



**MINUTES**  
**ORDINARY MEETING OF COUNCIL**

held on

**Thursday, 11 February 2021**



WESTERN AUSTRALIA'S  
**WILDFLOWER COUNTRY**

**DISCLAIMER**

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**Item 1 Opening of Meeting**

The President declared the meeting open at 5.30pm.

**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 (via video conference)  
Councillor Jane Coaker  
Councillor Shirley Katona  
Councillor Ken Stokes

**Staff**

Chief Executive Officer	Scott Wildgoose
Executive Manager Works and Assets	Paul Buist
Executive Assistant	Rondah Toms

**Members of the Public**

Nil

**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**

Councillor Yvette Harris  
Councillor Debbie Collins

**3.4 Approved Leave of Absence**

Nil

**3.5 Disclosure of Interests**

<b>Agenda Item: 11.2.4 Chief Executive Officer Authorisations and Reporting to Council – December 2020</b>		
<b>Name of Disclosing Member</b>	<b>Nature of Interest</b>	<b>The Nature being</b>
Scott Wildgoose	Impartiality Interest	The Item addresses matters concerning the role and function of the Chief Executive Officer.

<b>Agenda Item: 11.2.8 Chief Executive Officer Authorisations and Reporting to Council – January 2021</b>		
<b>Name of Disclosing Member</b>	<b>Nature of Interest</b>	<b>The Nature being</b>
Scott Wildgoose	Impartiality Interest	The Item addresses matters concerning the role and function of the Chief Executive Officer.

<b>Agenda Item: 15.2 Confidential Item – CEO Performance Criteria 2021</b>		
<b>Name of Disclosing Member</b>	<b>Nature of Interest</b>	<b>The Nature being</b>
Scott Wildgoose	Impartiality Interest	This item directly affects the Author but not in a financial manner and the Performance Criteria being discussed has been developed in a negotiated manner.

**Item 4 Applications for Leave of Absence**

Nil

**Item 5 Response to Previous Questions**

Nil

**Item 6 Public Question Time***Important note:*

*‘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.*

*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**

Nil

**6.2 Public Statement Time**

Nil

**6.3 Petitions/Deputations/Presentations/Submissions**

Nil

<b>Item 7 Questions from Members without Notice</b>
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Nil

<b>Item 8 Announcements by Presiding Member without Discussion</b>
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President's Meetings for the month of December 2020 and January 2021.

<b>Date</b>	<b>Meeting</b>	<b>Details of Meeting</b>
1 December 2020	State roads fund for Local Government	Meeting
2 December 2020	Selection Committee	Meeting
2 December 2020	WALGA	State Council Meeting
3 December 2020	Local Government Advisory Board	Board Meeting
4 December 2020	WALGA and Lara Dalton, WA Labor Candidate	Meeting
7 December 2020	Midwest Development Commission	Meeting
7 December 2020	Rural West	Meeting
8 December 2020	Shire of Morawa	Special Council Meeting
9 December 2020	ALGA	Board Meeting
10 December 2020	Shire of Morawa	Council Briefing Session
17 December 2020	Shire of Morawa	Ordinary Council Meeting
17 December 2020	Shire of Morawa	Audit and Risk Meeting
16 December 2020	ALGA	Meeting
16 December 2020	Midwest Development Commission	Farewell to CEO
18 December 2020	Shire of Morawa	Christmas party
21 December 2020	Desert Blue connect	Meeting
24 December 2020	WALGA	Meeting
25 January 2021	Corella control working group	Meeting
26 January 2021	Australia Day	Ceremony
28 January 2021	Shire of Morawa	Special Council Meeting
28 January 2021	Opening of Durlacher Street round-about	
29 January 2021	Midwest Development Commission	Audit and Risk Meeting

<b>Item 9 Declarations of All Members to have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting</b>
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The Elected Members to declare that they had given due consideration to all matters contained in the agenda.

- President Councillor Karen Chappel
- Deputy President Councillor Dean Carslake
- Councillor Jane Coaker
- Councillor Shirley Katona
- Councillor Ken Stokes

**Item 10 Confirmation of Minutes of Previous Meeting**

The Minutes of the 17 December 2020 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 23 December 2020.

The Minutes of the 28 January 2021 Special Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 29 January 2021.

The Minutes of the 04 February 2021 Annual Electors Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 05 February 2021.

The Minutes of the 04 February 2021 Special Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 08 February 2021.

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**OFFICER'S RECOMMENDATION/RESOLUTION****210211 Moved: Cr Stokes****Seconded: Cr Katona****That Council confirm that:**

- 1. The Minutes of the Ordinary Council Meeting held on 17 December 2020 are a true and correct record.**
- 2. The Minutes of the Special Council Meeting held 28 January 2021 are a true and correct record.**
- 3. The Minutes of the Annual Electors Meeting held 04 February 2021 are a true and correct record.**
- 4. The Minutes of the Special Council Meeting held 04 February 2021 are a true and correct record.**

**CARRIED BY SIMPLE MAJORITY 5/0**

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*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 – December 2020 and January 2021**

**Author:** Executive Assistant

**Authorising Officer:** 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.

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**OFFICER'S RECOMMENDATION/RESOLUTION**

**210212 Moved: Cr Coaker**

**Seconded: Cr Carslake**

**That Council receive the Integrated Planning and Reporting (IPR) update for the month of December 2020 and January 2021.**

***CARRIED BY SIMPLE MAJORITY 5/0***

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**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**

The expenditure associated with the provision of the software used to monitor and report on IPR have been 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 December 2020 and January 2021 update (*Attachment 1*).

