

**Shire of Moora  
Ordinary Council Meeting  
16<sup>th</sup> March 2011**

**NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora  
will be held on **Wednesday 16<sup>th</sup> March 2011**  
in the Miling Pavilion, Miling  
commencing at **6.30 pm**

LM O'Reilly  
Chief Executive Officer  
11<sup>th</sup> March 2011

## **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**

**WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL**

Chief Executive Officer  
Shire of Moora  
PO Box 211  
MOORA WA 6510

Dear Sir/Madam,

**Re: Written Declaration of Interest in Matter Before Council**

I, <sup>(1)</sup> \_\_\_\_\_ wish to  
declare an interest in the following item to be considered by Council at its meeting to be held on  
<sup>(2)</sup> \_\_\_\_\_.

Agenda Item <sup>(3)</sup> \_\_\_\_\_

The type of interest I wish to declare is: <sup>(4)</sup>

- Financial pursuant to Section 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007.

The nature of my interest is <sup>(5)</sup>

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The extent of my interest is <sup>(6)</sup>

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

Yours faithfully,

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

1. Insert your name.
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

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**SHIRE OF MOORA**  
**ORDINARY COUNCIL MEETING AGENDA**  
**16 MARCH 2011**  
**COMMENCING AT 6.30PM**

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Item 11.1.1 Reviewed Code of Conduct

Item 11.2.1 List of Payments Authorised Under Delegation 1.31

Item 11.2.2 Statement of Financial Activity for the Period Ended 28 February 2011

Item 11.2.3 Forward Capital Works Plan – 2011/12 to 2015/16

Item 11.4.1 Location map, application, photographs Coomberdale & letter T Matthews dated 2 Mar 11

**1. DECLARATION OF OPENING & WELCOME OF VISITORS*****“Acknowledging of Country”***

*I would like to show my respect and acknowledge 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**

**To be read by the Shire President should members of the public be present at the meeting.**

***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****APOLOGIES**

CD Hawkins	-	Councillor
OC Cocking	-	Councillor
SJ Pond	-	Councillor

**PUBLIC****4. DECLARATIONS OF INTEREST****5. QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH SECTION 5.24 OF THE ACT****6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****7. APPLICATIONS FOR LEAVE OF ABSENCE****8. PETITIONS AND MEMORIALS**

Ms Terri Matthews, the applicant, to provide a verbal presentation in relation to agenda item 11.4.1 ‘Transportable Building Lot 3964 Kiaka Street, Coomberdale – Ct 2220/775’.

**9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT**

## **10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS**

### **10.1 ORDINARY COUNCIL MEETING - 16 FEBRUARY 2011**

*That the Minutes of the Ordinary Meeting of Council held on 16 February 2011, be confirmed as a true and correct record of the meeting subject to the following amendment*

- *Pg 22, Item 15.1, council resolution 14/11 insertion of (W.A.) between Minty Nominees and Pty Ltd.*

## **11. REPORTS OF OFFICERS**

### **11.1 ADMINISTRATION**

#### **11.1.1 REVIEW OF SHIRE OF MOORA CODE OF CONDUCT**

**FILE REFERENCE:** HR/COCI  
**REPORT DATE:** 8 March 2011  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** N/A  
**AUTHOR:** Lynnette O'Reilly, Chief Executive Officer  
**ATTACHMENTS:** Reviewed Code of Conduct

#### **BACKGROUND**

In accordance with Section 5.103 of the Local Government Act 1995, the Shire of Moora's Code of Conduct has been reviewed. This Code of Conduct is still relevant and addresses the issues of ethical responsibility and accountability at both the administration and elected member levels. The Code provides elected members and staff with consistent guidelines for an acceptable standard of professional conduct.

#### **COMMENT**

In reviewing the Code of Conduct and complying with the Local Government Act 1995 there are two areas requiring minor amendments which are points 2.4 *Gifts and Bribery* sections (a) & (b) point 3.3 *Performance of Duties* section (c).

