



MINUTES

ORDINARY MEETING OF COUNCIL

held on

Thursday, 20 July 2023 at 3:00pm

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 declared the meeting open at 3:05pm.

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 Jane Coaker

Councillor Debbie Collins

Councillor Yvette Harris

Councillor Shirley Katona

Staff

Chief Executive Officer

Scott Wildgoose

Executive Manager Corporate & Community Services

Jackie Hawkins

Members of the Public

Nil

3.2 Apologies

Nil

3.4 Approved Leave of Absence

Councillor Mark Coaker

3.5 Disclosure of Interests

Nil

Item 4 Applications for Leave of Absence

Nil

Item 5 Response to Previous Questions

Nil

Item 6 Public Question Time

Nil

Item 7 Questions from Members without Notice

Nil

Item 8 Announcements by Presiding Member without Discussion

President's Meetings for the month of June 2023.

Date	Details of Meeting
9 June 2023	State Bushfire Advisory Council Meeting - June 2023
7 June 2023	National Emergency Management Ministers Meeting
8 June 2023	ABC Board Function
9 June 2023	State Bushfire Advisory Council Meeting - June 2023
13 June 2023	National General Assembly Regional Forum
14 -15 June 2023	National General Assembly of Local Government
16 June 2023	Australian Council of Local Government Meeting
22 June 2023	Meeting with Minister Buti
22 June 2023	Shire of Morawa – Ordinary Council Meeting
26 June 2023	Northern Country Zone of WALGA Meeting
28 June 2023	Local Government House Trust Meeting
28 June 2023	Lord Mayors Distress Relief Fund Board Meeting
29 June 2023	Consultation on Draft Regional Development Australia Charter

Item 9 Declaration by all Members to have given due consideration to All Matters Contained in the Business Paper before the Meeting

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

- President (Presiding Member) Councillor Karen Chappel
- Deputy President Councillor Ken Stokes
- Councillor Jane Coaker
- Councillor Debbie Collins
- Councillor Yvette Harris
- Councillor Shirley Katona

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 22 June 2023 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 26 June 2023.

OFFICER'S RECOMMENDATION/RESOLUTION**230701****Moved: Cr Collins****Seconded: Cr Katona****That Council confirm that:**

- 1. the Minutes of the Ordinary Council Meeting held 22 June 2023 are a true and correct record.**

CARRIED BY SIMPLE MAJORITY 6/0*Disclaimer*

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

Item 11 Reports of Officers**11.1 Chief Executive Officer****11.1.1 Actions Performed under Delegated Authority for June 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'S RECOMMENDATION/RESOLUTION**230702****Moved: Cr Stokes****Seconded: Cr J Coaker**

That with respect to Actions Performed under Delegated Authority for June 2023, Council:

- 1. Accept the Report.**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

To report back to Council, actions performed under delegated authority from the period 01 June 2023 to 30 June 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 June 2023 to 30 June 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 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

No delegated decisions were undertaken by Shire pursuant to building permits during this period.

Other Delegations

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>

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 Voting Delegates for Western Australian Local Government Association (WALGA) Annual General Meeting

Author: Governance and Executive Support Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION/RESOLUTION**230703****Moved: Cr Collins****Seconded: Cr Katona**

That with respect to Voting Delegates for Western Australian Local Government Association (WALGA) Annual General Meeting, Council resolves to elect:

- 1. Elect the Shire President, Councillor Karen Chappel and the Deputy Shire President, Councillor Ken Stokes as Voting Delegates for the Shire of Morawa.**
- 2. Empower the CEO to choose a proxy from another attendee should the elected representatives fall ill or be unable to attend.**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

The purpose of this report is for Council to elect Voting Delegates for the Shire of Morawa in respect of the WALGA Annual General Meeting (AGM) for 2023.

DETAIL

All member local governments are entitled to be represented by two voting delegates at the WALGA AGM to be held on Monday, 18 September 2023 commencing at 2:00pm.

Two representatives for the Shire of Morawa attending the WALGA AGM should be elected as voting delegates on behalf of the Shire of Morawa. It is open for Council to also elect two Proxy Voting Delegates.

At this stage the Shire has no elected members registered to attend the WALGA Convention however Cr Chappel will be attending in her role as WALGA president, and Cr Stokes has stated that he intends to attend and is working with the Governance and Executive Support Officer on his registration. Given the roles of Cr Chappel and Cr Stokes as President and Deputy President of the Shire respectively it seems prudent that they act as the Shire's voting delegates.

The Officer recommendation allows the CEO to assign a proxy should only one voting delegate be able to attend the AGM due to sickness or another unexpected reason. It is expected that

significant governance amendments to the constitution of WALGA will be presented to the AGM so it will be beneficial to have good representation if possible.

LEVEL OF SIGNIFICANCE

Medium – although WALGA is the member association most key items of advocacy are voted on throughout the year at State Council, however the importance of this year's AGM is increased with potential constitutional amendments.

CONSULTATION

Shire President

LEGISLATION AND POLICY CONSIDERATIONS

Nil

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT CONSIDERATIONS

Nil

CONCLUSION

That Council elect Cr Chappel and Cr Stokes as the two Voting Delegates and empower the CEO to appoint two Proxy Voting Delegate (if applicable), depending on if any other Councillors register for the Annual Conference, in respect of the WALGA Annual General Meeting for 2023.

ATTACHMENTS

Attachment 1 – 11.1.2a Notice of Annual General Meeting, Western Australia Local Government Association

11.1.3 Local Government Cyclone Seroja Funding Programs

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION/RESOLUTION**230704****Moved: Cr J Coaker****Seconded: Cr Harris****That Council:**

- 1. Direct the CEO to submit the enhancement of the Recreation Centre for evacuation purposes as a project under the Local Government Resilience Fund**
- 2. Direct the CEO to submit the Clean Up of Abandoned Properties as a project under the Community Benefit Fund**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

For Council to review the Cyclone Seroja related grant programs and nominate projects for the administration to apply for funding and implement.

