

**Shire of Moora  
Ordinary Council Meeting  
16<sup>th</sup> September 2015**

**NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora  
will be held on **Wednesday 16<sup>th</sup> September 2015**  
in the **Watheroo Pavilion, Watheroo**  
commencing at **6.30pm**

AJ Leeson  
Chief Executive Officer



11<sup>th</sup> September 2015

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

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

The type of interest I wish to declare is: <sup>(4)</sup>

- Financial 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 <sup>(5)</sup>

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The extent of my interest is <sup>(6)</sup>

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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**  
**16 SEPTEMBER 2015**  
 COMMENCING AT 6.30PM

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  - 9.1.1 *List of Payments Authorised Under Delegation 1.31*
  - 9.1.2 *Statement of Financial Activity for Period Ended 31 August 2015*
  - 9.1.4 *Letter/submission*
  - 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****APOLOGIES**

TG Humphry - Deputy President

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****4. PUBLIC QUESTION TIME****5. PETITIONS AND PRESENTATIONS****6. APPLICATIONS FOR LEAVE OF ABSENCE****7. ANNOUNCEMENTS BY THE PRESIDING MEMBER****8. CONFIRMATION OF MINUTES****8.1 ORDINARY COUNCIL MEETING - 19 AUGUST 2015**

*That the Minutes of the Ordinary Meeting of Council held on 19 August 2015 be confirmed as a true and correct record of the meeting.*

**8.2 SPECIAL COUNCIL MEETING - 2 SEPTEMBER 2015**

*That the Minutes of the Special Meeting of Council held on 2 September 2015 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:** 2 September 2015

**OFFICER DISCLOSURE OF INTEREST:** Nil

**AUTHOR:** David Trevaskis, Deputy Chief Executive Officer

**SCHEDULE PREPARED BY:** Alida Fitzpatrick, Finance Creditors 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 1.31***

<b><i>Municipal Fund</i></b>	<b><i>Cheques 62053 to 62062</i></b>	<b><i>\$8,591.62</i></b>
	<b><i>EFT 14165 to 14278</i></b>	<b><i>\$1,365,741.97</i></b>
	<b><i>Credit Card 15/07/15 to 16/08/15</i></b>	<b><i>\$8,170.68</i></b>
	<b><i>Net Pays – PPE 11/08/15</i></b>	<b><i>\$87,963.33</i></b>
	<b><i>Net Pays – PPE 25/08/15</i></b>	<b><i>\$87,303.21</i></b>
<b><i>Trust Fund</i></b>	<b><i>Cheques 5107 to 5112</i></b>	<b><i>\$1,602.57</i></b>
<b><i>Total</i></b>		<b><i><u>\$1,559,373.38</u></i></b>

**9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 AUGUST 2015**

**REPORT DATE:** 10 September 2015

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** David Trevaskis, Deputy Chief Executive Officer

**ATTACHMENTS:** Statement of Financial Activity for the Period Ended 31 August 2015

**PURPOSE OF REPORT:**

To note and receive the Statement of Financial Activity for the period ended 31 August 2015.

**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 2015/16 adopted budget.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

*That Council notes and receives the Statement of Financial Activity for the period ended 31 August 2015.*

**9.1.3 PROPOSED CBH MOBILE SAMPLING UNIT**

**FILE REFERENCE:** AN/CBH1-2

**REPORT DATE:** 9 September 2015

**APPLICANT/PROPONENT:** Cooperative Bulk Handling

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Alan Leeson, Chief Executive Officer

**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

To consider a request from CBH seeking Council support to establish a Mobile Grain Sampling Unit (MSU) at Round Hill. To that end an onsite meeting was arranged attended by Councillors and farmers of that area Cr Gardiner, Cr Keamy and Cr Seymour

**BACKGROUND:**

CBH have approved the facility to be located at Round Hill off the Moora Miling Road. Subsequent to the discussions onsite it was verbally agreed that it would perhaps be better to situate the MSU at Bindi Bindi as against Round Hill. Councillors present expressed concern regarding additional trucks on the Moora Miling Road and Round Hill suitably in terms of turning off the Moora Miling Road into the MSU and then turning back onto the Moora Miling Road when exiting the site.

