



MINUTES

ORDINARY MEETING OF COUNCIL

held on

Thursday, 21 March 2024 at 5:30pm

at the

**Shire of Morawa Council Chambers,
26 Winfield Street, Morawa**



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

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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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Contents

Item 1	Opening of Meeting	7
Item 2	Acknowledgement of Traditional Owners and Dignitaries	7
Item 3	Recording of Attendance	7
3.1	Attendance	7
3.2	Apologies	7
3.4	Approved Leave of Absence	7
3.5	Disclosure of Interests	7
Item 4	Applications for Leave of Absence	7
Item 5	Response to Previous Questions	7
Item 6	Public Question Time	8
Item 7	Questions from Members without Notice.....	8
Item 8	Announcements by Presiding Member without Discussion	8
Item 9	Declaration by all Members to have given due consideration to All Matters Contained in the Business Paper before the Meeting.....	9
Item 10	Confirmation of Minutes of Previous Meeting.....	9
Item 11	Reports of Officers	10
11.1	Chief Executive Officer	10
11.1.1	Actions Performed under Delegated Authority for February 2024	10
11.1.2	Corella Control.....	14
11.1.3	Adoption of 2024-2029 Local Emergency Management Arrangements (LEMA)	21
11.1.4	Amendment to Resolution 230815 – Morawa Speedway Club Night Light Program Grant Application	23
11.1.5	Policy Manual Review – Stage 3	26
11.1.6	Morawa Sinosteel Future Fund Committee – Appointment of Community Representatives.....	29
11.1.7	Shire Response to DLGSCI Standardised Meeting Procedures Consultation Paper	33
11.1.8	Proposed New Roof and Solar Panels for Morawa Post Office	39
11.2	Executive Manager Corporate & Community Services	42
11.2.1	Monthly Financial Report – January 2024	42
11.2.2	Monthly Financial Report – February 2024.....	46
11.2.3	Budget Review – 1 July to 31 January 2024.....	50
Item 12	Reports from Committees	55
12.1	2023 Compliance Audit Return.....	55
12.2	March 2024 Minutes of WALGA State Council Meeting	58

Item 13 Motions of Which Previous Notice Has Been Given..... 58

Item 14 New Business of an Urgent Nature 58

Item 15 Matters for Which the Meeting May Be Closed (Confidential Items) 59

 15.1 Closure of the Meeting to the Public..... 59

 15.2 Amendment to Resolution 240210 – Sale of Land for Recovery of Unpaid Rates 62

 15.3 Reopening of the Meeting to the Public..... 63

Item 16 Closure..... 63

 16.1 Date of Next Meeting 63

 16.2 Closure 63

Item 1 Opening of Meeting

The President declared the meeting open at 5:36pm.

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 Grant Chadwick

Councillor Mark Coaker

Councillor Debbie Collins

Councillor Diana North

Councillor Dean Clemson

Staff

Chief Executive Officer

Scott Wildgoose

Members of the Public

Nil

3.2 Apologies

Executive Manager Corporate & Community Services

Jackie Hawkins

3.4 Approved Leave of Absence

Nil

3.5 Disclosure of Interests**Agenda Item 11.1.8 Proposed New Roof and Solar Panels for Morawa Post Office**

Disclosing Member	Nature of Interest	The Nature being
Cr Chappel	Impartiality Interest	The owners of the Morawa Post Office are Cr Chappel's Son and Daughter-in-Law.

Item 4 Applications for Leave of Absence

Nil

Item 5 Response to Previous Questions

Nil

Item 6 Public Question Time

Nil

Item 7 Questions from Members without Notice

Nil

Item 8 Announcements by Presiding Member without Discussion

President's Meetings for the month of February 2024.

Date	Details of Meeting
1 February 2024	Development Assessment Panel (DAP) Member Training Session
1 February 2024	Australian Government Black Spot Consultative Panel
5 February 2024	Regional Telecommunications Program
5 February 2024	Shire of Morawa – Agenda Settlement
7 February 2024	State Council Information Session
8 February 2024	Shire of Morawa – Ordinary Council Meeting
8 February 2024	Shire of Morawa – Annual Electors Meeting
12 February 2024	Lord Mayors Distress Fund
13 February 2024	Rural Financial Counselling WA
14 February 2024	Minister David Michael (Mingenew-Morawa Road)
15 February 2024	Department of Transport - Transport of Iron Ore Meeting
16 February 2024	Department of Transport Roundtable re Transport of Iron Ore in the Mid-West
20 February 2024	Minister Catherine King/ RAC
20 February 2024	Main Roads Community Meeting re Mingenev Morawa Road Safety
21 February 2024	Finance & Services
21 February 2024	MWAC February 2024 Meeting
22 February 2024	Minister Ellery
26 February 2024	Northern Country Zone of WALGA
28 February 2024	Senator Dean Smith
28 February 2024	Hon Darren Chester
28 February 2024	Minister McBain
28 February 2024	Hon Melissa Price
28 February 2024	Minister Carol Brown
29 February 2024	ALGA Board Meeting

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 (Presiding Member) Councillor Karen Chappel
- Deputy President Councillor Ken Stokes
- Councillor Grant Chadwick
- Councillor Mark Coaker
- Councillor Debbie Collins
- Councillor Diana North
- Councillor Dean Clemson

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 8 February 2024 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 15 February 2024.

The Minutes of the 14 March 2024 Audit and Risk Management Committee Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 15 March 2024.

OFFICER'S RECOMMENDATION/RESOLUTION**240305****Moved: Cr Stokes****Seconded: Cr Collins****That Council confirm that:**

- 1. the Minutes of the Ordinary Council Meeting held 8 February 2024 are a true and correct record.**
- 2. the Minutes of the Audit and Risk Management Committee Meeting held 14 March 2024 are a true and correct record.**

CARRIED BY SIMPLE MAJORITY 7/0

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 February 2024**

Author: Governance and Executive Support Officer

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'S RECOMMENDATION/RESOLUTION**240306****Moved: Cr North****Seconded: Cr Coaker**

That with respect to Actions Performed under Delegated Authority for February 2024, Council:

- 1. Accept the Report.**

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

To report back to Council, actions performed under delegated authority from the period 01 February 2024 to 29 February 2024.

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 February 2024 to 29 February 2024 ('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

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>

01/02/2024	TP01/24	Outbuilding Approved	Shoreline Outdoor World	
13/02/2024	24/01	Steel Framed Shed On Concrete Footings	46 Valentine Street Morawa	
13/02/2024	23/21	Below Ground Fibreglass Swimming Pool Inside Brick Enclosure with Surrounding Pool Safety Barrier	GJ & JA Hutchinson	
16/02/2024	24/02	Steel Deck	64 White Street 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)

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 Corella Control

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/RESOLUTION**240307****Moved: Cr Coaker****Seconded: Cr North**

That Council:

- 1. Notes the report and Corella Control actions undertaken to date.**
- 2. Authorises the CEO to undertake a survey to gauge public attitudes to the control of birds as pests, sites of high status for management, and the general consensus in terms of the level of resources allocated to this service area to inform Council leading in to the 2024/2025 budget.**

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

To provide Council an understanding of Corella Control activities undertaken to date in the 2023/2024 financial year and general knowledge around corella control in the State.

DETAIL

Parrots and cockatoos are intelligent and highly inquisitive birds, and both introduced and native species can cause a range of impacts in urban, peri urban and rural areas of Western Australia.

Pest birds become unwelcome because they:

- damage fruit, cereal and horticulture crops
- displace native species
- destroy ecosystems
- foul houses and infrastructure
- transmit diseases
- cause a general nuisance to humans and our way of life.

Many Local Governments from Geraldton to Busselton, have significant problems with two species of corellas - the little corella (*Cacatua sanguinea*) native to the Pilbara and Kimberly region of Western Australia, and the Eastern long-billed corella (*Cacatua tenuirostris*), an introduced species from eastern Australia.

These birds cause noise impacts, fouling and damage to infrastructure and trees. Local Governments with high corella populations regularly receive complaints from residents on the nuisance they create, including disruption of sleep due to noise at roosting sites.

Between 2016 and 2019 WALGA, with funding provided by the Department of Biodiversity, Conservation and Attraction (DBCA) and Local Governments, undertook a Coordinated Corella Control Program in Perth, Peel and the South West to assist with the cross-boundary management of this species. During this time over 4,400 introduced corellas were euthanised in accordance with DBCA licence conditions. As part of the program, a Pest Bird Portal was created for common pest birds to foster a coordinated approach to control in the Perth metropolitan area and surrounds.

