

SHIRE OF MOORA
ORDINARY COUNCIL MEETING AGENDA
12 DECEMBER 2007
COMMENCING AT 3.30PM

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Item 11.1.3 MOU dated 1 May 2006, considered at the Briefing Session held 10 May 2006, and MOU – latest version signed 4 December 2006

Item 11.2.1 List of Payments Authorised Under Delegation 1.31

Item 11.2.2 Australian Government Community Water Grant – Letter of Approval

Item 11.7.1 Be Active Report – November 2007

1. DECLARATION OF OPENING & WELCOME OF VISITORS***“Acknowledging of Country”***

I would like to show my respect and acknowledge 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

To be read by the Shire President should members of the public be present at the meeting.

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**APOLOGIES****PUBLIC****4. DECLARATIONS OF INTEREST****5. QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH SECTION 5.24 OF THE ACT****6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****7. APPLICATIONS FOR LEAVE OF ABSENCE****8. PETITIONS AND MEMORIALS**

- a. Mr Mike Fitzpatrick from LGIS will be in attendance at 3.30pm to provide Council with an overview of his assessment of the Capacity Audit following a number of visits including meeting with staff and the Shire President.
- b. Dr Jeff Turner (CSIRO), Mr Bob Paul (DAFWA), Mr Chris Boyes (DAFWA) and Mr Mark Pridham (DAFWA) will be in attendance at 5.00pm to discuss progress with the Moora Rural Towns – Liquid Assets Project.

The presentation will consist of 2 parts:

1. A briefing by the project team concerning progress with various activities (geophysics, water quality analysis, social survey, surface water assessment, groundwater review) undertaken thus far.
2. A discussion with Council in which feedback will be sought concerning water management priorities and preferences. The priorities and preferences will be checked against those given 2 years ago and if confirmed will be used to guide the direction of the Water Management Plan and on-ground works.

9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT

10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

10.1 ORDINARY COUNCIL MEETING - 28 NOVEMBER 2007

That the Minutes of the Ordinary Meeting of Council held on 28 November 2007, be confirmed as a true and correct record of the meeting.

11. REPORTS OF OFFICERS

11.1 ADMINISTRATION

11.1.1 REVIEW OF THE SHIRE OF MOORA FREEDOM OF INFORMATION (FOI) STATEMENT AND APPOINTMENT OF FOI OFFICER

FILE REFERENCE: AD/FRII

REPORT DATE: 5 December 2007

APPLICANT/PROPONENT: Not Applicable

DISCLOSURE OF INTEREST: The author of this report has no financial interest in the matter.

PREVIOUS MEETING REFERENCES: Not Applicable

AUTHOR: Steven Deckert, Chief Executive Officer

ATTACHMENTS: FOI Statement adopted in 2005
Updated FOI Statement with proposed amendments for adoption

PURPOSE OF REPORT:

To review the Shire's Freedom of Information Statement for adoption with or without amendment.

BACKGROUND:

Part 5 of the Freedom of Information Act 1992 requires that government agencies including all local governments to publish an Information Statement which provides information about the Council operations, structure and function and which details ways that the public can gain access to Council documents.

The FOI Act also requires Council to appoint an FOI Officer for the handling of FOI requests. Please note that this cannot be the CEO as the CEO is required to provide an internal appeal mechanism if the applicant is aggrieved with the FOI Officer's decision.

COMMENT:

Council has previously adopted a Freedom of Information Statement in 2005. A copy of the adopted FOI Statement is appended. This Statement should be reviewed every 12 months and therefore a review is now overdue.

The 2005 FOI Statement has been reviewed and updated by Manex and is now presented to Council for adoption, either as presented or amended further as necessary.

POLICY REQUIREMENTS:

There is no policy relative to this matter.

LEGISLATIVE REQUIREMENTS:

Part 5 of the Freedom of Information Act 1992, and Sections 2.7 and 3.1 of the Local Government Act 1995, relating to a local government's general function provisions.

