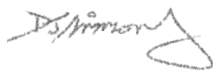


# Shire of Koorda

## AGENDA

**Notice is hereby given that an Ordinary Meeting of Council will be held in Council Chambers, 10 Haig Street, Koorda commencing at 6.00pm on Wednesday, 15 December 2021.**



Darren Simmons  
Chief Executive Officer



# DISCLOSURE OF INTEREST

## ✦ WRITTEN

- Prior to meeting
- CEO to advise Presiding Person
- Reported to meeting immediately before item discussed
- Standard form may be used

## ✦ VERBAL

- No round robin at start of meeting
- Advise immediately before item discussed

## ✦ TO BE DISCLOSED

- Nature of interest
- Extent if vote on participation held.



## SHIRE OF KOORDA

# DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Koorda for any act, omission or statement or intimation occurring during Council or Committee meetings.

The Shire of Koorda 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 or statement or intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, and statement or intimation of approval made by a member or officer of the Shire of Koorda during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Koorda.

The Shire of Koorda warns that anyone who has any application lodged with the Shire of Koorda must obtain and should only rely on **written confirmation** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Koorda in respect of the application.

To be read aloud if any member of the public is present.

Signed

A handwritten signature in black ink, appearing to read 'DJ Simmons'.

DJ Simmons  
**CHIEF EXECUTIVE OFFICER**

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**1 DECLARATION OF OPENING**

**2 ANNOUNCEMENT OF VISITORS**

**3 RECORD OF ATTENDANCE**

- 3.1**      *Record of Attendance:*
- 3.2**      *Apologies:*
- 3.3**      *Approved Leave of Absence:*

**PRESIDENT TO DRAW THE DISCLAIMER TO THE PUBLIC'S ATTENTION**  
**(If members of the public present)**

**4 QUESTION TIME FOR THE PUBLIC**

- 4.1**      *Response to Previous Public Questions Taken on Notice*
- 4.2**      *Public Question Time Open*
- 4.3**      *Public Question Time Closed*

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

**6 DECLARATIONS OF INTEREST**

**7 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

**8 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

- 8.1**      **ORDINARY MEETING HELD 17 November 2021** ([Click here to view](#))

**COUNCIL DECISION**

**That the Minutes of the Koorda Shire Council Ordinary Meeting held on the 17 November 2021, as circulated be confirmed and certified as a true and accurate record.**

**9 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

**Received CWBA Annual Report**

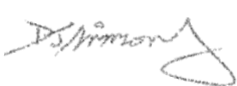
**10 REPORTS OF COMMITTEES**

<b>11</b>	<b>CHIEF EXECUTIVE OFFICERS REPORT</b>
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<b>11.1</b>	<b>Governance and Administration</b>
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<b>11.1.1</b>	<b>COUNCIL MEETING DATES - 2022</b>
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**Section 5.23 – Applicability**

<b>Location:</b>	Koorda Shire
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b>
	Cr JM Stratford
<b>File Reference:</b>	ADM 370
<b>Disclosure of Interest:</b>	No Interest declared by CEO
<b>Author:</b>	Darren Simmons, Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Nil

**Background:**

In accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, the Shire is required to give local public notice of the date, times and place of ordinary council meetings.

**Comment:**

In readiness for such notice to be given, it is recommended that Council continue its current meeting schedule (as adopted at the ordinary Council meeting of 18 December 2019), which has ordinary meetings held on the third Wednesday of each month, except for January (no meeting held due to a summer recess), with meetings commencing at 5.00pm for the months of February to October and 6.00pm for November and December (to allow for harvest commitments).

**Consultation**

Shire President

**Statutory Environment:**

*Local Government Act 1995*

Regulation 12 of the *Local Government (Administration) Regulations 1996*

**Policy Implications:**

Nil

**Financial Implications:**

Minor advertising costs.

