

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
18 SEPTEMBER 2019

TABLE OF CONTENTS

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	3
1.1 DECLARATION OF OPENING.....	3
1.2 DISCLAIMER READING	3
2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE	3
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
4. PUBLIC QUESTION TIME	3
5. PETITIONS AND PRESENTATIONS.....	4
6. APPLICATIONS FOR LEAVE OF ABSENCE.....	4
7. ANNOUNCEMENTS BY THE PRESIDING MEMBER.....	4
8. CONFIRMATION OF MINUTES	4
8.1 ORDINARY COUNCIL MEETING - 21 AUGUST 2019	4
9. REPORTS OF OFFICERS.....	5
9.1 GOVERNANCE AND CORPORATE SERVICES.....	5
9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31	5
9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 AUGUST 2019	6
9.1.3 WHEATBELT SECONDARY FREIGHT NETWORK PROGRAM – FORMALISATION OF COMMITMENT.....	7
9.1.4 BUDGET ADJUSTMENT	10
10. REPORTS OF COMMITTEES	12
GENERAL PURPOSE COMMITTEE MEETING – 4 SEPTEMBER 2019.....	12
10.1 CEO FINANCIAL MANAGEMENT SYSTEM REVIEW JUNE 2019	12
10.2 CORPORATE BUSINESS PLAN REVIEW AND REPRIORITISATION.....	15

10.3 APPLICATION FOR DEVELOPMENT APPROVAL – PROPOSED UPGRADES AND ADDITIONS TO CBH'S EXISTING GRAIN HANDLING AND STORAGE FACILITIES ON LOTS 250 & 4300 WHEATBIN ROAD, MOORA..... 18

10.4 MEMORIAL TO JOSEPH 'CACTUS JOE' HOLSTON..... 28

11. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 28

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL 28

13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED 28

14. CLOSURE OF MEETING 28

* Separate Attachments

- 9.1.1 List of Payments Authorised Under Delegation 1.31
- 9.1.2 Statement of Financial Activity for Period Ended 31 August 2019
- 9.1.3 Program Governance Plan; Program Delivery Plan & Multi Criteria Analysis Methodology
- 10.1 2019 Financial Management System Review
- 10.2 Corporate Business Plan
- 10.3 Attachments 1 to 4

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 6.33pm.

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

KM Seymour	-	Presiding Member / President
TG Humphry	-	Councillor
DV Clydesdale-Gebert	-	Councillor
PJ Bellamy	-	Councillor
JM Thomas	-	Councillor
AJ Leeson	-	Chief Executive Officer
DK Trevaskis	-	Deputy Chief Executive Officer
JL Greay	-	Manager Engineering Services
NM Beard	-	Manager Community Development

APPROVED LEAVE OF ABSENCE

LC House	-	Councillor / Deputy President
EI Hamilton	-	Councillor
TL Lefroy	-	Councillor

APOLOGIES

PF Nixon	-	Councillor
----------	---	------------

PUBLIC

Brent Millsteed	Jan Millsteed
-----------------	---------------

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Jan and Brent Millsteed passed on their thanks to Council for taking the time to have a walk through/inspection of the Watheroo main street with a view to implementing some beautification initiatives.

5. PETITIONS AND PRESENTATIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

The CEO advised a written request for leave of absence had been received from Cr Clydesdale-Gebert for the meetings of Council to be held during the period 9 – 22 October 2019 as she will be overseas.

COUNCIL RESOLUTION

118/19 Moved Cr Bellamy, seconded Cr Thomas that leave of absence be granted to Cr Clydesdale-Gebert for the meetings of Council to be held during the period 9 – 22 October 2019.

CARRIED 5/0

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

The following Council associated engagements were attended;

Cr Seymour, Shire President

23/8 Avon-Midland Zone meeting, Northam

5/9 Sport & Recreation Masterplan Community workshop in Miling

9/9 Innovations Central Midlands meeting, Wongan Hills

10/9 LearnWork Consulting presentation to Council re Regional Education

Cr's Humphry, Clydesdale-Gebert, Thomas and Bellamy all attended the LearnWork Consulting presentation to Council re Regional Education on the 10th September 2019 with Peter Browne and Nancy Rees.

Cr Bellamy also attended: 11/9 Sport & Recreation Masterplan Community workshop in Watheroo and on 27/8 the WAEC Prospective Council Candidate information session in Moora.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY COUNCIL MEETING - 21 AUGUST 2019****COUNCIL RESOLUTION**

119/19 Moved Cr Bellamy, seconded Cr Clydesdale-Gebert that the Minutes of the Ordinary Meeting of Council held on 21 August 2019 be confirmed as a true and correct record of the meeting.

CARRIED 5/0

9. REPORTS OF OFFICERS

9.1 GOVERNANCE AND CORPORATE SERVICES

9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE: 13 September 2019

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

SCHEDULE PREPARED BY: Alida Fitzpatrick, Finance 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

120/19 Moved Cr Humphry, seconded Cr Bellamy that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

<i>Municipal Fund</i>	<i>Cheques 62414 to 62418</i>	<i>\$13,013.80</i>
	<i>EFT 21867 to 22044</i>	<i>\$432,262.32</i>
	<i>Credit Card 03/07/19 to 04/08/19</i>	<i>\$2,777.13</i>
	<i>DD12768.1 to 12818.11</i>	<i>\$44,922.89</i>
	<i>Net Pays – PPE 06/08/19</i>	<i>\$98,604.09</i>
	<i>Net Pays – PPE 20/08/19</i>	<i>\$96,332.31</i>
<i>Trust Fund</i>	<i>Cheques 5489 to 5497</i>	<i>\$3,103.39</i>
<i>Total</i>		<u><i>\$691,015.93</i></u>

CARRIED 5/0

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 AUGUST 2019

REPORT DATE: 13 September 2019

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 August 2019

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 August 2019.

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 2019/20 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

121/19 Moved Cr Bellamy, seconded Cr Humphry that Council notes and receives the Statement of Financial Activity for the period ended 31 August 2019.

CARRIED 5/0

9.1.3 WHEATBELT SECONDARY FREIGHT NETWORK PROGRAM – FORMALISATION OF COMMITMENT

FILE REFERENCE: S/RSP1

REPORT DATE: 10 September 2019

APPLICANT/PROPONENT: Wheatbelt Secondary Freight Network Steering Committee

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: 17/10/18 (131/18)

AUTHOR: Alan Leeson, Chief Executive officer

ATTACHMENTS: Program Governance Plan; Program Delivery Plan & Multi Criteria Analysis Methodology

PURPOSE OF REPORT:

It is requested by the Wheatbelt Secondary Freight Network Steering Committee that the associated 42 Local Governments formalise their commitment to WSNF Program, to be eligible for future funding and project consideration, via a formal resolution of Council.

