

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
16 FEBRUARY 2011

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Item 11.2.3 Statement of Financial Activity for the Period Ended 31 January 2011

Item 11.2.5 Budget Review

Item 11.3.1 Local Paper advertisement & Alignment Plan -Job No. 18472004/SCETCH

1. DECLARATION OF OPENING & WELCOME OF VISITORS

The Shire President declared the meeting open at 5.39pm, welcomed visitors and announced:

"Acknowledgment of Country"

I would like to show my respect and acknowledge to 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

The Shire President read the following disclaimer:

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

SA Bryan	-	Shire President
CE Gardiner	-	Councillor
AR Tonkin	-	Councillor
SJ Pond	-	Councillor
CD Hawkins	-	Councillor
DV Clydesdale-Gebert	-	Councillor
JW McLagan	-	Councillor
OC Cocking	-	Councillor
R Keamy	-	Councillor

LM O'Reilly	-	Chief Executive Officer
JL Greay	-	Manager Engineering Services
L J Parola	-	Manager Finance & Corporate Services
E N Ross	-	Manager Health, Building & Planning Services

APOLOGIES:

R L McCall	-	Manager Community & Economic Development
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PUBLIC:

Nil

4. DECLARATIONS OF INTEREST

Cr Clydesdale-Gebert declared an impartiality interest in item 15.1 'Lots 404 to 413 Gardiner Street Moora, Contract for Sale of Land by Offer and Acceptance', as she owns land on Lot 6 Padbury Street, Moora.

5. QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH SECTION 5.24 OF THE ACT

Nil

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Hawkins advised that he would be absent from the next Ordinary Meeting of Council to be held on 16 March 2011.

8. PETITIONS AND MEMORIALS

Nil

9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT

- Attended 2 Finance group meetings and believe they will be very useful.
- 8/2 – attended the LEMC meeting with the Chief Executive Officer. Exercise scheduled for later in the year.
- 9/2 – attended a Crime & Safety meeting. CCTV's are in use & the local police are pleased. A curfew for children has been implemented and it's working well.
- 10/2 - attended the Land Development group meeting.
- 17/2 – Chief Executive Officer & I will be attending a regional waste meeting in Victoria Plains.
- 21/2 – the Chief Executive Officer will be attending the Bindi Bindi Progress Association meeting along with either Cr McLagan or Cr Gardiner.
- 25/2 – will be attending the launch of the Living Longer, Living Stronger program.

Cr Gardiner

- Had received a letter from the Department of Infrastructure & Transport that read '*The Australian Government has committed \$3.5 billion for land transport infrastructure in Western Australia over the period of 2008-09 to 2013-14. Funding that is available to Western Australia has already been allocated to specific projects, as agreed with the Western Australian Government. There is no scope at the present time for the Australian Government to fund new works on the Great Northern Highway between Muchea and Wubin.*'
- 'Supertowns' have been recognised – had been speaking to a local politician and one of the reasons Moora was recognised was due to the high quality of our strategic plan.

Cr Cocking

- 14/2 - attended the Strategic Planning workshop at Gingin with the Chief Executive Officer & Cr Hawkins.

Cr Hawkins

- 8/2 – attended the Local Health Advisory Committee meeting – articles will be run in the local paper about the 'E head space' program.

- Be prepared for vigilante approach in regards to the white cockatoos. Any enquiries should be referred to the Department of Environment & Conservation in Jurien.

Cr McLagan

- 12/2 – attended a Carnarvon flood fundraiser which raised \$23,000, Kate Linke performed and was very good.

Cr Pond

- 11/2 – attended the Avon Zone meeting. Troy Pickard the WALGA President was in attendance.

10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING

10.1 ORDINARY COUNCIL MEETING - 15 DECEMBER 2010

COUNCIL RESOLUTION

1/11 Moved Cr Hawkins, seconded Cr Clydesdale-Gebert that the Minutes of the Ordinary Meeting of Council held on 15 December 2010, be confirmed as a true and correct record of the meeting.

