



AGENDA

ORDINARY MEETING OF COUNCIL

to be held on

Thursday, 20 August 2020

at 5.30pm



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

'This meeting is being recorded on audio tape and to assist with minute taking purposes. The public is reminded that in accordance with Section 6.16 of the Shire of Morawa Meeting Procedures Local Law 2012 that nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the presiding member.'

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Morawa for any act, omission, statement or intimation occurring during Council Meetings. The Shire of Morawa disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during Council Meetings.

Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council Meeting does so at their own risk. The Shire of Morawa advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.

DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS

Local Government Act 1995 – Section 5.65, 5.70 and 5.71 Local Government (Administration) Regulation 34C

<i>This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Administration) Regulation 34C</i>			
Name of person declaring the interest			
Position			
Date of Meeting			
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing		
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality

Signature: _____ **Date:** _____

Important Note: Should you declare a **Financial** or **Proximity** Interest, in accordance with the Act and Regulations noted above, you are required to leave the room while the item is being considered.

For an **Impartiality** Interest, you must state the following prior to the consideration of the item:

“With regard to agenda item (read item number and title), I disclose that I have an impartiality interest because (read your reason for interest). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

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Item 1 Opening of Meeting

The President to declare the meeting open.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The President acknowledges the traditional custodians, the Yamatji people, and recognises the contribution of Yamatji elders past, present and future, in working together for the future of Morawa.

'This meeting is being recorded on audio tape and to assist with minute taking purposes. The public is reminded that in accordance with Section 6.16 of the Shire of Morawa Meeting Procedures Local Law 2012 that nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the presiding member'.

Item 3 Recording of Attendance**3.1 Attendance****Council**

President (Presiding Member) Councillor Karen Chappel

Deputy President Councillor Dean Carslake

Councillor Jane Coaker

Councillor Debbie Collins

Councillor Yvette Harris

Councillor Shirley Katona

Staff

Acting Chief Executive Officer

Executive Manager Corporate & Community Services

Executive Manager Works and Assets

Economic Development Manager

Executive Assistant

Robert Paull

John van der Meer

Paul Buist

Ellie Cuthbert

Rondah Toms

Members of the Public**3.2 Attendance by Telephone / Instantaneous Communications**

In accordance with section 14 of the *Local Government (Administration) Regulations 1996* "Meetings held by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))", the President to declare that this Meeting may take place via instantaneous communication. All Councillors and staff are to be available either via telephone (teleconference) or in person.

3.3 Apologies**3.4 Approved Leave of Absence**

Cr Ken Stokes

3.5 Disclosure of Interests

Name	Item No.	Interest	Nature

Item 4 Applications for Leave of Absence**Item 5 Response to Previous Questions****Item 6 Public Question Time**

Important note:

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Members of the public are also reminded that in accordance with section 6.17(4) of the Shire of Morawa Meeting Procedures Local Law 2012 mobile telephones must be switched off and not used during the meeting.’

6.1 Public Question Time**6.2 Public Statement Time****6.3 Petitions/Deputations/Presentations/Submissions****Item 7 Questions from Members without Notice**

Item 8 Announcements by Presiding Member without Discussion
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President's Meetings for the month of July 2020.

Date	Meeting	Details of Meeting
1 st	State Council	Meeting
9 th	Shire of Morawa	Briefing Session
16 th	State Advisory Committee to Local Government	Meeting
16 th	Shire of Morawa (via teleconference)	Ordinary Council Meeting
21 st	WALGA Executives	Meeting
22 nd	WALGA Finance and Services	Meeting
23 rd	TAFEWA	Dinner
28 th	Desert Blue Connect	Meeting
29 th	CBH	Meeting
29 th	Growers	Meeting
30 th	Shire of Morawa	Special Council Meeting

Item 9 Declarations of All Members to have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting

The Elected Members to declare that they had given due consideration to all matters contained in the agenda.

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 16 July 2020 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 22 July 2020.

The Minutes of the 30 July 2020 Special Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 03 August 2020.

OFFICER'S RECOMMENDATION

1. That Council confirm that the Minutes of the Ordinary Council Meeting held on 16 July 2020 are a true and correct record; and
2. That Council confirm that the Minutes of the Special Council Meeting held on 30 July 2020 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

Disclaimer

Members of the public are cautioned against taking any action on Council decisions, on items in this agenda in which they may have an interest, until formal notification in writing from the Shire has been received. Decisions made at this meeting can be revoked pursuant to the Local Government Act 1995.

Item 11 Reports of Officers**11.1 Chief Executive Officer****11.1.1 Integrated Planning and Reporting – July 2020**

Author: Executive Assistant

Authorising Officer: Acting Chief Executive Officer

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council receive the Integrated Planning and Reporting (IPR) update for the month of July 2020.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

All local governments are required to produce a plan for the future under S5.56(1) of the *Local Government Act 1995*. To ensure there is a regular and open flow of information between the Shire's administration, the Council and the community, the following monthly update is provided.

DETAIL

The information provided (**Attachment 1**) is generated from the Shire's IPR software Envisio. This informs Council and the community of the current outcomes relating to the objectives of the Shire's Strategic Community Plan 2018-2028 and the Corporate Business Plan 2018-2022.

LEVEL OF SIGNIFICANCE

Low significance - report is presented to Council for information purposes.

CONSULTATION

Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995 S5.56 (1)

Local Government (Administration) Regulations 1996

Strategic Community Plan 2018 to 2028 (Desktop Reviewed June 2020)

Outcome 4.3 A local government that is respected, professional and accountable.

FINANCIAL AND RESOURCES IMPLICATIONS

Budgeted in the 2020/2021 financial year.

RISK MANAGEMENT CONSIDERATIONS

There are no known risk management implications in relation to this item.

CONCLUSION

That Council receive the IPR update (*Attachment 1*).

ATTACHMENTS

Attachment 1 – 11.1.1 IPR July 2020

11.1.2 Application for Exploration Licence – No.70/5535 on Various Lots

Author: Planning Officer

Authorising Officer: Acting Chief Executive Officer

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That with respect to Application for Exploration Licence – No.70/5535 on Various Lots, Council:

1. Raise no objection in principle to the Application subject to the following conditions:-
 - a. That dust suppression is carried out so that others are not adversely affected;
 - b. That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions;
 - c. Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread;
 - d. All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner;
 - e. All rubbish is to be disposed of in the appropriate manner;
 - f. A firefighting unit is to be available at all times, and drilling is to cease if a total fire and harvest ban is called;
 - g. No drill holes are to extend under any public roadways or interfere with road drainage;
 - h. All drill holes are to be capped as soon as possible/practical after drilling; and
 - i. No drilling is to occur within any Shire gravel pits.

