

**Shire of Moora  
Ordinary Council Meeting  
8<sup>th</sup> March 2006**

**NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of  
Moora  
will be held on **Wednesday 8<sup>th</sup> March 2006**  
in the Council Chambers, 34 Padbury Street, Moora  
commencing at **3.30 pm**

SJ Deckert  
Chief Executive Officer  
3<sup>rd</sup> March 2006



**3.00pm – Presentation & afternoon tea with past  
councillor Aileen McNamara**

**Followed by  
Swearing in of Councillor Elect James McLagan**

*The Shire of Moora Vision and Mission Statement*

**Vision**

Our vision is that:

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

**Mission**

Our mission is:

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

SHIRE OF MOORA

WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

Chief Executive Officer  
Shire of Moora  
PO Box 211  
MOORA WA 6510

Dear Sir,

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

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

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

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

The nature of my interest is  
<sup>(6)</sup> \_\_\_\_\_

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<sup>(7)</sup>  
\_\_\_\_\_

The extent of my interest is <sup>(8)</sup>  
\_\_\_\_\_  
\_\_\_\_\_

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.



**SHIRE OF MOORA**  
**ORDINARY COUNCIL MEETING AGENDA**  
**8 MARCH 2006**  
**COMMENCING AT 3.30PM**

---

**TABLE OF CONTENTS**

---

|    |  |   |
|----|--|---|
| 1. | <u><i>DECLARATION OF OPENING &amp; WELCOME OF VISITORS</i></u>                     | 7 |
| 2. | <u><i>SWEARING IN OF COUNCILLOR ELECT</i></u>                                      | 7 |
| 3. | <u><i>DISCLAIMER READING</i></u>   | 7 |
| 4. | <u><i>ATTENDANCE</i></u>   | 7 |
|    | <u><i>APOLOGIES</i></u>  | 7 |
|    | <u><i>PUBLIC</i></u>   | 7 |
| 5. | <u><i>DECLARATIONS OF INTEREST</i></u>   | 7 |
| 6. | <u><i>QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH SECTION 5.24 OF THE ACT 7</i></u> |   |
| 7. | <u><i>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</i></u>                | 7 |
| 8. | <u><i>APPLICATIONS FOR LEAVE OF ABSENCE</i></u>                                    | 7 |

9. PETITIONS AND MEMORIALS 7
10. ANNOUNCEMENTS BY THE SHIRE PRESIDENT - WITHOUT DISCUSSION 7
11. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS 7
- 11.1 ORDINARY COUNCIL MEETING - 22 FEBRUARY 2006 7

|            |  |           |
|------------|--|-----------|
| <b>12.</b> | <b><u>REPORTS OF OFFICERS</u></b>  | <b>8</b>  |
| 12.1       | <b><u>ADMINISTRATION</u></b>   | <b>8</b>  |
| 12.1.1     | Annual General Meeting of Electors *   |           |
|            | 8  |           |
| 12.2       | <b><u>FINANCIAL DEVELOPMENT</u></b>  | <b>9</b>  |
| 12.2.1     | List of Payments Authorised Under Delegation 1.31 *                          |           |
|            | 9  |           |
| 12.3       | <b><u>OPERATIONAL DEVELOPMENT</u></b>  | <b>10</b> |
| 12.3.1     | Works Costings 05/06 *   |           |
|            | 10   |           |
| 12.4       | <b><u>COMMUNITY DEVELOPMENT</u></b>  | <b>11</b> |
| 12.4.1     | Application for Planning Approval – Grouped Dwellings                        |           |
|            | 11   |           |
| 12.4.2     | Planning Application – Brassington   |           |
|            | 14   |           |
| 12.4.3     | Subdivision – Bulbarnet Road, Koojan *                                       |           |
|            | 16   |           |
| 12.5       | <b><u>ENVIRONMENTAL DEVELOPMENT</u></b>                                      | <b>18</b> |
| 12.5.1     | Sale of Miling Infant Health Clinic  |           |
|            | 18   |           |
| 12.6       | <b><u>ECONOMIC DEVELOPMENT</u></b>   | <b>19</b> |
|            | Nil  |           |
| 12.7       | <b><u>SPORT AND RECREATION</u></b>   | <b>19</b> |
|            | Nil  |           |
| <b>13.</b> | <b><u>ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</u></b> | <b>19</b> |
| <b>14.</b> | <b><u>MOTIONS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL</u></b>  | <b>19</b> |



