



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

held on

**Thursday, 18 March 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  
Councillor Jane Coaker  
Councillor Debbie Collins  
Councillor Yvette Harris  
Councillor Shirley Katona  
Councillor Ken Stokes

**Staff**

Acting Chief Executive Officer	Gavin Treasure
Executive Manager Corporate & Community Services	Jackie Hawkins
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**

Chief Executive Officer	Scott Wildgoose
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**3.4 Approved Leave of Absence**

Nil

**3.5 Disclosure of Interests**

<b>Agenda Item: 11.1.4 Annual Budget Review 2020-2021</b>		
<b>Name of Disclosing Member</b>	<b>Nature of Interest</b>	<b>The Nature being</b>
Cr Karen Chappel	Impartiality Interest	Cr Chappel's son is the president of the Morawa Golf Club.

<b>Agenda Item: 11.1.4 Annual Budget Review 2020-2021</b>		
<b>Name of Disclosing Member</b>	<b>Nature of Interest</b>	<b>The Nature being</b>
Cr Ken Stokes	Impartiality Interest	Cr Stokes is on the management committee of the Morawa Golf and Bowling Club.

<b>Agenda Item: 15.2 Confidential Item – Nomination of Honorary Freeman of the Shire</b>		
<b>Name of Disclosing Member</b>	<b>Nature of Interest</b>	<b>The Nature being</b>
Cr Dean Carslake	Proximity	

<b>Agenda Item: 15.2 Confidential Item – Nomination of Honorary Freeman of the Shire</b>		
<b>Name of Disclosing Member</b>	<b>Nature of Interest</b>	<b>The Nature being</b>
Cr Jane Coaker	Impartiality	Impartiality (Related to)

**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 February 2021.

<b>Date</b>	<b>Meeting</b>	<b>Details of Meeting</b>
4 February 2021	Shire of Morawa	Electors Meeting
4 February 2021	Shire of Morawa	Briefing Session
5 February 2021	Australian Local Government Association	Board Meeting
8 February 2021	Australian Local Government Association	Strategic Planning Meeting
9 February 2021	Australian Local Government Association	Strategic Planning Meeting
11 February 2021	Shire of Morawa	Ordinary Council Meeting
15 February 2021	Finance and Services Committee	Briefing
17 February 2021	Politics and Policy breakfast with Zak Kirkup	Meeting
17 February 2021	WALGA Finance and service committee	Meeting
17 February 2021	Local Government House Trust	Meeting
18 February 2021	Midwest Economic Summit	Meeting
19 February 2021	Midwest Development Commission	Board Meeting
22 February 2021	Northern Country Zone	Meeting
22 February 2021	Shane Love	Meeting
23 February 2021	Desert Blue Connect Board Meeting	Board Meeting
26 February 2021	WALGA	Selection Committee

<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
- Councillor Jane Coaker
- Councillor Debbie Collins
- Councillor Yvette Harris
- Councillor Shirley Katona
- Councillor Ken Stokes

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

The Minutes of the 11 February 2021 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 12 February 2021.

**OFFICER'S RECOMMENDATION/RESOLUTION**

**210304 Moved: Cr Coaker                      Seconded: Cr Stokes**

**That Council confirm that:**

- 1. The Minutes of the Ordinary Council Meeting held 11 February 2021 are a true and correct record.**

***CARRIED BY SIMPLE MAJORITY 6/0***

*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.*





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 has 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 February 2021 update (*Attachment 1*).

**ATTACHMENT**

*Attachment 1* – 11.1.1 IPR February 2021

**11.1.2 Actions Performed under Delegated Authority for February 2021**

**Author:** Chief Executive Officer

**Authorising Officer:** 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.

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**OFFICER'S RECOMMENDATION/RESOLUTION**

**210306 Moved: Cr Stokes**

**Seconded: Cr Harris**

**That with respect to Actions Performed under Delegated Authority for February 2021, Council:**

- 1. Accept the Report.**

***CARRIED BY SIMPLE MAJORITY 6/0***

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**PURPOSE**

To report back to Council, actions performed under delegated authority from the period 01 February 2021 to 28 February 2021.

**DETAIL**

To increase transparency this report has been prepared for Council and includes all actions performed under delegated authority for –

- Development Approvals;
- Building Permits;
- Health Approvals;
- One off delegations to the Chief Executive Officer;
- Dangerous Goods;
- Affixing of Common Seal;
- Other Delegations as provided for in the Delegations Register.

The following outlines the actions performed within the Shire relative to Delegated Authority from the period 1 September 2020 to 31 October 2020 ('the period') and are submitted to Council for information.

***Bushfire***

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

***Caravan parks and camp grounds***

No delegated decisions were undertaken by Shire pursuant to caravan parks and camping grounds during the period.

