



Ordinary Council Meeting Minutes

Date: 21 April 2010

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

The Shire of Moora Vision and Mission Statement

Vision

Our vision is that:

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

Mission

Our mission is:

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

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
21 APRIL 2010

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1. DECLARATION OF OPENING & WELCOME OF VISITORS

The Shire President declared the meeting open at 3.43pm, welcomed visitors and announced:

"Acknowledgment of Country"

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

2. DISCLAIMER READING

The Shire President read the following disclaimer:

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

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

3. ATTENDANCE

SA Bryan	-	Shire President
CE Gardiner	-	Councillor
SJ Pond	-	Councillor
AR Tonkin	-	Councillor
CD Hawkins	-	Councillor
JW McLagan	-	Councillor
DV Clydesdale-Gebert	-	Councillor
OC Cocking	-	Councillor
LM O'Reilly	-	Chief Executive Officer
L J Parola (until 4.37pm)	-	Manager Finance & Corporate Services
R L McCall (until 4.37pm)	-	Manager Community & Economic Development
W Zadravec (until 4.37pm)	-	Manager Health, Building & Planning Services
MM Murray (until 4.37pm)	-	Executive Support Officer

APOLOGIES:

R Keamy	-	Councillor
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PUBLIC:

Nil

4. DECLARATIONS OF INTEREST

Cr Cocking declared an indirect financial interest in item 11.1.1 as he is a user of biosolids and has a storage facility on his farm.

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

Nil

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. PETITIONS AND MEMORIALS

Nil

9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT

Shire President

- Advised that she had passed on condolences to the family of local artist, Alice Yates in her passing. She will be sorely missed and was a fantastic advocate for aboriginal people in the district.
- Attended the Moora Community Resource & Visitor Centre (Telecentre) meeting
- Will be attending the St James Residential College Board meeting next week, they are working hard to raise numbers.

Cr McLagan

- The CEO, Community & Economic Development Manager and he had met with Barry Humphreys & Kel Turner from Humphrey Land Developments to have input into the way forward in relation to the residential developments.
- Advised that he had been speaking with Troy Cook & David Wirrpanda regarding the David Wirrpanda Foundation. Rebecca McCall will be following up to arrange a suitable meeting date and obtain costing details for potential activities for the Youth in our communities.
- Noted that he had spoken to Hon. Simon O'Brien MLC, Minister for Transport regarding the dangerous areas along Great Northern Highway past Bindi Bindi. He advised that he will be fighting for further funding for the highway.

Cr Hawkins advised that he has been in preliminary discussions with Don Telfer, Regional Operations Manager, Department of Agriculture & Food Moora, regarding having the region declared a 'fruit fly free area' for the long term benefit of industries and export requirements.

Cr Tonkin announced the programme for the upcoming ANZAC Day

10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING**10.1 ORDINARY COUNCIL MEETING - 17 MARCH 2010****COUNCIL RESOLUTION**

32/10 Moved Cr Pond, seconded Cr Bryan that the Minutes of the Ordinary Meeting of Council held on 17 March 2010, be confirmed as a true and correct record of the meeting.

CARRIED 8/0

Cr Cocking declared an indirect financial interest in item 11.1.1 as he is a user of biosolids and has a storage facility on his farm.

11. REPORTS OF OFFICERS**11.1 ADMINISTRATION****11.1.1 WA GUIDELINES FOR BIOSOLIDS MANAGEMENT DRAFT FOR COMMENT**

FILE REFERENCE: ED/BIO2

REPORT DATE: 13 April 2010

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: 28/7/04 (Item 9.5), 26/8/05 (Item 9.5), 8/6/05 (Item 11.6.1), 13/7/05 (Item 11.5.1), 24/8/05 (Items 11.5.1 & 11.5.2), 14/9/05 (Items 11.5.2 & 11.5.3), 25/7/07 (Item 11.4.1)

AUTHOR: Lynnette O'Reilly, Chief Executive Officer

ATTACHMENTS: Nil

PURPOSE OF REPORT:

To review the Western Australian Guidelines for Biosolids Management – Draft for comment to ensure that appropriate feedback is provided.

BACKGROUND:

There have been Council and public consultations since 2004 with public forums and meetings arranged by the Water Corporation to discuss the Biosolids project. Council has continued to be a representative on the Trial Moora Biosolids Facility Stakeholder Reference Group to have ongoing input into the management of biosolids in the region.

