

**Shire of Moora  
Ordinary Council Meeting  
23<sup>rd</sup> November 2016**

**NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora  
will be held on **Wednesday 23<sup>rd</sup> November 2016**  
in the Council Chambers, 34 Padbury Street, Moora  
commencing at **5.30 pm**



AJ Leeson  
Chief Executive Officer

18<sup>th</sup> November 2016

## **The Shire of Moora Vision and Mission Statement**

### **Vision**

Our vision is that:

***The Moora region will be a place of brilliant opportunity over the next twenty years. Sustainable growth will result in a vibrant, healthy, wealthy and diverse community.***

### **Mission**

Our mission is:

***To identify and stimulate growth through creative leadership and a willingness to get things done.***

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

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

Dear Sir/Madam,

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

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

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

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

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

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

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

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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**  
**23 NOVEMBER 2016**  
 COMMENCING AT 5.30PM

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Separate Attachments

9.1.1 List of Payments Authorised Under Delegation 1.31

9.1.2 Statement of Financial Activity for Period Ended 31 October 2016

9.2.1 Plans

10.1 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****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 - 19 OCTOBER 2016**

*That the Minutes of the Ordinary Meeting of Council held on 19 October 2016 be confirmed as a true and correct record of the meeting.*

**8.2 SPECIAL COUNCIL MEETING - 16 NOVEMBER 2016**

*That the Minutes of the Ordinary Meeting of Council held on 16 November 2016 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:** 16 November 2016

**OFFICER DISCLOSURE OF INTEREST:** Nil

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

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



**RECOMMENDATION**

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

<b><i>Municipal Fund</i></b>	<b><i>Cheques 62193 to 62204</i></b>	<b><i>\$18,557.23</i></b>
	<b><i>EFT 16351 to 16579</i></b>	<b><i>\$866,094.70</i></b>
	<b><i>Credit Card 15/09/13 to 14/10/13</i></b>	<b><i>\$2,627.38</i></b>
	<b><i>Net Pays – PPE 04/10/16</i></b>	<b><i>\$94,309.73</i></b>
	<b><i>Net Pays – PPE 18/10/16</i></b>	<b><i>\$95,042.57</i></b>
	<b><i>Direct Debits 10834.1 to 10873.15</i></b>	<b><i>\$51,913.60</i></b>
<b><i>Trust Fund</i></b>	<b><i>Cheques 5216 to 5226</i></b>	<b><i>\$1,406.60</i></b>
<b><i>Total</i></b>		<b><i><u>\$1,129,951.81</u></i></b>

**9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 OCTOBER 2016**

**REPORT DATE:** 16 November 2016

**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 October 2016

**PURPOSE OF REPORT:**

To note and receive the Statement of Financial Activity for the period ended 31 October 2016.

**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 2016/17 adopted budget.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

*That Council notes and receives the Statement of Financial Activity for the period ended 31 October 2016.*

### 9.1.3 **72 PADBURY STREET – LOCAL GOVERNMENT ACT SALE**

**FILE REFERENCE:** PA/16

**REPORT DATE:** 16 November 2016

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

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

**ATTACHMENTS:** Nil

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

Council is to exercise its power of sale over 72 Padbury Street, Moora in attempt to recover outstanding rates and charges.

#### **BACKGROUND:**

1. Central Midlands Aboriginal Progressive Association Inc. (“Owner”) is the registered proprietor of 72 Padbury Street, Moora and currently owes the Shire the sum of \$33,137.57 being unpaid rates, service charges, interest and legal costs.
2. The sum of \$16,258.52 has been outstanding for over three years.
3. The Shire of Moora commenced proceedings against the Owner in the Magistrates Court of Western Australia of 22 March 2016 for the sum of \$26,154.09.

#### **COMMENT:**

Council is not required to pass a resolution to exercise its power of sale where recovery attempts through the Court have occurred within the past three years.

