

2021

MINUTES

Shire of Koorda

15/12/2021

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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 15 December at 6.01pm

1 DECLARATION OF OPENING

The Presiding Person declared the meeting open at 6.01pm.

2 ANNOUNCEMENT OF VISITORS

3 RECORD OF ATTENDANCE

3.1 *Record of Attendance:*

CR JM Stratford	President
CR BG Cooper	Deputy President
CR GW Greaves	Councillor
CR GL Boyne	Councillor – 6.05 pm
CR LC Smith	Councillor
CR NJ Chandler	Councillor
Darren Simmons	CEO
Lana Foote	DCEO

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

COUNCIL DECISION

Moved Cr LC Smith

Seconded Cr NJ Chandler

That Cr BG Cooper be approved a leave of absence for the February 2022 Council Meeting.

**PUT & CARRIED: 5/0
RESOLUTION NO: 011221**

6 DECLARATIONS OF INTEREST

CEO Darren Simmons disclosed an impartiality interest in item 11.1.2: Local Government Reform Submission, as matters relate to CEO employment.

Cr JM Stratford disclosed an impartiality interest in item 11.1.2: Local Government Reform Submission, as the matters may relate to her role on the Advisory Board.

CEO Darren Simmons disclosed an impartiality interest in item 13.1.1: Disposal of Former Depot Ablution Facility and Staff Crib Room – Consideration of Quotes Received, as a quote was received from an employee.

Cr NJ Chandler disclosed an impartiality interest in item 14.1.1: Citizen of the Year Nomination, as a family member was a nominee.

6.05 pm – Cr GL Boyne joined the meeting.

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

Officer Recommendation

Moved CR GW Greaves

Seconded CR LC Smith

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.

**PUT & CARRIED: 6/0
RESOLUTION NO: 021221**

9	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION
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Extend Council's condolences to the Brooks family on the passing of Janet. She was a previous Councillor, Shire President & NEWROC Chair. She held positions high up in CWA, both locally and at a State level.

The Shire of Westonia sent through condolences to Council and Janet Brooks' family on her passing.

Extend a thank you to the VBFB over their huge efforts last week to local and surrounding fires.

Email from Minister Carey with a reminder about the Local Government Reform & wishing us a Merry Christmas.

Received Central Wheatbelt Biosecurity Association Annual Report

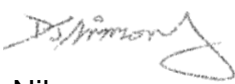
10	REPORTS OF COMMITTEES
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11 CHIEF EXECUTIVE OFFICERS REPORT

11.1 Governance and Administration

11.1.1 COUNCIL MEETING DATES - 2022

Section 5.23 – Applicability

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

COUNCIL DECISION
Officer Recommendation

Moved CR GW Greaves

Seconded CR NJ Chandler

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	15 (Thursday)	6.00pm

PUT & CARRIED: 6/0
RESOLUTION NO: 031221

CEO Darren Simmons disclosed an impartiality interest in item 11.1.2: Local Government Reform Submission, as matters relate to CEO employment.

Cr JM Stratford disclosed an impartiality interest in item 11.1.2: Local Government Reform Submission, as the matters may relate to her role on the Advisory Board.

11.1.2 LOCAL GOVERNMENT REFORM SUBMISSION

Section 5.23 – Applicability

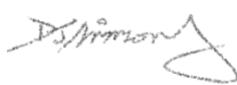
Location: Koorda

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

COUNCIL DECISION

Officer Recommendation

Moved CR BG Cooper

Seconded CR NJ Chandler

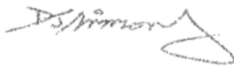
That, in respect to the Local Government Reform Proposals released by the Minister for Local Government, Council endorse and adopt the responses as presented in the Attachment as the Shire of Koorda's submission for lodgement with both WALGA and the Department of Local Government.

**PUT & CARRIED: 6/0
RESOLUTION NO: 041221**

11.2 Finance

11.2.1 **MONTHLY FINANCIAL STATEMENTS** As at 31 October 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 Financial Statement

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

COUNCIL DECISION
Officer Recommendation

Moved CR LC Smith

Seconded CR BG Cooper

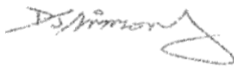
That the monthly Financial Statements for the period ended 31 October 2021, as presented, be received and adopted.

PUT & CARRIED: 6/0
RESOLUTION NO: 051221

11.2.2

MONTHLY FINANCIAL STATEMENTS **As at 30 November 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 Financial Statement

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

COUNCIL DECISION
Officer Recommendation

Moved CR LC Smith

Seconded CR NJ Chandler

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

PUT & CARRIED: 6/0
RESOLUTION NO: 061221

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

Section 5.23 – Applicability**Location:**

Shire of Koorda

Portfolio:

Governance, Administration and Finance

Cr JM Stratford

File Reference:

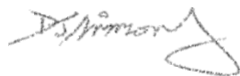
ADM 0448

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 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

COUNCIL DECISION
Officer Recommendation

Moved CR GW Greaves

Seconded CR GL Boyne

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

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

To be endorsed or passed for payment

PUT & CARRIED: 6/0
RESOLUTION NO: 071221

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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COUNCIL DECISION
Officer Recommendation

Moved CR GW Greaves

Seconded CR GL Boyne

That late item 13.1.1: Disposal of Former Depot Ablution Facility and Staff Crib Room – Consideration of Quotes Received be accepted to the Agenda for consideration.

