



AGENDA

ORDINARY MEETING OF COUNCIL

to be held on

Thursday, 15 August 2024 at 5:30pm

via

eMeeting



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

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

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Morawa for any act, omission, statement or intimation occurring during Council Meetings. The Shire of Morawa disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during Council Meetings.

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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

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|--|--|-----------|--------------|
| <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

Prior to commencement of this electronic meeting, the connections by electronic means of Council Members and any other attendees are to be tested and confirmed.

The President to declare the meeting open at 5:30pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The President acknowledges the traditional custodians, the Yamatji people, and recognises the contribution of Yamatji Elder's past, present and future, in working together for the future of Morawa.

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

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

Staff – Electronic Attendance

Chief Executive Officer

Scott Wildgoose

Executive Manager Corporate & Community Services

Jackie Hawkins

Members of the Public**3.2 Apologies****3.4 Approved Leave of Absence****3.5 Disclosure of Interests****Item 4 Applications for Leave of Absence****Item 5 Response to Previous Questions****Item 6 Public Question Time**

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|---|
| Item 7 Questions from Members without Notice |
|---|

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|--|
| Item 8 Announcements by Presiding Member without Discussion |
|--|

President's Meetings for the month of July 2024.

| Date | Details of Meeting |
|--------------|---|
| 10 July 2024 | WALGA State Council Meeting |
| 11 July 2024 | Shire of Morawa – Audit and Risk Management Committee |
| 17 July 2024 | Midwest NAIDOC Community Event |
| 17 July 2024 | Roundtable with Minister Beazley, Minister for Local Government |
| 17 July 2024 | Shire of Morawa – Ordinary Council Meeting |
| 17 July 2024 | Shire of Morawa – Citizenship Ceremony |
| 29 July 2024 | Story Towns Meeting |
| 30 July 2024 | MWDC Audit and Risk Committee Meeting |
| 30 July 2024 | Pathways to Politics for Women UWA Advisory Committee Meeting |
| 30 July 2024 | MWAC Additional Meeting (Draft State Waste Strategy Submission) |

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| 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.

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 17 July 2024 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa’s secure portal to all Councillors on 23 July 2024.

OFFICER’S RECOMMENDATION

That Council confirm that:

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

SIMPLE MAJORITY VOTE REQUIRED

Disclaimer

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

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

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

- 1. Accept the Report.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To report back to Council, actions performed under delegated authority from the period 01 July 2024 to 31 July 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 July 2024 to 31 July 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

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 Amendment to October 2024 Ordinary Council 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

That Council:

1. **Acknowledges and approves the date of the October Ordinary Meeting of Council will be amended from Thursday, 17 October 2024 commencing at 5:30pm, to being held on Monday, 14 October 2024 at 5:30pm.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To amend the date of the October 2024 Ordinary Council Meeting.

DETAIL

To align with the departure of outgoing Chief Executive Officer, Mr Scott Wildgoose, on Wednesday, 16 October 2024, it is proposed to bring forward the October 2024 Ordinary Council Meeting from Thursday, 17 October 2024 commencing at 5:30pm, to being held on Monday, 14 October 2024 at 5:30pm.

Updated Council photos will also be arranged prior to the October 2024 Ordinary Council Meeting, therefore in person attendance is expected.

LEVEL OF SIGNIFICANCE

Minor – ensuring minimal disruption to Councillors by forward planning attendance requirements.

CONSULTATION

Shire President
CEO

LEGISLATION AND POLICY CONSIDERATIONS

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

Nil

RISK MANAGEMENT CONSIDERATIONS

Nil

CONCLUSION

It is proposed to bring forward the October 2024 Ordinary Council Meeting from Thursday, 17 October 2024 commencing at 5:30pm, to being held on Monday, 14 October 2024 at 5:30pm.

