

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
15 JULY 2015

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- 9.1.1 *List of Payments Authorised Under Delegation 1.31*
- 9.1.2 *Statement of Financial Activity for Period Ended 30 June 2015*
- 9.1.3 *Shire of Moora Budget 2015/16 & Schedule of Fees & Charges*
- 10.1 *Risk Management Policy and Risk Management Report*
- 10.3 *Plans*
- 12.1 *Plans*
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I. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

I.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 5.33pm.

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 / Presiding Member
TG Humphry	-	Deputy President
CD Hawkins	-	Councillor
DV Clydesdale-Gebert	-	Councillor
R Keamy	-	Councillor
MR Pond	-	Councillor
MR Holliday	-	Councillor
JW McLagan	-	Councillor
AJ Leeson	-	Chief Executive Officer
DK Trevaskis	-	Deputy Chief Executive Officer
PR Williams	-	Manager Development Services
NM Beard	-	Community Development Officer
MM Murray	-	Executive Support Officer (minute taker)

APPROVED LEAVE OF ABSENCE

CD Hawkins	-	Councillor
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APOLOGIES

JL Greay	-	Manager Engineering Services
KM Seymour	-	Councillor

PUBLIC

Steve Antonio	Jane Antonio	Cynthia McMorran (Shire Freeman)
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3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. PETITIONS AND PRESENTATIONS

Mr Steve Antonio presented a signed petition on behalf of 30 residents of the Miling town in relation to their preference for the proposed Great Northern Highway bypass (of Miling) to be constructed on the eastern side of the townsite.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Shire President attended;

22/6 Water for Food presentation in Jurien

25/6 Rotary Club of Moora changeover night

9/7 Opening of the Wheatbelt GP network building in Northam

11/7 Moora Lions Club changeover night

Cr Holliday

8/7 Community Resource Centre committee meeting

Cr Pond

30/6 Wildflower Country meeting in Three Springs

Cr Humphry

19/6 Avon-Midland Zone meeting in Northam

9/7 Opening of the Wheatbelt GP network building in Northam

8. CONFIRMATION OF MINUTES**8.1 ORDINARY COUNCIL MEETING - 17 JUNE 2015****COUNCIL RESOLUTION**

91/15 Moved Cr Pond, seconded Cr Clydesdale-Gebert that the Minutes of the Ordinary Meeting of Council held on 17 June 2015 be confirmed as a true and correct record of the meeting.

CARRIED 8 / 0

8.2 SPECIAL COUNCIL MEETING - 24 JUNE 2015**COUNCIL RESOLUTION**

92/15 Moved Cr Holliday, seconded Cr Humphry that the Minutes of the Special Meeting of Council held on 24 June 2015 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: 10 July 2015

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

93/15 Moved Cr Humphry, seconded Cr Pond that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

Municipal Fund	Cheques 62024 - 62042	\$19,323.05
	EFT 13813 - 13979	\$409,093.71
	Credit Card 15/05/15 to 14/06/15	\$4,246.82
	Net Pays – PPE 02/06/15	\$81,978.32
	Net Pays – PPE 16/06/15	\$87,441.42
	Net Pays – PPE 30/06/15	\$86,700.20
Trust Fund	Cheques 5090 - 5091	\$40.00
Total		<u>\$668,823.52</u>
		<u>CARRIED 8 / 0</u>

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 JUNE 2015

REPORT DATE: 10 July 2015

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 30 June 2015

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 30 June 2015.

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 2014/15 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

94/15 Moved Cr Pond, seconded Cr Holliday that Council notes and receives the Statement of Financial Activity for the period ended 30 June 2015.

CARRIED 8 / 0

9.1.3 ADOPTION OF THE 2015/2016 BUDGET

REPORT DATE: 10 July 2014

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

ATTACHMENTS: Shire of Moora 2015/16 Budget

PURPOSE OF REPORT:

For Council to consider adoption of the 2015/2016 Budget.

BACKGROUND:

The 2015/2016 draft Budget is circulated as an attachment to this report. As per the requirements of the Local Government Act 1995, Local Government (Financial Management) Regulations 1996, Australian Accounting Standards (AAS) and Australian International Reporting Financial Standards (AIFRS) the document has been prepared in its statutory format.

