

SHIRE OF MOORA

MINUTES OF THE ORDINARY MEETING OF COUNCIL

HELD IN THE COUNCIL CHAMBERS, MOORA

11 DECEMBER 2024

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- 9.2.1 List of Proposed Street Names from Yued Aboriginal Corporation

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**1.1 DECLARATION OF OPENING**

The Shire President declared the meeting open at 5.30pm

The Shire of Moora acknowledges the traditional custodians of the land we meet on today, the Yued people, and pay our respects to Elders past, present, and emerging.

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

TL Lefroy	-	President
SJ Gilbert	-	Deputy President
DV Clydesdale-Gebert	-	Councillor
KM Seymour	-	Councillor
SA Bryan	-	Councillor
TL Errington	-	Councillor
TW Dugan	-	Councillor
GW Robins	-	Chief Executive Officer

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. PETITIONS / DELEGATIONS / PRESENTATIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. **ANNOUNCEMENTS BY THE PRESIDING MEMBER**

The following Council associated engagements were attended;

Cr Lefroy, President

- 22/11 Avon-Midland Zone meeting of WALGA, Calingiri
- 22/11 meeting with Nicole Mathews, Nick Sloan and Lisa Harwood of WALGA re WALGA Forum on 27 November
- 27/11 WALGA renewable energy transition forum, Perth
- 28/11 RELA Teams meeting (RELA – renewable energy leadership alliance – Shires of Northampton, Moora, Narrogin, West Arthur and Mingenew)
- 29/11 St Joseph's School end of year presentations & concert, and presented the Shire award
- 11/12 meeting between Perth Symphony Orchestra and Shire re upcoming Grass Roots program
- 11/12 Australia Day awards Committee meeting

Cr Gilbert, Deputy President

- 2-3/12 attended the 2024 National Local Roads & Infrastructure Congress in Margaret River
- 10/12 CMSHS presentation assembly, and presented the Shire scholarships

Cr Clydesdale-Gebert

- 5/12 Moora Primary School presentation evening, and presented the Shire award

8. **CONFIRMATION OF MINUTES**

8.1 **ORDINARY COUNCIL MEETING - 20 NOVEMBER 2024**

COUNCIL RESOLUTION

99/24 Moved Cr Errington, seconded Cr Bryan that the Minutes of the Ordinary Meeting of Council held on 20 November 2024 be confirmed as a true and correct record of the meeting.

CARRIED 7/0

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

9. **REPORTS OF OFFICERS**

9.1 **GOVERNANCE AND CORPORATE SERVICES**

9.1.1 **LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.15**

REPORT DATE: 5 December 2024

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: Gavin Robins, Chief Executive Officer

SCHEDULE PREPARED BY: Charlene Sawyer, Creditors Officer

ATTACHMENTS: Accounts Paid Under Delegated Authority

PURPOSE OF REPORT

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 1.15 – Making 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

100/24 Moved Cr Bryan, seconded Cr Clydesdale-Gebert that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.15

Municipal Funds	EFT32391-32571	-\$2,130,705.96
Municipal Cheque	62642-62645	-\$2,565.00
Credit Card	DD16528.2	-\$9,209.59
Direct Debit	DD16495.1-DD16528.26	-\$100,644.86
NETT Pay	05/11/2023	-\$121,708.16
NETT Pay	19/11/2023	-\$113,197.21

PAYMENT TOTAL FOR NOVEMBER 2024 **-\$2,478,030.78**

CARRIED 7/0

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

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 OCTOBER 2024

REPORT DATE: 6 December 2024

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: RSM Accountants, Travis Bate

ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 October 2024

PURPOSE OF REPORT

To receive and endorse the Statement of Financial Activity for the period ended 31 October 2024.

BACKGROUND

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

COMMENT

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

POLICY REQUIREMENTS

Nil

LEGISLATIVE REQUIREMENTS

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS

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

SUSTAINABILITY IMPLICATIONS

➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

101/24 Moved Cr Gilbert, seconded Cr Bryan that Council endorses the Statement of Financial Activity for the period ended 31 October 2024.