PUT & CARRIED: 6/0
RESOLUTION NO: 081221

CEO Darren Simmons disclosed an impartiality interest in item 13.1.1: Disposal of Former Depot Ablution Facility and Staff Crib Room – Consideration of Quotes Received, as a quote was received from an employee.

13.1.1 **DISPOSAL OF FORMER DEPOT ABLUTION FACILITY AND STAFF CRIB ROOM – CONSIDERATION OF QUOTES RECEIVED**

Section 5.23 – Applicability

Location:

Shire of Koorda

Portfolio:

Governance & Administration

Cr JM Stratford

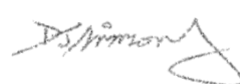
Disclosure Of Interest:

Impartiality interest declared by the CEO as a bidder is a Shire staff member

Author:

Darren Simmons, CEO

Signature of CEO



Attachment:

CONFIDENTIAL– Quotes Received

Background:

As Councillors are aware, and under the 'TeamKoorda' initiative, the Shire has replaced the Works Depot transportable ablution facility and staff crib room with new, fit for purpose facilities.

As the former ablution facility and crib room were considered surplus to Shire requirements, and to commence a timely and open disposal process, the CEO authorised local public advertising (Narkal Notes/Shire social media and website) of a request for quotes for these facilities on an 'as is' basis and relocation being the responsibility of the successful purchaser.

Quotes for the disposal of the former ablution facility and crib room closed at 4.00pm on Tuesday, 14 December 2021

Quotes for the ablution facility disposal were received from;

- Christopher Rowles;
- BTR Haulage; and
- Kalfarms

Quotes for crib room disposal were received from;

- Lindsay Shumack and Lesley Foote;
- Christopher Rowles; and
- BTR Haulage

Comment:

As per officer recommendation, it is suggested that both items be disposed to the highest bidder.

Consultation:

Darren West – Works Supervisor

Statutory Environment:

Local Government Act 1995

Local Government (Financial Management Regulations) 1996

Policy Implications:

Nil

Financial Implications:

Processing of sale proceeds from disposal of property.

Strategic Implications:

Shire of Koorda Strategic Community Plan

3.2.5 – Develop and maintain sustainable assets and infrastructure

4.2.3 – Use resources efficiently and effectively

4.2.4 – Operate in a financially sustainable manner

Voting Requirement:

Absolute majority

COUNCIL DECISION
Officer Recommendation

Moved CR NJ Chandler

Seconded CR GW Greaves

That Council;

- 1) Endorse the actions of the CEO to initiate local public advertising of a request for quotes for the disposal of the former single transportable ablution facility and Depot staff crib room;**
- 2) Accept the offered price for the disposal of the former depot ablution facility from Kalfarms for \$2,750 excluding GST; and**
- 3) Accept the offered price for the disposal of the former depot crib room from Lindsay Shumack and Lesley Foote for \$9,130 excluding GST.**

PUT & CARRIED ABSOLUTE MAJORITY: 6/0
RESOLUTION NO: 091221

14 MATTERS FOR WHICH MEETING MAY BE CLOSED

Cr NJ Chandler disclosed an impartiality interest in item 14.1.1: Citizen of the Year Nomination, as a family member was a nominee.

COUNCIL DECISION

Moved Cr GL Boyne

Seconded Cr LC Smith

6.24pm That the meeting be closed to public to discuss confidential item 14.1.1 Citizen of the Year nomination.

**PUT & CARRIED: 6/0
RESOLUTION NO: 101221**

14.1.1 CITIZEN OF THE YEAR NOMINATION

Section 5.23 – Applicability

Location:

Shire of Koorda

Portfolio:

Recreation & Culture

Cr LC Smith

File Reference:

ADM 0099

Disclosure Of Interest:

No interest declared by CEO

Author:

Darren Simmons, Chief Executive Officer

Signature of CEO



Attachment:

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

COUNCIL DECISION

Officer Recommendation

Moved CR GL Boyne

Seconded CR BG Cooper

That;

- 1. The Citizen of the Year for the 2022 Australia Day be awarded to the individual discussed at the Council Meeting held on 15 December 2021; and**
- 2. The Citizen of the Year (Senior) for the 2022 Australia Day be awarded to the individual discussed at the Council Meeting held on 15 December 2021.**

**PUT & CARRIED: 6/0
RESOLUTION NO: 111221**

COUNCIL DECISION

Moved Cr LC Smith

Seconded Cr NJ Chandler

6.43pm That the meeting be re-opened to the public.

**PUT & CARRIED: 6/0
RESOLUTION NO: 121221**

15	DATE OF NEXT MEETING
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Wednesday 16 February 2022 @ 5.00pm

16	CLOSURE
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The Presiding Person thanked Councillors and Staff for their attendance, wished everyone a merry & safe Christmas and a bigger and brighter 2022 and declared the meeting closed at 6.44pm.

Signed

Presiding Person at the meeting at which the minutes were confirmed

Date: 16 February 2022