



Ordinary Council Meeting Minutes

Date: 28 February 2007

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 28 FEBRUARY 2007

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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 3.48pm)	-	Councillor	-	Moora Town Ward
SJ Pond	-	Councillor	-	Koojan Ward
AR Tonkin	-	Councillor	-	Coomberdale Ward
WA Barrett-Lennard	-	Councillor	-	Bindi Bindi Ward
CD Hawkins	-	Councillor	-	Moora Town Ward
JW McLagan	-	Councillor	-	Miling Ward
D Clydesdale-Gebert	-	Councillor	-	Watheroo Ward

SJ Deckert	-	Chief Executive Officer
JE Ellis	-	Financial Development Manager
JL Greay	-	Operational Development Manager
MJ Prunster	-	Community Development Manager
BR Williams	-	Enterprise Development Manager
ML Wilson	-	Manager Health & Regulatory Services
MM Murray	-	Executive Support Officer
A Murray (from 3.52pm – 5.40pm)-	-	Be Active Coordinator

PUBLIC

Mrs Ann Lewis (until 5.40pm)-	Farmer
Mrs Marie Carter (until 5.40pm)-	Friends of Moora Woodlands

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

4. DECLARATIONS OF INTEREST

Cr Barrett-Lennard declared an indirect financial interest in Item 11.4.3 pursuant to Section 5.65 of the Local Government Act 1995 as a family member resides at the subject property.

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

Cr Hawkins applied in writing for leave of absence for the Ordinary Meetings of Council to be held on 14th March 2007 and the 11th April 2007, as he would be unavailable due to work commitments.

COUNCIL RESOLUTION

30/07 Moved Cr Clydesdale-Gebert, seconded Cr Pond that Cr Hawkins be granted leave of absence for the Ordinary Meetings of Council to be held on 14th March & 11th April 2007.

CARRIED 8/0

8. PETITIONS AND MEMORIALS

Nil

9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT

- I have been invited to attend the Moora Swimming Club tea this evening in readiness for their swimming pennants on this w/end
- 8th March is 'International Women's Day'
- Cr Hawkins & the Enterprise Development Manager met on 20th February with the Chair of the Chamber of Commerce and SBC Regional boss Norm Skoglund.
- Councillors Tonkin and Clydesdale-Gebert & the Chief Executive Officer attended the Avon Midland Zone Conference held in Gingin on Friday 23 February 2007.

10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING

10.1 ORDINARY COUNCIL MEETING - 14 FEBRUARY 2007

COUNCIL RESOLUTION

31/07 Moved Cr Gardiner, seconded Cr Hawkins that the Minutes of the Ordinary Meeting of Council held on 14 February 2007, be confirmed as a true and correct record of the meeting.

CARRIED 8/0

11. REPORTS OF OFFICERS

11.1 ADMINISTRATION

Nil

11.2 FINANCIAL DEVELOPMENT

11.2.1 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 JANUARY 2007

REPORT DATE: 23 February 2007
OFFICER DISCLOSURE OF INTEREST: Nil
AUTHOR: Jo-Anne Ellis, Financial Development Manager
ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 January 2007

PURPOSE OF REPORT:

For Council to note and receive the Statement of Financial Activity for the period ending 31 January 2007.

BACKGROUND:

Council is provided with monthly financial reports to enable monitoring of revenues and expenditures against the adopted budget.

COMMENT:

The Statement of Financial Activity for the Period Ended 31 December 2007 is provided as a separate attachment.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Division 3, Section 6.4
Local Government (Financial Management) Regulations 1996, Sec. 34

STRATEGIC IMPLICATIONS:

Monitoring of actual revenues and expenditures against the adopted budget assists Council in being informed as 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 line item to enable comparison to 2006/07 adopted budget.

VOTING REQUIREMENTS:

Simple Majority Required

**COUNCIL RESOLUTION
(OFFICER RECOMMENDATION)**

32/07 Moved Cr Barrett-Lennard, seconded Cr Hawkins that Council note and receive the Statement of Financial Activity for the period ending 31 January 2007.

CARRIED 8/0

11.3 OPERATIONAL DEVELOPMENT

At 3.48pm Cr Craven joined the meeting.

11.3.1 ACCESS TO LOT 65 COOPER STREET, MOORA

FILE REFERENCE: TP/TPEI
REPORT DATE: 22nd February 2007
APPLICANT/PROPONENT: Mr & Mrs PT Ackland
DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: John Greay, Operational Development Manager & Steven Deckert, Chief Executive Officer
ATTACHMENTS: Plan of location

PURPOSE OF REPORT:

Council to consider a request to provide road access to Lot 65 Cooper Street, Moora.

BACKGROUND:

Lot 65 is situated approximately midway along the unformed section of Cooper Street between Moora – Bindoon Road and Long Street. The owners of the property, Mr and Mrs Ackland have written to Council advising that they wish to sell this property and have a prospective purchaser. Mr and Mrs Ackland are requesting that Council provide road access to the property, as the prospective purchaser wants to purchase the property as soon as possible.

COMMENT:

Council, in the past has considered such requests on their merits taking into account a number of factors and criteria (such as traffic volumes, type of traffic, number of landowners involved, cost of construction etc.) before deciding whether to construct a road or not.

Council is not legally obliged to construct roads where there has been no road constructed before, even if a gazetted road reserve exists. However, once Council has constructed a road the Local Government Act 1995 s3.52(2) then requires Council to maintain the road and keep it trafficable. In the past Council has resisted constructing access ways to isolated lots due to the cost of mainly servicing only one property.

In this instance, the cost of providing a very basic road is quite expensive (around \$9,500 see below) to service one property owner. Also the road reserve is heavily treed which requires an application to be made to the Department of the Environment to clear. This process, which normally takes up to three months to obtain would place council into the beginning of winter when it may be too wet to place in culverts and construct the road. Therefore the earliest construction could be considered is November 2007.

Council has 3 basic options to consider:

1. Council constructs the road and meets the cost from its own resources
2. Council declines the request, however would construct the road at the landowners cost, or
3. Council negotiates with the landowner to share the cost of constructing the road on say a 50:50 basis.

In view of the factors and criteria, the construction of a road as per option 1 cannot be supported. Option 2 is unlikely to be acceptable to the landowners and could jeopardize or delay the sale of the land. If Council wants to facilitate development in a cost effective manner, option 3 may be worth considering.

Whichever option is finally taken, there may be a possibility to avert clearing the existing road reserve if some of the adjoining property (lot 115 owned by Mr and Mrs Ackland) was excised and amalgamated into the road reserve. This could be included in the negotiations of option 3 and be an in-kind contribution by the landowner.

