



Ordinary Council Meeting Minutes

Date: 8 November 2006

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
WEDNESDAY 8 NOVEMBER 2006

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1. DECLARATION OF OPENING & WELCOME OF VISITORS

The Shire President declared the meeting open at 3.35pm, 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	-	Presiding Member	-	Moora Town Ward
CE Gardiner	-	Councillor	-	Moora Town Ward
JL Craven (from 3.36pm)	-	Councillor	-	Moora Town Ward
SJ Pond	-	Councillor	-	Koojan Ward
AR Tonkin (from 3.53pm)	-	Councillor	-	Coomberdale Ward
WA Barrett-Lennard	-	Councillor	-	Bindi Bindi Ward
CD Hawkins	-	Councillor	-	Moora Town Ward
D Clydesdale-Gebert	-	Councillor	-	Watheroo Ward
SJ Deckert	-	Chief Executive Officer		
JL Greay	-	Operational Development Manager		
JL Ellis	-	Financial Development Manager		
BR Williams	-	Enterprise Development Manager		
MM Murray	-	Executive Support Officer		

PUBLIC

Nil

APOLOGIES

Mr MJ Prunster - Community Development Manager

LEAVE OF ABSENCE

The following Councillor was granted leave of absence for this meeting by Council resolution made at the Ordinary Meeting held on 25 October 2006:

JW McLagan - Councillor - Miling Ward

4. DECLARATIONS OF INTEREST

Cr Pond declared a conflict (impartiality) interest in Item 11.1.2 pursuant to Council's Code of Conduct as his daughter and grandchildren will benefit from use of the pool season pass. Cr Pond has advised that he does not wish to participate in any debate on this item.

At 3.36pm Cr Craven joined the meeting.

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

A letter has been received from the Australian Government advising of the National Heritage Funding Initiative.

The Shire President will be attending the end of year presentation nights at the CMSHS, and all Primary Schools in the Shire commencing Monday 4th December through to Thursday 7th December.

Two of the Indonesian Vice Consul's will be in Moora as visiting guests of Rotary for their Foundation night on Wednesday 15th November.

Cr's Pond, Clydesdale-Gebert and Barrett-Lennard and the CEO attended a CBH meeting on Friday 3rd November in Goomalling.

The official opening of the Moora Hospital will be held on Friday 15th December 2006.

The next VROC meeting will be held on the 17th December in Dalwallinu.

Cr Gardiner & the Operational Development Manager attended the Regional Road Moora Sub Group meeting on Friday 3rd November 2006 in Council Chambers.

At 3.53pm Cr Tonkin joined the meeting.

10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING**10.1 ORDINARY COUNCIL MEETING - 25 OCTOBER 2006****COUNCIL RESOLUTION**

226/06 Moved Cr Hawkins, seconded Cr Pond that the Minutes of the Ordinary Meeting of Council held on 25 October 2006, be confirmed as a true and correct record of the meeting.

CARRIED 8/0

11. REPORTS OF OFFICERS**11.1 ADMINISTRATION****11.1.1 Changes to Local Government Voting System**

LOCATION: Administration, Moora
FILE: GA/WALI
AUTHOR: Steven Deckert, Chief Executive Officer
REPORT DATE: 31 October 2006
DECLARATION: The author has no financial interest in this matter.

BACKGROUND

This matter was initially brought to Council's attention at the Briefing Session held on 25 October 2006. A number of items of correspondence from WALGA were tabled that expressed WALGA's dissatisfaction in the proposal by the State Government to change the method of election in local government from "First past the post" to proportional preferential.

The proposed changes do not reflect the position taken by a majority of local governments as reported in a recent study conducted by the Local Government Advisory Board. The changes to the legislation have also been introduced into Parliament without consultation with local government in accordance with the tripartite Intergovernmental Agreement.

