



MINUTES
ORDINARY MEETING OF COUNCIL

held on

Thursday 17 June 2021

at 5:30 pm



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

Item 1 Opening of Meeting

The President declared the meeting open at 5.35pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

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

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

President (Presiding Member) Councillor Karen Chappel
Deputy President Councillor Dean Carslake
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

Nil

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.

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.

3.3 Apologies

Councillor Jane Coaker

3.4 Approved Leave of Absence

Nil

3.5 Disclosure of Interests

Nil

Item 4 Applications for Leave of Absence

Nil

Item 5 Response to Previous Questions

Nil

Item 6 Public Question Time

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

Nil

6.2 Public Statement Time

Nil

6.3 Petitions/Deputations/Presentations/Submissions

Nil

Item 7 Questions from Members without Notice

Nil

Item 8 Announcements by Presiding Member without Discussion

President's Meetings for the month of May 2021.

Date	Details of Meeting
04 May 2021	State Council Agenda Briefing, WALGA
04 May 2021	Karara Mining Meeting, Perth
05 May 2021	WALGA State Council, Perth
07 May 2021	ALGA Board Meeting, Zoom
11 May 2021	Rural West Finance Committee Board Meeting, Perth
13 May 2021	Mowara Council Briefing Session
19 May 2021	Finance and Services Committee Meeting, WALGA
19 May 2021	Electoral Reform Policy Forum, WALGA
20 May 2021	Breakfast with Hon. John Carey, WALGA
21 May 2021	Thank a Volunteer Morning Tea, Morawa
25 May 2021	Electoral Reform Policy Forum, WALGA
28 May 2021	Goldfields Voluntary Regional Organisation of Councils, Kalgoorlie

Item 9 Declarations of All Members to have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting

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

- President Councillor Karen Chappel
- Deputy President Councillor Dean Carslake
- Councillor Debbie Collins
- Councillor Yvette Harris
- Councillor Shirley Katona
- Councillor Ken Stokes

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 20 May 2021 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 24 May 2021.

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION**170601****Moved: Cr Stokes****Seconded: Cr Collins****That Council confirm:**

- 1. The Minutes of the Ordinary Council Meeting held 20 May 2021 are a true and correct record.**

CARRIED BY SIMPLE MAJORITY 6/0*Disclaimer*

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

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

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION**170602****Moved: Cr Carslake****Seconded: Cr Stokes**

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

- 1. Accept the Report.**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

To report back to Council, actions performed under delegated authority from the period 01 May 2021 to 31 May 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 May 2021 to 31 May 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 camp grounds

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 Hawkets, traders and stall holders during this period.

Liquor Control Act 1988

No delegated decisions were undertaken by Shire pursuant to liquor matters during the period.

Lodging houses

No delegated decisions were undertaken by Shire pursuant to lodging house matters during the period.

Public Buildings

No delegated decisions were undertaken by Shire pursuant to public buildings matters during the period.

Septic Tank Approvals

No delegated decisions were undertaken by Shire pursuant to the Health Act 1911 and Health (Treatment of Sewage and Disposal of Effluent Waste) Regulations 1974 during the period.

Planning Approval

No delegated decisions were undertaken by Shire pursuant to *Planning & Development Act 2005* during the period.

Building Permits

No delegated decisions were undertaken by Shire pursuant to *Building Act 2011* during the period.

Other Delegations

No other delegated decision was undertaken by Shire pursuant to this category during the period.

LEVEL OF SIGNIFICANCE

Low – report provided to Council for information purposes.

CONSULTATION

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Building Act 2011

Bushfire Act 1954

Dangerous Goods Safety (Explosives) Regulations 2007

Health Act 1991

Health Act 1911

Health (Public Buildings) Regulations 1992

Liquor Control Act 1988

Local Government Act 1995

Planning & Development Act 2005

Shire of Morawa Local Planning Scheme No. 2

Shire of Morawa Cemeteries 2018 - Local Law

Shire of Morawa Dogs 2018 - Local Law

Shire of Morawa Extractive Industries 2018 - Local Law

Shire of Morawa Fencing 2018 Local Law

Shire of Morawa Health 2004 - Local Law

Shire of Morawa Public Places and Local Government Property 2018 - Local Law

Shire of Morawa Meeting Procedures 2012 - Local Law

Shire of Morawa Waste 2018 - Local Law

Shire of Morawa Delegations Register (2020)

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 Adoption of Revised Council Purchasing Policy

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION**170603****Moved: Cr Carslake****Seconded: Cr Collins****That Council:**

- 1. Adopt the amended FIN04 Purchasing Policy as per Attachment 1; and,**
- 2. Authorise the Chief Executive Officer to accordingly update the Council Policy Manual and the Shire Website with the amended policy.**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

For Council to adopt a revised version of its Purchasing Policy.

DETAIL

The current version of FIN04 – Purchasing Policy was adopted in April 2020.

The establishment of a Purchasing Policy for purchases under \$250,000 is required under Local Government (Functions and General) Regulations 1996 Regulation 11A. Regulations stipulate that the Policy must make provisions in respect of:

- The form of quotations acceptable
- The minimum number of oral and written quotations that must be obtained
- The recording and retention of written information, or documents, in respect of all quotations received and purchases made.

All other inclusions within a Purchasing Policy are at the discretion of Council.

The existing version of the Purchasing Policy sets a requirement to obtain a minimum number of quotations that in reality is proving difficult for the Shire to achieve and in essence the resource cost of the purchasing process in some instances outweighs the potential gains associated with increased quotations.

Given the remote nature of the Morawa district, attracting suitably qualified contractors or service providers to undertake works or quotations is often difficult and in many instances contractors refuse to quote due to the time and distant to travel to site.

Whilst Shire employees are cognisant of the requirement to maximise the use of the Shire's limited financial resources, the revised Purchasing Policy in the first instance sets modified quotation requirements to reduce the number of quotes that need to be obtained at lower purchase values but also incorporates a requirement to at least seek a minimum number of quotes. This change will allow the Shire to undertake works for instance if they engage three local contractors to submit quotes but only two have the capacity to quote, instead of having to spend extra officer time searching for another contractor willing to submit a quotation. This will allow projects and maintenance activities to be delivered more effectively.

