



AGENDA

ORDINARY MEETING OF COUNCIL

to be held on

Thursday, 20 March 2025 at 5:30pm

at the

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



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

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

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Morawa for any act, omission, statement or intimation occurring during Council Meetings. The Shire of Morawa disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during Council Meetings.

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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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Item 1 Opening of Meeting

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

Item 2 Acknowledgement of Traditional Owners and Dignitaries

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

Item 3 Recording of Attendance**3.1 Attendance****Council – In Person Attendance**

President (Presiding Member) Councillor Karen Chappel

Deputy President Councillor Ken Stokes

Councillor Grant Chadwick

Councillor Dean Clemson

Councillor Mark Coaker

Councillor Diana North

Council – Electronic Attendance

Councillor Debbie Collins

Staff – Attendance

Chief Executive Officer

A/Exec. Manager Corporate and Community Services

Michael Cole

Stuart Taylor

Members of the Public**3.2 Apologies****3.4 Approved Leave of Absence****3.5 Disclosure of Interests****Item 4 Applications for Leave of Absence****Item 5 Response to Previous Questions****Item 6 Public Question Time**

Item 7 Questions from Members without Notice**Item 8 Announcements by Presiding Member without Discussion**

President's Meetings for the month of February 2025.

Date	Details of Meeting
03 February 2025	Shire of Morawa – Ordinary Council Meeting
03 February 2025	Shire of Morawa – Annual Electors Meeting
16 February 2025	MWAC Meeting
16 February 2025	WALGA – Northern Country Zone Meeting
27 February 2025	Shire of Morawa – Briefing Session

Item 9 Declaration by all Members to have given due consideration to All Matters Contained in the Business Paper before the Meeting

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

Item 10 Confirmation of Minutes of Previous Meeting

The Minutes of the 3 February 2025 Ordinary Council Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 6 February 2025.

The Minutes of the 3 February 2025 Annual Electors Meeting were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 5 February 2025.

OFFICER'S RECOMMENDATION

That Council confirm that:

- 1. the Minutes of the Ordinary Council Meeting held 3 February 2025 are a true and correct record.**
- 2. the Minutes of the Annual Electors Meeting held 3 February 2025 are a true and correct record.**

SIMPLE MAJORITY VOTE REQUIRED

Disclaimer

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

Item 11 Reports of Officers**11.1 Chief Executive Officer****11.1.1 Actions Performed under Delegated Authority for January - February 2025**

Author: Executive Assistant

Authorising Officer: Chief Executive Officer

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

OFFICER RECOMMENDATION

That with respect to Actions Performed under Delegated Authority for January 2025 and February 2025, Council:

1. Accept the Report.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To report back to Council, actions performed under delegated authority from the period 01 January 2025 to 28 February 2025.

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 January 2025 to 28 February 2025 ('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

No delegated decisions were undertaken by Shire pursuant to building permits during this period.

Other Delegations

<i>Date of decision</i>	<i>Decision Ref.</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
27/02/25	N/A	Improvement Notice	Morawa Roadhouse	

29/01/24	A316	Revocation Of Health Notice	Lot 65 (24) Winfield Street, Morawa	
06/12/24	A219	Warning Notice	Lot 117 (No.43) Valentine Street, Morawa	

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 (2025)

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 Request for the Inclusion of Power to Lease of Crown Reserve 38236

Author: Coordinator Planning & Compliance 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

That Council directs the CEO to submit a request to the Minister for Lands to amend the Management Order over Reserve 38236 to include the following condition:

'Power to lease (sublease or licence) for the designated purpose is granted for the whole or any portion thereof for any term not exceeding 21 years from the date of the lease subject to the approval in writing of the Minister for Lands being first obtained to each and every lease or assignment of lease, pursuant also to the provision of section 18 and section 19 of the Land Administration Act 1997.'

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

Manage the respective uses, facilities and activities within the Crown Reserve 38236.

DETAIL

Crown Reserve 38236 ('the Reserve') was created and vested to the Shire of Morawa in March 1983. It is located south of the Morawa townsite and is currently zoned public open space under Local Planning Scheme No.3 (Image 1). The current reserve purpose is "Truck Parking & Tourist Information Bay" with no power to lease. Given the reserve was created and vested prior to 1997, there is no documentation of the management order of this reserve only a copy of the government gazettes for the reserve creation and vesting (*Attachment 1*).