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

MANEX RECOMMENDATION

That Council:

- 1. Having reviewed the Shire of Moora's Freedom of information Statement, adopt the document titled "Shire of Moora Freedom of Information Statement 2007" as appended.*
- 2. Appoint the Community Development Manager, Mr Michael Prunster as the Shire's Freedom of Information Officer.*

11.1.2 DONATION OF LAND – BINDI BINDI WAR MEMORIAL

FILE REFERENCE: CC/RSLI
REPORT DATE: 5 December 2007
APPLICANT/PROPONENT: RSL WA Branch on behalf of Mr R Wood
DISCLOSURE OF INTEREST: The author of this report has no financial interest in the matter.
PREVIOUS MEETING REFERENCES: Not Applicable
AUTHOR: Steven Deckert, Chief Executive Officer
ATTACHMENTS: Copy of correspondence received from the RSL including a letter from the landowner

PURPOSE OF REPORT:

For Council to consider an offer to transfer the land on which the Bindi Bindi War Memorial is located to the Shire.

BACKGROUND:

The Bindi Bindi War Memorial is located in the Bindi Bindi townsite on land owned by Mr R Wood. Mr Wood has initially written to the Returned and Services League of Australia WA Branch (the RSL) offering to donate the land on which the War Memorial is located. As the RSL does not own war memorials, the RSL has in turn written to the Shire on behalf of Mr Wood, to ascertain if Council is interested in taking over this piece of land.

A copy of the correspondence from the RSL including Mr Woods initial letter to the RSL is appended.

COMMENT:

In keeping with other war memorial sites, the transferring of the Bindi Bindi War Memorial to the Shire would seem appropriate.

There are probably two options available to Council. One would be for Council to purchase the land at minimal cost, which would require the area to be surveyed, creation of a new title and transfer of land carried out. The second option would be to create a reserve with the purpose of “war memorial” over the land and then have a management order established for the reserve in favour of the Shire.

The purchase option may be more favourable as Council then has total control of the land and not be subject to the vagaries of a management order.

At this stage it is not clear whether the War Memorial site is located on a town lot or is in fact on part of the adjoining farm property. This however does not impact on the recommendation of this report and can be clarified in due course.

POLICY REQUIREMENTS:

There are no policies relative to this issue.

LEGISLATIVE REQUIREMENTS:

The Land Act in relation to purchasing or management orders.

Sections 2.7 and 3.1 of the Local Government Act 1995, relating to a local government’s general function provisions.

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**
The acquisition of the war memorial site in Bindi Bindi would be considered an appropriate use of Council's resources, as it would ensure that a significant site for the Bindi Bindi community is preserved.

FINANCIAL IMPLICATIONS:

The actual costs are unknown; however if the land is purchased for the minimum consideration of say \$1, then the major costs will be the surveying, creating the title then transfer of the land to the Shire. These costs are not budgeted for in this years budget. Also, if Council does take responsibility for this land, it will have an ongoing responsibility to maintain the War Memorial and surrounding land.

VOTING REQUIREMENTS:

Absolute Majority required because there is no budget provision for the cost of carrying out the recommendation of this report and a delegation is proposed.

MANEX RECOMMENDATION***That Council:***

- 1. Agrees in principle to purchase the site of the Bindi Bindi War Memorial;***
- 2. Delegates authority to the CEO to negotiate the purchase of the site and to carryout the necessary procedures to transfer the site to the Shire of Moora, providing the total of all costs not exceeding \$2,000.***

11.1.3 WHEATBELT HEALTH MEMORANDUM OF UNDERSTANDING

FILE REFERENCE: H/HEG1
REPORT DATE: 6 December 2007
APPLICANT/PROPONENT: Avon Midland Zone of WALGA and WA Country Health Service
DISCLOSURE OF INTEREST: The author of this report has no financial interest in the matter.
PREVIOUS MEETING REFERENCES: Briefing Session 10 May 2006
AUTHOR: Steven Deckert, Chief Executive Officer
ATTACHMENTS: MOU dated 1 May 2006, considered at the Briefing Session held 10 May 2006, and MOU – latest version signed 4 December 2006

PURPOSE OF REPORT:

For Council to reconsider its support or otherwise of a reworded draft of the proposed Memorandum of Understanding between the WALGA Zones covering the Wheatbelt and the WA Country Health Service.