**Strategic Implications:**

Shire of Koorda Strategic Community Plan 2018

Outcome 4.1 – To provide accountable and transparent leadership

**Voting Requirement:**

Simple majority

**OFFICER RECOMMENDATION**

**That Council hold its 2022 Ordinary Council Meetings in Council Chambers, 10 Haig Street, Koorda in accordance with the following schedule:**

MONTH	DATE	TIME
February	16	5.00pm
March	16	5.00pm
April	20	5.00pm
May	18	5.00pm
June	15	5.00pm
July	20	5.00pm
August	17	5.00pm
September	21	5.00pm
October	19	5.00pm
November	16	6.00pm
December	21	6.00pm

## 11.1.2 LOCAL GOVERNMENT REFORM SUBMISSION

### **Section 5.23 – Applicability**

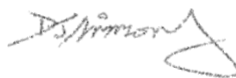
**Location:** Koorda

**Portfolio:** Governance, Administration and Finance  
Cr JM Stratford

**Disclosure of Interest:** Impartiality Interest declared by CEO due to reform initiatives that affect CEOs

**Author:** Darren Simmons, Chief Executive Officer

**Signature of CEO**



**Attachment:** [Local Government Reform Summary of Proposed Reforms](#)

### **Background:**

The State Government have recently advised of a 3-month consultation period, which was due to close on Friday 4 February 2022 (but has now been extended to 25 February) on the proposed Local Government Act legislative reforms.

At WALGA's State Council Meeting held on Wednesday 1 December, the State Council resolved to approach the Minister for Local Government for an extension to the consultation period by 1 month due to the Christmas holiday period. A response has been received extending submissions now to 25 February 2022.

The following is the timeline and process for a sector submission on the Local Government Legislative Reform Program developed by WALGA:

- Friday 28 January 2022 - Local Governments requested to provide feedback to WALGA by 5pm;
- February 2022 – Zone Meetings to consider a draft sector submission;
- Wednesday 23 February at 4pm – WALGA Special Meeting of State Council via video conference to endorse submission; and
- Friday 25 February - WALGA to present submission to the State Government.

### **Comment:**

The Department of Local Government, Sport and Cultural Industries notes the following:

*“Local government benefits all Western Australians. It is critical that local government works with:*

- *a culture of openness to innovation and change*
- *continuous focus on the effective delivery of services*
- *respectful and constructive policy debate and democratic decision-making*
- *an environment of transparency and accountability to ensure effective public engagement on important community decisions.*

*Since first coming to office in 2017, the McGowan Government has already progressed reforms to improve specific aspects of local government performance. This includes new laws that work to*



*improve transparency, cut red tape, and support jobs growth and economic development - ensuring that local government works for the benefit of local communities.*

*Based on the significant volume of research and consultation undertaken over the past five years, the Minister for Local Government has now announced the most significant package of major reforms to local government in Western Australia since the Local Government Act 1995 was passed more than 25 years ago. The package is based on six major themes:*

- 1. Earlier intervention, effective regulation and stronger penalties*
- 2. Reducing red tape, increasing consistency and simplicity*
- 3. Greater transparency and accountability*
- 4. Stronger local democracy and community engagement*
- 5. Clear roles and responsibilities*
- 6. Improved financial management and reporting.*

*A large focus on the new reform is oversight and intervention where there are significant problems arising within a local government. The introduction of new intermediate powers for intervention will increase the number of tools available to more quickly address problems and dysfunction within local governments. The proposed system for early intervention has been developed based on similar legislation in place in other jurisdictions, including Victoria and Queensland.*

*This will deliver significant benefits for small business, residents and ratepayers, industry, elected members and professionals working in the sector”.*

Elected Members should refer to the Attachment for a suggested response to each of the proposed matters slated for reform as discussed and formulated at a ‘Councillors Workshop’ session held on 1 December 2021. Most are supported and relatively inconsequential.

Whilst most reform initiatives were supported (and considered relatively inconsequential), several are potentially far reaching, including;

- a maximum number of elected members (five) for smaller local governments up to 5,000 population;
- the election of Mayor / President by the people (for certain sized local governments);
- reversion to preferential voting for election of elected members; and
- compulsory live streaming and audio recording of meetings, including confidential meetings.

However. it is pleasing to see the Minister has listened to some of the concerns of the sector in relation to ‘size and scale’ with compliance and reporting.

The Council is free to alter any or all of the comments listed as ‘Shire of Koorda Response’.

