



AGENDA

ORDINARY MEETING OF COUNCIL

to be held on

Thursday, 15 December 2022 at 5:30pm

at the

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



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

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DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS

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

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

Signature: _____ **Date:** _____

Important Note:

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

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

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

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Item 1 Opening of Meeting

The President to declare the meeting open 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 elder's past, present and future, in working together for the future of Morawa.

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

President (Presiding Member) Councillor Karen Chappel

Deputy President Councillor Ken Stokes

Councillor Mark Coaker

Councillor Jane Coaker

Councillor Debbie Collins

Councillor Yvette Harris

Councillor Shirley Katona

Staff

Acting Chief Executive Officer

Paul Devcic

Executive Manager Corporate & Community Services

Jackie Hawkins

Members of the Public**3.2 Apologies****3.4 Approved Leave of Absence****3.5 Disclosure of Interests**

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

Important note:

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

Item 8 Announcements by Presiding Member without Discussion
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President's Meetings for the month of November 2022.

Date	Details of Meeting
1 November 2022	ALGA Board Meeting x2
1 November 2022	ALGA AGM 2022
2 November 2022	State Council Information Forum
2-3 November 2022	National Local Roads and Transport Congress
10 November 2022	MWDC Audit & Risk Committee Meeting
11 November 2022	Shire of Morawa – LEMC Meeting
15 November 2022	LGIS Key Partners Lunch Event
17 November 2022	WALGA Mayors and Presidents Training forum
17 November 2022	Shire of Morawa Concept Forum
17 November 2022	Shire of Morawa November 2022 Ordinary Council Meeting
18 November 2022	RDA Online Briefing
21 November 2022	Shire & Doctor Meeting
23 November 2022	Finance & Services Committee Meeting
28 November 2022	LGIS Volunteer Firefighter and WHS Forum

Item 9 Declaration by all Members to have given due consideration to All Matters Contained in the Business Paper before the Meeting
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The Elected Members to declare that they had given due consideration to all matters contained in the agenda.

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 17 November 2022 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 21 November 2022.

OFFICER'S RECOMMENDATION

That Council confirm that:

1. the Minutes of the Ordinary Council Meeting held 17 November 2022 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

Disclaimer

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

Item 11 Reports of Officers**11.1 Chief Executive Officer****11.1.1 Actions Performed under Delegated Authority for November 2022**

Author: Executive Assistant

Authorising Officer: Chief Executive Officer

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

OFFICER RECOMMENDATION

That with respect to **Actions Performed under Delegated Authority for November 2022**, Council:

1. **Accept the Report.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To report back to Council, actions performed under delegated authority from the period 01 November 2022 to 30 November 2022.

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 01 November 2022 to 30 November 2022 ('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 campgrounds

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 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

No delegated decisions were undertaken by Shire pursuant to *Planning & Development Act 2005* during the period.

Building Permits

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
221110	221001	Farm Shed Approved	3559 Neates Road, Merkanooka	

Other Delegations

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
18/11/2022	Approved	Exploration Licence	Anderson's Tenement Management	

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)

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

11.1.2 Two-year Trial of the Morawa Community Gymnasium

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION

That Council:

- 1. Note the results for the two-year trial of the 24-hour Morawa Community Gymnasium, including the community feedback and considerations around social impact.**
- 2. Approve the continuing operation of the community gymnasium and the purchase of the gymnasium equipment to be funded from the remaining COVID-19 reserve funds up to \$60,000.**
- 3. Accept the current gymnasium costs and income related to the Community Gym and Direct the CEO to refer discussion back to Council should any major variations begin to occur in future years.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

This report details results for the two-year trial of the 24-hour Morawa Community Gymnasium and recommends next steps for this community service.

DETAIL***Background***

At the Ordinary Council Meeting of 21 May 2020, Council received a submission along with 23 letters of support, requesting Council to consider an indoor, 24-hour gymnasium for Morawa. Council requested the Chief Executive Officer to prepare a report addressing a 24-hour gym and associated equipment.