POLICY REQUIREMENTS:

Policy not required as the Local Government Act covers it.

LEGISLATIVE REQUIREMENTS:

Section 3.52 of Local Government Act

STRATEGIC IMPLICATIONS:

Due to the shortage of suitable available land in Moora there will be more of these requests forth coming. It is therefore strategically important that for our town to grow that land such as lot 65 have road access and this occurs in a cost effective manner.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
Within the unmade road reserve there are a number of trees that need to be removed which may require a clearing permit.
- **Economic**
The rateable value of the property will increase should a dwelling be constructed eventually.

➤ **Social**

Should the sale of the land result in an increase in population with another family moving to Moora then there will be additional social benefits.

FINANCIAL IMPLICATIONS:

Council has not budgeted for these types of requests in this year's budget. Due to the road access requiring several culverts to get to lot 65 the estimated cost to construct 200 metres x 4 metres wide is \$9,500.

VOTING REQUIREMENTS:

Simple Majority Required

MANEX RECOMMENDATIONS

Moved Cr Gardiner, seconded Cr Tonkin that Council agrees in principle to the construction of road access on the Cooper Street road reserve from Long Street to lot 65 subject to:

- 1. The cost of constructing the road access be met on a 50:50 cost sharing basis between the owner of lot 65 and the Shire;*
- 2. Appropriate approval from the Department of the Environment is obtained to clear the road reserve;*
- 3. During negotiations, investigation be carried out on whether it is feasible to amalgamate a portion of adjoining lot 115 into the road reserve to reduce the cost of road construction and avoid unnecessary clearing of mature trees, and*
- 4. Provision of the Shire's share of costs of up to \$5,000 be included in the 2007/08 draft Budget.*

MOTION LOST 2/7

At 3.52pm the Be Active Coordinator joined the meeting.

COUNCIL RESOLUTION

33/07 Moved Cr Barrett-Lennard, seconded Cr Craven that investigation be carried out on whether it is feasible to amalgamate a portion of adjoining lot 115 into the road reserve to reduce the cost of road construction and avoid unnecessary clearing of mature trees and this be referred back to Council for further consideration.

CARRIED 9/0

Note – Council wanted to know with some certainty if resumption of land from lot 115 was a definite option before considering the request further.

At 3.58pm the Enterprise Development Manager left the meeting.

11.4 COMMUNITY DEVELOPMENT

11.4.1 TOWN PLANNING SCHEME NO 4 – DELEGATION OF POWERS

FILE REFERENCE: TP/PTM11
REPORT DATE: 16 February 2007
APPLICANT/PROPONENT: D.K. Bassett
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 25 February 2004
AUTHOR: Michael Prunster, Community Development Manager
ATTACHMENTS: Nil

PURPOSE OF REPORT:

Council to note the town planning applications approved under delegated authority.

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 16 February 2007.

- **D.K. Bassett – Lot 2 Dandaragan Street, Moora – Construction of a Storage Shed (area 64m²) & Patio (area 51m²) – Value \$8,400 (Ref 31/0607) Special approval obtained from Department of Water.**

POLICY REQUIREMENTS:

Register of Delegations and Shire of Moora Town Planning Scheme No 4 Text.

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
Department of Water has assessed that this application will have no environmental implications on the environment.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item.

VOTING REQUIREMENTS:

Simple Majority Required

COUNCIL RESOLUTION (MANEX RECOMMENDATION)
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34/07 Moved Cr Hawkins, seconded Cr Tonkin that Council note the town planning applications approved under delegated authority.

CARRIED 9/0

11.4.2 Management Order over Reserve 28287, Lot 150 Stack St, Moora

FILE REFERENCE: P/RES1
REPORT DATE: 16 February 2007
APPLICANT/PROPONENT: Department for Planning & Infrastructure
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 23/11/05 (271/2005), 23/8/06 (150/06)
AUTHOR: Michael Prunster, Community Development Manager
ATTACHMENTS: Management Order

PURPOSE OF REPORT:

To notify Council of the issue of a Management Order over Reserve 28287, lot 150 Stack Street Moora.

BACKGROUND:

Mrs Marie Carter approached Council in 2004 to take over the control of Reserve 28287 lot 150 Stack Street Moora, to protect the natural bush and ground vegetation.

Council considered a further request signed by Mrs Carter on behalf of The Friends of Moora Woodlands at their meeting held on the 23 November 2005 and passed the following resolution:

COUNCIL RESOLUTION (CEO's RECOMMENDATION) – ITEM 12.1
--

271/2005 Moved Cr Pond, seconded Cr Craven that Council;

- 1. Records its "in principle" support of the "Friends of the Moora Bushland" and congratulate the members on their initiative.*
- 2. Encourages the group to liaise with Council on a project by project basis to determine if Council can assist through in kind support.*
- 3. Encourages the group to also seek funding and/or alliances with other groups and incorporated bodies that may be able to assist them achieve their goals.*

CARRIED 7/0

The matter was again discussed at the Council meeting held on the 23 August 2006 and the portion of the resolution passed by Council in relation to Reserve 28287 was as follows: -

150/06 Moved Cr Hawkins, seconded Cr Craven that Council support in principle the request from the Friends of Moora Woodlands, however further research be carried out on the following before further consideration by Council;

- 1. Apply for a management order from the Department of Planning and Infrastructure over the following locations for the preservation and conservation of native flora: -*
 - Reserve 28287 bounded by Stack and Cooper Streets Moora.*

CARRIED 9/0

COMMENT:

The request for the issue of a Management Order was then forwarded to the Department of Planning and Infrastructure. The Order has now been issued, and we have now received the registered Management Order No J966218XE, dated 26 October 2006 in favour of the Shire of Moora. (copy is attached for information).

Under the Land Administration Act document registration system, Management Orders are registered on the Crown Land Title for the reserve and become effective on the date of registration.

A reserve is Crown land that has been set aside or dedicated for a particular purpose in the public interest.

Reserve tenure is usually applied to land, which, because of its intrinsic community value, should be preserved and maintained for the benefit of present and future generations. This is primarily because of its recreation, historical, social, natural resources, its environmental, or cultural significance, or because it has special value for present or future generations.

The Land Administration Act now uses the term “management orders” to replace “vesting orders” provided in the Land Act 1933.

There is no significant distinction between a vesting order under the Land Act 1933 and a management order under the LAA. The change in terminology will not affect the management powers currently available to Local Governments, State authorities or other management bodies that hold reserved land under a Land Act 1933 vesting order.

