



MINUTES

ORDINARY MEETING OF COUNCIL

held on

Wednesday, 17 July 2024 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 3:08pm.

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 – In Person Attendance**

President (Presiding Member) Councillor Karen Chappel
Deputy President Councillor Ken Stokes
Councillor Grant Chadwick
Councillor Mark Coaker
Councillor Diana North

Council – Electronic Attendance

Councillor Dean Clemson
Councillor Debbie Collins

Staff

Chief Executive Officer

Scott Wildgoose

Members of the Public

Nil

3.2 Apologies

Nil

3.4 Approved Leave of Absence

Nil

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 2024.

Date	Details of Meeting
5 June 2024	State Bushfire Advisory Committee Meeting
7 June 2024	Senate Enquiry into Sustainability of Local Government Hearing
11 June 2024	Meeting with Minister Beazley, Minister for Local Government
12 June 2024	Rural West
13 June 2024	Lord Mayors Distress Fund
13 June 2024	Meeting with Minister McGurk, Industrial Relations
14 June 2024	Discussion with Morawa Tourist Centre
17 June 2024	Shire of Morawa - Council Workshop
17 June 2024	Shire of Morawa - Citizenship Ceremony
17 June 2024	Shire of Morawa – Ordinary Council Meeting
20 June 2024	Local Roads Program Meeting with Minister Michael
24 June 2024	WALGA Northern Country Zone Meeting
26 June 2024	MWAC June 2024 Meeting
28 June 2024	Joint Select Committee hearing on Workforce Development

The Shire President announced receiving a letter of resignation from the CEO, Mr Scott Wildgoose. As detailed below:

Dear Cr Chappel and the Shire of Morawa Council,

Notice of Resignation

In accordance with Clause 11.5 of my employment contract, I hereby provide Council with 3 months' notice of the termination of my employment with the Shire of Morawa. As such, my final working day with the Shire of Morawa will be Wednesday 16 October 2024.

At the conclusion of my notice period, I will have been employed with the Shire for a period of 46 months (3 years and 10 months). I have found it to be to be a challenging and rewarding period, representing a highlight of my career to date.

I would like to particularly mention - the Cyclone Seroja recovery process and the Tom Curtain event, the enhancement of the Strategic Community Plan and Corporate Business Plan, master planning Solomon Terrace, modernizing the golf and bowling club and old roads board building, revitalizing Jubilee Park, and launching the successful Community Gym – as notable highlights of my tenure.

I would also like to thank Cr Chappel as Shire President for her outstanding leadership and engagement of both Council, and the community, as well as in her role as WALGA President. I appreciate the healthy working relationship that has always been maintained between myself and the President, noting that we both enjoy strong discussions and constructive debate.

I wish the Shire and Council all the best moving forward and will ensure I continue outstanding service and results until the conclusion of my tenure.

Kind Regards,

Scott Wildgoose
17 July 2024

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

- President (Presiding Member) Councillor Karen Chappel
- Deputy President Councillor Ken Stokes
- Councillor Grant Chadwick
- Councillor Dean Clemson
- Councillor Mark Coaker
- Councillor Debbie Collins
- Councillor Diana North

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 17 June 2024 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 20 June 2024.

OFFICER'S RECOMMENDATION/RESOLUTION**240705****Moved: Cr Stokes****Seconded: Cr Coaker****That Council confirm that:**

- 1. the Minutes of the Ordinary Council Meeting held 17 June 2024 are a true and correct record.**

CARRIED BY SIMPLE MAJORITY 7/0*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 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**240706****Moved: Cr North****Seconded: Cr Coaker**

That with respect to Actions Performed under Delegated Authority for June 2024, Council:

- 1. Accept the Report.**

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

To report back to Council, actions performed under delegated authority from the period 01 June 2024 to 30 June 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 June 2024 to 30 June 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

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
12/06/2024	Approved	Certificate of Registration of a Food Business	Morawa IGA	
12/06/2024	Approved	Certificate of Registration of a Food Business	Morawa District High School	
12/06/2024	Approved	Certificate of Registration of a Food Business	Morawa Traders	
12/06/2024	Approved	Certificate of Registration of a Food Business	Morawa Hotel	

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

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
14/06/2024	TP06/24	Approval of Outbuilding	B & D North	

Building Permits

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

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 Voting Delegates for Western Australian Local Government Association (WALGA) 2024 Annual General Meeting

Author: Executive Assistant

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**240707****Moved: Cr Coaker****Seconded: Cr North**

That with respect to Voting Delegates for Western Australian Local Government Association (WALGA) 2024 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 7/0

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 2024.

