# Shire of Moora Ordinary Council Meeting 13th June 2007

# **NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora will be held on **Wednesday 13**<sup>th</sup> **June 2007** in the Council Chambers, 34 Padbury Street, Moora commencing at **3.30 pm** 

SJ Deckert Chief Executive Officer 8<sup>th</sup> June 2007

# 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,		
Re:	Written Declaration of Int	erest in Matter Before Council
<b>I</b> , <sup>(I)</sup>		wish
	nterest in the following item to	be considered by Council at its meeting to
Agenda Item <sup>(3</sup>	)	·
Conflict (impa		Financial / Proximity / Indirect Financial , 5.65 of the Local Government Act 1995 , duct.
The nature of	my interest is <sup>(6)</sup>	
relating to the	item and therefore would like	scussion and/or decision making procedure Council to declare that my interest in the
The extent of I	my interest is <sup>(8)</sup>	
	nat the above information will be he Financial Interest Register.	e recorded in the minutes of the meeting
Yours faithfully	',	
Signe	d	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. Delete type of interest not applicable.
- 5. Delete reference, which is not applicable.
- 6. Insert the nature of your interest.

Please note: The section pertaining to the following notes should only be completed if the Councillor making the declaration requires a Council decision to participate in the matter.

- 7. Insert either "Trivial" or "In common with a significant number of ratepayers or electors".
- 8. Insert the extent of your interest.

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# **SHIRE OF MOORA**

# ORDINARY COUNCIL MEETING AGENDA 13 JUNE 2007

**COMMENCING AT 3.30PM** 

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# I. <u>DECLARATION OF OPENING & WELCOME OF VISITORS</u>

"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**

|L Craven - Councillor - Moora Town Ward

# **PUBLIC**

# **LEAVE OF ABSENCE**

The following Councillor was granted leave of absence for this meeting by Council resolution made at the Ordinary Meeting held on 9 May 2007:

CD Hawkins - Councillor - Moora Town Ward

# 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

Councillor Craven contacted the Community Development Manager on the 1<sup>st</sup> June, 2007 and verbally requested a leave of absence for the maximum period allowed under Section 2.25 of the Local Government Act 1995 being six consecutive ordinary meetings.

Councillor Craven advised that she is unable to attend these meetings due to her recovering from illness.

# Recommendation

That Council grants leave of absence to Councillor Larraine Craven for the next six Ordinary meetings of Council being 27<sup>th</sup> June 2007, 11<sup>th</sup> & 25<sup>th</sup> July 2007, 8<sup>th</sup> & 22<sup>nd</sup> August 2007 and the 12<sup>th</sup> September 2007.

# 8. PETITIONS AND MEMORIALS

# 9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT

# 10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

# 10.1 ORDINARY COUNCIL MEETING - 23 MAY 2007

That the Minutes of the Ordinary Meeting of Council held on 23 May 2007, be confirmed as a true and correct record of the meeting.

# II. REPORTS OF OFFICERS

# II.I ADMINISTRATION

Nil

# 11.2 FINANCIAL DEVELOPMENT

# 11.2.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

**REPORT DATE:** 8 June 2007

OFFICER DISCLOSURE OF INTEREST: Nil

**AUTHOR:** Jo-Anne Ellis, Financial Development Manager 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 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 note and endorse the Payments from Municipal and Trust Funds made under delegation 1.31

Municipal Fund	Chq 56358 - 56461	\$141,621.78
Trust Fund	Chq 4187 - 4191	\$1,300.00
	Direct Debits	\$12,101.20
Total		\$155,022.98

# 11.3 OPERATIONAL DEVELOPMENT

# 11.3.1 TENDER 01/2007 - MILING OVAL AND TOWN MAINTENANCE

**FILE REFERENCE:** L/TEN I **REPORT DATE:** 7 June 2007

**APPLICANT/PROPONENT:** Tenders – Miling Sportsground & Town Maintenance

**OFFICER DISCLOSURE OF INTEREST: Nil** 

**PREVIOUS MEETING REFERENCES:** 11/4/07 (73/07)

**AUTHOR:** John Greay, Operational Development Manager

ATTACHMENTS: Nil

# **PURPOSE OF REPORT:**

To evaluate tenders received for the maintaining of the Miling Sportsground & Town Maintenance.

# **BACKGROUND:**

Council for some time has been looking for a better delivery of service for the beautification of the townsite of Miling and Sportsground maintenance.