Despite the above and in the absence of any Shire policy in relation to exercising the Shire’s power of sale, it is suggested the matter is put to Council and the reasons for the Council’s decision be recorded in the minutes of the meeting where the decision is made.

#### **POLICY REQUIREMENTS:**

Nil

#### **LEGISLATIVE REQUIREMENTS:**

Part 6 Subdivision 6 of the *Local Government Act 1995 (WA)*.

#### **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:**

All legal costs incurred are fully recoverable from the proceeds of sale of the property.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

*That pursuant to section 6.68(2)(b) of the Local Government Act 1995 (WA) Council resolves to exercise its power of sale under Part 6 Subdivision 6 of the Local Government Act 1995 (WA) over 72 Padbury Street, Moora, noting that the Shire of Moora has attempted to recover the outstanding money by commencing proceedings in the Magistrates Court of WA under section 6.56 of the Local Government Act 1995 (WA).*

## **9.1.4 LONG TERM CARAVAN BAYS – MILING CARAVAN PARK**

**REPORT DATE:** 17 November 2016  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Alan Leeson, Chief Executive Officer  
**ATTACHMENTS:** Nil

### **PURPOSE OF REPORT:**

For Council to approve the provision of long term caravan bays at the Miling Caravan Park.

### **BACKGROUND:**

Councils Caretaker at Miling Caravan Park Mary Greening has advised there is strong interest in long term occupation at the caravan park as a result of the Great Northern Highway upgrade works.

### **COMMENT:**

Council doesn't have a policy in terms of long term stay requests. Miling Caravan Park currently has a total of 12 bays. It is recommended in this instance that Council approve of no more than 4 long term bays at Miling Caravan Park for the duration of the Great Northern Highway project

### **POLICY REQUIREMENTS:**

Council does not have a policy in relation to this matter

### **LEGISLATIVE REQUIREMENTS:**

Caravan Parks and Camping Grounds Regulations 1997. The allocation of bays under these regulations is not specified.

### **STRATEGIC IMPLICATIONS:**

#### **Outcome 4.1: A strong and diversified economic base.**

Strategy 4.1.1: Facilitate the development and implementation of a regional economic development strategy, thus ensuring Moora is positioned strongly to service the region.

Strategy 4.1.2: Promote and support local industry development initiatives.

Strategy 4.1.3: Facilitate affordable housing and accommodation initiatives.

Strategy 4.1.4: Ensure the provision of serviced commercial, industrial and residential land.

Strategy 4.1.5: Promote and market the benefits of working and living in the Shire.

### **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 known financial implications associated with this item.

**SUMMARY:**

Permanents for the duration of the Great Northern Highway upgrade project will provide a stimulus to the local economy. Council will of course reserve the right to review the allocation of permanent bays as it sees fit. This will be incorporated to occupation arrangements.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

*That Council approve the allocation of up to 4 permanent caravan bays at the Miling Caravan Park for the duration of the Great Northern Highway upgrade project, noting that Council reserves the right to review this allocation at any time its sees fit.*

## **9.2 DEVELOPMENT SERVICES**

### **9.2.1 LOTS 30, 31 BERKSHIRE VALLEY ROAD – JUNCTION HOTEL 2 EXTRA ENSUITE ACCOMMODATION UNITS**

**FILE REFERENCE:** TP/PA16/1617

**REPORT DATE:** 17 November 2016

**APPLICANT/PROPONENT:** Wayne Stephens

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

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

**ATTACHMENTS:** Plans

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

Council to consider an application received from proponent Mr Wayne Stephens requesting to install two extra 2 bedroom ensuited accommodation units at their business premises the Junction Hotel located at Lots 30 & 31 Berkshire Valley Road, Moora.

#### **BACKGROUND:**

The proponent is seeking Council approval to install an additional two second-hand transportable units each containing two ensuite rooms in each unit making an additional 4 ensuited rooms for the hotel to meet the demands of the hotel. It is advised that the second hand transportable units will be painted and finished to a high quality standard.

