

AGENDA

ORDINARY MEETING OF COUNCIL

to be held on

Thursday, 18 May 2023 at 5:30pm

at the

Shire of Morawa Council Chambers, 26 Winfield Street, Morawa



'This meeting is being recorded on audio tape and to assist with minute taking purposes. The public is reminded that in accordance with Section 6.16 of the Shire of Morawa Meeting Procedures Local Law 2012 that nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the presiding member.'

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

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			
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:	D	ate:	

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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Contents

Item 1	Opening of Meeting	6
Item 2	Acknowledgement of Traditional Owners and Dignitaries	6
Item 3	Recording of Attendance	6
3.1	Attendance	6
3.2	Apologies	6
3.4	Approved Leave of Absence	6
3.5	Disclosure of Interests	6
Item 4	Applications for Leave of Absence	7
Item 5	Response to Previous Questions	7
Item 6	Public Question Time	7
6.1	Public Question Time	7
6.2	Public Statement Time	7
6.3	Petitions/Deputations/Presentations/Submissions	7
Item 7	Questions from Members without Notice	7
Item 8	Announcements by Presiding Member without Discussion	8
Item 9	Declaration by all Members to have given due consideration to All Matters Co in the Business Paper before the Meeting	
Item 10	Confirmation of Minutes of Previous Meeting	9
Item 11	Reports of Officers	10
11.	1 Chief Executive Officer	10
11	1.1.1 Actions Performed under Delegated Authority for April 2023	10
11	1.1.2 Council Policy ELM26 – Electronic Meetings and Attendance	13
11	1.1.3 2024 Art Show Planning and Endorsement	15
11.	2 Executive Manager Corporate & Community Services	18
11	I.2.1 Statement of Financial Activity – April 2023	18
Item 12	Reports from Committees	22
12	2.1 May 2023 Minutes of WALGA State Council Meeting	22
Item 13	Motions of Which Previous Notice Has Been Given	22
Item 14	New Business of an Urgent Nature	22
Item 15	Matters for Which the Meeting May Be Closed (Confidential Items)	22
Item 16	Closure	22
16.	1 Date of Next Meeting	22
16.	2 Closure	22

Item 1 Opening of Meeting

The President to declare the meeting open at 5:30pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

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

Item 3 Recording of Attendance

3.1 Attendance

Council

President (Presiding Member) Councillor Karen Chappel

Deputy President Councillor Ken Stokes

Councillor Mark Coaker

Councillor Jane Coaker

Councillor Debbie Collins

Councillor Yvette Harris

Councillor Shirley Katona

Staff

Chief Executive Officer Scott Wildgoose

Executive Manager Corporate & Community Services

Jackie Hawkins

Members of the Public

- 3.2 Apologies
- 3.4 Approved Leave of Absence
- 3.5 Disclosure of Interests

Item 4 Applications for Leave of Absence

Item 5 Response to Previous Questions

Item 6 Public Question Time

Important note:

'The public is reminded that in accordance with Section 6.16 of the Shire of Morawa Meeting Procedures Local Law 2012 that nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the presiding member.

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

- 6.1 Public Question Time
- 6.2 Public Statement Time
- 6.3 Petitions/Deputations/Presentations/Submissions

Item 7 Questions from Members without Notice

Item 8 Announcements by Presiding Member without Discussion

President's Meetings for the month of April 2023.

Date	Details of Meeting
3 April 2023	Meeting with Mel Pexton
4 April 2023	A & R Committee Meeting
5 April 2023	OAG Public Sector Audit Committee Chair Forum
13 April 2023	Shire of Morawa – Agenda Settlement
15 April 2023	STARGAZE IN MORAWA- Eclipse Discovery Tour
19 April 2023	MWAC April 2023 Meeting
20 April 2023	Shire of Morawa – Ordinary Council Meeting
26 April 2023	Meeting with Sam and Minister Carey - GP Recruitment Lessons
28 April 2023	State Road Funds to Local Government Advisory Committee (Meeting 1 of 3, 2023)

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.

