



Ordinary Council Meeting Minutes

Date: 19 November 2014

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:

Shire of Moora - a vibrant, affordable Regional Centre with a growing, caring community.

Mission

Our mission is:

To provide the leadership, services and infrastructure that will meet the needs of the community and surrounds.

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
19 NOVEMBER 2014

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**1.1 DECLARATION OF OPENING**

The Shire President declared the meeting open at 5.30pm.

1.2 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 / Presiding Member
TG Humphry	-	Deputy President
CD Hawkins	-	Councillor
DV Clydesdale-Gebert	-	Councillor
R Keamy	-	Councillor
MR Pond	-	Councillor
KM Seymour	-	Councillor
MR Holliday	-	Councillor
AJ Leeson	-	Chief Executive Officer
DK Trevaskis	-	Deputy Chief Executive Officer
JL Greay	-	Manager Engineering Services
PR Williams	-	Manager Development Services
MM Murray (from 5.40pm)	-	Executive Support Officer (minute taker)

APPROVED LEAVE OF ABSENCE

JW McLagan	-	Councillor
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3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. PETITIONS AND PRESENTATIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

The Executive Support Officer joined the meeting at 5.40pm

Cr Humphry

Attended the 50th Anniversary of the Moora Pony Club

Cr Keamy

Attended the Watheroo Primary School 100th Anniversary celebrations, as did Cr Humphry.

Cr Gardiner

19th October – hosted the visiting Chinese delegates

23rd October – provided a town bus tour with the Chief Executive Officer for the Wheatbelt Development Commission Board & Executive

23rd October – attended the CMSHS Graduation

10th November – attended the Wheatbelt North Regional Road Group meeting in Moora

11th November – attended the Innovation Central Midlands WA meeting in Miling with the Chief Executive Officer.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY COUNCIL MEETING - 15 OCTOBER 2014****COUNCIL RESOLUTION**

141/14 Moved Cr Hawkins, seconded Cr Clydesdale-Gebert that the Minutes of the Ordinary Meeting of Council held on 15 October 2014 be confirmed as a true and correct record of the meeting.

CARRIED 8/0

9. REPORTS OF OFFICERS

9.1 GOVERNANCE AND CORPORATE SERVICES

9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE: 13 November 2014

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

SCHEDULE PREPARED BY: Alida Fitzpatrick, Finance Debtors 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

142/14 Moved Cr Hawkins, seconded Cr Pond that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

Municipal Fund	Cheques 61893 to 61918	\$20,894.37
	EFT 12547 to 12751	\$624,902.92
	Credit Card 15/09/14 to 14/10/14	\$1,805.80
	Net Pays – PPE 07/10/14	\$87,323.67
	Net Pays – PPE 21/10/14	\$85,479.20
	Term Deposit [EFT12546]	\$750,000.00
Trust Fund	Cheques 5013 to 5031	\$2,323.70
Total		<u>\$1,572,729.66</u>

CARRIED 8/0

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 October 2014

REPORT DATE: 12 November 2014

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 October 2014

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 October 2014.

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 2014/5 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

143/14 Moved Cr Hawkins, seconded Cr Humphry that Council notes and receives the Statement of Financial Activity for the period ended 31 October 2014.

CARRIED 8/0

SUSPENSION OF STANDING ORDERS**COUNCIL RESOLUTION**

144/14 Moved Cr Hawkins, seconded Cr Humphry that Council suspends Standing Orders so that Item 10.2 “Lot 70 Gt Northern Hwy Miling – Truck Parking” be considered prior to Item 9.1.3.

CARRIED 8/0

At 5.50pm standing orders were suspended.

10.2 LOT 70 GT NORTHERN HWY MILING - TRUCK PARKING

Cr Clydesdale-Gebert declared an impartiality interest in the item as she is in the hospitality industry in the Shire of Moora and holds a licence to serve alcohol.

FILE REFERENCE: TP/PA07/1415

REPORT DATE: 30 October 2014

APPLICANT/PROPONENT: Gordon Burns

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: 17/9/14 (117/14)

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Nil

PURPOSE OF REPORT:

For Council to consider an application by Mr Gordon Burns (Proponent) to purchase two blocks of land, Lot 70 Great Northern Highway Miling and Lot 71 Richardson Street to be

used for the purpose of parking large trucks of a night time so the trucks are off the road for road safety purposes.