BACKGROUND & COMMENT:

42 Local Governments of the Wheatbelt region have worked collaboratively for over 4 years to secure funding to improve secondary freight network routes on Local Government Roads in the Wheatbelt. The Wheatbelt Secondary Freight Network (WSNF) Program has successfully been allocated \$70 million of Federal funding (ROSI) and this has been matched with State funding of \$17.5 million (reflecting the 80/20 funding agreement). The State funding will be sourced two thirds from the State and one third from the Local Governments whose assets are being upgraded. The available \$87.5M will not be sufficient to upgrade all the

identified 80 routes and good governance of this program, and ongoing collaboration between all parties, will be critical in securing additional funding.

Attached is Program Governance Plan (PGP) which identifies how key governance and administrative aspects will be undertaken to ensure successful delivery of the program. It will assist to outline the structure and processes for decision making and consultation within the Wheatbelt Region Regional Road Groups (WR RRG) and Local Governments. The PGP will provide a framework and guidelines for all members of the WSN Program to operate within. The PGP will be used to communicate to all stakeholders how the program will be governed. This PGP should be read in conjunction with the attached Program Delivery Plan and the Multi-criteria Analysis (MCA) Methodology documents that provide operational details about how on-ground capital works will be delivered for Stage I and beyond.

Now that the initial funding for the delivery of on-ground capital works for Stage I has been confirmed, it is proposed that all 42 Local Governments formalise their commitment to WSN Program, to be eligible for future funding and project consideration. It is requested by the WSN Steering committee that this formal commitment from all 42 Councils be via a formal resolution of Council, which will entail the presentation and acknowledgement of the following WSN program documents:

- Project Governance Plan
- Program Delivery Plan
- Multi Criteria Analysis Methodology.

The 42 Council resolutions will be collated as addendums to a formal agreement that the Regional Road Group will sign with the Federal and State Governments on behalf of all 42 LGs associated with the WSN program formalising the ongoing commitment to the program.

In order to demonstrate best outcomes and value for money it is necessary to develop a transparent process to identify which routes have the highest priority for the limited available funding. A prioritisation of the Wheatbelt Secondary Freight Network routes will be via a multi-criteria analysis (MCA) and will be developed to score each route based on the available data submitted by Local Governments and the Revitalising Agricultural Region Freight (RARF) strategy being coordinated by the WA State Government.

The criteria upon which each route will be assessed in the MCA includes:

Data Set	Description
ROSMA KSI Rate	ROSMA data will be supplied by Main Roads WA. It captures the rate of 'Killed or Serious Injury' (KSI) incidents on a route.
Seal Width	The seal width of the road described as a percentage of the route length, allowing an average seal width will be applied across the route. Seal width will be compared to a minimum seal width of 7m as per a Type 5 road.
Road Condition	Shire's have assessed road condition on a one to five scale, which has been applied as a direct metric. Five indicating very poor condition
ADT Counts	Average Daily Traffic counts provide data on the average number of total vehicles traveling on a road per day over the measurement period, capturing both heavy and light vehicle use.

ESA Counts	An Equivalent Standard Axle is defined as a dual tyred single axle transmitting 8.2 tonne to the pavement. ESA counts are therefore reflective of the total number and load of heavy vehicles that impact a road.
------------	---

On-ground works for the WSNF program are expected to commence in financial year 2020/21 and be staged over a 3 to 5 year period depending upon Federal Government stipulations.

For the year 2019/20 the WSNF have identified 2 x pilot projects to begin on-ground works and refine project delivery methodologies and processes. These will be \$1 million dollars each and have been identified for the following Shires:

- Wheatbelt North
 - Shire of Victoria Plains
 - Lancelin to Meckering Route
 - Mogumber - Yarawindah Road
 - Project value \$1M
- Wheatbelt South
 - Shire of Quairading
 - Cunderdin to Kweda Route
 - Cunderdin - Quairading Road
 - Project Value \$1M

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

STRATEGIC IMPLICATIONS:

Outcome 3.3: A safe and reliable transport system.

Strategy 3.3.1: Enhance the transport infrastructure in the Shire.

Strategy 3.3.2: Review the strategic freight routes and engage the appropriate stakeholders.

Strategy 3.3.3: Facilitate the continued improvement of the Moora airfield.

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:

Local Governments with projects approved over the course of the WSNF program will be required to contribute approximately 7% of each individual project's total cost. The remaining funding will be provided by Federal Government 80% and State Government 13%.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION*122/19 Moved Cr Bellamy, seconded Cr Thomas that Council:*

1. *Formally endorse its participation and commitment to the Wheatbelt Secondary Freight Network (WSFN) Program thus enabling it to be eligible for future funding and project consideration.*
2. *Endorse the following WSFN Program documents which outline how the WSFN Steering Committee propose to administer the WSFN Program:*
 - *Program Governance Plan*
 - *Program Delivery Plan*
 - *Multi Criteria Analysis Methodology.*
3. *Endorse the processes and procedures outlined in the Program Governance Plan which enables the Wheatbelt North and Wheatbelt South Regional Road Groups and the WSFN Steering Committee to make decisions in accordance with in the Program Governance Plan.*

CARRIED 5/0**Delegate Nomination – Wheatbelt Secondary Freight Network Steering Committee**

Cr Bellamy suggested Cr Ken Seymour as Councils current delegate on the Wheatbelt North Regional Road Group, be renominated on the Wheatbelt Secondary Freight Network Steering Committee.

COUNCIL RESOLUTION

123/19 Moved Cr Bellamy, seconded Cr Humphry that Council formally nominates Cr Ken Seymour to be a delegate for the Wheatbelt North Regional Road Group on the Wheatbelt Secondary Freight Network Steering Committee.

CARRIED 5/0**9.1.4 BUDGET ADJUSTMENT****FILE REFERENCE:** F/BUAI**REPORT DATE:** 13 September 2019**OFFICER DISCLOSURE OF INTEREST:** Nil**PREVIOUS MEETING REFERENCES:** 89/19**AUTHOR:** David Trevaskis, Deputy CEO**ATTACHMENTS:** Nil**PURPOSE OF REPORT:**

To amend the 2019-20 adopted budget to include the Department of Regional Development and Main Roads WA Local Government Commodity Freight Roads Fund grant revenue of \$998,808 to be fully expended on the re-construction of the Miling North Road.

