



AGENDA

ORDINARY MEETING OF COUNCIL

to be held on

Thursday, 16 March 2023 at 5:30pm

at the

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



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

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

DISCLAIMER

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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

Staff

Chief Executive Officer

Scott Wildgoose

Executive Manager Works & Assets

Paul Devcic

Executive Manager Corporate & Community Services

Jackie Hawkins

Members of the Public**3.2 Apologies****3.4 Approved Leave of Absence**

Councillor Shirley Katona

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 February 2023.

Date	Details of Meeting
2 February 2023	Shire of Irwin - Industry Leaders Forum
3 February 2023	2023-24 Australian Government Black Spot Programme - Western Australia Black Spot Consultative Panel Meeting
13 February 2023	Shire of Morawa – Agenda Settlement
20 February 2023	Northern Country Zone of WALGA Meeting
20 February 2023	Morawa Citizenship Ceremony
20 February 2023	Shire of Morawa – Ordinary Council Meeting
22 February 2023	Shire of Morawa - LEMC Meeting
22 February 2023	MWAC February 2023 Meeting

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 20 February 2023 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 21 February 2023.

OFFICER'S RECOMMENDATION

That Council confirm that:

1. the Minutes of the Ordinary Council Meeting held 20 February 2023 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 February 2023**

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 February 2023**, Council:

1. **Accept the Report.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To report back to Council, actions performed under delegated authority from the period 01 February 2023 to 28 February 2023.

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 February 2023 to 28 February 2023 ('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 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

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
28/2/2023	230223	Approved	Mr D Brockman (Brockman Plumbing)	

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>
2/2/2023	21/22	Approved	Ryan Patterson	

Other Delegations

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
2/2/2023		Approved	Morawa Speedway	

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 Adoption of 2023 Council Election Processes

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:**

- 1. Note that the terms of office of Cr. Harris, Cr. Katona, Cr. J Coaker expire on 21 October 2023.**
- 2. Resolve to continue to elect the office of Shire President and Shire Deputy President using the by Council method.**
- 3. Declare in accordance with Section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2023 ordinary elections together with any other elections or polls that may be required.**
- 4. Decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.**

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

For Council to review the processes for the 2023 Council Election and adopt a Council position accordingly.

DETAIL

Local Government Council Elections are due in October 2023, on the third Saturday of October, 21 October 2023 – unless modified by the Minister for a specified reason.

The Shire of Morawa has three Councillors whose terms end on the 21 October 2023.

- Cr. Yvette Harris
- Cr. Shirley Katona
- Cr. Jane Coaker

As such the 2023 Council elections will be to fill three vacancies.

Historically, the Shire of Morawa have always conducted in-person elections run by the Local Government not the WA Electoral Commission.

In general elections run through the WA Electoral Commission (WAEC) as postal elections, place a reduced administrative burden on the Local Government and postal elections tend to receive a higher voter turnout, however the cost of conducting an election through this method is usually prohibitive to smaller local governments.

With the Local Government Reforms the Minister has introduced optional preferential voting for all local government elections. The Minister wrote to the Shire in a letter received on the 3 February 2023, providing information on the election changes, CountWA software that can be purchased through the WAEC, and responsibilities for elections. The Minister indicated a preference for Local Governments to decide whether they would be running elections through the WAEC or inhouse at their March meeting.

Historically, in house elections have cost the Shire approx. \$5,000 or less but this may increase with the extra resourcing required to administer optional preferential voting.

The WAEC have provided a cost estimate to undertake the 2023 Election (attachment 1). Noting it is just an estimate and the Act provides the WAEC to undertake elections on a cost recovery model. A \$12,000 cost estimate is provided based on under 400 electors, 50% voter turnout, 3 vacancies, standard Australia Post services. All assumptions seem reasonable.

The WAEC, although not able to guarantee, have indicated that in 2021 a similar sized Shire that elected all candidates unopposed only incurred fees around \$6,000, as the process costs the WAEC less.

The decision for the Shire of Morawa centres around whether the cost of engaging the WAEC to run the elections is more than the Shire can afford or whether the administrative burden and risk of errors due to the introduction of preferential voting would counteract the dollar savings.

It is the opinion of the Author that the Shire should engage the WAEC to run the 2023 election based on several factors:

- The new regulations and reforms will likely require research and understanding that will attract previously unallocated officer time.
- With changed voting methodology it could lead to disputed decisions and countbacks if the community are not confident in the election conduct. Appointing the WAEC would circumvent this.
- The Shire administration is in the process of losing the incumbent EMWA and recruiting a new one, this will place increased administrative burden on all functions, many of which cannot be outsourced. Therefore, it seems sensible to outsource the elections to ensure capital works and other projects are not impacted.
- Postal voting tends to attract more voters which could be seen as a win for local democracy.
- Whilst historic costs show that in house elections cost half as much as the quote provided, this does not consider unallocated officer time such as CEO and EA hours, and the opportunity cost of other tasks foregone during election time.

As such the Author considers that the 2023 elections run through the WAEC will offer more benefit to the Shire than the dollar cost incurred in terms of reduced risk and administrative burden.

Previously, the Shire President and Deputy President have been elected by Council. No regulation changes for Band 3 and 4 Councils have been made in this regard and it makes sense for the Shire to maintain the status quo for the electing the President and Deputy President positions.

At this stage, the next Ordinary Meeting of Council post-election will be Thursday 16 November 2023 – as such it is expected that a Councillor declaration ceremony will be held before this meeting and the election of the Shire President and Deputy President will be held as the first order of business at the Ordinary Council Meeting.

