

**SHIRE OF MOORA**  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MOORA**  
**19 AUGUST 2015**

**TABLE OF CONTENTS**

<b>1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS .....</b>	<b>3</b>
<b>1.1 DECLARATION OF OPENING .....</b>	<b>3</b>
<b>1.2 DISCLAIMER READING .....</b>	<b>3</b>
<b>2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE .....</b>	<b>3</b>
<b>3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....</b>	<b>3</b>
<b>4. PUBLIC QUESTION TIME .....</b>	<b>3</b>
<b>5. PETITIONS AND PRESENTATIONS.....</b>	<b>3</b>
<b>6. APPLICATIONS FOR LEAVE OF ABSENCE.....</b>	<b>4</b>
<b>7. ANNOUNCEMENTS BY THE PRESIDING MEMBER.....</b>	<b>4</b>
<b>8. CONFIRMATION OF MINUTES .....</b>	<b>5</b>
<b>8.1 ORDINARY COUNCIL MEETING - 15 JULY 2015 .....</b>	<b>5</b>
<b>9. REPORTS OF OFFICERS.....</b>	<b>5</b>
<b>9.1 GOVERNANCE AND CORPORATE SERVICES.....</b>	<b>5</b>
9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31 .....	5
9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 JULY 2015 .....	6
9.1.3 DELEGATIONS REGISTER – PURCHASE ORDER AUTHORISATION.....	7
9.1.4 SELF SUPPORTING LOAN REQUEST – MOORA BOWLING CLUB .....	9
9.1.5 INTEREST WRITE-OFF .....	12
<b>9.2 DEVELOPMENT SERVICES.....</b>	<b>13</b>
9.2.1 SECONDHAND TRANSPORTABLE ACCOMMODATION UNITS - THE BARRACKS - LOT 342 MOORE STREET, MOORA.....	13
9.2.2 WATHEROO TRANSFER STATION .....	15
9.2.3 WA PLANNING APPLICATION – LOT 9000 LEE STEERE STREET, MOORA.....	19
9.2.4 MILING HOTEL - NEW LAUNDRY UNIT.....	20
9.2.5 LOT 3 LONG STREET MOORA - SHED.....	23
9.2.6 17 MELBOURNE STREET, MOORA – HOME BUSINESS HIRE EQUIPMENT .....	26

<b>9.3 ENGINEERING SERVICES.....</b>	<b>28</b>
9.3.1 CALLING OF TENDERS – ROAD SEALING AGGREGATE, BITUMEN PRODUCTS AND ROAD STABILISATION .....	28
<b>10. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>30</b>
<b>11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL.....</b>	<b>30</b>
<b>12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED .....</b>	<b>30</b>
<b>13. CLOSURE OF MEETING .....</b>	<b>30</b>

\* Separate Attachments

- 9.1.1 *List of Payments Authorised Under Delegation 1.31*
- 9.1.2 *Statement of Financial Activity for Period Ended 31 July 2015*
- 9.1.3 *Purchase Order Authorisation – Delegations Register*
- 9.1.4 *Letter, financial statement & quotes*
- 9.2.1 *Plans*
- 9.2.3 *Plans*
- 9.2.4 *Plans*
- 9.2.5 *Plans*
- 9.2.6 *Plans*

## **1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

### **1.1 DECLARATION OF OPENING**

*The Shire President declared the meeting open at 5.34pm.*

### **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**

### **ATTENDANCE**

CE Gardiner	-	Shire President / Presiding Member
TG Humphry	-	Deputy President
CD Hawkins	-	Councillor
DV Clydesdale-Gebert	-	Councillor
R Keamy	-	Councillor
KM Seymour	-	Councillor
MR Holliday	-	Councillor
JW McLagan (from 5.37pm)	-	Councillor
AJ Leeson	-	Chief Executive Officer
DK Trevaskis	-	Deputy Chief Executive Officer
JL Greay	-	Manager Engineering Services
PR Williams	-	Manager Development Services
MM Murray	-	Executive Support Officer (minute taker)

### **APPROVED LEAVE OF ABSENCE**

MR Pond	-	Councillor
---------	---	------------

## **3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

## **4. PUBLIC QUESTION TIME**

Nil

## **5. PETITIONS AND PRESENTATIONS**

Nil

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

A request in writing has been received from Cr Pond requesting a leave of absence for the meeting of Council to be held on 19 August 2015.

**COUNCIL RESOLUTION**

*102/15 Moved Cr Hawkins, seconded Cr Seymour that Cr Pond be granted leave of absence for the meeting of Council to be held on 19 August 2015.*

**CARRIED 7 / 0**

**7. ANNOUNCEMENTS BY THE PRESIDING MEMBER****Shire President attended**

Local Government Convention

11/8 LEMC meeting

15/8 RSL – Vietnam Veterans Day – 4 returned servicemen attended

**Cr Hawkins**

18/8 Vietnam Veterans & Long Tan ceremony held at the war memorial and was followed by a graveside service.

