

**Shire of Moora  
Ordinary Council Meeting  
18<sup>th</sup> August 2021**

**NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora  
will be held on **Wednesday 18<sup>th</sup> August 2021**  
in the Council Chambers, 34 Padbury Street, Moora  
commencing at **5.30 pm**



AJ Leeson  
Chief Executive Officer

13<sup>th</sup> August 2021

## **The Shire of Moora Vision and Mission Statement**

### **Vision**

Our vision is:

***Shire of Moora - a vibrant, affordable Regional Centre with a growing, caring community.***

### **Mission**

Our mission is:

***To provide the leadership, services and infrastructure that will meet the needs of the community and surrounds.***

**SHIRE OF MOORA****WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL**

Chief Executive Officer  
Shire of Moora  
PO Box 211  
MOORA WA 6510

Dear Sir/Madam,

**Re: Written Declaration of Interest in Matter Before Council**

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

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

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

- Financial pursuant to Section 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007.

The nature of my interest is <sup>(5)</sup>

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**  
**18 AUGUST 2021**  
COMMENCING AT 5.30PM

---

**TABLE OF CONTENTS**

---

<b>1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS .....</b>	<b>7</b>
<b>1.1 DECLARATION OF OPENING.....</b>	<b>7</b>
<b>1.2 DISCLAIMER READING .....</b>	<b>7</b>
<b>2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE .....</b>	<b>7</b>
<b>3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....</b>	<b>7</b>
<b>4. PUBLIC QUESTION TIME .....</b>	<b>7</b>
<b>5. PETITIONS / DEPUTATIONS / PRESENTATIONS .....</b>	<b>7</b>
<b>6. APPLICATIONS FOR LEAVE OF ABSENCE.....</b>	<b>7</b>
<b>7. ANNOUNCEMENTS BY THE PRESIDING MEMBER.....</b>	<b>7</b>
<b>8. CONFIRMATION OF MINUTES .....</b>	<b>7</b>
<b>8.1 ORDINARY COUNCIL MEETING - 21 JULY 2021 .....</b>	<b>7</b>
<b>9. REPORTS OF OFFICERS.....</b>	<b>8</b>
<b>9.1 GOVERNANCE AND CORPORATE SERVICES.....</b>	<b>8</b>
9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31 .....	8
9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 JULY 2021 .....	10
9.1.3 PURCHASE OF RESIDENTIAL LAND – CARNABY PLACE, MOORA.....	11
9.1.4 MOORA DISTRICTS TENNIS CLUB – SHIRE OF MOORA – TRANSFER OF LAND AND ASSETS.....	13
9.1.5 GRAVEL ACQUISITIONS AND MATERIAL FOR PUBLIC WORKS – ROYALTY - POLICY .....	17
9.1.6 2021/2022 BUDGET.....	19
<b>10. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>23</b>

**11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL ..... 23**

**12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED ..... 23**

**13. CLOSURE OF MEETING ..... 23**

- \* Separate Attachments
  - 9.1.1 *List of Payments Authorised Under Delegation 1.31*
  - 9.1.2 *Statement of Financial Activity for Period Ended 31 July 2021*
  - 9.1.4 *Map and titles*
  - 9.1.6 *2021/22 Draft Budget*

**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS****1.1 DECLARATION OF OPENING****1.2 DISCLAIMER READING**

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

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

**2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE****APOLOGIES**

TG Humphry - Councillor

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****4. PUBLIC QUESTION TIME****5. PETITIONS / DEPUTATIONS / PRESENTATIONS****6. APPLICATIONS FOR LEAVE OF ABSENCE****7. ANNOUNCEMENTS BY THE PRESIDING MEMBER****8. CONFIRMATION OF MINUTES****8.1 ORDINARY COUNCIL MEETING - 21 JULY 2021**

*That the Minutes of the Ordinary Meeting of Council held on 21 July 2021 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 August 2021