LEVEL OF SIGNIFICANCE

Medium

CONSULTATION

WAEC
Shire President
DLGSCI Reform Information

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995 Part 2 – Constitution of local government

Local Government Act 1995 Part 4 – Elections and other polls

- Section 4.7 Ordinary elections day usually third Saturday in October
- Section 4.20 (4) A local government may, having first obtained the written agreement of the Electoral Commissioner (attachment 1), declare*(by absolute majority) the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.
- Section 4.61 Choice of methods of conducting election
 - 4.61(2) The local government may decide (by absolute majority) to conduct the election as a postal election
 - 4.61(7) Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election

Local Government (Constitution) Regulations 1998

Local Government (Elections) Regulations 1997

FINANCIAL AND RESOURCES IMPLICATIONS

The Shire will incorporate \$15,000 in the 2023/2024 Annual Budget to accommodate the WAEC cost estimate and any other unforeseen costs. It is expected that this would be manageable

within normal governance budget parameters by adjusting other ledger budgets in this area to accommodate the election.

RISK MANAGEMENT CONSIDERATIONS

By engaging the WAEC the Shire is reducing its risk exposure by reducing the administrative resources required to run the election and engaging a professional organisation that is well versed in the preferential voting model to manage the electoral reforms.

CONCLUSION

The decision to move to WAEC managed elections using postal voting, comes at an extra cost but with electoral reform and other concerns, it seems like the best course of action to ensure the 2023 election is well managed, transparent, and accountable through a third party.

ATTACHMENTS

Attachment 1 – 11.1.2a Shire of Morawa Cost Estimate and Willingness to Conduct Election Letter from WAEC

11.1.3 Attendance at the 2023 ALGA National General Assembly 2023

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:

- 1. Acknowledge the importance of the 2023 National General Assembly and Australian Council of Local Government event.**
- 2. Accept the Chief Executive Officers attendance at the 2023 National General Assembly**
- 3. Approve any Councillor that may wish to attend the 2023 National General Assembly to attend the event subject to a maximum financial contribution by the Shire of \$2,400 per Councillor.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

For Council to set an appropriate budget to encourage attendance at the 2023 National General Assembly in a financially sustainable manner.

DETAIL

The Australian Local Government Association (ALGA) is the national voice of local government, representing 537 councils across the country. Each year ALGA hosts a National General Assembly (NGA) to bring together Local Governments from across the Country and deliver professional development and networking forum.

This year the NGA will be added too with the inclusion of the Australian Council of Local Government meeting on 16 June 2023 – the first meeting of this group in more than a decade.

This event provides WA Local Governments with an opportunity to visit Canberra and interact more directly with Federal Members of Parliament. The Shire of Morawa receives considerable grant funding from the Federal Government in many forms, a few examples below:

- Financial Assistance Grants
- Roads to Recovery
- Load Road and Community Infrastructure Program (LRCIP)

- Blackspot Initiatives
- Disaster Recovery Funding Arrangements

The Conference provides an opportunity for the Shire to directly interact with one of our key funding bodies and provide inputs in relation to initiatives and programs for the future.

Given the Shire has received significant funds through the LRCIP grants, been supported post Seroja by DRFA, and has a connection to political events by our President's role as head of WALGA. It is of value for the Shire to have attendance at this event. The Shire President will be in attendance on behalf of WALGA, the Shire CEO is requested to attend to ensure Federal benefits to the Shire are well known and to highlight/find practical partnership on operational items when relevant. It may be prudent for other Councillors to also attend given the Regional Forum and National General Assembly align with the Australian Council of Local Government meeting, which makes this a significant event.

Council is allocated approximately \$16,000 per annum for conference expenses inclusive of registrations, accommodation, travel etc. The Shire currently has \$12,000 remaining in the budget for 2022/2023 for this line item. The ALGA conference is likely to be the only remaining conference for this financial year but in the interest of fairness it is suggested that the remaining budget be split between all Councillors who would be capable of attending and who are not already funded from another source. With Councillor Chappel funded in her WALGA role and Councillor Mark Coaker in Europe, that leaves five (5) Councillors capable of attending the NGA.

Thus, it is suggested that each Councillor be assigned a \$2,400 budget for Conference expenses for the remainder of the year. Then an individual Councillor can work with the CEO to claim the amount via payment for registration or reimbursement depending on the conference in question.

If Councillors choose to attend the NGA, they will likely encounter costs as per below:

- Event Registration \$900-\$1,500 depending on options chosen.
- Flights approx. \$1,000-\$4,000 return depending on flight times, days, and options chosen.
- Min 4 nights' accommodation @ min \$150 per night - \$600
- Food outside the event approx. \$50 a day - \$200

As such the proposed reimbursement amount/event limit will offer Councillors with the ability to cover most of the trip costs if they choose the minimalist options. It would be expected that costs incurred above \$2,400 would be borne by individual Councillors.

LEVEL OF SIGNIFICANCE

Low – attendance at conferences and events is good for the development of individuals and the building of networks. However, the Shire must balance this against the cost of attendance.

CONSULTATION

ALGA Website
Shire President

LEGISLATION AND POLICY CONSIDERATIONS

ELM04 Councillor Training/Conference Attendance

Approval Process

Applications will be determined by the Shire President in consultation with the CEO with regard to budget availability. It is intended that the budget allocation for Councillors will be applied in a consistent and fair manner without patronage.

The application can only be approved where the costs are in accordance with ELM05 Councillors Accommodation and Incidental Expenses whilst on Council Business Policy and can be accommodated within the approved budget allowance.

ELM05 Councillor Accommodation and Incidental Expenses Whilst on Council Business

The process suggested is fair and ensures that all applications are within an approved budget.

FINANCIAL AND RESOURCES IMPLICATIONS

The course of action provided in the report provides a method by which Councillors can attend the Conference but at a reasonable cost to the Shire within budgetary constraints.

RISK MANAGEMENT CONSIDERATIONS

Nil

CONCLUSION

The course of action presented in the report tries to offer equitable access to the Conference and aims to manage the Shire's budgetary constraints in this space.