To date the Shire's research indicates that there are no detrimental health impacts on humans, as long as biosolids are used within the strict guidelines. The Biosolids Working Group consisting of the Department of Environment & Conservation, Department of Health, Department of Water & Water Corporation will continue to research, monitor and control any further development of the guidelines.

COMMENT:

Council has two representatives on the Trial Moora Biosolids Facility Stakeholder Reference Group (SCF) and has been invited to provide comments on the draft WA Guidelines for Biosolids Management to the Biosolids Working Group.

The guidelines are designed to provide a framework to ensure the appropriate management and use of biosolids from municipal waste. A copy of the document has been provided to Councillors and is available to the public at <http://www.dec.wa.gov.au/content/blogcategory/858/1755/>. Although they are not legal requirements they provide for appropriate management and practices.

Local Government Authorities (LGA) have a responsibility to ensure the guidelines are adhered to. As per the draft requirements suppliers of biosolids are required to contact the LGA to advise of the intended application of biosolids within 30 days prior to the application. The guidelines suggest that good practice requires that the LGA is advised of proposed biosolids applications and transport routes 12 months in advance to assist any road maintenance or other issues that may arise. As a minimum LGA "...must be advised of transport dates, expected number of truck movements and proposed routes." Restrictions may be required by Main Roads on vehicle type and load size.

Contingency plans are required to be developed by recipients of biosolids to ensure that if there is flystrike a plan is in place which includes notifying the Department of Health (DoH) and the LGA. If a spillage occurs the LGA, Department of Environment and Conservation (DEC) and the DoH are to be informed.

Overall, the guidelines appear to provide a thorough approach to the management of Biosolids.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

Input as appropriate is considered to be important in light of the trial storage and usage of biosolids in the Moora Shire. It is important that Council are aware of and advise input into the development of the guidelines to ensure in future there are no 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
(MANEX RECOMMENDATION)**

33/10 Moved Cr Gardiner, seconded Cr Clydesdale-Gebert that Council as a member of the Trial Moora Biosolids Facility Stakeholder Reference Group provide a letter of support to the Biosolids Working Group supporting the “WA Guidelines for Biosolids Management – Draft for Comment”, by 30 April 2010.

CARRIED 8/0

11.2 FINANCIAL DEVELOPMENT

CHANGE TO THE ORDER OF BUSINESS

COUNCIL RESOLUTION

34/10 Moved Cr Bryan, seconded Cr Gardiner that the order of business be changed so that item 11.2.1 be considered after item 11.3.1 to allow for an additional attachment to be printed off which pertains to the item.

CARRIED 8/0

At 4.08pm the Executive Support Officer left the meeting

11.2.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MARCH 2010

REPORT DATE: 15 April 2010

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Leanne Parola, Manager Finance & Corporate Services

ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 March 2010

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 March 2010.

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 31 March 2010 is provided as a separate attachment in Program format. When adopting the budget, Council agreed to set the materiality threshold for monthly financial reporting at plus or minus 10% at program and category levels. At the Ordinary Meeting of Council held 20 January, Council agreed that the materiality threshold remain at plus or minus 10%, but that it be for variations of more than \$5,000 so that relatively minor amounts are not included.

The following programs were outside of the 10% and \$5,000 threshold as at 31 March 2010.

Health

Expenditure is approximately \$8,000 less than the year to date budget. This is attributable to a number of smaller accounts being underspent, ie Podiatry Service by \$3,000 and the allocation of administrative salaries (\$4,500).

Economic Services

Expenditure is under the year to date budget by some \$65,000. This is made up of a number of accounts, the larger ones being the allocation of administrative costs (\$36,000), depreciation (\$16,000), and operation of the Lifestyle Village (\$15,000).

Other Property and Services

Income is almost \$75,000 less than the current budget, largely because the timing and amount of private works is not known and little private work has been done to date.

Expenditure is some \$60,000 more than the current budget, largely because plant operation costs have not been effectively allocated to jobs. The rate of plant charges has recently been raised to counter affect some of this under allocation.

Overall

At the moment operating income and expenditure is within 10% of the year to date budget.

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 2009/2010 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

35/10 Moved Cr Bryan, seconded Cr Hawkins that Council notes and receives the Statement of Financial Activity for the period ended 31 March 2010.

