



MINUTES FOR THE
ORDINARY COUNCIL MEETING
HELD ON THURSDAY
20TH March 2014



MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON Thursday 20th March 2014

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Declaration of Opening

The Shire President to declare that the meeting open at 3.30 pm

1.1 Recording of Those Present

Cr K J Chappel	President
Cr D S Carslake	Deputy President
Cr D B Collins	
Cr D J Coaker	
Cr D S Agar	
Cr M J Thornton	
Cr K P Stokes	
Mr S Fletcher	Chief Executive Officer
Mr D Williams	Deputy Chief Executive Office
Mr P Buist	Principal Works Manager

1.2 Recording of Apologies

Nil

1.3 Recording Leave of Absence Previously Approved

Nil

1.4 Welcoming of Visitors to the Meeting

Nil

1.5 Announcements by the Presiding Member without Discussion

Nil

2 Public Question Time

2.1 Response to previous public questions taken on notice

Nil

2.2 Public question time

Nil

3 Declaration of Interest

Members are to declare financial, proximity and indirect interests.

Nil

4 Confirmation of Minutes of Previous Meeting

4.1 Confirmation of Minutes 20th February – Ordinary Council Meeting

COUNCIL RESOLUTION

Moved: Cr D B Collins

Seconded: Cr M J Thornton

That the Minutes item 4.1 - 20th February – Ordinary Council Meeting be confirmed;

**CARRIED
7/0**

4.2 Confirmation of Minutes 11th March – Special Council Meeting

COUNCIL RESOLUTION

Moved: Cr D S Agar

Seconded: Cr D S Carslake

That the Minutes item 4.2-11th March – Special Council Meeting be confirmed;

**CARRIED
7/0**

5 Public Statements, Petitions, Presentations and Approved Deputations

Nil

6 Method of Dealing with Agenda Business

Nil

7 Reports

7.1 Reports from Committees

Nil

7.2 Reports from the Chief Executive Officer

Date of Meeting:	20 March 2014
Item No:	7.2.1
Subject:	Status Report
Date & Author:	6 March 2014 Sean Fletcher
Responsible Officer:	Chief Executive Officer
Applicant/Proponent:	Chief Executive Officer Sean Fletcher
File Number:	Various
Previous minute/s & Reference:	20 February 2014 (Last Update to Council)

SUMMARY

The Status Report provides an update on the progress of matters that have come before Council where a decision was made.

DECLARATION OF INTEREST

The author has no interest to declare in this report.

ATTACHMENTS

Shire of Morawa March 2014 Status Report.

BACKGROUND INFORMATION

The Status Report provides an update on the progress of matters that have come before Council where a decision was made.

OFFICER'S COMMENT

As per the Status Report

COMMUNITY CONSULTATION

As per the Status Report

COUNCILLOR CONSULTATION

As per the Status Report

STATUTORY ENVIRONMENT

Shire of Morawa Meeting Procedures Local Law 2012 (Standing Orders).

The author stated in the November 2013 Status Report that the Status Report is not listed in the Standing Orders. In the December update to Council, the author advised this report was moved from Section 5 of the Agenda and located within Section 7.2 which is for reports from the Chief Executive Officer as per the Standing Orders. In due course, the Status Report will be moved to the Information Bulletin.

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

Not Applicable

STRATEGIC IMPLICATIONS

Not Applicable

RISK MANAGEMENT

Not Applicable

VOTING REQUIREMENT:

Simple Majority

OFFICER'S RECOMMENDATION

Council accepts the Shire of Morawa March 2014 Status Report submitted by the Chief Executive Officer.

COUNCIL RESOLUTION

Moved: Cr M J Thornton

Seconded: Cr D S Agar

Council accepts the Shire of Morawa March 2014 Status Report submitted by the Chief Executive Officer.

**CARRIED
7/0**

Date of Meeting:	20th March 2014
Item No:	7.2.2.1
Subject:	Accounts Due for Payment
Date & Author:	13/3/2014 Jenny Mutter
Responsible Officer:	Finance Officer
Applicant/Proponent:	
File Number:	ADM 0135
Previous minute/s & Reference:	

SUMMARY

A list of accounts is attached for all payments made for the month of February 2014.

DECLARATION OF INTEREST

Nil

ATTACHMENTS

List of accounts Due & Submitted to council March 2014

BACKGROUND INFORMATION

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996 – REG 13

The local government has delegated to the CEO the exercise of 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 showing for each account paid since the last such list was prepared.

OFFICER'S COMMENT

COMMUNITY CONSULTATION

COUNCILLOR CONSULTATION

STATUTORY ENVIRONMENT

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996 – REG 13

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As per list of accounts

STRATEGIC IMPLICATIONS

RISK MANAGEMENT

VOTING REQUIREMENT:

Simple Majority

OFFICER'S RECOMMENDATION

It is recommended that the list of accounts paid by the Chief Executive Officer under delegated authority, represented by:

- Municipal EFT Payment Numbers EFT5929 to EFT6082 inclusive, amounting to \$386,327.36;
- Municipal Cheque Payments numbered 11061 to 11085 totalling \$64,446.01;
- Municipal Direct Debit Payments Numbers DD3674.1, DD3676.1, DD3678.1, DD3680.1, DD3682.1, DD3684.1& DD3686.1 amounting to \$10,608.32;
- Payroll for February 2014
12/2/2014 - \$51,632.00
26/2/2014 - \$53,240.97

Be endorsed.

COUNCIL RESOLUTION

Moved: Cr K P Stokes

Seconded: Cr D S Carslake

It is recommended that the list of accounts paid by the Chief Executive Officer under delegated authority, represented by:

- **Municipal EFT Payment Numbers EFT5929 to EFT6082 inclusive, amounting to \$386,327.36;**
- **Municipal Cheque Payments numbered 11061 to 11085 totalling \$64,446.01;**
- **Municipal Direct Debit Payments Numbers DD3674.1, DD3676.1, DD3678.1, DD3680.1, DD3682.1, DD3684.1& DD3686.1 amounting to \$10,608.32;**
- **Payroll for February 2014**
12/2/2014 - \$51,632.00
26/2/2014 - \$53,240.97

Be endorsed.

CARRIED

7/0

Meeting Date:	20 March, 2014
Item No	7.2.2.2
Subject:	Reconciliations February 2014
Date & Author:	28/2/14 – Fred Gledhill
Responsible Officer:	Fred Gledhill/Jenny Mutter
Proponent:	Manager Accounting & Finance
File No:	ADM 0189
Voting Requirements:	Simple Majority

SUMMARY

Local Government (Financial Management) Regulation 34 (1) (a) states that a Local Government must prepare financial statements monthly.

DECLARATION OF INTEREST

Nil

ATTACHMENTS

Nil

BACKGROUND INFORMATION

The information provided is obtained from the Bank Reconciliations carried out for the Municipal Bank/Reserves Bank and the Trust Bank to ensure all transactions have been accounted for.

OFFICER'S COMMENT

The Shire of Morawa's financial position is as follows:-

BANK BALANCES

The Bank Balances as at 28 February, 2014:-

- Municipal Account # \$1,128,510.69
- Trust Account \$ 17,924.70
- Business Telenet Saver (Reserve) \$5,362,879.26
- WA Treasury O/Night Facility (Super Towns) \$2,204,919.89

BANK RECONCILIATION BALANCES

The Bank Reconciliation Balances for 28 February, 2014 with a comparison for 28 February, 2013 is as follows:

	2014	2013
Municipal Account #	\$1,128,510.69	\$141,522.25
Trust Account	\$17,924.70	\$18,891.68
Reserve Account	\$7,567,799.15	\$11,116,526.80

RESERVE ACCOUNT

The Reserve Funds of \$7,567,799.15 as at 28 February, 2014 were invested in:-

- Bank of Western Australia \$5,362,879.26 in the Business Telenet Saver Account and
- \$2,204,919.89 with WA Treasury O/Night Facility.

Breakdown for February 2014 with a comparison for February 2013 is as follows:-

	2014	2013
Sports Complex Upgrade Reserve	\$383,080.45	\$868,749.85
Land & Building Reserve	\$4,993.34	\$4,856.80
Plant Reserve	\$623,964.58	\$624,387.93
Leave Reserve	\$130,158.62	\$186,957.99
Economic Development Reserve	\$102,845.15	\$100,033.18
Sewerage Reserve	\$42,557.03	\$489,022.12
Unspent Grants & Contributions Reserve	\$177,882.63	\$221,755.81
Community Development Reserve	\$1,449,206.47	\$2,580,658.91
Water Waste Management Reserve	\$0.00	\$67,455.59
Future Funds Reserve	\$2,096,151.52	\$2,038,836.45
Morawa Community Trust Reserve	\$24,528.70	\$59,953.77
Aged Care Units Reserve	\$8,591.29	\$336,869.54
Transfer Station Reserve	\$318,919.48	\$366,404.93
S/Towns Revitalisation Reserve	\$1,680,572.65	\$2,659,707.44
ST Solar Thermal Power Station Reserve	\$524,347.24	\$510,876.59
Total	\$7,567,799.15	\$11,116,526.80

TRANSFER OF FUNDS

- \$10,000 from Morawa Community Trust Reserve to Municipal Fund on 14 August, 2013 – Tennis Club lights.
- \$800,000 from Community Development Reserve to Municipal Fund on 15 August, 2013 – Sportsground Complex upgrade.
- \$400,000 from SuperTowns Revitalisation Reserve to Municipal Fund on 27th September, 2013- Project Plans and Management for Town Centre.
- \$12,500 from Municipal Fund to Community Development Reserve on 11th October, 2013-Sale of Fines .
- \$118,118.31 from Plan Reserve to Municipal Fund on 19 February, 2014 –PWS ute, works construction crew ute, ISA vehicle, 10 lt diesel fuel tank.
- \$35,532.50 from Unspent Grants Reserve to Municipal Fund on 19 February, 2014 – Last payment from Morawa Community Care.
- \$100,000.00 from Community Development Reserve to Municipal Fund on 19 February, 2014 – Sports complex upgrade final transfer.
- \$76,884.74 from Municipal Fund to Plant Reserve on 7 February, 2014 – Plant depreciation charge 1st and 2nd quarter of budget.