Lots 30 & 31 Berkshire Valley Road are located in the Town Centre Zone for which the objectives are:

#### **Town Centre Zone Objectives**

- (a) to ensure the town centre remains the principal place for retail, commercial, civic, and administrative functions within the district.
- (b) to encourage development will not adversely affect local amenities, and will enhance the character of the town centre.
- (c) to provide sufficient parking spaces for vehicles without compromising pedestrian movements through the town centre.
- (d) to provide an increased level of public amenities including public toilets, shaded areas, and street furniture.

This is an acceptable use for this business in this particular zone

#### **COMMENT:**

The addition of an extra 4 bedroom ensuited rooms will add to the attractiveness of the Hotel to provide accommodation to couples and singles alike and add to the businesses' viability to compete with other accommodation in town.

It is recommended that this application be approved.

#### **POLICY REQUIREMENTS:**

There are no policy requirements for this item.

#### **LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements related to this item.



**STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

**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

**RECOMMENDATION**

*That Council approve the application by proponent Mr Wayne Stephens of the Junction Hotel located at Lots 30 & 31 Berkshire Valley Road, Moora to install two second hand, two bedrooms with ensuites accommodation units at the rear of the hotel at the locations as identified on the submitted plans subject to the following conditions:*

- *4 sealed and line marked parking bays be provided for guest parking;*
- *The second hand units are painted and finished to a high quality standard and maintained to a high standard with quality bedding materials that are regularly serviced and cleaned;*
- *All units are to be provided with hard wired smoke alarms and RCD's;*
- *Each room is to be numbered so patrons can easily identify their rooms;*
- *Outside lighting is to be provided to allow guests to safely find their way to their rooms of a night time.*

## 9.2.2 REZONING OF LOT 68 MELBOURNE STREET TO TOWN CENTRE ZONE

**FILE REFERENCE:** TP/PA17/1617

**REPORT DATE:** 17 November 2016

**APPLICANT/PROPONENT:** Mr Chris Bein

**OFFICER DISCLOSURE OF INTEREST:** Nil

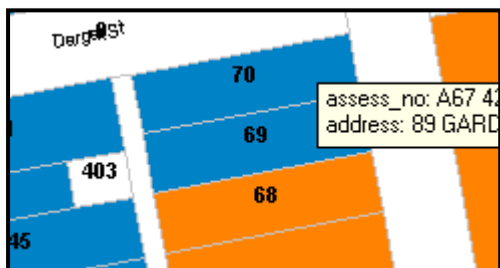
**PREVIOUS MEETING REFERENCES:** Nil

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

**ATTACHMENTS:** Nil

### **PURPOSE OF REPORT:**

Council to consider giving its assent to a request by proponent Mr Chris Bein to rezone his block of land Lot 68 Melbourne Street, Moora, from Residential Zone to Town Centre Zone.



### **BACKGROUND:**

The proponent Mr Bein owns two properties in Melbourne Street Lot 69 which is zoned as Town Centre Zone on which he has his upholstery business and the block next door which is zoned as Residential Zone.

Mr Bein is looking to rezone this property in order to increase the potential to sell the property by making it more viable to purchasers.

### **Town Centre Zone Objectives**

- (a) to ensure the town centre remains the principal place for retail, commercial, civic, and administrative functions within the district.
- (b) to encourage development will not adversely affect local amenities, and will enhance the character of the town centre.
- (c) to provide sufficient parking spaces for vehicles without compromising pedestrian movements through the town centre.
- (d) to provide an increased level of public amenities including public toilets, shaded areas, and street furniture.

### **Residential Zone 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.

Lot 68 is on the border of the Residential Zone and the Town Centre Zone in Melbourne Street and is currently vacant, located next door to 44 Melbourne Street which is a Shire residence.

