



Ordinary Council Meeting Minutes

Date: 20 August 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 COUNCIL CHAMBERS, MOORA
WEDNESDAY 20 AUGUST 2008

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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 July 2008

1. DECLARATION OF OPENING & WELCOME OF VISITORS

The Shire President declared the meeting open at 3.35pm, 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 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

SA Bryan	-	Presiding Member
SJ Pond (from 3.43pm)	-	Councillor
CE Gardiner	-	Councillor
WA Barrett-Lennard	-	Councillor
CD Hawkins	-	Councillor
AR Tonkin	-	Councillor
R Keamy	-	Councillor
D Clydesdale-Gebert (from 4.08pm)	-	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

Nil

PUBLIC

Nil

LEAVE OF ABSENCE

The following Councillor was granted leave of absence for this meeting by Council resolution made at the Special Meeting held on 6 August 2008:

JW McLagan	-	Councillor
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4. DECLARATIONS OF INTEREST

Nil

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

Nil

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Hawkins applied in writing for leave of absence for the Ordinary Meetings of Council to be held on 17th September 2008, 22nd October 2008 and the 19th November 2008, as he would be away from the district for this period.

COUNCIL RESOLUTION

147/08 Moved Cr Barrett-Lennard, seconded Cr Tonkin that Cr Hawkins be granted leave of absence for the Ordinary Meetings of Council to be held on 17th September 2008, 22nd October 2008 and the 19th November 2008.

CARRIED 6/0

8. PETITIONS AND MEMORIALS

Nil

9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT

- 11th August, Attended the Moora Promotions AGM with the Chief Executive Officer. Moora Promotions will continue however there will be no 2009 concert.
- 12th August, Attended the Crime & Safety Meeting with the Manager Community Services. Progress has been slow and the funding application was unsuccessful.
- 19th August, Attended the Local Health Advisory Group meeting with Cr Hawkins.
- Reminder that the production 'Cosentino' is on tomorrow night at the MPAC.
- 23rd August is the Debutante Ball at the MPAC
- 28th August is the 'Piano Unveiling' at the MPAC.
- Cr Gardiner advised that he had visited the new CBH development with the Chief Executive Officer. A traffic management plan is yet to be completed. All works are to be finalised in early November 2008.

At 3.43pm Cr Pond joined the meeting.

- Cr Tonkin thanked Shire staff for the presentation of the cemetery for the commemoration of the battle of Long Tan on Monday 18th August.
- Cr Keamy attended the WALGA Elected Member training course on Sustainable Asset Management on the 29th July. It was a well attended course and good networking opportunity. Cr Keamy advised that he had inspected land developments in Wongan Hills whilst on the course.
- Cr Hawkins attended the Local Health Advisory Group meeting with the Shire President. A challenge to find professional staff to undertake duties. Progress is slow; perhaps the CMVROC could take up the issue.
- Cr Pond advised that he was unable to attend the Western Power meeting on the 19th August however he did speak to the facilitator of the meeting later regarding power lines and roads etc.
- Cr Pond attended the Liberal Party ‘Rural Policy’ launch at Miling on Monday 18th August and spoke to politicians regarding the proposed routing of the gas pipeline and the possibilities of locating it within the rail reserve.

10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

10.1 ORDINARY COUNCIL MEETING - 16 JULY 2008

COUNCIL RESOLUTION

148/08 Moved Cr Pond, seconded Cr Bryan that the Minutes of the Ordinary Meeting of Council held on 16 July 2008, be confirmed as a true and correct record of the meeting.

CARRIED 7/0

10.2 SPECIAL COUNCIL MEETING - 23 JULY 2008

COUNCIL RESOLUTION

149/08 Moved Cr Gardiner, seconded Cr Hawkins that the Minutes of the Special Meeting of Council held on 23 July 2008, be confirmed as a true and correct record of the meeting.

CARRIED 7/0

10.3 SPECIAL COUNCIL MEETING - 6 AUGUST 2008

COUNCIL RESOLUTION

150/08 Moved Cr Gardiner, seconded Cr Pond that the Minutes of the Special Meeting of Council held on 6 August 2008, be confirmed as a true and correct record of the meeting.