SIMPLE MAJORITY VOTE REQUIRED

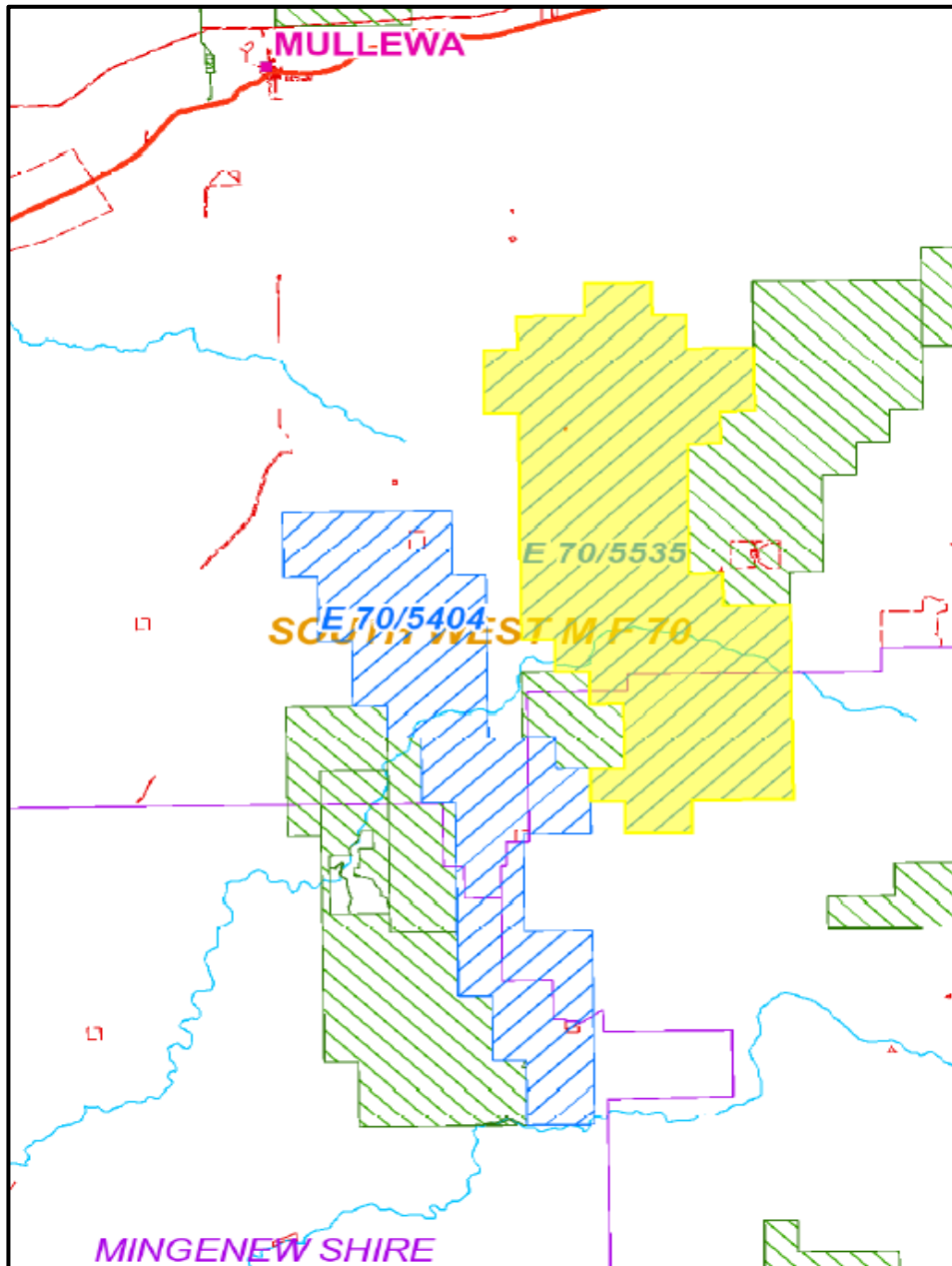
PURPOSE

This report seeks Council's consideration in relation to an application for an exploration license over various lots that has been submitted on behalf of CGM (WA) Pty Ltd.

DETAIL

Council has received notice of an application for an exploration licence McMahon Mining Title Services Pty Ltd for a mining exploration licence over various lots located within the Shires of City of Greater Geraldton, Shire of Mingenew and Shire of Morawa. The land subject to the application is understood to consist of privately owned land.

A copy of the application is included as *Attachment 1*.



Where Council believes there are good grounds to raise an objection to the application, an objection may be lodged to the application with the Mining Registrar within 21 days of being served the Notice (before 25 August, 2020). In relation to the matter before Council, the Shire is not aware of any such grounds to raise an objection to the application.

Under Sections 23 to 26 of the *Mining Act 1978*, mining may be carried out on certain classes of land with the written consent of the Minister for Mines and Petroleum. The *Mining Act 1978* and its associated Regulations sets out the process for a variety of licences and lease types, including requirements for mineral exploration. A guideline summary of exploration licences from Department of Mines and Petroleum documentation is provided as follows:

12. Exploration Licence

- *On 28 June 1991 a graticular boundary (or block) system was introduced for Exploration Licences.*
- *The minimum size of an Exploration Licence is one block, and the maximum size is 70 blocks, except in areas not designated as mineralised areas, where the maximum size is 200 blocks.*
- *An Exploration Licence is not marked out.*
- *An application may be made at any Mining Registrar's office (see Appendix A); or lodged electronically via the department's website using MTO.*
- *An application fee and rental is payable.*
- *There is no limit to the number of licences a person or company may hold but a security (\$5,000) is required in respect of each licence.*
- *Term and Compulsory Surrender:*
 - *For licences applied for prior to 10 February 2006, the term is five years plus two possible extensions of two years and further periods of one year thereafter. At the end of both the third and fourth year of its term, the licensee is required to surrender 50 per cent of the licence.*
 - *For licences applied after 10 February 2006, the term is five years plus possible extension of five years and further periods of two years thereafter, 40 per cent of ground to be surrendered at the end of year six.*
- *The holder of an Exploration Licence may in accordance with the licence conditions, extract or disturb up to 1000 tonnes of material from the ground, including overburden, and the Minister may approve extraction of larger tonnages.*

Source: – Exploration Licence Guidelines from DMP Mining Act Guidelines Basic Provisions.

An exploration licence remains in force for a period of 5 years although this can be extended by the Minister for Mines and Petroleum.

LEVEL OF SIGNIFICANCE

Low significance – a response is required to be lodged at the mining register's office on or before 25 August 2020.

CONSULTATION

Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Mining Act 1978

There are no known policy implications in relation to this item.

Strategic Community Plan 2018 to 2028 (Desktop Reviewed June 2020)

Outcome 1.2 Maximise business, industry and investment opportunities.

