

**Shire of Moora
Ordinary Council Meeting
19th February 2014**

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora
will be held on **Wednesday 19th February 2014**
in the Council Chambers, 34 Padbury Street, Moora
commencing at **5.30 pm**

AJ Leeson
Chief Executive Officer



13th February 2014

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/Madam,

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
19 FEBRUARY 2014
 COMMENCING AT 5.30PM

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Separate Attachments

- 9.1.1 List of Payments Authorised Under Delegation 1.31
- 9.1.2 Statement of Financial Activity for the Period Ended 31 December 2013
- 9.1.3 Minutes of Electors Meeting held 11 December 2013
- 9.1.4 Statement of Financial Activity for the Period Ended 31 January 2014
- 9.1.5 2013/14 Budget Review
- 9.1.6 Map showing affected properties
- 9.1.7 Tender Submissions received
- 9.1.8 Copy of agreement
- 9.1.9 Nomination of Members – Shire of Moora
- 9.2.1 Plans

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

R Keamy - Councillor

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**4. PUBLIC QUESTION TIME****5. PETITIONS AND PRESENTATIONS****6. APPLICATIONS FOR LEAVE OF ABSENCE**

The Shire President advises that a written request for a leave of absence had been received from Cr Robert Keamy for the meetings of Council to be held for the period 19 February 2014 to 2 April 2014.

RECOMMENDATION

That Cr Keamy is granted leave of absence for the meetings of Council to be held for the period 19 February 2014 to 2 April 2014.

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER**8. CONFIRMATION OF MINUTES****8.1 ORDINARY COUNCIL MEETING - 11 DECEMBER 2013**

That the Minutes of the Ordinary Meeting of Council held on 11 December 2013 be confirmed as a true and correct record of the meeting.

9. REPORTS OF OFFICERS

9.1 GOVERNANCE AND CORPORATE SERVICES

9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE: 11 February 2014

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: Rebecca Elliot, Finance Debtors 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 1.31 – 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

RECOMMENDATION

That Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation I.31

<i>Municipal Fund</i>	<i>Cheques 61541 - 61617</i>	<i>\$176,006.31</i>
	<i>EFT 10887-11225</i>	<i>\$1,121,884.52</i>
	<i>Credit Card 15/11/13 – 14/01/14</i>	<i>\$12,736.05</i>
	<i>Net Pays – PPE 03/12/13</i>	<i>\$98,884.02</i>
	<i>Net Pays – PPE 31/12/13</i>	<i>\$81,302.92</i>
	<i>Net Pays – PPE 14/01/14</i>	<i>\$84,176.90</i>
	<i>Net Pays – PPE 28/01/14</i>	<i>\$86,421.14</i>
<i>Trust Fund</i>	<i>Cheques 4947 - 4962</i>	<i>\$22,291.20</i>
<i>Total</i>		<i>\$1,683,703.06</i>

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 DECEMBER 2013

REPORT DATE: 8 January 2014

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Leanne Parola, Manager Finance & Corporate Services

ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 December 2013

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 December 2013.

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 2013/14 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council notes and receives the Statement of Financial Activity for the period ended 31 December 2013.

9.1.3 MINUTES OF ANNUAL GENERAL MEETING OF ELECTORS HELD ON 11 DECEMBER 2013

FILE: EM/ANMI
AUTHOR: Alan Leeson, Chief Executive Officer
REPORT DATE: 8 February 2014
DECLARATION: The author has no financial interest in this matter
ATTACHMENTS: Minutes of Electors Meeting held 11 December 2013

BACKGROUND

The Annual General Meeting of Electors, in respect to the year ended 30 June 2013, was held in the Moora Recreation Centre on Wednesday 11 December 2013.

The provisions of the Local Government Act 1995 require that the minutes of the Electors Meeting must be presented to Council for consideration at the next available Ordinary Meeting.

The minutes of the meeting are now presented to Council and are appended for reference.

COMMENT

The minutes of the Annual Electors meeting contain a number of procedural resolutions that do not require any further action by Council.

STATUTORY ENVIRONMENT

Sections 5.32 and 5.33 of the Local Government Act 1995, deal with the recording of Minutes of the Annual Electors Meeting and the requirement for Council to consider any decisions made.

POLICY IMPLICATIONS

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

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Demonstrating to the electors that Council has listened to their request enhances Council's standing and respect within the community.

PRECEDENT

The adoption of the recommendation of this report does not set a precedence.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council receives the minutes of the Annual General Meeting of Electors for the Year Ended 30 June 2013 held on 11 December 2013, and note the contents.

9.1.4 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 JANUARY 2014

REPORT DATE: 8 January 2014

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Leanne Parola, Manager Finance & Corporate Services

ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 January 2014

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 January 2014.

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 2013/14 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council notes and receives the Statement of Financial Activity for the period ended 31 January 2014.

9.1.5 2013/14 BUDGET REVIEW

FILE REFERENCE: F/BUDI
REPORT DATE: 11 February 2014
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Leanne Parola, Manager Finance & Corporate Services
ATTACHMENTS: 2013/14 Budget Review

PURPOSE OF REPORT:

To consider and adopt the budget review for the period 1 July 2013 to 31 January 2014.

BACKGROUND:

Local Governments are required to formally conduct a budget review at least once each financial year, between 1 January and 31 March. The budget review allows a detailed comparison of the year to date (YTD) actual results with the adopted or amended budget.

The budget review is to be submitted to Council within 30 days of the review for Council to consider and determine whether or not to adopt the review and any recommendations made within the review.

A copy of the review and Council decision is to be provided to the Department of Local Government and Regional Development within 30 days of the decision by Council.

COMMENT:

The budget review for the period 1 July 2013 to 31 January 2014 has been conducted by management and is provided as a separate attachment to this agenda.

A number of changes to the budget are recommended as part of this budget review to recognise grants that were not received, savings achieved, projects that cannot be achieved this financial year and changes requested by Council.

