

**Shire of Moora  
Ordinary Council Meeting  
13<sup>th</sup> September 2023**

**NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora  
will be held on **Wednesday 13<sup>th</sup> September 2023**  
in the Council Chambers, 34 Padbury Street, Moora  
commencing at **5.30 pm**



GW Robins  
Chief Executive Officer

12<sup>th</sup> September 2023

## **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
- Shire of Moora Code of Conduct for Council Members, Committee Members and Candidates.

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).

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**SHIRE OF MOORA**  
**ORDINARY COUNCIL MEETING AGENDA**  
**13 SEPTEMBER 2023**  
 COMMENCING AT 5.30PM

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\* Separate Attachments

- 9.1.1 List of Payments Authorised Under Delegation I.31
- 9.1.3 Statement of Financial Activity for Period Ended 31 July 2023

**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS****1.1 DECLARATION OF OPENING****Acknowledgement of Country**

*The Shire of Moora acknowledges the traditional custodians of the land we are meeting on, the Yued people, and pay our respects to Elders past, present, and emerging.*

**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**

SA Bryan	-	Councillor
SJ Gilbert	-	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 - 16 AUGUST 2023**

*That the Minutes of the Ordinary Meeting of Council held on 16 August 2023 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 1.15**

**REPORT DATE:** 11 September 2023

**OFFICER DISCLOSURE OF INTEREST:** Nil

**AUTHOR:** Gavin Robins, Chief Executive Officer

**SCHEDULE PREPARED BY:** Charly Sawyer, 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 1.15 – Making 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>
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***That Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.15***

Municipal Funds	EFT 29839 - 29966	-\$694,162.50
Municipal Cheque	62572 - 62576	-\$9,505.00
Trust Cheque	5639 - 5640	-\$1,160.00
Credit Card	DD15650.12	-\$1,142.94
Direct Debit	DD15605.1 - DD15674.3	-\$92,171.26

NETT Pay	01/08/2023	-\$106,645.74
NETT Pay	15/08/2023	-\$111,848.59
NETT Pay	29/08/2023	-\$108,594.45

**PAYMENT TOTAL FOR AUGUST 2023** **-\$1,016,636.03**



## **9.1.2 ENDORSEMENT OF A VARIATION TO FINANCIAL DELEGATIONS RELATING TO MAJOR PROJECTS**

**FILE REFERENCE:** PL/DELI

**REPORT DATE:** 12 September 2023

**OFFICER DISCLOSURE OF INTEREST:** Nil

**PREVIOUS MEETING REFERENCES:** Nil

**AUTHOR:** Gavin Robins, Chief Executive Officer

**ATTACHMENTS:** Nil

### **PURPOSE OF REPORT:**

Consideration of a recommendation to vary the CEO's financial delegations to enable the payment of progress claims made in respect of the Early Childhood Development Centre construction.

### **BACKGROUND:**

The Shire of Moora has commenced the construction of the Early Childhood Development Centre. With the commencement of construction, the Shire is now receiving progress claims as set out in the works contract. The claims are being made in accordance with defined project milestones. Claims are processed in accordance with the Shire's financial policies and procedures. While the current financial delegations are suitable for general procurement purposes, they are inflexible in respect of the payments for major project purposes. This is because progress claims by contractors commonly exceed the prevailing limits embodied in of the CEO's delegation.

### **COMMENT:**

The current delegations do not facilitate efficient and timely payment of progress claims because Council is currently required to approve the payment of sums exceeding the CEO's delegation. This, in conjunction with the multi-stage verification of progress claims has the potential to delay payments beyond the contractual terms. As the coordination of Council meetings and payment runs is not a natural fit, the current circumstances give rise to potential penalties for delayed payments.

The administrative options available to resolve this issue present a range of complications relating to transparency, compliance and the integrity of financial reporting payments.

To remedy the current issue, it is recommended that the CEO be authorised to approve the payment of Fleetwood Australia progress claims in respect of the Early Childhood Development Centre project at their face value, as and when received. The CEO will provide a report to Council of payments that fall outside the approved delegations until the conclusion of the project.

### **POLICY REQUIREMENTS:**

Observation and compliance with financial management policies.

### **LEGISLATIVE REQUIREMENTS:**

Local Government Act 1995

### **STRATEGIC IMPLICATIONS:**

Shire of Moora Annual Budget 2023-2024

**SUSTAINABILITY IMPLICATIONS:**

- **Environment**  
There are no known significant environmental implications associated with this proposal.
- **Economic**  
There are significant economic implications for the 2023-2024 Annual Budget arising from this matter.
- **Social**  
There are substantial social benefits associated with this proposal.

**FINANCIAL IMPLICATIONS:**

There are significant financial implications for the Shire in this matter. Penalties may be incurred for delayed payments; penalties may be material and should relationships deteriorate, invoke formal dispute measures leading to further costs.

**VOTING REQUIREMENTS:**

Absolute Majority Required

**RECOMMENDATIONS**

*That Council;*

1. ***Approve the variation of the CEO's financial delegations to authorise the payment of all progress claims in respect of the Early Childhood Development Centre, as and when these claims are received.***
- and*
2. ***Note the CEO will report to Council each payment in respect of the Early Childhood Development Centre that fall outside the approved financial delegations until the conclusion of the project.***

**9.1.3 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 JULY 2023**

**REPORT DATE:** 10 September 2023  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCES:** Nil  
**AUTHOR:** Travis Bate, RSM Geraldton  
**ATTACHMENTS:** Statement of Financial Activity for the Period Ended 31 July 2023

**PURPOSE OF REPORT**

To receive and endorse the Statement of Financial Activity for the period ended 31 July 2023.

**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 2022/23 adopted budget.

**VOTING REQUIREMENTS**

Simple Majority Required

**RECOMMENDATION**

*That Council endorses the Statement of Financial Activity for the period ended 31 July 2023.*

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**