An initial report was presented to Council at the Ordinary Meeting of 20 August 2020. This included survey responses from 142 community members with 81.62% in support of the Shire exploring the viability of a gym facility and 80.73% of respondents not accessing any gym facilities at that time. The survey also included detailed preferences from the community of the type and level of gymnasium building and equipment. As a result, Council endorsed the decision to commence a 24-hour community gymnasium under a two-year trial at the Incubator Unit No.1 on Mullewa-Wubin Road.

A detailed business case was then provided at the Ordinary Meeting of 17 December 2020, detailing the prospective operating costs and membership fee structure. The gymnasium opened in February 2021, with the two-year trial set for review prior to February 2023.

Location

The gymnasium is located at Lot 5, Mullewa-Wubin Road, where the Shire owns eight (8) Industrial Business Units. All units are steel construction with concrete floors and a single toilet, with Unit 9 serving as an office with toilet and shower (adjoining Unit 1). Over the past three (3) years, some of the units have been vacant and so the Shire had been actively promoting these for lease via posters and social media. Unit 1 was chosen to be the gymnasium location as it:

- Has an area of 155m² of steel construction with concrete floors and a single toilet
- Is in close location to the site entry and off-street parking
- Is adjoining Unit 9 which may enable future access to a further facility with shower and toilet; and
- Could cater for accessibility, as well as electronic 'swipe card' systems and CCTV (at entry/exits)
- Noting it would activate this space and encourage ongoing lease of the other units.

Facility services

The gymnasium provides access to an extensive range of equipment including weights, cardio and floor exercises. There is a front storage room with air-conditioning and a main exercise room with large commercial fans.

Membership can be purchased as 1 month, 6 month or 12-month terms from the Shire of Morawa Office during business hours, 8.30am to 4.30pm, Monday to Friday. All members are issued with a security access toggle to gain entry to the gymnasium for the duration of their membership. Members are required to contact the Morawa Shire Office to renew their membership.

An expression of interest was undertaken in January 2021 to engage a personal trainer who could complete inductions per the Council decision in December 2020. Unfortunately, there were no responses through this process, so the Shire developed a detailed sign-up process covering various liability areas.

Membership and usage

The Morawa Community Gymnasium currently has 50 active members. In general membership seems to fall between October to March probably due to the weather. Usage has remained consistent over the last 12 months post cyclone disruptions with an average of 150 to 200 swipe in entries each month or approximately 4-6 users each day.

Community feedback

In October 2022, the community was invited to provide feedback via a survey to assist with the review of the two-year gymnasium trial. A total of 34 community members completed the survey.

Common themes of positive feedback:

- That the town operates a successful gym
- 24/7 access opportunity
- Quality and range of equipment available to use

Common suggestions for improvement:

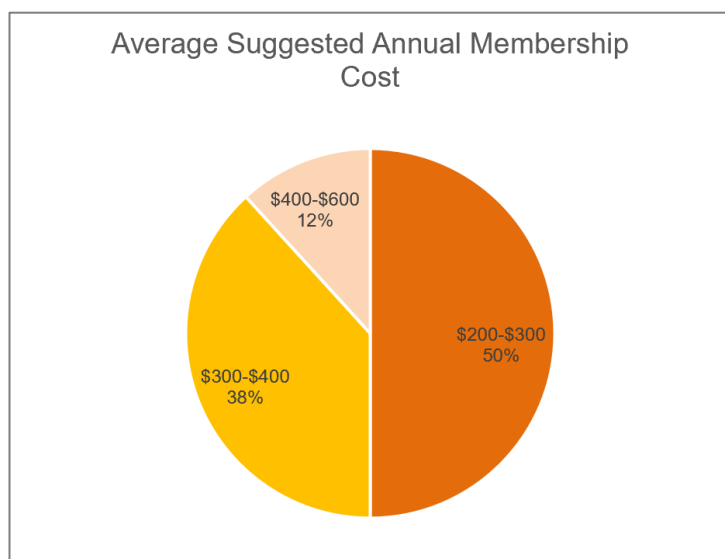
- Installation of air conditioning especially for summer months
- Installation of mirrors to support form training

- More emphasis on signage/advertising
- Implementation of an orientation session for new members

Should Council need to reduce the operational costs of this facility, feedback was also sought on what kind of equipment to potentially remove. The most frequent suggestions were:

- Remove no equipment
- Step machine
- Ab machine
- Mats

To support membership rates, feedback was sought on preferred membership prices. The results were:



All results from this survey are provided as *Attachment 1*.