18/8 Local Health Advisory meeting

At 5.37pm Cr McLagan joined the meeting

**Cr Clydesdale-Gebert**

Local Government Convention

**Cr Seymour**

Local Government Convention

8/8 WALGA Training course

**Cr McLagan**

Local Government Convention

**Cr Holliday**

Local Government Convention

4<sup>th</sup>, 5<sup>th</sup> & 10<sup>th</sup> August - 3 WALGA Training courses

**Cr Humphry**

Caroline Robinson meeting

Local Government Convention

8/8 WALGA Training course

**8. CONFIRMATION OF MINUTES****8.1 ORDINARY COUNCIL MEETING - 15 JULY 2015****COUNCIL RESOLUTION**

*103/15 Moved Cr Humphry, seconded Cr Holliday that the Minutes of the Ordinary Meeting of Council held on 15 July 2015 be confirmed as a true and correct record of the meeting, subject to the voting to be shown as 8/0 throughout the meeting.*

**CARRIED 8 / 0**

**9. REPORTS OF OFFICERS****9.1 GOVERNANCE AND CORPORATE SERVICES****9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31**

**REPORT DATE:** 12 August 2015

**OFFICER DISCLOSURE OF INTEREST:** Nil

**AUTHOR:** David Trevaskis, Deputy Chief Executive Officer

**SCHEDULE PREPARED BY:** Alida Fitzpatrick, Finance Debtors 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

## **COUNCIL RESOLUTION**

***104/15 Moved Cr McLagan, seconded Cr Holliday 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 62043 - 62052</i></b>	<b><i>\$37,438.85</i></b>
	<b><i>EFT 13980 - 14164</i></b>	<b><i>\$2,963,368.71</i></b>
	<b><i>Credit Card 15/06/15 - 14/07/15</i></b>	<b><i>\$3,658.72</i></b>
	<b><i>Net Pays – PPE 14/07/15</i></b>	<b><i>\$86,365.71</i></b>
	<b><i>Net Pays – PPE 28/07/15</i></b>	<b><i>\$85,168.76</i></b>
<b><i>Trust Fund</i></b>	<b><i>Cheques 5092 - 5106</i></b>	<b><i>\$453.00</i></b>
<b><i>Total</i></b>		<b><u><i>\$3,176,453.75</i></u></b>

**CARRIED 8 / 0**

### **9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 JULY 2015**

**REPORT DATE:** 13 August 2015

**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 July 2015

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

To note and receive the Statement of Financial Activity for the period ended 31 July 2015.

#### **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 2015/16 adopted budget.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

*105/15 Moved Cr Humphry, seconded Cr Holliday that Council notes and receives the Statement of Financial Activity for the period ended 31 July 2015.*

**CARRIED 8 / 0**

**9.1.3 DELEGATIONS REGISTER – PURCHASE ORDER AUTHORISATION**

**FILE REFERENCE:** PL/DELI

**REPORT DATE:** 13 August 2015

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Alan Leeson, Chief Executive Officer

**ATTACHMENTS:** Delegations Register – Purchase Order Authorisation

**PURPOSE OF REPORT:**

To seek Council approval to amend the Delegations Register in accordance with Section 5.46 (2) of the Local Government Act, specifically Delegation 13 – Purchase order Authorisation.

**BACKGROUND:**

The Shire of Moora has delegated certain powers and duties to the Chief Executive Officer.

The Local Government Act 1995 Section 5.46 requires that a register of delegations be kept and that those delegations made must be reviewed at least once every financial year by the delegator (Council).

**COMMENT:**

Delegation 13 requires updating to fit in with Councils Purchase Order requirements. Two amendments which are required;

1. Addition of the Shire Maintenance Officer (Chris Puttick) as Level 3 authority (\$5,000 excluding capital items); and
2. Addition of the Asset Management and Supervisor of Sewerage Operation & Maintenance (Tom Davies) as Level 4 authority (\$1,000, excluding capital items).

**FINANCIAL IMPLICATIONS:**

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

**POLICY REQUIREMENTS:**

Included in Delegation where appropriate.

**LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995 Section 5.46

**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.

**VOTING REQUIREMENTS**

Absolute Majority Required

**COUNCIL RESOLUTION**

*106/15 Moved Cr Hawkins, seconded Cr Clydesdale-Gebert that endorse the addition of Maintenance Officer (Chris Puttick) and Asset Management and Supervisor of Sewerage Operation & Maintenance (Tom Davies) to the Purchase Order Authorisation of the Register of Delegations as Level 3 and Level 4 respectively.*

**CARRIED BY ABSOLUTE MAJORITY 8 / 0**



### **9.1.4 SELF SUPPORTING LOAN REQUEST – MOORA BOWLING CLUB**

Cr Gardiner and the Chief Executive Officer Alan Leeson declared an impartiality interest in the item as they are financial members of the Moora Bowling Club.

**FILE REFERENCE:** GA/DOLI

**REPORT DATE:** 11 June 2015

**APPLICANT/PROPONENT:** Moora Bowling Club

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Deputy CEO, David Trevaskis

**ATTACHMENTS:** Letter, financial statement & quotes

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

Council to consider a request from the Moora Bowling Club seeking Council approval to raise a self-supporting loan with Council through the W.A Treasury Corporation. The loan proceeds are proposed to assist in funding the upgrades to the Moora Bowling Club;

- Clubroom;
- Kitchen
- Replacement of carpet on bowling rink

#### **BACKGROUND:**

For a number of years the Moora Bowling Club have been fundraising towards the upgrade of their facilities. Initially it was planned the upgrade would be part of the new Moora Community Resource Centre however this project did not come to fruition due to cost and lack of grant funding available at the time.

#### **COMMENT:**

The applicant financially has the capacity to meet the repayment of up to \$80,000 over a 10 year period. The Moora Bowling Club is located on Lot 123 Gardiner Street, Moora which is land owned by the Shire of Moora.

#### **POLICY REQUIREMENTS:**

Not applicable

#### **LEGISLATIVE REQUIREMENTS:**

As the loan has not been budgeted Council would be required to advertise its intent to raise a loan;

#### ***Subdivision 3 — Borrowings***

##### **6.20. Power to borrow**

(1) Subject to this Act, a local government may —

- (a) borrow or re-borrow money;
- (b) obtain credit; or
- (c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit,

to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.

