

**Shire of Moora
Ordinary Council Meeting
17th April 2024**

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora
will be held on **Wednesday 17th April 2024**
in the Council Chambers, 34 Padbury Street, Moora
commencing at **5.30 pm**



GW Robins
Chief Executive Officer

15th April 2024

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 & Title ⁽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
- Shire of Moora Code of Conduct for Council Members, Committee Members and Candidates.

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

17 APRIL 2024

COMMENCING AT 5.30PM

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9.1.1 List of Payments Authorised Under Delegation 1.15

9.1.2 Statement of Financial Activity for Period Ended 29 February 2024

I. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

I.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.

I.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

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Mr Kevin Kramer

Q1. "On November 15, 2023, Mr Wes Porter ask if the Council would advocate on behalf of local firearm users and primary producers within the Moora Shire".

Response. This is a statement, not a question.

Q2. "I Kevin Kramer am asking the same question will the Moora Shire advocate for the firearm owners and primary producers in the Moora Shire with the State Government and the WA Police opposing firearm limits and excessive restrictions on property uses"?

Response. The Shire of Moora notes the varying needs of primary producers and other licenced firearm owners to hold firearms of differing classes. It recognises the varying circumstances in which primary producers and licenced firearm owners exercise the right to keep and use a licenced firearm.

The Shire also recognises the responsibility of Government to ensure the safety of the broader community in respect of the use and or misuse of firearms.

The Shire believes the Government of Western Australia is best positioned to know and understand how best to address firearm regulation in the state of Western Australia.

Q3. "Will you ask the state government and WA Police to adopt the recommendations of the 2016 law reform commission of Western Australia"?

Response. The Shire believes the Government of Western Australia is best positioned to know and understand how best to address firearm regulation in the state of Western Australia.

Q4&5. *“As there is no recorded response in future minutes was a response given and if so, what was it? If no, will the council please pass a motion to the effect”?*

Response. The Shire believes the Government of Western Australia is best positioned to know and understand how best to address firearm regulation in the state of Western Australia.

Q6. *“It has come to my attention that there is a farmer and farmers wife on the Council who are against firearms. I would like a detailed explanation why they feel law abiding citizens shouldn’t own firearms”?*

Response. This is a claim about which Council has no knowledge.

Mrs Bronwyn Brown

Mrs Brown stated that she wanted it known that she is not in any way representing the Carnaby Group.

“Having attended the Council meeting with the Carnaby Group found the details in the unconfirmed February Council minutes in the latest Shire newsletter did not truly reflect the feeling or discussion of the questions asked and responses given, beyond the working group created”.

Q1. *“How are the minutes recorded”?*

Response. Notes of the key points of discussion or decisions are handwritten. A verbatim record of the discussion is not taken.

“Regarding releasing results of the Carnaby survey, had been told by community members the results will only be given to a select group and they will be gagged from divulging them to anyone else”.

Q2. *“Is this true and if so, why”?*

Response. The Presiding Member advised that no party had been gagged, nor would they be gagged if given access to the survey. The statement in respect of gagging legitimate recipients of the survey results is untrue.

Q3. *“When are the upgrades to Padbury Street North that were budgeted for in the past going to commence”?*

Response. The Shire of Moora has planned a series of staged works to improve Padbury Street between Clinch Street and Dandaragan Road. Subject to the timing of the road works programme and funding, these works are scheduled to commence in the third quarter of 2024.

Q4. *“How much in the past 8-10 years has been spent on Consultants, Plans, Arborists and Pest Control”?*

Response. Due to the breadth of this question, it is not possible to provide an answer.

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 - 20 MARCH 2024**

That the Minutes of the Ordinary Meeting of Council held on 20 March 2024 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: 15 April 2024

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

RECOMMENDATION

That Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.15

Municipal Funds	EFT31019-31208	-\$ 2,098,006.93
Municipal Cheque	62609 - 62613	-\$ 3,183.25
Credit Card	DD16072.27	-\$ 6,211.52
Direct Debit	DD16026.1-DD16072.29	-\$ 93,648.91
NETT Pay	12/03/2024	-\$ 102,264.29
NETT Pay	26/03/2024	-\$ 102,093.39
PAYMENT TOTAL FOR MARCH 2024		<u>-\$ 2,405,408.29</u>

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 29 FEBRUARY 2024

REPORT DATE: 11 April 2024

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Travis Bate, Financial Accountant (RSM Australia)

ATTACHMENTS: Statement of Financial Activity for the Period Ended 29 February 2024

PURPOSE OF REPORT

To receive and endorse the Statement of Financial Activity for the period ended 29 February 2024.

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 2023/24 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council endorses the Statement of Financial Activity for the period ended 29 February 2024.