As a consequence of the Government's and the Minister For Local Government's actions to ignore local government in this matter, WALGA have commenced a campaign of "no confidence" in the Minister. Enclosed with this agenda is a copy of the WALGA Info Page circulated following the WALGA State Council Meeting on 4 October 2006. This Info Page includes the following draft motion of no confidence for Council's consideration:

DRAFT MOTION OF NO CONFIDENCE

"We the elected councillors of the ...(insert name of council)...hereby express our concern and alarm at the unilateral decision of the State Government to include provisions in the Local Government Amendment Bill 2006 to impose and apply a proportional-preferential voting system to Local Government Elections.

We believe that the proposed changes to the voting system will lead to factionalism and party politics in Local Government, will result in decreased voter turnout, increased informal votes and will impose substantially higher election costs on our communities.

We believe that the proposed changes to the voting system have been developed in contravention of the State Local Government Partnership Agreement and effectively contravene the intent of the tripartite Inter Governmental Agreement recently signed by the Commonwealth, all State and Territory Governments and the Australian Local Government Association.

We believe these actions to be unacceptable to the Local Government sector and to the Western Australian community at large and that the Minister for Local Government must be held accountable for them.

Therefore, we declare that we have no confidence in the Hon. Jon Ford JP MLC to continue to represent the local government portfolio.”

WALGA is requesting all local governments to consider a pass this no confidence motion and to also write directly to the Premier, the Minister for Local Government and their local members expressing discontent with the Government’s decision and seeking corrective action.

Also enclosed with this agenda for Councillors information is some more recent correspondence that has been received dealing with this issue.

COMMENT

It is clear that the Minister for Local Government is taking a high-handed approach to this issue and does not appear to be backing away from the course he commenced, even with the campaign against him being undertaken by WALGA. It is no as clear as to who is driving this change. It could be the Minister, it could be the Labor Party or it could be the Department of Local Government and Regional Development. In the end it is the Minister who is ultimately responsible and it is disappointing that he has not shown any inclination to listen to a majority of local governments and make the changes to the proposed legislation.

In considering the request from WALGA, Council needs to be mindful of the wording of the no confidence motion and be sure that it, or other alternative wording accurately reflects this Councils views. For example, should Council endorse a motion of no confidence in the Minister be a matter of last resort and in the interim, give the Minister the opportunity to do the right thing. At the end of the day, the Hon Jon Ford may still be our Minister and we will still have to work with him.

WALGA is seeking all Council’s to adopt the no confidence motion as a show of solidarity and any changes could effectively water down local government’s position.

The recommendation of this report is to give the Minister the benefit of the doubt and give him the opportunity to take the necessary steps to amend the proposed legislation on the electoral system to meet the desire of the majority of local governments.

Should the Minister not take corrective action then Council is at liberty to reconsider its position and what action it should take.

STATUTORY ENVIRONMENT

Sections 2.7 and 3.1 of the Local Government Act 1995, relating to the general function provisions.

POLICY IMPLICATIONS

There are no policy implications in respect to the recommendation of this report.

BUDGET IMPLICATIONS

There are no budget or financial implications in respect to the recommendation of this report.

STRATEGIC IMPLICATIONS

A good working relationship with the Minister for Local Government is important in underpinning our ability to provide good local government to the district.

PRECEDENT

The Shire of Moora has never been afraid to stand up for what it believes in.

VOTING REQUIREMENTS

Simple majority required

MANEX RECOMMENDATIONS – ITEM 11.1.1*1. That:*

“We the elected Councillors of the Shire of Moora hereby express our concern and alarm at the unilateral decision of the State Government to include provisions in the Local Government Amendment Bill 2006 to impose and apply a proportional-preferential voting system to Local Government Elections.

The Shire of Moora endorses that the first past the post system for local government elections be retained.

We believe that the proposed changes to the voting system will lead to factionalism and party politics in Local Government, will result in decreased voter turnout, increased informal votes and will impose substantially higher election costs on our communities.

We believe that the proposed changes to the voting system have been developed in contravention of the State Local Government Partnership Agreement and effectively contravene the intent of the tripartite Inter Governmental Agreement recently signed by the Commonwealth, all State and Territory Governments and the Australian Local Government Association.

We believe these actions to be unacceptable to the Local Government sector and to the Western Australian community at large and that the Minister for Local Government must be held accountable for them.