COMMENT:

The Budget for the 2015/2016 financial year includes the following information:

- Shire of Moora Budget
- Adopted Schedule of Fees & Charges

Over the past few months Councillors have had the opportunity to raise queries and have input into the draft Budget at a number of General Purpose Committee Meetings and Councillor Information sessions.

The draft Budget is based on an overall rate increase of only 2% instead of the CPI plus 2% which was used in the Shire of Moora Corporate Business Plan (5.1%). At General Purpose Committee Meetings and Councillors Information sessions, Councillors have made it clear they would prefer a minimal rate rise this financial year.

GRV and UV rates in the dollar have been adjusted accordingly to achieve a 28% and 72% split between GRV and UV rates revenue for 2015/16 as per the Councils target.

Within the draft Budget are a number of projects that are reliant on applications for grant funding being successful. If the full amount of funding budgeted for is not received, a report will be put to Council to amend the budget accordingly.

POLICY REQUIREMENTS:

The Budget is consistent with adopted Council policies and the Shire of Moora Rating Strategy. This strategy is available on the Shire's webpage (www.moora.wa.gov.au).

LEGISLATIVE REQUIREMENTS:

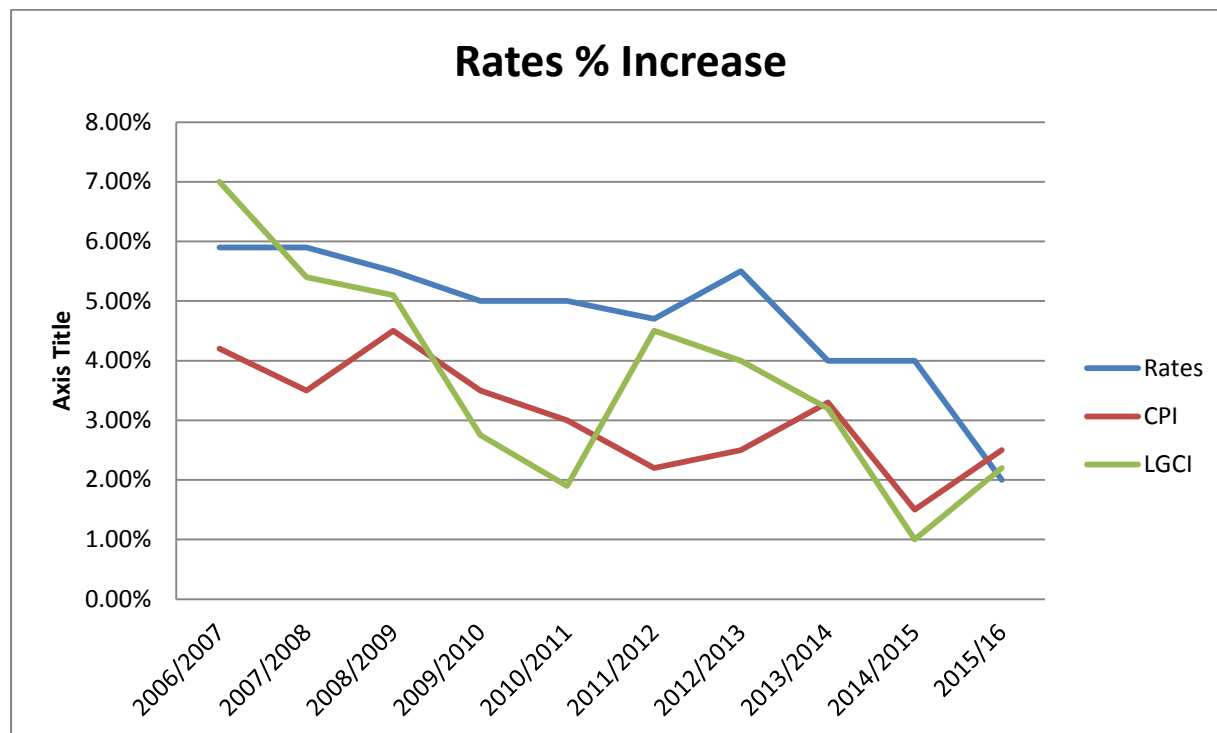
Section 6.2 of the Local Government Act 1995 requires Council to adopt its Annual Budget in the form and manner prescribed no later than 31 August in any financial year, subject to any extension past this date with Ministerial approval. The draft Budget, as presented to Council, is prepared in the statutory format required.