BACKGROUND:

Council received and considered this application in September 2014 where it was required to be advertised to the public of Miling.

117/14 Moved Cr Pond, seconded Cr Gardiner that Council

1. *acknowledge and receive the planning application from proponent Mr Gordon Burns who is proposing to purchase Lot 70 Great Northern Highway and Lot 71 Richardson Street Miling for the purpose of parking heavy vehicles associated with the hospitality operations of the Miling Hotel;*
2. *Advertise the planning application in accordance with the provisions of the Shire of Moora Local Planning Scheme No 4 as outlined in the report to Council considered on 17 September 2014.*

CARRIED 5/0

Letters were sent to immediate neighbours and also those neighbours in the vicinity of the two above mentioned blocks of land advising of the proposal and seeking any comments/objections in relation to the proposal.

The two blocks of land Lot 70 Great Northern Highway and Lot 71 Richardson Street are currently part of an estate (Cameron) which is going through land dealings at Landgate in Perth. The estate currently owes Council approximately \$23,000 in outstanding rates and charges relating to the above two lots.

In August 2012 Council agreed to write off the rates for the three properties in the Estate and sell the land to recover the outstanding rates.

101/12 Moved Cr Tonkin, seconded Cr Hawkins that Council's Legal Representative be instructed to take possession of the following properties and sell the land in accordance with Sections 6.64, 6.68 and Schedule 6.3 of the Local Government Act 1995:

Assessment	Registered Owner	Property Address
A839	James Cameron	Lot 70 Great Northern Highway Miling
A1093	James Cameron	Lot 2 Richardson Street Miling
A905	James Cameron	Lot 71 Richardson Street Miling

as Council believes that the owner of the properties, the administrator of his estate Mr Dougald Cameron and the administrator of the administrator's estate, Lady Barbara Murdoch, are deceased and therefore any attempt at legal proceedings would be futile and the cost of court proceedings to recover outstanding rates would outweigh the value of each of the properties.

CARRIED 6/0

Mr Burns is seeking planning approval for the intended use of the land prior to formally closing out the acquisition process. Obviously if planning approval for the intended trucks bays is not forthcoming then Mr Burns would have no interest in the land acquisition from the Cameron Estate.

The two blocks of land Lot 70 Great Northern Highway and Lot 71 Richardson Street that are proposed to be used are a use not listed in the Shire of Moora Town Planning Scheme, Zoning Table.

Section 3.2.4 of the Shire of Moora TPS No 4 states - If the use of 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: AMD 09 GG 11/03/11

- a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or
- b) determine that the proposed use may be consistent with the objectives and purposes of the zone and thereafter follow the 'A' advertising procedures of clause 7.3 in considering an application for planning approval; or
- c) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.

- 7.3 Where an application is made for planning approval to commence a use or commence or carry out development which involves a use which is:
- (a) an 'A' use as referred to in clause 3.2.2; or
 - (b) a use not listed in the Zoning Table
- the local government is not to grant approval to that application unless notice is given in accordance with clause 7.3.3

The Zoning of the area is Rural Townsite:

Objectives of which is: To allow for a wide range of land uses such as may be found in a small country town, but subject to preservation of local amenities.

Site Requirements

To be in accordance with the Residential Design Codes.

The following 5 submissions have been received from Miling residents responding to Councils call for submissions;

Date	Resident	Description of Submission
2/10	Bernard Greening	Loud noise from truck brakes people coming and going all night, strong language, destruction of gardens, anti-social behaviour, strongly oppose proposal
17/10	Tony White	Oppose proposal. No formal planning process to mitigate increased litter, increased dust, using area as a public toilet. Agree there is a need for oversized trucks but not in the middle of Town as there are more suitable sites South of Town
30/7	Cliff Gill	Strongly oppose due to loud noise from trucks and their brakes, truck bay better suited either end of Town.
17/10	Raymond McNamara & Karen Ellis	Oppose application due to lack of consideration by proponent on effect of parking bay at night time and affect it will have on nearby residents due to noise.
17/10	Carlo Galati	Oppose application due to parking bay should not be in centre of Town, and lack of care and hygiene already displayed in areas adjacent to and already being used by similar vehicles. Fear that businesses and personal lives will be disrupted should this proposal proceed.