CARRIED 7/0

11. REPORTS OF OFFICERS

11.1 ADMINISTRATION

11.1.1 SHIRE OF MOORA DISABILITY ACCESS & INCLUSION PLAN

FILE REFERENCE: BC/DA11
REPORT DATE: 30 July 2008
APPLICANT/PROPONENT: N/A
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 22/8/07 (160/07)
AUTHOR: Michael Prunster, Manager Community Services
ATTACHMENTS: Disability Plan of Outcomes

PURPOSE OF REPORT:

Annual review and evaluation of the Disability Access & Inclusion Plan 2007-2011.

BACKGROUND:

The Shire of Moora Disability Access & Inclusion Plan was adopted at the Council Meeting held on 22 August 2007. The Plan was then submitted to the Disability Services Commission in order to comply with the legislative requirements.

The Plan includes the following monitoring and evaluation policy:-

“REVIEW AND EVALUATION MECHANISMS

The Disability Services Act sets out the minimum review requirements for public authorities in relation to DAIPs. The Shire’s DAIP will be reviewed at least every five years, in accordance with the Act. The DAIP Implementation Plan may be amended on a more regular basis to reflect progress and any access and inclusion issues which may arise. Whenever the DAIP is amended, a copy of the amended plan will be lodged with the Disability Services Commission.

The Chief Executive Officer will oversee the implementation of the plan. Stakeholders involved in implementing particular strategies identified in the plan will report progress quarterly to the Chief Executive Officer for consideration at Management Executive Team meetings.

The review of the Shire’s DAIP will be included in the DAIP 2011-2015 which will be submitted to the Disability Services Commission in 2011. The report will outline what has been achieved under the Shire’s DAIP 2007-2011.

The Chief Executive Officer will prepare a report each year on the implementation of the DAIP. A status report will be provided to council for formal endorsement.

Evaluation

Council will endorse any reports on the disability access and inclusion implementation process annually.

Once a year prior to 31 July council will provide advice to the community regarding the implementation of the DAIP and seek feedback on the effectiveness of strategies. This will inform the further implementation of the plan.

A notice about the consultation process will be placed in the local newspaper, posted on the Shire's website, and announced on the local radio station.

In seeking feedback the Shire will also seek to identify any additional barriers that were not identified in the initial consultation.

The Shire will use some of the consultation processes used during the initial consultations including questionnaires and telephone interviews.

Elected members of council and council officers will also be requested to provide feedback on how well they believe the strategies are working and to make suggestions for improvement.

The DAIP will be amended based on the feedback received and copies of the amended Plan will be available to the community in alternative formats once endorsed by council."

COMMENT:

A copy of the Plan of outcomes submitted to the Disability Services Commission for period 2007-2011 is attached. The highlighted sections show the section of the plan that have been completed or partially completed.

The development of the Plan was produced following Public consultation on access barriers within the Shire during May 2007. The result of the consultation indicated there were some 18 access barriers identified that required attention.

These were as follows:-

- ***No pedestrian railway crossover in the centre of town. People crossing railway line near post office and near telecentre to get to public toilets;***
- Need crossings with warning signs at strategic locations on roads;
- ***Footpaths are not accessible for people using wheelchairs. Need better maintenance, better kerb ramps, better transition between footpaths and roads;***
- ***Not enough ramp access and footpaths in general;***
- Footpaths (concrete) should be on both sides of the road;
- Street lighting is not adequate;
- ***Accessible parking is limited;***
- A park home for tourists who have disabilities is recommended;
- ***Buildings requiring access improvements include the doctors surgery, shire offices, Tafe campus, telecentre, hockey pavilion, post office, butcher, bakery, Country Choice and Drivers Inn;***
- Crosswalk between liquor store and swimming pool required;
- ***Heavy doors at some facilities, self opening better;***
- Park generally not accessible and no suitable play equipment for people with disabilities;
- Public documentation not available in large print or audio;
- No disability awareness training arranged. Staff need more awareness due to ageing population;
- Need more information on accessibility to funding and resources for children's respite care for carers;

- ***More community facilities and services required e.g. gym, library, hairdresser, grocery store and fuel station;***
- ***Encourage business community to improve access to parking and movement within shopping areas;***
- ***Promote employment of people with disabilities – they can make very good workers.***

(Note: The points highlighted in bold italics have been either completed, partially completed or are ongoing.)

Since the original community consultation there has not been any significant change to the Towns infrastructure, so it is recommended that a further community consultation not be pursued this financial year.

POLICY REQUIREMENTS:

There are no Council Policies relative to this matter.

