



Shire of
Koorda

Drive in, stay awhile

MINUTES

Ordinary Council Meeting

Held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Wednesday 17 May 2023

Commencing 5.00pm

CONFIRMED

NOTICE OF MEETING

Dear Elected Members,

Notice is hereby given that the next Ordinary Meeting of Council of the Shire of Koorda will be held on Wednesday, 17 May 2023 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda.

The format of the day will be:

5.00pm	Council Meeting
Following conclusion of Council Meeting	Council Forum

Lana Foote
Acting Chief Executive Officer
12 May 2023

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



Darren Simmons
Chief Executive Officer

Table of Contents

1. Declaration of Opening	4
2. Record of Attendance, Apologies and Leave of Absence	4
3. Public Question Time.....	4
4. Disclosure of Interest.....	4
5. Applications for Leave of Absence	5
6. Petitions and Presentations.....	5
7. Confirmation of Minutes from Previous Meetings	6
7.1. Ordinary Council Meeting held on 19 April 2023.....	6
8. Minutes of Committee Meetings to be Received.....	6
8.1. GECZ Meeting Minutes for meeting held 17 April 2023.....	6
8.2. SRRG Meeting Minutes for meeting held 18 April 2023.....	6
8.3. NEWROC Council Meeting Minutes for meeting held 27 April 2023.....	7
9. Recommendations from Committee Meetings for Council Consideration.....	8
9.1. Audit Committee Meeting held on 17 May 2023.....	8
9.1.1. Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls.....	8
10. Announcements by the President without Discussion	10
11. OFFICER'S REPORTS – CORPORATE & COMMUNITY	11
11.1. Monthly Financial Statements	11
11.2. List of Accounts Paid.....	14
12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE.....	16
12.1 Council Resolutions Status Report.....	16
12.2 Delegated Authorities Review 2022-2023 – Proposed New Delegations Register	18
13. OFFICER'S REPORTS – WORKS & ASSETS.....	21
13.1 Extension of Leasing Arrangements by CBH for Lots 402 and 32 Price Street, Koorda.....	22
14. Urgent Business Approved by the Person Presiding or by Decision.....	24
15. Elected Members' Motions	24
16. Matters Behind Closed Doors	24
16.1 2023 CEO Performance Review Arrangements	24
17. Closure	25

**Shire of Koorda
Ordinary Council Meeting
5.00pm, Wednesday 17 May 2023**



1. Declaration of Opening

The Presiding person welcomes those in attendance and declares the meeting open at 5.01pm.

2. Record of Attendance, Apologies and Leave of Absence

Councillors:

Cr JM Stratford	President
Cr BG Cooper	Deputy President
Cr GW Greaves	
Cr NJ Chandler	
Cr GL Boyne	
Cr LC Smith	

Staff:

Mr DJ Simmons	Chief Executive Officer
Miss L Foote	Deputy Chief Executive Officer

Members of the Public:

Apologies:

Visitors:

Approved Leave of Absence:

3. Public Question Time

Nil.

4. Disclosure of Interest

The following Councillors have disclosed an interest in item 13.1 – *Extension of Leasing Arrangements by CBH for Lots 402 and 32 Price Street, Koorda.*

Cr Jannah 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.

Cr Gina 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 Nicholas Chandler

Financial – Employee of CBH.

Cr Gary Greaves

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.

Due to a potential loss of a quorum resulting from the above financial interest disclosures, the CEO has applied for statutory participation approval for Councillors Stratford, Boyne, and Greaves under s5.69(3) of the Local Government Act 1995 so that item 13.1 may be addressed at this meeting.

Accordingly, approval has been granted to the following members to fully participate in the Ordinary Council Meeting, to be held on 17 May 2023 as follows:

13.1 EXTENSION OF LEASING ARRANGEMENT BY CBH FOR LOTS 402 AND 32 PRICE STREET KOORDA

Cr Gina Boyne, Cr Jannah Stratford and Cr Gary Greaves.

