



# Ordinary Council Meeting Minutes

**Date: 26 September 2007**

**Please Note: These minutes and the decisions recorded therein have not as yet been confirmed by Council as a true and accurate record of the meeting.**

## **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**  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
**HELD IN WATHEROO PAVILION, WATHEROO**  
**WEDNESDAY 26 SEPTEMBER 2007**

---

**TABLE OF CONTENTS**

---

<b>1.</b>	<b><u>DECLARATION OF OPENING &amp; WELCOME OF VISITORS</u></b>	<b>3</b>
<b>2.</b>	<b><u>DISCLAIMER READING</u></b>	<b>3</b>
<b>3.</b>	<b><u>ATTENDANCE</u></b>	<b>3</b>
	<b><u>PUBLIC</u></b>	<b>3</b>
	<b><u>APOLOGIES</u></b>	<b>3</b>
	<b><u>LEAVE OF ABSENCE</u></b>	<b>3</b>
<b>4.</b>	<b><u>DECLARATIONS OF INTEREST</u></b>	<b>4</b>
<b>5.</b>	<b><u>QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH SECTION 5.24 OF THE ACT</u></b>	<b>4</b>
<b>6.</b>	<b><u>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</u></b>	<b>4</b>
<b>7.</b>	<b><u>APPLICATIONS FOR LEAVE OF ABSENCE</u></b>	<b>4</b>
<b>8.</b>	<b><u>PETITIONS AND MEMORIALS</u></b>	<b>4</b>
<b>9.</b>	<b><u>ANNOUNCEMENTS BY THE SHIRE PRESIDENT</u></b>	<b>5</b>
<b>10.</b>	<b><u>CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS</u></b>	<b>5</b>
	<b>10.1 <u>ORDINARY COUNCIL MEETING - 22 AUGUST 2007</u></b>	<b>5</b>
	<b>10.2 <u>SPECIAL COUNCIL MEETING - 12 SEPTEMBER 2007</u></b>	<b>5</b>

<b>11.</b>	<b><u>REPORTS OF OFFICERS</u></b>	<b>5</b>
11.1	<b><u>ADMINISTRATION</u></b> Nil	5
11.2	<b><u>FINANCIAL DEVELOPMENT</u></b>	6
	11.2.1 List of Payments Authorised Under Delegation 1.31 *	6
	11.2.2 Application For Community Facilities Reserve Fund Loan	7
11.3	<b><u>OPERATIONAL DEVELOPMENT</u></b>	9
	11.3.1 Great Northern Highway Proposed Road Upgrades – Land Resumptions Between Walebing and Bindu Bindu *	9
	11.3.2 Namban East Road Realignment *	10
11.4	<b><u>COMMUNITY DEVELOPMENT</u></b>	12
	11.4.1 Town Planning Scheme No 4 – Delegation of Powers	12
	11.4.2 Sale by Private Treaty – Lot 34 Drummond Street Moora	13
	11.4.3 Town Planning Scheme No 4 – Planning Amendment No 7 – West End Subdivision *	15
11.5	<b><u>ENVIRONMENTAL DEVELOPMENT</u></b> Nil	17
11.6	<b><u>ECONOMIC DEVELOPMENT</u></b> Nil	17
11.7	<b><u>SPORT AND RECREATION</u></b>	17
	11.7.1 “Be Active” Annual Report *	17
12.	<b><u>ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</u></b>	19
12.1	Implementation of Laptops for Council Meetings	19
13.	<b><u>MOTIONS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL</u></b>	19
13.1	Bush Fires Act – Fire Control Officers *	19
13.2	Statement of Financial Activity for Period Ended 31 May 2007 and Statement of Financial Activity for Period Ended 30 June 2007*	22
14.	<b><u>NOTICE ON MOTIONS FOR THE NEXT COUNCIL MEETING</u></b> Nil	23
15.	<b><u>MATTERS BEHIND CLOSED DOORS</u></b> Nil	23
16.	<b><u>CLOSURE OF MEETING</u></b>	23

\* Separate Attachments

Item 11.2.1 List of Payments Authorised Under Delegation 1.31

Item 11.3.1 Realignment Map (1)

Item 11.3.2 Realignment Map

Item 11.4.3 Schedule of submissions, Scheme amendment map & recommendations from E.P.A.