DETAIL

On the 13 June 2023, Melissa Pexton, State Recovery Controller – Cyclone Seroja wrote to the CEO to provide more information relating to the 30 March 2023 \$9.2m funding program announcement made by the Hon. Stephen Dawson, and to provide the guidelines for the program.

The two funding programs available to the Shire are:

- **Community Benefit Fund**
 - The Community Benefit Fund will support and enable the five most affected local governments impacted by STC Seroja to deliver local led recovery activities within their communities.
 - Projects should be aligned with the Local Operational Recovery Plan.
 - Funding allocated to the Shire of Morawa is \$200,000
 - Reporting requirements include half-yearly status updates, and a final status report.
- **Local Government Resilience Fund**
 - The Local Government Resilience Fund will enable the 16 local governments impacted by STC Seroja to undertake works to improve the resilience of evacuation facilities and other community infrastructure, or to improve the resilience within the community
 - Projects must be aligned with works to improve the resilience of infrastructure or improving resilience within the community.

- The Shire of Morawa can access up to \$500,000 under this program
- Reporting requirements include quarterly progress reporting, and a final report.
- Timeframe to expend the fund is two years (extensions will be considered).

For both programs, applications open on 15 June 2023 and close on 30 September 2023.

The Shire and Council attempted to enhance the Recreation Centre under the Local Road and Community Infrastructure Program in 2022 to enhance its credibility as an evacuation shelter in case of a future cyclone event, however timeframes and tender delays prevented roof and other upgrade works from occurring. The Recreation Centre improvements align well with the resilience focus of the Local Government Resilience Fund, and the two-year delivery timeframe should add more capability for the project to be delivered.

The Shire will likely still need to contribute further funds towards the project to complete it to the adequate standard but \$500,000 will provide a substantial commencement budget.

Given the aim of the program and the historic desire to create a shelter facility with cyclone credentials it seems prudent to apply the \$500,000 to the recreation centre upgrades to establish it as a resilient evacuation facility.

In terms of the Community Benefit Fund, the Shire adopted its Local Operational Recovery Plan in December 2022 (attached). Many of the items within the plan are minor in nature or require ongoing collaboration. A number of the community outcomes have already been achieved and much of the communication in relation to the development of the recovery plan linked to the aspirations of the Strategic Community Plan.

One recovery activity that is strongly aligned with the Strategic Community Plan centres around the management of unrepaired dwellings, and the clean-up and repairs of older dwellings to remove potential future debris. The measure of success being the ongoing renewal or demolition of unrepaired/abandoned dwellings.

Over the last 18 months the DFES recovery hub has been advertising an uninsured property clean-up program. Assisting residents who were occupying a home during the cyclone to remove cyclone debris or demolition their property if it is no longer inhabitable and they don't have insurance.

One of the restricting factors related to this initiative was that the property must have been occupied at the time of the cyclone. Given the number of applications and Morawa's history with poorly maintained or abandoned properties, there is potential that the property was unoccupied and as such it will now remain abandoned.

The \$200,000 Community Benefit Fund may assist with demolishing, cleaning up, or making safe several properties in the townsite that would otherwise be left and risk becoming a hazard during future events. A project of this type would align with the Strategic Community Plan's focus areas relating to:

- Enhance the appearance of homes, gardens, businesses, public buildings, and open spaces.
- Occupy fit for purpose housing.
- Build safer neighbourhoods.

The Shire has a number of properties identified by DFES, the Shire EHO, and the rates team, that may be suitable for demolition or clean up works. If this course of action is chosen the administration recommends that the Shire only undertake works on properties that are in the

Shire's possession, as such the Shire should contact owners and see if they are interested in donating their property to the Shire. It is expected that some owners will no longer have any interest in the uninhabitable properties and may also have unpaid rates associated with the properties. A consolidated approach should be made to try and rectify properties on a risk-based approach.

It is expected that the \$200,000 Community Benefit Fund payment would be utilised towards settlement costs of property transfers, demolition costs, site clean-up costs, and asbestos removal costs. Council would need to weather rates write offs and loss of landfill income associated with waste disposal, to make multiple property clean ups feasible.

LEVEL OF SIGNIFICANCE

Medium significance

CONSULTATION

Council Concept Forum
Cyclone Recovery Hub

LEGISLATION AND POLICY CONSIDERATIONS

The legislation around conducting works on property belonging to others is complex, as is the legislation relating to property seizure. As such the Shire pursuing properties that are donated to the Shire and become Shire property will be much easier to administer.

Various legislation exists around property demolition and asbestos management.

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCES IMPLICATIONS

Both projects presented will likely require additional Council funds.

It is predicted that the Recreation Centre project will need a \$250,000 allocation above the \$500,000 funding to address some of the roofing issues.

It is estimated that the full demolition of an asbestos containing home would cost approximately \$50,000. As such depending on the extent of the clean up it is expected that the \$200,000 grant will allow the Shire to target 4-6 abandoned properties in the townsite.

RISK MANAGEMENT CONSIDERATIONS

Both projects aim to address risks within the community that were highlighted by Cyclone Seroja. Essentially the old housing stock doesn't offer safety for sheltering in place and the damaged houses that remain post cyclone will be a debris hazard during another event. From a resilience perspective these two projects aim to improve built environment and community resilience.

The risks associated with choosing these two projects for funding is that the Shire is unable to administer the projects and expend all the funds within the 2 year time frame. This should be combatted by the fact the Recreation Centre roof scoping and tender documents have already been prepared. And the Shire already has a list of properties to target for clean-up.

CONCLUSION

That Council supports the two projects put forward for Cyclone Seroja Recovery Funding under the Community Benefit Fund and the Local Government Resilience Fund.

