

**Shire of Moora
Ordinary Council Meeting
15th September 2021**

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora
will be held on **Wednesday 15th September 2021**
in the Council Chambers, 34 Padbury Street, Moora
commencing at **5.30 pm**



AJ Leeson
Chief Executive Officer

10th September 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, ⁽¹⁾ _____ wish to declare
 an interest in the following item to be considered by Council at its meeting to be held on ⁽²⁾
 _____ .

Agenda Item ⁽³⁾ _____

The type of interest I wish to declare is: ⁽⁴⁾

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

The nature of my interest is ⁽⁵⁾

The extent of my interest is ⁽⁶⁾

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

Yours faithfully,

 Signed

 Date

1. Insert your name.
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

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SHIRE OF MOORA
ORDINARY COUNCIL MEETING AGENDA
15 SEPTEMBER 2021
COMMENCING AT 5.30PM

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* Separate Attachments

- 9.1.1 List of Payments Authorised Under Delegation 1.31
- 9.1.2 Statement of Financial Activity for Period Ended 31 August 2021
- 9.1.3 Schedule of Meeting Dates for 2022
- 9.1.4 Corporate Credit Card Policy
- 9.1.5 Policy Manual Section 12 – Purchasing & Tender Policy
- 9.1.6 Concept Design Options Proposal

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**

KM Seymour - 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 - 18 AUGUST 2021**

That the Minutes of the Ordinary Meeting of Council held on 18 August 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: 9 September 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

RECOMMENDATION

That Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation I.31

<i>Municipal Fund</i>	<i>Cheques 62496 to 62498</i>	<i>\$13,410.97</i>
	<i>EFT 25818 to 25962</i>	<i>\$556,555.04</i>
	<i>Direct Debits 13620.1 to 13983.11</i>	<i>\$72,746.22</i>
	<i>(DD13983.4) Credit Card 05/07/21 to 02/08/21</i>	<i><u>\$3,602.95</u></i>
		<i>\$646,315.18</i>
<i>Trust Fund</i>	<i>Cheques 5566 to 5568</i>	<i><u>\$1052.67</u></i>
		<i>Subtotal \$647,367.85</i>
<i>Net Pays</i>	<i>PPE 04/08/21</i>	<i>\$102,625.49</i>
	<i>PPE 18/08/21</i>	<i><u>\$107,581.76</u></i>
		<i>\$210,207.25</i>
	<i>Total</i>	<i><u>\$857,575.10</u></i>

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 AUGUST 2021

REPORT DATE: 7 September 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 August 2021

PURPOSE OF REPORT:

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

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

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

9.1.3 REVIEW OF 2022 COUNCIL MEETING SCHEDULE

FILE REFERENCE: EN/COAI

REPORT DATE: 10 August 2021

DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Michelle Murray, Executive Support Officer

ATTACHMENTS: Schedule of Meeting Dates for 2022

PURPOSE OF REPORT:

To provide dates for Council approval for meeting dates for the 2022 year to enable public advertising as required by the Local Government Act 1995.

BACKGROUND:

The current format of holding a General-Purpose Committee Meeting on the first Wednesday of each month and the Ordinary Meeting of Council on the third Wednesday of each month has been effective and is recommended this format be continued with.

COMMENT:

Attached is a draft schedule of proposed dates for Council meetings for the 2022 year.

In previous years, the schedule has identified the need to adjust the regular meeting dates for the likes of the Local Government Convention which has been usually scheduled for several days in the first week of August. This time also provides the opportunity for professional development during the week. Council has the flexibility and autonomy to change meeting dates around the annual WALGA convention and other conferences and conventions of strategic significance. The only requirement in changing meeting dates is to give adequate notice in accordance with legislative requirements.

The ALGA National General Assembly in Canberra is scheduled to be held from 19th – 22nd June 2022.

POLICY REQUIREMENTS:

There are no council policies relative to this matter.

LEGISLATIVE REQUIREMENTS:

Section 5.25 (g) of the Local Government Act 1995 stipulates that Regulations may make provision in relation to the giving of public notice of the date and agenda for Council or committee meetings.

Regulation 12 of the Local Government (Administration) Regulations 1996 states;

- I. At least once each year a local government is to give local public notice of the dates on which and the time and place at which –
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,are to be held in the next 12 months.

Sections 5.98 and 5.99 of the Local Government Act 1995 and Regulation 30 of the Local Government (Administration Regulations) 1996 sets the minimum and maximum amounts for the payment of meeting fees.