Within thirty (30) days of the adoption of the Budget, a copy must be forwarded to the Director General, Department of Local Government and Regional Development as provided by Regulation 33 of the Local Government (Financial Management) Regulations 1996.

STRATEGIC IMPLICATIONS:

The draft Budget includes a number of operating and capital projects which will help Council deliver the priorities it has identified in its Community Strategic Plan and Corporate Business Plan, i.e. regional cooperation, planning for growth and existing asset renewal including the sewerage scheme.

The budget is based on an overall rate increase of 2%. Rate rises in previous years have been:

**SUSTAINABILITY IMPLICATIONS:**

- **Environment**
The proposed budget contains a number of initiatives that will enhance and support the environment within the Shire.
- **Economic**
The proposed budget contains a number of initiatives that will enhance and support economic development within the Shire.
- **Social**
The proposed budget contains a number of initiatives that will enhance and support social development within the Shire.

FINANCIAL IMPLICATIONS:

The result of the following resolutions will be the adoption of the 2015/2016 Budget.

VOTING REQUIREMENTS

Absolute Majority Required

COUNCIL RESOLUTION

95/15 Moved Cr McLagan, seconded Cr Humphry that Council adopts the 2015/2016 Budget including the following matters:

- (1) **Imposing General Rate for Gross Rental Value (GRV) properties – the general rate be set at 8.8611 cents in the dollar on Gross Rental Values for all rateable land within the district;**
- (2) **Imposing General Rate for Unimproved Value (UV) properties – the general rate be set at 1.1381 cents in the dollar on Unimproved Values for all rateable land within the district;**
- (3) **Rates increase by area can be summarised as:**

UV/Farming	\$2,659,805
GRV/Town	<u>\$1,034,410</u>
	\$3,694,215

Resulting in an actual increase in rate revenue across each area of:

	2014/15	2015/16	% Inc
UV/Farming	\$2,625,851	\$2,659,805	1.29%
GRV/Town	\$995,848	\$1,034,410	3.87%

- (4) **Imposing Minimum Payment (Rates) for Gross Rental Value (GRV) properties – the Minimum Payment (Rates) be set at \$607 per assessment for GRV properties;**
- (5) **Imposing Minimum Payment (Rates) for Unimproved Value (UV) properties – the Minimum Payment (Rates) be set at \$607 per assessment for all UV properties in the Shire of Moora;**
- (6) **Imposing Sewerage Rate – the sewerage rate in the dollar be set at 7.1798 cents in the dollar, and that the following apply:**
 - a. **That the minimum annual sewerage rates be as follows;**

Residential properties	\$345.00
Commercial properties	\$345.00
Vacant Land properties	\$345.00
Ex-Gratia Commercial/Industrial properties	\$345.00
 - b. **That the maximum annual sewerage rate be as follows;**

Residential properties	\$902.00
Vacant Land properties	\$902.00
Commercial properties	\$4243.00
 - c. **Non Rateable Properties connected to sewer**

Class I	Institutional/Public & Charitable Purposes <u>for each property:</u>	
First major fixture		\$222.00 per annum
Each additional major fixture		\$94.00 per annum