- \$645,000.00 from Super Towns Revitalisation Reserve to Municipal Fund on 27 February, 2014 - further work on Town Revitalisation

STATUTORY ENVIRONMENT

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Section 3 – Finance 3.4.7 Risk Management Controls – Monthly bank reconciliations to be prepared for each account and reported to Council Monthly

FINANCIAL IMPLICATIONS

As presented

STRATEGIC IMPLICATIONS

Nil

RISK MANAGEMENT

As per Policy Section 3 – Finance 3.4.7 Risk Management Controls

OFFICER'S RECOMMENDATION

It is recommended that the bank reconciliation report for 28 February 2014 be received.

COUNCIL RESOLUTION

Moved: Cr K P Stokes

Seconded: Cr D S Carslake

It is recommended that the bank reconciliation report for 28 February 2014 be received.

CARRIED

7/0

Meeting Date:	20th March, 2014
Item No	7.2.2.3
Subject:	Monthly Financial Statements
Date & Author:	12/3/14 – Fred Gledhill
Responsible Officer:	Manager Accounting & Finance
Applicant/Proponent:	
File No:	
Voting Requirements:	Simple Majority

SUMMARY

Local Government (Financial Management) Regulation 34(1)(a) states that a Local Government must prepare financial statements monthly.

DECLARATION OF INTEREST

Nil

ATTACHMENTS

The February Monthly Financial Activity Report/Variance Report and a copy of the schedules pertaining to Councils operations is provided under separate.

BACKGROUND INFORMATION

OFFICER'S COMMENT

Asset Depreciation Costs have now been allocated and are included in the February Financial Activity Statement.

STATUTORY ENVIRONMENT

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996

FINANCIAL IMPLICATIONS

As presented

STRATEGIC IMPLICATIONS

Nil

RISK MANAGEMENT

OFFICER'S RECOMMENDATION

It is recommended that Council receive the Statement of Financial Activity Report and the variance report for February, 2014.

COUNCIL RESOLUTION

Moved: Cr K P Stokes

Seconded: Cr D S Carslake

It is recommended that Council receive the Statement of Financial Activity Report and the variance report for February, 2014.

CARRIED

7/0

7.2.3 Community Youth Development Officer

Nil

7.2.4 Project Officer

Date of Meeting:	20th March 2014
Item No:	7.2.4.1
Subject:	Endorsement of Local Recovery Plan and Recovery Resource Manual
Date & Author:	10 February 2014, Rick Ryan (Regional Community Emergency Management Officer)
Applicant/ Proponent:	Shire of Morawa
File Number:	
Previous Minute/s and Reference:	Shire of Morawa Council Meeting Minutes 21st March 2013

SUMMARY

The purpose of this report is for Council to consider the endorsement of a Local Recovery Plan and associated Recovery Resource Manual for the Shires of Morawa, Mingenew, Perenjori and Three Springs.

DECLARATION OF INTEREST

Author of report, as the Regional Community Emergency Management Officer has prepared the Local Recovery Plan and associated Recovery Resource Manual in conjunction with Mr Tex McPherson, the former Regional Community Emergency Management Officer.

ATTACHMENTS

Attachment 1 – Local Emergency Management Recovery Plan.

Attachment 2 – Recovery Resource Manual.

BACKGROUND INFORMATION

The Local Emergency Management Committee, made up of the Shires of Morawa, Mingenew, Perenjori and Three Springs, has approved the attached Local Emergency Management Recovery Plan and associated Recovery Resource Manual.

The next step is for Council endorsement of the Recovery Plan and associated Recovery Resource Manual. Once endorsed, the plan and manual will go to the DEMC (District Emergency Management Committee) then to the SEMC (State Emergency Management Committee) for endorsement.

OFFICER'S COMMENT

Each Local Government in Western Australia is required to prepare and maintain a Local Emergency Management Recovery Plan and Recovery Resource Manual under the Emergency Management Act 2005.

The plan complies with the current State Emergency Management guidelines and requirements and is to be implemented through the Local Emergency Management Committee.

Following endorsement by the Shires of Morawa, Mingenew, Perenjori and Three Springs, the Local Emergency Management recovery plan will be tabled with the District Emergency Management Committee (DEMC) by the Regional Community Emergency Management Officer.

COMMUNITY CONSULTATION

The Local Area Management Committee has endorsed the Local Emergency Management Recovery Plan. Membership of the Committee includes local community and emergency management members from the Shire of Morawa and surrounding local authorities.

COUNCILLOR CONSULTATION

The Local Emergency Management Recovery Plan and Recovery Resource Manual were provided to Councillors at the Council Briefing Season held on Tuesday, 11 February 2014.

STATUTORY ENVIRONMENT

Emergency Management Act 2005

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Endorsement of the document by the Council would meet legislative requirements and provide a coordinated framework to manage emergencies within the Shire of Morawa and region.

RISK MANAGEMENT

The Shire of Morawa would comply with legislative requirement under *Section 41* of the *Emergency Management Act 2005*.

VOTING REQUIREMENT:

Simple majority.

OFFICER'S RECOMMENDATION

It is recommended:-

That Council endorse the Shires of Morawa, Mingenew, Perenjori and Three Springs Local Recovery Plan and associated Recovery Resource Manual.

COUNCIL RESOLUTION

Moved: Cr K P Stokes

Seconded: Cr M J Thornton

It is recommended:-

That Council endorse the Shires of Morawa, Mingenew, Perenjori and Three Springs Local Recovery Plan and associated Recovery Resource Manual.

CARRIED
7/0

Date of Meeting:	20 March 2014
Item No:	7.2.4.2
Subject:	Morawa Freight Heavy Haulage Road Main Road Acquisition of Portion of Lot 454 Winfield Street Morawa
Date & Author:	10 March 2014, John Elliot (Project Officer)
Applicant/ Proponent:	Shire of Morawa
File Number:	ADM 0592
Previous Minute/s and Reference:	Shire of Morawa Council Meeting March 2013

SUMMARY

The purpose of this report is for Council to authorise a formal agreement between Main Roads Western Australia and the Shire for the purchase/acquisition by Main Roads Western Australia of portion of Lot 454 Winfield Street Morawa for the Morawa Freight Heavy Haulage Road.

DECLARATION OF INTEREST

Author of report has no declaration of interest.

ATTACHMENTS

Attachment 1–Correspondence from Main Roads Western Australia requesting consideration of purchase/acquisition of portion of Lot 454 Winfield Street Morawa
Attachment 2 –Plan Depicting Acquisition Area
Attachment 3 - Main Roads Western Australia Plan Depicting Acquisition Area (1360-095-1).

BACKGROUND INFORMATION

The subject land holdings that the proposed parallel freight alignment road and extensions to Davis Street and Winfield Street will be located on is portion of:

- Reserve 43109 (Shire of Morawa- Control)
- Lot 302 on deposited plan 43387 (Reserve under management order Shire of Morawa)
- Lot 454 on deposited plan 220967 Folio 191(Shire of Morawa- Freehold ownership)
- Railway Reserve 46263 (Public Transport Authority/Brookfield Rail)

The majority of the subject land is either under control or ownership of the Shire of Morawa.

Main Roads Western Australia has agreed to complete the:

- Dedication and proclamation of the freight realignment road as a Main Roads Western Australia vested and controlled public road; and
- Transfer the care and control of Winfield Street from Main Roads Western Australia to the Shire of Morawa by deproclamation.

Lot 454 on deposited plan 220967 Folio 191 is a freehold landholding under the ownership of the Shire of Morawa. The subject land is zoned Railway Reserve under the Shire of Morawa Town Planning Scheme No 2.

Main Roads Western Australia has advised that the completion of a formal S.168 Land Administration Act agreement between Main Roads Western Australia and the Shire for the purchase/acquisition by Main Roads Western Australia of a 4323 m² portion of Lot 454 is the most appropriate way to transfer the portion of the land holding for the road dedication.

OFFICER'S COMMENT

Main Roads Western Australia has written to Councils officers requesting that the land be provided to Main Roads Western Australia at a nominal fee of \$1.00. The subject land is not utilised by the Shire.

Completion of the Section 106 process will allow for the completion of the road dedication process, allowing the SuperTown project to reach a successful completion.

Main Roads Western Australia have advised that the only other way to complete the road dedication process over the portion of Lot 454 would be through a form 1A subdivision process which would involve a longer time period, cost and potentially require the clearance of subdivision conditions.

COMMUNITY CONSULTATION

The Shire of Morawa in collaboration with the project consultants has completed a range of public consultation including public meetings and workshops to gain community and business input. Individual meetings with key landowners potentially impacted by the construction of the new freight realignment road were conducted on the 19th and 20th March 2013. This level of engagement is considered sufficient to alleviate any perceived concerns of inadequate community consultation.

