

**Shire of Moora
Ordinary Council Meeting
20th April 2016**

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora
will be held on **Wednesday 20th April 2016**
in the Council Chambers, 34 Padbury Street, Moora
commencing at **5.30 pm**



AJ Leeson
Chief Executive Officer

15th April 2016

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).

THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY.

SHIRE OF MOORA
ORDINARY COUNCIL MEETING AGENDA
20 APRIL 2016
 COMMENCING AT 5.30PM

TABLE OF CONTENTS

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	7
1.1 DECLARATION OF OPENING	7
1.2 DISCLAIMER READING.....	7
2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE	7
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	7
4. PUBLIC QUESTION TIME	7
5. PETITIONS AND PRESENTATIONS	7
6. APPLICATIONS FOR LEAVE OF ABSENCE.....	7
7. ANNOUNCEMENTS BY THE PRESIDING MEMBER.....	7
8. CONFIRMATION OF MINUTES.....	7
8.1 ORDINARY COUNCIL MEETING - 16 MARCH 2016	7
9. REPORTS OF OFFICERS	8
9.1 GOVERNANCE AND CORPORATE SERVICES.....	8
9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31	8
9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MARCH 2016	10
9.1.3 NATIONAL GENERAL ASSEMBLY – CANBERRA – 19-22 JUNE 2016.....	12
9.1.4 POLICY MANUAL REVIEW.....	15
9.1.5 WEST END CROPPING LEASE	17
9.1.6 LOAN REQUEST – MOORA LAKEVIEW GOLF CLUB.....	21
9.1.7 NOTICE OF INTENTION TO DISPOSE OF LOT 1 BINDI BINDI-TOODYAY ROAD BINDI BINDI.....	23
9.1.8 RFT 1/2016 – DISPOSAL OF 2003 TOYOTA COASTER BUS	25

9.2 DEVELOPMENT SERVICES	27
9.2.1 MOORA CHIROPRACTIC ROOF SIGN	27
9.2.2 FIT2WORK POLICY.....	30
9.2.3 PIONEER BAKERY VERANDAH	32
10. REPORTS OF COMMITTEES	34
MANAGEMENT AND AUDIT COMMITTEE MEETING – 6 APRIL 2016.....	34
10.1 APPOINTMENT OF AUDITORS – 1 JULY 2016 THROUGH TO 30 JUNE 2018.....	34
11. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	35
12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL	35
13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED	35
14. CLOSURE OF MEETING	35

*

Separate Attachments

- 9.1.1 *List of Payments Authorised Under Delegation 1.31*
- 9.1.2 *Statement of Financial Activity for Period Ended 31 March 2016*
- 9.1.4 *Policy Manual*
- 9.1.5 *West End Lease submissions*
- 9.1.6 *Letter and quotes*
- 9.1.7 *Letter*
- 9.2.1 *Plan*
- 9.2.2 *Draft Fit2Work Policy*
- 9.2.3 *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**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****4. PUBLIC QUESTION TIME****5. PETITIONS AND PRESENTATIONS****6. APPLICATIONS FOR LEAVE OF ABSENCE**

The Chief Executive Officer advises that a written application has been received from Cr Clydesdale-Gebert requesting a leave of absence for the meetings of Council to be held during the period 3 April to 29 May 2016.

RECOMMENDATION

That Cr Clydesdale-Gebert be granted leave of absence for the meetings of Council to be held during the period 3 April to 29 May 2016.

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER**8. CONFIRMATION OF MINUTES****8.1 ORDINARY COUNCIL MEETING - 16 MARCH 2016**

That the Minutes of the Ordinary Meeting of Council held on 16 March 2016 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: 12 April 2016

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

<i>Municipal Fund</i>	<i>Cheques 62137 - 62145</i>	<i>\$8,446.84</i>
	<i>EFT 15193 to 15349</i>	<i>\$870,270.65</i>
	<i>Credit Card 15/02/2016 to 14/03/2016</i>	<i>\$5,456.46</i>
	<i>Net Pays – PPE 08/03/2016</i>	<i>\$97,375.44</i>
	<i>Net Pays – PPE 22/03/2016</i>	<i>\$90,770.18</i>
<i>Trust Fund</i>	<i>Cheques 5169 to 5174</i>	<i>\$1,180.18</i>
<i>Total</i>		<i><u>\$1,073,499.75</u></i>

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MARCH 2016

REPORT DATE: 12 April 2016

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 March 2016

PURPOSE OF REPORT:

To note and receive the Statement of Financial Activity for the period ended 31 March 2016.

