



Ordinary Council Meeting Minutes

Date: 23 January 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 COUNCIL CHAMBERS, MOORA
WEDNESDAY 23 JANUARY 2008

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1. DECLARATION OF OPENING & WELCOME OF VISITORS

The Shire President declared the meeting open at 3.37pm, welcomed visitors and acknowledged the attendance of Mrs Lydia Highfield from Workplace Solutions. The Shire President then welcomed Mr Darren Friend, the shires new Manager Finance & Corporate Services to the meeting and then announced:

"Acknowledgment of Country"

I would like to show my respect and acknowledge to 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

The Shire President read the following disclaimer:

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	-	Councillor
WA Barrett-Lennard	-	Councillor
CE Gardiner	-	Councillor
AR Tonkin	-	Councillor
SJ Deckert	-	Chief Executive Officer
MJ Prunster	-	Community Development Manager
DA Friend	-	Manager Finance & Corporate Services

APOLOGIES

R Keamy	-	Councillor
CD Hawkins	-	Councillor
JW McLagan	-	Councillor
DV Clydesdale-Gebert	-	Councillor
JL Greay	-	Operational Development Manager
RL McCall	-	Manager Economic Development

PUBLIC

Mrs Merrel Pond (until 3.50pm) -	Editor, Central Midlands Advocate
Mrs Lydia Highfield (until 5.47pm) -	Recruitment Manager, Workplace Solutions

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

The Shire President, Cr Bryan requested leave of absence for the Ordinary Meeting of Council to be held on during the month of February 2008, as she would be on vacation.

COUNCIL RESOLUTION

1/08 Moved Cr Pond, seconded Cr Tonkin that Cr Bryan be granted leave of absence for the Ordinary Meeting of Council to be held during the month of February 2008.

CARRIED 5/0

Note – Council could not approve a specific date as the dates for Councils Ordinary meetings for 2008 were being decided on later in the meeting.

8. PETITIONS AND MEMORIALS

Mrs Lydia Highfield, Recruitment Manager for Workplace Solutions was in attendance to discuss their Executive Recruitment Service, should they be appointed to assist Council in the recruitment of a new CEO.

9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT

The Shire President announced that:

- She had received the resignation of the Chief Executive Officer, Steven Deckert who will be taking up the appointment of CEO at the Shire of Laverton. The CEO's last working day will be Friday 28 March 2008.
- The CEO had accepted the resignation of the Customer Services Officer, Cindi Brassington who has been with Council for 21 years. Ms Brassington's last working day with Council will be Friday 15 February 2008 and she will be taking up a position with McIntosh and Sons.
- The Australia Day celebrations will take place in Apex Park this coming Saturday 26 January 2008 commencing at 8 am.

- The official opening of the new Moora Gymnasium will take place on Friday 8 February 2008 commencing at 6 pm.
- This coming Friday 25 January 2008, the Central Midland Voluntary Region of Councils (CMVROC) will be meeting in Dalwallinu. The Shire President, Deputy President, CEO & Community Development Manager to attend.
- The Avon Midland Zone meeting of WALGA Councils will take place on 7 & 8 February at York. Cr Pond and one other Councillor to attend together with senior staff.
- Cr Pond advised that he attended a very successful 'Energising the Wheatbelt' Conference on 14 January 2008. The next meeting is scheduled to be held on Friday 25 January 2008.

10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

10.1 ORDINARY COUNCIL MEETING - 12 DECEMBER 2007

COUNCIL RESOLUTION

2/08 Moved Cr Barrett-Lennard, seconded Cr Pond that the Minutes of the Ordinary Meeting of Council held on 12 December 2007, be confirmed as a true and correct record of the meeting.

CARRIED 5/0

SUSPENSION OF STANDING ORDERS

COUNCIL RESOLUTION

3/08 Moved Cr Pond, seconded Cr Tonkin that Council suspends Standing Orders so that Item 15.5, "Resignation of Mr Steven Deckert as Chief Executive Officer" be the first report considered by Council at this time.