### **Consultation**

All Councillors, CEO and Deputy CEO via 'Councillors Workshop' session held on 1 December 2021

### **Statutory Environment:**

Local Government Act 1995

### **Policy Implications:**

Nil.

### **Financial Implications:**

There are no known meaningful financial implications relative to this matter in excess of officer time and minor administrative cost. It should be noted that this comment relates to the submission process not the impact of any reform. This is too hypothetical to go into researching costs / savings in relation to the various proposed reforms at this stage.

### **Strategic Implications:**

Shire of Koorda Strategic Community Plan 2018

Outcome 4.1 – To provide accountable and transparent leadership

### **Voting Requirement:**

Simple majority

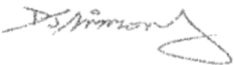
### **Officer Recommendation**

**That, in respect to the Local Government Reform Proposals released by the Minister for Local Government, Council endorse and adopt the responses as presented in the Attachment as the Shire of Koorda's submission for lodgment with both WALGA and the Department of Local Government.**

<b>11.2</b>	<b>Finance</b>
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**11.2.1**                      **MONTHLY FINANCIAL STATEMENTS**  
**As at 31 October 2021**

**Section 5.23 – Applicability**

Location:	Shire of Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b>
	Cr JM Stratford
<b>File Reference:</b>	ADM 0448
<b>Disclosure Of Interest:</b>	No interest declared by CEO
<b>Author:</b>	Lana Foote, Deputy Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	<a href="#">Monthly Financial Statement</a>

**Background:**

Submission of monthly Financial Statements for period ended 31 October 2021.

**Comment:**

Monthly Financial Statements for the period ended 31 October 2021 for Council's information and acceptance. The explanations for variances of \$10,000 and 10% or more are in Note 14 of the Financial Monthly Report.

**Consultation:**

Nil

**Statutory Environment:**

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996 34.1(2) as amended 2005

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

Shire of Koorda Strategic Community Plan

4.3.3 - Provide reporting processes in a transparent, accountable and timely manner

**Voting Requirement:**

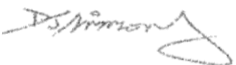
Simple majority

**OFFICER RECOMMENDATION**

**That the monthly Financial Statements for the period ended 31 October 2021, as presented, be received and adopted.**

**11.2.2** **MONTHLY FINANCIAL STATEMENTS**  
**As at 30 November 2021**

**Section 5.23 – Applicability**

Location:	Shire of Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b>
	Cr JM Stratford
<b>File Reference:</b>	ADM 0448
<b>Disclosure Of Interest:</b>	No interest declared by CEO
<b>Author:</b>	Lana Foote, Deputy Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	<a href="#">Monthly Financial Statement</a>

**Background:**

Submission of monthly Financial Statements for period ended 30 November 2021.

**Comment:**

Monthly Financial Statements for the period ended 30 November 2021 for Council's information and acceptance. The explanations for variances of \$10,000 and 10% or more are in Note 14 of the Financial Monthly Report.

**Consultation:**

Nil

**Statutory Environment:**

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996 34.1(2) as amended 2005

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

Shire of Koorda Strategic Community Plan

4.3.3 - Provide reporting processes in a transparent, accountable and timely manner

**Voting Requirement:**

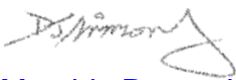
Simple majority

**OFFICER RECOMMENDATION**

**That the monthly Financial Statements for the period ended 30 November 2021, as presented, be received and adopted.**

**11.2.3**                      **ACCOUNTS PAID AS LISTED**  
**As at 10 December 2021**

**Section 5.23 – Applicability**

<b>Location:</b>	Shire of Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b>
	Cr JM Stratford
<b>File Reference:</b>	ADM 0448
<b>Disclosure Of Interest:</b>	No interest declared by CEO
<b>Author:</b>	Lana Foote, Deputy Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	<a href="#">Monthly Report List</a>

**Background:**

Regulatory requirement to advise Council of payments made, since the previous meeting.

**Comment:**

The payments on the attached schedule have been made for the period 16 November 2021 to 10 December 2021 and are generally within budget guidelines and are of an operational nature.

