MORAWA
BREAKING NEW GROUND

AGENDA

ORDINARY MEETING OF COUNCIL

to be held on

Tuesday, 24 November 2026 at 5.30pm

via

e-Meeting

WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

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

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

Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council Meeting does so at their own risk. The Shire of Morawa advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.

DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS

Local Government Act 1995 – Section 5.65, 5.70 and 5.71 Local Government (Administration) Regulation 34C

This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Administration) Regulation 34C			
Name of person declaring the interest			
Position			
Date of Meeting			
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing		
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality

Signature: _____ **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 Presiding Member to declare the e-meeting open at 5.30pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The Presiding member 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 AM JP
Deputy President Councillor Ken Stokes
Councillor Grant Chadwick
Councillor Mark Coaker
Councillor Dean Clemson
Councillor Diana North
Councillor Naomi Francis

Staff

Chief Executive Officer	Marty Symmons
Executive Manager - Corporate & Community Services	Kristy Van Kuyl
Executive Manager - Works & Services	Graeme Hedditch
Governance & Executive Support Officer	Anish Thomas

3.2 Apologies

3.3 Approved Leave of Absence

3.4 Welcoming Member of Public

Item 4 Announcements by Presiding Member without Discussion

President's Meetings for the month of October 2026.

Date	Details of Meeting
08 October 2026	Meeting with Hon Minister Stephen Dawson at Mingenew
20 October 2026	Council Forum - Shire of Morawa
23 October 2026	Morawa District High School Graduation Function
27 October 2026	Ordinary Council Meeting – Shire of Morawa

Item 5 Public Question Time

5.1 Response to Previous Public Questions Taken on Notice.
Nil

5.2 Public Question Time

Item 6 Declaration of Interest

Disclosing Member	**Type of Interest**	**The Nature being**

Item 7 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 AM JP
Deputy President Councillor Ken Stokes
Councillor Mark Coaker
Councillor Grant Chadwick
Councillor Diana North
Councillor Dean Clemson
Councillor Naomi Francis

CARRIED BY

Item 8 Confirmation of Minutes of Previous Meeting

The Minutes of the Ordinary Council Meeting of 27 October 2026 were provided under separate cover via the Shire of Morawa's secure portal to all Councillors on 09th November 2026.

OFFICER'S RECOMMENDATION

That Council confirm that:

1. **the Minutes of the Ordinary Council Meeting held on the 27 October 2026 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 9 Public Statements, Petitions, Presentations and Approved Deputations

Item 10 Reports of Committees

Item 11 Reports of Officers

11.1 Chief Executive Officer

11.1.1 Actions Performed under Delegated Authority for October 2026

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 October 2026, Council:

1. **Accept the Report.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To report back to Council, actions performed under delegated authority from the period 01 October 2026 to 31 October 2026.

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 October 2026 to 31 October 2026 (‘the period’) and are submitted to Council for information.

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

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

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

Dangerous Goods Safety Act 2004
No delegated decisions were undertaken by Shire pursuant to Dangerous Goods Safety matters during the period.

Food Act 2008
No delegated decisions were undertaken by Shire pursuant to the Food Act matters during the period.

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

Liquor Control Act 1988
No delegated decisions were undertaken by Shire pursuant to liquor matters during the period.

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

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

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

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

Building Permits

Date of decision	*Decision Ref.*	*Decision details*	*Applicant*	*Other affected person(s)*
05/10/2026	Permit No 26/10	Steel Patio, Valentine Street, Morawa WA 6623	Nusteel Patio and Sheds	
07/10/2026	Permit No 26/11	Steel Machinery Shed Street 2412, Mingenew-Meerkanooka WA 6625	Auspan Building Systems Private Ltd	
19/10/2026	Permit No 26/12	Steel Patio and Carport, Yewers Street , WA 6635	Benjamin Whitford	
19/10/2026	Permit No 26/13	Fibre glass Swimming Pool, Broad Avenue WA 6635	Countrywide Pools	

Health Act 1911
No delegated decisions were undertaken by Shire pursuant to Health Act during the period

Other Delegations

The CEO exercised delegated Authority to write-Off General Rates Debtor small balance totalling $ 7.16

Date of decision	*Decision Ref.*	*Decision details*	*Applicant*	*Other affected person(s)*
14/10/2026	Batch 2441 Yr 26/27 Assess no.: A259	General Rates Write off small balances - $7.16. 3 Solomon Terrace Morawa 6623	-	-

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 1911

Public Health Act 2016
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 Adoption of Ordinary Council Meeting and Audit, Risk & Improvement Committee Meeting Dates for 2027.

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION

That Council:

1. Resolves to set the Ordinary Council Meeting dates and times for 2027 as follows:

- **Thursday, 4 February 2027 at 6.00pm;**
- **Thursday, 18 March 2027 at 5.30pm;**
- **Thursday, 22 April 2027 at 5.30pm (electronic meeting);**
- **Thursday, 20 May 2027 at 5.30pm;**
- **Thursday, 17 June 2027 at 5.30pm;**
- **Thursday, 22 July 2027 at 5.30pm;**
- **Thursday, 26 August 2027 at 5.30pm;**
- **Thursday, 16 September 2027 at 5.30pm;**
- **Thursday, 21 October 2027 at 1.30pm;**
- **Thursday, 18 November 2027 at 5.30pm (electronic meeting); and**
- **Thursday, 16 December 2027 at 5.30pm.**

2. Resolves that, except for the electronic meetings scheduled for 22 April and 18 November 2027, all Ordinary Council Meetings will be held at the Council Chambers, Shire Administration Centre, 26 Winfield Street, Morawa;

3. Resolves to set the **Audit, Risk & Improvement Committee Meeting** dates and times for 2027 as follows:

- **Thursday, 25 February 2027 at 5.00pm;**
- **Thursday, 27 May 2027 at 5.00pm; and**
- **Thursday, 2 December 2027 at 5.00pm.**

4. Resolves that all Audit, Risk & Improvement Committee Meetings will be held as electronic meetings;

5. Resolves that the Annual Electors Meeting will be held at the Council Chambers, Shire Administration Centre, 26 Winfield Street, Morawa, on Thursday, 4 February 2027 at 5.30pm; and

6. Directs the Chief Executive Officer to publish the details of the 2027 Ordinary Council Meetings and Audit, Risk & Improvement Committee Meetings on the Shire's official website before the beginning of 2027, and to give any other public notice required by legislation.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

For Council to adopt the Ordinary Council Meeting, Audit, Risk & Improvement Committee Meeting and Annual Electors Meeting dates and times for 2027.