CARRIED 5/0

COUNCIL RESOLUTION

4/08 Moved Cr Gardiner, seconded Cr Pond that the meeting moves behind closed doors to discuss a confidential item, Item 15.5 "Resignation of Mr Steven Deckert as Chief Executive Officer" as it is a matter affecting employees pursuant to Section 5.23(2)(a) of the Local Government Act 1995.

CARRIED 5/0

The CEO, Manager Finance & Community Services, the Community Development Manager and Mrs Merrel Pond left the meeting at 3.50 pm.

15.5 Resignation of Mr Steven Deckert as Chief Executive Officer

Provided to Councillors under confidential cover.

COUNCIL RESOLUTION

5/08 Moved Cr Tonkin, seconded Cr Barrett Lennard that Council:

- 1. Receives the resignation of Mr Steven Deckert as the Shire's Chief Executive Officer, effective from 5.00pm Friday 28th March 2008, and formally acknowledges the professional service of Mr Deckert since commencing with the Shire in October 2005;**
- 2. Appoints recruitment consultancy Workplace Solutions to provide assistance to Council for the recruitment of a new CEO in accordance with their Expression of Interest dated 7 January 2008, to include, but not limited to advertising, reviewing of the Position Description, establishing a contract and salary package, shortlisting for interview, arranging and assisting interviews and finalising the contract;**
- 3. Appoints the following persons to the Selection Panel to work with and guide Workplace Solutions in the process to recruit a new CEO:
Shire President, Cr Sheryl Bryan
Deputy President, Cr Jim Pond
Cr Colin Gardiner, and
Cr Barrett-Lennard**

This Selection Panel has no delegated authority and all decisions are to be referred to Council for determination.

CARRIED 5/0

REOPENING OF MEETING TO PUBLIC**COUNCIL RESOLUTION**

6/08 Moved Cr Tonkin, seconded Cr Pond that the meeting moves from behind closed doors and reopens to the public.

CARRIED 5/0

The meeting came out from behind closed doors and opened to the public at 5.47pm at which time Mrs Lydia Highfield retired from the meeting and the CEO, Manager Finance & Community Services and the Community Development Manager rejoined the meeting.

On reopening the meeting to the public, the Shire President read aloud the decisions made behind closed doors.

RESUMPTION OF STANDING ORDERS**COUNCIL RESOLUTION**

7/08 *Moved Cr Tonkin, seconded Cr Gardiner that Council resumes Standing Orders.*

CARRIED 5/0

II. REPORTS OF OFFICERS**II.1 ADMINISTRATION****II.1.1 REVIEW OF COUNCIL MEETING SCHEDULES**

FILE REFERENCE: EN/COAI

REPORT DATE: 10 January 2008

APPLICANT/PROPONENT: Not Applicable

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

PREVIOUS MEETING REFERENCES: 11 July 2007 (Minute II.1.1)

AUTHOR: Steven Deckert, Chief Executive Officer

ATTACHMENTS: Proposed Schedule of meeting dates in 2008 based on one Council meeting per month, and
Proposed Schedule of meeting dates in 2008 based on two Council meetings per month.

PURPOSE OF REPORT:

To review the 6 month trial of holding one ordinary meeting of Council per month and two briefing sessions per month. Once Council has determined the outcome of the trial, to then determine the meeting arrangements for the remainder of 2008 including dates, locations and commencement time.

BACKGROUND:

At the Ordinary meeting on 11 July 2007, Council resolved to trial for a six month period, the holding of one ordinary meeting of Council on the fourth Wednesday of each month. In addition, Council held Briefing Sessions on the second and fourth Wednesdays of each month. The only variation to this schedule was in December and January where Council would only meet once during those months.

The six month trial concludes with the holding of this Ordinary Meeting. Council now needs to consider the success or otherwise of the trial and as a consequence determine the Council's meeting arrangements for the remainder of the year.

