



Ordinary Council Meeting Minutes

Date: 17 September 2008

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

The Shire of Moora Vision and Mission Statement

Vision

Our vision is that:

The Moora region will be a place of brilliant opportunity over the next twenty years. Sustainable growth will result in a vibrant, healthy, wealthy and diverse community.

Mission

Our mission is:

To identify and stimulate growth through creative leadership and a willingness to get things done.

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE WATHEROO PAVILION, WATHEROO
WEDNESDAY 17 SEPTEMBER 2008

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* Separate Attachments

Item 11.2.1 List of Payments Authorised Under Delegation 1.31

Item 11.2.2 Statement of Financial Activity for the Period Ended 31 August 2008

1. DECLARATION OF OPENING & WELCOME OF VISITORS

The Deputy Shire President declared the meeting open at 6.32pm, welcomed visitors and announced:

“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 Deputy 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

SJ Pond	-	Presiding Member
CE Gardiner	-	Councillor
WA Barrett-Lennard	-	Councillor
AR Tonkin	-	Councillor
JW McLagan	-	Councillor
R Keamy	-	Councillor
D Clydesdale-Gebert	-	Councillor
LM O’Reilly	-	Chief Executive Officer
JL Greay	-	Manager Engineering Services
MJ Prunster	-	Manager Community Services
DA Friend	-	Manager Finance & Corporate Services
GF Bangay	-	Manager Health & Planning Services
RL McCall	-	Manager Economic Development

APOLOGIES

SA Bryan	-	Shire President
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PUBLIC

Mr Bradley Millsteed	Mr Brent Millsteed	Mrs Karina Millsteed
Mr Richard Crombie	Mr David Riches	Mr David McLean
Mr Alex Keamy	Mrs Melany Sutherland	Mrs Denise Millsteed
Mr Brian Stacy	Mrs Davina Stacy	Mrs Carolyn Oliver
Mr Bruce Crossley	Mrs Meredith Crossley	Mr John Barber
Mrs Lyn Barber	Mrs Jan Millsteed	Mr Len Mitchell
Mr Noel Elliot		

LEAVE OF ABSENCE

The following Councillor was granted leave of absence for this meeting by Council resolution made at the Ordinary Meeting held on 22 August 2008:

CD Hawkins - Councillor

4. DECLARATIONS OF INTEREST

Nil

5. QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH SECTION 5.24 OF THE ACT

Mr Richard Crombie enquired about the Industrial Land acquisition in the 2008/2009 Budget. Which location was Council looking at?

The Deputy President replied that the focus is on land adjacent to Woolawa Street with a view to expanding the existing Industrial Area.

Mr Crombie complimented Council on its long term planning to secure additional industrial land for future development.

The Deputy President advised that a recent Town Planning workshop had been conducted to review zoning of land throughout the Shire of Moora including the Watheroo and Miling Townsites.

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. PETITIONS AND MEMORIALS

Nil

9. ANNOUNCEMENTS BY THE DEPUTY SHIRE PRESIDENT

The Deputy President advised that he had attended a meeting held in Perth on Monday 15 September conducted by WALGA, along with Cr Clydesdale-Gebert and the CEO, to discuss the Systemic Sustainability Study (SSS) into Local Government. The recommendations contained in the report, rejecting forced amalgamations and calling for improved regional servicing were carried at the meeting.

The Deputy President advised that this coming Friday, 19 September, he would be attending a meeting of the Central Midlands Voluntary Region of Councils (CMVROC) meeting in Jurien Bay.

10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

10.1 ORDINARY COUNCIL MEETING - 20 AUGUST 2008

COUNCIL RESOLUTION

160/08 Moved Cr Keamy, seconded Cr Clydesdale-Gebert that the Minutes of the Ordinary Meeting of Council held on 20 August 2008, be confirmed as a true and correct record of the meeting.

CARRIED 7/0

11. REPORTS OF OFFICERS

11.1 ADMINISTRATION

Nil

11.2 FINANCIAL DEVELOPMENT

11.2.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE: 10 September 2008

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: Darren Friend, Manager Finance & Corporate Services

ATTACHMENTS: Accounts Paid Under Delegated Authority

PURPOSE OF REPORT

Payments have been made under delegated authority and a listing of these payments is attached for Council to note and endorse.

BACKGROUND

At the December 2005 Ordinary Meeting of Council resolution 276/2005 delegated the authority of payments from Municipal and Trust Funds to the Chief Executive Officer.