- 15. NOTICE ON MOTIONS FOR THE NEXT COUNCIL MEETING** 20
- 16. MATTERS BEHIND CLOSED DOORS** 20
- 17. CLOSURE OF MEETING** 20

\* Separate Attachments

*Item 12.1.1 Annual General Meeting of Electors*

*Item 12.2.1 List of Payments Authorised Under Delegation 1.31(Blue)*

*Item 12.3.1 Works Costings 05/06*

*Item 12.4.3 Subdivision – Bulbarnet Road, Koojan*

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

2. **SWEARING IN OF COUNCILLOR ELECT**

3. **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.*

4. **ATTENDANCE**

**APOLOGIES:**

**PUBLIC:**

5. **DECLARATIONS OF INTEREST**

6. **QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH SECTION 5.24 OF THE ACT**

7. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**8. APPLICATIONS FOR LEAVE OF ABSENCE**

**9. PETITIONS AND MEMORIALS**

**10. ANNOUNCEMENTS BY THE SHIRE PRESIDENT – WITHOUT DISCUSSION**

**11. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS**

**11.1 ORDINARY COUNCIL MEETING – 22 FEBRUARY 2006**

**12. REPORTS OF OFFICERS**

**12.1 ADMINISTRATION**

**12.1.1 Annual General Meeting of Electors**

**FILE: 2.10**

**AUTHOR: Michael Prunster, Community Development**

**Manager**

**REPORT DATE: 2 March 2006**

**DECLARATION: Nil**

**BACKGROUND**

The Shire of Moora's annual meeting of electors was held on 27 February 2006. The minutes of the meeting have been completed and Council is now required to consider them.

The minutes of the meeting will be submitted as a separate attachment.

**COMMENT**

It is intended that all of the persons who attended or submitted apologies for the meeting will receive a copy of the minutes.

**STATUTORY ENVIRONMENT**

Section 5.33 of the Local Government Act 1995 outlines Council's obligations in dealing with decisions made at the annual meeting of electors.

#### **POLICY IMPLICATIONS**

Nil

#### **BUDGET IMPLICATIONS**

There are no impacts to the current budget as a result of any of the suggestions or queries raised at the meeting.

#### **STRATEGIC IMPLICATIONS**

Ideas generated and offered by electors at the annual meeting often provide Council with clear direction on those matters that are of concern to the community, and subsequently assist in the setting of policy and strategy

#### **PRECEDENT**

Council considers the minutes of the annual meeting of electors each year in accordance with its statutory requirement.

#### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION – ITEM 12.1.1**

*That Council receive the minutes of the 2005 Annual Meeting of Electors and notes the issues raised.*

## **12.2 FINANCIAL DEVELOPMENT**

### **12.2.1 List of Payments Authorised Under Delegation 1.31**

**AUTHOR:** Jo-Anne Ellis, Financial Development Manager

**REPORT DATE:** 1 March 2006

**DECLARATION:** Nil

#### **BACKGROUND**

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

#### COMMENT

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

#### STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 6.10

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

#### POLICY IMPLICATIONS

Delegation 1.31 – Payments from Municipal and Trust Funds.

#### BUDGET IMPLICATIONS

Payments are in accordance with the adopted budget.

#### STRATEGIC IMPLICATIONS

Nil.

#### PRECEDENT

Nil.

#### VOTING REQUIREMENTS

Simple Majority.

