



Ordinary Council Meeting Minutes

Date: 20 June 2012

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

The Shire of Moora Vision and Mission Statement

Vision

Our vision is that:

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

Mission

Our mission is:

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

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
20 JUNE 2012

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I. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**I.1 DECLARATION OF OPENING**

The Shire President declared the meeting open at 5.32pm.

I.2 DISCLAIMER READING

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

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

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

CE Gardiner	-	Shire President
AR Tonkin	-	Deputy Shire President
SA Bryan	-	Councillor
R Keamy	-	Councillor
DV Clydesdale-Gebert	-	Councillor
JW McLagan	-	Councillor
OC Cocking	-	Councillor
TG Humphry	-	Councillor
AJ Leeson	-	Chief Executive Officer
JL Greay	(until 6.47pm) -	Manager Engineering Services
LJ Parola	(until 6.47pm) -	Manager Finance & Corporate Services
RL McCall	(until 6.47pm) -	Manager Community & Economic Development
PR Williams	(until 6.47pm) -	Manager Health, Building & Planning Services

APOLOGIES

CD Hawkins	-	Councillor
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PUBLIC

Cynthia McMorran	(until 6.47pm) -	Shire Freeman
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3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Cynthia McMorran noted the changes to the Cemetery Act and that Grant of Right to Burials issued pre 1987 would all expire on 2 July 2012. She asked if it would impact on the Moora Cemetery.

The Chief Executive Officer advised that Moora had yet to formulate a policy.

5. PETITIONS AND PRESENTATIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

- Acknowledged the recent passing of former Deputy President, Councillor Doug Tierney.
- Expressed sadness on the tragic death of shire childcare employee Haley Brown and complimented the Manager Community & Economic Development on the letter written to her family.

Manager Community & Economic Development left the meeting at 5.36pm.

- Congratulated Ian (Bobby) Wyatt on 30 years of loyal and dedicated service to the Shire;
- Attended the 'Thanksgiving' service at the Seventh Day Adventist Church;
- Attended a Wheatbelt Infrastructure Planning Group meeting with the Chief Executive Officer;
- Attended a meeting in Perth at the W.A Country Health Service on the 7th June with the Chief Executive Officer regarding securing ongoing operating funding for the proposed Moora Frail Aged Lodge Extension.

Cr Bryan

Attended the St James Residential College Board meeting.

Cr Tonkin

Attended the West Koojan-Gillingarra Land Conservation Committee meeting on the 5th June.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY COUNCIL MEETING - 16 MAY 2012****COUNCIL RESOLUTION**

52/12 Moved Cr Bryan, seconded Cr Cocking that the Minutes of the Ordinary Meeting of Council held on 16 May 2012 be confirmed as a true and correct record of the meeting.

CARRIED 8/0

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

REPORT DATE: 13 June 2012

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: Nicole Chappell, Finance Creditors & Records Officer

ATTACHMENTS: Accounts Paid Under Delegated Authority

PURPOSE OF REPORT

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

BACKGROUND

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

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

POLICY REQUIREMENTS

Delegation 1.31 – Payments from Municipal and Trust Funds.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 - Section 6.10

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

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS**➤ Environment**

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

➤ Economic

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

➤ **Social**

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

FINANCIAL IMPLICATIONS

Payments are in accordance with the adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

53/12 Moved Cr Cocking, seconded Cr Gardiner that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

Municipal Fund	Chqs 60779 to 60809	\$85,058.87
	EFT 7969 – 8102	\$326,447.01
Trust Fund	Chqs 4784 – 4790	\$783.60
Credit Card Payments		\$3,452.92
	Net Pays – PPE 22nd May	\$109,365.98
	PPE 5th June	\$108,929.87
Total		<u>\$634,038.25</u>

CARRIED 8/0

At 5.41pm the Manager Community & Economic Development rejoined the meeting.

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MAY 2012

REPORT DATE: 8 June 2012

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Leanne Parola, Manager Finance & Corporate Services

ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 May 2012

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 May 2012.

BACKGROUND:

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

COMMENT:

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

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS:

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

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

54/12 Moved Cr Cocking, seconded Cr Tonkin that Council notes and receives the Statement of Financial Activity for the period ended 31 May 2012.

CARRIED 8/0

9.1.3 **LOCAL GOVERNMENT WEEK - ATTENDANCE**

FILE REFERENCE: EM/SUC1-2

REPORT DATE: 3 May 2012

APPLICANT/PROPONENT: WA Local Government Association

OFFICER DISCLOSURE OF INTEREST: The author of this report declares a financial interest in the matter, as he 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: Alan Leeson, 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 formerly known as Local Government Week.

The Western Australian Local Government Association (WALGA) is holding the Local Government Convention from Wednesday 1 August to Friday 3 August 2012 at the Perth Convention Exhibition Centre (PCEC). The format of this year's convention has been revised to allow for the WALGA AGM to be held on Wednesday 1 August.

COMMENT:

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

Six (6) double rooms at Sullivans Hotel have been booked from Wednesday 1 August to Friday 3 August 2012 inclusive.

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 delegate sessions and those attending must nominate one of the general sector updates in Session 3 of the Thursday sessions.

The Sessions and Timings are as follows:

Wed 1	** WALGA Annual General Meeting **	1.30pm – 5.30pm
Thurs 2	Sessions 1-4 Convention Sessions	9am – 5pm
	Session 3 Choice of the following:	
	• Governance – Elected Member & CEO Relationships	
	• Regional Development – Flying High	
	• Community & Planning – Libraries Out Loud in the Year of Reading	
Fri 3	Sessions 5-8 Convention Sessions	9am – 4pm

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

Attendance at Elected Member Convention 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 draft 2012/13 Budget currently includes an amount of \$13,000 for Conference Expenses.

The following costs are applicable:-

	Cr Gardiner	Cr Keamy	Cr Hawkins	Cr Clydesdale-Gebert	Cr Humphry	CEO
Registration	1,250	1,250	1,250	1,250	1,250	1,250
Various speaker breakfasts	-	88	88	88	88	176
Accommodation (\$169pn)	507	507	507	507	507	507
Convention Sessions	Inc.	Inc.	Inc.	Inc.	Inc.	Inc.
* Sundry	300	300	300	300	300	300
Cost / Delegate	2,057	2,145	2,145	2,145	2,145	2,233

The Sundry amount (for the provisions of meals and other incidentals) is estimation only and may not be utilised.

At this stage the estimated total cost for Councillors & the Chief Executive Officer to attend the 2012 Local Government Convention is \$12,958.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

55/12 Moved Cr Bryan, seconded Cr Tonkin that Council authorise the Chief Executive Officer in relation to attendance at the 2012 Western Australian Local Government Convention and Exhibition to be held at the Perth Convention Exhibition Centre,

i. to register the following to attend the Convention and selected Elected Member Convention Sessions

- **Cr Colin Gardiner - President**
- **Cr Robert Keamy**
- **Cr Chris Hawkins**
- **Cr Denise Clydesdale-Gebert**
- **Cr Tracy Humphry**
- **Mr Alan Leeson – Chief Executive Officer**

ii. to register the following as voting delegates representing the Shire of Moora for any vote taken at the convention

- 1. Cr Colin Gardiner**
- 2. Cr Denise Clydesdale-Gebert**

iii. to include an agenda item on Council's first Briefing Session after the conference.