Council formally records its disappointment in the actions of Minister Ford to ignore the intent of the State Local Government Partnership Agreement and the views of a majority of local governments. Council seeks an undertaking from the Minister and the State Government to honour the Agreement at all times and to take the appropriate corrective action to resolve the current situation to the satisfaction of local government.

- 2. That the foregoing position of the Shire of Moora be conveyed to the Premier, the Minister for Local Government, local members of Parliament and to WALGA.*
- 3. That a Media Statement be prepared for release by the Shire President to reflect the foregoing decisions.*

COUNCIL RESOLUTION – ITEM 11.1.1

227/06 Moved Cr Clydesdale-Gebert, seconded Cr Tonkin

1. That:

“We the elected Councillors of the Shire of Moora hereby express our concern and alarm at the unilateral decision of the State Government to include provisions in the Local Government Amendment Bill 2006 to impose and apply a proportional-preferential voting system to Local Government Elections.

The Shire of Moora endorses that the first past the post system for local government elections be retained.

We believe that the proposed changes to the voting system will lead to factionalism and party politics in Local Government, will result in decreased voter turnout, increased informal votes and will impose substantially higher election costs on our communities.

We believe that the proposed changes to the voting system have been developed in contravention of the State Local Government Partnership Agreement and effectively contravene the intent of the tripartite Inter Governmental Agreement recently signed by the Commonwealth, all State and Territory Governments and the Australian Local Government Association.

We believe these actions to be unacceptable to the Local Government sector and to the Western Australian community at large and that the Minister for Local Government must be held accountable for them.

Council formally records its disappointment in the actions of Minister Ford to ignore the intent of the State Local Government Partnership Agreement and the views of a majority of local governments. Council seeks an undertaking from the Minister and the State Government to honour the Agreement at all times and to take the appropriate corrective action to resolve the current situation to the satisfaction of local government.

- 2. *That the foregoing position of the Shire of Moora be conveyed to the Premier, the Minister for Local Government, local members of Parliament and to WALGA.***
- 3. *That a Media Statement be prepared for release by the Shire President to reflect the foregoing decisions.***
- 4. *That should the Minister for Local Government not address the matters discussed above, and continue to force a proportional representative voting system, then the Council of the Shire of Moora declares that we have no confidence in the Minister for Local Government to fairly and equitably represent the interests of local government.***

CARRIED 8/0

Note: The reason for the addition of point 4 to the Manex recommendation is that Council believed the recommendation as presented is too open-ended. Council is being reasonable to the Minister, allowing him to address the issues of concern. However, it does not foreshadow the deep dissatisfaction that would result if he continues with his present course of action. Adding point 4 alerts the Minister to the loss of confidence that would follow.

Cr Pond declared a conflict (impartiality) interest in accordance with the Code of Conduct in Item 11.1.2 as his daughter and grandchildren will benefit from use of the pool season pass. Cr Pond advised that he did not want to remain in the Chambers or participate in any debate.

Cr Craven declared a financial interest in Item 11.1.2 pursuant to Section 5.65 of the Local Government Act 1995, as her husband is an employee of the Shire.

At 4.05pm Cr Pond & Craven vacated the Council Chambers.

11.1.2 Staff Appreciation – Pool Passes

AUTHOR: Jo-Anne Ellis, Financial Development Manager
REPORT DATE: 2 November 2006
DECLARATION: Author would be entitled to any benefits under this resolution by virtue of employment

BACKGROUND

Council has been looking for ways to make employment at the Shire of Moora more attractive in an attempt to attract and retain quality staff. A way of differentiating the Council from other employers is to offer incentives and additional benefits.

This benefit, like all benefits will hold a different value to different people.

Should this item be resolved the following guidelines will apply:

Each employee that holds a permanent position at the start of the pool season will be entitled to this benefit.

Each employee will be entitled to a full season pass to the Moora Swimming Pool.

Each employee who has a family will receive a pass for the benefit of their spouse and any dependant children.

These passes will be offered as a non-transferable, non-redeemable benefit. I.e. cannot be gifted or loaned to others or swapped for another benefit.