#### OFFICER RECOMMENDATION – ITEM 12.2.1

*That Council note and endorse the Payments from Municipal and Trust Funds made under delegation 1.31*

|                       |                           |                     |
|-----------------------|---------------------------|---------------------|
| <i>Municipal Fund</i> | <i>Direct Debit 43-54</i> | <i>\$ 2,998.36</i>  |
|                       | <i>Chq 54271-54354</i>    | <i>\$280,511.47</i> |
| <i>Total</i>          |                           | <i>\$283,509.83</i> |

## **12.3 OPERATIONAL DEVELOPMENT**

### **12.3.1 Works Costings 05/06**

**AUTHOR:** Jo-Anne Ellis, Financial Development Manager

**REPORT DATE:** 1 March 2006

**DECLARATION:** Nil

#### **BACKGROUND**

Council is provided with works program costings on a monthly basis to enable monitoring of expenditure and progress of construction and maintenance within the transport portfolio.

#### **COMMENT**

The works program costings are provided as an attachment to this agenda.

#### **STATUTORY ENVIRONMENT**

Nil.

#### **POLICY IMPLICATIONS**

Nil.

#### **BUDGET IMPLICATIONS**

Items included in the report are from the 2005/06 Budget.

#### **STRATEGIC IMPLICATIONS**

Reporting of expenditure relating to construction and maintenance in the transport portfolio enables council to monitor a significant portion of budgeted expenditure and evaluate the progress of a strategically important investment in the Shire of Moora.

#### **VOTING REQUIREMENTS**

Simple Majority.

|   |
|---|
| <b>OFFICER RECOMMENDATION – ITEM 12.3.1</b> |
|---|

*That Council note and receive the Works Program Costings for the period ending 28 February 2006.*

## **12.4 COMMUNITY DEVELOPMENT**

### **12.4.1 Application for Planning Approval – Grouped Dwellings**

**LOCATION:** Lot 57 Burns Place Moora  
**OWNER:** Department of Housing & Works, 99 Plain St.  
East Perth  
**APPLICANT:** Broadhurst & Bott Architects  
**ZONING:** Residential (R 12.5/25)  
**FILE:** 7.4  
**AUTHOR:** Michael Prunster, Community Development  
Manager  
**REPORT DATE:** 27 February 2006  
**DECLARATION:** Nil

#### **PROPOSAL**

The application received is for the construction of 2 X 2 bedroom brick veneer grouped dwellings to the value of \$500,000.

#### **BACKGROUND**

This proposal is part of a new housing development proposed by the Department of Housing and Works on behalf of Government Employees Housing for Moora. This new accommodation will provide modern housing units rental facilities for Moora.

An application for approval of this development was submitted to Council in December 1999 but was never proceeded with.

## PLANNING FRAMEWORK

The lots are all zoned residential with an R Code density of 12.5/25. The Zoning Table for Residential and Grouped Dwelling applications is (3.2.2.) “AA”, which “means that the use is not permitted unless the Council has granted planning approval”. The Shire of Moora Town Planning Scheme No 4 allows a variation to the codes as follows: –

- 3.4.3.2 The Council may permit a variation to the R12.5 density up to R25 for development of more than one dwelling on a lot but only where:
- a) adequate connection to reticulated sewerage is available;
  - b) the lot is suitably located close to services and facilities; and
  - c) the Council after following the advertising procedures in clause 7.3 is satisfied there will not be adverse impacts on local amenities.

The scheme provides the following conditions in relation to advertising: –

- 7.3.2 Where an application is made for planning approval to commence or carry out development, which involves an “AA”, use, or for any other development, which requires the planning approval of the Council, the Council may give notice of the application in accordance with the provisions of sub-clause 7.3.3.
- 7.3.3 Where the Council is required or decides to give notice of an application for planning approval the Council shall cause one or more of the following to be carried out:
- a) notice of the proposed development to be served on the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of planning approval stating that submissions may be made to the Council within twenty-one days of the service of such notice;
  - b) notice of the proposed development to be published in a newspaper circulating in the Scheme Area stating that



submissions may be made to the Council within twenty-one days from the publication thereof;

- c) a sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this clause.

7.3.4 After expiration of twenty-one days from the serving of notice of the proposed development, the publication of notice or the erection of a sign or signs, whichever is the later, the Council shall consider and determine the application.