A reserve is usually placed under the care, control and management of a state government agency, local government authority or incorporated community group by way of a Management Order registered against the relevant parcels of Crown land within a reserve and endorsed on the Crown land titles.

A Management Order is a statutory right to manage and control Crown land in accordance with the Management Order granted under the LAA. They place reserves in trust with management bodies on behalf of the public and do not constitute an interest in the land.

Management Orders may contain conditions on the use and development of the reserve and may grant the management body certain powers to deal with the land, such as the power to lease and/or license.

In order to accommodate the request for the inclusion of power to lease (sublease or licence) it will be necessary to amend the management order over Reserve 38236.

The Department of Lands have suggested Council submit a formal request to amend the current management order. Given the adjoining reserves are for the purpose of 'primary distribution road, railways and general industry' under Town Planning Scheme No.3 the request appears appropriate, however it will be subject to the Department of Lands consideration and Ministerial approval.

Once an updated management order is granted a draft lease / licence agreement is required to be sent to the Department of Lands also requesting Ministerial approval.



Image 1: LPS No.3
Scheme Map '5' Morawa Town Site



Image 2: Ariel Location Image
Google Maps

LEVEL OF SIGNIFICANCE

HIGH – Without the power to lease the Shire is unable to permit any ongoing use of the site by way of lease or licence. Such a lease of licence would enable certainty for any proposals to operate a food truck or similar service from the site.

CONSULTATION

Senior Management Team
Department of Planning, Lands and Heritage

LEGISLATION AND POLICY CONSIDERATIONS

Land Administration Act 1997
Land Administration Regulations 1998
Shire of Morawa Local Planning Scheme No.3

FINANCIAL AND RESOURCES IMPLICATIONS

Costs to Council for managing the reserve in its current state would be met by the annual

operational budget. Additional financial implications for any improvements to the reserve would need to be considered when proposed.

RISK MANAGEMENT CONSIDERATIONS

Nil

CONCLUSION

That Council resolves to direct the CEO to submit a request to the Minister for Lands to amend the Management Order over Reserve 38236 to include the power to lease (sublease or licence) for a period not exceeding 21 years.

ATTACHMENTS

Attachment 1 – 11.1.2a Copy of Government Gazette (reserve creation & reserve vesting)

Attachment 2 – 11.1.2b Copy of Government Gazette (reserve creation & reserve vesting)

Attachment 3 – 11.1.2c Reserve Details Report – 38236

11.2 Executive Manager Corporate & Community Services

11.2.1 Monthly Financial Report – January 2025

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION

That Council receive:

1. The Monthly Financial Report including the Statement of Financial Activity for the period ending 31 January 2025.
2. The Bank Reconciliation Report for period ending 31 January 2025.
3. The attached List of Payments for the period ending 31 January 2025.
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 2025.

SIMPLE MAJORITY VOTE REQUIRED

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 2025 is as follows:

Account	Balance
Municipal Account	2,557,680.30
Municipal Online Account	1,125,820.26
Trust Account	1,525.11
Reserve Account	5,085,934.58
Term Deposits (Reserves)	2,100,000.00
Total Cash & Investments	10,870,960.27

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 2025 to 31 January 2025 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)	80,599.43
Municipal	Cheques No:	0
Municipal	Direct Debit Transactions	57,487.00
Municipal	Bank Transfers / Payroll / Other Payments	218,854.17
Municipal	Corporate Credit Cards / Fuel Cards	399.22
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	357,339.82

Reimbursement Applications

There have been no reimbursements claimed during the month of January 2025.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Chief Executive Officer

OFFICER'S COMMENTS

1. Term deposits have been placed and we are now receiving a 5% return.
2. 78.0% of rates have been received as at the end of January 2025.

