

**Shire of Moora
Ordinary Council Meeting
27th September 2006**

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora
will be held on **Wednesday 27th September 2006**
in the Miling Pavilion, Miling
commencing at **3.30 pm**

SJ Deckert
Chief Executive Officer
22nd September 2006

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, ⁽¹⁾ _____ wish
to declare an interest in the following item to be considered by Council at
its meeting to be held on ⁽²⁾

Agenda Item ⁽³⁾
_____.

The type of interest I wish to declare is: ⁽⁴⁾ Financial / Proximity / Indirect
Financial / Conflict (impartiality) pursuant to ⁽⁵⁾ Section 5.65 of the Local
Government Act 1995 / Clause 1.3 of Councils Adopted Code of Conduct.

The nature of my interest is
⁽⁶⁾ _____

I wish to be present and participate in any discussion and/or decision
making procedure relating to the item and therefore would like Council to
declare my interest⁽⁷⁾

The extent of my interest is ⁽⁸⁾

I understand that the above information will be recorded in the minutes
of the meeting and placed in the Financial Interest 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. Delete type of interest not applicable.
5. Delete reference, which is not applicable.
6. Insert the nature of your interest.
7. Insert either "Trivial" or "In common with a significant number of ratepayers or electors".
8. Insert the extent of your interest.

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INTENTIONALLY.

SHIRE OF MOORA
ORDINARY COUNCIL MEETING AGENDA
27 SEPTEMBER 2006
COMMENCING AT 3.30PM

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CD Hawkins - Councillor - Moora Town Ward

The following Councillor was granted leave of absence for this meeting by Council resolution made at the Ordinary Meeting held on 13 September 2006:

SA Bryan - Councillor - Moora Town Ward

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* Separate Attachments
[XXXXX](#)

1. **DECLARATION OF OPENING & WELCOME OF VISITORS**

“Acknowledging of Country”

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

2. **DISCLAIMER READING**

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

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

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

3. **ATTENDANCE**

APOLOGIES

PUBLIC

LEAVE OF ABSENCE

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10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

10.1 ORDINARY COUNCIL MEETING – 13 SEPTEMBER 2006

That the Minutes of the Ordinary Meeting of Council held on 13 September 2006, be confirmed as a true and correct record of the meeting.

11. REPORTS OF OFFICERS

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11.11 COMMUNITY DEVELOPMENT

11.11.1 ITEM NAME Moora Motel Pty Ltd – Planning Approval

Extension

LOCATION: Lot 52 Roberts Street Moora

FILE: PA/52.1

AUTHOR: Michael Prunster – Community Development

Manager REPORT DATE: 18 September 2006

DECLARATION: Author has no financial interest in this matter

BACKGROUND

Council approved an application from the Moora Motel Pty Ltd for the construction of 10 new Motel Units on the existing Motel site at Lot 52 Roberts Street Moora, at the Council meeting held on the 13 October 2004.

Under the Town Planning and Development Act Town Planning approvals are issued subject to the following conditions:-

Note 1:If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval will lapse and be of no further effect.

Note 2:Where an approval has so lapsed, no development is to be carried out without the further approval of the Council having First been sought and obtained.

Note 3:If an applicant is aggrieved by this determination there is a right of appeal pursuant to the provisions of Part V of the Town Planning & development Act 1928. An appeal must be lodged within 60 days of the Council's determination.

This approval will expire on the 13 October 2006, and we have received a written request from Ms Lorna Dorsett, Managing Director of Moora Motel Pty Ltd to extend the approval date pending commencement of the project. Ms Dorsett states in her letter that problems have been experienced with the contracting of skilled

tradesman to perform the work. (Copy of Ms Dorsett's letter is attached)

COMMENT

The existing Moora Motel Units were constructed in 1967. Additional units were constructed on the same location of the proposed new units, but these were demolished around 8–9 years ago following problems associated with the construction material of the units.

For some years now Moora has been faced with the problem of not being able to provide sufficient suitable accommodation, and has come under criticism on many occasions over this problem.

The details submitted with the original application for the development were:–

- Additional 10 new units located on the northern side of existing units.
- One disabled unit is provided in the plan.
- Units will be provided with timber painted pergolas.
- Construction will be of Colorbond metal roof sheeting, weatherboard cladding to timber framed external walls on the Northern and Southern frontages, rendered and painted brickwork to Eastern and Western walls.
- Relocation of existing Colorbond fence to Western boundary.
- Existing concrete hardstand to be removed and replaced with bitumen in front of new units.
- Provision has been made for landscaping adjacent to Roberts Street in front of new units.

The proposed development of 10 new modern units is an excellent project and will be a great benefit for Moora as the demand for accommodation continues to increase over the coming years.

PLANNING FRAMEWORK

Motel development within the Town Centre Zone is subject to Council planning approval.

STATUTORY ENVIRONMENT

Shire of Moora Town Planning Scheme No 4 text

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The additional units will enhance the aesthetics of the section of Roberts Street.

The development proposal will complete a long awaited improvement to the accommodation standards in Moora.

Council has advertised for expression of interest in a Motel business plan prepared on their behalf in 2004, but to date we have not received a response.