ATTACHMENTS

Attachment 1 – 11.1.3a Shire of Morawa Local Recovery Plan

11.1.4 Early Childhood Education and Care in Morawa

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author declares an impartiality interest in this item due to currently sitting on the Board of Regional Early Education and Development Inc. (REED), a not-for-profit operating ECEC centres in country areas. At this stage the CEO believes REED may be the only feasible delivery option for an ECEC centre in Morawa, given they run the Perenjori, Mingenew, and Northampton centres, and they were established as a solution to regional care shortages. This is a voluntary role, and the CEO has no financial gain from any mergers undertaken by REED.

Motion to Suspend Standing Orders

MOVED: Cr Stokes

SECONDED: Cr J Coaker

ACCEPTED 6/0

Standing Orders Suspended at 3:07pm

Councillors took an opportunity to ask questions in relation to the Shire President and CEO's meeting with REED, as well as ensure they had a full understanding of the financial implications of the decision.

Motion to Resume Standing Orders

MOVED: Cr Stokes

SECONDED: Cr Katona

ACCEPTED 6/0

Standing Orders Resumed at 3:20pm**OFFICER'S RECOMMENDATION/RESOLUTION**

230705

Moved: Cr Stokes

Seconded: Cr J Coaker

That Council:

- 1. Direct the CEO to submit an Expression of Interest for the Growing Regions Grant Program for the Morawa Early Childhood Education and Family Centre – prior to the 1 August closing date.**
- 2. That Council authorize the Chief Executive Officer to approve a development application for an Early Childhood Education and Family Centre on Lot 409 on Deposited Plan 210931, being 26 Prater Street Morawa, subject to appropriate notice being given in accordance with clause 64 of the deemed provisions.**

3. **Accept the opinion of probable cost of construction for Morawa Early Childhood Education and Family Centre as detailed in Attachment 2 and accept that the Shire’s cash contribution towards the project, if successful in obtaining 70% growing regions program funding, would be up to \$1,050,000.**
4. **Approve the Shire President to write to REED’s board of management to formally request negotiations on a facility lease and terms of reference for a partnership arrangement commence to allow for formal Council acceptance in line with growing regions grant funding. Noting that all agreements are subject to funding being received and the project being delivered and does not tie the Shire to the delivery of the project in anyway and to any timeframe.**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

For Council to review progress so far relating to Early Childhood Education and Care (ECEC) in Morawa and to endorse the way forward.

DETAIL

In April 2023, Council resolved:

That Council:

1. *Direct the CEO to further develop the ECEC centre concept utilizing a collaborative approach to scope the facility, develop a cost estimate, construct the business case, and identify funding opportunities to present back to Council before December 2023.*
2. *Support the CEO undertaking a market analysis of potential ECEC service providers and allowing Council and other key stakeholders to meet with organisations with capabilities in this field.*
3. *Acknowledge the continued importance of the current family day care service and offer support for its continuation during ECEC development discussions.*

Considerable progress on this matter has been made since April and the CEO wishes ensure Council are informed of and give approval for the way forward.

After the April 2023 resolution, the CEO formed a working group of interested parties made up of representatives from the Morawa District High School, the Parents and Citizen’s Association, Morawa Play Group, MEEDAC, and the Shire CDO. It is the CEO’s intention to ensure this core group remain consulted throughout the project and that other parties may participate at key points throughout the process. It is also noted that several general community members have become aware of the project and voiced their support and willingness to contribute letters of support if needed.

Some of the key decisions/concepts explored by the group thus far:

- The old hairdresser site represents the simplest and most build ready land available. With its proximity to the kindergarten creating a smooth transition from an education perspective.
- Desire to establish the facility as the Morawa Early Childhood Education and Family Centre

- offering both the childcare services as well as spaces for other family and child support services.
- A 20 place ECEC centre would meet the community's needs – noting that due to childcare regulations and staff ratios the actual numbers of children in attendance will be limited by staff availability.
- Playgroup may utilise the space but due to the block size the groups preference is to utilise their existing facility for as long as possible – need to ensure the new facility has capacity for small parent and children's groups.

Under Town Planning Scheme No.3, the chosen block, being 26 Prater Street, is commercially zone. Under the commercial zoning category, a childcare premises is an A (discretion with advertising) use, however community purpose, educational establishment and family day care are Discretionary use.

Community Purpose means premises designed or adapted primarily for the provision of educational, social, or recreational facilities or services by organisations involved in activities for community benefit.

It can be argued that the overarching aim of the Morawa Early Childhood Education and Family Centre would align with the Community Purpose definition however, given the dual use nature of the facility it is good practice for the Shire to advertise the proposed development in accordance with clause 64 of the deemed provisions before exercising its discretionary approval powers. For grant purposes, this report asks that Council gives in principal support for the land use in line with the development proposal and state's its intention to exercise discretionary approval for a Child Care and Community Purpose facility on the land once advertising requirements have been met and approve the Chief Executive Officer to exercise delegated authority to grant the necessary development application approvals, once all statutory requirements have been met.

Based on the initial working group discussions, the Shire appointed an architect to develop a concept design as to how the Morawa Early Childhood Education and Family Centre may fit on the chosen block The working group reviewed the initial concept design, and a second draft has been developed (Attachment 1) to allow an opinion of probable construction costs to be formulated.

The opinion of probably cost (OPC) was reviewed by the Shire on the 13 July 2023 (attachment 3). The OPC is based on a conventional build concrete slab on ground, timber framed, fibre cement clad facility, and includes all costs for a turnkey proposal. The OPC has been escalated to allow for a July 2024 construction and high-level contingencies that should make the OPC an upper estimate of the actual project cost.

At this stage, based on the OPC it is anticipated that if the Shire constructs the facility in the next 18 months it would cost \$3.5m.