**ATTACHMENT**

*Attachment 1* – 11.1.1 IPR December 2020 and January 2021



**Common Seal**

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Other Party</i>	<i>Other affected person(s)</i>
12/01/2021	N/A	Construction & Building Services for Morawa Netball Court Refurbishment	Rohan John Howard, Manager Director of Road Contractors	N/A

**Dangerous Goods Safety Act 2004**

No delegated decisions were undertaken by Shire pursuant to Dangerous Goods Safety matters during the period.

**Food Act 2008**

No delegated decisions were undertaken by Shire pursuant to the Food Act matters during the period.

**Hawkers, traders and stall holders**

No delegated decisions were undertaken by Shire pursuant to Hawkers, traders and stall holders during this period.

**Liquor Control Act 1988**

No delegated decisions were undertaken by Shire pursuant to liquor matters during the period.

**Lodging houses**

No delegated decisions were undertaken by Shire pursuant to lodging house matters during the period.

**Public Buildings**

No delegated decisions were undertaken by Shire pursuant to public buildings matters during the period.

**Septic Tank Approvals**

No delegated decisions were undertaken by Shire pursuant to the Health Act 1911 and Health (Treatment of Sewage and Disposal of Effluent Waste) Regulations 1974 during the period.

**Planning Approval**

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
21/01/2021	N/A	Development Approval for Farm Machinery Shed 1048 Gutha East Road. The shed met all requirements in line with planning policy and regulations and was for a rural purpose on a rural zoned lot.	Ray Stent	N/A

**Building Permits**

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
22/01/2021	N/A	Initial building permit was refused as it was submitted under the uncertified building application stream and a new application is required under the certified application stream.	Morawa Speedway Inc.	N/A

**Other Delegations**

One delegated decision was undertaken by Shire pursuant to this category during the period as follows:

Delegation 3.3 Concession for Minor Charges: - the CEO is authorised to waive or grant concessions where the monetary value is less than \$500.

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
21/12/2020	N/A	Waived 5 weeks of rent for the day care centre as it was closed over the Christmas Period (\$250)	Wildthings Family Day Care (Marie Gamble)	N/A

**LEVEL OF SIGNIFICANCE**

Low – report provided to Council for information purposes.

**CONSULTATION**

Nil

**LEGISLATION AND POLICY CONSIDERATIONS**

*Building Act 2011*  
*Bushfire Act 1954*  
*Dangerous Goods Safety (Explosives) Regulations 2007*  
*Health Act 1991*  
*Health Act 1911*  
*Health (Public Buildings) Regulations 1992*  
*Liquor Control Act 1988*  
*Local Government Act 1995*  
*Planning & Development Act 2005*  
*Shire of Morawa Local Planning Scheme No. 2*  
*Shire of Morawa Cemeteries 2018 - Local Law*  
*Shire of Morawa Dogs 2018 - Local Law*  
*Shire of Morawa Extractive Industries 2018 - Local Law*  
*Shire of Morawa Fencing 2018 Local Law*  
*Shire of Morawa Health 2004 - Local Law*

*Shire of Morawa Public Places and Local Government Property 2018 - Local Law*

*Shire of Morawa Meeting Procedures 2012 - Local Law*

*Shire of Morawa Waste 2018 - Local Law*

*Shire of Morawa Delegations Register (2020)*

**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**

There are no known financial implications relating to this Item.

**RISK MANAGEMENT CONSIDERATIONS**

There are no known risk management implications relating to this Item.

**ATTACHMENTS**

Nil



This policy will be under the established Employee policy category and included in the Shire of Morawa Policy Manual as *EMP11 – Gratuity Payments to Finishing Employees*.

The Shire of Morawa Current Policies can be found on the Shire of Morawa's Website:

<https://www.morawa.wa.gov.au/documents/policies>

It was noted in the report that went to council in November 2020 that Council will need to continually review the existing policies in view of changing legislation and requirements.

## LEVEL OF SIGNIFICANCE

High – This policy is required by the Local Government Act 1995.

## CONSULTATION

Shire President  
Chief Executive Officer

## LEGISLATION AND POLICY CONSIDERATIONS

*Local Government Act 1995 Section 5.50:*

*5.50. Payments to employees in addition to contract or award*

*(1) A local government is to prepare a policy in relation to employees whose employment with the local government is finishing, setting out —*

*(a) the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and*

*(b) the manner of assessment of the additional amount.*

*(1a) A local government must not make any payment of the kind described in subsection (1)(a) unless the local government has adopted a policy prepared under subsection (1). (2) A local government may make a payment —*

*(a) to an employee whose employment with the local government is finishing; and (b) that is more than the additional amount set out in the policy prepared under subsection (1) and adopted by the local government,*

*but local public notice is to be given in relation to the payment made.*

*(3) The value of a payment or payments made to a person under this section is not to exceed such amount as is prescribed or provided for by regulations.*

*(4) In this section a reference to a payment to a person includes a reference to the disposition of property in favour of, or the conferral of any other financial benefit on, the person.*

*(5) The CEO must publish the policy prepared under subsection (1) and adopted by the local government on the local government's official website.*

## STRATEGIC AND SUSTAINABILITY IMPLICATIONS

***Shire of Morawa Community Strategic Plan 2018-2028 (Desktop Review June 2020)***

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

**Outcome 4.5** Be compliant with relevant legislation.

## **FINANCIAL AND RESOURCES IMPLICATIONS**

There are no known Financial and Resource Implications in this Report.

