

**Shire of Moora**  
**Ordinary Council Meeting**  
**11<sup>th</sup> December 2019**

**NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora  
will be held on **Wednesday 11<sup>th</sup> December 2019**  
in the Council Chambers, 34 Padbury Street, Moora  
commencing at **5.30 pm**



AJ Leeson  
Chief Executive Officer

6<sup>th</sup> December 2019

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

### **Vision**

Our vision is:

***Shire of Moora - a vibrant, affordable Regional Centre with a growing, caring community.***

### **Mission**

Our mission is:

***To provide the leadership, services and infrastructure that will meet the needs of the community and surrounds.***

**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**  
**11 DECEMBER 2019**  
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 30 November 2019*  
9.1.7 *RFT 04/19 Preparation of Local Planning Strategy tender document*

**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 - 20 NOVEMBER 2019**

*That the Minutes of the Ordinary Meeting of Council held on 20 November 2019 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:** 4 December 2019

**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



**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 62430 to 62432</i></b>	<b><i>\$25,214.26</i></b>
	<b><i>EFT 22357 to 22545</i></b>	<b><i>\$598,938.07</i></b>
	<b><i>Credit Card 03/10/19 to 03/11/19</i></b>	<b><i>\$3,009.02</i></b>
	<b><i>Direct Debits 12942.1 to 12977.11</i></b>	<b><i>\$64,224.84</i></b>
	<b><i>Net Pays – PPE 12/11/19</i></b>	<b><i>\$101,368.56</i></b>
	<b><i>Net Pays – PPE 26/11/19</i></b>	<b><i>\$119,359.80</i></b>
<b><i>Trust Fund</i></b>	<b><i>Cheques 5513 to 5523</i></b>	<b><i>\$3,903.68</i></b>
<b><i>Total</i></b>		<b><i><u>\$916,018.23</u></i></b>

**9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 NOVEMBER 2019**

**REPORT DATE:** 6 December 2019

**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 30 November 2019.

**PURPOSE OF REPORT:**

To note and receive the Statement of Financial Activity for the period ended 30 November 2019.

**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 2019/20 adopted budget.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

*That Council notes and receives the Statement of Financial Activity for the period ended 30 November 2019.*

**9.1.3 OFFER TO PURCHASE LOT 11 GREAT NORTHERN HIGHWAY, BINDI BINDI**

**FILE REFERENCE:** PA/972

**REPORT DATE:** 11 November 2019

**APPLICANTS/PROPONENT:** Stephen Butcher

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** 20/2/19 (10/19)

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

**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

To consider an offer to purchase Lot 11 Great Northern Highway (the “Property”) for \$3,000.

**BACKGROUND:**

The Property was listed for Sale in March 2019 with Central Midlands Realty. It is a vacant block situated within the town site of Bindi Bindi and zoned Rural Townsite. The Property area size is 1012m<sup>2</sup>. The Property is not serviced by water or electricity, nor is there a water pipe or transmission line that runs past the property.

**COMMENT:**

As per Section 3.58(3) of the LGA, if Council wishes to accept the offer, it must give local public notice of the proposed disposition inviting public submissions for no less than two weeks. The notice will include details of the property concerned, names of all parties concerned, the consideration to be received and the market value of the property as ascertained by a valuation carried out and declared by resolution of the Shire.

There are challenges receiving a meaningful and reliable valuation for vacant lots in Bindi Bindi. An Independent Valuation can be expensive, \$2,000-\$2,500, and the contracted Valuers, usually not from Moora, may only have little knowledge of the local market and would rely on a very small sample base for their assessment due to low sale volumes in the area. For this reason, a market estimate was provided by Central Midlands Realty based on their experience in the Shire. This estimate was \$5,000 for the Property.

Considering that no other offers have been made to date it is recommended that the disposition of the Property for \$3,000 be advertised which will allow Council to accept the offer of sale after the two-week public notice period.

**POLICY REQUIREMENTS:**

Nil

**LEGISLATIVE REQUIREMENTS:**

Section 3.58(3) Local Government Act 1995

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 submission 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 submission made to it before the date specified in the notice and, if its decision is made by the council or committee, the decision and the reason for it are recorded in the minutes of the meeting at which the decision was made.

#### 3.58(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 of not more than 6 months before the proposed disposition; or
  - (ii) as declared by a resolution of the local government on the basis the 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.

#### **STRATEGIC IMPLICATIONS:**

Outcome 4.1 of the Shire Community Plan refers to ‘A Strong and diversified economic base’. The sale and provision of commercial land is a strategic strategy of the Shire as detailed in strategy 4.1.4.