A Management order is described as: -

- Like its predecessor, a vesting order, is not an interest in land. It is a statutory right to manage and control Crown land in accordance with the Management Order granted under the LAA.
- Management Orders place reserves in trust with management bodies on behalf of the public and do not constitute an interest in the land.
- Generally Management Orders should support the principle that reserves are in the public interest, are for general benefit of the community and should preserve the community's right of access over the land (wherever possible)

- Management Orders can contain both positive and negative conditions on the use and development of the reserves, including the requirement to submit Management Plans and to manage the reserve in accordance with these plans.
- Except in relation to reserves placed under the management of State Government agencies, all powers to deal with land, for example, leases, sub-leases, licences, mortgages and other charges granted under a Management Order require the Minister for Land's consent. This is usually expressly stated in the Management Order.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

L.G.A. 1995 Section 3.54

STRATEGIC IMPLICATIONS:

Management control over the Reserve for future generations use as parklands.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
Continued preservation of natural bush and vegetation and provision of a recreation area or the benefit of the general public.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
Special value for present and future generations sharing the benefit of the preservation of natural bush, vegetation and an area of cultural and environmental significance.

FINANCIAL IMPLICATIONS:

Minimal in-kind contribution by Council funded through maintenance budget. Friends of the Moora Woodlands will be applying for Grants to finance fencing and cleaning of the Reserve.

VOTING REQUIREMENTS:

Simple Majority Required

COUNCIL RESOLUTION (MANEX RECOMMENDATION)

35/07 Moved Cr Hawkins, seconded Cr Pond that Council acknowledge and receive the Management Order number J966218 XE for lot 150 Stack Street Moora, Vol 3141 Folio 245 and Vol 3141 Folio 246, designated for the purpose of "Parklands" only and advise the Friends of Moora Woodlands accordingly.

CARRIED 9/0

At 4.00pm the Enterprise Development Manager rejoined the meeting.

At 4.00pm Cr Barrett-Lennard declared an indirect financial interest in Item 11.4.3 pursuant to Section 5.65 of the Local Government Act 1995 as a family member resides at the subject property and vacated the Chambers.

11.4.3 Planning Application – Murray’s Transport Depot

FILE REFERENCE: TP/PTMOI
REPORT DATE: 20 February 2007
APPLICANT/PROPONENT: Murray’s Transport
OFFICER DISCLOSURE OF INTEREST: NIL
PREVIOUS MEETING REFERENCES: 13 December 2006 (258/06)
AUTHOR: Michael Prunster, Community Development Manager
ATTACHMENTS: Nil

PURPOSE OF REPORT:

Council to consider the application from Mr Richard Murray of Murray’s Transport to locate his transport business at lot 226 Riley Road Moora.

BACKGROUND:

The development application from Mr Richard Murray to conduct his transport business from lot 226 Riley Road Moora was considered at the Council meeting held on the 13 December 2006.

A portion of the resolution passed at that meeting was: -

<p><i>COUNCIL RESOLUTION (MANEX RECOMMENDATIONS) – ITEM 11.4.3</i></p>
--

258/06 Moved Cr Tonkin, seconded Cr Pond that Council

- 1) Note the proposed change of ownership to Murray’s Transport with the intention of operating a General Carriers transport depot at part 2 of lot 226 Riley Road Moora.*
- 2) In respect to the application for planning approval, the application must first be advertised in accordance with clause 7.3.1 and 7.3.3. of the Shire of Moora Town Planning Scheme text No 4, which requires “notice of the proposed development to be published in a newspaper circulating in the Scheme Area & adjoining landowners advised stating that submissions may be made to the Council within twenty-one days from the publication thereof.”*

The public advertising period for the proposed development expired on 9 February 2007, and Council did not receive any submissions or comments from the public. Letters were forwarded to all adjoining owners in the area and Council did not receive any comment or submissions from them.

COMMENT:

The lot is zoned “Special Rural” with additional use of a “transport depot”. Therefore the Shire of Moora’s Town Planning Scheme Text permits the operation of a transport business on this lot subject to Council approval and after following the advertising provisions of clause 7.3 of the scheme text.

Council is now requested to approve the application subject to the following conditions included in the resolution of the 13 December 2006: -

- 3) Advise the applicant that Council has formally considered the application at the close of the expiration of the 21 days notice, and approval is granted subject to the following conditions: -
- a) Approval is subject to the acquisition of Lot 2/226 Riley Road by Murray's Transport.
 - b) The frontage of the land to Riley Road adjacent to the workshop to be fenced with neetascreen to Western boundary to a height of 1.8m including suitable vehicle crossings within a period of 6 months from date of purchase/lease.
 - c) The workshop/shed is to be painted or re-clad within a period of 12 months from date of purchase.
 - d) Storage of fuel and construction of adequate Bunding in accordance with the requirements, or the approval of, the Department of Mineral and Petroleum Resources.
 - e) Noise, dust & odour levels to be kept to a minimum to reduce impact of activities on neighbouring residents.
 - f) Washing of stock crates is not permitted on the site.
 - g) Unwashed stock crates are not to be stored on site.
 - h) There is to be no parking of vehicles/trailers on property and/or Riley Road whilst loaded with stock.
 - i) There is to be no disposal of manure waste on site.
 - j) Subject to the payment of \$50 planning application fee.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Shire of Moora Town Planning Scheme Text No 4.

STRATEGIC IMPLICATIONS:

Provision of a single location for transport operations. (currently using two locations)

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
A more efficient and effective business operation.
- **Social**
Location of a transport business operation in a permitted area.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item.

VOTING REQUIREMENTS:

Simple Majority Required

MANEX RECOMMENDATION

That Council advise Mr Richard Murray of Murray's Transport that Council has formally considered the application at the close of the expiration of the 21 days notice, and the application is approved subject to the following conditions: -

- 1. Approval is subject to the acquisition of Lot 2/226 Riley Road by Murray's Transport.*
- 2. The frontage of the land to Riley Road adjacent to the workshop to be fenced with neetascreen to Western boundary to a height of 1.8m including suitable vehicle crossings within a period of 6 months from date of purchase/lease.*
- 3. The workshop/shed is to be painted or re-clad within a period of 12 months from date of purchase.*
- 4. Storage of fuel and construction of adequate Bunding in accordance with the requirements, or the approval of, the Department of Mineral and Petroleum Resources.*
- 5. Noise, dust & odour levels to be kept to a minimum as to minimise the impact of the amenity on neighbouring residents.*
- 6. Washing of stock crates is not permitted on the site.*
- 7. Unwashed stock crates are not to be stored on site.*
- 8. There is to be no parking of vehicles/trailers on property and/or Riley Road whilst loaded with stock.*
- 9. There is to be no disposal of manure waste on site.*
- 10. Subject to the payment of \$137.50 planning application fee and advertising cost of \$130.59.*