ATTACHMENTS

Nil

11.1.4 National General Assembly Proposed Motion Regarding GP Shortages

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 submits a motion to the 2023 National General Assembly of Local Government that:

- 1. This National General Assembly calls on the Australian Government to urgently address critical shortages of general practitioners in outer metropolitan, regional, rural and remote Australia and that the Interim Report of the Senate Community Affairs References Committee Inquiry into the provision of general practitioner and related primary health services to outer metropolitan, rural, and regional Australians, tabled in April 2022 be referred to this Parliament.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

For the Shire of Morawa to submit a motion for the 2023 National General Assembly of Local Government (NGA).

DETAIL

The theme for this year's NGA will be "Our Communities, Our Future". ALGA is seeking motions that align with this theme and identify opportunities for new federal programs and policies that will support councils to build stronger communities.

Motions are due by Friday 24 March 2023.

One issue that Morawa has recently had to contend with and worth raising at the ALGA forum is that of General Practitioners (GP) and specifically the shortage of GPs in outer metropolitan, regional, and rural areas.

The Shire of Morawa was fortunate to have a new GP in place within a month of Dr Adeiye Adebola leaving town, but this is not the case for many rural towns.

The distribution of the primary health workforce is a significant issue in Australia's health system, and it is well known that those living in outer-metropolitan, regional, and rural areas have less access to timely and affordable primary health care and experience worse health outcomes than those in metropolitan areas.

Australians are increasingly accessing primary health care at a rate that is outstripping supply, particularly in relation to appointments with general practitioners (GP). A functioning and well-distributed primary health system can prevent more serious illnesses, reduce presentations at hospital emergency departments, and improve health outcomes for individuals and communities; however, this is failing to occur.

The Senate Committee Inquiry Interim Report recognised that the responsibility for health care is multi-jurisdictional. However, it is clear that the current division between Commonwealth, State and Territory governments is failing to recognise and meet the needs of communities. Neither the Commonwealth or State governments are taking proper responsibility for the provision of GPs and other primary health professionals.

Local Governments are being forced to fill the gaps caused by a lack of Federal and State ownership being taken for the responsibility to provide primary health services. The costs of providing medical services vary across Local Governments but the argument remains that Local Councils should not have to fundraise or impose rate increases on their communities to support these services when there are both Federal and State mechanisms in place to ensure the health of the nation.

The Senate Committee received evidence from several Local Governments, similar to Morawa, and the lengths they have taken to ensure their communities are provided with access to primary health care, as well as programs and incentives they developed to attract and retain health professionals in their communities.

The Committee expressed grave concern that local councils have been left to fill the gaps caused by a lack of federal and state responsibility to provide primary health services.

[Provisionofgeneralpractitionerandrelatedprimaryhealthservicestooutermetropolitan,rural,andregionalAustralians-InterimReport.pdf;fileType=application/pdf \(aph.gov.au\)](https://www.aph.gov.au/~/media/Committees/Senate/Committee_inquiry_into_the_provision_of_general_practitioner_and_related_primary_health_services_to_outer_metropolitan_rural_and_regional_Australians-Interim_Report.pdf;fileType=application/pdf)

On 10 April 2022 the Governor-General prorogued the 46th Parliament and dissolved the House of Representatives. After due consideration, and in light of the committee's substantive interim report tabled on 1 April 2022, the Committee determined that it is unable to provide a comprehensive final report at this point in time. However, the Committee considered there is merit for this inquiry to be re-referred to the Committee in the new Parliament.

Given the Shire has recently been through a GP recruitment process and understand the angst and anxiety the risk of not having a GP places on a community, the Shire of Morawa seems well placed to submit a motion to the NGA on this matter calling for the Australian Government to urgently address critical GP shortages and complete the inquiry report for long term solutions.

LEVEL OF SIGNIFICANCE

Low – the motion will hopefully just put the matter on the NGA agenda, whether it is supported or receives a Federal response is out of the Shire's hands.

CONSULTATION

WALGA

LEGISLATION AND POLICY CONSIDERATIONS

Nil

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT CONSIDERATIONS

Nil

CONCLUSION

That the Shire of Morawa submit a motion to the NGA calling on the Federal Government to make improvements in GP shortages and the future functioning of primary health services.

ATTACHMENTS

Nil

11.1.5 Shire of Morawa Bushfire Risk Management Plan 2023-2028

Author: Bushfire Risk Planning Coordinator

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. Endorse the Shire of Morawa Bushfire Risk Management Plan 2023-2028 and supporting documents, as provided at Attachment 1-4.**
- 2. Supports the development and implementation of coordinated, comprehensive, multi-agency Treatment Schedules to support the Bushfire Risk Management Plan 2023-2028.**
- 3. Supports the ongoing applications for funding being submitted through the Department of Fire and Emergency Services Mitigation Activity Fund (MAF) to undertake appropriate bush fire hazard reduction activities from the Treatment Schedules developed.**
- 4. Support the CEO seeking DFES funding and partnering with other Shire's to engage a Bushfire Risk Mitigation Coordinator to administer the plan and aim to address high risk areas.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

In accordance with the requirements of the *State Hazard Plan – Fire*, local governments are required to prepare an integrated Bushfire Risk Management Plan (BRM Plan) to strategically document areas where there is potential significant bushfire risk in the district and to enable the development of treatment strategies, using a multi-agency approach to reduce identified bushfire risk.

DETAIL

The aim of the BRM Plan prepared for the Shire of Morawa through the BRMP process is to document a coordinated and efficient approach toward the identification, assessment and treatment of assets exposed to bushfire risk within the district.

The BRM Plan objectives are to effectively manage bushfire risk within the Shire of Morawa in order to protect people, assets and other things of local value. Specifically, the objectives are to:

- Guide and coordinate a tenure blind, multi-agency bushfire risk management program over a five year period;
- Document the process used to identify, analyse and evaluate risk, determine priorities and develop a plan to systematically treat risk;
- Facilitate the effective use of the financial and physical resources available for bushfire risk management activities;
- Integrate bushfire risk management into the business processes of local government, land owners and other agencies;
- Ensure there is integration between land owners and bushfire risk management programs and activities; and
- Monitor and review the implementation of treatments to ensure treatment plans are adaptable and risk is managed at an acceptable level.

