



# **MINUTES**

## **SPECIAL MEETING OF COUNCIL**

held on

**Monday, 21 October 2019**



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**DISCLAIMER**

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## Item 1 Opening of Meeting

The CEO declared the meeting open at 5.30.

## Item 2 Acknowledgement of Traditional Owners and Dignitaries

The CEO acknowledged the traditional custodians, the Yamatji people, and recognised the contribution of Yamatji elders past, present and future, in working together for the future of Morawa.

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

## Item 3 Recording of Attendance

### 3.1 Attendance

#### Council

President Karen Chappel  
 Deputy President Dean Carslake  
 Councillor Jane Coaker  
 Councillor Debbie Collins (*arrived at 5.37pm*)  
 Councillor Yvette Harris  
 Councillor Shirley Katona  
 Councillor Ken Stokes

#### Staff

Chief Executive Officer	Chris Linnell
Executive Manager Corporate & Community Services	Jenny Goodbourn
Principal Works Supervisor	Paul Buist
Economic Development Manager	Ellie Cuthbert
Executive Assistant to CEO	Sandy Adams

### 3.2 Attendance by Telephone / Instantaneous Communications

Nil

### 3.3 Apologies

Nil

### 3.4 Disclosure of Interests

Item 7.2.1	Cr Chappel	Proximity	Related to Golf Club President
Item 7.2.1	Cr Stokes	Proximity	Vice President of Golf Club

**Item 4      Declarations of All Members to have Given Due Consideration to All Matters Contained in the Business Paper before the Meeting**

The following Elected Members declared that they have given due consideration to all matters contained in the agenda:

- President Karen Chappel
- Deputy President Dean Carslake
- Councillor Jane Coaker
- Councillor Yvette Harris
- Councillor Shirley Katona
- Councillor Ken Stokes

**Item 5      Declaration of Office****5.1      The CEO “swore in” the councillor elects (who were elected unopposed):**

- Councillor JM Coaker
- Councillor Y Harris
- Councillor SD Katona

The elected Councillors undertook a declaration of office.

*Cr Collins joined the meeting at 5.37pm.*

**5.2      Election of the Shire President**

5.2.1 The CEO called for nominations and announced the nominations received in writing:

5.2.1.1 Cr Karen Chappel seconded by Cr Carslake

5.2.2 The CEO announced that Cr Karen Chappel was elected as Shire President.

5.2.3 The Shire President undertook a declaration of office.

**5.3      Election of Deputy Shire President**

5.3.1 The President assumed the chair and asked the CEO to conduct the election for the position of Deputy Shire President.

5.3.2 The CEO called for nominations and announced the nominations received in writing:

5.3.2.1 Cr Dean Carslake seconded by Cr Collins.

5.3.3 The CEO announced that Cr Dean Carslake was elected as Deputy Shire President.

5.3.4 The Deputy Shire President undertook a declaration of office.

**5.4 Allocation to Committees**

The allocation of elected members to committees, both internal and external will be conducted at the special meeting of Council on Thursday, 14 November 2017.

**Item 6 CEO Report****6.1 Traffic Management Plan – Co-operative Bulk Handling Ltd (CBH) Morawa**

**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.

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*Cr Chappel, Cr Carslake, Cr Coaker, Cr Collins and Cr Katona declared a financial interest in Item 6.1.*

**Approval from the Department of Local Government, Sport and Cultural Industries has been received which allows disclosing members Cr Karen Chappel, Cr Debra Collins, Cr Shirley Katona, Cr Jane Coaker and Cr Dean Carslake to fully participate in the discussion and decision making relating to Item 6.1 Traffic Management Plan – Co-operative Bulk Handling Ltd (CBH) Morawa.**

**RESOLUTION**

**191018 Moved: Cr Stokes Seconded: Cr Carslake**

**That Standing Orders be suspended.**

***CARRIED BY SIMPLE MAJORITY 7/0***

*Standing Orders were suspended at 6.43pm.*

**RESOLUTION**

**191019 Moved: Cr Collins Seconded: Cr Carslake**

**That Standing Orders be resumed.**

***CARRIED BY SIMPLE MAJORITY 7/0***

*Standing Orders were resumed at 6.43pm.*

**OFFICER'S RECOMMENDATION/RESOLUTION****191020      Moved: Cr Collins      Seconded: Cr Stokes****That Council, with regard to Morawa CBH site, resolves to:**

- 1.      Supports the Traffic Management Plan for the 2019 season from CBH setting out the management commitments applicable to RAV vehicles utilising the Morawa CBH receival point from Broad Avenue.**
- 2.      Authorises the CEO to set up a meeting with CBH in February 2020 to outline long term solutions to the issues of RAV Network vehicles utilising the Morawa CBH site.**

**CARRIED BY SIMPLE MAJORITY 7/0**

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**PURPOSE**

To approve the Traffic Management Plan (TMP) presented by Co-operative Bulk Handling LTD (CBH) to deal with the turning of vehicles into the Morawa CBH receival point (weighbridge and testing hut) from Broad Avenue – *Attachment 1*.

**DETAIL**

The Shire of Morawa engaged Greenfield to prepare a technical assessment of the turning circles of RAV 7 vehicles in and out of the two CBH sites in Morawa (weighbridge and testing hut). This report has identified several risks, along with a number of potential solutions to these risks. Following the CEO Briefing on the 10 October 2019 the Council requested CBH (via the CEO) to provide a Traffic Management Plan prior to 2019 season, which outlines controls that will limit the risk of stacking on Broad Avenue and to manage the movement of trucks in and out of the CBH site (seed testing and weighbridge) – *Attachment 2*. A TMP has been provided by CBH to manage these concerns as an interim solution for the 2019 season.

Following the 2019 season the Shire and CBH will be working together to investigate and implement longer term solutions; this work will begin in February 2020 with an onsite meeting and a presentation to the Council.

**LEVEL OF SIGNIFICANCE**

High

**CONSULTATION**

- Councillors
- Greenfields
- CBH Site Meeting with Executives, Cr Stokes and Cr Chappel and CEO



## LEGISLATION AND POLICY CONSIDERATIONS

**Outcome 1.8** Well maintained local roads and ancillary infrastructure.

**Outcome 3.3** Retain a safe environment.

## FINANCIAL AND RESOURCES IMPLICATIONS

Nil to the Shire at this moment in time but there are allocated funds for Broad Avenue in the 2019/20 Budget.

## RISK MANAGEMENT CONSIDERATIONS

This TMP provides temporary mitigation to the highlighted issues.

## CONCLUSION

The TMP for 2019 season to mitigate the issues associated with the CBH access and egress off Broad Avenue is supported.

## ATTACHMENTS

*Attachment 1* – 6.1a Traffic Management Plan

*Attachment 2* – 6.1b Technical Assessment

*Attachment 3* – 6.1c Approval to participate and make decision

**Item 7 Committee Report****7.1 Morawa Sinosteel Future Fund Acquittals**

**Author:** Economic Development Manager

**Authorising Officer:** Chief Executive Officer

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

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**OFFICER'S RECOMMENDATION/RESOLUTION**

**191021 Moved: Cr Carslake Seconded: Cr Harris**

**That with regard to the recommendation of the Morawa Sinosteel Future Fund meeting of 17 October 2019, Council resolve to accept the following acquittals:**

- (a) MSFFG1 Morawa District Historical Society**
- (b) MSFFG3 RadioMAMA**
- (c) MSFFG4 MDHS P&C Association Ltd**
- (d) MSFFG5 Morawa CRC**

***CARRIED BY SIMPLE MAJORITY 7/0***

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To provide the Morawa Sinosteel Future Fund Committee's acquittal recommendations to Council from the February 2019 grant process.

**DETAIL**

The Morawa Sinosteel Future Fund was set up by Sinosteel to assist community organisations in order to provide financial support for:

1. Activities or endeavours that will provide community or welfare benefit to persons who are ordinarily resident in the area, or
2. Facilities or services that improve the welfare, culture or amenity of persons ordinarily resident in the area.

A Deed of Agreement (the Deed) was entered into by Sinosteel and the Shire of Morawa. Each year 85% of the interest made on this amount is available to support the local community as per the Deed – *Attachment 1*. As per the Deed, the Morawa Sinosteel Future Fund Committee is required to recommend all funding approvals and rejections to Council for endorsement.

**LEVEL OF SIGNIFICANCE**

Low impact - Funds have already been administered from the Morawa Sinosteel Future Fund Account

**CONSULTATION**

Morawa Sinosteel Future Fund Committee

**LEGISLATION AND POLICY CONSIDERATIONS**

- Morawa Sinosteel Future Fund Deed of Agreement.
- Strategic Community Plan:

**Outcome 4.2 Existing strong community spirit and pride is fostered and encouraged.**

4.2.1 Continue to support the Morawa Future Fund.

- All Morawa Sinosteel Future Fund Grant applications require quotes for items or works must comply with the Shire of Morawa’s Purchasing Policy.

**FINANCIAL AND RESOURCES IMPLICATIONS**

There are no financial and resource implications resulting from accepting these acquittals.