COUNCILLOR CONSULTATION

The Road layout and design was considered and endorsed by Council at the Council Meeting held on March 2013.

STATUTORY ENVIRONMENT

Land Administration Act 1997
The Planning and Development Act 2005
Shire of Morawa Local Planning Scheme No .2
Local Government Act 1995

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Main Roads Western Australia has written to Councils officers requesting that the land be provided to Main Roads Western Australia at a nominal fee of \$1.00.

Main Roads Western Australia Have agreed to fund the cost of advertising and conveyancing for the registration of the taking order.

The Shire of Morawa will fund the cost of the cadastral survey of the Morawa Heavy Freight Road Alignment road. This has been included in the Royalty for Regions Supertown budget for the project.

STRATEGIC IMPLICATIONS

The development and maintenance of the freight realignment road will be required to comply with Main Roads Western Australia policy and procedures.

The proposed road dedication associated with the freight alignment road conforms to the development and planning objectives of the Morawa SuperTown Growth Plan 2012.

RISK MANAGEMENT

Completion of the Section 106 process can run in conjunction with the associated construction of the Heavy Haulage Road project.

VOTING REQUIREMENT:

Simple majority.

OFFICER'S RECOMMENDATION

It is recommended:-

That Council:

1. Authorise a formal S.168 Land Administration Act agreement between Main Roads Western Australia and the Shire of Morawa for the purchase/acquisition by Main Roads Western Australia of portion of Lot 454 Winfield Street Morawa in accordance with plan 1360-095-1;
2. Approve the Main Roads Western Australia acquisition price being \$1.00 for portion of Lot 454 Winfield Street Morawa and the Shire of Morawa agreeing to not lodge a claim for compensation for any further amount as part of the taking process;
3. Agree to Main Roads Western Australia fund the cost of advertising and conveyancing for the registration of the taking order; and
4. Approve the Shire of Morawa funding the cost of the cadastral survey of the Morawa Heavy Freight Road Alignment road.

COUNCIL RESOLUTION

Moved: Cr K P Stokes

Seconded: Cr D S Carslake

It is recommended:-

That Council:

- 1. Authorise a formal S.168 Land Administration Act agreement between Main Roads Western Australia and the Shire of Morawa for the purchase/acquisition by Main Roads Western Australia of portion of Lot 454 Winfield Street Morawa in accordance with plan 1360-095-1;**
- 2. Approve the Main Roads Western Australia acquisition price being \$1.00 for portion of Lot 454 Winfield Street Morawa and the Shire of Morawa agreeing to not lodge a claim for compensation for any further amount as part of the taking process;**
- 3. Agree to Main Roads Western Australia fund the cost of advertising and conveyancing for the registration of the taking order; and**
- 4. Approve the Shire of Morawa funding the cost of the cadastral survey of the Morawa Heavy Freight Road Alignment road.**

**CARRIED
7/0**

7.2.5 Deputy Chief Executive Office

Date of Meeting: 20 March 2014
Item No: 7.2.5.1
Subject: 2013 Compliance Audit Return
Date & Author: 27 February 2014 David Williams

Responsible Officer: David Williams Deputy Chief Executive Officer

Applicant/Proponent: Sean Fletcher Chief Executive Officer

File Number: Adm: 0553

Previous minute/s & Reference: Various

SUMMARY

The Department of Local Government has distributed the 2013 Compliance Audit Return for completion by the Shire of Morawa. The Compliance Audit Return is one of the tools that allow Councils to monitor how the organisation is functioning.

Each local government is to carry out a compliance audit for the period 1 January to 31 December 2013 against the requirements included in the 2013 Compliance Audit Return. On completion of the compliance audit the local government is to complete the Compliance Audit Return.

The Compliance Audit Return is to be:-

1. Presented to Council at a meeting of the Council;
2. Adopted by the Council; and
3. The adoption recorded in the minutes of the meeting at which it is adopted.

DECLARATION OF INTEREST

Nil

ATTACHMENTS

The Compliance Audit Return 2013

BACKGROUND INFORMATION

This year's return places emphasis on the need to bring to Council's attention cases of non-compliance or where full compliance was not achieved. In addition to explaining or qualifying cases of non-compliance, the return also requires Council to endorse any remedial action taken or proposed to be taken in regard to instances of non-compliance.

This year's return has again been prepared by electronic means of Local Government access and submission.

OFFICER'S COMMENT

An audit review has been carried out by the Shire of Morawa Chief Executive Officer as a means of ensuring compliance. A copy of the final completed Compliance Audit Return has been appended to this report.

COMMUNITY CONSULTATION

Nil

COUNCILLOR CONSULTATION

Nil

STATUTORY ENVIRONMENT

The Local Government Act (1995) and accompanying Regulations as detailed in the compliance return 2013

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

RISK MANAGEMENT

Sound internal controls assists business organisations like the Shire of Morawa to minimise events of oversight and shortcomings as identified in the review as undertaken via the attached 2013 Compliance Audit Return

VOTING REQUIREMENT:

Absolute Majority

OFFICER'S RECOMMENDATION

It is recommended:-

Council resolve;

The 2013 Compliance Audit Return be adopted by Council.

COUNCIL RESOLUTION

Moved: Cr M J Thornton

Seconded: Cr D B Collins

It is recommended:-

Council resolve; The 2013 Compliance Audit Return be adopted by Council.

**CARRIED BY ABSOLUTE MAJORITY
7/0**

ITEM 7.2.5.2 was withdrawn at request of the Chief Executive officer until further information regarding a Loan to fund the Morawa Swimming Pool upgrade was available

Date of Meeting:	20 March 2014
Item No:	7.2.5.3
Subject:	Lot 5- Wubin /Mullewa Road Morawa Business Unit No 8 Lease – McIntosh and Son
Date & Author:	27 February 2014 David Williams
Responsible Officer:	David Williams Deputy Chief Executive Officer
Applicant/Proponent:	David Williams
File Number:	Adm: 0569 and Contract file

SUMMARY

The purpose of this report is for Council to consider leasing Lot 5- Wubin /Mullewa Road Morawa Business Unit No 8 to Macintosh and Son for:

1. A period of one year with a 6 month period of free rent and 6 month period at half rent with full rent to be charged thereafter utilising the standard lease agreement terms and conditions for the business units until a further term has been agreed.
2. Provide the option to extend beyond this term utilising the standard lease agreement terms and conditions for the business units.

DECLARATION OF INTEREST

Nil

ATTACHMENTS

Letter from Macintosh and Son Mechanical seeking to lease Morawa Business Unit No 8

Draft Standard lease agreement for the business unit 8

BACKGROUND INFORMATION

The business units were built by the Shire of Morawa in 2010 as an incubator for businesses to come to Morawa and have had a varied number of occupants. Currently there are only two units, unit 4 and unit 8 and the workshop area of unit 2 not being fully occupied by a tenant.

Brookfield Rail was a foundation tenant of the Morawa Business Unit 8 followed by Chiz Co Mechanical who vacated in January 2014.

OFFICER'S COMMENT

The exit of Chiz Co Mechanical and the closing of Riggs Mechanical (now a mobile service) in Winfield Street means there are no longer mechanical services being offered locally in Morawa.

McIntosh & Son representatives approached Council officers mid-January 2014 regarding the possibility of entering into an arrangement with the Shire of Morawa to start up a branch of McIntosh and Son.

McIntosh & Son is a well-known business in the region, has been established since 1955 and currently operates a machinery dealership providing sales, service and parts out of premises in several areas of Western Australia. McIntosh & Son employs approximately 35 staff members and have stated their intention is to have one full time technician, and two apprentices, residing in Morawa.

The business in Morawa will carry out repairs on farm machinery, motor vehicles, light and heavy trucks, with additional services to include air conditioning, tyres and general servicing.

McIntosh & Son are seeking a reduction in start-up rent as an incentive to bring their business to Morawa as part of a standard agreement. The reduction sought is 6 months free rent, with 6 months at half rent and full rent to be charge each month thereafter until a further term has been agreed.

The Shire of Morawa's Policy 11.1 provides the following for new business to locate to Morawa.

11.1 INCENTIVES FOR INVESTMENT

The Morawa Incentives for Investment Program is a key element of the Morawa Shire Council's approach to encouraging business investment and economic development for the district through assisting:

Local businesses looking to expand into new areas;

Businesses relocating into the district;

New enterprises to establish in the district.

The objectives of the Morawa Incentives for Investment program are:

To increase the size of the local population (market);

To assist development of sustainable enterprises and industries;

To increase employment and investment in the Morawa district;

To assist the growth of value adding businesses in the region.

The program is targeted at all levels of business, particularly small to medium sized enterprises.

Types of Assistance given include:

The Morawa Incentives for Investments program provides a range of incentives, primarily focused at local authority fees and charges associated with investment. The primary aim is to

minimise any initial cost impediments that firms face when establishing or expanding their operation.

There original tenants received start up incentives due to power not being available at the units and a reduced rent for an extend period.

Hence the offer by Council of a reduction in start-up rent for the unit can be justified to encourage a business of this nature to relocate to Morawa.

COMMUNITY CONSULTATION

Nil

COUNCILLOR CONSULTATION

Nil

STATUTORY ENVIRONMENT

The Local Government Act 1995 and the Local Government (Financial Management) Regulations

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The lessee is also responsible for all outgoings incurred on site including power, water, rubbish, rates, etc. The lessee is also responsible for all reasonable Shire costs incurred in preparing the lease deed.