The Shire of Morawa BRM Plan has been prepared using the best practice template provided by the Office of Bushfire Risk Management. Local information relating to the bushfire context is included, considering environment, weather, priorities and demographics.

The DFES specialist software (Bushfire Risk Management System) was used for the overall identification of assets and for the calculation of bushfire risk. This software allows assets to be mapped in a Geographical Information System and then individual risk assessments are formulated, based on the data entered.

A total of 200 groups of assets have been identified and risk assessed during the process. The BRM Plan indicates that treatments are required for all assets assessed as High, Very High or Extreme risk. This equates to 112 assets, or 56%. Of these assets, 14 or 7% have been assessed as having an Extreme risk, requiring urgent treatment action.

Once the Shire of Morawa BRM Plan has been endorsed, treatment schedules will need to be developed for high risk areas. The Shire will need to work with other agencies and private land owners to mitigate risk on land under their tenure.

OBRM were advised on 07 March 2023 that the Shire of Morawa Bushfire Risk Management Plan was ready for adoption, and they are conducting a final review. A copy of the Plan prepared for Council's consideration, as supported by OBRM is provided at Attachment 1.

LEVEL OF SIGNIFICANCE

Medium significance – the Shire is grant funded until June 2023 to complete this plan so a minor delay is not significant but early adoption will allow for further mitigation planning to occur.

CONSULTATION

A presentation was given to Council at the councillors briefing session in February 2021 that provided an overview of the Shire of Morawa Bushfire Risk Management Plan's development and current status of the broader program.

The draft BRM Plan was made available to Local Emergency Management Committee and Bushfire Advisory Committee for feedback. No feedback received.

Additional consultation included:

- Department of Fire and Emergency Services

- Chief Executive Officer
- Brigade Personnel
- Community Emergency Services Manager

LEGISLATION AND POLICY CONSIDERATIONS

The *Emergency Management Act 2005* provides the head of power to direct Local Governments to comply with the requirements of State emergency management policies where they are given a role within those policies as follows:

Section 20 (4) states – A public authority that is given a role and responsibilities under a State emergency management policy is to comply with the State emergency management policy.

Clause 2.2.8 of *State Hazard Plan – Fire* outlines that Local Governments identified as having high or extreme bushfire risk are required to develop an integrated BRM Plan outlining a strategy to treat or reduce bushfire related risk across all land tenures.

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

Financial

An endorsed BRM Plan allows the Shire to access the state government Mitigation Activity Funding (MAF) grants available to Local Governments. This funding is made available to implement treatment strategies on State Government land managed or vested in the Local Government.

Workforce

The BRM Plan requires a review every five years. Currently, the Bushfire Risk Planning Coordinator position funded by DFES concludes on 30 June 2023. Workforce planning is required to ensure sufficient resources are available to:

- Review the Shires BRM Plan;
- Develop Treatment Strategies; and
- Implement developed Treatment Strategies

DFES have trialled offering funding towards a Bushfire Risk Mitigation Coordinator to be shared between close proximity Shire's over a 3 year period. The CEO is exploring this opportunity further.

RISK MANAGEMENT CONSIDERATIONS

While the officer recommendation serves to assist the Shire in providing treatments and controls for bushfire risk identified within the BRM Plan, the risk of bushfire will always remain. The BRM Plan developed has identified those areas at higher bushfire risk and where planned mitigation works via Treatment Schedules are required. Implementation of the BRM Plan will not remove

the risk but will assist the Shire in highlighting areas where work with landowners and other land managers is necessary to reduce bushfire risk.

Periodically reviewing the BRM Plan will ensure bushfire risk factors are known and implementing mitigation work identified in the BRM Plan Treatment Schedules will assist to reduce the impact of bushfire. Not adequately resourcing the bushfire risk identified in the BRM Plan or reviewing bushfire risk periodically could create significant reputational risk for the Shire.

<i>Risk Level</i>	<i>Comment</i>
<i>High</i>	<ul style="list-style-type: none"> • There is a reputational risk to the Shire of the BRM Plan is not endorsed and there is a bushfire event • There is a financial risk to the Shire if the BRM Plan is not endorsed as the Shire will be unable to apply for Mitigation Activity Fund (MAF) grants • There is an operational risk to the Shire if there is no adequate resourcing to implement the BRM Plan

CONCLUSION

The BRM Plan is a strategic document that facilitates a coordinated approach towards the identification, assessment and treatment of assets exposed to bushfire risk.

Approval of the BRM Plan is a commitment by the Shire of Morawa to work with landowners and managers to address unacceptable risk within the community. The approval of the BRM Plan by the Shire of Morawa Council satisfies their endorsement obligations under *State Hazard Plan – Fire*.

The Officer's recommendation is for Council to endorse the Shire of Morawa Bushfire Risk Management Plan 2023-2028.

ATTACHMENTS

Attachment 1 – 11.1.5a Shire of Morawa Bushfire Risk Management Plan

Attachment 2 – 11.1.5b Communications Plan

Attachment 3 – 11.1.5c Local Government Wide Controls

Attachment 4 – 11.1.5d Notification of approved BRM Plan by OBRM

11.2 Executive Manager Corporate & Community Services

11.2.1 Statement of Financial Activity – February 2023

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 28 February 2023.
2. the Bank Reconciliation Report for period ending 28 February 2023.
3. the attached List of Payments for the period ending 28 February 2023.
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 28 February 2023.

