



*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 28 September 2022

Commencing 5.00pm

## 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, 28 September 2022 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda. The format of the day will be:

4.00pm	Audit Committee Meeting
5.00pm	Council Meeting
Following conclusion of Council Meeting	Council Forum

Darren Simmons  
Chief Executive Officer  
21 September 2022

## 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.

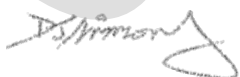
Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

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

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**Shire of Koorda  
Ordinary Council Meeting  
5.00pm, Wednesday 28 September 2022**



**1. Declaration of Opening**

The Presiding person welcomes those in attendance and declares the meeting open at 5.00pm.

**2. Record of Attendance, Apologies and Leave of Absence**

**Councillors:**

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

**Staff:**

Mr DJ Simmons	Chief Executive Officer (CEO)
Miss L Foote	Deputy Chief Executive Officer (DCEO)

**Members of the Public:**

**Apologies:**

Cr GL Boyne

**Visitors:**

Acting Sergeant Steve Jaworski – Koorda Police

**Approved Leave of Absence:**

**3. Public Question Time**

**4. Disclosure of Interest**

CEO Darren Simmons disclosed a financial interest in item 16.1 CEO Employment Contact as it relates to his employment with the Shire

**5. Applications for Leave of Absence**

**6. Petitions and Presentations**

Acting Sergeant Steve Jaworski – Koorda Police  
5.27pm – withdrew from chambers

## 7. Confirmation of Minutes from Previous Meetings

### 7.1. Ordinary Council Meeting held on 17 August 2022

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

**Voting Requirements**    ☒ Simple Majority    ☐ Absolute Majority

#### Officer Recommendation Resolution 010922

Moved CR GW Greaves

Seconded CR BG Cooper

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 17 August 2022, as presented, be confirmed as a true and correct record of proceedings.

**CARRIED 5/0**

### 7.2. Special Council Meeting held on 30 August 2022

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

**Voting Requirements**    ☒ Simple Majority    ☐ Absolute Majority

#### Officer Recommendation Resolution 020922

Moved CR NJ Chandler

Seconded CR GW Greaves

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Special Council Meeting held 30 August 2022, as presented, be confirmed as a true and correct record of proceedings.

**CARRIED 5/0**

## 8. Minutes of Committee Meetings to be Received

### 8.1. Great Eastern Country Zone Meeting Minutes for meeting held 29 August 2022

[Click here to view](#)

#### Voting Requirements

☒ Simple Majority

☐ Absolute Majority

#### Officer Recommendation Resolution 030922

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 GECZ Meeting held 29 August 2022, as tabled.

CARRIED 5/0

### 8.2. Rural Water Council of WA Meeting Minutes for meeting held 8 July 2022

[Click here to view](#)

#### Voting Requirements

☒ Simple Majority

☐ Absolute Majority

#### Officer Recommendation Resolution 040922

Moved CR BG Cooper

Seconded CR GW Greaves

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the Rural Water Council of WA Meeting held 8 July 2022, as tabled.

CARRIED 5/0

## 9. Recommendations from Committee Meetings for Council Consideration

## 10. Announcements by the President without Discussion


Acknowledge the Royal Family on the passing of Her Majesty Queen Elizabeth II and the accension of His Majesty King Charles III

Congrats Ryan Greaves – Rural ambassador representation. Represented region very well and did a great job

Condolences to Hayles family on the sudden passing of John

## 11. OFFICER'S REPORTS – CORPORATE & COMMUNITY

### 11.1. Monthly Financial Statements

Corporate and Community		
Date	20 September 2022	
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	<a href="#">July 2022 Financial Activity Statement</a>	

#### Background:

This item presents the Statement of Financial Activity to Council for the period ending 31 July 2022.

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 – 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 050922**

**Moved CR GW Greaves**


**Seconded CR LC Smith**

**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 31 July 2022, as presented.**

**CARRIED 5/0**

CONFIRMED

**11.2. Monthly Financial Statements**

<b>Corporate and Community</b>		
<b>Date</b>	20 September 2022	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Lana Foote, Deputy Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	<a href="#">August 2022 Financial Activity Statement</a>	

**Background:**

This item presents the Statement of Financial Activity to Council for the period ending 31 August 2022.