STRATEGIC IMPLICATIONS

The Shire of Morawa Strategic Plan – Plan for the Future includes the following adopted strategy:-

“Proactively endeavour to establish new small businesses and service industries in Morawa

RISK MANAGEMENT

The Chiz Co Mechanical vacancies being filled by McIntosh and Son brings the units back up to 75% occupancy rate reducing the risk of the units being seen as not being occupied for the purpose they were built.

VOTING REQUIREMENT:

Simple Majority

OFFICER’S RECOMMENDATION

It is recommended:-

1. Approval is given by the Shire of Morawa to lease Unit 8- Lot 5 Wubin/Mullewa Road for a period of one year which is for a 6 month period of free rent and 6 month period at half rent with full monthly rent of \$1440.00 to be charged thereafter utilising the standard lease agreement terms and conditions for the business units until a further term has been agreed.
2. That there is an option to extend beyond this term included in the lease of two years plus a further two years utilising the standard lease agreement terms and conditions for Unit 8 Lot 5 Wubin/Mullewa Road.
3. The Chief Executive Officer is authorised to sign the lease on behalf of the Shire of Morawa.

COUNCIL RESOLUTION

Moved: Cr K P Stokes

Seconded: Cr D S Agar

It is recommended:-

1. **Approval is given by the Shire of Morawa to lease Unit 8- Lot 5 Wubin/Mullewa Road for a period of one year which is for a 6 month period of free rent and 6 month period at half rent with full monthly rent of \$1440.00 to be charged thereafter utilising the standard lease agreement terms and conditions for the business units until a further term has been agreed.**
2. **That there is an option to extend beyond this term included in the lease of two years plus a further two years utilising the standard lease agreement terms and conditions for Unit 8 Lot 5 Wubin/Mullewa Road.**
3. **The Chief Executive Officer is authorised to sign the lease on behalf of the Shire of Morawa.**

CARRIED

7/0

Date of Meeting:	20 March 2014
Item No:	7.2.5.4
Subject:	Policy and Procedures Manual & Delegations Register Review 2014
Date & Author:	04 March 2014 David Williams
Responsible Officer:	David Williams Deputy Chief Executive Officer
Applicant/Proponent:	David Williams
File Number:	Adm: 0159

SUMMARY

The purpose of this report is for Council to adopt the updated and reviewed 20th March 2014 Shire of Morawa Policy and Procedures Manual & Delegations Register as presented.

DECLARATION OF INTEREST

Nil

ATTACHMENTS

The Shire of Morawa updated and amended Policy and Procedures Manual & Delegations Register

BACKGROUND INFORMATION

It is current Council policy to carry out a review of the Policies and Procedures of the Shire annually. It is a statutory requirement that Shire delegations are also reviewed annually. The Shire of Morawa Policy and Procedures Manual & Delegations Register were last reviewed at the Council Meeting held on 20th March 2013.

OFFICER'S COMMENT

The Shire of Morawa maintains a Policy and Procedures manual and Delegations register with an up-to-date recording of the various policies and delegations of the Council. The Shire Delegations Register reflects those delegations delegated to senior staff to improve on operational efficiencies and organisational effectiveness.

The policies relate to issues of an on-going nature (policy decisions on single issues are not recorded in the manual). The objectives of the Council's Policy and Procedures Manual are:-

- To provide Council with a formal written record of all policy decisions;
- To provide staff with precise guidelines in which to act in accordance with Council's wishes;
- To enable the staff to act promptly in accordance with Council's requirements, but without continual reference to Council;
- To enable Elected Members to adequately handle enquiries from electors without undue reference to the staff or the Council;
- To enable Council to maintain a continual review of Council policy decisions and to ensure they are in keeping with the community expectations, current trends and circumstances;
- To enable ratepayer customers to obtain immediate advice on matters of Council Policy.

The Shire of Morawa Policy and Procedures Manual has been reviewed and updated accordingly. All updates are highlighted for ease of reference.

COMMUNITY CONSULTATION

Nil

COUNCILLOR CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 2.7, 5.42.and 5.44

POLICY IMPLICATIONS

Policy and Procedures Manual & Delegations Register is to be reviewed at least once annually

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Resolving to sign the agreement will continue to meet the objectives for Strategy 4.5.1 of the Strategic Community Plan

RISK MANAGEMENT

Nil

VOTING REQUIREMENT:

Absolute Majority

OFFICER'S RECOMMENDATION

It is recommended:-

Council resolve to adopt the reviewed and updated March 2014 Shire of Morawa Policy and Procedures Manual & Delegations Register as presented.

COUNCIL RESOLUTION

Moved: Cr D J Coaker

Seconded: Cr K P Stokes

It is recommended:-

Council resolve to adopt the reviewed and updated March 2014 Shire of Morawa Policy and Procedures Manual & Delegations Register as presented.

**CARRIED
7/0**

7.2.6 Chief Executive Officer - Other

Date of Meeting:	20 March 2014
Item No:	7.2.6.1
Subject:	Strategic Plan Update and Progress Report
Date & Author:	6 March 2014 Sean Fletcher
Responsible Officer:	Chief Executive Officer
Applicant/Proponent:	Chief Executive Officer Sean Fletcher
File Number:	Various
Previous minute/s & Reference:	20 February 2014 (Last Update to Council)

SUMMARY

The Strategic Plan Update and Progress Report provides an update on the progress of matters under the Integrated Planning and Reporting Process including the:

- Shire of Morawa Strategic Community Plan 2012, and
- Corporate Business Plan.

Other updates are also provided regarding the informing strategies including:

- The Long Term Financial Plan;
- The Asset Management Plan; and
- The Workforce Plan.

DECLARATION OF INTEREST

The author has no interest to declare in this report.

ATTACHMENTS

- 2013/14 Project Summary Report;
- Shire of Morawa March 2014 Strategic Plan Update and Progress Report.

BACKGROUND INFORMATION

The Strategic Plan Update and Progress Report is provided to Council each month for information. The Strategic Community Plan was adopted 21 June 2012.

At this point in time, the Strategic Community Plan has some 109 actions listed:

Objective	Actions	Projects 2013/14	Programs 2013/14	Comment
1. A diverse, resilient and innovative economy	46	9	3	This objective is divided into two sub-objectives with nine key projects and three programs covering 27 of the 46 actions which are due for completion in 2013/14
2. Protect and enhance the natural environment	14	5	0	Five key projects covering 11 strategic actions are required to be completed for 2013/14
3. A community that is friendly, healthy and inclusive	26	5	0	Five key projects covering 17 of the 26 actions are due for completion for 2013/14
4. A connected community with strong leadership	23	3	1	Three key projects and one program area covering 18 actions are due for completion for 2013/14

Table One: Summary of Strategic Actions

Accordingly, the progress of the projects and program areas covering the strategic actions for 2013/14 are tracked within the Corporate Business Plan. This is because:

- This plan has the projects or actions the Shire is required to achieve over a four year period to meet the objectives listed in the Strategic Community Plan;
- This approach will also ensure there is a cross link with the Status Report where Council has made a decision regarding the projects listed in the Corporate Business Plan from time to time; and
- The Corporate Business Plan also acknowledges the key operating costs for each program area and the external stakeholders.

Informing Strategies

Other reports that need consideration in terms of their impact on the Strategic Community Plan include the following informing strategies:

Long Term Financial Plan

The long term financial plan is due for review at the end of March 2014.

Asset Management Plan

To date three of the four key areas have been completed. The final area for completion is that regarding plant and equipment.

Workforce Plan

The Workforce Plan is also monitored by the Department of Local Government and Communities. This requires assessment by staff by the end of March 2014.

Information Communication and Technology (ICT) Plan

Although the ICT is not a formal requirement, the Department of Local Government and Communities highly recommends that such a plan is developed and implemented and provides the appropriate framework for such a plan on its website.

It should be noted that the Shire of Morawa does not have such a plan.

Other Key Informing Strategies

Other key plans that impact on the Strategic Community Plan and the Corporate Business Plan include the Local Planning Scheme and Strategy, the Growth Plan, the

Mid West Investment Plan and the North Midlands Economic Plan (proposed Mid West Blue Print). Generally, links are made back from the Corporate Business Plan to the applicable project within this plan.

Risk Management Framework and Compliance Plan

As per comments made in the February report, the CEO has now attended a briefing on the requirements of the *Local Government (Audit) Regulations – Regulation 17*. The Shire (CEO) by 31 December 2014 will need to have in place:

- A risk management policy;
- A risk management framework including processes, procedures and reporting; and
- A compliance plan

OFFICER'S COMMENT

Strategic Community Plan

Further to the above, the success of the Strategic Community Plan (SCP) is based on the outcomes of the Corporate Business Plan and the key performance measures (KPIs) that will form part of the SCP from March 2014. The key performance measures show the desired trend to be achieved for each objective (Economic, Environment, Social and Governance). The key performance measures are listed in today's report on the additional information required by the Department Of Local Government and Communities for the SCP to meet compliance.

Corporate Business Plan

The Corporate Business Plan Report is provided each month. The author has also developed a summary sheet of the Corporate Business Plan that shows the overall status of the projects and programs. A full copy of the Corporate Business Plan report for March 2014 is also attached.

