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

##### ➤ **Economic**

The potential economic implications associated with this proposal includes the assurance that the Moora Race Club Inc is able to continue hosting race meets and comply with regulations set by Racing & Wagering WA. Organised race meets generate income for the Moora Race Club Inc and local businesses. It offers the opportunity for local horse trainers, racehorse owners and jockey's to partake in a race meet using local turf facilities.

##### ➤ **Social**

The potential social implications associated with this proposal include the essential upgrade of the existing facilities at the Moora Race Club. Improving the facilities increase the opportunities for additional race meets and functions to be held at the Moora Race Club. Upgrading facilities will benefit the growing local racing industry. The new facilities will also benefit spectators who involve themselves with organised race days.

#### **FINANCIAL IMPLICATIONS:**

The loan of up to \$15,000 to Moora Race Club Inc will reduce the Community Facilities Reserve Fund to approximately \$156,044.

#### **VOTING REQUIREMENTS**

Absolute Majority Required

#### **MANEX RECOMMENDATION**

*That Council agrees to the request by the Moora Race Club Inc for a loan of up to \$15,000 from the Community Facilities Reserve, repayable over seven years in accordance with the guidelines and provisions set up for the Reserve subject to sighting the audited financial statements for the last two years.*

### **11.3 OPERATIONAL DEVELOPMENT**

Nil

### **11.4 COMMUNITY DEVELOPMENT**

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

**FILE REFERENCE:** TP/PTMOI  
**REPORT DATE:** 25 March 2009  
**APPLICANT/PROPONENT:** Various  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Trevor Brandy, Acting Manager Health & Planning 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 25 March 2009.

- **The Chapman Family Trust - Lot 89 Kintore Street Moora – Construction of extension to Moora Health Centre (Area 26m<sup>2</sup>) Zoning - Public Purpose, Value \$48,000 (ref 62/09)**
- **Ms C & I McCuish – Lot 29 (44) Keane Street Moora – Construction of a 4.0 x 6.0m colorbond carport (Area 24m<sup>2</sup>) Zoning - Residential, Value \$2,500 (ref 63/09)**

**POLICY REQUIREMENTS:**

Register of Delegations and Shire of Moora Town Planning Scheme No 4 Text.

**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 applications approved under delegated authority.*

## **11.4.2 PROPOSED PLANTATION FOR CARBON SEQUESTRATION – LOT 337 PRICES ROAD/COOMBERDALE WEST ROAD, COOMBERDALE**

**FILE REFERENCE:** PA/A1448-1  
**REPORT DATE:** 24 March 2009  
**APPLICANT/PROPONENT:** Forest Products Commission  
**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:** N/A  
**AUTHOR:** Gray & Lewis Landuse Planners  
**ATTACHMENTS:** Site Plan & Management Plan

### **PURPOSE OF REPORT:**

Council is to determine an application for a plantation on a portion of Lot 3347 Prices Road / Coomberdale West Road, Coomberdale.

Councillors should note that there are 2 separate applications for carbon sequestration plantations in this agenda.

### **BACKGROUND:**

#### Location

The property has an area exceeding 500 hectares and is located 22 kilometres north west of Moora to the west of Coomberdale townsite (near the local government boundary shared with Shire of Dandaragan).

#### Zoning

The subject lot is zoned 'Farming' under the Shire of Moora Town Planning Scheme No 4 ('the Scheme').

The objectives of the Farming zone include:

- To ensure the continuation of broad hectare farming as the principal landuse in the District and encouraging where appropriate the retention and expansion of agricultural activities.
- To consider non rural uses where they can be shown to be of benefit to the District and not detrimental to the natural resources or the environment.

### **COMMENT:**

#### Description of Application

The application proposes a block planting of 150 hectares and 74 hectares of tree belts. This equates to approximately 44% of the existing lot area.

The plantation is proposed for Eucalypt and the applicant has indicated that the plantation is for carbon sequestration and therefore no harvesting is foreseen.

