



# **AGENDA**

## **ORDINARY MEETING OF COUNCIL**

to be held on

**Thursday, 16 September 2021 at 5:30pm**

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.”*

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**Item 1 Opening of Meeting**

The President to declare the meeting open.

**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.

'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'.

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

President (Presiding Member) Councillor Karen Chappel  
Deputy President Councillor Dean Carslake  
Councillor Jane Coaker  
Councillor Debbie Collins  
Councillor Yvette Harris  
Councillor Shirley Katona  
Councillor Ken Stokes

**Staff**

Chief Executive Officer	Scott Wildgoose
Executive Manager Corporate & Community Services	Jackie Hawkins
Executive Manager Works and Assets	Paul Buist

**Members of the Public****3.2 Attendance by Telephone / Instantaneous Communications**

In accordance with section 14 of the *Local Government (Administration) Regulations 1996* "Meetings held by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))", the President to declare that this Meeting may take place via instantaneous communication. All Councillors and staff are to be available either via telephone (teleconference) or in person.

**3.3 Apologies****3.4 Approved Leave of Absence****3.5 Disclosure of Interests**

**Item 4 Applications for Leave of Absence****Item 5 Response to Previous Questions****Item 6 Public Question Time**

*Important note:*

*‘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.*

*Members of the public are also reminded that in accordance with section 6.17(4) of the Shire of Morawa Meeting Procedures Local Law 2012 mobile telephones must be switched off and not used during the meeting.’*

**6.1 Public Question Time****6.2 Public Statement Time****6.3 Petitions/Deputations/Presentations/Submissions****Item 7 Questions from Members without Notice**



<b>Item 8 Announcements by Presiding Member without Discussion</b>
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President's Meetings for the month of August 2021.

<b>Date</b>	<b>Details of Meeting</b>
4 August 2021	Rural West Board Meeting
5 August 2021	Local Government Advisory Committee Board Meeting
6 August 2021	Midwest Development Commission Audit and Risk Meeting
9 August 2021	Regional Local Government System Meeting at WALGA
11 August 2021	Pre-SAC Meeting
12 August 2021	Shire of Morawa Briefing Session
13 August 2021	State Road Funds to LG Meeting
17 August 2021	Meeting with Hon Paul Papalia, Police Minister
18 August 2021	Selection Committee Meeting
18 August 2021	Local recovery coordinator meeting
19 August 2021	Shire of Morawa Ordinary Council Meeting
20 August 2021	Midwest Secondary Grain Freight Meeting
23 August 2021	Northern Country Zone Meeting
24 August 2021	Desert Blue Connect Meeting
25 August 2021	WALGA Finance and Services Meeting
25 August 2021	Local Government House Trust Meeting
25 August 2021	Shire of Morawa Special Council Meeting
25 August 2021	Meeting with Hon John Quigley, Attorney General
27 August 2021	Midwest Development Committee Board Meeting
30 August 2021	Draft State Infrastructure Strategy Meeting
31 August 2021	WALGA CEO Performance Review Committee Meeting

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

**Item 10 Confirmation of Minutes of Previous Meeting**

The Minutes of the 19 August 2021 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 23 August 2021.

The Minutes of the 25 August 2021 Special Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 26 August 2021.

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**OFFICER'S RECOMMENDATION**

That Council confirm that:

1. the Minutes of the Ordinary Council Meeting held 19 August 2021 are a true and correct record.
2. the Minutes of the Special Council Meeting held 25 August 2021 are a true and correct record.

***SIMPLE MAJORITY VOTE REQUIRED***

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*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 August 2021**

**Author:** Chief Executive Officer

**Authorising Officer:** Chief Executive Officer

**Disclosure of Interest:** The Author/Authorising Officer declares that he does not have any conflict of interest in relation to this item.

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**OFFICER RECOMMENDATION**

That with respect to **Actions Performed under Delegated Authority for August 2021**, Council:

1. **Accept the Report.**

***SIMPLE MAJORITY VOTE REQUIRED***

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**PURPOSE**

To report back to Council, actions performed under delegated authority from the period 01 August to 31 August 2021.

**DETAIL**

To increase transparency this report has been prepared for Council and includes all actions performed under delegated authority for –

- Development Approvals;
- Building Permits;
- Health Approvals;
- One off delegations to the Chief Executive Officer;
- Dangerous Goods;
- Affixing of Common Seal;
- Other Delegations as provided for in the Delegations Register.