Point 2.4 *Gifts and Bribery*, section (a) increase the amount from \$200 to \$300 that members and staff are not to accept a gift, other than a gift of or below and Section (b) changing the gift of or below \$200 to gift of or between \$50 and \$300 to bring in line with the amounts specified in the Local Government Act requirements.

Point 3.3 *Performance of Duties*, section (c) for staff wishing to undertake employment additional to duties performed for the Shire of Moora should obtain approval from the Chief Executive Officer rather than Council, annually; as it is a governance related item. This would only apply to staff as managers activities are addressed through their annual reporting requirements.

#### **STATUTORY ENVIRONMENT**

The Local Government Act 1995, Section 5.103 requires Council to adopt a Code of Conduct, and review this within twelve months of the ordinary elections.



**POLICY IMPLICATIONS**

Nil

**BUDGET IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**PRECEDENT**

Nil

**VOTING REQUIREMENTS**

Simple Majority Required

**MANEX RECOMMENDATION**

*That the Code of Conduct as appended with updates to points 2.4 Gifts and Bribery sections (a) & (b) and 3.3 Performance of Duties section (c) be adopted and scheduled for review bi-annually after each ordinary election.*

## **11.1.2 CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT**

**FILE REFERENCE:** GA/ALGI  
**REPORT DATE:** 8 March 2011  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Lynnette O'Reilly, Chief Executive Officer  
**ATTACHMENTS:** Nil

### **PURPOSE OF REPORT:**

The purpose of the report is to present the case for the inclusion of Local Government in the constitution and to establish the level of Council support for lobbying the Government to have a referendum.

### **BACKGROUND:**

The following is information provided by ALGA:

Following the 2010 Federal Election, Prime Minister Gillard committed to holding a dual referendum on the constitutional recognition of local government and the recognition of Indigenous Australians. The referendum will most likely be held in conjunction with the 2013 Federal Election. The challenge for local government is threefold: to ensure the referendum is held; to ensure that the type of recognition sought meets local government requirements; and to make sure there is a positive result in the referendum itself.

ALGA has devoted considerable resources over the past three years to developing the case for constitutional reform and the need for reform. That need was highlighted in stark terms in 2009 by the decision of the High Court in *Pape v Federal Commissioner of Taxation*. In that case the High Court set out the limitations of the Australian Government's powers and, in doing so, clearly indicated that the Australian Government does not have the power to fund local government directly.

It is obviously in the best interests of local communities that Federal Governments, whatever their political persuasion, have the capacity to fund councils directly to achieve national objectives. This is why our preference is for a pragmatic and simple change to the Constitution (most likely to Section 96) which would allow direct funding to continue. ALGA's research shows that this simple and pragmatic change is most likely to garner the necessary public support. ALGA has not ruled out recognition of local government in a Preamble to the Constitution if one is proposed but such limited recognition alone would not meet local government's requirements and address the uncertainty highlighted by the *Pape* case.

The form of financial recognition of local government proposed by ALGA, which will not impact on the relationship between councils and state governments, has been endorsed by your local government association and all other state and territory local government associations. ALGA believes it is now important that this position also be endorsed by all councils to demonstrate to Federal and state governments, oppositions and political parties that the position has widespread support within local government.

ALGA is requesting all councils to pass a resolution in council chambers in the first few months of 2011 endorsing the position that a referendum be held by 2013 to

change the Constitution to allow direct funding of local government bodies by the Commonwealth Government and also to include local government in any new Preamble to the Constitution if one is proposed. I have attached the draft text of a possible resolution for your assistance.

**COMMENT:**

The greater the support and pressure placed on the Government by the industry the greater the opportunity that Local Government will be formally recognised.

**POLICY REQUIREMENTS:**

There are no known policy requirements related to this item.

**LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements related to this item.

**STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal, however, if successful the benefits gained will be positive for the ongoing sustainability of all councils.