Since the program ceased, Local Governments have sought to continue with a regional approach to corella control. Across the Mid-West the concept of regional corella control has been raised several times at Zone meetings and in other forums, however no regional approach or best practice has been agreed upon.

Recently the population of corellas across regional WA have increased and most Local Government Areas are experiencing issues with noise and damage to native trees, wildlife, public spaces, and people's homes. The towns affected have tried all sorts of things to get rid of them including shooting, scare cannons, birds of prey signage, and balloons to scare them off. But nothing seems to be working.

The State Government has set up a new Pest Parrot and Cockatoo Strategy Steering Committee which is currently developing a Pest Parrot and Cockatoo Strategy for Western Australia. The aim is to implement a collaborative strategic framework to achieve the effective long-term management of pest parrots and cockatoos in Western Australia, its goal is about solving the problem for good, as opposed to solving it in one town and having them move straight on to another town. The strategy will consider funding support, as well as effective monitoring and evaluation of control programs.

Several species of parrots and cockatoos are declared pests under the Biosecurity and Agriculture Management Act 2007 (BAM Act) and are subject to control measures. The BAM Act is the primary legislation that applies to biosecurity and pest control measures in Western Australia. For example, Rainbow lorikeets and Sulphur crested cockatoos are declared pests under section 22, whilst Indian ringneck parakeets and Alexandrine parakeets are prohibited species under section 12 of the BAM Act.

Under the BAM Regulations 2013, pest species are assigned control categories to identify the legal requirement for landholders to control or manage these pests on their property. A C1 control category declared pest requires the organism to be excluded from the identified part or all of WA, and a C3 control category declared pest requires the community to apply some form of management controls that will alleviate the harmful impact of the pest, reduce the numbers or distribution of the pest, or prevent or contain the spread of the pest from a designated area. Both the Little Corella and Butlers/Muir's Corella have been assigned C1 and C3 classifications.

The Department of Biodiversity, Conservation, and Attractions manage licences and permits in relation to Fauna. There are some species of fauna that can be taken without a licence. These

are generally referred to as managed fauna and include Red and Grey Kangaroos, as well as Butlers Corella (*Cacatua pastinator butleri*), Eastern Long Billed Corella and the Little Corella (*Cacatua sanguinea westralensis*).



Butlers Corella



Eastern Long Billed Corella



Little Corella

Under BAM regulations it is the responsibility of all landowners and managers to exclude and manage the C1 and C3 categorised species of Corellas from their properties. It is generally acknowledged that without a community wide management effort, the impact of individual control measures will prove ineffective as the bird population can easily move or change roosting habits to an area where it isn't being controlled.

The Pest Parrot and Cockatoo Management Strategy should help guide stakeholders in the effective management of pest birds through the Department of Primary Industries and Regional Development establishing strong policy development, risk assessment, research and development, provision of technical advice and information, implementation of regulation, emergency response, property inspections, industry liaison, and the planning and coordination of significant species control/eradication programs.

The Shire of Morawa has been employing basic control measures to address the Corella population over the last decade, with varied levels of success. Council's primary focus is on protecting Council infrastructure and assets on Council land, predominately within the township. Historically the Shire has had a single employee (or two) under a corporate licence to cull corellas whilst other officers undertake various scaring techniques to discourage Corellas away from specific problem sites such as the Swimming Pool. This is only undertaken on Council land when Corellas are present and are deemed to be causing a nuisance, either by damage or excessive noise.

During the 2023/2024 financial year the Shire has allocated more resources to the control of corella population and roosting activities. To achieve this the administration has contracted its ranger service to also perform Corella control activities as well as dog and cat management activities and increased their service from a fortnightly visit to weekly to accommodate this extra service.

The Ranger service have provided three people, working together, on different occasions to

assist with the culling of Corellas. They have worked in partnership with a Shire employee who has previously conducted all shooting activity.

The team usually spends a couple of hours each visit shooting as the corellas leave the area once the first shots are fired and they become familiar with the vehicle and get spooked easily when they see it approach, thus much of the time is spent following and relocating. The effectiveness of the shooting activity has been improved by utilising a driver with a shooter, so the shooter does not need to leave the vehicle to shoot.

Since July 2023, approximately 300 corellas have been culled through this process.

Costs involved in this process include staff time, bullets, gun licence, vehicle costs, and ranger costs. The Shire has invested approximately \$20,000 to facilitate the weekly ranger program to accommodate corella management activities. Whilst a big cost increase, this approach has reduced the reliance on Shire staff who have alternative work demands.

In terms of the cost of corella damage to the Shire, it is somewhat difficult to quantify as the costs are split across various work areas. It can be assumed that 50% of the \$20,000 street sweeping budget could be avoided if the corellas did not damage the native trees and cause branches and leaves to drop. The majority of the other direct costs would align to reticulation or grass damage at various Shire public spaces, but the Shire has never differentiated between normal reticulation repair and corella related repair, so it is hard to quantify the cost. At this Stage the birds do little to no damage to building infrastructure or high value assets. The Shire has no quantified evidence as to the level of damage done to private residences, other utility provider assets, or crops.

Whilst many people believe that killing birds that cause problems is the obvious solution. In reality, killing birds is time consuming and relatively ineffective across a large area or population of birds. Concerted shooting of corellas in specific locations has been found to be an effective means of encouraging the birds to avoid specific sites as they are long-lived, intelligent birds, that they will remember and avoid sites where there has been concerted shooting. The Shire has used this tactic to restrict the level of corella damage and presence at the:

- Town Oval
- Swimming Pool
- Caravan Park

Public attitude towards the corellas is not well understood with the Shire receiving as many complaints relating to the culling of the animals as it does about the noise or damage they cause.

In terms of a way forward, it is very important to accept and understand that there is no 'silver-bullet' fix. Many members of our community are not aware of the complexities in managing abundant bird species, particularly Corellas. Lethal culling of birds will not solve this ongoing problem and may in fact be against the wishes of a significant percentage of the population.

Whilst actions (lethal or non-lethal) can be undertaken to discourage Corellas from problem sites; the numbers of Corellas and problem sites will continue to increase throughout the State

without a long-term coordinated management strategy, such as the Pest Parrot and Cockatoo Strategy being developed by the State.

Theory suggests habitat and landscape modifications will be the best way to deter Corellas in the longer term, however given food sources are many and dispersed across the Morawa district (including a large grain receival point adjacent to the town), and corellas have access to man made and natural water sources in various areas, the Shire is only able to manage roost trees. If there are areas where Corellas regularly roost, the Shire could remove the trees, however given the number of suitable roost trees across the district, the impacts from loss of trees in the townsite may outweigh the impact on the Corellas.

Should Council wish to develop a strategic Corella management plan for the district it must take into consideration education and training for other landowners, and the use of a contractor with specific animal behaviour, wildlife management, and/or biosecurity experience will be needed. This could be an expensive exercise, especially if the aim is to manage the nuisance and population at a District level as opposed to just protecting Shire assets. Should the State Pest Parrot and Cockatoo Strategy be holistic in nature, there could be funding under that strategy that allows for regional strategies to be developed. This could be something the Northern Country Zone of WALGA could advocate for.

A more prescriptive approach could be for Council to allocate Shire resources to the five most important spaces and assets and consolidate management activities to these sites to protect them, with the understanding that damage on private or state owned land, property, or infrastructure is beyond the Shires statutory responsibilities, carries operational risk, and would be resource intensive.

After this report the author suggests issuing a survey to gauge public attitudes to the control of birds as pests, sites of high status for management, and the general consensus in terms of the level of resources allocated to this service area. With a clear understanding that Corellas are now part of our environment and will be for the foreseeable future, and most actions will only achieve a reduction in the level of damage or nuisance, or a relocation of it as opposed to removing it completely.

Three useful articles and reports have been attached to this report for Council's information but there is a large array of other literature on this matter, as the management of pest birds has been a national issue for some time.

LEVEL OF SIGNIFICANCE

Medium

CONSULTATION

Council
Senior Management Team
Community Feedback
Ranger

LEGISLATION AND POLICY CONSIDERATIONS

Biosecurity and Agriculture Management Act 2007 (BAM Act)
Division 3 — Biosecurity within Western Australia

22. Declared pests

(1) A prohibited organism is a declared pest for the whole of Western Australia.