Item 11.7.1 “Be Active” Annual Report 2006/2007

Item 13.1 Household Fire Break Order 2007/08 flyer

Item 13.2 Statement of Financial Activity for the Periods Ended 31 May 2007 & 30 June 2007

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

*The Shire President declared the meeting open at 6.35pm, welcomed visitors and announced:*

**"Acknowledgment of Country"**

*I would like to show my respect and acknowledge to the traditional owners of this land and acknowledge their contribution to the Shire of Moora as I do for all its people.*

## **2. DISCLAIMER READING**

The Shire President read the following disclaimer:

*No responsibility whatsoever is implied or accepted by the Shire of Moora for any act, omission or statement or intimation occurring during this meeting.*

*It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.*

## **3. ATTENDANCE**

SA Bryan	-	Presiding Member	-	Moora Town Ward
CE Gardiner	-	Councillor	-	Moora Town Ward
CD Hawkins	-	Councillor	-	Moora Town Ward
JL Craven	-	Councillor	-	Moora Town Ward
WA Barrett-Lennard	-	Councillor	-	Bindi Bindi Ward
SJ Pond	-	Councillor	-	Koojan Ward
AR Tonkin	-	Councillor	-	Coomberdale Ward
JW McLagan	-	Councillor	-	Miling Ward
D Clydesdale-Gebert	-	Councillor	-	Watheroo Ward

SJ Deckert	-	Chief Executive Officer
JL Greay	-	Operational Development Manager
MJ Prunster	-	Community Development Manager
ML Rourke	-	Manager Health & Regulatory Services

### **PUBLIC**

Mr Bradley Millsteed	Mr Brent Millsteed	Mrs Jan Millsteed
Mr Richard Crombie	Mr David Riches	Mr David McLean
Mr Brad Tonkin	Mr Rob Keamy	Ms Colleen Mitchell

### **APOLOGIES**

RL McCall	-	A/Enterprise Development Manager
-----------	---	----------------------------------

### **LEAVE OF ABSENCE**

Nil

**4. DECLARATIONS OF INTEREST**

The Community Development Manager declared an impartiality interest in Item 11.2.2, as he is a current financial member of the Moora Lake View Golf Club.

**5. QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH SECTION 5.24 OF THE ACT****Mr Brad Millstead**

Congratulated the Shire on the Budget process and acknowledged receipt of advice as to the outcome of the community submissions to the budget.

What is Council doing to maintain rate increases within realistic limits?

**Shire President**

Outlined the rating process and the limitations placed on Council by the Local Government Act.

Cr Gardiner added that if we didn't keep pace with cost increases, services would have to reduce. Cr Gardiner also suggested that any proposals to amend the Local Government Act could be raised at a regional level with the CMVROC and Avon-Midland Zone.

**Mr David Riches**

Does the Shire consider using contractors to do road works?

**Shire President**

Not usually, the Shire employs a road construction crew to do it, though we do sub-contract some aspects when needed/required.

**6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**7. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**8. PETITIONS AND MEMORIALS**

Nil

**9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT**

- Cr Barrett-Lennard attended the Gingin / Dandaragan Water Resources Management Committee meeting in Dandaragan this morning.
- The Shire President advised the meeting that Local Government elections would be held in the Shire of Moora on 20 October 2007. The Shire President further advised that residents have the opportunity to vote before Election Day either by calling into the Shire office and casting an Early Vote or applying to the CEO for a Postal Vote.

**10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING****10.1 ORDINARY COUNCIL MEETING - 22 AUGUST 2007****RECOMMENDATION**

*That the Minutes of the Ordinary Meeting of Council held on 22 August 2007, be confirmed as a true and correct record of the meeting.*

**COUNCIL RESOLUTION**

***188/07 Moved Cr McLagan, seconded Cr Hawkins that the Minutes of the Ordinary Meeting of Council held on 22 August 2007, be confirmed as a true and correct record of the meeting subject to the deletion of the motion and contents “Implementation of Laptops for Council Meetings” from Item 12 Elected Members Motions of Which Previous Notice Has Been Given and added to Item 14 Notice of Motions for the Next Council Meeting.***

**CARRIED 9/0**

**10.2 SPECIAL COUNCIL MEETING - 12 SEPTEMBER 2007****COUNCIL RESOLUTION**

***189/07 Moved Cr Tonkin, seconded Cr Hawkins that the Minutes of the Special Meeting of Council held on 12 September 2007, be confirmed as a true and correct record of the meeting.***

**CARRIED 9/0**

**11. REPORTS OF OFFICERS****11.1 ADMINISTRATION**

Nil.

## **11.2 FINANCIAL DEVELOPMENT**

### **11.2.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31**

**REPORT DATE:** 15 September 2007  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**AUTHOR:** Michael Prunster, Community Development Manager  
**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 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

<b>COUNCIL RESOLUTION (MANEX RECOMMENDATION)</b>
--

***190/07 Moved Cr Barrett-Lennard, seconded Cr Gardiner that Council note and endorse the Payments from Municipal and Trust Funds made under delegation 1.31***

<b><i>Municipal Fund</i></b>	<b><i>Chq 56832 - 56977</i></b>	<b><i>\$434,692.40</i></b>
	<b><i>Direct Debits 302-316</i></b>	<b><i>\$63,117.38</i></b>
<b><i>Total</i></b>		<b><u><i>\$497,809.78</i></u></b>

**CARRIED     9/0**

### **11.2.2 APPLICATION FOR COMMUNITY FACILITIES RESERVE FUND LOAN**

**FILE REFERENCE:** CC/GOLI  
**REPORT DATE:** 19 September 2007  
**APPLICANT/PROPONENT:** Moora Lake View Golf Club (Inc)  
**OFFICER DISCLOSURE OF INTEREST:** Author is a current financial member of the Moora Lake View Golf Club  
**PREVIOUS MEETING REFERENCES:** Item 4, Finance Committee 17/2/99  
**AUTHOR:** Michael Prunster, Community Development Manager  
**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

Council to consider a request from the Moora Lake View Golf Club for a loan of \$14,000 from the Shire of Moora Community Development Reserve Fund.