COMMENT

Provision of a pool pass may encourage more employees to utilise the pool and gain health benefits from being more active. This can have flow on benefits to the employer in relation to sick leave.

STATUTORY ENVIRONMENT

This benefit will have no Fringe Benefits Tax implications as the benefit is provided on the premise of the employer.

POLICY IMPLICATIONS

A new employment condition will be created with this resolution and this will form part of policy.

BUDGET IMPLICATIONS

Potential lost pool revenues in relation to those persons receiving a pool pass who would have otherwise purchased a pass.

STRATEGIC IMPLICATIONS

Improved allowances and benefits help distinguish the Shire of Moora as an employer of choice.

PRECEDENT

Council currently provides accommodations allowances, staff rates incentives and service pay as additional benefits to employees.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION (OFFICER RECOMMENDATION) – ITEM 11.1.2
--

228/06 Moved Cr Gardiner, seconded Cr Hawkins that Council offers each employee that holds a permanent position at the start of the pool season a non-transferable, non-redeemable family/adult season pass for the Moora Swimming Pool.

CARRIED 6/0

At 4.13pm Cr Pond & Craven entered the Chambers and rejoined the meeting.

11.2 FINANCIAL DEVELOPMENT**11.2.1 List of Payments Authorised Under Delegation 1.31**

AUTHOR: Jo-Anne Ellis, Financial Development Manager
REPORT DATE: 2 November 2006
DECLARATION: Nil

BACKGROUND

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

COMMENT

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

STATUTORY ENVIRONMENT

Local Government Act 1995 - Section 6.10

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

POLICY IMPLICATIONS

Delegation 1.31 – Payments from Municipal and Trust Funds.

BUDGET IMPLICATIONS

Payments are in accordance with the adopted budget.

STRATEGIC IMPLICATIONS

Nil.

PRECEDENT

Accounts Paid under delegated authority are periodically presented to Council.

VOTING REQUIREMENTS

Simple Majority.

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION) – ITEM 11.2.1**

229/06 Moved Cr Tonkin, seconded Cr Barrett-Lennard that Council note and endorse the Payments from Municipal and Trust Funds made under delegation 1.31

<i>Municipal Fund</i>	<i>Chq</i>	<i>55277 - 55420</i>	<i>\$ 564,151.39</i>
<i>Trust Fund</i>	<i>Chq</i>	<i>4148 - 4153</i>	<i>\$ 1,200.00</i>
<i>Direct Debits</i>	<i>148 – 157</i>		<i>\$ 10,093.83</i>
Total			\$575,445.22

CARRIED 8/0

11.3 OPERATIONAL DEVELOPMENT

Nil.

11.4 COMMUNITY DEVELOPMENT**11.4.1 Town Planning Scheme No 4 – Delegation of Powers**

LOCATION: Moora
FILE: TP/PTM11
AUTHOR: Michael Prunster, Community Development Manager
REPORT DATE: 1 November 2006
DECLARATION: Author declares an impartiality interest in dot point 2, as the applicant, BJ Keeris is his son in-law. In considering this matter the author has put aside his interest & has determined the application on its merits.

BACKGROUND

Council resolved by absolute majority at the Council meeting held on the 25 February 2004, to delegate the Manager Corporate Services (now Community Development Manager) to approve planning applications that meet all the requirements of Councils Town Planning Scheme, for an indefinite period of time and amend its Register of Delegations accordingly, and that Council be provided with a list monthly of planning approvals issued under delegate authority.

APPLICANT (S)

The following Town Planning Applications have been approved under this delegated authority for the period ended 1 November 2006.

- *Mr D & Mrs B Cova – Lot 501 Bishop Street, Moora – construction of residential dwelling – Area 207m²- Zoning Residential – Value \$120,000. (Ref 22/0607)*
- *Mr BJ Keeris – Lot 12 Saleeba Street, Moora – construction of a zincalume/ colorbond shed – Area 131.25m²- Zoning Special Rural – Value \$10,000. (Ref 23/0607)*

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION (MANEX RECOMMENDATION) – ITEM 11.4.1
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230/06 Moved Cr Hawkins, seconded Cr Gardiner that Council note the town planning applications approved under delegated authority.