Conditions of the approval:

1. The approval is only valid for the 17 May 2023 Ordinary Council Meeting when agenda item 13.1 is considered;
2. The above-mentioned 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 Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries 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 DLGSC, to allow DLGSC 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.

5. Applications for Leave of Absence

Nil.

6. Petitions and Presentations

Nil.

7. Confirmation of Minutes from Previous Meetings

7.1. Ordinary Council Meeting held on 19 April 2023

[Click here to view the previous minutes](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 010523

Moved CR GW Greaves

Seconded CR GL Boyne

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Ordinary Council Meeting held 19 April 2023, as presented, be confirmed as a true and correct record of proceedings.

CARRIED 6/0

8. Minutes of Committee Meetings to be Received

8.1. GECZ Meeting Minutes for meeting held 17 April 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 020523

Moved CR BG Cooper

Seconded CR LC Smith

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the GECZ meeting held 17 April 2023, as tabled.

CARRIED 6/0

8.2. SRRG Meeting Minutes for meeting held 18 April 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 030523

Moved CR NJ Chandler

Seconded CR GL Boyne

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of SRRG meeting held 18 April 2023, as tabled.

CARRIED 6/0

8.3. NEWROC Council Meeting Minutes for meeting held 27 April 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 040523

Moved CR BG Cooper

Seconded CR NJ Chandler

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the NEWROC Council meeting held 27 April 2023, as tabled.


CARRIED 6/0

CONFIRMED

9. Recommendations from Committee Meetings for Council Consideration

9.1. Audit Committee Meeting held on 17 May 2023

9.1.1. Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls

Governance and Compliance		
Date	10 May 2023	
Location	Not Applicable	
Responsible Officer	Darren Simmons Chief Executive Officer	
Author	Lana Foote, Deputy Chief Executive Officer	
Legislation	<i>Local Government Act 1995 Section 7.13 (i)</i> <i>Local Government (Audit) Regulations 1996 – Reg 13, 14 and 15</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Moore Australia Review Report - April 2023	

Background:

Staff from Moore Australia were onsite on the 20th & 21st February 2023 and spent two days checking the appropriateness and effectiveness of our risk management, internal controls and legislative compliance systems and procedures.

The review process was necessary to comply with Local Government (Audit) Regulations 1996 and Local Government (Financial Management) Regulations 1996 which stipulate that both the Regulation 17 and Financial Management reports need to be completed every 3 years.

As raised during past audits and noted in the Compliance Audit Return, the review was overdue. As Council were made aware of the overdue nature of the review by the Executive Management Team, it was determined that with the implementation of a new Accounting System, a review would be more beneficial at this time. The next review process will be due again by the end of June 2026.

Comment:

The Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance.

Whilst the report is quite extensive and contains numerous recommendations staff will address the matters raised to ensure our risk is mitigated, and we comply with all relevant legislation. Further to the work being done on the Policy Manual with the Policy Review Committee, part 6.2 *Council Policies* of the report will be referred to when officers present policy reviews and updates. Other matters that were identified will require a body of work across all areas relate to document control and work process documentation.

It is recommended that Officers provide a report, on a quarterly basis (to align with the Integrated Planning scorecard reporting), to the Audit Committee to enable the Committee to monitor the progress

on each risk issue and improvement action, pursuant to Regulation 16 (d) of the Local Government (Audit) Regulations 1996.

This report has been presented to the audit committee as the committee has a role in supporting Council in fulfilling its governance and oversight responsibilities and provide the audit committee with the opportunity to raise any issues that the document has identified or ask any other questions, they may have in relation to our risk management and compliance activities.

Consultation:

Darren Simmons, Chief Executive Officer

Moore Australia

All internal employees were involved in various aspects of the review which involved their day to day tasks.