ATTACHMENTS

Nil

11.1.3 Corella Control Survey Outcome

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION

That Council:

- 1. Accept the current Corella Management of once-a-week ranger Corella culling over the flocking period October to May**
- 2. Directs the Chief Executive Officer to engage a consultant with the appropriate knowledge, skills, and experience in the management of problem birds to develop a Corella Management Plan for the Shire**
- 3. Accepts the allocation of \$30,000 towards corella management in the 2024/2025 financial year budget to be used for the shooting program and management plan development.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

For Council to receive the results of the Corella sentiment survey and assess a way forward for the 2024/2025 financial year.

DETAIL

At the Ordinary Council Meeting held 21 March 2024, Council resolved to authorise the CEO to undertake a survey to gauge public attitudes to the control of birds as pests, sites of high status for management, and the consensus in terms of the level of resources allocated to this service area to inform Council leading in to the 2024/2025 budget.

The Shire developed a Corella sentiment survey (Attachment 1) that was released to the community mid-May and closed on the 28 June 2024.

The Shire received 53 responses to the survey. With the results summarised below:

Does the community feel there is a pest problem with the corella population within the Morawa townsite? Average of all scores was 7 out of 10 (10 being the Corellas are seen as a major problem). Of note is that 60% of respondents scored this area as a 10, whereas only 11%

scored the as a 4 or under. This essentially suggests that the community sentiment is more orientated towards the parrot being a pest problem as opposed to no problem.

In terms of the desired outcome for the management of the Corella population within Morawa? The average score in this area was 6.6 out of 10 (10 being complete eradication of the Corellas). 47% of respondents opted for the 10 out of 10 score, whereas only 13% scored 4 or below (let the birds be in their natural population state). This suggests a general sentiment aligned to more definitive management of the population by way of culling as opposed to directing the birds to roost elsewhere.

Of the 53 respondents, 35 indicated that they had undertaken some form of Corella management at their property, with 68.5% of these respondents saying they utilised loud noises to scare the birds. For most residential properties this is likely to be the only viable management option but all it does is move the birds to another property. At an individual level the discussions need to centre around reducing food, water, and roosting sites in gardens.

66% of respondents would not support landscape changes (tree removal) to reduce the corella population. This is good information but will generally make the concept of eradication unviable if the birds have ample roosting sites across the townsite.

88.6% of respondents believed the Shire should be spending between \$5,000 and \$50,000 on managing the Corella population per annum. There was a 50/50 split between the \$5,000-\$25,000 option (24 respondents) and the \$30,000 - \$50,000 option (23 respondents). Based on these figures, it could be assumed that most of the community would be happy with an annual spend of \$25,000 to \$35,000.

When considering what areas of the townsite the community believed the Shire should focus its Corella management activities, the four highest scoring areas were:

1. Swimming Pool
2. Winfield St Park Area
3. General Parks and Playgrounds
4. Town Oval

Interestingly, several respondents highlighted the Agricultural College and Morawa District High School as two areas of concern and in need of management. Both sites are under the care and ownership of the State Government, as such the emphasis would be on the property owner to manage the population of Corella's on their land. As such the Shire should look to have a conversation with the State Government about their pest management plans for these sites, given it is not a Shire responsibility to undertake management at either of these properties.

Outside of the general statistical comments survey respondents provided several general comments as summarised below:

- Corellas are attracted to a town site from their natural habitat due to man-made affects such as vegetation clearing and excess water in the townsite.
- Consider further exploration of trapping and euthanizing as opposed to shooting
- Investigate a way to divert to other areas where they can be controlled
- Impacts of bird droppings and health risks
- Consider use of farmers as shooters or more staff as opposed to contractors

- Trees are critical but maybe they can be trimmed lower or rounded to reduce roosting space
- Question around equity of farmer rates subsidising management of birds in the townsite

As noted in the March 2024 Council Report, Corella's are known to be a problem across the State and the State government is currently working on a new Pest Parrot and Cockatoo Strategy.