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

Regulation 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 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

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 as at 31 January 2025

Attachment 2 – 11.2.1b Bank Reconciliation for the period ending 31 January 2025

Attachment 3 – 11.2.1c List of Accounts Paid for the period ending 31 January 2025

11.2.2 Monthly Financial Report – February 2025

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION

That Council receive:

- 1. The Monthly Financial Report including the Statement of Financial Activity for the period ending 28 February 2025.**
- 2. The Bank Reconciliation Report for period ending 28 February 2025.**
- 3. The attached List of Payments for the period ending 28 February 2025.**
- 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 28 February 2025.**

SIMPLE MAJORITY VOTE REQUIRED

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 28 February 2025 is as follows:

Account	Balance
Municipal Account	2,377,042.78
Municipal Online Account	1,129,291.63
Trust Account	1,525.11
Reserve Account	5,085,934.58
Term Deposits (Reserves)	2,100,000.00
Total Cash & Investments	10,693,794.10

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 2025 to 28 February 2025 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)	350,478.26
Municipal	Cheques No:	0
Municipal	Direct Debit Transactions	64,827.75
Municipal	Bank Transfers / Payroll / Other Payments	192,204.74
Municipal	Corporate Credit Cards / Fuel Cards	721.85
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	608,232.60

Reimbursement Applications

There have been no reimbursements claimed during the month of February 2025.

LEVEL OF SIGNIFICANCE

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

CONSULTATION

Chief Executive Officer

OFFICER'S COMMENTS

1. Term deposits have been placed and we are now receiving a 5% return.
2. 80.0% of rates have been received as at the end of February 2025.

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

- (3) The council —
 - (a) governs the local government's affairs; and

(b) is responsible for the performance of the local government's functions.

- (4) 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

Regulation 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.
- (4) 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
 - c. 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 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

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 – 11.2.2a Monthly Financial Report as at 28 February 2025

Attachment 2 – 11.2.2b Bank Reconciliation for the period ending 28 February 2025

Attachment 3 – 11.2.2c List of Accounts Paid for the period ending 28 February 2025

Item 12 Reports from Committees**12.1 Audit & Risk Management Committee - 2024 Compliance Audit Return**

Author: Executive Assistant

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.

AUDIT & RISK MANAGEMENT COMMITTEE'S RECOMMENDATION

Pending resolution by Committee, that with respect to the Local Government 2024 Compliance Audit Return for the Shire of Morawa, the Audit and Risk Management Committee recommend that Council:

1. Note and accept the 2024 Compliance Audit Return (*Attachment 1*) for the Local Government of the Shire of Morawa for the period 1 January 2024 to 31 December 2024; and
2. Request the Chief Executive Officer to submit a certified copy of the 2024 Compliance Audit Return to the Director General of the Department of Local Government Sport and Cultural Industries by 31 March 2025.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The Department of Local Government, Sport and Cultural Industries (the Department) has distributed the 2024 Compliance Audit Return (the Return) for completion by the Shire of Morawa.

The Return is one of the tools that allow the Audit and Risk Management 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 2024 Return has been prepared by electronic means and will be submitted via the Department's online portal.

The Shire of Morawa 2024 Compliance Audit Return will be presented for review at the ordinary meeting of Council being held on 20 March 2025.

The Shire has seen gradual improvement across all metrics based on previous reports in recent years. This years Return marks the first since 2018 to be fully compliant.

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 2024 return has seen a continuation of improvement in the Shire's compliance practises. No remediation action is required.

ATTACHMENTS

Attachment 1 – 12.1a 2024 Compliance Audit Return

12.2 Audit & Risk Management Committee - Appointment of Independent Committee Chairperson and Updated Terms of Reference

Author: Executive Assistant

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.

AUDIT & RISK MANAGEMENT COMMITTEE'S RECOMMENDATION

Pending resolution by Committee, the Audit and Risk Management Committee recommend that Council:

1. Endorse the appointment Mr Nils Hay, CEO of the Mid West Development Commission, as the Independent Chairperson of the Committee.
2. The Appointment be in effect until 18 October 2025.
3. Endorse the updated Audit & Risk Management Committee Terms of Reference to reflect the membership change, per *Attachment 1*.
4. Direct the CEO to write to Mr Hay confirming his appointment and updated Terms of Reference.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To appoint an Independent Chairperson to the Audit & Risk Management Committee (Committee) and endorse the updated Terms of Reference in line with proposed membership structure.

DETAIL

At the 2 March 2023 Committee meeting, it was resolved to update the Committee's Terms of Reference. As part of the update, the membership was amended in line with the impending Local Government Reforms and Regulations 17 Review recommendations. The size of the Committee was reduced from seven (7) Councillors to four (4) and an Independent Chairperson was to be implemented after the October 2023 elections.