CARRIED 8/0

9.1.4 SALE OF PART OF LOTS 18 & 19 LEE STEERE STREET, MOORA

FILE REFERENCE: ED/HSD1

REPORT DATE: 11 June 2012

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: 17/12/08 (204/08), 12/12/07 (241/07), 8/11/07(157/07), 14/05/07 (55/07), 3/5/07(109/07), 14/3/07(55/07), 14/2/07(26/07), 26/07/06 (130/06), 16/03/11 (24/11)

AUTHOR: Rebecca McCall, Manager Community & Economic Development

ATTACHMENTS: Residential Property Appraisal & Contract of Sale (includes map)

PURPOSE OF REPORT:

For Council to consider the transfer of Lots 18 & 19 (part of) Lee Steere Street Moora to the Western Australian Land Authority (LandCorp) for the purpose of developing eight residential lots.

BACKGROUND:

The Shire of Moora became aware of the acute housing shortage in the townsite of Moora and the demand for development and the subsequent problems for the floodway area within Moora.

As a result Council purchased Lots 18, 19, 20 & 21 Lee Steere Street, Moora from a third party at a cost of \$99,919.40 in 2006 for the purpose of developing the land into residential lots with the exception of Lot 21. It was intended not to include Lot 21 Lee Steere Street as part of the development to retain the natural woodland which was re-zoned from 'Special Rural' to a 'Scheme Reserve for Conservation'. The remaining lots are zoned Residential R12.5/25.

A business plan was completed in 2008 outlining development options and financial implications. The preferred option to Council was to attract a private developer to take on the project. Unfortunately, after liaisons and negotiations undertaken the project was unattractive to a private developer especially in the then economic climate.

In March 2011, the Shire of Moora submitted an application to LandCorp requesting funding assistance through the Regional Development Assistance Program for the purpose of developing residential lots on Lots 18 Lee Steere Street, Moora:

(Council resolution 16 March 2011)

24/11 Moved Cr McLagan, seconded Cr Bryan that Council:

- a) *supports the development of Lot 18 Lee Steere Street, Moora for residential purposes to be undertaken by Landcorp; and*
- b) *submits an application to Landcorp requesting funding assistance through the Regional Development Assistance Program for the purpose of developing residential lots on Lot 18 Lee Steere Street Moora.*

CARRIED 6/0

The submission outlined the proposal for LandCorp to undertake the planning, construction and financial implications to develop stage one of the Lee Steere Street residential development. The Shire of Moora's contribution included the provision of Lot 18 Lee Steere Street. The Regional Development Assistance submission to LandCorp was successful.

COMMENT:

After LandCorp completed their due diligence, surveying and planning it was concluded to develop 8 serviced residential lots. The 8 lots will be developed on part of lots 18 & 19 Lee Steere Street. Refer attached map found in copy of the contract of sale.

The description of the property (Item 1) proposes Lot 9000 on Deposited Plan 73291 as shown indicated on Deposited Plan 73291 annexed as Annexure 'D' and being part of the land comprised within the Certificate of Title Volume 1665 Folio 451 (Annexure 'B' of contract of sale).

The properties were appraised by Landmark Harcourts on May 24, 2012. The appraised price provided a possible sale price of \$50,000 to \$55,000 per lot which reflects the current rural property market in the area.

Once the contract of sale is signed construction will commence.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

In accordance with Section 3.58 of the Local Government Act 1995 certain requirements must be met in relation to how land which council owns is treated.

In accordance with the relevant provisions of the Act, Council is in effect disposing of property, as it is proposing to transfer land to respective parties. See legislative requirements hereunder.

On the basis of Section 3.58 of the Act Council will be required to advertise its intention to transfer part of Lots 18 and 19 Lee Steere Street, Moora.

In terms of obtaining a current valuation for the land, the author has discussed the context of Section 3.58 (4) in respect of “market valuation”. To that end, Management have requested an appraisal of the likely sale value from rural agencies in Moora.

3.58. Disposing of property

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
 - (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

[Section 3.58 amended by No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

STRATEGIC IMPLICATIONS:

There are known strategic implications associated with this proposal. The Shire of Moora's Strategic Plan identifies the key result area Community and Economic Development with a goal to plan and develop the Moora region through positive community and economic development to attract and retain people and businesses enabling sustainable growth. The role of the Shire of Moora is to identify opportunities, liaise and work with business, industry, government agencies and the community to deliver a range of services, facilities and infrastructure. The Lee Steere Street residential development is a project identified in the strategic plan as a priority.

SUSTAINABILITY IMPLICATIONS:**➤ Environment**

There are known significant environmental implications associated with this proposal as the current greenfield property will be developed into 8 serviced residential lots with the intention to develop additional lots in the future dependent on market demand.

➤ Economic

There are known significant economic implications associated with this proposal with the possible attraction of population through the availability of serviced residential lots. In addition, there will be the opportunity for executive housing to be developed to alleviate the shortfall of accommodation for professionals and employees.

➤ Social

There are known significant social implications associated with this proposal with the possibility of attracting population to Moora.

FINANCIAL IMPLICATIONS:

The financial implications to Council in relation to this item include the transfer of Lots 18 & 19 Lee Steere Street, Moora to the Western Australian Land Authority (LandCorp) for one dollar (inclusive of GST).

VOTING REQUIREMENTS

Absolute Majority Required

COUNCIL RESOLUTION

56/12 Moved Cr McLagan, seconded Cr Tonkin that Council authorises to transfer of part of Lots 18 & 19 Lee Steere Street, Moora to the Western Australian Land Authority (LandCorp) in accordance with the provisions of the Local Government Act 1995 for the sum of one dollar (inclusive of GST) for the purpose of developing eight serviced residential lots.

CARRIED BY ABSOLUTE MAJORITY 8/0

9.1.5 **OUTSTANDING SUNDRY DEBTORS**

FILE REFERENCE: F/SUDI

REPORT DATE: 11 June 2012

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: N/A

AUTHOR: Leanne Parola, Manager Finance & Corporate Services

ATTACHMENTS: Outstanding Sundry Debtors Listing

PURPOSE OF REPORT:

To advise Council of all debts that has been outstanding for 90 days or more as at 11 June 2012.

BACKGROUND:

Council Policy 9.7 requires that at each April meeting of Council, “a detailed listing of all outstanding debtors will be presented. All debts that are 90 days or over shall be listed individually and shall contain such details as:

- (i) Name of debtor (rates need only show assessment number)
- (ii) Nature of debt
- (iii) Age of debt
- (iv) Action that has been taken to date.

Further, at the April meeting of Council a listing of proposed debt write-offs will be presented for Council consideration.”

COMMENT:

The attached table of rates outstanding as at 10 June 2012 includes detailed information on the assessments that are in arrears and totals \$329,995. There are a number of properties that Council has previously resolved to take possession for sale of under the Local Government Act 1995 and a number of others that are now eligible (i.e. rates outstanding for three or more years). Unfortunately staff have yet to prepare the required information for the lawyers to commence proceedings.

The total of sundry debtors at 10 June 2012 was \$392,925. The attached table of outstanding debtors includes detailed information on the debtors that are more than 90 days in arrears at 10 June 2012.