**Class 2 State and Local Government properties of a commercial nature:
\$1,236.00 per Connection**

- (7) **Rubbish Removal Charges (per annum) – be set at;**
- (i) **Residential – Non-pensioner** \$352 per 240-litre bin (weekly) & recycling bin (fortnightly)
 - (ii) **Residential– Pensioner** \$263 per 240-litre bin (weekly) & recycling bin (fortnightly)
 - (iii) **Non-Residential** \$352 per 240-litre bin (weekly)
- (9) **Incentive for Early Payment of Rates – Council is offering a \$500 cash prize to ratepayers who pay their 2015/16 rates, rubbish charges and arrears in full within 21 days from the issue date of the rate notice;**
- (10) **Instalment Plan – The following options be made available to ratepayers:-**
- a. **To pay in full within 35 days of service of the rates notice.**
 - b. **To pay by 2 equal instalments as under.**
 - (i) **50% of the rates within 35 days**
 - (ii) **50% of the rates within 2 months of (i)**
 - c. **To pay by 4 equal instalments as under.**
 - (i) **25% of the rates within 35 days**
 - (ii) **25% of the rates within 2 months of (i)**
 - (iii) **25% of the rates within 2 months of (ii)**
 - (iii) **25% of the rates within 2 months of (iii) being 6 months from the expiration of the initial 35 day period and 6 months and 35 days from the date of service of the notice.**
- (11) **Instalment Plan Interest Rate – a charge be set at 5.5% per annum calculated by simple interest method and applied to Rates and Rubbish Removal Charge;**
- (12) **Instalment Plan Administration Charge – a charge of \$6.90 per instalment excluding the first instalment and applied to Rates and Rubbish Removal Charge;**
- (13) **Late Payment Interest Rate – (Rates and Rubbish Removal Charge) - a charge be set at 11% per annum, calculated by simple interest method, be applied for instalments past the due date, or where the instalment option is not in place, 35 days after the date of issue of the rate notice;**
- (14) **Late Payment Interest Rate – (Sundry Debtors Charges) - a charge be set at 11% per annum, calculated by simple interest method, be applied for outstanding sundry debtors past the due date, 30 days after the date of issue of the invoice;**
- (15) **Reserve Accounts – Council confirms the names and purposes of its Reserve Accounts as listed within the Shire of Moora Budget 2015/2016:**
- (16) **Materiality Threshold – that the materiality threshold for monthly financial reporting (Statement of Financial Activity – Program) be set at plus or minus 10% and greater than \$5,000 at Program and Category levels.**

- (17) Confirms the meeting fees to be paid to all Councillors at \$150 per Committee meeting; and for Council meetings \$300 per meeting to Councillors and \$380 per meeting for the Shire President.
Shire President's allowance at \$7,500 per annum and Deputy President at \$1,875.**

CARRIED by ABSOLUTE MAJORITY 8 / 0

10. REPORTS OF COMMITTEES

MANAGEMENT & AUDIT COMMITTEE MEETING – 3 JUNE 2015

10.1 RISK MANAGEMENT POLICY

FILE REFERENCE: F/AUDI-2
REPORT DATE: 28 May 2015
OFFICER DISCLOSURE OF INTEREST:
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Alan Leeson, Chief Executive Officer
ATTACHMENTS: Risk Management Policy and Risk Management Report

PURPOSE OF REPORT:

The Audit Regulations require the CEO to prepare a review system and procedures in relation to risk management, internal controls and legislative compliance for presentation to the Audit Committee every two calendar years.

BACKGROUND:

The Audit Regulations were amended on the 8th February 2013 to add Regulation 17 as set out below:

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –*
- (a) Risk management; and*
 - (b) Internal control; and*
 - (c) Legislative compliance.*
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*
- (3) The CEO is to report to the audit committee the results of the review.*

To effectively review the appropriateness and effectiveness of procedures and systems requires the establishments of formalised policies and or management procedures by the Shire. It is against these documented procedures that a review will be undertaken.

COMMENT:

Along with most regional Local Governments in WA including the Shire's of Dandaragan, Dalwallinu, Wongan-Ballidu and Victoria Plains the Shire of Moora engaged the services of LGIS consultants to help prepare a Risk Management Framework. This includes the preparation of a Risk Management Policy and Risk Management Procedures which sets out the Shire's approach to the identification, assessment, management, reporting and monitoring of risks. All components of the documents are based on Australia/New Zealand Standard ISO 31000:2009 Risk Management.

Management has identified and reviewed the various risk profiles of the Shire and evaluated these using the risk assessment and acceptance criteria and risk matrix provided in the Risk Management Framework.