The applicant has submitted a Fire Management Plan and Plantation Management Plan in support of the proposal. The applicant has advised that if any harvesting is proposed in the longer term, then a harvest plan will be submitted.

### Landuse Classification – Use Not Listed

Unfortunately Town Planning Schemes cannot list all possible landuses, and therefore the Shire of Moora Town Planning Scheme No 4 ('the Scheme') has no specific definition for plantation.

Accordingly it is recommended that the definition under the Model Scheme Text be used for plantation which *'has the same meaning as in the Code of Practice for Timber Plantations in Western Australia (1997) published by the Department of Conservation and Land Management and the Australian Forest Growers'*.

As the landuse is not defined or listed in the zoning table under the Scheme, it is classified as a 'Use Not Listed'. In accordance with Clause 3.2.5 of the Scheme, Council has three options in processing any 'Use Not listed' as detailed below;

**Option 1** - Determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted.

Council may consider that the use meets the objectives of the zone as it has environmental benefits through carbon offsets. Option 1 is not recommended as it will set a precedent for the landuse to be dealt with a permitted use in the entire Farming zone.

It is considered important that each case be considered on merit, and there may be some location where the Shire does not consider plantations appropriate.

**Option 2** Determine that the proposed use may be consistent with the objectives and purposes of the zone and thereafter follow the 'SA' advertising procedures of clause 7.3 in considering an application for planning approval.

Carbon sequestration plantation applications have been increasing in a number of farming/ rural areas and Councils can have different views on the landuse.

Some local governments support the use as they are relatively passive by nature, do not impact on transport routes due to no harvesting, are visually compatible with a rural landscape and often assist farmers to rehabilitate land or provide alternative income.

Other local governments have expressed some preliminary concern over applications that propose to take over whole lots or substantial portions of farms due to a perceived loss of agricultural land and concern that it may result in farmers moving out of the area.

Option 2 is recommended as it allows for wider community consultation on the landuse. If Council has any concerns over the landuse they should be raised with the applicant at this early juncture.

It is recommended that that the applicant be requested to provide supporting written advice addressing the objectives of the farming zone, and specifically comment on the *'benefits to the District'*.

**Option 3** Determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.

Council may form the view that the proposed landuse is not consistent with the objectives of the 'Farming zone' as it will result in loss of agricultural land available for broad acre farming.

Council may also be concerned that the use will not result in benefits to the district as there are no real employment opportunities or demonstrated economic benefits as no harvesting is proposed.

#### Recommendation

As outlined in this report there are a number of considerations in dealing with plantation applications and varying views exist on plantations for carbon sequestration.

The proposed landuse is generally supported and is recognised as being passive by nature. Accordingly, it is recommended that Council pursue Option B and determine that the use may be consistent with the Farming zone objectives, and advertise the application for public comment.

#### **POLICY REQUIREMENTS:**

Nil

#### **LEGISLATIVE REQUIREMENTS:**

Shire of Moora Town Planning Scheme No 4 – statutory requirements explained in the body of this report.

#### **STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

#### **SUSTAINABILITY IMPLICATIONS:**

##### ➤ **Environment**

The plantation will be used for carbon offsets.

##### ➤ **Economic**

There are likely economic benefits to the owner of the property as this is a sharefarming arrangement. The owner may receive income as cash payments and a share in proceeds may be available in exchange for land for trees planting.

##### ➤ **Social**

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

#### **FINANCIAL IMPLICATIONS:**

The Shire pays Gray & Lewis fees for planning advice.