DETAIL

All member local governments are entitled to be represented by two voting delegates at the WALGA AGM to be held on Wednesday, 9 October 2024 commencing at 2:30pm.

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 Cr Stokes registered to attend the WALGA Convention and Cr Chappel will be attending in her role as WALGA President. 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.

LEVEL OF SIGNIFICANCE

Low – although WALGA is the member association most key items of advocacy are voted on throughout the year at State Council.

CONSULTATION

Shire President
CEO

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 Delegates (if applicable), depending on if any other Councillors register for the Annual Conference, in respect of the WALGA Annual General Meeting for 2024.

ATTACHMENTS

Nil

11.1.3 Evaside - Stephens - Ross Road Intersection Blackspot 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**240708****Moved: Cr Stokes****Seconded: Cr Coaker**

That with respect to the Blackspot project, Council:

1. Adopt the Evaside Rd-Stephens Rd-Ross Rd Intersection Design Report, as developed by Greenfield Technical Services, per *Attachment 2*.
2. Accept the allocation of \$550,000 in the 2024/2025 Annual Budget towards this Blackspot Project, on the basis that two thirds Blackspot Funding is provided by the State Government.
3. Under the parameters of the Blackspot Project
 - a. Authorise the closure of Ross Road to through traffic such that the Ross Road-Evaside Road Intersection is closed.
 - b. Accept the transition from the use of culverts to a floodway on Evaside Road
 - c. Authorise the realignment of Stephens Road and the CEO to submit the necessary clearing permit and other necessary applications necessary to undertake the works.
4. Accept the potential for project delays, with the Shire's project being subject to a number of external factors, including but not limited to clearing permit approvals through the State Government and Aboriginal Heritage processes.

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

For Council to review and adopt the proposed actions aligned to a Blackspot Project associated with the Evaside Road, Ross Road, Stephens Road intersection.

DETAIL

The Ross Rd, Evaside Rd, Stephens Rd intersection has been a safety concern for the Shire and community ever since it was raised to accommodate the rail and crossing, with correspondence on this matter dating back almost 15 years.

The Main Items of concern are:

- 1) The 4-way intersection of Evaside, Stephens and Ross Road are poorly aligned and not consistent with the designs from Austroads. Due to the poor alignment of the intersecting roads, there is a risk that vehicles could fail to give way whilst exiting the intersection which could result in right angle crashes, which increases the risk of a fatality.
- 2) There are culverts and rock pitching around the culverts that are in the clear zone on Evaside and Ross Roads. Without sufficient safety barrier protection, this poses a risk of serious or even fatal injuries to vehicle occupants in the event an errant vehicle leaving the road.
- 3) There are steep embankments located in the verge on both sides of Evaside Road, Stephens Road and Ross Road that are non-recoverable. The steep embankments pose a risk of serious or even fatal injuries to vehicle occupants in the event an errant vehicle leaves the road.
- 4) The approach to the intersection with Ross Road and Stephens Road on Evaside Road has been raised to meet the raised height of the rail crossing on Ross Road reducing the sight distance when heading south on Evaside Road. The reduction in sight distance can mask vehicles approaching or entering Evaside Road increasing the risk of head on and right-angle crashes, with increased risk of fatality, as well as rear end crashes.
- 5) The curve on the approach to the rail crossing on Ross Road is poorly delineated with no advanced curve warning signs or CAMs around the curve to indicate to drivers the direction of travel. The lack of curve warning signage increases the risk of a driver not negotiating the curve and leaving the road resulting in serious or fatal injury to vehicle occupants.

Essentially, whilst there hasn't been a serious crash at this intersection, the likelihood is that a crash may result in a fatality, so the Shire has undertaken assessments of the intersection on a number of occasions and in the 2023/2024 financial year was funded under the State Blackspot program to undertake a design report to address the safety concerns.

The Shire received the Road Safety Inspection report for the intersection from ShawMac on 26 May 2022 (Attachment 1). The Shire then used this report to apply for Blackspot funding to undertake a road improvement design report (Attachment 2).