CARRIED 9/0

11. REPORTS OF OFFICERS

11.1 ADMINISTRATION

11.1.1 SHIRE OF MOORA ANNUAL COMPLIANCE AUDIT RETURN FOR 2010

FILE REFERENCE: GA/SCO1

REPORT DATE: 10 February 2011

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: Lynnette O'Reilly, Chief Executive Officer

ATTACHMENTS: 2010 Compliance Audit Return

PURPOSE OF REPORT:

The 2010 statutory Compliance Audit Return has been completed for the 2010 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.

COMMENT:

The Compliance Audit has been completed and overall processes and procedures have been effective in ensuring a majority of the requirements have been met. The audit has highlighted a number of areas for improvement or completion such as local laws.

The following instances of non-compliance and improvement were identified:

- Performance reviews were not carried out for every employee, employed for a term of more than one year, in the most recently completed 12 months of their term of employment. Two employees, one manager and one supervisor, did not have reviews completed, however, reviews have since been completed.
- Not all contracts for designated senior employees detail the maximum amount payable if the contract is terminated before the expiry date and this amount being the lesser of the value of the remuneration they would be entitled to had the contract not been terminated. Current contracts of senior managers do not comply where an employee is terminated within 3 months of completing the contract.
- The primary return of a new Councillor was not received within the three month time frame of starting, however, has been completed.
- Plans for levels and alignments of public thoroughfares under control of Council are not retained as it is impractical with current level of resourcing and believed not to be of critical risk.
- Local laws have not been reviewed within the 8 year time frame. The process was begun in 2009/10 however, due to staff changes the process could not be completed. Resources have been allocated for completion during 2011.
- Public notice was not given for modifications that were made to the Plan for the Future.
- It was identified that although an effective complaints process is in place, the process could be improved to ensure that the requirements of the act are completed when needed, for example to ensure space for the name of the Council member about whom the complaint relates is clear on the form. This has not been an issue as there were no complaints during 2010.

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:

Where items are required to be rectified, for example completion of Local Law review, further funding may be required to be budgeted in the 10/11 budget.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

2/11 Moved Cr Pond, seconded Cr Hawkins that Council adopts the attached Compliance Audit Return for the 2010 Calendar Year (1 January 2010 to 31 December 2010) 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.

CARRIED 9/0

11.1.2 SHIRE OF MOORA REPRESENTATIVE ON RURAL WATER COUNCIL WA (INC)

FILE REFERENCE: AD/CPEI
REPORT DATE: 9 February 2011
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Lynnette O'Reilly, Chief Executive Officer
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To nominate an Elected Member and/or other representative to represent Council on the Rural Water Council WA (Inc). Council is entitled to have two voting representatives on the Rural Water Council WA (Inc).

BACKGROUND:

Council has in the past had representation on the Rural Water Council WA (Inc), however, in recent years there has been no formal representation.

The following outlines the purpose of the Rural Water Council WA (Inc):

1.2 Objects of Association

(1) The objects and purposes of the Association are -

- (a) To endeavour to obtain equitable distribution state wide of funds for water supply improvement and minimise the difficulty caused by the inadequate domestic, spraying and stock water in dry land agricultural areas.*

- (b) *To work with all relevant Government agencies, Water Advisory Groups and other stakeholders to encourage and support research and development to optimise alternative management and use of water supplies.*
 - (c) *To raise awareness of the need to maintain rural and town water supplies and infrastructure.*
 - (d) *To contribute to regional planning for the use of water resources in dry land agricultural areas.*
 - (e) *To represent the water needs of our member communities in dry land agriculture areas.*
 - (f) *To raise awareness of the need to effectively manage water resources.*
- (2) *The property and income of the Association shall be applied solely towards promoting the objects or purposes of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in promoting those objects or purposes.*

3 MEMBERS

3.1 Eligibility for Membership

Membership of the Association is open to any natural person, association, organisation or body of persons (incorporated or unincorporated), public body, local government or regional group of local governments, subject to any requirements that the Association may decide from time to time.