COMMENT:

It is clear that there is opposition to this proposal and most of the concern relates to noise and personal hygiene habits of the drivers. Even if the proponent was to install dust suppression measures and/or sealing the block, surrounding residents would still not be happy due to the location is not appropriate. There is also the issue of trucks turning off the blocks into Richardson Street and turning into Miling East Road and the possible damage to the road surface as the trucks turn, requiring and expensive intersection mix for these areas; also, if the trucks are over-width and over length Main Roads will need to be involved to

widen the intersection of Great Northern Hwy and Miling East Road to allow these vehicles to turn onto Great Northern Highway.

FINANCIAL IMPLICATIONS:

The two blocks of land Lot 70 Great Northern Highway and Lot 71 Richardson Street are currently part of an estate (Cameron) which is going through land dealings at Landgate in Perth. The estate currently owes Council approximately \$23,000 in outstanding rates and charges relating to the above two lots.

In August 2012 Council agreed to write off the rates for the three properties in the Estate and sell the land to recover the outstanding rates.

10/1/12 Moved Cr Tonkin, seconded Cr Hawkins that Council's Legal Representative be instructed to take possession of the following properties and sell the land in accordance with Sections 6.64, 6.68 and Schedule 6.3 of the Local Government Act 1995:

Assessment	Registered Owner	Property Address
A839	James Cameron	Lot 70 Great Northern Highway Miling
A1093	James Cameron	Lot 2 Richardson Street Miling
A905	James Cameron	Lot 71 Richardson Street Miling

as Council believes that the owner of the properties, the administrator of his estate Mr Dougald Cameron and the administrator of the administrator's estate, Lady Barbara Murdoch, are deceased and therefore any attempt at legal proceedings would be futile and the cost of court proceedings to recover outstanding rates would outweigh the value of each of the properties.

CARRIED 6/0

POLICY REQUIREMENTS:

There are no known policy implications for this item.

LEGISLATIVE REQUIREMENTS:

Shire Town Planning Scheme No 4 Amendment 10.

STRATEGIC IMPLICATIONS:

There are no known strategic implications for this item.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There is a possible dust issue that needs to be addressed if this proposal was to go ahead.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are significant social implications associated with this proposal, letters of objection are available to Councillors but not for public scrutiny.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

145/14 Moved Cr Humphry , seconded Cr Pond that Council decline the application due to the location is not appropriate for the Town Site of Miling for the reasons of public objection due to issues of;

- *location not being acceptable to the community,*
- *Public Health, in that truck drivers currently are not using toilets at the Hotel,*
- *dust created by trucks, and*
- *Issues of noise;*
- *Cost of repairing Shire roads in the Townsite due to the breaking up of the roads due to trucks turning off the Lot 71 Richardson Street and onto Richardson Street and onto the Great Northern Highway from Miling West Road.*

CARRIED 8/0

RESUMPTION OF STANDING ORDERS

COUNCIL RESOLUTION

146/14 Moved Cr Hawkins, seconded Cr Humphry that Council resumes Standing Orders.

CARRIED 8/0

At 6.00pm standing orders were resumed.

9.1.3 PROPOSAL TO EXTEND MOORA MENS SHED – MOORA RECREATION GROUNDS

FILE REFERENCE: CC/MMS1

REPORT DATE: 17 November 2014

APPLICANT/PROPONENT: Moora Men's Shed (MMS)

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Alan Leeson Chief Executive Officer

ATTACHMENTS: Landgate location map

PURPOSE OF REPORT:

To consider a request from the Moora Men's Shed (MMS) seeking Council support to apply for Royalties for Regions Funding to build a new premise at the Moora Recreation Grounds.

BACKGROUND:

The MMS have been in existence for a couple of years and have now extended their membership to such a level that additional room is required. They have been operating out of the Sheep Pavilion at the Moora Recreation Grounds, which in the past has been used for sheep sales, the Agricultural Show and by the shire for storage of mowers, community bus and the like.

The Moora Recreation Grounds are situated on Crown Land which is vested with the Shire from the State Government, for the purpose of show grounds, recreation grounds. The

actual Sheep Pavilion is situated on Reserve 39442, Lot 391 vested with the Shire of Moora for the purpose of “Exhibition Hall and Recreation”.