VOTING REQUIREMENTS:

Simple Majority Required

**COUNCIL RESOLUTION
(COMMITTEE RECOMMENDATION)**

96/15 Moved Cr Holliday, seconded Cr Pond that Council receive the Shire of Moora Risk Report June 2015 being the CEO's review of the appropriateness and effectiveness of the Shires systems and procedures in regard to risk management, internal control and legislative compliance as per Audit Regulation 17.

CARRIED 8 / 0

GENERAL PURPOSE COMMITTEE MEETING – 1 JULY 2015

10.2 FIREBREAK REQUIREMENTS 2015/2016 - BUSH FIRES ACT (1954)

The Chief Executive Officer advised that further information had come to light since the item had been considered by the Committee and that the item be withdrawn and laid on the table until July 2016. This will enable Councillors to consult on the issue widely with all stakeholders.

FILE REFERENCE: LO/BUFI
REPORT DATE: 23 June 2015
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR Vicki Booth, Community Emergency Services Manager
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To consider amendments to the Fire Break order to ensure an up to date and relevant document is utilised. The firebreak order is reviewed annually and put to Council to adopt any necessary changes. The adopted version is gazetted and put out for advertising.

BACKGROUND:

The 2015/16 review of the Fire Break order was conducted, after consultation with the Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer, Community Emergency Services Manager and Chief Executive Officer.

COMMENT:

The amendments are required so they may be included in the annual Bushfire regulations notice forwarded out with the Shire of Moora rates notices in August 2015

Listed below are the recommended changes from the 2014/15 Firebreak order to the 2015/16 Firebreak order;

Current

1. That the Shire of Moora adopts the regulation of a 2.7 metre firebreak in the following locations.
 - (a) Townsites – land over 3,000m²
 - (b) Rural Land
 - (c) Fuel Pumps (Fuel Depots)
 - (d) Farm buildings, unattended electric motors and hay stacks
 - (e) Unattended fuel operated motors

(Adopted Ordinary Council Meeting 12 July 2006)

New

1. That the Shire of Moora adopts the regulation of a 3 metre firebreak in the following locations.
 - (a) Townsites – land over 2,023m² (half an acre)
 - (b) Rural Land
 - (c) Fuel Pumps (Fuel Depots)
 - (d) Farm buildings, unattended electric motors and hay stacks
 - (e) Unattended fuel operated motors
2. That the Shire of Moora adopts the regulation of land over 2,023m² (half an acre) *(which is the correct area conversion from imperial to metric).*

All other requirements/ regulations remain unchanged from previous year.

POLICY REQUIREMENTS:

Shire of Moora Bush Fire Policy 2.1 adopted 18 May 2009

LEGASLATIVE REQUIREMENTS:

Bush Fires Act 1954 - (with amendments) and Regulations

STRATEGIC IMPLICATIONS:

Town and Rural resident's awareness to Fire Prevention and Safety

SUSTAINABILITY IMPLICATIONS:

- **Environment**
Efficient fire control for fire breaks protects the natural environment and cereal crops.
- **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:

Funding for the Bush Fire Brigades operations is funded from the ESL levy Grant

VOTING RECOMMENDATIONS:

Simple Majority required

COMMITTEE RECOMMENDATION*That Council*

1. note the following amendments to the Fire Break notice regulations for 2015/16
2. adopts the regulation of a 3 metre firebreak in the following locations;
 - (a) Townsites – land over 2,032m² (half an acre);
 - (b) Rural Land;
 - (c) Fuel Pumps (Fuel Depots);
 - (d) Farm buildings, unattended electric motors and hay stacks;
 - (e) Unattended fuel operated motors.
3. Authorise the publishing of the amendments to the Shire of Moora Firebreak notice in the Advocate and WA Government Gazette.

(ITEM 10.2 WITHDRAWN)**10.3 RELOCATION OF TRANSPORTABLE HOME****FILE REFERENCE:** TP/PA33**REPORT DATE:** 25 June 2015**APPLICANT/PROPONENT:** Neville & Lyn Hamilton**OFFICER DISCLOSURE OF INTEREST:** Nil**PREVIOUS MEETING REFERENCES:** Nil**AUTHOR:** Peter Williams, Manager Development Services**ATTACHMENTS:** Plans**PURPOSE OF REPORT:**

Neville and Lyn Hamilton seek Council permission to relocate a transportable dwelling which is currently located on their son's property at Lot 196 Riley Road, to a property located at Lot 49 / House no. 87 Long Street.