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 2016/17 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council notes and receives the Statement of Financial Activity for the period ended 31 March 2016.

9.1.3 NATIONAL GENERAL ASSEMBLY – CANBERRA – 19-22 JUNE 2016

FILE REFERENCE: EM/SUCI & GA/ALG I

REPORT DATE: 7 April 2016

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Alan Leeson, Chief Executive Officer

ATTACHMENTS: Nil

PURPOSE OF REPORT:

For Council to consider authorising Shire President Cr K Seymour, Deputy Shire President Cr M Pond and Chief Executive Officer A Leeson to attend the Australian Local Government Association 2016 National General Assembly (NGA) in Canberra from the 19-22 June 2016.

BACKGROUND:

The 2016 National General Assembly of Local Government (NGA) is an opportunity for attending Councillors to deliver the views and concerns of Council as well as contribute your own experience and knowledge to debate on a broad set of national issues. The theme for this year's NGA is "Closest to the Community: Local Government in the Federation". It reflects not only the dominant debate being pursued by the Australian Government, but also an opportunity to dig much deeper to discuss and debate the role of local government not just in the larger Federation, but in our communities. Link to program <http://www.conferenceco.com.au/nga/>

This is also an opportunity to contribute to policy discussions at a national level and a key opportunity to engage with key decision makers, such as the Prime Minister, the Leader of the Opposition, the Deputy Prime Minister and the Australian Greens Senator Richard Di Natale.

The following is an overview of the NGA 2016 from the view of National President Mayor Troy Pickard;

Dear Colleagues,

Key drivers of success for the councils of the future will include the ability to innovate and adapt to change. Today's councillors must be open to new ideas, innovative ways of engaging citizens and making interactions with councils simpler, faster and easier.

Under the theme Partners in an Innovative and Prosperous Australia, delegates at this year's National General Assembly of Local Government (NGA) will look at the many ways local government is being innovative both here and overseas. As a responsive, pragmatic and dynamic level of government, councils innovate with technology, with their resources and in practical ways within their organisations and communities. Through the NGA, delegates will be able to learn from the ideas and experiences of other councils and gain valuable ideas for their own councils.

Our theme also underlines the contribution local government makes to economic prosperity and productivity, a contribution which often goes unacknowledged. We have a significant role to play in fostering and enhancing the prosperity of our communities. Nationally, local government.

- employs 189,000 Australians (around 10 per cent of the total public sector);
- owns and manages non-financial assets with a replacement value of \$437 million;

- raises around 3.4 per cent of Australia's total taxation revenue per annum; and
- has annual operational expenditure of around \$33 billion, or just under 6 percent of total public sector spending.

Local government plays a significant role in the national economy and councils play critical roles in their local economies. I encourage you to attend the NGA, and to work with myself and the ALGA Board, as we explore opportunities to strengthen the contribution that local government makes.

With a Federal election due this year, the NGA offers an opportunity to elevate local government issues to the Federal level. In the lead up to this election, ALGA, in conjunction with State and Territory Associations, will undertake a significant advocacy program to ensure that the promises made by the major political parties address the needs of our councils and our communities. The influence of local government is reflected in the ongoing high level political engagement the NGA receives, and this year will be no different. I have invited the Prime Minister, Leader of the Opposition, Leader of the Australian Greens, Minister for Local Government and Shadow Minister for Local Government to address the NGA and to give you the opportunity to hear directly from them in the lead up to the election.

The NGA program this year features a number of preeminent speakers who will share their views and encourage our thinking on the two key areas of our theme: innovation and prosperity. We have panel sessions that allow for interaction with these presenters and other thought leaders, as well as breakout sessions to give you the maximum opportunity to engage with presenters and gain insights which you can take back to your council.