COMMENT:

A meeting was recently held at the Pavilion which was attended by Shane Love MLA, Member for Moore, Moora Men’s Shed delegates and a number of Councillors and staff from the Shire of Moora. The meeting effectively discussed what funding options there may be available to the MMS with the Shire of Moora support.

Subsequent to that meeting, Council’s Management Team inspected the location of the MMS. As a result of that on site meeting it was concluded the best solution moving forward would be for the MMS to seek an extension off of the south wall of the existing pavilion. The main reason for this was that it fits into the area well between the pavilion and the netball courts as well as the roof line on the south side being high enough to cater for such an extension.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 and associated land management orders (circulated)

STRATEGIC IMPLICATIONS:

Outcome 1.4: A strong and supportive community.

Strategy 1.4.1: Partner with the Moora Community Resource Centre to develop a co-located facility.

Strategy 1.4.2: Support appropriate community initiated and owned projects.

Strategy 1.4.3: Promote and support cultural and community events.

Strategy 1.4.4: Work in partnership with community groups to encourage a culture of volunteerism.

Strategy 1.4.5: Support the development of a Men’s Shed in Moora.

Strategy 1.4.6: Support arts and culture facilities and services in the community.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

Socially Men’s Sheds have become a very strong amenity and facility for the retiree demographic of men across Australia.

FINANCIAL IMPLICATIONS:

At this juncture the only financial implication for Council will be some “officer” time associated with preparation of the funding application/s. This will be funded via the Community Development Position of Council. There will also be some guidance provided through Council’s Development Services Portfolio.

VOTING REQUIREMENTS:

Simple Majority Required

COUNCIL RESOLUTION

147/14 Moved Cr Hawkins, seconded Cr Seymour that Council support the request of the Moora Men's Shed to seek funding to construct a purpose built Men's Shed.

CARRIED 8/0**9.1.4 PROPOSAL TO BUILD ADDITIONAL CHALET – MOORA CARAVAN PARK****FILE REFERENCE:** B/MCPI-2**REPORT DATE:** 17 November 2014**APPLICANT/PROPONENT:** Chief Executive Officer, Alan Leeson**OFFICER DISCLOSURE OF INTEREST:** Nil**PREVIOUS MEETING REFERENCES:** Nil**AUTHOR:** Alan Leeson, Chief Executive Officer**ATTACHMENTS:** Chalet Cash Flow model
Floor plan (to be tabled)**PURPOSE OF REPORT:**

Council to consider a budget amendment to include construction of one additional two bedroom chalet at the Moora Caravan Park (MCP).

BACKGROUND:

Over the past months Council management have been examining the cost and benefit of constructing additional chalets at the MCP. David Trevaskis has prepared a financial model detailing the cost of the investment and the expected financial return to Council. The model has been worked conservatively based on an occupancy rate of 50%.

COMMENT:

Based on the gross income received for the chalet bookings in 2013/2014 and to date in 2014/2015 an occupancy rate of approximately 70% is being achieved.

2013/2014

- 4 single bedroom units and 2 two bedroom units
- Annual Gross Income \$185,162
- Annual Operating expenses for chalets \$43,307

2014/2015 Year to date

- 4 single bedroom units and 2 two bedroom units
- Year to date Gross Income \$67,027
- Year to date operating expense \$19,978

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 and associated regulations.

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) *is authorised in advance by resolution**; or
 - (c) is authorised in advance by the mayor or president in an emergency.

* *Absolute majority required.*

STRATEGIC IMPLICATIONS:**Outcome 4.1: A strong and diversified economic base.**

Strategy 4.1.1: Facilitate the development and implementation of a regional economic development strategy, thus ensuring Moora is positioned strongly to service the region.

Strategy 4.1.2: Promote and support local industry development initiatives.

Strategy 4.1.3: Facilitate affordable housing and accommodation initiatives.

Strategy 4.1.4: Ensure the provision of serviced commercial, industrial and residential land.

Strategy 4.1.5: Promote and market the benefits of working and living in the Shire.

Outcome 4.3: Recognition and realisation of local tourism opportunities.

Strategy 4.3.1: Support initiatives to build and strengthen local and regional tourism.

Strategy 4.3.2: Provide appropriate infrastructure and services to support tourism.

Strategy 4.3.3: Promote tourism products including heritage walks and wildflower route.