CARRIED 7/0

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

9.1.3 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 NOVEMBER 2024

REPORT DATE: 6 December 2024

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: RSM Accountants, Travis Bate

ATTACHMENTS: Statement of Financial Activity for the Period Ended 30 November 2024

PURPOSE OF REPORT

To receive and endorse the Statement of Financial Activity for the period ended 30 November 2024.

BACKGROUND

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

COMMENT

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

POLICY REQUIREMENTS

Nil

LEGISLATIVE REQUIREMENTS

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS

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

SUSTAINABILITY IMPLICATIONS

➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

102/24 Moved Cr Errington, seconded Cr Seymour that Council endorses the Statement of Financial Activity for the period ended 30 November 2024.

CARRIED 7/0

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

9.1.4 REVIEW OF PUBLIC INTEREST DISCLOSURE GUIDELINES AND APPLICATION FORM

FILE REFERENCE: PL/POPI
REPORT DATE: 3 December 2024
OFFICER DISCLOSURE OF INTEREST: N/A
PREVIOUS MEETING REFERENCES: 18 July 2009
AUTHOR: Victoria Anderson, Administration and Records Officer
ATTACHMENTS: Appendix I: Public Interest Disclosure Guidelines and Application Form

PURPOSE OF REPORT

Review of Public Interest Disclosure Guidelines and Application Form for publication on Shire website in accordance with the Public Interest Disclosure Act 2003, and additional “Other Appointee” approval of Manager Corporate Service as Public Interest Disclosure Officer (PID Officer) to the Delegations Register.

BACKGROUND

The Public Interest Disclosure Act 2003 came into operation on 1 July 2003. Council is required to adopt a Public Interest Disclosure Policy and appoint a Public Interest Disclosure Officer who is to receive and deal with disclosures of public interest under this Act and is also to ensure that the identity of a person making a public interest disclosure is not disclosed.

COMMENT

Purpose of this Policy

These internal procedures provide for the manner in which the Shire of Moora will comply with its obligations under the Public Interest Disclosure Act 2003. They provide for the manner in which:

- disclosures of public interest information shall be made to the Public Interest Disclosure Officer (PID Officer).
- the PID Officer shall investigate the information disclosed or cause that information to be investigated.
- the PID Officer may take action following the completion of the investigation.
- the PID Officer shall report to the discloser as to the progress and outcome of that investigation and the action taken as a consequence.
- the confidentiality of the discloser, and any person who may be the subject of a public interest disclosure, shall be maintained.
- records as to public interest disclosures shall be maintained and reporting obligations complied with.

Object of the Act

The Public Interest Disclosure Act 2003 commenced operation on 1 July 2003. The object of the Act is to:

- facilitate the disclosure of public interest information;
- provide protection for those who make disclosures; and
- provide protection for those who are the subject of a disclosure.

This is achieved by:

- protecting the person making the disclosure from legal or other action;
- providing for the confidentiality of the identity of the person making the disclosure and the person who is the subject of a disclosure; and
- providing remedies for acts of reprisal and victimisation that occur substantially because the person has made a disclosure.

The rights and obligations created by the Act are described in Appendix I of these Procedures.

Designation of Public Interest Disclosure (PID) Officer

The person from time to time holding or acting in the position of Deputy Chief Executive Officer is designated as the Public Interest Disclosure Officer, or PID Officer, of the Shire of Moora. In the absence of this position, the Manager Corporate Services will become the “Other Appointee” under delegation. The PID Officer is responsible for receiving disclosures of public interest information relating to matters falling within the sphere of responsibility of the Shire of Moora.

POLICY REQUIREMENTS

There is no Policy Relevant to this matter.

LEGISLATIVE REQUIREMENTS

Public Interest Disclosure Act 2003

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

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

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

103/24 Moved Cr Gilbert, seconded Cr Clydesdale-Gebert that Council

- 1) Adopt the attached Public Interest Disclosure Guidelines and Application Form (Appendix I);***
and
- 2) Agree to update the Delegations Register to add the Manager Corporate Services as an “Other Appointee” PID Officer in the absence of a Deputy CEO.***

CARRIED 7/0

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

9.2 DEVELOPMENT SERVICES

9.2.1 MOORA STREET NUMBERING PROJECT – RENAMING OF STREETS

FILE REFERENCE: TP/RSAI

REPORT DATE: 5 December 2024

APPLICANT/PROPONENT: Shire of Moora

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES:

AUTHOR: Dawn Ardley, Manager Infrastructure Services

ATTACHMENTS: List of Proposed Street Names from Yued Aboriginal Corporation

PURPOSE OF REPORT

For Council to consider the Re-naming of streets within the Moora townsite due to bifurcation caused by the Moore River.