The R Codes minimum setback requirements are: –

Grouped dwelling with frontage to main communal street – 6.0m

Rear and side boundary setback – 1.5m

The lot is located within a G.E.H.A. subdivision on which the Department constructed 5 executive style homes following the 1999 floods. All lots have been filled to the required FFL level height of 204.7m AHD. This lot is 1052m<sup>2</sup> and the construction of these grouped dwellings conforms to the Residential Design Code of R25. (ie: minimum site area per dwelling – 320m<sup>2</sup>, Av 350m<sup>2</sup>)

Council will need to consider conditions as set out in Clauses 3.2.2. 3.4.3.2, 7.3.2 – 7.3.4 outlined above in determining the application.

Planning application fee of \$1,150 has been received from the Department of Housing & Works.

#### **PHYSICAL ASSESSMENT**

The addition of these dwellings will improve this subdivision development, and provide modern units for the highly sought after rental properties.

#### **CONCLUSION**

With the current heavy demand for rental properties in Moora, and the expected increase over the next few years, the development will be economically beneficial to the town and approval of the application is recommended.

## VOTING REQUIREMENTS

Simple Majority

### MANEX RECOMMENDATION – ITEM 12.4.1

*That the planning application for construction of grouped dwellings on Lot 57 Burns Place by Broadhurst & Bott Architects on behalf of the Department of Housing and Works be approved under the R25 density coding subject to the following conditions: –*

- *Council to give consideration of submissions received following the advertising period of 21 days*
- *The finished floor level to be 204.7 AHD.*
- *Minimum setback from Burns Place to be 6.0m.*
- *Minimum Rear & Side boundary setbacks to be 1.5m*
- *Landscaping is to be completed to the street kerbing.*
- *New fencing of the lot to be constructed as per site plan.*
- *Subject to building licence issued by Shire Of Moora.*
- *Storm water disposal to be to the satisfaction of the Shire's Operations Development Manager*

#### 12.4.2 Planning Application – Brassington

**LOCATION:** Lot 4 Clinch Street Moora  
**OWNER:** W.J. & M.S Brassington  
**APPLICANT:** J.G. Brassington's General Building Service  
**ZONING:** Residential (R 12.5/25)  
**FILE:** 7.4  
**AUTHOR:** Michael Prunster, Community Development  
Manager  
**REPORT DATE:** 27 February 2006  
**DECLARATION:** Nil

#### **PROPOSAL**

Planning application received for the construction of an 110m<sup>2</sup> storage/garage shed with verandah.

#### **BACKGROUND**

Mr & Mrs Brassington currently operates a food store business in Coorow, and they are planning to retire in Moora.

### **PLANNING FRAMEWORK**

The lot is zoned Residential with residential design code of R12.5/25. Council's Outbuilding policy conditions in relation to the maximum size of such buildings are as follows: –

#### 6.10 Outbuilding Policy – Maximum Size Of–

*That Council's current outbuilding policy referring to square metreage of land and maximum size of outbuildings be partly amended in the following manner;*

*R2 – 5,000m<sup>2</sup> Lots – maximum size of outbuildings equals 150m<sup>2</sup>*

*R2.5 – 4,000m<sup>2</sup> Lots – maximum size of outbuildings equals 150m<sup>2</sup>*

*R5 – 2,000m<sup>2</sup> Lots – maximum size of outbuildings equals 100m<sup>2</sup>*

*R12.5 – 800m<sup>2</sup> Lots maximum size of outbuildings equals 72m<sup>2</sup>*

*R25/R30 – 320m<sup>2</sup> to 300m<sup>2</sup> Lots – maximum size of outbuildings at Council's discretion.*

Mr Brassington's application is for an 110m<sup>2</sup> shed and the policy states the maximum size in this zoning is 72m<sup>2</sup>.

The application therefore needs Council's approval to build in excess of the policy recommendation.

### **PHYSICAL ASSESSMENT**

The new shed will replace the existing aged shed. Materials used will be colorbond corrugated iron with a roller door entrance. The new shed will improve the physical appearance of the lot.

