

2021

MINUTES

Shire of Koorda

18/08/2021

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SHIRE OF KOORDA MINUTES

FOR THE ORDINARY MEETING OF COUNCIL
Held in the Council Chambers, 10 Haig Street,
Koorda, on Wednesday 18 August 2021 at 5.00pm

1 DECLARATION OF OPENING

The Presiding Person declared the meeting open at 5.00pm.

2 ANNOUNCEMENT OF VISITORS

3 RECORD OF ATTENDANCE

3.1 Record of Attendance:

CR JM Stratford	President
CR GL Boyne	Councillor
CR BG Cooper	Councillor
CR LC Smith	Councillor
CR RDG Storer	Councillor
Mr Darren Simmons	CEO
Miss Lana Foote	DCEO

3.2 Apologies:

3.3 Approved Leave of Absence:

CR PL McWha	Deputy President
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**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

COUNCIL DECISION

Moved CR GL Boyne

Seconded CR LC Smith

That Cr BG Cooper be approved a leave of absence for the September and October 2021 Council Meetings.

**PUT & CARRIED: 5/0
RESOLUTION NO: 010821**

6 DECLARATIONS OF INTEREST

CEO Darren Simmons declared a financial interest in item 14.1 – CEO Performance Review, new KPI's and Contract Renewal as it relates to his employment with the Shire.

Crs GL Boyne and RDG Storer declared a financial interest in Item 14.2 – Proposed Leasing Arrangements between CBH Group and Shire of Koorda as they are shareholders and/or related to shareholders of the company.

Cr JM Stratford declared a financial interest in Item 14.2 – Proposed Leasing Arrangements between CBH Group and Shire of Koorda being a shareholder of the company and has a proximity interest as she resides across the road from the proposed lot.

(In respect to item 14.2 – Proposed Leasing Arrangements between CBH Group and Shire of Koorda, the CEO advised that as statutory approval had not been received in time for the meeting, item 14.2 cannot be considered for want of a quorum so will be withdrawn for re-submission at a future meeting of Council).

7 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

8 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 ORDINARY MEETING HELD 21 July 2021 [\(Click here to view\)](#)

COUNCIL DECISION

Officer Recommendation

Moved CR RDG Storer

Seconded CR BG Cooper

That the Minutes of the Koorda Shire Council Ordinary Meeting held on the 21 July 2021, as circulated be confirmed and certified as a true and accurate record.

**PUT & CARRIED: 5/0
RESOLUTION NO: 020821**

9 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

On behalf of Council, I extend condolences to Lyn McPartland and family on the passing of John.

Goodluck to Koorda's Winter Sports Teams for the 2021 finals series.

Cr McWha has submitted a letter of resignation from her dual roles of Councillor and Deputy President, effective from 30 September 2021. On behalf of the Shire and community of Koorda, I wish to express our thanks and appreciation to Cr McWha for her 10-years loyal service and commitment to Council.

The President also outlined that the 2 year vacancy caused by Cr McWha's resignation will be filled as part of the 2021 Shire of Koorda Elections in October 2021. Cr McWha, and any other retiring Councillor, will be invited to the October Ordinary Meeting so Council can formally acknowledge their service.

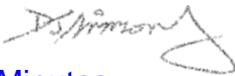
10 REPORTS OF COMMITTEES

11 CHIEF EXECUTIVE OFFICERS REPORT

11.1 Governance and Administration

11.1.1 **NEWTRAVEL MEETING** 29 July 2021

Section 5.23 – Applicability

Location:	NEWROC Regions
Portfolio:	Governance, Administration and Finance Cr JM Stratford
File Reference:	ADM 0105
Disclosure of Interest:	No Interest declared by CEO
Author:	Darren Simmons, Chief Executive Officer
Signature of CEO	
Attachment:	Minutes

Background:

Minutes of the NEWTRAVEL Meeting held on 29 July 2021 at Trayning.