3.2 Category of Members

(1) *The Members of the Association shall consist of:*

- (a) *Member Associations, which subject to these rules, shall be represented by their delegates who shall have the right to attend, debate and vote at general meetings; and*
- (b) *Individual Members.*

COMMENT:

Meeting dates and location are determined by the executive committee and location may be at any one of the member locations.

The next meeting is scheduled to be held in March 2011 in Northam with the date to be confirmed.

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:

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

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

3/11 Moved Cr Hawkins, seconded Cr Pond that Council advise the Chairperson of the Rural Water Council WA (Inc) that its representative will be Cr Arthur Tonkin for the year to 31 December 2011.

CARRIED 9/0

11.1.3 SHIRE OF MOORA REPRESENTATIVE ON THE WEST KOOJAN-GILLINGARRA LAND CONSERVATION DISTRICT COMMITTEE

FILE REFERENCE: AN/LCO1
REPORT DATE: 9 February 2011
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Lynnette O'Reilly, Chief Executive Officer
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To nominate an Elected Member to the West Koojan-Gillingarra Land Conservation District (LCD) committee.

BACKGROUND:

Council has in the past had representation on the West Koojan-Gillingarra LCD committee. However, over a number of years this representation has lapsed.

In response to a request to have Council representation on the West Koojan-Gillingarra LCD in October 2010, Council responded on 1 November 2010 that they chose not to appoint anyone to the committee.

COMMENT:

Further discussion a representative from the Koojan has indicated it would be useful for Council to have

The committee meets on the first Tuesday of every second month at the old Gillingarra School, with the next meeting scheduled to be held in April.

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, however, the Council representative will ensure appropriate communication in relation to environmental issues between Council and the committee.

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS:

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

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

4/11 Moved Cr Clydesdale-Gebert, seconded Cr McLagan that Council advise the Chairperson of the West Koojan-Gillingarra Land Conservation District Committee that its representative to their committee from the Shire of Moora will be Cr Arthur Tonkin for the year to 31 December 2011.

CARRIED 9/0

11.2 FINANCIAL DEVELOPMENT**11.2.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31**

REPORT DATE: 9 February 2011

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: Katie Bailey, Finance Officer – Creditors & Records

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

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

5/11 Moved Cr McLagan, seconded Cr Tonkin that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

<i>Municipal Fund</i>	<i>Chqs 60171 to 60230</i>	<i>\$162,113.79</i>
	<i>EFT 5453 to 5684</i>	<i>\$666,281.20</i>
	<i>Net Pays – PPE 04/01/11</i>	<i>\$69,368.10</i>
	<i>Net Pays – PPE 18/01/11</i>	<i>\$76,136.98</i>
<i>Trust Fund</i>	<i>Chqs 4662 to 4672</i>	<i>\$1,368.50</i>
<i>Total</i>		<i><u>\$ 975,268.57</u></i>

CARRIED 9/0

11.2.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 DECEMBER 2010

REPORT DATE: 27 January 2011

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 2010

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 December 2010.

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 2010/11 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

6/11 Moved Cr Tonkin, seconded Cr Pond that Council notes and receives the Statement of Financial Activity for the period ended 31 December 2010.

CARRIED 9/0

**11.2.3 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED
31 JANUARY 2011**

REPORT DATE: 7 January 2011

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 2011

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 January 2011.

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 2010/11 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

7/11 Moved Cr Hawkins, seconded Cr Pond that Council notes and receives the Statement of Financial Activity for the period ended 31 January 2011.

CARRIED 9/0

11.2.4 WRITE OFF OUTSTANDING DEBTS

FILE REFERENCE: F/DECI
REPORT DATE: 14 January 2010
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Leanne Parola, Manager Finance & Corporate Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To seek Council approval to write off a debt considered unrecoverable.

BACKGROUND:

A collection agent has recently been asked to pursue a number of outstanding debtors. One of those debtors is the BP Cataby, who has had an outstanding debt of \$759.70 since 2008.

COMMENT:

The new debt collection agent used by the Shire has advised that the owner at the time the debts were incurred was Ms Edna Matkovick who has since passed away. The agents have spoken to Ms Matkovick's accountant, Ms Baker of Baker D & Associates who has advised that the roadhouse was sold at a great loss and there were no funds left in the estate.

