



MINUTES

ORDINARY MEETING OF COUNCIL

held on

Thursday, 8 February 2024 at 5:30pm

at the

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



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

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DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS

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

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

Signature: _____ **Date:** _____

Important Note:

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

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

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

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Item 1 Opening of Meeting

The President declared the meeting open at 5:30pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The President acknowledges the traditional custodians, the Yamatji people, and recognises the contribution of Yamatji 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 Grant Chadwick
Councillor Mark Coaker
Councillor Debbie Collins
Councillor Diana North

Staff

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

Members of the Public

Mr Dean Clemson

3.2 Apologies

Nil

3.4 Approved Leave of Absence

Nil

3.5 Disclosure of Interests

The Shire CEO discloses an impartiality interest in relation to item 15.2 given it directly relates to their Long Service Leave entitlement.

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 months of December 2023 and January 2024.

Date	Details of Meeting
4 December 2023	State Bushfire Advisory Council Meeting
4 December 2023	Shire of Morawa – Audit Closing
5 December 2023	State Road Funds to Local Government Advisory Committee (Meeting 3 of 3, 2023)
6 December 2023	State Council Meeting
7 December 2023	LGIS Board Meeting
13 December 2023	Meet Minister Beazley - Minister for Local Government
14 December 2023	Lord Mayors Distress Fund Meeting
14 December 2023	Meeting with Minister Ellery
15 December 2023	Meeting with Director General of Local Government
18 December 2023	Shire of Morawa – Audit & Risk Committee Meeting
18 December 2023	Shire of Morawa – Ordinary Council Meeting
18 January 2024	Australia Day Launch
22 January 2024	ALGA Meeting
23 January 2024	Lord Mayors Distress Fund Meeting
26 January 2024	Shire of Morawa – Australia Day Citizenship Ceremony and other celebrations

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 Grant Chadwick
- Councillor Mark Coaker
- Councillor Debbie Collins
- Councillor Diana North

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 18 December 2023 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 19 December 2023.

OFFICER'S RECOMMENDATION/RESOLUTION**240201****Moved: Cr Stokes****Seconded: Cr Coaker****That Council confirm that:**

- 1. the Minutes of the Ordinary Council Meeting held 18 December 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 December 2023 and January 2024**

Author: Governance and Executive Support Officer

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**240202****Moved: Cr Stokes****Seconded: Cr Collins**

That with respect to Actions Performed under Delegated Authority for December 2023 and January 2024, 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 December 2023 to 31 January 2024.

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 December 2023 to 31 January 2024 ('the period') and are submitted to Council for information.

Bushfire

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

Caravan parks and campgrounds

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

Common Seal

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

Dangerous Goods Safety Act 2004

No delegated decisions were undertaken by Shire pursuant to Dangerous Goods Safety matters during the period.

Food Act 2008

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

Hawkers, traders, and stall holders

No delegated decisions were undertaken by Shire pursuant to hawkers, traders, and stall holders during this period.

Liquor Control Act 1988

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

Lodging houses

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

Public Buildings

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

Septic Tank Approvals

No delegated decisions were undertaken by Shire pursuant to the Health Act 1911 and Health (Treatment of Sewage and Disposal of Effluent Waste) Regulations 1974 during the period.

Planning Approval

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

Building Permits

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
15/12/2023	23/20	Occupancy Permit for construction of	Russell Trading Trust T/A Russell Building Approvals	

		Sample Hut for CBH Morawa	Pty Ltd	
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Other Delegations

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

LEVEL OF SIGNIFICANCE

Low – report provided to Council for information purposes.