The identification of funding opportunities was another key part of the April 2023 resolution. On the 6 May 2023, the Federal Government released the guidelines for the "Growing Regions Program" (attached). The Growing Regions Program provides grants of between \$500,000 and \$15 million to local government entities and not-for-profit organisations, for capital works projects that deliver community and economic infrastructure projects across regional and rural Australia. There will be a two-stage application process. Under Stage One, applicants will be required to submit Expressions of Interest which will be assessed to ensure projects meet eligibility requirements, project readiness and program suitability, and are aligned with regional priorities for the area.

Based on officer research and discussion with the Midwest Gascoyne Regional Development Association, it seems likely that an Early Childhood Education and Family Centre would be seen as aligning with regional priorities.

Based on the Growing Regions Program – Geographic Eligibility Criteria – Morawa is classified as remote Australia and therefore would be able to apply for up to 70% of eligible project costs.

If the Shire was successful with obtaining the 70% funding, then based on the current cost estimate the project would still require a \$1,050,000 contribution from the Shire.

The business case in relation to the establishment of an Early Childhood Education and Family Centre, would not be built on commercial viability terms as the facility establishment and running costs in a small country town will generally never stack up to make the service provision commercially viable. However, looking beyond commercial terms, the facility would align with the community vision in terms of enhancing liveability and opportunity, it would be a future focussed project aimed at fostering passion and belief in younger residents, it would provide a support service for small and large businesses and their staff, and it would work towards cementing strong foundations for future growth. The development vulnerability statistics in the Morawa Perenjori region won't be solved by this facility alone but it will provide the catalyst for change and bring Morawa in line with neighbouring communities in terms of early years facilities. High quality childcare is becoming a norm in well-functioning developing communities and Morawa is seen as a sub-regional hub in many areas, especially for education, as such an Early Childhood Education and Family Centre provides for a natural progression to value add to existing State education services.

Historically there has been broad support for enhanced ECEC services in Morawa, and it is assumed that much of the community would see the Shire investing in this long-term asset as similar to the provision of a medical centre and GP, or Aquatic Facility, whereby commercial viability isn't questioned as the Shire investment is driven by quality-of-life factors.

When examining the Shire's contribution to the project it is expected that funds would need to be found from reserve, debt leveraging, and alternative grants.

When establishing its Cash Reserves Management Policy in December 2021, Council identified a Strategic Capacity focus area whereby the reserves under this focus area could be leveraged to allow the Shire to take advantage of strategic opportunities and provide financial contributions to secure grants. One such reserve is the Community and Economic Development Reserve – as of 3 July 2023 the reserve has a balance of \$1,277,988.96. In the Cash Reserves Management Policy, Council makes a firm commitment to not expend the reserve balance below a minimum value of \$1m. The purpose of the reserve is to fund significant community or economic development projects within the Shire of Morawa, that will deliver a tangible realisable benefit to the community and/or economy. It is the opinion of the author that the construction of an Early Childhood Education and Family Centre in Morawa would benefit both the community and economy and the project is of a significant enough scale to warrant expending funds from this reserve. It is proposed that \$350,000 be assigned to this project from the Community and Economic Development Reserve, with the expectation that the reserve balance would be capable of accommodating this withdrawal once interest and other transfers are accounted for prior to fund withdrawal thus keeping the balance above \$1m or close to it.

The Shire currently has very minimal debt and has the capacity to borrow. Given this project will directly benefit future generations and has a design life associated with the facility of 50 years, it seems reasonable that a portion of the construction costs are passed on to future generations of

ratepayers in the form of debt servicing. Whilst interest rates have risen significantly over the last 12 months, they are still low in comparative terms when compared to historical rates, as such it could be expected that the Shire would be able to secure a rate of around 6-7% if a loan was required in the next 12-18 months. The Shire can borrow from the WA Treasury Corporation at reduced rates and under fixed terms. A \$700,000 loan would affect the Shire's future ability to borrow, as such Council would need to be confident that the Morawa Early Childhood Education and Family Centre represents a high priority project and that other loan dependent projects in the Corporate Business Plan would need to be delayed to accommodate the debt servicing associated with this project.

The Shire is hopefully of securing other funding for establishing the facility, but this isn't guaranteed. As such when submitting an expression of interest for Federal funding, the Shire will need to commit to covering the co-funding requirement.

In summary the expected project cost is \$3.5m and the administration proposes that this is funded by way of a 70/30 Federal Government and Shire split, with the Shire split being 2/3rd loan and 1/3rd reserve transfer.

Operationally, the Shire CEO reached out to five potential providers in terms of the ECEC component of the facility. At this stage only one organisation Regional Early Education and Development Inc. (REED) has replied in a positive manner to progress further discussions.

If the Shire can't secure a suitably qualified and experienced ECEC provider to operate the facility, then the onus would fall on the Shire to incorporate the service within its business operations. Whilst several Local Governments do operate ECEC services, there has been a steady move away from this method due to the complexities involved and risks associated with working with children.

REED have indicated that they are willing to consider a potential partnership with the Shire to deliver ECEC services in the Morawa Early Childhood Education and Family Centre, however, have indicated that the viability of the partnership is likely to depend on the Shire providing:

- A long-term peppercorn lease (\$1) rent to REED as a not-for-profit provider.
- Shire assistance with annual compliance inspections and maintenance such as pest, fire testing, electrical test and tag etc.
- Housing to enable REED to accommodate at least one diploma qualified educator to add value to any local labour and maximise the potential centre occupancy based on staff to child ratios.
- Support with start-up costs/processes as REED usually merge existing centres so a brand-new facility will be a new initiative for them.