Comment:

The following issues were discussed:

- Item 3 Financial Report
- Item 4 NEWTRAVEL Tourism Officer February – July 2021 Report
- Item 5.1 Wheatbelt Way Visitor Statistics
- Item 5.2 Social Media and Marketing Report
- Item 6.1 Tourism WA Presentation
- Item 6.2 AGO Update on new 5 Year Plan
- Item 6.3 NEWTRAVEL 2021-2022 Marketing Plan
- Item 6.4 Curtin University Semester 1 Project Panel Summary
- Item 7 Reports

Consultation

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Koorda Strategic Community Plan

4.1.7 - Develop successful and collaborative partnerships

4.2.2 - Facilitate resource sharing on a regional basis

Voting Requirement:

Simple majority

COUNCIL DECISION

Officer Recommendation

Moved CR GL Boyne

Seconded CR RDG Storer

That Council note and endorse the recommendations of the NEWTravel meeting held in Trayning on 29 July 2021.

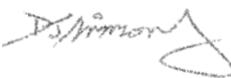
**PUT & CARRIED: 5/0
RESOLUTION NO: 030821**

CONFERRING

11.2 Finance

**11.2.1 ACCOUNTS PAID AS LISTED
As at 12 August 2021**

Section 5.23 – Applicability

Location: Shire of Koorda
Portfolio: Governance, Administration and Finance
Cr JM Stratford
File Reference: ADM 0448
Disclosure Of Interest: No interest declared by CEO
Author: Lana Foote, Deputy Chief Executive Officer
Signature of CEO

Attachment: [Monthly Report List](#)

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 from 19 July 2021 to the 12 August 2021 and are generally within budget guidelines and are of an operational nature. Payments for capital assets expenditure are:

V067	MW Grant	\$8,734.00
V073	Routys Plumbing & Gas	\$26,245.96

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

COUNCIL DECISION
Officer Recommendation

Moved CR BG Cooper

Seconded CR RDG Storer

That accounts as listed being for period from 19 July 2021 to 12 August 2021.

Municipal Vouchers No: V022 to V078	Totalling	\$359,340.44
Credit Card Transactions		\$1,166.28
	Total	\$360,506.72

To be endorsed or passed for payment

PUT & CARRIED: 5/0
RESOLUTION NO: 040821

CONFIDENTIAL

Significant – Those findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly. A significant rating may be reported as a matter of non-compliance in the audit report in the current year, or in a subsequent reporting period if not addressed. However, even if the issue is not likely to impact the audit report, it should be addressed promptly.

Moderate – Those findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable.

Minor – Those findings that are not of primary concern but still warrant action being taken.

Greater detail surrounding the findings can be found in the attachment, along with Management's comment and planned/completed corrective action.

Consultation:

Darren Simmons – Chief Executive Officer
Butler Settineri
OAG

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
43.2 - Enhance the capacity and effectiveness of administrative processes (short term)
4.3.1 - Provide reporting processes in a transparent, accountable and timely manner

Voting Requirement:

Simple majority

COUNCIL DECISION
Officer Recommendation

Moved CR RDG Storer

Seconded CR GL Boyne

That Council:

- 1. Note the issues raised in the Interim Audit and corrective action taken; and**
- 2. Note and endorses the Shire's Executive Management Team's action in changing over the Shire of Koorda's transactional banking to Bankwest to allow for Koorda-based banking and operational efficiency.**

PUT & CARRIED: 5/0
RESOLUTION NO: 050821

CONFIDENTIAL

11.3	Law, Order & Public Safety
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No items this month

11.4	Health and Building
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No items this month

11.5	Education & Welfare
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No items this month

11.6	Housing
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No items this month

11.7	Community Amenities
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No items this month

11.8	Recreation and Culture
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No items this month

11.9	Transport
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No items this month

11.10	Economic Services
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No items this month

11.11	Other Property & Services
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No items this month

11.12	Reserves
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No items this month

12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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13	NEW BUSINESS OF AN URGENT NATURE INTRODUCED
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14	MATTERS FOR WHICH MEETING MAY BE CLOSED
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COUNCIL DECISION
Officer Recommendation

Moved CR GL Boyne

Seconded CR LC Smith

That Council close the meeting to the public at 5.18pm 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 an employee, contracts and legal advice.

