

**Shire of Moora
Ordinary Council Meeting
17th September 2014**

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora
will be held on **Wednesday 17th September 2014**
in the **Watheroo Pavilion, Watheroo**
commencing at **6.30 pm**

AJ Leeson
Chief Executive Officer



12th September 2014

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, ⁽¹⁾ _____ wish to
 declare an interest in the following item to be considered by Council at its meeting to be held on
⁽²⁾ _____.

Agenda Item ⁽³⁾ _____

The type of interest I wish to declare is: ⁽⁴⁾

- 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 ⁽⁵⁾

The extent of my interest is ⁽⁶⁾

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
17 SEPTEMBER 2014
 COMMENCING AT 6.30PM

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 - 9.1.2 *Statement of Financial Activity for Period Ended 31 August 2014*
 - 9.2.1 *Plans*
 - 9.2.2 *Location Plan*
 - 9.2.4 *Plans*
 - 9.2.5 *Plans*

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**1.1 DECLARATION OF OPENING****1.2 DISCLAIMER READING**

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.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**APPROVED LEAVE OF ABSENCE**

TG Humphry - Councillor
D Clydesdale-Gebert - Councillor

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**4. PUBLIC QUESTION TIME****5. PETITIONS AND PRESENTATIONS****6. APPLICATIONS FOR LEAVE OF ABSENCE****7. ANNOUNCEMENTS BY THE PRESIDING MEMBER****8. CONFIRMATION OF MINUTES****8.1 ORDINARY COUNCIL MEETING - 20 AUGUST 2014**

That the Minutes of the Ordinary Meeting of Council held on 20 August 2014 be confirmed as a true and correct record of the meeting.

9. REPORTS OF OFFICERS

9.1 GOVERNANCE AND CORPORATE SERVICES

9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE: 11 September 2014

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

SCHEDULE PREPARED BY: Alida Fitzpatrick, Finance Officer

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

OFFICER RECOMMENDATION

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

<i>Municipal Fund</i>	<i>Cheques 61854 to 61881</i>	<i>\$27,020.57</i>
	<i>EFT 12322 to 12458</i>	<i>\$456,570.41</i>
	<i>NAB Term Deposit 27/08/14</i>	<i>\$1,000,000.00</i>
	<i>Credit Card 15/07/14 to 14/08/14</i>	<i>\$15,880.02</i>
	<i>Net Pays – PPE 12/08/14</i>	<i>\$80,405.10</i>
	<i>Net Pays – PPE 27/08/14</i>	<i>\$81,146.19</i>
<i>Trust Fund</i>	<i>Cheques 5000 to 5009</i>	<i>\$2,885.10</i>
<i>Total</i>		<i><u>\$1,663,907.39</u></i>

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 AUGUST 2014

REPORT DATE: 11 September 2014

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 August 2014

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 August 2014.

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 2014/15 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

OFFICER RECOMMENDATION

That Council notes and receives the Statement of Financial Activity for the period ended 31 August 2014.

9.1.3 ACTING CHIEF EXECUTIVE OFFICER APPOINTMENT – MR DAVID KEITH TREVASKIS

FILE REFERENCE: HR/PER/DKT I
REPORT DATE: 10 September 2014
APPLICANT/PROPONENT: Chief Executive Officer Alan Leeson
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Alan Leeson, Chief Executive Officer
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To formally note the appointment of Mr David Trevaskis as Acting Chief Executive Officer under delegation from Chief Executive Officer Mr Alan Leeson.

BACKGROUND:

The Chief Executive Officer will be taking Annual Leave approved by Shire President Cr Gardiner for the period 17 September 2014 returning to work on the 8 October 2014.

COMMENT:

The notification is in line with Council policy requirements detailed hereunder.