BACKGROUND

As part of the street numbering project, the Shire has been made aware that the northern portion of Long, Moore, Melbourne and Ranfurly Streets, which are bifurcated by the Moore River, must be renamed.

A southern portion of Lefroy Street (past Drummond) also requires renaming because of insufficient numbering south of Drummond Street. This is due to Landgate's policies and standards for Geographical Naming in Western Australia. Landgate no longer allows the same name to continue once a street is discontinued / cut at some point. It will not accept a continuation of the original name i.e. Long Street North.

COMMENT

Council does not have a formal policy position in relation to the naming of streets and roads within the Shire of Moora. The most recent naming of a street in Moora was Carnaby Place, Moora. The position taken by Council at that juncture was to name any streets within the Landcorp subdivision after flora, fauna and topographic features of the district

Previous road name proposals have not been based upon any themes such as local flora or fauna features.

Road naming can potentially be a very delicate issue and the subject of public input and comment, particularly where road names proposed are after families in the district. Naming roads after families in the past has been common practice; however, in more recent times (past 25-30 years) naming roads has been based more upon themes. This approach has evolved as public scrutiny and interest in local government has increased significantly to reflect more strongly, societal change and public interest. Consequently, the naming of roads is a subject of public interest. On that basis, it is recommended that Council adopt as a matter of principal, a "theme" based naming approach as a future reference point. The use of names belonging to pioneers, Elders, or prominent people should be discontinued to avoid tension within the community. As 1.4.2 of the *Policies and Standards for Geographical Naming in Western Australia* states, "Landgate will not accept a commemorative naming proposal of a person whilst they are still alive for a road or locality."

The Yued Aboriginal Corporation (YAC) was contacted for its input to assist Council with its decision. On the 14th November the Yued Cultural Advice Committee (CAC), a subgroup of YAC, met and considered the suggested names provided for the streets that require renaming in the Moora townsite.

The CAC was not supportive of the suggested names for this project and indicated that the names of generic native species is commonly used in many towns and suburbs and would prefer names of Yued Noongar Elders past and present of the district to be honoured.

A meeting with Yued Community members suggested the use of native plant species to the area would be suitable, so as not to cause any angst or disruption among the Yued Community in Moora. Care was taken by one of the Yued members to drive to the relevant sections of town and check that the names suggested were suitable and matched the area of the Streets which require re naming.

It has been confirmed that Yued members of the Moora community support the use of the flora names as follows;

ACACIA Street – south portion of Lefroy Street

SHEOAK Street – North of River of Long Street

GREVILLEA Street – East of River of Moore Street

BANKSIA Street – North of River of Ranfurly Street

BOTTLEBRUSH Street – North of River of Melbourne Street

POLICY REQUIREMENTS

There are no known policy implications in respect of naming roads as Council adopts State planning and statutory provisions in respect of naming roads.

LEGISLATIVE REQUIREMENTS

Land Administration Act 1997, Part 2 – General Administration, Division 3 – General

When naming roads, Council must have regard to “Policies and Standards for Geographical Naming in Western Australia Version 03:2017”. The broad context of this document will form the primary basis for the Geographic Names Committee considering and road name proposal put forward by Council.

A basic guideline is contained at Pp 12-14 - Commemorative names of the *Policies and Standards for Geographical Naming in Western Australia* (Version 03:2017).

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**

As previously stated, the naming of roads may be the subject of some public interest and disquiet where a proposed name, or the exclusion of a name, may cause discomfort for some. Example themes that may be used include, but are not limited to;

- Local fauna/flora, topography
- Topographic or geographic features
- Rivers and waterways

FINANCIAL IMPLICATIONS

Minimal, ordering of 5 Street signs

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

104/24 Moved Cr Errington, seconded Cr Seymour that Council

1. endorse the following names for the renaming of 5 portions of existing streets;

ACACIA Street – south portion of Lefroy Street

SHEOAK Street – North of River of Long Street

GREVILLEA Street – East of River of Moore Street

BANKSIA Street – North of River of Ranfurly Street

BOTTLEBRUSH Street – North of River of Melbourne Street

2. compile a list of theme based “proposed” street and road names for the Shire of Moora giving consideration to, but not necessarily limited to; local flora, fauna, topography, aboriginal culture.