**OFFICER DISCLOSURE OF INTEREST:** Nil

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

**SCHEDULE PREPARED BY:** Julie Greatbatch, 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



<b>RECOMMENDATION</b>
-----------------------

***That Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31***

<b><i>Municipal Fund</i></b>	<b><i>Cheques 62494 to 62495</i></b>	<b><i>\$3,134.00</i></b>
	<b><i>EFT 25672 to 25773</i></b>	<b><i>\$343,078.31</i></b>
	<b><i>Direct Debits 13863.1 to 1341.10</i></b>	<b><i>\$58,691.02</i></b>
	<b><i>(DD13941.8) Credit Card 04/06/20 to 02/07/20</i></b>	<b><i>\$18,589.03</i></b>
		<b><i>\$423,492.36</i></b>
<b><i>Trust Fund</i></b>	<b><i>Cheques 5563 to 5565</i></b>	<b><i>\$816.81</i></b>
		<b><i>Subtotal \$424,309.17</i></b>
<b><i>Net Pays</i></b>	<b><i>PPE 07/07/21</i></b>	<b><i>\$97,944.18</i></b>
	<b><i>PPE 21/07/21</i></b>	<b><i>\$100,791.60</i></b>
		<b><i>\$198,735.78</i></b>
		<b><i>Total \$623,044.95</i></b>

**9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 JULY 2021**

**REPORT DATE:** 13 August 2021

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Martin Whitely, LG Corporate Solutions

**ATTACHMENTS:** Statement of Financial Activity for the Period Ended 31 July 2021

**PURPOSE OF REPORT:**

To note and receive the Statement of Financial Activity for the period ended 31 July 2021.

**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 2021/22 draft budget.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

*That Council notes and receives the Statement of Financial Activity for the period ended 31 July 2021.*

### **9.1.3 PURCHASE OF RESIDENTIAL LAND – CARNABY PLACE, MOORA**

**FILE REFERENCE:** TP/LSSI  
**REPORT DATE:** 4 August 2021  
**APPLICANTS/PROPONENT:** Chief Executive Officer - Shire of Moora  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** 19/5/2021 (Res.53/21)  
**AUTHOR:** Alan Leeson, Chief Executive Officer  
**ATTACHMENTS:** Nil

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

To update Council regarding the purchase of Lots 2010, 2011 & 2012 Carnaby Place, Moora.

#### **BACKGROUND:**

The subject Lots were developed and infilled by Landcorp several years ago as part of a government strategy to create residential land in key towns across WA. Landcorp, now known as Development WA, had listed the Lots for sale.

[Moora - Land for Sale - DevelopmentWA - Shaping our State's future](#)

#### **COMMENTS:**

At its meeting of 19 May 2021 resolution number 53/21, Council approved the purchase Lots 2010, 2011 and 2012 Carnaby Places for a combined value of no more than \$150,000. Negotiations were entered into with DevelopmentWA, which accepted a Shire offer of \$140,000 for the three Lots. The purchase of these lots creates flexibility for Council to assist with and facilitate grouped dwelling development in Moora. With the advent of the Koojan Beef Feedlot, and more recently the announcement that Westpork will commence its piggery development northwest of Moora, staff housing will become a key issue for the Shire in the immediate to medium term.

The form of Council assistance and facilitation of residential grouped housing development is being developed. The proposal will be submitted to Council when the detail necessary, has sufficient maturity to enable appropriate recommendations to be brought to Council.

#### **POLICY REQUIREMENTS:**

There are no existing Council policies implicated in consideration of this item.

#### **LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995

#### **STRATEGIC IMPLICATIONS:**

This proposal fits well with the Shire of Moora mission statement within the 2018-2028 Community Strategic Plan (CSP) *“To provide the leadership, services and infrastructure that will meet the needs of the community and surrounds”*.

The proposal complements the CSP framework content and strategic aspirations within the plan.

