

**Shire of Moora
Ordinary Council Meeting
20th November 2024**

NOTICE OF MEETING

Dear Elected Member

The next Ordinary Council Meeting of the Shire of Moora
will be held on **Wednesday 20th November 2024**
in the Council Chambers, 34 Padbury Street, Moora
commencing at **5.30 pm**



GW Robins
Chief Executive Officer

15th November 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

20 NOVEMBER 2024

COMMENCING AT 5.30PM

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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 30 September 2024

9.1.3 Schedule of Meeting Dates for 2025

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 - 16 OCTOBER 2024**

That the Minutes of the Ordinary Meeting of Council held on 16 October 2024 be confirmed as a true and correct record of the meeting.

8.2 SPECIAL COUNCIL MEETING - 30 OCTOBER 2024

That the Minutes of the Special Meeting of Council held on 30 October 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: 13 November 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	EFT32169-32390	-\$2,095,397.82
Municipal Cheque	62636-62641	-\$3,360.64
Credit Card	DD16481.1	-\$2,784.12
Direct Debit	DD16432.1-DD16463.18	-\$102,086.17
NETT Pay	08/10/2023	-\$106,828.94
NETT Pay	22/10/2023	<u>-\$121,026.79</u>

PAYMENT TOTAL FOR OCTOBER 2024 **-\$2,431,484.48**

9.1.2 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 SEPTEMBER 2024

REPORT DATE: 6 November 2024

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: RSM Accountants, Travis Bate

ATTACHMENTS: Statement of Financial Activity for the Period Ended 30 September 2024

PURPOSE OF REPORT

To receive and endorse the Statement of Financial Activity for the period ended 30 September 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 2024/25 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council endorses the Statement of Financial Activity for the period ended 30 September 2024.

9.1.3 2025 COUNCIL MEETING SCHEDULE

FILE REFERENCE: EN/COAI

REPORT DATE: 1 November 2024

DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Michelle Murray, Executive Support Officer

ATTACHMENTS: Schedule of Meeting Dates for 2025

PURPOSE OF REPORT:

To provide dates for Council approval for meeting dates for the 2025 year, to enable public advertising as required by the Local Government Act 1995.

BACKGROUND:

The current format of holding a General Purpose Committee Meeting on the first Wednesday of each month and the Ordinary Meeting of Council on the third Wednesday of each month has been effective and is recommended this format be continued with.

COMMENT:

Attached is a schedule of proposed dates for Council meetings for the 2025 year.

In past years, the schedule has identified the need to adjust the regular meeting dates for the likes of the Local Government Convention which also provides the opportunity for professional development during the week and Local Government elections. Council has the flexibility and autonomy to change meeting dates around the annual WALGA Convention and other conferences and conventions of strategic significance. The only requirement in changing meetings dates is to give adequate notice in accordance with legislative requirements.

As the dates for the WALGA Convention have been set from 22-24 September and the following Monday 29th is a public holiday, it has left minimal time to provide agenda papers. It is proposed that given there are 5 weeks in October, the meetings of Council be moved forward a week to be held on the 8th & 22nd.

The 22nd can also coincide with the swearing in of newly elected Councillors following the 18 October Local Govt. Elections.

POLICY REQUIREMENTS:

There are no council policies relative to this matter.

LEGISLATIVE REQUIREMENTS:

Section 5.25 (g) of the Local Government Act 1995 stipulates that Regulations may make provision in relation to the giving of public notice of the date and agenda for Council or committee meetings.

Regulation 12 of the Local Government (Administration) Regulations 1996 states;

- I. At least once each year a local government is to give local public notice of the dates on which and the time and place at which –
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

Sections 5.98 and 5.99 of the Local Government Act 1995 and Regulation 30 of the Local Government (Administration Regulations) 1996 sets the minimum and maximum amounts for the payment of meeting fees.

STRATEGIC IMPLICATIONS:

Enables Council to provide effective local government to the district.