CARRIED 8/0

11.3 OPERATIONAL DEVELOPMENT

11.3.1 TENDERS RECEIVED - SALE OF MOTOR VEHICLE TENDER # 2/2010

FILE REFERENCE: L/TEN2
REPORT DATE: 31 March 2010
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 17/3/10 (27/10)
AUTHOR: John Greay, Manager Engineering Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

Consideration of tenders received.

BACKGROUND:

At the previous meeting direction was sought from Council regarding the disposal of one of Council's vehicles which was surplus to requirements. This vehicle is an April 2009 Commodore Berlina Sedan, travelled approximately 18,300kms, licensed until April 2010 and is equipped with mudflaps and towbar.

COMMENT:

Tenders were called for the disposal of the vehicle with tenders closing on Thursday 25 March at 4.00pm. At the time of closing only one was received within the time period and another was received on Wednesday 31 March when confirmation of a valuation for the vehicle was sought.

The tender that was received within the appropriate time frame was from Mr MJ Prunster, Ranfurly Street, Moora for \$21,650 and the other was from Lewis Motors for \$23,000 inc GST.

At the previous meeting, Council provided the Chief Executive Officer with delegated power to deal with this matter based on the understanding that the vehicle would not be sold for less than the minimum valuation. This was sought and confirmed by the local Holden dealer who submitted a late tender for \$23,000. The 'RedBook' trade in valuations for this vehicle indicated values between \$21,100 and \$23,900.

At 4.10pm the Executive Support Officer rejoined the meeting.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 3.58 (3)

Local Government (Functions & General) Regulations 1996 – Regulation 30 (3), which relates to disposal of property

STRATEGIC IMPLICATIONS:

At the moment 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

Additional income not previously identified.

➤ Social

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

FINANCIAL IMPLICATIONS:

At the time of compiling the budget for this year staff were not aware that there would be a change in staffing arrangements that would see this vehicle become available for sale.

The budget review carried out in February included the sale of the Commodore Berlina sedan.

VOTING REQUIREMENTS

Absolute Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

36/10 Moved Cr Hawkins, seconded Cr Cocking that Council accept no tender for the purchase of the 2009 Commodore Berlina Sedan reg.no.105M.

CARRIED by ABSOLUTE MAJORITY 5/4

Note: As the votes of members present were equally divided, the Presiding Member cast a second vote under the Local Government Act 1995, s. 5.21. (3).

11.2.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE: 15 April 2010
OFFICER DISCLOSURE OF INTEREST: Nil
AUTHOR: Leanne Parola, Manager Finance & Corporate Services
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
(MANEX RECOMMENDATION)**

37/10 Moved Cr Hawkins, seconded Cr McLagan that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

Municipal Fund	Cheques 59701 to 59755	\$216,581.43
	Direct Debits EFT3884 to EFT4083	\$616,838.27
	Net Pays – PPE 17/3/10	\$79,113.65
	Net Pays – PPE 31/3/10	\$80,263.74
	Net Pays – PPE 14/4/10	\$76,756.94
	Credit Cards	\$8,611.60
Trust Fund	Cheques 4582 to 4583	<u>\$300.00</u>
	Total	\$1,078,465.63

CARRIED 8/0

11.4 COMMUNITY DEVELOPMENT

11.4.1 DRAFT TOWNSITE EXPANSION STRATEGIES – MILING AND WATHEROO

FILE REFERENCE: TP/TPSI

REPORT DATE: 15 April 2010

APPLICANT/PROPONENT: N/A

OFFICER DISCLOSURE OF INTEREST: Gray & Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of Local Government Act 1995

PREVIOUS MEETING REFERENCES: 11/11/09 (136/09)

AUTHOR: Gray & Lewis Landuse Planners

ATTACHMENTS: Draft Townsite Expansion Strategies – Miling (attach 1) and Watheroo (attach 2)
Table of Submissions (attach 3)

PURPOSE OF REPORT:

- Council is to consider final adoption of two Townsite Expansion Strategies and submissions lodged on the strategies during public advertising. One strategy is for Miling and the second is for Watheroo.
- This report recommends final adoption of both Townsite Expansion Strategies with minor modifications.

BACKGROUND:

Workshop

On the 22nd September 2008, Gray & Lewis attended a workshop held by Shire staff with Councillors to informally discuss strategic planning issues and an omnibus scheme amendment. The workshop also identified a general need for townsite expansion strategies for Moora, Miling and Watheroo to provide future planning direction.