BACKGROUND:

The transportable has previously been used as a residence previously and is currently clad with asbestos which is to be removed on site as part of a demolition application. The dwelling also has a veranda and a carport attached which is also to be removed.

The proponents have submitted an application for a demolition and a building application for this development and the proposal is to remove the asbestos cladding from the dwelling on site at its current location. This will be subject to a demolition licence and an Asbestos Management Plan; the de-clad frame will be transported to the property at 87 Long Street. The house will then be reclad using new materials to a state where it can be either sold or rented. The veranda and carport will be added as part of the building application.

The current property at Lot 196 Riley Road is classified as Rural Residential 3 under the Shire of Moora Town Planning Scheme No 4 (Amendment 10) and 87 Long Street is located in the Residential Zone and as such is subject to the residential Design Codes.

COMMENT:

As this is a second-hand transportable dwelling it is therefore subject to Councils policy for second hand transportable dwellings and will have to pay a \$10,000 bond to ensure the dwelling is satisfactorily completed to Councils satisfaction. The land, once the dwelling has

been removed shall be required to have the top 150mm scraped clean of topsoil and any asbestos fibres, septic tanks compacted and leach drains collapsed.

It is recommended that this application be approved as the plans meet the requirements of the Shire's Town Planning Scheme and the Residential Design Code.

POLICY REQUIREMENTS:

Shire's Policy for Second-hand Transportable Dwellings requires a \$10,000.00 bond be placed with Council to ensure satisfactory completion.

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 (COMMITTEE RECOMMENDATION)

97/15 Moved Cr Humphry, seconded Cr Holliday that Council approve the application by proponents Neville and Lyn Hamilton to de-clad a second hand transportable dwelling located at Lot 196 Riley Road of asbestos and transport the de-clad residence to Lot 49 / House no. 87 Long Street, Moora where it is to be re-clad with compliant materials subject to the following conditions:

- The de-cladding is subject to a Demolition Licence and an Asbestos Management Plan;***
- The transportation of the second hand timber residence shall be subject to Councils Second Hand Transportable Dwelling Policy and the proponents will have to pay a \$10,000 bond that will be returned once the dwelling is satisfactorily completed to Councils satisfaction;***
- Once located on site at 87 Long Street, Moora the dwelling shall be connected to Councils Sewerage Scheme after an application has been submitted to Council for connection;***
- No second hand materials are to be used for the cladding and the reconstruction of the dwelling;***

- **No development can take place until a building permit has been issued subject to the Building Code of Australia (BCA), the Building Act 2011 and the Shire of Moora Local Planning Scheme No 4.**

CARRIED 8 / 0

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

Nil

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

The Chief Executive Officer tabled 3 items of urgent business from the Manager Development Services;

1. 21 Melbourne Street – Bennett - Patio
2. Lot 154 Gardiner Street – Nigel Claydon – Transportable New Shed
3. Lot M1520 Midlands Road Watheroo Upgrade of Existing Mobile Phone Base Station; for Councils consideration.

COUNCIL RESOLUTION

98/15 Moved Cr McLagan, seconded Cr Clydesdale-Gebert that Council consider the items of urgent business as tabled by the Chief Executive Officer titled;

- 1. 21 Melbourne Street – Bennett - Patio***
- 2. Lot 154 Gardiner Street – Nigel Claydon – Transportable New Shed***
- 3. Lot M1520 Midlands Road Watheroo Upgrade of Existing Mobile Phone Base Station; for Councils consideration.***

CARRIED 8 / 0

12.1 21 MELBOURNE STREET – BENNETT - PATIO

FILE REFERENCE: TP/PA02/1516

REPORT DATE: 13 July 2015

APPLICANT/PROPONENT: Warren & Courtney Bennett

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

An application has been received from Mr & Mrs Warren Bennett (The Proponents) of 21 Melbourne Street requesting Council to consider a proposal to construct a patio 6m x 14m, gabled steel patio off and attached to the rear of their dwelling for the purpose of undercover family outdoor living area.