CARRIED 8/0

11.4.2 Coolingah Park “All Children’s Park”

LOCATION: Cnr King & Kintore Streets, Moora
FILE: P/CPKI
AUTHOR: Rebecca McCall, Corporate Services Officer
REPORT DATE: 31st October 2006
DECLARATION: Nil

BACKGROUND

The Department of Housing and Works and the Shire of Moora committed to a Memorandum of Understanding to implement a “New Living” program in Moora that will see public sector housing and neighbourhoods progressively revitalised and upgraded. The development of a community park on the corner of King and Kintore Streets Moora is included in the overall goal of improving this neighbourhood. The Department of Housing and Works committed \$30,000 towards the project. Matching funding from the Shire of Moora has been allocated in the 2006/07 budget.

The development of the park’s name, Coolingah, was derived from the mothers representing Best Start. Best Start is a playgroup for our indigenous children. It was these women who came up with the original concept of the park.

COMMENT

The Minister for Local Government and Regional Development recently advised the Shire of Moora that funding has been approved through the Community Facilities Grant Program 2006-07 for the provision of playground equipment. (The agreement is attached for your information).

BUDGET IMPLICATIONS

Department of Local Government and Regional Development will contribute an amount of \$27,399 (\$24,908 Community Facilities Grants Program plus \$2,490.80 for GST).

VOTING REQUIREMENTS

Simple Majority

MANEX RECOMMENDATION – ITEM 11.4.2

That Council accepts the funding contribution from the Community Facilities Grant Program 2006-07 for the provision of playground equipment for Coolingah Park. Council authorises the Shire President and Chief Executive Officer to sign the agreement on the behalf of the Shire.

COUNCIL RESOLUTION – ITEM 11.4.2

231/06 Moved Cr Hawkins, seconded Cr Pond that

- 1. Council accepts the funding contribution from the Community Facilities Grant Program 2006-07 for the provision of playground equipment for Coolingah Park. Council authorises the Shire President and Chief Executive Officer to sign the agreement on the behalf of the Shire.**
- 2. Council endorse the naming of the community park on the corner of King and Kintore Streets, Moora as Coolingah Park, which means “all children’s park”.**

CARRIED 8/0

Note: The reason for the addition of point 2 to the Manex recommendation is that Council believed that it was appropriate to formally endorse the name selected by the mothers representing the Best Start playgroup because the park belongs to the Shire.

11.4.3 Town Planning Application - Lot 24 Stafford Street Moora

OWNER: L. Doig, 2 Grieve Place Moora
APPLICANT: H & S Rural Developments Pty Ltd
ZONING: Residential R Code R12.5/25
FILE: TP/PTMOI
AUTHOR: Michael Prunster, Community Development Manager
REPORT DATE: 2 November 2006
DECLARATION: Author has no interest in application

PROPOSAL

An application has been received from H & S rural Developments Pty Ltd for the relocation of a second hand transportable dwelling to vacant Lot 24 Stafford Street Moora. The dwelling is approximately 25 years old and the application also includes a proposal for a front and rear pergola attached to the dwelling.

Ms Doig is currently the owner of Lot 24 Stafford Street and is currently in the process of selling the Lot to H. & S. Rural Developments Pty Ltd. Settlement date for the sale is the 9 November 2006. This planning application is to be considered on the basis that a copy of the transfer of land title is produced confirming the sale following the settlement date before final planning approval is granted.

PLANNING FRAMEWORK

The Lot is zoned residential with an R code density of R12.5/25, which permits single housing or grouped dwellings.

The relocation of second hand transportable buildings is allowable under the Council's Town Planning Scheme and Building Policy under certain conditions.