#### **VOTING REQUIREMENTS**

Simple Majority Required

**MANEX RECOMMENDATIONS*****That Council:***

- 1. Determine that the proposed plantation for carbon sequestration on a portion of Lot 3347 Prices Road / Coomberdale West Road, Coomberdale may be consistent with the objectives of the Farming zone in accordance with Clause 3.2.5 b) of the Shire of Moora Town Planning Scheme No 4.***
- 2. Advertise the application in accordance with Clause 7.3.3 of the Scheme for 21 days by;***
  - Writing to immediate surrounding landowners and inviting their comments.***
  - Publishing a notice in the local newspaper inviting public comment.***
  - Writing to the Shire of Dandaragan as the application is for land located near their local government boundary.***
- 3. Request that the applicant (Forest Products Commission) provide further written advice during the advertising period addressing the objectives of the Farming zone, and specifically comment on the 'benefits to the District'.***
- 4. At the close of advertising, refer a report back to Council for determination of the application and consideration of any submissions.***

### **11.4.3 PROPOSED PLANTATION FOR CARBON SEQUESTRATION – LOT 2048 WATHEROO ROAD, WATHEROO**

**FILE REFERENCE:** PA/A1182-1

**REPORT DATE:** 24 March 2009

**APPLICANT/PROPONENT:** Forest Products Commission

**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:** N/A

**AUTHOR:** Gray & Lewis Landuse Planners

**ATTACHMENTS:** Site Plan & Management Plan

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

Council is to determine an application for a plantation on a portion of Lot 2048 Watheroo Road, Watheroo.

Councillors should note that there are 2 separate applications for carbon sequestration plantations in this agenda.

#### **BACKGROUND:**

##### Location

The property has an area exceeding 67.5 hectares and is located north of Moora to the west of Watheroo townsite.

##### Zoning

The subject lot is zoned 'Farming' under the Shire of Moora Town Planning Scheme No 4 ('the Scheme').

The objectives of the Farming zone include:

- To ensure the continuation of broad hectare farming as the principal landuse in the District and encouraging where appropriate the retention and expansion of agricultural activities.
- To consider non rural uses where they can be shown to be of benefit to the District and not detrimental to the natural resources or the environment.

#### **COMMENT:**

##### Description of Application

The application proposes a planting area of approximately 34 hectares which equates to approximately 50% of the existing lot area.

The plantation is proposed for Eucalypt and the applicant has indicated that the plantation is for carbon sequestration and therefore no harvesting is foreseen.

The applicant has submitted a Fire Management Plan and Plantation Management Plan in support of the proposal.



### Landuse Classification – Use Not Listed

Unfortunately Town Planning Schemes cannot list all possible landuses, and therefore the Shire of Moora Town Planning Scheme No 4 ('the Scheme') has no specific definition for plantation.

Accordingly it is recommended that the definition under the Model Scheme Text be used for plantation which '*has the same meaning as in the Code of Practice for Timber Plantations in Western Australia (1997) published by the Department of Conservation and Land Management and the Australian Forest Growers*'.

As the landuse is not defined or listed in the zoning table under the Scheme, it is classified as a 'Use Not Listed'. In accordance with Clause 3.2.5 of the Scheme, Council has three options in processing any 'Use Not listed' as detailed below;

**Option 1** - Determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted.

Council may consider that the use meets the objectives of the zone as it has environmental benefits through carbon offsets. Option 1 is not recommended as it will set a precedent for the landuse to be dealt with a permitted use in the entire Farming zone.

It is considered important that each case be considered on merit, and there may be some location where the Shire does not consider plantations appropriate.

**Option 2** Determine that the proposed use may be consistent with the objectives and purposes of the zone and thereafter follow the 'SA' advertising procedures of clause 7.3 in considering an application for planning approval.

Carbon sequestration plantation applications have been increasing in a number of farming/ rural areas and Councils can have different views on the landuse.

Some local governments support the use as they are relatively passive by nature, do not impact on transport routes due to no harvesting, are visually compatible with a rural landscape and often assist farmers to rehabilitate land or provide alternative income.

Other local governments have expressed some preliminary concern over applications that propose to take over whole lots or substantial portions of farms due to a perceived loss of agricultural land and concern that it may result in farmers moving out of the area.

Option 2 is recommended as it allows for wider community consultation on the landuse. If Council has any concerns over the landuse they should be raised with the applicant at this early juncture.