POLICY REQUIREMENTS:**2.13 Acting Chief Executive Officer**

1. In the absence of the Chief Executive Officer during leave periods or other extended periods of absence an acting Chief Executive Officer is to be appointed.
2. The Chief Executive Officer is delegated the authority to select and appoint an Acting Chief Executive Officer in accordance with the delegations register. The person selected to act in the position will be remunerated as follows:
 - a) Up to and including two weeks will receive 80% of the difference between the Chief Executive Officer hourly rate and the normal hourly rate of the nominated Acting Chief Executive Officer.
 - b) For periods greater than two weeks 100% of the difference in hourly rate to be paid.
3. Dates of leave and delegated Acting Chief Executive Officer to be formally advised to Council as soon as practicable (next Council meeting)

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

II DELEGATION OF POWER

Function to be performed: In the absence, for any reason of the appointed Chief Executive Officer, the officer authorised to exercise delegations is the person appointed as Deputy Chief Executive Officer.

Delegated to: Chief Executive Officer

On delegated to: N/A

Conditions: The person acting as Chief Executive Officer shall be appointed by Council.

Record of use: Retention of file copy of relevant appointment in Personnel File. Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.

Reference: S5.42 Local Government Act 1995 (As Amended).

Council Policy:

Date Adopted:

Date Reviewed: 21 May 2014

Date Reviewed and Amended: 21 May 2014

STRATEGIC IMPLICATIONS:**Outcome 5.2: Professional employees in a supportive environment.**

Strategy 5.2.1: Develop and implement a staff attraction and retention strategy.

Strategy 5.2.2: Provide opportunities for the professional development of Shire staff.

Strategy 5.2.3: Ensure safe work practices through implementation of appropriate Occupational, Health, Safety and Welfare practices.

Strategy 5.2.4: Develop human resource management policies, procedures to meet current and future workforce needs.

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

Nil

➤ **Economic**

Nil

➤ **Social**

Nil

FINANCIAL IMPLICATIONS:

There are no adverse financial implications for Council in consideration of this matter.

VOTING REQUIREMENTS:

Simple Majority Required

OFFICER RECOMMENDATION

That Council note the appointment of Mr David Keith Trevaskis as Acting Chief Executive Officer of the Shire of Moora under delegation from Chief Executive Officer Mr Alan James Leeson for the period 17 September 2014 to 7 October 2014.

9.1.4 SALE BY TENDER – LOTS 165,166,167 AND 168 WOOLAWA STREET, MOORA**FILE REFERENCE:** PA/1565-1**REPORT DATE:** 10 September 2014**APPLICANT/PROPONENT:** Chief Executive Officer Alan Leeson**OFFICER DISCLOSURE OF INTEREST:** Nil**PREVIOUS MEETING REFERENCES:** Nil**AUTHOR:** Alan Leeson, Chief Executive Officer**ATTACHMENTS:** Valuation report (provided under separate cover)**PURPOSE OF REPORT:**

For Council to approve the sale by way of tender of Lots 165,166,167 and 168 Woolawa Street, Moora.

BACKGROUND:

Council acquired the land in 2009 for the purpose of establishing a new Shire Depot. The author is recommending Council forgo those plans given the land is within the flood plain, which in the event of a flood emergency would inhibit the ability of Council as a key emergency service agency to be able to adequately respond to such an emergency as it would be under water.

COMMENT:

The objective of establishing a new Shire Depot site will remain one of Council's medium to long term objectives. It is recommended however that the feasibility and site of such be revisited.

Logistically the new site should be located at a minimum in the flood fringe but preferably out of the flood fringe. Strategically there is not a pressing need to relocate the shire depot and there would be greater priorities that would be stronger on merit economically such as further residential land development, industrial land development out of the flood plain that would facilitate partner investment from agencies such as Land Corp.

POLICY REQUIREMENTS:

Not applicable

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 -Section 3.58

Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

- (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
- and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition;
- and
- (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

STRATEGIC IMPLICATIONS:

Outcome 3.1: Appropriate planning and development.

Strategy 3.1.1: Review, amend and implement the Town Planning Scheme.

Strategy 3.1.2: Develop and implement a Shire growth plan.

Strategy 3.1.3: Provide planning and development advice on major land developments.

Strategy 3.1.4: Ensure quality, consistent and responsive development and building assessment approval processes.

Strategy 3.1.5: Lobby for reduction in headworks charges and payment options for new developments.

Strategy 3.1.6: Support the conservation and maintenance of heritage buildings, heritage items and places of interest.