(2) The Minister may declare that any other organism of a kind specified or described in the declaration is a declared pest for an area if there are reasonable grounds for believing that the organism —

(a) has or may have an adverse effect on —

(i) another organism in the area; or

(ii) human beings in the area; or

(iii) the environment, or part of the environment, in the area; or

(iv) agricultural activities, fishing or pearling activities, or related commercial activities, carried on, or intended to be carried on, in the area; or

(b) may have an adverse effect on any of those things if it were present in the area, or if it were present in the area in greater numbers or to a greater extent.

(3) A declaration under this section may assign the declared pest to a category designated by the regulations.

Biosecurity and Agriculture Management Regulations 2013

7. Categories of declared pests

(1) The following categories are designated in accordance with section 22(3) as the control categories to which a declared pest other than a prohibited organism may be assigned for the reasons stated in relation to that category —

(a) Category 1 (C1) — Exclusion: if in the opinion of the Minister introduction of the declared pest into an area or part of an area for which it is declared should be prevented;

(b) Category 2 (C2) — Eradication: if in the opinion of the Minister eradication of the declared pest from an area or part of an area for which it is declared is feasible;

(c) Category 3 (C3) — Management: if in the opinion of the Minister eradication of the declared pest from an area or part of an area for which it is declared is not feasible but that it is necessary to —

(i) alleviate the harmful impact of the declared pest in the area; or

(ii) reduce the number or distribution of the declared pest in the area; or

(iii) prevent or contain the spread of the declared pest in the area.

27. Control measures: treatment (s. 30)

(1) For the purposes of section 30, the following control measures are prescribed to control declared pests —

(a) biological control;

(b) burning;

(c) capture and relocation;

(d) chemical treatment;

(e) cleaning and wash-down at an approved wash-down facility;

(f) cold treatment;

(g) cultivation;

- (h) dessication;
- (i) fumigation;
- (j) immersion;
- (k) irradiation;
- (l) isolation;
- (m) mechanical control such as uprooting, grubbing, chipping, cutting, mowing or pruning;
- (n) mustering;
- (o) poisoning;
- (p) removal;
- (q) screening or sieving;
- (r) shearing;
- (s) shooting;
- (t) solarisation;
- (u) steam or heat treatment;
- (v) trapping;
- (w) vaccinating;
- (x) any approved treatment.

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

Current budget allocations are \$20,000 above previous years, approximately 1% of rates income goes towards managing this area.

RISK MANAGEMENT CONSIDERATIONS

Risks are involved with a number of the management options. An uncontrolled management option (i.e. do nothing) may also put specific infrastructure, such as the oval and pool lawn, at risk.

CONCLUSION

The Author recommends Council note the report and accept the current Shire practices as acceptable in line with current expectations but authorise the use of a community survey to review community perceptions relating to this matter.

ATTACHMENTS

- Attachment 1 – 11.1.2a Department of Environment and Conservation – Pest Notes (Corellas)*
- Attachment 2 – 11.1.2b Managing Impacts of the Little Corella on the Fleurieu Peninsula – Ian Temby Report*
- Attachment 3 – 11.1.2c PestSmart - Shooting of pest birds*

11.1.3 Adoption of 2024-2029 Local Emergency Management Arrangements (LEMA)

Author: Community Emergency Services Manager

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/RESOLUTION**240308****Moved: Cr Collins****Seconded: Cr Coaker****That Council:**

- 1. Accepts and adopts the 2024-2029 Local Emergency Management Arrangements (LEMA) as presented.**
- 2. Accepts and Adopts the Shire of Morawa 2024-2029 Recovery Plan as presented.**

CARRIED BY ABSOLUTE MAJORITY 7/0

PURPOSE

For Council to review and adopt the proposed Local Emergency Management Arrangements (LEMA) as presented in *Attachment 1*.

DETAIL

Council is required to have a set Local Emergency Management Arrangements (LEMA) it is a requirement for the LEMA to be fully reviewed and rewritten if required every 5 Years. The review is designed to pick up changes in the *Emergency Management Act 2005* and State Emergency Management Plans and any changes in terminologies that may impact on the Shire's current LEMA.

The LEMA has been rewritten to include current changes to State Emergency Management Plans and new terminologies. The revised LEMA was endorsed by the Morawa LEMC at the meeting held on 5 March 2024. Once endorsed by Council, the Arrangements will be forwarded to the District Emergency Management Committee (DEMC) for endorsement and then onto the State Emergency Management Committee (SEMC) for endorsement. Once this process is complete, the Shire of Morawa LEMA are current for 5 years.

To coincide with the LEMA review the LEMC has also reviewed the Shire of Morawa Recovery Plan and updated it for adoption.

LEVEL OF SIGNIFICANCE

Medium - Council is required to maintain a set LEMA under the *Emergency Management Act of 2005*. The Act requires that the arrangements are to be written every 5 years.

CONSULTATION

DEMA - Ranelle Clarke
CEO- Scott Wildgoose
PO - Aimee North
DC - Neville Blackburn
LEMC - Committee members

LEGISLATION AND POLICY CONSIDERATIONS

Emergency Management Act 2005
Emergency Management Regulations 2006

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

Nil

RISK MANAGEMENT CONSIDERATIONS

The LEMA and Recovery Plans are risk mitigation and response documents.

CONCLUSION

It is sought that Council adopt the 2024-2029 Local Emergency Management Arrangements (LEMA) as presented, to maintain legislative compliance with the *Emergency Management Act 2005*.

ATTACHMENTS

Attachment 1 – 11.1.3a Shire of Morawa 2024-2029 Local Emergency Management Arrangements (LEMA)
Attachment 2 – 11.1.3b Shire of Morawa 2024-2029 Recovery Plan

11.1.4 Amendment to Resolution 230815 – Morawa Speedway Club Night Light Program Grant Application

Author: Community Development 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/RESOLUTION**240309****Moved: Cr North****Seconded: Cr Collins****That Council:**

- 1. Support the Morawa Speedway Associations Club Night Light Program Grant Application with a commitment to provide financial contribution towards the project, up to \$45,000**
 - a. Noting:**
 - i. That if the club successfully secures 50% State funding then the Shire's contribution will be reduced.**
 - ii. The increased cash contribution for the lighting project is to be taken from the current total budget allocation and the Shire does not expect costs associated with the barrier and fencing to be incurred.**

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

For Council to review and amend its previous resolution in relation to the Morawa Speedway Association improvement project.

DETAIL

At the Special Meeting of Council held 30 August 2023, Council resolved:

OFFICER'S RECOMMENDATION/RESOLUTION**230815****Moved: Cr Collins****Seconded: Cr M Coaker****That Council resolves to:**

- 1. Support the Morawa Speedway Associations Club Night Light Program Grant Application with a commitment to provide financial contribution towards the project equivalent to one third of the total project cost, up to \$15,000**
- 2. Accept the Morawa Speedway Lighting Upgrade Project Assessment undertaken by the CEO as per Attachment 1**
- 3. Agrees to provide plant and labour support to the Morawa Speedway Associations barrier and fencing upgrades, up to an overall resource cost of \$25,000**

- 4. Direct the CEO to include a \$40,000 budget allocation in the next annual budget review to ensure funds are available for this project, subject to the club confirming that it will be moving ahead with the works.**

CARRIED BY SIMPLE MAJORITY 5/0

The Morawa Speedway Association (MSA) applied for funding to upgrade their lights during the October club nights round. However due to poor lighting design and insufficient details for assessment, the application was not supported by the Department of Local Government Sport and Cultural Industries (DLGSCI).

Subsequently, the club moved ahead with their barrier and fencing upgrade with sponsorship and other in-kind support. The Shire provided plant support, worth approximately \$2,000, with a Shire operator volunteering their time on a weekend to support the club.

The Shire allocated \$40,000 towards the Speedway project in the October Budget Review. With the initial concept being that the money would be split across the barrier, fencing, and lighting with up to \$15,000 allocated towards the lighting project.

Subsequent, to the failed grant application, MSA have reviewed their lighting with help from North Midlands Electrical and have developed a more detailed analysis and application.

This has resulted in more significant lighting requirements. The club is now expecting the cost of the lighting to be closer to \$130,000 than the previous estimate of \$50,000. The club will be requesting 50% funding from the DLGSCI for the project. This would result in a request for \$32,500 in cash contribution from the Shire towards the project.