BACKGROUND:

Around March 2006, the WA Country Health Service proposed that a Memorandum of Understanding be entered into between:

- the WA Country Health Service (WACHS),
- the Central Wheatbelt Division of General Practice (CWDGP),
- the Wheatbelt Development Commission (WDC) and
- the Avon-Midland, Central and Great Eastern Country Zones of WALGA.

The purpose of the MOU is “To provide a framework for the parties regarding continual communication/engagement, structures and processes that will enhance health service delivery within the WACHS – Wheatbelt Division.”

Up until now, the Avon-Midland Zone has refused to become a party to the MOU because of ambiguity in the wording of the original MOU relating to the responsibility for the provision of health services in the Wheatbelt.

A copy of the MOU as considered by Council at the Briefing Session on 10 May 2006 is attached. The contentious wording of the MOU is contained in the section 2.2 headed “Principles”. At the Briefing Session on 10 May 2006, Council was supportive of the position being taken by the Avon-Midland Zone, not to sign.

Subsequent to May 2006, the MOU Working Party revised the wording of section 2.2, however the Avon-Midland Zone still chose not to sign. It should be noted that on 4 December 2006 the other two Country Zones (Central and Great Eastern) signed the MOU.

The MOU as signed on 4 December 2006, with the revised wording of section 2.2 was reconsidered by the Avon-Midland Zone at its meeting on 23 November 2007.

A copy of the MOU with the revised wording of section 2.2 is attached.

COMMENT:

At the meeting on 23 November 2007, the Avon-Midland Zone reconsidered the revised MOU as signed by the other Zones on 4 December 2007 and resolved:

- *To rescind its earlier resolutions that it is only prepared to accept a MOU which includes at clause 2.1(c) 'Recognition that it is the primary responsibility of the State to provide health services'.*
- *That the Zone advise WA Country Heath - Wheatbelt that it does support the use of the Wheatbelt Health MOU as a reference for the consultation and development of the Wheatbelt Health Service Plan and the Clinical Services Review, and additional consultancy and recognition of the individual needs of the peri-urban and coastal local government districts such as Chittering, Toodyay and Dandaragan being recognised, subject to all Zone member Councils' endorsement.*

The Zone also resolved that if a majority of its members advise their support for the MOU and that the MOU Group agrees to modify the MOU to include reference to 'additional consultancy and recognition of the individual needs of the peri-urban and coastal local government districts such as Chittering, Toodyay and Dandaragan' that the Zone participate in the MOU and that the President be authorised to sign the MOU.

In light of the foregoing decisions of the Avon-Midland Zone, Council is requested to consider the Zones position and resolve to either support the Zone decision or alternatively not support.

It would seem that the wording of section 2.2 has been revised to acknowledge the concerns originally raised by the Avon-Midland Zone and supported by this Shire. Based on the fact that the Zones, and Council's concerns have been addressed, it is recommended that Council now formally resolve to support the signing of the MOU by the Avon-Midland Zone on behalf of its member Councils.

POLICY REQUIREMENTS:

There is no policy relative to this matter.

LEGISLATIVE REQUIREMENTS:

Sections 2.7 and 3.1 of the Local Government Act 1995, relating to a local government's general function provisions.