BACKGROUND

Each year Council adopts its Ordinary Council Meeting dates for the following calendar year. Confirming the annual meeting program in advance enables Councillors, staff and members of the public to plan for meetings and allows the Shire to meet its statutory publication obligations.

The Shire also schedules Audit, Risk & Improvement Committee meetings to coincide with key statutory, audit, risk and financial reporting requirements.

DETAILS

The proposed 2027 calendar provides for eleven Ordinary Council Meetings. Meetings are generally scheduled on Thursdays, with adjustments across the year to accommodate operational requirements and the December office closure period.

Most Ordinary Council Meetings will commence at 5.30pm. The exceptions are the 4th February meeting, which will commence at 6.00pm immediately following the Annual Electors Meeting, and the 21 October meeting, which will commence at 1.30pm. The April and November meetings are proposed to be conducted electronically.

The earlier October meeting time provides an opportunity to invite representatives from Morawa District High School to attend and gain an understanding of civic governance.

Where a meeting is scheduled early in a month, the previous month's financial statements may not be finalised in time for inclusion. In those circumstances, Administration will advise Council and the statements may be presented at the following meeting.

The Annual Electors Meeting is proposed for 5.30pm on Thursday, 4 February 2027, immediately before the Ordinary Council Meeting commencing at 6.00pm.

Three Audit, Risk & Improvement Committee meetings are proposed for 2027, consistent with the Committee's Terms of Reference requiring at least three meetings each year. The meetings are timed to support consideration of the Compliance Audit Return, interim audit and risk matters, and the annual audit and financial reporting cycle.

The 25 February meeting is scheduled to allow the Committee's review and recommendation on the 2026 Compliance Audit Return to be presented to the 18 March Ordinary Council Meeting, ahead of the usual 31 March submission deadline. The 27 May and 2 December meetings are scheduled in advance of the 17 June and 16 December Ordinary Council Meetings respectively.

All Audit, Risk & Improvement Committee meetings are proposed to commence at 5.00pm to support the availability of the independent presiding member and committee members.

LEVEL OF SIGNIFICANCE

Medium: The annual meeting program supports statutory compliance, transparent decision-making and public access to Council and committee meetings.

CONSULTATION

Consultation has occurred with:

- Senior Management Team;
- The Shire President
- The ARIC Independent Chairperson; and
- Council members through consideration of this report.

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995
Local Government (Administration) Regulations 1996
Local Government (Audit) Regulations 1996
Shire of Morawa Audit, Risk & Improvement Committee Terms of Reference
Shire of Morawa Strategic Community Plan 2022-2032

FINANCIAL AND RESOURCES IMPLICATIONS

Costs associated with advertising and administering the meeting program are provided for within the adopted budget. Independent Audit, Risk & Improvement Committee member fees and eligible travel expenses will be paid in accordance with the applicable legislative and Salaries and Allowances Tribunal framework.

RISK MANAGEMENT CONSIDERATIONS

There is a risk of legislative non-compliance if meeting dates, times and locations are not published within the required timeframe or if subsequent changes are not published as soon as practicable.

There is also an operational risk if Audit, Risk & Improvement Committee meetings are not scheduled sufficiently early to allow recommendations to be incorporated into the relevant Council agenda. The proposed dates provide approximately three weeks between each Committee meeting and the corresponding Ordinary Council Meeting.

CONCLUSION

The proposed calendar provides a structured and publicly accessible program of Council, Audit, Risk & Improvement Committee and electors' meetings for 2027. The dates support the Shire's statutory obligations and provide sufficient time for Committee recommendations to be progressed to Council.

ATTACHMENTS

Nil

11.1.3 Major Land Transaction – Morawa Early Childhood Education and Family Centre

Author: Chief Executive officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION

That Council:

1. **Notes** that the statutory public submission period for the Major Land Transaction Business Plan for the Morawa Early Childhood Education & Family Centre closed at 4.00pm on 16 November 2026;

2. **Notes** that no submissions were received during the statutory public submission period;

3. **Notes** that no material changes have been made to the proposed Major Land Transaction since Council endorsed the Business Plan for public advertising;

4. **Resolves,** having considered the Major Land Transaction Business Plan in accordance with section 3.59 of the Local Government Act 1995, to proceed with the Major Land Transaction as described in the Business Plan; and

5. **Authorises** the Chief Executive Officer to undertake the actions necessary to implement the Major Land Transaction in accordance with the Business Plan and Council's resolution.

ABSOLUTE MAJORITY VOTE REQUIRED

PURPOSE

For Council to consider the outcome of the statutory public advertising period and determine whether to proceed with the Major Land Transaction for the development and lease of the Morawa Early Childhood Education & Family Centre.

BACKGROUND

At its Ordinary Meeting held on 29 September 2026, Council endorsed the Major Land Transaction Business Plan for the Morawa Early Childhood Education & Family Centre and authorised the Chief Executive Officer to give statewide public notice of the Business Plan in accordance with section 3.59 of the Local Government Act 1995, inviting public submissions for a period of not less than six weeks.

Council also noted that, following the close of the public submission period, a further report would be presented to Council to consider any submissions received and determine whether to proceed with the Major Land Transaction.

