



MINUTES

ORDINARY MEETING OF COUNCIL

held on

Monday, 16 December 2024 at 2:30pm

at the

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



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.

Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council Meeting does so at their own risk. The Shire of Morawa advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.

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.”

This page is blank intentionally.

Contents

Item 1	Opening of Meeting	7
Item 2	Acknowledgement of Traditional Owners and Dignitaries	7
Item 3	Recording of Attendance	7
3.1	Attendance	7
3.2	Apologies	7
3.4	Approved Leave of Absence	7
3.5	Disclosure of Interests	7
Item 4	Applications for Leave of Absence	7
Item 5	Response to Previous Questions	7
Item 6	Public Question Time	8
Item 7	Questions from Members without Notice.....	8
Item 8	Announcements by Presiding Member without Discussion	8
Item 9	Declaration by all Members to have given due consideration to All Matters Contained in the Business Paper before the Meeting.....	9
Item 10	Confirmation of Minutes of Previous Meeting.....	10
Item 11	Reports of Officers	11
11.1	Chief Executive Officer	11
11.1.1	Actions Performed under Delegated Authority for November 2024	11
11.1.2	Audit and Risk Report - Annual Report and Annual Financial Statements and Audit Report.....	14
11.1.3	K&S Energy - Restricted Access Vehicle (RAV) 4.3 Networks Permit.....	17
11.1.4	Shire of Morawa Policy Manual Review – Stage 5	21
11.2	Executive Manager Corporate & Community Services	27
11.2.1	Monthly Financial Report – November 2024.....	27
Item 12	Reports from Committees	31
Item 13	Motions of Which Previous Notice Has Been Given.....	31
Item 14	New Business of an Urgent Nature	31
Item 15	Matters for Which the Meeting May Be Closed (Confidential Items)	32
15.1	Matters for Which the Meeting May Be Closed (Confidential Items).....	32
15.2	Confidential Report – Temporary CEO Contract	35
15.3	Confidential Item - Award of RFQ-05-2425 Supply and Delivery of Compact Track Loader	36
15.4	Confidential Item - Award of RFQ-06-2425 Supply and Delivery of Compact Sweeper	37
15.5	Reopening of the Meeting to the Public.....	38
15.6	Presiding Member Publicly Confirms Confidential Item Resolutions	38

Item 16 Closure..... 38

 16.1 Date of Next Meeting 38

 16.2 Closure 38

Item 1 Opening of Meeting

The President declared the meeting open at 2:30pm.

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 – In Person**

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

Council – Electronic Attendance

Deputy President Councillor Ken Stokes

Staff

Chief Executive Officer Temporary

Michael Cole

Members of the Public

Mr Shane Major

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**6.1 Public Question Time**

Nil

6.2 Public Statement Time**Mr Shane Major asked –**

Statement 1 – Mr Major gave a presentation for an event idea and asked “Does the Shire/Council Members support this idea/date?”

The Presiding Member responded that Council couldn’t give approval at this present time and stated that the Temporary CEO Michael Cole would be in contact regarding the event approvals process.

6.3 Petitions/Deputations/Presentations/Submissions

Nil

Mr Shane Major left the meeting at 2:35pm and did not return.

Item 7 Questions from Members without Notice

Nil

Item 8 Announcements by Presiding Member without Discussion

President’s Meetings for the month of November 2024.

Date	Details of Meeting
01 November 2024	Regional Electricity Forum
06 November 2024	WALGA State Council Information Session
11 November 2024	WA Education Awards 2024
12 November 2024	Special Shire of Morawa Council Meeting
12 November 2024	Australian of the Year – Western Australia
13 November 2024	City of Gosnells Luncheon with Governor General of Australia
13 November 2024	Meeting with Minister Beazley – Minister of LG
14 November 2024	Town Teams Movement Event
15 November 2024	National Emergency Management Ministerial Council Meeting
19 November 2024	Vanguard Program Geraldton
20 November 2024	Loyal Government House Trust Meeting
20 November 2024	WALGA Finance and Service Meeting
21 November 2024	Shire of Morawa OCM

22 November 2024	Morawa Citizen of the Year Selection Committee
22 November 2024	Road Safety Minister Meeting
25 November 2024	Northern Country Zone Meeting in Mingenew
26 November 2024	Rural West Meeting
27 November 2024	WALGA Large Scale Renewables Forum
28 November 2024	Showcasing Pixels
29 November 2024	Morawa Audit Exit Meeting
29 November 2024	Ministerial Migration Round Table

8.1 Reply letter regarding Telstra Outages

Attachment 1 – 8.1a Reply letter from Telstra General Manager regarding Telstra outages.