BACKGROUND:

The Department of Regional Development (DRD) has allocated \$10M to Main Roads WA (MRWA) for an Agricultural Commodity Routes Fund as part of the Royalties for Regions Programme.

Local Governments can apply for projects to be funded in 2019 – 20 or 2020 – 21. All approved projects are to be expended within two years of allocation. Funds not claimed prior to December 2021 will be reallocated. Funding that is not accepted by a Local Government will be reallocated by the Technical Review Group.

The fund is administered by MRWA and WALGA.

COMMENT:

Council adopted the 2019-20 budget on 24 July 2019. On 8 August 2019, the Shire submitted a grant application to access the Local Government Commodity Freight Roads Fund for the re-construction of the Miling North Road. The application has been approved by Main Roads WA who agreed to fully fund the project to the value of \$998,808. The purpose of this report is to amend the 2019-20 budget so it includes the recently approved grant revenue and expenditure for the Miling North Road re-construction project.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

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.

STRATEGIC IMPLICATIONS:

Outcome 3.3: A safe and reliable transport system.

Strategy 3.3.1: Enhance the transport infrastructure in the Shire

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
The funding for the Miling North Road was approved on the basis that it is intended for roads that require upgrading or maintenance specifically to accommodate the commodity transport task.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

Non-operating grants, subsidies and contributions will be increased by \$998,808 and offset by an increase in Purchase and construction of infrastructure of \$998,808, the net effect being a \$0 change to the estimated closing net current asset surplus of \$18,914, as adopted by Council.

VOTING REQUIREMENTS

Absolute Majority Required

COUNCIL RESOLUTION

124/19 Moved Cr Humphry, seconded Cr Thomas that Council amend the 2019-20 adopted budget to include the Department of Regional Development and Main Roads WA Local Government Commodity Freight Roads Fund grant revenue of \$998,808 to be fully expended on the construction of the Miling North Road project, with there being no change to the adopted estimated closing net current asset surplus of \$18,914.

CARRIED BY ABSOLUTE MAJORITY 5/0

10. REPORTS OF COMMITTEES**GENERAL PURPOSE COMMITTEE MEETING – 4 SEPTEMBER 2019****10.1 CEO FINANCIAL MANAGEMENT SYSTEM REVIEW JUNE 2019**

FILE REFERENCE: F/AUD
REPORT DATE: 22 August 2019
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: David Trevaskis, Deputy Chief Executive Officer
ATTACHMENTS: 2019 Financial Management System Review

PURPOSE OF REPORT:

To present to Council the 2019 Financial Management System Review report prepared by AMD Chartered Accountants (AMD).

BACKGROUND:

The CEO is responsible for implementing policies, procedures and controls which are designed to ensure the effective and efficient management of the Shire's resources. In accordance with Regulation 5(2)(c) of *The Local Government (Financial Management) Regulations 1996*, the CEO is to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures. At least once in every three financial years the CEO is to report the results of those reviews to Council.

COMMENT:

At the request of the CEO, AMD were engaged to assess the adequacy and effectiveness of systems and controls in place within the Shire. Findings included in the report are based on site work completed by AMD on 17 June 2019 to 20 June 2019 as well as information provided before and after the site visit. A summary of these findings can be found on the table on page 6 of the report.

Ref	Issue	Risk Rating
1. Collection of money		
We have no findings to raise in respect to the collection of money by the Local Government.		
2. Custody and security of money		
We have no findings to raise in respect to custody and security of money.		
3. Maintenance and security of financial records		
4.2.1	Business Continuity Plan The Shire does not currently have a Business Continuity Plan.	High
4. Accounting for municipal or trust transactions		
5.2.1	Review of General Journals General journals raised by one member of staff are not independently review.	High
5.2.2	Interest Earned on Trust Funds Interest earned on funds held in trust is currently recorded as municipal revenue.	Moderate
5. Authorisation for incurring liabilities and making payments		
6.2.1	Tenders, Purchases and Payments Our testing identified exceptions where tender and payment procedures had not been complied with.	Moderate
6.2.2	Fuel Cards There is no documented "Terms of Use Agreement" in place with Shire employees allocated fuel cards.	Moderate
6.2.3	Credit Card Usage Agreement Credit card holders have not signed the Corporate Credit Card Agreement as required.	Moderate
6. Maintenance of payroll, stock control and costing records		
7.2.1	Payroll Exceptions Our testing identified exceptions where payroll procedures had not been complied with.	Low
7.2.2	Excessive Leave Balances Review of annual leave accrued indicated instances where employees had excessive leave balances.	Low
7.2.3	Physical Checking of Fuel Stocks Review of fuel stock count procedures indicates fuel quantities are not independently checked.	Low
7.2.4	Arrangement and Maintenance of Consumable Stocks Further enhancement of arrangement and maintenance of consumable stocks is recommended.	Low
7.2.5	Register for Depot Plant and Vehicle Keys A register is not maintained at the depot to record the issuing and return of plant and vehicle keys.	Low
7. Preparation of budgets, budget reviews, accounts and reports required by the Act or the Regulations		
8.2.1	Risk Management Policy Review of current Risk Management Policy to ensure compliance with current risk standard is required.	Low
8.2.2	Policy Manual Review of Policy Manual for recent revisions and updates if required.	Low
8.2.3	Register of Gifts and Travel The Gift Register as published on the Shire's website displays test data.	Low

POLICY REQUIREMENTS:

There are no known policy requirements related to this matter.

LEGISLATIVE REQUIREMENTS:

Regulation 5(2)(C) of the *Local Government (Financial Management) Regulation 1996* requires that the Chief Executive Officer is to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less that once in every three financial years) and report to the local government the results of those reviews.

Regulation 5(1) of the *Local Government (Financial Management) Regulations 1996* requires that the Chief Executive Officer establish efficient systems and procedures:

- (a) For the proper collection of money owing to the local government;
- (b) For the safe custody and security of all money collected or held by the local government;
- (c) For the proper maintenance and security of the financial records of the local government (whether maintained in written form of by electronic or other means or process);
- (d) To ensure proper accounting for municipal or trust:

- (I) Income received or receivable;
 - (II) Expenses paid or payable; and
 - (III) Assets and liabilities;
- (e) To ensure proper authorisation for the incurring of liabilities and the making of payments;
- (f) For the maintenance of payroll, stock control and costing records; and
- (g) To assist in the preparation of budgets, accounts and reports required by the Act or these regulations.

