



AGENDA

ORDINARY MEETING OF COUNCIL

to be held on

Monday, 14 October 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 to declare the meeting open at 5:30pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

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

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

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

Staff

Chief Executive Officer	Scott Wildgoose
Executive Manager Corporate & Community Services	Jackie Hawkins
Acting EMCCS	Michael Cole

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**

Item 7 Questions from Members without Notice

Item 8 Announcements by Presiding Member without Discussion
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Presiding member took leave during the month of September, Cr Stokes presided over September Ordinary Council Meeting.

President's Meetings for the month of September 2024.

Date	Details of Meeting
3 September 2024	Round table for Band 4 LG. DLGSCI
4 September 2024	WALGA State Council
6 September 2024	National Emergency Management Ministerial Council
9 September 2024	ALGA Board meeting
11 September 2024	WA Women's Hall of Fame
11 September 2024	National Coordination Mechanism Workshop
26 September 2024	ALGA AGM and Board meeting.
27 September 2024	ALGA AGM and Board meeting.
30 September 2024	Shire of Morawa – Meeting with Rate Payer

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

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 19 September 2024 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa’s secure portal to all Councillors on 24 September 2024.

OFFICER’S RECOMMENDATION

That Council confirm that:

1. the Minutes of the Ordinary Council Meeting held 19 September 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 September 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 September 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 September 2024 to 30 September 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 September 2024 to 30 September 2024 ('the period') and are submitted to Council for information.

Bushfire

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
18/09/2024	Approved	Amendment to Prohibited Burning Times and Rural Fire Break Requirements	Shire of Morawa	

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

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
20/9/2024	24/06	Building Permit	AUSTRALIAN RADIO TOWERS	Nil

Other Delegations

Date of decision	Decision Ref.	Decision details	Applicant	Other affected person(s)
19/09/2024	A219	Unfit for Habitation Order	43 Valentine Street Morawa	
19/09/2024	A640	Unfit for Habitation Order	55 Dreghorn Street Morawa	
19/09/2024	A133	Unfit for Habitation Order	44 Grove Street Morawa	
19/09/2024	A316	Unfit for Habitation Order	24 Winfield Street Morawa	
20/09/2024	Approved	Temporary Closure of Burton Road	CBH	

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 Local Government Elections – Review of WALGA Advocacy Positions

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:**

In line with the Info Page and Request for advocacy positions (attachment 1) from Request the WA Local Government Association (WALGA), support the following advocacy positions:

- a. **Participation – Support position 1(a)** The sector continues to support voluntary voting at Local Government elections.
- b. **Terms of Office – Support position 2(a)** The sector continues to support four-year terms with a two-year spill.
- c. **Voting Methods – Support position 3(a)** The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections.
- d. **Internal Elections – Support position 4(a)** The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.
- e. **Voting Accessibility – Support position 5** hold general elections through:
 - (a) Online (Electronic) Voting and/or
 - (b) Postal voting; and/or
 - (c) In person voting
- f. In line with e. above, WALGA must also advocate that all election methods be available to local governments without the stipulation to use the services of the WAEC.
- g. **Method of Election of Mayor / President – Support position 6(b)** Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

For Council to adopt a position to inform WALGA's advocacy position in relation to Local Government Elections.

DETAIL

WALGA recently undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of legislative

reforms to the Local Government electoral process. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost of conducting Local Government elections in Western Australia.

The report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions.

Since 2008, WALGA has surveyed the sector on five occasions and at all times the sector has supported the following:

- first-past-the-post method of counting votes,
- voting at Local Government elections to be voluntary, and
- four-year terms with a two-year spill.

All Local Governments are now being asked to provide a Council decision on WALGA's advocacy positions as they relate to Local Government Elections, to see if the positions are still current.

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Walga's current advocacy position, prior to legislative changes were such that the sector supports:

1. Four year terms with a two year spill
2. Greater participation in Local Government elections
3. The option to hold elections through
 - a. Online voting
 - b. Postal voting, and
 - c. In-person voting
4. Voting at Local Government elections to be voluntary
5. The first past the post method of counting votes
6. Local Governments being enabled to determine the number of Elected Members required on the Council between six and 15 (including the Mayor/President)
7. Local Governments to determine if the Mayor or President is elected by the Council or the community at large
8. Continuation of the property franchise.

