



MINUTES

FOR THE

ORDINARY MEETING
OF COUNCIL

HELD ON

WEDNESDAY 15 September 2021

PLEASE READ THE FOLLOWING DISCLAIMER BEFORE PROCEEDING

Members of the public are cautioned against taking any action on Council decisions, on items in these Minutes in which they may have an interest, until such times as they have been advised in writing by Shire staff

NOTICE OF MEETING

PLEASE BE ADVISED THAT THE

ORDINARY MEETING OF COUNCIL

COMMENCED AT 5.04 PM

HELD ON

WEDNESDAY, 15 SEPTEMBER 2021

WARRADARGE

COMMUNITY HALL



Mia Maxfield
Chief Executive Officer

DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information. A written inquiry should be made to the Council giving reasons for seeking the advice or information and how it is proposed to be used.

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:

The Deputy President, Cr Bruce Jack, welcomed those present and opened the Meeting at 5.04 pm.

The Shire of Coorow acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land, and we pay our respects to their Elders past, present and emerging.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE PREVIOUSLY APPROVED

Councillor B A Jack
Councillor M R Bothe
Councillor G V Heales
Councillor R R Kau
Councillor V J Muller
Councillor S D Peck

Deputy President

Mrs M Henry
Mr K Bean

Deputy Chief Executive Officer
Manager of Works & Services

Leave of Absence

Cr M J Girando JP – 21 August to 22 September 2021

Apologies

Mrs M Maxfield
Councillor V R Oakes

Chief Executive Officer

Visitors

Ben Plozza, Sean Plozza, Pat Plozza, Gary Dring, Lee-ann Dring, and Margaret Falconer

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

Nil

4. PUBLIC QUESTION TIME:

Ben Plozza

- Previous meeting it was discussed that Council would be invited to view Truck demonstrations unfortunately this was postponed due to cyclone – Would still like to support for Council and new time for Demonstration will be organised – Shire Support – New Legislation Changes and how it deals with Spontaneous Volunteers –how will this work due to the new changes this could cause the loss of volunteers fighting fires on the ground

Pat Plozza

- Queried how are meetings in Warradarge advertised? – informed that meetings are decided at June meetings each year this is posted on the website and through council news, will look into putting up a sign at the Halfway Mill as well – Would like a Keep Clear Sign outside the Fire Station so public doesn't park there, will inform Mark Teale, Shire CESM to work with the Brigade to organise.

5. APPLICATION FOR LEAVE OF ABSENCE:

The following Councillor/s requested Leave of Absence from Council Meetings and Duties:

Nil

6. DECLARATION OF INTEREST:

Nil

7. PETITIONS/DEPUTATIONS/PRESENTATIONS:

Nil

8. CONFIRMATION OF MINUTES

8.1	GREEN HEAD COAST CARE ADVISORY GROUP MEETING HELD 23 JULY 2021
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RESOLUTION:

2021/096

Moved: Cr Heales

Seconded: Cr Muller

That the Minutes of the Green Head Coast Care Advisory Group meeting held on 23 July 2021 be received.

**CARRIED 6/0
Simple Majority**

8.2	ORDINARY MEETING HELD WEDNESDAY 18 AUGUST 2021 HELD AT THE LEEMAN RECREATION CENTRE
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RESOLUTION:

2021/097

Moved: Cr Peck

Seconded: Cr Heales

That the Minutes of the Ordinary Meeting held on Wednesday 18 August 2021 be confirmed as true and correct.

**CARRIED 6/0
Simple Majority**

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION:

Deputy President, Cr Jack thanked Councillors Bothe and Peck for their contributions to Council and a possible farewell to himself and Cr Muller if not re-elected.

10. MATTER FOR WHICH MEETING MAY BE CLOSED:

For the convenience of members of the public Council may identify, by decision, early in the meeting any matter on the agenda to be discussed behind closed doors and that matter is to be deferred for consideration as the last item of the meeting.

