

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
16 JUNE 2010

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* Separate Attachments

Item 11.2.1 List of Payments Authorised Under Delegation 1.31

Item 11.2.2 Statement of Financial Activity for the Period Ended 31 May 2010

Item 13.1 Delegations Register

1. DECLARATION OF OPENING & WELCOME OF VISITORS

The Shire President declared the meeting open at 3.35pm, welcomed visitors and announced:

"Acknowledgment of Country"

I would like to show my respect and acknowledge to the traditional owners of this land and acknowledge their contribution to the Shire of Moora as I do for all its people.

2. DISCLAIMER READING

The Shire President read the following disclaimer:

No responsibility whatsoever is implied or accepted by the Shire of Moora for any act, omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.

3. ATTENDANCE

SA Bryan	-	Shire President
AR Tonkin	-	Councillor
CD Hawkins	-	Councillor
R Keamy	-	Councillor
OC Cocking	-	Councillor
JW McLagan	-	Councillor
DV Clydesdale-Gebert	-	Councillor
LM O'Reilly	-	Chief Executive Officer
JL Greay	-	Manager Engineering Services
R L McCall	-	Manager Community & Economic Development
W Zadravec	-	Manager Health, Building & Planning Services
L J Parola	-	Manager Finance & Corporate Services

APOLOGIES:

CE Gardiner	-	Councillor
SJ Pond	-	Councillor

PUBLIC:

Nil

4. DECLARATIONS OF INTEREST

The Shire President declared a financial interest in item 11.2.3 Waiver of Interest on Loan – Moora Promotions as she is a committee member of Moora Promotions Inc.

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

Nil

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. PETITIONS AND MEMORIALS

Nil

9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT

Meetings attended

- 1 June - LEMC meeting – an emergency exercise will be held on the 10th August. It will be run by Water Corporation at Kolburn. It will be a full response to a gas leak.
- 4 June – presented at the Women in Local Government Conference in Perth
- 8 June – had an interview with journalist Glenn Barnden from ABC Radio regarding recycling and aged care in our district.
- 8 June - Crime & Safety meeting
- 9 June – Telecentre meeting – now a Community Resource Centre category 2 which means extra funding
- 19 June - will be attending the Lions Changeover dinner

Cr McLagan advised that he had attended the ‘Pompei’ exhibition in Perth which was very good and highly recommended to the community.

10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING**10.1 ORDINARY COUNCIL MEETING - 19 MAY 2010****COUNCIL RESOLUTION**

58/10 Moved Cr Hawkins, seconded Cr Bryan that the Minutes of the Ordinary Meeting of Council held on 19 May 2010, be confirmed as a true and correct record of the meeting.

CARRIED 7/0

11. REPORTS OF OFFICERS

11.1 ADMINISTRATION

Nil

11.2 FINANCIAL DEVELOPMENT

11.2.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31

REPORT DATE: 8 June 2010
OFFICER DISCLOSURE OF INTEREST: Nil
AUTHOR: Leanne Parola, Manager Finance & Corporate Services
ATTACHMENTS: Accounts Paid Under Delegated Authority

PURPOSE OF REPORT

Payments have been made under delegated authority and a listing of these payments is attached for Council to note and endorse.

BACKGROUND

At the December 2005 Ordinary Meeting of Council resolution 276/2005 delegated the authority of payments from Municipal and Trust Funds to the Chief Executive Officer.

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

POLICY REQUIREMENTS

Delegation 1.31 – Payments from Municipal and Trust Funds.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 - Section 6.10
Local Government (Financial Management) Regulations 1996 – Regulations 12 & 13.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Payments are in accordance with the adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

59/10 Moved Cr Hawkins, seconded Cr Tonkin that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

<i>Municipal Fund</i>	<i>Cheques 59810 to 59835</i>	<i>\$24,668.04</i>
	<i>Direct Debits EFT4320 to EFT4395</i>	<i>\$334,597.62</i>
	<i>Net Pays – PPE 26/5/10</i>	<i>\$75,579.58</i>
	<i>Credit Cards</i>	<i>\$3,054.06</i>
<i>Trust Fund</i>	<i>Cheques 4584 to 4590</i>	<i><u>\$1,400.00</u></i>
	<i>Total</i>	<i><u>\$439,299.30</u></i>
		<u>CARRIED 7/0</u>

11.2.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 MAY 2010

REPORT DATE: 10 June 2010

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Leanne Parola, Manager Finance & Corporate Services

ATTACHMENTS: Statement of Financial Activity for the Period Ended 31 May 2010

PURPOSE OF REPORT:

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

BACKGROUND:

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

COMMENT:

The Statement of Financial Activity for the Period Ended 31 May 2010 is provided as a separate attachment in Program format. When adopting the budget, Council agreed to set the materiality threshold for monthly financial reporting at plus or minus 10% at program and category levels. At the Ordinary Meeting of Council held 20 January, Council agreed that the materiality threshold remain at plus or minus 10%, but that it be for variations of more than \$5,000 so that relatively minor amounts are not included.

The following programs were outside of the 10% and \$5,000 threshold as at 31 May 2010.

Governance

Income is approximately \$8,000 more than the year to date budget. This is because of unexpected income and expense from the Moora Bowling Club in relation to significance maintenance of the greens. This will have nil impact on the end of year surplus/deficit.

Law, Order & Public Safety

Income is approximately \$15,000 less than the year to date budget. This is attributable to less income being received from the Shire of Dalwallinu for the provision of ranger services than anticipated (\$10,000), part of the income from FESA for the State Emergency Service not having been received to date (\$4,000), and less income from dog registrations and fines than budgeted.