The debt of \$759.70 is therefore considered unrecoverable, and Council is asked to write it off.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Section 6.12 of the Local Government Act allows a local government to write off any amount of money which is owed to it, by an absolute majority of Council.

STRATEGIC IMPLICATIONS:

Nil

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 is provision within the 2010/11 budget to write off debts considered unrecoverable.

VOTING REQUIREMENTS

Absolute Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

8/11 Moved Cr Cocking, seconded Cr McLagan that Council write off the debt of \$759.70 owed to it by BP Cataby.

CARRIED BY ABSOLUTE MAJORITY 9/0

11.2.5 2010/11 BUDGET REVIEW

FILE REFERENCE: F/BUE1

REPORT DATE: 8 February 2011

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Leanne Parola, Manager Finance & Corporate Services

ATTACHMENTS: Budget Review Document

PURPOSE OF REPORT:

To consider and adopt the budget review for the period 1 July 2010 to 31 January 2011.

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 2010 to 31 January 2011 has been conducted by management and is provided as a separate attachment to this agenda.

The adopted Budget for 2010/11 used a bought forward surplus which was estimated to be \$190,332. When preparing the annual financial statements for 2009/10, it was found that there should have instead been a bought forward deficit of \$451,682.

At 6.15pm the Chief Executive Officer left the meeting & returned at 6.20pm

Significant changes to the budget are recommended as part of this budget review to address this imbalance and result in an estimated deficit of \$11,509.

The changes are shown in the attached review document, the most significant of them being in the capital projects including:

- Deferring the Industrial Park Land Extension income and expenditure until 2011/12 (\$281,475 and \$616,017 respectively)
- Increasing Moora Lifestyle Village Development by \$51,600
- Turning over the Chief Executive Officer's Vehicle
- Reducing Road Construction – Rural Regravelling by \$109,969
- Reducing Drainage Construction for the Industrial Park Land Extension by \$107,922
- Deferring half of the Upgrade of the Moora Sewerage Scheme (\$150,000)

The proposed Amended Budget estimates a deficit of \$11,509 at 30 June 2011. This figure is just that, an estimate and should in no way be construed as an exact indication of Council's position at Balance Day.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Regulation 33A - Local Government (Financial Management) Regulations 1996

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, leading to a balanced budget position at Balance Day.

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 adopted budget.

VOTING REQUIREMENTS

Absolute Majority Required

COUNCIL RESOLUTION (MANEX RECOMMENDATION)
--

9/11 Moved Cr Pond, seconded Cr Tonkin that Council, having considered the budget review for the period 1 July 2010 to 31 January 2011 adopts the review as tabled, showing an estimated deficit at 30 June 2011 of \$11,509.

CARRIED BY ABSOLUTE MAJORITY 7/2

11.3 OPERATIONAL DEVELOPMENT

11.3.1 LAND RESUMPTIONS – COOMBERDALE WEST ROAD

FILE REFERENCE: S/ROAI
REPORT DATE: 9 February 2011
APPLICANT/PROPONENT: Shire of Moora
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 15/12/10 (144/10)
AUTHOR: John Greay, Manager of Engineering Services
ATTACHMENTS: Local Paper advertisement
 Alignment Plan -Job No. 18472004/SCETCH

PURPOSE OF REPORT:

To advise council that the compulsory public advertising period in relation to the road alterations at the intersection of Coomberdale West and Prices road has finalised. The purpose of the advertising was to make the public aware of council's intentions in improving the intersection at the above location.