Strategy 3.1.7: Facilitate the development of West End for expansion of residential land

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**
Not applicable

➤ **Economic**
The deferral and relocation of the depot site will not have any direct economic sustainability implication for Council in the short term. It is evident there is some

commercial interest in the land recommended to be put up for sale by tender. Should this land be approved for sale and actually sell, this should be a stimulant for Council to more seriously address acquisition of industrial land outside of the flood plain. In all likelihood this will be south of Moora townsite toward CBH.

It is also likely the sale of the land to a private commercial entity with either sustain and grow existing industry or attract new commercial interests to Moora. With the power being extended under the river and into the new industrial area the land will be a stronger commercial proposition than it may have otherwise been without the power upgrade.

- **Social**
Not applicable

FINANCIAL IMPLICATIONS:

Should the land sell within the fiscal parameters approved by Council it is recommended that any funds be set aside for future land acquisition/development. Council has not budgeted for any sale funds. Any sale funds would not impact on the Municipal Fund position of Council.

VOTING REQUIREMENTS:

Simple Majority Required

OFFICER RECOMMENDATION

That Council advertise the sale of Lots 165, 166, 167 and 168 Woolawa Street, Moora by way of Public tender , with tenders to close 24 October 2014, noting that the highest or any tender will not necessarily be accepted.

9.2 DEVELOPMENT SERVICES

9.2.1 LOT 78/HN 26 ROBERTS STREET CARAVAN SHELTER

FILE REFERENCE: TP/PA04/1415

REPORT DATE: 1 September 2014

APPLICANT/PROPONENT: Lyall Carter

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

Application by proponent Mr Lyall Carter to construct a caravan shelter onto the rear of his shed on his property located at Lot 78/Hn 26 Roberts Street Moora.

BACKGROUND:

The proponent's property, Lot 78/Hn 26 Roberts Street, Moora is located in the Residential Zone and has a Residential Design Code rating of 12.5. Mr Carter already has an existing shed, a utility room and a pergola which has exceeded his 100m² limit for the size of his property, as required by the Shire of Moora Policy Manual.

The following is an extract of Policy 6.10:

Outbuilding Policy Maximum Size of-

That Council's current outbuilding policy referring to square metreage of land and maximum size of outbuildings be partly amended in the following manner;

R2 - 5,000m² Lots - maximum size of outbuildings equals 200m²

R2.5 - 4,000m² Lots - maximum size of outbuildings equals 200m²

R5 - 2,000m² Lots - maximum size of outbuildings equals 150m²

R12.5 - 800m² Lots maximum size of outbuildings equals 100m²

R25/R30 - 320m² to 300m² Lots - maximum size of outbuildings at Council's discretion.

COMMENT:

Mr Carter wishes to construct a steel 6.3m x 8.5m shelter for his caravan and attach it to his existing shed located on his property at Lot 78/Hn 26 Roberts Street, Moora. It is necessary for Mr Carter to apply for permission from Council as he has already over 100m² of outbuildings on his property.

POLICY REQUIREMENTS:

Shire of Moora Policy 6.10: Outbuilding Policy Maximum Size of Outbuildings

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

OFFICER RECOMMENDATION

That Council grant planning approval to Mr Lyall Carter to construct a caravan shelter and attach it to his shed on his property at Lot 78/Hn 26 Roberts Street Moora subject to the following conditions:

- 1. Second Hand materials are not permitted*
- 2. Proponent to identify sewerage line into the property to ensure no structure is built within two metres of sewer line.*

9.2.2 PROPOSED SCHEME AMENDMENT NO. 11 – SHIRE OF MOORA TOWN PLANNING SCHEME NO 4

FILE REFERENCE: TP/TPS5

REPORT DATE: 27 August 2014

APPLICANT/PROPONENT: Gray & Lewis on behalf of the Shire of Moora

OFFICER DISCLOSURE OF INTEREST: Gray & Lewis receive planning fees for advice to the Shire therefore declare a Financial Interest – Section 5.65 of *Local Government Act 1995*

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Gray & Lewis Landuse Planners

ATTACHMENTS: Location Plan

PURPOSE OF REPORT:

Council is to consider adopting Amendment 11 to the Shire of Moora Town Planning Scheme No 4 ('the Scheme') for the purpose of initiating public advertising.

