

**Shire of Moora**  
**Ordinary Council Meeting**  
**10<sup>th</sup> May 2006**

**NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora  
will be held on **Wednesday 10<sup>th</sup> May 2006**  
in the Council Chambers, 34 Padbury Street, Moora  
commencing at **3.30 pm**

SJ Deckert  
Chief Executive Officer  
5<sup>th</sup> May 2006

**Councillors Please Note:**

**An Audit Committee Meeting will precede the Council Meeting at  
3.00pm**

This meeting is to determine the scope of audit services required by Council so a request for quotation can be issued. The draft scope of audit services documentation is still being compiled. This

documentation and the agenda will be distributed to Councillors separately.

## 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 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 / Proximity / Indirect  
Financial / Conflict (impartiality) pursuant to <sup>(5)</sup> Section 5.65 of the Local  
Government Act 1995 / Clause 1.3 of Councils Adopted Code of Conduct.

The nature of my interest is  
<sup>(6)</sup> \_\_\_\_\_

I wish to be present and participate in any discussion and/or decision  
making procedure relating to the item and therefore would like Council to  
declare my interest<sup>(7)</sup>  
\_\_\_\_\_

The extent of my interest is <sup>(8)</sup>  
\_\_\_\_\_  
\_\_\_\_\_

I understand that the above information will be recorded in the minutes  
of the meeting and placed in the Financial Interest Register.

Yours faithfully,

-----

Signed

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

THIS PAGE HAS BEEN LEFT BLANK  
INTENTIONALLY.

**SHIRE OF MOORA**  
**ORDINARY COUNCIL MEETING AGENDA**  
**10 MAY 2006**  
**COMMENCING AT 3.30PM**

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\* Separate Attachments

11.1.1 Draft Plan for the Future

11.5.1 Asset Valuation – Miling Child Health Centre

**1. DECLARATION OF OPENING & WELCOME OF VISITORS**

*"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**

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**

**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**

Mr Kevin Minson will be attending the Council Meeting to discuss initiatives to assist with the attraction of a new Dentist.
9. **ANNOUNCEMENTS BY THE SHIRE PRESIDENT**
10. **CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS**
  - 10.1 **ORDINARY COUNCIL MEETING – 26 APRIL 2006**

*That the Minutes of the Ordinary Meeting of Council held on 26 April 2006, be confirmed as a true and correct record of the meeting.*

## ***11. REPORTS OF OFFICERS***

### **11.1 ADMINISTRATION**

#### **11.1.1 Draft Plan for the Future of the District of Moora 2006–2008**

**AUTHOR:** Jo–Anne Ellis, Financial Development Manager

**REPORT DATE:** 4 May, 2006

**DECLARATION:** Nil

#### **BACKGROUND**

The Local Government Act 1999 Section 5.56 requires a Local Government to Plan for the Future of its District. This plan is to be made in accordance with Financial Management Regulation 19C.

Prior to the Local Government Amendment Act 2004 local government was required to produce a Principal Activities Plan. This requirement was repealed and replaced with the current requirement to produce a Plan for the Future of the District. Council has previously produced a Principal Activities Plan for the years 2004–2009; the final version of this Plan for the Future will supersede the previously adopted Principal Activities Plan.

- A local government is required to produce a Plan that applies for each financial year after the financial year ending 30 June 2006. Electors and ratepayers of the district are to be consulted during the development of a plan or when preparing any modifications of a plan

The Plan for the Future of a district:

- Sets out the broad objectives of the local government for the period specified in the plan
- Is to be a plan for at least 2 financial years duration
- Is to be reviewed by the local government every two years
- May be modified and extended
- Is to be adopted by absolute majority
- Is to apply to the district for the period of time specified in the plan

- Should detail the involvement by the electors and ratepayers in the development of the plan and any modifications of the plan

Local public notice stating a plan for the future of the district (or modification) has been adopted by the Council and detail regarding availability of the plan is to be given.

#### **COMMENT**

Councillors have previously considered the Draft Plan for the Future in Briefing Sessions and Budget Meetings. The plan presented to Council has been developed based on discussions at these meetings.

#### **STATUTORY ENVIRONMENT**

Section 5.56 – Local Government Act 1995

Regulation 19C – Local Government (Financial Management) Regulations 1996

#### **POLICY IMPLICATIONS**

Nil

#### **BUDGET IMPLICATIONS**

Projects identified in the Plan for the Future should be included in the Budget for the year revenues and expenditures are identified.

#### **STRATEGIC IMPLICATIONS**

Planning for the Future of the Moora District will ensure Council, Staff and the Community understand the direction the District is moving towards.