- (2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (power to borrow) and details of that proposal have not been included in the annual budget for that financial year —**
- (a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and**
- (b) the resolution to exercise that power is to be by absolute majority.**
- (3) Where a local government has exercised a power to borrow and —
- (a) it does not wish to proceed with the performance of the function or the exercise of the power for which the power to borrow was exercised; or
- (b) after having completed the performance of the function or the exercise of the power for which the power to borrow was exercised, any part of the money borrowed, credit obtained or financial accommodation arranged has not been expended or utilized,
- the local government may resolve\* to expend the money or utilize the credit or financial accommodation for another purpose if one month's local public notice is given of the proposed change of purpose.
- \* Absolute majority required.*
- (4) A local government is not required to give local public notice under subsection (3) —
- (a) where the change of purpose has been disclosed in the annual budget of the local government for the relevant financial year; or
- (b) in such other circumstances as are prescribed.
- (5) A change of purpose referred to in subsection (3) is to be disclosed in the annual financial report for the year in which the change occurs.

## **6.21. Restrictions on borrowing**

- (1) Where, under section 6.20(1), a regional local government borrows money, obtains credit or arranges for financial accommodation to be extended to the regional local government that money, credit or financial accommodation is to be secured only —
- (a) by the regional local government giving security over the financial contributions of the participants to the regional local government's funds as set out or provided for in the establishment agreement for the regional local government;
- (b) by the regional local government giving security over Government grants which were not given to the regional local government for a specific purpose; or
- (c) by a participant giving security over its general funds to the extent agreed by the participant.
- (1a) Despite subsection (1)(a) and (c), security cannot be given over —
- (a) the financial contributions of a particular participant to the regional local government's funds; or
- (b) the general funds of a particular participant,
- if the participant is not a party to the activity or transaction for which the money is to be borrowed by, the credit is to be obtained for, or the financial accommodation is to be extended to, the regional local government.
- (2) Where, under section 6.20(1), a local government borrows money, obtains credit or arranges for financial accommodation to be extended to the local government that

money, credit or financial accommodation is only to be secured by giving security over the general funds of the local government.

- (3) The Treasurer or a person authorised in that behalf by the Treasurer may give a direction in writing to a local government with respect to the exercise of its power under section 6.20(1) either generally or in relation to a particular proposed borrowing and the local government is to give effect to any such direction.
- (4) In this section and in section 6.23 —
- general funds** means the revenue or income from —
- (a) general rates;
  - (b) Government grants which were not given to the local government for a specific purpose; and
  - (c) such other sources as are prescribed.

[Section 6.21 amended by No. 49 of 2004 s. 59.]

### **STRATEGIC IMPLICATIONS:**

#### **Outcome 1.1: A healthy community through participation in sport, recreation and leisure opportunities.**

*Strategy 1.1.1: Provide and promote sport, recreation and leisure facilities and programs.*

*Strategy 1.1.2: Plan for the co-location of sports and recreational facilities.*

*Strategy 1.1.3: Assist sport and recreation clubs and groups.*

*Strategy 1.1.4: Develop and implement an overarching trails plan.*

### **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:**

WA Treasury Corporation (WATC) credit assessment includes taking key financial information from the preceding financial year financial statements and adopted budget for the current financial year.

WATC credit policy stipulates that lending is subject to the following financial ratio benchmarks.

- Debt Service Ratio not exceeding 10%
- Net Debt to Revenue Ratio not exceeding 60%

As per the current draft 2014/15 financial statement the Shire of Moora's Debt Service Ratio is 5.05% and Net Debt to Revenue Ratio is 35.37%.

As per the adopted 2015/16 financial statement it is estimated the Shire of Moora's Debt Service Ratio to be 7.17% and Net Debt to Revenue Ratio 31.38%.

**VOTING REQUIREMENTS**

Absolute Majority Required

At 6.01pm the CEO Alan Leeson left the chambers.

**COUNCIL RESOLUTION**

*107/15 Moved Cr McLagan, seconded Cr Clydesdale-Gebert that Council approve the application from the Moora Bowling Club to raise a self supporting loan through the Council (W.A. Treasury Corporation) of up to \$80,000 repayable over 10 years to Council for the purpose of assisting with the cost of upgrading the clubroom, kitchen and replacement of the carpet on the bowling green, further that Council amend its budget accordingly.*

**CARRIED 8 / 0**

**9.1.5 INTEREST WRITE-OFF**

**FILE REFERENCE:** PA/6385  
**REPORT DATE:** 14 August 2015  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** David Trevaskis, Deputy Chief Executive Officer  
**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

Write-off a portion of late payment interest charges for A6385.

**BACKGROUND:**

Landgate reduced the UV valuation on property A6385 on 1 July 2014 from \$239,000 to \$134,000. The property owner was charged a late interest penalty by the Shire of Moora for outstanding rates which was based on the higher rate fee using the original \$239,000 UV valuation. A revised interest penalty has been calculated by applying interest charges to the lower outstanding rate fee on a UV of \$134,000 as advised by Landgate.

**COMMENT:**

The adjustment to the rates charged for the 2013/14 year has been processed but Council must approve the interest write-off of \$79.69 before this amount can be processed.

**LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995, Part 6, Division 4, s. 6.12.

**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:**

Outstanding interest charges of \$79.69 will be written off.

**VOTING REQUIREMENTS**

Absolute Majority Required

At 6.08pm the CEO rejoined the meeting

**COUNCIL RESOLUTION**

*108/15 Moved Cr Hawkins, seconded Cr Humphry that outstanding interest charges of \$79.69 be written-off on property assessment A6385.*

**CARRIED BY ABSOLUTE MAJORITY 8 / 0**

At 6.09pm the ESO left the meeting

**9.2 DEVELOPMENT SERVICES**

**9.2.1 SECONDHAND TRANSPORTABLE ACCOMMODATION UNITS - THE BARRACKS - LOT 342 MOORE STREET, MOORA**

**FILE REFERENCE:** TP/PA28/1415

**REPORT DATE:** 16 July 2015

**APPLICANT/PROPONENT:** George & Eve-Lyn Newport

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** 17/9/14 (115/14)

**AUTHOR:** Peter Williams, Manager Development Services

**ATTACHMENTS:** Plans

**PURPOSE OF REPORT:**

An application has been received from George & Eve-Lyn Newport (Proponents) to install 2 x 12 metre bank of 4 second-hand ensuited rooms at the Barracks Lodging House to increase the capacity of their accommodation facility. The proponents are seeking Councils permission to install the second-hand ensuited units at their property located at Lot 342 Moore Street Moora. It is noted that these units are currently on site.