### **CONCLUSION**

The overall area of the proposed shed is 38m<sup>2</sup> larger than Council policy permits, but this does include the open verandah which is 30m<sup>2</sup>. The enclosed portion of the shed would then only be 8m<sup>2</sup> in excess of the permitted 72m<sup>2</sup>.

The existing house located on the lot is an older style 2 bedroom cottage.

It is recommended that the application be approved.

#### VOTING REQUIREMENTS

Simple Majority

#### MANEX RECOMMENDATION – ITEM 12.4.2

*That Council approve the planning application from WJ & M.S. Brassington for the construction of a storage shed/garage with an area of 110m<sup>2</sup> and waive the Council policy condition of the maximum area for outbuildings of 72m<sup>2</sup> subject to the following conditions: –*

- *Subject to payment of \$100 planning application fee.*
- *Setback from Western and Southern boundary to be a minimum of 1m.*
- *Shed roofing and walls to be constructed of a non- reflective colorbond material.*
- *Shed to be constructed with new materials only.*
- *Building licence to be issued by Shire's Environmental Development Manager.*

### **12.4.3 Subdivision – Bulbarnet Road, Koojan**

**LOCATION:** Lots – M29, M49, M49A, M164, M165, 33 & 538  
**OWNER:** Junex Nominees Pty Ltd (O.C & D.J Cocking)  
**APPLICANT:** F.R. Rodda & Co – Consulting Surveyors  
**ZONING:** Farming  
**FILE:** 7.4  
**AUTHOR:** Michael Prunster, Community Development  
Manager  
**REPORT DATE:** 1 March 2006  
**DECLARATION:** Nil

#### **PROPOSAL**

The Western Australian Planning Commission has forwarded an amended Application lodged on behalf of the owners by F.R. Rodda & Co for subdivision approval to formalise a purchase of the proposed Lot A by the Department of Conservation and Land Management. The Commission has requested comment or recommended conditions from the Shire of Moora.

The owners of the property are retaining proposed Lots B, C & D, being the balance of the land after the excision of proposed Lot A. (refer attached plan).

#### **BACKGROUND**

This item was presented to Council on the 11 May 2005 with a request to approve the subdivision with access from Lot B to Lot M166 being accessed through the owners existing farm entry road and a laneway

exiting from the entry road Lot 166 to proposed lot “A” and lot “B.”  
(refer attached plan)

Council passed the following resolution at that meeting: –

*82/2005 Moved Cr Pond, seconded Cr Hawkins that the Western Australian Planning Commission be advised that council has no objection or imposition of conditions to the Subdivision Planning proposal for Lots – M29, M49, M49A, M164, M165, 33 & 538, Bulbarnet Road Koojan submitted by F.R. Rodda & Co on behalf of Junex Nominees Pty Ltd.*

CARRIED 9/0

The portion of land being subdivided is zoned farming, however it is uncleared vegetation and under current Government regulations the owners are prohibited from clearing any further land. The land is non-arable and the owners made a decision to offer the area to the Department of CALM for preservation of the natural bush and vegetation.

The proposal has also been referred to – Agriculture WA, Dept of Industry and Resources, Department of Environment, Western Power and Water Corporation.

We have now received a letter from Messrs F.R. Rodda & Co requesting Council’s permission to amend their application for access to the property by way of a “private access” easement rather than a public road. The reason given is that neither Mr Cocking nor CALM wants the general public to have physical road access to the reserve.

Under normal planning applications for subdivisions of this nature the W.A. Planning Commission make a condition that access must be available by a public road. Mr Rodda has been in contact with the Planning Commission and they have advised him that they will accept this proposal in view of the nature of the reserve. We have also contacted the Commission for their confirmation, and we have received confirmation from Mr Bob Wallin, Senior Planning Officer of the D.P.I. that the Commission will accept this proposal.

From Council's perspective this is much more acceptable as they will not be responsible for maintaining a road structure as was the case under the original planning proposal.

#### **PLANNING FRAMEWORK**

WA Planning Commission Policy provides that a conservation lot may be excised when the vegetation has been identified and agreed as worthy of protection in a specific assessment that identifies that the land has conservation values when assessed against the Vegetation Assessment guidelines, and the remaining agricultural lot have sufficient area to be capable and suitable for sustainable agricultural use.

