

Shire of Moora
Ordinary Council Meeting
23rd January 2008

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora
will be held on **Wednesday 23rd January 2008**
in the Council Chambers, 34 Padbury Street, Moora
commencing at **3.30 pm**

SJ Deckert
Chief Executive Officer
17th January 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 / Proximity / Indirect Financial /
 Conflict (impartiality) pursuant to ⁽⁵⁾ Section 5.65 of the Local Government Act 1995 /
 Clause 1.3 of Councils Adopted Code of Conduct.

The nature of my interest is ⁽⁶⁾ _____

I wish to be present and participate in any discussion and/or decision making procedure
 relating to the item and therefore would like Council to declare that my interest in the
 matter is ⁽⁷⁾ _____

The extent of my interest is ⁽⁸⁾ _____

I understand that the above information will be recorded in the minutes of the meeting
 and placed in the Financial Interest 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. Delete type of interest not applicable.
5. Delete reference, which is not applicable.
6. Insert the nature of your interest.

Please note: The section pertaining to the following notes should only be completed if the Councillor
 making the declaration requires a Council decision to participate in the matter.

7. Insert either "Trivial" or "In common with a significant number of ratepayers or electors".
8. Insert the extent of your interest.

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SHIRE OF MOORA
ORDINARY COUNCIL MEETING AGENDA
23 JANUARY 2008
COMMENCING AT 3.30PM

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Item 11.1.1 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.

Item 11.2.1 Location Map

Item 11.2.2 List of Payments Authorised Under Delegation 1.31

Item 11.4.1 Copy of Budget Submission

Item 11.7.1 Be Active Report – December 2007

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**

Cr C Hawkins

Cr D Clydesdale-Gebert

JL Greay - Operational Development Manager

RL McCall - Manager Economic Development

PUBLIC**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**

Mrs Lydia Highfield, Recruitment Manager for Workplace Solutions will be 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

10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

10.1 ORDINARY COUNCIL MEETING - 12 DECEMBER 2007

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.

11. REPORTS OF OFFICERS

11.1 ADMINISTRATION

11.1.1 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 11.1.1)

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 are 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.*

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

MANEX RECOMMENDATION

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. index 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.*

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

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

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

MANEX RECOMMENDATION

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.

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

MANEX RECOMMENDATION

That Council note and receive the Be Active Report for the period ended December 2007.

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

That the meeting move 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", Item 15.5 "Resignation of Mr Steven Deckert as Chief Executive Officer" 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.

15.1 Lot 211 Melbourne Street, Moora

Provided to Councillors under confidential cover.

15.2 Lot 404 – 413 Gardiner Street, Moora

Provided to Councillors under confidential cover.

15.3 Appointment of Manager Finance and Corporate Services

Provided to Councillors under confidential cover.

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

Provided to Councillors under confidential cover.

15.5 Resignation of Mr Steven Deckert as Chief Executive Officer

Provided to Councillors under confidential cover.

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.

16. CLOSURE OF MEETING