

**SHIRE OF MOORA**  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MOORA**  
**21 OCTOBER 2020**

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

### **I.1 DECLARATION OF OPENING**

*The Chief Executive Officer officially declared the meeting open at 5.30pm and advised the meeting he had received the resignation from the Office of Shire President from Cr Ken Seymour.*

### **I.2 DISCLAIMER READING**

*No responsibility whatsoever is implied or accepted by the Shire of Moora for any act, omission or statement or intimation occurring during this meeting.*

*It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.*

## **2.A ELECTION OF PRESIDENT**

The Chief Executive Officer declared the Office of Shire President vacant.

The Chief Executive Officer advised he had received one written nomination for the position of Shire President from Cr Lefroy.

There being no further nominations the Chief Executive Officer closed the nominations and declared Cr Lefroy elected unopposed as Shire President for a term expiring 15 October 2021.

### **SWEARING IN OF PRESIDENT**

*Section 2.29 of the Local Government Act 1995 requires a person who has been elected as the Shire President to make a declaration in the prescribed form before acting in the office. The declaration is to be made before a person before whom a statutory declaration can be made under the Oaths, Affidavits and Statutory Declarations Act 2005. Mrs Cynthia McMorran AM JP officiates for this purpose.*

Cr Lefroy made the declaration required by Section 2.29 of the Local Government Act 1995 before Mrs Cynthia McMorran, AM JP.

Councillor Lefroy, as Shire President, assumed the chair.

## **2.B ELECTION OF DEPUTY SHIRE PRESIDENT**

Shire President Cr Lefroy declared the Office of Deputy Shire President vacant.

The Chief Executive Officer advised he had received one written nomination for the position of Deputy Shire President from Cr Gilbert.

There being no further nominations Shire President Cr Lefroy closed the nominations and declared Cr Gilbert elected unopposed as Deputy Shire President for a term expiring 15 October 2021.

### **SWEARING IN OF DEPUTY SHIRE PRESIDENT**

*Section 2.29 of the Local Government Act 1995 requires a person who has been elected as the Deputy Shire President to make a declaration in the prescribed form before acting in the office. The declaration is to be made before a person before whom a statutory declaration can be made under the Oaths, Affidavits and Statutory Declarations Act 2005. Mrs Cynthia McMorran AM JP officiates for this purpose.*

Cr Gilbert made the declaration required by Section 2.29 of the Local Government Act 1995 before Mrs Cynthia McMorran, AM JP.

## **3. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**

### **ATTENDANCE**

TL Lefroy	-	Presiding Member / Shire President
SJ Gilbert	-	Councillor / Deputy Shire President
KM Seymour	-	Councillor
DV Clydesdale-Gebert	-	Councillor
EI Hamilton	-	Councillor
JM Thomas	-	Councillor
MR Holliday	-	Councillor
TG Humphry	-	Councillor
PF Nixon	-	Councillor
AJ Leeson	-	Chief Executive Officer
G Robins	-	Deputy Chief Executive Officer
JL Greay	-	Manager Engineering Services
NM Beard	-	Manager Community Development & Visitor Servicing
MM Murray	-	Executive Support Officer (minute taker)

### **PUBLIC**

Cynthia McMorran AM JP	-	Shire Freeman
Julie Walsh	-	Chairperson, Moora Chamber of Commerce

## **4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**5. PUBLIC QUESTION TIME**

Mrs Cynthia McMorran

Asked the CEO, Is the dentist still on track?

CEO responded; Yes, he is still due to commence in early November.

**6. PETITIONS / DELEGATIONS / PRESENTATIONS**

Nil

**7. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**8. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

The following Council associated engagements were attended;