COMMENT:

MANEX's view is that the trial has been successful and endorses its continuation for the remainder of 2008. Once again, MANEX would like Council to consider an earlier start to both the Ordinary Meetings and Briefing Sessions, so that these meetings can be concluded at a reasonable hour. MANEX suggests lunch at 12.30pm then commence the ordinary meeting at 1.00pm with the briefing session following the ordinary meeting.

Individual Councillors would have formed their own views on the trial so it is up to Council to determine its preference based on their perceptions of the effectiveness of the meeting schedule and taking into account their personal circumstances. Ultimately, Council needs to be satisfied that the decision making process is open, accountable and effective.

Attached to this report are two proposed meeting schedules. One is for one Ordinary meeting per month; the other is for two meetings per month.

The MANEX recommendation supports the option of one ordinary meeting per month with a 1.00pm start in preference to a 3.30pm start.

Council will also need to give consideration to the setting of Councillors meeting fees as part of this item. Council's decision on the frequency of meetings, will determine what level of meeting fees are set.

During the trial period, the meeting fees were set at \$140 per meeting and at \$280 per meeting for the Shire President. This is the maximum allowable and only applies to the Ordinary meetings and not the Briefing Sessions. Should Council opt for two Ordinary meetings per month, then the meeting fee set by Council prior to the trial period was \$95 per meeting and \$155 for the Shire President.

POLICY REQUIREMENTS:

There are no Council Policies relative to this matter.

LEGISLATIVE REQUIREMENTS:

Section 5.25 (g) of the Local Government Act 1995 stipulates that Regulations may make provision in relation to the giving of public notice of the date and agenda for Council or committee meetings.

Regulation 12 of the Local Government (Administration) Regulations 1996 states;

- I. At least once each year a local government is to give local public notice of the dates on which and the time and place at which –
 - (a) the ordinary council meetings; and
 - (b) the briefing sessions that are required under the Act to be open to members of the public or that are proposed to be open to members of the public;are to be held in the next 12 months.

Sections 5.98 and 5.99 of the Local Government Act 1995 and Regulation 30 of the Local Government (Administration) Regulations) 1996 sets the minimum and maximum amounts for the payment of meeting fees.

STRATEGIC IMPLICATIONS:

The trialling of one ordinary meeting per month enabled Council to assess its effectiveness in assisting Council to provide good local government to the district.

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. The holding of Council meetings including all associated costs is provided in the current budget and will be provided for in future budgets.

VOTING REQUIREMENTS:

Simple Majority Required

MANEX RECOMMENDATION

That Council,

1. *Adopts the meeting schedule for the period February 2008 to December 2008 as attached, based on one Ordinary Meeting of Council per month;*
2. *Advertises the meeting dates in accordance with section 5.25 of the Local Government Act 1995 and Regulation 12 (1) of the Local Government (Administration) Regulations 1996.*
3. *Sets the meeting fees to be paid to Councillors at \$140 per meeting and at \$280 per meeting for the Shire President.*
4. *Review the meeting fees set in part 3 above, if at any time the frequency of Ordinary Meetings of Council change.*

COUNCIL RESOLUTION

8/08 Moved Cr Gardiner, seconded Cr Tonkin that Council,

1. **Adopts the meeting schedule, as amended for the period February 2008 to December 2008 as attached, based on one Ordinary Meeting of Council per month;**
2. **Advertises the meeting dates in accordance with section 5.25 of the Local Government Act 1995 and Regulation 12 (1) of the Local Government (Administration) Regulations 1996.**
3. **Sets the meeting fees to be paid to Councillors at \$140 per meeting and at \$280 per meeting for the Shire President.**
4. **Reviews the meeting fees set in part 3 above, if at any time the frequency of Ordinary Meetings of Council changes.**

CARRIED BY ABSOLUTE MAJORITY 5/0

Note: Point 1 of the recommendation was amended by insertion of “as amended” to reflect that Council had decided to amend the one meeting per month schedule by holding Ordinary Meetings on the third Wednesday of each month and Briefing Sessions on the first and third Wednesday of each month.