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 20 April 2023 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 21 April 2023.

OFFICER'S RECOMMENDATION

That Council confirm that:

1. the Minutes of the Ordinary Council Meeting held 20 April 2023 are a true and correct record.

SIMPLE MAJORITY VOTE REQUIRED

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 2023

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

That with respect to Actions Performed under Delegated Authority for April 2023, Council:

1. Accept the Report.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To report back to Council, actions performed under delegated authority from the period 01 April 2023 to 30 April 2023.

DFTAIL

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 2023 to 30 April 2023 ('the period') and are submitted to Council for information.

Bushfire

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

Caravan parks and campgrounds

No delegated decisions were undertaken by Shire pursuant to caravan parks and camping grounds during the period.

Common Seal

No Common Seal actions were undertaken by the Shire during the period.

Dangerous Goods Safety Act 2004

No delegated decisions were undertaken by Shire pursuant to Dangerous Goods Safety matters during the period.

Food Act 2008

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

Hawkers, traders, and stall holders

No delegated decisions were undertaken by Shire pursuant to Hawkers, traders, and stall holders during this period.

Liquor Control Act 1988

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

Lodging houses

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

Public Buildings

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

Septic Tank Approvals

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

Planning Approval

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)

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)

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 Council Policy ELM26 – Electronic Meetings and Attendance

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any

conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council:

1. Adopt ELM 26 – Electronic Meetings and Attendance, as attached, noting a 12 month review period to evaluate functionality against the new regulations.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

For Council to adopt a Policy in relation to attendance at meetings by electronic means.

DETAIL

In November 2022, the Local Government (Administration) Regulations 1996 were updated to enhance the provisions regarding the attending of meetings electronically and the holding of meetings electronically.

Prior to November 2022, electronic attendance by Councillors was only permitted by regulations if a State of Emergency event or natural disaster has occurred. From 2019 to 2022, with the ongoing State of Emergency linked to Covid-19, electronic attendance and electronic meetings became common place across business and government. Electronic Council meetings became regular occurrences in populated areas, and in Country areas many Councillors attended meetings electronically when it wasn't practical or safe for them to attend in person.

For the Shire of Morawa, electronic attendance allowed the tyranny of distance to be overcome and achieved regular meeting attendance, when in previous years apologies may have been required.

Given most Local Government's handled the pandemic well and the electronic meetings were well managed, the Minister for Local Government through the reform process facilitated the inclusion of the provision for electronic attendance or meetings by way of Council or President (Mayor) approval within Regulations.

As such the administration deems it prudent for the Shire of Morawa to endorse a Policy position regarding electronic meetings (eMeetings) and electronic attendance of meetings (eAttendance).

The attached Council Policy – ELM 26 Electronic Meetings and Attendance sets the basic protocols and processes for the provision of eMeetings and eAttendance.

The Policy in general provides that the Shire of Morawa prefers in person meetings but welcomes the flexibility and improved accessibility associated with eAttendance.

The Policy notes and plans for processes to manage the 50% restrictions applied under Regulations, and in general grants decision making powers to the Shire President to streamline the process.

LEVEL OF SIGNIFICANCE

Medium – the Shire is already facilitating eMeetings and eAttendance without an adopted Policy position, but good governance would recommend a clear process and Policy be endorsed.

CONSULTATION

Governance Team

LEGISLATION AND POLICY CONSIDERATIONS

Regulation 14C to 14E of the Local Government (Administration) Regulations 1996

Strategic Community Plan 2022 - 2032

Be future focused in all we do:

1. Ensure the Shire and its assets are well resourced and sustainable.

FINANCIAL AND RESOURCES IMPLICATIONS

The provision of eMeetings or eAttendance comes at no extra cost, as the Shire has been facilitating this for the last 3 years.

It should be noted that new provisions requiring audio recording of Council meetings will likely require the Shire to invest in improved hardware and software to ensure quality audio can be recorded regardless of attendance option.