From a planning control perspective, the land is located outside the Special Control (flood zone) within the Shire of Moora Local Planning Scheme. This is an advantage in that grouped dwelling development is permitted, which results in a stronger economic construction model that provides sound economies of scale.

**SUSTAINABILITY IMPLICATIONS:****➤ Environment**

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

**➤ Economic**

As previously stated, the intent with the purchase of the land is to assist and facilitate housing development in Moora as demand increases due to new industry development. It is reasonable to expect that as these new intensive food industry developments move towards their operational phases, provision of suitable housing will be a business imperative in attracting and retaining suitable staff.

From a local economy perspective, a development enabling the attraction of a high proportion of new workers and families into the townsite will be highly advantageous to the local economy, resilience, and sustainability of the town.

**➤ Social**

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

**FINANCIAL IMPLICATIONS:**

The land parcels are listed for sale at a price of \$50,000 each (GST inclusive). GST is not claimable given any future development will be for residential purposes.

The three parcels of land have been acquired for a total sum of \$140,000 plus statutory costs with settlement occurring in the 2021-2022 financial year.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

***That Council notes the purchase of Lots 2010, 2011 and 2012 Carnaby Place, Moora for \$140,000 plus statutory costs.***

#### **9.1.4 MOORA DISTRICTS TENNIS CLUB – SHIRE OF MOORA – TRANSFER OF LAND AND ASSETS**

**FILE REFERENCE:** CC/MTC1-2 & PA/1037-1

**REPORT DATE:** 12 August 2021

**APPLICANTS/PROPONENT:** Moora District Tennis Club Incorporated

**OFFICER DISCLOSURE OF INTEREST:** N/A

**PREVIOUS MEETING REFERENCES:** 21/7/21 (Res. 74/21)

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

**ATTACHMENTS:** Map and titles

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

For Council to finalise a position with the Moora Districts Tennis Club with a view to Council taking ownership of all MDTC land and infrastructure (land, buildings, courts, lights, fences) by way of formal agreement and contract of sale. The proposal is premised on the Shire of Moora writing off the loan balance of the self-supporting loan the Club holds with the Shire. The outstanding amount of the self-supporting loan outstanding to Council as of 30 June 2021 is \$40,935.28. The MDTC would then transfer the land to the Shire freehold and unencumbered for a sum of \$1.

In taking over ownership of the assets the Shire would then take over responsibility of the upkeep and maintenance of all assets (Building, courts, fencing, lighting, power, water, insurance)

At the Ordinary Meeting of Council on the 21 July 2021 the following resolution was carried;

*That Council agree in principle to formally continue discussions with the Moora District Tennis Club (MDTC) on the premise of entering into a legal binding agreement to have the MDTC voluntarily transfer ownership of all land and infrastructure (land, buildings, courts, lights, fences) to the Shire of Moora, subject to but not necessarily limited to the following conditions;*

- *Sale price of \$1*
- *Sale condition of the Shire of Moora writing off outstanding self-supporting loan to the Shire of Moora – Value as at 15 July 2021 - \$ 40,000*
- *Shire of Moora will allow the Moora District Tennis Club to continue their club activities and fixtures as per normal- Memorandum of Understanding to be put in place concurrently with sale/transfer to recognise changed circumstances / relationship;*
- *Shire of Moora guarantee through a legal instrument that it will provide for future Tennis Clubrooms and associated infrastructure (minimum of three courts) should the existing site be developed by the Shire for other purposes;*
- *Shire of Moora commit to the following as part of taking ownership of all land and infrastructure;*
  - *Building maintenance and repair costs;*
  - *Infrastructure maintenance, repair, replacement costs (including court equipment);*
  - *Insurance costs of building and infrastructure;*
  - *Utility costs (power, water, sewerage)*
- *Sale to be in accordance with the requirements of the MDTC constitutional obligations.*

##### **BACKGROUND:**

Chief Executive Officer Alan Leeson over the past week has been in discussion with committee members of the MDTC. The resolution of the Ordinary Meeting of Council from 21 July 2021 was discussed in detail. Discussions have evolved as a result of a formal approach to the Shire by the MDTC committee as a result of significant financial hardship and financial sustainability issues affecting the MDTC as a result of declining membership.