SUSTAINABILITY IMPLICATIONS:**➤ Environment**

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

➤ Economic

Economically this proposal strengthens and diversifies Councils asset and cash flow base. It provides lessor reliance on rateable income which is a key indicator when local governments are assessed in terms of their sustainability. In addition there are many benefits that come with this development in terms of positive impact on the local business community.

The Moora Caravan Park is a destination of choice by tourists and travelling business people.

➤ Social

There are no known social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

A unit exactly the same as what is constructed now at the MCP is available from NuSteel Moora at a cost of \$80,000 plus GST. Other minor works associated with locating the unit at the park are expected to cost between \$7,500 and \$13,000 plus GST. The broader

implications financially are set out in the attached spreadsheet prepared by Deputy CEO David Trevaskis.

VOTING REQUIREMENTS:

Absolute Majority Required

COUNCIL RESOLUTION

148/14 Moved Cr Humphry, seconded Cr Pond that Council amend its 2014/2015 municipal budget to include the construction of one additional two bedroom chalet to be located at the Moora Caravan Park at an estimated cost not exceeding \$93,000 plus GST, in accordance with the report and financial parameters provided to Council at its meeting on the 19 November 2014.

CARRIED by ABSOLUTE MAJORITY 8/0

9.2 DEVELOPMENT SERVICES

9.2.1 SHANE GROVES OVERSIZED SHED LOT 184 FERGUSON STREET MOORA

FILE REFERENCE: TP/PA14/1415

REPORT DATE: 6 November 2014

APPLICANT/PROPONENT: Action Outdoors / Shane Groves

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

Council is in receipt of a development application from Action Outdoors, submitted on behalf of Shane Groves of Lot 184 Ferguson Street, Moora. The application is for an oversized steel framed and steel clad shed with dimensions 16.0m x 9.00m x 4.706m, seeking Councils approval for this construction to go ahead.

BACKGROUND:

Lot 184 Ferguson Street is located in the Residential Zone with an R Code R2.5 and is one of the larger blocks consisting of some 16,769sqm. There is currently a fairly new dwelling on the property and now the owners wish to add a shed to their property to be used for general storage and home use.

Residential Design Codes requires sheds or out buildings to be less than 60sqm, Councils Outbuilding policy relating to maximum size of outbuildings for R 2.5 allows for a maximum area of 200sqm.

Residential Zone

Objectives

- (a) to provide for the predominant form of residential development to be single houses whilst providing for diversity with higher density close to the town centre.
- (b) to provide for diversity of lifestyle choice with a range of residential densities.

- (c) to allow for the establishment of non-residential uses which are compatible with the predominant residential use and which will not adversely affect local amenities.

Site Requirements

In accordance with the Residential Design Codes.

Setbacks R2.5 15.0m from primary Street
 7.5m from secondary Street
 7.5m from Other/Rear

COMMENT:

The Shire of Moora Town Planning Scheme No 4 (amendment 10) allows for diversity of lifestyle within the Town Site of Moora. Council has approved previous applications for oversized sheds that meet Council Policy requirements. This application for a 16.0m x 9.0m steel shed meets Council requirements in that it is less than the 200sqm allowable being 144sqm. Officer recommendation that the application be approved subject to conditions setbacks; shed to be 7.5m off rear boundary and 7.5m off side Clark Street boundary

POLICY REQUIREMENTS:

Shire of Moora Policy Manual S6.10 Maximum size of outbuildings

LEGISLATIVE REQUIREMENTS:

Shire of Moora Town Planning Scheme; Town Planning Act 2005 State Planning Policy 3.1 Residential Design Codes.

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

149/14 Moved Cr Pond, seconded Cr Hawkins that Council approve the application and plans submitted by Mr Shane Groves for an oversized zincalume shed 16.0m long x 9.0m wide x 3.5m height to be located at Lot 184 Ferguson Street, Moora, subject to the following conditions:

- 1. No second-hand materials to be used in the construction of the shed***

2. ***The development shall be in accordance with the attached plans and subject to any modifications required as a consequence of any conditions of this approval. The plans shall not be modified or altered without the prior written approval of the local government.***

CARRIED 8/0

9.2.2 **MOBILE DOG GROOMER**

FILE REFERENCE: TP/PA15/1415

REPORT DATE: 14 November 2014

APPLICANTS/PROPONENT: Kevin & Lorraine Gibson

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

Council is in receipt of an application from Kevin & Lorraine Gibson of Lot 90 Brown Street Moora to carry out a Mobile Pet Grooming and Washing business.