A licence to take protected fauna was previously issued under the Wildlife Conservation Act 1950 and Wildlife Conservation Regulations 1970 and commonly called a "regulation 5 damage licence". This legislation was replaced by the Biodiversity Conservation Act 2016 and Biodiversity Conservation Regulations 2018 on 1 January 2019 and now offers Local Governments the opportunity to undertake management for some species of problem fauna without the need to obtain a licence. All Corella's are listed as managed species in Schedule 4 of the BCA (2018) in all Local Government districts including Morawa. They may be taken without the previous need for a licence from DBCA in accordance with Regulation 103, however by firearm only. Any other methods, or commercially contracted culling, still require a licence from the Department.

Prior to 2022, the Shire Executive Manager Works and Assets (EMWA) undertook culling activities on a regular basis, however when a new EMWA was recruited it was recognised that Corella culling was not a core requirement of this role and operational culling did not align to an oversight/executive position. Over the last two years the Shire has had one employee undertaking culling activities, however it is expected that this employee will be allocating most of their time to road maintenance activities moving forward. As such, the Shire cannot expect any of its current employees to be utilised in culling activities with a firearm.

The Shire ranger has been undertaking culling on a weekly basis with varied levels of success. The cost of contracting out Corella culling is around \$500-\$1000 per day given contract shooters are travelling to Morawa from Geraldton and other areas. As far as the Shire knows there isn't a contractor in the district with a current 'Fauna Causing Damage' licence issued by the DBCA of WA, any potential contractors would need to have the appropriate training to undertake corella control on behalf of the Shire.

Various other Local Governments have developed Corella Management Plans, with varied levels of success and consistency. Outside of the basic shooting activities undertaken to date there are various options available to further manage corellas such as:

- Baiting and Trapping
- Roost site management – identify and modify
- Community Education
- Larger Shoot Days

The use of any of the corella management techniques comes with a layer of risk and complexity. The Shire's insurers have prepared an extensive guide on culling management including its liability implications. Some of the key considerations being a Shire employed cull coordinator, safe work method statements, control of public, control of bird related disease, and assessing all other hazards. Outside of this the control of the natural environment, baiting, or other techniques would require the input of experts and licences from agencies such as DBCA.

Given the general community sentiment exhibited by the survey was that the Corella populations is a problem, and significant reduction would be the desired outcome, it seems pertinent for the Shire to engage a consultant to undertake a review of the townsite and Corella activity and prepare a Corella Management Plan for 2025-2030. Noting that the State strategy may come into effect during this period.

The consultant should focus on how the Shire can reduce roosting without removing trees, what would be needed to establish a suitable feed and trap site, where culling efforts should be focussed, and what community education is needed to improve results.

Attached to this report is a report from the University of South Australia about the Little Corellas - Little Corellas: social and ecological research for management in South Australia. The report engages six local governments and three south Australian state agencies as well as broad community engagement through workshops and surveys. The report has short, medium, and long term recommendations and provides a good level of background as to the complexities involved with managing pest birds.

In the short term the Shire is limited in its capacity to manage the corella population outside of the basic ranger shooting activities. The Shire does not currently employ a corella culling coordinator or anyone tasked with the monitoring and managing of the corella population, as such any extra attention in this area would require extra skilled resources.

It is proposed that the Shire allocate \$20,000 to corella culling and \$10,000 to the development of a management plan. This level of budget allocation for 2024/2025 is in line with the general community sentiment.

LEVEL OF SIGNIFICANCE

Low – whilst the issue needs to be reviewed, it is unlikely to be a short term solution and as such an immediate resolution isn't significant.

CONSULTATION

Morawa Community

LEGISLATION AND POLICY CONSIDERATIONS

Biodiversity Conservation Act 2016 and Biodiversity Conservation Regulations 2018

Animal Welfare Act 2002

Firearms Act 1973

Strategic Community Plan 2022 - 2032

Take Pride in our Community and an Aesthetically Appealing Townsite

2. Enhance the appearance of homes, gardens, businesses, public buildings, and open spaces.

FINANCIAL AND RESOURCES IMPLICATIONS

The proposal in this report is for a \$30,000 allocation in the 2024/2025 budget towards corella management.

RISK MANAGEMENT CONSIDERATIONS

A number of Work Health and Safety risks exist in relation to the use of firearms or other methods to cull corellas.