***Common Seal***

No Common Seal actions were undertaken by the Shire during the period.

***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 Hawkets, 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***

Two delegated decisions were undertaken by Shire pursuant to *Planning & Development Act 2005* during the period as follows:

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
16 February 2021	A42	Proposed Pergola on Lot 389 (1) Tubby St, Morawa – Deemed to Comply	D & L Lomax	N/A
16 February 2021	A298	Proposed ensuite addition to existing dwelling on Lot 209 (51) Solomon Tce, Morawa – Deemed to Comply	S. Katona	N/A

**Building Permits**

No delegated decisions were undertaken by Shire pursuant to *Building Act 2011* during the period.

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
08 February 2021	Certificate 03/21	Building Approval Certificate Issued – Observation Deck	Morawa Speedway	N/A

**Other Delegations**

No other delegated decision was undertaken by Shire pursuant to this category during the period.

**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

*Cr Carslake entered the room at 5:34pm.*

**11.1.3 Gifting of property at 3 Solomon Terrace to the Shire of Morawa**

**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**

**210307 Moved: Cr Stokes Seconded: Cr Coaker**

That subject to there being no encumbrances on the property affecting its ability to be used for residential purposes, Council resolves:

1. To accept the gifting of the vacant land at 3 Solomon Terrace, Morawa 6623 from J. Famlonga under the following conditions:
  - a. The property is cleared of all outstanding debts inclusive of Shire Council property rates and any water rates owed to the Water Corporation.
  - b. The property owner is to pay 50% of all fees and associated charges to transfer ownership of the property to the Shire of Morawa.
2. Authorise the Chief Executive Officer to undertake the property transfer process and the common seal to be applied to property transfer paperwork as required.

***CARRIED BY ABSOLUTE MAJORITY 7/0***

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**PURPOSE**

Council to consider taking over the vacant block of land located at 3 Solomon Terrace, Morawa 6623 (Lot 83 on Deposited Plan 202041) following a request made to Council by letter dated 1 February 2021 (***Attachment 1***).

**DETAIL**

Mr Jeffrey Famlonga discussed the possibility of surrendering land he owns to the Shire with the Shire CEO and followed up with a request in writing to Council (attached).

Mr Famlonga's letter states that he has been advised by his settlement agent that there will be charges of approximately \$770.00 inc GST to process the settlement plus \$243.30 in statutory charges and disbursements - Mr Famlonga would agree to pay 50% of these charges involved in the transfer.

Mr Famlonga has agreed to pay all current rates and charges on the property before transferring to the Shire of Morawa. There will also be a need to ensure that the water rates outstanding are paid prior to settlement by the current owner.

If the Shire takes possession of the vacant lot it would become responsible for any ongoing costs associated with the property such as the annual ESL payment and would forego rates income. The property owner has not indicated financial hardship regarding their application to transfer the property to the Shire of Morawa and has historically always paid their rates and service charges to the Shire in full.

The property owner has indicated that they have been unable to locate a viable purchaser for the property and do not consider the development of the lot in their property development plans moving forward. It would be unlikely that the Shire of Morawa would be able to dispose of the property in the near future in a way that would allow the Shire to recoup the expenditure required to acquire this property nor the loss of annual Shire rates, given the current property market.

The acquisition of vacant land within the townsite could be beneficial to have at Shire disposal, considering that the Shire of Morawa owns the adjacent block at 4 Club Road Morawa (as shown in diagram below). There is a possibility for the Shire to use this property in future plans to increase the population by initiating projects to provide additional residential housing or attract potential home builders to the Shire of Morawa. These properties are also adjacent to the recreation centre sporting precinct which may provide an opportunity for the land to be developed in conjunction with the sporting precinct. In principle the acquisition of land is less risky than acquiring buildings, which comes with more ongoing maintenance costs.

**Diagram of 3 Solomon Terrace, Morawa 6623**



It is the opinion of the author that whilst the Shire does not want to set a precedent of acquiring properties that are failing to sell, the positioning of this lot next to Shire land would make this a prudent acquisition for a minimal upfront cost of approximately \$500.

## LEVEL OF SIGNIFICANCE

Medium

## CONSULTATION

CEO

## LEGISLATION AND POLICY CONSIDERATIONS

**Outcome 1.1 Maintain and increase population.**

## FINANCIAL AND RESOURCES IMPLICATIONS

There would be no loss of rates income for 2020/2021 as the property owner has agreed to pay outstanding rates prior to the transfer. Future budgets would need to account for the loss of rates and sewerage income from the vacant lot.

There is no budget provision for the purchase of the lot but given the investment is under \$1,000 this would be managed within current budget allocations.