BACKGROUND:

This is a use not defined in the Shire of Moora Town Planning Scheme No 4 9Amendment 10) therefore requires Council approval.

This application is not a Home Business or a Home Occupation as it is a mobile business and the proponents will be taking calls and taking the business to the customer. There is no need to advertise as it is not an "A" Classification.

COMMENT:

The "Travelling Groomer" is the mobile pet grooming and washing business that the proponents are asking to operate, this involves a trailer with a pet washing machine using "Green" organic products and which pulls into a customer's property and connects to their water supply, washes and grooms the animals on the property (i.e. cats and Dogs). This will require back siphonage fittings to be connected to the trailer so if there is low pressure chemical and waste water will not be drawn into the WAWA Scheme water. All dog and cat hair should be disposed of at the customer's property and waste water from the washing process is disposed of at the Shire dump point.

Enquiries with the Shire of Dandaragan and City of Greater Geraldton have confirmed that it is neither a Home Business nor a Home Occupation nor is a Street Trader as the work is carried out on the customer's property. A standard Town Planning Application fee has been charged.

POLICY REQUIREMENTS:

There are no known Policy requirements related to this item.

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 due to only green organic materials being used.
- **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

150/14 Moved Cr Hawkins, seconded Cr Clydesdale-Gebert that Council approve the application by Kevin and Lorraine Gibson for a Mobile Dog Grooming subject to the following conditions:

- 1. Waste water to be disposed of at the caravan dump point in Roberts Street, Moora;*
- 2. All pet hair to be disposed of at the customers property;*
- 3. Vehicle and trailer to be pulled into customer property and washing and grooming operation not be carried out on the road reserve;*
- 4. A back flow device to be fitted to the trailer to prevent back flow of waste water into Town Scheme water.*

CARRIED 8/0

10. REPORTS OF COMMITTEES

GENERAL PURPOSE COMMITTEE MEETING – 5 NOVEMBER 2014

10.1 LINDSAY & ROBYN COUSINS LOT 1359 CAROT WELL ROAD WATHEROO FREE RANGE EGG PRODUCTION

FILE REFERENCE: TP/PA12/1415

REPORT DATE: 16 October 2014

APPLICANT/PROPONENT: Lindsay & Robyn Cousins

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

For Council to consider an application by proponents Lindsay and Robyn Cousins to run a free range egg business from their property located at Lot 1359 Carot Well Road, Watheroo

BACKGROUND:

The property Lot 1359 Carot Well Road is located in the General Agriculture zone and is a sheep and wheat farm. This will be a value adding business aligned with the farming practices, of Agriculture Extensive. In accordance with the Local Planning Scheme Model Scheme Text the proposed activity is defined as; Agriculture Extensive – means premises used for the raising of stock or crops but does not include agriculture intensive or animal husbandry – intensive.

The objectives of General Agriculture Zone:

- (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 or the environment.
- (c) to allow for facilities for tourists and travellers, and for recreation uses.

Site Requirements:

The following minimum building setbacks shall apply:

Front: 20.0m

Rear: 15.0m

Side: 15.0m

As can be seen above this is a primary industry operation that fits in with objectives and meets the requirements of the Shire of Moora Town Planning Scheme No 4 (Amendment 10).

COMMENT:

This proposed development as defined above is permitted in accordance with Local Planning Scheme requirements. It is defined as a “D” classification, which means that the land use is not permitted unless the Local Government has exercised its discretion.

Messrs Cousin are seeking to value add through adding a small scale extensive chicken farming, egg production business from their farm. The proposal is to run up to 300 chickens from a portable chicken coop that the chickens will go back to of an evening and which can be moved around the farm paddocks.

Messrs Cousins has undertaken a feasibility study and intends on selling the produce locally through the two existing supermarkets.

Egg production comes under the Food Act and will entail cleaning, stamping the eggs with an identifiable brand, grading and packaging the eggs; all of which is required to be carried out in a purpose built shed that meets the approval of Food Safety Standard requirements.

FINANCIAL IMPLICATIONS:

Messrs Cousins will have to be registered as a Food Premises as a Medium Risk Food Premises which will require a one off Registration of a new premises \$103.00 and an annual fee of \$103.00.