**BACKGROUND:**

Lot 342 Moore Street is zoned as Residential Zone according to the Shire of Moora Town Planning Scheme No 4 (Amendment 10) with an R-Code rating of R30, which allows for a multi-unit development on the lot of land. This area is in a high flood hazard area and will be required to comply with the Moora Flood Provisions and locate buildings at least 300mm above the March 1999 Moora Flood Level. The Barracks is a Lodging House with accommodation for 12 persons and it is proposed to increase this number by a further 8 ensuited units raising the total number to 20 persons.

The proponent was originally going to use new units but the second hand units were cheaper and provided what they required. The proponent wishes to increase the capacity of the lodging house as they feel there is a need for extra accommodation in Moora.

**COMMENT:**

The barracks accommodation is in an area that is serviced by the Shire's sewer system so there are no issues with effluent disposal. Currently the proponent cooks food for her patrons from her kitchen which has been inspected.

These buildings are located in a high flood hazards area and will be required to meet the requirements of the Moora Flood provisions in that the Finished Floor Level (FFL) will have to be raised 300mm above the highest March 1999 flood level for that area.

This development proposal is subject to the Shire of Moora Relocated Buildings Policy and is subject to a \$5,000.00 bond per unit being a total of \$10,000.00. This money has been paid by the proponent.

**POLICY REQUIREMENTS:**

Shire of Moora Relocated Building Policy

**LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements related to this item other than the Planning & Development Act 2005.

**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

**COUNCIL RESOLUTION**

***109/15 Moved Cr Hawkins, seconded Cr McLagan that Council approve the development application by proponents George and Eve-Lyn Newport to install two ensuited accommodation units on their property at Lot 342 Moore Street, Moora known as the Moora Barracks, subject to the following conditions:***

- 1. Additional units to be added to Lodging House proposal and kitchen area to be able to meet requirements of additional meals to be prepared;***
- 2. A Building application to be submitted to the Shire to ensure all building requirements are met of the Building Code of Australia;***

3. ***A bond be paid to the Shire of Moora of \$10,000.00 being for two units to ensure that building requirements are met as advised,***
4. ***Parking for patrons vehicles are provided on the property in a sealed fenced area with marked bays.***
5. ***Landscaping of the area is carried out to a plan that is submitted to the Shire to ensure that the development fits in and does not detract from the amenity of the area.***
6. ***A plan is provided to the Shire showing gradient levels to ensure storm water disposal from storm water runoff is maintained to ensure that the development does not become inundated with water lying under buildings due to it not being able to get away.***
7. ***Building's Finished Floor Level (FFL) will be required to comply with the Moora Flood Provisions by contacting the Department of Water to obtain a finished floor level for each of the buildings.***
8. ***Proponent to contact Department of Water to receive Finished Floor Levels (FFL) for the two units which are required to comply with Shire of Moora Flood Provisions in that they are to be at least 300mm above the March 1999 highest flood level.***

**CARRIED 8 / 0**

### **9.2.2 WATHEROO TRANSFER STATION**

**FILE REFERENCE:** H/WAMWI

**REPORT DATE:** 28 July 2015

**APPLICANT/PROPONENT:** Shire of Moora

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** 18/3/15 (33/15), 17/9/14 (113/14)

**AUTHOR:** Peter Williams, Manager Development Services

**ATTACHMENTS:** Nil

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

To report on the events of a meeting held at the Watheroo Sports Pavilion attended by the Shire's Manager Development Services on Tuesday 14<sup>th</sup> July and the Watheroo Development Association where the plans for the development of the Watheroo Transfer station were discussed. Council at its meeting on the 15<sup>th</sup> July 2015 requested a report on the meeting and the site.

At 6.12pm ESO rejoined the meeting

#### **BACKGROUND:**

The Watheroo Landfill site is a licensed Class II putrescible landfill site approved with a design capacity of 600 tonnes of waste per year and a licensed requirement to cover the site on a fortnightly basis. It was identified by the Department of Environmental Regulation (DER) that the landfill was in need of upgrading its procedures to prevent fugitive litter from escaping the boundaries of the site into the farmer's property (Paddock) next to the site and into the road reserve on the opposite side of the adjacent road to prevent fires being lit at the site.

Regulation 6 of the Environmental Protection (Rural Landfill) Regulations requires that the site be covered at least fortnightly. This was required by the DER to mitigate fugitive litter escaping the site and due to exposure of the area the DER required the installation of litter

screens. An extra \$16,000.00 was placed in the budget to accommodate for the extra cover and litter screens which were constructed, and heavy rubber feet added to prevent the screens from blowing over. These screens and their feet were very soon stolen by a member of the community.

Due to the unattended nature of the site, being open 24hrs, 7 days a week; the site was accessed by individuals with trucks for the disposal of tyres in considerable numbers, a semi-truck load of washing machines and fridges were dumped at the site which led to other metal being disposed of at the site in an untidy manner and at the entrance to the site including cars, old box seeders, old rain water tanks wire etc.

This has led to the Shire's Manager Development Services looking at the site and considering ways to ensure effective management of the site that would meet the requirements of the Department of Environmental Regulation, and ensure the site was not an eyesore to the community and neighbouring properties.