STRATEGIC IMPLICATIONS:

Shire of Moora Strategic Community Plan 2018 – 2028

Outcome 5.5: Ensure effective and efficient corporate and administrative services.

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:

Nil

VOTING REQUIREMENTS:

Simple Majority Required

**COUNCIL RESOLUTION
(COMMITTEE RECOMMENDATION)**

125/19 Moved Cr Clydesdale-Gebert, seconded Cr Bellamy that Council receives the 2019 Financial Management System Review Report and notes the recommendations and management comments within the report.

CARRIED 5/0

10.2 CORPORATE BUSINESS PLAN REVIEW AND REPRIORITISATION

REPORT DATE: 29 August 2019

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

ATTACHMENTS: Corporate Business Plan 2019/20

PURPOSE OF REPORT:

Annual review and reprioritisation of activities to ensure that the Shire is capable of meeting Corporate Business Plan (CBP) priorities and long term priorities established by the Strategic Community Plan 2018 – 2028.

BACKGROUND:

The Strategic Community Plan 2018-2028 was adopted by Council on 15 May 2019. The CBP is the document that demonstrates the transfer of strategic goals, objectives and outcomes from the Strategic Community Plan into actions and projects. The CBP covers all the Shire's operations for the four-year period July 2019 to June 2023. It is a rolling plan subject to review each financial year and is adopted by an absolute majority of Council. As per section 5.56 of the Act and section 19 DA of the Administration Regulations the CBP should integrate with matters relating to resources including three informing plans; the Workforce Plan; Asset Management Plans and; Long Term Financial Plan. There is discretion around the adoption of the three informing plans as the Administration regulations do not specifically require adoption of these plans.

Workforce planning is concerned with developing an appropriate workforce structure to meet the objectives of the SCP. The process involves analysing the current workforce, identifying weaknesses, inequity and risk and adopted strategies to reduce these instances. An intended outcome of the plan is to provide an understanding of the expected future workforce financial costs which should be incorporated into the Long Term Financial Plan and CBP.

Asset management plans create linkages between levels of service, asset condition, asset replacement and budgetary provisions. It is recommended asset management planning includes an Asset Management Strategy and plans for major long lived assets including roads, buildings, drainage and sewerage. An intended outcome of the plans is a rolling 10 year forecast of assets separated into renewal and new components that can be incorporated into the Long Term Financial Plan and CBP.

The Long Term Financial Plan is a 10 year rolling plan (July 2019 – June 2029) that informs the CBP in the activation of Strategic Community Plan priorities. It enables the Shire to set priorities based on resourcing capabilities and is an indicator of the Shire's long term financial sustainability. To retain alignment with the CBP, the Long Term Financial Plan needs to be a rolling and iterative document that is subject to annual review.

COMMENT:

Copies of draft CBP 2019/20, Workforce Plan, Asset Management Strategy, Asset Management Plans and Long Term Financial Plan 2019 - 2029 were presented to council for discussion at a committee meeting in March 2019 as part of the annual budget process.

The CBP and informing plans have been revised since the adoption of the Strategic Community Plan 2018 – 2028 and annual budget 2019/20. A summary of the plans is provided below ...

Corporate Business Plan

The CBP plan is reviewed annually by council. It contains a 4-year forecast of action items that link through to the goals and strategies in the SCP. The plan has been updated for changes to the SCP (adopted in May 2019) and adoption of the annual budget in July 2019. I have also updated the service profiles to align with changes to the organisation structure over the previous 12 months. Current priority projects are listed on page two and reference the SCP strategy they are linked to.

Workforce Plan 2019-2023

The workforce plan attached is unchanged from the draft copy distributed in March 2019. It provides details of the Shire's current workforce, and strategies for managing anticipated future changes to the Shire's workforce requirements. Priority actions are detailed on pages 33 and 34.

Asset Management Strategy 2019/20

The asset management strategy is reviewed annually. It provides information of each of the Shire's major asset groups and the asset management strategy for each of these assets.

Asset Management Plan 2019-2029

The AMP schedules are used in the preparation of the Long-Term Financial Plan (LTFP). The graphs on pages 6 and 7 highlight the funding gap (\$9.3m) that exists between planned expenditure in the LTFP and the forecast required expenditure as per the asset management plans over a 10-year period. Planned expenditure on building and park infrastructure has been greatly reduced in the LTFP to balance the forecast closing surplus.

Long Term Financial Plan (LTFP)

The LTFP has been drafted for the 10-year period 2019 to 2029. The Funding Statement on page 9 provides details of the projected closing surplus/deficit for the period and page 12 has graphs tracking revenue, expenditure and summarising ratio trends. Key assumptions to consider ...

- Rates - 3.0% increase each year (0.5% above inflation forecast)
- \$5 mil borrowed in 2020/21 to fund administration building upgrade (\$5.5mil 2020/21)
- \$990k transferred from reserve 2020/21 to fund administration/cultural building construction
- Non-operating capital grant budgeted, 2020-21 150k, 2021-22 100k to fund new Moora nature play-ground construction

Other points to highlight...

- page 3 – displays percentage increases applied to calculate operating revenue and expenses over the period.
- page 7 – cash flow statement shows details of Non-Operating Grants (\$950k from 2024/25 on wards). Apart from the nature play project non-operating grants included are limited to regional road group and roads to recovery funding. No external grants have been included for the admin building construction.
- page 10 – The forecast movement in net assets shows a decline in the WDV of both PPE and other infrastructure assets. This indicates an expected overall deterioration of the condition of Shire assets to occur over the period (depreciation is greater than renewal/additions).
- page 11 – The forecast ratio analysis shows the Shire LTFP is either within or above the Department Guideline target ranges for the Current Ratio, Own Source Revenue Coverage Ratio, Debt Service Coverage Ratio, Asset Consumption Ratio and Asset Renewal Funding Ratio. Areas for concern include the low Operating Surplus Ratio

(which is expected to improve slightly by 2028/29) and the declining fixed asset ratios to 2028-29.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Regulation 19BA of the Local Government (Administration) Regulations. “corporate business plan means a plan under regulation 19DA that, together with a strategic community plan, forms a plan for the future of a district in accordance with section 5.56”

Regulation 19DA (4) of the Local Government (Administration) Regulations. “A local government is to review the current corporate business plan for its district every year.”