The main recommendations and changes to the intersection generated by the design report are:

- Closing Ross Road (making it a no through road) and removing the Ross Rd and Evaside Rd intersection.
- Replacing the 11*900mm CSP structure with a concrete floodway
- Realign Stephens Road to improve geometry – essentially clear land to construct a new road with a 90 degree intersection – noting DWER permits and Aboriginal Heritage monitors required during clearing of bush to construct new road

The formal road safety inspection was undertaken at the Shire's cost. The design report was funded through a two thirds State Blackspot contribution.

Moving forward the full rectification is expected to cost around \$550,000, with two thirds to be funded under the State Blackspot Program, as such the Shire will need a 2024/2025 budget allocation towards this project.

The realignment of Stephens Road is likely to be a complex exercise given the new road section would need a 'purpose permit' (Department of Water and Environment Regulation (DWER) Clearing Permit) as the proposed road re-alignment crosses unallocated Crown Land, noting the Crown Land has been highlighted as land to potentially transition to the Yamatji Nation under the Native Title Agreement. DWER has also confirmed that we require written approval from the landowner, being the Department of Planning, Lands and Heritage (DPLH), to allow the clearing permit application to proceed, which may take a considerable amount of time. As well as the DWER process the Shire will also have to comply Aboriginal Heritage processes which will require two onsite monitors during any ground disturbance if a clearing permit is approved and works proceed.

The alternative to pursuing the realignment of Stephens Road would be to follow a similar principal as Ross Road and alter Stephens Road such that it does not allow through traffic after the Gutha East – Gutha West Road Intersection. Local traffic would still be able to access farms from Stephens Road but would not be able to access Evaside Road from Stephens Road. This would essentially add 1km to the journey from the Gutha West Road-Stephens Road intersection to the point where Stephens Road intersect Evaside Road. Removing the intersection as opposed to creating a new road and T intersection as opposed to the current Y type intersection would likely reduce the project costs by \$150,000.

At this stage all engineering design work has been undertaken based on the road realignment, however the no through road option is a viable option should Council consider it advantageous or more efficient given potential clearing permit or Aboriginal Heritage issues associated with the realignment.

The closure of the Ross Road intersection needs to be approved by Council, but for this aspect the road engineering design report is clear that no real alternative exists that will alleviate sight distance, clear zone, and road steepness issues. The Shire has submitted the proposal to Arc Infrastructure but has received no formal comments back relating to the proposal at this stage. In principal verbal affirmation was given that it shouldn't impact them. The administration has again approached the cost sharing/covering option with Arc given the construction of the rail is what has created the safety issue; however they are non-responsive in this area, which has been the case for a number of years, hence the Shire progressing the Blackspot grant application process.

LEVEL OF SIGNIFICANCE

High – this Evaside Road intersection has been a safety concern for the Shire and community for a number of years and the Shire has secured State support to rectify the situation, as such decisions need to be made to progress the project.

CONSULTATION

Chief Executive Officer

Senior Management Team
Greenfields Technical Services
Ross Road Residents (via previous EMWA)

LEGISLATION AND POLICY CONSIDERATIONS

Environmental Protection Act 1986
Aboriginal Heritage Act 1972

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

The Shire has expended funds and resources undertaking the designs to this stage but although funding is allocated without Council approval no further resources can be allocated.

RISK MANAGEMENT CONSIDERATIONS

The engineering design report is a road safety risk reduction initiative. The main project risks are aligned to DWER, DPLH, Arc, or Yamatji Aboriginal Corporation have a reason to block or alter the project.

The proposal reduces most risks associated with the road. Closing the Stephens Road crossing completely would be the only way to further reduce the risk of vehicle interactions or conflicts at the intersection.

CONCLUSION

It is recommended that Council give the necessary authorisations for the Shire to continue the project and submit the necessary permit applications.

ATTACHMENTS

Attachment 1 – 11.1.3a Road Safety Inspection Report
Attachment 2 – 11.1.3b Intersection Design Report

11.1.4 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

240709

Moved: Cr Stokes

Seconded: Cr Chadwick

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

1. Adopts the July 2024 review of the Delegation Register being a continuation of the delegations currently in place as per *Attachment 1* with the inclusion of a new delegation – *2.40 Affixing the Common Seal and Execution of Documents*.
2. Adopts the July 2024 review of the Authorisation Register being a continuation of the current authorisations as per *Attachment 2*.

CARRIED BY ABSOLUTE MAJORITY 7/0

PURPOSE

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

DETAIL

In 2023 the CEO conducted a thorough review of the Delegation and Authorisations Registers, with minor amendments made to five (5) Delegations and no amendments to Authorisations.