The amended Purchasing Policy also provides the Chief Executive Officer with the ability to authorise purchases where less than the required number of quotes have been obtained, if it represents sound business sense. The CEO is charged with the appropriate and efficient management of the Shire's operations and resources and in certain instances the CEO will become aware of situations where the Shire needs to undertake actions in the best interest of the organisation but the obtaining of the minimum number of quotes isn't feasible. Examples in the current climate could be works under insurance relating to cyclone recovery where the market is already tightly constrained and therefore the Shire needs to lock in contractors quickly – if the insurance company is satisfied that the quote is competitive and will reimburse the funds it doesn't make business sense to delay the works to seek extra quotes. The CEO will be required to clearly document any deviations from Purchasing Policy and ensure sound reasoning is provided prior to authorising the purchase.

The other exemption to the standard quotation requirements included in the amended Purchasing Policy is that for purchases \$75,000 or over if the Shire uses the WALGA preferred supplier panel to seek more than three quotes and obtains less than the designated number of responses, the purchase is still permitted under Policy. This inclusion is on the basis that WALGA have undertaken a competitive market process to establish its preferred supplier panel and purchases from this panel are already designated under the act as being tender exempt, as such regardless of the number of quotes received from the panel it is deemed that the panel will offer a competitive pricing environment. In many instances the Shire requests quotes from across the region and via the WALGA Panel to enable the most number of quotes to be received.

The amendments to the Purchasing Policy meet the regulatory criteria and work to improve the efficiency of the Shire's operations.

LEVEL OF SIGNIFICANCE

Medium

CONSULTATION

Executive Manager Corporate and Community Services
Executive Manager Works and Assets

LEGISLATION AND POLICY CONSIDERATIONS

Local Government (Functions and General) Regulations 1996

11A. Purchasing Policies for Local Government

- (1) *A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250 000 or less or worth \$250 000 or less.*
- (2) *A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in sub regulation (1).*
- (3) *A purchasing policy must make provision in respect of —*
 - (a) *the form of quotations acceptable; and*
 - (ba) *the minimum number of oral quotations and written quotations that must be obtained;*
 - (b) *the recording and retention of written information, or documents, in respect of —*
 - (i) *all quotations received; and*
 - (ii) *all purchases made.*

FINANCIAL AND RESOURCES IMPLICATIONS

The implementation of a Policy amendment has no direct financial or resource implications. However, the amendments within the Purchasing Policy aim to reduce the resource implications upon the Shire when conducting purchasing processes.

RISK MANAGEMENT CONSIDERATIONS

Procurement is an area of risk for any organisation; however, the risk generally sits in the payment of non-legitimate expenses which is usually managed by other checks and balances within the financial management system beyond a simple purchasing policy and quotation requirements.

In terms of compliance with purchasing policies, there is a risk that a too onerous policy will lead to non-compliance or non-completion of activities or delays.

Auditors may suggest that at certain levels certain quote numbers would demonstrate best practice. The best practice model does not take into account the relative disadvantage experienced in regional areas and the difficulties in receiving quotations and having works performed compared to the metropolitan area where multiple suppliers exist for most goods and services.

CONCLUSION

The aim of the amended Purchasing Policy is to allow the Shire of Morawa to operate more efficiently and use its limited resources to greater effect.

ATTACHMENTS

Attachment 1 - Amended FIN04 Purchasing Policy

11.1.3 Adoption of 2021 Council Election Processes

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 / COUNCIL RESOLUTION**170604****Moved: Cr Carslake****Seconded: Cr Harris****That Council:**

1. **Note that the terms of office of Cr. Chappel, Cr. Carslake, Cr. Collins and Cr. Stokes expire on 16 October 2021.**
2. **Resolve to continue to**
 - a. **Conduct the election as a voting in person election.**
 - b. **Elect the office of Shire President and Shire Deputy President using the by Council method.**
3. **Accept the appointment of the Chief Executive Officer as the Shire's Returning Officer.**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

For Council to review the processes for the 2021 Council Election and adopt a Council position accordingly.

DETAIL

Local Government Council Elections are due in October 2021, on the third Saturday of October, 16 October 2021 – unless modified by the Minister for a specified reason.

The Shire of Morawa has four Councillors whose terms end on the 16 October 2021.

- Cr. Karen Chappel
- Cr. Dean Carslake
- Cr. Debra Collins
- Cr. Kenneth Stokes

As such the 2021 Council elections will be to fill four vacancies.

Historically, the Shire of Morawa has always conducted in-person elections run by the Local Government not the WA Electoral Commission. Postal elections, run through the WA Electoral Commission, tend to place a reduced administrative burden on the Local Government and receive

a higher voter turnout, however the cost of conducting an election through this method is usually prohibitive to smaller local governments. Given, the Shire of Morawa is only likely to have 400-600 voters on its district roll it seems plausible that an in-person election can be adequately managed in house. Historically, in house elections have cost the Shire approx. \$5,000 or less – quotations received by other Local Governments suggest the WA Electoral Commission would quote approximately. \$10,000 - \$15,000 to conduct the Shire of Morawa elections.

Previously, the Shire President and Deputy President have been elected by Council.

Under legislation unless it is resolved otherwise elections are to be in-person and the method of electing the Shire President and Deputy President is to be as in previous years, as such Council are not obliged to adopt this position however this report provides Council with an opportunity to review the process.

Under legislation the Chief Executive Officer is to be appointed as the Returning Officer for Council Elections unless it is adopted otherwise.

At this stage, the next Ordinary Meeting of Council post-election will be Thursday 21 October 2021 – as such it is expected that a Councillor declaration ceremony will be held before this meeting and the election of the Shire President and Deputy President will be held as the first order of business at the Ordinary Council Meeting.

LEVEL OF SIGNIFICANCE

Medium

CONSULTATION

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995 Part 2 – Constitution of local government

Local Government Act 1995 Part 4 – Elections and other polls

- *Section 4.7 Ordinary elections day usually third Saturday in October*
- *Section 4.20 CEO to be returning officer unless other arrangements made.*
- *Section 4.61 Choice of methods of conducting election*
 - *4.61(2) The local government may decide (by absolute majority) to conduct the election as a postal election*
 - *4.61(7) Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election*

Local Government (Constitution) Regulations 1998

Local Government (Elections) Regulations 1997

FINANCIAL AND RESOURCES IMPLICATIONS

The costs associated with advertising and employing electoral officers to conduct an in person election are expected to be approximately \$5,000. An appropriate provision will be made in the 2021/2022 Budget.

