

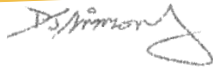
Shire of Koorda

AGENDA

Notice is hereby given that a Special Meeting of Council will be held in Council Chambers, 10 Haig Street, Koorda commencing at 4.30pm on Monday, 30 August 2021.

Meeting Purpose: Consideration of proposed leasing arrangements between CBH Group and Shire of Koorda

(Please note: As the matters to be discussed are contractual in nature and involve consideration of confidential legal advice, it is envisaged that the meeting will be closed to the public).



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.

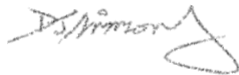
Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

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



DJ Simmons
CHIEF EXECUTIVE OFFICER

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1 DECLARATION OF OPENING

2 RECORD OF ATTENDANCE

- 2.1** *Record of Attendance:*
2.2 *Apologies:*
2.3 *Approved Leave of Absence:*
Cr P L McWha and Cr BG Cooper

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

3 QUESTION TIME FOR THE PUBLIC

(Please note: Being a special meeting of Council, any questions must relate to the purpose of the meeting being consideration of proposed leasing arrangements between CBH Group and Shire of Koorda).

- 3.1** *Public Question Time Open*
3.2 *Public Question Time Closed*

4 DECLARATIONS OF INTEREST

Cr GL Boyne

Financial – Closely associated (spouse) with a shareholder in CBH Ltd (CBH) (as grower member/farmer) who holds one share valued at \$2.00 in CBH, a non-distributing co-operative governed under the Co-operatives Act 2009, and which is also a registered charity.

Cr RDG Storer

Financial – A shareholder in CBH Ltd (CBH) (as grower member/farmer) who holds one share valued at \$2.00 in CBH, a non-distributing co-operative governed under the Co-operatives Act 2009, and which is also a registered charity.

Cr JM Stratford

Financial – A shareholder in CBH Ltd (CBH) (as grower member/farmer) who holds one share valued at \$2.00 in CBH, a non-distributing co-operative governed under the Co-operatives Act 2009, and which is also a registered charity.

Proximity – Resides directly over the road of the site that is subject of the proposed leasing locations being a CBH Workers and short stay holiday accommodation (being 46 Scott St, Koorda).

5 MATTERS FOR WHICH MEETING MAY BE CLOSED

OFFICER RECOMMENDATION

That Council close the meeting to the public at 7.30pm in accordance with section 5.23(2)(a) (c) and (d) of the Local Government Act 1995 as the matters to be discussed relate to contracts and legal advice.

5.1 PROPOSED LEASING ARRANGEMENTS BETWEEN CBH GROUP AND SHIRE OF KOORDA

Section 5.23 – Applicability

Location: WALGA Region

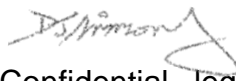
Portfolio: Governance, Administration and Finance
Cr JM Stratford

File Reference: ADM0066

Disclosure of Interest: No interest to be declared by the CEO
Ministerial approval to be sought for item to be discussed

Author: Darren Simmons, Chief Executive Officer

Signature of CEO



Attachment: Confidential legal advice correspondence will be provided to Councillors under separate cover.

****CONFIDENTIAL****

The relevant provision from the Local Government Act 1995 states:

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 —
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
- (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:

To be determined

OFFICER RECOMMENDATION

For Council consideration.

OFFICER RECOMMENDATION

That Council re-open the meeting to the public at ?.?pm.

6

CLOSURE