The changes are shown in the attached review document, the most significant of them in the following areas:

- Governance –
 - GL 20401 – Sundry Income – increase by \$48,872 as a result of higher rate of insurance claims and rebates than budgeted
 - GL10311 – Public Relations – increase by \$14,041 as a result of the WAFL Game expenditure
 - GL10425 – Consultants/Special Projects – decrease by \$10,000
- Law, Order & Public Safety –
 - GL 40604 – Proceeds from Sale of Ranger Utility – increase by \$14,545
 - GL 20706 – Community Arts Program – remove \$12,000 grant
 - GL 10707 – Community Arts Program – remove \$15,000 expenditure
- Education & Welfare –
 - GL 41701 – Child Care – Capital Grants – decrease by \$13,000 for grants received in 2012/13
 - GL 31708 – Child Care Centre – Renewal – decrease by \$17,500 due to savings in project
 - GL 31504 – Moora Playgroup Building Renewal – reduce by \$21,478 as Playgroup carried out painting work themselves

- Housing –
 - GL 32309 – Land Acquisition – Staff Housing Units – reduce by \$10,990 due to savings in purchase
- Community Amenities
 - Job LDRCI – Moora Domestic Refuse Collection – reduce by \$10,000 due to savings in materials & contracts
 - GL 12406 – Moora Rubbish Tip Attendant – increase by \$10,000 due to dearer contract
 - Job LSEWI – Sewerage Operation Costs – increase by \$125,306 due to employment of staff and purchase of equipment in lieu of Water Corporation Contract
 - GL 43129 – Proceeds from the Disposal of Waste Equipment – reduce by \$40,000 as not renewing Waste Water Truck in 2013/14
 - GL 39520 – Renewal of Moora Sewerage Scheme – remove project of \$150,000 as it will not be carried out in 2013/14
 - GL 39522 – Sewerage System Plant & Equipment – new GL for the purchase of plant and equipment due to taking over maintenance of system in house - \$69,312
 - GL 34015 – Waste Water Truck – remove purchase of \$245,000 as it will not be purchased in 2013/14
- Recreation & Culture
 - GL 23117 – MPAC Show Revenue – remove income of \$25,957 as it is being allocated against the Job instead
 - GL 13121 – MPAC Show Expenditure – reduce by \$36,734 to reflect Show income and savings in Shows already held
 - GL 32316 – Moora Swimming Pool Upgrade – increase by \$15,000 to upgrade Kiosk area
 - GL 33325 – Swimming Pool Robot Pump – new GL for the purchase of equipment not budgeted for (\$14,175)
 - GL 13315 – Contributions – Sporting Clubs – increase by \$62,010 to reflect actual cost of Moora Tennis Court project
 - GL 33302 – Ride on Mower – increase by \$24,300 to reflect actual purchase price of new mower
 - GL 33321 – Moora Recreation Centre – Furniture & Fittings Upgrade – remove \$50,962 project as grant funding not received
 - GL 23355 – Grants – Be Active Coordinator – increase by \$12,326 to reflect increase in Kidsport and other funding received
 - GL 43128 – Proceeds from Sale of Recreation Assets – decrease by \$15,209 as Be Active Vehicle will not be sold in 2013/14 as planned
 - GL 43701 – Community Facilities Grant – remove RDA Facilities \$72,958 grant as application was not successful
- Transport
 - GL 24007 – Profit on Asset Disposal – Road Plant Purchases – reduce by \$60,559 as profit on trade of tip trucks less than budgeted
 - GL 45402 – Proceeds from Sale of Motor Vehicles – Road Plant – reduce by \$15,000 as one less vehicle being sold than budgeted
 - GL 34004 – 4 x 4 Utilities – increase by \$12,194 to reflect actual cost
 - GL 34025 – Small Tip Truck – decrease by \$35,770 to reflect actual cost
 - GL 34060 – S/Hand Side Tipper – increase by \$15,000 to purchase new trailer instead of second hand
- Economic Services
 - GL 14606 – Visitor Information – remove \$15,000 project to upgrade signage (funds to be transferred into Economic Development Reserve instead)
 - GL 14614 – Visitor Servicing – MCRC Contribution – increase by \$10,815 for agreement to take over tourism service for the Shire following organisational restructure
 - GL 25286 – Lease – Lot 41 Drummond Street – new GL for \$26,000 lease to Ertech not budgeted for
 - GL 15201 – Business/Industry Projects Investigations – increase to \$10,406 for costs associated with provision of services to Lot 41 Drummond Street

- GL 35260 – Industrial Park – Land Extension – increase of \$23,525 due to expected increase in costs
- Other Property & Services
 - GL 25301 – Private Works General – reduce income by \$34,960 to better reflect likely income
 - GL15301 – Private Works Expenses – reduce expenditure on materials & contracts for Simcoa job by \$269,882
 - GL 15901 – Cleaning Materials & Routine Maintenance – reduce expenditure on materials and contracts by \$20,000
 - GL 16101 – Gross Total Salaries & Wages – reduce expenditure by \$170,034 to reflect actual and projected salaries and wages
 - GL 16102 – Salaries & Wages Allocated – reduce by \$170,034 to reflect actual and projected salaries and wages

The proposed Amended Budget estimates a surplus balance at 30 June 2014 of \$274,686. This figure is just that, an estimate, and should in no way be construed as an exact indication of Council's position at 30 June 2014.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Regulation 33A - Local Government (Financial Management) Regulations 1996 applies. The proposed estimated surplus is within the allowed maximum of \$348,282 (10% of rates).

STRATEGIC IMPLICATIONS:

The budget review helps determine and document any projects that are unlikely to be completed during the budget year and new opportunities that have arisen during the year. The review process ensures management and elected members review the performance of the Council for the year to date and apply corrective actions, if required prior to 30 June to ensure proper financial management is maintained.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

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

➤ **Economic**

The budget review process provides a timely indication of ability of the local government to achieve the budgeted performance for the year and the timing allows corrective actions if required prior to 30 June.

➤ **Social**

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

FINANCIAL IMPLICATIONS:

The budget review enables management to establish whether the local government continues to meet its budget commitments. It enables Council to determine whether income and expenditures are in accordance with the adopted budget.

Should Council be able to achieve an end of year surplus of \$274,686, it provides an ideal opportunity to pay out Loan 64, which has the longest term (9 years), and the highest rate of

interest (6.9%). The payout figure at 20 January 2014 was \$226,743 and would save \$45,196 in interest.

Paying out this loan early will have a lasting financial benefit to the long term sustainability of the Shire and will create more savings in interest that could be achieved should the money be placed in a reserve. It also improves Council's Debt Service Cover Ratio and ability to borrow money in the future for the proposed Community Resource Centre.

VOTING REQUIREMENTS

Absolute Majority Required

RECOMMENDATION

That Council, having considered the budget review for the period 1 July 2013 to 31 January 2014 adopts the review as tabled, showing an estimated surplus at 30 June 2013 of \$274,686.