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

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

- President (Presiding Member) Councillor Karen Chappel
- 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 21 November 2024 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 29 November 2024.

OFFICER'S RECOMMENDATION/RESOLUTION**241204****Moved: Cr North****Seconded: Cr Chadwick****That Council confirm that:**

- 1. the Minutes of the Ordinary Council Meeting held 21 November 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 November 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/RESOLUTION**241205****Moved: Cr Clemson****Seconded: Cr Coaker**

That with respect to Actions Performed under Delegated Authority for November 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 November 2024 to 30 November 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 November 2024 to 30 November 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

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
20/11/2024	204875	Building Permit	Shire of Morawa	Nil

Other Delegations

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 Audit and Risk Report - Annual Report and Annual Financial Statements and Audit Report

Author: Chief Executive Officer - Temporary

Authorising Officer: Chief Executive Officer - Temporary

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

AUDIT COMMITTEE RECOMMENDATION/RESOLUTION**241206****Moved: Cr North****Seconded: Cr Stokes****That Council:**

- 1. Adopt the Annual Report for the 2023-2024 financial year inclusive of the Annual Financial Report and Auditor Opinion.**
- 2. Direct the Chief Executive Officer to convene a general meeting of electors for Monday 3 February 2025 at 6:30pm to coincide with the Ordinary Council Meeting on that date.**

CARRIED BY ABSOLUTE MAJORITY 7/0

PURPOSE

The purpose of this report is to present to the Audit and Risk Committee the 2023-2024 Annual Report, Audit Report and Audited Financial Statements with the recommendation for Council adoption and to set the meeting time and date of the annual electors' meeting.

DETAIL

Council has an obligation under the Local Government Act 1995 to prepare an Annual Report which includes audited financial statements. The 2023-2024 audit has been completed by the Office of the Auditor General contractor Nexia. The audit findings and financial statements are presented in the 2023-2024 Annual Report - *Attachment 1*.

As required by the Local Government Act 1995 the Local Government is required to present the report to an Annual Electors Meeting within 56 days of accepting the Annual Report by Council, giving at least 14 days' public notice. The Shire will advertise the meeting and the availability of the 2023-2024 Annual Report on the Shire Website, noticeboards and other local communication channels.

In order to reduce the meeting burden upon Councillors it is proposed that the date for the February council meeting coincide with the electors meeting.

The Annual Report and Audited Financial Statements includes:

- Shire President's Report

- Chief Executive Officer's Report
- Statutory Reports
- Freedom of Information Statement
- Audited Financial Statements
- Audit Report

The reports outline activities undertaken during 2023-2024 together with the financial position of the Shire of Morawa as at 30 June 2024.

The Audit exit meeting was held on 29 November 2024 with Cr Karen Chappel, A/CEO Jackie Hawkins, Suraj Karki from the OAG, Marcia Johnson from Armada. The final reports are now presented to the Audit Risk Committee to review and receive the financial statements as audited.

LEVEL OF SIGNIFICANCE

High – The sequence and timing of acceptance and meetings are prescribed by legislation.

CONSULTATION

Audit and Risk Committee
Chief Executive Officer

LEGISLATION AND POLICY CONSIDERATIONS

The Local Government Act 1995 – Sections 5.53, 5.56 & 5.54
The Local Government (Financial Management) Regulations 1996

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

If Council choose not to accept the Annual Report at this meeting, then the risk of non-compliance may arise if a suitable special meeting date cannot be found prior to 31 December 2024.