The Major Land Transaction relates to the development and proposed lease of the Morawa Early Childhood Education & Family Centre at Lot 409 (No. 26) Prater Street, Morawa.

The Business Plan identifies a total project cost of $4,200,000. The project is funded through external grants totalling $2,946,775 and a Shire contribution of $1,253,225, comprising $353,225 from the Community and Economic Development Reserve and a $900,000 Western Australian Treasury Corporation loan.

Following Council's endorsement, statewide public notice was published and the Business Plan was made available at the Shire of Morawa Administration Office and on the Shire's website. Written submissions were invited until 4.00pm on 16 November 2026.

DETAILS

The statutory public submission period closed at 4.00pm on 16 November 2026. No submissions were received by the closing date.

No material changes have been made to the proposed transaction since the Business Plan was endorsed by Council for public advertising. The nature of the development, project cost, funding arrangements, intended community purpose and proposed lease arrangements remain as described in the advertised Business Plan.

The Business Plan outlines:

- the nature and purpose of the proposed transaction;
- the development of the Morawa Early Childhood Education & Family Centre;
- the project cost and funding structure;
- the Shire's financial contribution and external grant funding;
- the proposed peppercorn lease or licence arrangement with the approved service provider;
- the anticipated economic, social and community benefits; and
- the financial implications and statutory decision-making process.

Section 3.59 of the Local Government Act 1995 requires Council to consider any submissions received before deciding whether to proceed. As no submissions were received and no material changes are proposed, there are no issues arising from the statutory consultation process that would prevent Council from proceeding with the Major Land Transaction as advertised.

Council may now resolve to proceed with the transaction. This will allow the Chief Executive Officer to continue implementing the project and associated arrangements in accordance with the Business Plan, grant funding agreements, contractual obligations and Council resolutions.

Any future material change to the nature, scope, financial structure or disposal arrangements would need to be separately assessed to determine whether further Council approval or statutory advertising is required.

LEVEL OF SIGNIFICANCE

High: The matter involves a statutory process under section 3.59 of the Local Government Act 1995, a total project value of $4,200,000, a Shire contribution of $1,253,225 and the proposed long-term use of a Shire facility by an external service provider. The project is also significant to the provision of childcare and family services within Morawa.

CONSULTATION

Consultation has occurred with:

- Eastman Poletti Sherwood Architects;
- Whitney Consulting;
- Regional Early Education and Development Inc. (REED);
- Department of Infrastructure, Transport, Regional Development, Communications and the Arts;
- Lotterywest;
- Department of Primary Industries and Regional Development; and
- the community through the statutory public advertising process.

Statewide public notice was published in The West Australian on 3 October 2026. The Business Plan was also made available at the Shire of Morawa Administration Office and on the Shire's website. Submissions closed at 4.00pm on 16 November 2026, with no submissions received.

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995
Local Government (Functions and General) Regulations 1996
Shire of Morawa Strategic Community Plan 2022-2032
Shire of Morawa Corporate Business Plan 2024-2034

FINANCIAL AND RESOURCES IMPLICATIONS

The total project cost identified in the Business Plan is $4,200,000, funded as follows:

- external grant funding: $2,946,775;
- Community and Economic Development Reserve: $353,225; and
- Western Australian Treasury Corporation loan: $900,000.

The Shire's total contribution is $1,253,225. The recommendation does not alter the project cost or funding structure previously considered by Council, and no material financial changes have arisen through the statutory advertising process.

Implementation will continue to require officer resources to administer the construction contract, grant agreements, financial reporting, project governance and the proposed lease arrangements. Operating costs associated with the early childhood education and care component are intended to be borne by the service provider under the proposed lease.

CONCLUSION

Council endorsed the Major Land Transaction Business Plan for the Morawa Early Childhood Education & Family Centre on 29 September 2026 and authorised the required statewide public advertising.

The statutory public submission period closed at 4.00pm on 16 November 2026. No submissions were received and no material changes have been made to the proposed transaction since the Business Plan was advertised.

The statutory consultation process has been completed. It is recommended that Council resolve to proceed with the Major Land Transaction as described in the Business Plan and authorise the Chief Executive Officer to undertake the actions necessary to implement the transaction.

ATTACHMENTS

Attachment 1 – 11.1.3a Major Land Transaction Business Plan - Morawa Early Childhood Education & Family Centre.
Attachment 2 – 11.1.3b Statewide Public Notice - The West Australian, 3 October 2026.
Attachment 3 – 11.1.3c Shire Public Notice - Major Land Transaction Business Plan.

11.1.4 Temporary Road Closure - Burton Road, Morawa

Author: Coordinator Planning & Compliance Services
Chief Executive Officer

Authorising Officer: Chief Executive Officer

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

OFFICER'S RECOMMENDATION

That with regards to the Temporary Closure of Burton Road, Morawa, Council:

1. **Approves the continued temporary closure of Burton Road, Morawa, following expiry of the current temporary closure, until 31 December 2026, to enable arrangements for unrestricted access to the Co-operative Bulk Handling Ltd (CBH) Morawa Bin for the 2026/27 Grain Harvest.**

2. **Determines that during the period of temporary closure, access to Burton Road is limited to:**
   a. **vehicles directly involved in accessing the CBH Morawa Bin;**
   b. **emergency services vehicles; and**
   c. **utility service vehicles,**

   in accordance with clause 6.4(a) of the *Shire of Morawa Public Places and Local Government Property Local Law 2018*.

3. **Requires, as conditions of the temporary closure, that:**

   a. **CBH presents and maintains for the period of closure a public liability insurance policy in which the interests of the Shire of Morawa are formally noted by the insurer, indemnifying CBH and the Shire of Morawa for a sum of not less than $20,000,000 in respect of any one claim relating to any operations on the closed road; and**

   b. **CBH makes good any damage or deterioration to Burton Road incurred as a result of its use associated with the temporary closure prior to the road reopening;**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

Council is requested to consider Co-operative Bulk Handling Ltd's (CBH) request to continue the temporary closure of Burton Road, Morawa, through to 31 December 2026, to enable arrangements for unrestricted access to the CBH Morawa Bin for the 2026/27 Grain Harvest.