**BACKGROUND:**

The Community Facilities Development Reserve (CFDR) was originally set up as a general reserve fund from the sale of the Moora Power station. In 1995, Council converted the general reserve fund to the CFDR to provide funds to eligible community organisations for approved projects.

The Maximum loan amount is \$15,000 repayable over terms of 1 – 7 years with an interest rate of 50% to the nearest whole number of the interest rate quoted to Council from its lending institution. Since the commencement of the fund, loans have been provided to the Moora Tennis Club, Swimming Club, Golf Club, Speedway, Fine Arts Society and Chamber of Commerce.

**COMMENT:**

The Club has completed an application form for the purchase of a “Toro 2<sup>nd</sup> Hand 4000D Groundmaster” Mower for the purchase price of \$14,000. The names of four guarantors have been supplied and copies of financial statements for the previous three years.

The loan request is for a period 7 years with half yearly payments calculated as follows: -

Principal & Interest – 6 monthly \$1,136.85 - Interest rate @ 3.5%



(The quotation received from the W.A. Treasury for the current Shire Loan lending rate is 6.9%. - Community loan rate to nearest whole number = 3.5%))

The Moora Lake View Golf Club previously received a loan from this fund in 1999 for \$15,000 repayable over 5 years, and subsequently repaid the loan under the terms of the loan agreement.

The Club have been using Gang Mowers for the mowing of their fairways for many years, but this type of Mower is now becoming out of date and it is difficult and expensive to repair and obtain spare parts for the mower. The Mower is an essential machine for Course maintenance in providing orderly mown fairways throughout the Golf Course.

The financial statements produced for years 2003-2006 indicate that the Club will be able to service the loan repayments, although the final statement for 2006/07 is still to be completed.

The Club has demonstrated a good borrowing record in previous years and it is recommended Council approve this application for loan funding.

**POLICY REQUIREMENTS:**

Nil

**LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements related to this item.

**STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

**SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are no known significant environmental implications associated with this proposal.
- **Economic**  
The purchase of the mower will create a saving in maintenance costs for the Club.
- **Social**  
Improved playing conditions for members of the Moora Lake View Golf Club.

**FINANCIAL IMPLICATIONS:**

The community facilities reserve fund has a balance of \$219,362, allowing sufficient funds for this purpose.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION  
(MANEX RECOMMENDATION)**

*191/07 Moved Cr McLagan, seconded Cr Hawkins that Council approve the application from the Moora Lake View Golf Club (Inc) for a loan of \$14,000 over a period of 7 years @ 3.5% interest to be funded from the Shire of Moora Community Facilities Reserve Fund subject to: -*

- 1) Entering into a legal agreement for repayment of the loan.*
- 2) Submission of completed 2006/2007 financial statement.*

**CARRIED 9/0**

**11.3 OPERATIONAL DEVELOPMENT**

**11.3.1 GREAT NORTHERN HIGHWAY PROPOSED ROAD UPGRADES – LAND RESUMPTIONS BETWEEN WALEBING AND BINDI BINDI**

**FILE REFERENCE:** S/ROGI  
**REPORT DATE:** 26<sup>th</sup> September 2007  
**APPLICANT/PROPONENT:** Main Roads Western Australia  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** 28/3/07 (65/07)  
**AUTHOR:** John Greay, Operational Development Manager  
**ATTACHMENTS:** Realignment Map (1)

**PURPOSE OF REPORT:**

To advise Council of Main Roads Western Australia (MRWA) roadwork's proposals.

**BACKGROUND:**

Mr Norm Fox MRWA Projects Director wrote recently to Council and advised of further possible upgrades on the Gt Northern Highway, particularly between Walebing and Bindi Bindi.

**COMMENT:**

Land resumptions are required from a property owner to enable the proposed work to be undertaken. Only one parcel of land will be impacted upon which is 2.0414ha in size.

**POLICY REQUIREMENTS:**

Nil

**LEGISLATIVE REQUIREMENTS:**

Nil

**STRATEGIC IMPLICATIONS:**

Nil

**SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
In regard to the proposed upgrades along the highway MRWA will be responsible for any environmental impacts.
- **Economic**  
MRWA will again address those issues but it is logical that there will be some economic benefits in having a better highway to travel on.
- **Social**  
In regard to social implications it is fair to assume that there will be the opportunity for greater social interaction between regions due to major highway improvements.