CARRIED UNANIMOUSLY 7/0

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

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

Nil

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

The CEO introduced three items of urgent business titled:

1. ‘Correction of UV Rural Rates Error 2024 Financial Year’;
2. ‘Accessibility of Council Meetings’; and
3. ‘Sale of Industrial Land – Lot 162 Melbourne Street, Moora

for consideration by Council.

COUNCIL RESOLUTION

105/24 Moved Cr Seymour, seconded Cr Bryan that Council consider the three items of urgent business provided by the CEO titled

- 1. ‘Correction of UV Rural Rates Error 2024 Financial Year’;*
- 2. ‘Accessibility of Council Meetings’; and*
- 3. ‘Sale of Industrial Land – Lot 162 Melbourne Street, Moora’.*

CARRIED BY ABSOLUTE MAJORITY 7/0

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

11.1 CORRECTION OF UV RURAL RATES ERROR 2024 FINANCIAL YEAR

FILE REFERENCE: F/BUAI
REPORT DATE: 9 December 2024
APPLICANT/PROPONENT: Nil
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 16/08/2023 (69/23)
AUTHOR: Gavin Robins; Chief Executive Officer
ATTACHMENTS: Nil

PURPOSE OF REPORT

To recommend steps necessary to correct the anomaly in the calculation of UV Rates (Rural Properties) in the Adopted 2023-24 Budget.

BACKGROUND

Subsequent to adoption of the 2024 budget, an error was identified in council resolution 69/23(2), whereby the rate in the dollar did not reflect council's intention of a 5 percent increase in the rate **yield** in comparison to the 2023 rates for UV rating categories.

At its meeting of 16 August 2023, Council intended to impose a UV rate which represented a 5% increase in rate revenue - the yield, from UV properties, as opposed to a 5% increase in the UV rate itself. The UV Rate of 0.8096 cents in the dollar as subsequently adopted, was incorrect. The rate applied should have been 0.6518 cents in the dollar thereby providing the 5% increase in rate revenue yield from UV properties as intended.

Actual rates raised for the UV Rural rating category reflect council's intention of a 5 percent increase in the rate yield in comparison to the 2023 rates for UV Rural. The rate applied to the UV Urban Farmland rate however requires amendment to be consistent with the UV Rural rate.

The Shire has been in consultation with RSM and Civic Legal in respect of the correction of this anomaly.

COMMENT

Based on legal advice, the process to rectify the 2024 UV Rate and apply the 0.6518 cents in the dollar rate as intended requires the Shire to:

1. Seek ministerial approval to take the steps necessary to vary the UV rate and apply the intended rate of 0.6518 cents in the dollar.
2. Upon ministerial approval, amend council resolution 69/23.
3. Amend the 2023/2024 Rate Record.
4. Issue revised rate notices to affected property owners.

Ministerial approval to vary the rate in the dollar is required in accordance with S6.34 of the *Local Government Act* because the variation will result in rate revenue being approximately 81% of the budget deficiency. The lower limit of this margin is 90%, below which Ministerial approval is required.

There are approximately 40 property owners in the UV Urban Farmland rating category, The UV Mining category is also impacted by this error, however, will not be affected as all properties in this category were minimum rated. The reduction to the rate in the dollar for UV Urban Farmland is expected to result in total credits to these assessments of approximately \$9,500.

The Shire will write to all affected property owners to advise of the issue, outlining the steps involved in rectifying the anomaly.

POLICY REQUIREMENTS

The Shire's rate policy requires rates to be levied on all rateable properties in accordance with the *Local Government Act 1995*.

LEGISLATIVE REQUIREMENTS

The *Local Government Act 1995* establishes the requirement to levy rates on rateable properties and establishes the relevant mechanisms for the respective categories of rates for rateable properties. The determination of rates takes its lead from valuation rates set annually by the Valuer General.