Housing

Income is approximately \$9,000 less than the year to date budget. This is as a result of no income having been received from the rental of housing to non-shire staff, however is offset by a reduction in housing maintenance of \$9,500.

Transport

Income is approximately \$13,000 less than the year to date budget. This is as a result of the low loader not having been sold, and no profit being made on the sale of the works vehicles.

Economic Services

Income is above the year to date budget by almost \$24,000. This is attributable to an additional \$18,000 in income from the Chalets and Caravan Park and \$7,000 from the lease of Lot 41 Drummond Street.

Expenditure is under the year to date budget by some \$95,000. This is made up of a number of accounts, the larger ones being the allocation of administrative costs (\$43,500), depreciation (\$20,000), Lifestyle Village (\$21,000) and tourism (\$7,000).

Other Property and Services

Income is more than \$90,000 less than the current budget as little private works have been done to date.

Expenditure is some \$45,000 more than the current budget, largely because staff and plant operation costs have historically been recovered with a rate of 70% which has not been high enough to recover costs and has resulted in a journal being done at the end of the year to allocate these expenses to general road maintenance.

The recovery rate of staff and plant charges was raised to 75% in March 2010 which will ensure that expenses are more accurately recovered in the future, however this amount will need to be written off against road maintenance at the end of the year.

Overall

At the moment operating income and expenditure is within 10% of the year to date budget at Program levels. Overall, the operating budget has a smaller deficit than the year to date budget by some \$175,000.

Unfortunately, the capital income received is expected to be significantly short of budget as it included the sale of the Gardiner Street properties (\$345,000), and a grant for the industrial park (\$500,000) which will have an impact on the projected deficit at the end of the financial year.

The \$500,000 grant was expected to have been received this financial year, and to be held as restricted cash for 2010/11. The outcome of the grant application is still unknown at this stage.

A number of projects were identified as possible to defer when the decision to terminate the sale of the Gardiner Street properties was made, however by the time the decision not to sell the properties was made, they were unable to be deferred. Whatever capital projects could be delayed until 2010/11, have been to reduce the impact on the deficit.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION (MANEX RECOMMENDATION)
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60/10 Moved Cr Tonkin, seconded Cr Hawkins that Council notes and receives the Statement of Financial Activity for the period ended 31 May 2010.

CARRIED 7/0

At 3.50pm the Shire President, Cr Bryan declared a financial interest in item 11.2.3 Waiver of Interest on Loan – Moora Promotions, as she is a committee member of Moora Promotions Inc and left the meeting.

With the Shire President having declared an interest in item 11.2.3 and the Deputy President an apology the position of ‘chair’ was open to the floor to decide who would chair the meeting.

COUNCIL RESOLUTION

61/10 Moved Cr Hawkins seconded Cr Cocking that Cr McLagan assumes the chair for deliberation of item 11.2.3.

CARRIED 6/0

Cr McLagan assumed the chair.

11.2.3 WAIVER OF INTEREST ON LOAN – MOORA PROMOTIONS

FILE REFERENCE: F/COLI
REPORT DATE: 8 June 2010
APPLICANT/PROPONENT: Moora Promotions
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES:
AUTHOR: Leanne Parola, Manager Finance & Corporate Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

For Council to consider a request from Moora Promotions (Inc) to waive the interest on their community loan.

BACKGROUND:

Moora Promotions (Inc) is a not for profit community group which was established to run the Moora Country Campout Weekend in Easter each year.

Unfortunately, the last Campout in 2008 ran at a loss and the Shire extended a loan of \$48,000 to Moora Promotions to meet their commitments. The Moora Promotions Committee has worked diligently over the past two years to honour their loan and have made payments above the agreed schedule of payments.

The Moora Promotions Committee would like to pay out the balance of the loan and have raised most of the money required to this end. They have requested that Council consider waiving the interest on the loan to enable them to move on with family and other community commitments.

COMMENT:

The loan made to Moora Promotions (Inc) was guaranteed by a number of individuals who have worked hard to meet the loan repayments, volunteering their time and resources for a debt that was incurred for an event which was to be for the benefit of the Moora community.

The current balance of the loan is \$17,474.92. Moora Promotions have made payments totalling \$34,000 which includes interest of \$3,474.58. They are currently able to pay \$14,000, which would leave a balance of \$3,474.92.

The interest portion of the loan which has been paid has been recognised in Council's financial statements as income received, therefore it would be best if Council does support the request from the Committee to waive the interest, that it do it by writing off the balance of the debt of \$3,474.92.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

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

STRATEGIC IMPLICATIONS:

While Council is within its rights to require the Moora Promotions Committee to continue making loan repayments as per the deed of agreement, it may serve as a deterrent to people committing to community initiatives in the future.

Ongoing fundraising efforts by the Moora Promotions Committee may also be to the detriment of other community groups who compete for the same volunteers and opportunities for fundraising.

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:

If Council agrees to write off \$3,474.92 of debt, it will forego this amount and future interest payments totalling \$4,033.96 over the next five years, however will benefit from receiving additional interest on the \$14,000 repayment of capital.

VOTING REQUIREMENTS

Absolute Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

62/10 Moved Cr Hawkins, seconded Cr Clydesdale-Gebert that Council write off an amount of \$3,474.92 owed by Moora Promotions (Inc) on their community loan.

CARRIED BY ABSOLUTE MAJORITY 6/0

At 3.53pm Shire President rejoined the meeting and resumed the chair.

11.2.4 BUDGET VARIATIONS

FILE REFERENCE: F/BUE1
REPORT DATE: 10 June 2010
OFFICER DISCLOSURE OF INTEREST: Nil
AUTHOR: Leanne Parola, Manager Finance & Corporate Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

For Council to consider a number of budget variations as a result of funding received, and material under and overspends in capital projects. It is not intended that these variations amend the overall budget position, but to make amendments within the confines of the current budget.