CONCLUSION

That the Audit and Risk Committee recommend Council adopt the recommendation as presented and authorise the CEO to undertaking the necessary notice periods as required under the Local Government Act 1995 and associated regulations.

ATTACHMENTS

Attachment 1 – 11.1.2a Shire of Morawa Annual Report 2023-24 including Annual Financial Statements and Audit Report.

11.1.3 K&S Energy - Restricted Access Vehicle (RAV) 4.3 Networks Permit

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**241207****Moved: Cr Coaker****Seconded: Cr Collins****That Council:**

1. With respect to K&S Energy's RAV Permit Application, as the local road asset owner, Council do not support a Restricted Access Vehicle (RAV) 4.3 Tandem Drive Network Permit for combinations up to 27.5 metres to operate in the Shire of Morawa on the following roads, due to the roads being categorised as RAV 4.1 Tandem Drive Network Roads (as determined by Main Roads WA):
 - a. 5110014 - Fallon Road (from the intersection of Munckton Road SLK 10.97 to Koolanooka Springs Road SLK 8.10)
 - b. 5110137- Mungada Road
 - c. 511051 - Koolanooka Springs Road SLK 0.00 to SLK 9.46
2. With respect to K&S Energy's RAV Permit Application, as the local road asset owner, Council approve a Restricted Access Vehicle (RAV) 4.1 Tandem Drive Network Permit for combinations up to 27.5 metres to operate in the Shire of Morawa on the following roads, subject to the following conditions (as determined by Main Roads WA):
 - a. 5110149 - Morawa-Yalgoo Rd (from the intersection of Wubin-Mullewa Road SLK 0.00 to Munckton Rd SLK 3.54)

Conditions:

- i. All operators must carry written support from the road manager acknowledging the operator's use of the road.
 - ii. 10 km/h below posted speed limit
 - iii. Operation is not permitted while the school bus is operating on the road. Operators must contact the relevant schools and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs/pick-ups have been completed on the road.
- b. 5110006 - Munckton Road

No Conditions

- c. **5110014 - Fallon Road (from the intersection of Munckton Road SLK 10.97 to Koolanooka Springs Road SLK 8.10)**

Conditions:

- i. All operators must carry written support from the road manager acknowledging the operator's use of the road.
- ii. Headlights to be switched on at all times
- iii. No operation on unsealed road segment when visibly wet, without road owner's approval.
- iv. Note: Low Volume (LV)
- v. Maximum speed 40 km/h
- vi. When travelling at night, the RAV must travel at a maximum speed of 40km/h and display an amber flashing warning light on the prime mover.
- vii. Direct radio contact must be maintained with other restricted access vehicles to establish their position on or near the road (suggested UHF channel 40).

- d. **5110137- Mungada Road**

Conditions:

- i. All operators must carry written support from the road manager acknowledging the operator's use of the road.
- ii. No operation on unsealed road segment when visibly wet, without road owner's approval.
- iii. Maximum speed 80 km/h

- e. **511051 - Koolanooka Springs Road SLK 0.00 to SLK 9.46**

Conditions:

- i. All operators must carry written support from the road manager acknowledging the operator's use of the road.
- ii. No operation on unsealed road segment when visibly wet, without road owner's approval.
- iii. Maximum speed 80 km/h

3. The approval will be for the period 18 December 2024 to 30 November 2025, subject to;

- a. Shire of Morawa staff reviewing operations and road conditions on a regular basis (minimum of 6 monthly review); and
- b. Subject to the review of operations and road conditions, this approval may be withdrawn by the Shire of Morawa at any time.
- c. That should the applicant seek to continue operations beyond 30 November 2025, it's recommended to reapply for new approval/s prior to the expiry of this permit.
- d. The applicant must seek Main Roads approval for all RAV network permits.

4. Direct the CEO to respond to K&S with the application outcome, noting that should they continue to require RAV 4.3 Tandem Drive Network access for their proposed route, that an application be made to Main Roads WA for further assessment.