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

POLICY REQUIREMENTS

Delegation 1.31 – Payments from Municipal and Trust Funds.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 - Section 6.10

Local Government (Financial Management) Regulations 1996 – Regulations 12 & 13.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS

Payments are in accordance with the adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION (MANEX RECOMMENDATION)
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161/08 Moved Cr Tonkin, seconded Cr McLagan that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

<i>Municipal Fund</i>	<i>Chqs 58595 to 58675</i>	<i>\$206,451.56</i>
<i>Direct Debits</i>	<i>EFT 1225 to 1341</i>	<i>\$298,587.56</i>
	<i>Net Pays – PPE 19 August</i>	<i>\$69,143.47</i>
	<i>Net Pays – PPE 2 Sept</i>	<i>\$68,935.04</i>
<i>Trust Fund</i>	<i>Chqs 4511 to 4514</i>	<i>\$443.00</i>
<i>Total</i>		<u><i>\$643,560.63</i></u>

CARRIED 7/0

11.2.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 AUGUST 2008

REPORT DATE: 10 September 2008
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Darren Friend, Manager Finance & Corporate Services
ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 August 2008

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 August 2008.

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 2007/2008 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

162/08 Moved Cr Barrett-Lennard, seconded Cr McLagan that Council notes and receives the Statement of Financial Activity for the period ended 31 August 2008.

CARRIED 7/0

11.2.3 WRITE-OFF OF OUTSTANDING RATES ARREARS

FILE REFERENCE: A6032
REPORT DATE: 4 September 2008
APPLICANT/PROPONENT: McIntosh & Son
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Darren Friend, Manager Finance & Corporate Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To consider the request to write-off outstanding rates and interest charges on a property located at 125 Gardiner Street Moora.

BACKGROUND:

On 1 January 2006, four parcels of land, comprising two rate assessments, were amalgamated to form lot 50 Gardiner Street Moora. The original properties comprised 123, 125, 127 & 129 Gardiner Street and were rated separately. The owner appears to have requested the former CEO in writing in a letter dated 19 October 2006 for the “amalgamation date issue to be sorted out with yourselves and the Water Corporation”.

A meeting between the proponent and the former CEO Steve Deckert took place in April 2007 and a further undertaking was made in October 2007 for the arrears amount to be written off by Council in 2007/2008. Unfortunately this was overlooked prior to the completion of the last financial year.

COMMENT:

The reasoning behind the request is not well documented in this office and, given the staff movements over the last twelve months, this matter is not easy to follow.

It appears that the two original valuations were combined to create the new Gross Rental Value (GRV) on the new assessment however, the date used for all transactions does not appear to be common (i.e. 01/12/2005 or 01/01/2006). This date discrepancy is the root cause of the outstanding arrears balance of \$1,098.40 which was originally \$878.87 at the date of amalgamation/creation of the new assessment. Interest has been charged on the overdue balance to create the current outstanding amount.

As the previous CEO Steve Deckert has made a written commitment to the proponent that “these arrears amounts will be written off by Council” it appears that Council should honour that commitment.

POLICY REQUIREMENTS:

There are no known policy requirements associated with this proposal however; the policy manual is the subject of an extensive review at present.

LEGISLATIVE REQUIREMENTS:

Section 6.12 of the Local Government Act 1995 allows Councils to Write-off outstanding debts by absolute majority resolution.

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:

As this debt is considered doubtful at the 30 June 2008 there are no financial implications to Council in relation to this item.

VOTING REQUIREMENTS

Absolute Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

163/08 Moved Cr Tonkin, seconded Cr Gardiner that Council writes-off the outstanding arrears balance of \$1,098.40 on Assessment No A6032 – 125 Gardiner Street, Moora owned by McIntosh & Son.

CARRIED BY ABSOLUTE MAJORITY 6/1

11.2.4 APPOINTMENT OF AUDITOR

FILE REFERENCE: F/AUDI
REPORT DATE: 4 September 2008
APPLICANT/PROPONENT: UHY Haines Norton
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 28 June 2006 (109/06)
AUTHOR: Darren Friend, Manager Finance & Corporate Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To confirm the appointment of additional Auditors from the firm previously appointed by Council to conduct the annual review of Council's books and procedures.

BACKGROUND:

Council, at its meeting held on 28 June 2006 resolved that David Tomasi of UHY Haines Norton be appointed the auditor of the Shire of Moora for the three years from 1 July 2005.

Advice has been received from UHY Haines Norton that, due to the advancement of Greg Godwin to audit and engagement partner, he be added as an auditor for the Shire of Moora.

COMMENT:

At present, it appears that Council only named one auditor, David Tomasi as its appointed auditor. A second auditor, Richard Swarbreck is named in UHY Haines Norton's letter dated 15 August 2008 however; it appears that Council has not previously resolved the appointment of a second auditor to sign off the annual audit and management reports.

POLICY REQUIREMENTS:

There is no current policy or future policy implications in respect to the recommendation of this report.

LEGISLATIVE REQUIREMENTS:

Part 7 of the Local Government Act 1995 (as amended)
Local Government (Audit) Regulations 1996

STRATEGIC IMPLICATIONS:

Meeting statutory compliance and obtaining an independent audit of Council's books of account assists the Shire in achieving its strategic goals.