As a result of the meeting on the 15<sup>th</sup> July the following points were noted by the community and what transpired at the meeting:

- Opposition to Transfer Station still by members of the Watheroo community, not all;
- People from Moora taking their rubbish to Watheroo probably for the opportunity to scavenge - sign to go up at site advising that landfill site will change after Christmas 2015;
- Request Moora Landfill be open 7 days a week – advised will not happen as the site is open 5 days a week as it is and not open Mondays and Tuesdays;
- Redesign of waste hole and will trial until Christmas, if not working Transfer station will prevail regardless, no more discussion;
- Site to be cleared and levelled, expressions of interest to go out to level site and redesign waste hole;
- Trees to be planted around the perimeter of the site to be York Gums and Eucalyptus Horistes ;
- Boundary to be sprayed for weeds so not in opposition to trees;
- Metal at site to be crushed, compacted and sold;
- Green waste site to be developed;
- Metals area to be developed and constructed.

Due to the opposition from certain parties at the meeting and their insistence that the site was not designed correctly, the Manager of Development Services advised the meeting it would be recommended to Council that a 6 month grace be granted subsequent to Council redesigning the pit itself through to approximately January 2016 as against proceeding with a transfer station at Watheroo forthwith.

**COMMENT:**

The author understands that the Council has reservations about postponement of constructing a transfer station in Watheroo and expending further funds on the landfill site itself as preferred by the Watheroo Community. In keeping with verbal undertakings given to that meeting by the author this report will recommend postponing the construction of a transfer station.

**POLICY REQUIREMENTS:**

Nil



**LEGISLATIVE REQUIREMENTS:**

Environmental Protection (Rural Landfill) Regulations 2002

**STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

**SUSTAINABILITY IMPLICATIONS:****➤ Environment**

There are significant environmental implications associated with this proposal due to the containment of fugitive litter escaping the site contrary to license conditions. This is primarily the catalyst for the construction of a transfer station in order to mitigate further occurrences which would be an infringement to the landfill license.

**➤ Economic**

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

**➤ Social**

There are no known significant social implications associated with this proposal due to the community of Watheroo being provided with a waste removal service and a recycling removal service.

**FINANCIAL IMPLICATIONS:****Option 1 – Maintain open pit – (Current practice)**

Estimated cost to cover existing pit and dig new designed pit - \$6,000

Annual Cost to cover weekly to maintain on compliant condition in accordance with license - \$12,000

**Option 2 – Transfer Station**

Construct transfer station - \$40,000 - Funded by Waste Management Reserve

Monthly pick up of 6 bulk bins (Avon Waste) - \$6,500 approx. per annum

**SUMMARY:**

Notwithstanding the financial implications under various options the fact remains that the Watheroo Landfill Site does not operate in accordance with license conditions due to environmental shortcoming associated with operational practices. In addition the refuse site is un-manned as this is against current best practice operational procedures. Even with a delay in the construction of a transfer station, in the longer term it is likely that Councils hand will be forced simply due to the fact of non-complying operational practices around operation of unmanned refuse sites.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

***110/15 Moved Cr Hawkins, seconded Cr McLagan that allow a six month extension to January 2016 for the Watheroo landfill to continue operating with a change in the direction of the waste hole subject, based upon Council expending a further \$5,000 in reconfiguring the waste hole with a view to better containment of fugitive litter, noting that Council will reserve the right to review its decision and proceed with a transfer station should this postponement strategy satisfactorily resolve the fugitive litter issue.***

**MOTION LOST 5/3**

**COUNCIL RESOLUTION**

***111/15 Moved Cr Clydesdale-Gebert, seconded Cr Holliday that Management immediately proceed with the construction of a Transfer Station at Watheroo at an estimated cost of \$40,000, further that the Transfer Station be funded from the Waste Management Reserve Fund and the Council 2015/2016 budget be amended accordingly.***

**CARRIED BY ABSOLUTE MAJORITY 7/1**

### **9.2.3 WA PLANNING APPLICATION – LOT 9000 LEE STEERE STREET, MOORA**

**FILE REFERENCE:** TP/PA06/1516

**REPORT DATE:** 3 August 2015

**APPLICANT/PROPONENT:** West Australian Planning Commission

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Peter Williams, Manager Development Services

**ATTACHMENTS:** Plans

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

The Western Australian Planning Commission is asking for Councils comments on a development application No: 152320 – Lot No 9000 Lee Steere Street, Moora, that has been received by the Planning Commission requesting approval.

#### **BACKGROUND:**

In 2011 the Shire of Moora submitted an application for sub-division for an area of land being lots 18, 19, 20, & 21 Lee Steere Street encompassing some 4.076 ha. Through an agreement with LandCorp saw the opening for sale initially of 8 lots of land to the public of which the Shire of Moora owned 2 of those lots.

Lot 9000 Lee Steere Street Moora is a southern extension to the existing new 8 Lots of land that have been created in Lee Steere Street and the corner Atbara Street. All bar one of the lots from the original subdivision have been sold which has enabled a new 11 Lot development to be created behind those existing lots in Lee Steere Street.

#### **COMMENT:**

The Department of Planning are asking for Council comment regarding the new development. Areas Council need to look at include; adequate provisions of fire hydrants and water pressure for fighting of fires, provisions for reticulated sewerage to enable each lot to be connected to Shire's sewerage; All blocks are to be graded from rear of lot to the front of the lot to facilitate water run off so that all storm water runs to the front road for dispersal..

#### **POLICY REQUIREMENTS:**

No known Policy requirements

#### **LEGISLATIVE REQUIREMENTS:**

Model Sub-division Conditions Schedule.