11.2 FINANCIAL DEVELOPMENT

11.2.1 MOORA AIRSTRIP ACCESS – W.J. & K.M. VANZETTI

FILE REFERENCE: PA/3225-1
REPORT DATE: 17 December 2007
APPLICANT/PROPONENT: W.J. & K.M. Vanzetti
OFFICER DISCLOSURE OF INTEREST: Author has no interest in this item
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Michael Prunster, Community Development Manager
ATTACHMENTS: Map of Location

PURPOSE OF REPORT:

Mr & Mrs Vanzetti recently met with the Community Development Manager to discuss a lease arrangement over the use of the Moora Airstrip. The Airstrip is located on their Lot 48, Melb. Loc 1216 and Melb. Loc 992.

BACKGROUND:

The request was discussed at a Council Briefing Session held on the 14 November 2007, and Councillors were generally supportive of arranging a lease with Mr & Mrs Vanzetti.

The Vanzetti family purchased the land that includes the Airstrip a few years ago and currently use the land for farming purposes.

The Moora Airstrip has been available for public utilisation dating back to pre World War II. The use of the strip has been made available to users free of charge by the previous landowner Mr Clive Lumbers and his family. The Shire of Moora has assisted with the care and maintenance over the years by maintaining the strip to a reasonable condition. The strip is also used by FESA and is a refilling point for the “water bombers” in the case of large bush fires. Whilst the strip is not used frequently, it does provide a facility available in the case of emergencies, eg; Royal Flying Doctor Service etc., as well as parliamentary members and various business people on occasions. Spraying contractors use the strip during spraying of agricultural crops.

Following a “reshuffle” of the farm property by Mr & Mrs Vanzetti senior, their two sons have now taken possession of their own parcels of the farm of which Mr & Mrs W.J. Vanzetti have control over the airstrip portion.

Mr & Mrs Vanzetti have requested Council to consider compensating them for the use of the strip to the value of the rates charge on assessment A3225. This assessment includes the three parcels of land, and the current 2007-08 rate charge is \$3,223.56.

During the meeting discussions, I enquired whether Mr & Mrs Vanzetti would consider an option from Council to purchase the section involving the strip, but they indicated that they would not be interested in selling because it would interfere with their farming programme. Mr & Mrs Vanzetti are happy to enter into a legal agreement on the use of the strip.

A few years ago a study was arranged by a previous Enterprise Development Manager on the costing of providing a public airstrip in Moora. The costings were estimated to be in excess of \$2m.

COMMENT:

The Airstrip provides a facility which could be considered to be an economic benefit to the Shire. Although statistics are not available, the Airstrip is used throughout the year for business, medical and Ministers of Government visits.

With the expected growth in Moora and surrounding district over the next few years, it is envisaged that the use of the Airstrip will become more prominent.

It is recommended that Council arrange for a lease agreement with Mr & Mrs Vanzetti that will allow the Airstrip to be maintained and available for public use when required.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 S3.59

STRATEGIC IMPLICATIONS:

Allocation of resources to support growth

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

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

➤ **Economic**

Provision of a managed facility to assist in the development of business and commercial projects.

➤ **Social**

The facility provides infrastructure in the case of emergency situations – eg: health, flood, fire etc.

FINANCIAL IMPLICATIONS:

Council has maintained the Airstrip over many years, and this cost is included in the current Budget. Some additional work may be required to upgrade some minor sections of the strip, but these would not be outside the maintenance Budget estimate.