CONSULTATION

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Building Act 2011

Bushfire Act 1954

Dangerous Goods Safety (Explosives) Regulations 2007

Health Act 1991

Health Act 1911

Health (Public Buildings) Regulations 1992

Liquor Control Act 1988

Local Government Act 1995

Planning & Development Act 2005

Shire of Morawa Local Planning Scheme No. 2

Shire of Morawa Cemeteries 2018 - Local Law

Shire of Morawa Dogs 2018 - Local Law

Shire of Morawa Extractive Industries 2018 - Local Law

Shire of Morawa Fencing 2018 Local Law

Shire of Morawa Health 2004 - Local Law

Shire of Morawa Public Places and Local Government Property 2018 - Local Law

Shire of Morawa Meeting Procedures 2012 - Local Law

Shire of Morawa Waste 2018 - Local Law

Shire of Morawa Delegations Register (2020)

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 Morawa Participation in WALGA Led Sustainable Energy Project

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**240203****Moved: Cr Collins****Seconded: Cr North****That Council:**

- 1. Endorse the Shire of Morawa's ongoing participation in the WALGA led Sustainable Energy Project.**
- 2. Endorse the CEO executing any MOU or contractual arrangements that maintain the Shire's participation.**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

For Council to review and adopt a position regarding the Shire's ongoing participation in a sustainable energy group purchasing initiative run through WALGA.

DETAIL

WALGA established a Sustainable Energy Project which commenced on 1 April 2022. The project is a renewable and carbon aggregation project approved by the Australian Competition and Consumer Commission and represents one of the largest joint procurements of renewable energy in Australia by Local Government.

The Shire commenced its participation in the project on 1 April 2022 with two metered sites – the Greater Sports Ground Oval Facility and the Morawa Swimming Pool.

The Shire purchased Natural Power at the rate of 100% of consumption, which was predicted to offer cost savings compared to our pre-April 2022 power consumption charges but also contribute in a small way towards net zero targets.

Morawa was one of the smallest Local Governments to participate in the initiative. 43 of the 48 participating Local Governments choose the 100% Natural Power option.

The Shire is a contracted party to the current project term, which ends on 31 March 2025, and has benefited from the aggregate contract rates and carbon emissions offsets.

In the first 18 months of the 3 year contract the Shire estimates that it has benefitted from cost savings of close to \$12,000 and offset around 100 tonnes of CO₂.

The cost saving benefits realised, are calculated when compared with current comparative yet high market tariffs (Synergy L3 Tariff, being the published regulator tariff). The Synergy L3 Tariff is a consistent flat reference point across the entire project participant group to compare the secured rate, to a benchmark market tariff. Cost saving estimate is based on the Shire's current project spend against full market rates each quarter (not a cost saving based on the Shire's previous electricity supply rates).

The Carbon Offset figure, is derived from the Australian National Greenhouse Accounts Factors Scope 2 emissions factor conversion of 0.51 kg CO₂-e/kWh, to deliver the results for this quarter (and applied to the figures for previous quarters for 2023). This is a fluid figure, sourced from the National Greenhouse and Energy Reporting (Measurement) Determination and Department of Industry, Science, Energy and Resources emission factors for the South West Interconnected System (SWIS). (Previous data for 2022, Project Carbon Offsets were calculated using the conversion factor 0.68).

With only 12 months remaining of the current project, WALGA has adopted a strategy for phase two development of the Sustainable Energy Project which will include a procurement process.

WALGA estimates the total carbon abatement of the current project, 48 project participants, will be approximately 150,000 tonnes of CO₂ over the three-year life of the contract. This can also be calculated as the equivalent carbon sequestration of 35 million blue mallee eucalyptus trees. One key aspect of the ongoing project and strategy centres around the national vision to achieve Net Zero by 2050 and the WA State Government decommissioning coal fired energy generation, with both aspects encouraging local governments to seek renewable and natural power generation options.

Another key factor is the ongoing cost escalation associated with power and the potential rewards associated with consolidating demand, especially for a smaller Shire such as Morawa, as it will benefit from larger consumers in the City encouraging preferential rates to be offered.

Moving forward the CEO is seeking Council support to continue the Shire's involvement in this project through the executing of an initial Memorandum of Understanding (MOU) with WALGA, and undertaking the necessary contractual arrangements to maintain the purchasing of power under the consolidated model, as well as seeking other future options to transition extra sites if applicable under the program.