BACKGROUND:

An existing airstrip is located on a portion of Lot 1216 Airstrip Road and a portion of Lot 48 on an unnamed road to the south west of the main Moora townsite. The airstrip has historically been available for some public use under an informal arrangement with the previous landowner.

The Shire seeks to secure ownership of the airstrip so that it can be redeveloped and upgraded to service Moora townsite.

A 'land swap' is being pursued with the owners of Lot 1216 whereas they will receive a portion of Lot 965 which is owned by the Shire, in exchange for ceding the airstrip land to the Shire of Moora.

The Shire has secured two approvals from the Western Australian Planning Commission to:

- (a) Excise the existing gravel source from Lot 965 and amalgamate the balance area of Lot 965 with adjacent Lot 102 Airstrip Road Moora (WAPC: 149892).
- (b) Excise the existing airstrip from Lot 1216 and Lot 48, and amalgamate the balance areas of both lots (WAPC: 149894).

COMMENT:

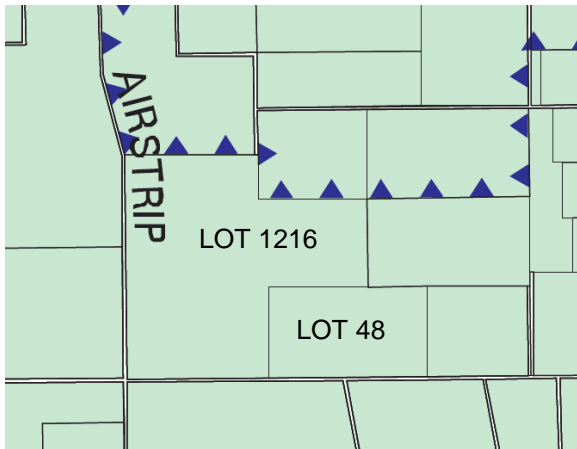
The purpose of this scheme amendment is to ensure that zonings are appropriately reviewed having regard for the existing airstrip and future land tenure changes.

I. MAP CHANGES

Lots 1216 and 48 are currently zoned 'General Agriculture' under the Shire of Moora Local Planning Scheme No 4 ('the Scheme'). The amendment proposes to zone the airstrip as a 'special use' zone specifically for the purpose of an 'airfield'.

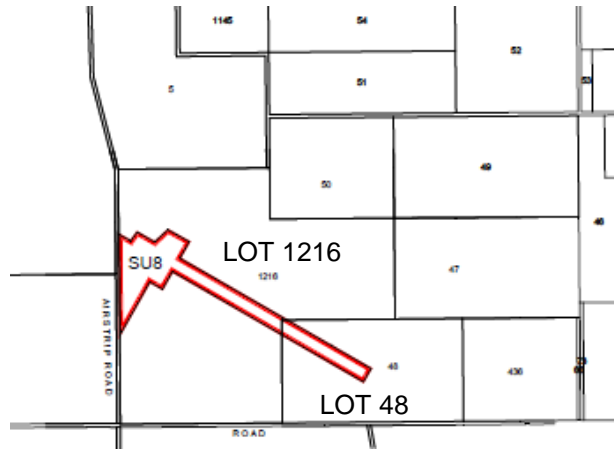
The maps below show the existing and proposed zoning for portions of Lot 1216 and 48. The land around the airstrip will remain in the 'General Agriculture' zone.