**RISK MANAGEMENT CONSIDERATIONS**

There are minimal risk considerations associated with this recommendation.

**CONCLUSION**

Council endorse the recommendations from the Morawa Sinosteel Future Fund Committee.

**ATTACHMENTS**

*Attachment 1 – 7.1a Deed of Agreement*

**7.2 Morawa Sinosteel Future Fund Applications**

**Author:** Economic Development Manager

**Authorising Officer:** Chief Executive Officer

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

*Cr Chappel and Cr Stokes declared a proximity interest in Item 7.2.1 and left the meeting at 6.48pm.*

**OFFICER’S RECOMMENDATION/RESOLUTION**

**191022 Moved: Cr Coaker Seconded: Cr Katona**

**7.2.1 That with regards to the recommendation of the Morawa Sinosteel Future Fund meeting of 17 October 2019, Council resolve to support the Morawa Golf Club grant request for \$6,667.**

***CARRIED BY SIMPLE MAJORITY 5/0***

*Cr Chappel and Cr Stokes returned to the meeting at 6.49pm.*

**OFFICER’S RECOMMENDATION/RESOLUTION**

**191023 Moved: Cr Stokes Seconded: Cr Carslake**

**7.2.2 That with regards to the recommendation of the Morawa Sinosteel Future Fund meeting of 17 October 2019, Council resolve to support the Edith Cowan University (Teach Learn Grow) grant request of \$7,000.**

***CARRIED BY SIMPLE MAJORITY 7/0***

**OFFICER’S RECOMMENDATION/RESOLUTION**

**191024 Moved: Cr Coaker Seconded: Cr Collins**

**7.2.3 That with regards to the recommendation of the Morawa Sinosteel Future Fund meeting of 17 October 2019, Council resolve to support the Morawa Amateur Swimming Club grant request of \$10,100.**

***CARRIED BY SIMPLE MAJORITY 7/0***

**PURPOSE**

To provide information about the Morawa Sinosteel Future Fund Committee’s recommendations to Council regarding the Round 1 2019/2020 applications.

**DETAIL**

The Morawa Sinosteel Future Fund was set up by Sinosteel to assist community organisations in order to provide financial support for:

1. Activities or endeavours that will provide community or welfare benefit to persons who are ordinarily resident in the area, or
2. Facilities or services that improve the welfare, culture or amenity of persons ordinarily resident in the area.

A Deed of Agreement (the Deed) was entered into by Sinosteel and the Shire of Morawa. Each year 85% of the interest made on this amount is available to support the local community as per the Deed – *Attachment 1*. As per the Deed, the Morawa Sinosteel Future Fund Committee is required to recommend all funding approvals and rejections to Council for endorsement.

**LEVEL OF SIGNIFICANCE**

Low impact - Funds are available in the Morawa Sinosteel Future Fund Account

**CONSULTATION**

Morawa Sinosteel Future Fund Committee

**LEGISLATION AND POLICY CONSIDERATIONS**

- Morawa Sinosteel Future Fund Deed of Agreement.
- Strategic Community Plan:

**Outcome 4.2 Existing strong community spirit and pride is fostered and encouraged.**

4.2.2 Continue to support the Morawa Future Fund.

- All Morawa Sinosteel Future Fund Grant applications requiring quotes for items or works must comply with the Shire of Morawa’s Purchasing Policy.

**FINANCIAL AND RESOURCES IMPLICATIONS**

All recommended grant applications will be awarded in line with the Morawa Sinosteel Future Fund defined guidelines and within available funding parameters.

The total amount of interest accrued in the 2018/19 financial year was \$38,225.60. In line with the Morawa Sinosteel Future Fund Deed of Agreement 85% of that interest accrued, i.e., \$32,49.76, was transferred to the Future Fund Interest Reserve Account. This provides a current total of \$272,716.06 in the Future Fund Interest Reserve.

The four applications total \$39,716. Sufficient funds are currently available in the Future Fund Interest Reserve to cover these community focussed application requests.

**RISK MANAGEMENT CONSIDERATIONS**

There are minimal risk considerations associated with this recommendation.

**CONCLUSION**

Council endorse the recommendations from the Morawa Sinosteel Future Fund Committee.

**ATTACHMENTS**

Nil

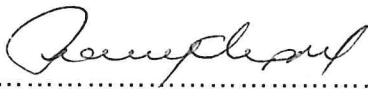
<b>Item 8      Closure</b>
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**8.1      Date of Next Meeting**

The next ordinary meeting of Council will be held on Thursday, 21 November 2019 commencing at 5.30pm.

**8.2      Closure**

There being no further business, the President declared the meeting closed at 6.50pm.



..... Presiding Member



## **ATTACHMENTS**

**SPECIAL COUNCIL MEETING**

**HELD ON**

**THURSDAY, 21 OCTOBER 2019**





6.1a Traffic Management Plan ..... 1  
6.1b Technical Assessment ..... 8  
6.1c Approval to participate and decision making ..... 27  
  
7.1a Deed of Agreement ..... 29

**CREATING AND  
RETURNING VALUE  
TO GROWERS**

# MORAWA Traffic Management Plan 2019/2020 Harvest

**Attachment 1 - 6.1a**

SCM - 21 October 2019



To provide solutions to a meeting held on site October 16<sup>th</sup> with CBH and Representative's regards traffic Management from Growers exiting the CBH Site onto Broad Avenue.

# Signalling mechanisms proposal



- We will use signalling mechanism's that are available through further investigation.
  - Those options being investigated will include lights, and or radio signalling, (TBA).
- The Lights
  - Will **stop** trucks at sample shed before moving onto Broad Avenue if there is another vehicle on the Weighbridge Exiting the site back onto Broad Avenue.
    - (A)
  - Will **allow** trucks to drive onto Weighbridge to weigh off after discharging at either grid, without conflict from trucks leaving sample shed.
    - (B)
  - Will **stop** trucks at Give way sign at Nth end of Horizontal Storage
    - (C)
  - Will **allow** trucks at sample shed to move safely onto Broad Av and then into the site onto the Weighbridge from a southerly direction without any conflict with exiting trucks at Sth end of Horizontal Storage.
    - (D)
  - Will ensure that there will not be any more than 1 truck moving on Broad Avenue at any time, reducing the fouling of Broad Avenue.

Refer to next slide for photographic explanation

# Signalling mechanisms proposal



A/D

B

C

# Signalling mechanisms proposal



- The Radio Signalling
  - Will be strictly controlled by the Weighbridge Officer.
  - CBH will also look at additional stop/go lights on the weighbridge,
    - At Sth and of the Weighbridge Hut in visual sight of trucks at Horizontal  
(A)
    - As well as Nth end of Weighbridge for visual site of drivers leaving sample shed.  
(B)
  - Growers will at all times be under the instruction of the Weighbridge Officer.
  - Will ensure that there will not be any more than 1 truck moving on Broad Avenue at any time, reducing the fouling of Broad Avenue.  
(C)

Refer to next slide for photographic explanation

# Signalling mechanisms proposal



SCM - 21 October 2019

# Summary/Observations of traffic management proposal



- These signals will operate during daylight hours only and only when site is Open an operational for Grower Receivals, possible time frame may be up to 5 weeks starting late October to Early November.
- At all times the ownership and control will sit with the CBH Weighbridge Officer and Grower and contractors will be under that person's instruction at all times.
- Once Traffic Management has been approved, the CBH A2 Area Manager, Colette Newton, the Morawa Site Receiving Point Operator, Huw Thornton will engage all growers on site to clearly articulate the TMP.
- Any incidents and Hazards to be reported into CBH "SHARE" system within 2hrs of an incident occurring.
- If a Grower/Contractor wants to retender a load, then they will be allowed 1 retender, of which after that they accept the Quality sample, or they take back to farm.
  - Upon Leaving the Grower will ensure the following.
    - It's safe to move onto Broad Avenue and then onto Midlands Road without fouling Broad Avenue.



## CLIENT MEMO

**TO:** Shire of Morawa  
 -----  
**ATTN:** Chris Linnell  
 -----  
**FROM:** Joshua Kirk  
 -----  
**DATE:** 18 September 2019  
 -----  
**DOC ID:** SMO-P0031-J0346-I-CBH Morawa Townsite Intersections Technical Assessment  
 -----  
**REF:** CBH Morawa Townsite Intersections Technical Assessment  
 -----

Chris,

We refer to the above scope of work and confirm that we have undertaken a technical assessment and site inspection of the CBH intersections located on Broad Avenue within the Morawa townsite. The details of our assessment and site observations are contained within.

### 1.0 EXISTING SITE CONFIGURATION

#### 1.1 GENERAL

Broad Av (Road #5110103) is a sealed road near the southern end of the Morawa townsite that runs in an east-west direction from Wubin Mullewa Rd (Slk 124.52) to Milloy St (Slk 0.23). The sealed pavement is approx. 8m wide and has mountable kerbing for most of its length on both sides of the road; this kerbing is generally in average to poor condition.

The existing CBH intersection to the weigh bridge facility is located on the southern side of Broad Av at approx. Slk 0.1.