**SUSTAINABILITY IMPLICATIONS:**

➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

**FINANCIAL IMPLICATIONS:**

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

**VOTING REQUIREMENTS**

Simple Majority Required

**OFFICER RECOMMENDATION**

*That Moora Shire Council declares its support for financial recognition of local government in the Australian Constitution so that the Federal Government has the power to fund local government directly and also for inclusion of local government in any new Preamble to the Constitution if one is proposed, and calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.*

## **11.2 FINANCIAL DEVELOPMENT**

### **11.2.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31**

**REPORT DATE:** 9 March 2011

**OFFICER DISCLOSURE OF INTEREST:** Nil

**AUTHOR:** Leanne Parola, Manager Finance & Corporate Services

**ATTACHMENTS:** Accounts Paid Under Delegated Authority

#### **PURPOSE OF REPORT**

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

#### **BACKGROUND**

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

#### **COMMENT**

Accounts Paid under delegated authority are periodically presented to Council.

#### **POLICY REQUIREMENTS**

Delegation 1.31 – Payments from Municipal and Trust Funds.

#### **LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995 - Section 6.10

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

#### **STRATEGIC IMPLICATIONS**

There are no known strategic implications associated with this proposal.

#### **SUSTAINABILITY IMPLICATIONS**

➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

#### **FINANCIAL IMPLICATIONS**

Payments are in accordance with the adopted budget.

#### **VOTING REQUIREMENTS**

Simple Majority Required

**MANEX RECOMMENDATION**

*That Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31*

<b><i>Municipal Fund</i></b>	<b><i>Cheques 60231 to 60252</i></b>	<b><i>\$43,484.60</i></b>
<b><i>Direct Debits</i></b>	<b><i>EFT 5685 to 5815</i></b>	<b><i>\$282,211.18</i></b>
	<b><i>Net Pays – PPE 1 February 2011</i></b>	<b><i>\$75,096.52</i></b>
	<b><i>Net Pays – PPE 15 February 2011</i></b>	<b><i>\$78,011.59</i></b>
	<b><i>Net Pays – PPE 1 March 2011</i></b>	<b><i>\$79,718.41</i></b>
	<b><i>Credit Cards to 16/2/11</i></b>	<b><i>\$1,533.60</i></b>
<b><i>Trust Fund</i></b>	<b><i>Cheques 4673 to 4682</i></b>	<b><i>\$386.00</i></b>
<b><i>Total</i></b>		<b><i><u>\$560,441.90</u></i></b>

## **11.2.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 28 FEBRUARY 2011**

**REPORT DATE:** 8 March 2011

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Leanne Parola, Manager Finance & Corporate Services

**ATTACHMENTS:** Statement of Financial Activity for the Period Ended 28 February 2011

### **PURPOSE OF REPORT:**

To note and receive the Statement of Financial Activity for the period ended 28 February 2011.

### **BACKGROUND:**

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

### **COMMENT:**

The Statement of Financial Activity for the Period Ended is provided as a separate attachment in Program format.

### **POLICY REQUIREMENTS:**

Nil

### **LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

### **STRATEGIC IMPLICATIONS:**

Monitoring of actual revenues and expenditures against the adopted budget assists Council in being informed as to the financial health of the organisation.

### **SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are no known significant environmental implications associated with this proposal.
- **Economic**  
There are no known significant economic implications associated with this proposal.
- **Social**  
There are no known significant social implications associated with this proposal.

### **FINANCIAL IMPLICATIONS:**

Year to date income and expenditure is provided by program to enable comparison to 2010/11 revised budget.

### **VOTING REQUIREMENTS**

Simple Majority Required

**MANEX RECOMMENDATION**

***That Council notes and receives the Statement of Financial Activity for the period ended 28 February 2011.***

### **11.2.3 FORWARD CAPITAL WORKS PLAN – 2011/12 TO 2015/16**

**REPORT DATE:** 9 March 2011  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Leanne Parola, Manager Finance & Corporate Services  
**ATTACHMENTS:** Forward Capital Works Plan – 2011/12 to 2015/16

**PURPOSE OF REPORT:**

To adopt the Shire of Moora Forward Capital Works Plan for 2011/12 to 2015/16.

