

**Shire of Moora  
Ordinary Council Meeting  
25<sup>th</sup> October 2006**

**NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora  
will be held on **Wednesday 25<sup>th</sup> October 2006**  
in the Council Chambers, 34 Padbury Street, Moora  
commencing at **3.30 pm**

SJ Deckert  
Chief Executive Officer  
20<sup>th</sup> October 2006

## **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, <sup>(1)</sup> \_\_\_\_\_ wish to declare an interest in the following item to be considered by Council at its meeting to be held on <sup>(2)</sup> \_\_\_\_\_

Agenda Item <sup>(3)</sup> \_\_\_\_\_.

The type of interest I wish to declare is: <sup>(4)</sup> Financial / Proximity / Indirect Financial / Conflict (impartiality) pursuant to <sup>(5)</sup> Section 5.65 of the Local Government Act 1995 / Clause 1.3 of Councils Adopted Code of Conduct.

The nature of my interest is <sup>(6)</sup> \_\_\_\_\_

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 <sup>(7)</sup> \_\_\_\_\_

The extent of my interest is <sup>(8)</sup> \_\_\_\_\_

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.

**THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY.**

**SHIRE OF MOORA**  
**ORDINARY COUNCIL MEETING AGENDA**  
**25 OCTOBER 2006**  
**COMMENCING AT 3.30PM**

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**TABLE OF CONTENTS**

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1.	<u>DECLARATION OF OPENING &amp; WELCOME OF VISITORS</u>	7
2.	<u>DISCLAIMER READING</u>	7
3.	<u>ATTENDANCE</u>	7
	<u>APOLOGIES</u>	7
	<u>PUBLIC</u>	7
4.	<u>DECLARATIONS OF INTEREST</u>	7
5.	<u>QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH SECTION 5.24 OF THE ACT</u>	7
6.	<u>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</u>	7
7.	<u>APPLICATIONS FOR LEAVE OF ABSENCE</u>	7
8.	<u>PETITIONS AND MEMORIALS</u>	7
9.	<u>ANNOUNCEMENTS BY THE SHIRE PRESIDENT</u>	7
10.	<u>CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS</u>	8
10.1	<u>ORDINARY COUNCIL MEETING - 11 OCTOBER 2006</u>	8

<b>11.</b>	<b><u>REPORTS OF OFFICERS</u></b>	<b>8</b>
<b>11.1</b>	<b><u>ADMINISTRATION</u></b>	<b>8</b>
<b>11.1.1</b>	<b>Wheatbelt Health MOU – Consideration of Draft MOU *</b>	<b>8</b>
<b>11.2</b>	<b><u>FINANCIAL DEVELOPMENT</u></b>	<b>10</b>
<b>11.2.1</b>	<b>Statement of Financial Activity for Period Ended 30 September 2006*</b>	
<b>11.3</b>	<b><u>OPERATIONAL DEVELOPMENT</u></b>	<b>11</b>
<b>11.3.1</b>	<b>Tender – Motor Grader *</b>	<b>11</b>
<b>11.4</b>	<b><u>COMMUNITY DEVELOPMENT</u></b>	<b>12</b>
<b>11.5</b>	<b><u>ENVIRONMENTAL DEVELOPMENT</u></b>	<b>13</b>
<b>11.5.1</b>	<b>Moore River Tree Clearing Permit *</b>	<b>13</b>
<b>11.6</b>	<b><u>ECONOMIC DEVELOPMENT</u></b>	<b>14</b>
<b>11.7</b>	<b><u>SPORT AND RECREATION</u></b>	<b>14</b>
<b>12.</b>	<b><u>ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</u></b>	<b>14</b>
<b>13.</b>	<b><u>MOTIONS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL</u></b>	<b>14</b>
<b>14.</b>	<b><u>NOTICE ON MOTIONS FOR THE NEXT COUNCIL MEETING</u></b>	<b>14</b>
<b>15.</b>	<b><u>MATTERS BEHIND CLOSED DOORS</u></b>	<b>14</b>
<b>15.1</b>	<b>CMVROC – Resource Recovery Eco-Industrial Park Project – Feasibility Investigation</b>	
<b>16.</b>	<b><u>CLOSURE OF MEETING</u></b>	<b>14</b>

\* Separate Attachments

Item 11.1.1 Wheatbelt Health MOU – Consideration of Draft MOU

Item 11.2.1 Statement of Financial Activity for Period Ended 30 September 2006

Item 11.3.1 Tender – Motor Grader

Item 11.5.1 Moore River Tree Clearing Permit

**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**

Mr Mj Prunster - Community Development Manager

**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****9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT**

**10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS****10.1 ORDINARY COUNCIL MEETING - 11 OCTOBER 2006**

*That the Minutes of the Ordinary Meeting of Council held on 11 October 2006, be confirmed as a true and correct record of the meeting.*

**11. REPORTS OF OFFICERS****11.1 ADMINISTRATION****11.1.1 Wheatbelt Health MOU – Consideration of Draft MOU**

**LOCATION:** Administration  
**FILE:** GA/AVOI  
**AUTHOR:** Steven Deckert, Chief Executive Officer  
**REPORT DATE:** 20 October 2006  
**DECLARATION:** The author has no financial interest in this matter.

