

SHIRE OF MOORA



ORDINARY COUNCIL MEETING

UNCONFIRMED MINUTES

ORDINARY COUNCIL MEETING
TO BE HELD IN THE
Council Chambers, 34 Padbury Street, Moora
Wednesday 18 June 2025 at 5.30pm

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SHIRE OF MOORA

WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

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

Dear Sir/Madam,

Re: Written Declaration of Interest in Matter Before Council

I, ⁽¹⁾ _____ wish to declare an interest in the following item to be considered by Council at its meeting to be held on ⁽²⁾ _____.

Agenda Item & Title ⁽³⁾ _____

The type of interest I wish to declare is: ⁽⁴⁾

- ☐ Financial pursuant to Section 5.60A of the Local Government Act 1995
- ☐ Proximity pursuant to Section 5.60B of the Local Government Act 1995
- ☐ Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- ☐ Shire of Moora Code of Conduct for Council Members, Committee Members and Candidates.

The nature of my interest is ⁽⁵⁾

The extent of my interest is ⁽⁶⁾

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

Yours faithfully,

Signed

Date

1. Insert your name.
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

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I. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**I.1 DECLARATION OF OPENING**

The Presiding Member declared the meeting open at 5.32PM directing the public's attention to the Disclaimer and the paragraph that advising that formal meetings of Council are audio visually recorded.

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.

I.2 DISCLAIMER

The Presiding Member directed the public's attention to the Disclaimer and the paragraph that advises that formal meetings of Council will be audio visually recorded.

2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**ATTENDANCE**

| | | |
|----------------------|---|--------------------------------|
| TL Lefroy | - | Presiding Member |
| SJ Gilbert | - | Deputy President |
| SA Bryan | - | Councillor |
| DV Clydesdale-Gebert | - | Councillor |
| TL Errington | - | Councillor |
| TW Dugan | - | Councillor |
| | | |
| GW Robins | - | Chief Executive Officer |
| B Hoogland | - | Deputy Chief Executive Officer |
| G Texieria | - | Manager, Financial Services |
| T Bates | - | Accountant RSM |

APOLOGIES

| | | |
|------------|---|------------|
| KM Seymour | - | Councillor |
|------------|---|------------|

3. DECLARATIONS OF INTEREST

Where a member has disclosed a financial or proximity interest in an item, they must leave the Chamber for consideration of that item.

Where a member has disclosed an impartiality interest in an item, they may remain in the Chamber. The member is required to bring an independent mind to the item and decide impartially on behalf of the Shire of Moora and its community.

DECLARATION - Councillor Clydesdale-Gebet declared a proximity interest in respect of item 9.2.9.

**4. PUBLIC QUESTION TIME
NIL**

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

NIL

4.2 PUBLIC QUESTIONS**4.3 NIL****5. PETITIONS / DEPUTATIONS / PRESENTATIONS**

NIL

6. APPLICATIONS FOR LEAVE OF ABSENCE

NIL

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER**7.1 DELEGATES REPORTS**Cr Lefroy, President

23/05 WALGA Mayor & Presidents

18/06 Sgt Shane Hickman

8. CONFIRMATION OF MINUTES**8.1 ORDINARY COUNCIL MEETING - 21 MAY 2025**

xx/25 Moved Cr Dugan, seconded Cr Clydesdale-Gebert that the Minutes of the Ordinary Meeting of Council held on 21 May 2025 be confirmed as a true and correct record of the meeting.

CARRIED 6/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Bryan, Errington, and Dugan

AGAINST: Nil

9. REPORTS OF OFFICERS**9.1 GOVERNANCE AND CORPORATE SERVICES****9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION I.15****REPORT DATE:** 05 June 2025**OFFICER DISCLOSURE OF INTEREST:** Nil**AUTHOR:** Gavin Robins, Chief Executive Officer**SCHEDULE PREPARED BY:** Charlene Sawyer, Creditors Officer**ATTACHMENTS:** Accounts Paid Under Delegated Authority**PURPOSE OF REPORT**

For Council to note and endorse the payments made under delegated authority for 30 April 2025 and a listing of these payments is attached.