**FINANCIAL IMPLICATIONS:**

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

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION  
(MANEX RECOMMENDATION)**

***192/07 Moved Cr Gardiner, seconded Cr Barrett-Lennard that the land resumption detailed in attached realignment map (1) required by Main Roads WA for the proposed upgrades on the Great Northern Highway between Walebing and Bindi Bindi be approved.***

**CARRIED 9/0**

**11.3.2 NAMBAN EAST ROAD REALIGNMENT**

**FILE REFERENCE:** TP/PTW1  
**REPORT DATE:** 18 September 2007  
**APPLICANT/PROPONENT:** F. Rodda  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** John Greay, Operational Development Manager  
**ATTACHMENTS:** Realignment Map

**PURPOSE OF REPORT:**

Roadwork's on the Namban East Road requires Councils confirmation /recommendation to the Western Australian Planning Commission for the realignment of the road through Mr DJ Riches property and Mr Peter Manns property.

**BACKGROUND:**

On the Namban East Road we have truncated two sharp corners, which were identified as potential black spots that have impacts on the current landowners.

**COMMENT:**

Last year Council proceeded with the proposed work on the Namban East Road in improving the two substandard curves, which meant altering the road alignment to improve road safety due to the movement of large vehicles into the fertiliser facility, which is established along the road. The road is also used by the local school bus and the general motoring public. The new alignments will be sealed and merged back into the old sealed pavement

**POLICY REQUIREMENTS:**

Nil

**LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995 – S168

Land Administrative Act 1997 – (part 5)

**STRATEGIC IMPLICATIONS:**

The realignment will create a much safer section of the road.

**SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are no known significant environmental implications due to the new alignment going through previously cleared pastured paddocks.
- **Economic**  
There are no known significant economic implications associated with this proposal.
- **Social**  
Improvement of road safety for road users.

**FINANCIAL IMPLICATIONS:**

Funding for the realignment was included in the Shire's adopted budget for 2006/07 and has been carried forward into this financial year.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION  
(MANEX RECOMMENDATIONS)**

***193/07 Moved Cr Pond, seconded Cr Hawkins that Council approve and confirm the realignment of the Namban East Road through Lots 2131 and 1307 and advise the W.A. Planning Commission that: -***

- 1) Council supports and approves the closure of the section of the Namban East Road as shown on the plan submitted;***
- 2) Council approves the creation of a new realignment through the section of land on Lot 2131 as indicated on the plan submitted, with the boundaries of the truncated lot to be now included in Lot 2137 to reflect the new alignment of Namban East Road;***

- 3) **Council approves the creation of a new alignment through the section of land on Lot 1307 as indicated on the plan submitted, with the boundaries of the truncated lot to be now included in the road reserve to reflect the new alignment of the Namban East Road;**
- 4) **Council recommends and supports the amalgamation of the section of the closed road portion into Lot 2137 to adjoining owner Mr DJ Riches as per the plan submitted to the W.A. Planning Commission.**

**CARRIED 9/0**

## **11.4 COMMUNITY DEVELOPMENT**

### **11.4.1 TOWN PLANNING SCHEME NO 4 – DELEGATION OF POWERS**

**FILE REFERENCE:** TP/PTM11  
**REPORT DATE:** 12 September 2007  
**APPLICANT/PROPONENT:** N/A  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Michael Prunster, Community Development Manager  
**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

To note the town planning applications approved under delegated authority.

**BACKGROUND:**

Council resolved by absolute majority at the Council meeting held on the 25 February 2004, to delegate the Manager Corporate Services (now Community Development Manager) to approve planning applications that meet all the requirements of Councils Town Planning Scheme, for an indefinite period of time and amend its Register of Delegations accordingly, and that Council be provided with a list monthly of planning approvals issued under delegate authority.

**APPLICANT (S)**

The following Town Planning Applications have been approved under this delegated authority for the period ended 12 September 2007.

- **F & P Edwards – Lot 295 Melbourne Street, Moora – Construction of a colorbond Shed/Garage (Area 45m<sup>2</sup>) Zoning – Residential, Value \$11,000 (Ref 4/0708)**
- **P & C Van der Ende – Lot 44 Stafford Street, Moora – Construction of a 3brdm dwelling (Total Area 247m<sup>2</sup>) – Zoning – Residential, Value \$250,000 (Ref 5/0708)**

**POLICY REQUIREMENTS:**

Register of Delegations and Shire of Moora Town Planning Scheme No 4 Text.