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 28 February is as follows:

Account	Balance
Municipal Account	2,217,718.52
Municipal Online Account	1,035,548.64
Trust Account	8,412.58
Reserve Account	4,059,250.63
Term Deposits (Reserves)	2,100,000.00
Total Cash & Investments	\$9,420,930.37

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 February 2023 to 28 February 2023 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)	645,750.14
Municipal	Cheques No: Nil	0.00
Municipal	Direct Debit Transactions	83,072.25
Municipal	Bank Transfers / Payroll / Other Payments	122,531.49
Municipal	Corporate Credit Cards	4,282.88
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	\$855,636.76

Reimbursement Applications

There have been \$0 of reimbursements claimed and no days of leave taken by the Chief Executive Officer during the month of February.

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

There was an increase to payments made during February which is mainly due to the purchase of 2 new trucks, the gym equipment and maintenance/renewal work carried out on staff housing.

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 2023 - 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 28 February 2023

Attachment 2 – 11.2.1b Bank Reconciliation for the period ending 28 February 2023

Attachment 3 – 11.2.1c List of Accounts Paid for the period ending 28 February 2023

11.2.2 2nd Quarter Budget Review – 1 July to 31 December 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. Adopt the 2nd quarter budget review for the period of 1 July to 31 December 2022 as presented in the Report and Attachment 1.**
- 2. Amends the budget accordingly.**

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

For Council to consider and adopt the 2nd quarter 2022-2023 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 2022-2023 Annual Budget has been undertaken by the Chief Executive Officer and other senior staff using the monthly financial statements as of 31 December 2022 and other know information.

The 1 July – 31 December 2022 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 2021-2022 (opening balance for 2022-2023) of \$2,025,977. The actual closing balance for 2021-2022 in the Annual Financial Report was \$2,379,523. This represented an increase of \$353,546.

The Shire's opening position for the 2nd quarter budget review is currently \$328,946 (\$353,546 adjustment from the Annual Financial Report less the adopted deficit of \$24,600 from the 1st Quarter review) prior to this review of any operational or capital accounts.

Changes in Operating Revenue

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

- Increase \$5,000 in rental income on housing to align with actual figures expected for 2022-23.
- Increase of \$5,250 for various fees and charges to align with expected income in 2022-2023.
- Inclusion of \$80,000 grant income from the RAC for the Jubilee Park project.
- Inclusion of \$18,000 for the funding of Australia Day events to align with the actual income.
- Reduction to grant income of \$40,839 for the Aerodrome fencing to reflect actual grant amount approved.

Overall increase in operating revenue through budget review is \$105,611

Changes in Operating Expenditure

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

- Inclusion of \$80,000 expenditure relating to the Jubilee Park project.
- Increase of \$10,000 for the demolition of the old hairdressers building.
- Inclusion of \$24,000 to purchase new medical equipment for the doctor's surgery.
- Increase of \$20,000 for consultancy fees to ensure required engineering projects are completed.
- Increase to expenditure for Australia Day to match grants income of \$18,000.
- Increase to maintenance costs for Council housing of \$28,000.

Overall increase in operating expenditure through the budget review is \$189,523.

This overall increase includes the redistribution of Administration and overhead allocations between the schedules. These transfers are normally offset against materials but are required to be shown in Note 5 Budget Amendments on page 9 & 10 of the Budget Review document.

Capital Expenditure

The budget review has included the reallocation of LRCIP funding from the recreation centre roof of \$422,000 to:

Cemetery Entrance & Landscaping	\$125,000
Old Roads Board Building Storage & Landscaping	\$125,000
Caravan Park Disabled Toilets	\$172,000

Building Renewals

Increase to Housing of \$80,000 –

- Renewal works to 23 Waddilove in preparation for new doctor – floors, blinds, repaint, maintenance.
- 2 Caufield had been occupied for a decade and needed renovation. The main issue was a collapsed ceiling linked to an aircon leak.
- 20 Barnes was left in a bad state two tenants ago and was not fully refurbished. On vacating the Shire team undertook significant repairs, repaint, and replacement works.
- Replaced old aircons that were regularly breaking at Evans and Broad, and White

Infrastructure

Increase of \$20,000 for Wildflower Park renewal. The renewal remains simple but the main desires from the surrounding community were for Shade and basketball facilities. The scope now

includes Shade sails, half court basketball court, replacement of damaged play equipment, and simple park seating.

Removal of solar panels at Shire admin – reduction of \$20,000 – a structural engineer will attend site to scope up works for next year to refurbish and upgrade the roof so it is capable of holding solar panels in the future.

Plant & Equipment

Increase plant purchases by \$60,000 to replace doctor's vehicle.

Inclusion of \$55,000 to purchase Gym equipment at the end of the lease.

Overall increase in capital expenditure through the budget review of \$187,000.

Final Position

With the budget review movements presented in attachment 1 the Shire's end of year closing position is expected to increase from a balanced budget to a \$72,477 surplus.

LEVEL OF SIGNIFICANCE

High – Compliance with legislation and sound financial management.

CONSULTATION

Shire President
Senior Management Team

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 31 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 31 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 2022-2023 2nd quarter Budget Review outcome is that Council is expected to have a surplus of \$72,477 at 30 June 2023 (adopted budget was balanced)

RISK MANAGEMENT CONSIDERATIONS

The inclusion of two extra budget reviews each financial year is a risk management tool to minimise disruption and unexpected costs impacting the Shire's financial position. The next budget review will occur in May based on end of March actuals.

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 2023 is that Council is expected to have a surplus of \$72,477 at year end instead of the original budgeted break even balance.

ATTACHMENTS

Attachment 1 – 11.2.2a 1 July to 31 December 2022 Budget Review

11.3 Executive Manager Works & Assets

11.3.1 RAV Assessment

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

That with respect to the request from Main Roads Western Australia (Heavy Vehicle Section) to assess the suitability of sections of White Road to modify the Restricted Access Vehicle (RAV) rating, Council:

1. Note the Road Owner Preliminary Assessment Checklist (Attachment 1); and
2. Does not object to extending the RAV 4 network along White Avenue from Mullewa-Wubin Road SLK 0.79 to Winfield Street SLK 0.75 with AMMS Level 1.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

DGL Warehousing & Distribution, through Main roads Heavy Vehicle Services, are seeking to modify the access approval on White Avenue, located within the townsite Morawa. The proposal is to extend the existing RAV 4 (AMMS Level 1, 27.5m 93.5t) approval from SLK 0.00 – 0.75 to SLK 0.79.