RISK MANAGEMENT CONSIDERATIONS

Legislatively, unless changes are proposed, Council is not required to make any formal adoptions however this report provides clear guidance to Council regarding the process to be carried out moving forward.

The main risk associated with the proposed course of action is that the Shire does not have the administrative capacity or resources to conduct an in-person election. The Chief Executive Officer intends to partake in WALGA's group advertising initiatives to limit this burden and is confident the workload will be manageable.

CONCLUSION

This report is for Council to familiarise themselves with the Election Process moving forward and provide an opportunity for amendment if required.

ATTACHMENTS

Nil

11.1.4 Morawa Aerodrome Management – CASA Regulation Changes

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 / COUNCIL RESOLUTION**170605****Moved: Cr Stokes****Seconded: Cr Collins****That Council:**

- 1. Agree to the Morawa Aerodrome retaining its certified status and the CEO undertaking the necessary works to ensure CASA compliance by May 2022.**
- 2. Direct the CEO to ensure the aerodrome management budget is increase for the 2021/2022 Annual Budget to accommodate the necessary work of upgrading the aerodrome to meet CASA requirements.**
- 3. Commit to undertaking an operational review of the Aerodrome certification management in June 2023.**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

For Council to consider the implications of the Civil Aviation Safety Authority's (CASA) regulatory review changes to the classification and management of aerodromes and the impact on the Morawa Aerodrome.

DETAIL

For a number of years, the Shire of Morawa has employed Aerodrome Management Services Pty Ltd (AMS) to assist with Aerodrome management, as such AMS have prepared the attached report that details the regulatory changes and impacts on the Morawa Aerodrome.

Currently, the Morawa Aerodrome is a registered aerodrome (since 2011) with an instrumental approach. Moving forward the regulatory changes require the Shire to make a choice whether to undertake the administrative steps necessary to become a Certified Aerodrome or remove its instrumental approach and become an unregulated Aircraft Landing Area (ALA).

Under the current transitional arrangements, the previously registered Morawa Aerodrome is now deemed to be a Certified Aerodrome. To maintain this certified status certain administrative requirements must be met by prior to 13 May 2022.

On average the Shire currently spends approximately, \$25,000 per annum managing the aerodrome inclusive of maintenance and administration.

Whilst the Shire doesn't seem to have accurate records of exact landings, it is estimated that approximately 20-30 aircraft landings at the Morawa Aerodrome each year. RFDS confirmed that they have landed at the Morawa Aerodrome 55 times between January 2019 and May 2021.

If the Shire chooses to maintain its certified status it is estimated that this will come at an initial upfront cost of \$10,000-\$15,000 to prepare the necessary manuals, paperwork and perform and necessary site improvements. Then moving forward, the annual management costs can be expected to increase by approximately \$15,000-\$20,000 per annum due to the increased workload involved with a certified aerodrome. This could also increase with bi-annually mandated CASA audits and the extra work that may come out of them.

If the Shire opts to downgrade the aerodrome to an ALA then it is expected that the annual expenditure will remain at current levels as the Shire will still be committed to maintaining the facility to an appropriate standard to allow ease of use by essential services such as RFDS. If moving to an ALA the Shire will incur the cost of decommissioning the current instrumental approach.

The Shire has previously invested in the aerodrome, installing Terminal Instrument Approach Procedures (TIFP). This was done to improve the ability of RFDS and other essential aircraft to land in situations where visibility may be low. If the Aerodrome did not maintain its certified status this TIFP would need to be removed which may have future impacts with aircrafts having to divert to alternative aerodromes or return to origin if a TIFP was needed to land. This may have an impact on the St John Ambulance Service.

Grandfathering provisions exist in the current process that essentially allows registered aerodromes that have become certified to retain their certification without having to fully implement the new standards. If the Shire chose to downgrade to an ALA in this instance and then wanted to become certified in the future, it is highly likely that the Morawa Aerodrome would need significant improvement to comply with the new standards. If the Morawa Aerodrome maintains its current certified status it is expected to benefit from not having to fully comply with all standards in the same way a newly certifying aerodrome would.

If the Shire downgrades to an ALA, it essentially would forego any future opportunity for a commercial operator to consider using the facility to transport passengers. The Shire has previously tried to encourage mining organisations, with no success, to make use of the facility to transport workers etc. If the facility maintained its certified status this could potentially be attractive to future users but in general mining organisations seem to prefer to establish and manage their own strip.

On usage statistics alone the Morawa Aerodrome may not warrant a certified status and the investment that accompanies given it would be around \$2,500 per take off.

The author conferred with the head of flight operations at the Royal Flying Doctor Service (RFDS). In normal circumstances RFDS have no issue with landing at an ALA and in generally they tend to land at more ALAs than certified aerodromes. In general, they have seen other smaller Shires, such as Margaret River, remove their certification status due to the cost, time and compliance

requirements associated with maintaining the status. RFDS understand that for most places obtaining and maintaining CASA Certification is expensive and resource intensive. On discussing the Morawa Aerodrome specifically, the main area of concern for the RFDS representative was that the landing strip was unsealed so if there were heavy rains this would impact on the ability to land and take off. If Morawa gave up its certified status this would only impact RFDS operations in extreme bad weather where an instrumental approach would be needed to land. They could not say how often they have utilised the instrumental approach in the last couple of years as this wasn't recorded in the landing statistics.

Whilst cost-benefit analysis is useful the decision around whether to maintain the Morawa Aerodrome's certified status is probably more of an argument of principle. In principle does Council:

1. Still believe the previously installed TIFP is still needed.
2. Want to offer a facility that is of a better specification than its usage requires.
3. See any future need or opportunities that may benefit from a Certified Aerodrome being in Morawa.