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

Absolute Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

164/08 Moved Cr McLagan, seconded Cr Keamy that Council;

- 1. confirms Mr David Tomasi of UHY Haines Norton as its auditor for the current contract period to 30 June 2008; and*
- 2. appoints Mr Richard Swarbreck and Mr Greg Godwin of UHY Haines Norton as its auditors for the current contract period to 30 June 2008.*

CARRIED BY ABSOLUTE MAJORITY 7/0

11.3 OPERATIONAL DEVELOPMENT

Nil

11.4 COMMUNITY DEVELOPMENT

Nil

11.5 ENVIRONMENTAL DEVELOPMENT

Nil

11.6 ECONOMIC DEVELOPMENT

Nil

11.7 SPORT AND RECREATION

11.7.1 “BE ACTIVE” ANNUAL REPORT

FILE REFERENCE: BA/REPI
REPORT DATE: 28 August 2008
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Michael Prunster, Community Development Manager
ATTACHMENTS: “Be Active” Annual Report 2007/08 (tabled)

BACKGROUND

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

COMMENT

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

The Be Active Coordinator, Ms Jenny O’Brien has compiled the report from the monthly updates provided to Councillors on the various sport and recreation programmes run from September 2007 (when she commenced the role of the coordinator) until July 2008. A copy of the annual report has been forwarded to the Shire of Victoria Plains.

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

STATUTORY ENVIRONMENT

Healthway Sponsorship Agreement No 14275

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

PRECEDENT

The Be Active report is provided to Council annually.

VOTING REQUIREMENTS

Simple Majority

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

165/08 Moved Cr Gardiner, seconded Cr Clydesdale-Gebert that Council note and receive the Be Active Annual Report for the period ended 31 July 2008.

CARRIED 7/0

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

Nil

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

Nil

14. NOTICE ON MOTIONS FOR THE NEXT COUNCIL MEETING

Nil

With the agreement of Elected Members present, the Deputy Shire President invited further questions from the gallery, given the nature of the meeting and that there were a number in the gallery who were late and missed Public Question Time earlier.

Mrs Carolyn Oliver asked about the standard of footpaths in Watheroo and in some instances, the lack of footpaths. Submissions had been made over a number of years without a great deal of success.

The Manager Engineering Services advised that Council has Budget limitations on an annual basis and other works are considered a higher priority.

Mrs Oliver advised that road signage in general within Watheroo was lacking and that speeding traffic was a hazard to pedestrians.

The Deputy Shire President advised that Council would look into the matter as part of the 2009/2010 Budget process and suggested that the Watheroo Development Association may assist Council in assessing priority areas to be addressed.

The Manager Engineering Services advised that previously Council was able to access the Country Pathways funding, however this funding was now extremely difficult to secure which limited Council's ability to construct more footpaths.

Cr Gardiner advised that a submission as part of Council's annual Community Budget submissions might be advisable.

Cr Clydesdale-Gebert and the Manager Engineering Services advised that Main Roads WA would be contacted again to improve signage on the highway.

Mr David McLean asked why the Watheroo Development Association has input into the Budget process when Moora seems to be given priority in areas of expenditure.

The Deputy Shire President advised that Council's ability to deliver services has been eroded over the last twenty (20) years with a decline in federal funding to local government which has almost halved during this period.

The Manager Engineering Services advised that Council liaised with the Watheroo Development Association on projects such as the entry statements, community park and general improvements as their insight into the priorities for Watheroo were valued in the decision making process.

The Deputy Shire President suggested that the community in Watheroo may need to look at long term plans for the Watheroo Pavilion.

Mr McLean advised that this process had already started with enquiries made to the Department of Sport and Recreation (DSR). Limited access to building and architects expertise has encumbered the process.

Mr David Riches asked whether the drainage works recently completed as part of the improvements on the Namban East Road had been constructed in the wrong place.

The Manager Engineering Services advised that he would follow up this matter with the Works Supervisor as a matter of priority.

Mr Riches advised that, during a thunderstorm last summer he had checked whether the Moora Swimming Pool was operating prior to travelling to Moora to use the facility. Mr Riches was advised that the pool was open to the public, however shortly after being told this information the pool was closed whilst he and his family were in transit. Could Council look at a service whereby patrons are notified by SMS/text message of the change in status similar to what happens with Fire bans?

Mr Riches was advised that this matter would be looked into.

Mr McLean asked whether the Tourist Information Bay in Moora could be located in a better position. The existing facility is not as easy to locate as it should be and signage is inadequate.

The Manager Economic Development advised that Council has provision within the current Budget for improvements to Visitor Servicing and improvements in signage will take place.

15. MATTERS BEHIND CLOSED DOORS

Nil

16. CLOSURE OF MEETING

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

The meeting was declared closed at 7.16pm.

CONFIRMED

PRESIDING MEMBER