1.2.7 Engage with resource and mining companies to invest in the region and commit to local employment and buying local.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no known financial implications in relation to this item.

RISK MANAGEMENT CONSIDERATIONS

There are no known risk management implications in relation to this item.

CONCLUSION

That subject to conditions that address protecting the local amenity and Shire road reserves, it is considered appropriate that Council raise no objection to the Application for Exploration Licence – No. 70/5535 by Australian Mining and Exploration Title Services.

ATTACHMENTS

Attachment 1 – 11.1.2 – Application for mining tenement

11.1.3 Response to Council’s request for a Report concerning a 24-hour gymnasium for Morawa

Author: Acting Chief Executive Officer

Authorising Officer: Acting Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declares he does not have any conflicts of interest in relation to this item and that he did not participate in the Gym Survey.

OFFICER’S RECOMMENDATION

That with regards to the Response to Council’s request for a Report on a 24-hour gymnasium for Morawa, Council:

1. Note the Survey addressing a gymnasium in Morawa undertaken by the Shire from 6 June 2020 until 20 June 2020 and that the Survey produced the following results:
 - 81.62% of respondents support the Shire exploring the viability of a gym facility in Morawa.
 - 80.73% of respondents don’t currently access a gym facility.
 - 86.24% of respondents would use machines/cardiac purposes.
2. Support in principle, the Shire establishing a community gymnasium with the potential to be open 24-hour based at a Shire owned Incubator Unit (preferably Unit 1 with access to the office/shower/toilet).
3. Request the Chief Executive Officer to prepare a Business Plan addressing the costs of establishing as per 2. above addressing (but not limited to):
 - costs of establishing the gymnasium;
 - potential funding sources
 - cost of membership
 - recommended trial period
 - level and types of gym equipment;
 - necessary induction requirements;
 - insurance;
 - operational arrangements; and
 - opportunity for a local community member or group to provide gym or exercise services from the gymnasium.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

This report seeks to address the request of Council for the Shire to prepare a report regarding the establishment of a 24-hour gymnasium in Morawa.

DETAIL***Level of Community interest in Morawa for a 24-hour, 7 days a week gymnasium***

At the Ordinary Meeting of 21 May 2020, Council received a submission along with 23 letters of support, requesting Council to consider an indoor, 24-hour gymnasium for Morawa. In response, Council resolved as follows:

“That Council:

- 1. Receive the Submission and accompanying letters of support; and*
- 2. Request the Chief Executive Officer to:*
 - a) prepare a report addressing a 24 hour gym and associated equipment; and*
 - b) advise the Submitter of Council’s decision’*

In order to address the Resolution of Council, the Acting Chief Executive Officer sought to ascertain the level of community support for a 24-hour gymnasium for the town. In doing so, a Survey was prepared by the Shire and made available through online ‘Survey Monkey’ with 250 hard copies of the Survey provided through the Morawa Post Office to all local postal addresses. A copy of the Survey results are provided as **Confidential Attachment 1**.

It is open for Council to resolve to release the Survey as it sees fit.

The Survey was open from 6 June 2020 until 20 June 2020 and produced 142 responses, of which 18 were hard copies (7% return rate on the hard copies). Given the Shire population is estimated to be 731 persons (ABS estimate 2017), the total number of Survey return reflects 19.4% of the Shire’s population. This is considered a sufficient number in statistical analysis to make conclusions and recommendations.

It is noted that due to incomplete and incompressible data, 6 hard copy Surveys were not included in the results. Accordingly, the total accepted survey number is 136 (18.6% of the Shire’s population) with 109 respondents addressing questions associated with a gym and associated questions.

The following represents the response to certain questions asked of the Survey:

- 81.62% support the Shire exploring the viability of a gym facility.
- 58.72% prefer an indoor gym facility.
- 3.67% prefer an outdoor gym facility.
- 37.61% prefer both an indoor and outdoor gym facility.
- 80.73% don’t currently access a gym facility.
- 40.37% would use the gym in the morning.
- 20.18% would use the gym in the afternoon.
- 39.45% would use the gym in the evening.
- 86.24% would use machines/cardiac purposes.
- 13.76% would use free weights.

Whilst it noted that 81.62% of respondents support the Shire exploring the viability of a gym facility in Morawa, an even more telling figure is that 80.73% of respondents currently don’t access a gym facility. This indicates an unmet demand for a gym facility in Town.

It is noted that the establishment and allocation of funds for a 24-hour gymnasium for Morawa is ultimately a decision of Council; the Survey results can be considered a guide as to the preference and equipment use.

Gymnasium equipment (indoor and outdoor)

Referring to the outcome of the Survey, 58.72% of respondents prefer an indoor gym facility with 37.61% preferring both an indoor and outdoor gym facility.

An outdoor gym would provide the opportunity for unfettered access it would not provide the array of equipment that an indoor gymnasium would potentially provide. In this regard, it is noted that it is no longer unusual for local governments to operate an indoor gymnasium. Some examples of a rural based local governments include (but not limited to) the Shire's of:

- Quairading;
- York;
- Goomalling;
- Perenjori

It is understood that the Shire of Three Springs is actively progressing a new gymnasium for 2020 utilising a portion of funds available through its successful 'Drought funding'.

The level of gymnasium equipment of these local governments appears to be generally typified as follows:

- Treadmills
- Elliptical Machine
- Rowing Machine
- Recumbent Bike
- Spin Bike
- Upright Bike
- Krank Cycle
- Functional Weight Trainer
- Dumbbells and barbells
- Weights and stacking equipment
- Stretch Mats
- Fitballs
- Incline Bench

The importance of addressing the type and level of gymnasium equipment sought is important as it will reflect the type of building required. For example, where weights and machines are involved, it is vital that the building and flooring is structurally sound so that it can carry the mass of the machines and the potential dropping of the (free) weights in addition to the weight of the people.

Potential location of a 24-hour gymnasium (indoor)

In order to address Council's resolution of 21 May 2020, the Shire sought to review buildings owned and operated by the Shire that could readily be considered for the purpose of a gymnasium. It should be noted that at this stage, the Shire would not recommend progressing the construction of a gym until an appropriate trial period has concluded, a funding source identified and level of community interest confirmed.

The four buildings owned and operated by the Shire that could readily be considered for the purpose of a gymnasium are as follows:

- Squash Court/s (Recreation Centre);
- Old TAB Building (Solomon Tce.);
- Old Council Chambers; and
- Incubator Unit No.1 (Lot 5, Mullewa–Wubin Road).

The following seeks to address the suitability of the buildings.