The reason CBH is suggesting an MSU is to try and speed up the grain delivery process at the Moora Grain Reveal Site. In effect the trucks would be speared and sampled at the MSU and then subject to getting clearance that truck would be issued with a “certification” that would enable that delivery to bypass sampling in Moora and go straight to the weighbridge, and then to the grid to off load the grain ultimately speeding up the delivery process. CBH did comment the MSU is most effective when delivering barley and grains that experience some degree of segregation across various delivery sites.

The MSU would be staffed by 1 to 2 CBH employees dependant on the amount of patronage by grain growers.

**COMMENT:**

At the conclusion of discussions the author advised the delegation that a report would be put before Council “recommending in-principle agreement” for CBH to establish a MSU at Bindi Bindi as against Round Hill on a trial basis.

**POLICY REQUIREMENTS:**

Not applicable

**LEGISLATIVE REQUIREMENTS:**

Not applicable

**STRATEGIC IMPLICATIONS:****Outcome 3.3: A safe and reliable transport system.**

Strategy 3.3.1: Maintain and further develop roads, bridges and footpaths at appropriate standards.

Strategy 3.3.2: Lobby the State Government for the development of a Moora ring road.

**Strategy 3.3.3: Lobby for upgrading and retention of rail infrastructure for the transport of bulk commodities.**

Strategy 3.3.4: Upgrade the Moora airfield in partnership with the State government.

Strategy 3.3.5: Advocate for continued investment to upgrade the Great Northern Highway and the Bindoon-Moora Road.

Transport of grain is the key strategic transport issue within the Shire of Moora and surrounding grain growing districts. The sole reason for CBH mooted a MSU within the Shire of Moora is to provide a more efficient and effective grain delivery system across the network.

A concern outlined by Councillors at the onsite discussion was the preference to try and keep as much heavy haulage on the National and State Roads i.e. Great Northern Highway and Midlands Road respectively as against the Moora Miling Road.

**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:**

Aside from the more holistic issues around grain delivery and the road and rail issues there are not any specific financial implications for Council in consideration of this request. The real unknown around this issue is what the future holds for the Miling Bolgart rail line and indeed the level of future investment into the Miling Grain Receiving Site. These two issues alone will potentially impact significantly on the road network that leads to the Moora grain Receiving Point. The other issue is the level of grain handling charges set for the various grain receiving sites across the Shire.

**SUMMARY:**

The author believes Council on behalf of its rural constituents should embrace initiatives such as these if it assists in bettering grain handling practices and creates a more efficient and effective delivery system. There will always be some conjecture as to which location would be best suited for a MSU, however on the basis of feedback to CBH from Cr's Gardiner, Keamy and Seymour the preference was Bindi Bindi. The author is of the view that CBH prefer the Round Hill site, however they are prepared to trial the Bindi Bindi Site if the MSU proceeds.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

***That Council support the installation of a Mobile Grain Sampling Unit at Bindi Bindi by CBH for the forthcoming harvest on the premise of;***

- ***Ease Congestion at Moora, Miling, and Piawaning Sample Sheds;***
- ***Provide growers options to go to other sites;***
- ***Provide growers with knowledge as to what they have on board before going to other sites;***
- ***Avoid queuing at Sample sheds;***
- ***Reduce downtime.***

#### **9.1.4 CENTRAL MIDLANDS SPEEDWAY ASSOCIATION INCORPORATED – 2016 NATIONAL PRODUCTION SEDAN TITLE**

**FILE REFERENCE:** CC/CSPI

**REPORT DATE:** 10 October 2015

**APPLICANT/PROPONENT:** Joe Fitzpatrick, President - CMSA

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Alan Leeson, Chief Executive Officer

**ATTACHMENTS:** Letter/submission

#### **PURPOSE OF REPORT:**

Council to consider a request for financial assistance from the Central Midlands Speedway Association Incorporated (CMSA) associated with the upgrade of the Moora Speedway Barrier Fence.

#### **BACKGROUND:**

The Central Midlands Speedway Association Incorporated are hosting the National Production Sedan Title in Moora on the long weekend in March 2016. The event will bring many hundreds of people to Moora providing a very good opportunity for the Shire of Moora to showcase what the community has to offer. That same weekend the Moora Swimming Club is also hosting the 2016 W.A Country Pennants so the town will certainly be a buzz with many visitors.