Accordingly, the progress of the Corporate Business Plan is summarised as follows:

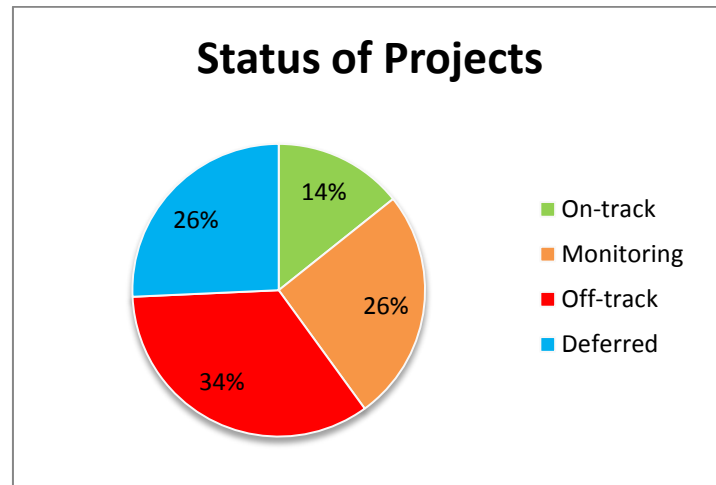


Chart 1: Breakdown on Status of Projects for 2013/14

The key things to note regarding Chart 1 are:

- In terms of overall completion (i.e. the percentage of each project completed divided by the number of projects underway), this is 47%, which is up from 38% in February 2014;
- There are five (14%) projects on track (1, 2, 3, 4 & 32), up from three listed last month. In particular, these encapsulate:
 - The major works for the Sporting Pavilion are completed and the facility is in use (Project 1);

- Approval of funding for the Club Development Officer of \$30,000PA from 2014/15 (Project 2). The project is shared between the Shire's of Morawa, Perenjori and Three Springs;
- With the development of recreational facilities (Project 3), the Skate Park has been completed and the works to the swimming pool are underway including the seeking of a loan as per Council's resolution regarding the 2013/14 Budget Review;
- Although the Morawa Community Aged Units have been completed, Council has resolved the establishment of a management committee to take over and manage the units;
- In terms of the Old Morawa Hospital, Council is in the process of reviewing the engineering report to resolve a way forward regarding this facility.
- There are nine projects deferred due to fiscal constraints and other resourcing issues or because the priority has changed (6, 11, 16, 17, 22, 23, 24, 25 & 28);
- Nine (26%) projects are at the monitoring level (14, 15, 18, 20, 29, 31, 33, 34 & 35) down from 11 projects the previous month. Essentially, the majority of these projects are on track, but show as at the monitoring phase due to funding decisions put on hold or the availability of funding not due until 2014/15. Some of these projects are tracking according to their timelines, but will not show as on track until they achieve 70% completion (14, 18, 20, 31, 33, 34 & 35);
- In total there are 12 projects off track (5, 7, 8, 9, 10, 12, 13, 19, 21, 26, 27 and 30). Issues regarding off track include waiting for funding approval, funding reallocation or have yet to commence.

Key issues overall regarding delays with projects include:

- Staff resourcing in terms of key roles is a constant issue regarding consistency and progressing of goals i.e. the long term vacancy of the CEO position;
- The second key issue has been the constant waiting on the approval of funding or resources for key projects:
 - State Cabinet – continual delays whilst it makes a decision (Project 26 - Town Centre Revitalisation and Freight Road Re-alignment);
 - Scrapping of Commonwealth funding programs e.g. RADF5 (Project 5 - Town Hall project);
 - Changes to Royalties for Regions (CLGF) funding or not meeting acquittal requirements (Includes key funding regarding Project 3 regarding the Morawa Swimming Pool);
 - MWDC requirement to continually review business cases (Projects 15 & 27);
 - Competition regarding the availability of bitumen for major road projects (Project 21 – bitumen has been secured for February/March 2014, so will be on track).
- Thirdly competing re-allocation of resources undermining the strategic focus.

COMMUNITY CONSULTATION

As per the Strategic Plan Update and Progress Report

COUNCILLOR CONSULTATION

As per previous reports to Council and the Information and CEO Briefing Sessions (Forums).

STATUTORY ENVIRONMENT

Local Government (Administration) Regulations 1996 Part 5 Annual Reports and Planning for the Future - Division 3 – Planning for the Future

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

The cost of developing the risk management policy, risk management plan (s) and compliance plan will need to be determined as part of the 2014/14 budget development process.

STRATEGIC IMPLICATIONS

As per the reporting requirements regarding the Strategic Community Plan and the Corporate Business Plan.

RISK MANAGEMENT

Under the Integrated Planning and Reporting Framework, the Shire of Morawa is required to meet the compliance requirements. By putting each of the key requirements in place, the Shire will avoid further scrutiny and action by the Department of Local Government and Communities.

VOTING REQUIREMENT:

Simple Majority

OFFICER'S RECOMMENDATION

Council accepts the Shire of Morawa March 2014 Strategic Plan Update and Progress Report submitted by the Chief Executive Officer.

COUNCIL RESOLUTION

Moved: Cr D J Coaker

Seconded: Cr D S Carslake

Council accepts the Shire of Morawa March 2014 Strategic Plan Update and Progress Report submitted by the Chief Executive Officer.

**CARRIED
7/0**

7.2.6.3 Correspondence

COUNCIL RESOLUTION

Moved: Cr M J Thornton

Seconded: Cr D S Agar

It is recommended that:

Correspondance submitted for Councils information be received

CARRIED

7/0

7.2.6.4 Information Bulletin

COUNCIL RESOLUTION

Moved: Cr D S Agar

Seconded: Cr D S Carslake

It is recommended that:

The Information Bulletin submitted for the 20th March 2014, Ordinary Meeting be received.

CARRIED

7/0

8. New Business of an Urgent Nature

Nil

9. Applications for Leave of Absence

Nil

10. Motions of Which Previous Notice Has Been Given

Nil

11. Questions from Members without Notice

Nil

12. Meeting Closed

12.1 Matters for which the meeting may be closed

12.2 Public reading of resolutions that may be made public

Date of Meeting:	20 March 2014
Item No:	12.1
Subject:	Closure of Meeting to the Public
Date & Author:	14 March 2014 Sean Fletcher
Responsible Officer:	Sean Fletcher Chief Executive Officer
Applicant/Proponent:	Sean Fletcher
File Number:	ADM 0595
Previous minute/s & Reference:	

SUMMARY

This item seeks Council's approval under s5.23 (2) (d) of the *Local Government Act 1995* to move into camera or closed session to consider a matter regarding the North Midlands Solar Thermal Power Project and the SuperTowns' feasibility study funding associated with this project.

DECLARATION OF INTEREST

Nil

ATTACHMENTS

Nil.

BACKGROUND INFORMATION

Nil

OFFICER'S COMMENT

In item 12.1.1 Council needs to consider matters regarding the North Midlands Solar Thermal Power Project.

COMMUNITY CONSULTATION

Nil

COUNCILLOR CONSULTATION

Nil

STATUTORY ENVIRONMENT

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:

- (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;

Shire of Morawa Standing Orders Local Law 2011

6.2 (1) The CEO may recommend that part of the meeting is closed.

6.2 (2) The Council may decide to close a meeting or part of a meeting.

6.2 (3) The presiding member is to direct everyone to leave the meeting except, members, the CEO and any officer specified.

6.2 (5) Clause 8.9 (re speaking twice)

6.2 (7) Unless the Council resolves otherwise, the presiding member is to ensure any resolution of the Council made while the meeting was closed is to be read out including a vote of a member.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

RISK MANAGEMENT

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

Council closes the meeting to the public under section 5.23 (2) (d) of the *Local Government Act 1995* and the *Shire of Morawa Standing Orders Local Law 2011* s 6.2 (2) at _____ PM so that it can consider sensitive matters regarding the North Midlands Solar Thermal Power Project and SuperTowns' feasibility study funding associated with this project.

COUNCIL RESOLUTION

Moved: Cr K P Stokes

Seconded: Cr D B Collins

Council closes the meeting to the public under section 5.23 (2) (d) of the *Local Government Act 1995* and the *Shire of Morawa Standing Orders Local Law 2011* s 6.2 (2) at 4.01 PM so that it can consider sensitive matters regarding the North Midlands Solar Thermal Power Project and SuperTowns' feasibility study funding associated with this project.

CARRIED

7/0

Mr D. Williams Deputy Chief Executive Office and Mr. P Buist Principal Works Manager left the meeting at 4.03pm

Date of Meeting:	20 March 2014
Item No:	12.1.1
Subject:	Proposal to Reallocate Solar Thermal Feasibility Funding (\$500,000)
Date & Author:	12 March 2014 Sean Fletcher
Responsible Officer:	Chief Executive Officer
Applicant/Proponent:	Chief Executive Officer Sean Fletcher
File Number:	ADM 0595
Previous minute/s & Reference:	12 February 2013 – Item 8.2.5, 21 March 2013 – Item 8.2.9

SUMMARY

The purpose of this report is to seek Council's consideration of the status of the North Midlands Solar Thermal Project (NMSTPP) including whether it should be suspended as a project under the Strategic Community Plan 2012 and the Corporate Business Plan 2012-2014 and then whether to re-allocate the \$500,000 feasibility study funding from the SuperTowns' program for Morawa to another priority project such as the upgrading of the Morawa Airport.

DECLARATION OF INTEREST

The author has no interest to declare in this report.

ATTACHMENTS

- Copy of Full Minute: 8.2.9 Morawa Solar Thermal Power Project Provision of Funding;
- Copy of the CRV Non-disclosure Agreement;
- Copy of Legal Advice from CS Legal (which includes the history of the project since 2008).