POLICY REQUIREMENTS:

There are no known policy implications for this item.

LEGISLATIVE REQUIREMENTS:

Food Act, Food Safety Standards Code of Practice for Shell Egg, Production, Grading, Packing and Distribution.

Local Planning Scheme Number 4 Provisions – Shire of Moora

STRATEGIC IMPLICATIONS:

There are no known strategic implications for this item.

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.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION (COMMITTEE RECOMMENDATION)

151/14 Moved Cr Humphry, seconded Cr Holliday that Council approve the application by Lindsay and Robyn Cousins for an extensive Free Range Egg production development for up to 300 chickens on their property located at 1359 Carot Well Road Watheroo subject to the following conditions:

- **Compliance with Code of Practice for Shell Egg, Production, Grading, Packing and Distribution;**
- **Compliance with Food Act 2008 in registering as a Food Premises as a Food Producer, the Food Regulations 2009 and the Food Safety Standards**
- **Compliance with the Food Standards Code 4.2.5 Egg Standard**
- **Should proponent wish to increase egg production by increasing number of birds, this will be subject to another Planning application due to it could change definition from extensive to intensive.**

CARRIED 8/0

10.2 LOT 70 GT NORTHERN HWY MILING - TRUCK PARKING

Item 10.2 was considered after item 9.1.2.

GENERAL PURPOSE COMMITTEE MEETING – 19 NOVEMBER 2014

COUNCIL DECISION - EN BLOC RESOLUTION NO. 1

152/14 Moved Cr Holliday, seconded Cr Hawkins that Council adopts en bloc the recommendations of the General Purpose Committee of 19 November 2014 in items 10.3, 10.4, 10.5 and 10.6.

CARRIED BY ABSOLUTE MAJORITY 8/0

10.3 TENDER 05/14 TO DESLUDGE PRIMARY SEWAGE DAM

COUNCIL RESOLUTION (COMMITTEE RECOMMENDATION)

That Council award tender 05/2014 “Desludge Primary Sewage Dam” to Miluc Civil at a cost of \$129,500 (GST Excluded).

CARRIED BY EN BLOC RESOLUTION NO.1

10.4 TENDER No. 06/14 SUPPLY AND SPRAY OF BITUMEN PRODUCTS, TENDER No. 07/14 SUPPLY AND DELIVERY OF ROAD SEALING AGGREGATE and TENDER No. 08/14 SUPPLY OF ROAD STABILISATION SERVICES

COUNCIL RESOLUTION (COMMITTEE RECOMMENDATION)

That

- 1. Tender 06/14 - received from Bitutek for the supply and spray of bitumen products, as per the attached rates, for the 2014-15 year be accepted;*
- 2. Tender 07/14 - received from BGC Transport Moora for the supply and delivery of road sealing aggregated to nominated dumpsites as per the attached rates for the 2014-15 year be accepted by applying the Regional Price Preference; and*
- 3. Tender 08/14 - received from Western Stabilisers for the supply of road stabilisation services, as per the attached rates, for the 2014-15 year be accepted.*

CARRIED BY EN BLOC RESOLUTION NO.1

10.5 QUOTATION-TENDER No. 10/14 SUPPLY AND DELIVERY OF ONE ONLY HEAVY DUTY FRONT END LOADER

**COUNCIL RESOLUTION
(COMMITTEE RECOMMENDATION)**

That Council accept Quotation/Tender 10/14 from Westrac for the purchase of on one Caterpillar 924K loader on the basis of trading Councils 2003 Caterpillar IT28G at a changeover price of \$246,870 (ex GST)

CARRIED BY EN BLOC RESOLUTION NO.1

10.6 QUOTATION-TENDER No. 09/14 SUPPLY AND DELIVERY OF ONE ONLY HEAVY DUTY ROAD GRADER

**COUNCIL RESOLUTION
(COMMITTEE RECOMMENDATION)**

That Council accept Tender 09/14 from Westrac for the purchase on one Caterpillar 12 M Grader on the basis of trading Councils 2005 Caterpillar 12H at a changeover price of \$277,000 (ex GST).

CARRIED BY EN BLOC RESOLUTION NO.1

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

Nil

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

Nil

13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

14. CLOSURE OF MEETING

There being no further business, the President declared the meeting closed at 6.10pm.

CONFIRMED

PRESIDING MEMBER