LEGISLATIVE REQUIREMENTS:

Shire of Moora DAIP 2007-2011

W.A. Disability Services Act 1993 (amended 2004)

STRATEGIC IMPLICATIONS:

The Key Result Area of “People” within the Shires Strategic Plan supports the principles of the DAIP strategies.

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 implementation of the strategies of the DAIP will provide for greater inclusion and accessibility of all residents and visitors in the Shires services and activities.

FINANCIAL IMPLICATIONS:

Costings will be carried out as part of the development of the Implementation Plan and appropriate provision made in future budgets.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

151/08 Moved Cr Hawkins, seconded Cr Pond that Council:

- 1. Endorses the attached Status Report of the Shire of Moora Disability Access and Inclusion Plan (D.A.I.P.) for the year ended 30 June 2008.**
- 2. Waives additional community consultation for 2008-09 financial year.**
- 3. Acknowledges that Shire Staff will continue to progress the outstanding outcomes identified in the D.A.I.P.**
- 4. Shire Staff liaise with Disability Services Commission on this matter.**

CARRIED 7/0

Note: Point 4 was added to the Manex recommendation as Council wanted to ensure outcomes of the plan are consistent with Disability Services Commission guidelines.

11.1.2 BUSH FIRES ACT - FIRE CONTROL OFFICERS

FILE REFERENCE: LO/BUFI
REPORT DATE: 14 August 2008
OFFICER DISCLOSURE OF INTEREST: Author issues Fire Permits.
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Michael Prunster, Manager Community Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

Confirmation of the election of Shire of Moora Bush Fire Control Officers 2008-09.

BACKGROUND:

A Local Government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of the Bush Fire Act, and of those officers shall appoint the Chief Bush Fire Control Officer and 2 Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

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

COMMENT:

The list below is the appointed Fire Control Officers for the year 2008-2009 for the Shire of Moora District Bush Fire Brigade units.

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

POLICY REQUIREMENTS:

Shire of Moora Bush Fire Policy adopted 21 July 1993

LEGISLATIVE REQUIREMENTS:

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

STRATEGIC IMPLICATIONS:

Experienced Fire Control Officers throughout the Shire of Moora district for the protection of rural property.

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

Efficient fire control and enforcement of fire breaks protects the natural environment and cereal crops.

➤ **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:

Funding for the Bush Fire Brigade operations is funded from the E.S.L. levy Grant.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

152/08 Moved Cr Tonkin, seconded Cr Barrett-Lennard that the Shire of Moora adopt the following list of Bush Fire Control Officers for the 2008-2009 season and that Council authorise the publishing of the list in the Central Midlands & Coastal Advocate for public information.

Chief Fire Control Officer

James McNamara

Deputy Chief Fire Control Officer (1)

Keith Piper

Deputy Chief Fire Control Officer (2)

Les Crane

Chief Radio/Fire Weather/Harvest ban Officer:

Jeremy Lefroy

Deputy Radio/Fire Weather/Harvest ban Officer: (1)

Les Crane

Deputy Radio/Fire Weather/Harvest ban Officer: (2)

Neil Pearce

Deputy Radio/Fire Weather/Harvest ban Officer: (3)

Hugh Bryan

Training Officer

Hugh Bryan

Fire Permits Only

Manager Community Services

Michael Prunster

Shire Ranger

Murray Matthews

CARRIED 7/0

11.2 FINANCIAL DEVELOPMENT

11.2.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE: 14 August 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)
--

153/08 Moved Cr Pond, seconded Cr Hawkins that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

<i>Municipal Fund</i>	<i>Chqs 58549 to 58594</i>	<i>\$71,982.95</i>
<i>Direct Debits</i>	<i>EFT 1140 to 1224</i>	<i>\$305,090.76</i>
	<i>Net Pays – PPE 22 July</i>	<i>\$67,940.48</i>
	<i>Net Pays – PPE 5 August</i>	<i>\$70,246.66</i>
<i>Trust Fund</i>	<i>Chqs 4509 to 4510</i>	<i>\$400.00</i>
<i>Total</i>		<u><i>\$515,660.85</i></u>

CARRIED 7/0

11.2.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 JULY 2008

REPORT DATE: 14 August 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 July 2008

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 July 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 31 July 2008 is provided as a separate attachment in Program format.

Council should note that the 2007/2008 Actual figures shown are not the final figures for the year ended 30 June 2008 as a number of Balance Day transactions have yet to occur.

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 2008/2009 adopted Budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION (MANEX RECOMMENDATION)
--

154/08 Moved Cr Hawkins, seconded Cr Tonkin that Council notes and receives the Statement of Financial Activity for the period ended 31 July 2008.

