



MINUTES

ORDINARY MEETING OF COUNCIL

to be held on

Thursday 19 May 2022 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 at 5.43pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

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

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

President (Presiding Member) Councillor Karen Chappel
Deputy President Councillor Ken Stokes
Councillor Jane Coaker
Councillor Shirley Katona

Staff

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

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

Cr Debbie Collins
Cr Yvette Harris

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:*

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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 April 2022.

Cr Chappel would like to acknowledge the generous donation from the Estate of the Late Mr Bruce Stanley Stokes towards the future of the Aged Care units in Morawa.

| Date | Details of Meeting |
|-----------------|---|
| 4 April 2022 | WA Federal Member Budget Meeting with Patrick Gorman |
| 5 April 2022 | Meeting with Hon John Carey BA MLA |
| 6 April 2022 | Midwest Operations Area Support Group Meeting |
| 7- 8 April 2022 | Midwest Development Commission Meeting- Mingenew |
| 11 April 2022 | Lord Mayors Distress Relief Fund Meeting |
| 13 April 2022 | Shire of Morawa Agenda Settlement and Briefing |
| 13 April 2022 | National Reconciliation Week Webinar |
| 19 April 2022 | Finance and Services Committee Agenda Briefing |
| 20 April 2022 | Finance and Services Committee Meeting |
| 20 April 2022 | Shire of Morawa Ordinary Council Meeting |
| 20 April 2022 | Presentation to Local Government Officials |
| 21 April 2022 | ALGA National General Assembly Sub- Committee Meeting |
| 22 April 2022 | Murchison Country Zone Meeting- Cue |
| 22 April 2022 | Australian Local Government Association Sub-Committee Meeting |
| 26 April 2022 | Northern Country Zone Meeting- Mingenew |
| 26 April 2022 | South Metro Zone Meeting |
| 27 April 2022 | Shire of Morawa Audit De-Briefing |
| 27 April 2022 | State Advisory Committee Briefing |
| 27 April 2022 | Municipal Waste Advisory Board Meeting |
| 28 April 2022 | Peter Kenyon- Community Builders |
| 29 April 2022 | State Road Funds to Local Government Advisory Committee Meeting |
| 29 April | WA Federal Member Budget Meeting with Rick Wilson MP |

Item 9 Declaration by 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 Ken Stokes
- Councillor Jane Coaker
- Councillor Shirley Katona

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 20 April 2022 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa’s secure portal to all Councillors on 29 April 2022.

OFFICER’S RECOMMENDATION

That Council confirm that:

220501

Moved: Cr Stokes

Seconded: Cr Coaker

- 1. the Minutes of the Ordinary Council Meeting held 20 April 2022 are a true and correct record.**

CARRIED BY SIMPLE MAJORITY 4/0

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 April 2022**

Author: Executive Assistant

Authorising Officer: Chief Executive Officer

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

OFFICER RECOMMENDATION**220502****Moved: Cr Coaker****Seconded: Cr Stokes**

That with respect to Actions Performed under Delegated Authority for April 2022, Council:

- 1. Accept the Report.**

CARRIED BY SIMPLE MAJORITY 4/0

PURPOSE

To report back to Council, actions performed under delegated authority from the period 01 April 2022 to 30 April 2022.

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 April 2022 to 30 April 2022 ('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 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

| Date of decision | Decision Ref. | Decision details | Applicant | Other affected person(s) |
|-------------------------|----------------------|---|---------------------------------|---------------------------------|
| 19/4/22 | 220352 | Remedial works to dwelling Cyclone Damage | 9747 Wubin-Mullewa Road, Morawa | |

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

11.2 EXECUTIVE MANAGER CORPORATE & COMMUNITY SERVICES**11.2.1 Statement of Financial Activity – April 2022**

Author: Corporate & Community Services 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**220503****Moved: Cr Stokes****Seconded: Cr Katona**

That Council receive;

- 1) the Statement of Financial Activity for the period ending 30 April 2022.
- 2) the Bank Reconciliation Report for period ending 30 April 2022.
- 3) the attached List of Payments for the period ending 30 April 2022.
- 4) with respect to the Chief Executive Officer authorisations and reporting to Council;
4.1) information presented to this meeting in regard to NIL reimbursement applications made by the Chief Executive Officer for the period ending 30 April 2022