DETAIL

CBH has requested the temporary closure of Burton Road, Morawa, from 1 October 2026 to 31 December 2026 (Attachment 1).

The request was received with insufficient time to complete the required public advertising and consultation process and present the proposed closure to Council before the requested commencement date. As the requested closure exceeded four weeks, Council approval was required following completion of the consultation process.

To enable the closure to commence while consultation was undertaken, the Chief Executive Officer exercised delegated authority under section 3.50(1) of the Local Government Act 1995 to approve an initial temporary closure of Burton Road for 28 days, from 1 October 2026 to 28 October 2026 (Attachment 2).

Section 3.50(1) permits a local government to temporarily close a thoroughfare under its management, either wholly or partially, for a period not exceeding four weeks.

The required public advertising and consultation process has now been completed. No community submissions were received.

The matter was subsequently presented to Council at its October 2026 Ordinary Council Meeting for consideration of the continued temporary closure of Burton Road through to 31 December 2026.

Council was unable to determine the item because a sufficient number of Councillors were required to disclose financial interests and leave the meeting, resulting in Council being unable to maintain a quorum for consideration of the matter. Accordingly, no Council decision could be made on the proposed continued closure.

Following expiry of the initial 28-day closure on 28 October 2026, Burton Road was temporarily reopened to general traffic. The Chief Executive Officer subsequently exercised delegated authority to approve a further temporary closure of Burton Road for a period not exceeding 28 days.

This enabled the temporary road access arrangements required for the CBH Morawa Bin to continue pending the matter being returned to Council for determination.

The matter is now presented to Council at its 24 November 2026 meeting to consider the continued temporary closure of Burton Road following expiry of the current delegated closure until 31 December 2026.

The proposed closure is consistent with the road access arrangements considered during the 2025/26 harvest period, which sought to facilitate access to the CBH site via Burton Road due to concerns regarding the suitability of heavy vehicle access via Broad Avenue.

LEVEL OF SIGNIFICANCE

High. It is necessary for the Morawa CBH Bin to operate for the 2026/27 season. A revised access arrangement is the only opportunity for this to occur.

CONSULTATION

Community consultation was undertaken in accordance with the statutory requirements of the *Local Government Act* (s3.50) as follows:

- Public notice was provided through the Shire's official website and Facebook page, with physical notices displayed at the Shire Administration Office reception desk, the Shire's public notice board, and other relevant community noticeboards.
- Public notice via 2 signs on Burton Road.

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

"3.50. Closing certain thoroughfares to vehicles

4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —

a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and

b) give written notice to each person who —

i. *is prescribed for the purposes of this section; or*

ii. *owns land that is prescribed for the purposes of this section; and*

c) allow a reasonable time for submissions to be made and consider any submissions made".

"3.50A. Partial closure of thoroughfare for repairs or maintenance

Despite section 3.50, a local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure —

(a) is for the purpose of carrying out repairs or maintenance; and

(b) is unlikely to have a significant adverse effect on users of the thoroughfare".

"3.51. Affected owners to be notified of certain proposals

1) In this section —

person having an interest, in relation to doing anything, means a person who —

(a) is the owner of the land in respect of which that thing is done, or any land that is likely to be adversely affected by doing that thing; or

(b) is shown on the title to any of the land mentioned in paragraph (a) as holding an interest in any of that land; or

(c) is prescribed for the purposes of this section.

2) This section applies to —

(a) fixing or altering the level of, or the alignment of, a public thoroughfare; or

(b) draining water from a public thoroughfare or other public place onto adjoining land.

3) Before doing anything to which this section applies, a local government is to —

(a) give notice of what is proposed to be done giving details of the proposal and inviting submissions from any person who wishes to make a submission; and
(b) allow a reasonable time for submissions to be made and consider any submissions made.

4) The notice is to be given —
(a) in writing to each person having an interest; and
(b) if any land is likely to be adversely affected by the doing of the thing, by local public notice".

Local Government (Functions and General) Regulations 1996

'Part 2 — Thoroughfares
4. Persons prescribed to be notified of road closure (Act s. 3.50)
1) The persons prescribed for the purposes of section 3.50 of the Act are —
a) any person providing a service by means of pipes, cables, or anything else under, on, or above the land used for the thoroughfare whose access for purposes connected with the provision of that service would be impeded by the proposed closure; and
b) the person having principal responsibility in the locality for ambulance services; and
c) the person having principal responsibility in the locality for fire services; and
d) the occupier of land that will lose its access.
2) The land that is prescribed for the purposes of section 3.50 of the Act is land that will lose its access.
3) In this regulation — land that will lose its access means land that abuts the thoroughfare at any point to which access would be precluded as a result of the closure.

5. Persons prescribed to be notified of certain proposals (Act s. 3.51(1) person having an interest)
The persons prescribed for the purposes of section 3.51 of the Act are —
a) if the land to which that section applies is occupied, the occupier; and
b) in relation to fixing or altering the level of, or the alignment of, a public thoroughfare, any person providing a service by means of pipes, cables, or anything else under, on, or above the land used for the thoroughfare".

Shire of Morawa - Public Places and Local Government Property Local Law 2018
6.4 No driving on closed thoroughfare
A person must not drive or take a vehicle on a thoroughfare wholly or partially closed under section 3.50 or 3.50A of the Act unless –
a) it is in accordance with any limit or exception specified in the order made under section 3.50 of the Act; or
b) the person has first obtained a licence.