The following outlines the actions performed within the Shire relative to Delegated Authority from the period 01 July 2021 to 31 July 2021 ('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>
09/08/2021	N/A	Approval for Emergency bulkhead, truck marshalling area and temporary weighbridge and sample station	Co-operative Bulk Handling (CBH)	Main Roads WA

**Building Permits**

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
16/08/2021	Permit No. 210760	Re-roof of residential dwelling due to cyclone damage	26 Lloyd Street	N/A
20/08/2021	Permit No. 210761	Re-roof of residential dwelling due to cyclone damage	38 Grove Street	N/A

**Other Delegations**

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
27/08/2021	N/A	Temporary Closure of Burton Road	Co-operative Bulk Handling (CBH)	Local Road Users

**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)*

**Strategic Community Plan 2018 to 2028 (Desktop Reviewed June 2020)**

**Outcome 4.3** A local government that is respected, professional and accountable.

**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 Regional Waste Collection**

**Author:** Chief Executive Officer

**Authorising Officer:** Chief Executive Officer

**Disclosure of Interest:** The Author/Authorising Officer declare that both have no conflicts of interest pertaining to this item.

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**OFFICER RECOMMENDATION****That Council**

- 1. Endorse the CEO to join the Regional Waste Collection Contract process**

***SIMPLE MAJORITY VOTE REQUIRED***

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**PURPOSE**

The purpose of this report is for Council to review and endorse the CEO's course of action for the Shire of Morawa to become part of the Regional Waste Collection Contract being formulated in the Mid-West.

**DETAIL**

The Shire undertook a Tender process for its waste collection contract in 2017 with Avon Waste being appointed as the Shire's waste collection contractor in 2018 for an initial three (3) year term with a two (2) year option to renew (renewed February 2021).

Avon Waste have performed well under this contract but with the contract set to expire in February 2023 and waste collection representing such a core area of the Shire's business the procurement processes would be set to commence in the new year.

A group of coastal councils had previously undertaken a joint procurement process for their waste collection needs and with their contract set to expire in August 2022, they have offered to broaden their group. At the last group meeting there were eight (8) Local Government's planning to partake in the Regional Waste Collection Contract process. This includes Mingenew, Yalgoo and Mullewa as part of City of Greater Geraldton, which are all neighbouring districts to Morawa.

The concept behind a Regional Waste Collection Contract is that by procuring as a group the Local Governments can utilise economies of scale and secure a better price and encourage contractors to invest in infrastructure in the region.

The City of Greater Geraldton is leading the process, which is appreciated given their increased staffing numbers, the group also plans to utilise the WALGA preferred supplier panel for the purchase and as such WALGA have agreed to assist with the process, contract and specification development.

At this stage it is being suggested that the overall contract term would be 10 years (4+3+3 or 7+3 or some other variation) as an extended commitment to purchase will encourage suppliers to invest in plant and infrastructure to service the contract term.

Given the length of contract, it is proposed to build in a number of discretionary items such as recycling collection, verge collections, transfer station management etc. These items may or not be utilised by the Local Governments but by securing the price comparison upfront it allows the group to take up the contract option in later years of the contract without undertaking a further procurement process.

One major concern and risk area for the Shire is the longevity of the Shire's Landfill. It is proposed that the Shire obtain pricing options during the Regional Waste Collection Contract process to dispose of waste at the Geraldton Waste Facility as well as within the district.

The Shire will set an initial specification in line with what is currently in place in terms of waste collection days etc. but will also be open to suppliers making alternate submissions during the procurement process, if they can demonstrate that the regional nature of the collections can lead to greater cost reductions and better pricing for instance if some Shires are serviced on the same days.

#### **LEVEL OF SIGNIFICANCE**

Medium – waste management and collection forms a core function of the Shire.

#### **CONSULTATION**

Regional Collection Contract Shires  
WALGA

#### **LEGISLATION AND POLICY CONSIDERATIONS**

Nil

#### **FINANCIAL AND RESOURCES IMPLICATIONS**

The Shire would be required to undertake a procurement process over the next 12-18 months to secure a new waste collection contract. Undertaking the process as part of a group will reduce the administrative burden on the Shire and is likely to result in reduced collection rates when compared to purchasing as a standalone purchaser.

#### **RISK MANAGEMENT CONSIDERATIONS**

Following sound procurement practices is paramount to the Shire's functions and by utilising the assistance of WALGA and a larger Local Government it will reduce the level of risk in this area.

#### **CONCLUSION**

The Regional Waste Collection Contract process will still allow each Shire to set its own specifications and desirables but will use the greater purchasing power of a group to obtain better pricing, and hopefully increase the waste infrastructure investment in the region.