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

K&S Energy is seeking approval for a Road Access Vehicle (RAV) 4.3 Tandem Drive Network Permit for the period 18 December 2024 to 30 November 2025 to operate heavy vehicle combinations of up to 27.5 metres on Morawa-Yalgoo Road, Fallon Road, Munckton Road, Mungada Road and Koolanooka Springs Road. Under Main Roads Western Australia (MRWA) RAV networks conditions, there is a need for road users to seek approval road owner approval to travel on roads controlled by the Shire of Morawa.

DETAIL

K&S Energy is seeking the permission to travel on Shire roads to enable efficient servicing of the Blue Hills mine in Rothsay. The proposed route from Perth to the mine traverses 5 Shire of Morawa controlled roads - Morawa-Yalgoo Road, Fallon Road, Munckton Road, Mungada Road and Koolanooka Springs Road.

While Morawa-Yalgoo Road and Munckton Road are designated conditional RAV 4.3 Tandem Drive Network roads, Fallon Road, Mungada Road and Koolanooka Springs Road are only classified as 4.1 Tandem Drive Network roads.

Therefore, it is recommended that Council approve access for the proposed K&S Energy transport route under a 4.1 Tandem Drive Network Permit. Administration further recommends that K&S Energy be advised that should they wish to proceed with seeking a 4.3 Tandem Drive Network Permit for Fallon Road, Mungada Road and Koolanooka Springs Road, that an application be lodged with MRWA.

Main Roads WA 4.1 Tandem Drive Network conditions for the requested roads are as noted in the Officer's Recommendations above.

LEVEL OF SIGNIFICANCE

Low

CONSULTATION

Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995
Road Traffic Act 1972
Road Traffic (Vehicles) Act 2012

Road Traffic (Vehicle Standards) Regulations 2002
Main Roads Act 1930

FINANCIAL AND RESOURCES IMPLICATIONS

There are no known financial and resource implications associated with this Report. Karara Mining Limited (KML) who are the main user of K&S Energy's services, and are the Blue Hills mine owner, pay a contribution towards the maintenance of Mungada Road, Fallon Road and Koolanooka Springs Road.

RISK MANAGEMENT CONSIDERATIONS

Low to Medium. The main risk relates to increase road maintenance costs but on the majority of these roads the contribution received by the mine serviced by the fuel carrier will cover and increased costs. In general, the Shire will also close these roads in heavy rain events.

CONCLUSION

It is recommended that RAV 4 permit approval be granted as requested until 30 November 2024, subject to the Main Roads WA conditions and Shire of Morawa terms as stipulated in Officer Recommendation number 2 above.

ATTACHMENTS

Nil

11.1.4 Shire of Morawa Policy Manual Review – Stage 5

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**241208****Moved: Cr North****Seconded: Cr Clemson**

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 policies, as per *Attachment 1* being:

- **ENG01 Temporary Road Closures**
- **ENG02 Bush Fire Policy**
- **ENG03 Asset Management Policy**
- **ENG04 Road Management Policy**
- **FIN02 Investment Policy**
- **FIN04 Purchasing Policy**
- **FIN05 – Debtors Management – General**
- **FIN06 – Related Party Disclosures**
- **FIN07 – Rating**
- **FIN08 – Disposal of Property (other than land)**
- **FIN09 – Petty Cash**
- **RTED01 - Consumption of Alcohol on Shire of Morawa owned and managed properties**
- **RTED03 – Signage Policy**
- **RTED04 – Morawa Caravan Park**
- **RTED05 – Markets Policy**
- **RTED06 – Morawa Volunteers**
- **RTED07 – Australia Day Citizen of the Year Awards**
- **RTED08 - Dress Code for Citizenship Ceremonies**
- **RTED09 – Morawa Swimming Pool**

2. Resolves to delete existing policy EMP11 Gratuity Payments to Finishing Employees and to adopt new policy EMP11 Payments to Employees in Addition to Contract shown as Attachment 2.

3. Resolves to delete policies FIN01 Significant Accounting Policies and FIN11 – Recognition and Depreciation of Assets as both Council policies are no longer considered necessary.