There is an additional CBH intersection on Broad Av at approx. Slk 0.02 which provides access into the CBH sampling station.

Broad Av is currently approved for RAV Network 7 vehicles ( $\leq 36.5$ m long) from Slk 0.0 – 0.1.

There is a rail crossing at approx. Slk 0.04 on Broad Av and another rail crossing at Slk 124.59 on Wubin Mullewa Rd. The Broad Av rail crossing is controlled via signage and line-marking only, whilst the Wubin Mullewa Rd crossing is controlled with boom gates, lights, line-marking and signage.

Broad Av is currently comprised of both bitumen seal and asphalt both of which are distressed. There are also potholes on the eastern side of the CBH rail line crossing on Broad Av which appear to have been growing over time likely from the traffic exiting the CBH sampling station site. The pavement also appears to be failing in various locations and the failures appear to be growing over time.

There is a power pole on the south-eastern corner of the Broad Av / CBH entrance intersection and power poles on both sides of the Wubin Mullewa Rd / Broad Av intersection.

#### 1.2 CURRENT VEHICLE MOVEMENTS

Using site observations and information from the Shire, the following vehicle movements related to the CBH facility occur:

- Northbound or southbound road trains on Wubin Mullewa Rd turn left or right at McGlew St to access the CBH sampling station and then turn left or right onto Broad Av at approx. Slk 0.02.

- Vehicles turning left onto Broad Av then proceed to turn left into the CBH weighbridge entrance. Vehicles turning right on Broad Av then either turn left or right onto Wubin Mullewa Rd.
- Northbound or southbound road trains on Wubin Mullewa Rd turn left or right at Broad Av to access the CBH weighbridge entrance.
- CBH have advised that all trucks wishing to unload grain are required to be sampled at the sampling hut prior to being weighed on the weigh bridge.

Based on information provided by CBH, the Morawa CBH facility is designed for the following traffic movements:

**Peak period (typically 90 days from mid-October to mid-January):** 200 RAV Network 7 vehicle movements each way (into and out of) and

**All other times:** 10 RAV Network 7 vehicles per day.

### 1.3 SWEPT PATH ANALYSIS

Given the rail spur line into the CBH facility crosses Broad Av, appropriate consideration needs to be given as to the impact of this crossing on traffic flows. As such, the swept paths for the Broad Av / CBH weighbridge intersection and Broad Av / CBH sampling station intersection have been split into various scenarios, each of which is discussed separately below. It is assumed that the design vehicle remains as a RAV Network 7 (36.5m long) road train.

#### 1.3.1 *Left Turn into Broad Av from CBH sampling station*

From the swept path analysis, it is not possible for a RAV Network 7 vehicle to turn left into Broad Av from the CBH sampling station whilst remaining lane correct. Furthermore, the swept path analysis suggests that vehicles will need to mount the kerb on the northern side of Broad Av prior to the rail spur line crossing in order to complete the turning movement safely and avoid the power pole on the south-western side of the intersection.

This turning movement is particularly sharp and confined which is supported by the site observations of the damaged seal and pavement.

#### 1.3.2 *Right Turn into Broad Av from CBH sampling station*

Road trains turning right into Broad Av and then proceeding either northbound or southbound on Wubin Mullewa Rd encroach across the majority of the Wubin Mullewa Rd / Broad Av intersection and whilst waiting at the intersection hold line, the two rear trailers will also be hanging out across the Broad Av / CBH sampling station intersection. Furthermore, as the road train enters Wubin Mullewa Rd (either northbound or southbound), there is a significant potential conflict with any other traffic on this road due to the vehicle's swept path. This scenario presents a significant risk to other road users due to the physical area required by the road train to complete the turn and avoid adjacent obstructions.

#### 1.3.3 *Left Turn into CBH Weighbridge from Broad Av*

From the swept path analysis, it is not possible for a RAV Network 7 vehicle to turn left into CBH weighbridge from Broad Av whilst remaining lane correct. Furthermore, the swept path analysis suggests that vehicles will need to mount the kerb on the south-western side of the intersection in order to complete the turning movement safely and avoid the power pole on the south-eastern side of the intersection. This is supported by the site observations of kerb removed at this location.

Relative to other turning movements (discussed below), this is not considered a significant issue as the CBH weighbridge road is not a public road and providing the road train remains lane correct on Broad Av, the only impact to public road users from this movement will be to cause other traffic to slow whilst the road train completes the turn.

#### **1.3.4 Right Turn onto Broad Av from CBH weighbridge**

The swept path of the RAV Network 7 rear trailers leaving CBH weighbridge, turning right into Broad Av, cut across the full width of the intersection pavement. It is also possible that the turning road train will contact the kerbing on the south-eastern side of the intersection.

Additionally, the rail spur line crosses Broad Av just to the east of the CBH weighbridge access. The hold line just before the spur line is located approximately 45m east of the centre of the CBH weighbridge access. In this arrangement, the swept path of a right turning (eastbound) road train out of CBH weighbridge results in the rear trailer hanging out into the westbound traffic lane on Broad Av. However, in the scenario any westbound traffic on Broad Av are likely to be stopped at the hold line on the other side of the rail spur line. Therefore, the risk associated with the trailers encroaching into the westbound lane, when a road train is stopped at the western hold line before the spur line, is not likely to conflict with a westbound vehicle.

#### **1.3.5 Right Turn onto Wubin Mullewa Rd from Broad Av**

Road trains turning right onto Wubin Mullewa Rd from Broad Av are unable to complete this turning movement without the swept path significantly encroaching the northbound lane on Wubin Mullewa Rd. Furthermore, on the eastern side of Wubin Mullewa Rd there is an informal trafficable verge and it is clear that vehicles have encroached onto this area, presumably whilst turning into / out of Broad Av.

#### **1.3.6 Left Turn onto Wubin Mullewa Rd from Broad Av**

Road trains turning left onto Wubin Mullewa Rd from Broad Av are also unable to complete this turn remaining lane correct. To avoid damaging the roadside furniture and power pole on the inside of the intersection sweep, the road trains need to cross into the Wubin Mullewa Rd southbound lane to complete the turn. Even with this movement, the rear trailer may still impact the kerbing on the north-western side of this intersection. Similarly to the right-hand turn, vehicles performing this movement may also encroach on the informal trafficable verge on the eastern side of Wubin Mullewa Rd.

#### **1.3.7 Right Turn onto Broad Av from Wubin Mullewa Rd**

RAV Network 7 vehicles turning right onto Broad Av from Wubin Mullewa Rd significantly encroach across the Broad Av leg of the intersection and may also potentially impact the kerbing on the south side of this intersection. The encroachment across the Broad Av leg of the intersection may pose a hazard for vehicles approaching the intersection on Broad Av that have crossed the rail spur line as there is limited distance between the rail spur line and the hold line at the intersection.

#### **1.3.8 Left Turn onto Broad Av from Wubin Mullewa Rd**

The left-hand turn onto Broad Av from Wubin Mullewa Rd is also challenging with the rear trailer significantly cutting across the southern kerbing of the intersection sweep. Also, the swept path for RAV Network 7 road trains requires moving out into the southbound lane of the Wubin Mullewa Rd to commence the turn.

### **1.4 STACKING AT RAIL CROSSINGS**

An added complexity at this particular intersection is its location relative to the rail crossing on Broad Av. Specifically, the available stacking distance between the rail spur line and the Wubin Mullewa Rd / Broad Av intersection is in the order of 30m which is insufficient for the RAV Network 7 vehicles ( $\leq 36.5$ m long) that are permitted for Broad Av. Furthermore, there is effectively zero stacking distance on Broad Av for RAV Network 7 vehicles turning left out of the CBH sampling station facility. A more detailed description of the stacking distance issues is summarised below.

- 1) RAV Network 7 road trains on Broad Av that give way at the Wubin Mullewa Rd intersection require 40m from the hold line at the intersection to the edge of the nearest rail. Therefore, the lack of stacking distance results in the rear trailer hanging over the Broad Av rail crossing.

- 2) RAV Network 7 road trains that enter Broad Av from Wubin Mullewa Rd require 40m from the hold line at the rail crossing to the edge of the through lane on Wubin-Mullewa Rd. Therefore, the lack of stacking distance results in the rear trailer hanging out into the Wubin-Mullewa Rd carriageway.
- 3) RAV Network 7 road trains that enter Broad Av from the CBH sampling facility have approx. 10m between the exit location and the rail hold line. This will result in the road train vehicle hanging across the current informal intersection.

## 1.5 SUMMARY OF ISSUES

The current configuration of the CBH sampling station and weighbridge entrances on Broad Av, combined with the location of the two rail crossings, present numerous risks that the Shire needs to consider addressing. The issues identified above are generally the result of a combination of factors, and it is the combination of factors rather than any one specific factor in isolation that poses the significant potential risk.