It is the Author's opinion that at this stage given previous work on the Aerodrome (instrumental approach, master planning etc.) the Shire should undertake the work necessary to ensure the Morawa Aerodrome retains its certified status but commit to reviewing the situation on a bi-annual basis. Specifically, the Shire will undertake to monitor how often the TIFP has been used and will actively try and identify a regular user for the facility.

Council need to be cognisant that if maintaining a certified status becomes too much of an imposition on Shire staff and begins to increase in cost each year then it must seriously consider becoming an ALA and removing the operational burden.

LEVEL OF SIGNIFICANCE

Medium

CONSULTATION

Royal Flying Doctor Service

LEGISLATION AND POLICY CONSIDERATIONS

CASA Regulation

FINANCIAL AND RESOURCES IMPLICATIONS

If the Shire is to undertake the necessary work to retain the Aerodrome's certified status, the 2021/2022 Annual Budget must have an allocation that is at least \$20,000 greater than the 2020/2021 financial year to allow for any necessary works.

RISK MANAGEMENT CONSIDERATIONS

If maintaining a certified status, it will reduce the landing risk to aerodrome users but it will increase the compliance and management risks upon the Shire.

CONCLUSION

Whilst the Morawa Aerodrome is not heavily used, the nearest certified aerodrome with an instrumental approach is Geraldton and given previous work on the site it may be of benefit to the Shire to retain the certified status of the Morawa Aerodrome at this stage.

ATTACHMENTS

Attachment 1 – AMS Report – Morawa Aerodrome

11.2 Executive Manager Corporate & Community Services

11.2.1 Banks Reconciliations – May 2021

Author: Senior Finance Officer

Authorising Officer: Executive Manager Corporate & Community Services

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

OFFICER'S RECOMMENDATION

1. That Council receive the bank reconciliations report for 31 May 2021.

COUNCIL RESOLUTION

170606

Moved: Cr Harris

Seconded: Cr Stokes

That items 11.2.1, 11.2.2 and 11.2.3 are moved en bloc.

CARRIED BY SIMPLE MAJORITY 6/0

Reason for change:

For expediency, Council considered Items 11.2.1, 11.2.2 and 11.2.3 could be moved en bloc.

PURPOSE

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

DETAIL

The information provided is obtained from the bank reconciliations carried out for Municipal, Reserves and Bonds & Deposits Bank accounts to ensure all transactions have been accounted for.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Chief Executive Officer
Executive Manager Corporate & Community Services

LEGISLATION AND POLICY CONSIDERATIONS

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

- *Section 3 – Finance 3.3 Risk Management Controls*
- *Section 3 – Finance 3.5 Investment Policy – Delegated Authority*

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 to Council.

RISK MANAGEMENT CONSIDERATIONS

As per Policy *Finance 3.3 Risk Management*

CONCLUSION

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

- **Bank Balances As At 31 May 2021**

Account	2021
Municipal Account	\$2,194,095.96
Bonds & Deposits Account	\$20,281.04
Reserve Account	\$3,118,476.25
Reserve Term Deposit (Community Development)	\$500,000.00
Reserve Term Deposit (Future Funds 1)	\$800,000.00
Reserve Term Deposit (Future Funds 2)	\$800,000.00

- **Bank Reconciliation Balances**

The Bank Reconciliation Balances for 31 May 2021 with a comparison for 31 May 2020 is as follows:

Account	31 May 2020	31 May 2021
Municipal Account	\$1,525,545.09	\$2,194,095.96
Bonds & Deposits Account	\$22,629.38	\$20,281.04
Total Reserve Accounts	\$5,588,981.28	\$5,218,476.25

- **Reserve Accounts**

The Reserve Funds of \$5,218,476.25 as at 31 May 2021 were invested in:

- Bank of Western Australia \$3,118,476.25 in the Reserve Account

- Term Deposit (Future Funds 1) \$800,000.00
- Term Deposit (Future Funds 2) \$800,000.00
- Term Deposit (Community Development Fund) \$500,000.00

Breakdown for May 2021 with a comparison for May 2020 is as follows:

	May 2020	May 2021
Leave Reserve	\$219,957.61	\$225,475.68
Swimming Pool Reserve	\$40,664.53	\$60,800.27
Plant Reserve	\$808,793.56	\$468,270.47
Building Reserve	\$94,175.59	\$114,434.83
Economic Development Reserve	\$3,512.58	\$3,520.66
Sewerage Reserve	\$247,567.98	\$223,086.89
Unspent Grants and Contributions Reserve	\$0.00	\$0.00
Community Development Reserve	\$1,253,425.68	\$1,258,866.90
Morawa Future Funds Reserve	\$2,020,863.19	\$2,041,997.02
Morawa Future Funds Interest Reserve	\$274,337.48	\$224,959.47
Refuse Transfer Station Reserve	\$0.00	\$0.00
Aged Care Units Reserve Units 1 - 4	\$70,578.09	\$70,740.95
Aged Care Units Reserve Unit 5	\$56,656.88	\$56,787.64
Aged Care Units Reserve Units 6 - 9	\$9,482.62	\$9,504.51
Business Units Reserve	\$125,779.10	\$146,111.26
Legal Fees Reserve	\$26,088.00	\$26,148.19
Road Reserve	\$147,098.39	\$147,437.84
Covid-19 Reserve	190,000.00	\$140,333.67
TOTAL	\$5,588,981.28	\$5,218,476.25

▪ **Transfer Of Funds**

Nil

▪ **Investment Transfers**

Nil

ATTACHMENTS

Nil

11.2.2 Accounts Due for Payment – May 2021

Author: Senior Finance Officer

Authorising Officer: Executive Manager Corporate & Community Services

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

OFFICER'S RECOMMENDATION

That Council endorse the list of accounts paid by the Chief Executive Officer under delegated authority, represented by:

- **Municipal EFT Payment Numbers EFT14214 to EFT14307 amounting to \$236,103.84.**
- **Municipal Cheque Payment Numbers 12018 and 12020 amounting to \$34,620.65.**
- **Municipal Direct Debit Payment Numbers DD7785.1 to DD7834.1 amounting to \$66,818.89.**
- **Total Payroll in May 2021: \$118,178.95.**
 - 12/05/2021 - \$62,432.07
 - 26/05/2021 - \$55,746.88
- **Total Credit Card payment in May 2021: \$2,451.13**

COUNCIL RESOLUTION**170606 – CARRIED EN BLOC**

PURPOSE

A list of accounts is attached for Council's consideration in relation to all Shire payments made for the month of May 2021.