Statutory Implications:

Regulation 16 of the Local Government (Audit) Regulations 1996 prescribes the functions of an Audit Committee which includes;

“16 (c) to review a report given to it by the CEO under regulation 17(3) and is to –

- (i) Report to the council the results of that review; and*
- (ii) Give a copy of the CEO’s report to the council.”*

“16 (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under –

- (i) Regulations 17 (1); and*
- (ii) The Local Government (Financial Management) Regulations 1996 regulation 5(2)(c).”*

Regulation 17 of the Local Government (Audit) Regulations 1996 reads as follows;

“(1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —

- a) risk management; and*
- b) internal control; and*
- c) legislative compliance.*

(2) The review may relate to any or all of the matters referred to in sub regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.

(3) The CEO is to report to the audit committee the results of that review.”

Regulation 5 (2) (c) of the Local Government (Financial Management) Regulations 1996 states that - *“the CEO is to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.”*

Policy Implications:

The review recommended some potential improvement opportunities to some of the Council’s policy.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1.1 - Ensure the use of resources is effective, efficient and reported regularly. (e.g. Financial Management)

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness.

Voting Requirements: Simple Majority Absolute Majority

Committee Recommendation
RESOLUTION 050523

Moved CR GW Greaves

Seconded CR BG Cooper

That Council:

- 1. Receives Moore's Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls report, dated April 2023 (Attachment A);**
- 2. Directs the CEO to provide a report, on a quarterly basis, to the Audit Committee to enable the Committee to monitor the Shire's progress in addressing the recommendations, pursuant to Regulation 16 (d) of the Local Government (Audit) Regulations 1996; and**
- 3. Directs the CEO at the first quarterly review to provide proposed actions, including expected completion dates, to the recommendations identified in the report.**

CARRIED BY ABSOLUTE MAJORITY 6/0


10. Announcements by the President without Discussion

CEO decisions made under delegated authority since last Ordinary Meeting of Council

Applicant	Date received / Details of application	Address	Estimated project cost / Shire planning fee	Decision / Date

11. OFFICER'S REPORTS – CORPORATE & COMMUNITY

11.1. Monthly Financial Statements

Corporate and Community		 Shire of Koorda <small>Drive in, stay awhile</small>
Date	9 May 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Deputy Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	April 2023 Financial Activity Statement	

Background:

This item presents the Statement of Financial Activity to Council for the period ending 30 April 2023.

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare financial reports.

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* set out the form and content of the financial reports, which have been prepared and presented to Council.

Comment:

In order to fulfil statutory reporting requirements and provide Council with a synopsis of the Shire of Koorda's overall financial performance on a year-to-date basis, the following financial information is included in the Attachment.

Statements of Financial Activity – Statutory Reports by Nature or Type

The Statement of Financial Activity provide details of the Shire's operating revenues and expenditures on a year-to-date basis. The reports further include details of non-cash adjustments and capital revenues and expenditures, to identify the Shire's net current position.

Note 1 – Statement of Financial Activity

Notes supporting the Statement of Financial Activity by Program and by Nature and Type.

Note 2 – Cash and Financial Assets

This note provides Council with the details of the actual amounts in the Shire's bank accounts and/or investment accounts as at the reporting date.

Note 3 – Receivables

This note provides Council with both Rates Receivables and General Receivables outstanding as at the reporting date. This report has been expanded to further break down the detail of General Receivables.

Note 4 – Other Current Assets

This note provides details of other current assets that the Shire may hold.

Note 5 – Payables

This note provides details of Shire payables unpaid as at the reporting date. This Note is new to the financial statements.

Note 6 – Disposal of Assets

This note gives details of the capital asset disposals during the year.

Note 7 – Capital Acquisitions

This note details the capital expenditure program for the year.

Note 8 – Reserve Accounts

This note provides summary details of transfers to and from reserve funds, and associated interest earnings on reserve funds, on a year-to-date basis.

Note 9 – Other Current Liabilities

This note outlines any provisions the Shire has on hand relative to other current liabilities.

Note 10– Operating Grants and Contributions Received

This note provides information on operating grants received.

Note 11 – Non-Operating Grants and Contributions

This note provides information on non-operating grants received.