The annual Shire rates for 3 Solomon Terrace as levied for this financial year are as follows:

Description	Levies
Rates	\$303.00
Emergency Services Levy	\$84.00
Sewerage Levy - Vacant Land	\$257.48
<b>TOTALS</b>	<b>\$644.48</b>

Estimated costs to Shire for the processing of the transfer of property are as follows:

Settlement fees	\$770.00
Statutory charges and disbursements	\$243.30
<b>Total Cost to Transfer</b>	<b>\$1,013.30</b>
<b>Shire portion of fees (50%)</b>	<b>\$506.65</b>



There would also be additional costs in relation to employee wages expended for the time spent administering the transfer of this property.

**RISK MANAGEMENT CONSIDERATIONS**

Background checks on the property will be carried out to ensure that the property does not have any encumbrances or debt owing on the property before transferring to the Shire of Morawa.

The risks associated with owning strategic vacant land in the townsite are low, as it creates the ability for the Shire to respond to growth or development in the future without needing to rely on land from private owners.

**CONCLUSION**

Council has been asked to consider the transfer of 3 Solomon Terrace to the Shire of Morawa for a 50% settlement contribution. This is not a transfer for non-payment of rates and it is unlikely that the vacant lot will require heavy expenditure on an annual basis to maintain. Its proximity to Shire owned land and sporting infrastructure has meant the author is recommending that Council accept the offer to take ownership of the land.

**ATTACHMENTS**

*Attachment 1* – 11.1.3 Letter from J. Famlonga

Cr Chappel declared an impartiality interest in regard to Item 11.1.4 Annual Budget Review 2020-2021.

Cr Stokes declared an impartiality interest in regard to Item 11.1.4 Annual Budget Review 2020-2021.

#### 11.1.4 Annual Budget Review – 2020-2021

**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.

#### OFFICER'S RECOMMENDATION/RESOLUTION

210308 Moved: Cr Carslake Seconded: Cr Collins

That Council:

1. Adopt the budget review for the financial year 2020/2021 as presented in the Report and Attachment 1
2. Amends the budget accordingly

**CARRIED BY ABSOLUTE MAJORITY 7/0**

#### PURPOSE

For Council to consider and adopt the 2020-2021 budget review.

#### DETAIL

Under Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, Council is obliged to undertake an annual budget review. A review of the 2020-2021 Annual Budget has been undertaken by the Chief Executive Office and other senior staff using the monthly financial statements as of 31 December 2020 and actual financial figures at the time of the review February/March 2021.

The 'Annual Budget Review' (*Attachment 1*) document details the examination undertaken and all budget movements.

Summarised below are the major variations included in the Budget Review:

#### Opening Balance

During the Annual Budget development, the Shire predicted a closing surplus for 2019/2020 (opening balance for 2020/2021) of \$1,836,882. The actual closing balance for 2019/2020 in the Annual Financial Report was \$1,692,943. This represented a reduction of \$143,939 in the Shire's

opening position which created an end of year deficit position of \$109,584 prior to the review of any operational or capital accounts commencing.

### Reduction in Operating Revenue

Various operating revenue accounts have been modified to rectify under or over allocations in the budget with the significant changes being:

- Reduction in Grants Commission Income to align with actual figures expected for 2020/2021 – overall reduction in income of \$125,992.
- Reduction in reserve interest received – interest rates are much lower than budgeted – loss of income around \$34,000.
- Income budgeted to be received from Aged Care Units 7 and 8 but both remain unoccupied – loss of income around \$12,000
- Increase in admin income under other property and services –
  - income from City of Canning for a LSL Liability owed to an employee
  - Reimbursement from MEEDAC relating to an employee engaged through the CDP program.

Overall reduction in operating revenue through budget review is \$147,125

### Reduction in Operating Expenditure

Various operating expenditure accounts have been modified to rectify under or over allocations in the budget with the significant changes being:

- COVID related expenditure original budgets added:
  - \$15,000 – promo video, Christmas decorations, \$600 community grants - Health
  - \$5,000 – equipment for generator in case of emergency response – Other Property and Services
- Reduction in budget for other expenses – other housing – no expenditure to this account to date and no history of expenditure at level of original budget – reduced budgeted expenditure by \$15,000
- Reduction in general paths, verges, and other reserve maintenance. Although would usually expend original budget of \$129,430 – this financial year the town crew have been allocated to various projects such as the caravan park and footpaths, so salaries and wages allocated to this area is down. Reduction in operating expenditure of \$54,430.
- Reduction in Recreation Centre Maintenance budget – never historically spent close to \$69,804 – budget reduced to \$40,000 – reduction in expenditure of \$29,804.
- Reduction in Road Maintenance Budget by \$101,941 (from \$751,941 to \$650,000) – Capital Road Works increased by over \$101,000 (specifically Canna North East Road has had \$120,000 more expenditure than budgeted) – allocation to capital road works needs to be offset in maintenance area as employees can only be deployed in one area at a time. Current Rural Road Maintenance expenditure as of 4 March 2021 = \$217,716
  - Rural Road Maintenance Budget was approximately \$450,000 in 17/18 and \$640,551 in 18/19 and then substantially increased in 19/20 but even with a \$950,000 budget actual expenditure was only \$790,000.
- Increase in expenditure for workers compensation leave and OSH programme and training – no budget for workers compensation leave and traffic control training.