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

MANEX RECOMMENDATION

That Council advises the Avon-Midland Country Zone of WALGA that this Shire supports the signing of the latest draft of the Wheatbelt Health MOU in accordance with the following Zone resolutions of 23 November 2007:

- *To rescind its earlier resolutions that it is only prepared to accept a MOU which includes at clause 2.1(c) 'Recognition that it is the primary responsibility of the State to provide health services'.*
- *That the Zone advise WA Country Heath - Wheatbelt that it does support the use of the Wheatbelt Health MOU as a reference for the consultation and development of the Wheatbelt Health Service Plan and the Clinical Services Review, and additional consultancy and recognition of the individual needs of the peri-urban and coastal local government districts such as Chittering, Toodyay and Dandaragan being recognised, subject to all Zone member Councils' endorsement.*

The Zone also resolved that if a majority of its members advise their support for the MOU and that the MOU Group agrees to modify the MOU to include reference to 'additional consultancy and recognition of the individual needs of the peri-urban and coastal local government districts such as Chittering, Toodyay and Dandaragan' that the Zone participate in the MOU and that the President be authorised to sign the MOU.

11.2 FINANCIAL DEVELOPMENT

11.2.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE: 6 December 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

MANEX RECOMMENDATION

That Council note and endorse the Payments from Municipal and Trust Funds made under delegation 1.31

<i>Municipal Fund</i>	<i>Chq 57145 - 57402</i>	<i>\$669,892.54</i>
	<i>Direct Debits</i>	<i>324 -357</i>
		<i>\$59,639.54</i>
<i>Total</i>		<i>\$729,531.84</i>

11.2.2 MOORA SWIMMING POOL UNBUDGETED EXPENDITURE

FILE REFERENCE: B/MOS1
REPORT DATE: 5 December 2007
APPLICANT/PROPONENT: Not Applicable
DISCLOSURE OF INTEREST: The author of this report has no financial interest in the matter
PREVIOUS MEETING REFERENCES: Not Applicable
AUTHOR: Steven Deckert, Chief Executive Officer
ATTACHMENTS: Australian Government Community Water Grant – Letter of Approval

PURPOSE OF REPORT:

Council is requested to consider and approve two items of expenditure at the Moora Swimming Pool that were not included in the Adopted Budget. These items are the installation of a pool blanket (part funded by a Water Grant) and the employment of a casual kiosk attendant.

BACKGROUND:

Council is aware that we have been successful in obtaining grant funding to install a pool blanket. At the time of preparing the budget, the purchase of the pool blanket was excluded, as the outcome of the grant application was not known. The approved grant is for \$27,789.09 (excl GST), which was based on an estimated project cost of \$30,000. More recent quotes for the pool blanket indicate that the final cost will be in the vicinity of \$34,000 (excl GST). Council therefore needs to consider the shortfall in funding of around \$6,000 and if appropriate approve proceeding with the project. The Pool Managers are of the opinion that they can manage the additional expenditure within their maintenance budget.

Recently the CEO has received a number of complaints about anti-social behaviour at the pool. In discussing this matter, the Pool Managers are of the opinion that they are not aware of this being a greater problem than at any time in the past and that they take appropriate action as necessary. However, they have indicated that there may be instances of anti-social behaviour occurring that they are not aware of due to them having to be located in the kiosk to collect admission fees. A solution that may be worth trying, particularly when the pool is busy, is to have a casual employee located in the kiosk to collect the monies, answer the telephone etc, thereby allowing the Pool Manager to patrol the pool deck and grounds. The cost of employing a casual for 20 hours per week would be around \$300 -\$400 per week. Therefore, to cover the remainder of the summer months, this will cost will be in the vicinity of \$4,000. This amount has not been provided for in the budget, however Council is requested to approve this over-budget initiative to improve the amenity of the swimming pool for all users. It should also be noted that the new signs should be arriving before Christmas.

COMMENT:

Whilst these two initiatives have not been provided for in the budget, the overall cost to Council is manageable and in the view of the positive benefits and outcomes arising from these expenditures, then it is recommended that Council endorse the recommendation of this report.

POLICY REQUIREMENTS:

There are no policies relative to this matter.

LEGISLATIVE REQUIREMENTS:

Sections 2.7 and 3.1 of the Local Government Act 1995, relating to a local government's general function provisions.

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

The provision of an environmentally sustainable swimming pool that provides a safe and family friendly environment is important to our residents.