Squash Court/s (Recreation Centre)

The Shire has 2 established squash courts each with glass back wall/glass door within the Recreation Centre that can be accessed internally and by an external door (south side of the Recreation Centre) with an electronic 'key card'. The squash courts have access to the changerooms that include toilets and showers. The courts can be configured so that internal entry is via the electronic 'key card'. The courts are separated by an internal wall and have an individual area of approximately 10mx 6m (120m² in total) with a forecourt/viewing area (approximately 30m²). The flooring is timber overlayed on concrete.

The courts have fans but lack adequate heating or cooling options. The flooring would be suitable to cater for a gym with respect to the weight of machines and weights as the squash floor is directly placed on a concrete floor



Old TAB Building (Solomon Tce)

The Old TAB building in Solomon Tce has been vacant for several years and comprises a central room with timber flooring leading to a lower section that has a non-standard concrete floor under an enclosed veranda. The building has a character but needs some level of underpinning and brickwork on its outside walls. These works will be undertaken irrespective of the use of the building for any purpose.

The building will require significant work and expense to be suitable for a gymnasium or any other potential use. Whilst it has an old style air conditioner, it is unlikely that it would function appropriately without significant maintenance resulting in likely replacement. The building is serviced by a small kitchen and single toilet. The building doesn't have disabled access and would require the installation of electronic 'swipe card' systems and CCTV (at entry/exits).

However, there is serious concern that the timber floor would require substantial underpinning to support gym equipment and weights.



Old Council Chambers

The Old Council Chambers building occupies a prominent corner location and forms part of the Prater Street community precinct. The building has been vacant for several years and like the Old TAB building, has air-conditioning systems that require significant maintenance but more likely, replacement. The building foyer has floor tiling that is understood to be asbestos based, with the remaining flooring being either bare timber flooring or carpeted (the carpet would need replacing).

The building is serviced by a kitchen and male/female toilets, along with several rooms that could be utilised for a variety of purposes. The Old Chambers doesn't have disabled access and would require the installation of electronic 'swipe card' systems and CCTV (at entry/exits).



Although not to the same extent of the Old TAB Building, there is concern that the timber floor may not be capable to support gym equipment and weights.

In any regard, the building would require significant renovation to be used for any purpose, including a gymnasium. Should Council seek to progress the use of the building for a gym or any other purpose, the Shire would need to undertake to employ a professional estimator to review the cost and requirements of limited renovations to ensure safe use of the building.

Incubator Unit 1 (Lot 5, Mullewa–Wubin Road)

The Shire has eight (8) Industrial Business Units at Lot 5, Mullewa-Wubin Road; with the exception of Unit 2, all are currently vacant. The Units have areas of between 155m² to 180 m².

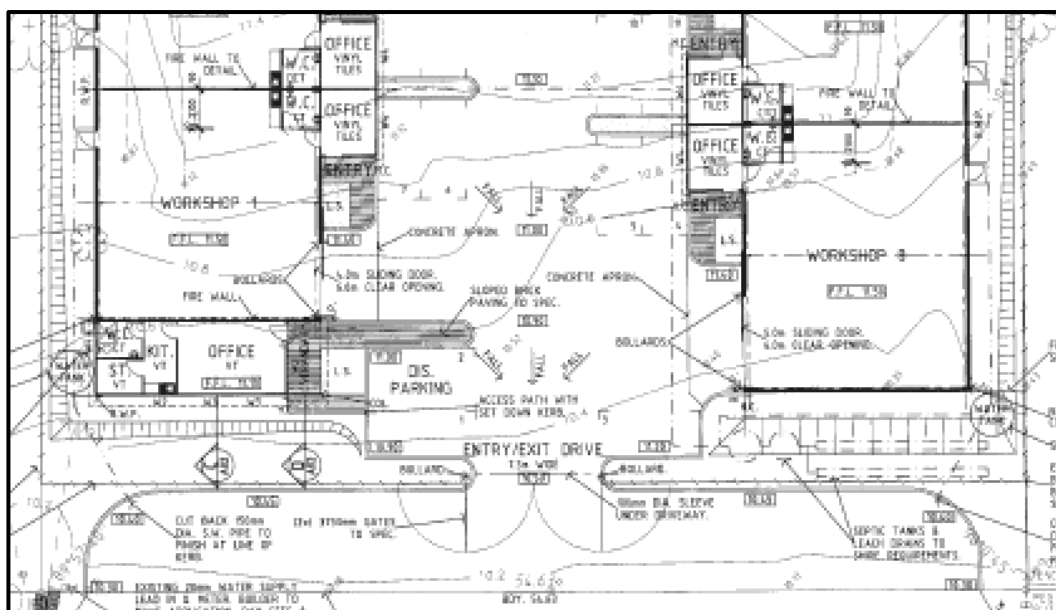
All units are steel construction with concrete floors and a single toilet – except for Unit 9 which serves as an office with toilet and shower (adjoins Unit 1).

Over the past two (2) years, the units have been promoted for lease via posters and social media. During that time Unit 1 unit was leased but by late 2019 the business owner terminated the lease and vacated the premises. In 2020 the ‘flier’ was revamped and redistributed by:

- Direct email to 25 regional businesses;
- Direct email to Morawa Business Group email list;
- Sharing on Shire Facebook, Instagram, and LinkedIn accounts;
- Sharing on Morawa Community Board Facebook Group; and
- Advertising in the Morawa Community Scene.

The recent 2020 promotions resulted in Unit 2 being occupied. Through inspection, Shire staff consider that should Council consider an Incubator unit could potentially be acceptable as a gymnasium, Unit 1 with an area of 155m² is perhaps the most is appropriate due to:

- its close location to the site entry and off street parking;
- close proximity to adjoining Unit 9 (which includes a shower and toilet); and
- area of 155m².



Unit 1 does not have insulation (albeit 'sisalation' foil has been installed in the roof) and will suffer from drafts from the large industrial door. It would be appropriate to air condition the unit but large fans could be mounted to provide circulation of air.



Unit 1



Unit 9

By its design, disabled access is available but would require the installation of electronic 'swipe card' systems and CCTV (at entry/exits).

LEVEL OF SIGNIFICANCE

Medium to High: The purpose of the Report is to "...prepare a report addressing a 24 hour gym and associated equipment...". It is clear from the Survey that there is considerable community interest in the result which places the 'level of significant as 'High. It should be noted that it is reasonable to conclude that properly rolled out, there does not appear to be any known specific negatives to the establishment of a 24 hour gym.

CONSULTATION

The Shire has undertaken a Survey to assess the interest or otherwise in establishing a 24-hour, 7 days a week gymnasium for Morawa. A brief conversation with Councillors after the Special Council meeting of 30 July 2020 to advise on the Survey outcome has also occurred.

LEGISLATION AND POLICY CONSIDERATIONS

None known.