V317	WCS Concrete	\$19,870.40
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**Consultation:**

Nil

**Statutory Environment:**

Local Government Act 1995, Section 5.42

Local Government (Financial Management) Regulations 1996 12(1) (a), 13(1), 13(3).

**Policy Implications:**

Nil

**Financial Implications:**

Budget guidelines and constraints

Need to authorise unbudgeted expenditure (if any)

**Strategic Implications:**

Shire of Koorda Strategic Community Plan

4.3.3 - Provide reporting processes in a transparent, accountable and timely manner

**Voting Requirement:**

Simple majority

**OFFICER RECOMMENDATION**

**That accounts as listed being for period 16 November 2021 to 10 December 2021.**

<b>Municipal Vouchers No's V305 to V367</b>	<b>Totalling</b>	<b>\$277,821.37</b>
<b>Credit Card Voucher V333</b>	<b>Totalling</b>	<b>\$3,035.26</b>
<b>Trust Vouchers TV285, TV286 &amp; TV304</b>	<b>Totalling</b>	<b>\$240.00</b>
	<b>Total</b>	<b>\$281,096.63</b>

**To be endorsed or passed for payment**



<b>11.3</b>	<b>Law, Order &amp; Public Safety</b>
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***No items this month***

<b>11.4</b>	<b>Health and Building</b>
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***No items this month***

<b>11.5</b>	<b>Education &amp; Welfare</b>
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***No items this month***

<b>11.6</b>	<b>Housing</b>
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***No items this month***

<b>11.7</b>	<b>Community Amenities</b>
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***No items this month***

<b>11.8</b>	<b>Recreation and Culture</b>
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***No items this month***

<b>11.9</b>	<b>Transport</b>
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***No items this month***

<b>11.10</b>	<b>Economic Services</b>
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***No items this month***

<b>11.11</b>	<b>Other Property &amp; Services</b>
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***No items this month***

<b>11.12</b>	<b>Reserves</b>
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***No items this month***

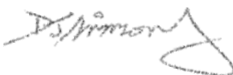
<b>12</b>	<b>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>
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<b>13</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED</b>
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<b>14</b>	<b>MATTERS FOR WHICH MEETING MAY BE CLOSED</b>
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**14.1.1 CITIZEN OF THE YEAR NOMINATION**

**Section 5.23 – Applicability**

<b>Location:</b>	Shire of Koorda
<b>Portfolio:</b>	<b>Recreation &amp; Culture</b>
	Cr LC Smith
<b>File Reference:</b>	ADM 0099
<b>Disclosure Of Interest:</b>	No interest declared by CEO
<b>Author:</b>	Darren Simmons, Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Confidential Nominations

**\*\*CONFIDENTIAL ITEM \*\***

**5.23. Meetings generally open to public**

- (1) Subject to subsection (2), the following are to be open to members of the public —
  - (a) all council meetings; and
  - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
  - (e) a matter that if disclosed, would reveal —
    - (i) a trade secret; or
    - (ii) information that has a commercial value to a person; or
    - (iii) information about the business, professional, commercial or financial affairs of a person,where the trade secret or information is held by, or is about, a person other than the local government; and
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

**Voting Requirement:**

Simple majority

**OFFICER RECOMMENDATION**

**That the nominations for Community Citizen of the Year and Community Citizen of the Year (Senior) for the 2022 Australia Day Celebrations be accepted and awarded as determined at the Council Meeting held on 15 December 2021.**

<b>15</b>	<b>DATE OF NEXT MEETING</b>
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Wednesday 16 February 2022 @ 5.00pm

<b>16</b>	<b>CLOSURE</b>
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## **PORTFOLIO'S**

- ***Governance, Administration and Finance - Cr JM Stratford***
  
- ***Law, Order, Health and Building - Cr BG Cooper***
  
- ***Education, Welfare and Property – Cr GL Boyne***
  
- ***Community Amenities, Environment, Recreation and Culture - Cr LC Smith***
  
- ***Transport and Communication - Cr GW Greaves***
  
- ***Economic, Other Property and Services and Reserves - Cr NJ Chandler***