**BACKGROUND:**

Council adopted its Forward Capital Works Plan for 2010/11 to 2014/15 on 24 November 2010 and submitted it to the Department of Regional Development and Lands to be eligible for funding under the Country Local Government Fund.

**COMMENT:**

The current Forward Capital Works Plan was developed using projects from within the current budget, Strategic Plan and projects that were unable to be included in the 2010/11 budget.

The Shire of Moora Forward Capital Works Plan for 2011/12 to 2015/16 has been developed by reviewing the projects that were deferred as part of the 2010/11 Budget Review and taking into consideration additional projects that have been identified and communicated to Councillors in recent Councillors Briefing Sessions.

**POLICY REQUIREMENTS:**

Nil

**LEGISLATIVE REQUIREMENTS:**

There are currently no legislative requirements for local governments to adopt a forward capital works plan, however it is understood that regulations will be made under Section 5.56(2) of the Local Government Act 1995 which will require local governments to adopt as a minimum 10 year Strategic Community Plans.

This Forward Capital Works Plan is a useful first step towards meeting this future legislative requirement.

**STRATEGIC IMPLICATIONS:**

The Forward Capital Works Plan will be an important tool for the Shire of Moora to prioritise its capital works program over the next five years and beyond. It is linked to the Strategic Plan adopted by Council on 15 September 2010.

**SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are a number of projects within the Forward Capital Works Plan that will have a positive impact on the Shire's environmental sustainability
- **Economic**  
There are a number of projects within the Forward Capital Works Plan that will have a positive impact on the Shire's economic sustainability



➤ **Social**

There are a number of projects within the Forward Capital Works Plan that will have a positive impact on the Shire's social sustainability

**FINANCIAL IMPLICATIONS:**

The Shire of Moora Forward Capital Works Plan for 2011/12 to 2015/16 will have a major impact on the 2011/12 Budget as it identifies all major capital projects to be included.

**VOTING REQUIREMENTS**

Simple Majority Required

**MANEX RECOMMENDATION**

*That Council adopts the Shire of Moora Forward Capital Works Plan for 2011/12 to 2015/16 as attached.*

**11.3 OPERATIONAL DEVELOPMENT**

Nil

## **11.4 COMMUNITY DEVELOPMENT**

### **11.4.1 TRANSPORTABLE BUILDING LOT 3964 KIAKA STREET, COOMBERDALE - CT 2220/775**

**FILE REFERENCE:** PA/6166  
**REPORT DATE:** 24 February 2011  
**APPLICANT/PROPONENT:** Terri Matthews  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Ewen Ross, Manager Health, Building & Planning Services  
**ATTACHMENTS:**

1. Location map
2. Application
3. Photographs Coomberdale
4. Letter T Matthews dated 2 Mar 11

**PURPOSE OF REPORT:**

Under the Town Planning Scheme No4 (TPS N04) s4.6 “Transportable Buildings” s4.6.1 requires Council opinion as to the proposal to locate such a building within the Shire. This report is to advise Council of the application for planning approval and to obtain Councils approval.

**BACKGROUND:**

The application is for a transportable building to be located in the Coomberdale Rural Townsite as per attachment 1.

The TPS No 4 states:

**“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.”*

The applicant has provided an engineers report (attachment 2) which indicates that “have assessed this building for suitability for relocation..... We are pleased to be able

*to report that we consider the building to be structurally adequate and suitable for relocation....”*

The report confirms that the building is timber frame construction clad with Hardiflex and lined with gyprock with a gable roof (Photographs as per application attachment 2). The building is a standard rectangle, 10m x 7.2m providing a floor area of 72m<sup>2</sup> which is above that of a minimum for a dwelling (55m<sup>2</sup>). From an aesthetic or landscaping perspective the transportable building would present as such, a low cost transportable building. With addition of decking and landscaping the building will be improved.