At the MDTC AGM held on 22 September 2020 the following resolution was carried by the MDTC;

**“The Moora Tennis Club formally invite the Shire of Moora to enter into discussions on the premise of examining the feasibility of transferring ownership of the Moora Tennis Club land and infrastructure (land, building, courts, lights/fencing) to the Shire of Moora as a result of the declining financial capacity of the Moora Tennis Club and its members to sustain associated ongoing costs and financial commitments associated with the clubs land and infrastructure”.**

**COMMENT:**

In a somewhat uncommon circumstance, the MDTC own on a freehold basis, 6 individual lots – 34,35,36,37,38 and 39 Gardiner Street, Moora. All land is zoned town centre (Map/titles attached).

The Shire of Moora owns on a freehold basis Lots 40,41 & 42 Gardiner Street, Moora (Titles attached).

Currently all land is zoned Town Centre. Under Councils Local Planning Scheme requirements this zoning permits the construction of residential property subject to the discretionary approval of Council.

The discussions to this point in terms of examining the costs and benefit for both the MDTC and the Shire in the Shire accepting and taking ownership of the MDTC land have been premised on a medium to long term view of the land being ideally located for precinct (lock and leave model housing). The model would be implemented with a view to supporting local employers and industry attract and retain employees to Moora.

Where Council is to acquire the land freehold, market appraisals estimate the value of the six lots owned by the MDTC (not withstanding buildings/infrastructure) to be in the realm of \$40,000 to \$50,000 per lot so approx. \$240,000 to \$300,000 all up. Over a period of ten years, Councils’ net costs could be expected to be in the vicinity of \$15,000 per annum, which includes an allocation of \$10,000 towards court resurfacing sinking/reserve fund;

<b>Tennis Club - Annual Shire Budget</b>	
<b><u>Expenses</u></b>	
Building maintenance	7,500
Power	1,300
Water	1,000
Building - Insurance	1,500
Court Resurfacing - Sinking fund	10,000
Tennis nets - equipment mtce	1,000
	22,300
<b><u>Income</u></b>	
Venue hire	7,500
<b>Nett Annual Cost</b>	<b>14,800</b>

The matter of an annual fee payable by the MDTC to the Shire of Moora should the Shire take ownership of the land and assets was discussed. The author advised that an annual fee consistent with other similar clubs using Shire assets/amenities would be in the realm of \$750 per annum. The MDTC committee expressed that they would like the annual fee to be expensed against the asset value rather than be actually paid annually to the Shire. The author advised the committee that this would need further consideration by Council as part of its decision making process. The only other issue raised was the MCTC committee retaining exclusive use of the clubhouse office.

#### **POLICY REQUIREMENTS:**

Council does not have a policy position in relation to this matter.

#### **LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995.

#### **STRATEGIC IMPLICATIONS:**

##### **Outcome 3.5: Sustainable asset and infrastructure base.**

Strategy 3.5.1: Review the flood mitigation strategy.

Strategy 3.5.2: Investigate and identify alternate sites for the establishment of infrastructure outside the flood plain.

Strategy 3.5.3: Maintain effective liaison with other levels of government and regional bodies to ensure coordinated provision of regional infrastructure.

Strategy 3.5.4: Continue to lobby for modern, efficient and sustainable key infrastructure solutions across the community.

From a strategic planning perspective, the Shire accepting the freehold interest in the land comprising the Moora District Tennis Club makes good practical sense as it will create opportunity for the Shire to consider a number of future potential residential development options over this land, and the Shire owned land immediately north if and when the demand arises.

The lots could be developed individually or possibly amalgamated as may be required to accommodate any future development.