Given the issues are interrelated, identifying which to address as priority is somewhat challenging. However, some prioritisation can be determined by considering the hierarchy classification of the two roads (Broad Av and Wubin Mullewa Rd). Wubin Mullewa Rd is part of the Main Roads WA (MRWA) road network; therefore, it is a State road of some significance. Broad Av is a local access Shire road. Therefore, given the significance of Wubin Mullewa Rd, it is recommended to address the issues at this intersection as priority.

## 2.0 POSSIBLE OPTIONS FOR ADDRESSING RISKS

### 2.1 OPTION A – WUBIN MULLEWA RD / BROAD AV INTERSECTION UPGRADE

This option is aimed at addressing the size and geometry of the existing Wubin Mullewa Rd / Broad Av intersection such that it is sized appropriately for RAV Network 7 vehicles. This would likely comprise:

- Relocation of existing power poles and any other underground services,
- Widening the sealed pavement on the north-west and south-west sides of the intersection to better accommodate the swept paths of RAV 7 vehicles, and
- Widening the sealed pavement on the eastern side of Wubin Mullewa Rd to formalise the informal trafficable verge.

**Issues not resolved:** Whilst this option would better accommodate RAV 7 vehicles, due to the rail spur line crossing of Broad Av, there is still likely to be an issue with providing sufficient stacking distance on the eastern side of this rail crossing that ensures the rear of the waiting road train is not obstructing or partly obstructing traffic on Wubin Mullewa Rd. It would also fail to address road trains encroaching across the rail spur line on Broad Av whilst waiting to enter Wubin Mullewa Rd and fails to address the issues identified with the Broad Av / CBH sampling station intersection.

### 2.2 OPTION B – BROAD AV / CBH WEIGHBRIDGE INTERSECTION UPGRADE

This option is aimed at addressing the size and geometry of the existing Broad Av / CBH weighbridge intersection such that it is sized appropriately for RAV Network 7 vehicles. This would likely comprise:

- Relocation of the existing power pole on the south-eastern side of the intersection and any other underground services,
- Widening the sealed pavement on the south-west and south-east sides of the intersection to better accommodate the swept paths of RAV 7 vehicles, and
- Potentially widening Broad Av from the western side of the rail spur crossing to the CBH weighbridge entrance intersection.

**Issues not resolved:** Whilst this option would better accommodate RAV 7 vehicles at this intersection, it fails to address the Wubin Mullewa Rd / Broad Av intersection issues, the rail crossing stacking distance issues or the Broad Av / CBH sampling station intersection issues.

### 2.3 OPTION C – PARTIAL CLOSURE OF BROAD AV

This option involves a partial closure of Broad Av between Wubin Mullewa Rd and Dreghorn St such that this road is only permitted to be used by vehicles accessing CBH's sampling station or weighbridge. The main advantage of this option is that it reduces the potential conflict between RAV Network 7 vehicles and the general public. This is particularly relevant to RAV Network 7 vehicles conducting turning movements at the Broad Av / CBH intersections (weighbridge and sampling station) and their need to encroach on the opposite lane. This option may also be pursued in combination with a system to coordinate rail traffic using the CBH spur line and RAV vehicle traffic crossing over the rail line.

**Issues not resolved:** Whilst this option decreases the risk of RAV vehicle / general public vehicle interactions, it still fails to address the Wubin Mullewa Rd / Broad Av intersection issues or the rail crossing stacking distance issues.

### 2.4 OPTION D – RELOCATION OF CBH SAMPLING STATION

This option involves relocating the CBH sampling station to an alternative location. It should be noted that the issue is not so much how close the sampling station is to Broad Av intersection, but rather the lack of available area between the rail spur line crossing of Broad Av and Wubin Mullewa Rd. As can be seen from the swept paths, even if the sampling station was moved towards the south of the current location, there is insufficient area available for RAV 7 vehicles to move far enough to the east to be able to easily make the left turn into Broad Av.

One possible alternative is to move the sampling station to the south a sufficient distance to allow RAV 7 vehicles to re-join Wubin Mullewa Rd south of Broad Av. This would likely require a formal new intersection treatment to safely accommodate traffic from the sampling station back onto Wubin Mullewa Rd which may conflict with the existing roadside information bay adjacent Wubin Mullewa Rd.

**Issues not resolved:** Whilst this option eliminates the Broad Av / CBH sampling station intersection issues, it does not address the Wubin Mullewa Rd / Broad Av intersection issues or the rail crossing stacking distance issues.

### 2.5 OPTION E – ALTERNATIVE CBH WEIGHBRIDGE ENTRANCE ROUTE

This option comprises identifying, designing and constructing an alternative entrance route for RAV Network 7 vehicles into CBH weighbridge, whilst continuing to use the existing Broad Av intersection for exiting vehicles; i.e. effectively creating a one-way traffic system. Possible alternative entrances include:

- Burton Rd into the southern end of the CBH facility,
- Burton Rd / Powell St / Lodge St route onto Broad Av to use the existing CBH weighbridge entrance but approach from the western side, or
- A new entrance possibly using land between the Shire of Morawa's information bay adjacent Wubin Mullewa Rd (south of Broad Av) and CBH's rail spur line.

Depending on the alternative entrance route selected, the scope of work will vary. The primary advantage of this option is that it eliminates road trains obstructing traffic on Wubin Mullewa Rd whilst turning into Broad Av.

**Issues not resolved:** This option would not address the stacking distance at the Wubin Mullewa Rd / Broad Av intersection for RAV network vehicles waiting to enter Wubin Mullewa Rd. It would also have impacts on other Shire roads and/or require additional land and may impact traffic flows at CBH's facility. It also fails to address the issues identified with the Broad Av / CBH sampling station intersection.

### 2.6 OPTION F – RAIL SPUR LINE RELOCATION

This option involves relocating the CBH spur line to an alternative location which will eliminate the current issue of road trains encroaching across this rail line whilst waiting to enter Wubin Mullewa Rd. A possible

alternative location is for the rail spur to cross Wubin Mullewa south of Burton Rd and then cross Burton Rd and enter the CBH property from the south. There are expected to be multiple technical and land acquisition issues associated with this option.

This option in isolation partially addresses the issues identified on Wubin Mullewa Rd, as road trains will no longer need to encroach onto Wubin Mullewa Rd whilst stacking on the eastern side of the Broad Av rail crossing.

**Issues not resolved:** This option does not address the size or geometry of either the Wubin Mullewa Rd / Broad Av, Broad Av / CBH weighbridge or Broad Av / CBH sampling station intersections. However, it does provide additional area that may permit the existing Broad Av / CBH sampling station intersection to be formalised.

## 2.7 SUMMARY OF OPTIONS

Appendix C provides a summary of the various options detailed above. As none of the options fully address the identified issues, it may be that the Shire considers combining several of the options to realise a greater improvement. The colours in the Appendix C table are intended to provide a visual representation of the relative advantages and disadvantages of each option against a nominal assessment criterion with green representing a favourable attribute and red representing an unfavourable attribute.

## 3.0 SUMMARY

Due to the configuration of the CBH intersections on Broad Av, combined with various other factors including two rail crossings and other infrastructure, numerous issues have been identified for RAV Network 7 vehicles using the Broad Av / CBH weigh bridge and sampling station intersections. The issues and the associated possible works to resolve the issues should be considered in the context of the site configuration and particularly the adjacent Wubin Mullewa Rd / Broad Av intersection. Any works concerning the Wubin Mullewa Rd will need to be discussed and approved by MRWA as this road is part of their road network.

As none of the options identified completely addresses all the issues on a stand-alone basis, the Shire may need to consider a combination of the possible options identified within this report. It is recommended that the Shire:

1. Consider which option (or options) presented within best addresses the needs of all stakeholders.
2. Undertake further work to mature one or more of the presented options to a preliminary level of detail.
3. Make a final decision to fully develop and engineer the preferred solution (including obtaining survey information to facilitate design development).
4. Determine the funding mechanism to construct the selected solution.

If you have any queries on the content of this report, please contact me in the first instance.