Council Delegation:
Delegation 2.6 Closing Certain Thoroughfares to Vehicles provides the CEO with the authority to temporarily close roads in accordance with S.3.50 (4) of the *Local Government Act 1995.*

FINANCIAL AND RESOURCES IMPLICATIONS

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

RISK MANAGEMENT CONSIDERATIONS

Local government road closures are protected from compensation payment for damages under section 3.23 of the *Local Government Act 1995*, although this must be carried out in a manner that is not considered negligent.

Implementation of the road closure in a safe manner will be managed through CBH for the proposal with a requirement for CBH to provide public liability insurance for not less than $20M. This mitigates the liability from negligence for which a local government can be liable under section 9.57 of the *Local Government Act 1995*. The closure will require that vehicles directly involved in accessing the CBH Morawa Bin along with emergency services vehicles and utility service vehicles for the period of closure be retained.

Importantly, it is anticipated that the arrangements as sought by CBH will be a significantly lower risk than the current arrangements in relation to accessing CBH Bin via Broad Avenue.

CONCLUSION

It is recommended that Council approve the proposed temporary road closure, to facilitate safe and efficient operations during the harvest period.

ATTACHMENTS

Attachment 1 – 11.1.4a CBH Letter - Temporary Road Closure Burton Road.
Attachment 2 - 11.1.4b CBH Burton Road Closure – Delegation Letter.
Attachment 3 - 11.1.4c CBH Burton Road Closure – Second Delegated Temporary Closure Approval.

11.2 Executive Manager – Corporate and Community Services

11.2.1 Monthly Financial Report – October 2026

Author: Executive Manager- Corporate and 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 receives the Monthly Financial Report for the period ended 31 October 2026, as presented in the attached report.

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.

DETAIL

Regulation 34 of the Local Government (Financial Management) Regulations 1996 (the Regulations) requires a local government to prepare each month a statement of financial activity reporting on the revenue and expenditure, including:

a. The annual budget estimates;
b. Budget estimates to the end of the month;
c. The actual amounts of expenditure, revenue, income to the end of the relevant month;
d. Material variances between the comparable amounts between budget estimates to the end of the month and the year to date amount of expenditure, revenue and income to the end of the relevant month;
e. Net current assets at the end of the relevant month and a note containing a summary explaining the composition of the net current assets.

Regulation 35 of the Regulations requires a local government to prepare each month a statement of financial position of the local government as at the last day of the previous month and the last day of the previous financial year.

OFFICER'S COMMENTS

The Monthly Financial Report for the period ending 31 October 2026 is attached to include the following information as required by legislation:

- Statement of financial activity
- Statement of financial position

- Basis of preparation and significant accounting policies
- Notes to the statement of financial activity; and
- Explanation of material variances.

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

CONSULTATION
Chief Executive Officer

LEGISLATION AND POLICY CONSIDERATIONS

Local Government (Financial Management) Regulations 1996
Regulation 34
(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 35
(1) requires a local government to prepare each month a statement of financial position of the local government as at the last day of the previous month and the last day of the previous financial year.

(2) A statement of financial position must be –

(a) presented at an ordinary meeting of the council within 2 months after the end of the previous month; and
(b) recorded in the minutes of the meeting at which it is presented.

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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 Monthly Financial Report for the period ending 31 October 2026, as attached.

ATTACHMENTS
Attachment 1 – 11.2.1a Monthly Financial Report as at 31 October 2026.

11.2.2 List of Payments – September 2026 (Deferred from OCM of October 2026)

Author: Financial Services Coordinator
Executive Manager - Corporate and 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 receive:

1. **The Bank Reconciliation Report for period ending 30 September 2026**
2. **The List of Payments for the period ending 30 September 2026**
3. **Declarations of reimbursements made to the Chief Executive Officer for the period ending 30 September 2026**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To present the list of accounts paid by the Chief Executive Officer under delegated authority for the month ended 30 September 2026.

DETAIL

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* requires a list of accounts paid to be presented to Council at the next Ordinary Council Meeting after the list has been prepared.

Pursuant to Section 5.42 of the *Local Government Act 1995*, Council has delegated authority to the Chief Executive Officer to make payments from the Municipal Fund and Trust Fund.

In accordance with these requirements, the list of accounts paid for the period 1 September 2026 to 30 September 2026 is attached to this report (**Attachment 1**) and summarised in the table below for Council's information and consideration.

Bank	Payment Description	Amount
Municipal	Electronic Funds Transfers (EFT) Less Fuel Cards	$901,790.90
Municipal	Cheques No:	$0.00
Municipal	Direct Debit Transactions	$64,598.98
Municipal	Bank Transfers / Payroll / Other Payments	$213,056.42
Municipal	Corporate Credit Cards / Fuel Cards	$3,768.14
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	**$1,183,214.44**

The Bank Reconciliation Report for the period ended 30 September 2026 has been prepared in accordance with statutory requirements and is attached to this report (**Attachment 2**). A summary of the reconciliation is provided in the table below:

Account	**Balance**
Municipal Account	$ 3,024,146.75
Municipal Online Account	$1,197,598.18
Trust Account	$ 1,525.11
Reserve Account	$ 5,615,320.09
Term Deposits (Reserves)	$ 2,100,000.00
Total Cash & Investments	**$ 11,938,590.13**

Reimbursement Applications
There have been no reimbursements claimed during the month of September 2026.

OFFICER'S COMMENTS

The attached list details payments made during September 2026 under delegated authority. Payments have been processed via Electronic Funds Transfer (EFT), direct transfer, direct debit, purchasing cards, and reimbursements made to the Chief Executive Officer, in accordance with the Shire's financial management practices and delegated authority provisions.

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

CONSULTATION
Chief Executive Officer

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 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

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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 list of payments made under the Chief Executive Officer's delegated authority and the bank reconciliation report for the period ending 30 September 2026.

ATTACHMENTS

Attachment 1 – 11.2.2a List of Accounts Paid for the period ending 30 September 2026.
Attachment 2 – 11.2.2b Bank Reconciliation for the period ending 30 September 2026.