#### **SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are no known significant environmental implications associated with this proposal.
- **Economic**  
Providing serviced industrial lots for sale will help promote the growth of existing business or the establishment of new business operations in Moora.
- **Social**  
There are no known significant social implications associated with this proposal.

#### **FINANCIAL IMPLICATIONS:**

The Shire will receive unbudgeted proceeds of \$3,000 (less sale costs) from the sale of the Property in addition to annual rates.

#### **VOTING REQUIREMENTS**

Simple Majority Required

#### **RECOMMENDATION**

*That before agreeing to the disposition of Lot 11 Great Northern Highway, Bindi Bindi of title Volume 1180 Folio 492 the subject of Diagram D19287, as per section 3.58(3) of the Local Government Act 1995 the Shire of Moora give local public notice of the proposed disposition for \$3,000 to Stephen Butcher inviting public submissions for no less than two-weeks.*

**9.1.4 AUTHORITY TO SELL – LGA AUCTIONS 13 DECEMBER 2019****FILE REFERENCE:** PA/869 & PA/915**REPORT DATE:** 6 December 2019**APPLICANT/PROPONENT:** Nil**OFFICER DISCLOSURE OF INTEREST:** Nil**PREVIOUS MEETING REFERENCES:** 19/9/18 (112/18) and 15/8/18 (97/18)**AUTHOR:** David Trevaskis, Deputy Chief Executive Officer**ATTACHMENTS:** Nil**PURPOSE OF REPORT:**

For Council to authorise the Chief Executive Officer, Alan Leeson and / or the Deputy Chief Executive Officer, David Trevaskis to enter into contracts for sale for the property listed below.

**BACKGROUND:**

Under section 6.64 of the *Local Government Act 1995 (WA)*, as rates and service charges have been owing for a period of at least 3 years the Shire of Moora has taken possession of, and is to offer for sale by public auction, the following properties:

Description of land and lot or location number	Lot 66
Plan or Diagram Number	Deposited Plan 162816
Title Reference	Volume 1318 Folio 136
Area	1,061m <sup>2</sup>
Street	Lot 66 York Street, Watheroo
Description of improvement, if any	House
Name of Owner	Frank Steven Osborne
Names of other persons appearing to have an estate or interest	Chequecash Pty Ltd
Rates/service charges outstanding	\$11,903.84
Other charges due on the land	Legal Charges - \$7,364.17 Emergency Services Levy - \$504.00 Emergency Services Levy Interest – \$178.68 Administration Fees - \$58.00

Description of land and lot or location number	Lot 50, portion of Melbourne Location 931
Plan or Diagram Number	Diagram 14172
Title Reference	Volume 1142 Folio 348
Area	1060m <sup>2</sup>
Street	Lot 50 Ferguson Street, Miling
Description of improvement, if any	Vacant Land
Name of Owner	Miling Community Advancement Association Incorporated of Miling
Names of other persons appearing to have an estate or interest	N/A
Rates/service charges outstanding	\$7,397.76
Other charges due on the land	Legal Charges - \$2,359.45 Emergency Services Levy - \$822.00 Emergency Services Levy Interest – \$276.95

**LEGISLATIVE REQUIREMENTS:**

9.49A of the Local Government Act 1995 (WA)

**STRATEGIC IMPLICATIONS:**

To ensure the effective and efficient provision of corporate and administrative services including the collection of rates and service charges.

**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:**

The sale of this land will potentially equate to a decrease in the level of outstanding rates of \$30,864.85 including all rates, service charges, legal charges, ESL and penalty interest owed on the property.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

*That pursuant to section 9.49A of the Local Government Act 1995 (WA), Council resolves to authorise David Trevaskis and / or Alan Leeson either jointly or severally to enter into, perform, execute and carry out on behalf of the Shire of Moora any contracts and / or auction particulars and conditions of sale of freehold property Lot 66 York Street, Watheroo and Lot 50 Ferguson Street, Miling as they think fit, and to rescind or vary any contracts as and when they think fit.*

**9.1.5 RE-VEST LAND TO THE CROWN**

**FILE REFERENCE:** PA/6140

**REPORT DATE:** 6 December 2019

**APPLICANTS/PROPONENT:** Shire of Moora

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** 15/4/15 (40/15)

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

**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

To re-vest Lot 89 Gardiner Street, Moora, to the Crown in right of the State of Western Australia due to unpaid rates.