CARRIED 7/0

11.3 OPERATIONAL DEVELOPMENT

11.3.1 TENDERS – ROAD SEALING AGGREGATE, BITUMEN PRODUCTS

FILE REFERENCE: TENI &TEPI
REPORT DATE: 15 August 2008
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 25/7/07 (138/07)
AUTHOR: John Greay, Operational Development Manager
ATTACHMENTS: Nil

BACKGROUND

Tenders are called throughout the year for various commodities etc using historic documentation. It is important to develop a set of criteria that is consistent with current requirements.

To undertake Councils road sealing and road works programme, it is necessary to call tenders for aggregate, bitumen and road stabilising for the current year.

COMMENT

It is considered desirable for Council to conform to the WALGA tender proforma when calling tenders for various requirements throughout the year for a value greater than \$100,000 including GST.

To accept this tender proforma requires Council to develop qualitative criteria for the commodities that we are calling tenders for. Council at the moment needs to call tenders for the supply and delivery of road sealing aggregate, supply and spray of bitumen products and the incorporation of road stabilisation products into the road pavement.

The suggested qualitative criteria, which will form part of the tender documentation, will remain in place for future repeat tenders as outlined in the recommendation.

Road Sealing Aggregate

Council will require approximately 2200 tonne of 14mm, 240 tonne of 10mm, 2080 tonne of 7mm and 120 tonne of 5mm road sealing aggregate for their road programme this year. The qualitative criteria to address these requirements are listed in the recommendation.

Supply and Spray of Bitumen Products

To carry out the road-sealing programme this year Council requires approximately 300,000 litres of bitumen supplied and sprayed.

In calling tenders council needs to develop a set of qualitative criteria to assist with the compiling of tenders. This is contained in the recommendation to council.

Road Stabilisation

Within councils proposed budget this year there has been provision for the inclusion in some road rehabilitation work, which has allowed for the inclusion of road stabilisation. It is estimated that possibly 20,000m² may need this type of treatment which should be below the \$100,000 threshold however we don't

want to be in a position of delaying important work part way through the season due possible cost or project escalations.

STATUTORY ENVIRONMENT

Section 3.57 of the Local Government Act 1995

Regulations 11 (1) & 18 of the Local Government (Functions & General) Regulations 1996

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Allowances have been provided within this year's budget and Works Programme.

STRATEGIC IMPLICATIONS

Council needs to continue with the upgrading and maintenance of their road network.

PRECEDENT

Council calls tenders in accordance with the requirements of the Local Government Act and Regulations

VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION (MANEX RECOMMENDATION)

155/08 Moved Cr Hawkins, seconded Cr Pond that pursuant to Regulation 11(1) Local Government (Functions & General) Regulations 1996, Council authorises the calling of tenders for the supply and delivery of road sealing aggregate, supply and spray of bitumen products and supply and incorporation of road stabilising products which are budgeted for in the 2008-09 finance year, based on the WALGA Proforma Tender documentation and adopts the following qualitative criteria.

Description of Qualitative Criteria	Weighting
a) Demonstrated ability to display conformance with the technical specification	15%
b) Demonstrated Safety Management: <ul style="list-style-type: none"> • The provision of a Safety Policy /Management Plan • Confirmation to attend a Council Occupational Safety & Health Induction 	10%
c) Delivery Response Times: Ability to provide the services at the specified/requested times in addition to any existing or future contracts obligated to. Tenderer to supply any previous written contract delivery performance references to other clients.	20%
d) Quality Assurance: Preference will be given to tenderers demonstrating the achievement of, or progress towards, Quality Assurance Certification.	5%
e) References: Supplied references from other organizations the tenderer is or has been contracted to which attest to competent standards of performance.	10%
f) Insurances: Evidence of certificates of currency for public liability, product liability, workers compensation and motor vehicle insurances.	5%
Price Considerations	
Weighted Cost Criteria	Weighting
Tendered Price	35%

CARRIED BY ABSOLUTE MAJORITY 7/0

11.4 COMMUNITY DEVELOPMENT

Nil

11.5 ENVIRONMENTAL DEVELOPMENT

Nil

11.6 ECONOMIC DEVELOPMENT

11.6.1 SALE OF LOTS 154 & 155 GARDINER STREET MOORA

FILE REFERENCE: ED/SAO1
REPORT DATE: 14 August 2008
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Rebecca McCall, Manager Economic Development
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To consider the disposal of property options available to Council for the sale of Lots 154 & 155 Gardiner Street Moora.