Note 12 – Budget Amendments

This note provides detail of adopted budget amendments.

Note 13 – Explanation of Material Variances

Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 10% and \$10,000. This note explains the reasons for any material variances identified in the Statements of Financial Activity at the end of the reporting period.

Consultation:

Darren Simmons, Chief Executive Officer.

Statutory Implications:

Council is required to adopt monthly statements of financial activity to comply with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

Policy Implications:

Finances have been managed in accordance with the Shire of Koorda policies.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1.1 – Ensure the use of resources is effective, efficient and reported regularly.

Financial Implications:

Nil

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 060523

Moved CR GL Boyne


Seconded CR NJ Chandler

That Council, by Simple Majority, pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the statutory Financial Activity Statement report for the period ending 30 April 2023, as presented.

CARRIED 6/0

CONFIRMED

11.2. List of Accounts Paid

Corporate and Community		
Date	9 May 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Deputy Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	List of Accounts Paid	

Background:

This item presents the List of Accounts Paid, paid under delegated authority, for the period 13 April 2023 to 9 May 2023.

Comment:

The List of Accounts Paid as presented has been reviewed by the Chief Executive Officer.

Consultation:

Darren Simmons, Chief Executive Officer
Finance Team

Statutory Implications:

Regulation 12 and 13 of the *Local Government (Financial Management) Regulations 1996* requires that a separate list be prepared each month for adoption by Council showing creditors paid under delegate authority.

Policy Implications:

Finances have been managed in accordance with the Shire of Koorda policies. Payments have been made under delegated authority.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1.1 - Ensure the use of resources is effective, efficient and reported regularly. (e.g. Financial Management)

Financial Implications:

Funds expended are in accordance with Council's adopted 2022/2023 Budget.

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
RESOLUTION 070523**

Moved CR GL Boyne

Seconded CR GW Greaves

That Council, by Simple Majority, pursuant to Section 6.8(1)(a) of the *Local Government Act 1995* and Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*, receives the report from the Chief Executive Officer on the exercise of delegated authority in relation to creditor payments from the Shire of Koorda Municipal Fund, as presented in the attachment, and as detailed below:

For the period 13 April 2023 to 9 May 2023


Municipal Voucher V555 to V599	Totalling \$ 352,490.51
Credit Card Transaction (V567 & V582)	Totalling \$ 1,009.23
	Total \$ 353,499.74

CARRIED 6/0

CONFIDENTIAL

12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE

12.1 Council Resolutions Status Report

Governance and Compliance		
Date	9 May 2023	
Location	Not applicable	
Responsible Officer	Darren Simmons, Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input checked="" type="checkbox"/> Information	
Attachments	April 2023 Status Report	

Background:

The Council resolutions status report (status report) is a register of Council resolutions that are allocated to Shire staff that require actioning. When staff have progressed or completed any action in relation to Council's decision, comments are provided until the process is completed or superseded by more recent Council resolutions.

Comment:

In the interest of increased transparency and communication with the community, the status report is provided for information. (As a new initiative, the status report period commences from October 2022 and will then follow a 'rolling' monthly cycle as Council agenda item 12.1).

Consultation:

Nil

Statutory Implications:

Nil

Policy Implications:

Nil

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022
4.1 - Open and Transparent Leadership

Financial Implications:

Nil

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 080523

Moved CR GL Boyne

Seconded CR BG Cooper


That the Council Resolutions Status Report for April 2023 be received.

CARRIED 6/0

CONFIRMED

Item 12.2 Delegated Authorities Review 2022-2023 - Proposed New Delegations Register currently 'lays on the table' with an updated report provided below for Council consideration.

12.2 Delegated Authorities Review 2022-2023 – Proposed New Delegations Register

Governance and Compliance		
Date	13 April 2023 and updated 9 May 2023	
Location	Not applicable	
Responsible Officer	Darren Simmons, Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Attachment A – Existing Delegations Register Attachment B – New Draft Delegations Register	

Background:

Under the provisions of the Local Government Act 1995, it is necessary to review delegations at least annually, with Council completing its last review in April 2022.