The Strategy for Moora has been generally endorsed by the WA Planning Commission (WAPC).

Previous Council consideration

Council adopted the Draft Strategies for the purpose of initiating public consultation at its meeting held on the 11th November 2010 (refer Item 11.4.1). At the time, Council requested that advertising be deferred until the after the first week of February 2010 due to farming communities involvement in grain harvest.

COMMENT:

The strategies identify or earmark areas where future growth of the town of the town may be accommodated. Some of these areas are already zoned, and others would require re-zoning to facilitate subdivision, as explained in the Strategies.

- Strategy Format

Gray & Lewis liaised closely with the WAPC in the development of a Townsite Expansion Strategy for the Shire of Williams. As part of that process, the WAPC agreed to a specific format for Expansion Strategies.

This Strategy follows the same format agreed to for the Shire of Williams and is consistent with that of the Moora Strategy. The benefit is that it results in a simple strategic tool and it is a document that is easily understood by the community, service authorities and key stakeholders.

- Strategy Content

From the WAPC perspective one of the main considerations is to ensure that the urban growth of townsites is not unduly constrained, and that there are options for unlimited future urban expansion.

The Strategies each examine areas for future residential and rural residential adjacent to existing established areas, and recognizes that retention of the existing 'rural townsite' zoning applicable to both townsites allows for flexibility.

The Strategies effectively provide a 'broad' overview of how the Shire sees future growth being planned for in the short, medium and long term for Miling and Watheroo. Because the Strategies will also be referred to the WAPC for endorsement, they may be useful in pursuing future funding for projects.

- Preliminary liaison with WAPC and minor modifications

During advertising, copies of the Draft Strategies were referred to the WAPC for informal preliminary comment. As a result of liaison some minor modifications are proposed as follows;

1. WAPC queried if reticulated water would be supplied to the rural residential area shown in Area 4 of the Miling Strategy.

Two paragraphs have been added with comments on supplying rainwater tanks and that water supply would be further examined at subdivision stage. The minor changes are shown in red in the revised strategy text (**Attachment 1**).

2. WAPC queried why the residential area in area 4 of the Watheroo strategy is shown as going in a west east direction instead of south. This was proposed in order to try and minimize the extent of new residential within the CBH buffer area.

Some additional explanation has been included under Area 4 in the strategy text as shown in red (**Attachment 2**).

- *Public Consultation*

Both Strategies were advertised for public comment and the advertising period closed on the 29th March 2010. A summary and comments on each submission are included in a 'Table of Submissions' – **Attachment 3**.

The majority of submissions were from relevant service authorities or government departments. No changes to the Strategies are recommended as a result of submissions.

- *Conclusion*

It is recommended that Council adopt the strategies subject to the two minor text modifications explained in this report. Both Strategies need to be referred to the WA Planning Commission seeking their endorsement or 'noting'.

POLICY REQUIREMENTS:

N/A

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

The Strategies will give direction to the Shire, the Department for Planning and Infrastructure, Western Australian Planning Commission, the Minister and the State Administrative Tribunal in assessment of amendments, subdivision, development, applications for review and provide strategic planning support for this decision making.

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:

Council has paid for costs associated with public advertising of the draft strategies.

VOTING REQUIREMENTS:

Simple Majority Required

**COUNCIL RESOLUTION
(STAFF RECOMMENDATIONS)**

38/10 Moved Cr McLagan, seconded Cr Hawkins that Council

- 1. Adopt the Townsite Expansion Strategies for Miling and Watheroo for final approval subject to minor modifications as outlined in this report.*
- 2. Adopt the recommendations in the Table of Submissions and note all submissions.*
- 3. Write to all authorities and persons who lodged a submission and advise that:
(i) All submissions are appreciated and have assisted the Shire to finalise the Strategies.
(ii) Council has resolved to adopt the strategies with some minor text modifications.
(iii) The Strategy will be lodged with the Western Australian Planning Commission (WAPC) for endorsement, and copies of all submissions will be provided to the WAPC.*
- 4. Authorise Gray & Lewis Landuse Planners to lodge the modified Strategies with WAPC for endorsement.*

CARRIED 8/0

11.4.2 TOWN PLANNING SCHEME No 4: MOTEL EXTENSION

FILE REFERENCE: TP/PTWI-2
REPORT DATE: 15 April 2010
APPLICANT/PROPONENT: Watheroo Community Co-operative
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Wolfgang Zadavec, Manager Health, Building & Planning Services
ATTACHMENTS: Drawing Plans

PURPOSE OF REPORT:

The applicant seeks Council's approval for an extension to the existing Watheroo Motel located at L-6573 George Street, Watheroo. The proposal will include five self-contained motel-style rooms with an adjoining laundry/store room.

