# Shire of Moora Ordinary Council Meeting 20th March 2024

## **NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora will be held on **Wednesday 20<sup>th</sup> March 2024** in the Council Chambers, 34 Padbury Street, Moora commencing at **5.30 pm** 

**GW** Robins

Chief Executive Officer

18<sup>th</sup> March 2024

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.

The Shire of Moora Vision and Mission Statement

#### **SHIRE OF MOORA**

#### WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

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

Dea	r Sir/Madam	, Re:	\	Vritt	en Declaratio	on of	Interest i	in Ma	atter	Before Co	ounc	il			
I, <sup>(1)</sup> _										wi	sh to	decla	are an i	ntere	st in
the	following	item	to	be	considered	by	Council	at	its 	meeting	to	be	held	on	(2)
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You	rs faithfully,														
Signe					<del></del>					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 20 MARCH 2024

**COMMENCING AT 5.30PM** 

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<sup>\*</sup> Separate Attachments

#### I. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

#### I.I DECLARATION OF OPENING

#### **Acknowledgement of Country**

The Shire of Moora acknowledges the traditional custodians of the land we are meeting on, the Yued people, and pay our respects to Elders past, present, and emerging.

#### 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. <u>ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE</u>

#### APPROVED LEAVE OF ABSENCE

TL Lefroy - Councillor

**APOLOGY** 

SA Bryan - Councillor

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

#### 4. **PUBLIC QUESTION TIME**

#### 5. PETITIONS / DEPUTATIONS / PRESENTATIONS

#### 6. <u>APPLICATIONS FOR LEAVE OF ABSENCE</u>

#### 7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

#### 8. CONFIRMATION OF MINUTES

#### 8.1 ORDINARY COUNCIL MEETING - 21 FEBRUARY 2024

That the Minutes of the Ordinary Meeting of Council held on 21 February 2024 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 1.15

**REPORT DATE:** 6 March 2024

**OFFICER DISCLOSURE OF INTEREST: Nil** 

**AUTHOR:** Gavin Robins, Chief Executive Officer **SCHEDULE PREPARED BY:** Charly Sawyer, Creditors 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 1.15 – Making 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 1.15

Municipal Funds	EFT30826-31018	-\$1,412,148.99
Municipal Cheque	62603-62608	-\$2,191.50
Credit Card	DD15982.4	-\$8,338.99
Direct Debit	DD15950.1-DD16000.13	-\$202,001.61
NETT Pay	13/02/2024	-\$101,478.81
NETT Pay	27/02/2024	-\$104,047.44

**PAYMENT TOTAL FOR FEBRUARY 2024** <u>-\$1,830,207.34</u>

#### 9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 JANUARY 2024

**REPORT DATE:** 13 March 2024

OFFICER DISCLOSURE OF INTEREST: Nil PREVIOUS MEETING REFERENCES: Nil

**AUTHOR:** Travis Bate, RSM

ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 January 2024

#### **PURPOSE OF REPORT**

To receive and endorse the Statement of Financial Activity for the period ended 31 January 2024.

#### **BACKGROUND**

Council is provided with monthly financial reports to enable monitoring of revenues and expenditures against the adopted budget.

#### **COMMENT**

Mr Bate presented the Statement of Financial Activity Report for the Period Ended 31 January 2024 which 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 2023/24 adopted budget.

#### **VOTING REQUIREMENTS**

Simple Majority Required

#### **RECOMMENDATION**

That Council endorses the Statement of Financial Activity for the period ended 31 January 2024.

#### 9.1.3 NATIONAL GENERAL ASSEMBLY ATTENDANCE – CANBERRA: 2 - 4 JULY 2024

FILE REFERENCE: EM/SUCI-3 & GA/ALG I
REPORT DATE: 28 February 2024
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil

**AUTHOR:** Gavin Robins, Chief Executive Officer

**ATTACHMENTS: Nil** 

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

For Council to consider authorising Shire President Cr Tracy Lefroy and CEO Gavin Robins to attend the Australian Local Government Association 2024 National General Assembly (NGA) and Australian Council of Local Governments Forum to be convened in Canberra from 2 - 5 July 2024.

#### **BACKGROUND:**

The 2024 National General Assembly of Local Government (NGA) is an opportunity for attendees to deliver the views and concerns of Council as well as contribute their own experience and knowledge to debate on a broad set of national issues. The theme for this year's NGA is "Building Community Trust".

Link to program; NGA24 (eventsair.com)

This is also an opportunity to contribute to policy discussions at a national level and a key opportunity to engage with key decision makers, such as the Prime Minister, the Leader of the Opposition, the Deputy Prime Minister, and a range of politicians.