STRATEGIC IMPLICATIONS:

The Corporate Business Plan, Workforce Plan, Long Term Financial Plan and Asset Management Strategy are key elements of the Integrated Planning Framework and are based on the community’s priorities, aspirations and vision that form the basis of the Shires Strategic Community Plan.

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

Absolute Majority Required

**COUNCIL RESOLUTION
(COMMITTEE RECOMMENDATION)**

126/19 Moved Cr Humphry, seconded Cr Gebert that Council adopt the attached Corporate Business Plan July 2019 to June 2023 as the annual review and reprioritisation of the Shire’s future planning documents.

CARRIED BY ABSOLUTE MAJORITY 5/0

10.3 APPLICATION FOR DEVELOPMENT APPROVAL – PROPOSED UPGRADES AND ADDITIONS TO CBH'S EXISTING GRAIN HANDLING AND STORAGE FACILITIES ON LOTS 250 & 4300 WHEATBIN ROAD, MOORA

Cr's Seymour and Humphry declared financial interests as they are both grain growers who deliver to the CBH and have a shareholding in the company.

As there was not a quorum to deliberate the motion, the item could not be considered.

Action

The Chief Executive Officer to apply to the Department of Local Government for a participation exemption for those Shire Councillors with a Financial Interest in relation to item 10.3.

FILE REFERENCE: TP/PA22/1819

REPORT DATE: 28 August 2019

APPLICANT/PROPONENT: Cooperative Bulk Handling Limited (Landowner)

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Mr Joe Douglas, Town Planning Consultant

ATTACHMENTS: Attachments 1 to 4

PURPOSE OF REPORT:

Consideration and final determination of an Application for Development Approval for a number of proposed upgrades and additions to Cooperative Bulk Handling Limited's (CBH's) existing grain handling and storage facilities on Lots 250 & 4300 Wheatbin Road, Moora.

BACKGROUND:

The applicant is seeking Council's development approval for a number of proposed upgrades and additions to its existing grain handling and storage facilities on Lots 250 & 4300 Wheatbin Road, Moora including:

- i) widening of the existing truck marshalling area on portion of Lot 250 to incorporate two (2) additional lanes for truck traffic including the clearing of approximately 1,800m² of native vegetation and a minor extension to an existing drainage culvert;
- ii) installation of a 36 metre long temporary, portable heavy vehicle weighbridge on portion of Lot 250 immediately adjacent to an existing permanent weighbridge near the main exit point to Bindoon-Moora Road and replacement of this temporary structure with a new permanent weighbridge of the same length, including an associated grain sampling hut, in 2020;
- iii) removal of two (2) existing 300 metre long x 35 metre wide open bulkheads from Lot 4300, each comprising 1.2 m high wall frames and a total storage capacity of 25,000 tonnes;
- iv) removal of two (2) existing 250 metre long x 35 metre wide open bulkheads and associated ground conveyor from Lot 4300, each comprising 1.2 m high wall frames and a total storage capacity of 25,000 tonnes;
- v) bitumen sealing of the gravel pads beneath all open bulkheads proposed to be removed from Lot 4300;
- vi) installation of two (2) new 300 metre long x 35 metre wide open bulkheads on Lot 4300 with 1.8 m high wall frames on the new bitumen sealed pad, each comprising a total

- storage capacity of 36,000 tonnes, and installation of a new and a hopper pit and ground conveyor in between;
- vii) installation of two (2) new 250 metre long x 35 metre wide open bulkheads on Lot 4300 with 1.8 m high wall frames on the new bitumen sealed pad, each comprising a total storage capacity of 30,000 tonnes, and reinstatement of the ground conveyor between them;
 - viii) a 32,000 tonne increase to the total grain storage capacity of the site from 362,150 tonnes currently to 394,150 tonnes once all new replacement open bulkheads referred to in points vi) and vii) above have been installed;
 - ix) construction of new bitumen sealed vehicle access ways surrounding the new replacement open bulkheads on Lot 4300 referred to in points vi) and vii) above;
 - x) installation of a new 'genset' and compressor pad immediately west of the new replacement open bulkheads on Lot 4300 referred to in point vi) above; and
 - xi) various upgrades and minor additions to existing stormwater drainage infrastructure on both lots, including ongoing maintenance, in accordance with recommendations contained in a stormwater drainage report prepared on behalf of CBH by consulting engineers McDowall Affleck.

CBH has confirmed that despite the proposed increase to the total grain storage capacity on the land, there will be no increase to the total number of people employed at the facility, the specific details of which are as follows:

- There is no one employed on the site permanently;
- Up to 18 staff work on-site during harvest grain receipt up to 7 days a week for 2 months;
- Up to 4 staff work on-site during the out-loading of grain for up to 7 days a week for 6 months;
- The 18 staff work across 2 x 8 hour shifts with most working during 2 shifts between 6am and 10pm. Less staff work a 1 x 12 hour shift during weekends; and
- Other staff will also be on-site intermittently during harvest grain receipt and out-loading to undertake fumigation, pest control and maintenance activities.

A full copy of the development application, including all supporting documentation and plans, is provided in Attachments 1 to 4.

Lots 250 & 4300 are located approximately two (2) kilometres south of the Moora townsite on the eastern side of Bindoon-Moora Road and south of Wheatbin Road and form part of CBH's existing grain handling and storage operations in the Moora locality.

The subject land comprises a total combined area of approximately 52.91 hectares and is gently sloping from east to west with the natural ground level being approximately 205 metres AHD.



Location & Lot Configuration Plan (Source: Landgate 2019)

Lot 4300, which comprises a total area of approximately 13.69 hectares, is characterised by large stands of partially disturbed native vegetation across the majority portion of the land, the regional environmental significance of which is not known and hasn't been confirmed in the development application received from CBH. Despite the presence of a significant amount of native vegetation, Lot 250 forms an integral part of CBH's existing operations and contains sealed and drained vehicle access ways including truck marshalling area and an existing heavy vehicle weighbridge, all of which have been developed along the land's eastern and southern boundaries.