There is still potentially that the DLGSCI may only fund 33%.

To support this application MSA is asking that the Shire agree to allocate up to \$45,000 as a cash contribution towards the project cost, subject to the grant outcome and final project cost.

This is \$5,000 above the Shire's current budget allocation towards the speedway improvement project. The MSA has undertaken the majority of the project works themselves in terms of the barrier and fence, however the electrical components require specialist skills that come at a cost.

It is the opinion of the officer that the lighting improvement represents a positive outcome for the community and the up to \$45,000 cash contribution does not represent a significant variation from the current budget allocation.

LEVEL OF SIGNIFICANCE

Low – the Council has formed a previous position on this matter, however the previous cash allocation will not contribute 25% towards the projects new overall cost.

CONSULTATION

Morawa Speedway Association President
DLGSCI Regional Manager
Executive Team

LEGISLATION AND POLICY CONSIDERATIONS

Nil

Strategic Community Plan 2022 - 2032

Occupy a Safe and Healthy living space:
3. Increase Active Living:

This project will contribute towards the active living focus area of the strategic community plan as speedway maintains strong local membership and track improvements will allow for a higher participation rate.

FINANCIAL AND RESOURCES IMPLICATIONS

There is a high probability that the funding required fits within the current budget allocation of the Shire. With the Shire only going over budget by \$5,000 should the department reduce their contribution below 40%

RISK MANAGEMENT CONSIDERATIONS

Nil

CONCLUSION

That Council supports the amendment to its previous resolution to increase the maximum financial contribution from \$15,000 to \$45,000, noting the current \$40,000 budget allocation and minimal requests for support with the barrier and fencing.

ATTACHMENTS

Nil

11.1.5 Policy Manual Review – Stage 3

Author: Governance and Executive Support 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/RESOLUTION**240310****Moved: Cr Collins****Seconded: Cr Chadwick**

That with regard to the Shire of Morawa Policy Manual and pursuant to s2.7 Local Government Act 1995, Council:

1. Resolves to adopt the revised policies, as per *Attachment 1*. These policies being:
 - **ELM04 Elected Member Continuing Professionals Development (CPD) (previously titled Councillor Training/Conference Attendance)**
 - **ELM05 Councillor Accommodation and Incidental Expenses Whilst on Council Business**
 - **ELM07 Order of Business - Ordinary Council Meetings**
 - **ELM21 Chief Executive Officer Performance Review**
 - **ELM22 Legal Proceedings**
 - **ELM25 Code of Conduct – Behaviour Complaints Management Policy**
 -
2. Resolves to adopt new policy, **FIN11 Recognition and Depreciation of Assets**, as per *Attachment 2*.

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

Under Section 2.7 of the Local Government Act 1995, Council has adopted several policies to govern Local Government affairs. It is good practice to continually review the existing policies in view of changing legislation, operations, and requirements.

DETAIL

The Policy Manual is intended as a set of clear overarching directions from Council to the administration to govern the consistent, transparent, and compliant management of Shire operations. The policies and procedures may be changed as circumstances dictate and be amended at any time by Council.

Several policies within the manual have fallen due for renewal. It was therefore seen as practical and efficient to undertake a review of numerous policies but given resource constraints, the administration has broken the review into stages.

Stage 1 was completed and adopted at the 20 July 2023 Ordinary Council Meeting. Stage 2 was completed and adopted at the December 2023 Ordinary Council Meeting. In Stage 3 of the review, 6 policies have been reviewed and 1 policy is new - all policies for adoption under this report are attached and the below table summarises key review points.

Council Policy	Reason for Review/Change
ELM04 Elected Member Continuing Professionals Development (CPD)	Previously titled 'ELM04 Councillor Training /Conference Attendance'. Full policy update in line with new legislation that requires a policy related to the continuing professional development of council members.
ELM05 Councillor Accommodation and Incidental Expenses Whilst on Council Business	Minor grammatical amendments and updated reference to policy ELM04.
ELM07 Order of Business - Ordinary Council Meetings	Remove '3.2 Attendance by Telephone/Instantaneous Communications'. This item is to be embedded in Item 3.1 going forwards. There may be other parts of this policy to be review/removed when Standardised Meeting Procedure regulations are adopted
ELM21 Chief Executive Officer Performance Review	Update policy to reflect current in practice process.
ELM22 Legal Proceedings	Minor grammatical amendments
ELM25 Code of Conduct – Behaviour Complaints Management Policy	Minor grammatical amendments

A Financial Management Review was conducted in 2022. A planned action from the review was the “development and implementation of year end procedures that ensure asset depreciation rates and useful lives are reviewed and evidence retained”. At the 14 March 2024 Audit and Risk Management Committee meeting, draft Council policy FIN11 Recognition and Depreciation of Assets (*Attachment 2*) was reviewed. This policy is now presented to Council for adoption.

LEVEL OF SIGNIFICANCE

Medium – regular reviews and updates of Council policies are part of a good governance framework and ensure the organisation remains current with best practice.

CONSULTATION

Chief Executive Officer
Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

2.7 Role of Council

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

Nil

RISK MANAGEMENT CONSIDERATIONS

Policies are aimed at providing an administrative control later which works to reduce risk by controlling actions within certain limits.

CONCLUSION

The third stage of the Council Policy review has now been completed and the new and revised policies are ready for Council review and adoption. The next round of review is set to be undertaken for Council adoption in June 2024.

ATTACHMENTS

Attachment 1 - 11.1.5a Reviewed Council Policies (Stage 3)

Attachment 2 – 11.1.5b FIN11 Elected Member Continuing Professionals Development (CPD)

11.1.6 Morawa Sinosteel Future Fund Committee – Appointment of Community Representatives

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/RESOLUTION**240311****Moved: Cr Stokes****Seconded: Cr Coaker**

That with respect to the appointment of Community Representatives for the Morawa Sinosteel Future Fund Committee, that Council:

1. Resolve that Confidential Attachments addressing the Morawa Sinosteel Future Fund Committee criteria and applications are confidential in accordance with s5.23 (2) of the *Local Government Act 1995* because it deals with matters affecting s5.23 (2)(e): *(iii) information about the business, professional, commercial or financial affairs of a person.*
2. Receive the applications from community members for a position on the Morawa Sinosteel Future Fund Committee as confidential attachments.
3. Acknowledge the continued appointment of the following positions to the Morawa Sinosteel Future Fund Committee as per the Deed of Agreement:
 - Shire President - currently Cr Karen Chappel
 - Deputy Shire President - currently Cr Ken Stokes
 - Shire CEO – currently Mr. Scott Wildgoose
4. Appoint the following two (2) persons to the Morawa Sinosteel Future Fund Committee, to perform the community representative functions in line with the Deed of Agreement, for a two-year period with the term expiring 28 February 2026:
 - *Greg Jenkins*
 - *Jamie Appleton*
5. Acknowledge and accept the ongoing delegation to the Morawa Sinosteel Future Fund Committee to manage the Morawa Sinosteel Future Fund in line with the Deed of Agreement.

CARRIED BY ABSOLUTE MAJORITY 7/0

PURPOSE

To provide community member expressions of interest to Council, to enable them to select and appoint two community representatives for the Morawa Sinosteel Future Fund Committee (the

Committee) for a two (2) year period.

DETAIL

Purpose of the Morawa Sinosteel Future Fund

The purpose of the Morawa Sinosteel Future Fund is to assist community organisations by providing financial support for:

- (a) Activities or endeavours that will provide community, or welfare benefit, to persons who are ordinarily resident in the Shire of Morawa; or
- (b) Facilities or services that improve the welfare, culture or amenity of persons ordinarily resident in the Shire of Morawa.

The Morawa Sinosteel Future Fund Deed of Agreement (*Attachment 1*) states that the members of the Committee are to comprise:

- (a) the Shire President; and
- (b) the Shire Deputy President; and
- (c) the Shire CEO; and
- (d) two (2) members of the community who normally reside in the area.

The Morawa Sinosteel Future Fund Trust historically has provided significant support to local organisations within the community. This trust has left an enduring positive impact on the Morawa community. With Covid-19, Cyclone Seroja, and uncommonly low interest being earned on the future fund account, the Shire has not distributed funds aligned to the Sinosteel Fund for 2 years. The aim of this report is to appoint committee representatives to target a grant advertisement prior to the end of the financial year so funds can be expended in the 2024/2025 financial year.