**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

**COUNCIL RESOLUTION  
(MANEX RECOMMENDATION)**

*194/07 Moved Cr McLagan, seconded Cr Tonkin that Council note the town planning applications approved under delegated authority.*

**CARRIED 9/0**

**11.4.2 SALE BY PRIVATE TREATY – LOT 34 DRUMMOND STREET MOORA**

**FILE REFERENCE:** TP/TPE1  
**REPORT DATE:** 14 September 2007  
**APPLICANT/PROPONENT:** Mr Marko Jovic  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** 23/5/07 (110/07)  
**AUTHOR:** Michael Prunster, Community Development Manager  
**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

To consider the Sale by Private Treaty of Lot 34 Drummond Street Moora to Mr Marco Jovic.

**BACKGROUND:**

Council considered an application to purchase Lot 34 Drummond Street Moora from Mr Marco Jovic on the 23 May 2007 and passed the following resolution at that meeting:

**COUNCIL RESOLUTION  
(MANEX RECOMMENDATION)**

*110/07 Moved Cr Pond, seconded Cr Gardiner that Council accept Mr Marko Jovic's offer to purchase Lot 34 Drummond Street Moora (C/T 1469/33), subject to: -*

- 1. Independent valuation being received from Valuer General's Office.*
- 2. Advertising by public notice the sale by private treaty in accordance with LGA 1995 S3.58 for the period of 14 days.*

CARRIED            7/0

**COMMENT:**

An independent valuation was subsequently obtained from Landgate Valuers who advised the unimproved valuation as at June 2007 was \$13,500.

Mr Jovic was contacted and requested to advise if he would accept this valuation as the purchase price, he agreed and signed an Offer and Acceptance to this extent subject to the completion of the advertising period of 14 days. A deposit of \$1,000 was lodged with the Offer and Acceptance form. Settlement date has been set at the 31<sup>st</sup> October 2007.

The public advertising period expired on the 13<sup>th</sup> September and there were no public submissions or comments received by that date.

It is recommended that Council proceed with the sale of the property to Mr Jovic under the terms and conditions of the Offer and Acceptance.

**POLICY REQUIREMENTS:**

Nil

**LEGISLATIVE REQUIREMENTS:**

L.G.A. 1995 S3.58

**STRATEGIC IMPLICATIONS:**

Provision of funding for future building developments

**SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are no known significant environmental implications associated with this proposal.
- **Economic**  
Increase in rateable properties and provision of surplus funds for Council's future building requirements.
- **Social**  
Mr Jovic plans to construct a dwelling on the Lot to provide additional housing accommodation.

**FINANCIAL IMPLICATIONS:**

Budgeted income 2007/08.

**VOTING REQUIREMENTS**

Absolute Majority Required

**COUNCIL RESOLUTION  
(MANEX RECOMMENDATION)**

*195/07 Moved Cr McLagan, seconded Cr Gardiner that the sale by Private Treaty with Mr Marco Jovic for the purchase of Lot 34 Drummond Street Moora is proceeded with for the purchase price of \$13,500 as per the valuation obtained from Landgate Valuers.*

**CARRIED BY ABSOLUTE MAJORITY 9/0**

**11.4.3 TOWN PLANNING SCHEME NO 4 – PLANNING AMENDMENT NO 7 – WEST END SUBDIVISION**

**FILE REFERENCE:** TP/WEE1  
**REPORT DATE:** 15 September 2007  
**APPLICANT/PROPONENT:** Shire of Moora Amendment No 7  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** 22/11/06 (246/06)  
**AUTHOR:** Michael Prunster, Community Development Manager  
**ATTACHMENTS:** Schedule of submissions, scheme amendment map and recommendations from E.P.A.

**PURPOSE OF REPORT:**

To consider public submissions/comments received following the expiration of the advertising period for the above amendment.

**BACKGROUND:**

Council approved the amendment to the Town Planning Scheme No 4 for the rezoning of the West End property at their meeting held on the 22 November with the following resolution: -

**COUNCIL RESOLUTION  
(OFFICER RECOMMENDATIONS) – ITEM 11.4.2**

*246/06 Moved Cr Hawkins, seconded Cr McLagan that Council approve the amendments to the Shire of Moora Town Planning Scheme No 4 as under: -*

- 1) Amend the zoning of Lots 18-20 Lee Steere Street Moora from "Special Rural" to "Residential" with a density code of R12.5/25*
- 2) Reclassify the area of remnant vegetation on lot 21 as a "Local Reserve for Conservation."*
- 3) Amend the West End property zoning from "Residential" to "Development Zone" with provisions for an Outline Development Plan to identify density and land uses.*
- 4) Remove the density code of R5 shown on the "residential" area of West End.*
- 5) Authorise the Chief Executive Officer to continue discussing alternative subdivision plan layouts for the Lee Steere St property.*

**CARRIED BY ABSOLUTE MAJORITY 9/0**

Following the expiration of the advertising period, three submissions were received from: -

- 1) Water Corporation, P.O. Box 43 Geraldton 6531
- 2) Department of Health, P.O. Box 8172 Perth Business Centre 6849
- 3) Western Power, 85 Prinsep Road Jandakot 6164



The details of these submissions, proposed recommendations and comments are included in the attached schedule of submissions.