BACKGROUND INFORMATION

At the ordinary meeting of Council on 21 March 2013, Council considered a report by the then Acting CEO regarding further sourcing and funding towards the cost of a proposed three (3) MegaWatt (MW) North Midlands Solar Thermal Power Project in Morawa prior to the completion of a feasibility study.

In particular, during its deliberations, Council considered the history of the project up to this time and other advice regarding:

- The need for an alternative energy supply due to the reliability of the South West Interconnected System (SWIS) for Morawa at that time;
- An updated proposal from Carbon Reduction Ventures Ltd (CRV) regarding the development of a solar thermal power station at an amended cost of \$24.7M with a contribution of \$9.65M from the Shire;
- The expression of interest to Regional Development Australia regarding key funding for the project;

- The need to sign off on a financial assistance agreement with the Department of Regional Development regarding the feasibility funding of \$500,000 under the SuperTowns banner of funding: and
- Advice regarding the Local Government Act 1995 – Section 3.59, that a local government entering into a major land transaction or commercial activity must develop and advertise state wide a business plan.

Accordingly, Council resolved:

Moved: Cr K P Stokes

Seconded: Cr G R North

1. The Shire of Morawa will consider further sourcing and funding towards the cost of a proposed three (3) Megawatt (MW) Solar Thermal Power Project in Morawa after:
 - a. completion of The Department of Regional Development and Lands funded feasibility study;
 - b. obtaining legal advice;
 - c. conducting due diligence to the satisfaction of the Shire of Morawa;
 - d. compliance with s 3.59 of the Local Government Act 1995, and regs 7 to 10 of the Local Government (Functions and General) Regulations 1996; and
 - e. agreements being reached between the Shire of Morawa and the participants in the project about the appropriate legal structure, whether Special Purpose Proprietary Company or otherwise, for the project.

CARRIED 6/0

On 4 April, Mr Paul Rosair the Director General with Regional Development and Lands signed a variation to the Shire of Morawa financial assistance agreement (FAA) regarding the feasibility study funding including the following:

- Recognising that the technology concerned remains untested and that the study is to be conducted in conjunction with Western Power with input from the Department of Regional Development and Lands and the Public Utilities Office;
- The project is to investigate the potential of graphite block solar thermal and storage technology to improve the reliability of power supplies in Morawa. This included the need for Western power to assess the additional investment required to smart grid systems and the development of suitable network support.

On 5 April 2013, a formal team meeting attended by the Project Officer was held at the Department of Regional Development and lands regarding the NMSTPP. A number of informal meetings followed that afternoon with a number of consulting firms including Energy Made Clean, Balance Unity Solutions and Logic Energy.

In progressing Council's resolution, the then Acting CEO Mr Lindsay Delahaunty tried to progress the development of the feasibility study. However, in the first instance, Mr Coltrona of CRV on 8 April 2013 responded by email to the Project Officer's earlier advice that the Shire would be entering into a tender process regarding the conducting of the feasibility study. In particular, Mr Coltrona made reference to the CRV non-disclosure agreement and the confidentiality provisions.

Mr Coltrona then followed up in another email to Mr Delahaunty on 29 April 2013 that his company was best placed to not only coordinate the feasibility study, but also give best value for money as it was already up to speed regarding all elements of the project.

In response to the email, it would appear that Mr Delahaunty contacted Mr Coltrona to discuss the project. Mr Coltrona responded immediately in an email stating that “should the Shire need to go to an open tender process, we cannot allow any information relating to our project or the technology used in it, to be disclosed to any third party without our consent as we have confidentiality obligations to other parties”. Mr Coltrona also included an excerpt from the SuperTowns announcement regarding the approval of the feasibility study funding and a copy of an email to the Shire President on 31 January 2013 outlining a way forward to commence project feasibility studies.

Further to this advice on the same day, Mr Coltrona advised Mr Delahaunty of an email he received on significant steps in the establishment and operations of the Clean Energy Finance Corporation. The purpose of this organisation is to accelerate Australia’s transformation towards a more competitive economy in a carbon constrained world, including projects funded for more than \$20M.

In a follow-up email to Mr Coltrona on 21 May 2013, Mr Delahaunty advised that the Shire was working with other stakeholders (Western Power, the Public Utilities Office and the Department of Regional Development and Lands) to develop a brief regarding the tender process for the feasibility study. In particular, Mr Delahaunty stressed the importance of the feasibility study being carried out independent of energy suppliers to ensure all governance and probity requirements were fulfilled. Mr Coltrona would be kept informed of the Shire’s progress in this matter.

Mr Coltrona subsequently responded in an email to Mr Delahaunty (with copies to councillors) on 6 June 2013, that CRV as project developers on behalf of the North Midlands Solar Thermal Power Project (NMSTPP), Morawa Solar Thermal Pty LTD (MST) felt it was prudent to highlight the following to the Shire of Morawa:

1. Reference to the NMSTPP in any tender documentation to third parties, without authorisation from the Project owner, may be considered misleading as a contract exists between the WA Government and MST for a project of this name, and no formal association between the Shire’s feasibility studies and MST currently exists.
2. Confidentiality obligations agreed to by the Shire of Morawa via a Non-Disclosure Agreement (NDA) applicable to the NMSTPP, were executed between CRV and the Shire of Morawa (signed by Gavin Treasure as then CEO) in 2012 – NDA attached for your information.
3. CRV do not intend to be difficult, and indeed are supportive of the process of completing a feasibility study for a fringe of grid solar thermal power generating facility, but due to our own confidentiality commitments to other parties and the terms of the signed NDA, we will require the Shire of Morawa to ensure all technical, commercial and any other material or Intellectual Property related to the NMSTPP is authorised by CRV for release, in advance of disclosure to any other recipient or third party.

A copy of the non-disclosure agreement is attached.

The Shire President, Acting CEO and Deputy CEO then met with the Acting Director of the Department of Regional Development and the Projects Manager on 1 July 2013 to clarify commitments made, and direction taken, of the Solar Thermal Power Project and to confirm action being taken as it proceeds to tender for an independent feasibility study.

The Department were sympathetic with concerns expressed by the delegation and undertook to research commitments made to the project and advise the Shire on how the Department viewed appropriate steps to be taken to honour the commitments. The Department asked that the Shire seeks information from Western Power on the current status of the power supplies to Morawa and details of any improvements which may have had a positive impact on the reliability of power to the Town.

Later that day, the group met with the Shire's solicitors: CS Legal to seek advice regarding the Shire's role in the project and request an examination of documents by the solicitors to clarify that role, and comment on what liability the Shire may inherit pertaining to its ongoing role in the project.

A copy of the Shire's file on the project was then forwarded to CS Legal for examination and comment.

On the 24 September 2013, the Shire President received a letter from the CEO of the Mid West Development Commission (MWDC) offering to take over the NMSTPP from the Shire of Morawa and manage the same as a State Government initiative. However, the offer was subject to the Shire of Morawa transferring the \$500,000 feasibility study funding allocation to the MWDC.

The Acting CEO (Mr Hartman) responded by email to Mr Treasure on 26 September 2013, that the Shire is awaiting legal advice and was not in a position to consider the offer. Mr Treasure by return email that the MWDC will await the Shire's further consideration on the matter.

On 14 November 2013, CS Legal subsequently presented to the Deputy CEO its legal advice on the status of the Solar Thermal Power Station Project and the Shire's obligations moving forward. This advice was then forwarded to the CEO for his consideration. The author subsequently provided a copy of this advice to the Shire President on 15 November 2013 (Council received a briefing of the advice by the Deputy CEO at the Council briefing session on 19 December 2013).

In short, CS Legal advised that:

- Other than the non-disclosure agreement, there is no enforceable contract between the Shire and CRV in relation to the solar thermal project;
- CRV do not appear to have any real or arguable causes of action, against the Shire, if the Shire elected to withdraw from the solar thermal project; and
- No partnership has arisen between the Shire and CRV.

CS Legal also advised that the handing over of the legal advice to the Department of Regional Development would mean that such advice was now discoverable.

The Shire President and the author subsequently met with Gavin Treasure (CEO Mid West Development Commission) on 9 December 2013 and advised him that Council had developed the view that the \$500,000 solar thermal feasibility funding would be better spent on another project i.e. the Morawa Airport Development Project. Mr Treasure advised that as this was SuperTowns' funding that the Shire would need to speak to the Department of Regional Development regarding the re-allocation of the \$500,000.

At the Council briefing session on 19 December 2013, it was suggested that it would be appropriate for the Shire President and CEO to meet with Mr Rosair the Director General of Regional Development and seek the re-allocation of the funding to a suitable project.

The Shire President and CEO then met with Mr Paul Rosair the head of the Department of Regional Development and Linda Leonard on 17 February 2014. At the meeting, the President advised that there was a need, in line with the meeting with Regional Development and Lands on 1 July 2013, to move away from the NMSTPP and reallocate the \$500,000 feasibility study funding to another project such as the Upgrading of the Morawa Airport. Ms Leonard asked if the Shire had addressed its obligations that came out of this meeting, to which the President said it had including

the seeking of legal advice regarding whether CRV had a claim on the Shire should it change direction regarding the NMSTPP. Mr Rosair then responded that he wanted to see clearly in a letter from the Shire:

- The priority of the Upgrading of the Morawa Airport including status of the project within key documents e.g. the North Midlands Economic Development Strategy and whether the Department of Transport Aviation Strategy (Draft WA State Aviation Strategy) appropriate in this instance;
- How the Morawa Airport Redevelopment Project will support the community e.g. meeting RFDS requirements, improving safety regarding bush fire management through being suitable for water bombers etc and the potential for use by other stakeholders including the mining industry; and
- A copy of the legal advice from CS Legal.