Cr Lefroy, President

19/9 Moora Agricultural Show and Moora Men's Shed official opening

7/10 URBIS Community Consultation, Moora Performing Arts Centre

14/10 Education briefing from Nancy Rees – with Lyn Hamilton and Gavin Robins

Cr Nixon

26/9 Cate Sims, Polly Farmer institute

7/10 URBIS Community Consultation, Moora Performing Arts Centre

Cr Gilbert, Deputy President

19/9 Moora Agricultural Show and Moora Men's Shed official opening

10/10 Moora Races

14/10 Moora Nature Play group meeting

Cr Seymour

19/9 Moora Agricultural Show and Moora Men's Shed official opening

25/9 WA Local Government AGM, Perth

10/10 Moora Races

Cr Hamilton

19/9 Moora Agricultural Show and Moora Men's Shed official opening

10/10 Moora Races

14/10 Moora Community Resource Centre mtg

14/10 Moora Nature Play group meeting

Cr Humphry

7/10 URBIS Community Consultation, Moora Performing Arts Centre

10/10 Moora Races

14/10 Sport & Recreation group meeting

Cr Thomas

19/9 Moora Agricultural Show and Moora Men's Shed official opening

Cr Clydesdale-Gebert

19/9 Moora Agricultural Show and Moora Men's Shed official opening

7/10 URBIS Community Consultation, Moora Performing Arts Centre  
Recent Moora Chamber of Commerce meeting

Cr Holliday

14/10 Moora Nature Play group meeting

## 9. **CONFIRMATION OF MINUTES**

### 9.1 **ORDINARY COUNCIL MEETING - 16 SEPTEMBER 2020**

#### **COUNCIL RESOLUTION**

*128/20 Moved Cr Seymour, seconded Cr Holliday that the Minutes of the Ordinary Meeting of Council held on 16 September 2020 be confirmed as a true and correct record of the meeting.*

**CARRIED 9/0**

## 10. **REPORTS OF OFFICERS**

### 10.1 **GOVERNANCE AND CORPORATE SERVICES**

#### 10.1.1 **LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31**

**REPORT DATE:** 14 October 2020

**OFFICER DISCLOSURE OF INTEREST:** Nil

**AUTHOR:** Alan Leeson, Chief Executive Officer

**SCHEDULE PREPARED BY:** Alida Fitzpatrick, Creditors Officer

**ATTACHMENTS:** Accounts Paid Under Delegated Authority

#### **PURPOSE OF REPORT**

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

#### **BACKGROUND**

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

#### **COMMENT**

Accounts Paid under delegated authority are periodically presented to Council.

#### **POLICY REQUIREMENTS**

Delegation 1.31 – 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**

*129/20 Moved Cr Humphry, seconded Cr Gilbert that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31*

<i>Municipal Fund</i>	<i>Cheques 62459 to 62465</i>	<i>\$15,132.52</i>
	<i>EFT 23860 to 24040</i>	<i>\$430,189.07</i>
	<i>Direct Debits 13310.1 to 13350.11</i>	<i>\$70,392.11</i>
	<i>[DD13335.6] Credit Card 04/08/20 to 02/09/20</i>	<i><u>\$2,696.09</u></i>
		<i>\$518,409.79</i>
<i>Trust Fund</i>	<i>Cheques 5540 to 5542</i>	<i><u>\$1,022.97</u></i>
		<i>Subtotal \$519,432.76</i>
<i>Net Pays</i>	<i>PPE 01/09/20</i>	<i>\$93,422.64</i>
	<i>PPE 15/09/20</i>	<i>\$97,610.05</i>
	<i>PPE 29/09/20</i>	<i><u>\$109,034.96</u></i>
		<i>\$300,067.65</i>
	<i>Total</i>	<i><u>\$819,500.41</u></i>

**CARRIED 9/0**

## **10.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 SEPTEMBER 2020**

**REPORT DATE:** 15 October 2020

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Martin Whitely, LG Corporate Solutions

**ATTACHMENTS:** Statement of Financial Activity for the Period Ended 30 September 2020

### **PURPOSE OF REPORT:**

To note and receive the Statement of Financial Activity for the period ended 30 September 2020.

### **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 2019/20 adopted budget.

### **VOTING REQUIREMENTS**

Simple Majority Required



**COUNCIL RESOLUTION**

***130/20 Moved Cr Nixon, seconded Cr Humphry that Council notes and receives the Statement of Financial Activity for the period ended 30 September 2020.***

**CARRIED 9/0**

**10.1.3 SOUTH WEST NATIVE TITLE SETTLEMENT – POTENTIAL LAND TRANSFERS, MOORA**

**FILE REFERENCE:** Various  
**REPORT DATE:** 14 October 2020  
**APPLICANTS/PROPONENT:** Department of Planning, Lands and Heritage  
**OFFICER DISCLOSURE OF INTEREST:** N/A  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Alan Leeson, Chief Executive Officer  
**ATTACHMENTS:** Land list / map-land locations

**PURPOSE OF REPORT:**

For Council to endorse transfer of identified unallocated crown lands to a future Noongar Based Land Estate as part of the Native Title Settlement associated with South West Aboriginal Land and Sea Council (SWALSC)

The process for these referrals is outlined in the Noongar Land Base Strategy (the Strategy), Annexure J to the Indigenous Land Use Agreements for the South West Settlement. The Assessment Phase of the Strategy includes the referral of land parcels to Local Government Authorities in accordance with Section 14 of the *Land Administration Act 1997* for comment on the proposed transfer, per the series of questions in the below referral.