Under Main Roads Western Australia (WA) RAV networks conditions, there is a requirement for hauliers to seek approval from the Shire of Morawa.

Council is requested to consider the application and make a determination with respect to modifying the Restricted Access Vehicle Network (RAV).

DETAIL

Heavy Vehicle Services (HVS) has received an application to add the following section of roads onto the Restricted Access Vehicle (RAV) Network:

Dimension Requirements					
Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network
5110109	White Avenue	Winfield Street (0.75)	Mullewa-Wubin Road (0.79)	As of right access only	Tandem Drive Network 4

Mass Requirements					
Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Mass Level	Requested Mass Level
5110109	White Avenue	Winfield Street (0.75)	Mullewa-Wubin Road (0.79)	N/A	Level 1

White Avenue connects the Mullewa-Wubin Road bypass to the Morawa Ag College (via Waddilove Road). Current conditional approval for use requires Council consent to operate heavy vehicle combinations on the townsite network.

HVS has requested that the Shire provide any comments relating to road condition, planning conflicts, development issues or any other foreseeable factors that may be adversely affected by adding the remaining 40m section of White Avenue, providing connection to Mullewa-Wubin Road.

Image 1 – Sightlines: The intersection provides unobstructed lines of site exceeding 200m in both directions, in a low-speed environment and therefore, poses no foreseeable safety risks.



Image 1: Sightlines

Image 2: indicates the section of White Avenue required to complete the White Ave/Waddilove/Caulfield RAV Network throughout the Morawa townsite.

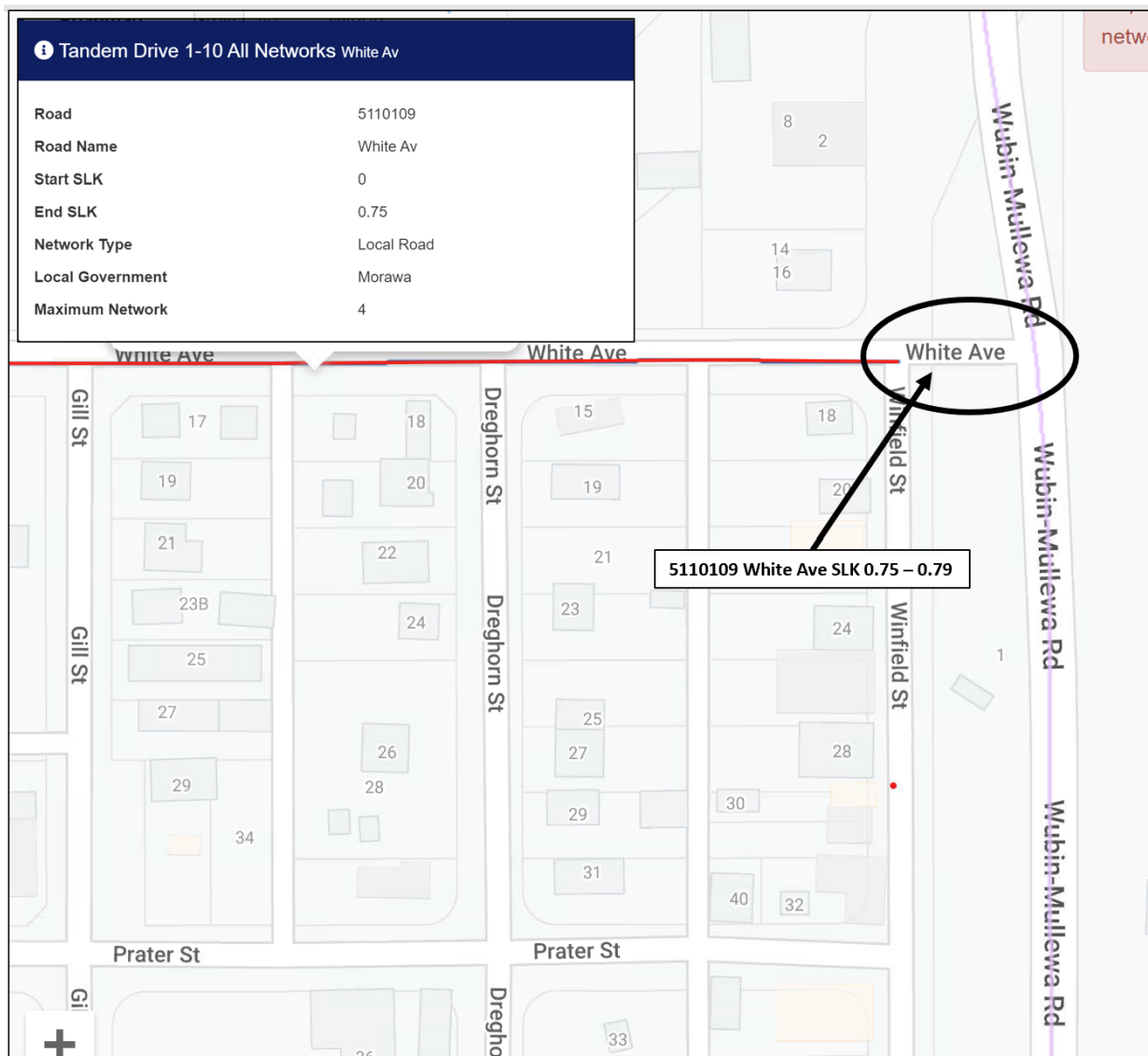


Image 2: White Avenue: Winfield Street 0.75 to Mullewa-Wubin Road SLK 0.79

LEVEL OF SIGNIFICANCE

Low significance – response required to be provided back to HVS before the end of March 2023.