BACKGROUND:

Council has identified a substandard road layout at the intersection of Coomberdale West and Prices Road's which requires improvement. Before roadwork's can commence a public comment period had to be undertaken. For this to proceed the following resolution was passed at Councils 15th December meeting:-

“144/10 Moved Cr Pond, seconded Cr Gardiner that Council

- 1. agrees to initiate road closures to allow for the realignment of the Coomberdale West Road through Lots 3382 & M 1914 and the realignment of Prices road (South) through M1914 of which all lots are currently owned by Mr Lyndon Brown ; and**
- 2. advertise in the Central Midlands Coastal Advocate for a period of 35 days indicating councils intent as indicated on plans submitted, with the boundaries of the truncated portions of those Lots to the north of the new road alignment, be included into the road reserve and the closed portion of Prices road-south along with the truncated section of Lot M1914, be included into Lot 3382.**

CARRIED 7/0 “

The proposed road closure was advertised for public comment for a period of 35 days commencing 23rd December 2010 in the local Central Midlands Advocate. Correspondence was forwarded to service authorities only, inviting their submission should they have infrastructure in the vicinity of the proposed road upgrade. At the time of writing this report no objections were received from surrounding land owners and only two responses from government authorities were received. Telstra have made us aware that they have infrastructure in the general locality and this will be taken into consideration during the construction phase of the project. Given that there were no objections received during the advertising period from the public it is recommended that council advise the Minister for Lands that they wish to proceed with the road realignment as per the attached map with land resumptions as outlined in councils 15th December 2010 resolution.

COMMENT:

As previously advised, there have been some reported near miss vehicle accidents at the above intersection. It has been identified that the potential of serious injury could occur if the existing intersection remained unchanged. A Road Safety Audit was carried out by RSA Works which confirmed councils concerns and this has been confirmed by Main Roads Western Australia

Council has received some blackspot funding from Main Roads this year to allow this upgrade to proceed.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 – S168

Land Administrative Act 1997 – (part 5)

STRATEGIC IMPLICATIONS:

Nil

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

There are no known significant environmental implications other than the removal of approximately eight trees which will be replaced with a 10:1 offset planting ratio. There is no known declared rare flora within the vicinity.

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

FINANCIAL IMPLICATIONS:

An allocation of \$147,795 has been allowed for in this year's budget

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATIONS)**

10/11 Moved Cr Tonkin, seconded Cr McLagan that council approves and confirms the realignment of Coomberdale West and Prices Road (as per the attached plan) and advises the Minister for Lands that:-

- (1) council supports and approves the realignment of the Coomberdale West Road through Lots 3382 & M1914 and the realignment of Prices Road (South) through M1914 of which all lots are currently owned by Mr Lyndon Brown and;*
- (2) the boundaries of the truncated portions of those Lots to the north of the new road alignment, be included into the Coomberdale West road reserve and the closed portion of Prices Road - south along with the truncated section of Lot M1914, be included into Lot 3382.*

CARRIED 9/0

11.4 COMMUNITY DEVELOPMENT

Nil

11.5 ENVIRONMENTAL DEVELOPMENT

Nil

11.6 ECONOMIC DEVELOPMENT

Nil

11.7 SPORT AND RECREATION

Nil

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

Nil

13. MOTIONS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL

The Chief Executive Officer tabled a late item dealing with “Budget Variation – Caterpillar Loader Repairs” for Council’s consideration.

COUNCIL RESOLUTION

11/11 Moved Cr Cocking, seconded Cr McLagan that Council consider the late item as tabled by the Chief Executive Officer titled “Budget Variation – Caterpillar Loader Repairs”.

CARRIED 9/0

13.1 BUDGET VARIATION - CATERPILLAR LOADER REPAIRS

REPORT DATE: 16 February 2011

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: John Greay, Manager Engineering Services

ATTACHMENTS: Quote for repairs

PURPOSE OF REPORT:

To advise council of the urgent need to carry out repairs to one of their items of plant.

BACKGROUND:

The Caterpillar front end loader that is used extensively, but not entirely at the refuse site, is in urgent need of repair. The engine has been dusted, due to what appears to be a faulty hose clamp, and the machine is currently inoperable. This machine was one that had received consideration for changeover during this year’s budget session but as we are aware, due to financial constraints couldn’t be funded. This machine has done approximately 10,000 hours work and is 12 years old. Council, in the past tried to change over large items of plant (e.g. loaders, graders, rollers etc) every 10 years. This appeared effective in controlling some issues with machines suffering from age, fatigue and loss of resale potential.