#### **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

**COUNCIL RESOLUTION**

***112/15 Moved Cr Hawkins, seconded Cr McLagan that Council approve the subdivision for Lot No 9000 Lee Steere Street, Moora and provide comment to the Western Australian Planning Commission requesting that the following conditions as described in the Model Sub-division Conditions Schedule for the sub-division be included:***

- The applicant to prepare, have approved by FESA and implement a detailed plan demonstrating the location of fire hydrants and capacity of the emergency infrastructure ensuring sufficient water pressure to the satisfaction of the Western Australian Planning Commission.***
- Engineering drawings of each lot showing that all lots are graded from rear to the front of the lot to ensure rain water drains to the road and specifications are to be submitted approved and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of the sub-division for grading of the site;***
- Arrangements being made with the Shire of Moora so that the provision of a sewerage service will be available to the lots shown on the approved plan of sub-division and capable of connecting to existing sewer infrastructure.***

**CARRIED 8 / 0**

**9.2.4 MILING HOTEL - NEW LAUNDRY UNIT**

**FILE REFERENCE:** TP/PA05/1516

**REPORT DATE:** 5 August 2015

**APPLICANT/PROPONENT:** John Wallis

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** 17/09/2014 (118/14)

**AUTHOR:** Peter Williams, Manager Development Services

**ATTACHMENTS:** Plans

**PURPOSE OF REPORT:**

Mr John Wallis (Proponent) has sent in a development application requesting Council to approve a new laundry unit to handle the washing of sheets and towels for the accommodation units on his property.

**BACKGROUND:**

The previous owner of the Miling Hotel Mr Gordon Burns purchased and had situated 7 accommodation units and one laundry unit on the Miling Hotel property without Town Planning approval being issued. Approval was given after plans being provided and subject to Mr Gordon Burns showing the Shire that the effluent disposal system provided (which had no approval) could handle the effluent produced from these extra units. On the 27/09/2014 a letter of approval was sent to Mr Gordon Burns.

**Council resolution 17/9/2014**

*118/14 that Council approve the application by Proponent Mr Gordon Burns to add 7 motel type accommodation units to the rear of his hotel property to accommodate an extra 20 persons at the Miling Hotel located at Lot 101 Great Northern Highway Miling subject to:*

- *Units not blocking the laneway next to the Hotel;*
- *No cars to be parked in the laneway;*
- *Sufficient rubbish bins to be made available to cater for waste from the units;*
- *A professional finished design proposal to be put forward to the Shire of Moora of the completed units showing their layout;*
- *An as constructed diagram of plumbing layout of the 7 units to be submitted to the Shire Development Services Department once completed.*
- *A Building Licence be submitted to the Shire of Moora Building Department for the works already carried out.)*

Since then Mr John Wallis has taken over the property and is trying to manage the situation and provide the infrastructure as required by law in relation to building plans and effluent disposal plans.

**COMMENT:**

The laundry unit escaped detection at the time and has since been identified and as a result an application has been asked for. It is noted that the laundry unit is part of the existing problem with effluent disposal on the property.

It has been mentioned that if the property next door was purchased then extra leach drains could be established on this property to help cope with effluent disposal. This can only be recognised if it eventuates.

It is appreciated that the laundry is important to the Hotel but it is one of the largest contributors of effluent. There would have to be some factual evidence provided to ensure that the effluent disposal system would be able to cope with the effluent. If no information or confirmation of evidence that the system can cope then one compromise is one of the accommodation units will have to be removed to allow for the Laundry unit in its place.

**POLICY REQUIREMENTS:**

There are no known policy requirements related to this item.

**LEGISLATIVE REQUIREMENTS:**

Health Act 1911; Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974

**STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

**SUSTAINABILITY IMPLICATIONS:****➤ Environment**

If not managed properly this situation has the potential for environmental contamination of surrounding areas.

**➤ Economic**

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

➤ **Social**

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

**FINANCIAL IMPLICATIONS:**

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

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

*113/15 Moved Cr McLagan, seconded Cr Seymour that Council approve the application submitted by Mr John Wallis to install a Laundry unit at the Miling Hotel located at Lot 18230 Great Northern Highway, Miling subject to the following conditions:*

- 1. Applicant provides to the Shire's Manager Development Services qualified certification that the system is in place that will provide effective disposal of effluent on the Miling Hotel Property of all effluent generated by the Accommodation units and the Hotel;*
- 2. Applicant provides to the Shire a plan of the effluent disposal system showing sufficient leach drain/or effective grey water disposal that conforms to the requirements of the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974.*
- 3. Inspection by Manager Development Services who is to be satisfied that all conditions have been complied with and all legislative requirements have been met.*

**CARRIED 8 / 0**

## **9.2.5 LOT 3 LONG STREET MOORA - SHED**

**FILE REFERENCE:** TP/PA09/1516

**REPORT DATE:** 10 August 2015

**APPLICANT/PROPONENT:** Lorn McKinnon

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Peter Williams, Manager Development Services

**ATTACHMENTS:** Plans

### **PURPOSE OF REPORT:**

An application has been received from Mr Lorn McKinnon (Proponent) to construct an open sided 10m x 6m shed on his property located at Lot 3 Long Street, Moora to protect his caravan.

### **BACKGROUND:**

Lot 3 Long Street, Moora is located in the Residential Zone on the northern end of Long Street, it is not serviced by the Shire's sewerage system and is zoned as R2 according to the Residential Design Codes. The property is inside the Moora Flood Zone so the Flood Zone requirements apply.

#### **4.11.2 Purpose of Special Control Areas**

The purpose of Special Control Area I is:

- (a) To avoid inappropriate development or subdivision of land subject to flooding during an event of similar magnitude to the March 1999 events.
- (b) To protect the free passage of floodwater in areas subject to flooding by avoiding inappropriate development.
- (c) To ensure proposed development has adequate flood protection.
- (d) To ensure new development will not detrimentally impact, alter or modify the existing flooding regime (as defined in the Moora Floodplain Definition Study).

#### **4.11.3 Application and Referral Requirements**

Planning approval is required for all use or development of any land within or partially within Special Control Area No I including fill, excavation, a single house and ancillary development.