BACKGROUND

Council has delegated authority to the Chief Executive Officer to exercise the power to make payments from Municipal and Trust Funds. The Chief Executive Officer is required to present a list to Council of those payments made since the last payment list was submitted.

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

All invoices have been verified, and all payments have been duly authorised in accordance with Council's procedures. The payment schedules are included as an attachment to this report.

POLICY REQUIREMENTS

Delegation 1.15 – Making Payments from Municipal and Trust Funds

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 – Section 6.10 Financial Management Regulations

Local Government (Financial Management) Regulations 1996 – Reg.12,13 and 13A.

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

OFFICER RECOMMENDATION

Xx/25 Moved Cr Bryan, seconded Cr Dugan that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.15.

CARRIED 6/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Bryan, Errington, and Dugan

AGAINST: Nil

| | | |
|------------------|----------------------|----------------------|
| Municipal Funds | EFT33460-33629 | -\$1,068,506.56 |
| Municipal Cheque | 62666-62669 | -\$9,675.00 |
| Credit Card | DD16839.26 | -\$11,069.86 |
| Direct Debit | DD16789.1-DD16839.25 | -\$128,506.98 |
| NETT Pay | 06/05/2025 | -\$122,870.28 |
| NETT Pay | 20/05/2025 | <u>-\$137,618.14</u> |

PAYMENT TOTAL FOR MAY 2025

-\$1,478,246.82

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 APRIL 2025

REPORT DATE: 18 June 2025

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Travis Bate, Financial Accountant (RSM Australia)

ATTACHMENTS: Statement of Financial Activity for the Period Ended 30 April 2025

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the Period Ended 30 April 2025.

BACKGROUND:

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

COMMENT:

The Statement of Financial Activity for the Period Ended is provided as a separate attachment in Program format.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS:

Monitoring of actual revenues and expenditures against the adopted budget assists Council in being informed as to the financial health of the organisation.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS:

Year to date income and expenditure is provided by program to enable comparison to 2024/25 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

Xx/25 Moved Cr Gilbert, seconded Cr Bryan that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.15.

CARRIED 6/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Bryan, Errington, and Dugan
AGAINST: Nil

9.1.3 BUDGET VARIATION - MOORA MEMORIAL SWIMMING POOL REFURBISHMENT

FILE REFERENCE: F/BUA2

REPORT DATE: 18 June 2025

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Amy Watts, Manager Community Development & Stakeholder Services

ATTACHMENTS: Nil

PURPOSE OF REPORT:

To vary the 2024-25 adopted budget by including additional remedial works to the Moora Memorial Swimming Pool in the sum of \$124,700 by reallocating this sum from the \$350,000 budget allocation for the Hydrotherapy Pool Remediation and Accessibility Project.

BACKGROUND:

During the 2024 off-season, the Shire of Moora undertook significant remedial works at the Moora Memorial Swimming Pool. These works progressed to approximately 90% of scope stage prior to the reopening of the pool for the 2024–25 season. The primary objective of the works was to improve the overall functionality, safety, and compliance of the facility.

Following the reopening and throughout the 2024–25 pool season, a number of operational issues were identified. While most were minor and have since been rectified by the contractor at no additional cost, a critical issue relating to the toddler pool was identified which required immediate attention.

It became apparent that the toddler pool filtration system was not achieving the required turnover rate to meet the standards of a public swimming pool. To bring the system within health regulations, an additional outlet must be installed to facilitate compliant flow and water circulation volumes. Additionally, the removal of the hob from the toddler pool during the previous year's works resulted in unexpected excess overflow problems. When more than ten children use the pool simultaneously, the water level rises and overflows due to the absence of the raised perimeter barrier. This was identified as an oversight carried through from the original 2022 redesign and as a result, the hob will now need to be reconstructed to restore proper water containment and maintain safety standards.

COMMENT:

To address the above issues, an additional \$124,700 is required to undertake and complete the necessary remedial works. While approval of this expenditure is within the delegated authority of the Chief Executive Officer, the works are a variation to the to the existing project budget, and it is important that the community is aware of the Shire's substantial investment in Moora's public swimming pool.

