



# **MINUTES**

## **SPECIAL MEETING OF COUNCIL**

held on

**Tuesday, 21 December 2021**

at the

**Shire of Morawa Council Chambers,  
26 Winfield Street, Morawa**



WESTERN AUSTRALIA'S  
**WILDFLOWER COUNTRY**

**DISCLAIMER**

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

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**Item 1 Opening of Meeting**

The President declared the meeting open at 5:45pm.

**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 Ken Stokes  
Councillor Dean Carslake (Via video conference)  
Councillor Jane Coaker  
Councillor Debbie Collins (Via video conference)  
Councillor Yvette Harris

**Staff**

Chief Executive Officer Scott Wildgoose  
Executive Manager Corporate & Community Services Jackie Hawkins

**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 Shirley Katona

**3.4 Approved Leave of Absence**

Nil

**3.5 Disclosure of Interests**

Nil

**Item 4 Declaration by all Members to have given due consideration to All Matters Contained in the Business Paper before the Meeting**

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

- President Councillor Karen Chappel
- Deputy President Councillor Ken Stokes
- Councillor Dean Carslake
- Councillor Jane Coaker
- Councillor Debbie Collins
- Councillor Yvette Harris

**Item 5 Reports of Officers****5.1 Acceptance of Annual Report 2020-2021**

**Author:** Executive Manager Corporate & Community Services

**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**

**211215 Moved: Cr Harris**

**Seconded: Cr Stokes**

**That Council:**

- 1. Accept the Annual Report for the 2020-2021 financial year inclusive of the Annual Financial Report and Auditor Opinion.**
- 2. Direct the Chief Executive Officer to convene a general meeting of electors for Thursday 10 February 2022 at 5:00pm.**

***CARRIED BY ABSOLUTE MAJORITY 6/0***

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**PURPOSE**

The purpose of this report is to present to Council the 2020-2021 Annual Report, Audit Report and Audited Financial Statements for adoption and to set the meeting time and date of the annual electors' meeting.

**DETAIL**

Council has an obligation under the Local Government Act 1995 to prepare an Annual Report which includes audited financial statements. The 2020-2021 audit has been completed by the Office of the Auditor General contractor Nexia. The audit findings and financial statements are presented in the 2020-2021 Annual Report - *Attachment 1*.

As required by the Local Government Act 1995 the Local Government is required to present the report to an Annual Electors Meeting within 56 days of accepting the Annual Report by Council, giving at least 14 days' public notice. The Shire will advertise the meeting and the availability of the 2020-2021 Annual Report on the Shire Website, noticeboards and other local communication channels.

In order to reduce the meeting burden upon Councillors it is proposed that the date for the electors' meeting coincide with the agenda settlement meeting scheduled for 10 February 2022.

The Annual Report and Audited Financial Statements includes:

- Shire President's Report
- Chief Executive Officer's Report
- Statutory Reports
- Freedom of Information Statement
- Audited Financial Statements
- Audit Report

The reports outline activities undertaken during 2020-2021 together with the financial position of the Shire of Morawa as at 30 June 2021.

The Audit exit meeting and Audit Committee meeting to review the financial statements and receive the audit report will be conducted prior to this report being presented and as all Councillors are members of the Audit Committee, it is assumed the Committee's position on these statements will be brought through to the Council resolution.

#### **LEVEL OF SIGNIFICANCE**

High – The sequence and timing of acceptance and meetings are prescribed by legislation.

#### **CONSULTATION**

Audit Committee  
Chief Executive Officer

#### **LEGISLATION AND POLICY CONSIDERATIONS**

*The Local Government Act 1995 – Sections 5.53, 5.56 & 5.54*  
*The Local Government (Financial Management) Regulations 1996*

#### **FINANCIAL AND RESOURCES IMPLICATIONS**

Nil

#### **RISK MANAGEMENT CONSIDERATIONS**

If Council choose not to accept the Annual Report at this meeting, then the risk of non-compliance may arise if a suitable special meeting date cannot be found prior to 31 December 2021.