Regards

Joshua Kirk

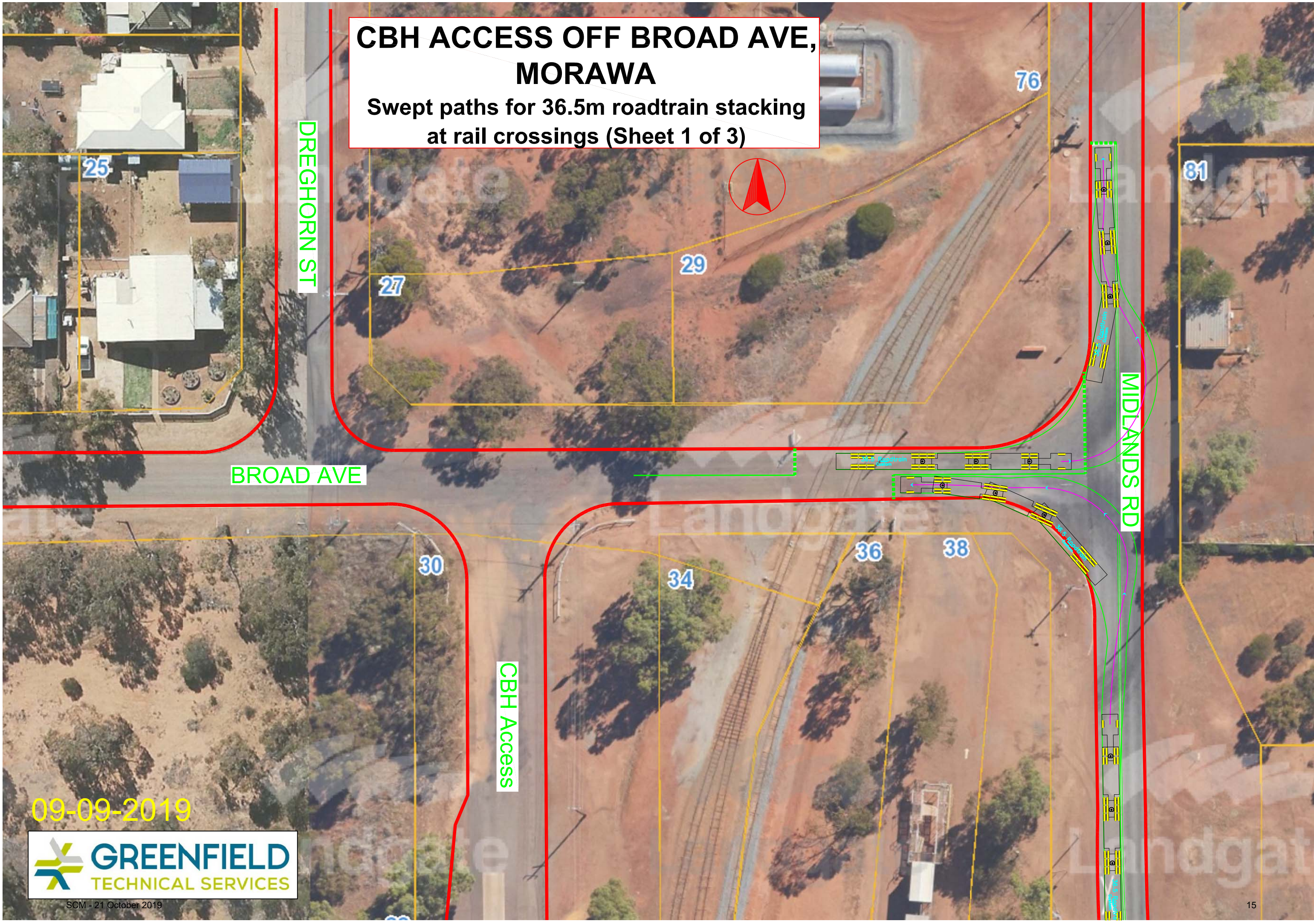
**Principal**

[Josh.kirk@greenfieldtech.com.au](mailto:Josh.kirk@greenfieldtech.com.au)

**APPENDIX A – SWEPT PATHS**

# CBH ACCESS OFF BROAD AVE, MORAWA

Swept paths for 36.5m roadtrain stacking  
at rail crossings (Sheet 1 of 3)



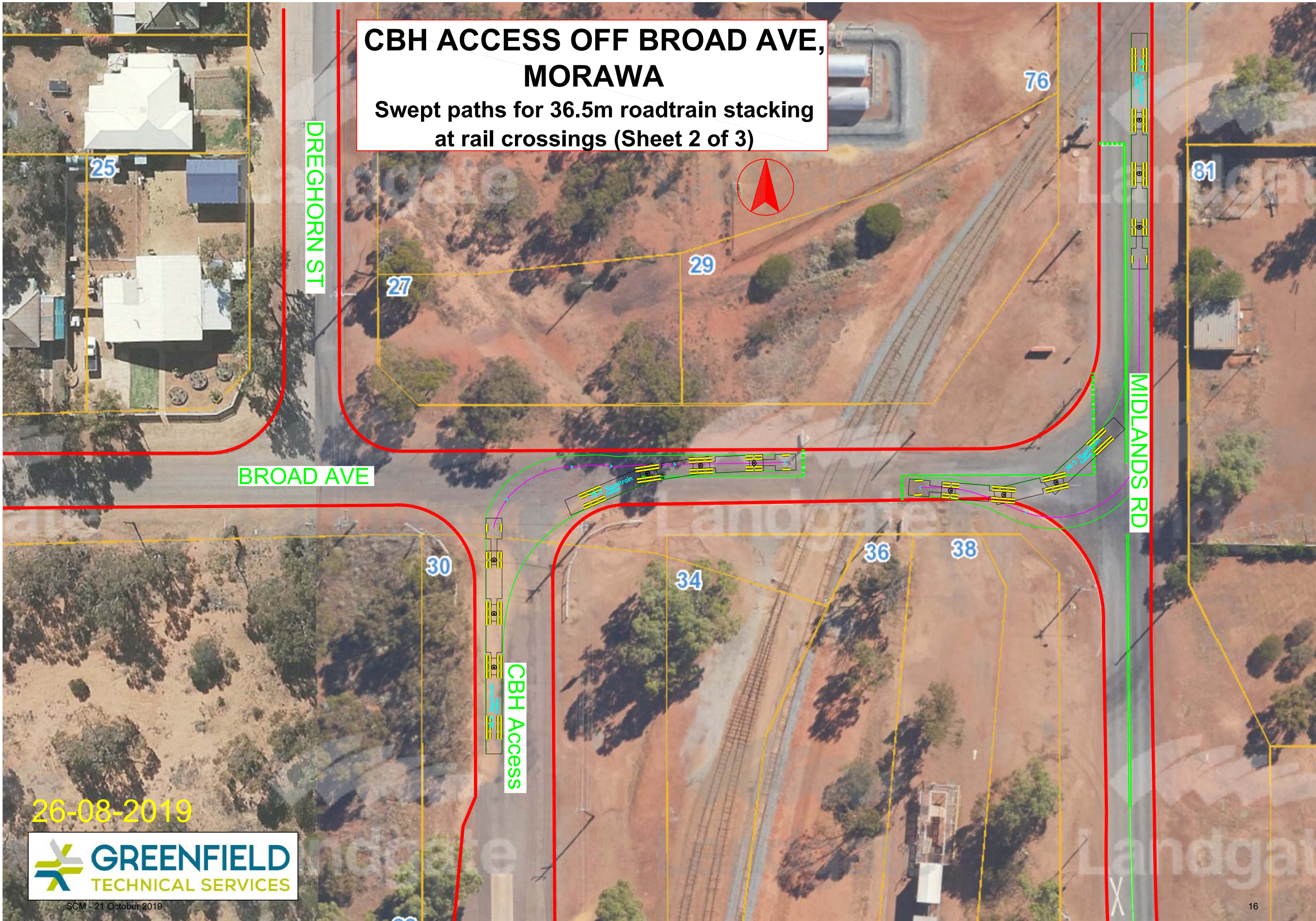
09-09-2019





# CBH ACCESS OFF BROAD AVE, MORAWA

Swept paths for 36.5m roadtrain stacking  
at rail crossings (Sheet 2 of 3)