## **RISK MANAGEMENT CONSIDERATIONS**

High – Without a suitable policy to govern this area the Shire has a high probability of being non-compliant in this area.

## **CONCLUSION**

This policy, allows the CEO and Council to make a payment to recognise the loyal and dedicated service of employees as a token of appreciation for their commitment and service to the Shire of Morawa.

## **ATTACHMENTS**

*Attachment 1 - 11.1.3 Gratuity Payments to Finishing Employees Policy*



**11.1.4 Lease of Lot 466 on Deposited Plan 26259 to Motown Community Shed Inc.**

**Author:** Chief Executive Officer

**Authorising Officer:** 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.

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**OFFICER'S RECOMMENDATION/RESOLUTION**

**210215 Moved: Cr Stokes Seconded: Cr Katona**

**That Council:**

- 1. Agree to the disposal by way of lease of Lot 466 on Deposited Plan 26259, Morawa to Motown Community Shed Inc. for the purpose of a non-profit community shed that provides a space for craft work and social interaction, and for activities commensurate with operating as a refund point under the WA Container Deposit Scheme.**
- 2. Authorise the CEO to execute the proposed lease agreement, for an initial term of five (5) years with a further term of five (5) years at a peppercorn rent of \$1 plus GST per annum.**

***CARRIED BY SIMPLE MAJORITY 5/0***

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**PURPOSE**

To dispose of Lot 466 on Deposited Plan 26259 (Frosty's Yard) to the Motown Community Shed Inc.

**DETAIL**

At the 17 December 2020 ordinary meeting of Council, Council resolved:

*201215 Moved: Cr Katona Seconded: Cr Carslake*

*That Council, with regards to the establishment of the Motown Community Shed, resolves to:*

- 1. note the receipt of the Certificate of Incorporation and Letter from the President of the Motown Community Shed Committee.*
- 2. request the Chief Executive Officer to expedite the necessary repairs and maintenance to the switchboard required to get the premises on 81 Winfield Street (Lot 466 on Deposited Plan 26259) – "Frosty's Yard" – to operational standard for a maximum of \$3,500 (excluding GST).*

*3. authorise the Chief Executive Officer to undertake the steps to dispose of the location “Frosty’s Yard” in accordance with S3.58 of the Local Government Act 1995 and draft an appropriate agreement between parties to reflect the arrangements made including a financial lease agreement for a peppercorn rent.*

*4. donate the eligible containers in the skip bins located at the landfill site on Jones Lake Road towards the start-up investment of the Motown Community Shed as an in-kind contribution. The transport of containers from the landfill site is to be arranged by the Motown Community Shed Committee.*

In terms of this resolution, the necessary repairs to the electrical switchboard at the site have been completed and a draft lease has been developed as attached.

As the Motown Community Shed Inc. has been established for a community purpose that is charitable in nature and no member is entitled to receive any pecuniary profit from the body’s transactions, pursuant to Section 30 of the Local Government (Functions and General) Regulations 1996 the disposition of land to Motown Community Shed Inc. is exempt from the requirements of Section 3.58 of the Local Government Act.

The attached lease is based on a template for community leases that has been prepared by a solicitor’s office. As such some of the terms are not relevant/applicable to this lease but remain in the document with the notation not applicable for completeness.

The premises covered by the lease is the whole of the land included all buildings and structures.

The Committee of Motown Community Shed Inc. have reviewed the draft lease and are happy with the terms as proposed.

## **LEVEL OF SIGNIFICANCE**

Medium – The Motown Community Shed Inc. have undertaken all the necessary steps to formalise their incorporation and their insurance will become active at the end of February. As such formalising the lease arrangement prior to them being insured to commence operations will greatly assist their development and planning.

## **CONSULTATION**

Motown Community Shed Inc. Committee

The CEO has attended a meeting of the group and had discussions with the President and Secretary about their purpose and the requirements under the lease.

## **LEGISLATION AND POLICY CONSIDERATIONS**

In general Section 3.58 of the Local Government Act describes how Local Governments should dispose of property, part (5) of Section 3.58 provides for instances under which the section does not apply, in this instance part (5d) is relevant as the disposition is excluded by regulations.

Section 30 (2b) of Local Government (Functions and General) Regulations states:

(2) A disposition of land is an exempt disposition if —

(b) the land is disposed of to a body, whether incorporated or not —

- (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
- (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

The objectives and incorporation of the Motown Community Shed Inc. align with Section 30 (2b) of the Regulations and as such this lease would be an exempt disposition under the Local Government Act.