There are a number of sundry debts that the Shire’s debt collectors and/or staff consider uncollectable and should be written off. These are:

- Kim Borovina – dog infringements from September 2007 totalling \$300.00
- Adsley Holdings – private works from March 2008 totalling \$1,656.60
- Versatile Home Improvement – chalet charges from June 2008 totalling \$176.00
- E Kingi – Septic tank pumpout from August 2009 totalling \$424.60
- Moora Swimming Club – exclusive use of swimming pool during 2010/11 season and 2011/12 totalling \$3,069.90, half to be written off

POLICY REQUIREMENTS:

9.6 Rates Collection Procedure

- (1) That within 7 days of any rates or service charges falling due for payment, the CEO issue a final notice for recovery of outstanding rates and service charges, allowing 7 days for payment.
- (2) That action for recovery be taken after that time, to the extent allowed in the Act.

LEGISLATIVE REQUIREMENTS:

Nil

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 is a significant amount of outstanding rates and debtors which Council needs to be aware of as it has an impact on the cash flow of the organisation.

VOTING REQUIREMENTS

Simple Majority Required

OFFICER RECOMMENDATION

Council:

- 1) *Note the attached tables of outstanding rates and outstanding debtors as at 10 June 2012.*
- 2) *Write off the following sundry debts:*
 - a) *Kim Borovina – dog infringements from September 2007 totalling \$300.00*
 - b) *Adsley Holdings – private works from March 2008 totalling \$1,656.60*
 - c) *Versatile Home Improvement – chalet charges from June 2008 totalling \$176.00*
 - d) *E Kingi – Septic tank pumpout from August 2009 totalling \$424.60*
 - e) *Moora Swimming Club – exclusive use of swimming pool during 2010/11 season \$1,534.95.*

COUNCIL RESOLUTION

57/12 Moved Cr Cocking, seconded Cr Tonkin Council:

- 1) ***Note the attached tables of outstanding rates and outstanding debtors as at 10 June 2012.***
- 2) ***Write off the following sundry debts:***
 - a) ***Kim Borovina – dog infringements from September 2007 totalling \$300.00***
 - b) ***Adsley Holdings – private works from March 2008 totalling \$1,656.60***
 - c) ***Versatile Home Improvement – chalet charges from June 2008 totalling \$176.00***
 - d) ***Moora Swimming Club – exclusive use of swimming pool during 2010/11 season \$1,534.95.***

CARRIED 8/0

Note: Council removed E Kingi from the officer recommendation as they believed the debt could be recovered.

9.1.6 PROPOSAL TO CONTRIBUTE TO THE MOORA – MIDLANDS REGIONAL COMMUNITY RESOURCE & VISITOR CENTRE PROJECT

Cr Tonkin declared an indirect financial interest in the item as he is a partner in a tourist related business.

Cr Clydesdale-Gebert declared an impartiality interest in the item as she has a business in close proximity to the proposed building.

Cr Gardiner declared an impartial interest in the item as he is a member of the bowling club.

FILE REFERENCE: ED/CRCP1

REPORT DATE: 17 May 2012

APPLICANT: Moora Community Resource Centre

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: 17/8/11 (98/11)

AUTHOR: Mr Alan Leeson, Chief Executive Officer

ATTACHMENTS: Nil

PURPOSE OF REPORT:

For Council to consider two issues:

1. Determine if it will contribute to the cost of amending the plans for a downsized version of the Moora – Midlands Regional Community Resource & Visitor Centre (MMRCRVC) drafted by Ecostruct Architects in November 2011;
2. Determine the level of contribution Council may make toward the project from the following funds;
 - a. Council municipal funds;
 - b. Royalty for Regions Country Local Government Fund.

on the basis of making formal submission to the next round of Regional Development Australia funding.

BACKGROUND:

Council for some months has been in negotiations and discussions with the Moora Community Resource Centre Committee with reference to a proposal to construct a new multi-functional building on Lot 123 Gardiner Street, Moora. The land is owned on a freehold basis by the Shire of Moora but occupied by the Moora Bowling Club. There is currently no formal agreement in place between the Shire of Moora and the Moora Bowling Club with reference to the bowling clubs occupation of the land. There is one club house building and one synthetic bowling green on site.

COMMENT:

There have been various options discussed over a number of months in terms of overall cost of the project and suggested figures as to how much respective parties may be able to contribute. The CEO circularised a scenario to Councillors at the April 4 briefing session detailing a few various funding agencies/options and possibilities in terms of potential levels of contribution.

The outcome of the Moora CRC's first round application to Regional Development Australia being a negative one was mostly a result of various stakeholders such as the Shire of Moora not being in a position to lock away a financial commitment / level of contribution to the project. An "in principle support" position was established by Council prior to the funding application going into Regional Development Australia, however there was not a level of funding formally agreed to by Council and other stakeholders which was a major weakness in the application, hence the funding application/expression of interest was declined.

The first version of the proposed new MMRCRVC designed by Ecostruct had an approximate floor space of 1940m² which was broadly estimated to cost in the range of \$3,000 per m², coming out in the range of \$6,000,000.

The various components of the first design were;

First Floor

Library	385m ²
Community Resource Centre	113m ²
Visitors Centre	228m ²
Commercial Space	169m ²
Bowling Club/Conference venue	475m ²

Second Floor

Community Resource Centre	230m ²
Commercial Space	340m ²

Approximate total floor space 1940m²

POLICY REQUIREMENTS:

There are no policy implications for Council relating to this matter.

LEGISLATIVE REQUIREMENTS:

Council must resolve any financial matters in accordance with the relevant provisions of the Local Government Act 1995 and the Local Government Financial Management Regulations 1996.

STRATEGIC IMPLICATIONS:

Strategically this proposal is very important to Moora's future and on that basis a thorough and accurate business case needs to be put together and quantitatively analysed with vigour.

It is fair to say today's population, be they locals or visitors look for simplistic and efficient access to public information and services. The proposed strategy of the MMRCRVC has one main objective, and that is to offer a one stop shop incorporating community resource wares and services, state & federal government agency hot desks, local government services (library) and a portion of commercial space will significantly offset the running costs of the centre whilst diversifying the services and information on offer at the centre.

The most significant strategic hurdle that needs to be overcome with the proposal is the engagement and support of surrounding districts in the region of Moora in order to strongly articulate that the project is truly regional. In order to achieve this objective a number of issues need to be addressed and articulated to funding agencies in order to sure up the baseline of it being a truly regional project.

Business Community Engagement and Support

A draft letter was circulated at the Councils last briefing session that has been written to all businesses within the Shire of Moora with a view to building the case of Moora supporting a regional population. The letter included an outline of the CRC project proposal, likely financial parameters in the event RDA funds are obtained, schematic drawings (floor plans and elevations) and a reply paid information sheet.

The objective is to strengthen the case of Moora being a truly regional centre through provision of key data which will demonstrate Moora's commercial business and economic base stretches far beyond the boundaries of the Shire of Moora. As is alluded to in the correspondence to the businesses, demonstrating "regional" in the context of the current structure of local government in Western Australia is a difficult outcome to achieve. It is hoped that the correspondence will trigger a high level of engagement and response from the business community and will demonstrate to them that public services and visitor amenities will have a key strategic role in the community in future years as the general population become more mobile via the regions road network.