This is countered by the risk of not undertaking any culling activities causing damage to infrastructure.

CONCLUSION

The general management of pest birds is not as simple as many people believe and the idea of complete eradication without the overhaul of a number of environmental factors isn't well founded, however it is understandable that many in the community wish to see more done to manage Corella activity in the townsite.

ATTACHMENTS

Attachment 1 - 11.1.3a Scanlon, A., Roetman, P., Stead, M., Gray, S., Lethbridge, M. (2017) Little Corellas: social and ecological research for management in South Australia. Discovery Circle Initiative, University of South Australia, Adelaide.

11.2 Executive Manager Corporate & Community Services

11.2.1 Monthly Financial Report – July 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

That Council receive:

1. the Monthly Financial Report including the Statement of Financial Activity for the period ending 31 July 2024.
2. the Bank Reconciliation Report for period ending 31 July 2024.
3. the attached List of Payments for the period ending 31 July 2024.
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 July 2024.

SIMPLE MAJORITY VOTE REQUIRED

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 July 2024 is as follows:

| Account | Balance |
|-------------------------------------|------------------------|
| Municipal Account | 2,294,639.59 |
| Municipal Online Account | 1,102,229.53 |
| Trust Account | 1,525.11 |
| Reserve Account | 7,068,371.50 |
| Term Deposits (Reserves) | 0.00 |
| Total Cash & Investments | \$10,466,765.73 |
| | |

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 July 2024 to 31 July 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) | 301,145.02 |
| Municipal | Cheques No: | 0 |
| Municipal | Direct Debit Transactions | 87,391.27 |
| Municipal | Bank Transfers / Payroll / Other Payments | 141,694.14 |
| Municipal | Corporate Credit Cards | 4,051.90 |
| Trust | Electronic Funds Transfers (EFT) | 0.00 |
| | TOTAL | \$534,282.33 |

Reimbursement Applications

There have been no reimbursements claimed and 0 leave days taken by the Chief Executive Officer during the month of July 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. No comparisons due to the 2024-25 not yet being adopted.

2. Depreciation does not get processed until after the 2023-24 financials have been audited and the report adopted by council.
3. Term deposits will be placed with a bank shortly as we are going out to market to achieve the best rate possible for Council.

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 July 2024

Attachment 2 – 11.2.1b Bank Reconciliation for the period ending 31 July 2024

Attachment 3 – 11.2.1c List of Accounts Paid for the period ending 31 July 2024

11.2.2 Renewable Energy Facility (Wind Measurement Mast) Development Application

Author: Coordinator Planning & Compliance Services

Authorising Officer: Executive Manager Corporate and Community Services

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

OFFICER'S RECOMMENDATION

That Council approve the development application subject to the following conditions;

1. Development shall be in accordance with the attached approved plan(s) dated 15 August 2024 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
2. This development approval authorises the use of Renewable Energy Facility (Wind Measurement Mast) to continue for a period of 5 years only from the date of this development approval, after which the development approval shall expire and the land use shall not be further carried on and the Wind Measurement Mast is to be dismantled and the materials removed entirely from the property.
3. All stormwater is to be disposed of on-site to the approval of the local government.
4. Any lighting device is to be positioned and shielded as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries.
5. The materials of the Wind Measurement Mast are to be non-reflective and the colour finish is to be unobtrusive as possible in order to minimise the visual impact of the new construction on the immediate surrounding area.
6. The internal access road shall be constructed to a compacted gravel standard and thereafter maintained to the approval of the local government.
7. All mechanical service systems associated with the development are to be designed and installed to prevent emitted noise levels from exceeding the relevant decibel levels as set out in the Environmental Protection (Noise) Regulations 1997 (as amended).
8. Prior to commencement of the development, the proponent is responsible to ensure that a Construction Management Plan is lodged with the local government for its approval and is approved by the local government setting out in detail the management commitments applicable to construction traffic movement, safety, signage, dust management, hours of work and construction program in relation to the approved development during the transportation/construction phase. Once approved, the proponent from time to time is responsible to ensure, that all installations, activities and processes are carried out at all times and in all respects

in accordance with the Construction Management Plan.