EXISTING ZONE



GENERAL AGRICULTURE

PROPOSED SPECIAL USE ZONE

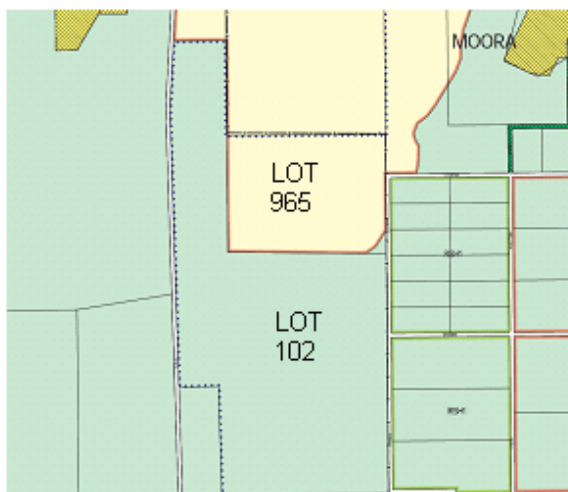


SPECIAL USE

Lot 965 is owned by the Shire and is currently contained in the 'Development' zone as it forms part of West End. Lot 965 is proposed to be amalgamated with Lot 102 to the south and the amalgamated lot will be used for farming.

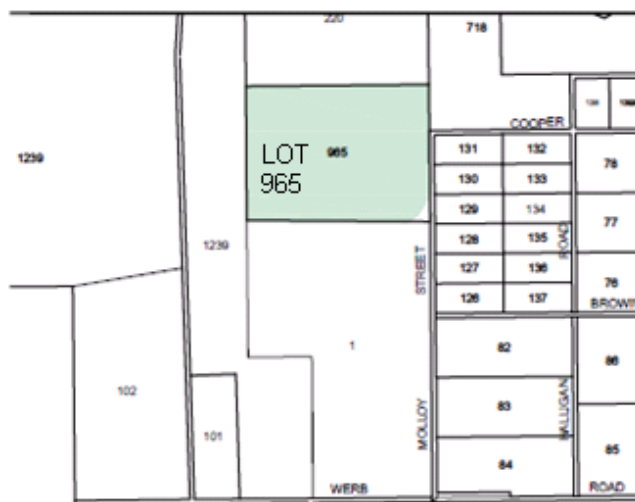
The amendment proposes to zone Lot 965 to 'General Agriculture' as depicted on the map below.

EXISTING ZONE



DEVELOPMENT

PROPOSED ZONE



GENERAL AGRICULTURE

2. TEXT CHANGES

All special uses are listed in Schedule 4 of the Scheme. It is proposed to list a portion of Lots 1216 and Lot 48 (containing the airstrip) as Special Use No 8 in Schedule 4 for the specific purpose of 'Airfield'.

It is desirable that any landuse cited in a special use zone also be defined in the Scheme. A new landuse definition for 'airfield' will be included in the Scheme as follows:

'airfield' means land and buildings used in connection with the operation of aeroplanes and other aircraft, including airstrips, a public passenger terminal, ancillary offices, car parking, parking, maintenance and servicing of aircraft, but does not include a private airstrip incidental to farming operations.

Conclusion

Gray & Lewis lodged a draft scheme amendment document to the Department of Planning informally to obtain preliminary comment. Department of Planning officers are generally supportive of the amendment and the landuse definition for 'airfield' has been agreed to.

POLICY REQUIREMENTS:

There are no Policy implications associated with this proposal.

LEGISLATIVE REQUIREMENTS:

The statutory requirements for Amendments are controlled by the *Planning and Development Act 2005* and the *Town Planning Regulations 1967*.

It is a statutory requirement that all amendments be referred to the Environmental Protection Authority (EPA) for advice prior to any formal advertising. Advertising can only commence once the EPA confirms that no environmental assessment is required.

Final approval of the amendment is required by the Minister for Planning and is subject to assessment by the Western Australian Planning Commission.

STRATEGIC IMPLICATIONS:

The amendment simply ensures that the airfield use is appropriately zoned and seeks to establish a 'general agriculture' zone over lots which will continue to be used for farming or rural uses.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
N/A
- **Economic**
Aviation industries are a potential growth area and establishing the airfield as a public airstrip under local government control may have future economic benefits.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

The Shire will likely need assistance throughout the amendment process as there are legislative requirements that need to be complied with. The Shire pays fees to Gray & Lewis for planning advice.