Tourism

In order to achieve a positive outcome for this project with an application to Regional Development Australia, the cornerstone of achieving regional status may well hinge on developing and enhancing tourism in the region.

Council adopted the Shire of Moora Tourism Development Strategy 2012-2016 at the Ordinary Meeting of Council dated March 21, 2012 (21/2012). The Strategy is intended as a framework for the Shire of Moora to contribute, influence and assist in developing tourism in the shire and the wider region.

The Strategy reflects and builds upon the Shire of Moora's commitment to economic, social and environmental sustainability and has been developed to acknowledge the importance of tourism as a potential economic driver for the Shire. It is intended as a working document that sets out the goals. Proposed actions to meet those goals and key performance indicators to assist in developing a level of style of tourism that:

- Protects and enhances the natural and built features upon which tourism in the Shire is based.
- Is consistent with community values and aspirations both now and over the long-term and contributes to community development and wellbeing.
- Increases the contribution of tourism in the local and regional economy and promotes long-term viability and diversification.

The Shire of Moora has worked towards strengthening the tourism industry over several years. The Moora townsite is classified as an RV Friendly Town and boast a number of services and facilities to accommodate the traveller. In addition information in the form of brochures, mapping, interpretative signage and online material is now available promoting Moora and the region.

Trails are an important product of tourism. The Shire of Moora will be developing a trails plan in 2012/13 to identifying existing walk trails and new walk and self-drive trails.

Visitor servicing is accessible at the Moora Community Resource Centre and Gull Service Station. This is an adhoc arrangement and it would be preferred that visitor servicing operates under one roof and made available seven days a week within a facility that has adequate floor space for displays.

The Shire of Moora is part of two regional tourism groups, Discovering Golden Horizons and Wildflower Country. Both groups have an emphasis on marketing the region as a destination.

Discovering Golden Horizons is a new regional group consisting of five Shires; Chittering, Dalwallinu, Moora, Victoria Plains and Wongan-Ballidu. With a new brand the syndicate is focusing on marketing the region through print media and signage.

The consortium that makes up Wildflower Country between the Shires of Carnamah, Coorow, Dalwallinu, Mingenew, Moora, Morawa, Perenjori, Three Springs and City of Greater Geraldton in the Wheatbelt and Mid West regions of Western Australia exists to collectively promote and develop tourism in the region.

The nine shires have identified tourism to help stimulate economic growth and create employment in the region. Wildflower Country has a five year product plan guiding the direction until 2017. Key focus areas include;

- Development of tourism products and services
- Customer service
- Marketing and promotion
- Partnerships
- Industry support

Tourism Western Australia is divided into five tourism regions in which the Shire of Moora is located in Australia's Golden Outback (AGO). Discovering Golden Horizons and Wildflower Country often partner with AGO to market the region.

If the project is supported there is an opportunity to take part in the Australian Tourism Accreditation Program – Visitor Centre Accreditation. Currently there is only one accredited visitor centre in the Wheatbelt which is located in Merredin. If Moora achieves accreditation it will be the only centre within this region.

Extract from email comments from Tourism WA;

“Australian Golden Outback would be pleased to give you a letter of support to help you establish a major regional Visitor Centre

Merredin is one of two fully accredited VC's in the Wheatbelt, the other is Dryandra VC in Narrogin.

Merredin is very proactive and happily act as a central point for other info on the surrounding areas. We as AGO feature them as the contact whenever we run AGO Wheatbelt self-drive print ads covering their region. They will also come to us suggesting co-op advertising opportunities. Other Shires in their area also contribute some funds towards the running of the Merredin VC, hence it being called the Central Wheatbelt VC.

Dryandra VC is not as active with AGO. It has a full time Manager and the rest of the visitor servicing is run by volunteers. The Manager is not from a travel or visitor servicing background, so tends to be more insular and concentrating on her website

Having an accredited VC in the northern Wheatbelt region is perfect for us, as we can again use that office as a contact for further info in our promotions”

Moora Tourism Group operates as a portfolio under the Moora Chamber of Commerce. This small group is working towards promoting the district to the visitor through small events.

It is a general expectation in today's environment of public governance that any public funds be they from local, state or federal government are utilised in an effective and accountable manner which ultimately result in an outcome that has a wide and diversified public benefit. The author believes the project proposal is of strong merit in terms of the potential for wide and diversified public benefit, however the one strategic issue that Council and the community must overcome is the demonstration that the project is of regional benefit and that the town of Moora and its economic base is not limited to providing for and benefiting a localised population.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

The building design has been done in such a way that minimises the consumption of power and water.

➤ **Economic**

In order to strengthen the application a full and detailed life cycle cost analysis will need to be completed. Although not finalised it is anticipated the partnering with private enterprise will significantly contribute to the ongoing operating costs of the centre, thus ensuring the financial impact of the MMRCRVC on the Shire of Moora lessened.

A major focus of the centre will be tourism with the objective of becoming an accredited Visitor Centre through Tourism W.A. The centre will also have a regional conference room which will enable Moora to attract regional seminars and the like. With the cost of accommodation steeply increasing the demand for regional conference venues is likely to increase over the short to medium term. Moora in its location is suitably placed to take advantage of this.

It is also proposed to offer periodical office space to private and government agencies that do not have a need for permanent office accommodation.

Moora as a regional community is in a position of strength, but in saying so this message needs to be taken to the state and federal governments without fear or favour. Some key public services and infrastructure which are servicing the region are;

Education

- Central Midlands Senior High School and St James Residential College;
- CY O'Connor Institute of TAFE

Health

- Moora and Districts Hospital;
- Moora Medical Centre;

Social

- Centrelink
- Department of Child Protection
- Police Service of W.A

The conference venue and training rooms will minimise costs for regional businesses that need to access modern facilities for training such as video conferencing, PC's, presentation – conference room

➤ **Social**

Socially the centre will offer a range of services and facilities that will provide opportunities for community members and community groups to enjoy;

- Internet café;
- Various socials functions in conference venue;
- Service point for various government services;
- Various tourist and cultural displays;
- Access to IT equipment; PC's, printers, photocopiers

FINANCIAL IMPLICATIONS:

The table below is a financial/model scenario which the application to Regional Development Australia (RDA) will be based. The grant application will be based on the premise of seeking approximately 50% of the estimated cost of the project from RDA.

As part of Councils discussions over the past couple of months the notion of reducing the overall size of the project and reducing the overall estimated cost of the project by approximately one third has been discussed at length. After some considerable deliberation this report will recommend that at this juncture the project submission should go forward based upon the original plans which has incorporated approximately 500m² of commercial space. This commercial space would provide a significant cashflow that would go a long way to meeting building operating costs and perhaps some debt servicing if required.

It is anticipated that the recommended cash contribution of Council would be funded directly from Municipal Funds. Once the next round of RDA funding is announced it is likely to be approximately 18 months to 2 years before there would be any call on Council funds as a contribution toward the project.