Legislative change made significant amendments to items 5, 6, 7, and 8 – with Local Government elections now utilising the preferential voting methodology, Band 1 and 2 Local Governments having to have a publicly elected Mayor or President, and all local government Council sizes being set by legislation with no wards for Band 3 and 4 local governments.

This report looks at the Info Page provided by WALGA on 6 September 2024, attachment 1, which requested Councils to form position on and send feedback in relation to six key areas:

1) Participation

Whilst, somewhat contradictory to WALGAs general advocacy position regarding maximising participation, WALGA currently advocate that voting in local government elections remains voluntary.

Historically, voter turnout in local government elections in Western Australia is poor compared to other jurisdictions. In most local government elections fewer than one-third of eligible electors cast a vote. In the 2017 ordinary elections, approximately 34.2% of eligible electors cast a vote. Participation rates have been relatively unchanged since the introduction of postal voting in the late 1990s. Prior to the availability of postal voting in most local government elections, participation rates averaged just 15%.

It is a requirement of every elector to cast a vote in both State and Federal elections throughout Australia, but this same requirement does not extend to all local government elections. Western Australia, South Australia and Tasmania do not compel people to vote in local government elections. On the other hand, Victoria, New South Wales, Queensland and the Northern Territory do have compulsory voting for local government elections.

Federal elections where voting is compulsory usually attract a 90% voter turnout. Thus if the sector is advocating based solely on participation then compulsory voting would ensure higher voter turn out rates.

However, the operational implications of compulsory voting for the WAEC and local governments could be significant, and the outcome may not be altered. The best possible outcome for a Shire such as Morawa is that well informed and dedicated candidates nominate for a position on Council and well-informed electors, with a keen interest in selecting the best possible candidate for the community, then vote to select the best candidates. There is no clear indicator that says a higher voter turnout leads to a better result, just a more populous decision.

Given the Shire of Morawa has only had one election that has resulted in voting in the last four cycles, it seems unnecessary to move to compulsory voting from a Shire of Morawa perspective, especially from an operational perspective. As such the author recommends Council support the voluntary voting advocacy position, however Council may wish to change this if they believe strongly that large scale participation will lead to better outcomes.

2) Terms of Office

The current legislated position is for a four year term with bi-annual half of Council spills. Other options maybe an annual spill or a all in all out cycle. Annual elections would be cumbersome from an administrative perspective and caretaker periods would constantly impact decision making. All in all out would impact the dynamics of Council generally and would impact strategic planning, especially the Strategic Community Plan that has a major review period every four years.

The current system seems to work well and makes sound strategic sense so it is recommended that the Shire of Morawa support the current advocacy and legislated position.

3) Voting Methods

The first past the post (FPTP) method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences. The Local Government sector opposed the introduction of preferential voting to no avail and subsequently advocated that if 'first past the post' voting is not retained then optional preferential voting is preferred. Optional preferential voting was introduced with a quota/proportional counting methodology that makes the whole process more complicated and creates an opportunity for alliances.

The Shire of Morawa generally runs in house elections, and for simplicity the first past the post method is preferred. This methodology is easier to administer and count which works better for smaller local governments not using the WAEC for the election. The use of preferential voting creates more complication and compliance risks.

Assuming the Minister won't rescind enacted legislative changes, the alternate advocacy position should be that the proportional part of the preferential voting methodology should be removed as outlined in 3(a) of the Info Page.

4) Internal Elections

Again for simplicity, the first past the post method is preferred for internal elections. There seems to be no benefit of using preferential voting for a single office vacancy such as for deputy president.

5) Voting Accessibility

Currently the legislation allows Local Governments to run in person elections or the WA Electoral Commission to run in person or postal elections on behalf of Local Governments.

Given the advancements in technology, it is an advocacy position that electronic voting options be introduced. This is recommended for support by Morawa, as it could potentially lead to efficiencies and cost savings, especially in a small place like Morawa where voter turn out is generally around 100-150 people.