Three community representative nominations were received, with one subsequently been withdrawn before this report was prepared. Both remaining applicants have been assessed against the committee criteria.

Request for Applications

At the Ordinary Council meeting of 23 October 2023, Council resolved as follows:
“2.1 Authorise the CEO to seek public nominations for the two (2) Shire of Morawa community resident committee member vacancies.”

The advertisement requesting applications for the two (2) community representative roles on the Morawa Sinosteel Future Fund Committee (*Attachment 2*) has been undertaken and the nominated submission period closed in February 2024.

Accordingly, the applications received have been provided to Council under separate cover and should be considered confidential. Mr Appleton has been a previous Committee Representative. Mr Jenkins has been deemed eligible and suitable for the role.

LEVEL OF SIGNIFICANCE

High impact – without community representatives the Morawa Sinosteel Future Fund Committee will become inoperable, which would be a significant loss to the community.

CONSULTATION

Chief Executive Officer
Senior Management Team

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

5.8. Establishment of committees

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.*

5.10. Committee members, appointment of

- (1) *A committee is to have as its members —
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).*

** Absolute majority required.*
- (2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a councilmember nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*
- (3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee Members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.*
- (4) *If at a meeting of the council a local government is to make an appointment to a Committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*
- (5) *If at a meeting of the council a local government is to make an appointment to a Committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee, the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

5.16 Delegation of some powers and duties to certain committees

- (1) *Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.* Absolute majority required.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

- (3) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*
 - (a) *a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and*
 - (b) *any decision to amend or revoke a delegation under this section is to be by an absolute majority.*
- (3) *Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.”*

Strategic Community Plan 2022 - 2032

- Be future focused in all we do:
 - 1. Ensure the Shire and its assets are well resourced and sustainable.
- Embrace cultural and social diversity:
 - 3. Invest in socialisation and belonging

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT CONSIDERATIONS

The presence of community members on the committee reduces the non-compliance risk and also removes the risk of perceived Shire bias being applied to the grant.

CONCLUSION

It is recommended that the two nominees be accepted.

ATTACHMENTS

Attachment 1 - 11.1.6a Applications submitted by Community Members (Confidential Attachment)

11.1.7	Shire Response to DLGSCI Standardised Meeting Procedures Consultation Paper
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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/RESOLUTION

240312

Moved: Cr Clemson

Seconded: Cr Stokes

That Council:

- 1. Support the CEO responding to the DLGSCI consultation paper regarding standardized meeting procedures with the responses as highlighted in the report.**
- 2. Support the general advertising of the consultation paper and acknowledges that individual Councilors, Officers, and Community Members are welcome to submit personal submissions to the Department.**

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

For Council to review the Department of Local Government, Sport, and Cultural Industries (DLGSCI) consultation paper in relation to Standardised Meeting Procedures and proposed regulations.

DETAIL

The State Government is implementing a number of reforms to the Local Government Act 1995 (the Act) to improve transparency and accountability in local government in Western Australia and deliver benefits to ratepayers and residents.

Standardising council and committee procedures is part of these reforms. The DLGSCI suggests that the intention of these reforms is to establish a consistent approach to all local government council and committee meetings and make it easier and simpler for people to participate in and observe council meetings, wherever they are held. Establishing one standard is expected to simplify and improve training for council members and local government staff. It can also strengthen the enforcement of breaches of meeting procedures (for instance, if a person repeatedly and unreasonably disrupts a meeting).

Currently, it is usual practice for local governments to have local laws, such as the Shire of Morawa Meeting Procedures Local Law 2012 (attached), and policies in place to govern the conduct of council meetings. The proposed state-wide regulations would replace individual

council procedures, standing orders and local laws, and are part of the first tranche of local government reforms which were passed by WA Parliament in May 2023.

The Local Government Amendment Act 2023 inserts section 5.33A, to allow standardised meeting procedures for all local governments to be made in the form of Regulations or model provisions. The State Government intends under section 5.33A to make Regulations that apply to all local governments and an order of the Governor under section 3.17 of the Act to repeal all existing local government meetings procedures, standing orders or council meeting local laws.

It is intended that the new standard meeting procedures (also known as “standing orders”) apply to all council and committee meetings held by local governments. It is also intended that Regulations will contain consistent rules for how meetings are held.

It is envisaged that relevant elements of Parts 2 and 3 of the Local Government (Administration) Regulations 1996 (the Regulations) would be incorporated into the new standardised meeting procedures.

The Department of Local Government, Sport and Cultural Industries (DLGSC) will also develop reference materials for council members, local government staff and communities to assist in ensuring consistency throughout the sector.

On the 28 February 2024 the DLGSC invited local governments, council members, Chief Executive Officers (CEOs), local government employees, groups and associations, and members of the community to consider the proposals and provide feedback, as part of a three-month consultation period to inform the development and finalisation of the regulations. The consultation closes on Wednesday 29 May 2024.

The department has distributed a consultation paper with questions in relation to Standardised Meeting Procedures (Attached).

In this report the author has reviewed the questions and provides a consolidated response to be given to the Department on behalf of the Shire:

Part 1: General meeting process

1. Calling meetings

- a. Is it suitable to allow for a special council meeting to be convened with less than 24 hours’ notice if an absolute majority of council members call the meeting?
 - i. Yes – there are very few instances where this would occur in Morawa but if needed absolute majority seems a reasonable method.
- b. Are there any circumstances where meetings must start earlier than 8 am or later than 8 pm?
 - i. No – outside of these times it would limit the ability for the Public to participate and would impact the admin support and may limit the ability for all members to attend.

2. Agendas and order of business

- a. Is the proposed order of business suitable?
 - i. Yes – similar to what the Shire already has
- b. Are the proposed requirements for urgent business suitable?
 - i. Yes – Urgent Business should not be a regular practice and has at times been known to cause issues when Council don’t have enough time to consider items before being asked to make a decision.
- c. Are the proposed requirements for when a quorum is not present or lost suitable?
 - i. Yes – no major changes to standard practice

- d. Is 11 pm an appropriate time for when a meeting must be adjourned?
 - i. Yes – any later than 11pm, diminishes people’s ability to debate
 - ii. Question the Regulation requiring a meeting to be adjourned to another day if its adjourned twice due to disruption. This could potentially play into the hands of disruptive members. The President should have discretion to adjourn to another day if the meeting is interrupted through disruption more than once but not required under regulation.

Part 2: Public participation

1. Public question time

- a. Is the existing minimum allocation of 15 minutes for public question time sufficient?
 - i. Yes – very limited instances of questions in Morawa
- b. Is 2 minutes enough time for a member of the public to ask a question?
 - i. Yes – only reason for a question to take more than 2 minutes is if it has an extensive preamble
- c. Should any other standard requirements for public question time be established?
 - i. Yes – questions should be submitted with 48 hours’ notice. Without notice, the President or CEO would be replying without any background or information relating to an item or question. This could lead to poorly thought-out responses and poor community engagement outcomes. Potentially, the President could permit late questions, but this shouldn’t be the standard practice. Whilst the prevention of public participation is not ideal, the outcome achieved by no notice being given is that more questions will be taken on notice, thus delaying the response process.
- d. Should a personal representative be able to ask a question on behalf of another person?
 - i. Yes – there is not real risk in this change, it just allows a rep to ask a question instead of the questioner.

2. Presentations at council

- a. Should the Regulations specify that a request to make a presentation must relate to an item on the agenda for the relevant meeting?
 - i. No – given Council only meets monthly, there may be scenarios whereby a presenter wants to present on an item that may be relevant for a future meeting e.g. proposed mining ventures and road usage, pending works or planning items/developments not yet submitted, it seems prudent to allow these as they become relevant/the presenters are available.
- b. Is 48 hours of notice sufficient to administer an application from a member of the public to present to a meeting?
 - i. Yes
- c. Should a standard time limit be set for public presentations?
 - i. Yes
- d. Would 5 minutes be a suitable time limit for public presentations?
 - i. No – 5 minutes may be too short, suggest 10 minutes is reasonable. It is somewhat dependent on the topic and its complexity.

3. Petitions

- a. Do the proposed regulations provide an effective system for managing petitions?
 - i. Yes although why report to electors meeting and not just have response to petitions in the Council minutes.