VOTING REQUIREMENTS:

Simple Majority Required

RECOMMENDATION

That Council:

A. Initiate Amendment 11 to the Shire of Moora Town Planning Scheme No. 4 pursuant to Section 75 of the Planning and Development Act 2005 for the purposes of:

- 1. Rezoning a portion of Lot 965 Cooper Street, Moora from ‘Development’ zone to ‘General Agriculture’ zone as depicted on the Scheme Amendment map.**
- 2. Rezoning a portion of Lot 1216 Airstrip Road and Lot 48 on an unnamed road, Moora from ‘General Agriculture’ zone to ‘Special Use’ zone (SU8) as depicted on the Scheme Amendment map.**
- 3. Listing a portion of Lot 1216 Airstrip Road and a portion of Lot 48 on an unnamed road, Moora in ‘Schedule 4 – Special Use zones’ as Special Use No. 8 (SU8) for ‘airfield’ with conditions to state as follows:**

NO.	DESCRIPTION OF LAND	SPECIAL USE	CONDITIONS
8	Portion of Lot 1216 Airstrip Road and portion of Lot 48 on an unnamed road, Moora	Airfield	(a) Provide for airfield facilities, associated amenities and ancillary related uses.

- 4. Inserting a definition for ‘airfield’ in ‘Schedule 1 Dictionary of defined words and expressions’ under ‘3. Land Use Definitions’ to state as follows:**

‘airfield’ means land and buildings used in connection with the operation of aeroplanes and other aircraft, including airstrips, a public passenger terminal, ancillary offices, car parking, parking, maintenance and servicing of aircraft, but does not include a private airstrip incidental to farming operations.

- B. Authorise the Chief Executive Officer and Shire President to execute the ‘adoption’ sections of three hardcopy Scheme Amendment 11 documents.**
- C. Authorise Gray & Lewis to lodge Amendment 11 with the Environmental Protection Authority on behalf of the Shire of Moora seeking written confirmation that no formal environmental assessment is required under Part IV Division 3 of the Environmental Protection Act 1986.**
- D. Note that formal advertising of the Amendment will be organized by the Shires Chief Executive Officer in liaison with Gray & Lewis on receipt of formal advice from the EPA (confirming that no environmental assessment is required). Advertising shall include public notices in an official local newspaper, individual letters to surrounding landowners and letters to relevant authorities (such as Department of Agriculture and Food WA).**

- E. Note that a further report will be referred to a future Council meeting to consider any submissions received during public advertising, and to determine whether to adopt the amendment for final approval (with or without modifications).**

- F. Note that Gray & Lewis has already undertaken preliminary informal consultation with the Department of Planning.**

9.2.3 WATHEROO LANDFILL Vs TRANSFER STATION

FILE REFERENCE: H/WASI

REPORT DATE: 9 September 2014

APPLICANT/PROPONENT: Shire of Moora

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Nil

PURPOSE OF REPORT:

The Watheroo landfill site is being abused by businesses trying to avoid payment of rubbish disposal fees at the Moora Refuse Site. The site is being used to dispose of tyres in large quantities; truckloads of old white goods and fencing waste from farms outside the Shire.

It is proposed to reduce access to the site to 3 days a week, Wednesdays, Fridays and Sundays. It is also proposed to redesign the site, cover and level the existing area and reduce access to only an area where ratepayers can dispose of their inert waste into skip bins that in turn will be transported to Moora.

It is proposed to provide general recycling at the site in the form of yellow lid bins; provide recycling bays for steel where Simms Metal can access and collect, a drum muster site, waste oil site and green waste.

The cost associated with the transport of the waste to Moora will be offset from the monies budgeted for extra cover material of the site which this year is \$16,000.

BACKGROUND:

Watheroo Landfill Site

The landfill site at Watheroo is unmanned and located 2.5 kilometres north of the Watheroo Townsite on Railway Road Lot 12133 (Reserve 25582). It is 26191m² in area and totally fenced and provided with lockable gates. This is a Category No 64, Class II or III putrescible landfill. The site is rated at greater than 500 and less than 5000 tonnes per year as per Department Environmental Regulations license requirements.



Watheroo Townsite

Watheroo Townsite is provided with a weekly rubbish collection and a fortnightly recycling collection which should limit the amount of waste being deposited at the landfill site to inert household waste. The site is open 24/7 and accessible. Farmers in the area are not provided

with a weekly collection due to the distance covered by rubbish truck. Most Farmers dispose of their own waste on their farms.