4. Resolves to advertise the following policies as Draft Local Planning Policies for a period of 21 days in accordance with the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015:

- a) LPB01 – Application for Planning Consent
- b) LPB02 – Dog Kennels/Dog Keeping
- c) LPB03 – Heritage Colours – Solomon Street and Winfield Street
- d) LPB04 – Rural Subdivision
- e) LBP05 – Caravan and Annexes Standards
- f) LPB06 – Shipping Containers Local Planning Policy
- g) LPB07 – Trading in Public Places Policy for Food Vendors

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

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

Several policies within the manual have fallen due for renewal. It was therefore seen as practical and efficient to undertake a review of numerous policies but given resource constraints, the administration has broken the review into stages.

- Stage 1 was completed and adopted at the 20 July 2023 Ordinary Council Meeting.
- Stage 2 was completed and adopted at the December 2023 Ordinary Council Meeting.
- Stage 3 was completed and adopted at the March 2024 Ordinary Council Meeting.
- Stage 4 was completed and adopted at the November 2024 Ordinary Council Meeting

As part of the Stage 4 review, former policy EMP11 Gratuity Payments to Finishing Employees was recommended to be replaced by new EMP11 Payments to Employees in Addition to Contract of Award. The proposed changes seek to recognise employees for their long and continuous service in addition to recognising employees on finishing their employment with the Shire. Unfortunately, the new policy was not included in the resolution or as an attachment in the November OCM and is now included in this report.

In Stage 5 of the review, 28 policies have been reviewed. For the majority of policies no changes are proposed. There a number with minor changes suggested due to minor formatting changes or minor grammatical amendments apart from the following:

1. FIN01 Significant Accounting Policies is recommended for deletion. Material Accounting Policies are included Annual Budget adopted by Council each year and are also included in the Annual Financial Report in accordance with Accounting Standard AASB 108.5. Having a separate Council Policy is not considered necessary.
2. FIN02 Investment Policy is recommended for minor review. In 2017 the Local Government (Financial Management) Regulations 1996 were amended to extend the investment horizon for term deposits from less than 12 months to less than 3 years. It is also recommended the restriction on investments be amended to include:
 - a. The Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986.
 - b. Bonds that are guaranteed by the Commonwealth or a State or Territory and which have a term not exceeding three years.
3. Local Planning Policies

The Council has a number of planning policies. On review, it is recommended these policies become Local Planning Policies.

A Council adopted policy is a policy formally approved and adopted by a local government to guide its actions or operations across a broad range of functions. While these policies are adopted by the local government, they are not legally binding in the same way as a local planning policy or statutory regulations.

Local planning policies are prepared by the Administration and adopted by Council under statutory procedures set out under the Planning and Development (Local Planning Schemes) Regulations 2015. Local Planning Policies are part of the local government's planning framework and are required to be consistent with the local planning scheme (which is a statutory document). While not legally enforceable in the same way as the scheme, they still hold significant weight in planning decision-making. Development proposals that don't comply with the LPP may face delays or rejections unless a valid justification is provided.

The Council has the following planning policies that are recommended to be advertised as draft local planning policies in accordance with the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

- a. LPB01 – Application for Planning Consent
- b. LPB02 – Dog Kennels/Dog Keeping
- c. LPB03 – Heritage Colours – Solomon Street and Winfield Street
- d. LPB04 – Rural Subdivision
- e. LBP05 – Caravan and Annexes Standards
- f. LPB06 – Shipping Containers Local Planning Policy
- g. LPB07 – Trading in Public Places Policy for Food Vendors

It is proposed to advertise each of these as Draft Local Planning Policies for a period of 21 days and report back to Council on any submissions received. Subject to consideration of any feedback received during the consultation period, the draft local planning policies may be amended. Final versions of the local planning policies will then be submitted Council for consideration and adoption.

The table below summarises key review points.