Delegation 4.5 Lease Agreements including User and Licences Agreements – provides a delegation to the CEO for the establishment, renewal and variation of User and Licence Agreements, Commercial Lease Agreements, Community Lease Agreements and Sub-Lease Agreements both as the Lessor and Lessee for agreements not exceeding a total value of \$100,000.

Council Policy ELM10 states that the Common Seal is only to be affixed to documents required by Legislation to be executed using the Common Seal. There is no legal requirement to apply the Common Seal to a community lease and as such under 9.49A (4) of the Local Government Act 1995 Council are being requested to authorise the CEO to sign the document.

## **FINANCIAL AND RESOURCES IMPLICATIONS**

Once Council authorisation is given no financial or resource implications are required in the execution of the lease.

## **RISK MANAGEMENT CONSIDERATIONS**

Entering into a formal lease arrangement is a risk alleviation measure in itself and the management of the lease once in place will become an operational matter.

## **CONCLUSION**

The establishment of a community lease with the Motown Community Shed Inc. will enable them to commence their operations from Frosty's Yard as soon as possible.

## **ATTACHMENTS**

*Attachment 1 – 11.1.4 Draft Lease for Motown Community Shed*

**11.1.5 Road Safety Signage Project – Morawa District High School**

**Author:** Chief Executive Officer

**Authorising Officer:** 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.

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**OFFICER'S RECOMMENDATION/RESOLUTION**

**210216 Moved: Cr Katona Seconded: Cr Coaker**

**That Council:**

- 1. Commend the Morawa District High School Students on their excellent work recycling old satellite dishes and decorating them with road safety awareness messaging.**
- 2. Authorise the CEO to undertake necessary actions to install the signage on Shire owned land in an area that will be visible to road users.**

***CARRIED BY SIMPLE MAJORITY 5/0***

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**PURPOSE**

To accept the implementation of signage that is outside of the parameters Council Policy - RTED03 – Signage Policy.

**DETAIL**

In early 2020 the Morawa District High School (MDHS) submitted a grant application to the Road Safety Project Grants for a project to paint road safety messaging on two old satellite dishes and PVC banners. The application was successful and the project involved a large number of students from MDHS and was completed in November 2020.

In order to maximise the impact of the signage and appropriately display the students work the MDHS have requested the Shire to implement the signage and banners in appropriate locations adjacent to well used roads.

Essentially the MDHS would be donating the banners and the signage to the Shire on the proviso that they are displayed and that the MDHS are updated if the signage is damaged or vandalised or is being removed for another reason.

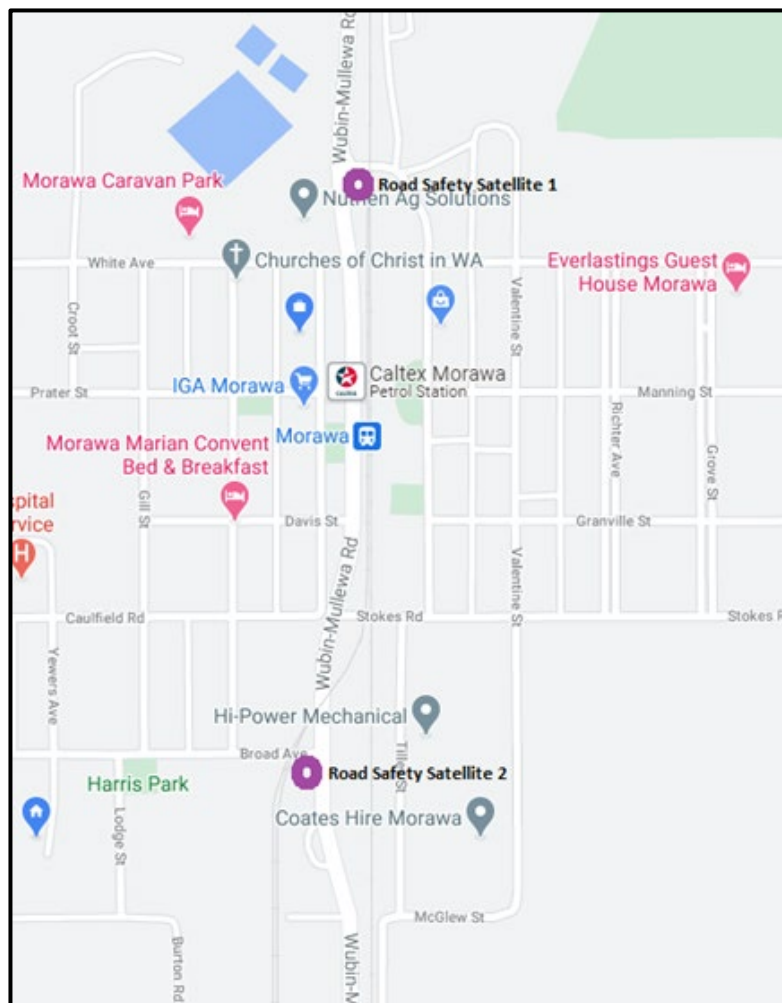
The installation of the banners would be simple if done on a seasonal basis. The Shire would be able to replace the Bushfire Ready - Firebreak banners which are no longer needed and some of which are looking well worn and damaged with road safety banners. The banner infrastructure is

already in place and Shire staff would just be able to swap the banners over when firebreak season come back around.