Overall reduction in operating expenditure through the budget review is \$230,566.

### Plant

Tenders received for a new grader and purchase price is more likely to be \$410,000 than the original budget of \$350,000. This is offset slightly by the trade in on the old grader being higher than expected, final figures in March 2021 Works Manager Report.

The purchase of a Prime Mover has been delayed until 2021/2022 as it was deemed more appropriate to purchase a new vehicle than a second-hand vehicle.

Overall reduction in capital plant and equipment expenditure of \$91,800, acknowledging the removal of the Prime Mover purchase of \$150,000 and the increase in the cost of the new grader by up to \$60,000.

### Footpaths and Airfield

Inclusion of expenditure for completion of Prater Street Footpath - \$10,144 – not originally budgeted.

Removal of Shared Pathway Location TBD Project – saving of \$62,500 – commitment to incorporate into 2021/2022 budget when staff resources have not been allocated elsewhere.

Removal of airport vermin fencing project – grant for this project was unsuccessful – commitment to pursue future funding opportunities as fencing remains a priority.

### Roads

R2R007 – Canna North East Road originally had no budget but should have been carried forward from financial year 2019/2020. Expenditure on this project was \$106,012 with the works being completed by Shire staff.

R2R081 – Canna North East Road Stage 2 – this section of the project has been completed but was \$7,000 over budget, with the majority of this being staff time taken to complete the works.

As previously mentioned, this overspend on capital roadworks has been offset by a reduction in road maintenance expenditure.

### Gym

Operational costs for the gym have been incorporated into the operational expenditure review and at this stage are estimated to be around \$25,000 for the year, of which set up (CCTV, flooring prep, and other works) accounts for \$15,000.

Included within Borrowings and Financing is the Lease for the Gym equipment and flooring. The overall loan/lease facility is \$128,000 which is repaid at a principal rate of \$16,000 per quarter plus a charge which is equivalent to interest.

The lease repayment for 2020/2021 is being covered through a \$32,000 transfer from the COVID reserve.

The remaining gym set up costs are being funded through the COVID reserve along with other COVID recovery related expenditure by way of removing the \$50,000 transfer to the COVID reserve. Thus, the overall budget impact of COVID activity and the gym set up is nil.

### LRCIP Phase 2

The Shire has been allocated grant funding of \$283,669 under phase 2 of the Local Roads and Community Infrastructure Program.

Two projects have been incorporated into the budget review to expend these funds being:

- Renovation of Sport Precinct Clubhouse (Bowls/Golf Clubhouse) - \$142,000 – ageing community infrastructure asset in need of asset renewal expenditure – multiple areas identified where spending is needed including air-conditioning, gutter/apron woodwork, kitchen flooring and paint, and window framing.
- Renovation of Old Shire Office/Chambers - \$141,669 – Infrastructure capable of fulfilling a community purpose but not in its present condition. Renovation will create opportunity for community use.

Both of these items would have required Shire expenditure in the near future and it is unlikely other funding sources would have been readily available.

### Reserve Movements

Removed transfer out of Plant Reserve \$150,000 for the Prime Mover as this is no longer being purchased this financial year.

Reduced the transfer into the plant reserve from \$350,000 to \$250,000. This reduction helps to account for the extra cost of the new grader and the opening balance for the budget being lower than expected.

### Final Position

With the budget review movements presented in Attachment 1 the Shire's end of year closing position is expected to reduce from a \$34,355 surplus to a \$11 surplus.

## **LEVEL OF SIGNIFICANCE**

High – Compliance with legislation

## **CONSULTATION**

February Council Briefing  
Shire President  
Senior Staff

## **LEGISLATION AND POLICY CONSIDERATIONS**

*Local Government (Financial Management) Regulations 1996*

### *33A. Review of budget*

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
  - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
  - (b) *consider the local government's financial position as at the date of the review; and*
  - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*

- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review. \*Absolute majority required.*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.”*

**FINANCIAL AND RESOURCES IMPLICATIONS**

The Shire of Morawa 2020/2021 Budget Review outcome is that Council is expected to have a surplus of \$11 at 30 June 2021 (adopted budget was \$34,355)

**RISK MANAGEMENT CONSIDERATIONS**

High – Compliance with legislation and accountability via external audits (OAG)

**CONCLUSION**

The review has considered all operational and capital areas of council and compared year to date figures to projected 30 June figures to ensure accounts are tracking in line with budget. Where changes and variations are known these changes have been incorporated to ensure that the desired financial result is achieved by Council.