The Scheme Amendment was referred to the Environmental Protection Authority and they have advised that the amendment does not require assessment under the E.P.A. Act but they have made three recommendations under Environmental Issues: -

- Flood
- Watercourse
- Odour – existing waste water treatment plant (WWTP)

A copy of their recommendations is also attached.

**COMMENT:**

All three submissions relate to the future development of the land and will form part of the planning and development agreement conditions with the proposed developer.

It is recommended that Council consider and note the submissions and recommendations received and instruct Messrs Gray & Lewis to continue with the process of the rezoning of the West End property.

**POLICY REQUIREMENTS:**

Nil

**LEGISLATIVE REQUIREMENTS:**

Town Planning Scheme No 4 & Planning & Development Act 2005 (part 5 Div 2 S75)

**STRATEGIC IMPLICATIONS:**

Rezoning will provide a development opportunity for a large number of suitable residential lots for future demand.

**SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
Environmental issues will be incorporated in future development plans.
- **Economic**  
Council are currently negotiating with a developer to develop the land following the rezoning process. The proposal will provide Council with considerable profit from future sale of the lots within the development.
- **Social**  
The proposed development will provide suitable alternative lots for housing construction outside the floodway and flood fringe of the town.

**FINANCIAL IMPLICATIONS:**

Council has provided for estimated costs of the amendment within the 2007/08 budget.

**VOTING REQUIREMENTS**

Absolute Majority Required

**COUNCIL RESOLUTION  
(MANEX RECOMMENDATIONS)**

***196/07 Moved Cr Hawkins, seconded Cr McLagan that Council:***

- 1) Receives the schedule of submissions received during the advertising period for the proposed Town Planning Scheme No 4, Amendment No 7 for the West End property and adopts the responses therein, as per attached schedule;***
- 2) Having complied with the requirements of the Town Planning Scheme No 4 in respect to Scheme amendments, and after giving due consideration of the submissions received, agrees to Instruct Messrs Gray & Lewis to continue with the process of the rezoning of the West End Property as per the Scheme Amendment Map.***

**CARRIED BY ABSOLUTE MAJORITY 9/0**

**11.5 ENVIRONMENTAL DEVELOPMENT**

Nil.

**11.6 ECONOMIC DEVELOPMENT**

Nil.

**11.7 SPORT AND RECREATION**

**11.7.1 “BE ACTIVE” ANNUAL REPORT**

**FILE REFERENCE:** BA/REPI  
**REPORT DATE:** 18 September 2007  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:**  
**AUTHOR:** Michael Prunster, Community Development Manager  
**ATTACHMENTS:** “Be Active” Annual Report 2006/07

**BACKGROUND**

Under the Sponsorship Agreement with the W.A. Health Promotion Foundation (“Healthway”), Council is required to forward an annual report by the “Be Active Coordinator” reporting on programmes and activities conducted throughout the year ended 30 June, together with a statement of financial income and expenditure.

**COMMENT**

The report (attached) has been submitted to Healthway and is included in this agenda for Council to note because it is considered important that the elected members understand the Be Active Coordinator’s role and the activities she coordinates.

The newly appointed Be Active Coordinator, Ms Jenny O'Brien has compiled the report from information accessed from records of our previous Coordinator Ms Angela Murray. A copy of the annual report has been forwarded to the participating shires.

The Shires of Chittering and Dandaragan have both withdrawn from the scheme as at the end of this period, and the Shire of Victoria Plains will continue in partnership with the Shire of Moora. Healthway have recently approved a grant of \$25,000 per year for the next three years and the Be Active Programme will be shared between the two shires on an 80% (Moora) and 20% (Vic. Plains) basis.

### **STATUTORY ENVIRONMENT**

Healthway Sponsorship Agreement No 14275

### **POLICY IMPLICATIONS**

Nil

### **BUDGET IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

The role of the Be Active Coordinator was a joint funded project between four shires in our region (Moora, Chittering, Dandaragan & Victoria Plains). This cooperative approach in a successful project demonstrates how the shires within the region can work together to provide beneficial outcomes for their communities that may not have been possible on an individual shire basis.

### **PRECEDENT**

The Be Active report is provided to Council annually.