I invite you to join me and your colleagues at this year's NGA held from 19-22 June in Canberra.

COMMENT:

The item was put to the Council meeting held on the 16th March 2016 where it was resolved;

30/16 the item lay on the table until the Council meeting on the 20th April 2016 to provide Council with adequate time to assess the need and benefit in Council having representation at the Australian Local Government Association National General Assembly 2016.

Given the current economic climate in government and indeed local government, lobbying and networking are most certainly becoming more critical in terms of opening doors and securing avenues to funding. The NGA is not something that I am aware of Council has participated in the past, however there are most certainly benefits in face to face contact with politicians and the like. Should there be representation of Moora Shire at the NGA it is proposed to schedule a number of meetings with relevant departments, namely health, transport and communications.

POLICY REQUIREMENTS:

Council does not have a policy in relation to attendance at the NGA. In consideration of this item perhaps could give direction as to its appetite to establish a policy dealing with attendance at the NGA specifically.

LEGISLATIVE REQUIREMENTS:

Simplistically around governance requirements of Local Governments enshrined in relevant legislation.

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 economic 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:

If authorised, Council conference budget would need to be increased by approximately \$8,000 to accommodate this matter. Council's current budget allocation of \$26,715 has an actual expenditure of \$21,943 leaving a surplus unexpended at this juncture of \$4,771.

Summarily indicative costs would be for three people to attend;

Flights	\$3,000 - \$3,900
Accommodation	\$3,700 - \$4,500
Registrations	\$2,800
Meals, etc.,	\$2,500

Until time of actual booking flights and accommodation it is difficult to specify an exact amount of expenditure in this regard.

VOTING REQUIREMENTS

Absolute Majority Required

RECOMMENDATION

Council amend its 2015/2016 budget to include an additional conference allocation of \$8,000 and authorise the Shire President, Deputy Shire President and Chief Executive Officer to attend the Australian Local Government Association National General Assembly to be convened in Canberra from the 19th – 22nd June 2016.

9.1.4 POLICY MANUAL REVIEW

FILE REFERENCE: PL/POPI
REPORT DATE: 12 April 2016
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 9/12/15 (169/15)
AUTHOR: Alan Leeson, Chief Executive Officer
ATTACHMENTS: Policy Manual (as previously circulated)

PURPOSE OF REPORT:

For Council to endorse the reviewed Policy Manual.

BACKGROUND:

As part of its review of Council's policies, Management Executive met to review the Policy Manual in its entirety and proposed the following changes;

1. amendments to reflect correct titles, positions and officers;
2. changes to reflect current practices, processes and procedures; and
3. updates to areas that were affected by legislative changes.

COMMENT:

The Policy Manual was presented to Council on the 9th December 2015 for review where it was resolved for it to be adopted at the first meeting of Council on the 17th February 2016.

The review has been undertaken with a view of updating and improving existing policies.

POLICY REQUIREMENTS:

Review annually.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 2.7 Role of the Council

- (2) Without limiting subsection (1), the council is to —
 - (b) determine the local government's policies.

STRATEGIC IMPLICATIONS:

Operational practices need to be current and correct if strategic outcomes are to be met.

Shire of Moora Strategic Community Plan

Goal 5: Good Governance and an effective and efficient organisation

Outcome 5.3: Effective and efficient corporate and administration services

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:

Some of the amendments outlined in the attached documentation will require budget consideration in the 2015/2016 financial year.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

That Council endorse the policy manual as reviewed and amended at the Council briefing session in Miling on the 16th March 2016.

9.1.5 WEST END CROPPING LEASE

FILE REFERENCE: L/LWE1
REPORT DATE: 14 April 2016
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 16/3/16 (29/16) & 17/2/16 (19/16)
AUTHOR: Alan Leeson, Chief Executive Officer
ATTACHMENTS: Lease submissions

PURPOSE OF REPORT:

For Council to consider lease submissions received in relation to lease of a portion of West End land.