9.1.6 REQUESTS TO CHANGE METHODS OF VALUATION OF LAND

FILE REFERENCE: F/RBUI-2
REPORT DATE: 18 January 2014
APPLICANTS/PROPONENT: Various
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 20 February 2013
AUTHOR: Leanne Parola, Manager Finance & Corporate Services /Alan Leeson, Chief Executive Officer
ATTACHMENTS: Map showing affected properties

PURPOSE OF REPORT:

For Council to consider a number of requests to change the method of valuing land from UV to GRV in the Moora Townsite.

BACKGROUND:

The Moora Townsite includes a number of Rural Residential properties that are currently rated using an Unimproved Valuation.

At its Ordinary Meeting of Council held 20 February 2013, Council resolved to request the Minister for Local Government to change the method of valuation for all properties within the Moora Townsite to be based on GRV, effective from 1 July 2013.

The Minister considered this request and decided not to approve the proposal as there were a significant number of properties with the Moora Townsite where the predominant use was “rural” or “farming”.

As a result of a number of property sales of Rural Residential blocks within the Moora Townsite, the valuations for many of these properties rose significantly in the 2013 UV Revaluation. Complaints were received from affected ratepayers and a number of requests to amend their property valuation method to Gross Rental Value.

COMMENT:

The rural residential properties within the Moora Townsite boundaries have traditionally enjoyed low rates because of their UV rating methodology. Last year however, their rates increased significantly due to a large jump in property values based on direct sale evidence.

A number of ratepayers have requested that their properties now be rated based on Gross Rental Value. The table below indicates the Municipal Rates they were levied this year, and estimated rates for that property had they been rated based on a GRV instead:

Ass	Address	Actual UV	Actual Rates	Indicative GRV	Indicative Rates
A715	Lot 71 Padbury Street	152,000	1,696.32	9,256	734.36
A809	Lot 143 Cooper Street	90,000	1,004.40	10,660	845.75
A726	Lot 80 Cooper Street and Lots 74 & 75 Brown Street	295,000	3,292.20	14,820	1,175.80
A717	Lots 145, 146 & 147 Long Street	223,000	2,488.68	14,820	1,175.80
A6137	Lots 64 & 69 Padbury Street	250,000	2,790.00	11,180	887.01
A713	Lot 139-141 Cooper Street	192,000	2,142.72	12,220	969.52
A6068	Lots 96 & 97 Webb Street	223,000	2,488.68	12,220	969.52

A718	Lot 162 & 163 Long Street	189,000	2,109.24	12,220	969.52
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Unlike UVs, which are revalued by the Valuer General’s Office annually, GRVs are revalued every four to five years, unless development/demolition has occurred on the property. The GRV revaluations were last done in 2013, so the next one will not be until 2017-2018.

Council on the weight of submissions has three options available to it;

1. Maintain the status quo of having one rate in the dollar for Unimproved value land across the shire;
2. Request the Minister for Local Government to approve a change of the methodology of rating to affected properties from UV to GRV;
3. Introduce a second rate in the dollar for affected UV properties that would fall into a category of “Special Rural” or “Urban Farmland”. This option would allow for Council to temper rates levied whereby there are significant downward or upward spikes in valuations for such properties. The vast majority of these properties will be within the Moora Town site boundary.

In the past week the CEO held discussion with a Department of Local Government Advisory Officer in order to analyse what the main principle of any decision taken by the Minister for Local Government may be in considering a request to change the method of rating . It is fair to conclude that a critical factor in any determination where a request to change the methodology of rating is received is “predominant land use”. On this basis a fair conclusion is that the majority of those properties affected by significant spikes in their valuations in 2013 have a predominant land use of “special rural”, “hobby farm” etc., which is consistent with practices such as growing hay, running a few animals such as sheep, cattle, horses which are generally not common land uses found in GRV rated or residential areas.

POLICY REQUIREMENTS:

Council adopted its Rating Strategy on 18 April 2012. The strategy is an important document which details the Council’s objectives and strategies, including the following strategies which are relevant to this matter:

- *Council relies on the valuation only to determine equity in rates liability.*
- *Over the next ten years, the rate increases for UV will be lower than GRV to achieve a 70:30 split in 2021/22.*

LEGISLATIVE REQUIREMENTS:

The Local Government Act 1995 requires the Minister for Local Government to approve any changes in method of valuations.

STRATEGIC IMPLICATIONS:

The strategic implications are minimal

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:

The end result is that Council when setting rates, works out what level of income it requires to meet the cost of providing infrastructure and services.

The basis of rates is the valuation be that UV or GRV from which Councils derives the appropriate rate in the dollar to be multiplied to the valuation. Council cannot in setting the rate in the dollar cater for every spike downwards or upwards thus guaranteeing that every rate assessment receives the same rate increase. The nexus of rates per individual assessment is very much dependant of the level of movement in valuations.

In this circumstance those small land holdings experienced sudden significant increases in their valuations. Because Council only has one rate in the dollar for Unimproved Value across the shire the spikes could not be moderated in terms of rates levied. A contributing factor also was that many properties were coming from a reasonably low level of rates, even to the point whereby some properties with significant improvements on their properties were paying minimum rates.

SUMMARY:

In summary it would seem that the most logical way forward based on land use, is to introduce a second rate in the dollar for UV rated properties that have a “special rural-hobby” type use. This would then enable Council to derive an appropriate rate in the dollar whereby there are significant and somewhat abnormal movements in valuations, such as was the case last year.

On that basis it is recommended that Council endorse “in principle” the introduction of a second rate in the dollar for UV rated properties whereby the used is deemed by definition and guidelines to satisfy a land use that falls outside of general broad acre farming practices e.g. special rural/hobby farm.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council endorse in principle the introduction of a second rate in the dollar for UV rated properties in 2014/2015 for those properties within the Shire of Moora townsite boundaries whereby the used is deemed by definition satisfy a land use that falls outside of general broad acre farming practices e.g. special rural/hobby farm, further that some of the main considerations in making a determination on land use shall be but not limited to be;

- ***Growing and harvesting of grain/hay and other primary fodder for personal use or commercial gain;***
- ***UV valued land within gazetted townsite boundary;***
- ***Keeping of animals not otherwise permitted in residential areas e.g. horses, sheep, cows, goats, camels, alpaca's, roosters.***

9.1.7 WEST END LAND – TENDER 01/2014

FILE REFERENCE: ED/WEDI & L/TEN2
REPORT DATE: 12 February 2014
APPLICANTS/PROPONENT: WJ & KM Vanzetti/Moorra Football Club
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Alan Leeson, Chief Executive Officer
ATTACHMENTS: Tender submissions received

PURPOSE OF REPORT:

For Council to consider tenders received in relation to the potential lease of western side of the West End arable land for the purpose of cropping or grazing in the 2014 grain growing season.