Social impact

There is a suite of social and economic benefits from this community gymnasium which are challenging to capture or measure.

A key aspect of the Shire's Strategic Community Plan is to increase active living, with a particular lens on health and wellbeing. Active living is challenging in regional towns where there are a wide range of needs across different age groups, abilities and various industries.

Research shows how powerful physical exercise is for mental health especially in regional communities. For children, studies show physical activity enhances behaviour, memory, cognitive function, and concentration. Furthermore, communities who are more physically active are more likely to develop strong social bonds, are safer places, and the people who live in them are generally happier and healthier places than where physical activity is not a priority.

Significantly, the gymnasium survey results from both 2020 and 2022 explicitly feature mental health and wellbeing as a key aspect of community value for this facility. There are likely carry overs to supporting economic activity within Morawa, as more seasonal workers are supported to live and work in the town and visitors/workers may likely stay longer with these recreational services being available.

Financial investment

Operational expenditure associated with the gymnasium has been budgeted since the 2020-2021 financial year. Since this time, the ongoing costs for leasing the equipment have been funded from general rates whilst one-off investments were to be funded from the COVID-19 Emergency Reserve Fund. It would be expected that any significant costs associated with retaining a gymnasium would require a transfer from the Covid-19 Reserve Fund.

For the two-year trial, the community gymnasium has seen the Shire invest funds in:

- Initial setup of the physical space including security and access, and
- Leasing of gymnasium equipment - total fixed term rental payments have been \$116,026.72 (excluding GST and paid quarterly as \$14,503.34 in eight instalments), this versus the capital cost for the equipment being \$113,820.58 (excluding GST); equating to an effective interest rate of 0.47% over the lease term.

	Operating income	Operating expenditure
2020-2021	\$4.8K	\$31K (includes initial set up)
2021-2022	\$9K	\$17K
2022-2023	\$5.5K (end of Nov 22)	\$7K (end of Nov 22)

The gymnasium fees and charges were increased for the 2022-2023 financial year to reduce the operational deficit. It is envisaged that the operational deficit for the gymnasium will reduce from \$8K in 2021-2022 to around \$4K in 2022-2023.

The \$116K investment in equipment makes the Shire investment in the gymnasium facility significant. Should the Shire choose to retain the gymnasium moving forward the options available regarding equipment are:

- Option 1: Continue leasing of equipment at either a 12-month term (\$11,602.67 excluding GST per quarter from 01 February 2023) or a 24-month term (\$10,152.34 excluding GST per quarter from 01 February 2023 - \$81,218.72 for the full term). The pricing structure can be adapted depending on the equipment to be replaced or removed. Noting if a new lease required new equipment the lessor will work with the selected supplier to minimise uplift and removal costs.
- Option 2: Purchase the equipment outright for \$55k including GST (offer valid until 31 January 2023) and arrange a maintenance agreement directly with the equipment supplier for regular servicing and maintenance. The asset life of moving cardio equipment is anticipated to be five years, moving weight equipment is ten years, and free weights and static equipment should have an extended life over ten years.

With the outright purchase cost being less than the cost of a 2 year lease and the equipment expected to last longer than 2 years, it is suggested that if the Shire wishes to retain the gymnasium then outright equipment purchase is the most cost effective option.

If Council consider the investment in a 24 hour access gymnasium over a decade it is expected that the annual cost to the Shire would amount to approximately \$20-25K per annum (factoring in equipment, lease costs, and operational deficits). This represents approximately 1% of the Shire's rates income.