The following are extracts from Council's T.P. scheme and Building Policy: -

T.P. Scheme:

4.6 Transported Dwellings

- 4.6.1 Within the Scheme Area a building shall not be placed on a lot and occupied as a dwelling following transportation as a whole or as parts of a building unless the transported buildings has been specifically constructed as a transportable dwelling and, in the opinion of the Council, such building is in a satisfactory condition and will not detrimentally affect the amenity of the area.
- 4.6.2 An applicant for a building licence for a transported dwelling may be required by the Council to enter into a contract and provide a bond to reinstate the building to an acceptable standard of presentation within a period of twelve months from the issue of a building licence for such a dwelling.
- 4.6.3 The development of any land with a second-hand dwelling shall have due regard to the Council's Planning Policy "Development of Second-Hand Buildings".
- 4.6.4 The Council shall require all asbestos material be removed from any building prior to transportation.

Council Building Policy:

6.6 Second-hand Housing Policy.

That the Second-hand House Policy be as under: -

- (a) The dwelling to be relocated is to be made to comply in all respects with the Building Code of Australia, particularly the section relative to seismic zones;
- (b) All such dwellings proposed to be transported to townsites within the Shire are to be inspected "in situ" by a Building Surveyor or some other qualified person, any costs so incurred are to be borne by the applicant;
- (c) A report on the dwelling complete with recommended conditions of approval, photographs etc is to be submitted to Council for consideration, proper plans and specifications are to be duly submitted to the Building Surveyor in order that a building licence can be issued;

No dwelling is to be relocated upon any lot within the Shire until the building licence has been issued;

- (d) An estimate of the cost of any conditions of approval is to be used as the basis of calculating a Fidelity Bond, which is to be deposited by the applicant

with Council. The Bond is to be deposited on the understanding that if the conditions of approval are not completed to Council's satisfaction within the time limit specified the outstanding conditions will be met from the bond monies held by Council. The remainder, if any, is to be returned to the applicant when all conditions have been completed;

(e) That in the case of further second-hand houses arriving in Moora without the necessary approvals, immediate prosecution be instigated;

(f) That if a pine framed second-hand house is transported within the Moora Shire district its installation is to be strictly in accordance with the Australian Standards AS 1694 1974 Code of Practice for physical barriers used in the protection of buildings against subterranean termites.

Messrs R.R. Fletcher & Associates, Consulting Civil and Structural Engineers have provided an inspection and structural report on the building which states the building is structurally sound and in a satisfactory condition. (Report attached)

PHYSICAL ASSESSMENT

The photographs indicate the building is similar to other transportable residences located throughout Moora and with the completed pergola construction will present an acceptable standard of presentation.

PRECEDENT:

Council has approved the relocation of second-hand transportable in the past, with the most recent in July 2006.

CONCLUSION

The report, photographs and details presented comply with Council's town planning scheme and building policy. The applicants have paid planning application fee of \$100.

It is recommended that Council approve the planning application subject to the following conditions: -

- All damaged paintwork of the building exterior to be repainted.
- The finished floor level of the building is to be 203.6m AHD.
- Subject to a building licence being issued by the Shire of Moora Environmental Development Manager.
- The minimum setback from Stafford Street is to be 7.5m and setback from side boundaries 2m.
- Production of a Termite treatment certificate following the location of the building.
- All alterations and additional construction to be completed within 6 months from the date of Council approval.
- A fidelity bond of \$500 is to be lodged with Council on the understanding that if the conditions of approval are not completed to Council's satisfaction within the time limit specified, the outstanding conditions will be met from the bond monies held by Council. If all conditions are met to the satisfaction of Council the bond monies will be refunded.
- Any asbestos material is to be removed from the building prior to transportation.
- Confirmation of the sale by production of a copy of the transfer of land title following settlement of the property.