In person and postal election options should also be retained, but it is a strong officer recommendation that WALGA advocate that the WAEC be removed from the legislation such that other organisations are able to quote on the provision of electoral services. The introduction of preferential voting requirements have made it more difficult for Local Governments to run in house elections but the cost of utilising the WAEC is often prohibitive in regional areas. The WAEC often outsource their service to local people who then become temporary WAEC employees, essentially this model may lead to Shire staff performing election functions which subsequently places an administrative burden on the organisation that outsourcing to the WAEC was meant to avoid.

Council and/or the returning officer should be able to utilise the most beneficial, efficient, and cost effective election method to conduct a compliant election with strong voter turnout. Postal elections, and it can be assumed electronic elections will generally attract higher participation levels but by locking local government into using the WAEC it provides an unnecessary barrier to participation. If the issue is a compliance risk, it could just be regulated that a post-election report needs to be submitted to the WAEC for a compliance review as opposed to mandating their election services, especially given they do not have capacity to undertake all local government elections if every local government requested the service.

6) Method of Election of Mayor

The current advocacy position is for Local Governments to choose how they elect their Mayor and/or President. This was changed in recent legislative reform such that Band 1 and Band 2 Local Governments must have popularly elected Mayor/President. The philosophical argument behind the legislative change is that the most popular person in an election should hold the most senior office as they best represent the community.

This change has not affected the Shire of Morawa, but it is recommended that the Shire support WALGA's current advocacy position. The role of the Mayor or President, whilst being a figure head for the media, having a casting vote, and representing the Local Government on various bodies is not necessarily a major influencer of the overall Council direction as decisions are made by way of majority voting. To some extent it could be argued that a well-functioning local government relies on the presiding member having a strong knowledge of legislation, governance, and the capability to chair a meeting to a high standard, none of these things are guaranteed with a popularly elected presiding member. Some local government communities believe strongly in the idea in a popularly elected mayor but in instances where the status quo was working, it may have been more beneficial to run an inhouse election.

As such WALGA's current advocacy position is supported by the author noting it is unlikely that the Government will go back on this legislative change.

LEVEL OF SIGNIFICANCE

Medium significance – The issue being considered is of high importance, but the nature of the report is to inform a sector wide advocacy position which reduces its significance to Morawa unless legislative changes are implemented.

CONSULTATION

NIL

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

FINANCIAL AND RESOURCES IMPLICATIONS

The implications of having an advocacy position are nil.

RISK MANAGEMENT CONSIDERATIONS

There are no known risk management implications in relation to this item.

CONCLUSION

That Council consider the proposed WALGA advocacy position in relation to Local Government Elections.

ATTACHMENTS

Attachment 1 – 11.1.2a WALGA Info Page

Attachment 2 – 11.1.2b Resolution Item 8.1 from State Council Minutes 4 September 2024

Attachment 3 – 11.1.2c Advocacy Positions for a New Local Government Act

11.1.3 Council Policy Review – ELM09 Strategic and Financial Management Framework Policy

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

1. Resolves to adopt the revised ELM09 Strategic and Financial Management Framework Policy.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

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

DETAIL

The Policy Manual is intended as a set of clear overarching directions from Council to the administration to govern the consistent, transparent, and compliant management of Shire operations. The policies and procedures may be changed as circumstances dictate and be amended at any time by Council.

The ELM09 Financial Sustainability Policy has fallen overdue for renewal.

The current ELM09 places a heavy focus on the Long Term Financial Plan (LTFP) and associated ratios. The Shire's current model is to integrate the LTFP and an overarching asset management analysis into a Strategic Resource Plan. This plan has a 15 year time frame and is not intended to be reviewed every year. The current policy has an extract from the Integrated Planning and Reporting Advisory Standard around ratios, this policy content adds no differentiation for Morawa and copying a standard into a policy means it would need updating every time the standard changes, as such this information has been removed. Ratios are not currently part of the legislated requirements of the annual report and are still incorporated into the Strategic Resource Plan for long term sustainability, but ratios alone aren't a perfect measure of sustainability as such ELM09 has been expanded to cover the Shire's strategic and financial practices to deliver practical oversight and sustainability.