Council Policy	Reason for Review/Change
ENG01 – Temporary Closure of Roads	No changes proposed.
ENG02 – Bush Fire Policy	Minor changes to reflect current status of brigades. Also minor formatting changes.
ENG03 – Asset Management Policy	Minor change to update Strategic Community Plan review in 2022.
ENG04 – Road Management Policy	No changes proposed
FIN01 – Significant Accounting Policy	Recommend deletion of this policy. Material Accounting Policies are incorporated into the Annual Budget adopted by Council each year and the Annual Financial Report. It is not necessary to have a separate Council Policy.
FIN02 – Investment Policy	Minor changes recommended to extend term of investments from less than 12 months to less than 3 years
FIN04 – Purchasing Policy	Minor change to remove reference to Local Supplier Market established by WALGA in response to COVID-19 as this is no longer relevant. Also removing COVID-19 as an exemption to the policy as this is no longer relevant. Minor formatting changes to “Public Tender” are proposed
FIN05 – Debtors Management - General	No changes proposed
FIN06 – Related Party Disclosures	Minor formatting changes proposed.
FIN07 - Rating	Minor amendment to update Minister’s Title.
FIN08 – Disposal of Property (other than land)	No changes proposed
FIN09 – Petty Cash	No changes proposed
FIN11 – Recognition and Depreciation of Assets	Recommend deletion of this policy. The material accounting policies relating to recognition and depreciation of assets are included in the Annual Budget adopted by Council and the Annual Financial Report. The Annual Budget and Annual Financial Report are compiled in accordance with applicable Australian Accounting Standards and the Local Government (Financial Management) Regulations 1996. A

	separate Council policy is not considered necessary.
LPB01 – Application for Planning Consent	Recommend advertising as Draft Local Planning Policy
LPB02 – Dog Kennels/Dog Keeping	Recommend advertising as Draft Local Planning Policy
LPB03 – Heritage Colours – Solomon Street and Winfield Street	Recommend advertising as Draft Local Planning Policy
LPB04 – Rural Subdivision	Recommend advertising as Draft Local Planning Policy
LBP05 – Caravan and Annexes Standards	Recommend advertising as Draft Local Planning Policy
LPB06 – Shipping Containers Local Planning Policy	Recommend advertising as Draft Local Planning Policy
LPB07 – Trading in Public Places Policy for Food Vendors	Recommend advertising as Draft Local Planning Policy
RTED01 - Consumption of Alcohol on Shire of Morawa owned and managed properties	No changes proposed
RTED03 – Signage Policy	Minor changes to wording – City of Greater Geraldton
RTED04 – Morawa Caravan Park	No changes proposed
RTED05 – Markets Policy	No changes proposed
RTED06 – Morawa Volunteers	No changes proposed
RTED07 – Australia Day Citizen of the Year Awards	No changes proposed
RTED08 - Dress Code for Citizenship Ceremonies	No changes proposed
RTED09 – Morawa Swimming Pool	No changes proposed

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.

CONSULTATION

Chief Executive Officer
Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995 – Section 2.7(2))b) the role to determine Council's policies.

2.7 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.

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

Nil

RISK MANAGEMENT CONSIDERATIONS

Policies are aimed at providing an administrative control later which works to reduce risk by controlling actions within certain limits.

CONCLUSION

The fifth stage of the Council Policy review is ready for Council review and adoption. completes all policies due for review in 2025. are ready for Council review and adoption. The next round of review is in progress and will be presented for Council adoption in 2024.

ATTACHMENTS

Attachment 1 – 11.1.4a November 2024 Policies Reviewed Shire of Morawa Policy Manual Stage 5

Attachment 2 – 11.1.4b EMP11 Payments to Employees in Addition to Contract

11.2 Executive Manager Corporate & Community Services

11.2.1 Monthly Financial Report – November 2024

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

241209

Moved: Cr Stokes

Seconded: Cr Coaker

That Council receive:

1. **The Monthly Financial Report including the Statement of Financial Activity for the period ending 30 November 2024.**
2. **The Bank Reconciliation Report for period ending 30 November 2024.**
3. **The attached List of Payments for the period ending 30 November 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 November 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 November 2024 is as follows:

Account	Balance
Municipal Account	3,533,802.31
Municipal Online Account	1,117,895.10
Trust Account	1525.11
Reserve Account	5,050,133.04
Term Deposits (Reserves)	2,100,000.00
Total Cash & Investments	11,803,355.56

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 November 2024 to 30 November 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)	587,393.31
Municipal	Cheques No:	0
Municipal	Direct Debit Transactions	76,759.79
Municipal	Bank Transfers / Payroll / Other Payments	402,092.72
Municipal	Corporate Credit Cards	7,494.77
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	1,073,740.59

Reimbursement Applications

There have been no reimbursements claimed during the month of November 2024.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Chief Executive Officer

OFFICER'S COMMENTS

1. Depreciation has now been processed following the finalisation of the Annual Financial Report for 2023/24 and receipt of the Audit Report.

2. Term deposits have been placed and we are now receiving a 5% return which has interest income trending higher than budgeted.
3. 68.5% of rates have been received as at the end of November.

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

Regulation 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:

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 as at 30 November 2024.

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

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

Nil

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/RESOLUTION****241210****Moved: Cr Chadwick****Seconded: Cr North****That Council:**

That Council closes the meeting to the public under section 5.23 (2)(a), (c) and (e) of the *Local Government Act 1995* and the *Shire of Morawa Meeting Procedures Local Law 2012 s 6.2* so that it can consider the following Items:

- **15.2 Confidential Item - Written Contract for Temporary CEO**
- **15.3 Confidential Item - RFQ-05-2425 Compact Track Loader**
- **15.4 Confidential Item - RFQ-063-2425 Compact Sweeper**

CARRIED BY SIMPLE MAJORITY 7/0**PURPOSE**

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

DETAIL

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

- 15.2 Confidential Item - Written Contract for Temporary CEO
- 15.3 Confidential Item - RFQ-05-2425 Compact Track Loader
- 15.4 Confidential Item - RFQ-063-2425 Compact Sweeper

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:

1. 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 – Temporary CEO Contract

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

241211

Moved: Cr North

Seconded: Cr Collins

That Council:

- 1. Recommendation receives a copy of the Chief Executive Officer contract.**

CARRIED BY SIMPLE MAJORITY 7/0

15.3 Confidential Item - Award of RFQ-05-2425 Supply and Delivery of Compact Track Loader

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**241212****Moved: Cr Stokes****Seconded: Cr Coaker****That Council:**

- 1. Award the RFQ-05-2425 Supply and Delivery of Compact Track Loader contract to Kubota Australia.**
- 2. Authorise the Chief Executive Officer to engage in final pricing fee contract and negotiations and undertake the necessary steps to enter into an agreement with Kubota Australia.**

CARRIED BY ABSOLUTE MAJORITY 7/0

15.4 Confidential Item - Award of RFQ-06-2425 Supply and Delivery of Compact Sweeper

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**241213****Moved: Cr North****Seconded: Cr Coaker****That Council:**

- 1. Award the RFQ-05-2425 Supply and Delivery of Compact Sweeper contract to Rosmech Sales & Service Pty Ltd.**
- 2. Authorise the Chief Executive Officer to engage in final pricing fee contract and negotiations and undertake the necessary steps to enter into an agreement with Rosmech Sales & Service Pty Ltd.**

CARRIED BY ABSOLUTE MAJORITY 7/0

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

241214

Moved: Cr Collins

Seconded: Cr Clemson

That Council reopens the meeting to the public.

CARRIED BY SIMPLE MAJORITY 7/0

15.6 Presiding Member Publicly Confirms Confidential Item Resolutions

The Presiding Member publicly confirms the Confidential Item Resolutions for:

- 15.2 Confidential Item - Written Contract for Temporary CEO
- 15.3 Confidential Item - RFQ-05-2425 Compact Track Loader
- 15.4 Confidential Item - RFQ-063-2425 Compact Sweeper

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

The date of the next ordinary meeting of Council will be on 3 February 2025 commencing at 2.00pm, in the Council Chambers.

16.2 Closure

There being no further business, the Presiding Member declared the meeting closed at 2:49pm.