9. The removal/clearing of existing remnant vegetation on the property is not permitted, except for the establishment of a fire break or the internal access road, unless otherwise approved in writing by the local government.
10. Only one Wind Measurement Mast is permitted to be constructed as shown on the attached approved location plan.
11. Low intensity steady hazard/warning obstacle lights are required to be installed on the wind measurement mast to assist with its visibility for other users of the airspace.
12. The landowner/proponent at the time shall be responsible to compensate the local government for the repair of (or shall if the local government so agrees repair) any facility existing on the road reserve adjacent to the site which is damaged in the process of construction, establishment or installation of the development/land use.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The applicant is seeking Development Approval for proposed renewable energy facility (wind measurement mast) to conduct climatic monitoring on Lot 8558 Ludlow Road, Pintharuka. The applicant has request that the application be approved subject to a condition limiting the approval term to a period of five (5) years rather than the standard two (2) years, *Attachment 1*.

DETAIL

The proposed met mast is to be located at Lot 8558 Ludlow Road, Pintharuka, a 340.115 ha lot that forms part of an agricultural landholding. The land use is best classified as 'Agriculture-Extensive' under the Shire of Morawa's Local Planning Scheme No. 3 (LPS3).

The proposed met mast falls within the definition of 'Renewable Energy Facility', defined by the Scheme as:

"means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary."

The subject site is zoned 'Rural' under the Shire's Local Planning Scheme No. 3 (LPS3). Pursuant to Table 3 – Zoning Table, the proposal is classified as an 'A' use which

"means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions."