In comparison the Shire invests heavily in over lifestyle/healthy and wellbeing areas such as the Morawa Swimming Pool (annual cost of approximately \$200,000), the Greater Sports Ground (costs over \$100,000 related to oval and other sporting infrastructure maintenance), and Recreation Centre with minimal income and an annual cost to the Shire far greater than 1% of rates. Combining these existing health and wellbeing facilities with a Gymnasium provides for a well rounded service offering for the community for the Shire's investment.

Essentially, the decision centres around whether the broader community, social, health and wellbeing, and economic benefits of a gymnasium outweigh the cost to the Shire.

It is the opinion of the author that the facility does offer an advantageous cost benefit analysis when considering non-financial factors. Having a high-quality gymnasium aligns well with the Community Vision around liveability and opportunity, with active living and inclusion opportunities that potentially aren't catered for by more formal clubs or sporting activities. As such the author is recommending the community gymnasium remain as a Shire facility.

LEVEL OF SIGNIFICANCE

High: The establishment of a gym facility in Morawa has been subject of debate over preceding years. Any change to the current service level must be carefully considered.

CONSULTATION

The Shire has undertaken a survey to understand customer satisfaction of the gymnasium. The Senior Management Team have also been consulted in this process.

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995 S3.58

FIN04 – Purchasing Policy

Delegations Register 4.6 – Disposal of Property (other than land)

Strategic Community Plan 2022 - 2032

Occupy a safe and healthy living space:

Increase active living

Be future focused in all we do:

Ensure the Shire and its assets are well resourced and sustainable.

FINANCIAL AND RESOURCES IMPLICATIONS

There are direct financial and resource implications associated with this matter. Operational expenditure associated with the gymnasium has been budgeted since the 2020-2021 financial year. Since this time, the ongoing costs for leasing the equipment have been funded from general rates whilst one-off investments were to be funded from the COVID-19 Emergency Reserve Fund.

Fees and charges:

- The price for a gymnasium membership has been set as \$384 per year (or \$216 for six months and \$40 for one month) with \$30 for the security access toggle.
- The price going forward is recommended to remain roughly the same now that costs and income are better aligned.

Ongoing annual operational costs include:

- Advertising and signage
- Gymnasium equipment – asset repair and replacement (see below)
- Insurances
- Power and water
- Cleaning
- Staff hours to monitor and manage - including membership, access, promotion, health and safety auditing, and troubleshooting customer issues, complaints and requests.

Options for gymnasium equipment:

- Option 1: Continue leasing of equipment at either a 12-month term (\$11,602.67 excluding GST per quarter from 01 February 2023) or a 24-month term (\$10,152.34 excluding GST per quarter from 01 February 2023). The pricing structure can be adapted depending on the equipment to be replaced or removed. Noting if a new lease required new equipment the lessor will work with the selected supplier to minimise uplift and removal costs.
- Option 2: Purchase the equipment outright for \$55k including GST (offer valid until 31 January 2023) and arrange a maintenance agreement directly with the equipment supplier for regular servicing and maintenance. The asset life is anticipated to be five years.

It is being recommended to purchase equipment with the resolution covering the \$55,000 quoted by the leasing company plus an extra \$5,000 to cover any unexpected costs – therefore \$60,000 as a reserve transfer from the Covid-19 reserve. The Covid-19 reserve currently contains \$93,000.

RISK MANAGEMENT CONSIDERATIONS

The risks identified as part of this report are:

- Low engagement/use from community – mitigated by Shire staff continuing to proactively promote the gymnasium to residents and visitors, while applying strategic improvements over time to enhance the experience.
- Financial loss – mitigated by regular reporting monitoring operational financial performance and should the facility loss exceed \$30k per annum a detailed review should be undertaken

CONCLUSION

The level of community support for the community gymnasium, along with the associated positive social and economic impacts support the goals of the Shire's Strategic Community Plan to increase active living.

It is considered appropriate that Council note the results of this two-year trial and continue to support the Shire operation of a 24-hour community gymnasium, noting the facility may run at a financial loss although the health and wellbeing benefits see this as a worthwhile investment which is greatly valued by the community.