It is recommended that that the applicant be requested to provide supporting written advice addressing the objectives of the farming zone, and specifically comment on the '*benefits to the District*'.

**Option 3** Determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.

Council may form the view that the proposed landuse is not consistent with the objectives of the 'Farming zone' as it will result in loss of agricultural land available for broad acre farming.

Council may also be concerned that the use will not result in benefits to the district as there are no real employment opportunities or demonstrated economic benefits as no harvesting is proposed.

#### Recommendation

As outlined in this report there are a number of considerations in dealing with plantation applications and varying views exist on plantations for carbon sequestration.

The proposed landuse is generally supported and is recognised as being passive by nature.

It is recommended that Council pursue Option B and determine that the use may be consistent with the Farming zone objectives, and advertise the application for public comment.

#### **POLICY REQUIREMENTS:**

Nil

#### **LEGISLATIVE REQUIREMENTS:**

Shire of Moora Town Planning Scheme No 4 – statutory requirements explained in the body of this report.

#### **STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

#### **SUSTAINABILITY IMPLICATIONS:**

##### ➤ **Environment**

The plantation will be used for carbon offsets.

##### ➤ **Economic**

There are likely economic benefits to the owner of the property as this is a sharefarming arrangement. The owner may receive income as cash payments and a share in proceeds may be available in exchange for land for trees planting.

##### ➤ **Social**

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

#### **FINANCIAL IMPLICATIONS:**

The Shire pays Gray & Lewis fees for planning advice.

**VOTING REQUIREMENTS:**

Simple Majority Required

**MANEX RECOMMENDATIONS*****That Council:***

- 1. Determine that the proposed plantation for carbon sequestration on a portion of Lot 2048 Watheroo Road, Watheroo may be consistent with the objectives of the Farming zone in accordance with Clause 3.2.5 b) of the Shire of Moora Town Planning Scheme No 4.***
- 2. Advertise the application in accordance with Clause 7.3.3 of the Scheme for 21 days by;***
  - Writing to immediate surrounding landowners and inviting their comments.***
  - Publishing a notice in the local newspaper inviting public comment.***
- 3. Request that the applicant (Forest Products Commission) provide further written advice during the advertising period addressing the objectives of the Farming zone, and specifically comment on the 'benefits to the District'.***
- 4. At the close of advertising, refer a report back to Council for determination of the application and consideration of any submissions.***

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

**FILE REFERENCE:** TP/HOO1  
**REPORT DATE:** 22 Apr 2009  
**APPLICANT/PROPONENT:** M & K Deane  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Wolfgang Zadavec, Manager Health, Building & Planning 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 Manager Health & Planning Services) 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 application has been approved under this delegated authority for the period ended 16 April 2009:

- **Malcolm & Karen Deane – Lot 208 Riley Road, Moora – Establishment of Home Occupation “Moora Bed & Breakfast” business, Zoning – Special Rural (Ref 02/09)**

### **POLICY REQUIREMENTS:**

Register of Delegations and Shire of Moora Town Planning Scheme No 4 Text.

### **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 RECOMMENDATIONS***That Council*

- 1. approve the proposal for the Moora Bed and Breakfast at Lot 208 Riley Road, Moora as submitted to the Manager Health, Building and Planning Services.*
- 2. advise the applicant that any change of ownership of the land will cancel the home occupation approval for a bed and breakfast.*
- 3. may rescind this approval where a home occupation is causing a nuisance or annoyance to owners or occupiers in the vicinity.*

**11.5 ENVIRONMENTAL DEVELOPMENT**

Nil

## **11.6 ECONOMIC DEVELOPMENT**

### **11.6.1 WEST END BUSINESS PLAN**

**FILE REFERENCE:** TP/WEE1  
**REPORT DATE:** 16 April 2009  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Rebecca McCall, Manager Economic Development  
**ATTACHMENTS:** West End Business Plan

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

To endorse the West End residential development business plan completed by 'Local Assisting Locals'.