CONSULTATION

Chief Executive Officer

LEGISLATION AND POLICY CONSIDERATIONS

- Local Government Act 1995
- Road Traffic Act 1972
- Road Traffic (Vehicles) Act 2012

*Road Traffic (Vehicle Standards) Regulations 2002
Main Roads Act 1930*

FINANCIAL AND RESOURCES IMPLICATIONS

The are no known financial and resource implications associated with this Report.

RISK MANAGEMENT CONSIDERATIONS

Low to Medium. The main risk relates to increased road maintenance costs.

CONCLUSION

The addition of the remaining 40m section of White Avenue to the Shire’s existing townsite RAV Network completes the White Ave/Waddilove Rd/Caulfield Rd link for RAV 4 access.

There are sufficiently long turning pockets linking Mullewa-Wubin Road to White Avenue heading either north or south. Sightlines are unobstructed, and the access is controlled by a 50km/h speed restriction.

There are no foreseeable issues from a safety perspective.

Based on the assessment undertaken by the Shire’s EMWA, approval is recommended.

ATTACHMENTS

Attachment 1 – 11.3.1a Road Owner Preliminary Assessment Checklist

Item 12 Reports from Committees

12.1 2 March 2023 Audit & Risk Committee Meeting Minutes

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.

COMMITTEE RECOMMENDATION

That Council receive:

- 1. the Minutes of the 2 March 2023 Audit & Risk Committee Meeting Minutes.**

SIMPLE MAJORITY VOTE REQUIRED

Attachment 1 – 12.1a Minutes of 2 March 2023 Audit & Risk Committee Meeting Minutes

12.2 Audit & Risk Committee - 2022 Compliance Audit Return

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.

COMMITTEE RECOMMENDATION

That with respect to the Local Government Compliance Audit Return 2022 for the Shire of Morawa, the Audit and Risk Committee recommend 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 2022 to 31 December 2022; 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 2022.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The Department of Local Government, Sport and Cultural Industries (the Department) has distributed the 2022 Compliance Audit Return (the Return) for completion by the Shire of Morawa.

The Return is one of the tools that allow the Audit and Risk Committee, and Council to monitor how the organisation is functioning and must be presented to Council for adoption before its submission to the Department.

Each local government is to carry out a compliance audit for the period 1 January to 31 December annually against the requirements included in the Return set out by the Department.

DETAIL

The Return identifies instances where full compliance was not achieved, providing context and/or remedial action if required, which is then endorsed by Council.

The 2022 Return has been prepared by electronic means and will be submitted via the Department's online portal.

The Shire has seen gradual improvement across all metrics based on previous reports in recent years.

As with 2021, the 2022 Report remains largely compliant. The areas of non-compliance in 2022 are listed below.

Delegations: One written record of delegated power or duty under the Act, an ‘Application to Consume Liquor’, was misplaced. The Shire retained information pertinent to the application as well as emailed approval from the CEO. The relevant employees have been counselled on the legal requirement for filing processes to be observed.

Disclosure of Interest: One Councillor submitted their Annual Return past the 31 August 2022 deadline. The Return was received 5 September 2022.

Official Conduct: The Shire has not designated an employee to be its complaints officer. However, as per Section 5.120(2) of the Local Government Act 1995, where no designation exists, the CEO of the local government is the complaints officer.

The Audit and Risk Committee reviewed the Compliance Audit Return 2022 at its meeting held Thursday, 2 March 2023, and found no major areas for concern.

LEVEL OF SIGNIFICANCE

Medium – requirement under *Local Government Act 1995* administered by the Department. To remain compliant 31 March deadline must be met.

CONSULTATION

Audit and Risk Committee
Chief Executive Officer
Executive Managers
Senior Staff

LEGISLATION AND POLICY CONSIDERATIONS

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Local Government (Rules of Conduct) Regulations 2007*
- *Local Government (Audit) Regulations 1996*

14. *Compliance audits by local governments*

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government’s audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
 - (a) presented to the council at a meeting of the council; and*
 - (b) adopted by the council; and*
 - (c) recorded in the minutes of the meeting at which it is adopted.*

[Regulation 14 inserted in Gazette 23 Apr 1999 p. 1724-5; amended in Gazette 30 Dec 2011 p. 5580-1.]

15. *Compliance audit return, certified copy of etc. to be given to Executive Director*

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) *a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
 - (b) *any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.*

- (2) *In this regulation —*
certified *in relation to a compliance audit return means signed by —*
 - (a) *the mayor or president; and*
 - (b) *the CEO.*

[Regulation 15 inserted in Gazette 23 Apr 1999 p. 1725.]

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Community Plan 2022 - 2032

Be future focused in all we do:

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

RISK MANAGEMENT CONSIDERATIONS

If the Compliance Audit Return is not adopted at this meeting, then it risk non-compliance with the Legislated 31 March timeline for submission to the Department.

Council can always adopt the review and request the administration to conduct further internal audits or remediation in response to it.

CONCLUSION

The 2022 return has seen a continuation of improvement in the Shire's compliance practises and it is hoped this path of improvement will continue. No remediation action above what is already planned, is required.

ATTACHMENTS

Attachment 1 – 12.2a Compliance Audit Return 2022

12.3 Audit & Risk Committee - 2022-2023 Regulation 17 Review

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.

COMMITTEE RECOMMENDATION

That Council:

- 1. Notes the Systems and Procedures Review report prepared by Civic Legal (attachment 1).**
- 2. Accepts the CEO's system and procedure review based on the report prepared by Civic Legal and endorse the proposed actions and timeframes.**
- 3. Direct the CEO to ensure a Reg.17 actions update is provided to each Audit Committee meeting moving forward.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

For Council to review the findings and proposed actions relating to the 2023 Regulation 17 assessment.