#### **COMMENT:**

As part of planning the event the CMSA have received advice they need to upgrade the majority of the wire barrier fence around the track. To that end they have embarked upon a grant seeking exercise as outlined in the correspondence. The projected cost is estimated to be \$12,000 with an estimated \$4,000 hopeful to be obtained in grant funding leaving an estimated cash shortfall of \$8,000.

As part of the proposed project the CMSA members will be erecting the new fence as their contribution estimated to be valued at \$8,500.

#### **POLICY REQUIREMENTS:**

Not applicable

#### **LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995 and Financial Management Regulations 1996

#### **STRATEGIC IMPLICATIONS:**

**Outcome 4.3: Recognition and realisation of local tourism opportunities.**

Strategy 4.3.1: Support initiatives to build and strengthen local and regional tourism.

Strategy 4.3.2: Provide appropriate infrastructure and services to support tourism.

Strategy 4.3.3: Promote tourism products including heritage walks and wildflower route.

Strategically this event is one of the more major events to come to Moora in the past decade or so. Council has certainly flagged its strong intention to rebrand itself in the forthcoming months and this Speedway National Title Event will most certainly provide a fantastic opportunity for Council to capture an audience with a fairly modest investment.

All small clubs in the regions rely on an energetic base of volunteers and the CMSA are certainly no different. The Moora Speedway itself has been in transformation for a number of years and now has positioned itself as one of the major regional tracks in regional W.A and indeed nationally hence the opportunity of hosting a national title.

The author is of the view the status of the event most certainly lends itself to a positive response from the Shire of Moora as this event certainly will facilitate and provide opportunity for Council to engender positive marketing exposure and economic benefit.

#### **SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are no known significant environmental implications associated with this proposal.
- **Economic**  
The economic benefit to the local economy over the course of this weekend is expected to be massive. Accommodation and hospitality will very much be at a premium.
- **Social**  
There are no known significant social implications associated with this proposal.

#### **FINANCIAL IMPLICATIONS:**

Council has been requested for a contribution of \$8,000. Given the level of past investment into the Moora Speedway by the local committee over the past couple of years the author is of the view that Council would be well justified in supporting the CMSA in their effort in finalising their plans and infrastructure for the March 2016 National Title event.

The CMSA did in fact have to pay \$16,000 up front to bring the event to Moora, so notwithstanding the infrastructure improvements they have undertaken and propose to continue they have invested heavily into this event.

#### **SUMMARY:**

The opportunity of hosting a national event such as this in Moora doesn't come to pass very often. With such a wide audience expected and patronage of the event from across the nation I am of the view that Council is well justified should it accede to the funding assistance request from the CMSA.

#### **VOTING REQUIREMENTS**

Absolute Majority Required

#### **RECOMMENDATION**

*That Council accede to the request of the Central Midlands Speedway Association Incorporated for a contribution of \$8,000 toward barrier fencing renewal as part of the Moora Speedway upgrade in preparation to host the 2016 National Production Sedan Title in March 2016, on the basis of promoting and marketing the brand of "Moora" and recognising the significant economic benefit that will flow into the Moora Community as a result of hosting a National Sporting event.*

### **9.1.5 PROPOSED POLICY – AUDIO RECORDING OF COUNCIL MEETINGS – PURCHASE OF AUDIO RECORDING EQUIPMENT**

**FILE REFERENCE:** PL/POPI

**REPORT DATE:** 10 September 2015

**APPLICANT/PROPONENT:** Alan Leeson, Chief Executive Officer

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Chief Executive Officer, Alan Leeson

**ATTACHMENTS:** Nil

#### **PURPOSE OF REPORT:**

Council to consider introducing audio recording of Council Meetings to assist in the preparation of the Council minutes, ensure decision are accurately recorded and verify the accuracy of minutes prior to their confirmation.

#### **BACKGROUND:**

Council has at different times has discussed the need or benefits of audio recording Council meetings. More recently it came to somewhat of a head when the Minutes of a Special Meeting of Council 24 June 2015 required amending. It was difficult to ascertain if in fact a clause in the resolution of that meeting minute “87/15” did include a “clause G”. In the end it turned out there was a clause “g” however it took some time and investigation to establish this. Had there been audio recording it would have been a very simple process to actually verify the accuracy of the minutes.