#### **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 24 months with the rapid growth in our region and the demand for suitable housing in the town of Moora.

The Shire of Moora purchased the West End property in 1970 with the intention of developing the land for residential purposes. The property is located west of the townsite of Moora and is out of the flood impact area.

To date the property has been utilised for community cropping and agistment programs. The property is managed by the Moora Community Recreation Council and administers requests from community groups to utilise the West End property for fundraising purposes.

The Shire of Moora has been researching for some time the feasibility of developing West End for residential purposes. As a result concept plans have been developed by Burgess Design Group for this property. The plan provides a mixed density development accommodating any future housing needs for Moora.

#### **COMMENT:**

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 business plan for West End 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.

After the preparation of the business plan, and the calling of submissions, a decision by Council whether or not to proceed with the development provided it is as proposed and not significantly different from what was advertised will be required.

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.

**POLICY REQUIREMENTS:**

Nil

**LEGISLATIVE REQUIREMENTS:**

Section 3.59 of the Local Government Act 1995 relating to commercial enterprises by local government.

**STRATEGIC IMPLICATIONS:**

The Shire of Moora's Strategic Plan outlines the Key Result Area 'Infrastructure' the goal to maintain, improve and increase infrastructure.

**SUSTAINABILITY IMPLICATIONS:**

➤ **Environment**

The significant environmental implications associated with this proposal include the potential development of high density housing on agricultural land owned by the Shire of Moora. The portion of land proposed to be developed is currently used for community cropping and agistment. The proposal also offers the opportunity for residential development to occur outside the floodplain.

➤ **Economic**

The potential economic implications associated with this proposal include economic growth for local businesses as well as attracting new labour force to Moora. These benefits are in the future for the Shire of Moora but this motion will set up the basis for this growth to occur.

➤ **Social**

The potential social implications associated with this proposal include the increase of skilled labour force and therefore increase the socio-economic status of Moora.

**FINANCIAL IMPLICATIONS:**

The 2008/09 financial budget includes an allocation of \$30,000 for professional fees to further progress the proposed West End residential development.

**VOTING REQUIREMENTS**

Absolute Majority Required

**MANEX RECOMMENDATIONS**

*That Council;*

1. *endorses the West End Business Plan.*
2. *advertises state wide public notice of the business plan in accordance with Section 3.59 of the Local Government Act 1995.*

## **11.6.2 WILDFLOWER COUNTRY TOURISM COMMITTEE**

**FILE REFERENCE:** ED/TODI  
**REPORT DATE:** 16 April 2009  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Rebecca McCall, Manager Economic Development  
**ATTACHMENTS:** Cooperative Tourism Plan  
Draft Tourism Development & Growth Plan

### **PURPOSE OF REPORT:**

To consider the invitation to join the Wildflower Country Tourism Committee.

### **BACKGROUND:**

A cooperative tourism plan has been commissioned to help guide the development of tourism within the Mid West region.

The Mid West shires of Morawa, Mingenew, Mullewa, Perenjori, Three Springs, Carnamah and Coorow have identified tourism as an opportunity to support the region's key industry – farming. Tourism has the potential to stimulate economic growth and create employment particularly for the youth within the region.

Traditionally the seven shires have existed independently, operating visitor centres and promoting local sites without regard for neighbouring shires. The plan however, instruments partnerships and alliances, developing a profile for the region's tourism, assisting in funding applications, and encouraging tourism planning across the region.

A cooperative approach improves the region's tourism product and profile, the region will benefit through economies of scale, synergy and collaboration.

The brand Wildflower Country has a very high profile and established reputation.

### **COMMENT:**

The Shire of Moora has been working towards building a sustainable tourism industry and has managed to set in place services and facilities that benefit the visitor. Moora lends itself as the natural gateway to the wildflower region. In addition, Moora is ideally located with the Turquoise Coast to the west and our existing partnership promoting the Central Midlands.