**BACKGROUND:**

The Department of Planning, Lands and Heritage is responsible for undertaking and identification and assessment process for land parcels within boundaries of settlement. This process includes referring land to relevant agencies for comment. Attached to the Agenda is a list/spreadsheet of the land parcels and correlating map for each respective parcel listed.

The process for these referrals is outlined in the Noongar Land Base Strategy (the Strategy), Annexure J to the Indigenous Land Use Agreements for the South West Settlement. The Assessment Phase of the Strategy includes the referral of land parcels to Local Government Authorities in accordance with Section 14 of the *Land Administration Act 1997* for comment on the proposed transfer.

**COMMENT:**

All parcels of land listed are located within the Moora Townsite. (refer to attached list – map-files). The Shire of Moora has been requested to provide comment. Hereunder is a summary of comments in response to parcels of land identified within the Moora townsite as part of the land allocation/settlement.

- The Shire of Moora doesn't have any direct interest in the land parcels identified;
- There is not any existing or planned infrastructure associated with parcels that requires protection from a Shire of Moora perspective;

- Land parcels are not the subject of any mandatory connection requirements. All land would be subject to normal planning requirements in the event of development applications and or building applications (Planning, Health and Building requirements as per normal)
- Shire of Moora is not aware of any future proposals for the land
- Shire of Moora is not aware of any future proposal associated with adjoining land;
- There are not any local planning scheme amendments that would impact directly the identified land parcels. Council is however in the midst of preparing a new Local Planning Strategy, it is expected this strategy to be neutral in terms of impact on identified land parcels;
- Shire of Moora is not aware of any land management issues associated with identified land parcels. The Shire is however interested to understand what the management of this land looks like into the future (post settlement) e.g.)
  - Is land subject to Shire rates and other regulatory rating such as water and sewerage as applicable
  - Will land be managed in terms of weed control / fire risk mitigation – if so by whom
- Land parcels in terms of water inundation should be referred to the Department of Water and Environmental Regulation (DWER). DWER are the regulatory authority whom determine finished floor levels of any development that may occur on the identified land parcels into the future.

#### **POLICY REQUIREMENTS:**

Council does not have a policy position in relation to this matter.

#### **LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements that directly affect the Shire of Moora in consideration of this matter.

#### **STRATEGIC IMPLICATIONS:**

There are no known direct strategic implications to the Shire of Moora in consideration of this matter.

#### **SUSTAINABILITY IMPLICATIONS:**

##### ➤ **Environment**

There are no known significant environmental implications associated with this proposal for the Shire of Moora.

##### ➤ **Economic**

There are no known significant economic implications associated with this proposal for the Shire of Moora.

##### ➤ **Social**

There are no known significant social implications associated with this proposal for the Shire of Moora.

#### **FINANCIAL IMPLICATIONS:**

There are no immediate financial implications for the Shire of Moora in consideration of this matter.

Should the land be transferred to a Noongar Land Trust the subject land will become rateable. The Land Trust would be required to meet normal costs, including rates and services charges associated with owning freehold land. Freehold land can be exempted from rates under

s. 6.26(2)(g) of the Local Government Act 1995 (WA) where that land is used exclusively for charitable purposes. However, if the freehold land is used for a commercial purpose or leased for a commercial enterprise, it will not be exempt from rates.

Land the subject of this report will not be exempt from rates. It is likely the 17 land parcels the subject of this report will attract a minimum rate charge. 17 x \$676 (2020/2021 minimum rate) would net the Shire of Moora \$11,492.

### **SUMMARY:**

In the authors view in summary, it would be premature to remove the thresholds at this juncture given how shorter time they have been installed and the limited time to assess the affect and performance of the thresholds. The overall design methodology, overall design community consultation and final outcomes of including the thresholds in the construction design was arrived at after extensive discussions and consultations.