**BACKGROUND:**

1. Jane Robinson (“**Owner**”) is the registered proprietor of Lot 89 on Plan 3166 being the whole of the land contained in Certificate of Title Volume 547 Folio 29, more commonly known as Lot 89 Gardiner Street, Moora, in the State of Western Australia (“**Property**”);
2. The Owner is believed to be deceased;
3. The Shire caused their representative, CS Legal, to conduct searches to locate any beneficiaries of the Owner, which yielded no results;
4. As at 22 November 2019, the Owner owes the Shire the sum of \$14,348.33 being outstanding local government rates, service charges, interest and other charges (“**Arrears**”) payable to the Shire under the provisions of the *Local Government Act 1995* (WA); and
5. A portion of the Arrears have been outstanding for a period of at least three years.

**COMMENT:**

The vacant lot forms part of the Candy’s bush reserve.

**POLICY REQUIREMENTS:**

Nil

**LEGISLATIVE REQUIREMENTS:**

Section 6.74 of the Local Government Act 1995 (WA)

**STRATEGIC IMPLICATIONS:**

To ensure the effective and efficient provision of corporate and administrative services including the collection of rates and service charges.

**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:**

At 30 November 2019 \$14,348 of rates, service charges and other fees were owed to the Shire.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

*That pursuant to section 6.74 of the Local Government Act 1995 (WA), Council resolves to re-vest Lot 89 Gardiner Street, Moora, to the Crown in right of the State of Western Australia as rates and service charges have been unpaid for a period of at least 3 years noting that the Shire of Moora has previously made attempts to locate the owner Jane Robinson and any prospective beneficiaries of her estate.*



**9.1.6 OFFER TO PURCHASE LOT 11 GREAT NORTHERN HIGHWAY, BINDI BINDI**

**FILE REFERENCE:** PA/972

**REPORT DATE:** 11 November 2019

**APPLICANTS/PROPONENT:** Stephen Butcher

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** 20/2/19 (10/19)

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

**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

To consider an offer to purchase Lot 11 Great Northern Highway (the “Property”) for \$3,000.

**BACKGROUND:**

The Property was listed for Sale in March 2019 with Central Midlands Realty. It is a vacant block situated within the town site of Bindi Bindi and zoned Rural Townsite. The Property area size is 1012 square metres. The Property is not serviced by water or electricity, nor is there a water pipe or transmission line that runs past the property.

**COMMENT:**

As per Section 3.58(3) of the LGA, if Council wishes to accept the offer, it must give local public notice of the proposed disposition inviting public submissions for no less than two weeks. The notice will include details of the property concerned, names of all parties concerned, the consideration to be received and the market value of the property as ascertained by a valuation carried out and declared by resolution of the Shire.

There are challenges receiving a meaningful and reliable valuation for vacant lots in Bindi Bindi. An Independent Valuation can be expensive, \$2,000-\$2,500, and the contracted Valuers, usually not from Moora, may only have little knowledge of the local market and would rely on a very small sample base for their assessment due to low sale volumes in the area. For this reason, a market estimate was provided by Central Midlands Realty based on their experience in the Shire. This estimate was \$5,000 for the Property.

Considering that no other offers have been made to date it is recommended that the disposition of the Property for \$3,000 be advertised which will allow Council to accept the offer of sale after the two-week public notice period.

**POLICY REQUIREMENTS:**

Nil

**LEGISLATIVE REQUIREMENTS:**

Section 3.58(3) Local Government Act 1995

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 submission 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 submission made to it before the date specified in the notice and, if its decision is made by the council or committee, the decision and the reason for it are recorded in the minutes of the meeting at which the decision was made.

### 3.58(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 of not more than 6 months before the proposed disposition; or
  - (ii) as declared by a resolution of the local government on the basis the 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.

### **STRATEGIC IMPLICATIONS:**

Outcome 4.1 of the Shire Community Plan refers to 'A Strong and diversified economic base'. The sale and provision of commercial land is a strategic strategy of the Shire as detailed in strategy 4.1.4.

### **SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are no known significant environmental implications associated with this proposal.
- **Economic**  
Providing serviced industrial lots for sale will help promote the growth of existing business or the establishment of new business operations in Moora.
- **Social**  
There are no known significant social implications associated with this proposal.

### **FINANCIAL IMPLICATIONS:**

The Shire will receive unbudgeted proceeds of \$3,000 (less sale costs) from the sale of the Property in addition to annual rates.