Moora could greatly benefit connecting itself between all three distinctive tourism areas and promote Moora as the preferred central location for the visitor. The opportunity to network and share information is paramount to further developing tourism within the region.

Continuing to strengthen our tourism facilities, services and networks will ensure that the Shire of Moora establishes a sustainable industry that will assist with the overall economic and social growth for the region as a whole.

The offer put forward by the Wildflower Country Tourism Committee is as follows:

- Buy in cost of \$4,000
- Annual financial year cost \$4,000



- Video production, one off cost, \$1,100 (optionally)

The buy in cost would see the Shire of Moora receive an entry statement of a generic nature ‘Welcome to Wildflower Country’ and ‘Thankyou for Visiting Wildflower Country’.

Annual cost covers the inclusion of the Shire of Moora is the Wildflower Country brochure and other promotional activities the Committee decides to partake in each year. Such activities involve participating in trade shows such as the Caravan and Camping Show.

An optional cost of \$1,100 to develop a video clip featuring tourism icons is available. The video clip is viewed on [www.aussiehotspots.com](http://www.aussiehotspots.com).

The Wildflower Country logo is used on all merchandise including clothing, signage and promotional brochures.

To date the seven participating shires have contributed \$12,000 to the establishment, branding and marketing of the region.

Currently being developed by staff is the Tourism Development and Growth Plan. A draft copy is attached for Council to pursue. It is envisaged to bring to Council the finalised plan for endorsement in the near future. The completed plan will include expenditure for the next ten years.

#### **POLICY REQUIREMENTS:**

Nil

#### **LEGISLATIVE REQUIREMENTS:**

Nil

#### **STRATEGIC IMPLICATIONS:**

The Shire of Moora’s Strategic Plan outlines the Key Objective Area ‘Growth’ the goal to market the Moora region.

#### **SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are no known significant environmental implications associated with this proposal.
- **Economic**  
The potential economic implications associated with this proposal involve further developing tourism to stimulate economic growth and create employment within the region.
- **Social**  
The potential social implications associated with this proposal include the partnerships and alliances formed to develop the region’s tourism industry.

**FINANCIAL IMPLICATIONS:**

The financial implications to Council in relation to this item would include an allocation of \$8,000 in the 2009/10 draft Budget. In addition there will be ongoing annual budgeting requirements of approximately \$4,000.

**VOTING REQUIREMENTS**

Simple Majority Required

**MANEX RECOMMENDATIONS*****That Council:***

- 1. accepts the invitation to join the Wildflower Country Tourism Committee.***
- 2. includes in the 2009/10 draft Budget an allocation of \$4,000 as the ‘buy in’ cost to join the Wildflower Country Tourism Committee.***
- 3. includes in the 2009/10 draft Budget an allocation of \$4,000 as the Shire of Moora’s annual contribution to the Wildflower Country Tourism Committee.***

**11.7 SPORT AND RECREATION**

Nil

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

The following were put forward as motions of notice by Cr Clydesdale-Gebert.

### **12.1 “The Shire of Moora consider in the 2009/10 draft Budget the development of the swimming pool site, comprising of a new pool entrance shed, hydrotherapy pool and multi-purpose rooms (gym) as part of an asset management upgrade”**

In view of the current discussions regarding the upgrading of the swimming pool car park, it is timely to consider the future of the swimming pool site. The asset site has, in particular, a tired entrance building where the swimming pool manager resides over the summer months whilst the pool is open. The swimming pool itself has recently been upgraded and is a major recreational site in the centre of Moora.

Recently, a consultant was engaged to assess the townsite for revitalisation and plans for future growth. The pool site was identified as an excellent site that other regions would be envious of in regards to its location. The pool site is well used by many individuals and organisations in the region and this improvement of the site would ensure an entire 12 months utilisation of the asset site in lieu of 7-8 months a year with the incorporation of the gym and hydrotherapy pool. It also gives the opportunity for another site for Shire employees in an already cramped workspace in the existing shire building.