The request from Mr & Mrs Vanzetti is for a lease arrangement of an amount equivalent to their rates on the property which equates to \$62.00 per week. (currently \$3,224 per annum)

Council may be required to arrange Public Liability Insurance cover.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION (MANEX RECOMMENDATION)

9/08 Moved Cr Pond, seconded Cr Gardiner that Council supports a lease arrangement with Mr & Mrs W.J. Vanzetti over the Moora Airstrip, assessment number A3225, located on Lot 48 Melbourne Location 1216, 2 of Melbourne Location 992, Airstrip Road Moora and authorises the Chief Executive Officer to arrange negotiations with Mr & Mrs Vanzetti for an agreement to:-

- 1. Arrange a lease payment amount agreeable to both parties with an annual review using the C.P.I. as an indicator for lease payment increases.**
- 2. Arrange for the Shire of Moora Solicitors to prepare a suitable legal lease agreement to be executed by both parties.**
- 3. Obtain a quotation for the cost of public liability insurance to cover the use of the Airstrip.**
- 4. Investigate conditions that may apply from other air controlling authorities.**
- 5. Refer results of these negotiations to Council for final consideration.**

CARRIED BY ABSOLUTE MAJORITY 5/0

11.2.2 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE: 7 January 2008
OFFICER DISCLOSURE OF INTEREST: Nil
AUTHOR: Michael Prunster, Community Development Manager
ATTACHMENTS: Accounts Paid Under Delegated Authority

PURPOSE OF REPORT

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

BACKGROUND

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

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

POLICY REQUIREMENTS

Delegation 1.31 – Payments from Municipal and Trust Funds.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 - Section 6.10

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

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS

Payments are in accordance with the adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION (MANEX RECOMMENDATION)
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10/08 Moved Cr Gardiner, seconded Cr Pond that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

Municipal Fund	Chq 57403 -57529	\$353,568.83
Direct Debits	358 -372	\$118,396.49
Total		<u>\$471,965.32</u>

CARRIED 5/0

11.3 OPERATIONAL DEVELOPMENT

Nil

11.4 COMMUNITY DEVELOPMENT

11.4.1 FESA BUDGET SUBMISSION 2007-2008

FILE REFERENCE: LO/EMSI
REPORT DATE: 21 December 2007
APPLICANT/PROPONENT: Annual Bush Fire Brigade and SES Budget
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 14 February 2007 (23/07)
AUTHOR: Michael Prunster, Community Development Manager
ATTACHMENTS: Copy of Budget Submission

PURPOSE OF REPORT:

Council endorsement and confirmation for inclusion in the 2008-09 F.E.S.A. E.S.L Budget.

BACKGROUND:

Each year Local Governments are now required to prepare and submit their budget for the Emergency Services Levy (ESL) Grant by 20 December. Following consultation with the Executive members of the Bush Fire Brigades and Moora S.E.S. Unit, the Shire of Moora's ESL grant budget for 2008-09 has been prepared and submitted to F.E.S.A. The budget document is provided as a separate attachment.

COMMENT:

Over the last five years the emphasis has been to increase the issue of protective clothing to members for protection against injury when fighting bushfires.

The 2008-09 budget application provides for a continued increase in protective clothing for Bush Fire Brigade volunteers, and \$7,500 has been included to provide protective clothing, gloves, safety boots and goggles for the safety of members.

Funds totalling \$5,500 have been requested for the purchase of minor equipment and maintenance of plant & equipment.

A request has been included in the submission for the Coomberdale Brigade to receive a refurbished water tanker for 2009-10. This Brigade is very active and has not previously had a fire-fighting unit.

A request has also been included for the construction of a single Bay Fire Shed for the housing of the new Bindi Bindi fire unit. This unit is currently housed at the farm of Mr B. Ellis, and a shed located within the Bindi Bindi townsite on land owned by the Shire of Moora is proposed.

The Koojan Brigade have been allocated a refurbished 2.4 rural tanker which was to be delivered in 2007, but due to a short supply of refurbished vehicles, this will now be deferred until 2008.

The total operating budget requested for the Bush Fire Brigades for 2008-09 is \$36,360, which is a \$1,260 increase over the allocated amount for 2007-08.

The SES component of the budget provides for an operational budget of \$12,500 that is \$4,100 increase over the 2007-08 allocation.

A request has been included for capital expenditure of \$12,000 for the provision of a cooking stove for the kitchen and replacement floor coverings as a result of a Risk Management recommendation. The stove has been included in past budgets, but not approved.