BACKGROUND:

No 21 Melbourne Street is located in the Residential Zone in Moora and a patio is an approved use and it meets the requirements of the Residential Design Codes

COMMENT:

It is recommended that this development be approved subject to floor to the patio particularly if it is to be concreted that the concrete be screeded and saucered below the cap in the areas where the inspection opening's of the sewer connected to the house fixtures are, so that the cap of the sewer line is accessible and openable. The issue with these older premises where a patio is installed at a later date is the sewerage, as the pipes run across the rear of the dwelling and are at times enclosed with concrete particularly if the owner wishes to enclose the patio at a later date.

POLICY REQUIREMENTS:

There are no known policy implications for this item.

LEGISLATIVE REQUIREMENTS:

There are no known legislative implications for this item.

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.

FINANCIAL IMPLICATIONS:

There are no significant financial implications for this proposal.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

99/15 Moved Cr Humphry, seconded Cr Pond that Council approve the application proposal by Warren and Courtney Bennett of 21 Melbourne Street Moora, to construct a 6m x 14m steel patio to the rear of their dwelling at the above address subject to the following conditions;

- 1. The inspection opening's are left exposed and openable when laying the concrete floor to the patio.***
- 2. No second-hand materials to be used in the construction of the patio***
- 3. Any changes to the design or dimensions after what have been approved with this application will to subject to another application.***

4. ***No building work is to be commenced unless an approved Building Licence has been issued by the Shires Building Surveyor which is subject to the submission of a Building Application.***

CARRIED 8 / 0

12.2 LOT 154 GARDINER STREET – NIGEL CLAYDON – TRANSPORTABLE NEW SHED

FILE REFERENCE: TP/PA01/1516

REPORT DATE: 13 July 2015

APPLICANT/PROPONENT: Nigel Claydon

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

An application for development has been received by the Manager Development Services for the situation of a new shed on Lot 154 Gardiner Street, Moora submitted by Mr Nigel Claydon, (The Proponent) and seeking Councils approval for this development.

BACKGROUND:

The proponent wishes to situate a new open plan sales office and a 16.4m x 5.4m storage shelter on his property Lot 154 Gardiner Street. From this he intends to hire out and sell transportable equipment and vehicles for accommodation and ancillary purposes in industrial, agricultural, commercial and extractive markets.

Proposed facilities and application are similar in nature to adjacent and opposite neighbours in the immediate vicinity which retail commercial and agricultural equipment and supplies in the Town Centre Zoning. The shed that is to be provided is to be used for storage.

Lot 154 Gardiner Street is situated in the Town Centre Zone and the objectives of the Town Centre Zone are:

- (a) to ensure the town centre remains the principal place for retail, commercial, civic, and administrative functions within the district.
- (b) to encourage development will not adversely affect local amenities, and will enhance the character of the town centre.
- (c) to provide sufficient parking spaces for vehicles without compromising pedestrian movements through the town centre.
- (d) to provide an increased level of public amenities including public toilets, shaded areas, and street furniture.

The Development requirements of the Town Centre Zone are:

- (a) Development shall not exceed 2 storeys in height except where the local government considers that particular circumstances may warrant an exception being made and provided the local government's objectives are not compromised.

- (b) In considering an application for planning approval for a proposed development (including additions and alterations to existing development) the local government shall have regard to:
- (i) the colour and texture of external building materials; the local government may require the building facade and side walls to be constructed in masonry;
 - (ii) building size, height, bulk, roof pitch;
 - (iii) setback and location of the building on its lot;
 - (iv) architectural style and design details of the building;
 - (v) function of the building;
 - (vi) relationship to surrounding development; and
 - (vii) other characteristics considered by the local government to be relevant.
- (c) Landscaping shall be provided to complement the appearance of the proposed development and the town centre.
- (d) The layout of car parking shall have regard for traffic circulation in existing car parking areas and shall be integrated with any existing and adjoining car park.

WAREHOUSE/STORAGE means premises including indoor or outdoor facilities used for -

- (a) the storage of goods, equipment, plant or materials; or
- (b) the display or sale by wholesale of goods.