Item 14.1 – Appointment of Acting Chief Executive Officer


11. REPORTS:

11.1 CHIEF EXECUTIVE OFFICER:

11.1.1 PERMISSION TO COLLECT NATIVE PLANT SEED FROM LAND WITHIN THE SHIRE OF COOROW

Reporting Officer:	Chief Executive Officer
Responsible Executive:	Chief Executive Officer
File Reference:	ADM0109 - Environmental Management – Collection of Seeds
Disclosure of Interest:	Nil
Attachments:	Letter received from E-Scape
Voting Requirements:	Simple Majority

Council Role:

 Executive	The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, setting and amending budgets.
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REPORT PURPOSE:

For Council to consider the request from E-Scapes Environmental Pty Ltd to collect native seeds from within reserves vested in the Shire.

BACKGROUND:

The Shire has received an application from Tim Emmott, Director, E-Scapes Environmental Pty Ltd for permission to collect native plant seeds from reserves and other areas managed by the Shire of Coorow for a period of twelve months.

In 2008 the Shire investigated the need for staff inductions and Public Liability Insurance for people working in Council Vested Reserves. As E-Scape Environmental is not a contractor or an employee of the Shire, there is no need for the Shire to undertake an induction.

Council should however insist on a current Public Liability Certificate to be provided before any work or seed collection takes place.

COMMENT:

Seed collected from within reserves and other areas managed by the Shire of Coorow will be used in an extensive native vegetation rehabilitation program at Eneabba. Three Springs & Watheroo.

It is recommended that the following conditions be imposed on all applications for the collection of native seeds and cuttings including:

1. Permission will normally be for a twelve month period;
2. All persons collecting native seed are to be staff members/contractors and licensed according to the Wildlife Conservation Act (1950) and abide by the condition of the license
3. All staff are to wear high visibility safety vests;
4. Any stationary vehicles are to use revolving amber flashing lights;
5. Appropriate hygiene measures be followed at all times to prevent the spread of plant disease and weeds;
6. All care be taken to avoid the disturbance of fauna habitat;
7. All care be taken to avoid any disturbance that may lead to soil degradation; and
8. No work to commence in the Shire reserves until the Shire has received a current Certificate for Public Liability Insurance.

STAKEHOLDER ENGAGEMENT:

E-Scape Environment Pty Ltd

FINANCIAL / RESOURCE IMPLICATIONS:

Nil

STATUTORY ENVIRONMENT:

Wildlife Conservation Act 1950

POLICY IMPLICATIONS:

Policy 8.1.1 - TRANSPORT/ENGINEERING – Management of Road Reserves

STRATEGIC IMPLICATIONS:

Nil

PUBLIC CONSULTATION:

Nil

RISK IMPLICATION:

Nil

OFFICER RECOMMENDATION:

RESOLUTION:

2021/098

Moved: Cr Peck

Seconded: Cr Bothe

That E-Scape Environmental Pty Ltd be granted permission to collect native plant seeds and cuttings from vegetation within reserves and other areas managed by the Shire of Coorow subject to the following conditions:

1. Permission is for twelve months, finishing on the 14 September 2022;
2. All persons collecting native seed are to be E-Scape Environmental Pty Ltd staff members/contractors and licensed according to the Wildlife Conservation Act 1950 and abide by the condition of the license
3. All staff/contractors are to wear high visibility safety vests;
4. Any stationary vehicles are to use revolving amber flashing lights;
5. Appropriate hygiene measures be followed at all times to prevent the spread of plant disease and weeds;
6. All care be taken to avoid the disturbance of fauna habitat;
7. All care be taken to avoid any disturbance that may lead to soil degradation; and
8. No work to commence in Shire reserves until the Shire has received a current Certificate for Public Liability Insurance.

CARRIED 6/0
Simple Majority

11.1.2 PERMISSION TO COLLECT NATIVE PLANT SEED FROM LAND WITHIN THE SHIRE OF COOROW

Reporting Officer:	Chief Executive Officer
Responsible Executive:	Chief Executive Officer
File Reference:	ADM0109 - Environmental Management – Collection of Seeds
Disclosure of Interest:	Nil
Attachments:	Email and Licence
Voting Requirements:	Simple Majority

Council Role:

Executive	The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, setting and amending budgets.
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REPORT PURPOSE:

To consider a request from Quintan Husten and Sujin Kim for the collection of native plant seeds from reserves and other areas managed by the Shire of Coorow until 14 September 2022.