Due to the land's flood prone designation in Local Planning Scheme No.4 (Special Control Area), the Shire will need to consider advice from the Department of Water and Environmental Regulation when planning for any future development. Advice will also need to be sought from the Department of Planning, Lands and Heritage to determine the parameters for any future possible subdivision development, particularly strata titled grouped dwellings if that's the preference. There may be some issues in that regard due to the requirements of Local Planning Scheme No.4 in its current form, however they could potentially be addressed as part of the required review of that scheme through discussion with DWER and DPLH.

If further subdivision of the land for residential purposes won't be supported for whatever reason the Shire will need to focus on developing each lot in their current configuration. As mentioned above, they could also be amalgamated to create larger lots if required to accommodate any future development.

**SUSTAINABILITY IMPLICATIONS:**➤ **Environment**

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

➤ **Economic**

The report is premised on giving Council flexibility to facilitate residential development in the medium to long term. The strategic location of the subject land is very attractive in its position for the establishment of professional precinct type housing.

With the advent and development of new and intensive agricultural industries in the proximity of Moora, residential land and relevant demands are forecast to grow.

➤ **Social**

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

**FINANCIAL IMPLICATIONS:**

As outlined in content of Agenda Item and financial table (budget).

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

***That Council formally agree to take ownership of Moora District Tennis Club (MDTC) land and infrastructure (land, buildings, courts, lights, fences) on the premise of entering into a legal binding agreement to have the MDTC voluntarily transfer ownership of all to the Shire of Moora, subject to the following conditions;***

- ***Sale price of \$1***
- ***Sale condition of the Shire of Moora writing off outstanding self-supporting loan to the Shire of Moora – Value as at 12 August 2021 - \$ 40,935.28***
- ***Shire of Moora will allow the Moora District Tennis Club to continue their club activities and fixtures as per normal - Memorandum of Understanding to be put in place concurrently with sale/transfer to recognise changed circumstances / relationship;***
- ***Shire of Moora guarantee through a legal instrument that it will provide for future Tennis Clubrooms and associated infrastructure (minimum of three courts) should the existing site be developed by the Shire for other purposes;***
- ***Shire of Moora commit to meet the following as part of taking ownership of all land and infrastructure;***
  - ***Building maintenance and repair costs;***
  - ***Infrastructure maintenance, repair, replacement costs (including court equipment);***
  - ***Insurance costs of building and infrastructure;***
  - ***Utility costs (power, water, sewerage);***
  - ***MDTC to retain exclusive use of the club house office;***
  - ***Annual MDTC fee of \$750 be expensed against the value of the asset;***
  - ***Give MDTC first priority of use for the annual tennis season -1 October to 30 April***
- ***Sale to be in accordance with the requirements of the MDTC constitutional obligations.***



### **9.1.5 GRAVEL ACQUISITIONS AND MATERIAL FOR PUBLIC WORKS – ROYALTY - POLICY**

**FILE REFERENCE:** PL/POPI-2

**REPORT DATE:** 14 August 2021

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

**OFFICER DISCLOSURE OF INTEREST:** N/A

**PREVIOUS MEETING REFERENCES:** Nil

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

**ATTACHMENTS:** Nil

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

For Council to consider putting in place a detailed policy in relation to acquisition of gravel and material for public works.

#### **BACKGROUND:**

Council from time to time has reviewed the royalty rate paid for gravel extracted from private property for the purposes of public works, mostly road building.

The policy is drafted with a view to providing greater clarity for all stakeholders in relation to gravel, road building material and other material extracted for public works that may be required from time to time.

#### **COMMENT:**

The following policy is recommended to be reviewed annually concurrently with the Shire of Moora annual budget deliberations:

#### **Policy Title**

Gravel Acquisitions and Material for Public Works

#### **Objective:**

To ensure that the Shire of Moora provides fair and equitable process and compensation to all landowners in relation to the acquisition of road building material and other raw material for public works that might be required from time to time.