COUNCIL RESOLUTION

Moved Cr Hawkins, seconded Cr Pond that Council advise Mr Richard Murray of Murray's Transport that Council has formally considered the application at the close of the expiration of the 21 days notice, and the application is approved subject to the following conditions: -

- 1. Approval is subject to the acquisition of Lot 2/226 Riley Road by Murray's Transport.***
- 2. The frontage of the land to Riley Road adjacent to the workshop to be fenced with neetascreen to Western boundary to a height of 1.8m including suitable vehicle crossings within a period of 6 months from date of purchase/lease.***
- 3. The workshop/shed is to be painted or re-clad within a period of 12 months from date of purchase.***
- 4. Storage of fuel and construction of adequate Bunding in accordance with the requirements, or the approval of, the Department of Mineral and Petroleum Resources.***
- 5. Noise, dust & odour levels to be kept to a minimum as to minimise the impact of the amenity on neighbouring residents.***
- 6. Washing of stock crates is not permitted on the site.***
- 7. Unwashed stock crates are not to be stored on site.***
- 8. There is to be no parking of vehicles/trailers on property and/or Riley Road whilst loaded with stock.***
- 9. There is to be no disposal of manure waste on site.***

- 10. Subject to the payment of \$137.50 planning application fee and advertising cost of \$130.59.**

AMENDMENT MOTION

36/07 Moved Cr Gardiner, seconded Cr Craven that points 6-8 be deleted from the recommendation & replaced with a new point 6. to read “No livestock business to operate from Lot 2/226 Riley Road” and points 9 and 10 be renumbered 7. and 8. respectively.

CARRIED 8/0

THE AMENDMENT BECAME THE MOTION AND WAS PUT

COUNCIL RESOLUTION

37/07 That Council advise Mr Richard Murray of Murray’s Transport that Council has formally considered the application at the close of the expiration of the 21 days notice, and the application is approved subject to the following conditions: -

- 1. Approval is subject to the acquisition of Lot 2/226 Riley Road by Murray’s Transport.**
- 2. The frontage of the land to Riley Road adjacent to the workshop to be fenced with neetascreen to Western boundary to a height of 1.8m including suitable vehicle crossings within a period of 6 months from date of purchase/lease.**
- 3. The workshop/shed is to be painted or re-clad within a period of 12 months from date of purchase.**
- 4. Storage of fuel and construction of adequate Bunding in accordance with the requirements, or the approval of, the Department of Mineral and Petroleum Resources.**
- 5. Noise, dust & odour levels to be kept to a minimum as to minimise the impact of the amenity on neighbouring residents.**
- 6. No livestock business to operate from Lot 2/226 Riley Road**
- 7. There is to be no disposal of manure waste on site.**
- 8. Subject to the payment of \$137.50 planning application fee and advertising cost of \$130.59.**

CARRIED 8/0

Note – Council amended the recommendation so that the conditions placed on the development prohibiting livestock business activities were clear and concise.

At 4.06pm Cr Barrett-Lennard entered the Chambers and rejoined the meeting

11.4.4 Management Order Reserve 46681, Lot 416 Dandaragan Rd, Moora

FILE REFERENCE: P/RES1
REPORT DATE: 21 February 2007
APPLICANT/PROPONENT: Department for Planning & Infrastructure
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: None
AUTHOR: Michael Prunster, Community Development Manager
ATTACHMENTS: Location Map

PURPOSE OF REPORT:

For Council to consider a request from the Department for Planning and Infrastructure to accept a Management Order over Moora lot 416 – Reserve 46681.

BACKGROUND:

It appears this Reserve was created when old lot 114 Long Street was rezoned and subdivided by Owner Mr J.T. Bashford. The lot was subdivided into 9 lots plus Reserve 46681 & Drainage reserve R45900.

The Reserve starts West of the Moore River and adjoins portion of the West End Property currently used by the Equestrian Club.

Mr J.T. Bashford has leased the Reserve from the Department for many years, who utilises the lot for hay production. We understand that Mr Bashford has maintained the lot with weed control spraying and contributed to the water rates and usage. Mr Bashford has also approached the Department to purchase the lot but without success. The lot is zoned "Recreation & Open Space".

The lot is designated within the floodway (dark blue) area on the Floodplain Management Map, and therefore building on the Lot would be very restricted.

COMMENT:

It is probably debateable as to whether Council needs another Reserve under its control in that particular area.

A Management order is described as: -

- Like its predecessor, a vesting order, is not an interest in land. It is a statutory right to manage and control Crown land in accordance with the Management Order granted under the LAA.
- Management Orders place reserves in trust with management bodies on behalf of the public and do not constitute an interest in the land.
- Generally Management Orders should support the principle that reserves are in the public interest, are for general benefit of the community and should preserve the community's right of access over the land (wherever possible)
- Management Orders can contain both positive and negative conditions on the use and development of the reserves, including the requirement to submit Management Plans and to manage the reserve in accordance with these plans.

- Except in relation to reserves placed under the management of State Government agencies, all powers to deal with land, for example, leases, sub-leases, licences, mortgages and other charges granted under a Management Order require the Minister for Land's consent. This is usually expressly stated in the Management Order.

It may be more beneficial to Council for a recommendation to be made to the Department that the lot is offered for sale to Mr Bashford. Although the adjoining West End property is zoned "farming", it is currently used for recreational purposes, by the Equestrian Club. It is most likely that this will be rezoned for "Recreational Purpose" when Council reviews its Town Planning Scheme. If this is the case there may be no need to have lot 416 zoned as "Recreation and Open Space".

It is recommended that Council does not accept the offer of a Management Order over the reserve.

Council is aware that we are today accepting a Management Order over the Stack Street Reserve and are in the process of making arrangements for a Management Order over the Candy's Bush Reserve fronting Gardiner Street.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

LGA 1995 S3.54

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
Continued good management of land in relation to weed control and rural activity.
- **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:

Should Council accept the Management Order over the lot, it could most likely involve ongoing maintenance costs.

VOTING REQUIREMENTS:

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

38/07 Moved Cr Gardiner, seconded Cr Craven that Council advise the Department for Planning and Infrastructure of W.A. that they do not wish to accept a Management Order over lot 416, Reserve 46681, and make a recommendation to the Department that lot 416 be offered for sale or continuation of the lease arrangements to Mr J.T. Bashford.