PRECEDENT

Original application approved by Council on the 13 October 2004. (Council resolution Item 9.6)

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION – ITEM 11.4.1

That Council grant an extension of planning approval for a further period of twelve months for the construction of 10 Motel Units on the existing Moora Motel site at Lot 52 Roberts Street Moora, and this approval is subject to the following original conditions as per Council's planning approval resolution passed on the 13 October 2004: –

1.

- (a) A building licence application being issued by the Environmental Development Manager.*
- (b) Setback from the Northern boundary to be no less than 1.5m.*
- (c) Submission of proposed landscaping plans to the satisfaction of Council, with completion of the landscaping within 3 months of completion of the new units.*
- (d) The minimum finished floor level to be 203.75 A.H.D.*

AND

- 2. Any changes to the initial planning application and/or plans will require the lodgement of a fresh application for Council consideration.*

11.4.2 ITEM NAME D. & B. Cova – Application to construct shed and horse yard

LOCATION: Lot A of Lot 103 Long Street Moora

FILE: PA/113-1

AUTHOR: Michael Prunster – Community Development

Manager REPORT DATE: 19 September 2006

DECLARATION: Author has no financial interest in this matter

BACKGROUND

Messrs D. & B. Cova recently received approval from the W.A. Planning Commission to subdivide Lot 103 Long Street into two Lots with an area of 1.012ha each. These Lots are currently identified on the new plan as Lot “A” and Lot “B”.

The application from Mr & Mrs Cova is to construct a shed and horse yard on Lot “A”. The size of the Horse Yard is 6m x 6m and the shed is 18m x 7.5m x 3m. The Zoning of the Lot is “Residential” with a density code of R2.5. Under this code a shed of this size (135m²) is permitted on the Lot.

Whilst the location, area of shed and site setbacks conform with the Shire Town Planning Scheme text, Mr Cova wishes to use zincalume for the wall and roof cladding.

Under the Council’s Outbuilding Policy for Cladding and reflectivity the following conditions apply: –

6.8 Outbuilding Policy Conditions– Cladding and Reflectivity.

- (1) That a zincalume roof be permitted upon a proposed outbuilding on the condition that any complaints from neighbouring properties with relation to reflectivity will require the applicant to immediately paint the roof surface to

prevent such reflectivity; and

(2) The “Outbuilding” Policy be amended to require: –

a) That all outbuildings on residential zoned land be clad with colourbond on all wall surfaces

b) Any roof pitch for a large outbuilding which exceeds 15 degrees be clad in colourbond

c) Any justified complaints from neighbouring properties in relation to reflectivity will require the building’s owner to immediately paint the reflective surface.

The Plans submitted by Messrs D. & B. Cova show the pitch of the shed roof to be 11 deg, and wall and roof cladding is to be in zincalume corrugated materials.

Copy of site plan is attached for information.

COMMENT

Mr Cova was advised the contents of this policy but he has objected to cladding the walls with colourbond material mainly due to the additional cost, and he states that other shed buildings in the area surrounding his Lot are of zincalume material.

An inspection of the location by me revealed that only one shed to the north of his Lot was constructed in colourbond whereas all other adjoining properties did have zincalume, and one with the older style galvanised corrugated iron material. These buildings however were constructed prior to the adoption of the current policy (1998).

The current policy will allow for zincalume roofing material, subject to reflectivity conditions, but it is recommended that Mr Cova should be required to meet the policy requirements in relation to the wall cladding.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Section 6.8 – Council’s Outbuilding policy.

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Meeting the requirements of Council’s Outbuilding Policy.

PRECEDENT

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION – ITEM 11.4.2

That Council approve the application by Messrs D. & B. Cova for the construction of a shed and horse yard on Lot “A” of Lot 103 Long Street Moora subject to the following conditions: –

- *Finished Floor Level to be 202.9(150mm above 1999 flood level)*
- *Power points, electrical or data connection outlets should be installed 1.0m above floor level*
- *Windows should be installed no lower than 0.5m above the March 1999 flood level.*
- *Building licence to be issued by Council’s Environmental Development Manager*
- *Wall cladding to be of colourbond material as per Councils Outbuilding Policy.*
- *That a zincalume roof is permitted upon the proposed shed on the condition that any substantiated complaints from neighbouring properties in relation to reflectivity will require the applicant to immediately paint the roof surface to prevent such reflectivity*
- *Minimum setbacks for Shed are: – side boundary 2.5m, rear boundary–9m, to make allowance for the horse yard as per the plan submitted.*
- *Minimum setback for horse yard is – rear boundary – 3m and rear of shed 3m as per plan submitted.*

- *Approval is granted for the keeping of no more than two hooved animals within the Lot, but such approval may be cancelled by the Council in any case where, having regard to the circumstances, it is of the opinion that such cancellation is warranted.*
- *Applicant shall not allow any hooved animal to approach to within 20 metres of any dwelling whatsoever, or other building where food is stored or prepared, or to within 15 metres of any street adjoining such property without having first received the written approval of Council specifying a lesser distance, but such approval may be cancelled by the Council in any case where, having regard to the circumstances, it is of the opinion that such cancellation is warranted.*

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13. *MOTIONS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL*

14. *NOTICE ON MOTIONS FOR THE NEXT COUNCIL MEETING*

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