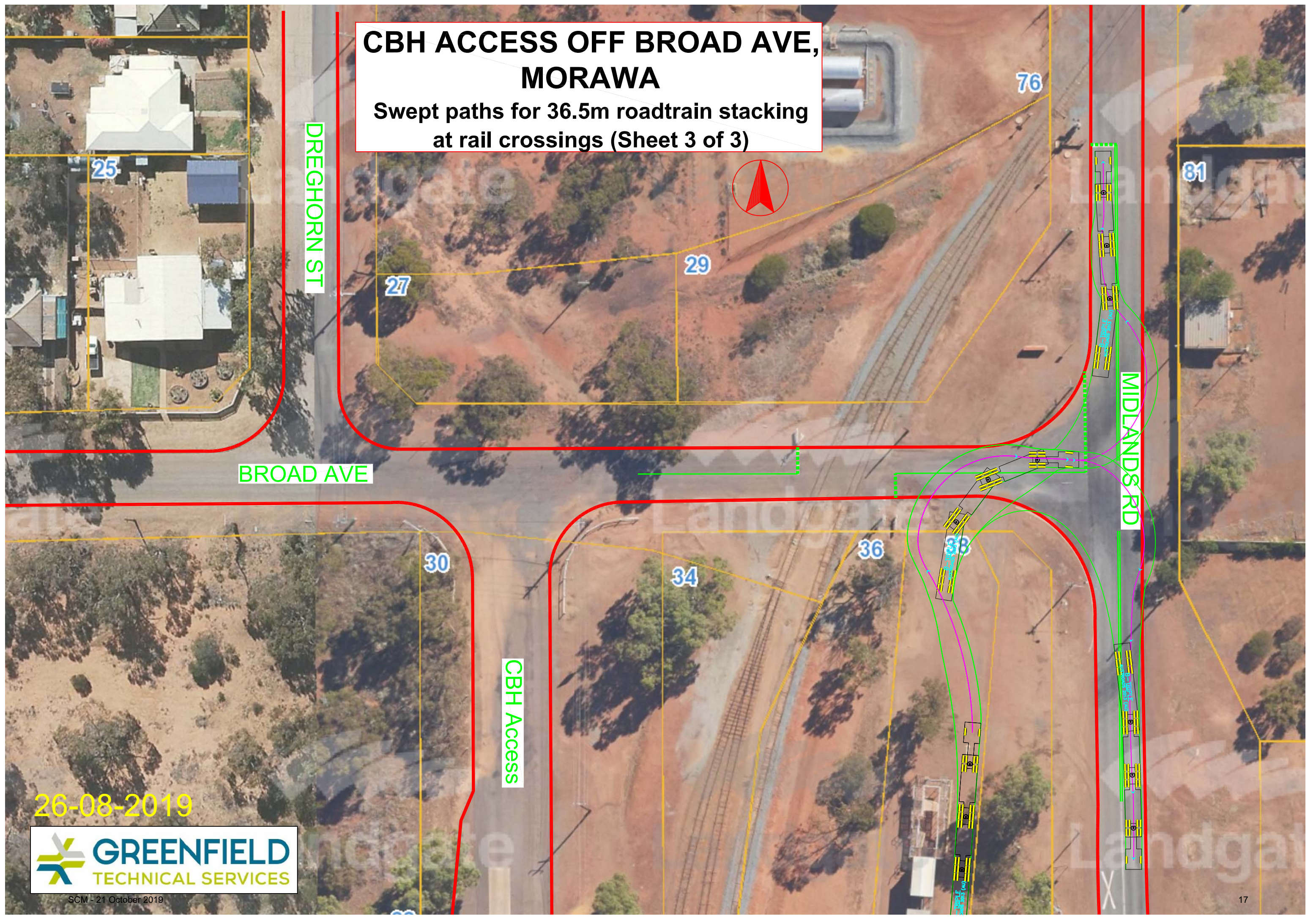


26-08-2019



# CBH ACCESS OFF BROAD AVE, MORAWA

Swept paths for 36.5m roadtrain stacking  
at rail crossings (Sheet 3 of 3)