Two tenders have been received, one from the Moora Football Club and one from the Moora Football Club, both seeking to crop portion of the West End land, copies of both letters attached with agenda papers.

BACKGROUND:

Tenders were called in January 2014, with submissions closing on 7 February 2014.

COMMENT:

Both submissions have been submitted on the basis of commercial cropping, as against some submission in previous years whereby a lessor lease rate has been granted to community groups for the purpose of raising funds for club infrastructure.

Both tenderers have expressed a wish to be granted a lease term of 5 years, and both have outlined what is proposed in terms of land management and cropping rotations over the term.

POLICY REQUIREMENTS:

Council does not have a policy in relation to this matter. It has however imposed some broader guidelines in terms of Council expectations in managing the land. In 2013 the following conditions were imposed;

- Land cannot be sublet;
- Lessees are responsible for upkeep of fire breaks in accordance with the Shire of Moora Fire Break Order. Should the fire breaks be non-compliant they will be made good by Council at the lessees cost;
- Lessees are responsible for the upkeep and maintenance of all fencing and gates;
- Lessees are responsible for all weed management, of particular note, caltrop and melons over the summer months. If notice is received from the Lessor to make good any poor weed management the lessee will ensure appropriate action is taken within 14 days of the notice given to remedy the situation;
- Soil quality shall be maintained to a suitable level commensurate with good farming practices through application of fertiliser and mineral supplements as required. Copies of soil tests shall be supplied to the Council prior to the annual seeding program;
- Lessee shall ensure due consideration and consultation occurs with adjoining land holders with respect to ongoing cropping/grazing and land management practices;
- Annual lease payment shall be based upon after harvest terms, therefore annual lease payment shall be paid to Council by no later than 28 February of the relevant year;

- Council reserves the right to call an end to the lease understanding that it will not be mid-stream in an annual cropping program. Clubs will be given the opportunity to complete their annual cropping program. Cessation of the lease would be on the premise of West End rural/residential development;
- Should the lessee wish to cease leasing prior to the expiry of agreed term, the lessor shall be notified by no later than the 31 December of the relevant year i.e. at the completion of the annual cropping program.
- Income from the leasing be transferred to the Shire of Moora Economic Development Reserve Fund.

Point (j) is the only point not relevant to this year's tender submissions given that both tender submissions are "commercial" in purpose.

LEGISLATIVE REQUIREMENTS:

3.58. Disposing of property

- (1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) **the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.**
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (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.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

[Section 3.58 amended by No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
The West End land has been set aside by Council for future residential development, with the majority of the land outside the flood zone of the Moora townsite.
- **Economic**
In previous years the land has been predominantly leased for community fund raising purposes. Given both submission are “commercial” it is recommended that should Council agree to lease on such terms, that funds raised via the leases be set aside for a specific purpose e.g. Moora Airfield Development as one example.
- **Social**
Nil

FINANCIAL IMPLICATIONS:

The production area is approximately 100 hectares. As such the likely lease fees payable to the Shire of Moora over the term of the proposed lease term are;

Cropping year	WJ & KM Vanzetti	Moora Football Club
2014	\$10,000	\$6,000
2015	\$10,000	\$6,000
2016	\$10,000	\$6,000
2017	\$10,000	\$9,000
2018	\$10,000	\$9,000
Total	\$50,000	\$36,000

Both tender submissions vary in terms of land management, with the major variation being the proposal of the Moora Football Club to deep rip and spade approximately 50 hectares of lighter/sandier land on the eastern side of the lease. Based on the cost of this the Moora Football Club have submitted a reduced lease rate for the first 3 years.

SUMMARY:

The main lease condition in the authors view is that Council is reserving the right to call end an to the lease should it be fortunate enough to attract sufficient investment for the West End Residential Development to proceed.

VOTING REQUIREMENTS

Absolute Majority Required

RECOMMENDATION

That Council award tender 01/2014 to WJ & KM Vanzetti for a period of 5 years in accordance with their submission and (west of river) for the purpose of cropping/grazing expiring 28 February 2019 at a price of \$100 per hectare; subject to the following conditions;

- *Land cannot be sublet;*
- *Lessees are responsible for upkeep of fire breaks in accordance with the Shire of Moora Fire Break Order. Should the fire breaks be non-compliant they will be made good by Council at the lessees cost;*
- *Lessees are responsible for the upkeep and maintenance of all fencing and gates;*
- *Lessees are responsible for all weed management, of particular note, caltrop and melons over the summer months. If notice is received from the Lessor to make good any poor weed management the lessee will ensure appropriate action is taken with 14 days of the notice given to remedy the situation;*
- *Soil quality shall be maintained to a suitable level commensurate with good farming practices through application of fertiliser and mineral supplements as required. Copies of soil tests shall be supplied to the Council prior to the annual seeding program;*
- *Lessee shall ensure due consideration and consultation occurs with adjoining landholders with respect to ongoing cropping/grazing and land management practices;*
- *Annual lease payment shall be based upon after harvest terms, therefore annual lease payment shall be paid to Council by no later than 28 February of the relevant year;*
- *Council reserves the right to call an end to the lease understanding that it will not be mid-stream in an annual cropping program. Lessors will be given the opportunity to complete their annual cropping program. Cessation of the lease would be on the premise of West End rural/residential development;*

Further that any funds raised through the lease be set aside in a “Moora Airfield Development Reserve Fund”.

9.1.8 **MASTER LENDING AGREEMENT**

FILE REFERENCE: GA/WATC I
REPORT DATE: 12 February 2014
APPLICANTS/PROPONENT: W.A Treasury Corporation
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Alan Leeson, Chief Executive Officer
ATTACHMENTS: Copy of agreement

BACKGROUND

The Western Australian Treasury Corporation (WATC) is implementing a Master Lending Agreement for Local Governments to accommodate recent changes to the Personal Property Security Act 2009 (PSSA) and to improve efficiency in the lending process to local governments.

As a Local Government is only permitted to provide security in the way of a charge over its general funds under the Local Government Act 1995 the WATC is required to register lending under the PPSA which is now referenced to the Shire's Master Lending Agreement.

The Master Lending Agreement has been reviewed by the State Solicitors Office and Department of Local Government.

COMMENT

The execution of the Master Lending Agreement does not impact any of the Shire's existing borrowing arrangements and the particulars of existing facilities are included within the Schedules of the Agreement.

Future borrowings will also be established under this agreement which will streamline the borrowing process and will no longer require the affixation of the Common Seal to every loan agreement. Borrowing funds will still be subject to the existing requirements under the Local Government Act 1995 including the need to be declared in the annual budget or be subject to public notification.