4.11.3.1 All applications for planning approval in Special Control Area No I are to be referred by the local government to the Department of Water, and the local government is to have due regard to recommendations / advice from the Department of Water when determining applications.

4.11.3.2 The local government, on the recommendation of the Department of Water, may require an applicant proposing development in Special Control Area No I to undertake assessments and/or hydraulic modelling to demonstrate that the proposed development is consistent with the floodplain management principles outlined in the Moora Floodplain Definition Study and Clause 4.11.2. Assessments and/or hydraulic modelling need to be to the satisfaction of the Department of Water and local government, and demonstrate that the proposed development does not detrimentally affect the existing flooding regime.

**Relevant Considerations****4.11.4.1 Special Control Area I**

(a) The local government in considering applications for planning approval is to have due regard to:

- (i) the recommendations of the Moora Floodplain Definition Study; and
- (ii) the hazard category defined in the Moora Floodplain Definition Study and the appropriateness of the land use having regard for the nature of the proposed use, extent of public access and building location; and
- (iii) the size and location of buildings, structures, fill and use of external areas; and
- (iv) relationship to existing and nearby development; and
- (v) flood risk and need to maintain the existing flood regime; and
- (vi) any relevant local planning policy; and
- (vii) any other matter considered relevant by the local government.

(b) Any development or land use including but not limited to construction of a new building, structure, fill, excavation, external storage, trade display, stockpiling of materials or any other development and/or use of the land shall not be permitted in Special Control Area I unless:

- (i) The local government considers the proposed development to be a minor extension to an existing building or structure already approved and constructed; or
- (ii) The building or structure is non habitable and replacing an existing building or structure already approved and constructed, and is of a similar floor area, size and location as the building or structure being replaced; or
- (iii) The development is a single house within a Residential zone or Rural Residential zone with a finished floor level not less than 300mm above the March 1999 flood level as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme); or
- (iv) The applicant demonstrates a building, structure, development and/or land use is wholly located outside of both the High Flood Hazard area and the Floodplain area as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme); or
- (v) The development is of a commercial or industrial nature with a finished floor level not less than 300mm above the March 1999 flood level as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme) unless Council has exercised discretion in accordance with Clause 4.11.4.1 (e); or
- (vi) The development will not detrimentally obstruct the free passage of floodwater to the satisfaction of the Department of Water and the local government; and
- (vii) The applicant demonstrates that the design of any new development and/or nature of the land use will not detrimentally impact, alter or modify the extent of flood impact and existing flooding regime (as defined in the Moora Floodplain Definition Study) to the satisfaction of the Department of Water and the local government.

(c) Any development or use of land and building envelopes shall be located to:

- (i) Maximise use of areas available on a lot that are located outside of the High Flood Hazard Area and/or Floodplain Area as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme); or



- (ii) Maximise use of the lowest flood hazard area where a lot has no available area outside of, or is traversed by both, the High Flood Hazard area and Floodplain area as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme).
  - (d) Any building and/or structure on a lot in Special Control Area 1, (inclusive of development located outside of the High Flood Hazard Area and/or Floodplain Area as outlined on the Flood Zone Classifications map), shall have a finished floor level not less than 300mm above the March 1999 flood level as shown on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme) unless Council has exercised discretion in accordance with Clause 4.11.4.1 (e).
  - (e) Council has discretion to consider a minimum finished floor level less than 300mm above the March 1999 flood levels where the local government determines that:
    - (i) The non habitable buildings and structures are infill development in the Town Centre zone (with a minimum FFL of 0.15 metres above the March 1999 flood levels); or
    - (ii) The proposed development is a minor extension to an existing building or structure already approved and constructed; or
    - (iii) The non habitable building or structure is ancillary development to a dwelling on the same lot inclusive of a carport, garage, patio, pergola, gazebo, and outbuilding; and
    - (iv) The local government considers fill is impractical and/or will have a negative impact on an established streetscape.
  - (f) The minimum finished floor levels outlined in Clause 4.11.4.1 (d) and Clause 4.11.4.1 (e) are not a standard or requirement for the purpose of Clause 4.4.2.
- 4.11.4.2 Council may refuse an application for any development or use of land within the High Flood Hazard Area and Floodplain Area as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme) where, in the opinion of the Department of Water and local government, it has potential to detrimentally impact on the existing flooding regime during an event similar in magnitude to the March 1999 event (as defined in the Moora Floodplain Definition Study).
- 4.11.4.3 All applications will be considered having regard for other relevant planning matters in accordance with Clause 7.5.
- 4.11.4.4 On-site effluent disposal treatment or disposal

**COMMENT:**

With reference to the above Special Control areas relating to the Moora Flood Plain requirements Council has discretion to reduce the Finished Floor Level (FFL) to 0.15 above the March 1999 flood level if the building structure is not a residential dwelling. In this case it is an open covered area with no covering on walls which would allow flood waters to pass through the building unobstructed.

**POLICY REQUIREMENTS:**

There are no policy requirements related to this item.

**LEGISLATIVE REQUIREMENTS:**

Shire of Moora Town Planning Scheme No 4 (Amendment 10).

**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

**COUNCIL RESOLUTION**

*114/15 Moved Cr Holliday, seconded Cr McLagan that Council approve the Town Planning Application submitted by Lorn McKinnon to construct an unenclosed steel 10m x 6m shed at Lot 3 Long Street, Moora subject to the following conditions:*

- *That the Finished Floor Level be 0.15m above the March 1999 Flood Level. This information can be obtained from the Department of Water.*
- *This Town Planning Approval is not a building approval so a Building Application is required by the Shire Building Department.*
- *No second-hand materials are to be used in the construction of the shed.*
- *Any deviation from the plans provided in the application will require another Town Planning Application being provided to the Shire for approval.*

**CARRIED 8 / 0**

**9.2.6 17 MELBOURNE STREET, MOORA – HOME BUSINESS HIRE EQUIPMENT**

**FILE REFERENCE:** TP/PA07/1516

**REPORT DATE:** 13 August 2015

**APPLICANT/PROPONENT:** Robert Machin

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Peter Williams, Manager Development Services

**ATTACHMENTS:** Plans

**PURPOSE OF REPORT:**

An application has been received by the Shire's Development Services Department from Mr Robert Machin (the proponent) requesting permission to operate a Home Business hire business, hiring out trailers and garden equipment in a residential zone area of the town of Moora at Lot 1/17 Melbourne Street.