# **COMMENT:**

Council recently approved for the calling of tenders for the above service. Two tenders were received from two people who reside in the Miling district. They were from Mr Geoffrey White (Councils current part time oval caretaker) and Mr & Mrs Jim Low.

Mr & Mrs Low live within the townsite and Mr White lives west of Miling on Creslow Road. Mr White, in addition to his part time work with Council, carries out gardening duties at the Miling Primary School and drives a local school bus. Mr Low runs a seasonal crop spraying business whilst his wife carries out domestic duties at home. Mrs Low has produced a very creditable garden around their house in Miling and I have had very good reports, from various people within the Miling community about her gardening expertise.

Mr White has looked after the Miling Primary School gardens fro some time now and the grassed surfaces at the Miling Sportsground since 1996.

Within Councils tender documentation there was the option of Council providing some equipment if the contractor wasn't in possession of any himself. Mr Low has advised that he has all of the equipment required to carryout the work that he has tendered on. He has also stated that should he sub-contract any work out, due to him going on holidays, sickness etc that he will advise Council accordingly.

Mr White has stated that he will be providing the service solely himself.

Mr Whites tender for a 12 month period is \$12,000 which is inclusive of GST.

Mr & Mrs Low's tender is \$400/week inclusive of GST and after 12 months would like the option of renewal with C.P.I. adjustments to be added to their tender.

Both tenders have been evaluated and though there is a considerable difference in monetary value between the two there is comprehensive and better value in accepting Mr & Mrs Lows tender for a 12 month period with the option to extend to 36 months.

The idea of tendering out this work is not new to Council as we are currently doing this at Watheroo with very good results. The outcome of these tenders is Council and community driven and the variation in value would be reflective in the hours each tenderer was to put in.

# **POLICY REQUIREMENTS:**

Nil

# **LEGISLATIVE REQUIREMENTS:**

Local Govt. Act 1995 S3.57

#### STRATEGIC IMPLICATIONS:

The maintenance of the sportsground and town beautification is an important element in achieving the goals identified in Councils strategic plan.

# SUSTAINABILITY IMPLICATIONS:

#### Environment

There are no known environmental implications associated with this proposal.

# Economic

The Miling townsite is the northern gateway to the Shire of Moora on the Great Northern Highway. As you travel into the Shire of Moora first impressions are mostly lasting impressions. It is important that the townsite of Miling, through some Main Street townscaping and general beautification gives the impression of a vibrant community and thus a progressive shire. A revitalised town through some visual improvements could see some population growth, which is strategic to Councils vision, and there may be some positive economic benefits to the community.

# Social

To see a more vibrant town with a possible population increase who can take advantage of a well maintenance sportsground and facilities will improve the social aspect of the community.

# FINANCIAL IMPLICATIONS:

No impact on current budget as tender will commence on 1<sup>st</sup> July 2007.

# **VOTING REQUIREMENTS**

Simple Majority Required

# MANEX RECOMMENDATION

That Council accept the tender from Mr & Mrs Jim Low, Main Street, Miling for the maintenance of the Miling Sportsground and the maintenance and beautification of the Miling townsite for a weekly fee of \$400 inclusive of GST for a 12 month period with an offer for a 24 month extension which would include annual C.P.I adjustments.

# 11.4 COMMUNITY DEVELOPMENT

# 11.4.1 TOWN PLANNING SCHEME NO 4 - DELEGATION OF POWERS

**FILE REFERENCE:** TP/PTM11 **REPORT DATE:** 31 May 2007 **APPLICANT/PROPONENT:** Various

OFFICER DISCLOSURE OF INTEREST: Nil PREVIOUS MEETING REFERENCES: Nil

**AUTHOR:** Michael Prunster, Community Development Manager

**ATTACHMENTS:** Ni

# **PURPOSE OF REPORT:**

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 31 May 2007.

- Moora Austeel Homes & Sheds on behalf of Colin R Farbar Lot 143 Cooper Street, Moora – Construction of Chalet style accommodation with patio (Area 128.7m²) Zoning – Special Rural, Value \$68,000 (Ref 44/0607)
- Mr S Isbister on behalf of Ms M Isbister Lot 22 Moora-Bindoon Road, Moora – Operate a Home Occupation in conducting a small bakery business – Zoning – Farming (Ref 45/0607)
- Mrs Robyn Duffield 195 Clarke Street, Moora Operate a Home Occupation consisting of 'Homestay' B&B accommodation & catering business – preparation and cooking food for delivery to various accredited premises – Zoning – Special Rural (Ref 46/0607)
- T & H Walton Stores Lot 59 Padbury Street, Moora Construction of steel framed advertising sign (H7200mm x W3470mm x D695mm) Zoning Light Industrial, Value \$150,000 (Ref 47/0607)