Strategic Community Plan 2018 to 2028 (Desktop Reviewed June 2020)

Outcome 3.6 A local government that is respected, professional and accountable.

- 3.6.1 Explore repurposing of the former Shire Chambers into a precinct for appropriate future use.
- 3.6.2 Explore and implement outdoor gymnasium equipment.

Outcome 4.3 Promote and support a Healthy Community.

FINANCIAL AND RESOURCES IMPLICATIONS

There are direct financial and resource implications associated with this matter.

Council has set aside \$50k in the 2020/21 Budget as an allocation for 'Health and Amenity', which potentially could be utilised by Council should it seek to progress a 24 hour gymnasium.

It is understood that the purchase of new gym equipment as referred in this Report would be in the vicinity of \$35k. Council would also need to address the cost of membership – something that is not considered in this Report but would be as part of a more detailed 'Business Plan'.

However, there would also be an option for leasing the equipment, which may be a better option if Council seeks to undertake the option of establishing a gym for a community trial period. In addition, there may be opportunities to seek Government funding for equipment.

Should Council seek to progress a 24 hour gymnasium for Morawa, careful consideration will need to be given to the cost of establishing such a facility.

In this regard, either the Squash Court/s or Incubator Unit would appear to be the be the cheapest options for Council. The estimation of costs are as follows:

Costing for Unit 1

- **Rubber matting for weights 72 m2 x \$110 = \$7920**
- **Carpet Matting for gym 72 m2 x \$60 = \$4320**
- **Fans/power point/security = \$6171**
- **Mirrors for one wall = \$1520**
- **Labour = \$2000**

Total = \$21931

Squash courts

- **Rubber Matting 62m2 x \$110 = \$6200**
- **Carpet Matting for gym 62m2 x\$ 60 = \$3720**
- **(Additional) Fans/power point/security = \$5000**
- **Mirrors for two walls = \$3040**
- **Labour = \$2000**

Total = \$19560

As noted, due to the level of renovation required for both the Old TAB and the Old Council Chambers, an assessment of the cost has not been undertaken.

RISK MANAGEMENT CONSIDERATIONS

There are no known significant risk management issues associated with this Report. However, should Council seek to progress to a 'Business Case' for the establishment of a gymnasium, a detailed assessment of insurance, risk and operations would be provided for Council's consideration.

CONCLUSION

The level of community interest in either supporting or opposing a “...24 hour gym and associated equipment..” as an outcome for the community Survey can serve as a direction for Council.

It is considered appropriate that Council note the outcome of the Survey and support in principle, the Shire establishing a community gymnasium with the potential to be open 24-hour, 7 days a week based at a Shire owned Incubator Unit (preferably Unit 1 with access to the office/shower/toilet of Unit 9).

A Business Plan would be required addressing the costs of establishing a gym addressing (but not limited to):

- costs of establishing the gymnasium;
- potential funding sources
- cost of membership
- recommended trial period
- level and types of gym equipment;
- necessary induction requirements;
- insurance;
- operational arrangements; and
- opportunity for a local community member or group to provide gym or exercise services from the gymnasium.

Any gymnasium arrangement should be considered for a ‘trial’ period to assess community interest and actual membership take up.

ATTACHMENT

Nil

11.1.4 Voting Delegates for Western Australian Local Government Association (WALGA) Annal General Meeting

Author: Acting Chief Executive Officer

Authorising Officer: Acting Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declares that he does not have any conflicts of interest in relation to this item.

OFFICER RECOMMENDATION

That with respect to Voting Delegates for Western Australian Local Government Association (WALGA) Annal General Meeting, Council resolve to elect:

1. as Voting Delegate for the Shire of Morawa.
2. as Proxy Voting Delegate for the Shire of Morawa.

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to elect Voting Delegates for the Shire of Morawa in respect of the WALGA Annual General Meeting for 2020.

DETAIL

All member local governments are entitled to be represented by two voting delegates at the AGM of the WALGA to be held on Friday, 25 September commencing at 1:30pm.

Due to COVID19, the usual 'convention' has been reduced to a single day. Two representatives for the Shire of Morawa attending the WALGA AGM should be elected as voting delegates on behalf of the Shire of Morawa. It is open for Council to also elect one Proxy Voting Delegate.

LEVEL OF SIGNIFICANCE

Low

CONSULTATION

Shire President

LEGISLATION AND POLICY CONSIDERATIONS

Nil

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT CONSIDERATIONS

Nil

CONCLUSION

That Council elect two Voting Delegates and one Proxy Voting Delegate (if applicable) in respect of the WALGA Annual General Meeting for 2020.

ATTACHMENTS

Nil

11.2 Executive Manager Corporate & Community Services

11.2.1 Banks Reconciliations – July 2020

Author: Senior Finance Officer

Authorising Officer: Executive Manager Corporate & Community Services

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

With respect to the Bank Reconciliations – July 2020, Council receive the bank reconciliation report for 31 July 2020.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

Local Government (Financial Management) Regulation 34 (1) (a) states that a Local Government must prepare financial statements monthly.

DETAIL

The information to be provided is obtained from the bank reconciliations carried out for Municipal, Reserves and Bonds & Deposits Bank accounts to ensure all transactions have been accounted.

LEVEL OF SIGNIFICANCE

Low significance - report is presented to Council for information purposes.

CONSULTATION

Chief Executive officer
Executive Manager Corporate & Community Services

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995 and *Local Government (Financial Management) Regulations 1996*.

- Section 3 – Finance 3.11 Risk Management
- Section 3 – Finance 3.4.3 Investment Policy – Delegated Authority

Strategic Community Plan 2018 to 2028 (Desktop Reviewed June 2020)

Outcome 4.3 A local government that is respected, professional and accountable.

Outcome 4.5 Long Term Financial Viability

FINANCIAL AND RESOURCES IMPLICATIONS

As presented to Council.