BACKGROUND:

Council adopted a Budget Review in February 2010 which sought to address the problem of the Council Local Government Funding for the year being deferred by the State Government, and a large deficit from the previous year.

Since then, four capital projects have been completed which are significantly different in cost to the amended budget and an unexpected grant has been received.

COMMENT:

The following capital projects have been significantly under/over spent, however they largely offset each other, with one project yet to be completed. The following budget variations are recommended:

Project	Current Budget	Actual Cost	Estimated (Under) /Over Spend	Proposed Budget
Moora Refuse Site	97,320	146,399	49,019	146,399
Roberts Street Footpath	135,000	35,621	(93,386)	41,614
Blackspot Projects	392,364	446,332	53,968	446,332
Rural Regravelling*	185,852	29,142	TBD	176,191
TOTAL	810,536	657,494	3,608	810,536

* Yet to be completed

The Shire has recently been successful in attracting funding from the Indigenous Coordination Centre totalling \$37,485 for a Governance & Leadership Development Project/Indigenous Access Strategy. Projects being funded are the Coolingah Park revitalisation, fitness instructor training, the story telling project and the governance training progressing.

Budget variations are required so that the funding received can be spent. The following variations are recommended:

Account	Current Budget Income	Current Budget Expense	Proposed Budget Income	Proposed Budget Expense
20401 Sundry Income	45,600		83,085	
13309 – Parks Gardens & Reserves		130,280		140,280
10401 – Staff Training		20,000		23,000
10425 – Consultants/ Special Projects		30,000		54,485
TOTAL	45,600	180,280	83,085	217,765

These variations will have a nil impact on the overall operating surplus/deficit.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

The Local Government Act 1995 Part 6 Division 4 s 6.8 (1) requires the local government not to incur expenditure from its municipal fund for an additional purpose except where the expenditure-

(b) is authorised in advance by resolution*

“additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

*requires an absolute majority of Council.

STRATEGIC IMPLICATIONS:

Nil

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS:

The recommended variations will amend the current budget, but will have no impact on the overall financial position of the Shire.

VOTING REQUIREMENTS

Absolute Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

63/10 Moved Cr Tonkin, seconded Cr Hawkins that Council approve the following budget variations:

Account	Current Budget	Amended Budget
20401 – Sundry Income	45,600	83,085
13309 – Parks Gardens & Reserves	130,280	140,280
10401 – Staff Training	20,000	23,000
10425 – Consultants/ Special Projects	30,000	54,485
33010 – Upgrade Refuse Site	97,320	146,399
33903 – Roberts Street Footpath	135,000	35,621
33911 – Blackspot Projects	392,364	446,332
33920 – Rural Regravelling	185,852	182,184

CARRIED BY ABSOLUTE MAJORITY 7/0

11.3 OPERATIONAL DEVELOPMENT

11.3.1 STOCKPILING OF GRAVEL AND BULLDOZING – TENDER NO. 6/2010

FILE REFERENCE: S/TER1
REPORT DATE: 11 June 2010
LOCATION: Various
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 19/5/10 (50/10)
AUTHOR: John Greay, Operational Development Manager
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To advise Council of results of recently called tender.

BACKGROUND:

Tenders were recently called for a three year period for the stockpiling of gravel and bulldozing and closed at noon on Thursday 10 June 2010.

COMMENT:

A lot of interest was shown by individual companies who requested tender documents. It was surprising that only two tenders were received but this may be due to the current resources boom within the state. The only companies that tendered were Ingora Pty Ltd, Moora and Palmer Earthmoving, Albany. Ingora Pty Ltd has, for the past two years, had the contract with council for the work.

The tenders that were received are as follows:

Price Schedule for 2010-11 Year
Ingora Pty Ltd rates;

Line No.	Description	Tender Unit	Estimated Usage	Place of Origin	Price Tendered (ex GST)	GST Component	Price Tendered (inc GST)
1	Rate/ M ³ Loose Pushed	M ³	62,000 M ³	Moora	0.73	0.07	0.80
2	Hourly rate for work outside tender	Per hr			177.27	17.73	195

Palmer Earthmoving rates;

Line No.	Description	Tender Unit	Estimated Usage	Place of Origin	Price Tendered (ex GST)	GST Component	Price Tendered (inc GST)
1	Rate/ M ³ Loose Pushed	M ³	62,000 M ³	Albany	1.70	0.17	0.80
2	Hourly rate for work outside tender	Per hr			280	28	308

The Principal offers no guarantee as to the quantity of the services required.

Price Schedule for 2011-12 Year
Ingora Pty Ltd rates;

Line No.	Description	Tender Unit	Estimated Usage	Place of Origin	Price Tendered (ex GST)	GST Component	Price Tendered (inc GST)
1	Rate/ M ³ Loose Pushed	M ³	62,000 M ³	Moora	0.76	0.08	0.84
2	Hourly rate for work outside tender	Per hr			186.36	18.64	205

Palmer Earthmoving;

Line No.	Description	Tender Unit	Estimated Usage	Place of Origin	Price Tendered (ex GST)	GST Component	Price Tendered (inc GST)
1	Rate/ M ³ Loose Pushed	M ³	62,000 M ³	Albany	1.72	0.17	1.89
2	Hourly rate for work outside tender	Per hr			282.50	28.25	310.75

The Principal offers no guarantee as to the quantity of the services required.