This review has highlighted several areas where the gymnasium could be improved, which will be implemented gradually over time as funding, resourcing, and membership income allows to enhance the experience for the community.

ATTACHMENT

Attachment 1 – 11.1.2a Community Gymnasium Survey Results 2022

11.1.3 Cyclone Recovery Plan

Author: Planning Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION

That with regards to the Cyclone Recovery Plan, Council:

1. That the minutes of the Shire of Morawa Local Emergency Management Committee Meeting held on the be 11 November 2022 received.
2. Endorse the Shire of Morawa Cyclone Seroja Operational Recovery Plan 2022 as presented.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

Council to endorse the Shire of Morawa Cyclone Recovery Plan 2022 prepared by Local Emergency Management Committee (LEMC) - *Attachment 1*

DETAIL

Emergency Management legislation requires all Local Government entities to have a Local Emergency Management Committee (LEMC) in place.

In the wake of the Tropical Cyclone Seroja, Morawa stood up a standalone cyclone recovery advisory group for a period of 7 months. Subsequently, recovery activities and information updates transitioned to the functions of the LEMC. The Shire, LEMC, and DFES worked with regional consultants to develop a cyclone recovery plan to guide priorities over the coming years. The Shire of Morawa Cyclone Recovery Plan 2022 was endorsed on 11th November 2022 by the Morawa LEMC. Following the endorsement by the LEMC the documents are required to be endorsed by Council. Post endorsement by Council the documents are presented to the District and State Emergency Management Committees.

The Local Operational Recovery Plan for Cyclone Seroja recognises that the Morawa District has a number of underlying strategic issues, opportunities, and threats that fall outside of operational recovery but will have an impact on future cyclone resilience, many of the items have been picked up in the Strategic Community Plan 2022-2032.

The key recovery objectives centre around:

- Human and Social factors – community training awareness, connection, and capacity building for future resilience against events

- Repair works – accommodating workers, targeting tourist and economic infrastructure, increase rate of repair for housing, build community knowledge of new building standards and grow capacity to challenge insurance companies
- Understand cultural and natural environments – may not need significant restoration from this event but worth cataloguing key sites to be monitored in case of future events

High level Local Recovery Plans are required to be reviewed every 5 years or when a major incident has taken place per State Emergency Management Committee guidelines. It is envisaged that the high level Morawa Local Recovery Plan will be reviewed in 2023. Once the plans have been endorsed by the LEMC and Council for endorsement they are presented to DEMC and SEMC respectively. This will be a follow up action to the more specific Local Operational Recovery Plan linked to Cyclone Seroja.

LEVEL OF SIGNIFICANCE

Medium – Cyclone recovery efforts have been difficult across the board with labour, and material shortages impacting on repair works. Insurance companies providing a difficult environment for community members to restore their property and inflation meaning a number of people are under insured. The existence of this plan will not rectify these issues but will provide more structure to Shire activities and target areas and send a clear signal to partners as to what areas we need support.

CONSULTATION

Shire CESM
DFES State Recovery
Morawa LEMC

LEGISLATION AND POLICY CONSIDERATIONS

- *Emergency Management Act 2005*
- *Emergency Management Reg 2006*

FINANCIAL AND RESOURCES IMPLICATIONS

There will be financial implications associated with recovery activities, but recovery works have a budget line and it is understood across the organisation that it continues to demand resource allocation.

RISK MANAGEMENT CONSIDERATIONS

The main risk of adopting the Plan is that it creates an expectation that the Shire and its partners are more capable of delivering outcomes than may be realistic. The Plan presented to Council is significantly trimmed back compared to original DFES suggestions and better reflect capacity within the district.

CONCLUSION

Disaster recovery is the coordinated process of returning an affected community to a normal level of functioning after a disaster. Recovery is part of emergency management, which also includes the components of Prevention, Preparedness and Response. Planning for recovery is integral to emergency preparation.