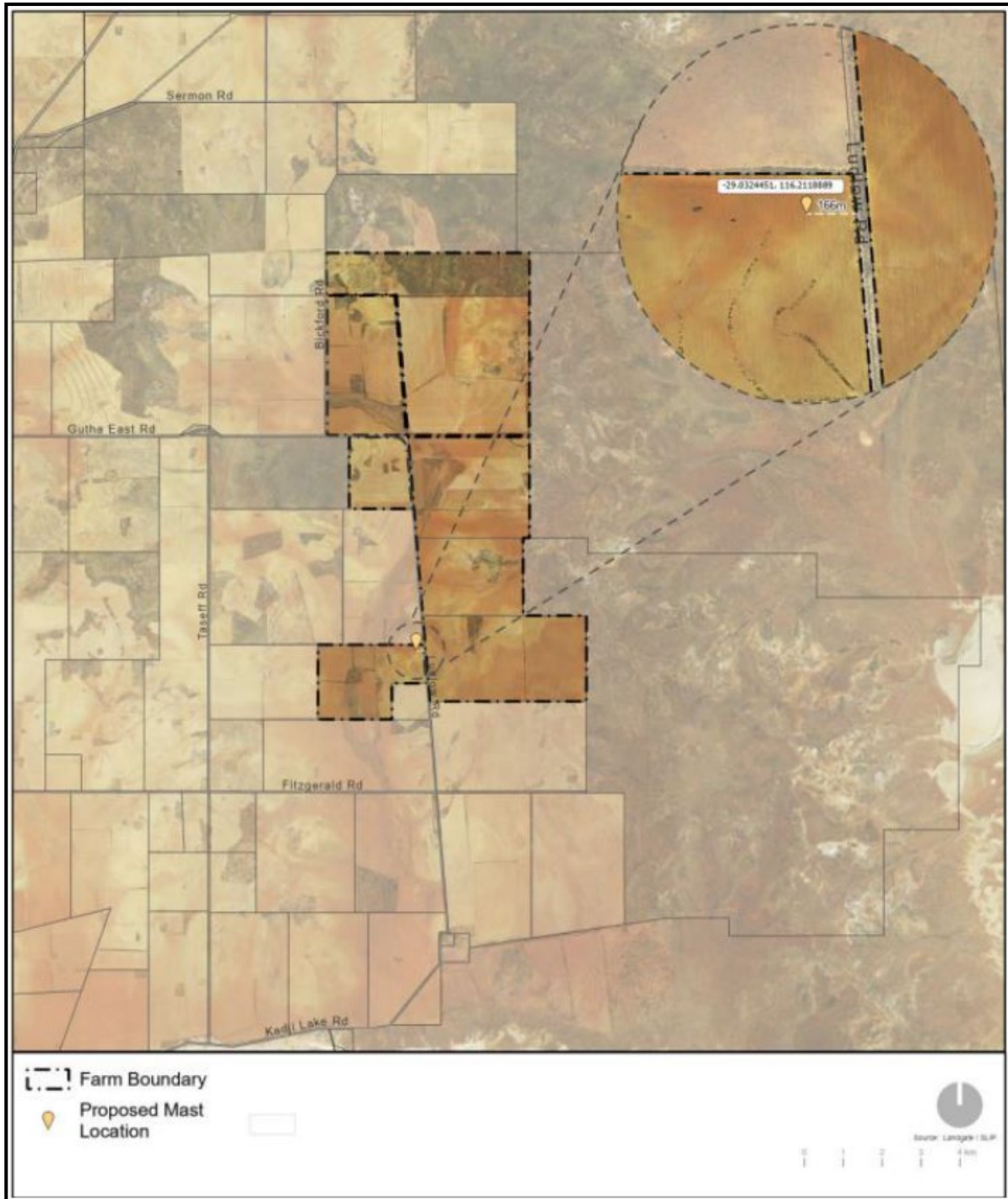


Image: Aerial Site Plan – Element Advisory

The subject site is located approximately 200km southeast of Geraldton, 10km north of the small townsite of Pintharuka, and approximately 35km north east of the larger Morawa townsite.

The subject site shares all its boundaries with a neighbouring property.

The proposed met mast is fundamentally a guyed radio mast structure containing meteorological measuring equipment. The mast is secured by concrete foundations and tethered to the ground by a series of guy anchors. In total, each mast arm contains 13 guy wires with a maximum span of 110m. The area required for the met mast is approximately 0.038km².

The met mast measures weather data independently and following construction subsequent activity on the site should be minimal. The composition of the met mast is made up two main elements; the main mast structure and mast ancillaries which support the measurement of wind data, and are described below:

Met Mast Structure Summary:

- 151m in height above the natural ground level;
- Anchored by three (3) mast arms, oriented north or 0 degrees, south-west or 120 degrees and south-east or 240 degrees;
- Tethered by nine (9) anchor footings (concrete foundations) with a total of 39 guy wires;
- Each guy anchor is secured by fencing measuring 1.83m in height and 2.1m in width;
- Secured by a mast base (concrete foundations);
- The met mast base is secured by fencing measuring 1.83m in height and 2.1m in width, with anti-climbing equipment located directly above;
- The met mast includes one (1) lightning rod; and
- Constructed from various grades of steel.

Mast Ancillaries:

In addition to the main structure, the met mast will include the following equipment:

- 11 anemometers;
- Four (4) wind vanes;
- Seven (7) junction boxes;
- Two (2) aviation lights;
- Two (2) temperature and humidity measuring equipment;
- Two (2) solar panels;
- One (1) Anti-climb equipment;
- One (1) AV1 distribution cabinet;
- Campbell Scientific Data Logger; and
- One (1) pressure sensor.

No protected areas (.e.g. national parks, nature reserve, RAMSAR sites, important wetlands) are located in vicinity of the proposed met mast location. While native vegetation is present in proximity of the proposed met mast, no native vegetation clearing and/or impacts to flora and fauna habitat would occur as all works would be constrained to the previously disturbed cropping area *Attachment 3*.

It is noted that the proposed met mast is located within a designated Bushfire Prone area. Given the nature of the proposed development, it can be classified as infrastructure, and is not a vulnerable land use *Attachment 1*.