11.2.3 List of Payments – October 2026

Author: Financial Services Coordinator
Executive Manager - Corporate and 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 receive:

1. **The Bank Reconciliation Report for period ending 31 October 2026.**
2. **The List of Payments for the period ending 31 October 2026.**
3. **Declarations of reimbursements made to the Chief Executive Officer for the period ending 31 October 2026.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To present the list of accounts paid by the Chief Executive Officer under delegated authority for the month ended 31 October 2026.

DETAIL

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* requires a list of accounts paid to be presented to Council at the next Ordinary Council Meeting after the list has been prepared.

Pursuant to Section 5.42 of the *Local Government Act 1995*, Council has delegated authority to the Chief Executive Officer to make payments from the Municipal Fund and Trust Fund.

In accordance with these requirements, the list of accounts paid for the period 1 October 2026 to 31 October 2026 is attached to this report (**Attachment 1**) and summarised in the table below for Council's information and consideration.

Bank	Payment Description	Amount
Municipal	Electronic Funds Transfers (EFT) Less Fuel Cards	$ 1,610,045.88
Municipal	Cheques No:	$0.00
Municipal	Direct Debit Transactions	$51,571.22
Municipal	Bank Transfers / Payroll / Other Payments	$177,942.58
Municipal	Corporate Credit Cards / Fuel Cards	$14,709.03
Trust	Electronic Funds Transfers (EFT)	0.00
	TOTAL	**$1,854,268.71**

The Bank Reconciliation Report for the period ended 31 October 2026 has been prepared in accordance with statutory requirements and is attached to this report (**Attachment 2**). A summary of the reconciliation is provided in the table below:

Account	**Balance**
Municipal Account	$ 3,615,148.51
Municipal Online Account	$ 1,201,880.00
Trust Account	$ 1,525.11
Reserve Account	$ 5,635,396.78
Term Deposits (Reserves)	$ 2,100,000.00
Total Cash & Investments	**$ 12,553,950.40**

Reimbursement Applications
There have been no reimbursements claimed during the month of October 2026.

OFFICER'S COMMENTS

The attached list details payments made during October 2026 under delegated authority. Payments have been processed via Electronic Funds Transfer (EFT), direct transfer, direct debit, purchasing cards, and reimbursements made to the Chief Executive Officer, in accordance with the Shire's financial management practices and delegated authority provisions.

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

CONSULTATION
Chief Executive Officer

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 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 –
b. 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

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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 list of payments made under the Chief Executive Officer's delegated authority and the bank reconciliation report for the period ending 31 October 2026.

ATTACHMENTS
Attachment 1 – 11.2.3a List of Accounts Paid for the period ending 31 October 2026.
Attachment 2 – 11.2.3b Bank Reconciliation for the period ending 31 October 2026.

11.2.4 Disposal of Properties

Author: Executive Manager - Corporate and 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. **Accepts the highest successful bids received at public auction for the disposal of the following properties, pursuant to section 6.64 and Schedule 6.3 of the Local Government Act 1995, as detailed in the confidential attachments.**
   - **23 (Lot 262) Broad Avenue, Morawa; and**
   - **55 (Lot 221) Valentine Street, Morawa**

2. **Approves the continued disposal of 5 (Lot 282) Manning Street, Morawa, at a future public auction.**

3. **Authorises the Chief Executive Officer to finalise the sale and settlement of the property and execute all necessary documentation.**

4. **Authorises, in accordance with Policy ELM10 – Affixing of the Shire of Morawa Common Seal, the affixing of the Shire of Morawa Common Seal to any documentation where the Common Seal is required by legislation to complete the property transactions.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

To consider the outcome of the public auction held on 10 November 2026 at the Morawa Town Hall and approve the disposal of properties with outstanding rates following the auction process.

BACKGROUND

At the Ordinary Council Meeting held on Thursday, 20 March 2025, Council resolved to exercises the provisions of sections 6.63 to 6.75 of the Local Government Act 1995 and proceed to sell four (4) properties with arrears of 3 or more years and attempt to recover from the proceeds of the sale, unpaid rates and charges.

The purpose of the sale process was to recover from the proceeds of sale, outstanding rates and service charges together with other costs associated with the recovery and sale process.

Following Council's resolution, the Shire progressed the required statutory and administrative processes for the sale of the properties, including the preparation of the properties for public auction

Property rates for one property were paid after the Resolution, so only the remaining three properties proceeded to sale.

DETAIL

A public auction was held at the Morawa Town Hall on Tuesday, 10 November 2026 at 12pm presented by Tony Maddox Auctioneer. Bids were received for the following properties:

- 23 (Lot 262) Broad Avenue, Morawa
- 55 (Lot 221) Valentine Street, Morawa, and
- 5 (Lot 282) Manning Street, Morawa

The public auction provided an open and competitive process for the disposal of the properties. Council is now requested to formally accept the successful bids and authorise the Chief Executive Officer to proceed with the necessary sale and settlement arrangements.

The sale of 5 (Lot 282) Manning Street, Morawa, following the public auction, was unable to proceed due to restrictions affecting the successful bidder’s eligibility to purchase the property. Accordingly, the sale will not proceed with that bidder, and the property will be included in the next public auction, anticipated to be held in February 2027.

LEVEL OF SIGNIFICANCE

Medium: The matter has a moderate level of significance due to the financial and statutory implications associated with the sale of land for the recovery of outstanding rates. The disposal process has been undertaken in accordance with the relevant provisions of the *Local Government Act 1995*, with the sale proceeds to offset outstanding rates, charges and associated costs.

CONSULTATION

Chief Executive Officer

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995
Section 3.58. Disposing of property
(1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —
(a) the highest bidder at public auction;
(b) or the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

6.64. Actions to be taken
(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —
(a) from time to time lease the land; or
(b) sell the land; or
(c) cause the land to be transferred to the Crown; or
(d) cause the land to be transferred to itself.
(2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.
(3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

Schedule 6.3 Provisions relating to sale or transfer of land where rates or service charges unpaid

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FINANCIAL AND RESOURCES IMPLICATIONS

The proceeds from the sale of 23 (Lot 262) Broad Avenue, Morawa and 55 (Lot 221) Valentine Street, Morawa will be applied towards the recovery of outstanding rates and charges and costs associated with the sale process, in accordance with the Local Government Act 1995.