BACKGROUND:

Lease submissions were recently called from local community groups-sporting clubs to lease approximately 36 hectares of west end to the east of the river (sewerage dam paddock) for the purpose of cropping and or grazing. It is the eastern portion around the shire sewerage infrastructure.

On the 16th March 2016 Council resolved;

29/16 that Council extend the tenders for West End to 14 April 2016 to be considered on 20 April 2016 and seek further information from Moora All Peoples Church Group Inc. as part of the extension, further that a lease price of \$25 per hectare be set for the lease term.

CARRIED 7/0

The Moora Bowling Club had initially requested an extension to their lease for cropping of West End which expired at the end of February however have now advised that they no longer wish to lease the area and have withdrawn their interest.

COMMENT:

Two submissions were received at the close of the submission period on the 14th April; they were from the Moora All Peoples Church Inc. and Central Midlands Speedway Association Inc.

The Moora All Peoples Church requested a lease for the purpose of raising funds the establishment of a Community Safe House / Group Home for Children who are at risk in the Moora Community.

The Central Midlands Speedway Association requested a lease for a 3 year period for the purpose of raising funds for capital infrastructure, namely safety & security lighting, replacement of water truck, upgrade of power, children's playground and improvements to their club rooms.

POLICY REQUIREMENTS:

Council does not have a policy in relation to West End Land Lease. It may be that a more detailed policy needs to be developed to give more clarity to expected use of funds.

At the moment the only real guideline is the understanding/expectation that community groups will use funds raised for capital projects.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995;

Section 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.

STRATEGIC IMPLICATIONS:

Goal 1: A vibrant, healthy and safe community.

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

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

➤ **Economic**

In the interim the land is value adding to the community's need and capacity to raise funds for various community projects. The access and capability with respect to community fundraising is expected to continue in the short term at least.

➤ **Social**

The opportunity to fundraise from the West End land strongly supports the recreational and social culture of the community. Should various community groups not have the opportunity to raise funds via "community cropping" the sustainability of some clubs would be called into question and the fiscal resources required to fulfil various capital and infrastructure projects would be beyond the capability of most rural sporting groups' memberships.

FINANCIAL IMPLICATIONS:

Funds raised through the cropping/grazing lease go into Council's Municipal Fund.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council lease portion of the West End land being the Sewerage Paddock (east of river) 36 hectares to the Central Midlands Speedway Association Inc. for the purpose of cropping/grazing in accordance with their submission for a period of 3 years expiring 31 January 2019 at a price of \$25 per hectare subject to the following conditions;

- a. Land cannot be sublet;*
- b. 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;*
- c. Lessees are responsible for the upkeep and maintenance of all fencing and gates;*
- d. 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;*
- e. 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;*
- f. Lessee shall ensure due consideration and consultation occurs with adjoining land holders with respect to ongoing cropping/grazing and land management practices;*
- g. 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;*
- h. 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;**
- i. Should the lessee wish to cease leasing prior to the expiry of 31 January 2019 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.**

9.1.6 LOAN REQUEST – MOORA LAKEVIEW GOLF CLUB

FILE REFERENCE: F/LOFI

REPORT DATE: 14 April 2015

APPLICANT/PROPONENT: Moora Golf Club

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

ATTACHMENTS: Letter and quotes

PURPOSE OF REPORT:

Council to consider a request from the Moora Lakeview Golf Club who are seeking Council's financial support by way of an interest free loan for completion of building refurbishments including;

- Ceiling replacement;
- Cupboard fit out
- Flooring replacement and building painting

BACKGROUND:

The Moora Lakeview Golf Club is currently renovating its kitchen to support future club functions and its members.

COMMENT:

The applicant was previously granted a \$14,000 loan to be repaid over 7 years at an interest rate of 3.5% - November 2007 to November 2014. The loan was for the purchase of a Toro 400D Ground Master Mower. All loan repayments were made by the scheduled date.

Council discussed the possibility of providing an interest free loan to support the golf club at a council briefing session on 17 February 2016.

POLICY REQUIREMENTS:

Not applicable

LEGISLATIVE REQUIREMENTS:

Not applicable

STRATEGIC IMPLICATIONS:

Outcome 1.1: A healthy community through participation in sport, recreation and leisure opportunities.