In the authors view it is certainly incumbent of Council to ensure that the best systems are in place to assist in preparation of minutes and ultimately their accuracy. To that end the following policy is recommended for adoption;

#### **POLICY - AUDIO RECORDING OF COUNCIL MEETINGS**

##### **Purpose**

To provide an audio recording of meetings of Council to assist in the preparation of the minutes, ensure decisions are accurately recorded and verify the accuracy of minutes prior to their confirmation.

##### **Definitions**

“Act” means – *Local Government Act 1995*

“Administration Regulations” means - *Local Government (Administration) Regulations 1996*

“CEO” means – Chief Executive Officer

“Transcript” means – a transcript of the proceedings of a Council meeting.

##### **Background**

The Council has resolved to record meetings of Council to assist in the preparation of the minutes of those meetings, to ensure that decisions are accurately recorded and to verify the accuracy of minutes prior to their confirmation. This policy is to guide the implementation of that decision and to describe how the recordings will be used and made available.



**Preamble**

*Local Government (Administration Regulations) 1996 r. 11* requires that:

*The content of minutes of a meeting of a council or a committee is to include —*

- (a) the names of the members present at the meeting; and*
- (b) where a member enters or leaves the meeting during the course of the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting; and*
- (c) details of each motion moved at the meeting, the mover and the outcome of the motion; and*
- (d) details of each decision made at the meeting; and*
- (da) written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70 (but not a decision to only note the matter or to return the recommendation for further consideration); and*
- (e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question; and*
- (f) in relation to each disclosure made under section 5.65 or 5.70 in relation to the meeting, where the extent of the interest has also been disclosed, the extent of the interest.*

While not a requirement of the Act or the Administration Regulations, audio recording of Council meetings is now common practice in WA local governments. The main purpose of audio recording is to assist in preparation of meeting minutes.

Audio recordings are considered “temporary” records of the Shire as their main purpose is to assist in the preparation of minutes. The official record of the meeting is not the audio recording, but the meeting minutes, which require confirmation by Council resolution and must be signed by the person presiding at the meeting.

**Policy**

All meetings of Council shall be audio recorded, consistent with the objectives of s 1.3 (2)(c) of the Act, which promotes greater accountability of local governments to their communities. This includes where Council has resolved to close the meeting to members of the public in accordance with s 5.23 of the Act except where Council has resolved to not audio record such proceedings.

**Access****Employees**

In accordance with the CEO’s recordkeeping functions under section 5.41(h) of the Act, the CEO is to have access to the audio recordings and may authorise any other employee to have access.

**Elected Members**

An elected member may request from the CEO a copy of a recording at no cost and the copy will be emailed to the Member within 10 working days of the CEO receiving the request.

**Members of the Public**

Copies of the audio recordings shall be made available to members of the public in a “listen only” capacity accessible via the Shire website and Library Service with recordings being available 10 working days following the relevant Council meeting.

The Chief Executive Officer at his absolute discretion may release or withhold all or part of the audio recording of any Council meeting.

Audio recordings of Public Question Time will not be released for public access.

### **Transcription**

Recordings will not be transcribed unless the CEO or Council by resolution determines otherwise.

Where a transcript has been sought by an elected member or a member of the public, and approval has been given by the CEO or the Council, the full cost must be met by the applicant with an upfront payment as provided for in the Fees & Charges Schedule with any further outstanding costs being paid prior to the release of the transcript. External resourcing may be utilised to produce the transcript.

### **Storage**

Recordings and transcripts must be stored in accordance with the *State Records Act 2000*.

*The General Disposal Authority for Local Government Records (ref. 25.1.3) states that audio recordings of council meetings must be destroyed one year after confirmation of minutes.*

### **Signage**

Clear signage is to be placed on the entrances to the Council Chamber advising members of the public that the meeting is being recorded.

### **Public Notice**

At the commencement of each Council meeting, the person presiding will publicly announce that the meeting will be audio-recorded.

