

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
13 SEPTEMBER 2023

TABLE OF CONTENTS

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	3
1.1 DECLARATION OF OPENING	3
1.2 DISCLAIMER READING	3
2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE	3
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
4. PUBLIC QUESTION TIME	3
5. PETITIONS / DELEGATIONS / PRESENTATIONS.....	3
6. APPLICATIONS FOR LEAVE OF ABSENCE.....	4
7. ANNOUNCEMENTS BY THE PRESIDING MEMBER.....	4
8. CONFIRMATION OF MINUTES	4
8.1 ORDINARY COUNCIL MEETING - 16 AUGUST 2023	4
9. REPORTS OF OFFICERS.....	4
9.1 GOVERNANCE AND CORPORATE SERVICES.....	4
9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.15	4
9.1.2 ENDORSEMENT OF A VARIATION TO FINANCIAL DELEGATIONS RELATING TO MAJOR PROJECTS.....	6
9.1.3 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 31 JULY 2023	8
10. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .	9
11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL.....	9
11.1 CARNABY COCKATOO STRUCTURE – PRELIMINARY SURVEY RESULTS.....	9
11.2 2023-2024 COMMUNITY BUDGET FUNDING SUBMISSIONS	10

12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED | |

13. CLOSURE OF MEETING | |

- * Separate Attachments
 - 9.1.1 List of Payments Authorised Under Delegation 1.31
 - 9.1.3 Statement of Financial Activity for Period Ended 31 July 2023
 - 11.2 2023-2024 Community Budget Submissions

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**1.1 DECLARATION OF OPENING**

The Shire President declared the meeting open at 5.30pm.

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**ATTENDANCE**

TL Lefroy	-	President
DV Clydesdale-Gebert	-	Councillor
El Hamilton	-	Councillor
TL Errington	-	Councillor

GW Robins	-	Chief Executive Officer
MM Murray	-	Executive Support Officer

APOLOGIES

SA Bryan	-	Councillor
SJ Gilbert	-	Councillor

ABSENT

KM Seymour	-	Councillor
------------	---	------------

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. PETITIONS / DELEGATIONS / PRESENTATIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

The following Council associated engagements were attended;

Cr Lefroy, President

7/9 e-meeting with Hon. Sandra Carr MLC, Member for the Agricultural Region, regarding the possible establishment of a 'Parliamentary Friendship Group' between Local Governments and Members of Parliament

Cr Hamilton

5/9 Chamber of Commerce meeting

8. CONFIRMATION OF MINUTES**8.1 ORDINARY COUNCIL MEETING - 16 AUGUST 2023****COUNCIL RESOLUTION**

70/23 Moved Cr Clydesdale-Gebert, seconded Cr Errington 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.

CARRIED 4/0

FOR: Cr's Lefroy, Clydesdale-Gebert, Errington and Hamilton

9. REPORTS OF OFFICERS**9.1 GOVERNANCE AND CORPORATE SERVICES****9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION I.15**

REPORT DATE: 11 September 2023

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: Gavin Robins, Chief Executive Officer

SCHEDULE PREPARED BY: Charlene 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

COUNCIL RESOLUTION

71/23 Moved Cr Errington, seconded Cr Hamilton 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**

CARRIED 4/0

FOR: Cr's Lefroy, Clydesdale-Gebert, Errington and Hamilton

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

COUNCIL RESOLUTION

72/23 Moved Cr Hamilton, seconded Cr Clydesdale-Gebert 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.***

CARRIED BY ABSOLUTE MAJORITY 4/0

FOR: Cr's Lefroy, Clydesdale-Gebert, Errington and Hamilton

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

COUNCIL RESOLUTION

73/23 Moved Cr Clydesdale-Gebert, seconded Cr Hamilton that Council endorses the Statement of Financial Activity for the period ended 31 July 2023.

CARRIED 4/0

FOR: Cr's Lefroy, Clydesdale-Gebert, Errington and Hamilton

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

Nil

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

The Chief Executive Officer requested two items of urgent business be introduced, titled; 'Carnaby Cockatoo Structure – Preliminary Community Survey Results'; and '2023-2024 Community Budget Funding Submissions', for Council consideration.

COUNCIL RESOLUTION

74/23 Moved Cr Hamilton, seconded Cr Clydesdale-Gebert that Council considers the two items of urgent business titled 'Carnaby Cockatoo Structure - Preliminary Survey Results'; and '2023-2024 Community Budget Funding Submissions'.

CARRIED 4/0

FOR: Cr's Lefroy, Clydesdale-Gebert, Errington and Hamilton

11.1 CARNABY COCKATOO STRUCTURE – PRELIMINARY SURVEY RESULTS

CEO advised that the preliminary results of the recent phone survey undertaken relating to the proposed Carnaby Cockatoo Structure had been received and indicated a mixed community response. A further report will be provided to Council on the 18th of October.

The Shire is yet to receive a firm proposal from the Kerkhoff Carnaby Group. The Shire is not in a position to take any further steps until a proposal is received. Council noted the need to engage Main Roads WA in respect of road works assessments and the Department of Water and Environmental Regulation in respect of water licences and sewerage services in Apex Park.

11.2 2023-2024 COMMUNITY BUDGET FUNDING SUBMISSIONS

REPORT DATE: 13 September 2023

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: Gavin Robins, Chief Executive Officer

ATTACHMENTS: 2023-2024 Community Budget Submissions (CBS)

Background

Each year, the Shire of Moora awards up to \$60,000 in funding to assist community groups to undertake their projects, facility upkeep or events. The programme is part of the Shire's annual budget cycle and aims to facilitate, by way of relatively small funding contributions, projects, facility upkeep and or events that may not ordinarily be possible.

The community budget funding programme has become increasingly popular and aims to strike a funding balance that recognises the efforts of the various community groups and their capacity to independently raise funding to support their community objectives and endeavours.

Applications and Guidelines

The community budget funding programme is supported by a framework of guidelines designed to assist applicants apply for funding. The programme embodies a competitive element that applies to all applications. Despite the availability of clear guidelines and Shire staff to assist in the formulation of applications, adherence to the guidelines has not been a high priority for many applicants. The Shire has formerly been tolerant to this loose compliance as the number of applications and their expectations has allowed some latitude, as the number of applications did not place the fund under pressure and organisations attempted to respond within the limitations imposed by COVID-19.

The fading impact of COVID-19 and growing popularity of the programme has now placed the programme under considerable pressure. Application for tens of thousands of dollars have exceeded the intent of the scheme, tested the guidelines, and changed expectations as to entitlements.

Assessment and Recommendation of Applications

All applications were assessed against the CBS's published guidelines and criteria, and regard was had to the principles that motivated and underpinned the original establishment of the programme.

The assessment considered the possible growth of expectations the programme might become a fixed or semi-permanent component of the financial mix on which community groups could rely. This expectation is not to be fostered.

Applications were ranked according to the funding programme's originating principles, its objectives and submissions that created the broadest community benefit. Service organisations having the greatest reliance on funding for open community benefit were ranked more highly, while clubs and groups having other funding options and closed memberships were ranked less highly.

FINANCIAL IMPLICATIONS

Funding for the Community Budget Submissions is provided for as a component of the annual budget process; the funding provision for 2023-2024 has been increased from \$60,000 to \$80,000 for this round only.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

75/23 *Moved Cr Errington, seconded Cr Clydesdale-Gebert that the projects recommended for funding support are set out in the attached table.*

CARRIED 4/0

FOR: Cr's Lefroy, Clydesdale-Gebert, Errington and Hamilton

12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

13. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 6.18pm.

CONFIRMED

PRESIDING MEMBER