#### **Policy Statement:**

The Shire will, when materials for construction and maintenance purposes (public works) need to be sourced from private land, obtain such material in consultation with the landowner or his/her authorised representative. Where such negotiations are successful the Shire will:

- a) Construct where necessary and repair affected haul roads, gates, fences or other structures; and
- b) Pay the landowner for materials extracted at a dollar rate per m<sup>3</sup> determined by Council annually as part of its budget process (detailed in fees & charges schedule). Payment for material royalties will be by normal bank payment processes.
- c) Sign an agreement with the landowner which clearly sets out the terms and conditions associated with the acquisition of gravel or other raw material. This agreement will be signed prior to any extraction of material.

The Shire of Moora will not pay for material acquired by way of private works in lieu, on behalf of the landowner.

Should an agreement for the removal of material not be reached with the landowner, and the Shire Chief Executive Officer (CEO) considers the acquisition of these materials is in the best interest of the public, the CEO is to provide such notices, and takes such actions as are prescribed by statutory parameters associated with public works and acquisition of material for such purpose.

**POLICY REQUIREMENTS:**

As detailed above.

**LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995.

**STRATEGIC IMPLICATIONS:**

Outcome 3.3: A safe and reliable transport system.

Strategy 3.3.1: Enhance the transport infrastructure in the Shire.

**SUSTAINABILITY IMPLICATIONS:****➤ Environment**

There are no known environmental implications associated with this proposal.

**➤ Economic**

The sourcing of suitable quality and suitably located road building material is a constant challenge for the Shire of Moora. Without suitable road building material, the Shire's ability to meet the demands, needs, and expectations of the community and stakeholders would be severely compromised. The challenge with the sourcing of gravel is competing with per m<sup>3</sup> rates paid by other entities with a far greater capacity to pay higher rates than local government.

In effect, the more per m<sup>3</sup> \$ rate paid for gravel equates to less actual road construction improvements overall. On this basis the per m<sup>3</sup> rate suggested in the policy has been kept modest but fair in the view of the author.

**➤ Social**

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

**FINANCIAL IMPLICATIONS:**

The financial implications will vary from budget to budget, dependant on the program set by Council as recommended by Council Management and rate of royalty per m<sup>3</sup> determined by Council annually as part of its budget process.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

*That Council adopt the Gravel Acquisitions and Material for Public Works policy as presented by the Chief Executive Officer associated with Shire of Moora operations and activities.*

### 9.1.6 2021/2022 BUDGET

**REPORT DATE:** 12 August 2021

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Martin Whitely, LG Corporate Solutions

**ATTACHMENTS:** 2021/22 Draft Budget

**PURPOSE OF REPORT:**

For Council to consider the adoption of the 2021/22 Budget.

**BACKGROUND:**

The 2021/22 draft Budget is circulated as an attachment to this report. As per the requirements of the Local Government Act 1995, Local Government (Financial Management) Regulations 1996, Australian Accounting Standards (AAS) and Australian International Reporting Financial Standards (AIFRS) the document has been prepared in its statutory format.

**COMMENT:**

The Budget for the 2021/22 financial year includes the following information:

- Shire of Moora Draft Statutory Budget
- Capital Expenditure Program
- Road Replacement Program
- Schedule of Fees & Charges

Over the past few months Councillors have had the opportunity to raise queries and have input into the draft budget at General Purpose Committee Meetings and Councillor Information sessions.