FINANCIAL IMPLICATIONS:

The total net cost to Council of unbudgeted expenditure is in the order of \$10,000. Around \$6,000 of this can be met through vigilant budget control of the pool maintenance account with the balance of \$4,000 possibly met through savings in other areas. This will be determined at the time of the budget review in January.

VOTING REQUIREMENTS:

Absolute Majority required

MANEX RECOMMENDATION***That Council:***

- 1. Approve the installation of a pool blanket at the Moora Swimming Pool at a net cost of around \$6,000 (\$34,000 total estimated cost less Australian Government Water Grant of \$27,789) with the shortfall of funding being managed from the swimming pool operating maintenance account, and***
- 2. Approve the employment of a casual employee to work in the Pool kiosk collecting admission fees during the busy periods, subject to limiting the expenditure for the remainder of the season to \$4,000.***

11.3 OPERATIONAL DEVELOPMENT

11.3.1 TENDER – ROAD STABILISATION – Tender No. 6/2007

FILE REFERENCE: L/TER I
REPORT DATE: 6 December 2007
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 25/7/07 (138/07)
AUTHOR: John Greay, Operational Development Manager
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To advise Council of results of recently called tender.

BACKGROUND

Council has budgeted within their road programme this year for road pavement stabilisation on several of their road projects.

COMMENT

Road stabilisation is an accepted practice for dealing with some problem areas that councils have in improving the strength of road pavements. Several road pavement failures namely on the Moora-Miling Road and the Miling East pavement widening is where we will be using this technique this year. It is interesting to note that the company that we have always used was the only one that bothered to tender. Western Stabilisers have had a working relationship with council for well over 12 years and have always produced very good results.

POLICY REQUIREMENTS:

Complying with Councils policy in regard to the calling of tenders.

LEGISLATIVE REQUIREMENTS:

Council is required to call tenders when the value is likely to exceed \$100,000 under regulation s 3.57.

STRATEGIC IMPLICATIONS

Council's road network is under constant stress due to the large configured vehicles that are using our roads. It is imperative that we continue to upgrade our road system to cater for all road users particularly where school buses and heavy vehicles are some of the main road users. It is strategically important that council's road network is designed to cater for the increase in user demands. A regionally significant agricultural area such as Moora needs to retain an efficient and safe road system.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There will be no known environmental implications with the introduction of the products that are proposed to be used.
- **Economic**
It is important to have a safe and efficient road network

➤ **Social**

Social interaction between towns is encouraged with good roads on which to travel.

FINANCIAL IMPLICATIONS:

Within budgeted roadworks programme but as an example we expect to cover approx 15360m² on Miling East and 6510m² on Moora Miling Road with a varying unit rate between \$3.73 and \$4.14 ex GST for an estimated value of \$84,244.

Tendered rates are as displayed;

3.4.2 PRICE SCHEDULE - (WESTERN STABILISERS PTY LTD)

(Supply and Application)

The Principal offers no guarantee of quantities.