The MOU provides for WALGA to represent the Participant into the procurement process for receiving proposals for a new Contract term commencing 1 April 2025. The MOU does not impact any current existing obligations with respect to the current Sustainable Energy Project and Contracts executed under its framework.

From a Shire perspective, there is no real risk or downside to this arrangement. The chances of a collaborative procurement sourcing higher tariff rates than if the Shire of Morawa purchased directly from a supplier alone is extremely low. The Shire of Morawa has no real purchasing leverage in this space and as such it makes sense to join forces with other Local Governments to achieve a preferential outcome.

As well as this, there are very few options available to a rural Local Government looking to be more future focussed and embracing of renewable energy (Strategic Community Plan 2022-

2032). This project allows the Shire to contribute to net zero targets and reduce carbon emissions with no system or infrastructure changes.

LEVEL OF SIGNIFICANCE

Medium – WALGA require a confirmation from the CEO on this matter by 8 March 2024. However, if the Shire isn't committed to this project long term then the Shire will transition back to normal market rates from 2025.

CONSULTATION

WALGA Commercial and Environment Teams

LEGISLATION AND POLICY CONSIDERATIONS

N/A

Strategic Community Plan 2022 - 2032

Be future focused in all we do:

- (1) Ensure the Shire and its assets are well resourced and sustainable.
- (2) Embrace Recycling and Renewable Energy

FINANCIAL AND RESOURCES IMPLICATIONS

There are no known financial implications at this time. Participation in this project has delivered cost savings over the last 2 years.

RISK MANAGEMENT CONSIDERATIONS

The main risk is that the WALGA strategy and approach fails to reach an agreed contract by April 2025. The outcome would either be the current contract rolling over or the Shire returning to market rates.

CONCLUSION

It is recommended that Council endorse the Shires participation in the Sustainable Energy Project for the foreseeable future and approves the CEO to execute any necessary documents aligned to the project.

ATTACHMENTS

Nil

11.1.3 Participation in Morawa Liquor Accord

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**240204****Moved: Cr Stokes****Seconded: Cr Chadwick****That Council:**

- 1. Endorse the Shire of Morawa's ongoing participation in the Morawa Liquor Accord and the associated Committee chaired by the WA Police Force representative.**
- 2. Endorse the CEO executing the Morawa Liquor Accord document on behalf of the Shire and acknowledge that the CEO will allocate an appropriate officer to represent the Shire at Committee meetings.**
- 3. Support Holyoake establishing a prevention and education focused group either as a sub-committee under the Morawa Liquor Accord or via another mechanism to enhance Alcohol and Other Drugs Community Prevention Services in Morawa.**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

For Council to review the request from WA Police to participate in a Morawa Liquor Accord trial.

DETAIL

The Shire CEO met with the Officer in Charge (OIC) of the Morawa Police Station towards the end of 2023. The OIC noted that he would like to bring back the Morawa Liquor Accord which was in place a number of years ago and was found to be a targeted and successful mechanism for the police to manage individuals who committed repeat offences with a link to alcohol misuse.

A liquor accord is formed under Section 64(1b) of the Act. It is a written agreement or other arrangement that:

- is entered into by 2 or more licensees in a local community, and persons who represent the licensing authority, State Government departments, State agencies or local government and other persons.
- has the purpose of minimising the harm caused in the local community by the excessive consumption of liquor and promoting responsible practices in the sale, supply and service of liquor in the community.
- is approved by the Director of Liquor Licensing.

It encourages the adoption of a range of positive and effective community-based harm minimisation and prevention strategies aimed at reducing crime, violence and anti-social behaviour stemming from the excessive consumption of alcohol.

A successful Liquor Accord is reliant on the commitment of all parties to work in a collaborative partnership to achieve both legal compliance and positive community outcomes.

The OIC received approval from the Director of Liquor Licencing of to implement a 6 month trial of a Morawa Liquor Accord (attachment 1) that commences 1 February 2024.