- The draft budget is based on an overall rate increase of 5%.
- GRV and UV rates in the dollar reflect a 30% and 70% split between GRV and UV rates revenue as per the Council's target set in 2019/20.
- Fees and charges, including refuse collection have increased on average by 5% from 2020/21 financial year
- The sewerage service fees and charges and rate in the dollar have increased on average by 5% from the 2020/21 financial year
- A capital works program totalling \$12.69m for investment in property plant and equipment and construction of infrastructure is planned. This includes a \$4.58m investment in roads, drainage and footpaths.
- An estimated surplus of \$3.70m is anticipated to be brought forward from 30 June 2021. However, this is unaudited and may change. Any change will be addressed as part of a future budget review.
- Principle grant funding for the year is estimated from:
  - Wheatbelt Secondary Freight Route - \$2,465,686
  - Regional Health, Communications & Local Government \$1,771,098
  - Local Roads & Community Infrastructure Program Phase 3 - \$1,015,714
  - Drought Communities - \$800,000
  - Financial Assistance Grants - \$786,041
  - Regional Road Group - \$681,917
  - Local Roads & Community Infrastructure Program Phase 1 - \$507,857
  - Roads to Recovery - \$471,070
  - Department of Industry, Science, Energy & Resources - \$300,000

**POLICY REQUIREMENTS:**

The Budget is consistent with adopted Council policies and the Shire of Moora Rating Strategy. This strategy is available on the Shire's webpage ([www.moora.wa.gov.au](http://www.moora.wa.gov.au)).

**LEGISLATIVE REQUIREMENTS:**

LGA S6.2 requires that by no later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (Absolute Majority required) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following

Divisions 5 and 6 of Part 6 of the *Local Government Act 1995* refer to the setting of budgets and raising rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2021/22 budget as presented is considered to meet statutory requirements.

**STRATEGIC IMPLICATIONS:**

The draft budget includes a number of operating and capital projects which will help Council deliver the priorities it has identified in its Community Strategic Plan and Corporate Business Plan.

The budget is based on an overall rate increase of 5%.

**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 result of the following resolutions will be the adoption of the 2021/22 Budget.

**VOTING REQUIREMENTS**

Absolute Majority Required

**RECOMMENDATION**

***That Council adopts the 2021/2022 Statutory Annual Budget and Notes forming part of the budget for the year ending 30 June 2022 as presented including the following:***

- (1) Imposing General Rate for Gross Rental Value (GRV) properties – the general rate be set at 9.9053 cents in the dollar on Gross Rental Values for all rateable land within the district;***
- (2) Imposing General Rate for Unimproved Value (UV) properties – the general rate be set at 0.8590 cents in the dollar on Unimproved Values for all rateable land within the district;***

**(3) Rates increase by area can be summarised as:**

<b>UV/Farming</b>	<b>\$3,042,227</b>
<b>GRV/Town</b>	<b><u>\$1,301,586</u></b>
	<b>\$4,343,813</b>

**Resulting in an actual increase in rate revenue across each area of:**

	<b>2020/21</b>	<b>2021/22</b>	<b>% increase</b>
<b>UV/Farming</b>	<b>\$2,897,488</b>	<b>\$3,042,227</b>	<b>5.00%</b>
<b>GRV/Town</b>	<b>\$1,239,634</b>	<b>\$1,301,586</b>	<b>5.00%</b>

**(4) Imposing Minimum Payment (Rates) for Gross Rental Value (GRV) properties – the Minimum Payment (Rates) be set at \$710 per assessment for GRV properties;****(5) Imposing Minimum Payment (Rates) for Unimproved Value (UV) properties – the Minimum Payment (Rates) be set at \$710 per assessment for all UV properties in the Shire of Moora;****(6) Imposing Sewerage Rate – the sewerage rate in the dollar be set at 7.3028 cents in the dollar, and that the following apply:****a. That the minimum annual sewerage rates be as follows;**

<b>Residential properties</b>	<b>\$396.00</b>
<b>Commercial properties</b>	<b>\$396.00</b>
<b>Vacant Land properties</b>	<b>\$396.00</b>
<b>Ex-Gratia Commercial/Industrial properties</b>	<b>\$396.00</b>

**b. That the maximum annual sewerage rate be as follows;**

<b>Residential properties</b>	<b>\$1,035.00</b>
<b>Vacant Land properties</b>	<b>\$1,035.00</b>
<b>Commercial properties</b>	<b>\$4,870.00</b>