### **VOTING REQUIREMENTS**

Simple Majority Required

## **RECOMMENDATION**

*That before agreeing to the disposition of Lot 11 Great Northern Highway, Bindi Bindi of title Volume 1180 Folio 492 the subject of Diagram D19287, as per section 3.58(3) of the Local Government Act 1995 the Shire of Moora give local public notice of the proposed disposition for \$3,000 to Stephen Butcher inviting public submissions for no less than two-weeks.*

### **9.1.7 RFT 04/19 – PREPARATION OF LOCAL PLANNING STRATEGY**

**FILE REFERENCE:** L/TEN2-2

**REPORT DATE:** 5 December 2019

**APPLICANTS/PROPONENT:** Shire of Moora

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** 17/10/18 (126/18)

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

**ATTACHMENTS:** RFT 04/19 tender document;  
Evaluation and pricing schedule (under separate cover),  
Tender submissions (under separate cover)

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

To appoint a suitably qualified and experienced town planning consultant for the provision of consultancy services for the preparation of a Local Planning Strategy (LPS) for the Shire of Moora.

#### **BACKGROUND:**

Tenders were called for the provision of consultancy services to prepare a Local Planning Strategy for the Shire of Moora. Three tenders were received;

- Land Insights in conjunction with Edge Planning and Property;
- Urbis;
- Taylor Burrell Barnett

Under the Western Australian planning legislative framework, where a Planning Scheme zones and/or classifies land, there must be an LPS prepared. When the WAPC considers amendments to a Town Planning Scheme, the WAPC must be satisfied that such amendments are generally consistent with the LPS. At present, the Shire, through support from Landcorp and its operations, is currently undergoing major development projects which are currently not covered by the current LPS. It has now become necessary to commence preparation of a new LPS which covers the future development needs of the Shire as a whole.

The LPS provides the bridge between the broad scale state, regional and sub-regional plans and policies produced by the Western Australian Government, and the detailed local planning that provides specific guidance for the Shire of Moora's planning and development decision-making.

The LPS should recognise and have regard to a range of State and regional planning and policy documents. For the Shire of Moora this will include, as a minimum, but not limited to the following:

- The *State Planning Strategy*;
- All relevant State Planning Policies;
- The *Wheatbelt Planning and Infrastructure Framework (PIIF)*;
- The *Wheatbelt Blueprint*; and
- Any operational policies produced by the Western Australian Planning Commission (WAPC) that relates to land use planning and development in the Shire.

Any other strategic development initiatives that will or could have an impact on the future planning for the Shire should also be addressed (e.g. forward planning strategies relating to infrastructure capacity).

The preparation of an LPS for the Shire of Moora shall follow the guidance provided in the WAPC's *Local Planning Manual (2010)* to ensure all matters requiring consideration are covered in the LPS. The WAPC's expected minimum requirements are described in more detail below.

**COMMENT:**

Tenders have been assessed under the following criteria and weighting;

- Experience – 20%
- Methodology – 25%
- Capacity – 15%
- Price - 40%

Refer to attached evaluation and pricing schedule (under separate cover).

**POLICY REQUIREMENTS:**

Purchasing and Tender Policy 12 – Refer to Policy Manual

**LEGISLATIVE REQUIREMENTS:**

Part 3 - Functions of local governments (Division 3 - Executive functions of local governments) (Subdivision 6 - Various executive functions) 3.57. Tenders for providing goods or services.

**Planning and Development (Local Planning Scheme) Regulations 2015 – Part 3 – Local Planning Strategies**

**11. Requirement for local planning strategy for local planning scheme**

- (1) A local government must prepare a local planning strategy in accordance with this Part for each local planning scheme that is approved for land within the district of the local government.
- (2) A local planning strategy must —
  - (a) set out the long-term planning directions for the local government; and
  - (b) apply any State or regional planning policy that is relevant to the strategy; and
  - (c) provide the rationale for any zoning or classification of land under the local planning scheme.
- (3) A local planning strategy may be prepared concurrently with the local planning scheme to which it relates.

**12. Certification of draft local planning strategy**

- (1) Before advertising a draft local planning strategy under regulation 13 the local government must provide a copy of the strategy to the Commission.
- (2) On receipt of a copy of a draft local planning strategy the Commission must, as soon as reasonably practicable, assess the strategy for compliance with regulation 11(2).
- (3) If the Commission is not satisfied that a draft local planning strategy complies with regulation 11(2) the Commission may, by notice in writing, require the local government to —
  - (a) modify the draft strategy; and
  - (b) provide a copy of the draft strategy as modified to the Commission for assessment under subregulation (2).

- (4) If the Commission is satisfied that a draft local planning strategy complies with regulation 11(2) it must certify the strategy accordingly and provide a copy of the certification to the local government for the purpose of proceeding to advertise the strategy.