The OIC has requested that the Shire become a signatory to the accord and actively participate in the initiative to drive positive community outcomes. The Shire has been a signatory to the previous accord arrangements, and as the Shire issues event permits where Alcohol maybe involved, the Shire also has a regulatory role to play as part of the accord arrangements.

Given this initiative provides a targeted means by which the WA Police can manage and individuals causing harm in the community, and it does not involve broad unjustified community wide restrictions, it makes sense for the Shire to support the initiative.

A strategic aspiration of the community is to “Occupy a Safe and Healthy Living Space” and there is the potential that the Morawa Liquor Accord can offer both health and safety benefits to the community.

The Shire CEO and OIC met with a representative from Holyoake on 10 January 2024. Holyoake is a not-for-profit community prevention service targeting Alcohol and other drugs (AOD). Their mission is to build safe and healthy communities through evidence based AOD prevention activities (brochure attached). During the meeting the Holyoake representative provided an overview of their work across the Wheatbelt and the recent expansion in their funding that has allowed them to expand their services to new regions such as the Mid-West. They see themselves as a complementary support service to existing services in the region such as the Medical Centre and Desert Blue Connect.

At this stage Holyoake are looking to establish a number of working groups in towns across the Mid-West to implement AOD initiatives with a particular focus on young people and families.

The CEO and OIC believe the Holyoake initiative could compliment the Morawa Liquor Accord and provide education, and preventative actions that subsequently reduce the need for the enforcement actions in the future.

LEVEL OF SIGNIFICANCE

Low – The Morawa Liquor Accord will progress into the trial with or without Shire support.

CONSULTATION

WA Police
Holyoake
Shire Leadership Team

LEGISLATION AND POLICY CONSIDERATIONS

N/A

Strategic Community Plan 2022 - 2032

Both initiatives in this report align to the community aspiration to occupy a safe and healthy living space.

FINANCIAL AND RESOURCES IMPLICATIONS

At this stage both initiatives will only involve officer time resources allocated towards meeting. The Liquor Accord Committee is unlikely to need further Shire funds or resources, however the Holyoake working group may require further resources to implement actions. This will likely fall into the role of the Community Development Officer.

RISK MANAGEMENT CONSIDERATIONS

Minimal risks exist with supporting these initiatives that have been well used and documented elsewhere in the State.

CONCLUSION

It is recommended that Council support the administration working with both WA Police and Holyoake to implement AOD prevention initiatives. It is also recommended that Council acknowledge there long term support for the Morawa Liquor Accord should it continue beyond the trial period.

ATTACHMENTS

Attachment 1 – 11.1.2a Morawa Liquor Accord

Attachment 2 – 11.1.2b Holyoake Brochure

11.2 Executive Manager Corporate & Community Services

11.2.1 Monthly Financial Report – December 2023

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/RESOLUTION

240205

Moved: Cr Coaker

Seconded: Cr Collins

That Council receive:

1. the Monthly Financial Report including the Statement of Financial Activity for the period ending 31 December 2023.
2. the Bank Reconciliation Report for period ending 31 December 2023.
3. the attached List of Payments for the period ending 31 December 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 31 December 2023.

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

The Monthly Financial Report is prepared to provide Council with a comprehensive report on the financial position on a monthly basis.

The Monthly Financial Report includes the Statement of Financial Activity Report, Bank Reconciliation Report and the List of Payments made during the reporting month.

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 31 December 2023 is as follows:

Account	Balance
Municipal Account	1,395,298.42
Municipal Online Account	3,053,984.94
Trust Account	1,525.11
Reserve Account	4,684,837.23
Term Deposits (Reserves)	2,100,000.00
Total Cash & Investments	11,235,645.70

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 December 2023 to 31 December 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)	546,819.95
Municipal	Cheques No: 12056	30.00
Municipal	Direct Debit Transactions	8,596.35
Municipal	Bank Transfers / Payroll / Other Payments	155,293.31
Municipal	Corporate Credit Cards	2,760.10
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	\$713,499.71

Reimbursement Applications

There have been no of reimbursements claimed and 1 day of leave taken by the Chief Executive Officer during the month of December 2023.