STRATEGIC IMPLICATIONS:

Enables Council to provide effective local government to the district.

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. The holding of Council meetings including all associated costs is provided in the current budget and will be provided for in future budgets.

VOTING REQUIREMENTS:

Simple Majority Required

RECOMMENDATIONS

That Council;

- 1. Adopts the meeting schedule for the period February 2022 to December 2022 as attached;*
- 2. Advertises the meeting dates in accordance with section 5.25 of the Local Government Act 1995 and Regulation 12 (1) of the Local Government (Administration) Regulations 1996.*

9.1.4 CORPORATE CREDIT CARD POLICY UPDATE - REVIEW

FILE REFERENCE: PL/POPI-2

REPORT DATE: 9 September 2021

APPLICANT/PROPONENT: Shire of Moora

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Alan Leeson, Chief Executive Officer

ATTACHMENTS: Corporate Credit Card Policy

PURPOSE OF REPORT:

This report recommends that Council updates its policy for use of corporate credit cards.

BACKGROUND:

Council last reviewed its Credit Card Policy in June 2020. This report recommends some minor changes in light of recent staff changes. The report recommends credit limits for Managers be increased.

COMMENT:

The draft policy clearly articulates responsibilities, expectations and limitations in relation to use of corporate credit cards associated with Shire operations. Changes within the policy are summarised hereunder.

Managers – Increase credit limit from \$5,000 to \$10,000

Justification – Payment by credit card is becoming more prevalent due to more suppliers tending not to want to hold credit accounts. The recommended increase is modest and gives Managers the ability to administer effectively, efficiently and in a timely manner when needing to procure goods.

POLICY REQUIREMENTS:

Reviewed Corporate Credit Policy (changes in red text)

LEGISLATIVE REQUIREMENTS:

Local Government (Financial Management) Regulations 1996

11. Payments, procedures for making etc.

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —
 - (a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and

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:

Nil

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council adopt the reviewed Corporate Credit Card Policy as per attachment number 9.1.4.

9.1.5 POLICY MANUAL – SECTION 12 PURCHASING & TENDER POLICY

FILE REFERENCE: PL/POPI-2

REPORT DATE: 9 September 2021

APPLICANT/PROPONENT: Shire of Moora

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Alan Leeson – Chief Executive Officer

ATTACHMENTS: Policy Manual Section 12 – Purchasing & Tender Policy

PURPOSE OF REPORT:

This report recommends that Council endorse some minor changes to the purchasing and tender policy. As per attached policy, changes are highlighted in red text.

BACKGROUND:

Legislative changes implemented last year in response to the COVID-19 pandemic have now been in place for over 12 months with changes to the Local Government (Functions & General) Regulations 1996 in relation to tenders. The tender threshold was increased from \$150,000 to \$250,000 and tenders do not need to be publicly invited where the supply of the goods or services is associated with a state of emergency.

COMMENT:

The CEO has recommended some other minor changes which are highlighted in red text associated with fleet vehicles and obtaining of quotations thresholds.

POLICY REQUIREMENTS:

Policy Manual – Section 12 Purchasing & Tender Policy

LEGISLATIVE REQUIREMENTS:

Local Government (Functions & General) Regulations 1996

11A – Purchasing Policies for Local Government's

- (1) A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250 000 or less or worth \$250 000 or less.
- (2) A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).
- (3) A purchasing policy must make provision in respect of —
 - (a) the form of quotations acceptable; and
 - (ba) the minimum number of oral quotations and written quotations that must be obtained; and
 - (b) the recording and retention of written information, or documents, in respect of —
 - (i) all quotations received; and
 - (ii) all purchases made.

11 When tenders have to be publicly invited

(1A) In this regulation —

state of emergency declaration has the meaning given in the *Emergency Management Act 2005* section 3.

(1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.

(2) Tenders do not have to be publicly invited according to the requirements of this Division if —

(a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or

(aa) the supply of the goods or services is associated with a state of emergency; or

(b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or

[(ba) *deleted*]