### **COMMENT:**

As Council is well aware Local Government is under far more scrutiny that it has ever been. This policy will mitigate risk of confusion over accuracy of resolutions of Council passed at its Council meetings. If necessary it will enable staff to call on the recording to verify minute detail if required rather than relying on “supposition” which has occurred from time to time.

### **POLICY REQUIREMENTS:**

No current policy in place.

### **LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Freedom of Information Act 1992

Local Government (Rules of Conduct) Regulations

Standing Orders – Local Law

### **STRATEGIC IMPLICATIONS:**

#### **Outcome 5.1: Good governance and leadership.**

*Strategy 5.1.1: Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role.*

Strategy 5.1.2: Represent and promote the Shire in Regional, State and National forums.

Strategy 5.1.3: Promote collaboration with other Councils on a local and regional level.

Strategy 5.1.4: Support strategic alliances, stakeholder forums and advisory committees that assist the Shire in policy development and service planning.

Strategy 5.1.5: Develop and implement a community engagement and communication strategy.

### **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 estimated cost of a recording system is in the vicinity of \$12,807 plus GST. This is from a Company that is on the WALGA Preferred Suppliers Panel.

### **SUMMARY:**

The audio recording of Council meetings in the authors view to ensure transparency enhanced and the governance responsibility of Council and management is strengthened.

### **VOTING REQUIREMENTS**

Absolute Majority Required

## **RECOMMENDATIONS**

*That Council;*

- 1. Amend its 2015/2016 municipal budget to include the purchase of a suitable “Audio Recording System” at a cost not exceeding \$13,000 plus GST;*
- 2. Adopt Policy 3.10 “Audio Recording of Council Meetings” for inclusion in the Policy Manual.*

## **9.2 DEVELOPMENT SERVICES**

### **9.2.1 W & J CARTER – NEW SHED**

**FILE REFERENCE:** TP/PA12/1516

**REPORT DATE:** 7 September 2015

**APPLICANT/PROPONENT:** Wylie & Jessica Carter

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Peter Williams, Manager Development Services

**ATTACHMENTS:** Plans

#### **PURPOSE OF REPORT:**

An application has been received from Wylie & Jessica Carter (Proponents) to construct a steel framed and clad 6.0m x 9.0m shed on the rear of their property located at Lot 312/105 Melbourne Street, Moora.

#### **BACKGROUND:**

Lot 312/105 Melbourne Street Moora is located in the Residential Zone in the Moora Townsite and has an R Code of 12.5 rating on the property. The proposed shed is to be used for storage purposes and is the only outbuilding on the property so it meets the requirements of Councils Policy Maximum size of out buildings.

The shed meets Council requirements in that it is not oversized and the finished Floor Level of the shed will have to be in accordance with Department of Water requirements.

#### **COMMENT:**

Council has discretion to consider a minimum Finished Floor Level less than 300mm above the March 1999 flood levels where the Local Government determines that:

- (i) The non-habitable buildings and structures are ancillary to a dwelling on the same lot inclusive of a car port, garage, patio, pergola, gazebo and outbuilding.

As mentioned above the shed meets Councils requirements including policy on oversized outbuildings. It is recommended that Council uses its discretion to allow for a reduced Finished Floor Level of 0.15metres above the 1999 March flood levels.

#### **POLICY REQUIREMENTS:**

There are no known policy requirements related to this item.

#### **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

**RECOMMENDATION**

*That Council approve the application by Wylie and Jessica Carter to construct a steel framed and clad 9.0m x 6.0m shed for the purpose of storage on their property located at Lot 312/105 Melbourne Street, Moora, subject to the following conditions:*

- 1. That the shed is not constructed out of second hand materials;*
- 2. The shed is not used for the purpose of habitation;*
- 3. This is not an approval for construction; a Building Application is required to be submitted to the shire for approval by the Shire's Building Surveyor.*
- 4. Council uses its discretion to allow for a reduction in the height of the Finished Floor Level to 0.15m above the 1999 March Flood Level requirements instead of the required 300mm above the 1999 March Flood Level requirements.*

### **9.3 ENGINEERING SERVICES**

#### **9.3.1 CALLING OF TENDERS - EXCAVATOR**

**FILE REFERENCE:** L/TEPI

**REPORT DATE:** 9 September 2015

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** N/A

**AUTHOR:** John Greay, Manager Engineering Services

**ATTACHMENTS:** Nil

#### **PURPOSE OF REPORT:**

Approval for the calling of tenders as per council's policy manual.