Item Description	Unit	Quantity on Demand	Price Tendered (GST Excl.)	GST Component	Price Tendered (GST Incl.)
Supply and mix lime as a road stabilisation product @ 3% volume	Rate \$ /m2	<4999	\$6.67	\$0.67	\$7.34
	\$/m2	4999 – 10,000	\$4.14	\$0.41	\$4.55
	\$/m2	10000-15000	\$3.85	\$0.39	\$4.24
	\$/m2	15000 - 20000	\$3.73	\$0.37	\$4.10
	\$/m2	>20000	\$3.67	\$0.37	\$4.04
Separator					
Supply and mix lime as a road stabilisation product at 4% volume	Rate \$ /m2	< 4999	\$7.45	\$0.75	\$8.20
	\$/m2	4999-10000	\$4.92	\$0.49	\$5.41
	\$/m2	10000- 15000	\$4.63	\$0.46	\$5.09
	\$/m2	15000 - 20000	\$4.51	\$0.45	\$4.96
	\$/m2	>20000	\$4.45	\$0.44	\$4.89
Separator					
Supply and mix cement as a road stabilisation product at 3% volume	Rate \$ /m2	<4999	\$6.49	\$0.65	\$7.14
	\$/m2	4999 - 10000	\$3.97	\$0.40	\$4.37
	\$/m2	10000-15000	\$3.67	\$0.37	\$4.04
	\$/m2	15000 - 20000	\$3.55	\$0.35	\$3.90
	\$/m2	>20000	\$3.49	\$0.35	\$3.84
Separator					
Supply and mix cement as a road stabilisation product at 4% volume	Rate \$ /m2	<4999	\$7.21	\$0.72	\$7.93
	\$/m2	4999 - 10000	\$4.69	\$0.47	\$5.16
	\$/m2	10000- 15000	\$4.40	\$0.44	\$4.84
	\$/m2	15000-20000	\$4.27	\$0.43	\$4.70
	\$/m2	> 20000	\$4.21	\$0.42	\$4.63

VOTING REQUIREMENTS

Simple Majority Required

MANEX RECOMMENDATION

That Council accepts the tender received from Western Stabilisers for the incorporation of pavement stabilisation products as per their tender for a 12 month period commencing February 2008.

11.4 COMMUNITY DEVELOPMENT**11.4.1 TOWN PLANNING SCHEME NO 4 – DELEGATION OF POWERS**

FILE REFERENCE: TP/PTM11
REPORT DATE: 5 December 2007
APPLICANT/PROPONENT: SA & LG McCuish
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 5 December 2007.

- **SA & LG McCuish – Lot 95 Brown Street, Moora – Construction of a 4m x 2m bedroom dwelling (Area 183m²) Zoning – Special Rural, Value \$160,000 (Ref 15/0708)**

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

MANEX RECOMMENDATION

That Council note the town planning applications approved under delegated authority.

11.5 ENVIRONMENTAL DEVELOPMENT

Nil.

11.6 ECONOMIC DEVELOPMENT

Nil.

11.7 SPORT AND RECREATION

11.7.1 “BE ACTIVE COORDINATOR” – NOVEMBER REPORT 2007

FILE REFERENCE: BA/REPI
REPORT DATE: 5 December 2007
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 28/11/07 (222/07), 24/10/07 (210/07)
AUTHOR: Jenny O'Brien, Be Active Coordinator
ATTACHMENTS: Be Active Report – November 2007

PURPOSE OF REPORT:

Reporting period of November 2007 from the Be Active Coordinator for Council information and acknowledgment.

BACKGROUND:

It is current practice for the Be Active Coordinator to periodically provide Council with a report to date of programmes and activities carried out during the current financial year.

COMMENT:

The report prepared by Ms Jenny O'Brien, Be Active Coordinator, covers programmes and activities that have been carried out within the two participating Shires (Moora and Victoria Plains).

The report has also been provided to the other participating shire.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

Continued activities through this programme within each participating Council's are of great benefit to the residents and youth of these Districts, which without this sponsorship the projects would not normally be available to them.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
The outdoor activities participants awareness of the environment and creates a better environmental outlook on the life of the people involved.
- **Economic**
Participants contribute to the cost of certain programmes.
- **Social**
The programmes organised by the B.A.C. have a healthy impact on the social and cultural activities of young and old residents of the Shires involved.

FINANCIAL IMPLICATIONS:

The two Shires participating in the programme fund the programmes on a percentage basis.

VOTING REQUIREMENTS

Simple Majority Required

MANEX RECOMMENDATION

That Council note and receive the Be Active Report for the period ended November 2007.

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

Cr Hawkins tabled the following report at the last Ordinary Meeting of Council on 28 November 2007 in support of his notice of motion.

Please note, this report has been reproduced as tabled by Cr Hawkins and staff have not altered any of the content.