The net effect of the projected income and expenditure to 30 June 2021 is that Council is expected to have reduction of its end of year surplus from \$34,355 to a surplus of \$11

**ATTACHMENTS**

*Attachment 1 – 11.1.4 Annual Budget Review*

## 11.2 Executive Manager Corporate & Community Services

### 11.2.1 Banks Reconciliations – February 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 bank reconciliation report for 28 February 2021.

#### RESOLUTION

210309 Moved: Cr Stokes Seconded: Cr Collins

That items 11.2.1, 11.2.2 and 11.2.3, are moved en bloc.

**CARRIED BY SIMPLE MAJORITY 7/0**

*Reason for change:*

*For expediency, Council considered Items 11.2.1, 11.2.2 and 11.2.3 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 28 February 2021**

<b>Account</b>	<b>2021</b>
Municipal Account	\$2,716,066.90
Bonds & Deposits Account	\$20,281.04
Reserve Account	\$3,115,633.58
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 28 February 2021 with a comparison for 29 February 2020 is as follows:

<b>Account</b>	<b>29 February 2020</b>	<b>28 February 2021</b>
Municipal Account	\$1,160,005.47	\$2,716,066.90
Bonds & Deposits Account	\$23,127.91	\$20,281.04
Total Reserve Accounts	\$5,584,145.67	\$5,215,633.58



**RESERVE ACCOUNTS**

The Reserve Funds of \$5,215,633.58 as at 28 February 2021 were invested in:

- Bank of Western Australia \$3,115,633.58 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 February 2021 with a comparison for February 2020 is as follows:

	<b>February 2020</b>	<b>February 2021</b>
Leave Reserve	\$219,841.67	\$225,382.44
Swimming Pool Reserve	\$40,643.09	\$60,775.14
Plant Reserve	\$838,351.40	\$468,076.81
Building Reserve	\$94,125.95	\$114,387.51
Economic Development Reserve	\$113,452.74	\$3,519.21
Sewerage Reserve	\$247,437.48	\$222,994.64
Unspent Grants and Contributions Reserve	\$0.00	\$0.00
Community Development Reserve	\$1,252,315.08	\$1,258,183.30
Morawa Future Funds Reserve	\$2,068,331.97	\$2,040,644.36
Morawa Future Funds Interest Reserve	\$274,192.86	\$224,853.01
Refuse Transfer Station Reserve	\$0.00	\$0.00
Aged Care Units Reserve Units 1 - 4	\$70,540.89	\$70,711.70
Aged Care Units Reserve Unit 5	\$56,627.02	\$56,764.15
Aged Care Units Reserve Units 6 - 9	\$9,477.62	\$9,500.58
Business Units Reserve	\$125,712.80	\$146,050.84
Legal Fees Reserve	\$26,074.25	\$26,137.38
Road Reserve	\$147,020.85	\$147,376.87
Covid-19 Reserve	\$0.00	\$140,275.64
<b>TOTAL</b>	<b>\$5,584,145.67</b>	<b>\$5,215,633.58</b>

**TRANSFER OF FUNDS**

Nil

**Investment Transfers**

Nil

**ATTACHMENTS**

Nil

**11.2.2 Accounts Due for Payment – February 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 endorses the list of accounts paid by the Chief Executive Officer under delegated authority, represented by:

- **Municipal EFT Payment Numbers EFT13951 to EFT14041 amounting to \$265,384.21**
- **Municipal Cheque Payment Numbers 12013 to 12014 amounting to \$430.45**
- **Municipal Direct Debit Payment Numbers DD7650.1 to DD7716.1 amounting to \$52,223.93**
- **Payroll for February 2021**  
**03/02/2021 - \$57,176.57**  
**17/02/2021 - \$56,610.44**  
**Total payroll for February 2021: \$113,787.01**
- **Credit Card payment in February 2021**  
**\$23.77**

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**RESOLUTION 210309 – *carried en bloc***

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**PURPOSE**

A list of accounts is attached for Council's consideration in relation to all Shire payments made for the month of February 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 - 11.2.2 List of accounts due and submitted.*

**11.2.3 Monthly Financial Statements – February 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 Statement of Financial Activity for the period ending 28 February 2021.**

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**RESOLUTION 210309 – *carried en bloc***

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**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 February 2021 Monthly Financial Activity Report*
- Attachment 2 – 11.2.3 February 2021 Schedules 2 - 14*

**11.2.4 Chief Executive Officer Authorisations and Reporting to Council**

**Author:** Senior Finance Officer

**Authorising Officer:** Chief Executive Officer

**Disclosure of Interest:** The Author declares that she does not have any conflicts of interest in relation to this item. The Chief Executive Officer declares an Impartiality Interest in this item due to this item addressing the matters concerning the role and function of the Chief Executive officer.