Litter Issue

There is a litter issue at the site due to a lack of cover and wind blowing litter into nearby farming property. Litter screens were erected to prevent litter from escaping the tipping area but these were stolen along with the rubber feet. Three of the four screens have since been recovered.

Benefits

The benefits will include reduced fugitive litter at the site and the surrounding area, a more cost effective site that will meet the needs of the community and promote recycling within the community.

COMMENT:

Some of the issues that are occurring at the site are:

- Dumping of commercial material, the likes of truck loads of washing machines and fridges;
- Truckloads of tyres have been dumped at the site;
- The site is not regularly covered allowing litter to escape;
- Fires regularly occur at the site causing breaches to our licence conditions.



The transfer station will still be licenced however downgraded to a Class 62 landfill site which is an inert site. Ratepayers will still be able to dispose of their waste at the site and will have more options regards to recycling. Bays will be set up to accept metal and green waste and a separate area will be provided for waste oil as the area where it is now is untidy and could make the Shire liable.

Other Sites

The following sites give an example of other Shires who have transfer stations, Meckering, Kondinin, Corrigin, Chapman Valley and Northampton. Contact has been made with Avon Waste, DER, Chapman Valley, and Northampton Shire's for design requirements and examples of other sites.



Corrigin Transfer station



Kondinin Transfer station



Meckering Transfer station



Chapman Valley Transfer Site

All transfer Stations are now required to have a concrete hardstand for the bins to sit on. The bins shown in the pictures are six (6m³) so the hard stand needs to be around 5 metres x 3 metres x 100mm thick.

Requirements of Site

The site requires:

- A raised area that is compacted for users of the site to be able to drive onto, back up to bins with a wheel stop to prevent vehicles from going over the edge.
- A rail or chain protection at waist height to stop people from falling over the edge into the bin.
- A concrete wall or retaining wall with a concrete hardstand where the six metre (6m³) bins sit on.
- A new area for the waste oil site that can be maintained clean.
- A recycling area that can be simply divided into bays for steel and white goods and maybe wire fencing.
- A green-waste area.

Community consultation needs to be undertaken to establish which day's best suit the community for the site to be open.

Avon Waste quote

A quote has been obtained from Avon Waste to transport skip bins from Watheroo to the Moora Landfill.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Environmental Protection Act, Rural Landfill Regulations

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
The reduction of the waste footprint is part of the overarching state waste management strategy. Likewise the Shire of Moora over time will need to follow along similar lines.
- **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:

Avon Waste has been asked to provide a quote for the collection and transport of skip bins to Moora should Council look at considering this proposal a full costing will be carried out.

VOTING REQUIREMENTS

Simple Majority Required

OFFICER RECOMMENDATION

That Council agree in principal to the establishment of transfer station in Watheroo and direct the Manager of Development Services to prepare a detailed costing and a public consultation paper to be made available to the local community outlining Councils plans.

9.2.4 38 MOORE STREET DANIEL COX OVER SIZED SHED

FILE REFERENCE: TP/PA06/1415

REPORT DATE: 8 September 2014

APPLICANT/PROPONENT: Daniel Cox

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

Council is in receipt of a Planning Application from proponent Mr Daniel Cox to construct a 16m x 6m x 2.7m steel shed on his property located at 38 Moore Street in Moora.

BACKGROUND:

H/N 38 Moore Street is located in the residential zone in Moora and under the Residential Design Codes and is an R12.5.

The Residential Design Codes allows for a 60m² or 10% of the site area whichever is the lesser, and the wall height is to be no more than 2.4m.

The shed Mr Cox wishes to construct has an area of 96m² and a wall height of 2.7m. The Shire's Outbuilding Policy 6.10 allows for R12.5 with a 800m² block of land in the Residential area to have 100m² of outbuildings. The shed is steel framed and colourbond clad 16m length x 6m width x 2.4 wall height.

COMMENT:

The proponent Mr Cox wishes to use the building for enthusiast vehicles, a lock up workshop and shelter for the family car. He has access to the shed via the rear lane. This application meets the requirements of the Shire's Policy Manual, Section 6.10 Outbuilding Policy for Maximum Size.