DETAIL

Local Government (Financial Management) Regulations 1996 – Reg 13.

On 20 June 2019, Council delegated the Chief Executive Officer (CEO) to make payments from the municipal fund or the trust fund as required. A list of all accounts paid by the CEO is to be prepared each month showing all accounts paid since the last list was prepared.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Chief Executive Officer
Executive Manager Corporate & Community Services

LEGISLATION AND POLICY CONSIDERATIONS

Local Government (Financial Management) Regulations 1996 – Reg 13

Strategic Community Plan 2018-2028

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

Outcome 4.5 Long Term Financial Viability

Use of Corporate Credit Cards Policy 3.7

FINANCIAL AND RESOURCES IMPLICATIONS

As per *Attachment 1*.

RISK MANAGEMENT CONSIDERATIONS

As per Policy Section 3 – Finance 3.3 Risk Management.

CONCLUSION

Council is requested to endorse the list of accounts paid by the Chief Executive Officer as provided in **Attachment 1**.

ATTACHMENTS

Attachment 1 - 11.2.2 List of accounts due and submitted.

11.2.3 Monthly Financial Statements – May 2021

Author: Senior Finance Officer

Authorising Officer: Executive Manager Corporate & Community Services

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

OFFICER'S RECOMMENDATION

That Council receive the Statement of Financial Activity for the period ending 31 May 2021.

COUNCIL RESOLUTION

170606 – CARRIED EN BLOC

PURPOSE

Regulation 34(1) (a) of the *Local Government (Financial Management) Regulations 1996* states that a local government must prepare monthly financial statements for Council. The Monthly Financial Activity Report and Schedules are provided for Council's consideration.

DETAIL

As per the *Local Government (Financial Management) Regulations 1996*, a monthly statement of financial activity report on the sources and application of funds, as set out in the annual budget has the following details:

- Annual budget estimates.
- Operating revenue, operating income and all other income and expenses.
- Any significant variations between year-to-date income and expenditure and the relevant budget provisions to the end of the reporting period.
- Identification of any significant areas where activities are not in accordance with budget estimates for the relevant reporting period.
- Provision of likely financial projections for those highlighted significant variations and their effect on the end of year result.
- Inclusion of an operating statement.
- Any other supporting notes as required.

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

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Local Government (Financial Management) Regulations 1996

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

There are no perceived risks associated with the report.

CONCLUSION

This report is based on the 2020/21 Annual Budget adopted by Council on 30 July 2020 and the Annual Budget Review adopted by Council on 18 March 2021.

This report contains the budget amounts, actual amounts of expenditure and income to the end of the month for the purpose of keeping Council abreast of the current financial position and the variances are explained under Note 2 of the report.

ATTACHMENTS

Attachment 1 – May 2021 Monthly Financial Activity Report

Attachment 2 – May 2021 Schedules 2 - 14

11.2.4 Chief Executive Officer Authorisations and Reporting to Council

Author: Senior Finance Officer

Authorising Officer: Executive Manager Corporate and Community Services

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

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION

170607

Moved: Cr Carslake

Seconded: Cr Stokes

That with respect to the Chief Executive Officer Authorisations and Reporting to Council:

- 1. Council receive the information presented to this meeting that the Chief Executive Officer took no leave since the last Ordinary Council Meeting held on 20 May 2021.**
- 2. Council receive the information presented to this meeting that the credit card transactions made by the Chief Executive Officer using his corporate credit card in April 2021 and acknowledges that payments have been made in accordance with the Shire's procurement policy and Credit Card Agreement.**
- 3. Council receive the information presented to this meeting of no reimbursements application made by the Chief Executive Officer in May 2021.**

CARRIED BY SIMPLE MAJORITY 6/10

PURPOSE

The purpose of this agenda item is to report to Council on Chief Executive Officer (CEO) leave applications, use of corporate credit card and any reimbursement(s) of CEO expense applications.

DETAIL

Due to the position held by the CEO, there is no other individual person authorised under the *Local Government Act 1995* (the Act) to approve or authorise the CEO's leave applications, use of the corporate credit card and the reimbursement of CEO expense applications.

These functions can only be approved by Council resolution.

Leave Taken

This report covers leave taken by the CEO for the month of May 2021. No leave was taken for this period.

Corporate Credit Card

This report covers April 2021 credit card statement (**Attachment 1**).

Reimbursement Application

This report covers the month of May 2021. No reimbursements were claimed during this period.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

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.”

Shire of Morawa Policies

CEO Leave Authorisations and Other Approvals Policy

Use of Corporate Credit Cards Policy

Strategic Community Plan 2018 to 2028 (desktop Review June 2020)

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

FINANCIAL AND RESOURCES IMPLICATIONS

There are no known financial or resource implications in relation to this item.

RISK MANAGEMENT CONSIDERATIONS

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

CONCLUSION

That Council receive the information contained in this report addressing the CEO's:

- leave of any type;
- additional hours worked and claimed;
- corporate credit card expenses; and
- work related expenses/reimbursements.

ATTACHMENTS

Attachment 1 – 11.2.4 CEO Credit Card Statement.

PROCEDURAL MOTION

170608

Moved: Cr Chappel

Seconded: Cr Collins

That Council adjourn the debate on Item 11.2.5 - Memorial Plaque for Mr Robert Plozza, due to the Morawa Football Club requesting to provide updated information and alter the wording on the plaque.

CARRIED BY SIMPLE MAJORITY 6/0

11.2.5	Memorial Plaque for Mr Robert Plozza
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RESOLUTION Adjourned as per Procedural Motion 170608

11.2.6 Request to erect signage at Morawa Netball Courts

Author: Community Development Officer

Authorising Officer: Executive Manager Corporate and Community Services

Disclosure of Interest: The Author declares a conflict of interest in relation to this item, as a financial member of the Morawa Netball Club.

The Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION**170609****Moved: Cr Collins****Seconded: Cr Stokes**

- 1. That Council acknowledge that the Morawa Netball Club have decided to name the Courts the “Glenda Milloy Netball Courts” and approve the club to erect a sign at the facility demarking this decision, as per the text contained in this report.**
- 2. That the Chief Executive is to review and have final approval on the design of the sign and the plan for installation prior to its erection.**
- 3. The Chief Executive Officer is to inform the Club that the Shire take’s no responsibility for the ongoing maintenance of the signage and the Shire reserves the right to remove the sign from public display if it is not maintained and deteriorates beyond a suitable standard for public display.**

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

The purpose of this item is to refer to Council a request from the Morawa Netball Club to erect a sign at the recently refurbished Morawa Netball Courts, denoting their decision as a club to name the courts after a life member – Glenda Milloy.

DETAIL

The naming signage does not constitute a memorial, as the life member is still alive.

The Morawa Netball Club corresponded with the Acting CEO Gavin Treasure in March 2021 around the naming of the netball courts and the Acting CEO raised it with Council. At the time, the name was not confirmed and so Council referred the decision back to a later date.

The Morawa Netball Club sent a letter to the Shire of Morawa on Wednesday 9 June 2021 requesting Council support for the erection of a sign confirming the club’s naming of the netball courts. The letter is included in the attachments.

The Morawa Netball Club is paying for the sign design, manufacture, and installation at the Netball Courts.

The sign would be approximately 1.5m by 1m with the following text:

“Glenda Milloy Netball Courts” – in large text

“Home of the Morawa Tigers” – in medium text

“Constructed and opened in 2021” – in small text

The final design for the sign has not been completed.

On review of the Policy Manual, there is no policy around the naming of Shire-owned facilities, and this is something that has not taken place historically. The Morawa Netball Club took steps to invite the whole community of Morawa to submit nominations towards the naming of the courts, and only one name was proposed from multiple nominations.

Considerations around whether Councillors and the Shire of Morawa should have been involved in the process to select the name of the courts may be warranted. Councillors may consider a future policy around the naming of Shire-owned facilities.

LEVEL OF SIGNIFICANCE

Low significance – report is presented for Council to advise decision.

CONSULTATION

Chief Executive Officer
Former Acting Chief Executive Officer
Executive Manager of Works & Assets

OFFICER’S COMMENTS

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Strategic Community Plan 2018-2028

Outcome 3.2 Respect our cultural, indigenous and heritage assets

3.2.1 Support to community activities and events.

Outcome 3.5 Improved and well maintained community, recreational and civic infrastructure

FINANCIAL AND RESOURCES IMPLICATIONS

Nil – the Netball Club has expressed its desire to pay for the design, manufacture, and installation of the naming signage. Council staff may be required to install the sign at the location, and the Netball Club would be invoiced for this expense.

RISK MANAGEMENT CONSIDERATIONS

There are no perceived risks associated with the naming of the netball courts. The risks of signage installation are minimal.

CONCLUSION

That Council approve the Morawa Netball Club to erect the proposed sign with the courts name at the Netball Courts at the Greater Sporting Grounds.

ATTACHMENTS

Attachment 1 – Letter from Morawa Netball Club

11.3 Executive Manager Works and Assets

11.3.1 Mac's Bulk Haulage - Restricted Access Vehicle (RAV) 7 Networks Class 2/3 Permit
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Author: Executive Manager Works & Assets

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 / COUNCIL RESOLUTION

170610

Moved: Cr Carslake

Seconded: Cr Collins

1. That with respect to RAV Permit – Mac's Bulk Haulage, as the local road asset owner, Council approve a Restricted Access Vehicle (RAV) 7 Networks Class 2/3 Permit to Mac's Bulk Haulage to operate combinations up to 36.5 metres to operate in the Shire of Morawa on the following roads, subject to the following conditions (as determined by Main Roads WA):

a. 5110002 - Morawa South Road

Conditions:

- i. All operators must carry current written approval from the road asset owner permitting use of the road.
- ii. 10km/h below posted speed limit.

b. 5110053 - Koolanooka South Road

Conditions:

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

c. 5110056 - Malcolm Road

Conditions:

- i. Max Speed - 40 km/h
- ii. All operators must carry current written approval from the road asset owner permitting use of the road.

- iii. Direct radio contact must be maintained with other restricted access vehicles to establish their position on or near the road (suggested UHF channel 40).
 - iv. Headlights to be switched on at all times.
 - v. No operation on unsealed road segment when visibly wet, without road owner's approval.
 - vi. When travelling at night, the RAV must travel at a maximum speed of 40km/h and display an amber flashing warning light on the prime mover.
2. Please note that at this point in time, neither Koolanooka South Road nor Malcolm Road are school bus routes. These routes can change without notice to the Shire. Should the roads establish a bus route, the following conditions will apply:
- a. No operation during school bus hours.
 - b. Transport operators are to contact the relevant schools and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs a/pick-ups have been completed on the road.
3. The approval will be for the period 1 July 2021 to 30 June 2022:
- a. With Shire of Morawa staff reviewing operations and road conditions on a regular basis (minimum of 6 monthly review); and
 - b. Subject to the review of operations and road conditions, this approval may be withdrawn by the Shire of Morawa at any time.
 - d. That should the applicant seek to continue operations beyond 30 June 2022 is recommended to reapply for new approval/s prior to the expiry of this permit.
 - e. The applicant must seek Main Roads approval for all RAV network permits.

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

Mac's Bulk Haulage is seeking approval for a Road Access Vehicle (RAV) Permit for the period 1 July 2021 to 31 June 2022 to operate heavy vehicle combinations of up to 36.5 metres on the Morawa South Road, Koolanooka South Road and Malcolm Road. Under Main Roads Western Australia (WA) RAV networks conditions, there is a need to seek approval by users to travel on roads controlled by the Shire of Morawa.

DETAIL

The Morawa South Road, Koolanooka South Road and Malcolm Roads have been designated conditional RAV 7, requiring Council consent to operate heavy vehicle combinations on the section of road.

Mac's Bulk Haulage have requested to operate a number of heavy vehicles on the Morawa South Road, Koolanooka South Road and Malcolm Road, operating with towing semitrailers between 27.5 and 36.5 metres in length.