# **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

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

# MANEX RECOMMENDATION

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

# 11.4.2 REZONING OF LOTS 18,19,20 LEE STEERE STREET, MOORA

FILE REFERENCE: ED/HSD I
REPORT DATE: 7 June 2007
APPLICANT/PROPONENT: Shire of Moora
OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: 22/11/06 (246/06)

**AUTHOR:** Michael Prunster, Community Development Manager

ATTACHMENTS: Nil

# **PURPOSE OF REPORT:**

To consider any submission received during the advertising period and to then determine whether to continue the rezoning process.

# **BACKGROUND:**

One submission was received during the advertising period for the rezoning of lots 18,19,20 Lee Steere Street Moora. Under the Shire of Moora Town Planning Scheme No 4 (section 7.3.4) Council is to consider any submission comment received in relation to the advertised amendment.

The contents of the letter received from an adjoining landowner are: -

- During heavy rain, water may flow onto my block from the east and flow off to the west. If the blocks are developed the houses and pads would act as a restriction to the water flow damming it back onto my block
- 2) If the fence on the western side of my block is changed to a solid fence, eg colourbond or brick, this would further act as a restriction to water flow during heavy rain.
- 3) The large established trees on the fence line of my block are used by Carnaby Black-Cockatoos at various times of the year and as an endangered species I do not believe that their habitat should be cleared.

The rezoning of the lots was considered by Council at their meeting held on the 22 November 2006 and the following is a portion of Council resolution No 246/06 passed in relation to the Lee Steere Street Lots: -

COUNCIL RESOLUTION (OFFICER RECOMMENDATIONS) – ITEM 11.4.2

246/06 Moved Cr Hawkins, seconded Cr McLagan that Council approve the amendments to the Shire of Moora Town Planning Scheme No 4 as under: -

- 1) Amend the zoning of Lots 18-20 Lee Steere Street Moora from "Special Rural" to "Residential" with a density code of R12.5/25
- 2) Reclassify the area of remnant vegetation on lot 21 as a" Local Reserve for Conservation."

Messrs Gray & Lewis were engaged to commence the process of the rezoning application, and all the preliminaries have been carried out by them, which involve contacting other agencies for their comment and they have all replied in the positive.

#### **COMMENT:**

Council purchased the Lee Steere St land (Lots 18-21) in July 2006 with a plan to create a subdivision of around 31 lots for residential dwellings to help relieve the shortage of suitable residential land. This land is outside of the floodplain and flood fringe of the Moore River and is adjoining existing residential land within the Moora Townsite. The area of Lot 21 of this land is Salmon Gum trees and native bush, but this will not be included in the residential subdivision but it is recommended that this section be reclassified as a "Local Reserve for Conservation."

# **POLICY REQUIREMENTS:**

Nil

# **LEGISLATIVE REQUIREMENTS:**

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

Planning and Development Act 2005 – Div. 3

# STRATEGIC IMPLICATIONS:

Provision of suitable residential land in a flood free environment for Moora's projected population increase over the next 15 years.

#### SUSTAINABILITY IMPLICATIONS:

# Environment

The rezoning of Lot 21 to "Local Reserve for Conservation" will ensure that the native bushland is protected for years to come. The remaining lots 18-20 when occupied by residential housing will improve the aesthetics of the area.

# Economic

Increase in housing and sale of the lots will be of economical benefit to the Shire and business community.

# Social

It will make provision for the increase in housing building lots anticipated in the coming years, allowing for an increase in the towns population.

# FINANCIAL IMPLICATIONS:

Rezoning and consultants costs allowed in current budget.

# **VOTING REQUIREMENTS**

Simple Majority Required

# MANEX RECOMMENDATION

# That Council

- consider and acknowledge the comments of the submission received, and advise the landholder that they have noted his concerns and will include the following points for consideration in the development plan: -
  - Allow for suitable drainage for run-off water from the Eastern boundaries of the lots so as to not cause the water flow damming.