The application indicates that a one (1) bedroom, bathroom, laundry and kitchen will be constructed together with an open plan living area. Timber decking is to be constructed to the front and rear. The fit out would be assessed at the building permit stage for compliance with the Building Code of Australia (BCA). (It appears compliant).

With regards cl 4.6.1 *“will not detrimentally affect the amenity of the area”* this is a subjective call. The building with addition of verandahs, rails and steps being constructed, making good all damage and painting of the building together with landscaping would not be a detraction to the amenity value of the area. At attachment 3 are photographs of existing dwellings in Coomberdale.

The Council also has the “Shire of Moora Policy Manual” which refers to *“transportable homes and second hand Housing Policy.”* However, the policy has not been brought in as a planning policy under TPS No4 and the legislative head of power for the document is unclear.

With regards to transportable homes cl6.4 refers, *“That the Council retain the option to require homes of a certain standard (e.g. transportable homes) in newly created subdivisions or areas where currently no homes exist.”*

With regards cl 6.5 *“Second hand House Policy”* this policy requires that the building complies with BCA, inspected by a Building Surveyor, report provided including photographs, that a building permit is required to be issued, a fidelity bond to be deposited with Council.

The zoning of the land is “rural townsite” with R-Code not specified. R12.5 has been applied which the proposed setbacks are compliant.

**COMMENT:**

The Applicant engineers report would suffice the report requirements of Council and the requirement to obtain a building permit will ensure that the dwelling complies with the BCA. The provision of wooden decks would ensure that the structure would not detract from the amenities, and the inclusion of landscaping requirements would improve the project.

Inclusion in the planning approval conditions that gardens and trees be established to ensure that the dwelling is within the amenities of the surrounding area.

The provision of a fidelity bond based on the work required would place this in the order of \$20,000. It is suggested that this bond be limited to \$5,000 as a sign of faith

in the Applicant that the fit out of the dwelling and requisite landscaping will be carried out.

As a condition to the planning approval, the requirement to submit full drawings for building permit, report on the flooding requirements and finished floor level, inclusion of verandah and decking together with landscaping, connection to services (power, water & sewerage), any asbestos be removed and payment of a bond would be recommended.

Although from a planning perspective the acceptance of transported dwellings are not ideal and constructed dwellings offer a long term solution that improves the amenity value of the town, it would be difficult to refuse the application. “Transported Dwellings are not excluded from Moora’s townsites. The amenity value would not be affected by this building and photographs of existing buildings are as at attachment 3.

Coomberdale has no town water supply and on-site roof collection would require storage of approximately 135,000 litres.

Consultation has occurred with the applicant and their comments are as at attachment 4.

**POLICY REQUIREMENTS:**

Shire of Moora’s Policy Manual 18 May 09

**LEGISLATIVE REQUIREMENTS:**

Planning and Development Act 2005 and Shire of Moora’s, Town Planning Scheme No 4

**STRATEGIC IMPLICATIONS:**

The increasing of dwellings within the Shire would be within the Strategic Plan major priority of planning for growth.

**SUSTAINABILITY IMPLICATIONS:**

➤ **Environment**

Low cost transportable housing can reduce the amenity value of the environment if no provision for landscaping is included.

➤ **Economic**

The provision of new dwellings in Moora would contribute to economic growth of the town.

➤ **Social**

The addition of housing within Moora is a positive however increasing low cost housing may contribute to social implications long term.

**FINANCIAL IMPLICATIONS:**

Should the Applicant fail to complete the project the fidelity bond will not cover completion of the required work.