### **VOTING REQUIREMENTS**

Simple Majority Required

## **COUNCIL RESOLUTION**

***131/20 Moved Cr Hamilton, seconded Cr Gilbert that Council endorse the land parcels identified in the Moora townsite as part of the South West Native Title Land Settlement and formally endorse the comments/responses prepared by Chief Executive Officer Alan Leeson in response to the Department of Planning, Lands and Heritages referral to the Shire of Moora.***

**CARRIED 9/0**

### **10.1.4 CARNABY'S COCKATOO SCULPTURE PROPOSAL – MOORA TOWN CENTRE**

**FILE REFERENCE:** CC/CCG1

**REPORT DATE:** 10 September 2020

**APPLICANTS/PROPONENT:** Shire of Moora

**OFFICER DISCLOSURE OF INTEREST:** N/A

**PREVIOUS MEETING REFERENCES:** 16/9/2020 (118/20)

**AUTHOR:** Alan Leeson, Chief Executive Officer

**ATTACHMENTS:** Correspondence / Diagrams / Map

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

For Council to consider a request from the Kerkhoff Carnaby Group (KCG) Incorporated to approve in principle the erection of a pair of Carnaby's Cockatoo Sculptures in the Moora Business District.

#### **BACKGROUND:**

Correspondence received by the Shire (attached) outlines clearly the proposal of the KCG. Agreement in sought from Council in principle for the proposal on the basis of;

- Overall concept;
- Location of the sculptures;
- Financial contribution from the Shire, specifically – Costs of any permits required, site preparation, ongoing maintenance and upkeep costs of the sculptures and any other incidental costs attributable to processing/permitting by the Shire.

**COMMENT:**

Information regarding the Carnaby's Cockatoo and its endemicity can be found at;

<https://www.environment.gov.au/biodiversity/threatened/publications/factsheet-carnabys-black-cockatoo-calyptorhynchus-latiostris>

**POLICY REQUIREMENTS:**

Council does not have a policy position in relation to this matter.

**LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements that directly relate to this request from the KCG.

**STRATEGIC IMPLICATIONS:**

Carnaby's Cockatoo are endemic across wide parts of the Wheatbelt. That said the KCG's profile has gained a degree of notoriety in recent years as a result of the Carnaby nest making initiative of Mr Walter Kerkhof.

**SUSTAINABILITY IMPLICATIONS:****➤ Environment**

There are no known environmental implications associated with this proposal.

**➤ Economic**

The proposal of the KCG proposal aims to strengthen the economic fabric of Moora through increased visitors and tourism through Moora. Defined project outcomes detailed in the submission include;

- Increased tourism;
- Increased education and awareness of importance of conservation of the Carnaby's Cockatoo;
- Recognise the efforts of the KCG with their nesting / breeding program;
- Increased cultural awareness in the community as a result of local Yued Noongar people's history associated with the Carnaby's Cockatoo and other natural features throughout the community and region.

**➤ Social**

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

**FINANCIAL IMPLICATIONS:**

Financial support through the planning and construction phase of the project from Council is requested to be in-kind associated with permits and earthworks. From the construction phase of the project Council has been requested to meet the ongoing maintenance costs associated with the sculptures. This cost is unknown.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

*That Council agree in principle to the proposal of the Kerkhoff Carnaby Group Incorporated for construction of two large Carnaby's Cockatoo Sculptures in Moora on the premise of;*

- *Location of sculptures will be as per map provided to Council as part of the proposal/submission;*

- *Shire will meet costs associated with required permits, site preparation and any other incidental costs attributable to permit process for the construction of the sculptures;*
- *Shire acknowledges ongoing maintenance and upkeep costs of the sculptures will be met by the Shire of Moora.*

## **COUNCIL RESOLUTION**

***132/20 Moved Cr Seymour, seconded Cr Holliday that Council agree in principle to the proposal of the Kerkhoff Carnaby Group Incorporated for construction of two large Carnaby's Cockatoo Sculptures in Moora noting;***

- *Location of sculptures to be determined in consultation between the Shire of Moora and the Kerkhoff Carnaby Group Incorporated;*
- *Further refinement and validation of costs associated with the proposal in respect of required permits, site preparation and any other incidental costs attributable relative to the construction phase of the sculptures;*
- *Further investigation and validation of costs in relation to maintenance and upkeep costs of the sculptures.*

**CARRIED 9 / 0**

### **10.1.5 ELECTED MEMBER REPRESENTATION REVIEW**

**FILE REFERENCE:** EM/SHOI  
**REPORT DATE:** 16 October 2020  
**APPLICANT/PROPONENT:** Chief Executive Officer  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Niel Mitchell – Conway Highbury Consulting  
**ATTACHMENTS:** Elected Member Representation Review Report

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

For Council to consider undertaking a review of elected member representation in accordance with the Local Government Act.