**BACKGROUND:**

Lot 1/17 Melbourne Street is one of the larger blocks and the rear of the yard is adjacent to the end of Burns Place. Mr Robert Machin owner of the business and proponent proposes to hire out trailers and garden equipment to the public, initially from the rear of the residential address at Lot 1/17 Melbourne Street which is owned by Mr Samuel and Mrs Jaymi Fox-Gray. It is proposed that to start the business and see if it is something that might take off in Moora. If the business is successful the business will be moved up to the industrial area. The residents at Lot 1/17 Melbourne Street, Samuel & Jaymi Fox-Gray who are friends of the proponent, will be responsible for operating the business in Moora.

It is proposed to use the rear of the property to store the equipment in a lockable shed (established) from which the public will come and pick up and return the equipment. Operating times of the business will be from 08:00am to 16:00pm 7 days a week.

**COMMENT:**

Like all hire businesses hiring out lawn mowers, wipper snippers, chain saws, generators and the like there will be noise from the starting up of motors and equipment. It is advised that no maintenance will be carried out on any of the equipment at the property as the owners of the business will be picking up the equipment and taking it back to Eneabba where he runs a similar business.

This is a trial to see if there is a market for this type of business. Mr Machin is hoping that the business takes off so he and his family can move to Moora and set up the business in the Industrial area. Mr Machin's children are reaching High School age and he hopes to enrol them in Central Midlands Senior High School.

The Environmental (Noise) Regulations 1997 could be invoked with the starting up of equipment. The operating times of the business is from 08:00am to 16:00pm 7 days a week, which for this type of business is reasonable; however, in the residential area could be an issue.

**POLICY REQUIREMENTS:**

There are no policy implications for this item

**LEGISLATIVE REQUIREMENTS:**

Environmental (Noise) Regulations 1997

**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

**COUNCIL RESOLUTION**

*115/15 Moved Cr Hawkins, seconded Cr Holliday that Council approve the application by proponent Mr Robert Machin to operate a home business, hire business of small trailers and garden equipment at Lot 1/17 Melbourne Street, Moora, on a 12 month temporary basis, subject to the following conditions:*

- *Business is carried out between the hours of 08:00am to 16:00pm seven days a week;*
- *No maintenance of plant & equipment will be carried out at the property;*
- *This application only relates to buildings currently on the property;*
- *Council reserves the right to immediately revoke the approval should the business be found to disrupt the adjacent residential area amenity.*

**CARRIED 8 / 0**

**9.3 ENGINEERING SERVICES****9.3.1 CALLING OF TENDERS – ROAD SEALING AGGREGATE, BITUMEN PRODUCTS AND ROAD STABILISATION**

**FILE REFERENCE:** L/TERI

**REPORT DATE:** 24 July 2015

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** John Greay, Manager Engineering Services

**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

Approval for the calling of tenders as per council's policy manual.

**BACKGROUND:**

Tenders are called throughout the year for various commodities etc. using historic documentation. This year council will, as has been the case in the past, require the services of various companies to assist with their road building activities.

To undertake Councils road sealing and road works programme, it is necessary to call tenders for aggregate, bitumen and road stabilising for the current year.

**COMMENT:**

It is considered desirable for Council to conform to the WALGA tender proforma when calling tenders for various requirements throughout the year for a value greater than \$100,000 including GST.

Council at the moment needs to call tenders for the supply and delivery of road sealing aggregate, supply and spray of bitumen products and the incorporation of road stabilisation products into the road pavement.

The WALGA proforma tender document will be used for this process.

### **Road Sealing Aggregate**

Council will require approximately 1950 tonne of 14mm, 750 tonne of 10mm, 1750 tonne of 7mm road sealing aggregate for their road programme this year.

### **Supply and Spray of Bitumen Products**

To carry out the road sealing programme this year Council requires approximately 357,000 litres of bitumen supplied and sprayed.

### **Road Stabilising**

To carry our road stabilising to various identified road projects within the budget – approximately 128,000m<sup>2</sup>.

### **POLICY REQUIREMENTS:**

Nil

### **LEGISLATIVE REQUIREMENTS:**

Section 3.57 of the Local Government Act 1995

Regulations 11 (1) & 18 of the Local Government (Functions & General) Regulations 1996

### **STRATEGIC IMPLICATIONS:**

Council needs to continue with the upgrading and maintenance of their road network.

### **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:**

Allowances have been provided within this year's budget and Works Programme.

### **VOTING REQUIREMENTS**

Absolute Majority Required

## **COUNCIL RESOLUTION**

***116/15 Moved Cr McLagan, seconded Cr Seymour that pursuant to Regulation 11(1) Local Government (Functions & General) Regulations 1996, Council authorises the calling of tenders for the supply and delivery of road sealing aggregate, supply and spray of bitumen products and road stabilisation which are budgeted for in the 2015-16 financial year, based on the WALGA Proforma Tender documentation.***

**CARRIED BY ABSOLUTE MAJORITY 8 / 0**

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

Nil

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

Nil

**12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

**13. CLOSURE OF MEETING**

*There being no further business, the President declared the meeting closed at 6.30pm.*

**CONFIRMED**

**PRESIDING MEMBER**