**VOTING REQUIREMENTS**

Simple Majority Required

**MANEX RECOMMENDATION**

***That Council approve the transportable dwelling at Lot 3964 KIAKA STREET, COOMBERDALE, subject to the following conditions:***

- 1. Payment of a \$5,000 bond/bank guarantee to ensure that such works are completed.***
- 2. An application for a building permit is to be submitted and approval obtained before any construction is to occur. (Building plans comprising site, floor and elevation plans and a septic tank application will be required).***
- 3. Siting requirements in accordance with Town Planning Scheme No4 and Residential Guide Codes for R12.5 will apply.***
- 4. The building finished floor level is to be as advised by the Department of Water and as approved under TPS No4, being 1999 flood level plus 300mm.***
- 5. The dwelling shall be designed to reflect the existing character of development surrounding the subject site.***
- 6. The void area between floor and ground levels is to be enclosed by brickwork or other materials to the satisfaction of the Shire.***
- 7. Verandahs and decks to be erected with all damaged repaired and painting undertaken to enhance the dwelling.***
- 8. Landscaping shall be undertaken around the dwelling to ensure it blends into the character of the rural townsite zone.***
- 9. Any additional materials to be used are to be new.***
- 11. Asbestos will not be permitted and confirmation as such is required.***
- 12. A potable water supply is to be provided and a roof supply requires a 135,000 litre storage tank with 25% retained for fire fighting.***
- 13. Connection to Western Power.***
- 14. Onsite sewage disposal to comply with the relevant legislation.***

**11.5 ENVIRONMENTAL DEVELOPMENT**

Nil

## 11.6 ECONOMIC DEVELOPMENT

### 11.6.1 LANDCORP APPLICATION: DEVELOPMENT OF LOT 18 LEE STEERE STREET MOORA

**FILE REFERENCE:** ED/HSD I  
**REPORT DATE:** 10 March 2011  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** 17/12/08 (204/08), 12/12/07 (241/07),  
 28/11/07(157/07), 14/05/07 (55/07), 3/5/07(109/07),  
 14/3/07(55/07), 14/2/07(26/07), 26/07/06 (130/06)  
**AUTHOR:** Rebecca McCall, Manager Community Economic  
 Development  
**ATTACHMENTS:** Nil

#### **PURPOSE OF REPORT:**

For Council to support and endorse the funding application to be submitted to Landcorp proposing a partnership to develop Lot 18 Lee Steere Street, Moora into residential lots.

#### **BACKGROUND:**

Council purchased Lots 18-20 Lee Steere Street, Moora in August 2008 for a sum of \$100,000. The purpose of the acquisition was to develop the lots for residential use.

A valuation was undertaken in August 2008 by Australian Property Consultants who valued the lots at \$140,000. In preparation to develop lots for residential purposes the properties were rezoned to residential R12.5/25.

Council adopted a business plan for the Lee Steere Street Estate and has explored a number of options to progress residential development but to date to no avail.

Funds of approximately \$108,423 has been expended on Lots 18-20 Lee Steere Street Moora to date.

#### **COMMENT:**

An opportunity to develop residential lots has become available through Landcorp's Regional Development Assistance Program. An application will be completed and submitted to Landcorp outlining the following project proposal:

1. The Shire of Moora in partnership with Landcorp develop a minimum of 5 residential lots on 18 Lee Steere Street, Moora (frontage facing Atbara Street) with further residential lots developed as demand requires.
2. Contributing partners include:
 

<i>Shire of Moora</i>	Provision of Lot 18 Lee Steere Street, Moora Approximate value \$37,100
<i>Landcorp</i>	Provision of development costs and project management Approximate value \$325,000 (Based on \$65,000/lot development cost)
3. The proposal includes Landcorp being responsible for the project and retaining any profit made through sales and include responsibility for:

- Project Management and Development
- Project Costs
- Project Marketing and Sales

Future benefits of the project for the Shire of Moora include:

- Future Rates: Possible 5 Residential Lots
 

Minimum Rates	\$500	\$2,500/annum
Developed Approx	\$1,480	\$7,400/annum (includes sewer rates)
- The project will meet current demand with potential future demand on an as needs basis

Benefits of Landcorp managing the project include:

- Level of risk will be reduced significantly
- Financial contribution is reduced
- Human resources freed up to concentrate on other projects
- Opportunity for Council to request that the Shire of Moora is contracted to complete any road construction or infill for the project, generating income and employing road construction crew

Potential loss of opportunity for the Shire of Moora:

- Opportunity for return on original investment

Conditions to be included in proposal to Landcorp:

- A minimum of 5 residential lots are developed with additional lots developed at a later stage dependent on demand
- Local planning conditions are adhered to
- Shire of Moora be contracted to construct roads (if any) and infill
- Land is marketed and sold as affordable residential lots acknowledging partnership

#### **POLICY REQUIREMENTS:**

Nil

#### **LEGISLATIVE REQUIREMENTS:**

Section 3.59 of the Local Government Act 1995 relating to major land transactions.