CARRIED BY SIMPLE MAJORITY 4/0

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 30 April is as follows:

| Account | Balance |
|-------------------------------------|-----------------------|
| Municipal Account | 2,005,031.52 |
| Municipal Online Account | 1,027,525.59 |
| Trust Account | 4,051.45 |
| Reserve Account | 4,114,938.15 |
| Term Deposits (Reserves) | 2,100,000.00 |
| Total Cash & Investments | \$9,251,546.71 |

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 April 2022 to 30 April 2022 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) | 303,845.17 |
| Municipal | Cheques No: | 0.00 |
| Municipal | Direct Debit Transactions | 35,385.18 |
| Municipal | Bank Transfers / Payroll / Other Payments | 116,508.18 |
| Municipal | Corporate Credit Cards | 2,395.41 |
| Trust | Electronic Funds Transfers (EFT) | |
| | TOTAL | 458,133.94 |

Reimbursement Applications

There have been \$0 of reimbursements claimed by the Chief Executive Officer during the month of April.

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 surplus showing of \$3,365,653 is higher than expected due to the receipt of the advanced payment of Financial Assistance Grants, \$1,488,330 for 2022-23 which normally arrives in June.

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 Statement of Financial Activity, the Bank Reconciliation report, the list of accounts paid by the Chief Executive Officer and the list of any work related expenses/reimbursements submitted by the Chief Executive Officer.

ATTACHMENTS

Attachment 1 – 11.2.1a Monthly Financial Report for the period ending 30 April 2022.

Attachment 2 – 11.2.1b Bank Reconciliation for the period ending 30 April 2022.

Attachment 3 – 11.2.1c List of Accounts Paid for the period ending 30 April 2022.

11.2.2 May 2022 Budget Review – Covering actuals 1 January to 31 March 2022

Author: Acting Chief Executive Officer

Authorising Officer: Acting 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

220504 Moved: Cr Coaker

Seconded: Cr Stokes

That Council:

- 1. Adopt the May 2022 budget review considering the actual financials for the period 1 January to 31 March 2022 as presented in the Report and Attachment 1**
- 2. Amends the budget accordingly**

CARRIED BY ABSOLUTE MAJORITY 4/0

PURPOSE

For Council to consider and adopt the 3rd quarter 2021-2022 budget review.

DETAIL

Under Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, Council is obliged to undertake an annual budget review. A review of the 2021-2022 Annual Budget has been undertaken by the Chief Executive Office and other senior staff using the monthly financial statements as of 31 December 2020 and actual financial figures at the time of the review February/March 2021.

The 1 January – 31 March 2022 Budget Review (*Attachment 1*) document details the examination undertaken and all budget movements.

Summarised below are the major variations included in the Budget Review:

Opening Balance

During the Annual Budget development, the Shire predicted a closing surplus for 2020/2021 (opening balance for 2021/2022) of \$1,986,095. The actual closing balance for 2020/2021 in the Annual Financial Report was \$2,110,858.

Increase in Operating Revenue

There has only been one change to operating revenue in this budget review, that being the donation of \$153,143 from Mr Bruce Stanley Stokes for Council to utilise “for the general purposes of providing a continuing benefit towards the provision of Aged Care Units”.

This donation has been transferred into the Aged Care Units (Excl. 1-4) Reserve to be utilised on future requirements as determined by Council.

Final Position

With the budget review movements presented in *Attachment 1*, accounting for no bottom line changes for this review being combined with the November Budget Reviews movements (\$6,007 end of year surplus) as per Council Resolution 211107, and the February's movements (\$9,454 end of year surplus) as per Council Resolution 220205 the Shire's end of year closing position is expected to remain at a \$9,454 surplus.

LEVEL OF SIGNIFICANCE

High – Compliance with legislation

CONSULTATION

Shire President
Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government (Financial Management) Regulations 1996

33A. Review of budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) The review of an annual budget for a financial year must —*
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) consider the local government's financial position as at the date of the review; and*
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
Absolute majority required.
- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department."*

FINANCIAL AND RESOURCES IMPLICATIONS

The Shire of Morawa 2021/2022 3rd quarter Budget Review outcome is that Council is expected to have a surplus of \$9,454 at 30 June 2022 (adopted budget was balanced)

RISK MANAGEMENT CONSIDERATIONS

High – Compliance with legislation and accountability via external audits (OAG)

CONCLUSION

The review has considered all operational and capital areas of council and compared year to date figures to projected 30 June figures to ensure accounts are tracking in line with budget. Where

changes and variations are known these changes have been incorporated to ensure that the desired financial result is achieved by Council.