Part 3: Conduct of debate

1. Orderly conduct of meetings

- a. Do these measures provide a suitable framework to maintain order in meetings?
 - i. Yes
2. Motions and amendments
 - a. Is a period of 1 calendar week an appropriate notice period for motions?
 - i. No – If the intent is to have reports in the Agenda 72 hours before the Council meeting – 1 calendar week assumes the report will take less than 48 hours to complete or officers will work weekends – this isn't always possible for complex items. Should be 5 working days prior to agenda closure (72 hours prior to meeting)
 - b. Are these proposals for motions suitable?
 - i. Yes
3. Debate on a motion
 - a. Do you support these rules for formal debate on a motion or amendment?
 - i. Yes
 - b. Is 5 minutes a suitable maximum speaking time during debate?
 - i. Yes
 - c. Is a general principle against speaking twice on the same motion suitable?
 - i. Yes
4. Questions by members
 - a. Should the new standardised provisions include a maximum time limit for the “questions from council members” agenda item?
 - i. No – if the questions are clarifying questions and provide value to all in attendance then they should be permitted. The presiding member should have close control to ensure no debate or challenging of officer information just clarity.
 - b. Is 1 day of notice for a question from a council member sufficient?
 - i. Yes – the officers should be across all items on the agenda
 - c. Is it appropriate for the presiding member to consider whether to allow a member to ask clarifying questions during debate?
 - i. Yes – all clarifying questions should be asked before debate commences.
5. Procedural motions
 - a. Should any of these procedural motions not be included?
 - i. No - They all seem reasonable
 - b. Are any additional procedural motions needed?
 - i. No – only other procedural motion in local law is around closing the meeting to the public, however this is unlikely to be supported by the Department as a procedural motion and if the report is available to the public then the reasoning for the debate being closed is hard to justify.
6. Adverse reflection
 - a. Are there any circumstances where a person should be able to adversely reflect on another council member, an employee or a decision of the local government?
 - i. No – decisions and discussions should not be targeted at individuals or specific votes or decisions, it must be respectful of the people and decisions made at each time.

Part 4: Other matters

1. Meeting minutes and confirmation
 - a. Is 1 day sufficient notice for a proposed correction to the minutes?
 - i. Yes – it shouldn't be necessary to make holistic changes to minutes, likely minimal wording only.
2. Electronic meetings and attendance

- a. Has the change to enable electronic meetings to occur outside of emergency situations been helpful?
 - i. Yes
 - b. Has the ability for individual members to attend meetings electronically been beneficial?
 - i. Yes
 - c. Do you think any changes to electronic meetings or electronic attendance are required?
 - i. Not at this stage
3. Council committees
- a. Are any other modifications needed for committee meetings?
 - i. No – proposed regulations are standard for committee meetings
4. Meetings of electors
- a. Should parts of the proposed standard apply at electors' meetings?
 - i. Maybe – with the regulations around petitions and public question time there seems to be little requirement to maintain the requirement or inclusion of electors meetings but if they are to be retained then some form of standard process should be implemented.
5. Do you have any other comments or suggestions for the proposed new Regulations?
 - a. Nil

LEVEL OF SIGNIFICANCE

Low – the Shire is not obligated to respond to the DLGSCI consultation paper and the proposed changes aren't a major deviation from the Shire's current practices.

CONSULTATION

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Shire of Morawa Meeting Procedures Local Law 2012

Strategic Community Plan 2022 - 2032

Nil

FINANCIAL AND RESOURCES IMPLICATIONS

The removal of the need for a Local Law may save longer term resources as no local law renewal process would be needed.

RISK MANAGEMENT CONSIDERATIONS

Following the departments set regulations will reduce the risk of misunderstanding or variations across meetings.

CONCLUSION

That Council reviews and supports the proposed response to the consultation paper.

ATTACHMENTS

Attachment 1 – 11.1.7a Standardised Meeting Procedure Consultation Paper

Attachment 2 – 11.1.7b Shire of Morawa Meeting Procedure Local law 2012

11.1.8 Proposed New Roof and Solar Panels for Morawa Post Office

Author: Planning 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.

Cr Chappel declared an Impartiality Interest in Item 11.1.8 by way of the Owners of the Morawa Post Office being Cr Chappel's Son and Daughter-in-Law.

OFFICER'S RECOMMENDATION/RESOLUTION**240313****Moved: Cr Stokes****Seconded: Cr Collins**

That Council:

- 1. Approve the proposed new roof and solar panels at the Morawa Post Office, 'Little West Wood'.**

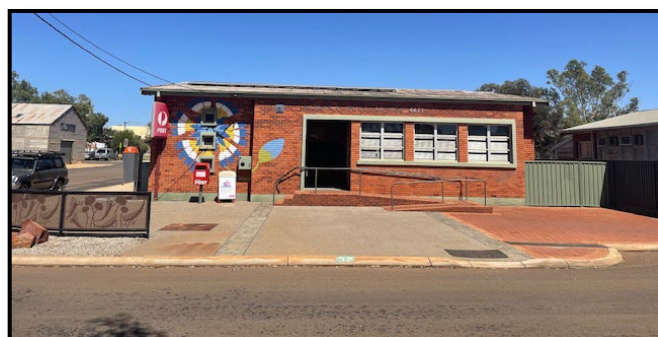
CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

To approve the proposed new roof and solar panels at the Morawa Post Office, 'Little West Wood.'

DETAIL

Due to storm damage and the existing roof being classified as 'end of life', the owners are seeking to replace the existing asbestos roof with silver zincalume corrugated sheeting, flashing and downpipes. Aswell as replacing the existing solar panels.



Morawa Post Office – Current Street View

The subject property is listed on the Shires Municipal Inventory (*Attachment 2*), place number 50.

Category 2	Significance
<p><i>A place of considerable cultural heritage significance to Shire of Morawa that is worthy of recognition and protection through provisions of the Shire of Morawa’s Planning Scheme”.</i></p>	<p><i>Morawa Post Office & Phone Exchange (1956) is significant as a social meeting place and provider of postal and phone services in the mid 1950s, and for the contentious history of its establishment. It is an uncommon style differing from standard post office constructions and represents the austerity of post World War Two. It makes some contribution to the Winfield Street Heritage Area and the historic townscape of Morawa</i></p>

The Morawa Post Office falls within the Winfield Street Heritage Precinct (*Attachment 3*) and Winfield Street Design Guidelines (*Attachment 4*).

Morawa’s Winfield Street Heritage Area is a place that has special qualities, and it is important to retain and enhance those qualities as the town develops through time. Morawa retains a significant legacy of buildings of historic and architectural value. The proposed new roof and solar panels is not considered to negatively impact the street precinct, the subject building nor the streetscape. With its location, it is of high visual and pedestrian traffic significance which results in high exposure and attraction to the main streetscape and aesthetic.

LEVEL OF SIGNIFICANCE

Medium significance – physical display will be indefinite.

CONSULTATION

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Shires Municipal Inventory

Strategic Community Plan 2022 - 2032

- Be future focused in all we do:
 1. Ensure the Shire and its assets are well resourced and sustainable.
- Take pride in our community and an aesthetically appealing townscape:
 2. Enhance the appearance of homes, gardens, businesses, public buildings, and open spaces

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

RISK MANAGEMENT CONSIDERATIONS

Nil

CONCLUSION

That Council approve the proposed new roof and solar panels on private property, at the Morawa Post Office 'Little West Wood'.

ATTACHMENTS

Attachment 1 – 11.1.8a Owners Letter

Attachment 2 – 11.1.8b Shire's Municipal Inventory Extract - Page 12

Attachment 3 – 11.1.8c Winfield Street Heritage Precinct

Attachment 4 – 11.1.8d Winfield Street Design Guidelines

11.2 Executive Manager Corporate & Community Services

11.2.1 Monthly Financial Report – January 2024

Author: Executive Manager Corporate & Community Services

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/RESOLUTION

240314

Moved: Cr Stokes

Seconded: Cr Collins

That Council receive:

1. the Monthly Financial Report including the Statement of Financial Activity for the period ending 31 January 2024.
2. the Bank Reconciliation Report for period ending 31 January 2024.
3. the attached List of Payments for the period ending 31 January 2024.
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 31 January 2024.

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

The Monthly Financial Report is prepared to provide Council with a comprehensive report on the financial position on a monthly basis.

The Monthly Financial Report includes the Statement of Financial Activity Report, Bank Reconciliation Report and the List of Payments made during the reporting month.