#### **BACKGROUND:**

In 2007, ward boundaries were removed and since that time, elections have been for the whole of district. According to the Department's Municipality Boundary Amendments Register, a Council of nine elected members has been in place since January 1997, when the total number of elected members was reduced from 13 to 9.

#### **COMMENT:**

The discussion paper was initiated in order to review elected member representation. While not required by the Local Government Act since no wards are in place, it is appropriate to review from time to time. Any review is to be carried out in accordance with the processes detailed within the Act.

A draft discussion paper has been prepared for Council's review, and it is this document which will form the basis or any paper issue for public consultation.

As there has been no community interest or pressure for the reintroduction of wards, the paper is presented with the following options –

Option 1 – to remain without wards and retain 9 elected members,

Option 2 – to remain without wards, but a reduction from 9 to 8 or 7 elected members

It is intended that the paper for public consultation be advertised in –

- a) Northern Valleys News on 6 November 2020;
- b) Shire library;
- c) the Shire's website; and
- d) social media.

To ensure that the report to the Local Government Advisory Board (LGAB) is submitted in time for implementation at the October 2021 local government election, the following timeframe is provided –

- 6/11/2020 – advertising
- 7/11/2020 – commencement of public consultation period
- 22/12/2020 – closure of public consultation (earliest date is 21/12/2020)
- mid-January 2021 – special meeting of Council to consider public submissions and resolve (absolute majority required) if any proposal is to be made to the LGAB
- 31/1/2021 – last date for proposals to be made to LGAB
- March 2021 – LGAB makes recommendation to Minister

This will allow publication of a notice in the Government Gazette of an Order in Council for any change in representation numbers, in time for the relevant election processes.

Due to time constraints, and subject to Council's resolution to undertake a review of elected member representation, it is suggested that the CEO be authorised to finalise the discussion paper for public comment, in consultation with the President.

#### **POLICY REQUIREMENTS:**

Nil

#### **LEGISLATIVE REQUIREMENTS:**

Schedule 2.2 of the *Local Government Act 1995* provides the statutory process for conducting a review, and the advertising requirements that form part of the process. In order for the next phase of the process, advertising must be carried out.

#### **STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal.

#### **SUSTAINABILITY IMPLICATIONS**

##### ➤ **Environment**

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

##### ➤ **Economic**

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

##### ➤ **Social**

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

**FINANCIAL IMPLICATIONS:**

It is estimated the review process will costs in the vicinity of \$4,500 (ex GST). Depending on the outcome of the review there are financial implications directly related to the number of elected members associated with sitting fees, travel expenses, eligible out of pocket expenses and training and development expenses

**VOTING REQUIREMENTS:**

Simple Majority Required

**COUNCIL RESOLUTION**

**133/20 Moved Cr Nixon, seconded Cr Thomas that Council resolve –**

- a) to proceed with a review of elected member representation;**
- b) public comment be invited on –**
  - **remaining with no wards, retaining 9 office of councillor; and**
  - **remaining with no wards, reducing to 7 office of councillor;**
- c) the CEO in consultation with the Shire President finalise the paper for public comment;**
- d) in accordance with Schedule 2.2(7)(1) of the Local Government Act 1995, give local public notice advising –**
  - **that a review of the number of offices of councillor is to be carried out; and**
  - **that submissions may be made to the Shire by 23 December 2020.**

**CARRIED 9/0**

**10.2 DEVELOPMENT SERVICES**

At 5.57pm Cr Nixon declared a proximity interest as he has had past dealings with Helispecs and owns land adjacent to the airstrip. Cr Nixon left the meeting at this juncture.

**10.2.1 MOORA AERODROME - DEVELOPMENT PROPOSAL**

**FILE REFERENCE:** ED/AID1

**REPORT DATE:** 13 October 2020

**APPLICANTS/PROPONENT:** Shire of Moora

**OFFICER DISCLOSURE OF INTEREST:** N/A

**PREVIOUS MEETING REFERENCES:** Nil

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

**ATTACHMENTS:** Diagram

**BACKGROUND:**

The Shire has been approached by the principal of Helispecs, Mr Brent Nottage, to advance a proposal to develop a fixed base aerial agricultural service operation at the Moora Aerodrome.