BACKGROUND:

The Shire has received an application from Quintan Husten and Sujin Kim for permission to collect native plant seeds from reserves and other areas managed by the Shire of Coorow until September 2022.

In 2008 the Shire investigated the need for staff inductions and Public Liability Insurance for people working in Council Vested Reserves. As the applicants are not a contractor or an employee of the Shire, there is no need for the Shire to undertake an induction.

Council should however insist on a current Public Liability Certificate to be provided before any work or seed collection takes place.

COMMENT:

Seed collected from within reserves and other areas managed by the Shire of Coorow will be used in an extensive native vegetation rehabilitation program.

It is recommended that the following conditions be imposed on all applications for the collection of native seeds and cuttings including:

1. Permission will normally be for a twelve month period;
2. All persons collecting native seed are to be staff members/contractors and licensed according to the Wildlife Conservation Act (1950) and abide by the condition of the license
3. All staff are to wear high visibility safety vests;
4. Any stationary vehicles are to use revolving amber flashing lights;
5. Appropriate hygiene measures be followed at all times to prevent the spread of plant disease and weeds;
6. All care be taken to avoid the disturbance of fauna habitat;
7. All care be taken to avoid any disturbance that may lead to soil degradation; and
8. No work to commence in the Shire reserves until the Shire has received a current Certificate for Public Liability Insurance.

STAKEHOLDER ENGAGEMENT:

Quintan Husten

Sujin Kim

FINANCIAL / RESOURCE IMPLICATIONS:

Nil

STATUTORY ENVIRONMENT:

Wildlife Conservation Act 1950

POLICY IMPLICATIONS:

Policy 8.1.1 - TRANSPORT/ENGINEERING – Management of Road Reserves

STRATEGIC IMPLICATIONS:

Nil

PUBLIC CONSULTATION:

Nil

RISK IMPLICATION:

Nil

OFFICER RECOMMENDATION:

RESOLUTION:

2021/099

Moved: Cr Muller

Seconded: Cr Kau

That Quintan Husten and Sujin Kim be granted permission to collect native plant seeds and cuttings from vegetation within reserves and other areas managed by the Shire of Coorow subject to the following conditions:

9. Permission is for an extended period, finishing on 14 September 2022 or until cancelled in writing by the Shire of Coorow;
10. All persons collecting native seed are to be Quintan Husten and Sujin Kim and licensed according to the Wildlife Conservation Act 1950 and abide by the condition of the license
11. All staff/contractors are to wear high visibility safety vests;
12. Any stationary vehicles are to use revolving amber flashing lights;
13. Appropriate hygiene measures be followed at all times to prevent the spread of plant disease and weeds;
14. All care be taken to avoid the disturbance of fauna habitat;
15. All care be taken to avoid any disturbance that may lead to soil degradation; and
16. No work to commence in Shire reserves until the Shire has received a current Certificate for Public Liability Insurance.

CARRIED 6/0
Simple Majority

11.2 MANAGER OF WORKS AND SERVICES:

Nil

11.3 DEPUTY CHIEF EXECUTIVE OFFICER:

11.3.1 LIST OF ACCOUNTS PAID FOR THE MONTH OF AUGUST 2021

Subject	List of Accounts Paid
Reporting Officer:	Finance Officer
Responsible Executive:	Deputy Chief Executive Officer
File Reference:	ADM0652 – Financial Management
Disclosure of Interest:	Nil
Attachments:	List of Accounts for Payment
Voting Requirements:	Simple Majority

Council Role

■ Review When Council reviews decisions made by officers.

REPORT PURPOSE:

For Council to accept the list of accounts paid since the last list was prepared.

BACKGROUND:

The Chief Executive Officer has been delegated authority to make payments from the Municipal account. The *Local Government (Financial Management) Regulations 1996* require a list of payments made under delegated authority to be prepared each month and presented to the next ordinary meeting of Council following the preparation of the list.