In 2024 the CEO proposes that the existing Delegations, as per *Attachment 1*, continue with the following amendments made:

Delegation Title	Proposed Amendments
2.40 Affixing the Common Seal and Execution of Documents	New Delegation – purpose is to authorise the CEO to sign and execute documents and apply the common seal on behalf of the Shire of Morawa. In general this is common practice most places and in most circumstances the CEO signs most documents on behalf of the Shire but a clear delegation of the power is inferred in the act and represents good practice.

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.

The proposed change is unlikely to generate any operational changes it will essentially make clear the delegation from a legal perspective - when for instance the CEO needs to sign to remove or add a caveat due to rates being paid or unpaid as an example – it doesn't warrant

common seal or Council approval as it's an expected process when a property sells etc. but as its lodged with Landgate the wording on the signature line aligns to a delegation in this area which is common practice.

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

ATTACHMENTS

Attachment 1 – 11.1.4a Proposed 2024 Delegation Register

Attachment 2 – 11.1.4b Proposed 2024 Authorisation Register

11.2 Executive Manager Corporate & Community Services

11.2.1 Monthly Financial Report – June 2024

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

240710 **Moved: Cr Chadwick** **Seconded: Cr North**

That Council receive:

- 1. the Monthly Financial Report including the Statement of Financial Activity for the period ending 30 June 2024.**
- 2. the Bank Reconciliation Report for period ending 30 June 2024.**
- 3. the attached List of Payments for the period ending 30 June 2024.**
- 4. with respect to the Chief Executive Officer authorisations and reporting to Council;
4.1. No Reimbursement applications made by the Chief Executive Officer for the period ending 30 June 2024.**

CARRIED BY SIMPLE MAJORITY 7/0

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 30 June 2024 is as follows:

Account	Balance
Municipal Account	2,700,643.62
Municipal Online Account	1,099,286.09
Trust Account	1,525.11
Reserve Account	4,862,441.68
Term Deposits (Reserves)	2,100,000.00
Total Cash & Investments	\$10,763,896.50

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 2024 to 30 June 2024 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)	436,137.78
Municipal	Cheques No:	0
Municipal	Direct Debit Transactions	34,304.63
Municipal	Bank Transfers / Payroll / Other Payments	130,489.68
Municipal	Corporate Credit Cards	1,447.59
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	\$602,379.68

Reimbursement Applications

There have been no reimbursements claimed and 2 leave days taken by the Chief Executive Officer during the month of June 2024.

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. 87.5% of outstanding rates have been collected.
2. Depreciation calculated for the period 1 July to 30 June 2024 is \$1,926,903 under budget by \$223,638.
3. 85% of the Financial Assistance Grants for 2024-25 were received on 28 June, approx. \$1.9m, which is reflected in the surplus being higher than normal.

LEGISLATION AND POLICY CONSIDERATIONS

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

Section 2.7 of the *Local Government Act 1995* states:

Role of council

- (1) The council —
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

Local Government (Financial Management) Regulations 1996

Regulations 34(1)

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

Regulation 13

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

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

Procurement Policy

Use of Corporate Credit Card Policy

CEO Leave Authorisations and Other Approvals Policy

Strategic Community Plan 2022 to 2032

Be future focused in all we do:

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 30 June 2024

Attachment 2 – 11.2.1b Bank Reconciliation for the period ending 30 June 2024

Attachment 3 – 11.2.1c List of Accounts Paid for the period ending 30 June 2024

Item 12 Reports from Committees

Nil

Item 13 Motions of Which Previous Notice Has Been Given

Nil

Item 14 New Business of an Urgent Nature

On Wednesday, 17 July 2024, the Shire of Morawa Chief Executive Officer tendered his resignation.

The proposal to commence necessary processes to facilitate the recruitment of a replacement CEO is detailed in Item 14.1.

OFFICER'S RECOMMENDATION/RESOLUTION**240711****Moved: Cr Chadwick****Seconded: Cr Stokes**

That Council accept and consider Item 14.1 as new business of an urgent nature.

CARRIED BY SIMPLE MAJORITY 7/0

14.1 Resignation of Shire CEO and Commencement of Recruitment Processes

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

Motion to Suspend Standing Orders

Moved: Cr Stokes

Seconded: Cr Chadwick

ACCEPTED 7/0

Standing Orders Suspended at 3:13pm

Discussion regarding the late item and legislated recruitment processes.