### **13. Advertising and notifying local planning strategy**

- (1) A local government must, as soon as reasonably practicable after being provided with certification that a local planning strategy complies with regulation 11(2), advertise the strategy as follows —
- (a) publish a notice of the local planning strategy in a newspaper circulating in the area to which the strategy relates, giving details of —
    - (i) where the strategy may be inspected; and
    - (ii) to whom, in what form and during what period submissions may be made;
  - (b) display a copy of the notice in the offices of the local government for the period for making submissions set out in the notice;
  - (c) give a copy of the notice to each public authority that the local government considers is likely to be affected by the strategy;
  - (d) publish a copy of the notice and the strategy on the website of the local government;
  - (e) advertise the strategy as directed by the Commission and in any other way the local government considers appropriate.
- (2) The local government must ensure that arrangements are in place for the local planning strategy to be made available for inspection by the public during office hours —
- (a) at the office of the local government; and
  - (b) at the office of the Commission.
- (3) The period for making submissions in relation to a local planning strategy must not be less than a period of 21 days commencing on the day on which the notice of the strategy is published under subregulation (1)(a).
- (4) Notice of a local planning strategy as required under subregulation (1) may be given in conjunction with the notice to be given under regulation 20(1) for the scheme to which it relates.

### **14. Consideration of submissions**

- (1) After the expiry of the period within which submissions may be made in relation to a local planning strategy, the local government must review the strategy having regard to any submissions made.
- (2) The local government may —
- (a) support the local planning strategy without modification; or
  - (b) support the local planning strategy with proposed modifications to address issues raised in the submissions.
- (3) After the completion of the review of the local planning strategy the local government must submit to the Commission —
- (a) a copy of the advertised local planning strategy; and
  - (b) a schedule of the submissions received; and
  - (c) particulars of any modifications to the advertised local planning strategy proposed by the local government.

### **15. Endorsement by Commission**

- (1) Within 60 days of the receipt of the documents referred to in regulation 14(3) the Commission may —
- (a) endorse the strategy without modification; or

- (b) endorse the strategy with some or all of the modifications proposed by the local government; or
  - (c) require the local government to modify the strategy in the manner specified by the Commission before the strategy is resubmitted to the Commission for endorsement; or
  - (d) refuse to endorse the strategy.
- (2) The Minister or an authorised person may extend the time referred to in subregulation (1).

### **16. Publication of endorsed local planning strategy**

- (1) If the Commission endorses a local planning strategy the Commission must publish the strategy in any manner the Commission considers appropriate.
- (2) The local government —
  - (a) must ensure that an up-to-date copy of the local planning strategy is kept and made available for public inspection during business hours at the offices of the local government; and
  - (b) may publish an up-to-date copy of the local planning strategy on the website of the local government.

### **17. Amendment to local planning strategy**

- (1) A local planning strategy may be amended by an amendment to the strategy prepared by the relevant local government and endorsed by the Commission.
- (2) This Part, with any necessary changes, applies to the preparation and endorsement of an amendment to a local planning strategy in the same way as it applies to the preparation and endorsement of a local planning strategy.

### **18. Revocation of local planning strategy**

A local planning strategy may be revoked —

- (a) by a subsequent local planning strategy that —
  - (i) is prepared in accordance with this Part; and
  - (ii) expressly revokes the local planning strategy;
 or
- (b) with the approval of the Commission, by a notice of revocation —
  - (i) prepared by the local government; and
  - (ii) published in a newspaper circulating in the area to which the strategy relates

### **STRATEGIC IMPLICATIONS:**

The Local Planning Strategy will provide the strategic direction for land use planning and development for the Shire of Moora for the next 10 to 15 years and will be the strategic basis for a review of the Shire of Moora Local Planning Scheme number 4 (LPS4). It will be consistent with state and regional planning policies and provides the rationale for the zoning and reservation of land in LPS4. The preparation of a Local Planning Strategy is a requirement of the Planning and Development (Local Planning Schemes) Regulations 2015.

### **SUSTAINABILITY IMPLICATIONS:**

#### ➤ **Environment**

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

- **Economic**  
The Local Planning Strategy will in effect be the enabler to facilitate sustainable economic development and growth in the Shire of Moora.
- **Social**  
There are no known significant social implications associated with this proposal.

**FINANCIAL IMPLICATIONS:**

Resource requirements are in accordance with existing budgetary allocation of \$50,000 plus GST.

**VOTING REQUIREMENTS**

Absolute Majority Required

**RECOMMENDATION**

*That Council awards Tender 04/19, Preparation of Local Planning Strategy for the Shire of Moora to Urbis for a tendered price of \$49,500 plus GST.*

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