More information in relation to REED and their services is available as Attachment 3. If the Shire was to try and run the ECEC component of the facility itself, it would likely need to allocate staff housing, overheads, annual compliance inspections, and other operational costs within its Annual Budget – it is generally assumed that a centre of the sized proposed would fluctuate between years of minor profit and minor loss depending on child to staff utilisation ratios. Whilst the Shire could pursue this option and be marginally better of financially that engaging a not-for-profit provider on similar terms to the ones proposed by REED, the major drawback would be that the Shire would inherit all the risk of operating in a heavily regulated and evolving sector with no existing operational knowledge or established policies compliant with childcare practices. As such it is the opinion of the author that the risks associated with in house management outweigh the costs associated with engaging an external approved provider and assisting them with essential services and staff attraction initiatives.

It is recommended that Council approve the Shire President to write to REED's board of management to request a whole of Council service presentation, to commence negotiations on a facility lease and terms of reference for a partnership arrangement for formal Council acceptance, and request REED involvement on the project working group as the facility progresses to detailed design. Noting that all agreements are subject to funding being received and the project being delivered, and does not tie the Shire to the delivery of the project in anyway and to any timeframe.

The Shire administration is aware of the Labour Governments 2021 election commitment to improve regional families' access to childcare by supporting the viability and sustainability of providers and the attraction and retention of childcare workers. As such it is recommended that the Shire reach out to the State Government, once a EOI for the Federal Grant has been made, to seek support for the establishment of a childcare service in Morawa and support for initial start-up cost offsets, staff attraction incentives, and other facility activation initiatives.

The administration has allocated \$50,000 in the 2023/2024 budget towards the design of a new centre and other pre-construction costs. It is suggested that the Shire retain an allocation of approximately this amount for at least the first 5 years of the centre to appropriately support a qualified provider to establish the facility and services. This may also go towards showing ongoing commitment from the Shire to leverage State funding support.

The Shire's existing childcare facilities are ageing and in need of repair/upgrade and whilst the cost of renovating may be less than a new Early Childhood Education and Family Centre, the benefits of early years education and routine in terms of development outcomes exceed the capabilities of the current facilities.

LEVEL OF SIGNIFICANCE

Medium significance – this project has been on the Shire's strategic list for a decade and the Growing Regions Program represents a significant opportunity to secure sound funding for the project delivery.

CONSULTATION

Eastman Poletti Architects
Morawa District High School
Shire President
Regional Early Education and Development Inc.
Morawa ECEC Working Group

LEGISLATION AND POLICY CONSIDERATIONS

The ECEC sector is heavily legislated, and this will be a strong consideration should the development of a centre progress.

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCES IMPLICATIONS

The cost considerations are documented throughout the report but overall, it could feasible be expected that the Shire allocate funds of \$4m over the next 5 years to bring the project to life, as

well as consider the provision of Shire housing to enable the facility to be staffed. It would be assumed that any ECEC lease would be at a peppercorn rent and so the facility is unlikely to generate any income for the Shire.

In terms of the proposed Loan, it is expected that a \$700,000 loan taken out over 30 years at a fixed rate of 6% interest would attract payments of approximately \$50,000 per annum – resulting in a total repayment of approximately \$1,500,000 over the life of the loan. With the corporate business plan capping debt outstanding as a percentage of revenue at 45% and net loan repayments as a percentage of revenue at 8% - the Shire can afford to obtain a loan of this size in the 23/24 or 24/25 financial years, however other proposed loans in the corporate business plan may need to be delayed.

RISK MANAGEMENT CONSIDERATIONS

This project has been identified by the community and strategic planning, but a risk always remains with such a significant investment that it is understaffed, underutilised, or for whatever other reason becomes a waste of resources. The counter argument to this could be put in terms of the opportunity costs associated with Morawa not having a centre of this type in 5 years' time and what development opportunities may be missed.

The other major risk is that the OPC is inaccurate, and the project costs are significantly higher than expected. This has been mitigated at this stage by the administration requesting a high level top end estimate with contingencies, loading, and escalation accounting for approximately \$1.24m of the project cost.

CONCLUSION

The administration recommends that Council supports the application to the Growing Better Regions fund and resolves to allocate Shire funding towards the project. The Council further supports all other necessary steps to formalize the project including planning approvals, and the further engagement of REED as an approved provider.

ATTACHMENTS

Attachment 1 – 11.1.4a Design of proposed Morawa Early Childhood Education and Family Centre

Attachment 2 – 11.1.4b Opinion of Probable Cost Morawa Early Childhood Education and Family Centre

Attachment 3 - 11.1.4c Grant Opportunity Guidelines for Growing Regions Program

Attachment 4 - 11.1.4d Regional Early Education and Development Inc. Service Summary

11.1.5 Review of Council Delegation Register and Authorisation Register

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION/RESOLUTION

230706

Moved: Cr Collins

Seconded: Cr Harris

That with respect to the Review of Council Delegation and Authorisation Registers, Council:

1. Adopts the July 2023 review of the Delegation Register being a continuation of the delegations currently in place as per *Attachment 1 with a few minor amendments as noted in the report.*
2. Adopts the July 2023 review of the Authorisation Register being a continuation of the current authorisations as per *Attachment 2.*

CARRIED BY ABSOLUTE MAJORITY 6/0

PURPOSE

For Council to review and adopt the Delegation and Authorisation Registers.

DETAIL

In 2022 the CEO conducted a thorough review of the Delegation and Authorisations Registers, with the following additions made to improve compliance and the organisations operations:

- Restricted Access Vehicles (RAV) on Shire Roads
- Responding to Exploration Licence Application Referrals
- Long Service Leave
- Control of Environmental Health Matters

In 2023 the CEO proposes that the existing Delegations, as per *Attachment 1*, continue with the following amendments made:

Delegation Title	Proposed Amendments
2.2 Local Laws – Shire of Morawa – Administration	Reporting requirement updated to detail appropriate actions.
2.8 Concession for Minor Charges	Increase condition CEO waiver/grant value to \$1000. Reporting requirement updated to detail appropriate actions.