Lot 250 is located immediately south of Lot 4300, comprises a total area of approximately 39.22 hectares and has been extensively cleared throughout with the exception of screening-type vegetation along all lot boundaries. This lot contains a number of open grain storage bulkheads and infrastructure associated with CBH's existing operations including hardstand areas, hopper pits and ground conveyors, sealed and unsealed vehicle access ways and stormwater drainage infrastructure including three (3) separate drainage basins in various locations. At present a total of 362,150 tonnes of grain is capable of being stored on Lot 250 using the existing storage facilities on the land.

It is significant to note all vehicle access to Lot 250 is via the adjoining Lot 4300 located immediately north which has direct frontage and access to Wheatbin Road, a sealed and drained local road under the care, control and management of the Shire of Moora. All vehicle access to Wheatbin Road is via Bindoon-Moora Road to the west and Midlands Road to the east, both of which are sealed and drained State Roads under the care, control and management of Main Roads WA.

Immediately adjoining and other nearby land uses are predominantly rural in nature and comprise broadacre agricultural activities (i.e. cropping & grazing) on lots of varying size. There is also an established rural living precinct to the north-west of the subject land as well as the Moora speedway facility to the north-east. The nearest dwelling is located approximately 125

metres west of the boundary to Lot 250 and approximately 460 metres from the latest development proposed by CBH within this lot.

COMMENT:

Lots 250 & 4300 are classified 'Industrial' zone in the Shire of Moora Local Planning Scheme No.4 (LPS4).

Council's stated objectives for the development and use of any land classified 'Industrial' zone are as follows:

- a) To provide for the needs of industry to support the community;
- b) To provide appropriate buffers between industry and adjacent land uses, so as to avoid land use conflicts;
- c) To provide landscaped buffers along the branch of the Moore River to the established industrial area;
- d) To avoid direct discharge of stormwater drainage or the discharge of any deleterious substances into the branch of the Moore River; and
- e) To avoid non-industry related uses establishing in the industrial area.

It is significant to note the subject land is also listed in Schedule 3 of LPS4 as being restricted in terms of its future development and usage. Schedule 3 entitled 'Restricted Uses' clearly stipulates the subject land may only be developed and used for 'rural industry' purposes with all other uses that would otherwise be permissible within the 'Industrial' zone not permitted.

Schedule 3 also contains the following conditions which are applicable to any future development and use of the subject land:

- a) Provide for transport infrastructure for storage and or processing of bulk grain including connection to the State rail system; and
- b) Noise, vibration, light, and emissions to the atmosphere are to be managed in accordance with statutory requirements so that the amenity of nearby sensitive uses, including residential development is not adversely affected.

Despite the clear recognition of the existing development and use of the subject land in LPS4, Council's development approval is still required for any further development of the land for 'rural industry' purposes given:

- i) any such development and use is listed as being discretionary (i.e. a 'D' use) in the Zoning Table of LPS4; and
- ii) the land's location within Special Control Area I entitled 'Land Subject to Flooding' and the specific requirements of clause 4.11.2.1 in LPS4.

The application has been assessed with due regard for the specific objectives and standards of the Shire's local planning framework including LPS4 and all relevant local planning policies as well as the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This assessment, which included formal consultation with the Department of Water and Environmental Regulation pursuant to the specific requirements of clause 4.11.2.2 of LPS4 as it applies to all land subject to flooding in the Moora townsite, has confirmed the proposal is generally compliant or capable of compliance with the following requirements:

- Land capability and suitability;
- Lot boundary setbacks;

- Amenity of the locality including potential environmental, visual and social impacts;
- On-site vehicle access and parking;
- Stormwater drainage management; and
- Bushfire and flood risk mitigation.

Notwithstanding the above conclusion Council should note the following issues have been identified during assessment of the application that require consideration:

i) Buffer Separation Distance to Sensitive Land Uses

The Environmental Protection Authority's (EPA's) Guidance Statement No.3 entitled 'Separation Distances between Industrial and Sensitive Land Uses' recommends a minimum buffer separation distance of 500 metres between any sensitive land use (e.g. residential dwellings) and grain elevators such as those currently used at CBH's facility in Moora.

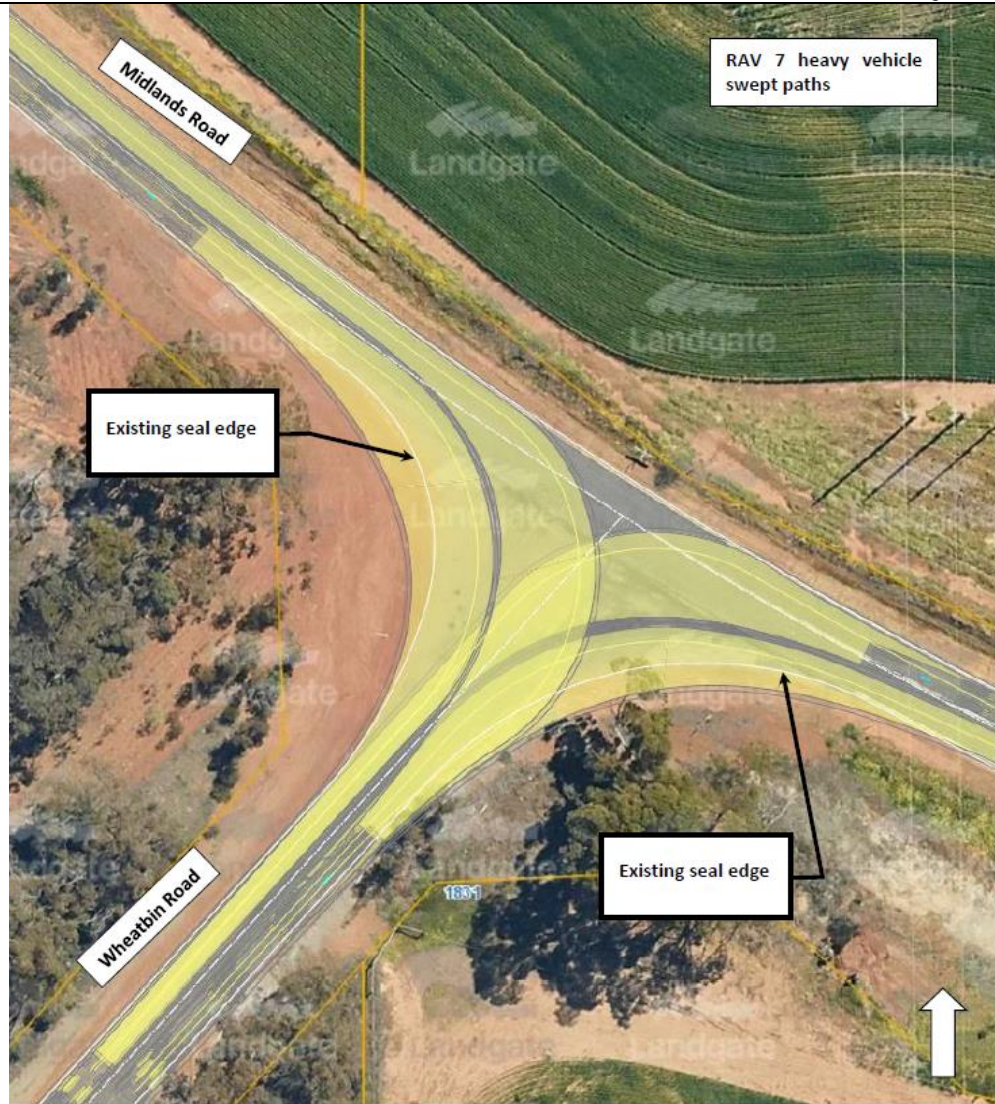
Despite the EPA's buffer distance recommendation, it is significant to note there are four (4) existing dwellings located less than 500 metres from the grain elevators currently used on CBH's land which have not precluded the issuance of development approvals by Council for CBH's existing facilities. Furthermore, it is understood the Shire has no record of any formal complaints from those living or working within 500 metres of the facility. It's fair to say people are generally accepting of such operations in small country towns like Moora given their historic development prior to the introduction of contemporary planning control mechanisms and the significant economic benefits to their local communities.

