

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
17 APRIL 2024

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Separate Attachments

- 9.1.1 List of Payments Authorised Under Delegation I.15
- 9.1.2 Statement of Financial Activity for Period Ended 29 February 2024

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 5.32pm.

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 (Presiding Member)
SJ Gilbert	-	Deputy President
DV Clydesdale-Gebert	-	Councillor
KM Seymour	-	Councillor
SA Bryan	-	Councillor
TL Errington	-	Councillor
TW Dugan	-	Councillor
GW Robins	-	Chief Executive Officer
MM Murray	-	Executive Support Officer

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Questions taken on notice from 20 March 2024 Council meeting.

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**

Nil

5. **PETITIONS / DELEGATIONS / PRESENTATIONS**

Nil

6. **APPLICATIONS FOR LEAVE OF ABSENCE**

The Shire President announced that a Leave of Absence request had been received from Cr Clydesdale-Gebert for the meetings of Council scheduled for the period 1 May and 5 June 2024, inclusive.

COUNCIL RESOLUTION

28/24 Moved Cr Bryan, seconded Cr Dugan that leave of absence be granted to Cr Clydesdale-Gebert for the meetings of Council scheduled for the period 1 May to 5 June 2024, inclusive.

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

7. **ANNOUNCEMENTS BY THE PRESIDING MEMBER**

The following Council associated engagements were attended;

Cr Lefroy, President

- 27/3 Living Well in the Wheatbelt (via Teams)
- 5/4 “Women of the Hinterlands” exhibition launch at Gardiner Street Arts Collective
- 6/4 Farewell to Watheroo Primary School event
- 9/4 Alinta: nature-based solutions workshop, Moora
- 11/4 Moora Triathlon committee meeting
- 17/4 Carnaby Cockatoo working group meeting, Council Chambers

Cr Gilbert, Deputy President

- 17/4 Carnaby Cockatoo working group meeting, Council Chambers

8. CONFIRMATION OF MINUTES**8.1 ORDINARY COUNCIL MEETING - 20 MARCH 2024****COUNCIL RESOLUTION**

29/24 Moved Cr Errington, seconded Cr Clydesdale-Gebert 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.

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

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

COUNCIL RESOLUTION

30/24 Moved Cr Bryan, seconded Cr Gilbert 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>

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

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

COUNCIL RESOLUTION

31/24 Moved Cr Dugan, seconded Cr Gilbert that Council endorses the Statement of Financial Activity for the period ended 29 February 2024.

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

9.1.3 TOWN POOL - FREE ENTRY OVER SCHOOL HOLIDAYS

FILE REFERENCE: B/MOS I
REPORT DATE: 15 April 2024
APPLICANT/PROPONENT: Shire of Moora
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: 15/11/23 Item 9.1.3 (94/23 & 95/23)
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 Moora's disadvantaged youth and families who are unable to attend the pool every day because of financial hardship. For the majority of pool users, the gesture contributed was less welcome, as in some instances it contributed to the creation of an unpleasant and unsafe environment.

The pool managers were not prepared for the introduction of free pool entry and were unprepared for the unexpected rise in social issues that stemmed from the decision. The pool managers did not have an experienced team of lifeguards to assist in dealing with the increased number of patrons and social issues that occurred.

The Shire has been working to train new lifeguards and had two younger bronze medallion holders start in November 2023; earlier this year, the shire was 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

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS

This initiative contributes to the Shire's strategic objective of strong, cohesive and resilient communities, while promoting community safety and well-being.

SUSTAINABILITY IMPLICATIONS

➤ Environment

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

➤ **Economic**

The pool closure was for a period of 46 days over the school holiday period and resulted in revenue foregone of approximately \$12,000.

➤ **Social**

A significant increase in patrons occurred due to the introduction of the free entry initiative; significantly, an increased number of people attended because it was a convenient pleasant place to be, was accessible and at no cost. Many of these people caused problems; younger people were coming and going, bullying and harassment of other young people occurred near the pool and in the toilets and showers, destruction of property, rudeness to the general public, vaping and older people being at risk due to the illicit 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.

Council noted with significant disappointment, the antisocial behaviour of a small group of people and the impact of this on the broader enjoyment of the pool by many who do not normally have the opportunity to attend the pool, and the broader community in general.

FINANCIAL IMPLICATIONS

The pool closure was for a period of 46 days over the school holiday period and resulted in revenue foregone of approximately \$12,000.

VOTING REQUIREMENTS

Simple Majority Required

COUNCIL RESOLUTION

32/24 Moved Cr Seymour, seconded Cr Gilbert 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.**

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

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 again requested that the matter be represented for Council's consideration. Cr Dugan's revised motion is as follows:

“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.”

Executive Support Officer left the meeting at 5.47pm & returned at 5.52pm

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.

COUNCIL RESOLUTION

33/24 Moved Cr Dugan, seconded Cr Seymour 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.

LOST 6/1

AGAINST: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, and Errington
FOR: Cr Dugan

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

Nil

12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

PROCEDURAL MOTION

34/24 Moved Cr Bryan, seconded Cr Clydesdale-Gebert that the meeting be closed to members of the public to discuss item 12.1, as it is a matter which includes information that has a commercial value to a person pursuant to Section 5.23(2)(e)(ii) of the Local Government Act 1995.

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

At 5.55pm the meeting moved behind closed doors.

12.1 EARLY CHILDHOOD DEVELOPMENT CENTRE – TELETHON SPEECH AND HEARING

Provided under confidential cover.

COUNCIL RESOLUTION

35/24 Moved Cr Seymour, seconded Cr Errington that Council endorse the provision of \$370,000 in the 2024-2025 draft budget for the implementation and operation of the Early Childhood Development Centre.

CARRIED BY ABSOLUTE MAJORITY 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

REOPENING OF MEETING TO THE PUBLIC

PROCEDURAL MOTION

36/24 Moved Cr Bryan, seconded Cr Clydesdale-Gebert that the meeting moves out from behind closed doors and reopens to the public at this juncture 5.57pm.

CARRIED 7/0

FOR: Cr's Lefroy, Gilbert, Clydesdale-Gebert, Seymour, Bryan, Errington, and Dugan

13. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 5.57pm.

CONFIRMED

PRESIDING MEMBER