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**OFFICER'S RECOMMENDATION/RESOLUTION**

**210310 Moved: Cr Stokes**

**Seconded: Cr Carslake**

**That with respect to the Chief Executive Officer Authorisations and Reporting to 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 11 February 2021.**
- 2. Council approve the CEO to take unaccrued leave in advance for the period 18 March 2021 to 30 April 2021**
- 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 January 2021 and acknowledges that no 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 February 2021.**

***CARRIED BY SIMPLE MAJORITY 7/0***

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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 1 February 2021 and 28 February 2021. No leave was taken for this period.

**Leave Sought**

The CEO is set take leave for the birth of his second child. An Acting CEO has been organized and is already in place for the period of leave sought.

At the time of writing the CEO has applied to take leave from close of business Wednesday 17 March 2021 and return to work on Monday 3 May 2021 – subject to actual birth date being 19 March 2021.

The CEO disclosed this impending leave prior to his appointment in October 2020 and commencement in December 2020.

In total the CEO is set to be on leave for 32 working days. This is planned to be taken in the form of:

- 2 days public holiday
- 7 days annual leave
- 9 days sick/carer's leave
- 14 days unpaid parental leave

This leave request will put the CEO in a negative balance for both sick/carers leave, and annual leave given the short timeframe since his commencement to accrue leave on a pro rata basis. As such Council approval is requested to authorize the use of leave in this manner.

**Corporate Credit Card**

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

**Reimbursement Application**

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

**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 – 11.2.4 CEO Credit Card Statement.*



**11.2.5 Consultation on Independent Oversight System and Local Government Child Safety Officers**

**Author:** Deputy 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**

**210311 Moved: Cr Collins**

**Seconded: Cr Harris**

**That Council:**

- 1. Supports the officer's comments and observations contained in this report for submission to WALGA as part of a sector wide response to the State Government Discussion Paper.**

***CARRIED BY SIMPLE MAJORITY 7/0***

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**PURPOSE**

The purpose of this agenda item is to inform and provide advice to Council on a proposed response to the Discussion Paper jointly prepared by the Department of Communities and Department of Local Government, Sports & Cultural Industries on the implementation of child safety officers in local governments. The Discussion Paper has been prepared as a State Government response to Recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse, which specifically references the '*promotion of child safety across organisations and the role of child safety officers in local government*'.

Recommendation 6.12 of the Royal Commission recommended that, with support from governments at the national, state and territory levels, **local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:-**

- Developing child safety messages in local government venues, grounds and facilities;
- Assisting local institutions to access online child safety resources;
- Providing child safety information and support to local institutions on a need's basis;
- Supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

A copy of the Discussion Paper is appended to this report.

The State Government are intending to use this Discussion Paper as a mechanism to commence a consultation process with two key aims:-

1. To develop a better understanding of the current role of local governments in promoting child safety and how the outcomes of this work are reported internally to executive and to Council; and

2. To use this understanding of current work promoting child safety to inform development of an approach to meet recommendation 6.12 of the Royal Commission in implementing the child safety officer role.

## DETAIL

There are several issues and concerns in relation to this initiative. Additional information is also required to enable the Shire to have a better understanding on how this initiative will impact on Shire operations. The following are key areas requiring additional clarity as well as other comments and observations:-

- i. There does not appear to be any additional resourcing support on offer to assist LGA's in delivering on these key functions. The Discussion Paper makes specific reference to key functions of child safety officers being incorporated into existing LGA staff functions. This would bring additional tasking requirements that would compete with the core role of these officer positions (i.e. Community Development Officers), potentially resulting in reduced community events, activities, etc.
- ii. The legal implications of LGA's taking on the responsibility of child safety officers needs to be assessed, particularly if these tasks are integrated into existing staff/roles i.e. what happens if a community group or sporting club official is charged with a child abuse offence; is the LGA accountable as well?

If LGA's are tasked generally to distribute key child safety materials and information to local sporting clubs and community groups, without any legal or (staff) functional responsibilities, that would be ideal. So LGA's become a key conduit for dissemination of child safety information, without any significant employee tasking responsibilities or legal recourse. It is understood that these safety materials are currently in development.

WALGA is coordinating a sector wide response to this matter with consultation closing on 2<sup>nd</sup> April 2021. The above key comments and observations should be submitted by the Shire of Morawa as its response to the discussion paper.