#### **STRATEGIC IMPLICATIONS:**

The Shire of Moora's Strategic Plan outlines planning for growth as a key strategic priority. In the Key Result Area 'Community and Economic Development' the goal to attract increased population and investment, to realise our brilliant opportunities and diversify our region's employment and economic base.

The disposal of an asset for the purpose of residential land development will assist in meeting the demand for housing lots.

#### **SUSTAINABILITY IMPLICATIONS:**

##### ➤ **Environment**

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

➤ **Economic**

There are potential economic implications associated with this item including economic growth for the local community as well as attracting a possible population growth for Moora.

➤ **Social**

There are potential social implications associated with this proposal through encouraging potential new housing investment and population growth, which benefit the community at large.

**FINANCIAL IMPLICATIONS:**

The financial implications to Council involve contributing the land component to Landcorp for the purpose of developing residential lots. The approximate financial contribution is \$37,100.

**VOTING REQUIREMENTS**

Simple Majority Required

**OFFICER RECOMMENDATIONS**

***That Council:***

- a) ***supports the development of Lot 18 Lee Steere Street, Moora for residential purposes to be undertaken by Landcorp; and***
- b) ***submits an application to Landcorp requesting funding assistance through the Regional Development Assistance Program for the purpose of developing residential lots on Lot 18 Lee Steere Street Moora.***



## **11.6.2 LANDCORP APPLICATION: DEVELOPMENT OF INDUSTRIAL PARK EXTENSION**

**FILE REFERENCE:** ED/TS11  
**REPORT DATE:** 10 March 2011  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** 18/3/09 (47/09)  
**AUTHOR:** Rebecca McCall, Manager Community Economic Development  
**ATTACHMENTS:** Nil

### **PURPOSE OF REPORT:**

For Council to support and endorse the funding application to be submitted to Landcorp proposing a partnership to develop 161, 162 and 163 Melbourne Street Moora and Lots 169, 170 and 171 Ranfurly Street, Moora into industrial lots.

### **BACKGROUND:**

In 2009 Council purchased the land for \$136,000 for the purposes of extending the industrial park. The acquisition included:

Lots 161, 162, 163 Melbourne Street - Lots 169, 170, 171 Ranfurly Street	\$84,000
Lots 165, 166, 167, 198 Woolawa Street	\$52,000

Council engaged the services of FR Rodda & Co to survey the Melbourne and Ranfurly Street lots for subdivision of ten industrial lots. An application was submitted to the WA Planning Commission which was approved with conditions.

To progress the project the Shire of Moora submitted an application for funding through the Wheatbelt Regional Development Scheme winning \$251,475 for headwork costs.

### **COMMENT:**

The opportunity to submit an application to Landcorp involving another partner along with the Wheatbelt Development Commission.

The proposed application to be put forward to Landcorp, upon Council's endorsement, will achieve the positive outcome of having land developed within Moora whilst reducing Council's financial commitment and risk.

Attached financials propose that Landcorp take on the development and risk for the entire project. If this submission is successful it would mean that the Shire of Moora's objectives for planning for growth are achieved but the return in the original investment of purchasing land is reduced.