Strategy 1.1.1: Provide and promote sport, recreation and leisure facilities and programs.

Strategy 1.1.2: Plan for the co-location of sports and recreational facilities.

Strategy 1.1.3: Assist sport and recreation clubs and groups.

Strategy 1.1.4: Develop and implement an overarching trails plan.

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 advanced payment will reduce the Shire's budgeted surplus at 30 June 2016 by \$20,000.

VOTING REQUIREMENTS

Absolute Majority Required

RECOMMENDATION

That Council approve the application from the Moora Lakeview Golf Club for a \$20,000 loan at 50% of the prevailing WA Treasury Corporation rate. The loan will be repayable over a 10 year period in accordance with the Shire's Community Loan Deed guidelines and provisions.

9.1.7 NOTICE OF INTENTION TO DISPOSE OF LOT 11 BINDI BINDI-TOODYAY ROAD BINDI BINDI

FILE REFERENCE: F/LOF1

REPORT DATE: 14 April 2015

APPLICANT/PROPONENT: Moora Golf Club

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: David Trevaskis, Deputy Chief Executive Officer

ATTACHMENTS: Letter

PURPOSE OF REPORT:

For Council to provide notice of the intention to sell vacant residential land being Lot 11 Great Northern Highway Bindi Bindi the (**Property**).

BACKGROUND:

The property is freehold land and zoned for residential use. The Shire acquired the land due to unpaid rates as per the below resolution on 22 June 2005.

123/2005 Moved Cr Barrett-Lennard, seconded Cr Craven that council:-

- 1. Accepts Mr R. Renks offer to donate lot 11 Bindi Bindi Toodyay Road to the Shire of Moora for Consideration of zero dollars, subject to: -
 - (a) Waive the outstanding rate charges of \$230 for 2004/2005.*
 - (b) Completion of an offer and acceptance document confirming the donation of the lot.**
- 2. Council to make the necessary arrangements for the transfer of land documentation and the pay the associated settlement costs.*

CARRIED 6/0

COMMENT:

As per the attached letter the Shire has been approached by a potential buyer of the property. The Shire currently has no immediate use for the property and could benefit from selling both through sale proceeds and future rate revenue.

In order to sell the property the Shire must either dispose of the property via public auction or give local public notice of the proposed disposition and invite submissions to be made by the public for at least a two week period as per section 3.58 of the Local Government Act.

POLICY REQUIREMENTS:

Not applicable

LEGISLATIVE REQUIREMENTS:

Section 3.58 of the Local Government Act 1995

STRATEGIC IMPLICATIONS:

Not applicable

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 Shire's closing estimated surplus at 30 June 2016 will increase by the realised sale value of the property.

VOTING REQUIREMENTS

Absolute Majority Required

RECOMMENDATIONS

- 1. Council receive the expression of interest in purchasing the land at Lot 11 Bindi Bindi – Toodyay Rd, Bindi Bindi WA 6574.*
- 2. Council offer to sell the land by private treaty at a value equal to the market value of the block. On acceptance of the offer the Shire will give local public notice of the proposed disposition inviting public submissions as per the provisions set out in section 3.58(3) of the Local Government Act 1995.*

9.1.8 RFT 1/2016 – DISPOSAL OF 2003 TOYOTA COASTER BUS

FILE REFERENCE: L/TEPI-2

REPORT DATE: 14 April 2016

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Alan Leeson, Chief Executive Officer

ATTACHMENTS: Tenders received (under separate cover)

PURPOSE OF REPORT:

To consider tenders received for the disposal of its 2003 Toyota Coaster Bus which is now superfluous to Councils requirements.

BACKGROUND:

Council budgeted to changeover the existing bus as part of the 2015/2016 budget. The existing bus was offered for tendered on the basis of outright purchase with a smaller bus to be purchased in the current financial year.

COMMENT:

Two tenders have been received; one for the outright purchase price of \$3,265.00 and the other for \$11,100 incl. GST.