POLICY REQUIREMENTS:

Shire of Moora Policy - Section: 6.10 Maximum Size of Outbuildings

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

OFFICER RECOMMENDATION

That Council grant planning approval to Mr Daniel Cox to construct an oversized steel and colourbond clad shed on his property situated at 38 Moore Street, Moora to house his enthusiast vehicles, lockable workshop and shelter for his family car subject to the following conditions-

- 1. Second hand materials are not permitted to be used*
- 2. Proponent to identify sewerage line into the property to ensure no structure is built within two metres of sewer line.*

9.2.5 EXTENSION TO MOORA BARRACKS LOT 342 MOORE STREET MOORA

FILE REFERENCE: TP/PA06/1415

REPORT DATE: 8 September 2014

APPLICANT/PROPONENT: GJ & EL Newport

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

Council has received a Town Planning Application from Mr & Mrs GJ & EL Newport (Proponents) to make addition to their development (The Barracks) of four (4) accommodation units with ensuites and a new dining room, also additional disabled toilet and shower to be added to the existing ablution block.

BACKGROUND:

Lot 342 Moore Street known as (The Barracks) is a commercial accommodation property i.e. (Lodging House) owned by the proponents and is zoned as Residential with an R30 Residential Design Code.

It is proposed that the accommodation units will be on a rental basis for 12-18 months, may be extended on demand. It is proposed that more units may be added should demand require. This may be part of a future town planning proposal. The dining room that is to be added will also comprise a commercial kitchen to accommodate possible road construction crews.

Objectives

- (a) to provide for the predominant form of residential development to be single houses whilst providing for diversity with higher density close to the town centre.
- (b) to provide for diversity of lifestyle choice with a range of residential densities.
- (c) to allow for the establishment of non-residential uses which are compatible with the predominant residential use and which will not adversely affect local amenities.

Site Requirements

In accordance with the Residential Design Codes.

Parking of Commercial Vehicles

In a Residential zone, a person is not to:

- (a) park, or allow to remain stationary for more than 4 hours consecutively:
 - (i) more than 2 commercial vehicles and if there are 2 such vehicles 1 at least must be housed in a domestic garage or domestic outbuilding; or,
 - (ii) any vehicle which due to size or load is not capable of being completely housed within a domestic garage or domestic outbuilding having a maximum floor area of 70 square metres and in which no horizontal dimension is more than 10 metres; or
 - (iii) a vehicle which together with the load thereon exceed 2.75 metres in height;
- (b) repair, service, or clean a commercial vehicle unless such work be carried out whilst the vehicle is housed in a domestic garage or domestic outbuilding provided however that such work does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limited the generality of the foregoing) injury or prejudicial affection due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, or waste products.

COMMENT:

The proponents are looking to capture a part of the accommodation market that is on offer to Moora businesses for road construction workers and to expand their business. They are looking at constructing four (4) accommodation units with ensuites and a kitchen dining unit from which they will do catering for their patrons. The new accommodation units, dining room and kitchen will go onto sewer and the premises will be a new food premises and Lodging House.

POLICY REQUIREMENTS:

Nil

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

OFFICER RECOMMENDATION

That Council approve the application by proponents GJ & EL Newport to construct four (4) new accommodation units with ensuites and a dining room and kitchen at their premises located at Lot 342 Moore Street, Moora known as The Barracks subject to the following conditions:

- 1. An application be made to the Shire of Moora to be registered as a new Food Premises*
- 2. An application be made to the Shire of Moora to be registered as a Lodging house*
- 3. Plans and layout for the kitchen to be presented to the Shire*
- 4. No second-hand materials to be used*
- 5. This Planning Approval is not approval to commence construction. A separated Building Application is required to be submitted for approval by the Shire Building Surveyor.*
- 6. Proponent to identify sewerage line into the property to ensure no structure is built within two metres of sewer line.*

- 7. Compliance with Food Act 2008 and Food Regulation 2009 and Food Safety Standards for the kitchen Dining room;**
- 8. Compliance with Health Local Laws Lodging House requirements.**

9.3 ENGINEERING SERVICES

Nil

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

11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL

12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

13. CLOSURE OF MEETING