SUMMARY:

The key to the proposal moving forward with anticipation of a positive outcome from Regional Development Australia will be the Community's and Council's ability to clearly demonstrate that the project is a truly "regional" project. In order to do this engagement with the business community with the sole objective of building a strong economic profile for Moora will be critical. Another critical component will be the successful and strong articulation to RDA showing that Moora is a tourist gateway in many facets. Importantly positive and strong support from Tourism W.A cannot be underestimated in order to clearly show that should the project come to fruition Moora will become an accredited "Visitors Centre".

In conclusion, there is little point in Council as a key stakeholder proceeding with an application to the third round of RDA funding if it has not agreed to a contribution to the project. The lack of confirmation of key stakeholder funding was a major weakness in the previous application.

The ability to demonstrate regional benefit will be critical to having any chance of a successful outcome with the application to RDA. The business plan and lifecycle costings will aim to demonstrate the project is of regional benefit with the surging up of commercial partners to occupy the building. A transparent / unambiguous regional economic profile underpinned by engagement and compilation of data from the business community will hopefully be the catalyst to a successful outcome.

Estimated Project Cost based upon average m2 rate of \$3,000 per m2	\$3,000 per m2	Estimated Cost
Building Component Description		
Library	385.00	\$ 1,155,000
Community Resource Centre	333.00	\$ 999,000
Visitor/Information Centre	228.00	\$ 684,000
Commercial Space	519.00	\$ 1,557,000
Bowling Club/Conference Centre	475.00	\$ 1,425,000
Total	1940.00	\$ 5,820,000
Potentially funded by:	Govt level	
Regional Development Australia	Federal	\$ 3,000,000
Community Resource Centre Co-location funds	State	\$ 300,000
LotteryWest	State	\$ 750,000
Strategic Tourism Investment - TQUAL	Federal	\$ 400,000
Country Local Government Fund - Regional Component	Local	\$ 350,000
Country Local Government Fund - Local Component	Local	\$ 50,000
Moora Bowling Club	Community	\$ 150,000
Moora Community Resource Centre	Community	\$ 320,000
Shire of Moora - Municipal - Rate -Funds	Local	\$ 500,000
Estimated total funding requirement		\$ 5,820,000

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

58/12 Moved Cr Bryan, seconded Cr Clydesdale-Gebert that the Shire of Moora commit \$500,000 (plus GST) to the Moora – Midlands Regional Community Resource and Visitor Centre Project as part of the funding application to Regional Development Australia in accordance with the financial parameters provided to Council as follows;

Estimated Project Cost based upon average m2 rate of \$3,000 per m2	\$3,000 per m2	Estimated Cost
Building Component Description		
Library	385.00	\$ 1,155,000
Community Resource Centre	333.00	\$ 999,000
Visitor/Information Centre	228.00	\$ 684,000
Commercial Space	519.00	\$ 1,557,000
Bowling Club/Conference Centre	475.00	\$ 1,425,000
Total	1940.00	\$ 5,820,000
Potentially funded by:	Govt level	
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Moora Bowling Club	Community	\$ 150,000
Moora Community Resource Centre	Community	\$ 320,000
Shire of Moora - Municipal - Rate -Funds	Local	\$ 500,000
Estimated total funding requirement		\$ 5,820,000

CARRIED **6/2**

9.1.7 REGISTER OF DELEGATIONS – COUNCIL TO CHIEF EXECUTIVE OFFICER

FILE REFERENCE: PL/DELI
REPORT DATE: 11 June 2012
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Alan Leeson, Chief Executive Officer
ATTACHMENTS: Draft Delegations Register

PURPOSE OF REPORT:

To allow Elected Members the opportunity to review as required by the Local Government Act 1995 Section 5.46(2) the various delegations made to the Chief Executive Officer.

BACKGROUND:

The Shire of Moora has delegated certain powers and duties to the Chief Executive Officer.

The Local Government Act 1995 Section 5.46 requires that a register of delegations be kept and that those delegations made must be reviewed at least once every financial year by the delegator (Council).

COMMENT:

The Shire of Moora Register of Delegations has been reviewed and updated to reflect minor formatting changes, including updating of titles for managers and minor changes as follows:

Section 13 Purchase order Authorisation: The number of purchase order books and authorised purchasing officers has been reduced and simplified. Refer to page 17 of the delegations register.

Delegations to Committees/Working Groups & Portfolio Group Membership: Minor amendments to titles, as can be seen in red wording.

POLICY REQUIREMENTS:

Included in Delegation where appropriate

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 Section 5.46

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

Absolute Majority Required

COUNCIL RESOLUTION

59/12 Moved Cr McLagan, seconded Cr Clydesdale-Gebert that Council, having reviewed its Delegations as required by the Local Government Act 1995

1. Endorse the following as having been reviewed:

- 1. Payments from trust and municipal funds***
- 2. Investments***
- 3. Hire Fees and Charges – Recreation Centre***
- 4. Rate book***
- 5. Budget implementation***
- 6. Rent/ Leasing or Residential Property Owned By the Shire of Moora***
- 7. Liquor – Sale and Consumption at Recreation Centre***
- 8. Impounding goods – authorised employee***
- 9. Onus of Proof in Vehicle Offences***
- 10. Enforcements and Legal Proceedings***
- 11. Delegation of Power***

12. ***Proceedings under Dog Act***
13. ***Purchase order authorisation***
14. ***Budget expenditure***
15. ***Register of Delegations to Committees***
16. ***Donations of Works to Organisations***
17. ***Private Works***
18. ***Temporary Rural Road Closures***
19. ***Powers of Entry onto Land***
20. ***Approval of Planning Applications***
21. ***Works unlawful***
22. ***Building Licences***
23. ***Private Swimming Pools – Inspections***
24. ***Health Act – Notices and Orders***
25. ***Delegation to Committees/Working Parties***

2. ***Further noting the amendments in the delegations register as attached.***

CARRIED BY ABSOLUTE MAJORITY 8/0

9.1.8 ADOPTION OF 2012/13 FEES AND CHARGES

FILE REFERENCE: F/BUAI

REPORT DATE: 13 June 2012

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: N/A

AUTHOR: Leanne Parola, Manager Finance & Corporate Services

ATTACHMENTS: 2012/13 Schedule of Fees and Charges

PURPOSE OF REPORT

For Council to adopt the Schedule of Fees and Charges for 2012/13 so that they come into operation on 1 July 2012.

BACKGROUND

The Draft Fees and Charges are usually adopted by Council at the time of adopting the Annual Budget. This year it is intended that the budget will not be adopted until July 2012 and staff have requested that the Fees and Charges be considered separately so that increases can apply from 1 July 2012.

COMMENT

The Draft Fees and Charges have been prepared by staff factoring in a general increase of 5% for the majority of discretionary fees as requested by Councillors.

Apart from this, there are a number of changes from previous years:

- Child Care – increased late fee from \$1 per minute to \$5 per minute
- Child Care – increased fees by between 7% and 9%
- Child Care - introduced slightly hirer Casual booking fees for half days (extra \$6)
- Private Works/Plant Hire Rates – introduced higher Rate for Contractors
- Domestic Tip Fee – increased from \$16 to \$19 as per plan to match Commercial fee of \$21 next budget
- No increases to Gym Memberships
- Introduction of fees for Living Longer, Living Stronger Program
- Changes to format of fees for Moora Performing Arts Centre

POLICY REQUIREMENTS

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 6.16 allows local governments to impose and recover a fee or charge for any goods or services it provides or proposes to provide, other than a service for which a service charge is imposed.