#### **CONCLUSION**

That Council adopt the recommendation as presented and authorise the CEO to undertaking the necessary notice periods as required under the Local Government Act 1995 and associated regulations.

#### **ATTACHMENTS**

*Attachment 1 – 5.1 Shire of Morawa Annual Report 2020-2021 including Annual Financial Statements and Audit Report.*

**Item 6 New Business of an Urgent Nature**

CEO moved to include late item 6.1- Amendment to Resolution 211209 – Tender to Purchase New Prime Mover.

Council permitted inclusion of late item.

211216 Moved: Cr Stokes Seconded: Cr Carslake

*CARRIED BY SIMPLE MAJORITY 6/0*

**Late Item 6.1 Amendment to Resolution 211209 – Tender to Purchase New Prime Mover**

**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.

**OFFICER'S RECOMMENDATION**

211217 Moved: Cr Stokes Seconded: Cr Carslake

That with regard to resolution 211209, Council amends their resolution such that Council now:

1. Resolve to award the tender to Purcher International Pty Ltd for the price of \$287,060.00 (excluding GST and Trade-in)
2. Note the trade-in price of \$45,000 (excluding GST)

*CARRIED BY ABSOLUTE MAJORITY 6/0*

**PURPOSE**

The purpose of this report is for Council to amend its resolution in relation to the tender for the purchase of a new Prime Mover.

**DETAIL**

On the 22 October 2021, the Shire opened a tender via WALGA E-Quotes for a Day Cab Prime Mover

The tender period was for four weeks, closing 19 November 2021.

The tender requested the supply of one Day Cab Prime Mover with the following key features:

- Engine output 500-600 hp
- GVM (kg) 24500, GCM (kg) 90000
- 2021 compliant plate model

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

- AV Truck Services Pty Ltd
- Purcher International Pty Ltd
- Truck Centre WA Pty Ltd

On the 16 November 2021, Council resolved to purchase the Iveco Prime Mover from AV Truck Services Pty Ltd. On attempting to issue a purchase order and order the vehicle the administration was subsequently informed that the quoted vehicle was no longer available and the organisations was no longer able to meet the Shire's needs and declined to supply under the tender.

As such the Shire administration requires Council to amend its resolution to allow the purchase of one of the other tendered vehicles.

The original tender assessment ranked the Purcher International Pty Ltd, Freightliner Vehicle, as the second choice.

#### **LEVEL OF SIGNIFICANCE**

High – the provision of a day cab prime mover is an essential piece of Shire machinery

#### **CONSULTATION**

The Tender process was managed via WALGA E-Quotes

#### **LEGISLATION AND POLICY CONSIDERATIONS**

Regulation 10: Revoking or Changing Decisions – Local Government (Administration)

Regulations 1996

Local Government Act 1995 S.3.57

Local Government (Functions and General) Regulations 1996

Shire Purchasing Policy

#### **FINANCIAL AND RESOURCES IMPLICATIONS**

The Selling Price for the Freightliner is still under budget. This amendment means the Shire is \$27,000 worse off than under the previous resolution, however if the other vendor is unable to supply, the Shire has no choice but to amend.

#### **RISK MANAGEMENT CONSIDERATIONS**

The purchase of a new Day Cab Prime Mover has a low-risk consideration.



**CONCLUSION**

The administration needs to issue a Purchase Order for the purchase of a new Prime Mover for the vehicle supply to be confirmed. Whilst this vehicle was not the Shire’s first choice it will still meet all operational requirements.

**ATTACHMENTS**

Nil

<b>Item 7 Closure</b>
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**7.1 Date of Next Meeting**

Council Stokes moved that the next ordinary meeting of Council be held on Thursday, 10 February 2022 commencing at 5.30pm, to coincide with the Annual Electors Meeting


**OFFICER’S RECOMMENDATION/ RESOLUTION**

211218      Moved: Cr Stokes      Seconded: Cr Coaker

*CARRIED BY SIMPLE MAJORITY 6/0*

**7.2 Closure**

There being no further business, the President declared the meeting closed at 5:50pm.

  
.....Presiding Member