**BACKGROUND**

For some time now the 44 Wheatbelt Councils, through their respective Zone representatives, have been negotiating with the Health Department and other related agencies, a Health Memorandum of Understanding (MOU). The intent of the MOU is “to provide a framework for the parties regarding continual communication, engagement, structures and processes that will enhance the health service delivery within the WACHS – Wheatbelt Region”.

Councillors were circulated with a copy of the initial draft MOU at a Briefing Session in July/August and were requested to read it and provide comment back to the CEO. The CEO received a general comment of support from the Shire President. As there were no other comments received, the CEO advised the Zone Executive Officer that the Shire of Moora has no objections to the intent of the draft MOU.

Subsequently, this Zones representatives have been negotiating the content of the MOU on behalf of the Councils in the Zone.

At the Zone meeting in Northam on 22 September 2006, the Zone considered the final draft MOU. The Zone has resolved that it cannot endorse the MOU because the MOU does not clearly articulate that the State has the prime responsibility for health services to this region.

Copies of the draft MOU and an email from the Zone Executive Officer explaining the decision made by the Zone are enclosed for Councils information.

Council is requested to give formal consideration of the MOU.

**COMMENT**

Even though the Zone has resolved not to accept the MOU in its current form, individual Councils may be at liberty to consider and enter into the MOU in their own right in respect to health services in their own Shire.



Whilst signing, as an individual Council may be an option, health is a regional issue and is better left to the Zone to speak for all Councils as a united voice. On this basis, the Shire of Moora should support the stance taken by the Zone and encourage the parties to seek a suitable resolution to the impasse.

### **STATUTORY ENVIRONMENT**

Sections 2.7 and 3.1 of the Local Government Act 1995, relating to the general function provisions.

### **POLICY IMPLICATIONS**

There are no policy implications in respect to the recommendation of this report.

### **BUDGET IMPLICATIONS**

There are no budget or financial implications in respect to the recommendation of this report.

### **STRATEGIC IMPLICATIONS**

The establishment of a Health MOU covering the health services provided in the Shire of Moora and the wider region supports the goals and strategies of the Key Result Areas of Infrastructure, People and Growth of Councils adopted Strategic Plan.

### **PRECEDENT**

The recommendation of this report does not set precedence.

### **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATIONS – ITEM 11.1.1**

*That Council;*

- 1. Endorses the decision made by the Avon Midland Country Zone of WALGA, to not accept the draft Health MOU unless the MOU clearly articulates that the State is primarily responsible for the provision of health services in this region, and*
- 2. Advise the Zone that this Council is generally agreeable to the intent of the proposed MOU and would like to see continued discussions on a Health MOU that is acceptable to all parties.*

## **11.2 FINANCIAL DEVELOPMENT**

### **11.2.1 Statement of Financial Activity for Period Ended 30 September 2006**

**AUTHOR:** Jo-Anne Ellis, Financial Development Manager  
**REPORT DATE:** 20 October 2006  
**DECLARATION:** Nil

#### **BACKGROUND**

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

#### **COMMENT**

The September 2006 Monthly Financial Report is provided as a separate attachment.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995, Division 3, Section 6.4  
Local Government (Financial Management) Regulations 1996, Sec. 34

#### **POLICY IMPLICATIONS**

Nil

#### **BUDGET IMPLICATIONS**

Year to date income and expenditure is provided by line item to enable comparison to 2006/07 adopted budget.

#### **STRATEGIC IMPLICATIONS**

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

#### **PRECEDENT**

Monthly reports are to be provided at the second meeting of each month.

#### **VOTING REQUIREMENTS**

Simple Majority

### **MANEX RECOMMENDATION – ITEM 11.2.1**

*That Council note and receive the Statement of Financial Activity for the period ending 30 September 2006.*

## **11.3 OPERATIONAL DEVELOPMENT**

### **11.3.1 Tender – Motor Grader**

**FILE:** L/TENI  
**AUTHOR:** John Greay, Operational Development Manager  
**REPORT DATE:** 19 October 2006  
**DECLARATION:** Author owns a Caterpillar skid steer loader

#### **BACKGROUND**

Council has budgeted this year for the replacement of their Caterpillar 120H Grader. Council has an ongoing programme of plant replacement when it becomes due.