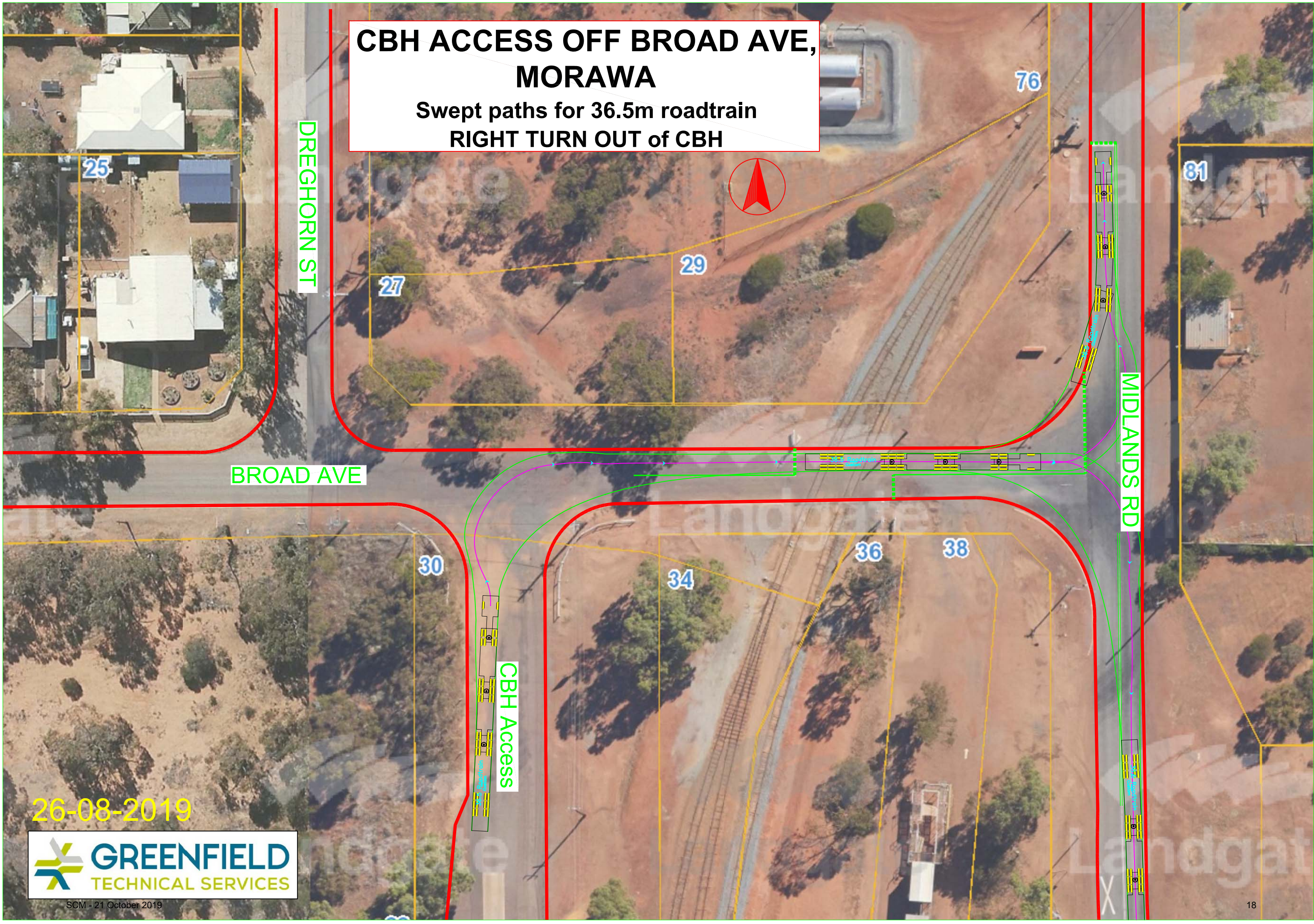


26-08-2019



# CBH ACCESS OFF BROAD AVE, MORAWA

Swept paths for 36.5m roadtrain  
RIGHT TURN OUT of CBH

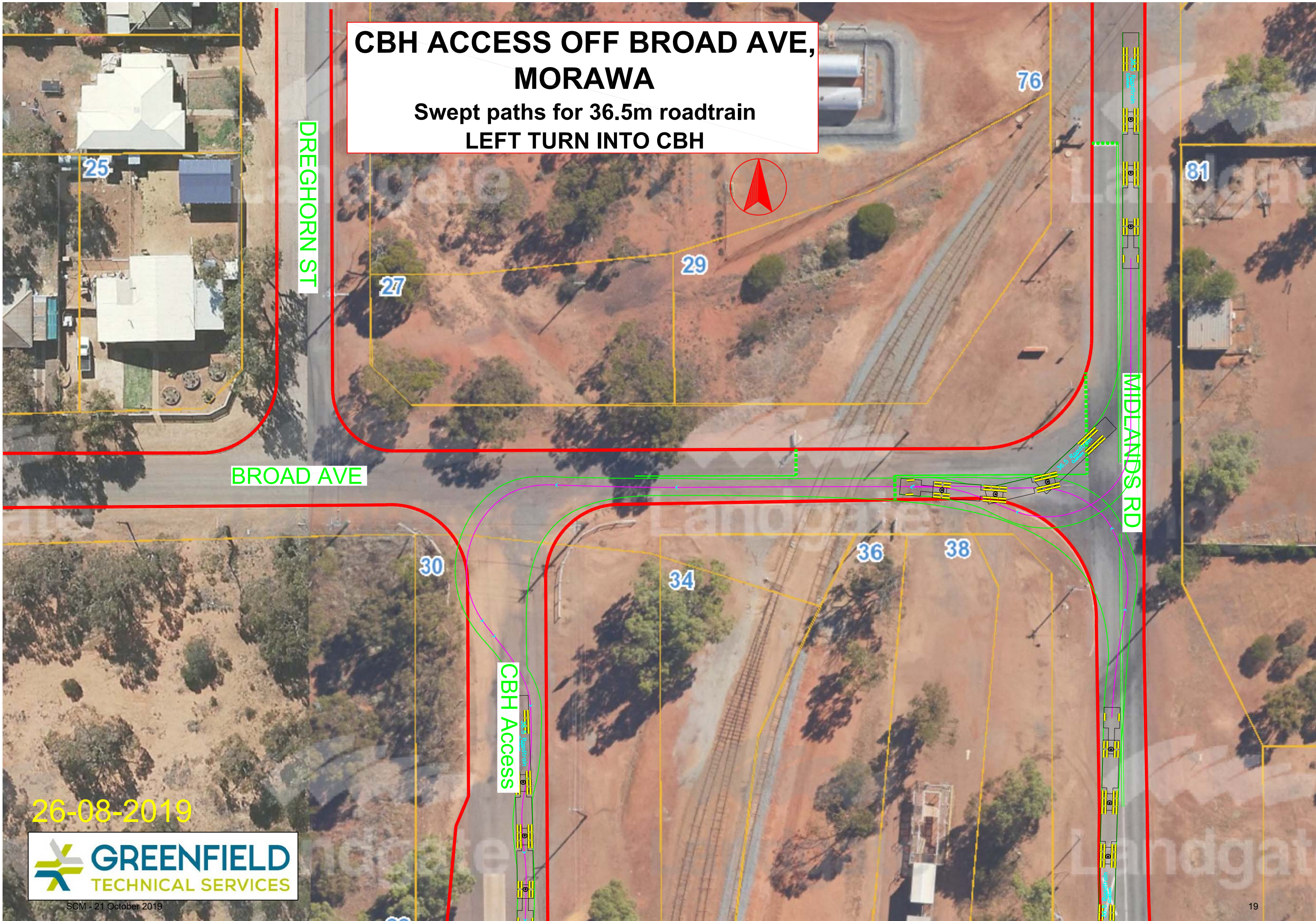


26-08-2019



# CBH ACCESS OFF BROAD AVE, MORAWA

Swept paths for 36.5m roadtrain  
LEFT TURN INTO CBH



26-08-2019



# CBH ACCESS OFF BROAD AVE, MORAWA

Swept paths for 36.5m roadtrain  
LEFT TURN OUT OF SAMPLING STATION



DREGHORN ST

BROAD AVE

MIDLANDS RD

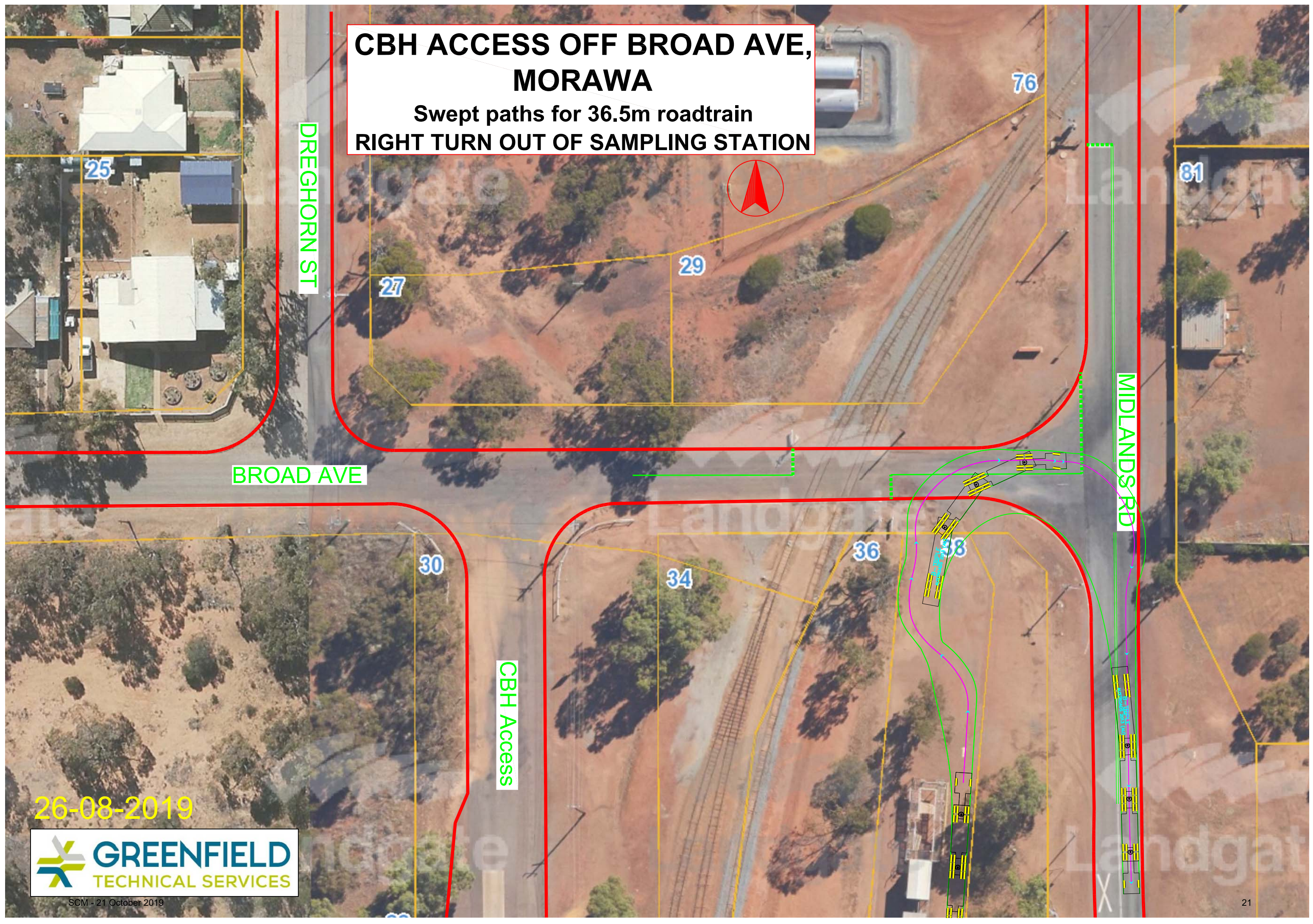
CBH Access

26-08-2019



# CBH ACCESS OFF BROAD AVE, MORAWA

Swept paths for 36.5m roadtrain  
RIGHT TURN OUT OF SAMPLING STATION



26-08-2019



## APPENDIX B – SITE PHOTOS



*Figure 1: Broad Av looking west from approx. Slk 0.05 showing power pole prior to the CBH intersection (LHS) and damaged kerbing.*



*Figure 2: CBH entrance looking south from Broad Av showing kerbing removed on northern (RHS) side of intersection.*



*Figure 3: Broad Av looking east from approx. Sk 0.12 showing distressed surfacing.*



*Figure 4: Broad Av looking west from Wubin Mullewa Rd intersection showing the CBH sampling station intersection (LHS), the rail spur line crossing and damaged kerbing on southern (LHS) side of intersection.*





*Figure 5: Broad Av looking west from approx. Slk 0.01 showing distressed surfacing and potholes east of rail spur line crossing at the Broad Av / CBH sampling station intersection.*



*Figure 6: Wubin Mullewa Rd looking north from Broad Av intersection showing informal trafficable verge on eastern side (RHS) and power pole on western side of intersection.*



*Figure 7: Wubin Mullewa Rd looking south from Broad Av intersection showing the informal trafficable verge on eastern side (LHS) and power pole on the western side of the intersection. CBH sampling station is visible on the RHS of the image.*

## APPENDIX C – SUMMARY OF POSSIBLE OPTIONS

Option	Road Geometry Improvements			Stakeholders			Project Delivery		
	Improvement to Wubin Mullewa Rd Issues	Improvement to Broad Av Issues	Improvement to Rail Crossing Issues	Impact on CBH	Impact on Shire	Impact on MRWA	Land Acquisition	Complexity	Cost
<b>A</b>	Moderate	None	None	None	Minor	Minor	None	Moderate	Moderate
<b>B</b>	None	Moderate	None	Minor	Minor	None	None	Low	Moderate
<b>C</b>	None	Minor	Minor	Minor	Moderate	Minor	None	Low	Low
<b>D</b>	Minor	Moderate	Minor	Major	Moderate	Moderate	Possible	Moderate	High
<b>E</b>	Significant	Moderate	Moderate	Major	Major	None	Possible	Moderate	High
<b>F</b>	Moderate	None	Significant	Significant	Major	Major	Likely	Significant	Very High



Department of  
**Local Government, Sport  
and Cultural Industries**

Our ref MO1-23; E1931107  
Enquiries Steve Spallarossa  
Phone (08) 6551 4987  
Email [steve.spallarossa@dlgsc.wa.gov.au](mailto:steve.spallarossa@dlgsc.wa.gov.au)

Mr Chris Linnell  
Chief Executive Officer  
Shire of Morawa

E: [ceo@morawa.wa.gov.au](mailto:ceo@morawa.wa.gov.au)

Dear Mr Linnell

I refer to your correspondence dated 16 October 2019 and advise that, in accordance with authority delegated by the Minister for Local Government, I have approved your application, under section 5.69(3)(a) of the *Local Government Act 1995* (the Act).

This approval allows disclosing members Cr Karen Chappel, Cr Debra Collins, Cr Shirley Katona, Cr Jane Coaker and Cr Dean Carslake to fully participate in the discussion and decision making relating to the following agenda item at the Shire's Special Council Meeting of 21 October 2019:

**6.1 - TRAFFIC MANAGEMENT PLAN – CO-OPERATIVE BULK HANDLING LTD (CBH) MORAWA**

Subject to the following conditions:

- 1. The approval is only valid for the 21 October 2019 Special Council Meeting when agenda item 6.1 is considered;*
- 2. The abovementioned Councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
- 3. The CEO is to provide a copy of the Department's letter of approval to the abovementioned Councillors;*
- 4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*

5. *The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and*
6. *The approval granted is based solely on the interests disclosed by the abovementioned Councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.*

Should you require further information in relation to this matter, please contact Mr Steve Spallarossa, Acting Legislation Officer, via the details provided above.