The letter must also include the Council resolution requesting the change in use of the \$500,000 feasibility study funding.

In a subsequent discussion on 28 February 2014 with Trevor Price of the MWDC regarding an update on the status of the Shire's SuperTown projects, the author advised the outcomes of the meeting with Mr Rosair and that Council was in the process of considering further what to do with the \$500,000 feasibility study finding.

OFFICER'S COMMENT

It is the author's view, and in conjunction with Council's growing concerns over time regarding the changing nature of the solar thermal project (the scope of the project i.e. from 1.5MW to 3MW and the increase in its' funding parameters) that there is no obligation on the Shire regarding CRV. Further to this, the author believes that the NMSTPP never got started due to funding problems and that the goal posts kept moving with the project. The level of investment required also increased significantly.

Accordingly, as a minimum, it would be prudent to "park" or suspend the NMSTPP as a whole and reallocate the \$500,000 feasibility funding to a more immediate project.

In this case, the author has concluded that the funding should be allocated to the upgrading of the Morawa Airport. This is for a number of reasons:

- The feasibility funding of \$500,000 would add a substantial financial mass to the allocation of \$900,000 that already exists under the Mid West Investment Plan and thus reduce the level of funding required from other sources including key stakeholders (e.g. Karara Mining Limited);
- Under the Corporate Business Plan, the upgrading of the airport priority is a high priority. The NMSTPP is listed as a medium priority. However, under the Growth and Implementation Plan, both projects have similar weightings, but the solar thermal project is listed as number 4 out of the 5 top priorities. Under the North Midlands Economic Development Strategy, the upgrading of the airport would appear to have greater significance;
- Further, the upgrading of the airport will mean that it can:
 - Accommodate all of the access requirements regarding the Royal Flying Doctor Service;
 - Serve as an alternate landing site for the mining industry in the area. The Shire President and CEO had met previously with Karara Mining Ltd representatives on 9 January 2014 who confirmed that although it did not

have plans to use the Morawa Airport permanently, Karara would still need access to it from time to time and also in cases of an emergency. (Note: Karara did say that in three years time, if the same problems did occur with its airstrip, it would weigh up its options re the possible ongoing use of the Morawa Airport);

- Allow access to water bombers and other aircraft involved in the fighting of bushfires;
- Other uses including increased recreational flying, the possibility of recreational flight training, “airpark” type accommodation and even form part of the Shire’s heritage;
- The NMSTPP to date has put stress on the governance and probity requirements that Council cannot ignore when it comes to ensuring the integrity of key processes including those regarding tenders and even other decision making.

In addition to the above, it would appear that the reliability of the power supply to Morawa itself has improved due to the pole upgrades that have occurred. In the main this is due to a different type of power line insulator on the pole that has a much sharper angle on it that limits the amount of dust that builds up and is also easier to dislodge when there is rain. The only consideration that remains on this issue is whether such changes are sufficient to address future demand as the community grows in accordance with expectations listed in the Morawa Growth and Implementation Plan (page 11). In this instance, the Town overhead lines have been upgraded to accommodate the future needs. Also, transformers have been installed on the residential sub-division (Stage 1) on White Ave to meet future demands and stages 2, 3 and 4. Transformers have also been installed at the Sports Oval to cater for future demand as well.

With regard to the Draft Western Australian State Aviation Strategy, the current proposals include the Government taking steps to:

- Directly engage with Perth Airport and major regional airports in relation to forecasts of aviation activity, particularly in relation to master planning;
- Assist in the timely development of infrastructure at Perth airport including a new parallel runway (“the third runway”);
- Improve infrastructure planning and development at local government owned regional airports;
- Encourage private sector investment in, and management of, regional airports to improve their effectiveness and efficiency;
- Foster the development of tourism through improved aviation services; and
- Encourage competition on intrastate air routes and seek to reduce the high cost of intrastate airfares.

As such, the completion of the strategy is due for completion shortly. A key part of the process was the review of the Regional Airports Development Scheme (RADS). As such the RADS priority will now be given to aviation related infrastructure that provides clearly defined community benefits and where the project is not capable of being funded through other means.

The author is satisfied that at this point in time, sufficient due diligence has been conducted on the merits of the NMSTPP. With the “parking” or suspension of the solar thermal project, the matters regarding the need to develop a business case and agreements between the Shire of Morawa and the participants in the project about the

appropriate legal structure, whether Special Purpose Proprietary Company or otherwise, for the project are no longer required at this point in time, if at all.

COMMUNITY CONSULTATION

Nil

COUNCILLOR CONSULTATION

As per the background information in this Report.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 5.56 – Planning for the Future

Local Government (Administration) Regulations 1996

Division 3 – Planning for the Future

Although under the SuperTowns’ process the Growth and Implementation Plans sit alongside or intersect the Strategic Community Plans, under the Integrated Planning and Reporting Process legislated for local government, the Strategic Community Plans and the Corporate Business plans are the key (or paramount) documents. The Growth and Implementation Plan and other such documents would be informing strategies.

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

Upgrading of Morawa Airport

The works identified regarding the upgrading of the Morawa Airport include:

- Sealing of the runway and apron;
- Lighting;
- Improving the “terminal” building; and
- Other works (e.g. airpark, water bomber suitability, museum) subject to the completion of the Airport Master Plan.

The expected costs of these works (excluding the other works component) are between \$1.8M and \$2.4M based on advice received from Greenfield Technical Services and Airport Management Services.

Funding opportunities include:

MWIP:	\$ 900,000
SuperTowns’ Reallocaton:	\$ 500,000
Regional Airport Development Scheme (up to):	\$1,200,000 (50/50 basis)

Note: The above shows that it is possible to achieve the upgrading of the Morawa Airport with the re-allocation of the solar thermal project feasibility funding.

The ongoing cost would be subject to the requirements of the Shire’s Asset Management Plan in terms of whole of life costs and affordability.

Solar Thermal Project

It is doubtful that the Shire would achieve the necessary financial mass or capacity to attract funding of \$9.65M required by CRV that is ultimately greater in scope than first proposed by CRV and would be in the order of \$24.7M.

To date this project has \$3.775M allocated to it by the State Government.

Holding of Funding

The feasibility funding of \$500,000 is held by State Treasury. Interest earned so far is \$10,876. No expenditure for the project is shown as occurring for the 2013/14 financial year.

STRATEGIC IMPLICATIONS

The Shire of Morawa Strategic Community Plan (SCP)

Under the SCP, the outcomes regarding both the NMSTPP and the airport are:

- 1.2.4 Implement Morawa SuperTown Growth and Implementation Program.
- 1.2.5 and 1.5.2 Undertake and implement the North Midlands Sub-regional Economic Development Strategy.
- 1.3.1 Partner with private industry to deliver the North Midlands Solar Thermal Power Project.
- 1.10.1 Secure Funding to seal the Morawa airport.
- 1.10.2 Continue to maintain the airport strips and comply with CASA regulations

Corporate Business Plan

The Corporate Business Plan or the means by which to roll out the SCP on pages 8 and 9 lists the upgrading of the Morawa Airport as a high priority project for Morawa. The NMSTPP or solar thermal project is listed as a medium priority.

The relevant project number is: 20 – Upgrade Morawa Airport.

Mid West Investment Plan

Under this plan, key funding is provided for the North Midlands regarding key impacts such as mining and renewable energy projects which provide economic diversity and smooth out electricity supply reliability.

The flagship projects are:

- Regional Airports (Key Infrastructure & Services). Notional funding of \$900,000 is set aside under the MWIP for the upgrading of the Morawa Airport;
- Morawa Solar Thermal Project (Energy).

North Midlands Economic Development Strategy (Economic Blue Print)

This strategy outlines a set of interventions or road map in a fast changing economic environment and will be a platform to attract investment and increase the profile of the North midlands region. Its purpose is to build economic buffers into the North Midlands economy through economic diversification regarding mining and broad acre farming.

Of the six intervention principles, the importance of airports features in two:

- 5.1 Support Local Enterprises to Secure Resource Projects as Key Customers for New or expanding business e.g. cater for the growing mining workforce that is FIFO; and
- 5.4 A Coordinated Approach to North Midlands Strategic Infrastructure Investment e.g. management of airport infrastructure. FIFO workforce requirements dictate that many projects need a substantial airstrip to effectively manage these issues. A Key action listed regarding this requirement is the upgrading of the Morawa Airport.

The above is further reinforced in the section regarding Morawa itself including comments relating to key future potential activities and undertakings.

In comparison, the NMSTPP is listed as a key initiative for Morawa and solar projects are listed for Perenjori, but does not refer to this in other parts of the strategy other than a comment on renewable energy.

Morawa SuperTown Growth and Implementation Plan

Under this plan, it refers to the MWIP and the flagship projects including the upgrade of the Morawa and Perenjori airports at an estimated cost of \$5M. The Morawa Solar Thermal Project has an estimated cost of \$21.5M.

It should be noted that under this plan:

B4 – Provide an integrated, safe and intermodal transport framework which includes the upgrading the airport to certified status has a total weighted score of 36.55.