DETAILBackground

The Audit Committee (Committee) is responsible for the oversight of actions related to the Local Government (Audit) Regulations 1996. Regulation 17 states that the CEO is to review certain systems and procedures relating to risk management, internal control, and legislative compliance at least once in every three financial years.

The last Regulation 17 review was conducted in 2019/2020 with inputs from the Town of Victoria Park.

Regulation 17 reviews are not pass or fail and centre around embedding continuous improvement within the organisation.

Current Review

In the 2022/2023 financial year the CEO engaged Civic Legal as an experienced Local Government specialised legal firm to conduct a review of the Shire's systems and procedures.

Attachment 1 is the Civic Legal Systems and Procedures Review including their methodology, findings, and suggested actions.

Attachment 2 represents the CEO's review of Civic Legal's findings and in particular their suggested action areas.

In most areas the CEO has suggested actions that align to those suggested by Civic Legal with minor modifications to reflect the resources and maturity of the Shire's systems and procedures.

The CEO has allocated timeframes against each action with the goal of delivering all actions by the time of the next review in 2026.

The Audit and Risk Committee reviewed the Reg. 17 review and CEO actions and timeframes at its meeting on Thursday, 2 March 2023, and found the review to be adequate and the suggested response sufficient given the findings.

LEVEL OF SIGNIFICANCE

Medium – the CEO is obligated to undertake the review and present to the Audit and Risk Committee which has been done. The response plan is fluid such that the Committee can request amendments over the next three years if priorities change.

CONSULTATION

Audit and Risk Committee
Civic Legal
Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995
Local Government (Audit) Regulations 1996

Strategic Community Plan 2022 to 2032

N/A

FINANCIAL AND RESOURCES IMPLICATIONS

The Shire had budgeted for consultant support for this review. The delivery of action items will involve consultant support or workload reallocation. This will fall within normal budgetary constraints.

RISK MANAGEMENT CONSIDERATIONS

The Reg. 17 Audit is essentially a risk mitigation/identification measure focussed on providing the Audit and Risk Committee with information relating to potential systems or procedure risk areas.

None of the items identified within the review were deemed high risk items.

CONCLUSION

The Audit and Risk Committee has reviewed the CEO's system and procedure review and presents it as attached for Council adoption.

ATTACHMENTS

Attachment 1 – 12.3a Civic Legal System and Procedures Review 2022/2023

Attachment 2 – 12.3b Shire of Morawa CEO review of Civic Legal Review and proposed actions

12.4 Audit & Risk Committee - Update to Audit Committee Terms of Reference and Risk Management Framework

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.

COMMITTEE RECOMMENDATION

That Council:

- 1. Supports the adoption of the revised Council Policy – CORP01 – Risk Management and the implementation of the Risk Management Framework as described within the Policy.**
- 2. Supports the amendment to the Audit Committee terms of reference to ensure its role in Risk Management is emphasised.**
- 3. Acknowledges the amendment to the membership of the Audit Committee and directs the membership amendment to occur after the next Local Government Election in October 2023.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To review the updated Risk Management Framework and the Committee Terms of Reference to clearly incorporate risk oversight within the functions of the Audit Committee.

DETAILBackground

The Audit Committee (Committee) is responsible for the oversight of actions related to the Local Government (Audit) Regulations 1996 and is a prescribed Committee under the Local Government Act 1995.

In November 2020 Council adopted policy CORP01 Risk Management. This Policy was due for review in November 2022.

The Shire has recently completed its Regulation 17 review process and Risk Management was found to be an area where improvement was needed.

Review

Attachment 1 is the current Council Policy on Risk Management and Attachment 2 represents the revised Council Policy on Risk Management. Whilst being similar in substances the new policy

provides more guidance to the administration on its implementation and provides for an expanded role for the Audit Committee to provide more of a Risk Management oversight.

Attachment 3 is revised terms of reference for the Audit Committee that ensures the importance of risk management is recognised and highlights the role of the committee in risk management. Of note is the clear change of name for the committee in the terms to include risk in its title and the inclusion of risk management as a role and responsibility of the enhanced Audit and Risk Committee.

The Committee will be responsible for annual strategic risk register reviews and the reviewing risk items as they are raised throughout the year.

The new terms of reference also recommends reducing the size of the Committee from seven (7) Councillors to four (4). This will make the Committee more streamlined and allow meetings to be held with a smaller quorum. It also pre-empted the introduction of an independent Chair by the Minister in the next Tranche of Local Government reforms – the idea being this independent Chair would become the fifth member of the committee in the next 12 months. Civic Legal in their Reg 17 review suggested reducing the size of the Committee. It is recommended that the changes to membership begin to occur after the next Local Government election 21 October 2023.

LEVEL OF SIGNIFICANCE

Medium – the enhancement of Risk Management is important to the organization and Council, and a strong overarching framework and oversight committee is key to that.

CONSULTATION

Audit and Risk Committee
Civic Legal
Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995
Local Government (Audit) Regulations 1996

Strategic Community Plan 2022 to 2032

N/A

FINANCIAL AND RESOURCES IMPLICATIONS

N/A

RISK MANAGEMENT CONSIDERATIONS

The introduction of the framework, subsequent operational level policies and registers, and Committee oversight will be key risk management tools.

CONCLUSION

That Audit and Risk Committee supports the Risk Management Policy and revised Committee Terms of Reference and present them to Council for formal adoption as attached.

ATTACHMENTS

Attachment 1 – 12.4a Current Risk Management Policy

Attachment 2 – 12.4b Revised Risk Management Policy

Attachment 3 – 12.4c Audit and Risk Committee Terms of Reference

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)

Item 16 Closure

16.1 Date of Next Meeting

The next ordinary meeting of Council will be held on Thursday, 20 April 2023 commencing at 5.30pm.

16.2 Closure

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