The NGA incorporates the Regional Cooperation and Development forum being held on the 2nd of July prior to the commencement of day one of the Assembly.

#### **COMMENT:**

Representation at such conventions/congresses is advantageous to the Shire of Moora as a local government. The opportunity to network and share ideas amongst fellow congress delegates cannot be underestimated.

#### **POLICY REQUIREMENTS:**

Council does not have a policy in relation to attendance at the NGA. It is considered annually on merit by Council. Attendance fits within Strategy 5.3.2, which is in place to promote representation at regional, state, and national forums.

#### **LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements related to this item.

#### STRATEGIC IMPLICATIONS:

Strategic Community Plan 2018-2028

Outcome 5.3: Partners in the government and private sectors understand the aspirations of the Moora Shire Communities

Strategy 5.3.1: Invest appropriate resources to facilitate effective and coordinated advocacy for key Issues relevant to the Shire of Moora.

Strategy 5.3.2: Represent and promote the Shire in Regional, State and National forums.

#### **SUSTAINABILITY IMPLICATIONS:**

#### Environment

There are no known significant economic 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:

Council's annual budget has an allocation of \$21,495 for conference & training expenses; YTD \$6,955 has been expended.

#### **VOTING REQUIREMENTS**

Simple Majority Required

#### **RECOMMENDATION**

That Council authorise the Shire President and Chief Executive Officer to attend the Australian Local Government Association National General Assembly and Australian Council of Local Governments Forum to be convened in Canberra from the 2<sup>nd</sup> – 5<sup>th</sup> July 2024.

#### 9.1.4 RATES WRITE-OFFS – ASSESSMENT A986 AND A6376

FILE REFERENCE: PA/986 & PA/6376
REPORT DATE: 13 March 2024

**OFFICER DISCLOSURE OF INTEREST: Nil** 

PREVIOUS MEETING REFERENCE: Council minutes 21 March 2018 (35/18) / Local

Government Act Power of Sale - 9 Coomberdale East Road,

Coomberdale and 27 Pryre Street, Coomberdale

**AUTHOR:** Travis Bate (Financial Consultant RSM) **ATTACHMENTS:** Records of Certificate of Title for;

27 Pryre Street COOMBERDALE (A986)

- 9 Coomberdale East Road COOMBERDALE (A6376)

#### **PURPOSE OF REPORT**

The purpose of this report is to provide information that supports the write-off of rates and service charges outstanding for assessments A986 (27 Pryre Street Coomberdale) and A6376 (9 Coomberdale East Road Coomberdale) of \$41,605.62 at 29 February 2024. It is recommended that Council approve the write-off of monies pursuant to section 6.12 (1) (c) of the Local Government Act 1995 ownership of the properties has now passed to the Shire.

#### **BACKGROUND**

Rates and service charges on these properties had been outstanding since 4 August 2013.

On or around 21 February 2017 the Shire entered into a payment arrangement with Lucas Penning, which had been in arrears since April 2017.

At the 21 March 2018 Ordinary Council Meeting, Council passed the following resolution:

- 35/18 Moved Cr Hamilton, seconded Cr Thomas 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:
  - 1. Lot 11 on Plan 3100, being all that piece of land contained in Certificate of Title Volume 2773 Folio 346, more commonly known as 9 Coomberdale East Road, Coomberdale; and
  - 2. Lot 5 on Plan 3100, being all that piece of land contained in Certificate of Title Volume 1854 Folio 869, more commonly known as 27 Pryre Street, Coomberdale. It is noted that the Shire has not made any attempt to recover the outstanding money under section 6.56 of the Local Government Act 1995 (WA) as the Shire reasonably believes that the costs of proceedings to recover the Outstanding Rates will likely equal or exceed the value of the Properties.

CARRIED 8/0

Transfer of title of ownership to the Shire has been successfully completed with settlement occurring on 13 March 2024. Properties now able to be sold by Shire.

Outstanding rates and service charges on the properties to be written off:

- \$21,432.78 // Pryre Street COOMBERDALE (A986)
- \$20,172.84 // 9 Coomberdale East Road COOMBERDALE (A6376)

#### **POLICY REQUIREMENTS**

#### **LEGISLATIVE REQUIREMENTS**

Section 6.12 (1)(c) of the Local Government Act 1995 provides Council with the power to write off any amount of money which is owed to the local government by an absolute majority decision.

#### 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

It is expected that the sale of the properties will adequately cover the cost of the write-offs, meaning the net change to the Shire's net current funding position will be nil.