RISK MANAGEMENT CONSIDERATIONS

The risks associated with the proposed disposal are considered low and moderate, provided the financial, compliance and reputational risks associated with the disposal process. These risks are mitigated through compliance with the statutory rates recovery and sale process, transparent public auction procedures and appropriate documentation.

CONCLUSION

The officer's recommendation supports the completion of the successful property sales and the continued recovery of outstanding rates in accordance with the Local Government Act 1995.The acceptance of the successful bids through public auction for 23 (Lot 262) Broad Avenue, Morawa and 55 (Lot 221) Valentine Street, Morawa will enable the Shire to proceed with settlement and apply the sale proceeds towards the outstanding amounts and associated costs.

ATTACHMENTS

Attachment 1 – 11.2.4a. CONTRACT - 23 Broad Ave, Morawa (Confidential)
Attachment 2 - 11.2.4b. CONTRACT - 55 Valentine St, Morawa (Confidential)

11.3 Executive Manager – Works & Services.

11.3.1 Annual Road Maintenance Grading Program Update

Author: Executive Manager Works & Services

Authorizing 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. **Receive the Annual Road Maintenance Program Update: October 2026.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

For Council to receive an update of the ongoing Shire of Morawa Annual Road Maintenance Program.

DETAIL

Council is being presented with an update on the annual program of road maintenance works to ensure transparency and ongoing oversight. This will provide the status of the annual program as of the end of the previous calendar month.

The Road Maintenance Grading Program schedule shows the routine grading activities scheduled to restore road surface condition, remove corrugations, and reinstate rainfall runoff functionality ahead of increased seasonal traffic demands.

The program targets approximately 1,788 km of maintenance grading per annum, with a primary focus on Restricted Access Vehicle (RAV) routes and school bus routes. This prioritisation ensures the delivery of a consistent base standard that supports a safe and reliable running surface for key transport corridors.

As part of the grading program, the following activities are completed to enhance long-term road performance:

- Gravel re-sheeting works, in accordance with the 2025–2035 Road Maintenance and Renewal Plan.
- Increase grading frequency during the dry season, where operationally feasible.
- Investigate the installation of additional mitre and table drains to improve drainage outcomes.

- Apply moisture conditioning prior to future grading activities to minimise material loss and improve compaction.

LEVEL OF SIGNIFICANCE

Low Significance: Provided for information purposes only.

LEGISLATION AND POLICY CONSIDERATIONS

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FINANCIAL AND RESOURCES IMPLICATIONS

In accordance with the adopted budget.

RISK MANAGEMENT CONSIDERATIONS

The Shire of Morawa Annual Road Maintenance program reduces the risk of premature costly renewals while improving road safety.

ATTACHMENTS

Attachment 1 – 11.3.1a Adopted 2024 – Ten-Year Forward Works Program 2025-2035.
Attachment 2 – 11.3.1b Road Maintenance Schedule 2026-27.

Item 12 New Business of an Urgent Nature

Item 13 Application for Leave of Absence

Item 14 Motion of Which Previous Notice have been given

14.1 Local Government Amendment and Repeal Bill 2026- Removal of Dadour Poll Provisions

Motion Submitted By: **Cr. Karen Chappel AM JP**

Author: Chief Executive Officer

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Member submitting the motion, Report Author and Authorising Officer have not disclosed any conflicts of interest in relation to this item.

MEMBERS MOTION

That Council:

1. **supports** the proposed removal of the Dadour poll provisions contained within Part 4 of the Local Government Amendment and Repeal Bill 2026; and

2. **supports** the proposed amendments to Schedule 2.1 of the Local Government Act 1995 that would make the long-term financial viability of local governments and the effective delivery of local government services the paramount considerations of the Local Government Advisory Board when undertaking a formal inquiry into a major boundary change.

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

For Council to consider a Member's Motion supporting the proposed removal of the elector poll provisions commonly known as the Dadour provisions and related changes to the criteria applying to the assessment of major local government boundary changes.

BACKGROUND

In September 2009, the Shires of Morawa, Perenjori, Mingenew and Three Springs entered into an agreement to investigate a voluntary amalgamation.
A Structural Reform Working Group was formed consisting of 2 Elected Members from each Council supported by the CEO's and a project officer. Over approximately 18 months the four

local governments developed a detailed business case with financial assistance from the Department of Local Government. The proposal contemplated the establishment of a new local government, to be known as the Shire of Billeranga, from 1 July 2011.

At the time of the proposal, the combined population of the four districts was approximately 2,700. At the 2021 Census, the combined population was 2,160.

Electors in each of the four districts had the ability to request a poll under the provisions of Schedule 2.1 of the Local Government Act 1995. The Shire of Perenjori was the only affected district in which a valid request for a poll was submitted. The proposed amalgamation did not proceed following the outcome of the poll conducted in that district on 16 April 2011.

Morawa and other small regional local governments continue to operate in an environment of demographic, financial, workforce and regulatory change. These factors form part of the broader context within which the State Government has proposed reforms to the legislative framework applying to local government boundary changes and amalgamations.

The Local Government Amendment and Repeal Bill 2026 was introduced into the Legislative Assembly on 14 October 2026. Part 4 of the Bill proposes amendments to Schedule 2.1 of the Local Government Act 1995, including the removal of the existing poll provisions applying to proposed boundary changes and amalgamations.

LEGISLATIVE PROPOSAL

Part 4 of the Local Government Amendment and Repeal Bill 2026 relates to the creation, alteration and abolition of local government districts.