Since that time, further consideration on the appointment of an Independent Chairperson has been delayed pending the finalisation of regulations by the State Government. A number of suitable independent candidates were considered by Shire CEO, Mr Michael Cole and Mr Nils Hay, current CEO of the Mid West Development Commission and former CEO of the Shire of Mingenew was identified.

Mr Hay was approached regarding the vacant position and he has confirmed his interest.

LEVEL OF SIGNIFICANCE

Medium – the enhancement of Risk Management is important to the organisation and Council, and a strong overarching framework and oversight committee is key to that.

CONSULTATION

Chief Executive Officer
Mr Nils Hay

LEGISLATION AND POLICY CONSIDERATIONS

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

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

The introduction of an independent presiding member provides an opportunity for increased community confidence in the Shire's financial and risk management. It is recommended an independent chair have risk and financial management expertise that might otherwise not be available to the Audit and Risk Management Committee.

CONCLUSION

The Administration recommends the Audit & Risk Management Committee appoint Mr Nils Hay as the Independent Chairperson to the Committee and that the updated Terms of Reference be endorsed.

ATTACHMENTS

Attachment 1 – 12.2a Updated Terms of Reference

12.3 Minutes of WALGA State Council Meetings

Author: Executive Assistant

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION

That Council receive:

1. the Minutes of the WALGA State Council Meeting held 6 December 2024.
2. the Minutes of the WALGA State Council Meeting held 5 March 2025.

SIMPLE MAJORITY VOTE REQUIRED

Attachment 1 – 12.3a Minutes of WALGA State Council Meeting, 6 December 2024

Attachment 2 – 12.3b Minutes of WALGA State Council Meeting, 5 March 2025

Item 13 Motions of Which Previous Notice Has Been Given

Item 14 New Business of an Urgent Nature

The Administration have completed the Mid Year Budget Review ready to present to Council.

OFFICER'S RECOMMENDATION

That Council accept and consider Item 14.1 as new business of an urgent nature.

SIMPLE MAJORITY VOTE REQUIRED

14.1 Mid Year Budget Review – 1 July 2024 to 31 January 2025

Author: A/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

That Council:

1. **Adopt the 2024-2025 budget review based on the financials for the period ending 31 January 2025 as presented in the Report and *Attachment 1*.**
2. **Direct the Chief Executive Officer to update and implement the amended budget.**

ABSOLUTE MAJORITY VOTE REQUIRED

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 required 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. The annual budget review must be submitted to the Council on or before 31 March in that financial year.

The 2024-2025 Budget Review for the Period Ending 31 January 2025 (*Attachment 1*) document details the examination undertaken and all budget movements.

Statutory Budget

The Statutory Budget Review 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.

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.

Predicted Variances

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

Operating Revenue

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

- Decrease in Grants/Contributions of \$394,000. The reduction relates to the balance of \$106,000 funding for Flood Damage received during the year for works completed in the previous year.
- Increase in Other Income – Additional \$22,000 in MEEDAC Support Income
- Grant – MRDWA Direct – Increase of \$38,932 in the direct grant from MRDWA
- Insurance Claim Reimbursements – Additional \$19,003 for claims for storm damage and windscreen claim.

Overall decrease in operating revenue through budget review is \$338,178.

Operating Expenditure

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

- Legal Fees – \$15,000 reduction in Debt Recovery processes
- IPR Expenses - \$10,000 reduction as no consultant appointments this year
- Corella Expenses - \$15,000 reduction as unlikely to be expended this year
- ECEC - \$12,000 reduction as consultancy completed for this year
- Transfer Station Bins - \$15,000 no plans to undertake this year
- Maintenance Rural Roads - \$63,310 additional cost of materials
- Flood Damage – Decrease of \$500,000 as these works were completed in 2023/24. As indicated above, the balance of funding of \$106,000 was received this year.
- RAC Park - \$20,000 reduction as project completed 2023/24
- NAIDOC Week - \$22,018 increase as budget allocation was insufficient
- Caravan Park Staffing - \$11,655 reduction due to staff vacancy
- Engineering Staffing - \$47,820 reduction due to staff vacancies
- Administration Office - \$11,020 unexpected office relocation costs
- Salaries Allocated to Works - \$69,587 expected savings

Overall decrease in operating expenditure through the budget review is \$501,072

Capital

Various capital expense accounts have been generally increased to cover unexpected projects but offset in part by savings in other projects.