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 – 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 060922**

**Moved CR NJ Chandler**


**Seconded CR BG Cooper**

**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 31 August 2022, as presented.**

**CARRIED 5/0**

CONFIRMED

**11.3. List of Accounts Paid**

<b>Corporate and Community</b>		
<b>Date</b>	20 September 2022	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Lana Foote, Deputy Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	<a href="#">List of Accounts Paid</a>	

**Background:**

This item presents the List of Accounts Paid, paid under delegated authority, for the period 17 August to 19 September 2022.

**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 070922**

**Moved CR NJ Chandler**

**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 17 August 2022 to 19 September 2022

Municipal Voucher V058 to V141

Totalling \$ 511,416.01

Credit Card Transaction (V097, V098 & V141)

Totalling \$ 2,178.00

Total \$ 513,594.01

**CARRIED 5/0**

CONFIRMED

## 12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE

### 12.1 Renewal of Lease Agreement for Koorda Health Centre

Governance and Compliance		
Date	21 September 2022	
Location	Not applicable	
Responsible Officer	Darren Simmons, Chief Executive Officer	
Author	As above	
Legislation	Local Government Act 1995	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	<a href="#">New Agreement with Western Australian Country Health Service</a>	

#### Background:

The Lease agreement with Western Australian Country Health Services (WACHS) for use of the Koorda Health Centre will expire on 31 January 2023.

Email correspondence has been received from WACHS requesting the option of an extension from the 1 February 2023 to 31 January 2025 with options for extending for two options for two years each.

#### Comment:

The Agreement is a remake of the current agreement with changing of dates.

The contribution Agreement allows two options for extensions. These are:

Option 1:

1 February 2025 expiring 31 January 2027

Option 2:

1 February 2027 expiring 31 January 2029

The options for the extensions can allow for the continuance of the agreement without creating a new agreement.

The facility is currently rented for \$130 per week, however it is suggested that this be increased to \$150 per week to allow for inflation. This can be increased further with the renewal options. WA Country Health Service has indicated that they would be happy with \$150 per week.

#### Consultation:

WACHS

Deputy Chief Executive Officer

#### Statutory Implications:

Local Government Act 1995

#### Policy Implications:

Nil.

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan (2022)

1.1.1 - Maintain strong working relationships with State Agencies. (e.g. WAPOL, Department of Education and WACHS)

**Financial Implications:**

Annual income of \$7,800 will offset the costs of the Shire's agreement obligations such as building insurance, cleaning, and facility maintenance.

**Voting Requirements:**    ☒ Simple Majority    ☐ Absolute Majority

**Officer Recommendation  
Resolution 080922**

**Moved CR GW Greaves**

**Seconded CR BG Cooper**


**That Council accept the offer from WA Country Health Services for the Contribution Agreement for the Koorda Health Centre from 1 February 2023 to 31 January 2025 with options to extend through to 31 January 2027 and 31 January 2029 with weekly rent to be started at \$150 per week.**

**CARRIED 5/0**

## 13. OFFICER'S REPORTS – WORKS & ASSETS

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

### 14.1 Community Sporting and Recreation Facilities Fund (CSRFF) application for a new synthetic bowling green at Koorda Recreation Ground

Corporate and Community		
Date	28 September 2022	
Location	Not Applicable	
Responsible Officer	Darren Simmons. Chief Executive Officer	
Author	Not applicable	
Legislation	<i>Local Government Act 1995; Community Sporting and Recreation Facilities Fund (CSRFF) requirements</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Nil.	

#### Officer Recommendation Resolution 090922

Moved CR NJ Chandler

Seconded CR GW Greaves

That Council:

1. Supports and endorses the lodgement of a Community Sporting and Recreation Facilities Fund (CSRFF) Annual Planning Grant application for up to \$166,666 (excluding GST) as a one-third funding contribution towards a new synthetic bowling green at the Koorda Recreation Ground; and

2. Makes provision in the FY2023-24 Annual Budget for up to \$333,333 for fund the remaining two-third balance of this project and accepts ongoing asset maintenance responsibility subject to a successful State Government funding outcome of this application.