Recovery management is the coordinated process of supporting “emergency affected communities in the reconstruction and restoration of physical infrastructure, the environment and community, psychosocial, and economic wellbeing” (Emergency Management Act 2005).

Local Governments have been task with the above functions and the adoption of a recovery plan relating to Cyclone Seroja aims to assist the administration and LEMC with prioritising resources for future recovery efforts.

ATTACHMENTS

Attachment 1 – 11.1.3a Shire of Morawa Cyclone Recovery Plan 2022

Attachment 2 – 11.1.3b Minutes of November 2022 Morawa LEMC

11.1.4 Request to Refurbish Cricket Practice Nets and Install Memorial Signage

Author: Community Development 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:

- 1. Approve the Morawa Cricket Club to undertake refurbishment works on the Cricket Practice Nets, subject to the Shire Administration providing project oversight, ensuring use of Australian Standards, and being part of the practical completion sign off**
- 2. Approve the Morawa Cricket Club to erect a Memorial Plaque commemorating the late Mr. Bruce Stokes and specifically his donation to the club that enabled the project, subject to the Shire CEO approving of the final plaque design, and the Club taking on going responsibility for the maintenance of the plaque once installed.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to review a request from the Morawa cricket club to refurbish the practice nets at the Greater Sports Ground.

DETAIL

The Morawa Cricket Club (the Club) received a cash donation from the estate of the late Mr. Bruce Stokes. The Club has subsequently contacted the Shire to enquire as to whether the Shire would approve the Club to use the funds to refurbish the cricket practice nets located at the Greater Sports Ground.

The proposed idea is to replace the current nets, renovate the concrete flooring, put a new netting roof with half shade and install a retractable training net storage unit. The goal of the project is to improve the functioning of the present cricket club and to provide better junior cricket training.

The Club President has indicated that he will have capacity post-harvest to facilitate the project and engage the necessary contractors to complete the works.

The nets will remain on Shire managed land and although the Club tend to be the sole users it is important from a safety and liability point of view that the project is completed to an adequate standard. In order to achieve this goal, it is suggested that the Shire Executive Manager Works and Assets be appointed superintendent for the project, essentially providing high level oversight and sign off on adequate completion, as well as ensuring the project utilises AS1725.4 – Chain

Link Fencing – Cricket Enclosures, which is the Australian Standard that applies to these types of facilities.

To complete the refurbishment the Club wish to erect a memorial sign recognising the contribution of the late Mr Bruce Stokes towards the Club and the financial contribution towards the project.

The proactive nature in which the Club has approached the receipt of the donation and identifying a project that could improve a utilised resource should be commended.

LEVEL OF SIGNIFICANCE

Low – Whether Council approves or not the Club will still have access to practice nets and funds in their account. The Club believes it will be a better community outcome if the funds can be expended quickly on a useable resource as opposed to remaining in a savings account.

CONSULTATION

Morawa Cricket Club President
Shire Executive Manager Works and Assets (EMWA)

LEGISLATION AND POLICY CONSIDERATIONS

ADM05 Memorials on Council Controlled Land – deals with plaques or memorials on Council Controlled/Public Land. Essentially the person or event needs to be of some significance and approval given by Council.

Given the late Mr Stokes is essentially funding the refurbishment through his donation to the club it seems appropriate that his kind gesture and other points relevant to his relationship with the Club be memorialised on a simple plaque to accompany the nets.

Strategic Community Plan 2022-2032

The Morawa Cricket Clubs projects aligns well with the Strategic Focus Areas: Increase Active Living and Foster Passion and Belief in Younger Residents.

The new nets will hopefully boost sport participation and provide an improved outlet for young residents.

FINANCIAL AND RESOURCES IMPLICATIONS

The Club plan to fund the project themselves. The Shire resources required would be oversight from the EMWA but this type of activity would be part of his role expectations.

RISK MANAGEMENT CONSIDERATIONS

Applying AS1725.4 – 2010: Chain link fabric fencing – Cricket net fencing enclosures provides the Australian Standard for fencing of cricket net enclosures, including use of materials, design footings and installation requirements, will reduce risk.