It is proposed that this funding be reallocated from the existing \$350,000 budget allocated for the Hydrotherapy Pool Remediation and Accessibility Project in the 2024–25 adopted budget.

This reallocation will not impact the viability of the Hydrotherapy Pool Project, which will proceed in a staged manner, allowing the budget to be adjusted to accommodate both priorities.

The Moora Memorial Swimming Pool refurbishment project has cost approximately \$1.1M., excluding yet to be refurbished changerooms/showers/toilets/electronic entry system/ office, has been funded by the Commonwealth Local Roads & Community Infrastructure Programme (\$507,835) and the Shire (approximately \$600,000) and extended the life of the pool by 12-16 years.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

6.8 Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

STRATEGIC IMPLICATIONS:

1. Compliance with Public Health and Safety Standards
2. Asset Management and Risk Mitigation
3. Community Trust and Service Delivery
4. Budget Reallocation and Project Prioritisation

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
The funding for the project has been approved in previous budgets on the basis that public health and the communities desire to preserve the town's 50-metre pool were inseparable and that preserving the potential for inter-regional competitions was an essential feature of the town's capacity to market its attractions and capability.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

The result of the following resolutions will be the adoption of the 2024/2025 Budget.

VOTING REQUIREMENTS

Absolute Majority Required

RECOMMENDATION

Xx/25 Moved Cr Clydesdale-Gebet, seconded Cr Gilbert endorse the variation of the 2024–25 budget as adopted to reallocate \$124,700 from Hydrotherapy Pool Remediation and Accessibility Project to the Moora Memorial Swimming Pool Remedial Works.

CARRIED 6/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Bryan, Errington, and Dugan
 AGAINST: Nil

9.1.4 BUDGET 2025-2026 - UPDATE & KEY HIGHLIGHTS

***PAPER TO FOLLOW**

9.1.5 LOCAL GOVERNMENT ORDINARY ELECTIONS: 2025

FILE REFERENCE: EM/ELC7-2

REPORT DATE: 03 June 2025

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: N/A

AUTHOR: Bob Hoogland, Deputy Chief Executive Officer

ATTACHMENTS: WA Electoral Commission Cost Estimate; WA Electoral Commission Written Agreement

PURPOSE OF REPORT:

For Council to resolve to appoint the Western Australian Electoral Commission to carry out the 2025 Ordinary Election as a Postal Election on 18 October 2025.

BACKGROUND:

Council has outsourced the election process since 2009. Many Local Governments utilise the services of the Electoral Office in managing the election process as it streamlines the process and allows staff to progress other priority areas within the organisation.

The Shire of Moora has engaged the Western Australian Electoral Commission to carry out the past eight Ordinary Elections as Postal Elections.

COMMENT:

Many positive comments were received from Councillors, staff and members of the public in regard to the use of postal voting for previous Ordinary Elections.

The benefits in utilising the Electoral Commission included:

- Voter turnout increasing;
- Less interruptions to the day to day administration of the Shire;
- Administration processes that were streamlined and more efficient reporting due to standardised processes used;
- Increased perception of independence of the Returning Officer from Council and staff.

The quote obtained from the Electoral Commission as an estimate for the 2023 elections is \$20,213 including GST. This is based on the following assumptions by the Electoral Commission:

- 1,700 electors
- response rate of 50%
- 4 vacancies
- count to be conducted at the offices of the Shire of Moora
- appointment of a local Returning Officer
- regular Australia Post delivery service to apply for the lodgement of the election packages.

The quote does not include:

- any legal expenses other than those determined to be borne by the WA Electoral Commission in a Court of Disputed Returns
- the cost for a staff member to assist the Returning Officer on Election day or night
- any unanticipated cost increases by Electoral Commission suppliers

A letter of agreement has been obtained from the Electoral Commissioner as per the requirements of the Local Government Act 1995.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Requirements of the Local Government Act 1995 section 4.20 (4)

STRATEGIC IMPLICATIONS:

Strategic Community Plan 2018-2028

Outcome 5.2: Community leadership is encouraged and supported.

Outcome 5.5: Ensure effective and efficient corporate and administrative services.