However, rather than review the existing delegations, it was suggested that as the scope, style and presentation of these delegations were no longer fit-for-purpose, staff prepared and presented to the ordinary meeting of Council held on 19 April 2023, a new draft delegations register (Attachment B) for Council consideration.

On this basis, and to allow elected members time to review and seek any clarification in respect to the proposed new approach generally and each delegation specifically, Council subsequently resolved:

Officer Recommendation

RESOLUTION 060423

Moved CR GL Boyne

Seconded CR GW Greaves

That item 12.2 - Delegated Authorities Review 2022-2023 - Proposed New Delegations Register 'lay-on-the table' until the May 2023 ordinary meeting of Council to allow time for elected member review and clarification.

CARRIED 6/0

Comment:

A copy of Council's existing Delegations has been included as Attachment A and the proposed replacement delegations register as Attachment B.

Both the format and substance of each delegation has been based on WALGA templates and, unlike the broad nature of many of the existing delegations, are more prescriptive in nature, providing a more open and transparent approach.

In respect to the proposed approach, it is worth noting that the number of delegations contained within the new draft has increased when compared to the existing delegations.

With the expiry of the review period between the April and May Council meetings, the item is re-presented (i.e., to 'take off the table') for Council consideration.

Subject to any clarifications or changes raised at the meeting, staff have identified (and incorporated into Attachment B) the following amendments to the proposed delegations circulated in April 2023:

Proposed Delegation No.	Proposed original text	Proposed Amendment	Reasoning/ Explanation
1.1 Power of Entry	Sub-Delegate/s: Deputy Chief Executive Officer Works Supervisor Ranger Building Surveyor Environmental Health Officer	Sub-Delegate/s: Deputy Chief Executive Officer Works Supervisor (Assisted/working through by Contract Ranger, Building Surveyor, and/or Environmental Health Officer, as applicable)	Delegations can only be sub-delegated to Shire employees.
1.4 Disposal of Sick or Injured Animals	Sub-Delegate/s: Ranger	Sub-Delegate/s: Deputy Chief Executive Officer (Assisted/working through by Contract Ranger)	Delegations can only be sub-delegated to Shire employees.
4.1 Payments from the Municipal or Trust Funds	Sub-Delegate/s: Deputy Chief Executive Officer	Sub-Delegate/s: Deputy Chief Executive Officer Finance Officers	To reflect current payment processing arrangements.
4.2 Defer, Grant Discounts, Waive or Write Off Debts	a. A debt, other than a debt relating to a rate or service charge, may only be waived where the dollar amount does not exceed \$300 per individual debt. b. A debt relating to a rate or service charge may only be written off where the dollar value does not exceed \$100 per individual debt.	c. A debt, other than a debt relating to a rate or service charge, may only be waived where the dollar amount does not exceed \$1,500 per individual debt. d. A debt relating to a rate or service charge may only be written off where the dollar value does not exceed \$1,500 per individual debt.	To align with Council Resolution No. 61020 of 21 October 2020 which states in part: "2) Delegates authority to the Chief Executive Officer to write off bad and doubtful debts for Rates and Sundry Debtors for amounts up to and including \$1,500 exc GST."
5. Building Act 2011 Delegations 5.1, 5.2, 5.3, 5.5, and 5.8	Sub-Delegate/s Building Surveyor	Sub-Delegate/s: Deputy Chief Executive Officer	Delegations can only be sub-delegated to Shire employees.
5.7 Referrals and Issuing Certificates	Sub-Delegate/s Building Surveyor	Sub-Delegate/s Deputy Chief Executive Officer Administration Officers	Delegations can only be sub-delegated to Shire employees and to reflect current processing arrangements.
7.1 Cat Registrations	Sub-Delegate/s: Ranger	Sub-Delegate/s Deputy Chief Executive Officer Administration Officers	Delegations can only be sub-delegated to Shire employees and to reflect current processing arrangements.
7.2 Cat Control Notices	Sub-Delegate/s: Ranger	Sub-Delegate/s Deputy Chief Executive Officer	Delegations can only be sub-delegated to Shire employees.