BACKGROUND:

In November 2001, Council advertised to dispose of Lots 153, 154 & 155 Gardiner Street, Moora by public tender.

No offers were received for Lots 154 & 155.

Lots 154 & 155 Gardiner Street, Moora were assessed and valued in November 2007 for \$40,000 each exclusive of GST. Council made the decision not to dispose of these Lots until the Town Centre Revitalisation Report was completed.

COMMENT:

In the 2008/09 financial budget there is provision for the disposal of Lots 154 & 155 Gardiner Street, Moora.

Council is requested to decide on their preferred method of disposal available to Local Government.

Under the Local Government Act (1995) Council has the following options to sell property: -

- The highest bidder at public auction; or
- The person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- By private treaty if it gives local public notice of the proposed disposition by: -
 - 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;
 - iv. The names of all other parties concerned;
 - v. The consideration to be received by the local government for the disposition and
 - vi. The market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.

From the options available to Council, it is recommended that Council offer the properties for sale by public tender.

The most recent valuation of the property was obtained from a licensed property valuer in December 2007. As valuations need be less than six months old a new assessment will need to be completed.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Section 3.58 of the Local Government Act 1995 relating to the disposal of Local Government property.

STRATEGIC IMPLICATIONS:

The Shire of Moora's Strategic Plan outlines in the Key Result Area 'Growth' the goal to attract increased population and investment, to realise our brilliant opportunities and diversify our region's employment and economic base.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are potential environmental implications associated with this item with the enhancement of the town centre of Moora.
- **Economic**
There are potential economic implications associated with this proposal including economic growth for the local community.
- **Social**
There are potential social implications associated with this proposal through encouraging new investment and growth which benefits the community at large.

FINANCIAL IMPLICATIONS:

Financial implications include a projected income of \$80,000 inclusive of GST in the 2008/09 financial year.

VOTING REQUIREMENTS

Absolute Majority Required

At 4.08pm Cr Clydesdale-Gebert joined the meeting.

<p>COUNCIL RESOLUTION (MANEX RECOMMENDATIONS)</p>
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156/08 Moved Cr Gardiner, seconded Cr Hawkins that Council;

- 1. offer Lots 154 & 155 Gardiner Street, Moora for sale by public tender.***
- 2. sell Lots 154 & 155 Gardiner Street, Moora to a willing buyer for no less than the recommended market value, exclusive of GST.***
- 3. delegate authority to the Chief Executive Officer to accept or reject any Market Value offer.***

CARRIED BY ABSOLUTE MAJORITY 8/0

Note: Council alternated the point order of items 1 & 2 and the words "Market Value" were added to point 3 between the words "any" and "offer".

11.7 SPORT AND RECREATION

Nil

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

15. MATTERS BEHIND CLOSED DOORS

COUNCIL RESOLUTION

157/08 Moved Cr Pond, seconded Cr Hawkins that the meeting move behind closed doors to discuss Item 15.1, 'Offer to Purchase Lot 43 Drummond Street & Lot 40 Lefroy Street, Moora' as it is a matter affecting contract pursuant to Section 5.23(2)(c) of the Local Government Act 1995.

CARRIED 8/0

At 4.09pm the meeting moved behind closed doors.

15.1 Offer to Purchase Lot 43 Drummond Street & Lot 40 Lefroy Street, Moora

Provided to Councillors under confidential cover

COUNCIL RESOLUTION

158/08 Moved Cr Hawkins, seconded Cr Bryan that Council;

- 1. declines the offer to purchase Lot 43 Drummond Street and Lot 40 Lefroy Street Moora submitted by Djarat Enterprises.*
- 2. offers Lots 43 & 101 Drummond Street & Lot 40 Lefroy Street for sale by Public Tender with the tender specifications to include development proposals for the properties.*

CARRIED BY ABSOLUTE MAJORITY 8/0

COUNCIL RESOLUTION

159/08 Moved Cr Hawkins seconded Cr Clydesdale-Gebert that the meeting come out from behind closed doors and re-open to the public.

CARRIED 8/0

The meeting reopened to the public at 4.38pm.

On reopening the meeting, there were no public present therefore the Shire President did not read aloud the decision made behind closed doors.

16. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 4.38pm.

CONFIRMED

PRESIDING MEMBER