Price Schedule for 2012-13 Year
Ingora Pty Ltd rates;

Line No.	Description	Tender Unit	Estimated Usage	Place of Origin	Price Tendered (ex GST)	GST Component	Price Tendered (inc GST)
1	Rate/ M ³ Loose Pushed	M ³	62,000 M ³	Moora	0.84	0.08	0.92
2	Hourly rate for work outside tender	Per hr			205	20	225

Palmer Earthmoving;

Line No.	Description	Tender Unit	Estimated Usage	Place of Origin	Price Tendered (ex GST)	GST Component	Price Tendered (inc GST)
1	Rate/ M ³ Loose Pushed	M ³	62,000 M ³	Albany	1.0734	0.11	1.1834
2	Hourly rate for work outside tender	Per hr			285.50	28.55	314.05

The Principal offers no guarantee as to the quantity of the services required.

POLICY REQUIREMENTS:

Complies with council's policy in regard to its proposed Works Programme.

LEGISLATIVE REQUIREMENTS:

Council is required to call tenders of the works when the value is likely to exceed \$100,000 under regulation s3.57.

STRATEGIC IMPLICATIONS:

Council needs to maintain their road network to a good standard. All road freight movements are currently undertaken by large heavy vehicles particularly during seasonal activities, which impact substantially on our road network. Any new developments within our district and region will depend on the ability to access their projects via the road system. The Shire of Moora remains strategically placed for some major developments north of the metropolitan area and their road network will strongly support any major projects that develop.

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 as allowances have been made within the budget for this roadwork component.

➤ **Social**

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

FINANCIAL IMPLICATIONS:

Allowance has been made within the road programme of works for the stockpiling of road building material and bulldozer work.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

64/10 Moved Cr Cocking, seconded Cr Tonkin that Council accepts the tender submitted by Ingora Pty Ltd for Stockpiling of Gravel and Bulldozing – Tender No. 6/2010 for the financial years 2010-11, 2011-12 and 2012 - 13 as under;

Price Schedule for 2010-11 Year**Ingora Pty Ltd rates;**

Line No.	Description	Tender Unit	Estimated Usage	Place of Origin	Price Tendered (ex GST)	GST Component	Price Tendered (inc GST)
1	Rate/ Loose Pushed M ³	M ³	62,000 M ³	Moora	0.73	0.07	0.80
2	Hourly rate for work outside tender	Per hr			177.27	17.73	195

Price Schedule for 2011-12 Year**Ingora Pty Ltd rates;**

Line No.	Description	Tender Unit	Estimated Usage	Place of Origin	Price Tendered (ex GST)	GST Component	Price Tendered (inc GST)
1	Rate/ Loose Pushed M ³	M ³	62,000 M ³	Moora	0.76	0.08	0.84
2	Hourly rate for work outside tender	Per hr			186.36	18.64	205

Price Schedule for 2012-13 Year**Ingora Pty Ltd rates;**

Line No.	Description	Tender Unit	Estimated Usage	Place of Origin	Price Tendered (ex GST)	GST Component	Price Tendered (inc GST)
1	Rate/ Loose Pushed M ³	M ³	62,000 M ³	Moora	0.84	0.08	0.92
2	Hourly rate for work outside tender	Per hr			205	20	225

11.4 COMMUNITY DEVELOPMENT

11.4.1 MODEL LOCAL LAWS

The Shire President, on advice from the Chief Executive Officer advised that item 11.4.1 had been withdrawn due to further advice being received from WALGA regarding the process of repealing local laws.

FILE REFERENCE: PL/LOLI
REPORT DATE: 10 June 2010
APPLICANT/PROPONENT: Moora Shire Council
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Wolfgang Zadavec, Manager Health Building & Planning Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

With the intention of completing all statutory reviews of local laws within 6 months the process must begin with the formal review of all existing local laws. Council's decision will determine which local laws need to be repealed or left unchanged to become the local law, or be replaced with new model local laws (with or without changes), or decide on no local laws been adopted.

BACKGROUND:

Table 1 lists Council local laws that have never been formally repealed despite changes to legislation over time; they are not in use and they serve no purpose other than exist in stature.

Table 1: LOCAL LAW	GAZETTED
1. Parking Angle	14/10/1949
2. Town Planning Scheme No. 1	16/01/1959
3. TV Masts & Antennae	08/04/1960
4. Uniform General Building Application	18/08/1961
5. Obstructing Animals and Vehicles D.M. by-law No. 7	16/12/1963
6. Damage to Streets – Draft Model by-law	19/08/1965
7. Obstructing Animals and Vehicles – Draft Model by-law No 7	19/08/1965
8. Stalls & Hawkers	19/03/1982
9. Cemeteries (repeals 08/12/1960)	29/11/1999

It is strongly recommended that they now be reviewed and repealed through public notice.

Table 2 outlines the current local laws that also require reviewing either to be repealed, left unchanged and adopted, or be replaced with more contemporary (model) local laws.

Table 2: LOCAL LAW	GAZETTED
10. Damage to Streets – Draft Model by-law	19/08/1965
11. Fencing	12/10/1967

12. Verandahs and removal thereof	04/06/1970
13. Cemetery Moora Public	21/09/1971
14. Standing Orders	04/07/1997
15. Local Government Properties	29/11/1999
16. Dogs Local Law	29/11/1999

It is recommended that a future report list the significance of these laws compared to current legislation and where relevant, to model local laws recommended by WALGA.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Section 3.5 of the Local Government Act 1995

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 will be some community resentment as with any new legislation that introduces penalty fines for breaches listed in the local laws.

FINANCIAL IMPLICATIONS:

Both staff and management will devolve considerable time in generating reports and providing copies for public notice as well as advertisements.