**COMMENT:**

This zoning process is the responsibility of the owner of the property to apply for Council approval. Once Council approval is obtained the owner then engages a Planning Consultant to develop the process that will be presented to Council to enable Council to send it to the Planning Commission for approval. The application has to be advertised to the community for a period of 42 days which is also the responsibility of the owner.

**Initiation of Scheme amendment / re-zoning by Council**

The local government may formally initiate an amendment to its local town planning scheme. A formal Scheme Amendment request and amendment documents must be submitted to the Council in writing.

The Council will consider the proposed amendment and can resolve:

- (a) Not to pursue a formal amendment to the Town Planning Scheme; or
- (b) To amend the Town Planning Scheme.

Council also has to determine if the amendment is simple, standard or complex.

**Note: If a scheme amendment is not initiated by Council, the applicant can refer the amendment to the Minister for Planning. The Minister has powers to require the Council to proceed with an amendment.**

**Referral of Amendment to EPA (compulsory)**

If Council resolves to amend the Town Planning Scheme, the amendment must be referred to the Environmental Protection Authority (EPA) for consideration. The local government cannot further progress the amendment until it has received formal advice from the EPA that no formal environmental assessment is required.

**Advertising of the Amendment**

Standard Amendment - Once advice from the EPA is received, the local government will advertise a standard amendment for 42 days.

Complex Amendment –the local government must refer any complex amendment to the WAPC prior to advertising the amendment. Advertising is for 60 days.

Advertising of an amendment may include:

- (a) a notice being placed in an official local newspaper circulating in the district;
- (b) signs being placed on the subject land (optional);
- (c) nearby and affected landowners being notified in writing of the proposal and invited to lodge written submissions;
- (d) Letters to authorities such as Western Power, Water Corporation, Telstra, or any relevant authority.
- (e) Any other requirement it sees fit.

The local government may require the applicant to pay for any advertising costs.

**Referral of Amendment to Council following advertising, to consider adopting the amendment for final approval (and all submissions lodged during advertising).**

At the conclusion of the advertising period, a summary of all the submissions lodged in respect of the amendment proposal are referred to the Council for its consideration.

A Schedule of Submissions (a summary of submissions) is included as part of a report for the Council that includes an analysis of the various arguments made for and against the proposed amendment.

The Council may resolve to:

- (a) not support the amendment any further because of the strength and the validity of the submissions lodged against the proposal and seek the consent of the Minister of Planning to refuse the amendment; or
- (b) Note the submissions however adopt the amendment for final approval; or
- (c) Adopt the amendment in a modified form.

### **Lodgement of the Amendment with the Western Australian Planning Commission - Seeking final approval from the Minister for Planning**

The amendment has to be lodged by the local government with the Western Australian Planning Commission, with a formal request that the Minister for Planning grant final approval to the amendment.

The local government lodges a copy of all the original submissions; the Schedule of Submissions; and Council's decision on each submission, and the Council's final decision with the WAPC. The WAPC has an amendment checklist to be completed by the local government and lodged with requests seeking final approval. The WAPC prepares a report and recommendation for the Minister of Planning to consider.

### ***Final Approval of the Minister of Planning***

The Minister may approve the amendment outright, may refuse to approve the amendment until modifications are undertaken or refuse the amendment outright. The WAPC will advise the local government of the Ministers decision, and of any modifications required to the amendment documents.

If modifications are required, then the WAPC will check all modifications made to the amendment document, before the amendment is re-presented to the Minister for final approval.

If the Hon. Minister grants final approval to the amendment, it takes effect from the date of publication of the final approval notice in the Government Gazette. The Gazettal of the Amendment is organised through State Law Publisher by the local government. The local government is responsible for publishing notification of the Ministers decision in an official newspaper.

**Advice given by the Shire's Planning Consultant is that the Planning Department are not in favour of granting approval for one off zoning applications. This process is better dealt with at the Town Planning Review process where it is dealt with in context with the whole of the Town and its zoning.**

**Council may vote to approve this application but it is not guaranteed to be approved by the Planning Department.**

### **POLICY REQUIREMENTS:**

There are no Policy requirements for this item

**LEGISLATIVE REQUIREMENTS:**

Town Planning Act

**STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal should there be any these will be identified at the advertising stage.