Providing Shire executive oversight reduces risk of post project issues.

The Club accept risks associated with undertaking the project.

CONCLUSION

It is recommended that Council approve the Cricket Club to undertake this project with oversight of the EMWA put in place to ensure long term safety concerns are managed.

It is also recommended that the plaque be approved subject to the final design being approved by the Shire CEO.

ATTACHMENTS

Nil

11.2 Executive Manager Corporate & Community Services

11.2.1 Statement of Financial Activity – November 2022

Author: Corporate & Community Services Officer

Authorising Officer: Executive Manager Corporate & Community Services

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

OFFICER'S RECOMMENDATION

That Council receive:

1. the Statement of Financial Activity for the period ending 30 November 2022.
2. the Bank Reconciliation Report for period ending 30 November 2022.
3. the attached List of Payments for the period ending 30 November 2022.
4. with respect to the Chief Executive Officer authorisations and reporting to Council;
4.1 Reimbursement applications made by the Chief Executive Officer for the period ending 30 November 2022.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The Statement of Financial Activity is prepared to provide Council with a comprehensive report on the financial position on a monthly basis.

The Statement of Financial Activity Report will include the Monthly Financial Report, Bank Reconciliation Report and the List of Payments made.

DETAIL

In accordance with the provisions of Section 6.4 of the *Local Government Act 1995* and Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996*, a local government is to prepare each month a Statement of Financial Activity (**Attachment 1**) reporting on the revenue and expenditure as set out in the Annual Budget each month.

Under the regulations the report must include the following items,

- Annual Budget estimates
- Budget estimates to the end of the month to which the statement relates,
- Actual amounts of expenditure, revenue, and income.
- Material variances between budget and actual
- Net current assets

- The report is to be accompanied by documents containing an explanation of the net current assets, material variances and other relevant supporting documentation.

As part of the monthly report a bank reconciliation report will be completed and included as **Attachment 2**. The summary of the report for 30 November is as follows:

Account	Balance
Municipal Account	3,175,643.83
Municipal Online Account	1,031,095.88
Trust Account	7,548.73
Reserve Account	4,041,014.76
Term Deposits (Reserves)	2,100,000.00
Total Cash & Investments	\$10,355,303.20

Pursuant to Section 5.42 of the *Local Government Act 1995*, Council has resolved to delegate to the Chief Executive Officer the authority to make payments from the municipal and trust funds.

As a result of this delegation there is a requirement under the *Local Government (Financial Management) Regulations 1996* – Reg 13(3) for a list of payments to be prepared and presented to Council.

The list of accounts paid for the period 1 November 2022 to 30 November 2022 is presented as an attachment to this report (**Attachment 3**) and is summarised in the table below.

Bank	Payment Description	Amount
Municipal	Electronic Funds Transfers (EFT)	373,043.63
Municipal	Cheques No: 12040	12,326.61
Municipal	Direct Debit Transactions	90,683.15
Municipal	Bank Transfers / Payroll / Other Payments	127,334.22
Municipal	Corporate Credit Cards	2,086.96
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	\$605,474.57

Reimbursement Applications

There have been \$1,571.50 of reimbursements claimed and 3 days of sick leave taken by the Chief Executive Officer during the month of November.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Chief Executive Officer
Executive Manager Corporate & Community Services

OFFICER'S COMMENTS

The November List of payments show an increase of 60% to the EFT payments made in November compared to last month. Only one water bill was paid through cheque which amounted

to \$98.72 compared to this month's \$12,326.61. This is due to most of the water bill's due dates being at the same period. The direct debit transactions have increased by 68% this repetitive fluctuation coincides with Synergy and Telstra direct debits. The Financial report now includes the budget amendments as per council resolution 221106.

LEGISLATION AND POLICY CONSIDERATIONS

Section 5.42 *Local Government Act 1995* Delegation of some powers and duties to the CEO.

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.

Local Government (Financial Management) Regulations 1996

Regulations 34(1)

- (1) A local Government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d) for each month.