CARRIED 9/0

Note: During discussions on the above item, the third paragraph of the Background of the report was clarified in that it was Mr Bashford who currently utilises the land for hay production and not the Department.

11.4.5 Planning Application – Damon Brown, Lot 198 Tootra St Moora

FILE REFERENCE: PA/1569-1
REPORT DATE: 22 February 2007
APPLICANT/PROPONENT: Damon Mark Brown
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: None
AUTHOR: Michael Prunster, Community Development Manager
ATTACHMENTS: Site Plan

PURPOSE OF REPORT:

Council to consider planning application from Mr Brown to construct a shed/garage on lot 198 Tootra Street Moora, Zoning “Industrial”.

BACKGROUND:

Mr Brown conducts a landscaping/skip bin provision contracting business and intends to store his machinery and materials at the above lot.

COMMENT:

The Town Planning Scheme text provides the following conditions for development in the Industrial zone: -

Industrial Zone

3.9.1 Objectives

- a) to provide for the needs of industry to support the community.
- b) to provide appropriate buffers between industry and adjacent landuses, so as to avoid landuse 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.
- e) to avoid non-industry related uses establishing in the industrial area.

3.9.2 Site Requirements The minimum building setbacks shall be:

Front :	7.5m
Rear :	7.5m
Side :	5.0m on one side

3.9.2.2 The Council may require as a condition of planning approval the applicant to construct a service road within an additional setback and with easements to allow vehicular access on the service road by others. Access links from the service road to Tootra Street shall be limited as determined by the Council.

3.9.3 Development Requirements:

- (a) the first five metres of the front setback on any lot shall be landscaped to the satisfaction of the Council. Where a lot has frontage to two streets the Council may vary the landscaping requirement only where the setback is reduced in which case the whole of the setback so reduced shall be landscaped to the satisfaction of the Council.
- (b) prior to the issue of planning approval for an industry in the Industrial zone, the Council will ascertain the appropriate buffer for that industry, and such industry may only be granted planning approval if the relevant buffer can be accommodated wholly within the zone.
- (c) in considering proposals for industries which would generate industrial liquid, solid or gaseous wastes the Council may refer such proposals to the Department of Environmental Protection, and the granting of planning approval for such industries shall be subject to wastes being treated and disposed of in accordance with advice/guidelines received.

The site plan submitted has been amended to conform to the Town Planning requirements with the northern boundary setback changed to 5m and the area of landscaping of 5m from the Tootra St boundary indicated on the plan.

POLICY REQUIREMENTS:

Town Planning Scheme No 4 Text.

LEGISLATIVE REQUIREMENTS:

Planning and Development Act 2005 – Div 5 - S162

STRATEGIC IMPLICATIONS:

Provision of a further business operation within the Industrial Area.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
Landscaping contracts and skip bin provision will improve local environment.
- **Economic**
Provision of a suitable contracting service for residents of Moora and District.
- **Social**
Improvement in residential and commercial aesthetics will impact on the social outlook by residents.

FINANCIAL IMPLICATIONS:

The location of the shed/garage on the lot will increase the annual rate income received by Council.

VOTING REQUIREMENTS:

Simple Majority Required

**COUNCIL RESOLUTION
(STAFF RECOMMENDATION)**

39/07 Moved Cr Pond, seconded Cr Gardiner that Council approve the planning Application from Mr Damon Mark Brown for the construction of a 312m² shed/garage on Lot 198 Tootra Street Moora subject to the following conditions: -

- The finished floor level is to be set at 204.15m AHD. (ie: 150mm above 1999 flood level)
- Power points, and electrical connection outlets should be installed at least 1m above floor level,
- Windows should be installed no lower than 0.5m above the March 1999 flood level.
- Building licence to be issued by Council's Manager Health and Regulatory Services.
- Minimum setbacks for building construction are – Front – 7.5m, Rear 7.5m and 5m on one side boundary (as amended on plan).
- The first 5m of the lot is to be landscaped (as shown) to the satisfaction of Council, and completed within 3 months from completion of construction.
- All surplus storm water is to be directed into the storm water street drainage to the satisfaction of the Shire's Operational Development Manager.
- It should be noted that the developments might still be subject to flooding during major river flooding.
- It should be noted that if a wash down bay is installed at a future date it will require further planning application and possible approval under the Department of Environment provisions.

CARRIED 9/0

11.5 ENVIRONMENTAL DEVELOPMENT

Nil

11.6 ECONOMIC DEVELOPMENT

Nil

11.7 SPORT AND RECREATION

11.7.1 “BE ACTIVE COORDINATOR” – DECEMBER/JANUARY REPORT 2006/07

FILE REFERENCE: BA/REPI
REPORT DATE: 22 February 2007
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 13 September 2006 (187/06)
AUTHOR: Michael Prunster, Community Development Manager
ATTACHMENTS: Be Active Report – Dec / Jan 2006/07

PURPOSE OF REPORT:

Periodical report for the period December–January from the Be Active Co-Ordinator for Council information and acknowledgment. (Report attached)

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.

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.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

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.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
The outdoor activities participants awareness of the environment and creates a better environmental outlook on the life of the people involved.
- **Economic**
Participants contribute to the cost of certain programmes.
- **Social**
The programmes organised by the B.A.C. have a healthy impact on the social and cultural activities of young and old residents of the Shires involved.

FINANCIAL IMPLICATIONS:

The four Shires participating in the programme fund the programmes on a percentage basis

VOTING REQUIREMENTS:

Simple Majority Required

COUNCIL RESOLUTION (STAFF RECOMMENDATION)
--

40/07 Moved Cr Hawkins, seconded Cr McLagan that Council note and receive the Be Active Report for the period ended December – January 2006/07.

CARRIED 9/0

11.7.2 ALLOCATION OF FUNDS TO MEET COMMITMENTS IN THE PLAN FOR THE FUTURE OF THE DISTRICT OF MOORA – 2006-2008: MOORA HEALTH AND FITNESS CENTRE

FILE REFERENCE: BA/MGYI

REPORT DATE: 21 February 2007

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHORS: Angela Murray, Be Active Coordinator and Bronwyn Williams, Enterprise Development Manager

ATTACHMENTS: Moora Health and Fitness Business Plan

PURPOSE OF REPORT:

This report is to gain support from the Shire of Moora Council to develop the Moora Health and Fitness centre within the Moora Recreation Centre as a function of the shire including a contribution toward the establishment and ongoing support costs as outlined in the Plan for the Future of the District of Moora – 2006-2008.