	Most fees and potential debts are likely to escalate above \$500, with minimal operational gain from a Council Report for amounts under \$1,000.
2.9 Write-off of Monies Owing	Conditions and Exceptions updated to \$1,000. Most fees and potential debts are likely to escalate above \$500, with minimal operational gain from a Council Report for amounts under \$1,000.
2.17 Legal Proceedings	Conditions and Exceptions values updated to \$10,000. This amendment is due to cost escalations meaning that \$10,000 in legal fees will likely receive a similar service as \$5,000 had received 5 years ago.
2.20 Town Planning And Development Act 1928 – Town Planning Functions	TPS 2 updated to TPS3

The are no proposed amendments to the Authorisation Register, as per *Attachment 2*.

LEVEL OF SIGNIFICANCE

High significance - Council needs to be assured that it defines the level of delegation to the Chief Executive Officer.

Council needs to ensure that delegations and authorisations are lawfully established.

CONSULTATION

Senior Management

LEGISLATION AND POLICY CONSIDERATIONS

The following section of the *Local Government Act 1995* applies:

S5.18

“A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.”

S5.42:

“Delegation of some powers and duties to CEO

(1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under:*

(a) this Act other than those referred to in section 5.43; or

(b) the Planning and Development Act 2005 section 214(2), (3) or (5)’.

** Absolute majority required.*

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

There are no known financial implications in this matter.

RISK MANAGEMENT CONSIDERATIONS

With adequate controls to be managed by specific procedures and subject to monitoring by the Chief Executive Officer – Delegations, Authorisations, and the subsequent on delegation of power by the CEO are an effective and efficient means of managing the organisation.

Delegations with a higher level of risk have appropriate conditions and exceptions in place.

CONCLUSION

This review is in line with improving the day to day function of the Shire and to comply with the legal requirement to review the registers at least once every financial year.

Council is requested to adopt the Delegation and Authorisation Registers as attached.

ATTACHMENTS

Attachment 1 – 11.1.5a Proposed 2023 Delegation Register

Attachment 2 – 11.1.5b Proposed 2023 Authorisation Register

11.1.6 Adoption of ADM08 Child Safe Awareness Policy

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/RESOLUTION**230707****Moved: Cr Stokes****Seconded: Cr Collins****That Council:**

- 1. Adopt ADM08 Child Safe Awareness Policy.**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

As per Recommendation 6.12 of the Royal Commission, local governments have been instructed to create a policy that outlines child safe functions and designate an existing staff member as a child safety officer. To comply with this directive, a report has been prepared to provide an overview of the shire's child safe functions and to implement the policy.

DETAILBackground

In the late 1990s and early 2000s, reports emerged of child sexual abuse within religious and non-religious organisations in Australia. These allegations resulted in convictions, trials, and ongoing investigations into the actions. The incidents in question are said to have occurred during the 1950s and later. Calls for a Royal Commission have been made since the late 1990s. As a result, by June 2012, there was community and academic pressure for the establishment of a royal commission.

The Royal Commission into Institutional Responses to Child Sexual Abuse was established in 2013 by the Australian Government through the Royal Commissions Act 1902. Governor-General Quentin Bryce appointed six commissioners on 11 January 2013 to conduct an inquiry into institutional responses to child sexual abuse and related matters. Each state was requested to issue letters patent or equivalent instruments of appointment to allow the inquiry to proceed under

their respective laws. The commissioners were appointed under the laws of all states and territories.

Its purpose was to investigate how institutions in Australia responded to allegations and cases of child sexual abuse. This was prompted by reports of child abusers being relocated instead of being reported, as well as instances where adults failed to intervene to prevent further abuse. The commission investigated abuse in various institutions, including educational, religious, sporting, state, and youth organisations.

The commission's final report was released on 15 December 2017 (attached).

Key to the development of this Council Policy is Recommendation 6.12 from the final report of the Royal Commission, which states:

With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

- a) developing child-safe messages in Local Government venues, grounds and facilities.
- b) assisting local institutions to access online child-safe resources.
- c) providing child safety information and support to local institutions on a needs basis.
- d) supporting local institutions to work collaboratively with key services to ensure child-safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

State Response

The Department of Communities (Communities), in partnership with the Department of Local Government, Sport and Cultural Industries (DLGSC), led an extensive consultation and co-design process to develop the State response and templates. This was in line with their responsibility to implement recommendations from the Royal Commission and their support role in line with Recommendation 6.12. Consultation with local governments was conducted in 2020/2021 to develop and implement child safety officer functions, and in 2022, a co-design process with over 35 representatives informed the development of a draft Policy template.

A pilot program ran from March 2023 to 29 April 2023, to further develop a Child Safe Awareness Policy template, along with implementation resources and child-safe messages. The resources were presented to WALGA State Council in May 23 and subsequently the resources have been made available to all local governments and organisations to ensure safe environments for children and young people.

Shire Response

In response to the release of the State resources the Shire administration has reviewed the Policy template and refined it to the Shire of Morawa. The adoption of a Council Policy on this topic aims to:

- help the Shire to support our community to create a safe environment for children.
- Embeds within the Shire and encourages other organisations to embed child safety and wellbeing into organisational leadership and governance.
- Highlights the importance of families and communities in promoting child safety and wellbeing.
- Works to ensure the Shire provides a safe environment for children and young people.

It is essential to recognize that ensuring the safety and wellbeing of children is a collective responsibility. This Child Safe Awareness policy is mandatory for all individuals, including employees, volunteers, trainees, work experience students, interns, and anyone else working on behalf of the Shire of Morawa, regardless of their involvement with children or young people. Additionally, the policy will apply to all occupants of Shire of Morawa facilities and venues, such as hirers, visitors, contractors, and suppliers.

However, implementing this policy alone is insufficient to ensure our Local Government is truly "child safe." Instead, it is important to establish a child-safe culture across all activities and services. This can be achieved by implementing the ten National Principles for Child Safe Organizations, which involve an ongoing assessment, action, and review cycle. Moving the Shire Community Development Officer will have child safe officer functions as part of their role and will be empowered to work within the Shire and more broadly with community groups and organisations to enhance the districts capability to meet the National Principles.