VOTING REQUIREMENTS

Simple Majority Required

MANEX RECOMMENDATIONS

That Council

- I. repeal the following Shire of Moora local laws –
 - Parking Angle 14/10/1949
 - Town Planning Scheme No. 1 16/01/1959
 - TV Masts & Antennae 08/04/1960

- Uniform General Building Application 18/08/1961
- Storage of Inflammable Liquid –
Draft Model by-law No.12
- Stalls & Hawker 19/03/1982
- Cemeteries 29/11/1999

2. advertise for a period of 42 days that these local laws have now been repealed.

11.4.2 STATUTORY FEES & PROPOSED BUILDING FEES 2010-2011

FILE REFERENCE: F/BUA1

REPORT DATE: 13 June 2010

APPLICANT/PROPONENT: N/A

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Wolfgang Zadavec Manager Health, Building & Planning Services

ATTACHMENTS:

1. Schedule of Local Government Fees and Charges prescribed in various Regulations made under the Health Act 1911.
2. Local Government (Miscellaneous Provisions) Act 1960 & s374 Building Regulations 1989.
3. Planning and Development Regulations 2009 (Part 7 Local Government Planning Charges) and Planning Bulletin 93/2010.

PURPOSE OF REPORT:

To present to Council several statutory fee schedules in both planning, health and building that require Council consideration. To cover officer's inspection time for different building stages it is proposed to include voluntary building inspection fees that are available for applicants. The State plans to introduce mandatory building inspection fees in 2011 with the proposed new building legislation.

BACKGROUND:

Health Act 1911; Health Regulations – The WA Department of Health proposes to increase each of the statutory fees by 2.1% being the movement in the CPI for Perth (to the December quarter 2009) and are proposed to have effect from 1 July 2010. These proposed changes have not yet been gazetted and are provided to assist Councils in setting fees and charges in the current budget cycle (refer Attachment 1).

Builders' Registration Act 1939 (Act) – The Minister of Commerce has approved an increase in the building licence fee from \$40 to \$40.50 pursuant to sec 4B (1) of the Act from 1 July 2010. There has been no change made to the administration fee of \$5.00 plus GST retained by local government and will apply to all building licences issued by local governments on or after 1 July 2010.

New Building Act scheduled 2011 – A new Building Act is being developed to replace the Building Regulations 1989 and parts of the Local Government (Miscellaneous Provisions) Act 1960. It will set out what may be required to be inspected during the construction phase (at scheduled fees); currently there are no mandatory inspections with the exception of site assessments. It is therefore timely to introduce user-pay service fees on

a voluntary basis to cover typically steel reinforcement, frame, final inspections and certificate of classification. An applicant can choose which inspection they would be interested in to affirm that stage of building work is been satisfactorily carried out (refer Attachment 2).

Planning and Development Regulations 2009 (Regulations) – The fees prescribed in the Regulations for local government services have been increased by the CPI rate of 2.1% effective from 1 July 2010. The Regulations provide fees for a range of planning applications including;

- Development applications;
- Extractive industry;
- Subdivision clearances;
- Local planning scheme amendments;
- Adoption of structure plans;
- Home occupations;
- Change of use;
- Zoning certificates;
- Property settlement questionnaire; and
- Written planning advice.

It is important to note that the fees under the new Regulations are **maximums** and that Council can choose to adopt a lesser fee or no fee at all for some services (refer Attachment 3).

POLICY REQUIREMENTS:

Nil.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 (Act) - Sec 6.16 of the Act covers the imposition of fees and charges and sec 6.17 covers setting the level of fees and charges.

- 6.16 (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

**Absolute majority required.*

- 6.17 (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors –*

- (a) the cost to the local government of providing the service or goods;*
- (b) the importance of the service or goods to the community; and*
- (c) the price at which the service or goods could be provided by an alternative provider.*

STRATEGIC IMPLICATIONS:

Nil

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

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

➤ **Economic**

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

➤ **Social**

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

FINANCIAL IMPLICATIONS:

Council will generate revenue from all fees. The level of income being budgeted as a result of these fees will be reflected in the Annual Budget.

VOTING REQUIREMENTS

Absolute Majority Required

**COUNCIL RESOLUTION
(OFFICER RECOMMENDATIONS)**

65/10 Moved Cr Hawkins, seconded Cr Tonkin that Council

1. **adopt the following recommended statutory fees and charges for 2010-2011:**
 - **under the Health Act 1911 – Health Regulations once gazetted;**
 - **under the Builders’ Registration Act 1939; and**
 - **under the Planning and Development regulations 2009.**

2. **include voluntary building inspection fees permitted under section 6.16 of the Local Government Act 1995:**
 - **Footing inspection \$50.00**
 - **Slab inspection \$50.00**
 - **Building Work inspection \$50.00**
 - **Roof inspection \$50.00**
 - **Certificate of classification \$100.00**
 - **Other requests At cost**

CARRIED BY ABSOLUTE MAJORITY 7/0

11.5 ENVIRONMENTAL DEVELOPMENT

11.5.1 REGIONAL WASTE LANDFILL SITE - CMVROC

FILE REFERENCE: AD/CMV1
REPORT DATE: 11 June 2010
APPLICANT/PROPONENT: N/A
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Wolfgang Zadavec, Manager Health Building & Planning Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To report on the regional waste landfill site a project of the Central Midlands Voluntary Regional Organisation of Councils (CMVROC) to confirm Moora Shire Council's ongoing commitment to the project.

BACKGROUND:

The Shires of Chittering, Dalwallinu, Moora, Victoria Plains and Wongan-Ballidu constitute the original regional group included in the grant funding to undertake a study into regional waste management and eventually a study into a regional waste facility. The Shires of Toodyay, Northam, Dowering and Goomalling have expressed an interest in participating as members of a regional waste facility. A meeting was held on 28 May 2010 to discuss the potential and future progress of the project.