**COMMENT:****Details**

The proposal envisages a long-term lease – greater than 20 years, and the construction of a hangar, taxiways, a loading bay, an accommodation unit, a chemical store and bunded fuel tanks. The company has identified its preferred location as being the north eastern corner of the partly developed land north of runway 12/30 (see attached diagram). The proposed

hangar, chemical store, loading bay and overhangs will occupy approximately 1,540 metres square. Dimensions for the accommodation unit and fuel tanks have not been identified at this time. Helispecs has indicated that it will commit to invest up to \$500,000 on this facility.

A hangar owned by Mr Simon Willmott, currently sits within the proponent's preferred development area. Negotiations for the relocation of this hangar will be required if the proposed development proceeds.

The proponent has indicated eagerness to proceed with the project and has sought certainty as to access to the proposed site to permit the formal planning of buildings and applications for the relevant permits and licences.

### **Issues**

While the proponent would like to proceed with the development as soon as possible, the Shire has a responsibility to balance the competing demands of the proponent with a considered strategic development of the aerodrome that avoids constraining the Shire's future development options and promotes a safe operational environment.

The development master plan for the aerodrome's future has previously been considered and supported by Council. A masterplan will provide Council with a sound and defensible basis upon which to make decisions about the future development of the aerodrome.

Council applied for funding amounting to \$50,000 under Round 7 of the State Government Remote Airstrip Upgrade Programme (RAUP) to prepare a masterplan for the aerodrome. While pending formal advice, the application does not appear to have been successful with Government noting the funding round has been highly contested and limited funds will be available for disbursement. The Shire will make a further submission under Regional Aviation Access Programme – Remote airstrip Upgrade Programme Round 8 for funding of the masterplan.

In the interim, it is important the Shire advances the opportunity presented by the Helispecs' proposal. Two key elements are essential to enable the current proposal to be crystallised; these are the preparation of an aerodrome master plan and the completion of a formal agreement with Helispecs regarding its proposed development.

To expedite these steps, the two activities could be run concurrently. The Shire's application for Remote Airstrip Upgrade Programme funding included quotations for the preparation of an aerodrome masterplan (Murray Slavin Architects and Planners - \$41,157 and Urban Exurban Planners - \$43,000). These quotations provide a basis upon which the Shire may engage a consultant to undertake the masterplan.

In the absence RAUP funding, Council's 2020-21 budget provides an allocation of \$50,000 for the preparation of an aerodrome masterplan. It is proposed that these budgeted funds be applied to the engagement of a suitable consultant to undertake the development of the masterplan.

In conjunction with the development of the aerodrome masterplan, the Shire could engage with Helispecs to negotiate binding terms of agreement that provide both parties with planning certainty for the future.

While the masterplan will take longer to complete, a target date for the binding terms of agreement could be set as the end of November 2020. This would give Mr Nottage confidence



to engage engineers and architects to design his building and installations. In turn, this information will give the Shire technical material that will strengthen the master plan.

#### **POLICY REQUIREMENTS:**

This proposal is consistent with Council's policy of encouraging planned strategic investment in Moora's economic and social development.

#### **LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements related to this item at this time.

#### **STRATEGIC IMPLICATIONS:**

This proposal is consistent with Council's current strategic objectives.

#### **SUSTAINABILITY IMPLICATIONS**

##### ➤ **Environment**

There are no known significant environmental implications associated with this proposal. Subject to the nature of any developmental agreement with Helispecs, there will be environmental issues to consider in respect of chemical and fuel storage.

##### ➤ **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 in relation to this item beyond expenditures provided for in Council's 2020/2021 budget.