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 quoted estimate from the Electoral Commission is \$20,213 to Council if a postal election is conducted by the Western Australian Electoral Commission for the Ordinary Council election to be held on Saturday 18 October 2025. This would be a budgeted item in the 2025/2026 financial year.

VOTING REQUIREMENTS

Absolute Majority Required

COMMITTEE RECOMMENDATION

Xx/95 Moved Cr Bryan, seconded Cr Errington that Council;

- 1. Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2025 ordinary elections together with any other elections or polls which may be required; and*
- 2.*
- 3. Decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.*

CARRIED 6/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Bryan, Errington, and Dugan

AGAINST: Nil

9.1.6 REVIEW OF COUNCIL POLICIES

FILE REFERENCE: PL/POPI-2
REPORT DATE: 6 June 2025
APPLICANT/PROPONENT: Shire of Moora
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Bob Hoogland, Deputy CEO
ATTACHMENTS: Policies: Code of Conduct, Elected Member Training & Professional Development, Attendance at Events – Elected Members & CEO, Standards for CEO Recruitment & Performance Management, Purchasing & Tenders, Honorary Freeman, Caretaker Period, Fraud & Misconduct, Acquisition & Use of Council Vehicles

PURPOSE OF REPORT:

This report recommends that Council adopt the new and amended Policies presented for review.

BACKGROUND:

The Local Government Act identifies one of the functions of a local government is to determine its policies, which need to be reviewed. There is no legislated time frame for the frequency of review of policies and this is always a balance between the risk of outdated and ineffective or inappropriate policies and appropriate use of the resources of Council.

The Local Government Act differentiates between the role of Council and the role of the CEO. Legacy policy may have been adopted that are more appropriately implemented by the CEO or have elements that should be removed and implemented as Procedures.

Policies:

- Provide consistency and certainty in the decision making of Council and the implementation of Council's intent by management and staff
- Identify Council priorities and matters of importance to Council and the community
- Achieve compliance by adopting policies specifically required by legislation

It is the intention of management to progressively review all of Council's adopted policies for review. Included in this process will be:

- Identification of Policies no longer required
- Identification of Policies that Council may wish to adopt
- Identification of Policies or elements of Policies that should be developed for implementation by the CEO as Procedures
- Identify a review period for each Policy and implement a program of regular Policy review

Council has reviewed these policies at a previous Council meeting and a recent Committee Meeting.

COMMENT:

With respect to the Policies presented for Council consideration, each of these policies: Code of Conduct, Elected Member Training & Professional Development, Attendance at Events - Elected Members & CEO, Purchasing & Tenders and Standards for CEO Recruitment & Performance Management; either have very specific legislated requirements with respect to content and these are presented according to the legislated Models or the legislation provides direction for the required content without providing a specific Model.

With respect to Code of Conduct, Attendance at Events - Elected Members & CEO and Standards for CEO Recruitment & Performance Management, the legislation providing the Model content is unchanged, these Policies are also unchanged and can be recommended for adoption, unamended.

Generally, the other policies have had minor changes or are new policies which Council has reviewed.

POLICY REQUIREMENTS:

The report relates directly to specific Policies.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 – s2.7 (2) (b) Identifies one of the roles of Council is to determine the policies of the local government

Each of the respective individual policies identifies the legislation related to that specific policy.

STRATEGIC IMPLICATIONS:

Strategic Community Plan 2018-2028:

Outcome 5.2: Community Leadership is encouraged and supported

Outcome 5.5: Ensure effective and efficient corporate and administrative services.

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:

Nil

VOTING REQUIREMENTS

Absolute Majority Required

RECOMMENDATION

Xx/25 Moved Cr Dugan, seconded Cr Clydesdale-Gebet that the revised policies lay on the table pending the circulation of the amended policies.

CARRIED 6/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Bryan, Errington, and Dugan

AGAINST: Nil

9.2 DEVELOPMENT SERVICES

9.2.1 MOORA AERODROME – EMERGENCY SERVICES PRECINCT AND SAFETY UPGRADE

FILE REFERENCE:

REPORT DATE: 04 June 2025

APPLICANT/PROPONENT: CHIEF EXECUTIVE OFFICER

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES:

AUTHOR: CHIEF EXECUTIVE OFFICER

ATTACHMENTS: NIL

PURPOSE OF REPORT

To recommend the acceptance of a contract to supply and construct an emergency services hangar, stores and equipment shed as part of the Moora Aerodrome Emergency Services Precinct and Safety Upgrade project.