**ATTACHMENTS**

Nil

**11.1.3 Christmas Closure Period**

**Author:** Chief Executive Officer

**Authorising Officer:** Chief Executive Officer

**Disclosure of Interest:** The Author/Authorising Officer declare that both have no conflicts of interest pertaining to this item.

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**OFFICER RECOMMENDATION****That Council**

1. Note the proposed closure period for the 2021/2022 Christmas and New Year Period

***SIMPLE MAJORITY VOTE REQUIRED***

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**PURPOSE**

The purpose of this report is for Council to be advised of the proposed Christmas and New Year Closure Period.

**DETAIL**

Council Policy ADM06 – Closure of Certain Facilities – Christmas/New Year Period states that Council may receive a report from the CEO no later than the Ordinary Council Meeting in October each year advising of the details of the forthcoming Christmas and New Year closure period.

The CEO plans to close the Shire of Morawa Office, Library and Depot facility to the public from 4pm on Friday 24 December 2021 to 9:00am on Wednesday 5 January 2022 (late opening to allow for a new year kick off staff meeting).

With New Years day falling on a Saturday in 2022, the Public Holiday has been pushed to the Monday 3 January 2022, as such the second working day after New Years Day is 5 January 2022.

The proposed opening and closing period is inline with Council Policy and in total the Shire will be closed for seven (7) weekdays of which three (3) are public holidays.

The CEO will ensure the necessary staff continue to be available or performing core functions throughout the period the facilities are closed.

**LEVEL OF SIGNIFICANCE**

Low – The CEO's course of action aligns with Council Policy and the Christmas/New Year closure is an annual occurrence.

**CONSULTATION**

Senior Management Team

**LEGISLATION AND POLICY CONSIDERATIONS**

Council Policy ADM06 – Closure of Certain Facilities – Christmas/New Year Period

**FINANCIAL AND RESOURCES IMPLICATIONS**

Nil

**RISK MANAGEMENT CONSIDERATIONS**

The CEO will ensure the necessary staff are available in case of an emergency or serious maintenance issue arising.

**CONCLUSION**

The CEO is implementing Council Policy and advising of the planned closure of the Administration Offices, Libraries and Works Depot during the Christmas Period.

**ATTACHMENTS**

Nil

## 11.2 Executive Manager Corporate & Community Services

### 11.2.1 Statement of Financial Activity – August 2021

<b>Author:</b>	Executive Manager Corporate & Community Services
<b>Authorising Officer:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

#### OFFICER'S RECOMMENDATION

That Council receive:

1. the Statement of Financial Activity for the period ending 31 August 2021.
2. the Bank Reconciliation Report for period ending 31 August 2021.
3. the List of Payments for the period ending 31 August 2021.
4. with respect to the Chief Executive Officer authorisations and reporting to Council;
  - a. information presented to this meeting in regard to reimbursement applications made by the Chief Executive Officer for the period ending 31 August 2021

**SIMPLE MAJORITY VOTE REQUIRED**

#### PURPOSE

The Statement of Financial Activity is prepared to provide Council with a comprehensive report on the financial position on a monthly basis.

The Statement of Financial Activity Report will include the Monthly Financial Report, Bank Reconciliation Report and the List of Payments made.

#### DETAIL

In accordance with the provisions of Section 6.4 of the *Local Government Act 1995* and Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996*, a local government is to prepare each month a Statement of Financial Activity (**Attachment 1**) reporting on the revenue and expenditure as set out in the Annual Budget each month.

Under the regulations the report must include the following items,

- Annual Budget estimates
- Budget estimates to the end of the month to which the statement relates,
- Actual amounts of expenditure, revenue, and income.
- Material variances between budget and actual
- Net current assets
- The report is to be accompanied by documents containing an explanation of the net current assets, material variances and other relevant supporting documentation.

As part of the monthly report a bank reconciliation report will be completed and included as **Attachment 2**. The summary of the report for 31 August is as follows:

Account	Balance
Municipal Account	868,167.64
Municipal Online Account	1,026,844.57
Trust Account	3,342.41
Reserve Account	3,437,023.81
Term Deposits (Reserves)	2,100,000.00
<b>Total Cash &amp; Investments</b>	<b>\$7,435,378.43</b>

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 August 2021 to 31 August 2021 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)	299,334.42
Municipal	Cheques	0.00
Municipal	Direct Debit Transactions	21,192.79
Municipal	Bank Transfers / Payroll / Other Payments	111,521.13
Municipal	Corporate Credit Cards	297.11
Trust	Electronic Funds Transfers (EFT)	0.00
	<b>TOTAL</b>	<b>\$432,345.45</b>

### Reimbursement Applications

There have been NIL reimbursements claimed by the Chief Executive Officer during the month of August 2021.