#### **VOTING REQUIREMENTS**

Simple Majority Required

#### **COUNCIL RESOLUTION**

***134/20 Moved Cr Seymour, seconded Cr Gilbert that Council:***

- 1. Approve the appointment / engagement of Murray Slavin Architects and Planners to develop and prepare a Masterplan for the Moora Aerodrome to be funded by the 2020/2021 Municipal Budget allocation of \$50,000;***
- 2. Authorise the Chief Executive Officer and Deputy Chief Executive Officer to continue negotiations with Mr Brent Nottage, proprietor of Helispecs in regard to Mr Nottage's expression of interest to take up a long-term land lease at the Moora Aerodrome, specifically noting;***
  - i. Preparation of draft binding terms of agreement between Mr Nottage and the Shire of Moora with final terms to be approved by Council;***
  - ii. Finalise negotiations concurrently with preparation and finalisation of Masterplan for the Moora Aerodrome;***
- 3. Include into the Moora Aerodrome Master Plan a lease template for recreational use and emergency service use of the Moora Aerodrome which may include but not be limited permanent hangar area allocation and associated binding terms of agreement to be approved by Council.***

**CARRIED 8/0**

At 5.59pm Cr Nixon re-entered the meeting

## 10.2.2 MOORA SWIMMING POOLS

**FILE REFERENCE:** B/MOSI-2

**REPORT DATE:** 13 October 2020

**APPLICANTS/PROPONENT:** Shire of Moora

**OFFICER DISCLOSURE OF INTEREST:** N/A

**PREVIOUS MEETING REFERENCES:** Nil

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

**ATTACHMENTS:** Nil

### **PURPOSE OF REPORT:**

To provide Council with advice as to progress with the planned rectification of the pool's chlorination system (regulatory compliance) and condition assessment.

### **BACKGROUND:**

The Shire has approved funding to undertake remedial work that will ensure the swimming pool's chlorination system meets current compliance requirements. A second body of work will involve the conduct of a condition assessment of the pool's infrastructure to determine how existing deficiencies can be remediated. Progress has been made in respect of both bodies of work.

### **COMMENT:**

As the nature of the pool works are distinct, the Shire divided the pool works into two separate bodies; these being the upgrading of the chlorination system and the condition assessment for the more extensive remediation of the pool. In adopting this approach, the Shire relied on advice and assistance from WALGA to undertake calls for expressions of interest for these two bodies of work. The works were prioritised to enable the pool to be operational for the 2020/21 summer season.

### **Phase I - Chlorination System Upgrade**

Expressions of Interests were called for the supply and installation of a fully capable and compliant chlorination system for both the children's and 50-meter pools. The chlorination system was to be compatible with existing and future systems and capable of relocation to another site if that were to be required at any time in the future. Three expressions of interest were received; they are set out below.

<b>Supplier</b>	<b>GST Excl</b>	<b>GST</b>	<b>GST Incl</b>
Aquatic Services	26,952	2,695	29,647
Trillity	33,000	3,300	36,300
West Water	30,147	3,015	33,162

Following discussions with the interested parties, West Water was selected to undertake the supply and installation of the chlorination system for a total cost of \$33,162. West Water described a better understanding of the Shire's business and appreciation for the Shire's priorities. As West Water currently provides services to the Shire in respect of the sewerage ponds, it is proposed that the company will be engaged in an assessment of how services and economic synergies may be developed for the servicing of the sewerage ponds, the public pool and the hydrotherapy pool.

It is expected that the pool will be ready for reopening in the second week of November.

**Phase 2 - Pool Condition Assessment**

Following advice and assistance from WALGA, the Pool Condition Assessment Expressions of Interest was sent to 7 potential companies, including:

- Airey Taylor Consulting
- Aquatic Developments
- Aquatic Services
- Commercial Aquatics
- Geoff Ninnnes & Associates
- GHD
- Tropical Pools
- Wet Deck Pools

Telephone and written enquiries regarding a range of technical and general matters were received from several companies, with the Shire providing responses to all enquiries. Ultimately, two written responses were received, one from Geoff Ninnnes & Associates and the other from Airey Taylor Consulting. Pricing in respect of the two proposals vary by approximately \$35,000 due to what appear to be differences in methodologies and approaches. Meetings with the two respondents are being arranged to understand their respective approaches, clarify materials and terms to ensure an alignment that enables a valid comparison.

Council will be kept apprised of the outcome of this assessment.

**ISSUES:**

Nil currently.

**POLICY REQUIREMENTS:**

There are no known policy requirements related to this item at this time.

**LEGISLATIVE REQUIREMENTS:**

There are no known legislative requirements related to this item.

**STRATEGIC IMPLICATIONS:**

There are no known strategic implications associated with this proposal at this time.

**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 in relation to this item beyond expenditures provided for in Council's 2020/2021 budget.