9.1.3 TOWN POOL - FREE ENTRY OVER SCHOOL HOLIDAYS

FILE REFERENCE: B/MOSI
REPORT DATE: 15 April 2024
APPLICANT/PROPONENT: Shire of Moora
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Gina Rainbird, Manager Community Development
ATTACHMENTS: Nil

PURPOSE OF REPORT

To provide Council with feedback on the decision to provide free entry to the Town Pool over the 2023 December – January 2023 school holidays and a recommendation for the future.

BACKGROUND

The Shire provided free entry to all Town Pool patrons over the December-January school holidays. This report addresses the social and financial outcomes of this determination.

COMMENT

This generous offer by the Shire has been appreciated by some of our disadvantaged youth who are unable to attend the pool every day because of financial hardship. However, for the majority of our pool users, this gesture contributed significantly to an unpleasant and unsafe environment.

The Pool Manager was not prepared for the introduction of free pool entry and was unprepared for the rise social issues that stemmed from this decision. The pool managers did not have an experienced team of lifeguards to deal with the increased number of patrons and social issues that occurred.

The Shire has been working on training new lifeguards and had two younger bronze medallion holders start in November 2023, and early this year we will be able to train six more lifeguards. From consultations, it was expected that the Moora Police and Department of Communities would have a greater presence at the pool to support the 'free entry' decision but unfortunately, this did not occur.

POLICY REQUIREMENTS

N/A

LEGISLATIVE REQUIREMENTS

N/A

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**
The Shire could have generated approximately \$30,000 over the school holiday period.
- **Social**
There was a significant increase in patrons, including people attending because it was a convenient pleasant place to be, and was accessible at no cost. Many of these people caused

problems; younger people coming and going, bullying and harassment of other young people near the pool and in the toilets and showers, destruction of property, being rude to the general public, vaping and older people being a risk due to their consumption of drugs or alcohol. The disorder that ensued and the inability of the pool managers to be everywhere at once exacerbated the problem. While managers might be dealing with a problem around the pool or in the pool, there were three other issues happening elsewhere. The antisocial behaviour was the most disappointing byproduct of the scheme; it was unpleasant for local families and visitors to Moora who had their enjoyment of the pool spoiled by poor behaviour. The complaints from the general public were understandable and valid.

In January 2024 the Shire partnered with the Dept. of Local Government Sport and Cultural Industries (DLGSC) to pilot the KidSport Regional Pool Program. This program pays the cost of a season pass ticket to eligible children between 5-18 years of age, who reside in WA, are named on a parent's or guardian's valid Health Care Card, or named on their own valid Health Care Card. It has been indicated that the Department is considering extending this program to all regional towns for future swim seasons. The pilot started in February 2024, and the Moora district had 8 children sign up for the program.

FINANCIAL IMPLICATIONS

The programme came at a cost of \$30,000 to the Shire.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATIONS

That Council

- 1. No longer offer unrestricted 'free entry' to the Town Pool.
and***
- 2. Work with the Department of Communities and Department of Local Government, Sport and Cultural Industries to assist disadvantaged children through the KidSport Regional Pool Program.***

9.2 DEVELOPMENT SERVICES

Nil

9.3 ENGINEERING SERVICES

Nil

10. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**10.1 Provision of Vouchers to Access Shire Fitness Facilities**

At Council's Meeting of 20 March 2024, Cr Dugan requested that Council give consideration to an item, the purpose of which was to facilitate the recovery and health promotion in respect of certain patients being managed by the Moora Health Clinic, specifically Dr Chapman.

Upon consideration, Council resolved that the motion put by Cr Dugan lay on the table.

The proposed motion was further considered at the General Purpose Committee meeting of 3 April 2024. Council decided the matter would not proceed any further at this time.

Cr Dugan has now requested the matter be represented for Council's consideration and proposes the following revised motion:

"That upon recommendation by Dr Chapman, the Shire issue a free one-month pass to nominated individuals for medical purposes whom are experiencing financial hardship, use the Shire of Moora gymnasium, hydrotherapy pool and or public pool, and that the Shire's systems be modified to create a zero value "medical membership" voucher that satisfies the auditors and does not create additional work for either Dr Chapman or the Shire."

Comment

If Council endorses the revised motion, it will need to create a "medical membership" benefit / cost category in the schedule of fees and charges as such a category does not currently exist. This will be necessary to enable the recognition of a benefit / service of a specific value to be written off or written down for accounting and audit purposes.

If a decision is made to support the motion, Dr Chapman would need to write to the Shire to provide a voucher for each individual. The Shire would need to establish and maintain a register that accounts for vouchers issued as they would continue to hold an intrinsic cost to the Shire.

11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED****12.1 Early Childhood Development Centre – Telethon Speech and Hearing**

To be provided under confidential cover.

13. CLOSURE OF MEETING