#### **PRECEDENT**

Under previous legislative requirements the Shire of Moora adopted a Principal Activities Plan that was planning for the Future of the District.

#### **VOTING REQUIREMENTS**

Absolute Majority

**MANEX RECOMMENDATION - ITEM 11.1.1**

*That Council receive the Draft Plan for the Future of the District of Moora 2006-2008 and endorse it for release for Public Comment.*

## 11.2 FINANCIAL DEVELOPMENT

### 11.2.1 Budget Review

**AUTHOR:** Jo-Anne Ellis, Financial Development Manager

**REPORT DATE:** 4 May, 2006

**DECLARATION:** Nil

#### **BACKGROUND**

Local Governments are required to conduct a budget review between 1 January and 31 March each financial year. This is a new requirement due to amendments to Financial Reporting Regulations. A budget review is a detailed comparison of the year to date actual results with the adopted or amended budget.

The budget review is to be submitted to Council within 30 days of the review for Council to consider and determine whether or not to adopt the review and any recommendations made in the review.

A copy of the review and Council decision is to be provided to the Department of Local Government within 30 days of the decision by Council.

#### **COMMENT**

The budget review for the period 1 July to 28 February has been conducted by management and is provided as a separate attachment to this agenda.

This agenda item was included in the Agenda for the Ordinary Council Meeting on April 26, 2006. In the absence of the Financial Development Manager Council adopted the following motion so further discussion and explanation could take place once she returned from leave.

#### **COUNCIL RESOLUTION – ITEM 11.2.1 (April 26<sup>th</sup> 2006)**

*Moved Cr Hawkins, seconded Cr Barrett-Lennard that Council receives the budget review for the period 1 July to 31 March 2006 as tabled, and requests that this item be placed on the agenda of the next Ordinary Meeting for further discussion.*

**STATUTORY ENVIRONMENT**

Regulation 33A – Local Government (Financial Management) Regulations 1996

**POLICY IMPLICATIONS**

Nil

**BUDGET IMPLICATIONS**

The budget review enables management to establish whether the local government continues to meet its budget commitments. It enables Council to determine whether income and expenditures are in accordance with adopted budget.

**STRATEGIC IMPLICATIONS**

The budget review helps determine and document any projects that are unlikely to be completed during the budget year and new opportunities that have arisen during the year. The review provides a timely indication of ability of the local government to achieve the budgeted performance for the year and the timing allows corrective actions if required prior to 30 June.

**VOTING REQUIREMENTS**

Absolute Majority

**MANEX RECOMMENDATION – ITEM 11.2.1**

*That Council having considered the budget review for the period 1 July to 31 March adopts the review as tabled.*

**11.3 OPERATIONAL DEVELOPMENT**

Nil.



**11.4 COMMUNITY DEVELOPMENT**

**11.4.1 Application for Planning Approval – Grouped Dwellings**

**LOCATION:** Lot 57 Burns Place Moora  
**OWNER:** Department of Housing & Works, 99 Plain St.  
East Perth

**APPLICANT:** Broadhurst & Bott Architects  
**ZONING:** Residential (R 12.5/25)  
**FILE:** 7.4  
**AUTHOR:** Michael Prunster, Community Development Manager  
**REPORT DATE:** 1 May 2006  
**DECLARATION:** Nil

### PROPOSAL

The application received is for the construction of 2 X 2 bedroom brick veneer grouped dwellings to the value of \$500,000.

### BACKGROUND

Council considered this application at their meeting held on the 8 March 2006. The following resolution was passed at that meeting:-

*COUNCIL RESOLUTION  
(MANEX RECOMMENDATION) – ITEM 12.4.1*

*37/06 Moved Cr Gardiner, seconded Cr Hawkins that the planning application for construction of grouped dwellings on Lot 57 Burns Place by Broadhurst & Bott Architects on behalf of the Department of Housing and Works be approved under the R25 density coding subject to the following conditions: –*

- *Council to give consideration of submissions received following the advertising period of 21 days.*
- *The finished floor level to be 204.7 AHD.*
- *Minimum setback from Burns Place to be 6.0m.*
- *Minimum Rear & Side boundary setbacks to be 1.5m*
- *Landscaping is to be completed to the street kerbing.*
- *New fencing of the lot to be constructed as per site plan.*
- *Subject to building licence issued by Shire Of Moora.*
- *Storm water disposal to be to the satisfaction of the Shire's Operations Development Manager*

*CARRIED 9/0*

The closing date for submissions as advertised in the local newspaper was the 20 April 2006. There were no submissions/comments received from the public in connection with the proposed development.