The net effect of the projected income and expenditure to 30 June 2022 is that Council is expected to have a yearend surplus of \$9,454.

ATTACHMENTS

Attachment 1 – 11.2.2 1 January to 31 March 2022 Budget Review

11.2.3 Fees and Charges for 2022-2023

Author: Acting Chief Executive Officer

Authorising Officer: Acting 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**220505****Moved: Cr Katona****Seconded: Cr Stokes**

That council:

- 1) Resolves to adopt the Schedule of Fees and Charges for the financial year 2022-2023 and impose from 1 July 2022.**
- 2) Direct the CEO to give Local Public Notice of the 2022-2023 Schedule of Fees and Charges for a period of 14 days and implement accordingly.**

CARRIED BY ABSOLUTE MAJORITY 4/0

PURPOSE

To review and update the current Fees and Charges Schedule (*Attachment 1*) for the Financial Year 2022-23.

DETAIL

Annually, a review of the fees and charges should be undertaken by Council as part of the Budget Process. At the CEO briefing in April council discussed the proposed fees and charges for 2022-2023 with the consensus that generally the increase to fees and charges would be set at 4% with slight rounding's up and down and with some specific areas not being increased at all.

No increases to:

- Pool entrance fees
- Sporting levies
- Most administration fees
- Caravan Park fees

It should be noted that the annual charges for the disposal of waste and sewerage for both residential and commercial properties has increased by 6% in line with the proposed increase to rates.

LEVEL OF SIGNIFICANCE

High – the fees and charges affect the total expected revenue amount in the Budget which is scheduled to be adopted in July 2022.

CONSULTATION

- Councillors
- Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995:

s 6.16 & s 6.17 Imposition of fees and charges

Local Government (Financial Management) Regulations 1995:

C 24 & C 25 Services charges and fees and charges

With regards to the Fees and Charges as shown in the attachments:

- *Cemeteries Act 1986*
- *Cemeteries Local Law 2018*

- *Building Act 2011*
- *Building Regulations*
- *Planning & Development Regulations*

- *Food Act 2008*
- *Health Act 1911*
- *Public Health Act 2016*

- *Freedom of Information Act 1992*
- *Dog Act 1976*
- *Cat Act 2011*

- *Caravan and Camping Grounds Act 1995*
- *Caravan and Camping Regulations 1997*

FINANCIAL AND RESOURCES IMPLICATIONS

Setting of fees and charges is an integral part of the budget preparation process. A transparent Schedule supports community information and contributes to a higher degree of correct processing of financial transactions.

Outcome 4.6 - Well planned, affordable and effective service delivery and infrastructure.

RISK MANAGEMENT CONSIDERATIONS

A more comprehensive overview of the fees and charges contributes to fewer risks in the operational processes. The Schedule ensures higher degrees of transparency and clarify on the actual amounts to be paid.

CONCLUSION

That the proposed fees and charges as set out in Attachment 1 be adopted by Council as part of its budget setting process.

ATTACHMENTS

Attachment 1 – Schedule of Fees and Charges 2022-2023

11.2.5 North Midlands Regional Club Development Plan

| | |
|--------------------------------|--|
| Author: | Community Development Officer |
| Authorising Officer: | Acting 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

220507 **Moved: Cr Stokes** **Seconded: Cr Coaker**

That Council:

- 1. Approve the circulation of the draft plan for public comment.**
- 2. Authorise the Shire President to endorse the plan on behalf of Council, providing no major changes are required, following the closure of the public comment period.**

CARRIED BY SIMPLE MAJORITY 4/0

PURPOSE

To approve and endorse the Regional Club Development Plan funded by DLGSC under the Every Club Grant Scheme.

DETAIL

In April 2021 the Shire of Morawa was successful in securing a grant from the "Every Club" Grant Scheme administered by the Department of Local Government, Sport and Cultural Industries (DLGSC) to assist with developing a Regional North Midlands Club Development Plan. Six (6) Shires being Carnamah, Coorow, Mingenew, Morawa, Perenjori and Three Springs, contributed to this plan in both direct and in-kind support with Shire of Morawa taking the lead.

Sport is an essential part of the social fabric of the North Midlands Area. The North Midlands Regional Club Development Plan seeks to work on a regional level with sporting groups and organisations to work towards common outcomes. The North Midlands Regional Club Development Plan will provide key strategic focus areas for the six North Midlands Local Government Shires. This will enable a regional focus for existing Sport and Recreational Clubs and assist with identifying issues and the leveraging of grant funding as it becomes available.