**VOTING REQUIREMENTS**

Simple Majority Required

**COUNCIL RESOLUTION**

*135/20 Moved Cr Humphry, seconded Cr Holliday that Council note:*

- 1. the engagement of West Water to undertake the supply and installation of the public swimming pool chlorination system for a total of \$33,162;*  
*and*
- 2. Finalisation of the condition assessment expressions of interest are pending.*

**CARRIED 9/0**

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

Nil

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

The Shire President raised an item of urgent business relating to quotations received for the Supply of 1 x New Compactor Rubbish Truck.

**COUNCIL RESOLUTION**

*136/20 Moved Cr Holliday, seconded Cr Nixon that the item of urgent business be introduced relating to the Quotation 06/2020 – Supply of 1 x New Compactor Rubbish Truck.*

**CARRIED 9/0**

**12.1 QUOTATION 06/2020 – SUPPLY OF 1 x NEW COMPACTOR RUBBISH TRUCK**

**FILE REFERENCE:** L/TEPI

**REPORT DATE:** 19 October 2020

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** 17/6/2020 (76/20)

**AUTHOR:** John Greay, Manager Engineering Services

**ATTACHMENTS:** Quotations from WA Hino, Truck Centre and Major Motors

**PURPOSE OF REPORT:**

Quotations closed for the supply of a new compactor rubbish truck on 16<sup>th</sup> October 2020 at 4.00pm and are now presented to Council for evaluation.

**BACKGROUND:**

Council has budgeted \$400,000 plus GST this year for the replacement of the 2009 Hino rubbish truck.

**COMMENT:**

Council's existing truck is now 11 years old and has travelled in excess of 500,000kms; it is a in need of replacement. Quotes were invited via the WALGA portal on 1<sup>st</sup> October 2020 and

at the time of closing, Council had received submissions from three companies. All quotes received are attached for Council's evaluation.

### **POLICY REQUIREMENTS:**

Council has complied with its policy in calling quotations for items of plant with a value greater than \$250,000.

### **LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995 (as amended) 3.57

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

11. When tenders have to be publicly invited
  - (1A) In this regulation —
 

*state of emergency declaration* has the meaning given in the *Emergency Management Act 2005* section 3.
  - (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.
  - (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
    - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or
    - (aa) the supply of the goods or services is associated with a state of emergency; or
    - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program;

This authorises Members to purchase any value of goods and services over any time period through WALGA Arrangements without going to Tender. This is because WALGA has already undertaken a fully compliant public procurement process on behalf of the State's local government sector.

Preferred Supply Arrangements are compliant with national competition laws, including the provisions of the Competition and Consumer Act 2010 (Cth).

### **STRATEGIC IMPLICATIONS:**

The kerbside refuse collection is a key function of Councils overall waste management services. The author recommended Council retain the service in-house as against contracting the kerbside collection service out to external contractors. The demonstrable benefits of long-term consistent maintenance of responsive and flexible kerbside collection services support this approach. The approach enables the many occasions whereby Council offers additional collection services for community events such as the community show, equestrian events, local winter sports grand final day and others. of collection.

### **SUSTAINABILITY IMPLICATIONS:**

#### ➤ **Environment**

Council provides a rubbish pickup service to its urban and some rural ratepayers (who deliver their bin into a designated bin pickup location) throughout the district on a weekly basis. It is important that a service is provided to collect household waste, and have it disposed of in an effective manner on a regular basis. This reduces the likelihood

of indiscriminate dumping which could cause a health hazard and have a detrimental impact on the environment.

➤ **Economic**

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

➤ **Social**

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

**FINANCIAL IMPLICATIONS:**

Council's 2020/2021 budget provides for a changeover price of \$400,000 plus GST.

**VOTING REQUIREMENTS:**

Simple Majority Required

**COUNCIL RESOLUTION**

*137/20 Moved Cr Thomas, seconded Cr Clydesdale-Gebert that Council accepts the quotation received from Major Motors for RFQ-06/2020 for the supply and delivery of 1 (one) only Isuzu Truck FVDTZ-M20 FVD 165-300 AUTO MLWB DC (ADR80) Cab/ Chassis, complete with 18m<sup>3</sup> Bucher Compactor body for \$368,341 less trade \$38,000 leaving a changeover of \$330,341 including GST.*

**CARRIED 9/0**

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

Nil

**14. CLOSURE OF MEETING**

*There being no further business, the Shire President declared the meeting closed at 6.01pm.*

**CONFIRMED**

**PRESIDING MEMBER**