### **VOTING REQUIREMENTS**

Simple Majority

<b>COUNCIL RESOLUTION (MANEX RECOMMENDATION)</b>
--

***197/07 Moved Cr Craven, seconded Cr Hawkins that Council note and receive the Be Active Annual Report for the period ended 30 June 2007.***

**CARRIED 9/0**

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

At the previous meeting of Council on 22<sup>nd</sup> August, Cr Clydesdale-Gebert proposed to put the following motion;

**12.1 Implementation of Laptops for Council Meetings**

<p><b>COUNCIL RESOLUTION</b>  <b>(Cr Clydesdale-Gebert's Recommendation)</b></p>
--

*198/07 Moved Cr Clydesdale-Gebert, seconded Cr Bryan that the Shire of Moora consider the implementation of an electronic version of the agenda at Council meetings (to keep paperwork to a minimum) this would include each Councillor having laptops in the Council Chambers for their monthly meetings."*

**CARRIED 5/4**

**13. MOTIONS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**

The Chief Executive Officer tabled two late items dealing with:

1. Bush Fires Act – Fire Control Officers, and
2. Statement of Financial Activity for the Period Ended 31 May 2007 and Statement of Financial Activity for the Period Ended 30 June 2007

for Council's consideration.

<p><b>COUNCIL RESOLUTION</b></p>
----------------------------------

*199/07 Moved Cr McLagan, seconded Cr Clydesdale-Gebert that Council consider the two late items as tabled by the CEO titled "Bush Fires Act – Fire Control Officers" and "Statement of Financial Activity for the Period Ended 31 May 2007" and Statement of Financial Activity for the Period Ended 30 June 2007.*

**CARRIED 9/0**

**13.1 BUSH FIRES ACT – FIRE CONTROL OFFICERS**

**FILE REFERENCE:** LO/BUS1

**REPORT DATE:** 26 September 2007

**OFFICER DISCLOSURE OF INTEREST:** Author is a Deputy Fire  
Weather/Harvest Ban Officer

**PREVIOUS MEETING REFERENCES:** 10/8/07 (192/2005), 28/7/04 (Item 10.1)

**AUTHOR:** Michael Prunster, Community Development Manager

**ATTACHMENT:** Household Fire Break Order 2007/08 flyer

**BACKGROUND**

A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of the bush fire act, and of those officers shall appoint the Chief Bush Fire Control Officer and (2) Deputy Chief Bush Fire Control Officer's who

shall be first and second in seniority of those officers, and subject there to may determine the respective seniority of the other bush fire control officers appointed by it.

The local government shall cause notice of appointment made under the provisions of the Act to be published at least once in a newspaper circulating in its district.

### COMMENT

The following list is the nominated fire control officers for the year 2007-2008 for the Shire of Moora District Bush Fire Brigade units;

#### **Shire of Moora Bush Fire Brigade Fire Control Officers 2007-2008**

<u>Name</u>	<u>Brigade</u>	<u>Rank</u>
Jim McNamara*	Miling	Chief Bush Fire Control Officer
Les Crane*	Bindi Bindi	Deputy Chief Bush Fire Control Officer
Keith Piper*	Bindi Bindi	Deputy Chief Bush Fire Control Officer
Jeremy Lefroy	Round Hill	Chief Radio Officer, Fire Weather/ Harvest Ban Officer
Neil Pearse	Miling	Deputy Fire Weather Officer
Barry Lehmann*	Bindi Bindi	Fire Control Officer
John Bullock*	Coomberdale	Fire Control Officer
Brad Tonkin*	Coomberdale	Fire Control Officer
Richard Humphry	Coomberdale	Fire Control Officer
Peter Manns	Coomberdale	Fire Control Officer
David McLean	Coomberdale	Fire Control Officer
Damien Joyce*	Koojan	Fire Control Officer
Glenn Vanzetti*	Koojan	Fire Control Officer
Des Seymour*	Miling	Fire Control Officer
Tom Sayers*	Miling	Fire Control Officer
Mark Harrington	Miling	Fire Control Officer
Brendan Pratt	Miling	Fire Control Officer
Greg Manning	Moora	Fire Control Officer
Ron Manning	Moora	Fire Control Officer
Chris Meikle	Moora	Fire Control Officer
Murray Scott*	Watheroo	Fire Control Officer
Len Mitchell*	Watheroo	Fire Control Officer
Brad Millstead*	Watheroo	Fire Control Officer
Dave Riches*	Watheroo	Fire Control Officer
Mike Prunster*	Moora Shire	Deputy Fire Weather/Harvest Ban Officer
Murray Matthews*	Moora Shire.	Shire Ranger/Fire Control Officer
Hugh Bryan*	Moora Shire	Training/Fire Control Officer

\* Permit Issuing Officer

Council is required to adopt this list and authorise the publishing of the names of the appointed officers in the Central Midlands & Coastal Advocate for public information.

### STATUTORY ENVIRONMENT

Bush Fires Act – 1954 – (with amendments) and Regulations – Section 38 (1) & (2a)

### BUDGET IMPLICATIONS

Minor advertising costs included in annual budget.

**STRATEGIC IMPLICATIONS**

Experienced Fire Control Officers throughout the Shire of Moora district.

**PRECEDENT**

Appointments and amendments performed annually.