Consultation with the North Midlands community groups have occurred through an online survey and focus workshops held in each of the six Shires during March 2022. The North Midlands Regional Club Development Plan is a collaboration of the feedback from each community in regard to challenges they face within their sporting and recreational groups. A total of 42 people completed the survey and 40 people attended the workshops across the region.

The Every Club Grant is due to be acquitted by 30 June. This draft has been circulated to initial attendees and respondents for feedback which has been included in the attached version.

LEVEL OF SIGNIFICANCE

Low significance

CONSULTATION

Mike Pforr – Gather Consultancy
Shires of Carnamah, Coorow, Mingenew, Morawa, Perenjori and Three Springs
Community Consultation of Local Sporting Group through Visioning Workshops
Community Survey

LEGISLATION AND POLICY CONSIDERATIONS

Strategic Community Plan 2018 to 2028

Outcome 3.5 Pillar: Social Connection – Improved and well maintained community, recreational and civic infrastructure.

Morawa Sport and Recreation Master Plan 2011 item 5.2 Coordination and Management of Facilities / Sport Development

FINANCIAL AND RESOURCES IMPLICATIONS

Whilst there is no immediate financial implications with the adoption of the Plan, allocation of funding in future years may be required, depending on the programs initiated and available grant funding.

RISK MANAGEMENT CONSIDERATIONS

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

CONCLUSION

That Council

1. Each individual Shire adopts the Draft North Midlands Regional Club Development Plan, to allow for it to be advertised for public comment; and
2. Authorise the Shire President to endorse the Plan on behalf of Council, providing no majors changes are required, following the closure of the public comment period.

ATTACHMENTS

Attachment 1 – 11.2.5 Regional Club Development Plan Final Draft

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 Closure of the Meeting to the Public**

Author: Acting Chief Executive Officer

Authorising Officer: Acting 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

220508

Moved: Cr Katona

Seconded: Cr Coaker

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

- 15.2 Confidential Report – General Practitioner Services

CARRIED BY SIMPLE MAJORITY 4/0

PURPOSE

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

DETAIL

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

- 15.2 Confidential Report – General Practitioner Services

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 Meeting Procedures Local Law 2012* s 6.2 so that it can consider the reports as addressed.

ATTACHMENT

Nil

15.2 Confidential Report – General Practitioner Services

Author: Acting Chief Executive Officer

Authorising Officer: Acting 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.

220509

Moved: Cr Stokes

Seconded: Cr Coaker

OFFICER'S RECOMMENDATION

With respect to the Medical Services Agreement for the provision of General Practitioner Services, That Council:

3. Resolves to enter into a renewal of the Medical Services Agreement (*Attachment 1*) for a term of three (3) years between the Shire of Morawa and Dr Adebola Adeiye.
4. Authorises the CEO to make final adjustments to the Medical Services Agreement and the Lease of Commercial Premises (*Attachment 2*) between the Shire of Morawa and Dr Adebola Adeiye.
5. Resolves pursuant to section 9.49a of the Local Government Act 1995 the common seal be affixed to the Medical Services Agreement and the Lease of Commercial Premises between the Shire of Morawa and Dr Adebola Adeiye.
6. Further to s6.4 of the Medical Services Agreement, authorise an updated inventory of fixtures, fittings and equipment be undertaken by the Shire and Dr Adebola Adeiye within 3 weeks of the sealing of the Medical Services Agreement and Lease.

CARRIED BY ABSOLUTE MAJORITY 4/0

15.3 Reopening of the Meeting to the Public

OFFICER'S RECOMMENDATION

220510

Moved: Cr Stokes

Seconded: Cr Katona

That Council reopens the meeting to the public.

CARRIED BY SIMPLE MAJORITY VOTE 4/0

Item 16 Closure

16.1 Date of Next Meeting

Council will change the next ordinary meeting of council from Thursday, 16 June 2022 to Wednesday, 15 June 2022, due to Cr Chappel attending an Australian Local Government Association Conference (ALGA) in Canberra on the 17 June 2022.

220510

Moved: Cr Coaker

Seconded: Cr Katona

CARRIED BY SIMPLE MAJORITY VOTE 4/0

16.2 Closure

There being no further business, the President to declare the meeting closed at 5.54 pm.