Consultation:

Lana Foote, Deputy Chief Executive Officer

Statutory Implications:

Section 5.46 of the *Local Government Act 1995* requires, at least once every financial year, delegations made under this Division are to be reviewed by the delegator.

Policy Implications:

Nil

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022
4.1 - Open and Transparent Leadership

Financial Implications:

Nil

Voting Requirements:

Simple Majority Absolute Majority

Officer Recommendation

That, by Absolute Majority, in accordance with sections 5.42, 5.44 and 5.46 of the *Local Government Act 1995*, Council adopts the Shire of Koorda Delegations Register 2023 as presented in Attachment B.

RESOLUTION 090523

Moved CR JM Stratford

Seconded CR NJ Chandler

That Council;

- 1. Notes the staff alterations made to the Shire of Koorda Delegations Register 2023, since presentation at the April Council Meeting.**
- 2. That, by Absolute Majority, in accordance with sections 5.42, 5.44 and 5.46 of the Local Government Act 1995, as presented in Attachment B, adopts the Shire of Koorda Delegations Register 2023, subject to subsequent review of the Delegations Register Reporting Requirements at the November 2023 Council Meeting and inclusion of appropriate version control.**

CARRIED BY ABSOLUTE MAJORITY 6/0

Reason for change: Council wished to note the work done by staff since laying the item on the table at the meeting held 20 April 2023, further consider whether the monthly reporting requirements of delegations exercised causes undue workload issues for staff and to accept version control recording withing the delegations register template.

13. OFFICER'S REPORTS – WORKS & ASSETS

The following Councillors have disclosed an interest in item 13.1 – *Extension of Leasing Arrangements by CBH for Lots 402 and 32 Price Street, Koorda.*

Cr Jannah 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.

Cr Gina 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 Nicholas Chandler

Financial – Employee of CBH.

Cr Gary Greaves

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.

Due to a potential loss of a quorum resulting from the above financial interest disclosures, the CEO has applied for statutory participation approval for Councillors Stratford, Boyne, and Greaves under s5.69(3) of the Local Government Act 1995 so that item 13.1 may be addressed at this meeting.

Accordingly, approval has been granted to the following members to fully participate in the Ordinary Council Meeting, to be held on 17 May 2023 as follows:


13.1 EXTENSION OF LEASING ARRANGEMENT BY CBH FOR LOTS 402 AND 32 PRICE STREET KOORDA

Cr Gina Boyne, Cr Jannah Stratford and Cr Gary Greaves.

Conditions of the approval:

1. The approval is only valid for the 17 May 2023 Ordinary Council Meeting when agenda item 13.1 is considered;
2. The above-mentioned 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 Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries 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 DLGSC, to allow DLGSC 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.

13.1 Extension of Leasing Arrangements by CBH for Lots 402 and 32 Price Street, Koorda

Works and Assets		
Date	9 May 2023	
Location	Not applicable	
Responsible Officer	Darren Simmons, Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Proposed Lease Agreement (Confidential to Councillors only)	

Background:

At its special meeting held on 30 August 2021, Council resolved, inter alia:

That Council:

...

4. Agrees to lease Lots 402 and 32 Price, Street, Koorda for emergency grain storage from 1 September 2021 to 30 April 2022 and authorises the Chief Executive Officer to sign the 'Agreement to Lease' document between the Shire of Koorda and Co-operative Bulk Handling Limited (CBH) on the condition that CBH supply the Shire with a traffic management plan to the satisfaction of the Chief Executive Officer.

On 30 November 2021, a lease agreement was executed between CBH and the Shire, with the lots subsequently used for the 2021 harvest for emergency open bulkhead (OBH) grain storage.