COMMENT:

A number of the participating Shires are in need of short to medium term landfill options as existing sites are reaching their maximum capacity. There was general discussion on the intended administration and management in the form of a corporate entity to own and manage the regional landfill site under the provisions of the Local Government Act 1995 for the sole purpose of regional waste management. The regional local government would be the legal entity to purchase the required land for the regional waste facility.

POLICY REQUIREMENTS:

A joint policy would be required between all member councils to cover operational and budget allocations to support the proposed regional council.

LEGISLATIVE REQUIREMENTS:

Environmental Protection Act 1986 and the Environmental Protection (Controlled Waste) Regulations 2004.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

➤ Environment

There would be significant environmental implications associated with this proposal including flora, fauna, soil, water, noise and odour issues; all to be addressed in an environmental impact statement.

➤ **Economic**

There would be on-going contributions required for environmental, operational and management costs associated with this proposal dependent on how many Local Governments participate in the project. This could potentially be \$3 – 400,000 as Moora’s contribution in the first instance. It is envisaged that in the medium to long term the project would generate an income stream back to all participating councils.

➤ **Social**

This is yet to be determined as no site has been confirmed.

FINANCIAL IMPLICATIONS:

Each member Council would need to make a percentage contribution towards the establishment of this regional council, its operation, remuneration of staff, land purchase, preliminary site tests and reports. This excludes any statutory licence fees, headworks, capital expenditure, plant and labour operational costs (including insurances) and any potential funding that may be able to be attracted through the regional group.

VOTING REQUIREMENTS

Simple Majority Required

<p>COUNCIL RESOLUTION (MANEX RECOMMENDATION)</p>

66/10 *Moved Cr Hawkins, seconded Cr Tonkin that the Moora Shire Council is committed to the ongoing participation in the CMVROC’s development of a Regional Waste Landfill site project subject to a minimum of 3 member councils of the CMVROC participating in the project.*

CARRIED 6/1

Cr McLagan requested his vote against be noted.

11.6 ECONOMIC DEVELOPMENT

Nil

11.7 SPORT AND RECREATION

Nil

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

The following was put forward as a motion of notice by Cr Hawkins at the last meeting of Council on 19 May 2010.

12.1 Round Hill Hall for Sale

1. That the Round Hill Hall be offered for sale by private treaty
2. Consideration be given to allocate ~~some funds to the Round Hill community to commemorate the site~~ funding to the Round Hill community for activities.

Manex Comment:

Appraisals have been sought from a local real estate agent (Harcourts) to gauge the value of the hall. The final appraisal is yet to be provided and it will therefore be in Council's best interest to defer to the next meeting of Council.

Note: Council agreed that the item be deferred until its next meeting.

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

The Chief Executive Officer tabled four late items dealing with

1. Register of Delegations – Council to Chief Executive Officer,
2. Miling Oval & Town Maintenance – Tender # 4/2010,
3. Watheroo Oval & Town Maintenance – Tender # 5/2010, and
4. Sale of Motor Vehicle by Tender # 7/2010

for Council's consideration.

COUNCIL RESOLUTION

67/10 Moved Cr Hawkins, seconded Cr Tonkin that Council consider the four late items as tabled by the Chief Executive Officer titled "Register of Delegations – Council to Chief Executive Officer", "Miling Oval & Town Maintenance – Tender # 4/2010", "Watheroo Oval & Town Maintenance – Tender # 5/2010", and "Sale of Motor Vehicle By Tender # 7/2010".

CARRIED 7/0

13.1 REGISTER OF DELEGATIONS – COUNCIL TO CHIEF EXECUTIVE OFFICER

FILE REFERENCE: PL/DELI
REPORT DATE: 11 June 2010
APPLICANT/PROPONENT: Chief Executive Officer
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Lynnette O'Reilly, Chief Executive Officer
ATTACHMENTS: Delegations Register

PURPOSE OF REPORT:

To allow Elected Members the opportunity to review as required by the Local Government Act 1995 Section 5.46(2) the various delegations made to the Chief Executive Officer.

BACKGROUND:

Over the years the Council of the Shire of Moora has delegated certain powers and duties to the Chief Executive Officer.

The Local Government Act 1995 Section 5.46 requires that a register of delegations be kept and that those delegations made must be reviewed at least once every financial year by the delegator (Council).

COMMENT:

The Shire of Moora Register of Delegations has been reviewed and updated to reflect minor formatting changes, including updating of titles for managers and minor changes as follows:

Section 03 Hire Fees & Charges – Recreation Centre and 07 Liquor – Sale & Consumption at Recreation Centre added 'Moora Performing Arts Centre' to heading and to the 'function to be performed' to be inclusive of all shire venues.

Section 10 Enforcements and Legal Proceedings, Section 20 Approval of Planning Applications, Section 22 Building Licences, Section 23 Private Swimming Pools – Inspections and Section 24 Health Act – Notices and Orders

On delegated to:

- Section 10 - Enforcements & Legal Proceedings to Manager Health, Building & Planning Services
- Section 20 – Approval of Planning Applications to be delegated to authorised planning consultants Gray & Lewis Land Use Planners
- Section 22 – Building licences to cover relief periods for the Manager Health, Building & Planning Services to ensure building licences can be processed
- Section 23 – Private Swimming Pools – Inspections on delegated to the Ranger who carries out and administers
- Section 24 – Health Act – Notices & Orders to cover relief periods for the Manager Health, Building & Planning Services to ensure Health Notices and Orders are served and processed

Section 13 Purchase Order Authorisation:

On delegated to:

Amended the previous Level 3 officers to Level 4 to make way for a new Level 3 group which has a greater purchasing power. These will encompass the Works Supervisor, Technical Officer and upgrade the Head Mechanic. These changes adequately reflect the level of purchasing required for each of the existing and additional positions.