PUT & CARRIED: 5/0
RESOLUTION NO: 060821

CEO Darren Simmons declared a financial interest in item 14.1 – CEO Performance Review, new KPI's and Contract Renewal as it relates to his employment with the Shire.

5.19pm – CEO Darren Simmons and DCEO Lana Foote withdrew from the chambers for Council to discuss 14.1 CEO 2020/21 Performance Review, New KPI's and Contract Renewal.

14.1 CEO 2020/21 PERFORMANCE REVIEW, NEW KPI's AND CONTRACT RENEWAL

Section 5.23 – Applicability

Location: WALGA Region
Portfolio: **Governance, Administration and Finance**
Cr JM Stratford
File Reference: ADM0066
Disclosure of Interest: Interest to be declared by CEO who will withdraw from Chambers
Author: Darren Simmons, Chief Executive Officer
Signature of CEO 
Attachment: Confidential Report and wage structure detail will be provided to Councillors prior to the meeting.

****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 —
 - (a) a matter affecting an employee or employees; and
 - (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

- (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:

Absolute majority

COUNCIL DECISION

Moved CR RDG Storer

Seconded CR BG Cooper

That Council:

- 1. Adopt the CEO review report, as circulated under confidential cover by the Shire President, for 2020/21 including 2021/22 agreed key performance indicators.**
- 2. Congratulates the CEO for another successful year with the Shire of Koorda having met all performance requirements to a high standard; and**
- 3. Agrees, by an absolute majority vote, to the renewal of the CEO's employment contract for a further 5-year term.**

**PUT & CARRIED ABSOLUTE MAJORITY: 5/0
RESOLUTION NO: 070821**

5.29pm – CEO Darren Simmons re-entered the chambers and the Shire President outlined the resolution of Council and congratulated the CEO accordingly.

The CEO thanked Council for its ongoing trust and support.

5.30pm – DCEO Lana Foote re-entered the chambers.

Crs GL Boyne and RDG Storer declared a financial interest in Item 14.2 – Proposed Leasing Arrangements between CBH Group and Shire of Koorda as they are shareholders and/or related to shareholders of the company.

Cr JM Stratford declared a financial interest in Item 14.2 – Proposed Leasing Arrangements between CBH Group and Shire of Koorda being a shareholder of the company and has a proximity interest as she resides across the road from the proposed lot.

5.31pm – Crs Stratford, Storer and Boyne left the meeting prior to item 14.2.

14.2 **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 separately.

****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:

Simple majority

COUNCIL DECISION

Officer Recommendation

Moved CR

Seconded CR

For Council consideration.

ITEM WITHDRAWN

In respect to item 14.2 – Proposed Leasing Arrangements between CBH Group and Shire of Koorda, the CEO advised that as statutory approval had not been received in time for the meeting, item 14.2 cannot be considered for want of a quorum so will be withdrawn for re-submission at a future meeting of Council.

5.35pm – Crs Stratford, Storer and Boyne returned to the meeting. The CEO advised that as the meeting lacked a quorum, the item had been withdrawn and will be re-submitted to a future meeting of Council.

COUNCIL DECISION

Officer Recommendation

Moved CR RDG Storer

Seconded CR BG Cooper

That Council re-open the meeting to the public at 5.37pm.

**PUT & CARRIED: 5/0
RESOLUTION NO: 080821**

15 **DATE OF NEXT MEETING**

Wednesday 15 September 2021 @ 5.00pm

16 **CLOSURE**

The Presiding Person thanked Councillors and Staff for their attendance and declared the meeting closed at 5.38pm

Signed

Presiding Person at the meeting at which the minutes were confirmed

Date: 15 September 2021