The revised version of ELM09 has been renamed - Strategic and Financial Management Framework Policy. The revised framework details how Council expects the Shire to manage strategic and financial deliverables to achieve long term goals. The revised framework covers the seven key elements of the Shire’s strategic and financial management framework, being:

1. Strategic Community Plan
2. Specific Purpose Plans
3. Strategic Resource Plan
4. Corporate Business Plan
5. Annual Budget
6. Monthly Financial Statements
7. Annual Report

For each element the policy defines what the document is and how it works at the Shire of Morawa, as well as what development and review approaches will be taken. The framework also highlights where community engagement can be expected, and how the documents interact to deliver a holistic outcome.

By adjusted ELM09 to have more of a strategic focus it highlights the key role of the Corporate Business Plan, and other documents in contributing towards financial sustainability not placing an over reliance on the LTFP and ratios to manage resources and deliverables.

LEVEL OF SIGNIFICANCE

Medium – regular reviews and updates of Council policies are part of a good governance framework and ensure the organisation remains current with best practice. ELM09 Policy had fallen due for review and this revision represents a closer alignment with the Shire’s current practices.

CONSULTATION

Chief Executive Officer
Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995 Section 5.56(1)
Local Government (Financial Management) Regulations Part 4

Strategic Community Plan 2022 - 2032

Be future focused in all we do:

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

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT CONSIDERATIONS

By highlighting a range of strategic documents and providing clear review timeframes and content requirements, Council is reducing the risk of non-compliance or financial misallocations.

CONCLUSION

It is recommended that Council review and adopt the proposed updated Council Policy.

ATTACHMENTS

Attachment 1 - 11.1.3a Proposed ELM09 Strategic and Financial Management Framework Policy

Attachment 2 - 11.1.3b Current ELM09 Financial Sustainability Policy

11.2 Executive Manager Corporate & Community Services

11.2.1 Monthly Financial Report – September 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 30 September 2024.
2. The Bank Reconciliation Report for period ending 30 September 2024.
3. The attached List of Payments for the period ending 30 September 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 30 September 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 30 September 2024 is as follows:

Account	Balance
Municipal Account	2,551,653.87
Municipal Online Account	1,108,750.13
Trust Account	1,524.68
Reserve Account	7,102,923.21
Term Deposits (Reserves)	0.00
Total Cash & Investments	10,764,851.89

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 September 2024 to 30 September 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)	365,585.37
Municipal	Cheques No:	0
Municipal	Direct Debit Transactions	65,107.18
Municipal	Bank Transfers / Payroll / Other Payments	222,506.51
Municipal	Corporate Credit Cards	6,495.61
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	659,694.67

Reimbursement Applications

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

LEVEL OF SIGNIFICANCE

Low significance - report is presented to Council for information purposes only.

CONSULTATION

Chief Executive Officer

OFFICER'S COMMENTS

1. Depreciation does not get processed until after the 2023-24 financials have been audited and the report adopted by council.

2. Term deposits have been placed and we are now receiving a 5% return.
3. 32.4% of rates have been received as at the end of September.

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 - 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 as at 30 September 2024.

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

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

Item 12 Reports from Committees

12.1 September 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 4 September 2024.

SIMPLE MAJORITY VOTE REQUIRED

Attachment 1 – 12.1a Minutes of WALGA State Council Meeting, 4 September 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 Item - Award of RFQ-02-2425 Morawa Yalgoo Road Upgrade 2024-2025**
- **15.3 Confidential Item - Disposal of Property – 11 Broad Avenue, Morawa**

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 Item - Award of RFQ-02-2425 Morawa Yalgoo Road Upgrade 2024-2025
- 15.3 Confidential Item - Disposal of Property – 11 Broad Avenue, Morawa

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:

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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 Item - Award of RFQ-02-2425 Morawa Yalgoo Road Upgrade
2024-2025**

This is a Confidential Item.

15.3 Confidential Item - Disposal of Property – 11 Broad Avenue, Morawa

This is a Confidential Item.

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

That Council reopens the meeting to the public.

SIMPLE MAJORITY VOTE REQUIRED

15.5 Presiding Member Publicly Confirms Confidential Item Resolutions

The Presiding Member publicly confirms the Confidential Item Resolutions for:

- 15.2 Confidential Item - Award of RFQ-02-2425 Morawa Yalgoo Road Upgrade 2024-2025
- 15.3 Confidential Item - Disposal of Property – 11 Broad Avenue, Morawa

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

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

16.2 Closure

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