The agreement entered into by CALM indicates that this criteria has been met.

#### **PHYSICAL ASSESSMENT**

The transfer of ownership to CALM will ensure the continued preservation of the natural bush vegetation and environment.

#### **BUDGET IMPLICATIONS**

Nil

#### **CONCLUSION**

The application meets with the criteria of planning requirements, and it is recommended that council advise the W.A. Planning Commission that it has no objection or imposition of conditions to the proposal.

#### **VOTING REQUIREMENTS**

Simple majority

#### **MANEX RECOMMENDATION – ITEM 12.4.3**

*That Council advise the W.A. Planning Commission and Messrs F.R. Rodda & Co that the Shire of Moora has no objection to the establishment of a "private access only" easement to provide access from Lot 166 Bulbarnet Road to proposed Lot "A"& "B" Bulbarnet Road, Koojan.*





## **12.5 ENVIRONMENTAL DEVELOPMENT**

### **12.5.1 Sale of Miling Infant Health Clinic**

**LOCATION:** Miling  
**FILE:** 5.8  
**AUTHOR:** Peter Haas, Environmental Development Manager  
**REPORT DATE:** 1 March 2006  
**DECLARATION:** Nil

#### **BACKGROUND**

Over the past 4 months moves have been a foot to relocate the Infant Health Clinic in Miling to the Miling Tennis Club building. To this end, as part of the 05/06 budget a reverse cycle air conditioner, telephone line and a shed being built at the Miling Pavilion for the Toy Library and Playgroup to locate their toys have all been completed.

The building is located at Lot 11, corner Great Northern Highway and Nardy Street Miling and is one rood and three-tenths perches in area.

It was the intention to sell this property once all the work to relocate the Infant Health Clinic service and Toy Library was completed.

#### **COMMENT**

The only question that needs to be answered is how does Council wish to dispose of this asset. There are a number of ways it can be done; by private treaty, auction, or by tender.

Council could also leave the building as is and keep it for future use. However, this is not recommended because it would be vacant and thus may be subject to vandalism.

Council may also decide to demolish the building and keep the lot for future development.

The building would be offered, in an as is condition to any prospective purchaser. There are various legislative requirements under the Local Government Act and various costs involved with each option therefore I would recommend that Council goes down the tender route to

dispose of this asset. This way the building is being used or developed for an alternative use by the prospective purchaser.

It should also be noted that if the prospective purchaser wishes to turn the building into a dwelling then a bathroom and laundry will need to be added and the septic system upgraded.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995 Sections dealing with disposal of assets.

#### **POLICY IMPLICATIONS**

Nil

#### **BUDGET IMPLICATIONS**

Revenue gained from disposal of an asset no longer required. Will depend on amount tendered and Council accepting the tender.

#### **STRATEGIC IMPLICATIONS**

Disposal of an asset no longer required by the Shire thus allowing use by others within the community.

#### **PRECEDENT**

Other properties such as No 45 Stafford Street, Moora tendered off in the past by Council.

#### **VOTING REQUIREMENTS**

Simple Majority

#### **MANEX RECOMMENDATIONS - ITEM 12.5.1**

- 1. That Lot 11, corner Great Northern Highway and Nardy Street Miling be offered for sale by tender in an as is condition.*
- 2. That the Chief Executive Officer be delegated authority to accept or reject any tenders.*

**12.6 ECONOMIC DEVELOPMENT**

Nil.

**12.7 SPORT AND RECREATION**

Nil.

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

Cr Craven advised at the meeting of Council on 22 February 2006 that she would be moving the following motion;

*That the Standing Orders be amended to delete “without discussion” from the heading of the Agenda titled “Shire Presidents announcements without discussion”.*

**14. MOTIONS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL****15. NOTICE ON MOTIONS FOR THE NEXT COUNCIL MEETING****16. MATTERS BEHIND CLOSED DOORS****17. CLOSURE OF MEETING**