BACKGROUND

The Moora Aerodrome Emergency Services Precinct and Safety Upgrade project has been funded by the respective Commonwealth and State Regional Airports Development programmes, and the Commonwealth Local Roads and Community Infrastructure Programme grants amounting to a total of \$1.57M. The project has worked through several technical difficulties with the regulators and is now undertaking civil works that have prepared the site for the imminent installation of water storage tanks and the engineered pad for the construction of the emergency services hangar. Extensive hard stand sealing adjacent to the location of the hangar has been completed as has the sealing of the east and west runway end turning nodes.

The hangar is the next key body of work to be undertaken. It will integrate the units of the emergency services precinct into an operative facility, and with the installation of the four water holding tanks, will provide the key source of water collection for the filling of the tanks. This facility will be operational by October 2025.

COMMENT

Quotations have been received from Auspan (\$315,828) and Wheatbelt Steel (\$269,882) for the supply and construction of the hangar. Both companies have long established records for building large quality hangars and both are recognised as innovators within the industry. As the proposals represent different products, and consequently divergent prices, the respective bidders have been invited to reconsider their proposals against the Shire's specifications, including time for supply and construction.

POLICY REQUIREMENTS

Compliance with the Shire of Moora Procurement Policies, Western Australia Local Government Association Preferred Tender Panel Guidelines.

LEGISLATIVE REQUIREMENTS

Local Government Act 1995 & Local Government Administration & Financial Regulations 1995

STRATEGIC IMPLICATIONS

The completion of the Moora Aerodrome Emergency Services Precinct & Safety Upgrade is a priority strategic project for the Shire and its defences against bushfires.

SUSTAINABILITY IMPLICATIONS

➤ Environment

This project has the capacity to mitigate environmental damage to the atmosphere, broader environment, fauna and flora arising from bushfires.

➤ Economic

The project has the potential to prevent substantial property and infrastructure loss, and loss of economic benefits and income, together with broader economic loss across the community and region.

➤ Social

The project has the potential to prevent substantial social damage, loss of cohesion, integration, stress and opportunities. The project will facilitate the long-term community integration and cohesion that promotes social confidence, cohesion and resilience.

FINANCIAL IMPLICATIONS

The project does will require additional cost to maintain the aerodrome at a higher level operational readiness and capability. This is estimated to be approximately \$25,000 per annum. Conversely, the project has the potential of saving the Shire significant multiples of this sum should a major fire event occur within the region. Further, it is possible that an aircraft engineering business may seek to establish itself at the enhanced aerodrome.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Mover Errington, seconded Cr Bryan that Council authorise the Chief Executive Officer to make an out of session recommendation to Council as to the successful tender and other associated arrangements.

CARRIED 6/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Bryan, Errington, and Dugan

AGAINST: Nil

9.2.2 SALE OF INDUSTRIAL LAND – LOT 166 & LOT 167 WOOLAWA STREET, MOORA

FILE REFERENCE: PA/----

REPORT DATE: 18 JUNE 2025

APPLICANTS/PROPONENT: Powertrac

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: 02/25

AUTHOR: Gavin Robins, Chief Executive Officer

ATTACHMENTS: Nil

PURPOSE OF REPORT

To consider an offer to purchase two industrial lots being lot 166 (#31) & lot 167 (#35) Woolawa Street, Moora.

BACKGROUND

As with other lots on the northern side of Woolawa Street, Lot 166 and 167 Woolawa Street are unserviced industrial lots owned by the Shire in the Tootra Street industrial precinct. These properties have been listed for sale for several years. The Shire has progressively sold lots as purchasers have

made suitable offers. These two Lots were offered for sale at an appraised value of \$72,000 (lot 166) and \$82,000 (lot 167), both excl GST.

A recent reappraisal of the lots in the industrial precinct concluded that lots without water, sewerage or electricity were not consistent with the current market values. This is underscored by the absence of offers on the remaining properties, which have been listed with Jurien Bay Realty for several years.