The satellite dishes are far larger and would need to have poles sunk into the ground and be fixed in place with concrete to ensure high winds don't cause a risk to passing traffic. The existing poles for the satellites are available with attachment lugs and it should be relatively simple to modify the poles to an appropriate height for the roadside installation.

The satellite dishes, whilst essentially being road safety signage are more decorative in nature, as such permission is being requested to go outside Council Policy for the installation of this signage within the townsite boundaries.

To keep the process simple the Shire would seek a location to install the signage on land on the road verge that is managed by the Shire not Main Roads. At this stage, two locations have been identified on the Wubin- Mullewa Road – near the information pull in bay on the way into town from the South and on the Northside of the same road entering town from the opposite direction. A rough indication of the two locations is shown on the below map – this positioning may not be the exact final positioning but gives a reasonable idea of the thinking. The final positioning will be decided the Shire's Executive Manager Works and Assets in consultation with MDHS based on the type of ground and other hazards etc.



The Shire's signage policy does not have a category to cover this sort of signage. Whilst these signs represent a clear deviation from Policy, they do aim to share an important road safety message and have been painted to a high standard which could enhance the visual image of the townsite.

The re-use of old satellite dishes also sends a message linked to resource re-use and recycling which is being supported by all layers of government. This signage would be unique to Morawa and may actually encourage safer road usage which is an area the Shire actively supports.

### **LEVEL OF SIGNIFICANCE**

Low – There are no significant implications of supporting or not supporting this course of action. The MDHS is able to display the satellite signage within school grounds if the Council is not supportive of having the dishes on a road reserve, however the message will not be seen by as many road users.

### **CONSULTATION**

Morawa District High School Principal, Tonia Carslake

### **LEGISLATION AND POLICY CONSIDERATIONS**

Deviation from Policy on this occasion may encourage future requests outside of Policy parameters, however it is difficult to create a Policy that will deal with unique requests of this nature and road safety messaging is something commonly expected to be seen on the road reserve so whilst the signage is unique its message is universally accepted.

### **FINANCIAL AND RESOURCES IMPLICATIONS**

Staff time would be needed to install the satellite signage as well as concrete supplies. The banners will need very minimal installation and two bushfire ready banners have already been identified that are significantly faded and damaged so would be removed shortly anyway.

Overall the cost to the Shire is estimated to be in the region of \$500, which can be covered under normal budgetary allocations.

General maintenance of the signage such as wiping down the dishes will be undertaken as staff routinely pass through the areas so ongoing operational costs are minimal – only the time it takes to wipe the dishes down. The paint used is appropriate outdoor paint and has an anti graffiti coating.

### **RISK MANAGEMENT CONSIDERATIONS**

Ensuring the dish posts are concreted into a safe depth and are bolted to the posts with appropriate posts should minimise any risk of the satellite dishes moving in the wind or with vehicles passing by.

Vandalism remains as a risk and although anti-graffiti coating has been used it will not prevent other forms of damage, the MDHS accepts that if the signage is damaged beyond simple repair or regularly vandalised then it will be removed.

**CONCLUSION**

Whilst the implementation of this signage represents a deviation from Policy it demonstrates the Shire's support of both road safety and recycling, as well as the efforts of the MDHS students.

**ATTACHMENTS**

*Attachment 1 – 11.1.5 Images of banners and painted satellite dishes*

## 11.2 Executive Manager Corporate & Community Services

### 11.2.1 Banks Reconciliations – December 2020

**Author:** Senior Finance Officer

**Authorising Officer:** 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 bank reconciliation report for 31 December 2020.

#### RESOLUTION

210217 Moved: Cr Coaker Seconded: Cr Stokes

That items 11.2.1, 11.2.2, 11.2.3, 11.2.4, 11.2.5, 11.2.6 and 11.2.7 are moved en bloc.

***CARRIED BY SIMPLE MAJORITY 5/0***

*Reason for change:*

*For expediency, Council considered Items 11.2.1, 11.2.2, 11.2.3, 11.2.4, 11.2.5, 11.2.6 and 11.2.7 could be moved en bloc.*

#### PURPOSE

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

#### DETAIL

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

#### LEVEL OF SIGNIFICANCE

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

#### CONSULTATION

Chief Executive officer



**LEGISLATION AND POLICY CONSIDERATIONS**

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

- *Section 3 – Finance 3.3 Risk Management Controls*
- *Section 3 – Finance 3.5 Investment Policy – Delegated Authority*
- Strategic Community Plan 2018-2028

**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 *Finance 3.3 Risk Management*

**CONCLUSION**

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

**BANK BALANCES AS AT 31 December 2020**

<b>Account</b>	<b>2020</b>
Municipal Account	\$2,966,440.69
Bonds & Deposits Account	\$22,281.04
Reserve Account	\$3,114,560.52
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 December 2020 with a comparison for 31 December 2019 is as follows:

<b>Account</b>	<b>2019</b>	<b>2020</b>
Municipal Account	\$1,654,003.09	\$2,966,440.69
Bonds & Deposits Account	\$22,007.91	\$22,281.04
Total Reserve Accounts	\$5,565,965.27	\$5,214,560.52