BACKGROUND:

There is a large need for the Moora Health and Fitness Centre to be established, to provide gym facilities for the community in the Moora District. The Moora Gym Survey was carried out in 2005 and respondents gave an overwhelming 96% yes response to wanting a gym in Moora. The sport and recreation facilities section of the Plan for the Future for the Moora District – 2006-2008 outlines the inclusion of a gym as desirable for any upgrades that occur at the Moora Recreation Centre.

Community members in the Moora District lead a very active lifestyle by using sporting facilities and through involvement in Be Active programs initiated by the Shire of Moora. However, research from the National Heart Foundation of Australia states that obesity is estimated to be responsible for around 4.5% of the total burden of disease in Australia. The latest figures show the number of Australians carrying excess weight is rising. 6 out of 10 adults and 1 out of 5 children in Australia are overweight. This increases the risk to Australians being susceptible to lifestyle diseases such as diabetes, heart disease and stroke. The Moora Health and Fitness Centre will work towards reducing this trend in the Moora District.

Currently the Moora Recreation Centre is under utilised compared to what it was designed for. The inclusion of the gym at this centre will increase the usage of an otherwise under utilised shire facility.

There may be negative impacts on some current users of the Moora Recreation Centre. For example, the Moora Agriculture Society will need to better utilise the space available during their annual show, as the Moora Health and Fitness will occupy the space where the art and photography display have previously been shown.

However the negative impacts will be far outweighed by the positive impact that Moora Health and Fitness will have on physical, social and economic aspects on the Moora District. Some positive aspects include:

- Access to weight training facilities therefore improving the standard of sport competitions in our region.
- Access to recreation opportunities for community members not involved in organised sport but who still enjoy physical activity.
- Improve the provision of health services by increasing access to other remedial therapies for physiotherapists, general practitioners and occupational therapists.
- Opportunities for school aged children to become involved in after school activities therefore potentially reducing opportunistic crime rates.
- Provide an incentive for businesses to attract potential employees, therefore making Moora a preferred location for employment for skilled workers.

COMMENT:

It is proposed that Moora Health and Fitness will provide group exercise classes, circuit classes, personal training and access to gym equipment to the Moora District. This district includes community members from towns such as: Moora, Watheroo, Miling, Bindi Bindi, Coomerdale, Dandaragan, Badgingarra, Coorow, Yerecoin, Mogumber, Piawaning, Carnamah, Dalwallinu, Wongan Hills and New Norcia. It has been estimated from the survey responses that the gym will attract 85 ongoing members; these will include 12, 6, 3 and 1 month memberships as well as 20 casual attendees at group exercise classes.

The estimated costs for set up of Moora Health and Fitness is \$40,325 (this includes two months of ongoing costs), with ongoing costs of \$7,023 per month. It is predicted to have a monthly income of \$7,340 to offset the monthly costs. These ongoing costs include the employment of one full time manager and one casual employee. The details of how these figures have been calculated are outlined in Table 1, 2 and 3 below. The business plan to support these costings is attached for your reference.

Table 1: Set Up Costs for Moora Health & Fitness

Item	Description	Cost
Insurance		
Equipment Lease		\$2,200
Rec Centre Lease		\$200
Staffing - advertise		\$500
Security system		\$8,500
Security screens		\$840
Permanent wall		\$5,000
Signage		2,000
Mirrors		\$887
Computer software		\$6,028

Sound system		\$200
Gym classes		\$1,000
First Aid		\$200
Instructor Training	Master Trainer Certificate - If unqualified	\$4,290
Fitness Equipment	Aerobic steps (15)	\$2,985
	Pump Kit (15)	\$1,275
	Pump rack	\$650
	Floor mats (20)	\$920
	Fit Balls (3)	\$150
Salary		\$1,800
Access cards	100 @ \$7 each	\$700
TOTAL		\$40,325

Table 2: Monthly Income

Description	Income
Membership (full year) 50	\$2,100
(half year) 20	\$1,000
(3 monthly) 10	\$530
(monthly) 5	\$300
(Casual) 20	\$160
Fitness assessment	\$50
Fitness classes	\$3,000
Personal training 5hrs	\$200
TOTAL	\$7,340

Table 3: Monthly Costs

Description	Cost
Equipment Lease	\$1,100
Instructor Training - PD	\$85
Office expenses	\$100
Salary (casual) + on costs	\$5,655
IT Support	\$82.50
TOTAL	\$7,023

It is proposed that the Shire of Moora establish Moora Health & Fitness as a function of the Shire as a commitment to improved access to health and fitness facilities in the shire. Contact has been made with the Wheatbelt Area Consultative Committee and they have indicated that there may have funding available to help set up the centre through the Regional Partnerships Funding Program to a value of up to \$25,000. It is also proposed to approach the various sporting groups within Moora including the Moora Community Recreation Council and ask for contributions towards the establishment of Moora Health & Fitness.

It is envisaged that Moora Health and Fitness will grow into a sustainable and profitable business, this will create further employment on top of the two staff that Moora Health and Fitness will initially employ. If there is sufficient demand a casual crèche facility will be established at specific times determined by the need of parents. Expansion of the gym can be accommodated within the Moora Recreation Centre, thus it is an ideal location for this venture.

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

In accordance with the Shire of Moora's Strategic Plan under the Key Result Area of "Infrastructure", goal one outlines to maintain and improve and increase community facilities and services. This item relates to increasing community facilities and services.

Under the Key Result Area of “Growth”, strategy one outlines to foster community commitment to growth. This item relates to allocating resources to support growth,

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

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

➤ **Economic**

This project will help attract highly skilled employees to Moora who are after facilities that are available to them in larger centres, such as a gym. It will also improve employment opportunities, particularly for young people and provide career paths for school leavers, possibly retaining youth in the district.

There will be significant flow on effects to local businesses that will benefit from impulse spending from gym users, particularly people from outside their day-to-day catchment of customers.

➤ **Social**

The elderly population will be engaged in physical activity opportunities such as the Living Longer Living Stronger program that is an exercise program design specifically to the elderly.

Increases in physical activity will improve both the physical and mental health of the community within the Moora District.

There will be opportunities for school aged children to become involved in after school activities therefore potentially reducing opportunistic crime rates.

FINANCIAL IMPLICATIONS:

Allocation toward the set up of the gym will need to be budgeted into the 2007/08 draft budget. There will also be time allocations required for administration needs such as payroll and induction.