## PLANNING FRAMEWORK

The application conforms to the Shire of Moora town planning scheme No 4, and Council has carried out the conditions of the scheme as follows:-

7.3.2 Where an application is made for planning approval to commence or carry out development, which involves an “AA”, use, or for any other development, which requires the planning approval of the Council, the Council may give notice of the application in accordance with the provisions of sub-clause 7.3.3.

7.3.3 Where the Council is required or decides to give notice of an application for planning approval the Council shall cause one or more of the following to be carried out:

- a) notice of the proposed development to be served on the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of planning approval stating that submissions may be made to the Council within twenty-one days of the service of such notice;
- b) notice of the proposed development to be published in a newspaper circulating in the Scheme Area stating that submissions may be made to the Council within twenty-one days from the publication thereof;
- c) a sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this clause.

7.3.4 After expiration of twenty-one days from the serving of notice of the proposed development, the publication of notice or the erection of a sign or signs, whichever is the later, the Council shall consider and determine the application.

Approval for the amendment to R25 residential density code was included in Council resolution of 10 March 2006.

**PHYSICAL ASSESSMENT**

The addition of these dwellings will improve this subdivision development, and provide modern units for the highly sought after rental properties.

**CONCLUSION**

There being no submissions/comments received in relation to the proposed development, it is now recommended that Council approve the application as per the resolution of the 10 March 2006.

**VOTING REQUIREMENTS**

Simple Majority

**MANEX RECOMMENDATION – ITEM 11.4.1**

*That due to the non-receipt submissions/comments following the expiration of the advertising period, for the proposed development by the Department of Housing & Works, of grouped dwellings at lot 57 Burns Place Moora, Council approve the application as per the following conditions outlined at the Council meeting of the 10 March 2006:-*

- *The finished floor level to be 204.7 AHD.*
- *Minimum setback from Burns Place to be 6.0m.*
- *Minimum Rear & Side boundary setbacks to be 1.5m*
- *Landscaping is to be completed to the street kerbing.*
- *New fencing of the lot to be constructed as per site plan.*
- *Subject to building licence issued by Shire Of Moora.*
- *Storm water disposal to be to the satisfaction of the Shire's Operations Development Manager*

## **11.5 ENVIRONMENTAL DEVELOPMENT**

### **11.5.1 TENDER – MILING INFANT HEALTH CLINIC**

**LOCATION:** Lot 11 Cnr Great Northern Hwy & Nardy Road Miling  
**FILE:** 5.8  
**AUTHOR:** Peter Haas, Environmental Development Manager  
**REPORT DATE:** 2 May 2006  
**DECLARATION:** Nil

#### **BACKGROUND**

The Miling Infant Health Clinic was advertised for sale by tender in the Central Midlands and Coastal Advocate.

#### **COMMENT**

The tender closing date was Friday 21st April 2006 and one tender was received from a Mr Richard Groves for a price of \$5,170.00.

Mr Groves has stated in a letter sent with the tender documents that he has a wool business based in Miling and that he is currently managing Miling Fuel & Merchandise, and that he wishes to use the building as a home.

A late expression of interest in the building has been received after the closing date from a Mr Ronald Farrell via Mr Barry Large. In an e-mail sent to me from Mr Large, Mr Large has stated that Mr Farrell would tender \$16,678.00 cash at settlement. A formal tender has not been received from Mr Farrell.

It should be noted a valuation of the building (attached) in 2003 valued the building at \$20,000, and is one tender sufficient to enable Council to make a decision in this matter.

Council is under no obligation to accept any tenders for the sale of this building and may wish to readvertise the tender if it wished to do so.

It should be noted that at the tender closing date only Mr Groves tender had been received thus it is the only formal offer that has been made for the building.

**STATUTORY ENVIRONMENT**

Tender Regulations

**POLICY IMPLICATIONS**

Nil

**BUDGET IMPLICATIONS**

An amount of \$5,170 into the budget to be used as per Councils decision for improvements in Miling requested by the community via Cr Mc Lagan.

**STRATEGIC IMPLICATIONS**

Sale of surplus asset to a person more able to use it.

**PRECEDENT**

Nil

**VOTING REQUIREMENTS**

Simple majority

**MANEX RECOMMENDATION – ITEM 11.5.1**

*That Council accepts the tender price of \$5,170.00 from Mr Richard Groves for the sale to Mr Groves of the Miling Infant Health Clinic located at Lot 11 cnr Great Northern Highway and Nardy Road Miling.*

**11.6 ECONOMIC DEVELOPMENT**

Nil.

**11.7 SPORT AND RECREATION**

Nil.

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

***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***