LEVEL OF SIGNIFICANCE

Medium – the adoption of a Policy alone will not create a significant shift in Child Safe compliance, but it will be a crucial step towards creating child-safe environments in our local community and promoting good governance within the sector, as well as ensuring effective compliance with Royal Commission recommendations.

CONSULTATION

National Office for Child safety
Department of Local Government, Sport, and Cultural industries
Royal Commission into Institutional Responses to child sexual abuse case studies
Australian Human Rights Commission
Commissioner for Children and Young people Western Australia

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995
National Principles for Child Safe organisations
WA Child Safe Awareness policy for Local Government
Commonwealth Child Safe Framework

FINANCIAL AND RESOURCES IMPLICATIONS

To effectively implement the child safe policy, cooperation with community groups, organizations, and state government agencies is essential. This involves creating and distributing materials that promote child safety. The workload for this task is minimal and falls within the parameters of the Community Development Officer's duties.

It is anticipated that Child Safe Officer functions will account for approximately 40 hours per year of the Community Development Officers role which is manageable with a pivoting of existing duties. However, should additional time be required it may warrant a further review, there is potential that a Child Safe and Youth role could provide services at the youth centre and in the child safe officer space under the supervision of the Community Development Officer in the future.

RISK MANAGEMENT CONSIDERATIONS

Not adopting this policy and a commitment to the Child Safe Principles at the Local Government level can pose significant risks to the well-being and safety of children within the community such as

1. Child Abuse and Neglect:
2. Vulnerability to Predators:
3. Public Trust and Reputation:
4. Negative Impact on Child Development:
5. Non-compliance with Regulations and Standards:

However, ensuring a child-safe organisation entails investing in training, background checks, infrastructure upgrades, awareness campaigns, and continuous monitoring, which can be challenging due to financial constraints.

Despite these burdens, the long-term benefits of implementing a child-safe policy outweigh the initial challenges. It sends a clear signal that the Shire is committed to creating a safer environment for children, enhancing public trust, reducing the risk of legal liabilities, and fosters a community that prioritizes the well-being and protection of its youngest members.

CONCLUSION

The policy has been developed by applying some local context to the State Government template based on the Royal Commission's recommendations, stakeholder consultation, and best practice. Therefore, it is recommended that it be adopted as the first step on the journey towards improving Child Safe Awareness and Compliance across the District.

This policy will be reviewed every two years or upon the introduction of other relevant policy or legislation related to the safety and wellbeing of children and young people.

ATTACHMENTS

Attachment 1 – 11.1.6a Royal commission Final Report: Recommendations

Attachment 2 – 11.1.6b Child-safe awareness policy template for local government

Attachment 3 – 11.1.6c Draft Council Policy – ADM08 Child Safe Awareness Policy

11.1.7 Policy Manual Review 2023 – Stage 1

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION/RESOLUTION**230708****Moved: Cr Collins****Seconded: Cr J Coaker**

That with regard to the Shire of Morawa Policy Manual and pursuant to s2.7 Local Government Act 1995, Council:

1. Resolves to adopt the reviewed policies and any subsequent changes, as per Attachment 1. These policies being:
 - EMP01 Equal Employment Opportunity
 - EMP02 Senior Employees
 - EMP04 Occupational Health & Safety
 - EMP05 Corporate Credit Card
 - EMP06 Removal Expenses
 - EMP09 Staff Superannuation
 - EMP11 Gratuity Payments to Finishing Employees
 - EMP12 Standards for CEO Recruitment, Performance and Termination
 - FIN03 Authorised Signatories for Cheque or Electronic Funds Transfer Payments

2. Resolves to revoke the following policies, as per Attachment 1, and direct the CEO to implement appropriate operational controls to govern these areas:
 - EMP03 Grievance Investigation and Resolution
 - EMP07 Fitness for Work

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

Under Section 2.7 of the Local Government Act 1995, Council has adopted several policies to govern Local Government affairs. It is good practice to continually review the existing policies in view of changing legislation and requirements.

DETAIL

The Policy Manual is intended as a guide to Councillors, staff and the public on the normal practices and activities of the Shire of Morawa. The policies and procedures may be changed as circumstances dictate and be amended at any time by Council.

Several policies within the manual have fallen due for renewal. It was therefore seen as practical and efficient to undertake a review of numerous policies but given resource constraints, the administration has broken the review into Stages. During this Stage, 9 policies have been reviewed - all policies for review under this report are attached and the below table summarises key review points for each policy.

Council Policy	Reason for Review/Change
EMP01 Equal Employment Opportunity	Addition of 'work experience' under the definition banner of Employee
EMP02 Senior Employees	Reviewed without change.
EMP03 Grievance Investigation and Resolution	Policy revoked in its entirety. Policy to be adopted in the Executive Policy Manual due to being an internal Employee management process set by the CEO.
EMP04 Occupational Health & Safety	Updated in accordance with current legislation changing terminology to Work Health and Safety. Included a Fitness for Work statement, as fitness for work generally deemed an operational matter.
EMP05 Corporate Credit Card	Reviewed without change.
EMP06 Removal Expenses	Updated reimbursement timeframes for clarity.
EMP07 Fitness for Work	Policy revoked in its entirety. Fitness for Work statement to be captured under the EMP04 policy. Fitness for Work policy to be adopted in the Executive Policy Manual due to being an internal Employee management process by nature. WHS and fitness for work is expansive and in general the risk profile sits at the operational level.
EMP09 Staff Superannuation	Updated wording for clarity of purpose and to remove restrictions and statements from or misaligned to legislation.
EMP11 Gratuity Payments to Finishing Employees	Reviewed without change.
EMP12 Standards for CEO Recruitment, Performance and Termination	Reviewed without change.
FIN03 Authorised Signatories for Cheque or Electronic Funds Transfer Payments	Reviewed to make less prescriptive as Shire doesn't currently have three senior employees, and only having two signatories is a risk. CEO has delegation to appoint signatories but one signatory on each payment must always be a senior employee.