POLICY REQUIREMENTS:

Not applicable

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

STRATEGIC IMPLICATIONS:

There are no strategic implications in consideration of this matter.

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:

Purchase of new bus will come from the Community Bus Reserve so this transaction will have no effect on the closing surplus at 30 June 2016.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council not accept either of the two tenders received for tender 1/16 for the disposal of 2003 Toyota Coaster Bus and proceed to advertise the bus on www.carsales.com.au.

9.2 **DEVELOPMENT SERVICES**

9.2.1 **MOORA CHIROPRACTIC ROOF SIGN**

FILE REFERENCE: TP/PA27/1516

REPORT DATE: 12 April 2016

APPLICANT/PROPONENT: Allie Gledhill

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Peter Williams, Manager Development Services

ATTACHMENTS: Plan

PURPOSE OF REPORT:

Shire is in receipt of a sign application from Moscufo Super Pty Ltd to install a sign on the roof of the Moora Chiropractic premise at 2/5 Dandaragan Street Moora.

BACKGROUND:

The proprietor of Moora Chiropractic Ms Allie Gledhill wishes to install a sign on her roof similar to the sign on the roof of the Moora Savemore Pharmacy. The sign is to be Black lettering on white background and pink clinic logo, with a height of 1.200mm and width of 4.700mm.

Under the Shire of Moora Town Planning Scheme No 4 Amendment 11 (SMTPS) the following is required:

Power to Control Advertisements:

- (a) for the purpose of the Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Planning and Development Act requiring, except as otherwise provided, the prior approval of the Local government. Planning approval is required in addition to any licence under the Local government's Laws. *AMD 09 GG 11/03/11*
- (b) Applications for the Local government's planning approval under this clause shall be submitted in accordance with the provisions of the Scheme and shall be accompanied by a completed Additional Information Form set out in Schedule 7 giving details of the advertisement(s) to be erected placed or displayed on the land. *AMD 09 GG 11/03/11*

COMMENT:

The necessary additional information as per the requirements of Schedule 7 has been received by the Shire of Moora and the sign meets the requirement of the SMTPS.

POLICY REQUIREMENTS:

Shire of Moora Advertising Devices Policy

A sign shall:

Safety

- 1) be securely fixed to the structure by which it is supported, without affecting the stability of the building or structure to which it is affixed. Alternatively, a sign must be designed such that it maintains structural integrity in its own right;
- 2) be structurally sound and capable of withstanding any forces to which it would be reasonably subjected to without collapsing, deforming or moving from the position on which it was erected or displayed.

- 3) Be constructed and erected to the satisfaction of the Shire of Moora
- 4) not obstruct the passage of or so as to create a hazard for vehicles or pedestrians;
- 5) not be located such that it obscures or is likely to be confused with traffic signals or signs;
- 6) not obstruct access to or from any door, fire escape or window;
- 7) not be constructed of readily combustible material including but not limited to paper, cardboard or cloth, except in the case of posters securely affixed to a signboard or other structure.

Objectives

- To enable businesses and community groups to effectively advertise goods, services and events in a way that safeguards the visual amenity of the district and meets the safety and amenity needs of the general public.
- To ensure that the display of advertisements does not adversely impact on the amenity of surrounding land;
- To avoid a proliferation of signs on individual sites and buildings;
- To improve the streetscape of major roads;
- Encourage the rationalisation of advertising signs on individual premises;
- Encourage the consideration of advertising signs as part of the design of buildings;
- To ensure that signs are not discriminatory or offensive; and
- To provide valuable information for travellers and tourists that will be easily understood while ensuring the safety of all road users is maintained.