Yours sincerely



Peter Minchin  
A/DEPUTY DIRECTOR GENERAL - REGULATION

21 October 2019

# Deed of agreement for future fund

---

Sinosteel Midwest Corporation Limited  
Shire of Morawa



**McLEODS**

Barristers & Solicitors

Stirling Law Chambers | 220-222 Stirling Highway | CLAREMONT WA 6010

Tel: (08) 9383 3133 | Fax: (08) 9383 4935

Email: [mcleods@mcleods.com.au](mailto:mcleods@mcleods.com.au)

Ref: ND:MORA-36694

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# Details

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## Parties

### **Sinosteel Midwest Corporation Limited**

of 7 Rheola Street, West Perth, Western Australia, 6005  
(Founder)

### **Shire of Morawa**

of Winfield Street, Morawa, Western Australia, 6623  
(Trustee)

## Background

- A The Parties wish to have a trust fund established on the terms and conditions set out in the deed.
- B The Founder has paid to the Trustee the Settled Sum to be held by the Trustee in trust and applied for the purposes of the trust fund.

# Agreed terms

---

## 1. Name

The Trust is to be known as the Morawa Sinosteel Future Fund.

## 2. Defined terms and interpretation

### 2.1 Defined terms

In this deed -

**Accounting Period** means the period from the date of this deed to the following 30 June and then each period of 12 months ending on 30 June in each year, or any other period that the Trustee decides from time to time;

**Approved Funding Proposal** is a Recommended Funding Proposal that has been approved by the Trustee;

**Area** means the District of the Shire as at the date of this deed;

**Committee** means the Morawa Sinosteel Future Fund Committee;

**Consumer Price Index**, or **CPI**, means the index published by the Australian Bureau of Statistics for Western Australia or if that index is suspended or discontinued, the index substituted for it by the Australian Statistician;

**District** means the district of the Shire for the purposes of the *Local Government Act 1995*;

**Founder** means the person named in this deed as the Founder and any other founder for the time being of the Trust whether original, additional or substituted;

**Income** means the difference between the value of the Trust Fund and the Settled Sum Annual Value;

**Party** means a party to this deed and 'Parties' means both of them;

**Purpose** means the purpose of the Trust Fund as described in clause 5;

**Recommended Funding Proposal** means a recommendation by the Committee to the Trustee for funding from the Trust Fund;

**Settled Sum** means the sum of \$1,165,000;

**Settled Sum Annual Value** means the Settled Sum amount that is adjusted at the end of each Accounting Period by reference to the CPI for that Accounting Period;

**Shire** means the Shire of Morawa or, if the Shire of Morawa amalgamates with another local government, then that amalgamated local government;

**Trust** means the trust established under this deed;

**Trust Fund** has the meaning set out in clause 3 and includes any part of the Trust Fund; and

**Trustee** means the person named in this deed as the Trustee and any other trustee for the time being of the Trust whether original, additional or substituted.

## 2.2 Interpretation

In this deed -

- (a) words denoting -
  - (i) the singular includes the plural and vice versa; and
  - (ii) a gender or genders include each other gender;
- (b) if a word or phrase is assigned a particular meaning, other grammatical forms of that word or phrase have a corresponding meaning;
- (c) a reference to -
  - (i) a person includes a firm, an unincorporated association, an incorporated association, a corporation and a government or statutory body or authority;
  - (ii) a person includes their legal personal representatives, successors and assigns;
  - (iii) a statute, regulation, local law or any other written law, code or policy includes subsidiary legislation or an instrument made under it, and consolidations, amendments, re-enactments or replacements of any of them;
  - (iv) a right includes a benefit, remedy, discretion, authority or power;
  - (v) an obligation includes a warranty or representation, and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation;
  - (vi) provisions or terms of this deed, or another document, agreement, understanding or arrangement, include a reference to both express and implied provisions and terms;
  - (vii) time is to local time in Perth, Western Australia;
  - (viii) \$ or dollars is a reference to the lawful currency of Australia;
  - (ix) this deed or any other document includes this deed or other document as amended or replaced and despite any change in the identity of the parties;
  - (x) writing includes any mode of representing or reproducing words in tangible and permanently visible form, and includes facsimile transmissions or other electronic mail or transmissions;
  - (xi) any thing (including any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them;
  - (xii) a clause, paragraph, Schedule or Annexure is a reference to a clause or paragraph of or Schedule or Annexure to, this deed; and
- (d) the meaning of general words or phrases is not limited by specific examples introduced by 'including', 'for example' or similar expressions.

## 2.3 Headings

Headings do not affect the interpretation of this deed.

## 3. Trust Fund

The Trust Fund comprises –

- (a) the Settled Sum;
- (b) all money, investments and assets paid or transferred to and accepted by the Trustee as additions to the Trust Fund;
- (c) all accretions to the Trust Fund;
- (d) all accumulations of income; and
- (e) the money, investments and property from time to time representing the above, or into which they are converted.

## 4. Declaration of trust

- (1) The Founder and the Trustee declare that the Trustee will hold the Trust Fund on the trusts, with the powers and subject to the provisions in, this deed.
- (2) To avoid doubt, the Trustee agrees that the Trust Fund constitutes a trust fund under section 6.9 of the *Local Government Act 1995* (WA), and despite section 6.9(4) of that Act, agrees that it will not, even after the Trust Fund has been held on trust for 10 years, transfer the Trust Fund to a municipal fund.

## 5. Purpose

- (1) The purpose of the Trust Fund is to assist community organisations by providing financial support for –
  - (a) activities or endeavours that will provide community or welfare benefit to persons who are ordinarily resident in the Area; or
  - (b) facilities or services that improve the welfare, culture or amenity of persons ordinarily resident in the Area.
- (2) It is intended that, in considering applications for funding, preference would be given to applications in respect of which the applicants –
  - (a) are community organisations that are based in the Area, or the majority of the members of which are ordinarily resident in the Area; and
  - (b) propose to make their own contributions (such as by way of labour, materials or in kind) of at least 30% of the total value of the funding required.

## 6. Committee

- (1) The Trustee must establish the Committee, to be known as the ‘Morawa Sinosteel Future Fund Committee’, under section 5.8 of the *Local Government Act 1995*.

- (2) The members of the Committee are to comprise –
  - (a) the Shire President;
  - (b) the Shire Deputy President;
  - (c) the Shire’s CEO; and
  - (d) 2 members of the community who ordinarily reside in the Area.
- (3) The functions of the Committee are –
  - (a) to seek and assess funding applications in accordance with the Purpose;
  - (b) to prepare, and submit to the Trustee, Recommended Funding Proposals;
  - (c) to ensure, as far as practicable, that the value of the Recommended Funding Proposals in each Accounting Period are at least 85% of, but do not exceed, the Income for that Accounting Period; and
  - (d) to provide reports to the Trustee on the administration of the Trust Fund.

## 7. Trustee

- (1) The Trustee must hold the Trust Fund on trust to pay or apply the Income for the Purpose.
- (2) The Trustee –
  - (a) must accept a Recommended Funding Proposal if it is consistent with this deed;
  - (b) must reject a Recommended Funding Proposal if it is not consistent with this deed;
  - (c) cannot amend a Recommended Funding Proposal but may return it to the Committee with suggested amendments; and
  - (d) cannot make or authorise a payment from the Trust Fund except in accordance with a Recommended Funding Proposal accepted under clause 7(2)(a).
- (3) The Trustee must invest money held in the Trust Fund in accordance with the powers and responsibilities of a local government, including those under section 6.14 of the *Local Government Act 1995* and regulation 19C of the *Local Government (Financial Management) Regulations 1996*.
- (4) The Trustee must, in relation to the Trust Fund and its administration, comply with the accounting, record keeping, audit and other financial management requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.
- (5) The Trustee must include, in each annual financial report, details of each payment (including the recipient of each payment) from the Trust Fund for the relevant Accounting Period.

## 8. Governing law

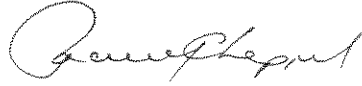
This deed is governed by the laws of Western Australia.

# Signing page

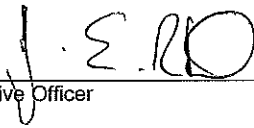
EXECUTED

2015

THE COMMON SEAL of the Shire of Morawa  
is affixed in the presence of -



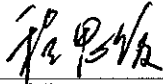
\_\_\_\_\_  
President



\_\_\_\_\_  
Chief Executive Officer

14/12/15

Executed by Sinosteel Midwest Corporation  
Limited in accordance with section 127(1) of  
the Corporations Act 2001 -



\_\_\_\_\_  
Signature of director

**SIJUN (TONY) CHENG**  
**MANAGING DIRECTOR**

\_\_\_\_\_  
Name of director (print)



\_\_\_\_\_  
Signature of director/company secretary

**Ti Wang**  
**COMPANY SECRETARY**

\_\_\_\_\_  
Name of director/company secretary (print)