**RESERVE ACCOUNTS**

The Reserve Funds of \$5,214,560.52 as at 31 December 2020 were invested in:

- Bank of Western Australia \$3,114,560.52 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 December 2020 with a comparison for December 2019 is as follows:

	<b>December 2019</b>	<b>December 2020</b>
Leave Reserve	\$219,570.53	\$225,304.82
Swimming Pool Reserve	\$40,592.96	\$60,754.21
Plant Reserve	\$837,317.38	\$467,915.59
Building Reserve	\$94,009.86	\$114,348.11
Economic Development Reserve	\$113,312.81	\$3,518.00
Sewerage Reserve	\$247,132.30	\$222,917.84
Unspent Grants and Contributions Reserve	\$0.00	\$0.00
Community Development Reserve	\$1,248,081.68	\$1,257,922.17
Morawa Future Funds Reserve	\$2,057,176.73	\$2,040,503.79
Morawa Future Funds Interest Reserve	\$273,854.68	\$224,764.38
Refuse Transfer Station Reserve	\$0.00	\$0.00
Aged Care Units Reserve Units 1 - 4	\$70,453.88	\$70,687.34
Aged Care Units Reserve Unit 5	\$56,557.17	\$56,744.60
Aged Care Units Reserve Units 6 - 9	\$9,465.93	\$9,497.31
Business Units Reserve	\$125,557.75	\$146,000.54
Legal Fees Reserve	\$26,042.09	\$26,128.38
Road Reserve	\$146,839.52	\$147,326.11
Covid-19 Reserve	\$0.00	\$140,227.33
<b>TOTAL</b>	<b>\$5,565,965.27</b>	<b>\$5,214,560.52</b>

**TRANSFER OF FUNDS**

Nil

**Investment Transfers**

Nil

**ATTACHMENTS**

Nil

**11.2.2 Accounts Due for Payment – December 2020**

**Author:** Senior Finance Officer

**Authorising Officer:** 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 endorses the list of accounts paid by the Chief Executive Officer under delegated authority, represented by:

- **Municipal EFT Payment Numbers EFT13777 to EFT13877 amounting to \$242,948.69**
- **Municipal Cheque Payment Numbers 12008 to 12010 amounting to \$7,947.65**
- **Municipal Direct Debit Payment Numbers DD7520.1 to DD7592.1 amounting to \$59,765.04**
- **Payroll for December 2020**  
  
09/12/2020 - \$58,905.21  
23/12/2020 - \$52,677.21  
  
Total payroll for December 2020: \$111,582.42
- **Credit Cards payment in December 2020**  
\$496.97

---

**RESOLUTION 210217 – carried en bloc**

---

**PURPOSE**

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

**LEGISLATION AND POLICY CONSIDERATIONS**

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

- Strategic Community Plan 2018-2028

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

**Outcome 4.5** Long Term Financial Viability

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.

**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 – December 2020**

**Author:** Senior Finance Officer

**Authorising Officer:** 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 Statement of Financial Activity for the period ending 31 December 2020.**

---

**RESOLUTION 210217 – *carried en bloc***

---

**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.

**LEVEL OF SIGNIFICANCE**

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

**CONSULTATION**

Chief Executive Officer

**OFFICER'S COMMENTS**

Nil

**LEGISLATION AND POLICY CONSIDERATIONS**

*Local Government (Financial Management) Regulations 1996*

- Strategic Community Plan 2018-2028

**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.

**RISK MANAGEMENT CONSIDERATIONS**

There are no perceived risks associated with the report.

**CONCLUSION**

This report is based on the 2020/21 Annual Budget adopted by Council on 30 July 2020. It contains the budget amounts, actual amounts of expenditure and income to the end of the month 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 December 2020 Monthly Financial Activity Report

*Attachment 2* – 11.2.3 December 2020 Schedules 2 - 14

**11.2.4 Chief Executive Officer Authorisations and Reporting to Council – December 2020**

**Author:** Senior Finance Officer

**Authorising Officer:** Chief Executive Officer

**Disclosure of Interest:** The Author declares that they do not have any conflicts of interest in relation to this item. Scott Wildgoose declared an Impartiality Interest in this item due to this Item addressing the matters concerning the role and function of the Chief Executive Officer.

---

**OFFICER'S RECOMMENDATION**

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

1. Council receive the information presented to this meeting that the Chief Executive Officer took no leave since the last Ordinary Council Meeting held on 17 December 2020.
2. 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 December 2020 and acknowledges that no payment has been incurred in accordance with the Shire's procurement policy and Credit Card Agreement.
3. Receive the information presented to this meeting of the reimbursement applications made by the Chief Executive Officer in December 2020.

---

**RESOLUTION 210217 – *carried en bloc***

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**PURPOSE**

The purpose of this agenda item is to report to Council on Chief Executive Officer (CEO) leave applications, use of corporate credit card and any reimbursement(s) 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 14 December 2020 and 31 December 2020. No leave was taken for this period.

## Corporate Credit Card

This report covers December 2020 credit card statements. Note that there was no credit card expenditure in that period (**Attachment 1**).

## Reimbursement Application

This report covers December 2020. A reimbursement was claimed during this period of \$3,771.90 which is the removal expenses in line with the CEO's contract and the Shire's removal expense policy (**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 (none);
- additional hours worked and claimed (none);
- corporate credit card expenses (none); and
- work related expenses/reimbursements.