Section 6.17 requires a local government in determining the amount of a fee or charge for a service to take into consideration the following factors —

- (a) the cost to the local government of providing the service or goods;
- (b) the importance of the service or goods to the community; and
- (c) the price at which the service or goods could be provided by an alternative provider.

Section 6.19 requires that before introducing any fees or charges imposed after the annual budget has been adopted, to give local public notice of its intention to do so, and the date from which it is proposed the fees or charges will be imposed. As the budget for 2012/13 has yet to be adopted, staff intend to give local public notice of the commencement of the 2012/13 fees from 1 July 2012.

STRATEGIC IMPLICATIONS

Nil

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 proposed increases in fees and charges will have a positive impact on the Shire of Moora's financial sustainability and bring increased revenue for 2012/13. By adopting the fees and charges to be implemented from 1 July 2012 instead of waiting for the budget to be adopted, fees can increase earlier having a positive impact on the budget.

VOTING REQUIREMENTS

Absolute Majority Required

COUNCIL RESOLUTION

60/12 Moved Cr Bryan, seconded Cr Tonkin that Council adopts the 2012/13 Schedule of Fees and Charges as attached to be implemented on 1 July 2012.

CARRIED BY ABSOLUTE MAJORITY

6/2

9.2 HEALTH, BUILDING & PLANNING SERVICES

9.2.1 APPLICATION FROM CBH FOR A TEMPORARY SOLAR TRACKER (MOORA SITE)

FILE REFERENCE: TP/PA17/1112

REPORT DATE: 28 May 2012

APPLICANT/PROPONENT: Co-Operative Bulk Handling

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Health, Building and Planning Services

ATTACHMENTS: Nil

PURPOSE OF REPORT:

Co-Operative Bulk Handling wish to make a Town Planning Application to Council to install a temporary 15kW solar tracker for the purpose of comparing solar panels from three different PV Panel manufacturers

BACKGROUND:

Co-Operative Bulk Handling (CBH) are looking at opportunities to reduce power costs and wish to trial a number of different solar panels from different companies and countries, incorporated with a solar tracking device. This will provide CBH with a comparison of the effectiveness of each solar panel.

CBH have been in consultation with Western Power to purchase power and are looking at the most effective method of power production and are using the Moora site as a test site for power production.

COMMENT:

The Shire of Moora Town Planning Scheme No 4 shows that the CBH site is in an Industrial Zone of which a solar tracking device is not covered under the Scheme Zoning Table. However section 3.2.4 states that:-

If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Local Government may:

- (a) Determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted

Section 3.11 of the Shire of Moora, Town Planning Scheme No 4; "Industrial Zone", 3.11.1 Objectives states:-

- (a) To provide for the needs of industry to support the community.

This shows that the solar detector is in fact lending towards facilitating the needs of the industry, CBH and its buildings on site and is not taking power away from the community so in fact is doing the community a service. This verifies that the objectives of the scheme for this zone are being met and so the use is permitted.

POLICY REQUIREMENTS:

There are no policy requirements.

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**

This will have a positive impact on the environment should the exercise be successful in that it will reduce fossil fuels for the production of electricity.

➤ Economic

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

➤ Social

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

FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

61/12 Moved Cr Cocking, seconded Cr Bryan that the application by Co-Operative Bulk Handling to install a solar tracker to test the sunlight on a number of different solar panels be approved subject to:

- 1. The structure being satisfactorily engineer designed and stabilised in footing detail for wind loading purposes.***
- 2. That the area is fenced off and signed to prevent children from accessing the site and being injured due to their curiosity.***

CARRIED 7/1

9.2.2 SUB-DIVISION APPLICATION NO 146139 LOTS 401 & 3655 NARDY ROAD MILING

FILE REFERENCE: Application 146139

REPORT DATE: 12 June 2012

APPLICANT/PROPONENT: Paul Kraft & Associates

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Health Building & Planning Services

ATTACHMENTS: Map of area

PURPOSE OF REPORT:

The Western Australian Planning Commission has received an application for planning approval for a sub-division of Lots 401 on plan 302651 and Melbourne Location 3655 on DP 206797 Creslow Road Miling & Berkshire Valley in the Shire of Moora. The owners are Thomas Edgar Bateman, Gay Therisa Bateman & Richard Warwick Humphry. The purpose of the sub-division is for farming and the WA Planning Commission is asking for comments from the Shire.

BACKGROUND:

This application has been presented to the Planning Commission for a sub-division of the two lots of land mentioned Lot 401 and lot 3655 located on the Nardy Road, Miling. The land to be sub-divided is to be used for general farming. The zoning for the area is located in the General Agriculture Zone of which the Objectives of that particular zone is:

- (a) To ensure the continuation of broad-hectare farming as the principal land use in the district and encouraging where appropriate the retention and expansion of agricultural activities.
- (b) To consider non-rural uses where they can be shown to be of benefit to the district and not detrimental to the natural resources of the environment.
- (c) To allow for facilities for tourists and travellers, and for recreational use.

It is noted that the use of the sub-division meets with the objectives of the General Agriculture Zone.

COMMENT:

This is a straight forward sale of property between the vendor and the buyer and in this case appears to be between two farmers. The land is to be used for farming so it meets the objectives of the Shire of Moora Town Planning Scheme No 4 for General Agriculture Zone

POLICY REQUIREMENTS:

No Policy Requirement

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

62/12 Moved Cr McLagan, seconded Cr Bryan that Council advise the W.A Planning Commission that it supports Planning Application 146139 - for a sub-division of Lots 401 on plan 302651 and Melbourne Location 3655 on DP 206797 Creslow Road Miling & Berkshire Valley in the Shire of Moora.

CARRIED **8/0**

9.2.3 ST JOSEPH'S SCHOOL MAINTENANCE SHED

FILE REFERENCE: PA18/1112

REPORT DATE: 13 June 2012

APPLICANT/PROPONENT: Roman Catholic Archbishop of Perth

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Health Building & Planning Services

ATTACHMENTS: Site & building plan

PURPOSE OF REPORT:

Application received from St Joseph Primary School to build a maintenance shed on their property located at Lot 25 Kintore Street in Moora on the south side of the existing bus shed on their property.

BACKGROUND:

The private school St Joseph's is located in a Special Use Zone according to schedule 4 Shire of Moora Town Planning Scheme No 4 Amendment 10 which requires Council approval for all buildings located in that zone and that they be used for the purpose in which it is intended, in this case for a private school. The maintenance shed for which the application is proposed meets this requirement.

COMMENT:

The maintenance shed for which this application is for is to accommodate lawn mowers and maintenance equipment to service the grounds and buildings belonging to St Joseph's Primary School.

POLICY REQUIREMENTS:

Nil

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**

The school is located within the high flood water hazard level and therefore applicant is to contact the Department of Water for a finished Floor Level height.