At a higher level, the Royal Commission recommendation to bring a level of accountability and responsibility to LGA's seems extremely excessive given the basis for the Royal Commission resulted from abuse of children at an institutional level (i.e. boarding schools, orphanages, etc), not as a result of the running of smaller clubs and community groups. If anything, a better way to deliver better protection to children would be to mandate Working with Children Checks for all group/club volunteers and officials (noting the cost and potential loss of volunteers with taking such action).

## LEVEL OF SIGNIFICANCE

Medium significance

## CONSULTATION

Senior Management Team

## LEGISLATION AND POLICY CONSIDERATIONS

Subject to the outcomes from this Consultation process and the final arrangements as established, a new Shire of Morawa Policy may need to be established to formalise Council's position and actions to deliver on any new requirements.

**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 is potential to be significant labour resourcing (time) implications in relation to this item i.e. additional tasks and responsibilities, which would also take designated staff away from their core activities.

**RISK MANAGEMENT CONSIDERATIONS**

There are significant (unknown) risk management implications, mainly in relation to community groups or organisations that commit a child abuse offence that local governments have obligations to support with key messaging and promotion of child safety information.

**CONCLUSION**

That Council supports the officer's comments and observations contained in this report for submission to WALGA as part of a coordinated effort to establish a sector wide response to the State Government Discussion Paper.

**ATTACHMENTS**

*Attachment 1* – 11.2.5 Discussion paper on the implications of child safety officers in local governments

## 11.3 Executive Manager Works & Assets

### 11.3.1 Acceptance of RFT01-2021 Motor Grader

**Author:** Executive Manager Works and Assets

**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

210312 Moved: Cr Katona Seconded: Cr Carslake

That with regard to tender RFT 01-2021, purchase of a new Motor Grader, Council

1. Resolve to award the tender to AFGRI Equipment Australia for the 620GP John Deere Motor Grader for the price of \$372,350.00 (excluding GST and Trade-in)
2. Note the trade-in price offered from AFGRI Equipment Australia for the trade in of the 2006 John Deere 670D Motor Grader is \$75,000.00 (excluding GST)

***CARRIED BY SIMPLE MAJORITY 7/0***

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#### PURPOSE

The purpose of this report is for Council to consider a capital purchase, via tender for a new Motor Grader.

#### DETAIL

On the 5 February 2021, the Shire opened a tender via WALGA E-Quotes for a Motor Grader. The tender period was for three weeks, closing 25 February 2021.

The tender requested the supply of one Motor Grader with the following key features:

- Engine output 130-150W fly wheel kilowatt class
- 2020/2021 compliant plate model

At the close of the Tender Period, the Shire has received four quotes from three suppliers:

- Komatsu Australia Pty Ltd
- AFGRI Equipment John Deere Construction
- WesTrac Pty Ltd

#### LEVEL OF SIGNIFICANCE

High – the provision of a motor grader is an essential piece of Shire machinery.

**CONSULTATION**

The Tender process was managed via WALGA E-Quotes

**LEGISLATION AND POLICY CONSIDERATIONS**

**Outcome 1.8 Well maintained local roads and ancillary infrastructure.**

**Outcome 1.10 Increased investment in transport networks.**

Local Government Act 1995 S.3.57

Local Government (Functions and General) Regulations 1996

Shire Purchasing Policy

**FINANCIAL AND RESOURCES IMPLICATIONS****2020/2021 RFT 01-2021 Motor Grader Quote Comparison Table**

<b>Grader Model</b>	<b>GD555-5</b>	<b>620GP</b>	<b>670GP</b>	<b>140</b>
Year	2021	2020	2021	2021
Engine Output KW	118-131	130-150	130-150	136-159
<b>Selling Price (ex GST)</b>	<b>\$370,276.34</b>	<b>\$372,350.00</b>	<b>\$407,000.00</b>	<b>\$386,600.00</b>
GST Amount	\$37,027.63	\$37,235.00	\$40,700.00	\$38,660.00
Total Selling Price inclusive of GST	\$407,303.97	\$409,585.00	\$447,700.00	\$425,260.00
<b>Trade in (ex GST)</b>	<b>\$65,000.00</b>	<b>\$75,000.00</b>	<b>\$75,000.00</b>	<b>\$65,000.00</b>
GST Amount	\$6,500.00	\$7,500.00	\$7,500.00	\$6,500.00
Total Trade in Price inclusive of GST	\$71,500.00	\$82,500.00	\$85,500.00	\$71,500.00
<b>Net Charge (ex GST)</b>	<b>\$305,276.34</b>	<b>\$297,350.00</b>	<b>\$332,000.00</b>	<b>\$321,600.00</b>
GST Amount	\$30,527.63	\$29,735.00	\$33,200.00	\$32,160.00
Net Charge Total inclusive of GST	\$335,803.97	\$327,085.00	\$365,200.00	\$353,760.00

The recommended option of Grader is the 620GP John Deere Motor Grader from AFGRI Equipment Australia for the cost of \$372,350.00 (excluding GST).