RISK MANAGEMENT CONSIDERATIONS

As per Policy Section 3 – Finance 3.3 Risk Management Controls

CONCLUSION

The Shire of Morawa's financial position is as follows:

BANK BALANCES AS AT 31 July 2020

Account	2020
Municipal Account	\$1,282,449.24
Bonds & Deposits Account	\$20,013.04
Reserve Account	\$3,144,850.69
Reserve Term Deposit (Community Development)	\$500,000.00
Reserve Term Deposit (Future Funds 1)	\$800,000.00
Reserve Term Deposit (Future Funds 2)	\$800,000.00

BANK RECONCILIATION BALANCES

The Bank Reconciliation Balances for 31 July 2020 with a comparison for 31 July 2019 is as follows:

Account	2019	2020
Municipal Account	\$1,249,246.51	\$1,282,449.24
Bonds & Deposits Account	\$21,070.21	\$20,013.04
Total Reserve Accounts	\$5,543,279.24	\$5,244,850.69

RESERVE ACCOUNTS

The Reserve Funds of \$5,244,850.69 as at 31 July 2020 were invested in:

- Bank of Western Australia \$3,144,850.69 in the Reserve Account
- Term Deposit (Future Funds 1) \$800,000.00
- Term Deposit (Future Funds 2) \$800,000.00
- Term Deposit (Community Development Fund) \$500,000.00

Breakdown for July 2020 with a comparison for July 2019 is as follows:

	July 2019	July 2020
Leave Reserve	\$218,788.35	\$225,054.85
Swimming Pool (Sportsground) Reserve	\$40,448.35	\$60,686.80
Plant Reserve	\$834,334.57	\$467,396.47
Building Reserve	\$93,674.97	\$114,221.24
Economic Development Reserve	\$112,909.16	\$3,514.11
Sewerage Reserve	\$246,251.93	\$222,670.52
Unspent Grants and Contributions Reserve	\$0.00	\$0.00
Community Development Reserve	\$1,242,955.06	\$1,255,206.70
Morawa Future Funds Reserve	\$2,080,108.17	\$2,025,692.95
Morawa Future Funds Interest Reserve	\$240,441.67	\$274,457.35
Refuse Transfer Station Reserve	\$0.00	\$0.00
Aged Care Units Reserve Units 6 - 9	\$9,432.21	\$9,486.77
Aged Care Units Reserve Units 1 - 4	\$70,202.90	\$70,608.92
Aged Care Units Reserve Unit 5	\$56,355.70	\$56,681.64
Business Units Reserve	\$125,110.46	\$145,838.56
Legal Fees Reserve	\$25,949.31	\$26,099.39
Road Reserve	\$146,316.43	\$147,162.66
Covid-19 Reserve	\$0.00	\$140,071.76
TOTAL	\$5,543,279.24	\$5,244,850.69

TRANSFER OF FUNDS

Nil

Investment Transfers

Nil

ATTACHMENTS

Nil

11.2.2 Accounts Due for Payment – July 2020

Author: Senior Finance Officer

Authorising Officer: Executive Manager Corporate & Community Services

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That with respect to Accounts Due for Payment – July 2020, Council endorses the list of accounts paid by the Chief Executive Officer under delegated authority, represented by:

- **Municipal EFT Payment Numbers EFT13284 to EFT13378 amounting to \$471,818.97**
- **Municipal Cheques Payment Numbers 12001 to 12002 amounting to \$182.75**
- **Municipal Direct Debit Payment Numbers DD7159.1 to DD7218.4 amounting to \$98,326.05**
- **Payroll for July 2020**
08/07/2020 - \$51,474.05
22/07/2020 - \$52,340.15
Total Payroll for July 2020: \$103,814.20
- **Credit Cards Payment in July 2020**
\$1,040.16

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

A list of accounts is attached for Council's consideration in relation to all Shire payments made for the month of July 2020.

DETAIL

Local Government (Financial Management) Regulations 1996 – Reg 13.

On 20 June 2019, Council delegated the Chief Executive Officer (CEO) to make payments from the municipal fund or the trust fund as required. A list of all accounts paid by the CEO is to be prepared each month showing all accounts paid since the last list was prepared.

LEVEL OF SIGNIFICANCE

Low significance - report is presented to Council for information purposes only.

CONSULTATION

Chief Executive Officer
Executive Manager Corporate & Community Services

LEGISLATION AND POLICY CONSIDERATIONS

Local Government (Financial Management) Regulations 1996 – Reg 13

Strategic Community Plan 2018 to 2028 (Desktop Reviewed June 2020)

Outcome 4.3 A local government that is respected, professional and accountable.

Outcome 4.5 Long Term Financial Viability

Council Policies

Use of Corporate Credit Cards Policy (3.7)

FINANCIAL AND RESOURCES IMPLICATIONS

As per **Attachment 1**.

RISK MANAGEMENT CONSIDERATIONS

As per Policy Section 3 – Finance 3.3 Risk Management Controls

CONCLUSION

Council is requested to endorse the list of accounts paid by the Chief Executive Officer as provided in **Attachment 1**.

ATTACHMENTS

Attachment 1 - 11.2.2 List of accounts due and submitted

11.2.3 Monthly Financial Statements – July 2020

Author: Senior Finance Officer

Authorising Officer: Executive Manager Corporate & Community Services

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That with respect to Monthly Financial Statements – July 2020, Council receive the Statement of Financial Activity for the period ending 31 July 2020.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

Regulation 34(1) (a) of the *Local Government (Financial Management) Regulations 1996* requires that a local government must prepare monthly financial statements for Council. The Monthly Financial Activity Report and Schedules are provided for Council's consideration.

DETAIL

As per the *Local Government (Financial Management) Regulations 1996*, a monthly statement of financial activity report on the sources and application of funds, as set out in the annual budget has the following details:

- Annual budget estimates.
- Operating revenue, operating income and all other income and expenses.
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the reporting period.
- Identification of any significant areas where activities are not in accordance with budget estimates for the relevant reporting period.
- Provision of likely financial projections for those highlighted significant variations and their effect on the end of year result.
- Inclusion of an operating statement.
- Any other supporting notes as required.

The actual amounts contained in the report are subject to end of year 2019/2020 adjustments and final audit and could possibly change following the final audit for 2019/2020 which will take place during September/October 2020. The final accounts will be confirmed by the auditor and presented to council as part of the annual financial report for 2019/2020.

LEVEL OF SIGNIFICANCE

Low significance - report is presented to Council for information purposes only.

CONSULTATION

Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government (Financial Management) Regulations 1996

Strategic Community Plan 2018 to 2028 (desktop Review June 2020)

Outcome 4.3 A local government that is respected, professional and accountable.

Outcome 4.5 Long Term Financial Viability

FINANCIAL AND RESOURCES IMPLICATIONS

As presented in **Attachments 1** and **2**.

RISK MANAGEMENT CONSIDERATIONS

There are no known risks associated with the report.

CONCLUSION

This report is based on the 2020/21 Annual Budget adopted by Council on 30 July 2020.

The report contains the budget amounts, actual amounts of expenditure, revenue and income to the end of the month.

It shows the material differences between the adopted budget, amended budget and actual amounts for the purpose of keeping Council abreast of the current financial position and the variances are explained under Note 2 of the report.

