

**Shire of Moora
Ordinary Council Meeting
17th September 2008**

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora
will be held on **Wednesday 17th September 2008**
in the Watheroo Pavilion, Watheroo
commencing at **6.30pm**

LM O'Reilly
Chief Executive Officer
11th September 2008

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

WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

Chief Executive Officer
Shire of Moora
PO Box 211
MOORA WA 6510

Dear Sir,

Re: Written Declaration of Interest in Matter Before Council

I, ⁽¹⁾ _____ wish to
declare an interest in the following item to be considered by Council at its meeting to be held on
⁽²⁾ _____.

Agenda Item ⁽³⁾ _____

The type of interest I wish to declare is: ⁽⁴⁾

- Financial pursuant to Section 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007.

The nature of my interest is ⁽⁵⁾

The extent of my interest is ⁽⁶⁾

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

Yours faithfully,

Signed

Date

1. Insert your name.
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

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SHIRE OF MOORA
ORDINARY COUNCIL MEETING AGENDA
17 SEPTEMBER 2008
COMMENCING AT 6.30PM

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* Separate Attachments

Item 11.2.1 List of Payments Authorised Under Delegation 1.31

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

1. DECLARATION OF OPENING & WELCOME OF VISITORS***“Acknowledging of Country”***

I would like to show my respect and acknowledge the traditional owners of this land and acknowledge their contribution to the Shire of Moora as I do for all its people.

2. DISCLAIMER READING

To be read by the Shire President should members of the public be present at the meeting.

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

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

3. ATTENDANCE**APOLOGIES**

SA Bryan - Shire President

PUBLIC**LEAVE OF ABSENCE**

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

CD Hawkins - Councillor

4. DECLARATIONS OF INTEREST**5. QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH SECTION 5.24 OF THE ACT****6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****7. APPLICATIONS FOR LEAVE OF ABSENCE**

8. PETITIONS AND MEMORIALS

9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT

10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

10.1 ORDINARY COUNCIL MEETING - 20 AUGUST 2008

That the Minutes of the Ordinary Meeting of Council held on 20 August 2008, be confirmed as a true and correct record of the meeting.

11. REPORTS OF OFFICERS

11.1 ADMINISTRATION

Nil

11.2 FINANCIAL DEVELOPMENT

11.2.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE: 10 September 2008
OFFICER DISCLOSURE OF INTEREST: Nil
AUTHOR: Darren Friend, Manager Finance & Corporate Services
ATTACHMENTS: Accounts Paid Under Delegated Authority

PURPOSE OF REPORT

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

BACKGROUND

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

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

POLICY REQUIREMENTS

Delegation 1.31 – Payments from Municipal and Trust Funds.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 - Section 6.10

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

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Payments are in accordance with the adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

MANEX RECOMMENDATION

That Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

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

11.2.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 AUGUST 2008

REPORT DATE: 10 September 2008

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Darren Friend, Manager Finance & Corporate Services

ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 August 2008

PURPOSE OF REPORT:

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

BACKGROUND:

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

COMMENT:

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

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS:

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

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS:

Year to date income and expenditure is provided by program to enable comparison to 2007/2008 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

MANEX RECOMMENDATION

That Council notes and receives the Statement of Financial Activity for the period ended 31 August 2008.

11.2.3 WRITE-OFF OF OUTSTANDING RATES ARREARS

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

PURPOSE OF REPORT:

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

BACKGROUND:

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

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

COMMENT:

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

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

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

POLICY REQUIREMENTS:

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

LEGISLATIVE REQUIREMENTS:

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

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:**➤ Environment**

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

➤ Economic

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

➤ Social

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

FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS

Absolute Majority Required

MANEX RECOMMENDATION

That Council writes-off the outstanding arrears balance of \$1,098.40 on Assessment No A6032 – 125 Gardiner Street, Moora owned by McIntosh & Son.

11.2.4 APPOINTMENT OF AUDITOR

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

PURPOSE OF REPORT:

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

BACKGROUND:

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

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

COMMENT:

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

POLICY REQUIREMENTS:

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

LEGISLATIVE REQUIREMENTS:

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

STRATEGIC IMPLICATIONS:

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

SUSTAINABILITY IMPLICATIONS:

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

➤ **Social**

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

FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS

Absolute Majority Required

MANEX RECOMMENDATIONS

That Council;

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

11.3 OPERATIONAL DEVELOPMENT

Nil

11.4 COMMUNITY DEVELOPMENT

Nil

11.5 ENVIRONMENTAL DEVELOPMENT

Nil

11.6 ECONOMIC DEVELOPMENT

Nil

11.7 SPORT AND RECREATION

11.7.1 “BE ACTIVE” ANNUAL REPORT

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

BACKGROUND

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

COMMENT

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

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

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

STATUTORY ENVIRONMENT

Healthway Sponsorship Agreement No 14275

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

PRECEDENT

The Be Active report is provided to Council annually.

VOTING REQUIREMENTS

Simple Majority

MANEX RECOMMENDATION

That Council note and receive the Be Active Annual Report for the period ended 31 July 2008.

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

Nil

13. MOTIONS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**14. NOTICE ON MOTIONS FOR THE NEXT COUNCIL MEETING****15. MATTERS BEHIND CLOSED DOORS****16. CLOSURE OF MEETING**