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

1. Reserve Interest earnings currently \$52,456 compared to \$18,538 for the same period last year. An increase of \$33,918.
2. Depreciation calculated for the period 1 July to 31 December 2023 at \$968,574.
3. Capital projects spending currently at 20.3%, well below budget – Although \$1m of this is linked to MWSGFN which became subject to a Federal Review.

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 Monthly Financial Report that contains the 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 31 December 2023

Attachment 2 – 11.2.1b Bank Reconciliation for the period ending 31 December 2023

Attachment 3 – 11.2.1c List of Accounts Paid for the period ending 31 December 2023

Item 12 Reports from Committees**12.1 18 December 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/RESOLUTION

240206 Moved: Cr Stokes Seconded: Cr North

That Council receive:

1. the Minutes of the 18 December 2023 Audit & Risk Committee Meeting Minutes.

CARRIED BY SIMPLE MAJORITY 6/0

Attachment 1 – 12.1a Minutes of 18 December 2023 Audit & Risk Committee Meeting

12.2 December 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

240207 Moved: Cr Collins Seconded: Cr North

That Council receive:

1. the Minutes of the WALGA State Council Meeting held 6 December 2023.

CARRIED BY SIMPLE MAJORITY 6/0

Attachment 1 – 12.2a Minutes of WALGA State Council Meeting, 6 December 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**

240208

Moved: Cr Collins

Seconded: Cr Stokes

That Council:

That Council closes the meeting to the public under section 5.23 (2)(a)(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 Confidential Item – Shire CEO Long Service Leave Entitlement
- 15.3 Confidential Item – Sale of Land For Recovery of Unpaid Rates
- 15.4 Confidential Item – Transfer of Properties to the Shire of Morawa as part of Cyclone Seroja Recovery Program
- 15.5 Confidential Item – Plant Quotation and Purchasing
- 15.6 Confidential Item – Request to Waive Interest Charges on Overdue Rates Account

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 Confidential Item – Shire CEO Long Service Leave Entitlement
- 15.3 Confidential Item – Sale of Land For Recovery of Unpaid Rates
- 15.4 Confidential Item – Transfer of Properties to the Shire of Morawa as part of Cyclone Seroja Recovery Program
- 15.5 Confidential Item – Plant Quotation and Purchasing
- 15.6 Confidential Item – Request to Waive Interest Charges on Overdue Rates Account

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

N/A

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

At 5:36pm the meeting was closed. Mr Scott Wildgoose, Mrs Jackie Hawkins and Mr Dean Clemson left the meeting.

15.2 Confidential Item - Shire CEO Long Service Leave Entitlement

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author declares an impartiality interest in this item given it relates to his Long Service Leave, however the report has been prepared in line with Regulations and requires the Authors input regarding the taking of leave.

OFFICER'S RECOMMENDATION/RESOLUTION**240209****Moved: Cr Chadwick****Seconded: Cr Collins****That Council:**

- 1. Acknowledges the Shire CEO has completed 10 years of continuous service in the Local Government sector and is entitled to 13 weeks of Long Service Leave pursuant to the Local Government (Long Service Leave) Regulations.**
- 2. Accepts the CEO's intention to utilize a portion of or all the Long Service Leave entitlement during the period November 2024 to February 2025, authorizing the Shire President to agree to the final leave period once confirmed, and noting any unused entitlement will accrue at the CEO's June 2024 pay rate.**
- 3. Directs the CEO to work with the Shire President to formulate a plan for an Acting CEO during the leave period once confirmed and present an item to Council for formally adopting an Acting CEO for a period of 6 weeks or greater in line with council Policy ELM 20, at least 2 months before the CEO is to commence leave.**

CARRIED BY SIMPLE MAJORITY 6/0

At 5:41pm Mr Scott Wildgoose and Mrs Jackie Hawkins rejoined the meeting.