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

63/12 Moved Cr McLagan, seconded Cr Bryan that Council approve the application for a maintenance shed to be constructed at St Joseph's Primary School, Moora subject to:

- 1. the shed meeting the requirements of the Building Code of Australia for a Class 10B out building.***
- 2. the applicant liaise with the Department of Water for a Finished Floor Level for the outbuilding.***

CARRIED 8/0

9.3 COMMUNITY & ECONOMIC DEVELOPMENT

9.3.1 ECONOMIC DEVELOPMENT STRATEGY 2012-2016

FILE REFERENCE: ED/LEDS

REPORT DATE: 8 June 2012

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Rebecca McCall, Manager Community & Economic Development

ATTACHMENTS: Economic Development Strategy 2012-16

PURPOSE OF REPORT:

For Council to endorse the Shire of Moora Economic Development Strategy 2012-2016.

BACKGROUND:

The Shire of Moora Economic Development Strategy provides Council and relevant stakeholders with a general guide to the Shire of Moora's planned involvement in economic development projects and activities over the period of 2012-2016.

COMMENT:

Economic Development is the name given to the outcome of a process that results in the creation of wealth in the economy. The Shire of Moora's approach to economic development incorporates consideration of environmental responsibility, fair market mechanisms and the provision of community infrastructure and makes the Shire of Moora an attractive place to work, live and visit.

Council acknowledges that the economic development challenge is shared by all levels of Government, industry, community groups and business enterprises. There are also many factors that affect regional economic prosperity over which local government has little to no control. These factors include commodity prices, interest rates, climate control and global and domestic economic conditions.

There are obvious synergies that can be created when Council sets about working together in partnership with other levels of Government and local business and community groups to achieve a common vision. It is therefore essential that positive partnerships are developed between Council and other regional leaders in developing a shared vision and a set of objectives that are aligned to achieve regional economic prosperity.

At a local government level, Council has an important role in creating an attractive environment for economic growth by:

- Creating a suitable environment for local investment
- Providing and advocating for infrastructure and services provision to facilitate economic development
- Local leadership by developing policies and programs to achieve the community's vision for economic and community development

The Economic Development Strategy will be integrated into the Shire of Moora's Strategic Community Plan 2012-2022 incorporating several planning strategies and documents.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

The Shire of Moora's Strategic Plan identifies the key result area 'Community and Economic Development'. This key result area outlines the attraction of increased population and investment to realise our brilliant opportunities and diversify our regions employment and economic base.

SUSTAINABILITY IMPLICATIONS:**➤ Environment**

There are significant environmental implications associated with this proposal if identified actions are achieved. These actions include the development of residential and industrial land, housing, telecommunication infrastructure and road upgrades.

➤ Economic

There are significant economic implications associated with this proposal if identified actions are achieved resulting in a strengthened local economy through identified initiatives.

➤ Social

There are significant social implications associated with this proposal if identified actions are achieved and ensuring that the Shire of Moora is the place to work, live and invest.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item for the 2011/12 budget other than the adopted operational and capital allocations. The plan includes operational and capital expenditure over a five year period. This expenditure is subject to future external funding and Council budget approvals.

VOTING REQUIREMENTS

Simple Majority Required

OFFICER RECOMMENDATION

That Council adopts the Shire of Moora Economic Development Strategy 2012-2016.

COUNCIL RESOLUTION

64/12 Moved Cr Clydesdale-Gebert, seconded Cr McLagan that the matter of adopting the Shire of Moora Economic Development Strategy 2012-2016 be laid on the table and the draft document be referred to the Business Development Group for review.

CARRIED 8/0

9.3.2 SPORT & RECREATION STRATEGY 2012-2016

FILE REFERENCE: BA/SRS1

REPORT DATE: June 8, 2012

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Rebecca McCall, Manager Community & Economic Development

ATTACHMENTS: Sport & Recreation Strategic Plan 2012-2016

PURPOSE OF REPORT:

For Council to endorse the Shire of Moora Sport & Recreation Strategy 2012-2016.

BACKGROUND:

The Shire of Moora Sport and Recreation Strategic Plan will provide guidance and direction for the provision of recreation resources and help support a resident lifestyle that fosters community spirit and facilitates development. Concern for people's lifestyles will provide a balance and assist in underpinning the objectives of Council.

The Shire of Moora aims to maximise participation in sport and recreation and maintain and develop sport and recreation infrastructure to a quality standard and in accordance with population and capacity growth. This will result in both social and economic benefits through fostering community spirit and will promote the Shire of Moora as the ideal place to live, work and play.

COMMENT:

The Sport and Recreation Strategic Plan 2012-2016 was developed in 2011 by the Shire of Moora with input and involvement from key stakeholders and individuals across Moora, Miling and Watheroo. It sets out to provide a framework and a direction for the development of Sport and Recreation within the Shire of Moora.

A comprehensive inventory of the Shire of Moora's sport and recreational services and facilities was undertaken to provide insight into the existing and potential resources within the community. The Shire of Moora's sport and recreation needs and issues were then identified following the collation of ideas and feedback resulting from community consultations, surveys and discussions with key stakeholders. A literature review of key plans and documents from across the region was also conducted.

Following community consultation it was identified by local sporting and recreational clubs and community groups that the following challenges are affecting local communities within the Shire of Moora.

I. Participation:

- Changing participation patterns of sport and recreation have caused a decrease in the number of participants (particularly young people) engaging in sport and recreation and a need for social sports to be available
- Climate causing a barrier to participation. Limited shade and access to water at facilities affects the level of participation particularly in summer sports such as Tennis and Cricket
- Population decrease/population ageing - Sport and Recreational Strategic Plan to link in with Local Economic Development Strategy and Age Friendly Communities Plan
- Satellite towns are often overlooked in regards to programs, services and support which is affected by the capacity of the organisations and the participation levels

2. People Development:

- The same community members are consistently volunteering at community organisations and groups
- Committees are struggling to manage organisation governance
- Community organisations are not accessing available funding due to lack of awareness, communication and a need for grant writing support

3. Facility Development:

- Adequate maintenance needs to be carried out to prevent decline of facilities and increase the usability
- Clubs and organisations who are willing and need to increase their capacity are unable to due to a lack of funding available
- Costs associated with maintenance and repairs, overheads, and general operational costs are impacting on the financial viability/capacity of clubs and organisations
- Communication between clubs/community and the Shire of Moora regarding bookings and maintenance of facilities

4. Marketing and Promotion:

- Key stakeholders are not communicating effectively with each other resulting in events clashing, lack of awareness of programs and events and misunderstandings

The Shire of Moora aims to address these challenges over the next 5 years by:

- Increasing community awareness of the available opportunities in sport and recreation through local and social media
- Supporting community initiated and owned projects
- Encouraging a culture of volunteerism and succession planning to prevent volunteer burnout and encourage the involvement of young people
- Providing an appropriate range of facilities, services and programs within available resources that are cost effective and perceived by the community as 'value for money'.
- Identifying improvements to existing facilities and services, the allocation or reallocation of resources, the need for a facility or service provision, and feasibility of co-located facilities within the Shire of Moora.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Nil

STRATEGIC IMPLICATIONS:

The Shire of Moora's Strategic Plan identifies the key result area 'Community and Economic Development' and 'Assets and Infrastructure'. These key result areas outlines the overall development of the community and to maintain, improve and sustain our assets, facilities and essential infrastructure.

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

There are possible environmental implications associated with this proposal if identified actions are achieved. These actions include the relocation and collation of existing facilities and services.