#### **COMMENT**

The current grader has accumulated 10800hrs since its purchase in 1997. We have allowed \$75,000 on the budget for a trade and \$330,000 for a new purchase allowing \$255,000 as a changeover. This grader is used for maintenance grading and construction but is too light to carry a free roll roller as is attached to Councils other maintenance grader. The replacement grader needs to be able to carry and operate a free roll roller in the future as we have found it to be very good combined with our other maintenance grader.

Five tenders were received and there were two for outright purchase and three to supply machines by trading in.

The outright purchases were from –

Smith & Broughton – Perth	\$85,547 incl GST
Ovest Machinery – Horsham	\$101,508 incl GST

Tenders for the supply of a new machine were received from –

Westrac Equipment	- Caterpillar 12H	- changeover	\$217,541.72
CJD Equipment	- Volvo G930	- changeover	\$248,600
Hitachi Equipment	- John Deere 670D	- changeover	\$211,200

Refer attached tenders for evaluation.

#### **STATUTORY ENVIRONMENT**

Nil

#### **POLICY IMPLICATIONS**

Complying with Councils policy in regard to the replacement of plant.

#### **BUDGET IMPLICATIONS**

Within budgeted changeover.

#### **STRATEGIC IMPLICATIONS**

Council needs to retain a good road network and require efficient machinery to be able to do this. The Shire of Moora remains strategically placed for some major developments north of the metropolitan area and their road network will strongly support any major projects that develop.

**PRECEDENT**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**MANEX RECOMMENDATION – ITEM 11.3.1**

*That Council accept the tender from Westrac Equipment for the supply of one new Caterpillar 12H Grader and trade in of Councils existing Caterpillar 120H Grader at a net changeover price of \$217,541.72.*

**11.4 COMMUNITY DEVELOPMENT**

Nil

## **11.5 ENVIRONMENTAL DEVELOPMENT**

### **11.5.1 Moore River Tree Clearing Permit**

**LOCATION:** Moora Townsite  
**FILE:** GA/EPAI  
**AUTHOR:** Steven Deckert, Chief Executive Officer  
**REPORT DATE:** 20 October 2006  
**DECLARATION:** The author has no financial interest in this matter

#### **BACKGROUND**

At the Briefing Session on 13 September 2006, Council was informed that the Department of Environment and Conservation had indicated that the request to clear trees (saplings) from within the Moore River was complicated due to native title issues and multiple land tenures. Council reaffirmed its desire to see these trees removed.

Subsequently the Department of Environment and Conservation were advised of Council's position and now a draft Clearing Permit has been provided for comment prior to final issue.

A copy of the draft Clearing Permit is enclosed for Council's consideration.

#### **COMMENT**

The permit specifies matters and conditions such as what clearing is authorised, species to be cleared, number of saplings to be removed, the method of clearing, recording and reporting requirements and so on. Most conditions are reasonable and not too onerous, however the revegetation requirement that at least 5000 seedlings be planted along the banks of the Moore River seems excessive. It is understood that this requirement is negotiable and a more reasonable number, based on what we were planning to do in this area would be 2000.

#### **STATUTORY ENVIRONMENT**

Sections 2.7 and 3.1 of the Local Government Act 1995, relating to the general function provisions.

#### **POLICY IMPLICATIONS**

There are no policy implications in respect to the recommendation of this report.

#### **BUDGET IMPLICATIONS**

There are no budget or financial implications in respect to the recommendation of this report. However once the permit is issued, Council will need to ensure that it has sufficient resources to carry out the removal of the trees and meet the revegetation conditions.

#### **STRATEGIC IMPLICATIONS**

The maintenance of the Moore River watercourse and revegetation of the banks of the river are consistent with the key Result Area of Growth of the strategic Plan, particularly the strategy to protect and manage the resource base.

#### **PRECEDENT**

The recommendation of this report does not set precedence.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION – ITEM 11.5.1**

*That Council advises the Department of Environment and Conservation that it acknowledges and accepts the conditions contained within the draft Clearing Permit (as appended) subject to Clause 6(a) being amended to require the planting of at least 2000 seedlings in lieu of 5000 seedlings.*

**11.6 ECONOMIC DEVELOPMENT**

Nil

**11.7 SPORT AND RECREATION**

Nil

**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, 'CMVROC – Resource Recovery Eco-Industrial Park Project – Feasibility Investigation' that if disclosed would reveal:*

- *the information that has a commercial value, pursuant to Section 5.23(2)(e)(ii) of the Local Government Act 1995.*

**15.1 CMVROC – Resource Recovery Eco-Industrial Park Project – Feasibility Investigation**

Provided to Councillors under confidential cover.

**16. CLOSURE OF MEETING**