#### **VOTING REQUIREMENTS**

Absolute Majority Required

#### **RECOMMENDATION**

That pursuant to section 6.12(c) of the Local Government Act 1995, that Council:

- 1. Write-off the outstanding Rates and Service Charges totalling \$41,605.62 for assessments A986 and A6376;
- 2. Notes that title for these two properties has passed to the Shire as of 13 March 2024.

#### 9.1.5 <u>2023-2024 BUDGET REVIEW</u>

FILE REFERENCE: T:\FINANCE\19. Current Budget\Budget Review\2023-24

**REPORT DATE:** 18 March 2024

APPLICANT/PROPONENT: Shire of Moora
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil

**AUTHOR:** Travis Bate – Financial Accountant (RSM Australia)

**ATTACHMENTS:** Midyear Budget review 2023/2024

#### **PURPOSE OF REPORT**

To note the annual budget review based on financial performance between 1 July 2023 to 31 January 2024 for presentation at the Ordinary Council meeting on 20 March 2024 and endorsement of the recommendations.

#### **BACKGROUND**

As required by the Local Government Act 1995, Council adopted a budget for the 2023-24 financial year based on forward plans and best estimates at the time. According to the Local Government (Financial Management) Regulations 1996, each year, between 1 January and 31 March, a local government is to carry out a review of its annual budget for that year, considering its financial performance for at least the first six months of the year, its position at the date of review and its forecast position to the end of the financial year. This review is required to be submitted to the Council for consideration.

The Budget review for 2023 / 2024 has been conducted and suggested amendments are detailed in the Budget Review Report as attached. This followed an in depth review the relevant financials for each Chart of Account code and where applicable, individual job levels.

A copy of the review and Council decision is to be provided to the Department of Local Government, Sport & Cultural Communities within 30 days of the decision by Council.

The following highlights are of note:

Opening Carried Forward figure

With adoption of the 2023 / 2024 budget, a precise opening figure was not able to be determined as the Council's 2022 / 2023 financial statements were yet to be finalised for audit. The unaudited opening balance of \$3,117,017 has been increased to \$4,745,500, based on the 2022 / 2023 audited financial statements.

#### **Operating Revenue**

A reduction of operating revenue of \$1,737,467 is expected and mainly relates to:

- Decrease in rates of \$782,362. The initial rate in the dollar was based on estimated valuations from 2022 / 2023 and approved for budget adoption. A substantial increase in UV rural valuations was received from Landgate which resulted in an increase in UV rural rating, resulting in the need to reduce the rate in the dollar to return the increase on prior year rates within reason.
- Decrease in operating grants, subsidies and contributions of \$605,718. There are two
  main areas where reduced funding is expected with the Grants Commission Grant
  needs of \$305,000 and Grants Commission Roads Formula of \$260,938.
- Decrease in fees and charges of \$327,696. This is based on actual revenue generated and expected by 30 June 2024. The largest contributing value relates to the sale of the

Childcare centre with an expected reduction in fees of \$279,521. It should be noted that this decrease in revenue will be accompanied by a corresponding offsetting decrease in expenditure.

#### Operating Expenditure

Operating expenditure is expected to decrease by \$392,663. Most notable movements in expenditure relate to:

- Decreased employee cost of \$561,067 mainly due to sale of Childcare centre.
- Decrease in Materials and Contracts of \$303,889 and increase in Other Expenditure of \$438,731 being a nett increase of \$134,842. This is mainly due to some changes on maintenance and additional work required in roads.
- Decrease in utilities of \$48,435 based on actual cost and expected to be lower than adopted budgeted.
- Increase in Interest of \$75,250, due to loan 328 Housing Revitalisation not previously budgeted for.
- Increase in insurance expense of \$21,172 due to actual cost exceeding the adopted budget.

#### Capital Revenue

There is an expected decrease in capital revenue (expenditure of grant funds on key projects) to the value of \$5,552,685 which can be attributed to the following areas:

- Decreased Childcare grant funding: \$2,932,715.
- Increased sewage infrastructure funding of \$100,000.
- Decrease in swimming pool capital grant funding of \$507,860.
- Decrease in roads funding of \$1,452,050.
- Decrease in Airstrip grant of \$703,055.

Road funding and the airport grant are linked to capital spend and will roll forward into 2024/2025. Reduced spend offsets the reduced funding received.

#### Capital Expenditure

Property, Plant and Equipment expenditure is forecast to be \$6,275,142 less than initial budget with following notable variances:

- Decrease in Admin & Cultural Centre of \$365,000.
- Decrease in Early Childhood Development Centre of \$2,500,000.
- Decrease in Housing Revitalisation and acquiring properties of \$3,000,000.
- Decrease in General Building renewals of \$525,715.
- Increase in plant and equipment replacements of \$250,573.