**CARRIED 5/0**

## 15. Elected Members' Motions

Nil.

## 16. Matters Behind Closed Doors

CEO Darren Simmons disclosed a financial interest in item 16.1 – CEO Employment Contract as it relates to his employment with the Shire.

### Officer Recommendation Resolution 100922

Moved CR GW Greaves

Seconded CR LC Smith

**That Council close the meeting to the public at 5.55pm in accordance with section 5.23 (2) (a) of the Local Government Act 1995 as the matter relates to an employee.**

**CARRIED 5/0**

The CEO & DCEO left the meeting at 5.55pm.  
The CEO returned to the meeting at 6.23pm.  
The DCEO returned to the meeting at 6.47pm.

### Officer Recommendation Resolution 110922

Moved CR GW Greaves


Seconded CR LC Smith

**That Council re-open the meeting to the public at 6.49pm.**

**CARRIED 5/0**

### 16.1. CEO Employment Contract

In accordance with Section 5.23 (2) (a) of the *Local Government Act 1995*, Council will close the meeting to the public to discuss a matter affecting an employee.

Governance and Compliance		
Date	20 September 2022	
Location	Not Applicable	
Responsible Officer	President Cr Jannah Stratford and Deputy President Cr Buster Cooper	
Author	Deputy President Cr Buster Cooper	
Legislation	<i>Local Government Act 1995; Local Government (Administration) Regulations 1996</i>	
Disclosure of Interest	CEO Darren Simmons discloses a financial interest in item 16.1 – CEO Employment Contract as it relates to his employment with the Shire	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Confidential draft employment contract provided to Councillors by the Deputy President prior to the meeting.	

**Voting Requirements:**    ☐ Simple Majority    ☒ Absolute Majority

The matter of whether Council is satisfied with the provisions of the proposed CEO employment contract (in accordance with section 5.36 (2) (b) of the *Local Government Act 1995*) will be discussed, and a resolution (by an absolute majority vote) made.

**Officer Recommendation  
Resolution 120922**

**Moved CR GW Greaves**

**Seconded CR NJ Chandler**

**That Council:**

**1. Approves and is satisfied with the terms of the CEO employment contract detailed in the confidential attachment for item 16.1, and as amended at the Council meeting held 28 September 2022, being for a period of 5 years inclusive of a Total Reward Package valued at \$194,991 calculated in accordance with the 2022 Salaries and Allowances Tribunal Local Government Determination Band 4 range; and**

**2. Authorises the President to execute the CEO employment contract in accordance with section 9.49A(1)(b) of the Local Government Act 1995, subject to the CEO agreeing to enter into the terms of the CEO employment contract without amendment.**

**CARRIED BY AN ABSOLUTE MAJORITY 5/0**

## 17. Date of next meeting

Whilst the next ordinary meeting of **Council** is scheduled for Wednesday, 19 October 2022, it is suggested and discussed that this meeting be re-scheduled to **Wednesday 26 October 2022 commencing at 6.00pm** to allow attendance by Shire representatives the Department of Fire and Emergency Services 2022-23 Bushfire Pre-season Forum being held at the Koorda Recreation Centre from 5.30pm to 8.30pm on Wednesday, 19 October 2022.

Discussion also ensued on whether to call a special meeting of Council for **Thursday 13 October 2022 commencing at 5.00pm** to consider any tenders received for the Koorda Recreation Centre upgrade.

### Officer Recommendation Resolution 130922

Moved CR GW Greaves

Seconded CR BG Cooper

That Council;

1. re-schedule its October 2022 ordinary meeting to Wednesday, 26 October 2022 commencing at 6.00pm in Council Chambers.
2. Hold a special council meeting on Thursday, 13 October 2022 commencing at 5.00pm to consider tenders received for Koorda Rec Ground Request for Tender.

CARRIED 5/0

## 18. Closure

The Presiding Person thanked Councillors and staff for their attendance and declared the meeting closed at 7.10pm.

Signed: 

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

Date: 26 October 2022