ATTACHMENTS

Attachment 1 – 11.2.3 July 2020 Monthly Financial Activity Report

Attachment 2 – 11.2.3 July 2020 Schedules 2 - 14

11.2.4 Chief Executive Officer Authorisations and Reporting to Council

Author: Senior Finance Officer

Authorising Officer: Executive Manager Corporate and Community Services

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That with respect to the Chief Executive Officer Authorisations and Reporting to Council:

1. Council receive the information presented to this meeting of the time worked by the Chief Executive Officer between 25 June 2020 and 5 August 2020 and acknowledges that the time worked is in accordance with the Chief Executive Officer's Letter of Appointment.
2. Council receive the information presented to this meeting that the Chief Executive Officer took no leave since the last Ordinary Council meeting held on 16 July 2020.
3. Council receive the information presented to this meeting of the credit card transactions made by the Chief Executive Officer using his corporate credit card for July 2020 and acknowledges that a payment has been incurred in accordance with the Shire's procurement policy and Credit Card Agreement.
4. Council receive the information presented to this meeting of no reimbursement applications made by the Chief Executive Officer in July 2020.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this agenda item is to report to Council on Acting Chief Executive Officer (CEO) leave applications, use of the corporate credit card and the reimbursement of CEO expense applications.

DETAIL

Due to the position held by the CEO, there is no other individual person authorised under the *Local Government Act 1995* (the Act) to approve or authorise the CEO's leave applications, use of the corporate credit card and the reimbursement of CEO expense applications.

These functions can only be approved by Council resolution.

Leave Taken

This report covers leave taken by the CEO for the period between 17 July and 10 August 2020. No leave was taken for this period as **Attachment 1**.

Leave Sought

This report covers the period the period between 21 August 2020 and 17 September 2020 (date of the September Ordinary Council Meeting). The CEO is not seeking to take any leave during this period.

Reimbursement Applications

This report covers July 2020. No reimbursements were claimed during this period.

Corporate Credit Card

This report covers July 2020 credit card statements. Note that there was credit card expenditure in July 2020 (**Attachment 2**).

LEVEL OF SIGNIFICANCE

Low significance - report is presented to Council for information purposes.

CONSULTATION

Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Section 2.7 of the *Local Government Act 1995* states:

“Role of council

(1) *The council —*

(a) governs the local government’s affairs; and

(b) is responsible for the performance of the local government’s functions.

(2) *Without limiting subsection (1), the council is to —*

(a) oversee the allocation of the local government’s finances and resources; and

(b) determine the local government’s policies.”

Shire of Morawa Policies

CEO Leave Authorisations and Other Approvals Policy

Use of Corporate Credit Cards Policy

Strategic Community Plan 2018 to 2028 (desktop Review June 2020)

Outcome 4.3 A local government that is respected, professional and accountable.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no known financial or resource implications in relation to this item.

RISK MANAGEMENT CONSIDERATIONS

There are no known risk management implications in relation to this item.

CONCLUSION

That Council receive the information contained in this report addressing the CEO's:

- leave of any type;
- additional hours worked and claimed (none);
- corporate credit card expenses (none); and
- work related expenses/reimbursements (none).

ATTACHMENTS

Attachment 1 – 11.2.4 CEO's Timesheets

Attachment 2 – 11.2.4 CEO Credit Card Statement

11.3 Economic Development Manager

11.3.1 Morawa Sinosteel Future Fund Committee – Appointment of Community Representatives

Author: Economic Development Manager

Authorising Officer: Acting Chief Executive Officer

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER’S RECOMMENDATION

That with respect to the Morawa Sinosteel Future Fund Committee – Appointment of Representatives that Council:

1. Receive the applications from community members for a position on the Morawa Sinosteel Future Fund Committee.
2. Resolve that Confidential Attachments 2, 3 and 4 are confidential in accordance with s5.23 (2) of the *Local Government Act 1995* because it deals with matters affecting s5.23 (2) (e):
 - (iii) *information about the business, professional, commercial or financial affairs of a person.*
3. Appoint the following person to the Morawa Sinosteel Future Fund Committee for a two-year period with the term expiring 30 June 2022:
 - Community Member

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

For Council to select and appoint a community representative for the Morawa Sinosteel Future Fund Committee (the Committee) for a two (2) year period (ending 30 June 2022 so as to coincide with the previous appointee’s term).

DETAIL

Purpose of the Morawa Sinosteel Future Fund

The purpose of the Morawa Sinosteel Future Fund is to assist community organisations by providing financial support for:

- (a) Activities or endeavours that will provide community, or welfare benefit, to persons who are ordinarily resident in the Shire of Morawa; or
- (b) Facilities or services that improve the welfare, culture or amenity of persons ordinarily resident in the Shire of Morawa.

The Morawa Sinosteel Future Fund Deed of Agreement (**Attachment 1**) states that the members of the Committee are to comprise:

- (a) the Shire President; and
- (b) the Shire Deputy President; and
- (c) the Shire Chief Executive Officer; and
- (d) two (2) members of the community who normally reside in the area

The Morawa Sinosteel Future Fund Trust historically has provided significant support to local organisations within the community. This trust has left an enduring positive impact on the Morawa community.

Request for Applications

At the Ordinary Council meeting of 21 May, 2020, Council resolved as follows:

“That with regards to the Morawa Sinosteel Future Fund Committee - Criteria for Community Representatives Council resolve to:

- 1. Adopt the “Morawa Sinosteel Future Fund Committee: Criteria for the Community Representative Role” (Attachment 1); and*
- 2. Requests the Chief Executive Officer to advertise for members of the Committee with a further report to be provided to the Ordinary Meeting of 18 June 2020”.*

The advertisement requesting applications for the vacant community representative roles on the Morawa Sinosteel Future Fund Committee was undertaken in June. One application was received and subsequently appointed to the community representative role on committee. Two additional rounds of advertising have been undertaken with the latest round closing on the 13 August 2020.

At the time of preparing this report, two applications for (one) community membership position had been received (**Confidential Attachments 2 & 3**). Should any additional applications be received at the end of the closing date, these will be forwarded to Council under separate cover. The two applications received have been discussed with Councillors and aggregated against the criteria assessment provided by Councillors (**Confidential Attachment 4**).

LEVEL OF SIGNIFICANCE

Medium impact – a full suite of community representatives the Morawa Sinosteel Future Fund Committee is optimal.

CONSULTATION

Shire President
Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS**Local Government Act 1995****5.8. Establishment of committees**

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

** Absolute majority required.*

5.10 Committee members, appointment of

(1) A committee is to have as its members —

- (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

** Absolute majority required.*

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee, the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.16 Delegation of some powers and duties to certain committees

(1) Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.

** Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
 - (a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and

- (b) *any decision to amend or revoke a delegation under this section is to be by an absolute majority.*
- (4) *Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.*

Strategic Community Plan 2018 to 2028 (desktop Review June 2020)

Outcome 4.3 A local government that is respected, professional and accountable.

Outcome 4.4 Strong regional partnerships with government and industry.

FINANCIAL AND RESOURCES IMPLICATIONS

Low. Available funds for distribution each year will be determined to ensure alignment with the rules of the Deed of Agreement.