COMMENT:

The proposal does not meet any of the existing definitions of the Shire of Moora Table I Zoning Table and as such is a use not defined in the Zoning Table. The new Planning and Development (Local Planning Schemes) Regulations that are to be Gazetted early September and are being referred to by Shires and the Planning Consultants, do make reference to Warehouse/Storage which is near to the type of use that this proponent is hoping to achieve.

At the end of the day it is up to Council if this is the type of industry that Council wants in the Town Centre Zone.

The proponent does have a transportable unit on the lot 154 at the moment that is being stored there temporarily but this is the type of business that is proposed. Steps are in place to ensure adequate siting of the unit and restraints used to hold the building down. These constraints will be used for all transportable buildings stored at the site.

It is recommended that the office meets the building standard of masonry outer walls and colour-bond roof that blends in with the surrounding flora of the area. It is also recommended that the whole block be fenced for security purposes.

POLICY REQUIREMENTS:

There are no known policy implications for this item.

LEGISLATIVE REQUIREMENTS:

Shire of Moora Town Planning Scheme No 4 (Amendment 10)

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.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this proposal.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

100/15 Moved Cr Humphry, seconded Cr Holliday that Council approve the development application by Nigel Claydon for Lot 154 Gardiner Street Moora subject to the following conditions;

- 1. The property that is to be used for storage of transportable units is fenced with 2.4. link mesh fencing for security purposes.*
- 2. All transportable units stored on the property are supported on engineered supports to securely constrain the building during inclement weather and meets the requirements of the Building Code of Australia.*
- 3. The Office Building outer walls are to be constructed of masonry as required by the Town Centre Zone requirements and the roof to be colour-bond or concrete tiles.*
- 4. The Shed is to be colour-bond clad that fits in with the amenities of the area.*
- 5. No second-hand materials to be used in the construction of buildings.*
- 6. Any deviation to the plans submitted and approved by Council will be subject to a new Town Planning Application.*
- 7. Landscaping shall be provided to complement the appearance of the proposed development and the town centre.*
- 8. The layout of car parking shall have regard for traffic circulation and be provided in an area that is sealed with marked bays including provision of a disabled bay.*

CARRIED 8 / 0

12.3 LOT M1520 MIDLANDS ROAD WATHEROO UPGRADE OF EXISTING MOBILE PHONE BASE STATION

FILE REFERENCE: TP/PA03/1516

REPORT DATE: 14 July 2015

APPLICANT/PROPONENT: Aurecon Australasia Pty Ltd on behalf of Telstra Corporation

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Nil

PURPOSE OF REPORT:

Notification of a proposal has been received by Aurecon Australasia Pty Ltd (Proponent) on behalf of Telstra to upgrade the mobile phone base station at existing site at Lot M1520 Midlands Road, Watheroo.

BACKGROUND:

Telstra proposes the replacement/upgrade of 4 Omni Antennas (2 xUNA008R Omni antennas (60m level) and 2 x UNA008RI Omni antennas (at the 59m level) to provide improved mobile network coverage in the Watheroo area.

The proposed infrastructure will be in compliance with the ACMA EMR regulatory arrangements. The maximum accumulative EME (Electro Magnetic Energy) level at 1.5m Above Ground Level is estimated to be 0.047% of the Public Exposure Limits.

COMMENT:

As this proposed facility is a low impact development and it complies with relevant State Planning Legislation Telstra are seeking Council comments regarding this development proposal.

POLICY REQUIREMENTS:

There are no known policy implications for this item.

LEGISLATIVE REQUIREMENTS:

There are no known legislative implications for this item.

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.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this proposal.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

101/15 Moved Cr McLagan, seconded Cr Holliday that Council acknowledge the upgrade development by Aurecon Australasia Pty Ltd on behalf of Telstra at the existing mobile phone base station site at Lot M1520 Midlands Road, Watheroo and request a condition that a red light beacon be placed on the top of the mast to warn planes, particularly crop sprayers and light planes of the height of the mast and its location.

CARRIED 8 / 0

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 6.28pm.

CONFIRMED

PRESIDING MEMBER