12.1 RESPONSIBLE FINANCIAL MANAGEMENT FOR COUNCILLORS

<p>FILE REFERENCE: REPORT DATE: APPLICANT/PROPONENT: Cr Chris Hawkins OFFICER DISCLOSURE OF INTEREST: PREVIOUS MEETING REFERENCES: AUTHOR: Chris Hawkins ATTACHMENTS:</p>

PURPOSE OF REPORT

To provide a process by which Shire Councillors can exercise responsible financial management on behalf of themselves and the community they represent.

BACKGROUND:

Council delegated to manager the authority to make payments on behalf of the Shire, without having the payments reviewed beforehand by council. This delegation was made to enhance the ability of Shire to meet financial commitments in a timely fashion. Under this arrangement, payments are made, and council subsequently reviews the payments. However, under this system, councillors accept responsibility for payments, but are not in a position to adequately fulfill their obligations to the community in this regard.

In addition, Council finds itself in an awkward budget situation, in which a deficit of \$380000 needs to be resolved, further increasing the obligation Councillors have to the community for responsible financial management.

COMMENT:

A simple process needs to be in place to provide Councillors, and through them the Moora Shire community, with adequate confidence in their financial management. Such a process would enhance good governance for Moora Shire. A draft assurance document is attached.

POLICY REQUIREMENTS:**LEGISLATIVE REQUIREMENTS:**

Under the Local Government Act 1995, and the 2005 amendments, Councillors have significant responsibilities for good governance both collectively and individually.

STRATEGIC IMPLICATIONS:

Good governance is a key issue for all local governments. In addition, the recognized budgetary deficit facing the Shire of Moora provides additional incentive to address the accountability issue.

SUSTAINABILITY IMPLICATIONS:**Environment**

There is no known significant environmental implication associated with this proposal.

Economic

This proposal has significant economic implications for the shire, in that Councillors will be able to provide greater assurance to the community that they are fulfilling their financial obligations, and provide a mechanism to assist with management of the current budgetary issues.

Social

This proposal will strengthen the relationship between Council and the community, through demonstrating greater financial responsibility by councilors.

FINANCIAL IMPLICATIONS:

There are no financial implications of this proposal.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: YES/NO

RECOMMENDATION:

That managers provide assurance in writing to council that each month's financial activities have been undertaken as follows:

1. That purchases represent best value for the Shire of Moora; and
2. That purchases have been made in accordance with the approved budget; and
3. That where a purchase has been made outside the budget, funding arrangements are clearly specified; and
4. Such non-budgeted payments are identified each month on the List of Payments presented to Council

This proposal to be implemented for a trial period, and the process reviewed thereafter by Council. The trial period to conclude with the official auditing of the 2007-2008 Shire finances.

ATTACHMENT: Draft assurance document



Operational Declaration

for the month of _____

I hereby state that all payments made are purchases that:-

- Represent best value for the Shire of Moora;
- Are in accordance with the approved budget; and/or
- Where not in accordance with the approved budget, the purchase was necessary for the operation of the Shire, have been identified in the List of Payments, and appropriate funding arrangements made to accommodate this purchase.

Signed: _____

Manager: _____

CEO'S COMMENTS

The thrust of Cr Hawkins report and recommendation is in essence along the lines of a 'cheque listing certification' that was required to be presented with the cheques under the Local Government Accounting Directions of many years ago.

The re-introduction of a certification should be implemented. Points 3 and 4 of Cr Hawkins recommendation are technically not required as any purchase not budgeted for requires Council's prior approval, otherwise the expenditure remains unauthorised.

Also, authorised officers comply with points 1 and 2 of Cr Hawkins recommendation in compliance with Council's adopted Purchasing Policy.

CEO'S RECOMMENDATION

That the CEO prepare an appropriate Certification, in consultation with Cr Hawkins, that meets the aims of Cr Hawkins proposal and complies with relevant legislation and policies, for Councils consideration.

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

14. NOTICE ON MOTIONS FOR THE NEXT COUNCIL MEETING

15. MATTERS BEHIND CLOSED DOORS

16. CLOSURE OF MEETING