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:

There are no financial implications to Council in relation to this item. The holding of Council meetings including all associated costs is provided for in the current budget and will be provided for in future budgets.

VOTING REQUIREMENTS:

Simple Majority Required

RECOMMENDATIONS

That Council;

- 1. Adopt the meeting schedule for the period February 2025 to December 2025 as attached;*
- 2. Advertise the meeting dates in accordance with section 5.25 of the Local Government Act 1995 and Regulation 12 (1) of the Local Government (Administration) Regulations 1996.*

9.1.4 SALE OF INDUSTRIAL LAND – LOT 162 MELBOURNE STREET, MOORA

FILE REFERENCE: PA/6637

REPORT DATE: 15 November 2024

APPLICANTS/PROPONENT: Mr Peter Derrick

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Gavin Robins, Chief Executive Officer

ATTACHMENTS: Nil

PURPOSE OF REPORT

To consider an offer to purchase Lot 162 Melbourne Street, Moora for \$50,000.

BACKGROUND

Lot 162 Melbourne Street is an unserviced industrial lot owned by the Shire in the Tootra Street industrial precinct. The property has been listed for sale for several years. The Shire has not been able to secure a buyer for the lot which has been offered for sale at a value of \$90,000.

A recent reappraisal of the lots in the industrial precinct determined that lots without water, sewerage or electricity were, at \$90,00 very ambitiously priced in the current market. This was underscored by the absence of offers on the properties. The properties have been listed with Jurien Bay Realty for several years. The offer from Mr Derrick is the first and only offer the Shire has received to purchase one of these lots in approximately four years.

COMMENT

Section 3.58(3) of the LGA determines that if Council wishes to accept the offer, before doing so the Shire must give local public notice of the proposed disposition inviting public submissions for no less than two weeks. The notice will include details of the property concerned, names of all parties concerned, the consideration to be received and the market value of the property as ascertained by a valuation carried out and declared by resolution of the Shire. There are challenges in receiving a meaningful and reliable valuation for vacant industrial lots in Moora. An Independent Valuation can be expensive, \$2,000-\$2,500, and the contracted Valuers, usually not from Moora, may only have little knowledge of the local market and would rely on a very small sample base for their assessment due to low sale volumes in the area. For this reason, a market estimate was provided by Jurien Bay Realty based on their property experience within Moora. This estimate was \$50,000. Considering that no other offers have been made recently, and the potential economic benefits from the sale, it is recommended that the disposition of the property for \$50,000 be advertised, which will allow Council to consider accepting the offer of sale after the two-week public notice period.

POLICY REQUIREMENTS

Nil

LEGISLATIVE REQUIREMENTS

Section 3.58(3) Local Government Act 1995

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives Statewide public notice of the proposed disposition —

(i) describing the property concerned;

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

STRATEGIC IMPLICATIONS

Shire of Moora Community Strategic Plan

Outcome 4.1 A Strong and diversified economic base

Strategy 4.1.4 The sale and provision of commercial land is a strategic strategy of the Shire

SUSTAINABILITY IMPLICATIONS

➤ **Environment**

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

➤ **Economic**

Providing serviced industrial lots for sale will help promote the growth of existing business or the establishment of new business operations in Moora.

➤ **Social**

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

FINANCIAL IMPLICATIONS

Accepting the offer of \$50,000 will be an unbudgeted revenue flow that will offset the years end expenditure balance.

VOTING REQUIREMENTS

Simple Majority Required

RECOMMENDATION

That Council before agreeing to the disposition of Lot 162 Melbourne Street, Moora of Certificate of Title Volume 4020, Folio 779 the subject of Deposited Plan # 3553, as per section 3.58(3) of the Local Government Act 1995; the Shire of Moora give local public notice of the proposed disposition for \$50,000 to Mr Peter Derrick, inviting public submissions for no less than two weeks.

9.2 DEVELOPMENT SERVICES

Nil

9.3 ENGINEERING SERVICES

Nil

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

Nil

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