COMMENT:

This loader is used every day at the refuse site as all rubbish has to be covered as it is disposed of. The rubbish truck operator covers each load when the tip controller isn’t in attendance. This reduces the likelihood of loose paper and other light weight refuse escaping and blowing over the adjoining farm land. It is also used for general town maintenance duties when required as well as in our Parks and Gardens. It is one of our essential machines and needs to be repaired immediately. The estimated cost of repair, which doesn’t include removal and refitting the engine, is as per the quote. I would expect that the total bill may be around \$33,000. It is important that this machine be repaired as quickly as possible as we need to maintain the level of service at the refuse site. Currently with this machine being absent we have had to use one of our other loaders and many of our other projects are being adversely impacted upon.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

Level of service at the refuse site needs to be maintained.

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:

To be funded from 15607 Parts & Repairs \$280,000. Current expenditure \$129,422.

VOTING REQUIREMENTS

Absolute Majority Required

OFFICER RECOMMENDATIONS

That council

- 1. accept the quoted estimate from Westrac Equipment for the repairs to the engine of the Caterpillar IT 24 loader, as outlined in the attachment, and request the company to proceed as soon as possible.*
- 2. amend the budget to include \$33,000 for Plant Renewal, and reduce 15607 Parts & Repairs by \$33,000.*

COUNCIL RESOLUTION

12/11 Moved Cr Cocking, seconded Cr Hawkins that item 13.1 Budget Variation - Caterpillar Loader Repairs lay on the table until further investigation into options of replacing the loader are undertaken.

CARRIED 9/0

14. NOTICE OF MOTIONS FOR THE NEXT COUNCIL MEETING

Cr Clydesdale-Gebert gave notice of her intention to put the following 2 motions at the next meeting of Council

1. “The Shire of Moora liaise with the Department of Regional Development and Lands in a bid to formulate / outline a “blueprint” for the town of Moora to become a “supertown”.
2. The Shire of Moora review its flood mitigation plans by liaising with the Department of Water to assess our current contour banks surrounding Moora and the riverbed / flow efficiency in the Moore River townsite.”

15. MATTERS BEHIND CLOSED DOORS**COUNCIL RESOLUTION**

13/11 Moved Cr McLagan, seconded Cr Hawkins that the meeting move behind closed doors to discuss item 15.1, ‘Lots 404 to 413 Gardiner Street Moora, Contract for Sale of Land by Offer and Acceptance’ as it is a matter affecting a person pursuant to Section 5.23(2)(b and e) of the Local Government Act 1995.

CARRIED 9/0

At 6.43pm Cr Clydesdale-Gebert declared an impartiality interest in item 15.1 ‘Lots 404 to 413 Gardiner Street Moora, Contract for Sale of Land by Offer and Acceptance’, as she owns land on Lot 6 Padbury Street, Moora and left the meeting; the meeting then moved behind closed doors.

15.1 Lots 404 to 413 Gardiner Street Moora, Contract for Sale of Land by Offer and Acceptance

Provided to Councillors under confidential cover.

COUNCIL RESOLUTION

14/11 Moved Cr Pond, seconded Cr Hawkins that Council through Primaries Real Estate accept the offer of \$180,000 plus GST to Minty Nominees (W.A.) Pty Ltd as Trustee for the Ginbroil Trust and include the following alterations to the sale conditions:

- (a) Include the addition of the following conditions as per the advertised requirements of sale***
- ***The purchaser develop the properties within a 3 year period of the settlement date***
 - ***The development proposal must comply with the Shire of Moora’s Town Planning Scheme No. 4; and***
- (b) Deletion of Special Conditions point (5) regarding building permits.***

CARRIED BY ABSOLUTE MAJORITY 7/1

REOPENING OF MEETING**COUNCIL RESOLUTION**

15/11 Moved Cr Cocking, seconded Cr Hawkins that Council the meeting move out from behind closed doors and re-open to the public.

CARRIED 8/0

The meeting reopened to the public at 6.50pm and Cr Clydesdale-Gebert rejoined the meeting.

On reopening the meeting, the Shire President read aloud the decision made behind closed doors.

16. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 6.51pm.

CONFIRMED

PRESIDING MEMBER