Advertising:

The development application has been advertised for a period of 14 days 12 June 2024 to 26 June 2024 as per *clause 64 of the deemed provisions*. A total of one (1) submission was received from the aviation industry *Attachment 2*.

On referral to Airservices Australia they advised of a minimum six (6) week assessment turnaround time. Therefore, the application has been sitting pending after the official advertising period awaiting on their assessment.

LEVEL OF SIGNIFICANCE

High significance

CONSULTATION

CEO

LEGISLATION AND POLICY CONSIDERATIONS

Shire of Morawa Town Planning Scheme No.3

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulation 2015

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 or resource implications in relation to this item.

RISK MANAGEMENT CONSIDERATIONS

The proponent may lodge an application for review to the State Administrative Tribunal if the Council's decision was to refuse the proposal.

CONCLUSION

That Council approve the proposed met mast development application. Note that any future 'wind farm' proposal on Lot 8558 Ludlow Road, Pintharuka would be subject to a separate future application.

ATTACHMENTS

Attachment 1 – 11.2.2a Met Mast Development Application

Attachment 2 – 11.2.2b Advertising Schedule of Submissions

Item 12 Reports from Committees**12.1 July 2024 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

That Council receive:

1. the Minutes of the WALGA State Council Meeting held 10 July 2024.

SIMPLE MAJORITY VOTE REQUIRED

Attachment 1 – 12.1a Minutes of WALGA State Council Meeting, 10 July 2024

12.2 August 2024 Minutes of Morawa Sinosteel Future Fund Committee

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION

That Council receive:

1. the Minutes of the Morawa Sinosteel Future Fund Committee Meeting held 6 August 2024.

SIMPLE MAJORITY VOTE REQUIRED

Attachment 1 – 12.2a Minutes of Morawa Sinosteel Future Fund Committee Meeting, 6 August 2024

Item 13 Motions of Which Previous Notice Has Been Given**Item 14 New Business of an Urgent Nature****Item 15 Matters for Which the Meeting May Be Closed (Confidential Items)****15.1 Matters for Which the Meeting May Be Closed (Confidential Items)**

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION

That Council:

That Council closes the meeting to the public under section 5.23 (2)(a) and (c) 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 Report – Chief Executive Officer Recruitment**
- **15.3 Confidential Report – Morawa Townsite Drainage Project**
- **15.4 Confidential Report – Leasing of an Industrial Business Unit**
- **15.5 Confidential Report – Leasing of Property to Terraform Contracting**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

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

DETAIL

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

- 15.2 Confidential Report – Chief Executive Officer Recruitment
- 15.3 Confidential Report – Morawa Townsite Drainage Project
- 15.4 Confidential Report – Leasing of an Industrial Business Unit
- 15.5 Confidential Report – Leasing of Property to Terraform Contracting

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 Confidential Report – Selection of Chief Executive Officer Recruitment Consultant and Selection Panel Finalisation

This is a Confidential Item.

15.3 Confidential Report – Morawa Townsite Drainage Project

This is a Confidential Item.

15.4 Confidential Report – Leasing of an Industrial Business Unit

This is a Confidential Item.

15.5 Confidential Report – Leasing of Property to Terraform Contracting

This is a Confidential Item.

15.6 Reopening of the Meeting to the Public**OFFICER'S RECOMMENDATION**

That Council reopens the meeting to the public.

SIMPLE MAJORITY VOTE REQUIRED

15.7 Shire President Publicly Confirms Confidential Item Resolutions

The Shire President publicly confirms the Confidential Item Resolutions for:

- 15.2 Confidential Report – Chief Executive Officer Recruitment
- 15.3 Confidential Report – Morawa Townsite Drainage Project
- 15.4 Confidential Report – Leasing of an Industrial Business Unit
- 15.5 Confidential Report – Leasing of Property to Terraform Contracting

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

The date of the next ordinary meeting of Council will be on Thursday, 19 September 2024 commencing at 1:30pm, in the Council Chambers.

16.2 Closure

The President to check with each attendee and confirm that all attendees remained connected and in attendance.

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