RISK MANAGEMENT CONSIDERATIONS

Shire of Morawa Risk Management Framework - provide transparent and formal oversight of the risk and control environment to enable effective decision making.

CONCLUSION

That Council endorse the recommendations from the Morawa Sinosteel Future Fund Committee.

ATTACHMENTS

Attachment 1 – 11.3.1 Morawa Sinosteel Future Fund Deed of Agreement

11.4 Executive Manager Works & Assets

There is no Executive Manager Works & Assets Report.

Item 12 Reports of Committees

Item 13 Motions of Which Previous Notice Has Been Given

13.1 Notice of Motion – Necessary Improvements to the Old Council Chambers Building (Cr Karen Chappel)

Author: Acting Chief Executive Officer

Authorising Officer: Acting Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declares that he does not have any conflict of interest in relation to this item.

NOTICE OF MOTION

That the Chief Executive Officer be requested to provide a report to Council addressing the minimum requirements and costings to activate the Old Council Chambers for community or other use.

SIMPLE MAJORITY VOTE REQUIRED

ELECTED MEMBER SUMMARY

The Old Chambers Building needs an assessment to ascertain the minimum works necessary for it to be activated for community or other use.

OFFICER COMMENT

The request is supported by the Shire as the Old Chambers Building in its current state, is not available for any particular use or activity.

LEVEL OF SIGNIFICANCE

High – as per the direction of the *Strategic Community Plan 2018 to 2028 (Desktop Reviewed June 2020)*.

CONSULTATION

Acting Chief Executive Officer

LEGISLATION AND POLICY CONSIDERATIONS

None known

Strategic Community Plan 2018 to 2028 (Desktop Reviewed June 2020)

Outcome 1.7 Attractive and well maintained buildings and streetscapes.

1.7.3 Explore the concept, including the costs and benefits of establishing a tourism, community and cultural precinct at the old Shire Council Chambers and Town Hall. Explore Staging & Funding opportunities for adopted MP concept

FINANCIAL AND RESOURCES IMPLICATIONS

To be determined as part of the Notice of Motion.

RISK MANAGEMENT CONSIDERATIONS

None known.

ATTACHMENTS

Nil

Item 14 New Business of an Urgent Notice**Item 15 Matters for Which the Meeting May Be Closed (Confidential Items)****15.1 Closure of the Meeting to the Public**

Author: Acting Chief Executive Officer

Authorising Officer: Acting Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declares that he does not have any conflicts of interest in relation to this item as he won't be seeking to apply for the role.

OFFICER'S RECOMMENDATION

That Council closes the meeting to the public under section 5.23 (2) c) and e (ii) of the *Local Government Act 1995* and the *Shire of Morawa Standing Orders Local Law 2011 s 6.2 (2)* so that it can consider the selection of Chief Executive Officer recruitment consultant.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

This item seeks Council's approval under s5.23 (2) (e) of the *Local Government Act 1995* to move into camera or closed session to consider the following confidential matters

- Selection of Chief Executive Officer Recruitment Consultant.

DETAIL

Item 15.2 is presented with a recommendation to appoint the Chief Executive Officer recruitment consultant.

LEVEL OF SIGNIFICANCE

High – Confidential Items

CONSULTATION

Nil.

LEGISLATION AND POLICY CONSIDERATIONS***Local Government Act 1995***

Under section 5.23 (2) of the *Local Government Act 1995*, part of a council meeting may be closed, if the meeting deals with any of the following:

- (a) *a matter affecting an employee or employees;*
- (b) *the personal affairs of any person;*
- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
- (e) *a matter that if disclosed, would reveal —*
 - (i) *a trade secret;*
 - (ii) *information that has a commercial value to a person;*
 - (iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;*
- (f) *a matter that if disclosed, could be reasonably expected to —*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (ii) *endanger the security of the local government's property;*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
- (g) *information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and*
- (h) *such other matters as may be prescribed.*

Shire of Morawa Standing Orders Local Law 2011

The key parts include:

- 6.2 (1) *The CEO may recommend that part of the meeting is closed.*
- 6.2 (2) *The Council may decide to close a meeting or part of a meeting.*
- 6.2 (3) *The presiding member is to direct everyone to leave the meeting except, members, the CEO and any officer specified.*
- 6.2 (5) *Clause 8.9 (re speaking twice)*
- 6.2 (7) *The presiding member is to ensure any resolution of the Council made while the meeting was closed is to read out including a vote of a member.*

FINANCIAL AND RESOURCES IMPLICATIONS

Any known financial implications are addressed in the respective reports.

RISK MANAGEMENT CONSIDERATIONS

There are no known risk management considerations.

CONCLUSION

That Council closes the meeting to the public under section 5.23 (2) (e) of the *Local Government Act 1995* and the *Shire of Morawa Standing Orders Local Law 2011* s 6.2 (2) so that it can consider a report addressing the selection of the consultant to perform the Chief Executive Officer recruitment process

ATTACHMENTS

Nil

15.2 Selection of Chief Executive Officer Recruitment Consultant

Author: Acting Chief Executive Officer

Authorising Officer: Acting Chief Executive Officer

Disclosure of Interest: The Author/Authorising Officer declares that he does not have any conflicts of interest in relation to this item as he won't be seeking to apply for the role.

OFFICER'S RECOMMENDATION

That with regards to the Selection of Chief Executive Officer Recruitment Consultant, Council resolve:

1. To note the "Assessment of Received Quotes for the Recruitment of a Permanent Chief Executive Officer" as provided in Confidential Attachment 6.
2. In accordance with Shire of Morawa Policy 3.5 - Purchasing Policy:
 - (a) Appoint Lydia Highfield to assist in the recruitment of the Chief Executive Officer for the Shire of Morawa as set out in the Recruitment Proposal dated 11 August 2020 in Confidential Attachment 4; and
 - (b) Appoint Lydia Highfield to undertake employment contract services including the drafting of contract clauses and undertaking negotiations with the preferred applicant.
3. Authorises the President and Acting Chief Executive Officer to liaise with Lydia Highfield in relation to the Chief Executive Officer recruitment process.
4. In accordance with S.18C of the *Local Government Act 1995*, all Counsellors be invited to participate in the Chief Executive Officer selection and appointment.

ABSOLUTE MAJORITY VOTE REQUIRED

15.3 Reopening of the Meeting to the Public

OFFICER'S RECOMMENDATION

That Council reopens the meeting to the public.

SIMPLE MAJORITY VOTE REQUIRED

Item 16 Closure

16.1 Date of Next Meeting

The next ordinary meeting of Council will be held on Thursday, 17 September 2020 commencing at 5.30pm.

16.2 Closure

There being no further business, the President to declare the meeting closed.