STATUTORY REQUIREMENTS

Local Government Act 1995 Section 6.21

6.21. Restrictions on borrowing

- (1) Where, under section 6.20(1), a regional local government borrows money, obtains credit or arranges for financial accommodation to be extended to the regional local government that money, credit or financial accommodation is to be secured only —
- (a) by the regional local government giving security over the financial contributions of the participants to the regional local government's funds as set out or provided for in the establishment agreement for the regional local government; or
 - (b) by the regional local government giving security over Government grants which were not given to the regional local government for a specific purpose; or
 - (c) by a participant giving security over its general funds to the extent agreed by the participant.
- (1a) Despite subsection (1)(a) and (c), security cannot be given over —
- (a) the financial contributions of a particular participant to the regional local government's funds; or
 - or
 - (b) the general funds of a particular participant, if the participant is not a party to the activity or transaction for which the money is to be borrowed by, the credit is to be obtained for, or the financial accommodation is to be extended to, the regional local government.

- (2) Where, under section 6.20(1), a local government borrows money, obtains credit or arranges for financial accommodation to be extended to the local government that money, credit or financial accommodation is only to be secured by giving security over the general funds of the local government.
- (3) The Treasurer or a person authorised in that behalf by the Treasurer may give a direction in writing to a local government with respect to the exercise of its power under section 6.20(1) either generally or in relation to a particular proposed borrowing and the local government is to give effect to any such direction.
- (4) In this section and in section 6.23 —
general funds means the revenue or income from —
 - (a) general rates; and
 - (b) Government grants which were not given to the local government for a specific purpose; and
 - (c) such other sources as are prescribed.

[Section 6.21 amended by No. 49 of 2004 s. 59.]

STRATEGIC IMPLICATIONS

Outcome 5.3: Effective and efficient corporate and administrative services.

Strategy 5.3.2: Provide a full range of financial services to support the Shire's operations and to meet planning, reporting and accountability requirements.

FINANCIAL IMPLICATIONS

There are no direct financial implications for Council in considering this matter.

POLICY IMPLICATIONS

There are no direct policy implications for Council in considering this matter.

SUMMARY

The purpose of the report is for Council to approve the Common Seal being affixed to the proposed Western Australian Treasury Corporation's Master Lending Agreement which will streamline the loan process for future loans and consolidate the Shire's existing lending under one agreement.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATIONS

That Council:

- 1) Enter into a Master Lending Agreement with the Western Australian Treasury Corporation as per the document attached to this item.*
- 2) Approve the affixation of the Common Seal of the Shire of Moora to the Master Lending Agreement in the presence of the President and Chief Executive Officer.*
- 3) Authorise the Chief Executive Officer to sign schedule documents under the Master Lending Agreement and / or give instructions thereunder on behalf of the Shire of Moora.*

9.1.9 **REGIONAL HOUSING ALLIANCE – Membership and Update**

FILE REFERENCE: ED/RHA I
REPORT DATE: 12 February 2014
APPLICANTS/PROPONENT: Shires of Moora, Wongan-Ballidu and Dalwallinu
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 20/11/13 (176/13) & 15/5/13 (62/13)
AUTHOR: Alan Leeson, Chief Executive Officer
ATTACHMENTS: Nomination of Members – Shire of Moora

PURPOSE OF REPORT:

To consider endorsing the appointment of three persons to the membership of the Regional Housing Alliance in accordance with the requirements of the constitution adopted by Council at its November 2013 ordinary meeting of Council.

BACKGROUND:

In November 2013 Council resolved the following by absolute majority;

that the Shire of Moora approves the Enterprise Midlands Inc. Constitution (as attached) and confirms their agreement to continue with the setup of this association, subject to amendments to clauses 8 and 15 as detailed hereunder;

8. MEMBERSHIP

8.1 Membership shall consist of:

- *three (3) persons resident in the Shire of Dalwallinu and appointed by the Council of the Shire of Dalwallinu;*
- *three (3) persons resident in the Shire of Moora and appointed by the Council of the Shire of Moora;*
- *three (3) persons resident in the Shire of Wongan-Ballidu and appointed by the Council of the Shire of Wongan-Ballidu; and*
- *a person elected annually by the members so appointed and not being one of them, to be the Chair of the Association.*

15. ANNUAL OPERATING PLAN

15.1 *Each year and at least two (2) months before the Annual General Meeting (AGM), the Committee shall prepare an Annual Operating Plan, including a budget and statement of projected financial performance, for the 12 months following the AGM.*

15.2 *The draft Annual Operating Plan shall be forwarded to each Member Organisation for comment, and any such comments shall be considered by the Committee before submitting the Annual Operating Plan to the AGM for adoption.*

COMMENT:

To that end the Shire of Moora is required to appoint three people to the membership in accordance with clause 8.1 which states;

8. MEMBERSHIP

8.1 Membership shall consist of:

- three (3) persons resident in the Shire of Dalwallinu and appointed by the Council of the Shire of Dalwallinu;
- *three (3) persons resident in the Shire of Moora and appointed by the Council of the Shire of Moora;*

- three (3) persons resident in the Shire of Wongan-Ballidu and appointed by the Council of the Shire of Wongan-Ballidu; and
- a person elected annually by the members so appointed and not being one of them, to be the Chair of the Association.

It is the authors view that the three people to be appointed by the Shire of Moora should be;

- Shire President – Shire of Moora;
- Chief Executive Officer – Shire of Moora;
- President/Chairperson – Moora Chamber of Commerce

Council of course has pure autonomy as to whom it wishes to nominate and is certainly not bound by the author's recommendation in this regard.

POLICY REQUIREMENTS:

There are currently no policy provisions applicable to this item. However, upon nominations being finalised in the first instance and the broader parameters being established in terms as to whom Council may wish to see appointed to the Alliance membership, it is recommended that a "Policy Guideline" be established for future direction and reference.

LEGISLATIVE REQUIREMENTS:

In establishing this association, regard was given to Section 3.60 of the Local Government Act 1995 which provides that a local government "cannot form or take part in forming, or acquire an interest giving it the control of, an incorporated Company or any other body corporate... unless it is permitted to do so by regulation". Regulation 32 of the Local Government (Finance and General) Regulations 1996 explicitly provides however that a local government may participate in an incorporated association.