In light of the above conclusion and the fact only one (1) of the four (4) dwellings referred to above will be located within 500 metres of the new grain elevators proposed by this application, it is considered unlikely the proposed development will have any negative impacts on the amenity of that dwelling and give rise to any formal complaints provided the use is managed appropriately and in accordance with the conditions imposed on any approval that may ultimately be granted.

ii) Traffic Impacts

Main Roads WA, in response to the Shire's referral of the application to them for review and comment, has advised as follows:

- i) *The proposed development is not expected to have an adverse impact on the Main Roads network from the additional traffic movements;*
- ii) *The existing seal area at the intersection of Wheatbin Road and Midlands Road (M028) is deficient for the RAV 7 swept paths as identified in the Traffic Impact Statement. It is recommended that Wheatbin Road be realigned to include pavement and seal widening to Wheatbin Road in the turning areas to/from Midlands Road to cater for the RAV 7 turning movements. These improvements are required to be funded by the applicant CBH;*



Swept Path Analysis Plan (Source: 2019 Traffic Impact Statement by Roadwest Engineering)

- iii) *The following maintenance works as recommended in the Traffic Impact Statement should be undertaken by the Shire as custodians/managers of the local road network:*
- *Resealing of the existing bitumen sealed surfaces at the CBH facility entry and exit accesses on Wheatbin Road including portion of this road within the next two (2) year period;*
 - *Repairs to the pavement at both approaches to the existing railway level crossing at the CBH rail loop along Wheatbin Road which is rated as poor and suffering from pavement failures; and*
 - *Clearing of all overhanging trees and vegetation on Wheatbin Road from SLK 0.13 to SLK 0.62 to improve sight distances on the inside of the curve; and*
- iv) *Main Roads is prepared to support the development application on the condition that the improvements identified for Wheatbin Road / Midlands Road (M028) as per the Traffic Impact Statement are completed by the applicant CBH as part of the proposed expansion works. The improvements will be required to be completed to the specifications and satisfaction of both Main Roads and the Shire of Moora.*

The recommendations contained in the Traffic Impact Statement and those provided by Main Roads WA have been the subject of further discussion with the Shire's Chief Executive Officer and Manager Engineering Services as well as CBH. Those discussions have confirmed the Shire is responsible for and will undertake the various maintenance works outlined in point iii) above in due course.

CBH have however argued that the recommended realignment of Wheatbin Road to include pavement and seal widening to this road in the turning areas to/from Midlands Road to adequately cater for heavy vehicle (i.e. RAV 7) turning movements is the responsibility of the Shire and Main Roads WA and not CBH. Furthermore, CBH reiterated its policy position regarding off-site expenditure which doesn't support and allow for works of the type, scale and cost recommended by Main Roads WA.

Given the proposed development will result in a 9% increase to the total grain storage capacity on the subject land (i.e. an increase of 32,000 tonnes), the fact it will lead to an estimated average increase of up to eight (8) heavy vehicle movements per day (i.e. from 86 to 94 movements per day) and the issues raised by Main Roads WA, it is considered reasonable to impose a condition on any development approval that may ultimately be granted by Council requiring CBH to make arrangements to design and construct the recommended upgrades to Wheatbin Road at its intersection with Midlands Road at its own cost to the specifications and satisfaction of the Shire of Moora and Main Roads WA. It is contended the proposed development generates the need for the road upgrade works recommended by Main Roads WA and that the imposition of a condition on any approval granted requiring CBH to fund the design and construction of the required works is consistent with the principles that have been adopted, legally tested and applied by local and State government authorities to development approvals issued throughout Western Australia.

Should Council decide for whatever reason not to impose a condition on any development approval issued requiring CBH to fund the upgrades recommended by Main Roads WA, it could consider the alternative option of requiring ongoing financial contributions from CBH towards general road maintenance and upgrades in accordance with the rating provisions of the Local Government Act.

In light of the above findings it is concluded the proposal for Lots 250 & 4300 is acceptable and unlikely to have any significant negative impacts on the general amenity, character, functionality and safety of the immediate locality subject to compliance with a number of conditions. As such it is recommended Council exercise its discretion and grant conditional approval to the application to ensure the development proceeds in accordance with the information and plans submitted in support of the proposal, the recommendations received from Main Roads WA and the relevant standards and requirements of the Shire's local planning framework.

POLICY REQUIREMENTS:

- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- State Planning Policy 4.1 – State Industrial Buffer
- EPA Guidance Statement No.3 – Separation Distances between Industrial and Sensitive Land Uses

LEGISLATIVE REQUIREMENTS:

- Planning and Development Act 2015
- Planning and Development (Local Planning Schemes) Regulations 2015
- Shire of Moora Local Planning Scheme No.4
- Environmental Protection Act 1986
- Environmental Protection (Clearing of Native Vegetation) Regulations 2004

STRATEGIC IMPLICATIONS:

Shire of Moora Strategic Community Plan 2012-2022

SUSTAINABILITY IMPLICATIONS:**➤ Environment**

There are no known significant environmental implications associated with this proposal provided it is implemented in accordance with the conditions of any development approval that may ultimately be granted.