VOTING REQUIREMENTS

Simple majority

**COUNCIL RESOLUTION
(OFFICER RECOMMENDATION) – ITEM 11.4.3**

232/06 Moved Cr Clydesdale-Gebert, seconded Cr Barrett-Lennard that Council approve the application from H & S Rural Developments Pty Ltd for the relocation of a second-hand transportable dwelling to Lot 24 Stafford Street Moora subject to the following conditions: -

- All damaged paintwork of the building exterior to be repainted.
- The finished floor level of the building is to be 203.6m AHD.
- Subject to a building licence being issued by the Shire of Moora Environmental Development Manager.
- The minimum setback from Stafford Street is to be 7.5m and setback from side boundaries 2m.
- Production of a Termite treatment certificate following the location of the building.
- All alterations and additional construction to be completed within 6 months from the date of Council approval.
- A fidelity bond of \$500 is to be lodged with Council on the understanding that if the conditions of approval are not completed to Council's satisfaction within the time limit specified, the outstanding conditions will be met from the bond monies held by Council. If all conditions are met to the satisfaction of Council the bond monies will be refunded.
- Any asbestos material is to be removed from the building prior to transportation.
- Confirmation of the sale by production of a copy of the transfer of land title following settlement of the property.

CARRIED 8/0

11.5 ENVIRONMENTAL DEVELOPMENT

Nil

11.6 ECONOMIC DEVELOPMENT

Nil

11.7 SPORT AND RECREATION

11.7.1 “Be Active Co-Ordinator” – October Report

LOCATION: Moora
FILE: BA/REP1
AUTHOR: Michael Prunster, Community Development Manager
REPORT DATE: 1 November 2006
DECLARATION: Author has no financial interest in this matter.

BACKGROUND

It is current practice for the Be Active Co-Ordinator to periodically provide Council with a report to date of programmes and activities carried out during the current financial year.

The report for the period ending October 2006 is attached for Council to note and receive.

COMMENT

The report prepared by Ms Angela Murray, Be Active Co-Ordinator, covers programmes and activities she has carried out within the four participating Shires (Moora, Chittering, Victoria Plains and Dandaragan).

Ms Murray has also provided the report to the other participating shires.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Continued activities through this programme within each participating Council's are of great benefit to the residents and youth of these Districts, which without this sponsorship the projects would not normally be available to them.

PRECEDENT

The Be Active report is provided to Council periodically throughout each year.

VOTING REQUIREMENTS

Simple Majority

COUNCIL RESOLUTION (MANEX RECOMMENDATION) – ITEM 11.7.1
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233/06 Moved Cr Hawkins, seconded Cr Craven that Council note and receive the Be Active Report for the period ended October 2006.

CARRIED 8/0

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 ON MOTIONS FOR THE NEXT COUNCIL MEETING

Nil

15. MATTERS BEHIND CLOSED DOORS

COUNCIL RESOLUTION (RECOMMENDATION)
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234/06 Moved Cr Barrett-Lennard, seconded Cr Hawkins that the meeting move behind closed doors to discuss Item 15.1, 'Appointment of Manager Health and Regulatory Services' because it is a matter affecting an employee or employees pursuant to Section 5.23(2)(a) of the Local Government Act 1995.

CARRIED 8/0

At 4.33pm the Operational Development Manager, Financial Development Manager & Executive Support Officer left the Chambers and the meeting moved behind closed doors.

15.1 Appointment of Manager Health and Regulatory Services

Provided to Councillors under confidential cover.

COUNCIL RESOLUTION (SELECTION PANEL RECOMMENDATION) – ITEM 15.1
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235/06 Moved Cr Hawkins, seconded Cr Tonkin that Council

1. Endorses the appointment of Ms Melissa Wilson as Manager Health and Regulatory Services effective from 2 January 2007 subject to receipt of satisfactory medical and police clearances;
2. Endorses the Contract of Employment as tabled at this meeting and dated 8 November 2006 as the terms and conditions of Ms Wilson's employment with the Shire; and
3. Notes that formal appointment is also subject to the approval of the Executive Director of Public Health.

CARRIED 8/0

COUNCIL RESOLUTION

236/06 Moved Cr Barrett-Lennard, seconded Cr Pond that the meeting come out from behind closed doors and re-open to the public.

CARRIED 8/0

The meeting reopened to the public at 4.49pm. At this time the Operational Development Manager, Financial Development Manager & Executive Support Officer entered the Chambers.

On reopening the meeting to the public, there were no public present therefore the decisions made behind closed doors were not read aloud.

16. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 4.49pm.

CONFIRMED

PRESIDING MEMBER