Conditions:

It is necessary to adjust the limits for purchasing to reflect the need for all officers with purchasing authority. The new Level 3 responsibility with a maximum of \$5000 is required to enable appropriate purchasing of fencing, machinery parts & tyres, road building materials and other consumables by on delegated staff.

On delegated to:

Amended titles and added the Swimming Pool Manager, Caravan Park Caretaker / Cleaning Supervisor and HR/Payroll Officer to Level 4 purchasing authorisation. These changes adequately reflect the level of purchasing required for each of these additional positions.

Conditions:

It is necessary to adjust the limits for purchasing to reflect the need for all officers with purchasing authority. The updated Level 4 responsibility with a maximum of \$1000 is required to enable appropriate purchasing of cleaning supplies, chemicals & pool supplies, maintenance and other consumables by on delegated staff.

DELEGATIONS TO COMMITTEES/WORKING GROUPS

Chair person Local Emergency Management Committee

The Chairman of the LEMC is appointed by the local government [s. 38 of the Emergency Management Act 2005].

Local Emergency Management Committee

The functions of LEMC are [s. 39 of the Emergency Management Act 2005]:

- a. To advise and assist the local government in establishing local emergency managements for the district;
- b. to liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements; and
- c. to carry out other emergency management activities as directed by SEMC or prescribed by regulations.

A copy of the current Delegations Register was provided to Elected Members via post at the beginning of June 2010 and a copy has now been redistributed with the changes as reflected for Councils perusal.

POLICY REQUIREMENTS:

Included in Delegation where appropriate

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 Section 5.46

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

Absolute Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATIONS)**

68/10 Moved Cr Tonkin, seconded Cr Cocking that Council, having reviewed its Delegations as required by the Local Government Act 1995

1. Endorse the following as having been reviewed:

- 1. Payments from trust and municipal funds***
- 2. Investments***
- 3. Hire Fees and Charges – Recreation Centre***
- 4. Rate book***
- 5. Budget implementation***
- 6. Rent/ Leasing or Residential Property Owned By the Shire of Moora***
- 7. Liquor – Sale and Consumption at Recreation Centre***
- 8. Impounding goods – authorised employee***
- 9. Onus of Proof in Vehicle Offences***
- 10. Enforcements and Legal Proceedings***
- 11. Delegation of Power***
- 12. Proceedings under Dog Act***
- 13. Purchase order authorisation***
- 14. Budget expenditure***
- 15. Register of Delegations to Committees***
- 16. Donations of Works to Organisations***
- 17. Private Works***
- 18. Temporary Rural Road Closures***
- 19. Powers of Entry onto Land***
- 20. Approval of Planning Applications***
- 21. Works unlawful***

22. **Building Licences**
23. **Private Swimming Pools – Inspections**
24. **Health Act – Notices and Orders**
25. **Delegation to Committees/Working Parties**

2. Authorise amendments as follows:

1. **Section 03 Hire Fees & Charges – Recreation Centre and 07 Liquor – Sale & Consumption at Recreation Centre added ‘Moora Performing Arts Centre’ to heading and to the ‘function to be performed’ to be inclusive of all shire venues.**
2. **Section 10 Enforcements and Legal Proceedings, Section 20 Approval of Planning Applications, Section 22 Building Licences, Section 23 Private Swimming Pools – Inspections and Section 24 Health Act – Notices and Orders**

On delegated to:

- **Section 10 - Enforcements & Legal Proceedings to the Manager Health, Building & Planning Services**
- **Section 20 – Approval of Planning Applications to be delegated to authorised planning consultants Gray & Lewis Land Use Planners**
- **Section 22 – Building licences to cover relief periods for the Manager Health, Building & Planning Services to ensure building licences can be processed**
- **Section 23 – Private Swimming Pools – Inspections on delegated to the Ranger who carries out and administers**
- **Section 24 – Health Act – Notices & Orders to cover relief periods for the Manager Health, Building & Planning Services to ensure Health Notices and Orders are served and processed**

3. **Section 13 Purchase Order Authorisation,**

On delegated to:

**Add “ Level 3 Works Supervisor,
Level 3 Technical Officer,
Level 4 Swimming Pool Manager,
Level 4 Caravan Park Caretaker/Cleaning Supervisor.”**

Amend Level 3 Limits on amounts “up to \$5,000 excluding capital items”

Add Level 4 Limits on amounts “within area of responsibility up to a maximum of \$1,000 excluding capital items.”

4. **DELEGATIONS TO COMMITTEES/WORKING GROUPS**

Authorises the Chief Executive Officer to

add “Local Emergency Management Committee (LEMC)” appointing the “President, Cr Bryan as the Chair” and to include the following membership from the Shire:

“CEO, Manager Engineering Services, Manager Health Building and Planning and the Ranger”

Add the following as “role” of the Local Emergency Management Committee

“The functions of LEMC are [s. 39 of the Local Emergency Management Act 2005]:

- a. **To advise and assist the local government in establishing local emergency managements for the district;**
- b. **to liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements; and**
- c. **to carry out other emergency management activities as directed by SEMC or prescribed by regulations.”**

3. Authorises the Chief Executive Officer to replace; where appropriate, former Manager titles with current titles and complete minor formatting changes.

CARRIED BY ABSOLUTE MAJORITY 7/0

Note: It was requested that more information be provided to Councillors on the levels within Section 13 Purchase Order Authorisation.