VOTING REQUIREMENTS:

Simple Majority Required

STAFF RECOMMENDATIONS

That Council agree;

- 1. In principle to establish a gym (namely Moora Health & Fitness) as a shire facility and service to the community.*
- 2. For the Moora Health and Fitness centre to be located within the Moora Recreation Centre and delegate authority to the CEO to approve any necessary modifications needed to ensure that Moora Health and Fitness centre can operate to its full potential.*

Please note: prior to voting on this matter, the CEO advised Council that the motion needs to be carried by absolute majority rather than by simple majority due to the proposed delegation to the CEO.

COUNCIL RESOLUTION

41/07 Moved Cr Craven, seconded Cr Clydesdale-Gebert that Council agree;

- 1. In principle to establish a gym (namely Moora Health & Fitness) as a shire facility and service to the community.**
- 2. For the Moora Health and Fitness centre to be located within the Moora Recreation Centre and delegate authority to the CEO to approve any necessary modifications needed to ensure that Moora Health and Fitness centre can operate to its full potential.**
- 3. That this proposal be advertised for comment.**

CARRIED BY ABSOLUTE MAJORITY 7/2

Note: Council added point 3. to the recommendation as it wanted to ensure that all users of the Moora Recreation Centre have the opportunity to consider and comment on the proposal.

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

Cr Hawkins foreshadowed the following two reports at the Ordinary meeting of Council on 14 February 2007;

12.1 CORELLA DAMAGE TO SOCIAL INFRASTRUCTURE, TOURISM, AND FARMING

FILE REFERENCE: AN/COM1
REPORT DATE: 14 February 2007
APPLICANT/PROPONENT: Cr Chris Hawkins
DISCLOSURE OF INTEREST: The author does not have an interest in this matter
PREVIOUS MEETING REFERENCES: Several over the past three years.
AUTHOR: Cr Chris Hawkins
ATTACHMENTS: Nil

PURPOSE OF REPORT

To advise Council and Managers of the damage being done to local infrastructure by corellas, and recommend action be taken strategically.

BACKGROUND:

Corella damage is a recurring feature of the Moora district. Considerable damage by corellas is being done to ovals, gardens, trees, and parklands within the town of Moora, as well as contributing to production losses on farms in the shire. In addition, corellas are a public nuisance: noisy, disruptive, dirty, and generally undesirable in large numbers. These birds are carriers of psittacosis, and large numbers increase the risks to human health. It is also undesirable to have large numbers of these birds in town, because of the added risk they pose in the event of an exotic disease event, such as avian influenza. In addition, these birds are having a detrimental effect on less vigorous bird species, such as Carnaby's cockatoo, a species that the Shire is working with the community to preserve.

COMMENT:

Corellas are also invading the metropolitan area from the Wheatbelt. While the source of corellas for the Metro area may be districts other than Moora, the impression that large flocks of corellas give to tourists and those passing through the shire, is that this is where (at least some) are originating. This will have a detrimental effect on tourism, and the regard of metro people towards

Moora shire, which may be seen as negligent in doing its part to minimise the migration of corellas to the metro area.

Considerable success has been had in the past through engagement with the Sporting Shooters Association. It is now vital that this or a similar group be engaged again to cull the birds, and reduce their impact on the town and shire. It is also imperative to strike early in future years, to eliminate scout birds (i.e. those checking out the area early in the season) before the main migration.

POLICY REQUIREMENTS:

It is appropriate that the Shire adopts a consistent policy on the control and management of corellas.

LEGISLATIVE REQUIREMENTS:

Permit to cull will need to be obtained through the Department of Environment and Conservation.

STRATEGIC IMPLICATIONS:

Culling at appropriate times is a strategic issue. Appropriate action has positive benefits to the whole community.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
Ignoring the corella situation will further result in degradation of the town and surrounding environment. Control will enable other species such as Carnaby's cockatoo to recolonise the area, build up numbers.
- **Economic**
Corella control has positive benefits for the maintenance and upkeep of important assets, such as sports facilities and ovals, thereby reducing the need for repairs, and the suspension of use of facilities due to corella damage that may result in injury to users.
- **Social**
Removal of corellas will have positive social benefits, through reduced noise, decreased feather litter, enhanced recreation facilities, and general ambience of the community.

FINANCIAL IMPLICATIONS:

Costs in the past have been minimal, in terms of supply of ammunition, and support costs for shooters.

VOTING REQUIREMENTS:

Simple Majority Required

MANEX Comments in respect to the recommendations

1. The Shire of Moora currently has a permit to cull corellas on land that the Shire owns or has management responsibility. This permit is renewed as & when requested.
2. Manex does not support an invitation to the Sporting Shooters Association (or anyone else) to carryout a cull on Shire land. There are safety and risk management concerns that would need to be resolved and approved of by Councils insurers and the local police before agreeing.

3. It is the Shires responsibility to manage corellas. However the Shire can be proactive and liaise with the Department of Environment and Conservation to support them in their endeavour to minimise the build up of large numbers.

Note: Prior to discussion on this matter, the CEO advised Council that there had been a typographical error in point 3. of the Manex Comments. The first sentence of point 3 should read “It is not the Shires responsibility to manage corellas.”

RECOMMENDATIONS

- 1. That the Shire of Moora obtain a permit to cull from the appropriate agency*
- 2. That the Sporting Shooters Association be invited to organize a corella cull in the near future*
- 3. That a strategic approach be taken to corella management, thereby minimizing the risk of build-up of large numbers through early intervention.*

COUNCIL RESOLUTION

42/07 Moved Cr Hawkins, seconded Cr Tonkin that

- 1. The Shire of Moora obtain a permit to cull from the appropriate agency***
- 2. The Sporting Shooters Association be invited to participate in a corella cull in the near future***
- 3. A strategic approach be taken to develop a strategy for corella management thereby minimizing the risk of build-up of large numbers through early intervention.***

CARRIED 8/1

Note

Point 2 of the recommendation was amended to clarify that it would be the Shire who organises the cull to which the Sporting Shooters would be invited to participate.

Point 3 of the recommendation was amended to clarify that a strategy for corella management needs to be developed.

The CEO advised the meeting that an acceptable risk management plan would need to be developed before point 2. could be implemented.

12.2 **LOSS OF SALMON GUM TREES IN MOORA SHIRE**

FILE REFERENCE:	AN/NTD I
REPORT DATE:	14 February 2007
APPLICANT/PROPONENT:	Cr Chris Hawkins
DISCLOSURE OF INTEREST:	The author does not have an interest in this matter
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Cr Chris Hawkins
ATTACHMENTS:	Nil

PURPOSE OF REPORT

To alert Council to the widespread deaths of Salmon gums in the Shire, and the need for strategic replacement.