➤ **Economic**

There are economic implications associated with this proposal through the possible redevelopment and collation of facilities and services. Well maintained and upgraded facilities will assist the Shire of Moora to be the place to live, work and invest.

➤ **Social**

There are possible social implications associated with this proposal if identified actions are achieved through building the capacity of individuals and organisation across the Shire of Moora.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item for the 2011/12 budget other than the adopted operational and capital allocations. The plan includes operational and capital expenditure over a five year period. This expenditure is subject to future external funding and Council budget approvals

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

65/12 Moved Cr McLagan, seconded Cr Cocking that Council adopts the Shire of Moora Sport & Recreation Strategy 2012-2016 subject to page 12, key focus area of Action 3.4 being updated to read 'Upgrade facilities at West End Equestrian Park'.

CARRIED 8/0

9.4 ENGINEERING SERVICES

Nil

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

Nil

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

The Chief Executive Officer tabled two late items dealing with

1. St Joseph's Bus Shelter – Lot 25 Kintore Street, Moora; and
2. Phillip & Juanita Farley Oversized Shed – Lot 215 Carrick Street, Moora

for Council's consideration.

COUNCIL RESOLUTION

66/12 Moved Cr Bryan, seconded Cr McLagan that Council consider the late items as tabled by the Chief Executive Officer titled;

- 1. St Joseph's Bus Shelter – Lot 25 Kintore Street, Moora; and**
- 2. Phillip & Juanita Farley Oversized Shed – Lot 215 Carrick Street, Moora.**

CARRIED 8/0

11.1 ST JOSEPH'S BUS SHELTER – LOT 25 KINTORE STREET, MOORA

FILE REFERENCE: TP/P21/1112

REPORT DATE: 20 June 2012

APPLICANT/PROPONENT: St Joseph's School

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Health Building & Planning Services

ATTACHMENTS: Site plan

PURPOSE OF REPORT:

St Joseph's School located at Lot 25 Kintore Street, Moora have submitted a planning application to construct a bus shelter for the children waiting for buses after school and are asking for permission to construct the shelter. The shelter is 1.0m off the boundary so that children can see the bus arrive and don't have far to walk to the bus.

BACKGROUND:

St Joseph's School wish to construct a bus shelter so as to keep the rain and sun off children waiting for buses as currently children are getting wet waiting for the bus. The proposal is to construct a steel framed structure with a roof that is 1 metre off the boundary.

COMMENT:

The Shire of Moora Town Planning Scheme No 4 (Amendment 10) has the St Joseph's School in a Special Use Zone which is described in Schedule 4 and is zoned for a Private School. This necessitates that any development on the site requires Council approval. The bus shelter being used for the shelter of the children meets the objective of the zoning in that:

A person must not use any land, or any structure or buildings on land, in a Special Use Zone except for the purpose set out against that land in Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land.

POLICY REQUIREMENTS:

Nil

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 economic implications associated with the proposal.

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

67/12 Moved Cr Bryan, seconded Cr McLagan that Council approve the application for a bus shelter at St Joseph's School, Lot 25 Kintore Street Moora, one metre off the boundary on Kintore Street subject to:

- 1. compliance with the Building Code of Australia and wind loading requirements;**
- 2. that the building is to be used for the purpose as advised for the shelter of children.**

CARRIED 8/0

11.2 PHILLIP & JUANITA FARLEY OVERSIZED SHED – LOT 215 CARRICK STREET, MOORA

FILE REFERENCE: PA16/1112

REPORT DATE: 20 June 2012

APPLICANT/PROPONENT: Phillip & Juanita Farley

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Health, Building & Planning Services

ATTACHMENTS: Site plan

PURPOSE OF REPORT:

Phillip & Juanita Farley of Lot 215 Carrick Street, Moora have submitted a Town Planning Application for Council approval for an oversized shed. Carrick Street is in a Rural Residential area on the Northern boundary of the Moora townsite.

BACKGROUND:

Mr & Mrs Farley wish to build a 18 x 15 metre structure which includes a 9 x 15 metre shed with two lean-to attached to both sides of the shed. The height of the shed is proposed to be 2.4 metres and a 3 x 15 metre lean-to on one side, and a 6 x 15 metre lean-to on the other side making it an 18 x 15 metre construction, this equates to 270m² for the total area of the construction. The standard size shed that can be approved without Council approval is 60m².

COMMENT:

The Farley's property is located in Carrick Street which is a Rural Residential zone of which the objectives of the zone is:

- (a) To select areas wherein closer subdivision will be permitted to provide for such uses as hobby farms, horse breeding, rural-residential retreats;
- (b) To make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas.

The minimum building setbacks shall be as follows:

Front: 15.0m, Rear: 15.0m and Side: 10.0m.

The outbuilding though oversized is representative of the Rural Residential area as the lot is 12,369m² there is no maximum size in the policy manual for Outbuildings. For an R2 lot equates to 5,000m² – with a maximum size of outbuildings being 200m².

So as to achieve a high standard of development within a rural residential zone, and to minimise the visual impacts of development the Local Government will have regard to the following:

- (a) The colour and texture of external building materials;
- (b) Building size, height, bulk, roof pitch
- (c) Setback and location of the building on its lot
- (d) Architectural style and design details of the building;
- (e) Relationship to surrounding development; and
- (f) Other characteristics considered by the Local Government to be relevant

POLICY REQUIREMENTS:

Nil

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 economic implications associated with the proposal.

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

68/12 Moved Cr McLagan, seconded Cr Tonkin that Council approve the application for an oversized shed for Phillip & Juanita Farley to be erected at Lot 215 Carrick Street, Moora subject to:

1. compliance with Building Code of Australia and wind loading requirements;
2. all buildings to be contained in the building envelope;
3. outer cladding to be Colourbond and of a colour that lends itself to the amenity of the area.

CARRIED 8/0

12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**COUNCIL RESOLUTION**

69/12 Moved Cr Bryan, seconded Cr McLagan that the meeting move behind closed doors to discuss Item 12.1, 'Extension of Contract – Manager Engineering Services' as it is a matter affecting employees pursuant to Section 5.23(2)(a) of the Local Government Act 1995.

CARRIED 8/0

At 6.47pm Cynthia McMorran, Manager Engineering Services, Manager Finance & Corporate Services, Manager Community & Economic Development and Manager Health Building & Planning Services retired from the meeting and the meeting moved behind closed doors.

12.1 EXTENSION OF CONTRACT – MANAGER OF ENGINEERING SERVICES

Provided to Councillors under confidential cover.

COUNCIL RESOLUTION

70/12 Moved Cr Cocking, seconded Cr McLagan that Council endorse the extension of the contract of employment for Mr John Leslie Greay as Manager of Engineering Services for a further three year period from 19 February 2013 through to 18 February 2016.

CARRIED 8/0

REOPENING OF MEETING**COUNCIL RESOLUTION**

71/12 Moved Cr Tonkin, seconded Cr McLagan that the meeting move out from behind closed doors and re-open to the public.

CARRIED 8/0

The meeting reopened to the public at 6.55pm.

On reopening the meeting, there were no public present therefore the Shire President did not read aloud the decision made behind closed doors.

13. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 6.55pm.

CONFIRMED

PRESIDING MEMBER