Infrastructure expenditure is expected to decrease by \$3,182,660 from adopted budget. Highlights of cost changes set out as follows:

- Reduced roads spend of \$1,918,317. Expenditure offset against reduced capital grants claimable.
- Reduced other infrastructure spend of \$1,264,343 and being attributed mainly by:
  - Reserve rehabilitation project of \$400,000 carried forward.
  - Swimming Pool improvement grants reduced, and expenditure subsequently reduced by \$446,860.
  - EV Charging station carried forward of \$100,000.
  - Airstrip project delayed with reduced spend in current year of \$653,000 and balance carried forward. Grant reduced to offset.

Loans

Total loans has decreased by \$1,000,000. Loan budgeted for was \$4,000,000 and final loan applied for was \$3,000,000.

Loan applies to Housing Revitalisation and acquiring properties.

#### Reserve Fund Transfers

Total reserve funds balance is expected to increase by \$3,473,784 from the adopted budget. An overall summary of the reserve movements in included in the attached 2023 / 2024 Budget Review Report.

A notable change and proposed reserve fund is included for the receipt on the housing revitalisation loan of \$3,000,000, not applied in full during the 2023 / 2024 period. A total of \$1,000,000 is budgeted to be used, with the balance of the loan value of \$2,000,000 to be transferred to a reserve fund for the purpose of acquiring the balance of the properties.

#### Closing Carried Forward Figure

The closing carried forward review figure is shown in the attached documents and remained equal to adopted budget of \$0.

#### 2023 / 2024 Budget Review Report

Overall summary of balances of Net Current Assets and Reserves are detailed in the attached 2023 / 2024 Budget Review Report.

#### **CEO COMMENT**

The Budget review, based on the first half of the 2023-2024 financial year, reflects a relatively volatile period characterised by ongoing supply chain issues, funding uncertainty and the residual historical influences of multiple financial contactors. Prudent expenditure controls have ensured the budget retained sufficient cash on hand to address unforeseen events while anticipating the completion of the budget review. Over the remaining budget period, the Shire will accelerate the implementation of capital works and equipment purchases as set out in the budget. Operating expenses have remained within the parameters set for expenditures in the original budget and are not expected to vary materially from these assumptions. The expected the year-end budget position remains that of a balanced budget.

#### **POLICY REQUIREMENTS**

There are no known policy implications.

#### LEGISLATIVE REQUIREMENTS

Local Government (Financial Management) Regulations 1996

#### 33A. Review of budget

- (I) Between I January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must
  - (a) consider the local government's financial performance in the period beginning on I July and ending no earlier than 31 December in that financial year; and
  - (b) consider the local government's financial position as at the date of the review; and

- (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

\*Absolute majority required.

(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

#### 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**

The changes suggested in the budget review are based on the local government's financial performance for the financial year up to 31 January 2024. Adjustments have been made to better reflect actual performance for the period and to give a more accurate projection of the nett result at 30 June 2024.

#### **VOTING REQUIREMENTS**

Absolute Majority Required.

#### **RECOMMENDATIONS**

#### That Council

- Approve the Budget Review for the period ended 31 January 2024 carried out in accordance with the Local Government Financial Management Regulations 1995 Section 33A; and
- 2. Amend the 2023/24 Budget as outlined in the 2023/24 Budget Review; and
- 3. Forward a copy of the budget review to the Department of Local Government, Sport & Cultural Industries within 30 days of endorsement.

#### 10. REPORTS OF COMMITTEES

Nil

#### 11. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

# 12. <u>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF</u> COUNCIL

Councillor Dugan has requested that Council give consideration to an item, the purpose of which is to facilitate the recovery and health promotion in respect of certain patients being managed by the Moora Health Clinic, specifically Dr Chapman.

Councillor Dugan has requested that Council give consideration to his proposal at its meeting of 20 March 2024. He acknowledges that notice of the motion falls outside the standing orders but holds the view that it is a relatively uncontentious motion which has the potential to make a material difference to the health and well-being of certain people.

The proposed motion is as follows:

That the Shire of Moora provide vouchers to the Moora Health Clinic allowing I-month free use of the Shire of Moora gymnasium, hydrotherapy pool and or public pool at the discretion of Dr Bernard Chapman to promote community health and well-being as well as use of the Shire of Moora Facilities from the date of approval to 30 June 2024.

#### 13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

#### 14. CLOSURE OF MEETING