At 4.45pm Cr Clydesdale-Gebert left the meeting & returned at 4.48pm

13.2 MILING OVAL & TOWN MAINTENANCE – TENDER # 4/2010

FILE REFERENCE: P/WAPI
REPORT DATE: 15 June 2010
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 19/5/10 (50/10)
AUTHOR: John Greay Manager Engineering Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

Consideration of tenders received for the supply and delivery of services.

BACKGROUND:

Council has for a period of time contracted out the work required at Miling for the upkeep of the town streets etc and certain aspects of maintenance at the oval.

COMMENT:

For the past two years Mr and Mrs Jim Lowe have carried out this work and have done so in a very acceptable manner with pleasing results for the community. Due to the passage of time this contract has now come due for reconsideration. In calling tenders we have received two tenders at the closing time of 4.00pm Thursday 10th June 2010.

Tenders were received from the following:

- Mr & Mrs Jim Lowe - \$20,800 per annum (Oval & Town Maintenance)
- Mr Geoffrey White - \$16,450 per annum (Town Maintenance only)

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

Strategically it is important to engage local people that live within, or close to, the Miling townsite so that daily matters can be easily attended to particularly with the moving of the travelling irrigator during summer on the oval.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
The economic implication is that we need to engage a local person to keep costs to a minimum as to service the oval and Miling town from Moora would be cost prohibitive.
- **Social**
The social fabric of the district evolves around functions held at the Miling Oval and pavilion and it is important that this be maintained for the local community along with the maintenance of the town.

FINANCIAL IMPLICATIONS:

There has been a yearly allocation for this work in council's budget.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(OFFICER RECOMMENDATION)**

69/10 Moved Cr Bryan, seconded Cr Hawkins that the tender received from Mr and Mrs Jim Lowe for the Miling Oval & Town Maintenance – Tender # 4/2010 be accepted for a 12 month period commencing the 1st July 2010.

CARRIED 7/0

13.3 WATHEROO OVAL & TOWN MAINTENANCE – TENDER # 5/2010

FILE REFERENCE: P/WAPI
REPORT DATE: 15 June 2010
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 16/5/10 (50/10)
AUTHOR: John Greay Manager Engineering Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

Consideration of tenders received for the supply and delivery of services.

BACKGROUND:

Council has for a period of time contracted out the work required at Watheroo for the upkeep of the town streets etc and certain aspects of maintenance at the oval.

COMMENT:

For the past two years Mr and Mrs John Barber have carried out this work and have done so in a very acceptable manner. Due to the passage of time this contract has now come due for reconsideration. In calling tenders we have received only one tender at the closing time of 4.00pm Thursday 10th June 2010.

Tender received was from the following:

Mr & Mrs John Barber - \$22,880 per annum

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

Strategically it is important to engage local people that live within, or close to, the Watheroo Townsite so that daily matters can be easily attended to particularly with the moving of the travelling irrigator during summer on the oval

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

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

➤ **Economic**

The economic implication is that we need to engage a local person to keep costs to a minimum as to service the oval and Watheroo town from Moora would be cost prohibitive.

➤ **Social**

The social fabric of the district evolves around functions held at the Watheroo Oval and pavilion and it is important that this be maintained for the local community along with the maintenance of the town.

FINANCIAL IMPLICATIONS:

There has been a yearly allocation for this work in council's budget.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(OFFICER RECOMMENDATION)**

70/10 Moved Cr Tonkin, seconded Cr Bryan that the tender received from Mr and Mrs John Barber for the Watheroo Oval & Town Maintenance Tender# 5/2010 be accepted for a 12 month period commencing the 1st July 2010.

CARRIED 7/0

13.4 SALE OF MOTOR VEHICLE BY TENDER # 7/2010

FILE REFERENCE: L/TEN2
REPORT DATE: 15 June 2010
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: John Greay, Manager Engineering Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

Disposing of surplus equipment.

BACKGROUND:

Council, with the departure of one of their senior managers, now have a vehicle that is currently surplus to their requirements.

COMMENT:

With a slight restructuring of senior management positions we find that the 2008 Ford Fairmont Sedan, which travelled approximately 30,000kms and is equipped with towbar and mudflaps is no longer required.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 3.58 (3)

Local Government (Functions & General) Regulations 1996 – Regulation 30 (3), which relates to disposal of property.

STRATEGIC IMPLICATIONS:

At the moment there are no known strategic implications associated with this proposal however, in time, this may change.

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

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

➤ **Economic**

Additional income not previously identified.

➤ **Social**

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

FINANCIAL IMPLICATIONS:

Due to the requirement of allowing 14 days to transpire, to allow people time to tender, we won't be able to achieve a financial result in this financial year. The sale of this vehicle will only be realised in next year's budget.

VOTING REQUIREMENTS

Absolute Majority Required

COUNCIL RESOLUTION (MANEX RECOMMENDATIONS)

71/10 Moved Cr Hawkins, seconded Cr Cocking that Council:

1. *sell one only 2008 Ford Falcon Fairmont Sedan reg.no.107M due to it being surplus to councils requirements.*
2. *advertise the vehicle for sale by tender in the Central Midlands & Coastal Advocate and close tenders at 4.00pm on Thursday 8th July 2010.*
3. *evaluate and accept or reject any tender but retain the aim of selling the vehicle for not less than the minimum valuation to achieve a positive outcome for council and notify tenderers accordingly.*

CARRIED BY ABSOLUTE MAJORITY 7/0

14. NOTICE OF MOTIONS FOR THE NEXT COUNCIL MEETING

Nil

15. MATTERS BEHIND CLOSED DOORS

Nil

16. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 5.06pm.

CONFIRMED

PRESIDING MEMBER