The proposal includes Landcorp to be responsible for the project and retaining any profit made through sales:

- Project Management and Development
- Project Costs
- Project Marketing and Sales

Commitment from involved partners include:

Wheatbelt Regional Development Scheme \$251,475

Secured Funding

Landcorp	\$838,200	Unsecured Funding
Shire of Moora	\$457,772	

A breakdown of the Shire of Moora's commitment includes:

Upgrade of existing road infrastructure (drainage, kerbing & lighting)	\$311,772
Purchase of land and planning preliminaries	\$146,000

The future benefits of the project for Moora include:

- Future Rates: Possible 10 Industrial Lots  

Minimum Rates	\$500	\$5,000/annum
Developed Approx	\$1,400	\$14,000/annum
- The project will meet current demand with potential future demand on an as needs basis

The benefits of Landcorp managing the project include:

- Risk level reduced significantly
- Financial contribution is reduced by \$838,200
- Human resources freed to concentrate of other projects
- Opportunity for Council to request that the Shire of Moora is contracted to completed the road construction for the project generating income and employing road construction crew

The potential opportunities loss for the Shire of Moora includes:

- Opportunity for return on original investment lost

The conditions to be included in the proposal to Landcorp include:

- A minimum of 8 industrial lots are developed with a preference of 10
- Planning conditions are adhered to
- The Shire of Moora be contracted to construct roads
- Land is marketed and sold as affordable lots to attract industry and acknowledging partnership

#### **POLICY REQUIREMENTS:**

Nil

#### **LEGISLATIVE REQUIREMENTS:**

Section 3.59 of the Local Government Act 1995 relating to major land transactions.

#### **STRATEGIC IMPLICATIONS:**

The Shire of Moora's Strategic Plan outlines planning for growth as a key strategic priority. In the Key Result Area 'Community and Economic Development' the goal to attract increased population and investment, to realise our brilliant opportunities and diversify our region's employment and economic base.

The disposal of an asset for the purpose of industrial land development will assist in meeting the demand for industrial lots.

#### **SUSTAINABILITY IMPLICATIONS:**

##### ➤ **Environment**

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

➤ **Economic**

There are potential economic implications associated with this item including economic growth for the local community as well as attracting possible new investment and business growth for Moora.

➤ **Social**

There are potential social implications associated with this proposal through encouraging potential new investment and population growth, which benefit the community at large.

**FINANCIAL IMPLICATIONS:**

The financial implications to Council involve contributing the land component to Landcorp for the purpose of developing industrial lots. The approximate financial contribution is \$146,000. The upgrade of existing road infrastructure (drainage, kerbing & lighting) has been identified in the Shire of Moora's Forward Capital Works Plan.

**VOTING REQUIREMENTS**

Simple Majority Required

**OFFICER RECOMMENDATIONS**

*That Council:*

- a) *supports the development of Lots 161, 162 and 163 Melbourne Street, Moora and Lots 169, 170 and 171 Ranfurly Street, Moora for industrial purposes to be undertaken by Landcorp; and*
- b) *submits an application to Landcorp requesting funding assistance through the Regional Development Assistance Program for the purpose of developing industrial lots on Lots 161, 162 and 163 Melbourne Street Moora and Lots 169, 170 and 171 Ranfurly Street Moora.*

**11.7 SPORT AND RECREATION**

**Nil**

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

The following were put forward as motions of notice by Cr Clydesdale-Gebert at the last meeting of Council on 16 February 2011.

1. “The Shire of Moora liaise with the Department of Regional Development and Lands in a bid to formulate / outline a “blueprint” for the town of Moora to become a “supertown”.
2. The Shire of Moora review its flood mitigation plans by liaising with the Department of Water to assess our current contour banks surrounding Moora and the riverbed / flow efficiency in the Moore River townsite.”

**13. MOTIONS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL****14. NOTICE ON MOTIONS FOR THE NEXT COUNCIL MEETING****15. MATTERS BEHIND CLOSED DOORS****RECOMMENDATION**

*That the meeting move behind closed doors to discuss:*

*Item 15.1, ‘Appointment of Manager Community & Economic Development’ as it is a matter affecting employees pursuant to Section 5.23(2)(a) of the Local Government Act 1995.*

**15.1 APPOINTMENT OF MANAGER COMMUNITY & ECONOMIC DEVELOPMENT**

Provided to Councillors under confidential cover.

**16. CLOSURE OF MEETING**