Clause 129 proposes to amend clause 5 of Schedule 2.1 of the Local Government Act 1995. Under the proposed amendment, the paramount considerations for the Local Government Advisory Board when undertaking a formal inquiry into a major boundary change would be:

- the long-term financial viability of local governments; and
- the effective delivery of local government services.

The Local Government Advisory Board would also continue to consider, to the extent relevant:

- communities of interest;
- physical and topographical features;
- demographic trends;
- economic factors;
- planning and development;
- the history of the area;
- transport and communication; and
- any other matters the Local Government Advisory Board considers relevant to its inquiry.

Clause 130 proposes to delete clauses 7 to 9 of Schedule 2.1. These provisions presently relate to polls on proposed boundary changes and amalgamations, including polls directed by the Minister, polls requested by electors and the procedures applying to the conduct of a poll.

Clause 131 proposes consequential amendments to clause 10 of Schedule 2.1 to remove references to the poll process.

Together, clauses 130 and 131 would remove the statutory poll mechanism commonly referred to as the Dadour provisions.

The proposed removal of the Dadour provisions is separate from the changes proposed by clause 129. Clause 129 concerns the criteria applied by the Local Government Advisory Board during a formal inquiry, while clauses 130 and 131 concern the removal of the poll mechanism.

REMAINING INQUIRY AND COMMUNITY CONSULTATION PROCESS

The proposed removal of the Dadour poll provisions would remove the separate statutory process under which electors may request a statutory poll on a proposed amalgamation or major boundary change.

It would not remove the broader statutory process applying to the consideration of a significant boundary change or amalgamation.

Under the remaining Schedule 2.1 framework:

1. A proposal may be submitted by the Minister, an affected local government, two or more affected local governments jointly, or a prescribed number of affected electors.
2. A proposal must set out the nature of the proposed boundary change, the reasons for the proposal and its anticipated effects.
3. The Local Government Advisory Board must consider the proposal and determine whether to reject it, deal with it as a minor proposal or undertake a formal inquiry.
4. Where a formal inquiry is undertaken, affected local governments and electors must be notified and provided with an opportunity to make submissions about the proposal and the scope of the inquiry.
5. The formal inquiry must be conducted in a manner that makes it as easy as possible for interested parties to participate fully.
6. The Local Government Advisory Board must consider the submissions received and prepare a written report and recommendation for the Minister.
7. Where the Local Government Advisory Board proposes an outcome significantly different from the original proposal, further notice and an additional opportunity for submissions must be provided.
8. A change to a local government district is ultimately made by the Governor, on the recommendation of the Minister. The Minister may only recommend that an order be made where the Local Government Advisory Board has recommended the relevant change.

Accordingly, public participation would remain through the formal inquiry and submission process. The proposed amendments would remove the separate statutory poll process, including the ability for electors of an affected district to request a poll and the provisions governing the effect of the poll result.

The statutory framework would not preclude an affected local government from undertaking additional community consultation in relation to a future proposal.

OFFICER COMMENT

The Member's Motion provides Council with an opportunity to consider its position on the proposed changes to the legislative framework applying to local government boundary changes and amalgamations.

The Shire of Morawa has previous experience of these provisions through the proposed amalgamation of the Shires of Morawa, Perenjori, Mingenew and Three Springs and the proposed establishment of the Shire of Billeranga in 2011.

A resolution supporting the Member's Motion would record Council's position on the proposed legislative amendments. It would not constitute a decision by Council to pursue an amalgamation or commit the Shire of Morawa to any future structural arrangement.

LEVEL OF SIGNIFICANCE

Medium: The matter concerns proposed amendments to the statutory framework applying to local government boundary changes and amalgamations. The motion does not initiate an amalgamation or boundary change involving the Shire of Morawa.

CONSULTATION

No external consultation has been undertaken in preparing this report.

Any future amalgamation or significant boundary change would be subject to the consultation and inquiry requirements applicable at that time.

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

Section 2.1 provides that the Governor may, on the recommendation of the Minister, make an order creating, changing the boundaries of or abolishing a local government district. The Minister may only make such a recommendation where the Local Government Advisory Board has recommended that the relevant order be made.

Local Government Amendment and Repeal Bill 2026

The relevant proposed amendments are contained in Part 4, clauses 128 to 131:

- clause 128 identifies the Act being amended;
- clause 129 amends the matters considered by the Local Government Advisory Board;
- clause 130 deletes the principal poll provisions in clauses 7 to 9 of Schedule 2.1; and
- clause 131 makes consequential amendments to clause 10 of Schedule 2.1.

As the Bill remains before Parliament, the Member's Motion would record Council's position on proposed legislation and would not have any immediate statutory effect.

FINANCIAL AND RESOURCES IMPLICATIONS

There are no direct financial implications arising from Council considering the Member's Motion.

Any financial implications associated with a future amalgamation or boundary change would be considered separately as part of that process.

RISK MANAGEMENT CONSIDERATIONS

There are no direct organisational risks arising from consideration of the Member's Motion.

The motion concerns Council's position on proposed State legislation and does not initiate an amalgamation or boundary change involving the Shire of Morawa.

CONCLUSION

The Member's Motion seeks to record Council's position on proposed amendments to the legislative framework applying to local government boundary changes and amalgamations.

The proposed amendments would remove the statutory poll provisions while retaining the formal inquiry, notification and public submission processes administered through the Local Government Advisory Board.

The motion does not initiate an amalgamation or boundary change and does not commit the Shire of Morawa to any future structural arrangement.

ATTACHMENTS

Attachment 1 – 14.1a Member's Motion submitted by Cr Karen Chappel AM JP.

Item 15 Questions from Members without Notice

Item 16 Matters for Which the Meeting May Be Closed (Confidential Items)

Item 17 Closure

17.1 Date of Next Meeting

The date of the next ordinary meeting of Council will be on Tuesday, 15 December 2026 commencing at 5.30pm.

17.2 Closure

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