An offer to purchase lots 166 and 167 Woolawa Street, Moora \$34,560 (GST incl.) and \$49,776 (GST incl.) respectively a total of \$84,336 (GST Inc).

The Shire received an offer of \$45,000 (GST incl) in respect of Lot 166 in April 2023 however, this offer did not proceed.

A recent reappraisal of the lots in the industrial precinct determined that lots without water, sewerage or electricity were not priced for sale in the current market. This is underscored by the absence of offers on the properties. The properties have been listed with Jurien Bay Realty for several years.

COMMENT

Section 3.58(3) of the LGA states that if Council wishes to accept an offer for the sale of property, before doing so, the Shire must give local public notice of the proposed disposition inviting public submissions for no less than two weeks. The notice will include details of the property concerned, the names of all interested parties, the consideration to be received and the market value of the property as ascertained by a valuation carried out and declared by resolution of the Shire. There are challenges in receiving a meaningful and reliable valuation for vacant industrial lots in Moora. An Independent Valuation can be expensive, \$2,000-\$2,500, and the contracted Valuers, usually not from Moora, may have relatively limited knowledge of the local market and would rely on a very small sample of sales for their assessment due to low volumes of property movements in the area. For this reason, a market estimate was provided by Jurien Bay Realty based on its property experience within Moora.

As there is recent interest in Moora's industrial lots, and economic benefits from the sale of land accrues to the Shire, it is recommended that the disposition of the properties for \$34,560 (GST incl.) and \$49,776 (GST incl.) respectively, be advertised. This will allow Council to consider and potentially accept the offer of sale after the two-week public notice period.

The land offered for sale is in the flood zone of a stream that feeds into the Moore River. Any sale of the land in question should provide sufficient protections for the Shire by way of registered caveats that shield the Shire from damages or compensation claims due to future flooding events. Similarly, suitable protections should be recorded to prevent interference with the natural flow or flood waters.

POLICY REQUIREMENTS

The Shire's Community Strategic Plan promotes the development of the Shire economy through the growth of new business and industry.

LEGISLATIVE REQUIREMENTS

Section 3.58(3) Local Government Act 1995

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives Statewide public notice of the proposed disposition —

(i) describing the property concerned;

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

STRATEGIC IMPLICATIONS

Shire of Moora Community Strategic Plan

Outcome 4.1 A Strong and diversified economic base

Strategy 4.1.4 The sale and provision of commercial land is a strategic strategy of the Shire

SUSTAINABILITY IMPLICATIONS

➤ Environment

There are no known significant environmental implications associated with this proposal however, due regard should be had to the behaviour of water flows in the Moore River tributary creek that flows to the rear of these lots.

➤ Economic

Providing serviced industrial lots for sale will help promote the growth of existing business or the establishment of new business operations in Moora.

➤ Social

The establishment of new enterprises in the light industrial estate will build community capacity, resilience and the strength of the regional economy.

FINANCIAL IMPLICATIONS

Accepting the offer of \$84,336 would result in an unbudgeted revenue flow that will offset the year end expenditure balance and provide further funding for ongoing residential land development.

VOTING REQUIREMENTS

Simple Majority Required

OFFICER RECOMMENDATION

Xx/95 Mover Cr Errington, seconded Cr Bryan that Council:

- 1. approve the statutory public notice of the prospective sale of Lot 166 & Lot 167 Woolawa Street, Moora in accordance with the Local Government Act 1995.***
- 2. Approve, subject to the expiry of the public notice period and consideration of any public comment, the sale of Lot 166 and Lot 167 on suitable terms as agreed by the Shire and for no less than a combined sum of \$84,336 (GST Inc).***

CARRIED 6/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Bryan, Errington, and Dugan
AGAINST: Nil

9.3 ENGINEERING SERVICES

NIL

10. REPORTS OF COMMITTEES

GENERAL PURPOSE COMMITTEE MEETING – 4 JUNE 2025

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

Nil

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL

Nil

13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

14. CLOSURE OF MEETING

There being no further business, the Presiding Member closed the meeting at 5.50PM