BACKGROUND:

Salmon gums (*Eucalyptus salmonphloea*) are a key feature of the Moora Shire. They form part of the recently erected Shire entry signs, and are symbols used widely in artwork around the Shire. However, salmon gums are dying at an increasing rate throughout the shire. At the same time, there is no attempt being made to re-establish these characteristic trees in the district. It is in the medium to long-term interest of the Shire to ensure the propagation and re-establishment of salmon gums throughout the shire. A companion tree to Salmon gums, the York gum (*Eucalyptus loxophleba*), has a far greater capacity to regenerate, and should not need special attention at this stage.

COMMENT:

Salmon gums are slow growing, and require the heavier alkaline clay soils to grow and develop. Action is required urgently if significant stands of robust trees are to be visible features of the district. CY O'Connor TAFE has a nursery, appropriately named the Salmon Gums Nursery, and staff there have the skills necessary to produce seedlings for plantation. Large numbers of dying salmon gums can be seen around the township of Moora, and along the road to Watheroo.

POLICY REQUIREMENTS:

Shire could consider a policy of routine salmon gum replacement as part of its regular activities.

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

Salmon gums are a significant feature of the Shire. Strategic action now is necessary to maintain this symbolic icon of the Shire

SUSTAINABILITY IMPLICATIONS:

- **Environment**
Salmon gums are a canopy tree for the open woodland environment of Moora. Their loss will result in secondary loss of ecological niches for wildlife, as well as changes to the microclimate of the district. The ability of salmon gums to restrain rising water tables has positive benefits to the environment.
- **Economic**
Loss of salmon gums will remove a significant feature of the district. Tourism may be affected.

➤ **Social**

Salmon gums are a significant part of local art, and are a key feature of the community. Their loss is the community's loss, and their restoration will be beneficial to all. If the Salmon Gums Nursery is prepared to come on board with growing seedlings, then TAFE students and community members may gain further experience with seed collection, establishment, transplanting, and nurturing of salmon gums. Local skills and experience are valuable assets.

FINANCIAL IMPLICATIONS:

There will be costs in the purchase of seedlings (around 50cents each, but this may be reduced by bulk purchases, and negotiation with the Salmon Gums Nursery). However, volunteer groups such as Men of Trees make regular visits to Moora to plant trees, so planting costs may be minimised accordingly.

VOTING REQUIREMENTS:

Simple Majority Required

MANEX Comments in respect to the recommendation

The Shire currently plants around 5000 trees per year under the National Tree Day Program. Of the 5000, about 1000 are Salmon Gums, however their success rate is not high.

The recommendation is in line with current practice and is therefore supported.

RECOMMENDATION

That the Shire of Moora adopt a policy of routine annual planting of salmon gums (Eucalyptus salmonphloea), commencing with the 2007 planting season.

COUNCIL RESOLUTION

43/07 Moved Cr Hawkins, seconded Cr Barrett-Lennard that the Shire of Moora adopt a policy of routine annual planting of salmon gums (Eucalyptus salmonphloea), continuing with the 2007 planting season.

CARRIED 9/0

Note: The recommendation was amended to clarify that Council already carries out annual planting of salmon gums and would therefore continue in the coming planting season.

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**

44/07 Moved Cr McLagan, seconded Cr Tonkin that the meeting move behind closed doors to discuss Item 15.1 Sale of Land by Private Treaty, Lot 50 Great Northern Hwy, Bindi Bindi - a matter dealing with a contract that may be entered into by the local government and is to be discussed at the meeting pursuant to Section 5.23(2)(c) of the Local Government Act 1995 and a matter that if disclosed would reveal information that has a commercial value to a person pursuant to Section 5.23(2)(e) (ii) of the Local Government Act 1995.

CARRIED 9/0

At 5.40pm Mrs Lewis, Mrs Carter & Ms Angela Murray retired from the meeting and the meeting moved behind closed doors.

15.1 Sale of Land by Private Treaty, Lot 50 Great Northern Hwy, Bindi Bindi

Provided to Councillors under confidential cover.

MANEX RECOMMENDATIONS

That Council accept and adopt the fair market valuation provided by Landgate and: -

- 1) *Mr & Mrs A. Taylor be advised of the Valuer Generals valuation on the property, and the Chief Executive Officer instigate negotiations of the sale within the valuation range provided by the Valuer General with Mr & Mrs Taylor.*
 - 2) *Following an agreement on the purchase price, the proposed sale is to be advertised publicly for a period of 14 days inviting submissions or comment*
- AND**
- 3) *In reference to the planning application enquiry, It is recommended that Council support the enquiry for the operation of a Transport Depot at Lot 50 Great Northern Highway Bindi Bindi in principle, subject to: -*
 - *A planning application is to be lodged with the Shire for the proposed transport development.*
 - *An application fee of \$150.00 to be paid with the application fee.*
 - *Should the application meet the requirements of the Town Planning Scheme, public notice is to be given for a period of 21 days inviting submissions/comments.*
 - *Following the expiration of 21 days, if no submissions/comments are received for Council consideration, the Chief Executive Officer is delegated to approve the application subject to the normal conditions involved with the operation of a Transport Depot, with the inclusion of the Progress Association request to minimise the clearing of the native plants.*
 - 4) *If an agreeable price cannot be negotiated, Council is to decline the private treaty sale and advertise the Lot for sale by Tender with a nominated reserve price within the valuation range.*

COUNCIL RESOLUTION

45/07 Moved Cr Hawkins, seconded Cr McLagan that a second valuation from a licensed valuer be obtained for Lot 50 Great Northern Hwy, Bindi Bindi and referred back to Council for further consideration.

CARRIED 9/0

Note: Council was concerned that the valuation was higher than anticipated and would like a second opinion to determine fair market value before considering whether to sell by private treaty or public tender.

COUNCIL RESOLUTION

46/07 Moved Cr Tonkin, seconded Cr Pond that the meeting come out from behind closed doors and re-open to the public.

CARRIED 9/0

The meeting reopened to the public at 5.21pm.

On reopening the meeting to the public, the Shire President advised of the decisions made behind closed doors and read them aloud.

Ordinary Meeting of Council scheduled to be held on Anzac Day, 25 April 2007

Discussion was had on the fact that the Ordinary Meeting scheduled to be held on Wednesday 25 April 2007 was on Anzac Day, which is a public holiday.

COUNCIL RESOLUTION

47/07 Moved Cr Craven, seconded Cr Gardiner that the second Council Meeting date for April being the fourth Wednesday of the month 25th April be changed to Tuesday the 24th April on account of the 25th being the ANZAC day public holiday.

CARRIED 9/0

16. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 5.25pm.

CONFIRMED

PRESIDING MEMBER