#### **BACKGROUND:**

On the budget this year council has made provision for the purchase of an excavator c/w tree mulcher head to assist with our roadside maintenance programme.

#### **COMMENT:**

It has been identified that to improve our roadside maintenance, particularly where we have a lot of vegetation regrowth along our roads, that we needed a machine that could provide us with the capability of mulching or removing this material. In previous years we engaged a contractor for this work but due to the expense of hiring and only being able to cover a few roads in the shire that it would be more economical to have our own. This machine will, on many occasions work independently, as most roads need this type of attention. Wholesale clearing is no longer approved by the Department of Environmental Regulation.

#### **POLICY REQUIREMENTS:**

##### **Council Policy 9.12 – Purchasing and Procurement**

*Adopted by Council 15th March 2000*

The Shire is committed to maximising opportunities for the economic development of business and industry in the Shire of Moora.

The Shire has a responsibility to achieve value for money in its procurement of goods and services.

#### Value for money

Is an important consideration in the determining of contracts and purchasing of goods and services. Purchasing decisions will be based on the total cost of the product over its serviced life, considering factors such as quality, service standards, timely delivery, local back up, benefits and risk. Suppliers within the Shire can actively seek business with the Shire of Moora by:

- Actively promoting goods and services to the Shire of Moora
- Offering competitive prices the first time
- Supplying quality goods and services
- Seeking information about proposed purchases to be made by the Shire of Moora.

Where practical, the Shire of Moora shall seek to support business and industry with the shire. The Shire of Moora will ensure that business and industry within the shire have every opportunity to bid for and where competitive, supply the required needs. As part of considering the value for money decisions, the benefits of purchasing goods and services for local suppliers shall be considered.

In considering value for money decision, the following considerations will be included when analysing purchasing from local business and industry:

- Local Government Act 1995 tender regulations
- National Competition Policy principles
- Trade Practises Act
- The social and economic impact of major contract decisions on local business
- Possible flow on effect to local businesses
- The potential for local product demonstrations and references, which consequently reduced risk in the decision making process
- More convenient communications and liaison
- Local backup, spare parts, warranty and quality of servicing
- Ability of local business to the Shire, thereby increasing economic activity
- Conformity with tender bid requirements
- Ability to meet the Shire of Moora's needs

The Shire of Moora will support and assist local business and industry by:

- Recognising the benefits of purchasing from local business and industry
- Advertising all tenders and expressions of interest in the Central Midlands and Coastal Advocate
- Where requested, provide feedback to unsuccessful tenderers highlighting how bids can be improved to be more competitive.

In terms of Councils existing policy the most relevant and critical reference at this juncture is; **“The Shire has a responsibility to achieve value for money in its procurement of goods and services.”** After some detailed analysis Management are of the firm view that notwithstanding Councils Plant Replacement Program, the repairing of the grader given its age and working hours does not represent good value for money.

### **LEGISLATIVE REQUIREMENTS:**

#### **Local Government Act 1995- Division 6 (section 8)**

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

\* **Absolute majority required.**

### **STRATEGIC IMPLICATIONS:**

Strategically the appropriate resourcing of heavy plant and equipment should be a priority of Council on an annual basis. Identifying the need to carry out councils own roadside maintenance via the purchase of an excavator complete with a mulcher head will be a wise step forward in helping manage our risk. It is understood there is always annual budget parameters and it's a difficult task to provide the appropriate fiscal resources to keep up with a plant and equipment replacement program. However, the delaying of a grader replacement this year and the purchase of the excavator is seen to be a progressive way forward in dealing with our road maintenance obligations.

### **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 budgeted for the purchase of this machine within the current budget.