STRATEGIC IMPLICATIONS

The anomaly has not impacted the Shire's strategic direction or work programme.

SUSTAINABILITY IMPLICATIONS

➤ **Environment**

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

➤ **Economic**

This proposal addresses the Shire's budget and places it in the position that was intended at the time of setting the 2023-2024 budget.

➤ **Social**

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

FINANCIAL IMPLICATIONS

The reduction to the rate in the dollar for UV Urban Farmland is expected to result in total credits to these assessments of approximately \$9,500.

VOTING REQUIREMENTS

Absolute Majority Required

COUNCIL RESOLUTION

106/24 Moved Cr Errington, seconded Cr Dugan that Council;

- 1. Approve the sending of a letter to the Minister for Local Government requesting approval in accordance with s.6.34 of the Local Government Act 1995, to substitute the UV Rate of 0.8096 cents in the dollar with the rate 0.6518 cents in the dollar and apply this rate as intended.***

And

- 2. On receipt of Ministerial approval, proceed to implement the steps necessary to correct the UV rate error.***

CARRIED BY ABSOLUTE MAJORITY 7/0

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

11.2 **ACCESSIBILITY OF COUNCIL MEETINGS**

FILE REFERENCE: EM/COAI
REPORT DATE: 10 December 2024
APPLICANT/PROPONENT: Chief Executive Officer
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 20/11/2024 (97/24)
AUTHOR: Gavin Robins, Chief Executive Officer
ATTACHMENTS: Nil

PURPOSE OF REPORT

To recommend a change in the week of the month in which the Shire of Moora Ordinary Council Meetings are held after 1 July 2025.

BACKGROUND

Recently, Council was made aware of an anonymous complaint as to the accessibility of Council meetings. The complainant indicated that the early commencement time (5.30pm) of Council meetings made it difficult for the complainant to attend Council meetings due to personal factors impacting on the person's domestic arrangements. The view is that the meeting commencement time is too early to enable the party to participate in the full meeting.

Coincidentally, RSM approached the Shire as to the possibility of moving the Ordinary Council meeting from the third to fourth Wednesday of the month. Its reasoning being that the current volume of accounting and financial work necessary to meet the increased accounting and reporting standards, is not compatible with the monthly reporting of financial transactions and reports.

COMMENT

An examination of the issue of accessibility to Council meetings has revealed that the Shire is well within the range of meeting times currently practiced by many Councils. The table below demonstrates the spread of meeting times, days and weeks of the month observed by a sample of other Councils outside the metropolitan area. At this time, there is no evidence to suggest the existence of any material reason, by virtue of timing, that would prevent any person from participating in Council's meetings, if they were so motivated.

Shire	Council Mtg Time	Council Dates
Gingin	3.00pm	Third Tuesday
Dalwallinu	3.30pm	Fourth Tuesday
Dandaragan	4.00pm	Fourth Thursday
Kulin	4.00pm	Third Wednesday
Merredin	4.00pm	Fourth Tuesday
Coorow	5.00pm	Third Wednesday
Geraldton	5.00pm	Fourth Tuesday
Moora	5.30pm	Third Wednesday
Northam	5.30pm	Fourth Wednesday
Albany	6.30pm	Fourth Tuesday
Chittering	7.00pm	Third Wednesday
Narrogin	7.00pm	Fourth Wednesday

Over the years Council has adjusted its meeting times to meet the needs of constituents and Councillors.

While access to Council meetings does not appear to be an issue, a change in the timing of Council meetings could improve the timeliness and quality information coming to Council, and Council's Avon-Midland Country Zone representation at WALGA State Council meetings. RSM has indicated that if Council meetings were held in the fourth week of the month, it would be able to present monthly finance reports because the current monthly closing time for accounts does not allow sufficient time to reconcile monthly accounts, complete analysis and finalise reports. Moving meetings back to the fourth Wednesday of the month would create sufficient time for monthly finance reports to be tabled.

The second consideration relates to the clash between WALGA State Council and Moora Shire Council Meetings. Moving the Shire Council meeting to the fourth Wednesday of the month would resolve the current conflict between the two meetings and enable the Shire representative to attend both, Shire and WALGA State Council meetings.

POLICY REQUIREMENTS

There is no current policy relevant to this matter.