Main Roads WA conditions established for Morawa South Road, Koolanooka South Road and Malcolm Road are as follows:

- A current written approval from Local Government, permitting use of the road must be carried and produced on demand.
- Speed conditions – 10km/h below posted speed limit.
- Not to operate during school bus run times.

The Shire has viewed the Review of the condition of the Morawa South Road, Koolanooka South Road and Malcolm Road with the condition report attached to this report.

LEVEL OF SIGNIFICANCE

Low

CONSULTATION

Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

Road Traffic Act 1972

Road Traffic (Vehicles) Act 2012

Road Traffic (Vehicle Standards) Regulations 2002

Main Roads Act 1930

FINANCIAL AND RESOURCES IMPLICATIONS

There are no known financial and resource implications associated with this Report, although the increased heavy vehicle usage may increase road maintenance costs on these roads.

RISK MANAGEMENT CONSIDERATIONS

Low to Medium. The proposed roads have been deemed safe for the type of vehicles requested.

CONCLUSION

As with previous Council approvals, subject to travel being restricted on the Morawa South Road, Koolanooka South Road and Malcolm Road between the hours of 7:00am to 8:30am and 3:00pm to 5:00pm Monday to Friday during school bus route runs, further approval is considered acceptable.

ATTACHMENTS

Attachment 1 - Condition Road Report.

11.3.2 Goldstar Transport - Restricted Access Vehicle (RAV) 7 Networks Class 2/3 Permit

Author: Executive Manager Works & Assets

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 / COUNCIL RESOLUTION**170611****Moved: Cr Carslake****Seconded: Cr Stokes**

1. That with respect to RAV Permit – Goldstar Transport, as the local road asset owner, Council approve a Restricted Access Vehicle (RAV) 7 Networks Class AMMS Concessional Level 3 Permit to Goldstar Transport to operate combinations up to 27.5 metres in the Shire of Morawa on the Morawa Yalgoo Road from Mullewa Wubin Road to the Shire of Yalgoo Boundary.

Conditions:

- a. Maximum speed unsealed roads 60km/h or 10km/h less than designates signage.
 - b. Maximum speed sealed roads 90km/h or 10km/h less than designated signage.
 - c. Maximum speed of 40km/h in built up areas including the Morawa Town site.
 - d. Only approved routes will be permitted in the Morawa Town site.
 - e. Reduce speed to 60km/h and moving over to give way to oncoming traffic.
 - f. Headlights on at all times.
 - g. Removing dust from tyre rims when entering sealed roads.
 - h. Compliance with maximum gross weight limits.
 - i. Vehicle length not to exceed 27.5 metres.
 - j. No operation after a heavy rain fall event.
 - h. No operation during school bus routes pick up and drop off times (7:00am to 8:30am and 3:00pm and 5:00pm school days)
 - i. All operators must carry written approval from the Local Government authority permitting use of the road.
2. The approval will be for the period 1 July 2021 to 30 June 2022

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

Goldstar Transport is seeking approval for a Road Access Vehicle (RAV) Permit, AMMS Concessional Level 3 Permit for the cartage of liquid oxygen, 20 loads per annum to operate heavy vehicle combinations of up to 27.5 metres maximum weight of 82 tonne for the cartage of liquid oxygen on the Morawa Yalgoo Road from 1 July 2021 to 30 June 2022. Under Main Roads Western Australia (WA) RAV networks conditions, there is a need to seek approval by users to travel on roads controlled by the Shire of Morawa.

DETAIL

The Morawa Yalgoo Road has been designated conditional RAV 7, requiring Council consent to operate heavy vehicle combinations on the section of road.

Goldstar Transport have requested to operate a pocket road train with 5 axle dog trailers on the Morawa Yalgoo Road approximately 20 trips per annum.

Main Roads WA conditions established for Morawa Yalgoo Road as follows:

- A current written approval from Local Government, permitting use of the road must be carried and produced on demand.
- Speed conditions – 10km/h below posted speed limit.
- Not to operate during school bus run times.

LEVEL OF SIGNIFICANCE

Low

CONSULTATION

Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995
Road Traffic Act 1972
Road Traffic (Vehicles) Act 2012
Road Traffic (Vehicle Standards) Regulations 2002
Main Roads Act 1930

FINANCIAL AND RESOURCES IMPLICATIONS

The are no known financial and resource implications associated with this Report, other than potential increased road maintenance costs.

RISK MANAGEMENT CONSIDERATIONS

Low to Medium. Main Roads Heavy Vehicle Services have designated that the road is safe for the vehicle type requested.

CONCLUSION

With consultation with Mr Sam Iversen from Goldstar Transport, it is my recommendation that a condition of the RAV permit approval be that travel is restricted on the Morawa Yalgoo Road between the hours of 7:00am to 8:30am and 3:00pm to 5:00pm during school bus route runs.

ATTACHMENTS

Attachment 1 – Condition Road Report.

11.3.3 Pilbara Cement Supplies - Restricted Access Vehicle (RAV) 7 Networks Class 2/3 Permit

Author: Executive Manager Works & Assets

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 / COUNCIL RESOLUTION

170612

Moved: Cr Carslake

Seconded: Cr Stokes

1. That with respect to RAV Permit – Pilbara Cement Supplies, as the local road asset owner, Council approve a Restricted Access Vehicle (RAV) 7 Networks Class Tandem Drive 7 Permit to Pilbara Cement Supplies to operate combinations up to 36.5 metres in the Shire of Morawa on the Morawa Yalgoo Road from Mullewa Wubin Road to the Shire of Yalgoo Boundary.