Regulation 13

- (1) If the local government has delegated authority to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month.

- (3) A list prepared under sub regulation (1) or (2) is to be –
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting

Procurement Policy

Use of Corporate Credit Card Policy

CEO Leave Authorisations and Other Approvals Policy

- Strategic Community Plan 2022 - 2032

Be future focused in all we do:

1. Ensure the Shire and its assets are well resourced and sustainable.

FINANCIAL AND RESOURCES IMPLICATIONS

As presented.

RISK MANAGEMENT CONSIDERATIONS

The risks identified as part of this report being inaccurate information is mitigated by Council

receiving financial statements on a monthly basis and in the form that is in accordance with the Local Government Act 1995 and associated regulations in the format called Statutory Reporting and is considered Low Risk.

CONCLUSION

Council is requested to receive the attached Statement of Financial Activity, the Bank Reconciliation report, the list of accounts paid by the Chief Executive Officer and the list of any work-related expenses/reimbursements submitted by the Chief Executive Officer.

ATTACHMENTS

Attachment 1 – 11.2.1a Monthly Financial Report for the period ending 30 November 2022

Attachment 2 – 11.2.1b Bank Reconciliation for the period ending 30 November 2022

Attachment 3 – 11.2.1c List of Accounts Paid for the period ending 30 November 2022

11.2.2 Acceptance of Annual Report 2021-2022

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.

OFFICER'S RECOMMENDATION**That Council:**

- 1. Accept the Annual Report for the 2021-2022 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, 2 February 2023 at 5:30pm.**

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is to present to Council the 2021-2022 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 2021-2022 audit has been completed by the Office of the Auditor General contractor Nexia. The audit findings and financial statements are presented in the 2021-2022 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. 56 days from the 15 December Council meeting is 9 February 2023 – as such the Annual Electors Meeting must be held before this date. It is proposed that the Annual Electors Meeting be held on Thursday 02 February 2023 at 5:30pm. The Shire will advertise the meeting and the availability of the 2021-2022 Annual Report on the Shire Website, noticeboards, and other local communication channels.

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 2021-2022 together with the financial position of the Shire of Morawa as of 30 June 2022.

The Audit exit meeting to hear from the Shire auditors and receive the audit close report was held on 5 December 2022 with the Shire CEO, Shire President, and Deputy President in attendance.

The Annual Report and Annual Financial Report will have been reviewed and approved by the Audit Committee prior to Council adoption

LEVEL OF SIGNIFICANCE

Medium – 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 2022.

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 – 11.2.2a Shire of Morawa Annual Report 2021-2022 including Annual Financial Statements and Audit Report

11.3 Executive Manager Works & Assets

Nil

Item 12 Reports from Committees**Item 13 Motions of Which Previous Notice Has Been Given****Item 14 New Business of an Urgent Nature****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****That Council:**

That Council closes the meeting to the public under section 5.23 (2)(c) and (e) 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 Appointment of Primary Contractor to Undertake Various Road Pavement and Car Park Sealing Projects**

SIMPLE MAJORITY VOTE REQUIRED**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 'confidential matters' as addressed below:

- 15.2 Appointment of Primary Contractor to Undertake Various Road Pavement and Car Park Sealing Projects

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 2022 to 2032

Be future focused in all we do:

Ensure the Shire and its assets are well resourced and sustainable.

FINANCIAL AND RESOURCES IMPLICATIONS

Any known financial implications are addressed in the respective reports.

RISK MANAGEMENT CONSIDERATIONS

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

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.

ATTACHMENTS

Nil

15.2 Appointment of Primary Contractor to Undertake Various Road Pavement and Car Park Sealing Projects

This is a confidential item.

15.3 Reopening of the Meeting to the Public

OFFICER'S RECOMMENDATION

That Council reopens the meeting to the public.

SIMPLE MAJORITY VOTE REQUIRED

Item 16 Closure

16.1 Date of Next Meeting

The next ordinary meeting of Council will be held on Thursday, 16 February 2023 commencing at 5.30pm.

16.2 Closure

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