LEGISLATIVE REQUIREMENTS

There is no current legislation relevant to this matter however, the proposed change of Council meeting to the fourth week of the month would enable Council to more fully meet its statutory obligations as to consideration and reporting of material relevant to the conduct of Council business.

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

There are no financial cost implications to Council in relation to this item however, Council would be placed in a more informed financial position.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

107/24 Moved Cr Seymour, seconded Cr Bryan that Council;

- 1. Retain 5.30pm as the commencement time for its Ordinary Council meetings;
and***
- 2. From 1 July 2025, hold meetings on the fourth Wednesday of the month, excluding December, which is to be held on the 2nd Wednesday.***

CARRIED 7/0

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

11.3 SALE OF INDUSTRIAL LAND – LOT 162 MELBOURNE STREET, MOORA

At 5.43pm Cr Clydesdale-Gebert declared a proximity interest, as owns property across the road on Melbourne Street and is a trustee of a company that owns property in the industrial area – Lot 213 and left the meeting.

FILE REFERENCE: PA/6637

REPORT DATE: 11 December 2024

APPLICANTS/PROPONENT: Mr Peter Derrick

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: 20/11/24 (98/24)

AUTHOR: Gavin Robins, Chief Executive Officer

ATTACHMENTS: Nil

PURPOSE OF REPORT

To consider an offer to purchase Lot 162 Melbourne Street, Moora for \$50,000.

BACKGROUND

Lot 162 Melbourne Street is an un-serviced industrial lot owned by the Shire in the Tootra Street industrial precinct. The property has been listed for sale for several years. The Shire has not been able to secure a buyer for the lot which has been offered for sale at a value of \$75,000.

A recent reappraisal of the lots in the industrial precinct determined that lots without water, sewerage or electricity were ambitiously priced in the current market. This is underscored by the absence of offers on the properties. The properties have been listed with Jurien Bay Realty for several years. The offer from Mr Derrick is the first and only offer to purchase the land received by the Shire in approximately four years.

COMMENT

Section 3.58(3) of the LGA states that if Council wishes to accept an offer for the sale of property, before doing so, the Shire must give local public notice of the proposed disposition inviting public submissions for no less than two weeks. The notice will include details of the property concerned, the names of all interested parties, the consideration to be received and the market value of the property as ascertained by a valuation carried out and declared by resolution of the Shire. There are challenges in receiving a meaningful and reliable valuation for vacant industrial lots in Moora. An Independent Valuation can be expensive, \$2,000-\$2,500, and the contracted Valuers, usually not from Moora, may have relatively limited knowledge of the local market and would rely on a very small sample of sales for their assessment due to low volumes of property movements in the area. For this reason, a market estimate was provided by Jurien Bay Realty based on its property experience within Moora. This estimate was \$69,500. Considering that no other offers have been made, and the potential economic benefits from the sale that will accrue to the Shire, it is recommended that the disposition of the property for \$50,000 be advertised; this will allow Council to consider, and potentially accept the offer of sale after the two-week public notice period.

The disposition of the property for \$50,000 was advertised for 14 days to allow members of the public to comment. The Shire has not received any submissions in respect of this proposed sale.

POLICY REQUIREMENTS

Nil

LEGISLATIVE REQUIREMENTS

Section 3.58(3) Local Government Act 1995

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

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

(i) describing the property concerned;

(ii) giving details of the proposed disposition; and

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

and

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

STRATEGIC IMPLICATIONS

Shire of Moora Community Strategic Plan

Outcome 4.1 A Strong and diversified economic base

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

SUSTAINABILITY IMPLICATIONS

➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS

Accepting the offer of \$50,000 will be an unbudgeted revenue flow that will offset the years end expenditure balance.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

108/24 Moved Cr Seymour, seconded Cr Errington that Council approve the sale of Lot 162 Melbourne Street, Moora to Mr Peter Derrick for the sum of \$50,000.

CARRIED 6/0

FOR: Cr's Lefroy, Gilbert, Seymour, Bryan, Errington, and Dugan

At 5.45pm Cr Clydesdale-Gebert rejoined the meeting and was advised of the Council decision.

12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

13. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 5.46pm.

CONFIRMED



PRESIDING MEMBER