LEGISLATIVE REQUIREMENTS:

Shire of Moora Town Planning Scheme No 4 Amendment I I

Power to Control Advertisements:

- (a) for the purpose of the Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Planning and Development Act requiring, except as otherwise provided, the prior approval of the Local government. Planning approval is required in addition to any licence under the Local government's Laws. *AMD 09 GG 11/03/11*
- (b) applications for the Local government's planning approval under this clause shall be submitted in accordance with the provisions of the Scheme and shall be accompanied by a completed Additional Information Form set out in Schedule 7 giving details of the advertisement(s) to be erected placed or displayed on the land. *AMD 09 GG 11/03/11*

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 for a Sign by Moscufo Super Pty Ltd for Moora Chiropractic premise at 2/5 Dandaragan Street Moora subject to the following conditions:

- 1. Payment of annual sign registration;*
- 2. Sign does not alter from application design and measurements*
- 3. Sign is adhered to the building in a professional manner in compliance with Building Code of Australia.*

9.2.2 FIT2WORK POLICY

FILE REFERENCE: H/OSHI
REPORT DATE: 12 April 2016
APPLICANT/PROPONENT: Shire of Moora
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Peter Williams, Manager Development Services
ATTACHMENTS: Draft Fit2Work Policy

PURPOSE OF REPORT:

For Council to acknowledge and accept the Shire of Moora Draft Fit2Work Policy which states that Workers for the Shire of Moora have to be Fit to Work and identifies to Shire employees the programs that are available to them through the Shire and organisations/affiliates i.e. LGIS, of the Shire of Moora whereby assistance is available.

BACKGROUND:

It has been acknowledged for some time through the Occupational Health and Safety Committee that the Shire is in need of Fitness to Work Policy. This policy does not focus on drugs and alcohol although it does form part of the policy to protect the Shire and to give guidance to Supervisors and Management. The emphasis of the policy is providing assistance to employees to be fit to work by identifying a number of health programs that are available through the Shire and Local Government Insurance Services (LGIS), the Shire of Moora health services provider to assist Shire employees in identifying possible health issues. These include health surveillance, skin cancer check ups, flu needles, hearing tests to identify hearing loss and mental health issues. The policy does relate to drugs and alcohol in that an employee has to be fit to operate machinery and not under the influence of drugs and alcohol.

COMMENT:

By focusing a policy on drugs and alcohol a Shire or organisation can get tied up in knots by having a zero tolerance and testing employees if it is identified that an employee has a smell of alcohol on his or her breath. There are too many variances to be observed to a point that relationships get strained to a point that employees feel picked on.

It has long been identified by policy makers that by focusing on the actions of the operator or driver in the case of any accident, it can be determined whether it was driver or operator fault rather than drug or alcohol induced, this is a much better outcome so an employer can determine the course of how to proceed, rather than go down the path of mandatory breath testing. The Police will decide if necessary to breath test.

This policy looks positively at what the Shire can do to assist their employees achieve a healthy lifestyle. At the end of the day it is up to the employee if they wish to take up the Shire offer.

POLICY REQUIREMENTS:

There are no known policies related to this item.

LEGISLATIVE REQUIREMENTS:

Occupational Health and Safety Act 1984 - Duty of Care

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:

LGIS through the Shire contributions provides health services to Shire employees.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council adopt the Fit2Work Policy and include in the official Shire Policy Manual.

9.2.3 PIONEER BAKERY VERANDAH

FILE REFERENCE: TP/PA28/1516

REPORT DATE: 13 April 2016

APPLICANT/PROPONENT: Colin Parker of Park City Constructions on behalf of Lars & Melissa Jacobsen

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 a Mr Colin Parker of Park City Constructions requesting Council's permission to construct a verandah off the new bakery to cover the stairs and disabled ramp.

BACKGROUND:

The building is located at 50 Padbury Street in the Town centre Zone and is required to seek Council permission for any construction work carried out to the building. The Town Centre Zone objectives are as follows:

Objectives

- (a) to ensure the town centre remains the principal place for retail, commercial, civic, and administrative functions within the district.
- (b) to encourage development will not adversely affect local amenities, and will enhance the character of the town centre.
- (c) to provide sufficient parking spaces for vehicles without compromising pedestrian movements through the town centre.
- (d) to provide an increased level of public amenities including public toilets, shaded areas, and street furniture.