Motion to Resume Standing Orders

Moved: Cr North

Seconded: Cr Coaker

ACCEPTED 7/0

Standing Orders Resumed at 3:16pm**OFFICER'S RECOMMENDATION/RESOLUTION**

240712

Moved: Cr North

Seconded: Cr Coaker

That Council:

- 1. Acknowledge the resignation of Shire of Morawa Chief Executive Officer, Mr Scott Wildgoose, with 3 months' notice being given from Wednesday, 17 July 2024.**
- 2. Amend the appointment of Mrs. Jackie Hawkins as Acting CEO given at the June OCM via resolution 240610 for a period commencing 18 November 2024, such that Mrs. Jackie Hawkins will instead perform the function of temporary CEO commencing on Thursday, 17 October 2024, until the recruitment of a substantive CEO can be completed or Council resolves to amend the arrangement.**
- 3. Direct the CEO to undertake a Request for Quote process to provide Council with a list of suitably qualified, and experienced recruitment consultants to support Council with the CEO recruitment process and compliance with legislative and Human Resources practices.**

4. Authorise the Shire President and Deputy President to select an appropriate Independent Person to join the CEO recruitment selection panel, as required by regulations.
5. Appoint all Council Members as members of the CEO recruitment selection panel.

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

For Council to receive the formal resignation of the CEO and commence necessary processes to facilitate the recruitment of a replacement CEO.

DETAIL

The Shire of Morawa CEO, Mr Scott Wildgoose, commenced with the Shire on 14 December 2020, and on Wednesday, 17 July 2024 gave notice of his resignation from the position. Mr Wildgoose will conclude his tenure on Wednesday, 16 October 2024 after 3 years and 10 months of service.

In order to facilitate a smooth transition and commence the process of recruiting a new CEO to replace Mr Wildgoose, this report recommends a number of administrative actions be taken.

- a) Extend the Acting CEO appointment for Mrs. Jackie Hawkins. Mrs Hawkins was already set to act in the position for 6-13 weeks from 18 November with Mr Wildgoose set for Long Service Leave. For continuity and clarity at the administrative level it is recommended that the acting appointment be extended to commence when Mr Wildgoose concludes his tenure with the Shire.
- b) Commence the sourcing of a CEO recruitment consultant. A number of potential recruitment consultants exist, and the CEO will undertake a process to request quotes to present back to Council.
- c) The change to the local government regulations now requires an independent member of the recruitment panel. Given the nature of the process and regulatory requirements it is recommended that the Shire President and Deputy President identify a suitable independent person to refer back to Council for formal appointment.
- d) The Shire of Morawa has historically appointed all Councillors to the CEO recruitment panel for ease of transitioning information from the panel process back to Council for formal adoption. It is recommended that this practice continues for simplicity and transparency.

LEVEL OF SIGNIFICANCE

Medium – the Council has time to undertake a recruitment process, however with the impending harvest and Christmas period it makes sense to commence the process sooner rather than later.

CONSULTATION

N/A

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

5.36 Local Government Employees

5.39 Contracts for CEO and Senior Employees

5.39A. Model standards for CEO recruitment, performance and Termination

5.39C. Policy for temporary employment or appointment of CEO

Local Government (Administration) Regulations 1996 - Part 4 — Local government employees

ELM20 Appointment of Temporary or Acting Chief Executive Officer

EMP12 Standards for CEO recruitment, performance and termination

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

The recruitment of a CEO position can cost \$15,000 - \$25,000 dependent on a number of variables. This will need to be budgeted for as part of 2024/2025 Annual Budget planning.

RISK MANAGEMENT CONSIDERATIONS

The early commencement of recruitment processes is a risk mitigation activity, and the appointment of an Acting CEO with experience of the Shire current projects and activities will reduce risk. The Shire has already arranged for an Acting EMCCS, for November and December, which by having extra resources onsite it will further reduce the risk.

CONCLUSION

With the resignation of the current CEO, Council has a number of recommendations to commence the process to appoint a replacement CEO.

ATTACHMENTS

Nil

Item 15 Matters for Which the Meeting May Be Closed (Confidential Items)

Nil

Item 16 Closure

16.1 Date of Next Meeting

The date of the next ordinary meeting of Council will be on Thursday, 15 August 2024 commencing at 5:30pm, via electronic attendance (eMeeting).

16.2 Closure

There being no further business, the President declared the meeting closed at 3:18pm.