➤ Economic

The proposed expansion to CBH's existing grain handling and storage facility in Moora could be expected to have ongoing economic benefits for local primary producers and support industries and services.

➤ Social

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

FINANCIAL IMPLICATIONS:

The proposed expansion to CBH's grain handling and storage facility in Moora will have financial implications for the Shire in terms of the maintenance works recommended in the Traffic Impact Statement submitted in support of the development application. It is understood funds have been allocated in Council's budget for the 2019/20 financial year to undertake some of the required maintenance works with further allocations proposed next financial year to complete any outstanding works.

VOTING REQUIREMENTS:

Simple Majority Required

OFFICER RECOMMENDATION

That Council APPROVE the development application submitted by Cooperative Bulk Handling Limited for a number of proposed upgrades and additions to its existing grain handling and storage facilities on Lots 250 & 4300 Wheatbin Road, Moora subject to the following conditions and advice notes:

Conditions

- 1. The proposed development shall be undertaken strictly in accordance with the final revised information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by Council.*
- 2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of Council.*
- 3. The proposed development shall be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period this approval shall lapse and be of no further effect. Where an approval has so lapsed, the proposed development shall not be carried out without the further approval of Council having first being sought and obtained.*
- 4. The applicant/landowner shall continually monitor any dust generated by the works and use approved by this application and implement suitable measures in accordance with any relevant Environmental Protection Authority and Department of Water and Environmental Regulation regulations, policies, guidance statements or guidelines to ensure any dust impacts are appropriately managed and controlled.*

5. *In the event dust generated by the works and use approved by this application becomes an issue of concern to the local community and/or Council, a dust management plan prepared in accordance with the specific requirements of the Environmental Protection Authority and/or the Department of Water and Environmental Regulation shall be submitted to the Shire for consideration and determination by Council. Upon receipt of notification from the Shire of the need for a dust management plan, the applicant/landowner shall prepare and submit a dust management plan to the Shire within sixty (60) days with the works and/or use hereby approved to cease operation immediately pending approval to that plan and implementation of the required management measures contained therein to the satisfaction of the Shire's Chief Executive Officer.*
6. *The lots the subject of this approval shall be filled, stabilised, drained and/or graded as required to ensure that:*
 - a) *lots can accommodate their intended development and use; and*
 - b) *the finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and*
 - c) *all stormwater is contained on-site.*
7. *Engineering design drawings and specifications to provide for the realignment of Wheatbin Road, including pavement and seal widening and stormwater drainage, in the turning areas to/from Midlands Road to cater for RAV 7 heavy vehicle turning movements shall be prepared by the applicant/landowner at its own cost and submitted to the Shire for consideration of approval in consultation with Main Roads WA by no later than 31 October 2019 unless otherwise approved by Council.*
8. *Wheatbin Road shall be realigned at its intersection with Midlands Road at the applicant's/landowner's cost in accordance with the approved engineering design drawings and specifications required by Condition 7 above by no later than 31 January 2020 unless otherwise approved by Council.*

Advice Notes

1. *This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.*
2. *This is a development approval of the Shire of Moora under its Local Planning Scheme No.4. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.*
3. *The applicant/landowner is reminded of their obligation to ensure a clearing permit approval is obtained from the Department of Water and Environmental Regulation as may be required pursuant to the specific requirements of the Environmental Protection Act 1986 and Environmental Protection (Clearing of Native Vegetation) Regulations 2004 prior to the commencement of any proposed clearing works on Lot 4300 to accommodate the proposed widening of the truck marshalling area and installation of the proposed new temporary and permanent weighbridges.*
4. *The applicant/landowner is reminded of their obligation to ensure compliance with the following requirements:*

- i) *Shire of Moora Annual Firebreak Notice as this applies specifically to all rural land in the Shire to help guard against potential bushfire risk; and*
 - ii) *Shire of Moora Health Local Law 2016.*
5. *In accordance with the Building Act 2011 and Building Regulations 2012, a building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction or earthworks on the land as may be required.*
6. *Any proposed new structures on the lots the subject of this approval that require a building permit approval are required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements must be submitted to the Shire in support of any required building permit application.*
7. *The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.*
8. *No construction works shall commence on the land prior to 7am without the Shire's written approval. No construction works are permitted to be undertaken on Public Holidays (Good Friday, Easter Sunday, Christmas Day, Boxing Day and New Year's Day).*
9. *In relation to Condition 8 please note the Shire would be willing to consider undertaking the required road upgrade works as private works on behalf of the landowner/applicant subject to the availability of the required resources and an agreement being reached regarding costs. The Shire's Chief Executive Officer should be contacted should the landowner/applicant wish to explore this option further.*
10. *Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Moora Local Planning Scheme No.4 and may result in legal action being initiated by the local government.*
11. *If the applicant/landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted within 28 days of the determination.*

COMMITTEE RECOMMENDATION

That the item "Application for Development Approval – Proposed Upgrades and Additions to CBH's Existing Grain Handling and Storage Facilities on Lots 250 & 4300 Wheatbin Road, Moora" lay on the table to allow the CEO to seek a participation exemption from the Department of Local Government for those Councillors with a shareholding in Cooperative Bulk Handling, to ensure Council can achieve a quorum and deliberate over the item.

10.4 MEMORIAL TO JOSEPH ‘CACTUS JOE’ HOLSTON

Request received from Bronwyn Brown to a Commemorative Park Bench to be placed near Rotary Clock memorial area dedicated to Joseph Holston, aka “Cactus Joe”.

**COUNCIL RESOLUTION
(COMMITTEE RECOMMENDATION)**

127/19 Moved Cr Clydesdale-Gebert, seconded Cr Thomas that the CEO reply to Mrs Bronwyn Brown advising Council believes it would be more appropriate if the bench was donated to the Rotary Club of Moora given the proximity to Rotary Clock, and that the Rotary Club of Moora formally approach Council to establish the best place for such a bench.

CARRIED 5/0

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

Nil

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

Nil

13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

14. CLOSURE OF MEETING

There being no further business, the Shire President thanked the members of the public Mr & Mrs Millsted for their attendance and input and invited them to stay for fellowship.

The President declared the meeting closed at 6.52pm.

CONFIRMED

PRESIDING MEMBER