- Allow for suitable fencing/drainage so as not to restrict the flow or damming of water on the Eastern boundaries.
- Council will endeavour to ensure that trees are not removed from the proposed development lots unless absolutely necessary.
   AND

2. That Messrs Gray and Lewis be advised to continue with the process of rezoning Lots 18-21 as previously instructed.

# 11.5 ENVIRONMENTAL DEVELOPMENT

Nil

# 11.6 ECONOMIC DEVELOPMENT

# 11.6.1 TOWN CENTRE REVITALISATION PROJECT – STAGE 3

FILE REFERENCE: ED/TWC1
REPORT DATE: 28<sup>th</sup> May 2007
OFFICER DISCLOSURE OF INTEREST: Nil

**PREVIOUS MEETING REFERENCES:** 26/7/06 (126/06)

**AUTHOR:** Bronwyn Williams, Enterprise Development Manager **ATTACHMENTS:** Moora Town Centre – Layout & Configuration Drivers

# **PURPOSE OF REPORT:**

The purpose of this report is to get council approval to move onto stage three of the town centre revitalisation project for the town of Moora.

# **BACKGROUND:**

In June 2006, the Enterprise Development Manager engaged Mr Greg Davis from Taktics4 to carry out a town centre revitalisation project to establish what issues need to be addressed to ensure Moora has a more vibrant town centre.

Mr Davis carried out stage one, which was an initial two meetings, one with council and one with stakeholders, these meetings were held on 12<sup>th</sup> and 13<sup>th</sup> July 2006. The aim of these meetings was to assess interest in carrying this project to a further stage. From these meetings it was decided by council that stage two, an economic analysis of the current state of the town centre was to be carried out.

This economic analysis was delivered to council in Jan 2007 and discussed at the briefing session on 28<sup>th</sup> February 2007. Council decided to have a meeting with affected businesses to discuss the merits of continuing to the final stage of the town centre revitalisation project that will include the development of a plan to outline how some sustainable development can be achieved.

The local businesses joined the Shire of Moora after a council meeting on I I<sup>th</sup> April 2007 for a discussion about the proposal to carry out the final stage of the project. There was a good turn out to this meeting with many of the businesses from within town represented including retail, industrial and our supermarket proprietor. The

general consensus at this meeting was to continue on with the final stage and in association with Mr Greg Davis carry out the final stage of the project to develop a plan for future development to create a vibrant town centre in Moora.

# **COMMENT:**

The last stage of this project is to carry out a detailed plan about the town centre of Moora using Mr Davis experience. This outline has been provided to us by Mr Davis about the project and is attached.

The expected outcomes of carrying out this final stage is to ensure that approvals for businesses is carried out in a sustainable way to ensure that new businesses and existing businesses are capturing as much income as possible with their customers.

There is also consensus from existing businesses that this will be a useful tool to ensure their long term sustainability.

Mr Davis has also indicated that as part of stage three he will produce preliminary townscaping plans for the main thoroughfares through Miling and Watheroo.

# **POLICY REQUIREMENTS:**

Nil

# **LEGISLATIVE REQUIREMENTS:**

Sections 2.7 and 3.1 of the Local Government Act 1995 dealing with the general competency powers of the local government.

# **STRATEGIC IMPLICATIONS:**

Outlined within the Shire of Moora's Strategic Plan is the Key Result Area of Growth, under this KRA it is outlined in strategy two to Grow existing businesses through "economic gardening". This project will provide existing businesses with information that will help to grow their businesses as well as under strategy three to attract new investment to the region.

# SUSTAINABILITY IMPLICATIONS:

# Environment

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

# Economic

The potential improvement to economic sustainability in Moora is quite profound if this project is approved. Any improvements to the town centre that help to improve current and new businesses and increase spending by customers will help to inject money into the local economy.

# Social

As well as economic implications a vibrant town centre will enhance the social networks in Moora, there will also be some opportunities for meeting places and with an increase in customer density then an increase in social opportunities will exist at the same time.

# FINANCIAL IMPLICATIONS:

There was \$13,000 allocated to the town centre project in the 2006/07 budget. So far the first two stages have been finalised and paid to a total of \$7,700, leaving a balance of \$5,300 available to carry out stage three. The quote for the final stage of the project is \$5,000 + GST so we have sufficient funds to afford to carry out the final stage of this project. Depending of the outcome of stage three, Council may wish to make provision in the 2007/2008 budget to carry out some of the initiatives.

# **VOTING REQUIREMENTS**

Simple Majority Required

# MANEX RECOMMENDATION

That Council approve the appointment of Mr Greg Davis from Taktics4 to carry out Stage three of the town centre revitalisation project at a cost of no more than \$5,000 + GST.

# 11.7 SPORT AND RECREATION

Nil

- 12. <u>ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</u>
- 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
- 16. CLOSURE OF MEETING