RISK MANAGEMENT CONSIDERATIONS

The development of a Council Policy on this matter aims to reduce the non-compliance risk and ensure the Shire complies with Regulations.

CONCLUSION

Given Council is already utilizing the Regulations to facilitate eMeetings and eAttendance, it makes sense for Council to adopt a Policy position to manage the governance around the process and Regulations.

ATTACHMENTS

Attachment 1 – 11.1.2a Council policy ELM26 – Electronic Meetings and Attendance

11.1.3 2024 Art Show Planning and Endorsement

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any

conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council:

- 1. Resolve to underwrite the 2024 Morawa Art Exhibition u to a maximum financial contribution of \$90.000.
- 2. Support the Chief Executive Officer actively pursuing funding/sponsorship opportunities that reduce the Shire's financial contribution to the event and contribute towards its ongoing sustainability.
- 3. Encourage the Chief Executive Officer to explore opportunities to expand the reach and impact of the event.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

For Council to provide clear financial backing to the 2024 Morawa Art Show.

DETAIL

Morawa has been hosting an art related event since 2004. The event has evolved and changed but continues to provide a unique opportunity to showcase Morawa.

The event has been held on a biennial basis; however, the 2020 version of the event was unfortunately, cancelled due to the COVID-19 pandemic.

As the event has grown so too has the prize money on offer and logistics involved in the delivery of the event. Karara Mining Ltd (formally) began sponsoring the awards in 2010 and at this stage the total prize money on offer was \$11,000. In 2018 the total prize money on offer for the event was \$20,000. At this point Karara Mining Ltd was providing major sponsorship of \$20,000 towards the event.

Karara Mining Ltd continued their support for the 2022 Art Show and the 2022 version of the event attracted 303 pieces of Artwork from 179 West Australian Artists. Prize money remained at \$20,000 and 407 people visited the exhibition during its weeklong opening.

In 2018 the Morawa Art Show cost approximately \$58,000 with the financial contribution from the Shire being approximately \$17,000. In 2022 this increased to a total event cost of \$76,000 with a financial contribution from the Shire of \$27,000.

Given the continued escalation of material and service costs over the last two years, initial estimates suggest a like for like event in 2024 will cost approximate \$80,000 to 90,000 – 5% to 20% overall increase which seems likely given current inflation.

Whilst the 2022 event came at a cost of approximately \$150 per attendee, it was a large event held during the wildflower season that differentiated Morawa from the other neighbouring towns offerings.

If the 2024 version of the event is to go ahead the Shire would need to seek sponsorship once again from Karara Mining Ltd. As well as other secondary sponsors, if side workshops or activities are to be delivered, they will need appropriate grant funding, and given the organisational time involved with the event it is recommended that an external event manager be engaged as per 2022.

For the Shire to proceed planning and advertising the event scheduled for an opening night in Augusts 2024, the CEO and event manager need some certainty that the Shire will underwrite the expenditure for the event regardless of external funding sources.

Council will need to be comfortable that the financial allocation for the next two financial years may need to be \$40,000 - \$45,000 to ensure the sustainability of the event in lieu of outside contributions. Whilst this report does not represent a formal budget allocation it provides a clear directive to the administration to move ahead with the delivery of the event on the basis that Council will cover costs if no sponsors are forthcoming.

At this stage Karara Mining Ltd. Have not confirmed their funding commitment but a letter from the Shire President is drafted to be sent to affirm their ongoing sponsorship and expectations from the event.

To attract high quality submissions for the show the Shire needs to try and maintain prize money at its current levels and not be seen to move backwards. Cuts could be made in other areas, but it will ultimately flow through to the product being delivered. In order to increase the return on investment the Shire will investigate whether the exhibition can remain open for more than a week and how visitation and opening night attendance can be increased generally.

LEVEL OF SIGNIFICANCE

Medium – The Biennial art show stands as the Shire of Morawa's premier event and represents a significant financial contribution.