POLICY REQUIREMENTS:

Bush Fire Policy Schedule

LEGISLATIVE REQUIREMENTS:

Section 36Y of the Fire and Emergency Services Authority (FESA) of Western Australia Act 1998.

STRATEGIC IMPLICATIONS:

Continued improvement in Fire Fighting Infrastructure and appliances.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
Continued funding for the protection of broadacre farmland and bush reserves within the Shire of Moora.
- **Economic**
Maintaining the operation and efficiency of the Shire of Moora Bush Fire Brigade network.
- **Social**
Continued funding through the E.S.L. levy will provide protection to the rural community in the case of fire emergencies.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item.

VOTING REQUIREMENTS:

Absolute Majority

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

11/08 Moved Cr Tonkin, seconded Cr Pond that Council endorses the 2008/09 Emergency Services Levy Grant budget submission and that it form the basis of Council's draft 2008/09 budget for Bush Fire Brigades and State Emergency Service Capital and Operations Expenditure in the program – Law, Order and Public Safety.

CARRIED 5/0**11.5 ENVIRONMENTAL DEVELOPMENT**

Nil

11.6 ECONOMIC DEVELOPMENT

Nil

11.7 SPORT AND RECREATION**11.7.1 "BE ACTIVE COORDINATOR" – DECEMBER REPORT 2007**

FILE REFERENCE: BA/REPI
REPORT DATE: 5 December 2007
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 12/12/07 (234/07), 28/11/07 (222/07),
 24/10/07 (210/07)
AUTHOR: Jenny O'Brien, Be Active Coordinator
ATTACHMENTS: Be Active Report – December 2007

PURPOSE OF REPORT:

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

BACKGROUND:

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

COMMENT:

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

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

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

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

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS

Simple Majority Required

<p>COUNCIL RESOLUTION (MANEX RECOMMENDATION)</p>

12/08 Moved Cr Barrett-Lennard, seconded Cr Bryan that Council notes and receives the Be Active Report for the period ended December 2007.

CARRIED 5/0

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

The meeting observed a meal break from 6.15pm to 6.35pm. The meeting resumed with all Councillors and Officers present.

15. MATTERS BEHIND CLOSED DOORS

COUNCIL RESOLUTION

13/08 Moved Cr Tonkin, seconded Cr Pond that the meeting moves behind closed doors to discuss:

Item 15.1, 'Lot 211 Melbourne Street, Moora' and Item 15.2 'Lot 404 – 413 Gardiner Street, Moora' because they are matters that are dealing with information of a commercial nature pursuant to Section 5.23(2)(b) of the Local Government Act 1995 and

Item 15.3 "Appointment of Manager Finance and Corporate Services", Item 15.4 "Review of Employment Conditions of Senior Officers Employed as at 1 January 2008" and Item 15.6 "2007 Performance Review of Chief Executive Officer" as they are matters affecting employees pursuant to Section 5.23(2)(a) of the Local Government Act 1995.

CARRIED 5/0

It was noted that Confidential Item 15.5 "Resignation of Mr Steven Deckert as Chief Executive Officer" was dealt with earlier in the meeting.

The meeting moved behind closed doors at 6.35pm.

15.1 LOT 211 MELBOURNE STREET, MOORA

Provided to Councillors under confidential cover.

COUNCIL RESOLUTION (MANEX RECOMMENDATIONS)

14/08 Moved Cr Gardiner, seconded Cr Tonkin that Council;

- 1. sells Lot 211 Melbourne Street Moora to a willing buyer for no less than the recommended market value, exclusive of GST.**
- 2. offers Lot 211 Melbourne Street Moora for sale by public tender.**
- 3. delegates authority to the Chief Executive Officer to accept or reject any offer.**

CARRIED BY ABSOLUTE MAJORITY 5/0

15.2 LOT 404 - 413 GARDINER STREET, MOORA

Provided to Councillors under confidential cover.