**c. Non Rateable Properties connected to sewer****Class 1 Institutional/Public & Charitable Purposes for each property:**

<b>First major fixture</b>	<b>\$256.00 per annum</b>
<b>Each additional major fixture</b>	<b>\$107.00 per annum</b>

**Class 2 State and Local Government properties of a commercial nature:  
\$1,420.00 per Connection**

**(7) Rubbish Removal Charges (per annum) – be set at;**

<b>(i) Residential – Non-pensioner</b>	<b>\$404 per 240-litre bin (weekly) &amp; recycling bin (fortnightly)</b>
<b>(ii) Residential– Pensioner</b>	<b>\$303 per 240-litre bin (weekly) &amp; recycling bin (fortnightly)</b>
<b>(iii) Non-Residential</b>	<b>\$404 per 240-litre bin (weekly)</b>
<b>(iv) Transfer Station Key</b>	<b>\$240 (Watheroo and Miling)</b>

**(8) Incentive for Early Payment of Rates – Council is offering a \$600 cash prize to ratepayers who pay their 2021/22 rates, rubbish charges and arrears in full within 21 days from the issue date of the rate notice;**

- (9) Instalment Plan – The following options be made available to ratepayers: -**
- a. To pay in full within 35 days of service of the rates notice.**
  - b. To pay by 2 equal instalments as under.**
    - (i) 50% of the rates within 35 days**
    - (ii) 50% of the rates within 2 months of (i)**
  - c. To pay by 4 equal instalments as under.**
    - (i) 25% of the rates within 35 days**
    - (ii) 25% of the rates within 2 months of (i)**
    - (iii) 25% of the rates within 2 months of (ii)**
    - (iii) 25% of the rates within 2 months of (iii) being 6 months from the expiration of the initial 35 day period and 6 months and 35 days from the date of service of the notice.**

**In accordance with regulation 64(2) of the Local Government (Financial Management) Regulations 1996, Council nominate the following due dates for the payment of rates and charges in the 2021/22 financial year:**

**Issue Date                    19<sup>th</sup> August 2021**  
**Payment in Full            24<sup>th</sup> September 2021**

**Payment by Instalments**

**First Instalment        24<sup>th</sup> September 2021**  
**Second Instalment    26<sup>th</sup> November 2021**  
**Third Instalment       28<sup>th</sup> January 2022**  
**Fourth instalment     31<sup>st</sup> March 2022**

- (10) Instalment Plan Interest Rate – a charge be set at 3% per annum calculated by simple interest method and applied to Rates and Rubbish Removal Charge;**
- (11) Instalment Plan Administration Charge – a charge of \$7.70 per instalment excluding the first instalment and applied to Rates and Rubbish Removal Charge;**
- (12) Late Payment Interest Rate – (Rates and Rubbish Removal Charge) - a charge be set at 5.5% per annum, calculated by simple interest method, be applied for instalments past the due date, or where the instalment option is not in place, 35 days after the date of issue of the rate notice;**
- (13) Late Payment Interest Rate – (Sundry Debtors Charges) - a charge be set at 5.5% per annum, calculated by simple interest method, be applied for outstanding sundry debtors past the due date, 30 days after the date of issue of the invoice;**
- (14) Reserve Accounts – Council confirms the names and purposes of its Reserve Accounts as listed within the Shire of Moora Budget 2021/22.**
- (15) Materiality Threshold – that the materiality threshold for monthly financial reporting (Statement of Financial Activity – Program) be set at plus or minus 5% and greater than \$5,000 at Program and Category levels.**

- (16) ***Confirms the meeting fees to be paid to all Councillors at \$160 per Committee meeting; and for Council meetings \$315 per meeting to Councillors and \$400 per meeting for the Shire President. Shire President's allowance is set at \$16,800 per annum and Deputy President at \$4,200.***
- (17) ***In accordance with section 6.16 of the Local Government Act 1995 adopt the schedule of fees and charges as attached.***

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