Development Requirements

- (a) Development shall not exceed 2 storeys in height except where the local government considers that particular circumstances may warrant an exception being made and provided the local government's objectives are not compromised.
- (b) In considering an application for planning approval for a proposed development (including additions and alterations to existing development) the local government shall have regard to:
 - (i) the colour and texture of external building materials; the local government may require the building facade and side walls to be constructed in masonry;
 - (ii) building size, height, bulk, roof pitch;
 - (iii) setback and location of the building on its lot;
 - (iv) architectural style and design details of the building;
 - (v) function of the building;
 - (vi) relationship to surrounding development; and
 - (vii) other characteristics considered by the local government to be relevant.
- (c) Landscaping shall be provided to complement the appearance of the proposed development and the town centre.
- (d) The layout of car parking shall have regard for traffic circulation in existing car parking areas and shall be integrated with any existing and adjoining car park.

COMMENT:

The verandah is between the two buildings and is not visible from the road (Padbury Street). It is to be used to cover the area of the stairs and the ramp where food is transported between the two buildings so as to protect the food from the elements.

This application meets the requirements of the Shire of Moora Town Planning Scheme No 4 and is therefore recommended to be approved.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Shire of Moora Town Planning Scheme No 4 (Amendment 11)

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 Colin Parker of Park City Constructions on behalf of Lars and Melissa Jacobsen to construct a verandah/patio off the newly constructed bakery at the rear of 50 Padbury Street Moora in order to protect food being transported between buildings via the stairs and ramp. This recommendation for approval is subject to the following:

- No variation permitted to the plans that have been submitted with this proposal. Should any variation be necessary then a new Town Planning Application shall be required.*
- This is not a building approval a separate building application is necessary to be presented to Shire Building Surveyor.*

10. REPORTS OF COMMITTEES

MANAGEMENT AND AUDIT COMMITTEE MEETING – 6 APRIL 2016

10.1 APPOINTMENT OF AUDITORS – 1 JULY 2016 THROUGH TO 30 JUNE 2018

FILE REFERENCE: F/AUD1
REPORT DATE: 1 April 2016
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: David Trevaskis, Deputy Chief Executive Officer
ATTACHMENTS: Nil

BACKGROUND:

The Audit Committee is required to make a recommendation to Council on the appointment of an auditor. The audit committee recommendation/s is required to be considered by Council and voted upon.

COMMENT

The Shire's current auditor, Byfields Accountants was last appointed by Council for three years for the period ending 1 July 2012 through to 30 June 2015.

A request for a Quotation document for the provision of audit services for the next two years was sent to four companies, with responses due to be received Tuesday 5 April. The quotations will be included as a confidential attachment for Councillors as soon as they are available.

Of the four audit companies sent requests the following three confirmed they will submit a quotation...

- Byfields Accountants – Byfields is the Shire's current audit services provider and prepare audits for a number of regional shires including the Shire of Dandaragan.
- AMD Chartered Accountants – AMD is based in Geraldton, Mandurah and Bunbury. They provide audit services to many councils and are a WALGA approved supplier.
- RSM Bird Cameron – Bird Cameron has experience with Local Government audits and the advantage of having an office in Moora.

The fourth provider who has elected not to send a quote was Moore Stephens. They are the leading provider of audit and professional advisory services to Local Government and have previously provided services to the Shire of Moora (formerly UHY Accountants). Many of the financial templates including the Annual Budget, Month End Report and Financial Statements are sourced from Moore Stephens each year.

I was contacted by the leading audit partner at Moore Stephens and reasons for not sending in a quote include the high weighting of price (60%) that is to be considered as part of the selection criteria and concerns they will not be competitive based on price.

POLICY REQUIREMENTS:

Quotations were sought in accordance with Council's Purchasing and Procurement Policy.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

STRATEGIC IMPLICATIONS:

The thoroughness and appropriateness of the audit process used to report to the Audit Committee assists to improve the governance role of Council.

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 2015/16 Budget has an amount of \$24,000 for audit services, including \$19,000 for audit fees.

VOTING REQUIREMENTS:

Simple Majority Required

COMMITTEE RECOMMENDATION

That RSM Bird Cameron be appointed as Councils auditors for the two year period for the provision of audit services to the Shire of Moora from 1 July 2016 to 30 June 2018.

11. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL****13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Confidential matter in relation to residential property.

14. CLOSURE OF MEETING