MANEX RECOMMENDATIONS

That Council;

- 1. that all structures located on Lots 404 to 413 Gardiner Street Moora are demolished in readiness for sale as bare land.*
- 2. sells Lots 404 to 413 Gardiner Street Moora to a willing buyer for no less than \$30,000 above the recommended market value, exclusive of GST.*
- 3. offers Lots 404 to 413 Gardiner Street Moora for sale by public tender.*
- 4. delegates authority to the Chief Executive Officer to accept or reject any offer.*

COUNCIL RESOLUTION

15/08 Moved Cr Pond, seconded Cr Gardiner that Council;

- 1. demolishes all structures located on Lots 404 to 413 Gardiner Street Moora in readiness for sale as bare land.**
- 2. sells Lots 404 to 413 Gardiner Street Moora to a willing buyer for no less than \$30,000 above the recommended market value, exclusive of GST.**
- 3. offers Lots 404 to 413 Gardiner Street Moora for sale by public tender.**

CARRIED BY ABSOLUTE MAJORITY 5/0

Note: Council decided not to adopt point 4 of the Manex Recommendation, to delegate authority to the Chief Executive Officer because Council wanted to make the final decision. Point 1 was amended to correct the grammar.

15.3 Appointment of Manager Finance and Corporate Services

Provided to Councillors under confidential cover.

**COUNCIL RESOLUTION
(CEO's RECOMMENDATION)**

16/08 Moved Cr Pond, seconded Cr Gardiner that Council:

- 1. Endorses the appointment of Mr Darren Friend as Manager Finance and Corporate Services effective from 14 January 2008;**
- 2. Endorses the Contract of Employment as tabled at this meeting and dated 14 January 2008 as the terms and conditions of Mr Friend's employment with the Shire.**

The Manager Finance & Community Services and the Community Development Manager left the meeting at 6.55 pm.

15.4 Review of Employment Conditions of Senior Officers Employed as at 1 January 2008

Provided to Councillors under confidential cover.

COUNCIL RESOLUTION (CEO's RECOMMENDATION)
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17/08 Moved Cr Gardiner, seconded Cr Bryan that Council requests the CEO to present a report to the next Ordinary Meeting of Council with specific proposals for the review of the salary packages and employment arrangements of all designated senior officers, employed by Council as at 1 January 2008.

CARRIED 5/0

The Chief Executive Officer left the meeting at 7.03pm.

15.6 2007 Performance Review of CEO

The Shire President has been facilitating the performance review of the CEO for the year ended 4th October 2007. The Shire President has requested that this item be placed on this agenda for discussion.

COUNCIL RESOLUTION

18/08 Moved Cr Pond, seconded Cr Tonkin that Council:

- 1. Accepts the averaged scores of the five individual Councillors assessments of the CEO's performance against the performance criteria, as prepared by the Shire President, for the year ended 4 October 2007, as the agreed outcome of the CEO's 2007 performance review; and**
- 2. In recognition of the satisfactory performance of the CEO during the year under review approve the following adjustments to the CEO's salary package, to apply from 4 October 2007:**
 - . Increase cash salary to \$100,000**
 - . Increase Council's matching super from 3% to 6%**
 - . Annual leave to be increased to 5 weeks per year**
 - . Private use of the CEO's vehicle to be extended to within the South-west land division**
 - . Rent for 36 Keane Street to be reduced to \$50 per week**
 - . Water allowance at 36 Keane Street to be increased to \$1,000 pa**

CARRIED 5/0

REOPENING OF MEETING**COUNCIL RESOLUTION**

19/08 Moved Cr Barrett-Lennard, seconded Cr Pond that the meeting come out from behind closed doors and re-open to the public.

CARRIED 5/0

The meeting reopened to the public at 7.27pm at which time the Chief Executive Officer rejoined the meeting.

On opening the meeting to the public, the Shire President read aloud the decisions made behind closed doors.

16. CLOSURE OF MEETING

There being no further business, the Shire President thanked those present for attending and declared the meeting closed at 7.30pm.

CONFIRMED

PRESIDING MEMBER