A basic plan/proposal has been discussed at council in the past few years, including a hydrotherapy pool, gym and potential for tourism/multipurpose rooms for other health, sporting functions. Whilst this needs to be developed further in consultation with planning professionals, it is necessary to ensure the council further this project prior to any major improvements to the area such as surfacing car parks and traffic management plans be pursued with urgency to avoid potentially costly mistakes.

The Shire of Moora is a regional hub and can sustain such a project in the immediate future. The “SSS” report into the sustainability of Local Governments requires asset management programs and whilst Moora needs to improve in this area, this is a positive step in the right direction.

#### **Councillor Recommendation**

**That Council consider a sum around \$100,000 to develop a working plan for the site in the next draft budget, which may include additional grants which can be applied for from various organisations such as Royalties for Regions/Wheatbelt Development Commission, Department of Sport and Recreation and Federal sources through infrastructure projects programs and tourism programs.**

#### **Manex Comment**

Management have not had the opportunity to fully discuss this proposal and investigate further. It is proposed that the necessary research takes place and the outcomes reported back to Council before any formal decisions are made.

This proposal is not included in the current Plan for the Future which identifies key priorities. It is recommended that an audit of existing projects and commitments is undertaken to obtain a clear picture of what has been implemented and the current status of each venture.

**12.2 “The Shire of Moora investigate engaging and incorporating in Shire policy a “Shire Mentor” for the purposes of support of staff and councillors as an independent body to Council (Shire Freeman).”**

This item has been requested to be deferred in consultation with Cr Clydesdale-Gebert pending further clarification and discussion at a Council Briefing Session.

**12.3 “The Shire of Moora embarks on an attraction program for tradespersons for the region”**

With the economic downturn in Australia and in particular the mining downturn in Western Australia, there is potential to attract uprooted tradespersons to the region looking for future work.

Anecdotal evidence clearly indicates a severe lack of trades in the region which may impact on economic growth to the many current diversified industries in the vicinity of Moora. Lack of trades also reduces the ability to sustain and grow the population of Moora in relation to building and maintaining homes.

There is clearly an opportunity now for a savvy region to attract persons to the area by showcasing the current and potential future council projects such as West End, Lee Steere Street, the lifestyle village as well as private projects such as the Warro gas fields.

This campaign would include upgrading the Shire website and liaising with CMVROC on other opportunities to attract trades to the region through other future employment opportunities.

The community should be consulted on what trades are lacking and what they would like to see in the region. The Shire should also consider setting up a database in conjunction with the CMVROC of availability of trades and contact details.

An incentive program could be considered for trades to set up in Moora. This would involve advertising the town as a base to set up in for the region which aligns with the Shire’s plan to develop future industrial land. The Shire should explore discounted land or rate incentives.

**Councillor Recommendation**

**Within 6-12months;-**

- The Shire engage the community in what trades are lacking through a questionnaire, possibly through a letter drop.**
- A blanket invitation to any tradespersons to explore opportunities in and around Moora through the website.**
- A motion to VROC to compile a large needs analysis and a formulation of current and future major projects and industries in the region that need suitably qualified persons.**
- Set up a central database of current tradespersons in the region and to constantly update as needed to be accessed by any person.**
- Explore and adopt a Shire policy on relocation incentives for suitable trades to the area.**

**Manex Comment**

Management has not had the opportunity to discuss and research this proposal, however, the following comments are made for Council consideration.

The Manager of Economic Development is currently developing a policy for incentives to attract new businesses and investment. The policy is currently in draft form and it is envisaged that the draft will be presented to Council within the next three months.

Manex recommend that the Moora Chamber of Commerce would be required to be consulted and involved in any such program impacting on businesses.

Consultation with existing trades operating within the Shire needs to take place initially. Discussions with local trades can establish issues such as the current status of their business, area the business covers and percentage of business they are unable to fulfil.

The recommended timeframe for this proposal would be difficult to meet with the current capacity of staff.

**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**