- Infrastructure Other Health – \$16,700 - Old Hospital Fence and Drs Surgery
- Swimming Pool - \$24,273 – replacement of automatic pool cleaners
- Parks and Ovals – \$20,000 reduction as works costed to other areas – (see blow)
- Fence behind Main St Ablutions \$6,500 – from above budget savings

- Townsite Light Poles - \$3,978 – from above budget savings
- Rural Roads – Stephens Road – \$21,431 Works completed this year
- Rural Roads – Nanekine Road - \$104,985 as per Tender Awarded by Council. Project likely to be carried over to 2025/26 due to needing survey conducted in Spring 2025.
- Depot Project - \$350,000 for urgent works required at the Depot
- Administration Office - \$282,421 for replacement of Administration Office roof in line with November 2024 Council resolution.

Overall increase in capital expenditure is \$799,132.

Final Position

With the budget review movements presented in attachment 1 the Shire's end of year closing position is expected to be a balanced budget.

The Shire will undertake another review in May based on 30 April 2025 financials with a report to be presented to Council in June 2025 and to inform the draft Annual Budget for 2025/26.

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 2024-2025 Budget Review for the Period Ending 31 January 2025 outcome is that Council is expected to have a surplus of \$0 at 30 June 2025, ie a balanced Budget.

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 2025 is that Council is expected to have a break even balanced Budget.

ATTACHMENTS

Attachment 1 – 14.1a 2024-2025 Budget Review for the Period Ending 31 January 2025

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

Author: Executive Assistant

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION

That Council:

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

- 15.2 Confidential Report - Award of RFQ-01-2425-2 Provision of ICT Managed Support
- 15.3 Confidential Report – Award of RFQ-08-2425 Drainage and Water Modifications for Stokes Road and Winfield Street (Readvertised)
- 15.4 Confidential Report – Award of RFQ-08-2425 Drainage and Water Modifications for Stokes Road and Winfield Street (Readvertised)
- 15.5 Confidential Report - Sale of Land for Recovery Of Unpaid Rates

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

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

DETAIL

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

- 15.2 Confidential Report - Award of RFQ-01-2425-2 Provision of ICT Managed Support
- 15.3 Confidential Report – Award of RFQ-08-2425 Drainage and Water Modifications for Stokes Road and Winfield Street (Readvertised)
- 15.4 Confidential Report – Award of RFQ-08-2425 Drainage and Water Modifications for Stokes Road and Winfield Street (Readvertised)
- 15.5 Confidential Report - 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:

1. 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

15.2	Confidential Report – Award of RFQ-01-2425-2 Provision of ICT Managed Support
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This is a Confidential Report.

15.3	Confidential Report – Award of RFQ-07-2425 Property Demolition
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This is a Confidential Report.

15.4	Confidential Report – Award of RFQ-08-2425 Drainage and Water Modifications for Stokes Road and Winfield Street (Readvertised)
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This is a Confidential Report.

15.5	Confidential Report - Sale of Land for Recovery of Unpaid Rates
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This is a Confidential Report.

15.6 Reopening of the Meeting to the Public**OFFICER'S RECOMMENDATION**

That Council reopens the meeting to the public.

SIMPLE MAJORITY VOTE REQUIRED

15.7 Presiding Member Publicly Confirms Confidential Item Resolutions

The Presiding Member publicly confirms the Confidential Item Resolutions for:

- 15.2 Confidential Report - Award of RFQ-01-2425-2 Provision of ICT Managed Support
- 15.3 Confidential Report – Award of RFQ-08-2425 Drainage and Water Modifications for Stokes Road and Winfield Street (Readvertised)
- 15.4 Confidential Report – Award of RFQ-08-2425 Drainage and Water Modifications for Stokes Road and Winfield Street (Readvertised)
- 15.5 Confidential Report - Sale of Land for Recovery Of Unpaid Rates

Item 16 Closure**16.1 Date of Next Meeting**

The date of the next ordinary meeting of Council will be on 17 April 2025 commencing at 5.30pm, in the Council Chambers.

16.2 Closure

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