STRATEGIC IMPLICATIONS:

The incorporation of a regional association would enable further options for use of available funding and could result in a significant increase in outcomes and a decrease in the compliance required under the existing Local Government Act.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
The successful implementation of a regional association would result in many economic benefits for members within the region. The initial purpose is to enable a greater emphasis on housing investment in the region and placing the three shires on a stronger position strategically in leveraging grants funds on a regional basis if and when available.
- **Social**
There has been no community consultation at this point but the objectives of the association are in alignment with the objectives of the community.

FINANCIAL IMPLICATIONS:

The setup and running of the association will be funded from the remaining Central Midlands Voluntary Regional Organisation of Councils funds.

SUMMARY:

As a general update regarding the drafting of the Constitution for approval, an application has been made for the approval of the name “Enterprise Midlands Incorporated” to the Associations and Charities branch of the Department of Commerce W.A. We have received advice that the name will not be approved based on similarities to the name Midlands Enterprises Pty Ltd. We have appealed the decision but am advised the appeal is unlikely to succeed.

At a recent meeting of CEO’s, Conway Highbury and Rebecca Kelly (WDC) it was decided to submit a second application as a “Plan B” to the Department of Commerce. An application has been submitted seeking approval for the name “Innovation Central Midlands” of which we are confident will gain approval. To that end the author is recommending that Council formally notes the application for a second name on the basis of a likely declination of the name “Enterprise Midlands Incorporated”.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATIONS

That

- 1. in accordance with Section 8 of the Enterprise Midlands Incorporated draft constitution, Council appoints the following persons to the membership;*
 - Shire President – Shire of Moora*
 - Chief Executive Officer – Shire of Moora*
 - President/Chairperson – Moora Chamber of Commerce*

Further that it be noted Council authorises the following proxies in the absence of any one three nominees;

Deputy Shire President Shire of Moora and Deputy Chief Executive Officer, Shire of Moora;

- 2. Council formally notes the application of a second name for the proposed Regional Alliance of “Innovation Central Midlands Incorporated” in substitution of the first preference of “Enterprise Midlands Incorporated” on the basis of the likely declination by the Department of Commerce Associations and Charities Branch of “Enterprise Midlands Incorporated” on the basis it is too similar to the already registered incorporated body of “Midland Enterprises Pty Ltd”.*

9.1.10 WHEATEBELT AGED CARE SUPPORT AND SOLUTIONS AND WHEATEBELT INTEGRATED AGED CARE PLAN

FILE REFERENCE: ED/ACPI
REPORT DATE: 13 February 2014
APPLICANTS/PROPONENT: Wheatbelt Development Commission
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Alan Leeson, Chief Executive Officer
ATTACHMENTS: Executive Summary and Information Sheet (full report available upon request, previously circulated by email)

PURPOSE OF REPORT:

To consider adopting the Wheatbelt Aged Care Support and Care Solution/s Report and endorse the five steps for implementation of the Report.

BACKGROUND:

The Wheatbelt Aged Support and Care Solution/s (WASCS) Project Report summarises the outcomes of two major projects which aimed to develop and implement a holistic regional solution to allow ageing residents to remain in their communities for as long as possible.

The following information is an extract of the “Wheatbelt Aged Support and Care Project Draft Report Overview” and provides a detailed summary of the processes to date to reach this point.

Through the delivery of the Royalties for Regions (RfR) Country Local Government Fund Regional process, Wheatbelt Local Government’s identified aged care as a key priority for the region. In 2012 the North East Wheatbelt Regional Organisation of Councils and Wheatbelt East Regional Organisation of Councils formed the Central East Aged Care Alliance (CEACA) to undertake a study through Verso Consulting to determine aged care needs in the Central East Wheatbelt and a process of implementation.

The initial project, beginning in April 2012, covered the 11 local government areas in the Central Eastern Wheatbelt and the second project covered the remaining 32 Wheatbelt Local Government Area’s (LGAs). The WASCS Project was instigated to widen the scope of the CEACA process with additional support from WA Country Health Service (WACHS), RfR funded Southern Inland Health Initiative (SIHI) and Regional Development Australia Wheatbelt (RDAW).

The primary aim was the development of tailored solutions and action plans that deliver improved future delivery of aged support and care. These solutions were required to be developed for each identified sub-region of the Wheatbelt in a way which reflected a consistent region-wide approach.

The WASCS Project involved a partnership between 32 LGAs, the Wheatbelt Development Commission (WDC), RDAW, WACHS (Southern Inland Health Initiative) and South West Medicare Local.

The WASCS Project aimed to develop and implement a holistic regional solution to allow ageing residents to remain in their communities for as long as possible.

The Project adopted eight guiding principles;

- *Principal 1 - The Importance of Place*

- *Principal 2 - Community Life*
- *Principal 3 - Community sense of ownership*
- *Principal 4 - Focus on the Person*
- *Principal 5 - Choice*
- *Principal 6 - Equitable access*
- *Principal 7 - Practicality*
- *Principal 8 - Viability*

These principals were a key focus while developing the WASCS and undertaking the following elements of the project:

The planning process has heavily involved the community with sharing of existing local publications and documentation as well as clarification of desktop analysis compared to actual service delivery. A total of 31 community consultations were conducted across the LGA's involved, involving over 550 participants. Forming part of the gap analysis and validation elements of the project, the community consultations provided the opportunity to validate Verso's statistical findings at a ground level. Members of the community, health and aged care providers as well as shire representatives were invited to attend the sessions.

With the completion of elements 2-6, each LGA was provided with a Needs Study report specific to their individual Shire as well as a Needs Study for their sub-region. The Needs Studies include demographic characteristics, the emerging policy context, the findings from community forums and consultations, aged care services levels, planning & analysis of aged care levels and aged care solutions from literature collected.

The final element, element 8 saw the development of the Wheatbelt Aged Support and Care Solution/s Report which outlines the context of the project, the findings and implications, the recommendations and action plan.

The Wheatbelt Aged Support and Care Solution/s Report provides a clear direction to develop and implement infrastructure and service level solutions to address the urgent need for aged care accommodation, services and facilities in the Wheatbelt.

The Model below consists of the following elements required to deliver an integrated solution:

Aged Friendly Community is the main responsibility of LGAs in auditing and ensuring their community has addressed all the elements required to achieve an Aged Friendly Community. This includes making sure structures and services are accessible to and inclusive of older people with varying needs and capabilities such as;

- *Walking and Cycling Routes*
- *Streets*
- *Local Destinations*
- *Open Space*
- *Public and other transport*
- *Supporting infrastructure*
- *Fostering community spirit*
- *Strategy*

Aged Persons' Housing is seen as a coordinated responsibility of the LGA sub-regions and potential housing providers to see how current stock meets requirements, the development of a coordinated approach to common development, ownership, design and integration. However land and capital needs are seen as a primary concern for LGAs, with the possible assistance of funding from peak bodies.