15.3 Confidential Item - Sale of Land for Recovery of Unpaid Rates

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**240210****Moved: Cr Coaker****Seconded: Cr North****That Council:**

- 1. Exercise the provisions of sections 6.63 to 6.75 of the Local Government Act 1995 to take possession and sell the below listed properties due to unpaid rates arrears of 3 or more years, and attempt to recover from the proceeds of the sale, unpaid rates and charges;**
 - a. Lot 92 On Deposited Plan 202041- 7 Evans Street, MORAWA 6623**
 - b. Lot 311 On Deposited Plan 209377 - 5 Stokes Road, MORAWA 6623**
 - c. LOT 73 ON DEPOSITED PLAN 204494 - 55 Dreghorn Street Morawa WA 6623**

CARRIED BY SIMPLE MAJORITY 6/0

15.4 Confidential Item - Transfer of Properties to the Shire of Morawa as part of Cyclone Seroja Recovery Program

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**240211****Moved: Cr Stokes****Seconded: Cr Collins**

That Council:

- 1. Authorise the CEO and Shire President to undertake all necessary steps and document executions to transfer the ownership of 4 Granville Street, Morawa and 59 Dreghorn Street, Morawa to the Shire of Morawa for a \$0 purchase price, with the Shire covering all settlement and transfer costs.**
- 2. Authorise for all outstanding rates and charges attributed to these properties to be written off as part of the ownership transfer to the Shire.**
- 3. Acknowledges that these two properties are being acquired in line with the Clean Up of Abandoned Properties project funded by the State Government as part of the Cyclone Recovery initiative.**

CARRIED BY SIMPLE MAJORITY 6/0

15.5 Confidential Item – Plant Quotation and Purchasing

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**240212****Moved: Cr Coaker****Seconded: Cr North****That Council:**

- 1. Authorise the CEO to purchase four utility vehicles from Geraldton Isuzu, one utility vehicle from Geraldton Toyota, and two trucks from Purcher International to meet the Shire's plant replacement requirements.**
- 2. Authorise the increase in the budget allocation towards plant purchasing by \$100,000 to facilitate these plant orders, noting that the expenditure won't be incurred until the vehicles are delivered, the majority of which won't happen until the 2024/2025 financial year.**
- 3. Direct the CEO to review the Plant expenditure component of the budget as part of the current budget review to be presented to Council in March 2024.**

CARRIED BY ABSOLUTE MAJORITY 6/0

15.6 Confidential Item - Request to Waive Interest Charges on Overdue Rates Account

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**240213****Moved: Cr North****Seconded: Cr Coaker**

That Council, in relation to the overdue rates and charges applied to 24 Winfield Street, Morawa:

1. Agree to suspend the accrual of interest on the property from 9 February 2024 to 30 June 2024
2. Authorise the CEO to write off up to \$5,000 in unpaid rates, interest, and other charges, pursuant to the property being sold and the Shire recovering the majority of the current unpaid rates debt, at least \$20,000.

CARRIED BY SIMPLE MAJORITY 5/1

Cr Chappel, Cr Stokes, Cr Chadwick, Cr Coaker and Cr North voted for.

Cr Collins voted against.

15.7 Reopening of the Meeting to the Public

OFFICER'S RECOMMENDATION/RESOLUTION

240214

Moved: Cr Collins

Seconded: Cr Chadwick

That Council reopens the meeting to the public.

CARRIED BY SIMPLE MAJORITY 6/0

At 5:46pm Mr Dean Clemson rejoined the meeting.

Item 16 Closure

16.1 Date of Next Meeting

The date of the next ordinary meeting of Council will be on Thursday, 21 March 2024 commencing at 5:30pm, in the Council Chambers.

16.2 Closure

There being no further business, the President declared the meeting closed at 5:47pm.