The amount offered from AFGRI Equipment Australia for the trade in of the Shire's 2006 John Deere 670D Motor Grader is \$75,000.00 (excluding GST), which means the Total Net Charge will be \$297,350.00 (excluding GST).

**RISK MANAGEMENT CONSIDERATIONS**

The purchase of a new motor grader has a low risk consideration.

**CONCLUSION**

The Shire having followed the WALGA E-Quotes process received four responses for the provision of a new a Motor Grader. It is recommended that the Council support the purchase of a new Motor Grader from AFGRI Equipment Australia

**ATTACHMENTS**

Attachment 1 – 11.3.1 Evaluation Report

**Item 12 Reports of Committees****12.1 Unconfirmed Minutes of Audit and Risk Committee Meeting held 11 March 2021**

**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.

**OFFICER'S RECOMMENDATION/RESOLUTION**

**210313 Moved: Cr Stokes Seconded: Cr Coaker**

That Council receive the Unconfirmed Audit and Risk Committee meeting held Thursday 11 March 2021 commencing at 5.30pm at the Morawa Shire Council Chambers, Morawa as per *Attachment 1 - 12.1 Audit and Risk Committee Meetings Minutes*.

***CARRIED BY SIMPLE MAJORITY 7/0***

**MATTERS ARISING****10.1 Report on Significant Matter raised in Annual Financial Report Audit Opinion****COMMITTEE RECOMMENDATION/RESOLUTION**

**210314 Moved: Cr Stokes Seconded: Cr Coaker**

**That Council:**

- 1. Endorses the report (as attached) addressing the matter identified as significant by the auditor in the audit report relating to the Shire's Annual Financial Report 2019-2020**
- 2. Endorses the CEO to distribute the report on the Shire website and to the Minister for Local Government in compliance with the Local Government Act.**

***CARRIED BY SIMPLE MAJORITY 7/0***

**10.2 2020 Compliance Audit Return****COMMITTEE RECOMMENDATION/ RESOLUTION**

**210315 Moved: Cr Stokes Seconded: Cr Coaker**

That with respect to the Local Government Compliance Audit Return 2020 for the Shire of Morawa, that Council:

1. Note and accept the Compliance Audit Return (Attachment 1) for the local government of the Shire of Morawa for the period 1 January 2020 to 31 December 2020; and
2. Request the Chief Executive Officer to submit a certified copy of the Compliance Audit Return to the Director General of the Department of Local Government Sport and Cultural Industries by 31 March 2021.

*CARRIED BY SIMPLE MAJORITY 7/0*

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

**OFFICER'S RECOMMENDATION/RESOLUTION**

**210316 Moved: Cr Stokes Seconded: Cr Collins**

That Council closes the meeting to the public under section 5.23 (2)(b) 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 – Nomination of Honorary Freeman of the Shire**

**CARRIED BY SIMPLE MAJORITY 7/0**

**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 – Nomination of Honorary Freeman of the Shire**

**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

Jackie Hawkins, Paul Buist, Rondah Toms and Cr Carslake left the meeting at 5.40pm.

**15.2 Confidential Item – Nomination of Honorary Freeman of the Shire**

**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**

**That Council:**

1. Designate that moving forward the Freeman Working Group is to be made up of
  - a. Shire President
  - b. Deputy President
  - c. Chief Executive Officer
  - d. The next longest serving Elected Member on Council
2. Either
  - a. Confer the title of 'Honorary Freeman of the Shire' on the Nominee
  - b. Thank the community members for their nomination but do not confer the title of 'Honorary Freeman of the Shire' on the Nominee

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**RESOLUTION**

210317 Moved: Cr Stokes                      Seconded: Cr Coaker

That Council designate that moving forward the Freeman Working Group is to be made up of:

- a. Shire President
- b. Deputy President
- c. Chief Executive Officer
- d. The next longest serving Elected Member on Council

***CARRIED BY SIMPLE MAJORITY 6/0***

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**RESOLUTION**

210318 Moved: Cr Harris

That Council confer the title of 'Honorary Freeman of the Shire' on the Nominee.

***MOTION LAPSED DUE TO NO SECONDER***

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

**OFFICER’S RECOMMENDATION/RESOLUTION**

**210319 Moved: Cr Collins Seconded: Cr Stokes**

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

**CARRIED BY SIMPLE MAJORITY 6/0**

*Cr Carslake returned to the meeting at 5:48pm.*

**Item 16 Closure**

**16.1 Date of Next Meeting**

The next ordinary meeting of Council will be held on Thursday, 15 April 2021 commencing at 5.30pm.

**16.2 Closure**

There being no further business, the President to declare the meeting closed at 5:49pm.



..... Presiding Member