Community Aged Care including Respite and Palliative Care has been identified as the responsibility of health care funders and providers such as Department of Social Services, WA Country Health Service (WACHS), HACC and other Aged Care providers. Community Aged Care is a relatively new concept to communities in the Wheatbelt but is one that will become more prominent in the future with policy changes around the sector.

This element is seen as a longer term project and not something that will be addressed in the short term; however it will require a strong advocacy role from WDC and RDAW with support from LGA sub-regional groups and local service providers.

Residential Aged Care including Respite and Palliative Care has also been considered as a longer term strategy, with the main responsibility residing with the Department of Social Services, WACHS and other Aged Care providers.

Again, this element will require a strong advocacy role from WDC and RDAW with support from LGA subregional groups and local service providers.

COMMENT:

The following five (5) key steps have been identified for the project to move forward and achieve the best outcome for the Wheatbelt region as a whole:

Step 1:

It has been recommended that Local Government Authority's (LGA's) continue to work in sub-regional groups to ensure the successful implementation of the Wheatbelt Aged Support and Care Solution/s Report.

Step 2:

All Shire Councils formally adopt the Wheatbelt Aged Support and Care Solution/s Report and Needs Studies relating to the sub region and their individual Shires.

Step 3:

The boards of Wheatbelt Development Commission (WDC) and Regional Development Australia Wheatbelt (RDAW) formally accept the reports.

Step 4:

WDC and RDAW coordinate responses from the below key stakeholders on behalf of LGAs;

- Department of Social Services
- WA Country Health Service (WACHS)
- Home and Community Care (HACC)
- Department of Housing
- Department of Transport

Step 5:

The Wheatbelt Aged Support and Care Solution/s Report is publicly released with a launch.

Whilst the Report does not specifically address the concerns of Council and community in respect to future provision of Aged Care facilities within Moora and the Shire of Moora, it does address the need for new and improved services throughout the Wheatbelt.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Nil

STRATEGIC IMPLICATIONS:

Outcome 1.2: Health, education and family support services that are accessible and meet community needs.

Strategy 1.2.1: Monitor and respond to the level of health service provision.

Strategy 1.2.2: Promote and advocate for programs and services for families.

Strategy 1.2.3: Ensure the provision of childcare services.

Strategy 1.2.4: Advocate for appropriate education facilities and services.

Strategy 1.2.5: Advocate for the implementation of the Master Plan for Aged Care facilities and services

SUSTAINABILITY IMPLICATIONS:**➤ Environment**

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

➤ Economic

- Strengthen local business and employment capacity.
- Support and encourage sustainable business growth.
- Reinforce Moora as the hub of health services in the Central Midlands.

➤ Social

There are significant benefits for individuals and communities to have their loved ones age in place, which is the main driver and principle behind this report.

FINANCIAL IMPLICATIONS:

Nil

SUMMARY:

The report is fairly broad and holistic; however it will be a strong tool with a view to placing Wheatbelt Communities on the front foot in terms of being able to have any chance of strengthening and growing aged care services and infrastructure across Wheatbelt Communities.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATIONS

That Council:

- 1. Endorses the five steps for adoption and implementation of the Wheatbelt Aged Support and Care Solution/s Report.*
- 2. Adopts the Wheatbelt Aged Support and Care Solution/s Report.*

9.2 DEVELOPMENT SERVICES

9.2.1 MARCO JOCIC APPLICATION FOR TRANSPORTABLE HOUSE

FILE REFERENCE: TP/PA02/14

REPORT DATE: 5 February 2014

APPLICANT/PROPONENT: Marco Jovic

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plans

PURPOSE OF REPORT:

Mr Marco Jovic (the Proponent) wishes Council to approve a development application that he proposes to transport a single bedroom transportable house to be installed and constructed on Lot 501/4 Hamilton Street Moora. Mr Jovic is also asking for a reduced bond from \$10,000.00 to \$5,000.00 as he has reached his limit on borrowing with his bank.

BACKGROUND:

Lot 501 Hamilton Street is a property that has been subdivided and is located in Hamilton Street which is off Gardiner Street in the Shire of Moora Residential Zone. The dwelling Mr Jovic intends to transport is a one bedroom, bathroom, kitchen, living room and laundry incorporating a veranda front and back. The construction will be cool room panelling. The Shire Town Planning Scheme No 4 (Amendment 10) through its Relocated Buildings Policy allows for transportable building subject to the following objectives of the policy which are:-

OBJECTIVES:

- To ensure the relocated building presentation is of an acceptable standard to that of the locality.
- To ensure that any relocated buildings does not detract from an existing (or reasonably desired) streetscape.
- To enable the local government to retain such monies (bonds) to ensure the desired standard of development is achieved.

It is a requirement of the policy for the proponent to provide to the Shire a \$10,000 bond to ensure that the works are completed to the satisfaction of Council and once Council has been satisfied that the work has been completed through its officers the bond is returned.

The Shire of Moora Town Planning Scheme (TPS) No 4 states:-

4.7 TRANSPORTABLE DWELLINGS

4.7.1 A building shall not be placed on a lot and occupied as a dwelling following transportation as a whole or as parts of a building unless the transportable building has been specifically constructed as a transportable dwelling and, in the opinion of the Local Government, such building is in satisfactory condition and will not detrimentally affect the amenity of the area.

4.7.2 An applicant for planning approval for a transported dwelling may be required by the Local Government to enter into a contract and provide a bond to reinstate the building to an acceptable standard of presentation within the period specified by the Local Government.

Shire Policy Manual on Transportable homes:

That Council retain the option to require homes of a certain standard (e.g. Transportable Homes) in newly created subdivisions or areas where there are currently no homes.

COMMENT:

Councils Manager of Development Services has carefully described Councils requirements to Mr Jovic who assures the Shire that all works shall be completed as required.

Cool room panelling construction dwellings are an approved method of construction provided that they meet certain construction requirements under the Building Code of Australia.