At its meeting held on 15 June 2022, Council further resolved:

Officer Recommendation

Resolution 090622

Moved CR GL Boyne

Seconded CR BG Cooper

That Council agrees to continue leasing Lots 402 and 32 Price Street, Koorda to Co-operative Bulk Handling Limited (CBH) for emergency grain storage from 1 May 2022 to 30 April 2023 and authorises the Chief Executive Officer to sign the 'Agreement to Lease' document between the Shire of Koorda and CBH on the condition that CBH supply the Shire with a traffic management plan to the satisfaction of the Chief Executive Officer.

CARRIED 5/0

With grain is still being stored onsite with recent record harvest, likely to be for some time, CBH have again requested that the leasing of Lots 402 and 32 Price Street, Koorda continue until 30 April 2024 with an option for an additional 12-month term should CBH require such an extension.

Comment:

As grain is still being stored onsite and with Shire staff still unaware of any issues arising, it is recommended that Council agree to CBH's request to lease lots 402 and 32 Price Street, Koorda for both another year, and the 12-month option (as this will alleviate the need for statutory participation approvals for Councillors disclosing a financial interest).

Consultation:

Nicholas Michael – CBH Specialist, Property and Land.

Statutory Implications:

Section 3.58 of the Local Government Act. (As CBH is a registered charity, there is an exemption to the disposal of property provisions of section 3.58).

Policy Implications:

Nil.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022
2.1 - Our local economy grows in a sustainable manner.

Financial Implications:

Annual lease consideration of \$7,000 exclusive of GST (An increase from the \$6,500 ex GST in the 2022 lease).

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 100523

Moved CR GL Boyne

Seconded CR GW Greaves

That Council:

- 1. Agrees to continue leasing Lots 402 and 32 Price Street, Koorda to Co-operative Bulk Handling Limited (CBH) for emergency grain storage from 1 May 2023 to 30 April 2024 with an option for CBH to extend the lease term for an additional 12-months from 1 May 2024; and**
- 2. Authorises the Chief Executive Officer to sign the 'Agreement to Lease' document for and on behalf of the Shire of Koorda.**

CARRIED 5/0

At 6.02pm - Cr NJ Chandler re-joined the meeting and the Presiding person advised him of the outcome to item 13.1.

14. Urgent Business Approved by the Person Presiding or by Decision

Nil.

15. Elected Members' Motions

Nil.

16. Matters Behind Closed Doors

At 6.04pm, the CEO and DCEO left the meeting.

Council Decision Resolution 110523


Moved CR GL Boyne

Seconded CR GW Greaves

That Council close the meeting to the public at 6.04pm in accordance with section 5.23 (2) (a) of the Local Government Act 1995 as the matter relates to an employee.

CARRIED 6/0

16.1 2023 CEO Performance Review Arrangements

Governance and Compliance		
Date	12 May 2023	
Location	Not applicable	
Responsible Officer	Cr Jannah Stratford, Shire President	
Author	As above	
Legislation	Local Government Act 1995	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	The Shire President circulated relevant confidential information to Councillors at the meeting.	

Council Decision Resolution 120523

Moved CR NJ Chandler

Seconded CR BG Cooper

That Council, in accordance with the Shire of Koorda Standards for CEO Recruitment, Performance and Termination and clause 4.3 of the CEO's employment contract, resolves to accept the 'in-person' proposal from Dr Shayne Silcox of Strategic Leadership Consulting Group to facilitate the 2023 CEO performance review.

CARRIED 6/0

At 6.11pm. the CEO and DCEO returned to the meeting, and the Presiding person advised them of the resolution of *Item 16.1. 2023 CEO Performance Review Arrangements.*

**Council Decision
Resolution 130523**

Moved CR NJ Chandler

Seconded CR LC Smith

That Council re-open the meeting to the public at 6.11pm.

CARRIED 6/0

17. Closure

The Presiding Person thanked those present for their attendance and declared the meeting closed at 6.12pm.

Signed: Stratford

Presiding Person at the meeting at which the minutes were confirmed.

Date: 28 June 2023