**ATTACHMENTS**

*Attachment 1* – 11.2.4 CEO Credit Card Statement.

*Attachment 2* – 11.2.4 CEO Reimbursement documents.

**11.2.5 Banks Reconciliations – January 2021**

**Author:** Senior Finance Officer

**Authorising Officer:** 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.

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**OFFICER'S RECOMMENDATION**

**That Council receive the bank reconciliation report for 31 January 2021.**

---

**RESOLUTION 210217 – *carried en bloc***

---

**PURPOSE**

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

**DETAIL**

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

**LEVEL OF SIGNIFICANCE**

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

**CONSULTATION**

Chief Executive officer

**LEGISLATION AND POLICY CONSIDERATIONS**

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

- *Section 3 – Finance 3.3 Risk Management Controls*
- *Section 3 – Finance 3.5 Investment Policy – Delegated Authority*
- Strategic Community Plan 2018-2028

**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 *Finance 3.3 Risk Management*

**CONCLUSION**

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

**BANK BALANCES AS AT 31 January 2021**

<b>Account</b>	<b>2021</b>
Municipal Account	\$2,823,308.63
Bonds & Deposits Account	\$22,281.04
Reserve Account	\$3,115,155.64
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 January 2021 with a comparison for 31 January 2020 is as follows:

<b>Account</b>	<b>31 January 2020</b>	<b>31 January 2021</b>
Municipal Account	\$1,448,637.78	\$2,823,308.63
Bonds & Deposits Account	\$22,727.91	\$22,281.04
Total Reserve Accounts	\$5,568,173.04	\$5,215,155.64

**RESERVE ACCOUNTS**

The Reserve Funds of \$5,215,155.64 as at 31 January 2021 were invested in:

- Bank of Western Australia \$3,115,155.64 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 January 2021 with a comparison for January 2020 is as follows:

	January 2020	January 2021
Leave Reserve	\$219,710.39	\$225,347.87
Swimming Pool Reserve	\$40,618.82	\$60,765.82
Plant Reserve	\$837,850.74	\$468,005.02
Building Reserve	\$94,069.74	\$114,369.96
Economic Development Reserve	\$113,384.99	\$3,518.67
Sewerage Reserve	\$247,289.72	\$222,960.43
Unspent Grants and Contributions Reserve	\$0.00	\$0.00
Community Development Reserve	\$1,248,558.20	\$1,258,066.99
Morawa Future Funds Reserve	\$2,057,467.94	\$2,040,581.75
Morawa Future Funds Interest Reserve	\$274,029.12	\$224,813.53
Refuse Transfer Station Reserve	\$0.00	\$0.00
Aged Care Units Reserve Units 1 - 4	\$70,498.76	\$70,700.85
Aged Care Units Reserve Unit 5	\$56,593.20	\$56,755.44
Aged Care Units Reserve Units 6 - 9	\$9,471.96	\$9,499.12
Business Units Reserve	\$125,637.73	\$146,028.44
Legal Fees Reserve	\$26,058.68	\$26,133.37
Road Reserve	\$146,933.05	\$147,354.26
Covid-19 Reserve	\$0.00	\$140,254.12
<b>TOTAL</b>	<b>\$5,568,173.04</b>	<b>\$5,215,155.64</b>

### **TRANSFER OF FUNDS**

Nil

### **Investment Transfers**

Nil

### **ATTACHMENTS**

Nil

**11.2.6 Accounts Due for Payment – January 2021**

**Author:** Senior Finance Officer

**Authorising Officer:** 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 endorses the list of accounts paid by the Chief Executive Officer under delegated authority, represented by:

- **Municipal EFT Payment Numbers EFT13878 to EFT13950 amounting to \$171,647.39**
- **Municipal Cheque Payment Numbers 12011 to 12012 amounting to \$45,418.13**
- **Municipal Direct Debit Payment Numbers DD7599.1 to DD7645.1 amounting to \$54,118.62**
- **Payroll for January 2021**  
**06/01/2021 - \$53,587.43**  
**20/01/2021 - \$52,877.73**  
**Total payroll for January 2021: \$106,465.16**
- **Credit Card payment in January 2021**  
**\$23.77**

---

**RESOLUTION 210217 – carried en bloc**

---

**PURPOSE**

A list of accounts is attached for Council's consideration in relation to all Shire payments made for the month of January 2021.

**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

**LEGISLATION AND POLICY CONSIDERATIONS**

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

- Strategic Community Plan 2018-2028

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

**Outcome 4.5** Long Term Financial Viability

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.

**CONCLUSION**

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

**ATTACHMENTS**

*Attachment 1* - 11.2.6 List of accounts due and submitted.

**11.2.7 Monthly Financial Statements – January 2021**

**Author:** Senior Finance Officer

**Authorising Officer:** 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 Statement of Financial Activity for the period ending 31 January 2021.**

---

**RESOLUTION 210217 – carried en bloc**

---

**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.

**LEVEL OF SIGNIFICANCE**

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

**CONSULTATION**

Chief Executive Officer

**OFFICER’S COMMENTS**

Nil

**LEGISLATION AND POLICY CONSIDERATIONS**

*Local Government (Financial Management) Regulations 1996*

- Strategic Community Plan 2018-2028

**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.

**RISK MANAGEMENT CONSIDERATIONS**

There are no perceived risks associated with the report.