Conditions:

- a. Maximum speed unsealed roads 60km/h or 10km/h less than designates signage.
 - b. Maximum speed sealed roads 90km/h or 10km/h less than designated signage.
 - c. Maximum speed of 40km/h in built up areas including the Morawa Town site.
 - d. Only approved routes will be permitted in the Morawa Town site.
 - e. Reduce speed to 60km/h and moving over to give way to oncoming traffic.
 - f. Headlights on at all times.
 - g. Removing dust from tyre rims when entering sealed roads.
 - h. Compliance with maximum gross weight limits.
 - i. Vehicle length not to exceed 36.5 metres.
 - j. No operation after a heavy rain fall event.
 - h. No operation during school bus routes pick up and drop off times (7:00am to 8:30am and 3:00pm and 5:00pm school days)
 - i. All operators must carry written approval from the Local Government authority permitting use of the road.
2. The approval will be for the period 1 July 2021 to 30 June 2022

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

Pilbara Cement Supplies are seeking approval for a Road Access Vehicle (RAV) Tandem Drive 7 Permit to operate a heavy vehicle combination of up to 36.5 metres, maximum weight of 108 tonne with one truck movement per week for the cartage of lime on the Morawa Yalgoo Road from 1 July 2021 to 30 June 2022. Under Main Roads Western Australia (WA) RAV networks conditions, there is a need to seek approval by users to travel on roads controlled by the Shire of Morawa.

DETAIL

The Morawa Yalgoo Road has been designated conditional RAV 7, requiring Council consent to operate heavy vehicle combinations on the section of road.

Pilbara Cement Supplies have requested to operate a B-Double Dog combination with one truck movement per week on the Morawa Yalgoo Road.

Main Roads WA conditions established for Morawa Yalgoo Road as follows:

- A current written approval from Local Government, permitting use of the road must be carried and produced on demand.
- Speed conditions – 10km/h below posted speed limit.
- Not to operate during school bus run times.

LEVEL OF SIGNIFICANCE

Low

CONSULTATION

Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995
Road Traffic Act 1972
Road Traffic (Vehicles) Act 2012
Road Traffic (Vehicle Standards) Regulations 2002
Main Roads Act 1930

FINANCIAL AND RESOURCES IMPLICATIONS

There are no known financial and resource implications associated with this Report.

RISK MANAGEMENT CONSIDERATIONS

Low to Medium. The main risk relates to increase road maintenance costs, as more heavy vehicles request to use the road.

CONCLUSION

With consultation with Mr Ben Pilatti from Pilbara Cement Supplies, it is my recommendation that a condition of the RAV permit approval be that travel is restricted on the Morawa Yalgoo Road between the hours of 7:00am to 8:30am and 3:00pm to 5:00pm during school bus route runs.

ATTACHMENTS

Attachment 1 - Condition Road Report

Attachment 2 – Email Pilbara Cement

Item 12 Reports of Committees

Nil.

Item 13 Motions of Which Previous Notice Has Been Given

Nil

Item 14 New Business of an Urgent Nature

Nil

Item 15 Matters for Which the Meeting May Be Closed (Confidential Items)**15.1 Closing of Meeting to the Public**

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

RESOLUTION

170613

Moved: Cr Collins

Seconded: Cr Carslake

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

15.2 Confidential Item – Commercial Lease of an Industrial Business Unit.

CARRIED BY SIMPLE MAJORITY 6/0

PURPOSE

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

DETAIL

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

- 15.2 Confidential Item – Commercial Lease of an Industrial Business Unit

As it deals with a potential contract/lease that may be entered into and the report provides details relating to another entities business.

LEVEL OF SIGNIFICANCE

High – Confidential Items

CONSULTATION

Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

Under section 5.23 (2) of the *Local Government Act 1995*, part of a council meeting may be closed, if the meeting deals with any of the following:

- (a) *a matter affecting an employee or employees;*
- (b) *the personal affairs of any person;*
- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
- (e) *a matter that if disclosed, would reveal —*
 - (i) *a trade secret;*
 - (ii) *information that has a commercial value to a person;*
 - (iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;*
- (f) *a matter that if disclosed, could be reasonably expected to —*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (ii) *endanger the security of the local government's property;*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
- (g) *information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and*
- (h) *such other matters as may be prescribed.*

Shire of Morawa Meeting Procedures Local Law 2012

The key parts include:

6.2 Meetings not open to the public

- (1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.
- (2) The Council or a committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.
- (3) If a resolution under subclause (2) is carried— (a) the presiding member is to direct everyone to leave the meeting except— (i) the members; (ii) the CEO; and (iii) any officer specified by the presiding member; and (b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the committee, by resolution, decides otherwise.

- (4) A person who fails to comply with a direction under subclause (3)(a) may, by order of the presiding member, be removed from the meeting.
- (5) While the resolution under subclause (2) remains in force, the operation of clause 8.9 is to be suspended until the Council or the committee, by resolution, decides otherwise.
- (6) A resolution under this clause may be made without notice.
- (7) Unless the Council resolves otherwise, once the meeting is reopened to members of the public, the presiding member is to ensure that any resolution of the Council made while the meeting was closed is to be read out including a vote of a member to be included in the minutes.

Strategic Community Plan 2018 to 2028 (desktop Review June 2020)

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

FINANCIAL AND RESOURCES IMPLICATIONS

Any known financial implications are addressed in the respective reports.

RISK MANAGEMENT CONSIDERATIONS

There are no known risk management considerations.

CONCLUSION

That Council closes the meeting to the public under section 5.23 (2) of the *Local Government Act 1995* and the *Shire of Morawa Standing Orders Local Law 2011* s 6.2 (2) so that it can consider the reports as addressed.

ATTACHMENT

Nil

PROCEDURAL MOTION

170614

Moved: Cr Stokes

Seconded: Cr Katona

That Council adjourn the debate on Item 15.2 Confidential Item – Commercial Lease of an Industrial Business Unit until an enhanced report has been prepared demonstrating how the proponent intend to manage site concerns, including those of an environmental nature.

CARRIED BY SIMPLE MAJORITY 6/0

15.2 Confidential Item – Commercial Lease of an Industrial Business Unit

RESOLUTION Adjourned as per Procedural Motion 170613

15.3 Reopening of Meeting to the Public

COUNCIL RESOLUTION

170615

Moved: Cr Stokes

Seconded: Cr Carslake

The Council reopens the meeting to the public.

CARRIED BY SIMPLE MAJORITY 6/0

Item 16 Closure

16.1 Date of Next Meeting

The next ordinary meeting of Council will be held on Thursday, 15 July 2021 commencing at 5.30pm.

16.2 Closure

There being no further business, the President declared the meeting closed at 5.50pm.



..... Presiding Member