**VOTING REQUIREMENTS**

Absolute Majority Required

**RECOMMENDATION**

*That pursuant to Regulation 11 (1) Local Government (Functions & General) Regulation 1996, Council authorises the calling of tenders for the supply and delivery of one only 21 tonne (approximately) excavator complete with mulcher head which is budgeted for in the 2015-16 financial year, by using WALGA's E-Quote system.*



### **9.3.2 CALLING OF TENDERS – MICRO SURFACING TOWN STREETS**

**FILE REFERENCE:** L/TERI-2

**REPORT DATE:** 9 September 2015

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** N/A

**AUTHOR:** John Greay, Manager Engineering Services

**ATTACHMENTS:** Nil

**PURPOSE OF REPORT:**

Approval for the calling of tenders as per council's policy manual.

**BACKGROUND:**

Some years ago (at least 20 years) council carried out slurry sealing of some of their streets near both the Moora Primary School and Central Midlands High School with good results. This type of application provides a much smoother surface to travel on and thus a quieter environment.

**COMMENT:**

As time has passed and technology has improved there have been advancements in this type of pavement surfacing. Micro Surfacing now provides a number of benefits over slurry sealing and is seen as a way forward in preserving town pavements.

**POLICY REQUIREMENTS:**

**Council Policy 9.12 – Purchasing and Procurement**

*Adopted by Council 15th March 2000*

The Shire is committed to maximising opportunities for the economic development of business and industry in the Shire of Moora.

The Shire has a responsibility to achieve value for money in its procurement of goods and services.

Value for money

Is an important consideration in the determining of contracts and purchasing of goods and services. Purchasing decisions will be based on the total cost of the product over its serviced life, considering factors such as quality, service standards, timely delivery, local back up, benefits and risk.

Suppliers within the Shire can actively seek business with the Shire of Moora by:

- Actively promoting goods and services to the Shire of Moora
- Offering competitive prices the first time
- Supplying quality goods and services
- Seeking information about proposed purchases to be made by the Shire of Moora.

Where practical, the Shire of Moora shall seek to support business and industry with the shire. The Shire of Moora will ensure that business and industry within the shire have every opportunity to bid for and where competitive, supply the required needs. As part of considering the value for money decisions, the benefits of purchasing goods and services for local suppliers shall be considered.

In considering value for money decision, the following considerations will be included when analysing purchasing from local business and industry:

- Local Government Act 1995 tender regulations
- National Competition Policy principles

- Trade Practises Act
- The social and economic impact of major contract decisions on local business
- Possible flow on effect to local businesses
- The potential for local product demonstrations and references, which consequently reduced risk in the decision making process
- More convenient communications and liaison
- Local backup, spare parts, warranty and quality of servicing
- Ability of local business to the Shire, thereby increasing economic activity
- Conformity with tender bid requirements
- Ability to meet the Shire of Moora’s needs

The Shire of Moora will support and assist local business and industry by:

- Recognising the benefits of purchasing from local business and industry
- Advertising all tenders and expressions of interest in the Central Midlands and Coastal Advocate
- Where requested, provide feedback to unsuccessful tenderers highlighting how bids can be improved to be more competitive.

In terms of Councils existing policy the most relevant and critical reference at this juncture is; **“The Shire has a responsibility to achieve value for money in its procurement of goods and services.”**

#### **LEGISLATIVE REQUIREMENTS:**

##### **Local Government Act 1995- Division 6 (section 8)**

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

\* **Absolute majority required.**

#### **STRATEGIC IMPLICATIONS:**

Strategically the improvement to some town streets in preserving the pavement with micro surfacing will see the life expectancy, of such, increase significantly.

#### **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 budgeted, within their road programme, for the application of micro surfacing to some of the town streets in Moora this financial year.

**VOTING REQUIREMENTS**

Absolute Majority Required

**RECOMMENDATION**

*That pursuant to Regulation 11 (1) Local Government (Functions & General) Regulation 1996, Council authorises the calling of tenders for the micro surfacing of town streets within the Townsite of Moora as per the 2015-16 budget.*

10. **ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
11. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**
12. **MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

**RECOMMENDATION**

*That the meeting move behind closed doors to discuss item 12.1, 'Finalisation of Chief Executive Officer's Performance Review' as it is a matter affecting an employee pursuant to Section 5.23(2)(a) of the Local Government Act 1995.*

**12.1 Finalisation of Chief Executive Officer's Performance Review**

Provided to Councillors under confidential cover.

**13. CLOSURE OF MEETING**