

**Shire of Moora  
Ordinary Council Meeting  
19<sup>th</sup> June 2024**

**NOTICE OF MEETING**

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora  
will be held on **Wednesday 19<sup>th</sup> June 2024**  
in the Council Chambers, 34 Padbury Street, Moora  
commencing at **5.30 pm**



GW Robins  
Chief Executive Officer

13<sup>th</sup> June 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, <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 & Title <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

### 19 JUNE 2024

#### COMMENCING AT 5.30PM

#### TABLE OF CONTENTS

<b>1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS .....</b>	<b>6</b>
<b>1.1 DECLARATION OF OPENING .....</b>	<b>6</b>
<b>1.2 DISCLAIMER READING.....</b>	<b>6</b>
<b>2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE.....</b>	<b>6</b>
<b>3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....</b>	<b>6</b>
<b>4. PUBLIC QUESTION TIME.....</b>	<b>6</b>
<b>5. PETITIONS / DEPUTATIONS / PRESENTATIONS.....</b>	<b>6</b>
<b>6. APPLICATIONS FOR LEAVE OF ABSENCE .....</b>	<b>6</b>
<b>7. ANNOUNCEMENTS BY THE PRESIDING MEMBER .....</b>	<b>6</b>
<b>8. CONFIRMATION OF MINUTES .....</b>	<b>6</b>
<b>8.1 ORDINARY COUNCIL MEETING - 15 MAY 2024 .....</b>	<b>6</b>
<b>9. REPORTS OF OFFICERS.....</b>	<b>7</b>
<b>9.1 GOVERNANCE AND CORPORATE SERVICES.....</b>	<b>7</b>
9.1.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION I.15 .....	7
9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 APRIL 2024 .....	9
9.1.3 RATES WRITE-OFF – ASSESSMENT A915 .....	10
<b>10. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....</b>	<b>11</b>
<b>11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL</b>	<b>11</b>
<b>12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED .....</b>	<b>11</b>
<b>13. CLOSURE OF MEETING.....</b>	<b>11</b>

\* Separate Attachments

- 9.1.1 List of Payments Authorised Under Delegation I.15
- 9.1.2 Statement of Financial Activity for Period Ended 30 April 2024
- 9.1.3 Certificate of Title for: Lot 50 Ferguson Street, Miling (A915)

**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****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 - 15 MAY 2024**

*That the Minutes of the Ordinary Meeting of Council held on 15 May 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:** 9 June 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	EFT31375-31527	-\$1,033,747.73
Municipal Cheque	62616 - 62619	-\$2,234.25
Credit Card	DD16175.3	-\$1,842.14
Direct Debit	DD16138.1-DD16175.32	-\$101,113.20
NETT Pay	07/05/2024	-\$104,388.29
NETT Pay	21/05/2024	-\$102,266.56

**PAYMENT TOTAL FOR MAY 2024** **-\$1,345,592.17**



**9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 APRIL 2024**

**REPORT DATE:** 11 June 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 30 April 2024

**PURPOSE OF REPORT**

To receive and endorse the Statement of Financial Activity for the period ended 30 April 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 30 April 2024.*

### 9.1.3 **RATES WRITE-OFF – ASSESSMENT A915**

**FILE REFERENCE:** PA/915  
**REPORT DATE:** 7 June 2024  
**OFFICER DISCLOSURE OF INTEREST:** Nil  
**PREVIOUS MEETING REFERENCE:** 21/11/2018 (141/18) Item 9.1.4  
**AUTHOR:** Travis Bate (Financial Consultant RSM)  
**ATTACHMENTS:** Certificate of Title for: Lot 50 Ferguson Street, Miling (A915)

#### **PURPOSE OF REPORT**

The purpose of this report is to provide information that supports the write-off of rates and service charges outstanding for assessment A915 (Lot 50 Ferguson Street, Miling) of \$15,077.71 on 31 May 2024. It is recommended that Council approve the write-off of monies pursuant to section 6.12 (1) (c) of the Local Government Act 1995, ownership of the properties has now passed to the Shire.

#### **BACKGROUND**

Rates and service charges on the property has been outstanding since 2008.

- On or around 25 October 2012, a General Procedure Claim was lodged in the Magistrates Court of Western Australia for recovery of outstanding rates and charges (“Claim”).
- The Claim was serviced on an officeholder of the Owner on 19 May 2013.
- On or around June 2013, the Shire chose not to take any further action in relation to the Claim at that stage and instructed CS Legal, the solicitors for the Shire in relation to the Claim, to discontinue the Claim.
- The Shire has not attempted to recover the outstanding rates and service charges through legal proceedings since the Claim.
- An appraisal of the Property was conducted by a licensed Real Estate Agent which estimated a value of the Property between \$8,000.00 and \$10,000.00.
- If the Shire was to instruct CS Legal to commence further proceedings against the Owner and those proceedings were defended. CS Legal estimates their fees to be between \$10,000.00 and \$50,000.00, which could exceed the estimated value of the Property.

At the 21 March 2018 Ordinary Council Meeting, Council passed the following resolution:

*141/18 Moved Cr Hamilton, seconded Cr Nixon pursuant to section 6.68(2)(b) of the LGA, the Shire resolves to exercise its power of sale over the Property noting that the Shire of Moora as not made any attempt to recover the outstanding money under 6.56 of the Local Government Act 1995 (WA) because we reasonably believe that the costs of proceedings under that section will equal or exceed the value of the Property.*

*CARRIED 7/0*

Transfer of title of ownership to the Shire has been successfully completed with title date being 2 December 2021. Property able to be sold by Shire.

Outstanding rates and service charges on the property to be written off: \$15,077.71.

#### **POLICY REQUIREMENTS**

Nil

**LEGISLATIVE REQUIREMENTS**

Section 6.12 (1)(c) of the Local Government Act 1995 provides Council with the power to write off any amount of money which is owed to the local government by an absolute majority decision.

**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**

It is expected that the sale of the property will adequately cover the cost of the write-offs, meaning the net change to the Shire's net current funding position will be nil.

**VOTING REQUIREMENTS**

Absolute Majority Required

**RECOMMENDATION**

*That pursuant to section 6.12(c) of the Local Government Act 1995, that Council:*

- 1. Write-off the outstanding Rates and Service Charges totalling \$15,077.71 for assessment A915; and*
- 2. Notes that title for the property was passed to the Shire as of 2 December 2021.*

**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**