E1 – Maximise use of renewable energy includes the solar thermal project with a total weighted score of 37.05. It should also be noted:

- In terms of the top five projects, the Solar Thermal project was number 4.
- Under the place matching process, the reliability of power supplies was the second highest priority.

RISK MANAGEMENT

As a result of CS Legal’s advice, the Shire’s risk regarding the obligations to CRV regarding the NMSTPP has been reduced from high to low.

In the case of the Morawa Airport, the risk of seeking an appropriate level of funding and funding sources will reduce with the reallocation of the \$500,000 feasibility funding to this project.

The rejection of the request to the Department of Regional Development to reallocate the SuperTowns’ funding from the solar thermal project feasibility study to the upgrading of the Morawa Airport is medium. However, the demonstration by Council in its decision making based on previous discussions by the President and CEO with key parties and the contents of this report will reduce the risk to low.

VOTING REQUIREMENT:

Simple Majority

OFFICER’S RECOMMENDATION

1. Council suspends the North Midlands Solar Thermal Power Project (NMSTPP) as a project under the Shire of Morawa Strategic Community Plan 2012 and Corporate Business Plan 2012 - 2014 as it is a medium priority and fails the necessary levels of probity and robustness required of the Shire of Morawa at this point in time. This also means that the Chief Executive Officer is no longer required to:
 - a. Develop a business case regarding the NMSTPP.
 - b. Develop an agreement between the participants in the NMSTPP about the appropriate legal structure.
2. In accordance with the outcome required in Point 1, Council requires the SuperTowns' funding of \$500,000 awarded to the Shire of Morawa for the North Midlands Solar Thermal Feasibility Study (and any interest earned) to be reallocated to the upgrading of the Morawa Airport in accordance with the Corporate Business Plan 2012-2016 - Project 20, which is a high priority project.
3. Council authorises the Chief Executive Officer to:
 - a. Write to the Director General of the Department of Regional Development requesting the reallocation of the SuperTowns' funding of \$500,000 from the North Midlands Morawa Solar Feasibility Project to the Upgrade of the Morawa Airport Project including the justification for doing so:
 - i. The upgrade of the Morawa Airport is a high priority project under the Corporate Business Plan 2012 – 2014 and other key plans for the economic development of the Mid West Region;
 - ii. The level of aviation infrastructure required will provide clearly defined community benefits to Morawa and others in the region (e.g. better access to the RFDS, water access point for water bombers)
 - iii. There are concerns regarding the probity and robustness of the NMSTPP; and
 - iv. The reliability of supply to Morawa has improved due to the recent pole upgrades undertaken by Western Power.
 - b. Release to the Director General of the Department of Regional Development the Shire's legal advice provided by CS Legal dated 14 November 2014 regarding Solar Thermal Project Advice.

COUNCIL RESOLUTION

Moved Cr D S Agar

Seconded: Cr K P Stokes

1. Council suspends the North Midlands Solar Thermal Power Project (NMSTPP) as a project under the Shire of Morawa Strategic Community Plan 2012 and Corporate Business Plan 2012 - 2014 as it is a medium priority and fails the necessary levels of probity and robustness required of the Shire of Morawa at this point in time. This also means that the Chief Executive Officer is no longer required to:

a. Develop a business case regarding the NMSTPP.

b. Develop an agreement between the participants in the NMSTPP about the appropriate legal structure.

2. In accordance with the outcome required in Point 1, Council requires the SuperTowns' funding of \$500,000 awarded to the Shire of Morawa for the North Midlands Solar Thermal Feasibility Study (and any interest earned) to be reallocated to the upgrading of the Morawa Airport in accordance with the Corporate Business Plan 2012-2016 - Project 20, which is a high priority project.

3. Council authorises the Chief Executive Officer to:

a. Write to the Director General of the Department of Regional Development requesting the reallocation of the SuperTowns' funding of \$500,000 from the North Midlands Morawa Solar Feasibility Project to the Upgrade of the Morawa Airport Project including the justification for doing so:

- i) The upgrade of the Morawa Airport is a high priority project under the Corporate Business Plan 2012 – 2014 and other key plans for the economic development of the Mid West Region;**
- ii) The level of aviation infrastructure required will provide clearly defined community benefits to Morawa and others in the region (e.g. better access to the RFDS, water access point for water bombers)**
- iii) There are concerns regarding the probity and robustness of the NMSTPP; and**
- iv) The reliability of supply to Morawa has improved due to the recent pole upgrades undertaken by Western Power.**

b. Release to the Director General of the Department of Regional Development the Shire's legal advice provided by CS Legal dated 14 November 2014 regarding Solar Thermal Project Advice.

CARRIED

7/0

Date of Meeting:	20 March 2014
Item No:	12.1.2
Subject:	Extension of CEO's Contract
Date & Author:	19 March 2014 Sean Fletcher
Responsible Officer:	Chief Executive Officer
Applicant/Proponent:	Shire President
File Number:	ADM 0556
Previous minute/s & Reference:	11 March 2014 (Special Meeting of Council) and 15 August 2013 (Ordinary Council meeting).

SUMMARY

This report seeks an extension of Mr Fletcher's contract until 23 May 2014. In hand with this, Mr Williams will be able to fill the role of CEO for the short period of time of nine days leading up to the commencement of the new CEO (Mr Roberts) on 3 June 2014.

DECLARATION OF INTEREST

The author Mr Fletcher declared a financial interest in this report.

ATTACHMENTS

Nil.

BACKGROUND INFORMATION

The author's current contract commenced on 4 November 2013 and expires on Friday 2 May 2014, which is a total period of six months.

Mr John Roberts, the newly appointed CEO, commences work with the Shire on 3 June 2014.

To help address the gap between the author's finish date and Mr Robert's commencement date, the Shire President has asked the author what his intentions are regarding his contract.

OFFICER'S COMMENT

As such, the author is more than happy to seek an extension of his current contract up until Friday 23 May 2014.

Mr Williams, the Shire's Deputy CEO returns from leave on Monday 26 May 2014. However, Mr Williams is able to perform the role of CEO from Saturday 24 May 2014 until Mr Robert's commencement on Tuesday 3 June 2014.

The current terms and conditions of the author's contract would still apply to the extension period.

COMMUNITY CONSULTATION

Nil

COUNCILLOR CONSULTATION

Discussions with the Shire President 18 March 2014 and 19 March 2014.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 5.37 – Senior Employees

The position of a senior employee does not have to be advertised if it can be filled by a person in a prescribed class. In this instance under section 5.37 (1) a local government may designate employees or persons belonging to a class of employee to be senior employees. Council has Policy 1.4 that meets this requirement.

5.39 – Contracts for CEO and Senior Employees

Describes the terms and conditions regarding contracts. Key sections relating to Mr Fletcher and Mr Williams are:

Section 5.39 (1a)(a) – an employee may act in the position of CEO for a term not exceeding one year without a written contract for the position in which he or she is acting.

Section 5.39 (2) - A contract under this section - (a) in the case of an acting or temporary position, cannot be for a term exceeding one year.

Section 5.39 (4) – A contract under this section is to be renewable and subject to subsection (5), may be varied.

POLICY IMPLICATIONS

In accordance with Section 5.37 (1) of the Local Government Act 1995, Council under Policy 1.4 – Nomination of Senior Employees has nominated the Deputy CEO as a senior employee.

FINANCIAL IMPLICATIONS

Account 14600 (Salaries and Wages – Admin Budget) for 2013/14 is \$526,017. The YTD expenditure is \$343,373 or 65% of this account. The expected YTD expenditure is \$364,142 or 69% of this account. This indicates clearly that the budget is tracking within parameters and that there is sufficient funding for ongoing payment of the CEO.

STRATEGIC IMPLICATIONS

The CEO is Council's chief advisor and responsible for the day to day operations of the Shire including the roll out of the Strategic Community Plan and the implementation of the Corporate Business Plan.

RISK MANAGEMENT

Continuity of the CEO role is a requirement under the Local Government Act 1995. If it is not filled, then core functions cannot be carried out.

VOTING REQUIREMENT:

Simple Majority

OFFICER'S RECOMMENDATION

Council:

1. Under section 5.39 of the Local Government Act 1995, extends the contract for Mr Sean Fletcher as the Chief Executive Officer of the Shire of Morawa from 2 May 2014 until 23 May 2014 inclusive.
2. Under section 5.39 of the Local Government Act 1995, appoints Mr David Williams as the Acting Chief Executive Officer from 24 May 2014 to 2 June 2014, inclusive.

COUNCIL RESOLUTION

Moved: Cr D S Agar

Seconded: Cr M J Thornton

Council:

1. **Under section 5.39 of the Local Government Act 1995, extends the contract for Mr Sean Fletcher as the Chief Executive Officer of the Shire of Morawa from 2 May 2014 until 23 May 2014 inclusive.**
2. **Under section 5.39 of the Local Government Act 1995, appoints Mr David Williams as the Acting Chief Executive Officer from 24 May 2014 to 2 June 2014, inclusive.**
3. **Moved: Cr KP Stokes**
Seconded: Cr D Agar

Council under section S.23 of the Local Government Act 1995 reopens the meeting to the public.

CARRIED

7/0

12.2 Public reading of resolutions that may be made public

The President announced the motions for 12.1.1 and 12.1.2 as read

Cr K J Chappel left the meeting at 4.05pm and returned at 4.05 pm

13. Closure: 4.06 pm

.....Presiding Person

14. Next Meeting

The next Ordinary Meeting of Council is scheduled for 17th April 2014