CONSULTATION

Senior Management Team
Event Manager (external consultant)

LEGISLATION AND POLICY CONSIDERATIONS

Nil

Strategic Community Plan 2022 to 2032

Embrace Cultural and Social Diversity: Develop and Implement Arts and Culture plan

FINANCIAL AND RESOURCES IMPLICATIONS

Whilst the final event budget is yet to be determined it is estimated to be around \$85,000 over two financial years. This represents a significant budget commitment.

RISK MANAGEMENT CONSIDERATIONS

An event manager has been employed to manage the risks associated with event delivery and whilst any significant event investment always comes at a risk, the reputational risk of not delivering the event should also be considered.

CONCLUSION

The Shire will be actively trying to attract greater sponsorship to minimise the overall contribution from the Shire's budget but to deliver a large event of this type it is not unreasonable to expect that it will cost the Shire \$60,000 even with sponsorship and grants. The main consideration needs to be whether the Art Show represents a good use of the Shire funds and if it brings enough cultural and social benefits to the community to warrant the investment.

At this stage the author believes the event warrants continuation in 2024 but further analysis should be done before the 2026 version of the event.

ATTACHMENTS

Nil

11.2 Executive Manager Corporate & Community Services

11.2.1 Statement of Financial Activity – April 2023

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

That Council receive:

- 1. the Statement of Financial Activity for the period ending 30 April 2023.
- 2. the Bank Reconciliation Report for period ending 30 April 2023.
- 3. the attached List of Payments for the period ending 30 April 2023.
- 4. with respect to the Chief Executive Officer authorisations and reporting to Council;
 - 4.1 Reimbursement applications made by the Chief Executive Officer for the period ending 30 April 2023

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

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

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

DETAIL

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

Under the regulations the report must include the following items,

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

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

Account	Balance
Municipal Account	521,837.00
Municipal Online Account	1,039,197.47
Trust Account	8,474.23
Reserve Account	4,223,160.10
Term Deposits (Reserves)	2,100,000.00
Total Cash & Investments	s \$7,892,668.80

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 2023 to 30 April 2023 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)	805,615.66
Municipal	Cheques No: 12047	96.32
Municipal	Direct Debit Transactions	71,958.12
Municipal	Bank Transfers / Payroll / Other Payments	164,639.15
Municipal	Corporate Credit Cards	4,696.12
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	\$1,047,005.37

Reimbursement Applications

There have been \$2,114.78 of reimbursements claimed – relating to flights and accommodation for the ALGA conference booked on his personal credit card and 2 days of leave taken by the Chief Executive Officer during the month of April.

The CEO has also repaid an amount of \$9.79 that was spent on his corporate credit card in error.

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

During the preparation of the financial statements, it has been found that the Nature and Type allocations for the Budget figures do not match those that have been adopted by Council. At the time of preparing this report officers did not have the ability to make the changes but will do so before the May report is brought to Council.

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 2023 - 2032

Be future focused in all we do:

1. Ensure the Shire and its assets are well resourced and sustainable.

FINANCIAL AND RESOURCES IMPLICATIONS

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 2023.

Attachment 2 – 11.2.1b Bank Reconciliation for the period ending 30 April 2023.

Attachment 3 – 11.2.1c List of Accounts Paid for the period ending 30 April 2023.

Item 12 Reports from Committees

12.1 May 2023 Minutes of WALGA State Council Meeting

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any

conflicts of interest in relation to this item.

OFFICER'S RECOMMENDATION

That Council receive:

1. the Minutes of the WALGA State Council Meeting held 3 May 2023.

SIMPLE MAJORITY VOTE REQUIRED

Attachment 1 – 12.1a Minutes of WALGA State Council Meeting, 3 May 2023

Item 13 Motions of Which Previous Notice Has Been Given

Item 14 New Business of an Urgent Nature

Item 15 Matters for Which the Meeting May Be Closed (Confidential Items)

Item 16 Closure

16.1 Date of Next Meeting

The next ordinary meeting of Council will be held on Thursday, 22 June 2023 commencing at 5.30pm.

16.2 Closure

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