POLICY REQUIREMENTS:

Relocated Buildings Policy
Shire Policy Manual on Transportable homes

LEGISLATIVE REQUIREMENTS:

Compliance with Health Act 1911 and Building Code of Australia

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

RECOMMENDATION

That Council approve the development application of Mr Marco Jovic for Lot 501/4 Hamilton Street Moora subject to the following conditions:

- 1. Mr Jovic pays a \$10,000.00 bond that is refundable once all works are completed to the satisfaction of the Shire;*
- 2. Verandas' are constructed front and rear.*
- 3. A laundry is constructed on the rear veranda together with a rear door from the kitchen/living room leading out to the rear veranda.*
- 4. Suitable landscape gardening to be carried out to the property.*
- 5. The property is to be connected to the Town Sewerage Scheme.*

9.4 ENGINEERING SERVICES

Nil

10. REPORTS OF COMMITTEES

MANAGEMENT & AUDIT COMMITTEE MEETING - 5 FEBRUARY 2014

10.1 SHIRE OF MOORA ANNUAL COMPLIANCE AUDIT RETURN FOR 2013

FILE REFERENCE: GA/SCO1

REPORT DATE: 17 January 2014

APPLICANT/PROPONENT: Department of Local Government and Regional Development

OFFICER DISCLOSURE OF INTEREST: The author has no financial or other interest in this matter.

PREVIOUS MEETING REFERENCES: N/A

AUTHOR: Alan Leeson, Chief Executive Officer

ATTACHMENTS: 2013 Compliance Audit Return

PURPOSE OF REPORT:

The 2013 statutory Compliance Audit Return (CAR) has been completed for the 2013 calendar year and is being presented to Council for adoption.

BACKGROUND:

Section 7.13(i) of the Local Government Act 1995 contains provisions for the making of regulations requiring local governments to carry out, in the manner and form prescribed, an audit of compliance whether of a financial nature or not. Local Government (Audit) Regulations prescribe in more detail the requirements of the compliance audit including the requirement for Council to submit a certified copy of the return by 31 March to the Executive Director of the Department of Local Government.

The Return is considered a very useful device for local governments to check their level of compliance with the legislative requirements of the Local Government Act 1995 and other relevant legislation. Also, the Return forms an important part of the Shire's monitoring program. There is a legal requirement to annually complete the Return of which the Councils Audit Committee is required to review and report the results to the Council prior to the CAR's adoption by Council and submission to the Department.

COMMENT:

Overall the compliance return requirements have been reduced to that of previous years. There are no areas of non-compliance.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 7.13(i)

Local Government (Audit) Regulations 13, 14 and 15

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:

Nil

VOTING REQUIREMENTS

Simple Majority Required

COMMITTEE RECOMMENDATION

That Council adopts the attached Compliance Audit Return for the 2013 Calendar Year (1 January 2013 to 31 December 2013) and forward with the duly signed Joint Certification by the President and Chief Executive Officer, to the Executive Director of the Department of Local Government.

GENERAL PURPOSE COMMITTEE MEETING - 5 FEBRUARY 2014**10.2 ADOPTION OF BUSH FIRE RESPONSE PLAN**

FILE REFERENCE: LO/EMPI

REPORT DATE: 15 Jan 2014

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Vicki Booth Community Emergency Services Manager

ATTACHMENTS: Bush Fire Response Plan

PURPOSE OF REPORT:

To document preparedness and response requirements for the Shire of Moora in order to minimise the impact of bushfires in or threatening the, therefore reducing the fire threat to life and property

BACKGROUND:

Council presently does not have a purpose written Bush Fire Response Plan. It is a requirement under the Emergency Management Act 2005 to have such a document

COMMENT:

A Bush Fire Response Plan has been developed and written in conjunction with DFES District Officer Steve McDonald.

This plan has been produced and issued under the authority of Section 41(2 D) of the Emergency Management Act 2005, and is required to be endorsed by the Shire of Moora.

The plan meets the current Local Emergency Management Arrangements which is implemented through the Shire of Moora.

POLICY REQUIREMENTS:

Emergency Management Act 2005

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this matter.

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:

Nil

VOTING REQUIREMENTS:

Simple Majority Required

COMMITTEE RECOMMENDATION

That Council adopt the Shire of Moora Bush Fire Response Plan 2014 as circulated.

10.3 PURCHASE OF SIDE TIPPER & DOLLY – BUDGET ITEM**FILE REFERENCE:** L/TEPI**REPORT DATE:** 29 January 2014**APPLICANT/PROPONENT:** Shire of Moora**OFFICER DISCLOSURE OF INTEREST:** Nil**PREVIOUS MEETING REFERENCES:** 11/12/13 (197/13) and Budget adoption**AUTHOR:** John Greay, Manager Engineering Services**ATTACHMENTS:** Quotations from various suppliers**PURPOSE OF REPORT:**

COUNCIL RESOLUTION - 11 December 2013

197/13 Moved Cr McLagan, seconded Cr Seymour that Council call tenders for the supply of one new side tipper and dolly and present the tender for decision at the February 2014 Council meeting which will coincide with Councils annual budget review.

CARRIED 8/0**BACKGROUND:**

As previously reported staff have investigated the purchase of second hand equipment as identified in this years budget. At councils meeting, which was held on the 11th December, 2013 Council chose to forgo this idea and decided to purchase new items on both occasions - as per their resolution.

COMMENT:

Quotations have been sourced and are attached for council's consideration as both units, independently, fall below the \$100,000 compulsory tender limit.

At the time of writing this report Howard Porter had both a new tandem axle dolly and tri axle side tipper available.

Others had none in stock but could build both within 8 weeks of placing an order.

All pricing is very competitive and all equipment is very similarly constructed and this makes it difficult to separate.

Pricing on the tri axle side tipper vary between \$84,900 - \$91,000 plus GST.

With all of the quotations received only two companies are listed in the WALGA Preferred Tenderers Register and they are Howard Porter and Bruce Rock Engineering.

The only disadvantage that Bruce Rock Engineering may have is the distance to travel in the advent of a warranty claim etc.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

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:

Council has allocated \$75,000 for a side tipper and \$15,000 for a dolly within their budget this year for the purchase of second-hand units.

It was decided that any shortfall in funding would be funded by profits from private works that council have undertaken this year.

VOTING REQUIREMENTS

Absolute Majority Required

COMMITTEE RECOMMENDATION

That council purchase a new tri axle side tipper from Howard Porter for \$90,000 plus GST and one only new tandem axle dolly from Howard Porter for \$24,500 plus GST, further that Councils 2014/2015 budget be amended accordingly. .

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

Nil

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

13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**RECOMMENDATION**

That the meeting move behind closed doors to discuss item 12.1, 'Richard Murdoch Home Occupation' as it is a matter affecting the personal affairs of a person pursuant to Section (2)(b) (e)(iii) & (f) (iii) of the Local Government Act 1995.

13.1 Richard Murdoch Home Occupation

Provided to Councillors under confidential and separate cover.

14. CLOSURE OF MEETING