(c) within the last 6 months —

(i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or

(ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;

or

(d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or

(e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or

(ea) the goods or services are to be supplied —

(i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and

(ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;

or

(f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or

(g) the goods to be supplied under the contract are —

(i) petrol or oil; or

(ii) any other liquid, or any gas, used for internal combustion engines;

or

- (h) the following apply —
 - (i) the goods or services are to be supplied by —
 - (I) a person registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited ABN 96 929 977 985; or
 - (II) a person registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362;
 - and
 - (ii) the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and
 - (iii) the local government is satisfied that the contract represents value for money;
 - or
 - (i) the goods or services are to be supplied by an Australian Disability Enterprise; or
 - (j) the contract is a renewal or extension of the term of a contract (the **original contract**) where —
 - (i) the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and
 - (ii) the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and
 - (iii) the original contract contains an option to renew or extend its term; and
 - (iv) the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised;
 - or
 - (ja) the contract is a renewal or extension of the term of a contract (the **original contract**) where —
 - (i) the original contract is to expire within 3 months; and
 - (ii) the renewal or extension is for a term of not more than 12 months from the expiry of the original contract; and
 - (iii) the contract for renewal or extension is entered into at a time when there is in force a state of emergency declaration applying to the district, or part of the district, of the local government;
 - or
 - (k) the goods or services are to be supplied by a pre-qualified supplier under Division 3.
- (3) For the purposes of subregulation (2)(aa) a supply of goods or services is associated with a state of emergency if —
- (a) the contract for the supply is entered into while there is in force a state of emergency declaration applying to the district, or part of the district, of the local government; and
 - (b) the local government considers that the goods or services are required for the purposes of addressing a need arising from the hazard, or from the impact or consequences of the hazard, to which the state of emergency declaration relates.

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:

Nil

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council approve the changes to the Shire of Moora Purchasing and Tender Policy as outlined in attachment number 9.1.5.

9.1.6 BERKSHIRE VALLEY ROAD – GARDINER STREET, MOORA - INTERSECTION

FILE REFERENCE: S/RSP1

REPORT DATE: 9 September 2021

APPLICANTS/PROPONENT: Chief Executive Officer

OFFICER DISCLOSURE OF INTEREST: N/A

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Alan Leeson, Chief Executive Officer

ATTACHMENTS: Road Safety Audit – Concept Design Fee Proposal, map

PURPOSE OF REPORT:

For Council to formally consider the outcomes of a recent road safety audit undertaken at the junction of Berkshire Valley Road and Gardiner Street in the Moora townsite.

BACKGROUND:

More recently as a result of a recent road crash, the street light pole near the entrance to Foodworks was irreparably damaged. With the removal of this damaged light pole leaving a vacant island, another upgrade request to RAV 7 was received. The CEO forwarded this application to Main Roads Heavy Vehicle Operations who advised the intersection could be upgraded to RAV 7 with the removal of the island in question.

In August 2021, the Chief Executive Officer engaged Shawmac Consulting Civil and Traffic Engineers to undertake a road safety audit. Currently the Moora Miling Road has only part of it rated to RAV 7 which is the section between the Great Northern Highway and Old Geraldton Road (north). (map attached)

The primary reason for the entire length of the Moora Miling Road and Berkshire Valley Road not being rated as RAV 7 is the design limitations with respect to the junction of Berkshire Valley Road and Gardiner Street in the Moora townsite. (Swept path movement for 36.5m trucks is insufficient).

COMMENT:

The reason for undertaking a road safety audit was to identify all road safety issues associated with this intersection including but not necessarily limited to heavy vehicle movements, light vehicle movements, movement a passage of pedestrians, movement and passage of cyclists.

The road safety audit identified a range of issues which are detailed in the report;

- Pedestrian crossings;
- Damaged road surface;
- Turning path limitations;
- Line marking limitations;
- Signage limitations;
- Driveway entrance impacts;
- Street Lighting insufficient / not working

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 3.5.3: 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.

SUSTAINABILITY IMPLICATIONS:**➤ Environment**

There are no known 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:

Notwithstanding the cost of the road safety audit (\$3,754) the financial implications in relation to this matter are dependent on road safety improvement recommendations and what is implemented.

In consideration of the road safety audit the author recommends that Council proceed with a 2 stage of engaging Shawmac to detail road safety improvement design options.

In simple terms, the report concludes the island in question should not be removed in isolation from other safety improvements associated with the overall intersection design and approaches to the intersection.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATIONS

That Council;

- 1. Formally received and notes the Road Safety Audit / Inspection report prepared by Shawmac Consulting Civil and Traffic Engineers for Berkshire Valley Road and Gardiner Street intersection (Moora);*
- 2. Endorse the engagement of Shawmac Consulting Civil and Traffic Engineers to develop road safety design options with a view to upgrading the intersection of Berkshire Valley Road and Gardiner Street (Moora) to allow RAV 7 vehicle access and traffic calming measures as per recommendations in the Road Safety Audit of August 2021 at a cost of \$3,450 plus GST.*

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

Nil

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