**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 as the cost will be above normal beer prices so will be more attractive to Tourists.

**FINANCIAL IMPLICATIONS:**

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

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

*That Council approve the intention by proponent Mr Chris Bein to rezone his block located at Lot 68 Melbourne Street, Moora from Residential Zone to Town Centre Zone subject to the following conditions:*

- *Proponent engages a Planning Consultant to provide the necessary expertise to provide an application for rezoning to the Shire of Moora that is acceptable to the Department of Planning requirements;*
- *Payment of necessary fees to Council, dependent on cost of project;*
- *Once an application for an amendment has been approved by the Environmental Protection Authority the Amendment is to be advertised to the public at the proponents expense for a period of 42 days;*
- *Subject to no objections, the application will be sent for approval to the Department of Planning.*

**10. REPORTS OF COMMITTEES****GENERAL PURPOSE COMMITTEE MEETING – 2 NOVEMBER 2016****10.1 NEW DWELLING LOT 3498 BINDI BINDI EAST ROAD, BINDI BINDI**

**FILE REFERENCE:** TP/PA14/1617

**REPORT DATE:** 26 October 2016

**APPLICANT/PROPONENT:** Stallion Homes on behalf of Hassad Australia Pty Ltd

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

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

**ATTACHMENTS:** Plans

**PURPOSE OF REPORT:**

For Council to consider an application from Stallion Homes to construct a new dwelling at Lot 498 Bindi Bindi East Road, Bindi Bindi in the General Agriculture Zone.

**BACKGROUND:**

The Proponent, Stallion Homes is constructing a new dwelling for their client Hassad Australia Pty Ltd on their property at Lot 3498 Bindi Bindi East Road, Bindi Bindi. This area is located in the General Agricultural Zone to the east of the Shire. A Residential dwelling in the General Agriculture Zone has a “D” Classification in the Shire Zoning Table which means that the use is not permitted unless the Local Government has exercised its discretion by granting approval.

The building is a 4 bedroom, 2 bathroom, timber framed and weatherboard clad with a colour bond roof. It is the only building on the property.

**COMMENT:**

The siting of the dwelling meets setback requirements for the zone requirements, this is the only dwelling on the property and it will be used as the manager’s residence for the property. Recommended that this application be approved by Council.

**POLICY REQUIREMENTS:**

There are no known policy implications for this item.

**LEGISLATIVE REQUIREMENTS:**

There are no known legislative implications for this item.

**STRATEGIC IMPLICATIONS:**

There are no known strategic implications for this item.

**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 known financial implications for this property.

**VOTING REQUIREMENTS**

Simple Majority Required

**COMMITTEE RECOMMENDATION**

*That Council approve the Town Planning application submitted by the proponent Stallion Homes on behalf of Hassad Australia Pty Ltd to construct a new 4 bedroom 2 bathroom timber framed and timber clad dwelling with colour bond roof to be located at Lot 3498 Bindi Bindi East Road, Bindi Bindi subject to the following conditions:*

- 1. This is not a building application, 2 sets of building plans in the approved manner are required to be submitted to the Shire Building Surveyor for approval.*
- 2. An approved effluent disposal system in compliance with the Health Treatment (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974 for a 4 bedroom house is required to be submitted to the Shire of Moora Manager Development Services for approval.*
- 3. Any sheds or outbuildings that constitute a workplace i.e. Shearing shed, mechanical workshop requires a building application;*
- 4. Should there be any changes to the plans submitted for approval in relation to this development application the Shire's Manager of Development Services is required to be notified.*

11. **ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
12. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**
13. **MATTERS FOR WHICH THE MEETING MAY BE CLOSED**
14. **CLOSURE OF MEETING**