**VOTING REQUIREMENTS**

Simple Majority

<b>COUNCIL RESOLUTION (OFFICER RECOMMENDATION)</b>
--

**200/07 Moved Cr Hawkins, seconded Cr Craven that Council confirm the appointment of the following bush fire control officers for the 2007-2008 season and that council authorise the publishing of this list in the Central Midlands & Coastal Advocate for public information;**

**I. SHIRE OF MOORA BUSH FIRE BRIGADE FIRE CONTROL OFFICERS**  
**2007-2008**

<u>Name</u>	<u>Brigade</u>	<u>Rank</u>
Jim McNamara*	Miling	Chief Bush Fire Control Officer
Les Crane*	Bindi Bindi	Deputy Chief Bush Fire Control Officer
Keith Piper*	Bindi Bindi	Deputy Chief Bush Fire Control Officer
Jeremy Lefroy	Round Hill	Chief Radio Officer, Fire Weather/ Harvest Ban Officer
Neil Pearse	Miling	Deputy Fire Weather Officer
Barry Lehmann*	Bindi Bindi	Fire Control Officer
John Bullock*	Coomberdale	Fire Control Officer
Brad Tonkin*	Coomberdale	Fire Control Officer
Richard Humphry	Coomberdale	Fire Control Officer
Peter Manns	Coomberdale	Fire Control Officer
David McLean	Coomberdale	Fire Control Officer
Damien Joyce*	Koojan	Fire Control Officer
Glenn Vanzetti*	Koojan	Fire Control Officer
Des Seymour*	Miling	Fire Control Officer
Tom Sayers*	Miling	Fire Control Officer
Mark Harrington	Miling	Fire Control Officer
Brendan Pratt	Miling	Fire Control Officer
Greg Manning	Moora	Fire Control Officer
Ron Manning	Moora	Fire Control Officer
Chris Meikle	Moora	Fire Control Officer
Murray Scott*	Watheroo	Fire Control Officer
Len Mitchell*	Watheroo	Fire Control Officer
Brad Millsteed*	Watheroo	Fire Control Officer
Dave Riches*	Watheroo	Fire Control Officer
Mike Prunster*	Moora Shire	Deputy Fire Weather /Harvest Ban Officer
Murray Matthews*	Moora Shire.	Shire Ranger/Fire Control Officer
Hugh Bryan*	Moora Shire	Training/Fire Control Officer

\* Permit Issuing Officer

**2. That this list revokes all previous lists.**

### **13.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MAY 2007 AND STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 JUNE 2007**

**REPORT DATE:** 26 September 2007

**OFFICER DISCLOSURE OF INTEREST:** Nil

**AUTHOR:** Steven Deckert, Chief Executive Officer

**ATTACHMENTS:** Statement of Financial Activity for the Period Ended 31 May 2007, and Statement of Financial Activity for the Period Ended 30 June 2007

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

To note and receive the Statement of Financial Activity for the period ended 31 May 2007 and the Statement of Financial Activity for the period ended 30 June 2007.

#### **BACKGROUND:**

Council is usually provided with monthly financial reports to enable monitoring of revenues and expenditures against the adopted budget. Due to staff movements, the statements since May 2007 have not been presented. The CEO has contracted Haines Norton to prepare preliminary financial statements for the period up to 30 June 2007.

#### **COMMENT:**

The Statement of Financial Activity for the period ended 31 May 2007 and the Statement of Financial Activity for the period ended 30 June 2007 are provided as separate attachments.

Please note that the statements are preliminary, in that the end of year accounting processes has not been completed and therefore the year-end figures are subject to adjustment. The final statements for the year ended 30 June 2007 will not be available until some time after 8 October 2007 when Mr Bob Waddell, a finance consultant will commence the end of year accounting.

Please also note that the notes to the statements do not include any comments in respect to variances. These comments will be provided as part of the Annual Financial Statements for the year ended 30 June 2007.

#### **POLICY REQUIREMENTS:**

Nil

#### **LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Sec. 34

#### **STRATEGIC IMPLICATIONS:**

Monitoring of actual revenues and expenditures against the adopted budget assists Council in being informed as 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 line item to enable comparison to 2006/07 adopted budget.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION  
(OFFICER RECOMMENDATIONS)**

**201/07 Moved Cr Gardiner, seconded Cr Hawkins that Council:**

- 1. note and receive the Statement of Financial Activity for the period ended 31 May 2007 and**
- 2. note and receive the Statement of Financial Activity for the period ended 30 June 2007.**

**CARRIED 9/0**

**14. NOTICE ON MOTIONS FOR THE NEXT COUNCIL MEETING**

Nil

**15. MATTERS BEHIND CLOSED DOORS**

Nil

**16. CLOSURE OF MEETING**

***There being no further business, the Shire President thanked the members of the public for their attendance and input and invited all to stay for fellowship.***

***The meeting was declared closed at 7.45pm.***

**CONFIRMED**

**PRESIDING MEMBER**