**CONCLUSION**

This report is based on the 2020/21 Annual Budget adopted by Council on 30 July 2020. It contains the budget amounts, actual amounts of expenditure and income to the end of the month 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* – 11.2.7 January 2021 Monthly Financial Activity Report

*Attachment 2* – 11.2.7 January 2021 Schedules 2 - 14





## Leave Taken

This report covers leave taken by the CEO for the period between 1 January 2021 and 31 January 2021. No leave was taken for this period.

## Reimbursement Applications

This report covers January 2021. No reimbursements were claimed during this period.

## Corporate Credit Card

This report covers January 2021 credit card statements. Note that there was no credit card expenditure in January 2021 (**Attachment 1**).

## 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 (none);
- additional hours worked and claimed (none);
- corporate credit card expenses (none); and
- work related expenses/reimbursements (none).

**ATTACHMENTS**

*Attachment 1 – 11.2.8 CEO Credit Card Statement January 2021*

**11.3 Economic Development Manager**

Nil

**11.4 Executive Manager Works & Assets**

Nil

**Item 12 Reports of Committees**

Nil

**Item 13 Motions of Which Previous Notice Has Been Given**

Nil

**Item 14 New Business of an Urgent Nature**

Nil

**Item 15 Matters for Which the Meeting May Be Closed (Confidential Items)****15.1 Closure of the Meeting to the Public**

**Author:** Chief Executive Officer

**Authorising Officer:** Chief Executive Officer

**Disclosure of Interest:** Whilst this item directly affects the Author it is not in a financial manner and the Performance Criteria being discussed have been developed in a negotiated manner.

**OFFICER'S RECOMMENDATION/RESOLUTION**

**210219 Moved: Cr Coaker**

**Seconded: Cr Katona**

That Council closes the meeting to the public under section 5.23 (2)(a) of the *Local Government Act 1995* and the *Shire of Morawa Meeting Procedures Local Law 2012 s 6.2* so that it can consider the following Items:

- **15.2 Confidential Item – CEO Performance Criteria 2021**

**CARRIED BY SIMPLE MAJORITY 5/0**

**PURPOSE**

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

**DETAIL**

Under s5.23 (2) of the *Local Government Act 1995*, Council must resolve to move into camera or closed session. The following Items are considered to be 'confidential matters' as addressed below:

- **15.2 Confidential Item – CEO Performance Criteria 2021**

**LEVEL OF SIGNIFICANCE**

High – Confidential Items

**CONSULTATION**

Senior Management Team

**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 Meeting Procedures Local Law 2012

The key parts include:

#### 6.2 Meetings not open to the public

- (1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.
- (2) The Council or a committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.
- (3) If a resolution under subclause (2) is carried— (a) the presiding member is to direct everyone to leave the meeting except— (i) the members; (ii) the CEO; and (iii) any officer specified by the presiding member; and (b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the committee, by resolution, decides otherwise.
- (4) A person who fails to comply with a direction under subclause (3)(a) may, by order of the presiding member, be removed from the meeting.
- (5) While the resolution under subclause (2) remains in force, the operation of clause 8.9 is to be suspended until the Council or the committee, by resolution, decides otherwise.
- (6) A resolution under this clause may be made without notice.
- (7) Unless the Council resolves otherwise, once the meeting is reopened to members of the public, the presiding member is to ensure that any resolution of the Council made while the meeting was closed is to be read out including a vote of a member to be included in the minutes.

### 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

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) of the *Local Government Act 1995* and the *Shire of Morawa Meeting Procedures Local Law 2012* s 6.2 so that it can consider the reports as addressed.

**ATTACHMENT**

Nil

*Paul Buist left the meeting at 5.36pm and did not return.*

---

**15.2 Confidential Item – CEO Performance Criteria 2021**

**Author:** Chief Executive Officer

**Authorising Officer:** Chief Executive Officer

**Disclosure of Interest:** Whilst this item directly affects the Author it is not in a financial manner and the Performance Criteria being discussed have been developed in a negotiated manner.

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**OFFICER’S RECOMMENDATION/RESOLUTION**

**210220 Moved: Cr Stokes                      Seconded: Cr Coaker**

**That Council:**

- 1. Authorise the Shire President to sign the attached letter to implement the initial Performance Criteria for the Chief Executive Officer, Mr Scott Wildgoose.**

***CARRIED BY SIMPLE MAJORITY 5/0***



**15.3 Reopening of the Meeting to the Public**

**OFFICER’S RECOMMENDATION/RESOLUTION**

**210221 Moved: Cr Katona                      Seconded: Cr Coaker**

**That Council reopens the meeting to the public.**

***CARRIED BY SIMPLE MAJORITY 5/0***

**Item 16 Closure**

**16.1 Date of Next Meeting**

The next ordinary meeting of Council will be held on Thursday, 18 March 2021 commencing at 5.30pm.

**16.2 Closure**

There being no further business, the President declared the meeting closed at 5.38pm.



..... Presiding Member