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 January 2024 is as follows:

Account	Balance
Municipal Account	666,045.85
Municipal Online Account	3,063,355.27
Trust Account	1,525.11
Reserve Account	4,717,736.88
Term Deposits (Reserves)	2,100,000.00
Total Cash & Investments	\$11,548,663.11

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 January 2024 to 31 January 2024 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)	634,961.72
Municipal	Cheques No:	0.00
Municipal	Direct Debit Transactions	98,265.81
Municipal	Bank Transfers / Payroll / Other Payments	128,690.69
Municipal	Corporate Credit Cards	6,610.79
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	\$868,529.01

Reimbursement Applications

There have been no of reimbursements claimed and no leave taken by the Chief Executive Officer during the month of January 2024.

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

1. Rates outstanding balance of \$457,888 as at 30 June 2023 has been reduced \$118,416.
2. 90% or \$3,099,161 of the rates and charges raised for 2023-24 have been received.
3. Depreciation calculated for the period 1 July to 31 January 2024 is \$1,131,658.
4. Capital project spending currently at 43.5% of year to date budget.

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

ATTACHMENTS

Attachment 1 - 11.2.1a Monthly Financial Report for the period ending 31 January 2024

Attachment 2 – 11.2.1b Bank Reconciliation for the period ending 31 January 2024

Attachment 3 – 11.2.1c List of Accounts Paid for the period ending 31 January 2024

11.2.2 Monthly Financial Report – February 2024

Author:	Executive Manager Corporate & Community Services
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/RESOLUTION

240315 Moved: Cr North Seconded: Cr Collins

That Council receive:

- 1. the Monthly Financial Report including the Statement of Financial Activity for the period ending 29 February 2024.**
- 2. the Bank Reconciliation Report for period ending 29 February 2024.**
- 3. the attached List of Payments for the period ending 29 February 2024.**
- 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 29 February 2024.**

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

The Monthly Financial Report is prepared to provide Council with a comprehensive report on the financial position on a monthly basis.

The Monthly Financial Report includes the Statement of Financial Activity Report, Bank Reconciliation Report and the List of Payments made during the reporting month.

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 29 February 2024 is as follows:

Account	Balance
Municipal Account	602,005.31
Municipal Online Account	2,572,143.59
Trust Account	1,525.11
Reserve Account	4,731,218.24
Term Deposits (Reserves)	2,100,000.00
Total Cash & Investments	\$10,006,892.25

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 February 2024 to 29 February 2024 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)	624,342.37
Municipal	Cheques No:	0.00
Municipal	Direct Debit Transactions	45,013.35
Municipal	Bank Transfers / Payroll / Other Payments	242,289.62
Municipal	Corporate Credit Cards	121.05
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	\$912,766.39

Reimbursement Applications

There have been no of reimbursements claimed and no leave taken by the Chief Executive Officer during the month of February 2024.

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

1. Rates outstanding balance of \$457,888 as at 30 June 2023 has been reduced \$118,416.

2. 90% or \$3,099,161 of the rates and charges raised for 2023-24 have been received.
3. Depreciation calculated for the period 1 July to 29 February 2024 is \$1,131,658.
4. Capital project spending currently at 47.6% of year to date budget.

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)

- (2) 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

- (2) 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 Monthly Financial Report that contains the Statement of Financial Activity, the Bank Reconciliation report, the list of accounts paid by the Chief Executive Officer and the list of any work-related expenses/reimbursements submitted by the Chief Executive Officer.

ATTACHMENTS

Attachment 1 - 11.2.1a Monthly Financial Report for the period ending 29 February 2024

Attachment 2 – 11.2.1b Bank Reconciliation for the period ending 29 February 2024

Attachment 3 – 11.2.1c List of Accounts Paid for the period ending 29 February 2024

11.2.3 Budget Review – 1 July to 31 January 2024

Author:	Executive Manager Corporate & Community Services
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/RESOLUTION

240316 Moved: Cr Coaker Seconded: Cr Stokes

That Council:

- 1. Adopt the 2023-2024 budget review based on the financials for the period ending 31 January 2024 as presented in the Report and Attachment 1.**
- 2. Direct the Chief Executive Officer to update and implement the amended the budget.**

CARRIED BY ABSOLUTE MAJORITY 7/0

PURPOSE

For Council to consider and adopt a review of the Annual Budget and the associated account amendments.

DETAIL

Under Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, Council is obliged to undertake a review of the annual budget between 1 January and 28 February each financial year, based on financials as at no earlier than 31 December and must be submitted to the council on or before 31 March in that financial year.

The 2023-2024 Budget Review for the Period Ending 31 January 2024 (*Attachment 1*) document details the examination undertaken and all budget movements.

Statutory Budget

The Statutory Budget Review Template varies from that of the Monthly Statements that are supplied to Council and include the changes made to financial reporting when the Local Government (Financial Management) Regulations 1996 were amended in October 2023. This template is provided to Councils in WA by Moore with the approval of the Auditor General. The variations in the templates may cause some confusion so the following will explain what each note is meant to achieve.

Statement of Budget Review

There are 2 Statements of Budget Review included one being by Nature (page 1) which is now the mandatory statement and the other by Program (page 2) is no longer required but

which we have continued to supply as it provides valuable information to Council, and both are included in all financial reporting that comes to council.

Both these report pages should balance back to Note 3 Net Current Funding Position (page 5).

Note 2 - Summary Graphs – Budget Review

The inclusion of these summary graphs (page 4) is a quick way for Council to see what Council originally adopted in the budget against actuals year to date and then the predicted year-end balance.

The operating expense graph shows that the actuals have been running below budget in July to January 2024 continuing this trend until February where it starts to run on budget to the end of the year.

The operating revenue was above the budget until November then dropped below in December to February when it gets back on track to year end.

Capital expenditure is currently running below budget with this expected to continue until February and then running on track until May June where we go over budget.

Capital income is running on budget and is expected to continue to do so until year end.

Note 3 – Net Current Funding Position

This report is used to show the budgeted deficiency of Council. The report shows the items that are excluded from the budget as they are not used to fund budgeted expenditure.

The Closing funding surplus / (deficit) should be the same as that shown in the Statements of Budget Review but does not include the amounts shown as part of the budget review process.

Note 4 - Predicted Variances

This note (page 7) reports on the Budget Review changes made by Nature with balances for Operating activities inflows and outflows, investing activities being Capital items inflows and outflows, financing activities being reserve transfers inflows and outflows, and the total predicted variances. This total balances back to the Statements of Budget Review.

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

Increase in Operating Revenue

Various operating revenue accounts have been modified to rectify under allocations in the budget with the significant change being:

- Increase to interest income by \$116,000 to align with actual figures expected for 2023-2024.

Overall increase in operating revenue through budget review is \$129,950.

Operating Expenditure

Various operating expense accounts have been modified to rectify under allocations in the budget with the significant changes being:

- Increase to ECEC budget by \$30,000 to cover the pre-grant expenditure requirements.
- Increase the budget for flood damage works by \$200,000 as per Council Resolution # 231213
- Increase depot maintenance by \$25,000 to cover higher than expected expenditure
- Increase both landfill maintenance and waste management strategy accounts by \$15,000 to cover expected expenditure variations.

Overall increases in operating expenditure through the budget review is \$314,200.

Capital

Various capital revenue accounts have been generally increased to cover higher than expected grant income with one exception being the funding for the Airport Fence where the actual expenditure was lower than anticipated and the grant funding received was reduced to match.

- Dept of Water and Environment grants totalling \$170,000.
- LRCIP round 4 grant totalling \$355,663.
- Black Spot funding for Evaside Road \$30,000

Overall increases in capital income through the budget review is \$545,633.

Various capital expense accounts have been generally increased to cover the extra grant funding received and to match actual expenditure anticipated.

- An increase of \$120,600 to cover the cost of the installation of water tanks for firefighting purposes.
- An increase of \$65,000 (reallocated from Town Hall) to cover the additional costs associated with the cemetery project.
- The inclusion of \$217,597 for the Solomon Terrace project for this year's grant allocation. Project is expected to cost more than this with this being part of the 1st phase, but full costing has not yet been verified.
- Inclusion of the Blackspot project expenditure for Evaside Road of \$45,000.
- Increase to the Winfield Street drainage project to match grant funding received to date of \$138,066.
- Increase to purchase of plant budget to cover the increased cost of vehicles that were budgeted for \$185,000.
- Reduction to the Airport Fence project expenditure (35,000) and the Caravan Park disability access toilet project \$12,458.