### LEVEL OF SIGNIFICANCE

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

### CONSULTATION

Chief Executive Officer  
Executive Manager Corporate & Community Services

### OFFICER'S COMMENTS

The 2021/2022 Annual Budget has now been uploaded into Synergy Soft. There needs to be some adjustments to the budget phasing, and this will occur before the next report is due in October. The Statement of Financial Activity Report is presented in the new format with the Schedule summary pages included. The full Schedules will be provided to Council quarterly.

**LEGISLATION AND POLICY CONSIDERATIONS**

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

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

Role of council

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

*Local Government (Financial Management) Regulations 1996*

Regulations 34(1)

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

Regulation 13

- (1) If the local government has delegated authority to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month.
- (3) A list prepared under sub regulation (1) or (2) is to be –
  - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting

Procurement Policy

Use of Corporate Credit Card Policy

CEO Leave Authorisations and Other Approvals Policy

- Strategic Community Plan 2018-2028

**Outcome 4.3** A local government that is respected, professional and accountable.

**Outcome 4.5** Long Term Financial Viability

**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 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 – 11.2.1 Statement of Financial Activity for the period ending 31 August 2021.*

*Attachment 2 – 11.2.1 Bank Reconciliation for the period ending 31 August 2021.*

*Attachment 3 – 11.2.1 List of Accounts Paid for the period ending 31 August 2021.*

**Item 12 Reports of Committees****12.1 Minutes of WALGA Northern Country Zone Meeting held 23 August 2021**

**Author:** Chief Executive Officer

**Authorising Officer:** Chief Executive Officer

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

**OFFICER'S RECOMMENDATION**

That Council receive the Minutes of the WALGA Northern Country Zone Meeting held on the 23 August 2021. (*Attachment 1 - 12.1*)

***SIMPLE MAJORITY VOTE REQUIRED***

*Attachment 1 – 12.1 Minutes of WALGA Northern Country Zone Meeting 23 August 2021*

**12.2 Minutes of the Morawa Local Recovery Coordination Group Meeting held on 18 August 2021**

**Author:** Chief Executive Officer

**Authorising Officer:** Chief Executive Officer

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

**OFFICER'S RECOMMENDATION**

That Council receive the Minutes of the Morawa Local Recovery Coordination Group Meeting held on the 18 August 2021. (*Attachment 1 - 12.2*)

***SIMPLE MAJORITY VOTE REQUIRED***

*Attachment 1 – 12.2 Minutes of the Morawa Local Recovery Coordination Group Meeting held on 18 August 2021*



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

**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.

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**OFFICER'S RECOMMENDATION**

That Council closes the meeting to the public under section 5.23 (2) (c) of the *Local Government Act 1995* and the *Shire of Morawa Standing Orders Local Law 2011 s 6.2 (2)* so that it can consider the leasing of a Morawa industrial business unit.

***SIMPLE MAJORITY VOTE REQUIRED***

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**PURPOSE**

This item seeks Council's approval under s5.23 (2) (c) of the *Local Government Act 1995* to move into camera or closed session to consider the confidential matter of leasing an industrial business unit.

**DETAIL**

In item 15.2 Council will be presented with a recommendation to lease one of the Morawa industrial business units.

**LEVEL OF SIGNIFICANCE**

High – Confidential Items

**CONSULTATION**

Nil

**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 Standing Orders Local Law 2011**

The key parts include:

- 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) The presiding member is to ensure any resolution of the Council made while the meeting was closed is to read out including a vote of a member.

**FINANCIAL AND RESOURCES IMPLICATIONS**

Nil

**RISK MANAGEMENT CONSIDERATIONS**

Nil

**CONCLUSION**

That Council closes the meeting to the public under section 5.23 (2) c) of the *Local Government Act 1995* and the *Shire of Morawa Standing Orders Local Law 2011* s 6.2 (2) so that it can consider reports addressing the leasing one of the Morawa industrial business units.

**ATTACHMENTS**

Nil

**15.2 Request for Short Term Lease of an Industrial Business Unit**

This is a confidential item.

**15.3 Reopening of Meeting to Public**

**OFFICER’S RECOMMENDATION**

**That Council reopens the meeting to the public.**

***SIMPLE MAJORITY VOTE REQUIRED***

**Item 16 Closure**

**16.1 Date of Next Meeting**

The next ordinary meeting of Council will be held on Thursday, 21 October 2021 commencing at 5.30pm.

**16.2 Closure**

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