LEVEL OF SIGNIFICANCE

Medium – regular reviews and updates of Council policies are part of a good governance framework and ensure the organisation remains up to date with best practice.

CONSULTATION

Chief Executive Officer
Executive Managers

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995
2.7 Role of Council

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

Nil

RISK MANAGEMENT CONSIDERATIONS

Policies are aimed to provide clear direction for Councillors, staff, and the Public. No risks were identified from the reviews and changes.

CONCLUSION

The first stage of Council Policy reviews looks predominantly at Council Policies relating to employee management which is predominantly an operational domain under the authority of the CEO. The payments policy has been reviewed to ensure the Shire can continue to make payments if one of the CEO or EMCCS is absent for any reason.

ATTACHMENTS

Attachment 1 - 11.1.7a Reviewed Council Policies (Stage 1)

11.2 Executive Manager Corporate & Community Services

11.2.1 Statement of Financial Activity – June 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/RESOLUTION

230709

Moved: Cr Stokes

Seconded: Cr Harris

That Council receive;

1. the Statement of Financial Activity for the period ending 30 June 2023.
2. the Bank Reconciliation Report for period ending 30 June 2023.
3. the attached List of Payments for the period ending 30 June 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 30 June 2023.

CARRIED BY SIMPLE MAJORITY 6/0

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 June is as follows:

Account	Balance
Municipal Account	2,215,680.11
Municipal Online Account	542,539.25
Trust Account	1,696.76
Reserve Account	4,627,220.38
Term Deposits (Reserves)	2,100,000.00
Cash Floats	400.00
Total Cash & Investments	\$9,487,536.50

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 June 2023 to 30 June 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)	604,203.10
Municipal	Cheques No:	0
Municipal	Direct Debit Transactions	40,130.03
Municipal	Bank Transfers / Payroll / Other Payments	858,088.19
Municipal	Corporate Credit Cards	1,131.94
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	\$1,503,553.26

Reimbursement Applications

There have been \$0 of reimbursements claimed and 0 days of leave taken by the Chief Executive Officer during the month of June.

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 month of June had significant changes in the Bank reconciliation activities with a transfer of \$672,000 from the Municipal account to the Reserve accounts as budgeted, the 100% advance

payment of the 2023-24 Federal Assistant Grants, the final instalment of the Rural Roads Grant for 2023 and the final payment of the insurance claim for Cyclone Seroja which has left Council in a far better financial position than was expected.

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 30 June 2023

Attachment 2 – 11.2.1b Bank Reconciliation for the period ending 30 June 2023

Attachment 3 – 11.2.1c List of Accounts Paid for the period ending 30 June 2023

Item 12 Reports from Committees**12.1 July 2023 Minutes of WALGA State Council Meeting**

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION/RESOLUTION**230710****Moved: Cr J Coaker****Seconded: Cr Collins**

That Council receive:

1. the Minutes of the WALGA State Council Meeting held 5 July 2023.

CARRIED BY SIMPLE MAJORITY 6/0

Attachment 1 – 12.1a Minutes of WALGA State Council Meeting, 5 July 2023

Item 13 Motions of Which Previous Notice Has Been Given

Nil

Item 14 New Business of an Urgent Nature

Nil

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

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION/RESOLUTION

230711

Moved: Cr Harris

Seconded: Cr J Coaker

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 CEO Performance Review Process 2023-2024

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

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

DETAIL

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

- 15.2 CEO Performance Review Process 2023-2024

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 CEO Performance Review Process 2023-2024

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The CEO has an impartiality conflict of interest in relation to this item given it is a review directly related to his performance, however the regulations stipulate that the process should be by agreement and the engagement of a consultant is auxiliary to the actual review process.

OFFICER'S RECOMMENDATION/RESOLUTION**230712****Moved: Cr Stokes****Seconded: Cr Collins****That Council:**

- 1. Resolve to reappoint Strategic Leadership Consulting to undertake the CEO Performance Review for a period constituting two annual reviews.**
- 2. Accept in agreement with the CEO, that the process proposed by Strategic Leadership Consulting is acceptable by both parties and is sufficient to meet all requirements associated with the performance review process.**

CARRIED BY SIMPLE MAJORITY 6/0

15.3 Reopening of the Meeting to the Public**OFFICER'S RECOMMENDATION/RESOLUTION**

230713

Moved: Cr Harris

Seconded: Cr Katona

That Council reopens the meeting to the public.

CARRIED BY SIMPLE MAJORITY 6/0

Item 16 Closure**16.1 Date of Next Meeting**

The date of the next ordinary meeting of Council will be amended from Thursday, 17 August 2023 commencing at 5:30pm to being held on Thursday, 10 August 2023 at 6:30pm. Council also moved to hold the Audit and Risk Committee meeting on the Thursday, 10 August 2023, Audit and Risk Committee meeting at 6:00pm.

OFFICER'S RECOMMENDATION/RESOLUTION

230714

Moved: Cr Harris

Seconded: Cr Stokes

That Council:

1. Acknowledges and approves the date of the next ordinary meeting of Council will be amended from Thursday, 17 August 2023 commencing at 5:30pm to being held on Thursday, 10 August 2023 at 6:30pm.
2. Approves the amending of the commencement of the Audit and Risk Committee meeting from 5:30pm on Thursday, 10 August 2023 at 5:30pm to being held on Thursday, 10 August 6:00pm.

CARRIED BY SIMPLE MAJORITY 6/0

16.3 Closure

There being no further business, the President declared the meeting closed at 3:30pm.