Building Renewals

There has been an increase to the staff housing budget of \$25,000 to cover the higher than expected replacement costs of failing water heaters, air conditioners and other items.

Overall increase in capital expenditure through the budget review of \$683,805.

A list of all capital projects included in the original budget and those that are part of this budget review are listed on page 8 and 9.

Final Position

With the budget review movements presented in attachment 1 the Shire's end of year closing position is expected to reduce from a balanced budget to a \$10,974 surplus.

The Shire will undertake another review in May based on 30 April 2024 financials with a report to be presented to Council in June 2024.

LEVEL OF SIGNIFICANCE

High – Sound financial management is the cornerstone of a well-run organisation and the proposed amendments will allow council to continue to renew assets and manage expenditure in line with strategic goals.

CONSULTATION

Shire President
Senior Staff

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

6.8 Expenditure from municipal fund not included in Annual Budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- a) is incurred in a financial year before the adoption of the annual budget by the local government; or*
- b) is authorised in advance by resolution*; or*
- c) is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

(1a) In subsection (1) — additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- a) Pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
- b) Pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

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 2023-2024 Budget Review for the Period Ending 31 January 2024's outcome is that Council is expected to have a surplus of \$10,974 at 30 June 2024 (adopted budget was balanced)

RISK MANAGEMENT CONSIDERATIONS

Reviewing budget expectations at regular intervals represent a significant risk management tool. It is designed to embed a culture of regular review into the administration and provides Council with a clear snapshot on how the Shire is progressing in more detail than standard monthly financial reporting.

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 2024 is that Council is expected to have a surplus of \$10,974 at year end instead of the budgeted break even balance.

ATTACHMENTS

Attachment 1 – 11.2.3a 2023-2024 Budget Review for the Period Ending 31 January 2024

Item 12 Reports from Committees**12.1 2023 Compliance Audit Return**

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.

COMMITTEE'S RECOMMENDATION/RESOLUTION**240317****Moved: Cr Stokes****Seconded: Cr Collins**

That Council:

- 1. Note and accept the Compliance Audit Return (*Attachment 1*) for the Local Government of the Shire of Morawa for the period 1 January 2023 to 31 December 2023; and**
- 2. Request the Chief Executive Officer to submit a certified copy of the 2023 Compliance Audit Return to the Director General of the Department of Local Government Sport and Cultural Industries by 31 March 2024.**

CARRIED BY SIMPLE MAJORITY 7/0

PURPOSE

The Department of Local Government, Sport and Cultural Industries (the Department) has distributed the 2023 Compliance Audit Return (the Return) for completion by the Shire of Morawa.

The Return is one of the tools that allow the Audit Committee and Council to monitor how the organisation is functioning and must be presented to Council for adoption before its submission to the Department.

Each local government is to carry out a compliance audit for the period 1 January to 31 December annually against the requirements included in the Return set out by the Department.

DETAIL

The Return identifies instances where full compliance was not achieved, providing context and/or remedial action if required, which is then endorsed by Council.

The 2023 Return has been prepared by electronic means and will be submitted via the Department's online portal.

The Shire of Morawa Compliance Audit Report 2023 will be presented for review at the ordinary meeting of Council being held on 21 March 2024.

The Shire has seen gradual improvement across all metrics based on previous reports in recent years.

As with 2021 and 2022, the 2023 Report remains largely compliant. The area of non-compliance in 2023 is listed below:

Disclosure of Interest: One Councillor submitted their Primary Return 6 days past the permitted three (3) months for completion and lodgement.

LEVEL OF SIGNIFICANCE

Medium – requirement under *Local Government Act 1995* administered by the Department.

CONSULTATION

Chief Executive Officer
Executive Managers
Senior Staff

LEGISLATION AND POLICY CONSIDERATIONS

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Local Government (Rules of Conduct) Regulations 2007*
- *Local Government (Audit) Regulations 1996*

14. *Compliance audits by local governments*

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
 - (a) presented to the council at a meeting of the council; and*
 - (b) adopted by the council; and*
 - (c) recorded in the minutes of the meeting at which it is adopted.*

[Regulation 14 inserted in Gazette 23 Apr 1999 p. 1724-5; amended in Gazette 30 Dec 2011 p. 5580-1.]

15. *Compliance audit return, certified copy of etc. to be given to Executive Director*

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*

- (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.
- (2) In this regulation —
certified in relation to a compliance audit return means signed by —
(a) the mayor or president; and
(b) the CEO.

[Regulation 15 inserted in Gazette 23 Apr 1999 p. 1725.]

FINANCIAL AND RESOURCES IMPLICATIONS

Nil

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

Strategic Community Plan 2022 – 2032

Be future focused in all we do:

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

RISK MANAGEMENT CONSIDERATIONS

Shire of Morawa Risk Management Governance Framework

Appropriate governance of risk management within the Shire of Morawa provides:

- Transparency of decision making
- Clear identification of the roles and responsibilities of the risk management functions
- An effective Governance Structure to support the risk framework

CONCLUSION

The 2023 return has seen a continuation of improvement in the Shire's compliance practises and it is hoped this path of improvement will continue. No remediation action above what is already planned, is required.

ATTACHMENTS

Attachment 1 – 12.1a Compliance Audit Return 2023

12.2 March 2024 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/RESOLUTION**240318****Moved: Cr Chadwick****Seconded: Cr North**

That Council receive:

- 1. the Minutes of the WALGA State Council Meeting held 6 March 2024.**

CARRIED BY SIMPLE MAJORITY 7/0

Attachment 1 – 12.2a Minutes of WALGA State Council Meeting, 6 March 2024

The Shire congratulates the Shire President, Cr Chappel, on their re-election as WALGA President.

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:	Executive Manager Corporate & Community Services
Authorising Officer:	Chief Executive Officer
Disclosure of Interest:	The CEO has a conflict of interest in relation to Item 15.2 given it is a review directly related to his performance, however the regulations stipulate that the process should be by agreement.

OFFICER'S RECOMMENDATION/RESOLUTION

240319 Moved: Cr North Seconded: Cr Clemson

That Council:

That Council closes the meeting to the public under section 5.23 (2)(b) and (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 Amendment to Resolution 240210 – Sale of Land for Recovery of Unpaid Rates**

CARRIED BY SIMPLE MAJORITY 7/0

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 Amendment to Resolution 240210 – Sale of Land for Recovery of Unpaid Rates**

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 2022 to 2032)

Be future focused in all we do:

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

FINANCIAL AND RESOURCES IMPLICATIONS

Any known financial implications are addressed in the respective reports.

RISK MANAGEMENT CONSIDERATIONS

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

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.

ATTACHMENTS

Nil

Meeting closed to public at 5:49pm.

15.2 Amendment to Resolution 240210 – Sale of Land for Recovery of Unpaid Rates

Author: Executive Manager Corporate & Community Services

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/RESOLUTION**240320****Moved: Cr North****Seconded: Cr Coaker****That Council:**

- 1. Revoke its decision, made 8 February 2024 under resolution 240210, to exercise the provisions of sections 6.63 to 6.75 of the Local Government Act 1995 to take possession and sell Lot 311 On Deposited Plan 209377 - 5 Stokes Road, MORAWA 6623**
 - a. Noting the remainder of resolution 240210 remains valid and supported as resolved.**
- 2. Exercise the provisions of sections 6.63 to 6.75 of the Local Government Act 1995 to take possession and sell Lot 310 On Deposited Plan 209377- 7 Stokes Road, MORAWA 6623, due to unpaid rates arrears of 3 or more years, and attempt to recover from the proceeds of the sale, unpaid rates and charges.**

CARRIED BY SIMPLE MAJORITY 7/0

15.3 Reopening of the Meeting to the Public

OFFICER’S RECOMMENDATION/RESOLUTION

240321

Moved: Cr North

Seconded: Cr Collins

That Council reopens the meeting to the public.

CARRIED BY SIMPLE MAJORITY 7/0

Meeting reopened to public at 5:51pm.

Item 16 Closure

16.1 Date of Next Meeting

The date of the next ordinary meeting of Council will be on Thursday, 18 April 2024 commencing at 5:30pm, in the Council Chambers.

16.2 Closure

There being no further business, the President declared the meeting closed at 5:52pm.