BACKGROUND:

The property is on Public Transport Authority (Railway) land and therefore not included in Council's Town Planning Scheme however, the PTA seeks Council's concurrent approval prior to their approval for the lessees to develop the site.

COMMENT:

The proposed development will provide much needed accommodation in the Watheroo township and will help boost the local economy. The applicant has also submitted an application for a building licence under the BCA requirements and an on-site septic application for Health approval.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant 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
(MANEX RECOMMENDATION)**

39/10 Moved Cr Tonkin, seconded Cr Gardiner that Council advise the Watheroo Community Co-Operative that it supports the proposed development for five additional self-contained motel rooms with laundry and storeroom.

CARRIED 8/0**11.4.3 TOWN PLANNING SCHEME No 4: CHANGE-OF-USE**

FILE REFERENCE: TP/PTMO3
REPORT DATE: 15 April 2010
APPLICANT/PROPONENT: Tim Broad
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Wolfgang Zadravec, Manager Health, Building & Planning Services
ATTACHMENTS: Site Plan

PURPOSE OF REPORT:

The applicant has been trading at Lot 3 Padbury Street Moora (zoned Town Centre) as an auto electrician for several years following the introduction of the Town Planning Scheme (TPS) No 4. After requests to lodge an application, one has now been submitted for planning approval as an auto electrician and in the future, to service air-conditioners.

BACKGROUND:

Under Table I – Zoning of Council’s TPS No 4, the classification of an auto-electrician is not clearly listed creating difficulty to grant use in that zoning. Advice from Gray and Lewis recommended that the inclusion of servicing air-conditioners may satisfy the definition of Service Industry which under sub-clause 3.2.2 requires Council to grant approval.

COMMENT:

The need to retain special services in our community must be balanced by the legal enforcement of the Planning Scheme and fortunately in this case there is an alternative. Under Service Industry Council has scope to grant approval subject to standard planning conditions.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Town Planning Scheme No 4.

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 social 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
(MANEX RECOMMENDATIONS)**

40/10 Moved Cr Cocking, seconded Cr Hawkins that

- 1. Council grant planning approval to Tim Broad (the applicant) to operate as an auto-electrician and future air-conditioner service centre at Lot 3 Padbury Street, Moora.*
- 2. the planning approval includes conditions relating to hours of operation, noise, odours, pollution controls, signage and landscaping.*

CARRIED 8/0

11.5 ENVIRONMENTAL DEVELOPMENT

Nil

11.6 ECONOMIC DEVELOPMENT

Nil

11.7 SPORT AND RECREATION

Nil

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

Nil

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

Nil

14. NOTICE OF MOTIONS FOR THE NEXT COUNCIL MEETING

Cr Hawkins gave notice of his intention to put the following motion at the next meeting of Council

"Building plans submitted to the Shire of Moora for the purposes of constructing:

- Buildings on Shire of Moora land, or land vested in the Shire of Moora, and/or
- Buildings in the Shire of Moora funded partly or fully by public money,

shall be available for viewing by members of the public, except:

- Where there are significant commercial-in-confidence issues, and then only by prior arrangement with the Shire of Moora CEO."

15. MATTERS BEHIND CLOSED DOORS

COUNCIL RESOLUTION

41/10 Moved Cr Gardiner, seconded Cr Pond that the meeting move behind closed doors to discuss employee opportunities in the Shire of Moora.

CARRIED 8/0

At 4.37pm the Manager Finance & Corporate Services, Manager Community & Economic Development, Manager Health, Building & Planning Services & Executive Support Officer retired from the meeting.

COUNCIL RESOLUTION

42/10 Moved Cr Tonkin, seconded Cr Gardiner that the meeting come out from behind closed doors

CARRIED 8/0

16. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 5.10pm.

CONFIRMED

PRESIDING MEMBER