COMMENT:

The list has been prepared showing payments made under delegation since the last list was prepared for the 18 August 2021 ordinary meeting of council.

STAKEHOLDER ENGAGEMENT:

Nil

FINANCIAL / RESOURCE IMPLICATIONS:

Nil

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996
- s13 List of accounts

POLICY IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

RISK IMPLICATIONS:

This review process should help to ensure that payments are always made under the correct authority.

OFFICER RECOMMENDATION:

RESOLUTION:

2021/100

Moved: Cr Bothe

Seconded: Cr Kau

1. That the list of accounts paid under delegated authority for the month of August 2021 as presented be accepted, including

MUNICIPAL FUND

EFTs	16764-16868	\$717,263.90
Cheques	20475-20479	\$904.75
Payroll DD's	04/08/2021 and 18/08/2021	\$120,511.10
Direct Debits	01/08/2021 – 31/08/2021	\$6402.94
TOTAL		\$845,082.69

**CARRIED 6/0
Simple Majority**

11.3.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – JULY 2021

Reporting Officer: Deputy Chief Executive Officer
Responsible Executive: Deputy Chief Executive Officer
File Reference: ADM0652 – Financial Management-EOM Processing
Disclosure of Interest: Nil
Attachments: 11.3.2 – Monthly Statement of Financial Activity
Voting Requirements: Simple Majority

Council Role:

■ **Executive** The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, setting and amending budgets.

REPORT PURPOSE:

For Council to accept the Monthly Statement of Financial Activity.

BACKGROUND:

In accordance with the Local Government (Financial Management) Regulations 1996, regulation 34 stipulates that a Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1) (d), for that month.

The form of the Monthly Financial Statements usually presented to Council is a Statement of Financial Activity, which also includes supplementary information including an Operating Statement Function and Activity, Balance Sheet and Cash Flow Graph.

COMMENT:

The Shire is required to prepare the Statement of Financial Activity as per Local Government (Financial Management) Regulation 36, but can resolve to have supplementary information included as required.

All mandatory information is provided and the closing surplus balances to the net current assets at 31 July 2021. Whilst July Financials have been prepared to date, they may be subject to change with the finalisation of the Audit and Annual Financial Report.

STAKEHOLDER ENGAGEMENT:

Nil

FINANCIAL / RESOURCE IMPLICATIONS:

Nil

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

- s34 Financial activity statement required each month (Act s. 6.4)

POLICY IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

RISK IMPLICATIONS:

Nil

OFFICER RECOMMENDATION:

RESOLUTION:

2021/101

Moved: Cr Muller

Seconded: Cr Heales

That the Monthly Statement of Financial Activity as included at Attachment 11.3.2 for the period 31 July 2021 be accepted.

**CARRIED 6/0
Simple Majority**

11.3.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – AUGUST 2021

Reporting Officer: Deputy Chief Executive Officer
Responsible Executive: Deputy Chief Executive Officer
File Reference: ADM0652 – Financial Management-EOM Processing
Disclosure of Interest: Nil
Attachments: 11.3.3– Monthly Statement of Financial Activity
Voting Requirements: Simple Majority

Council Role:

■ **Executive** The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, setting and amending budgets.

REPORT PURPOSE:

For Council to accept the Monthly Statement of Financial Activity.

BACKGROUND:

In accordance with the Local Government (Financial Management) Regulations 1996, regulation 34 stipulates that a Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1) (d), for that month.

The form of the Monthly Financial Statements usually presented to Council is a Statement of Financial Activity, which also includes supplementary information including an Operating Statement Function and Activity, Balance Sheet and Cash Flow Graph.

COMMENT:

The Shire is required to prepare the Statement of Financial Activity as per Local Government (Financial Management) Regulation 36, but can resolve to have supplementary information included as required.

All mandatory information is provided and the closing surplus balances to the net current assets at 31 August 2021.

STAKEHOLDER ENGAGEMENT:

Nil

FINANCIAL / RESOURCE IMPLICATIONS:

Nil

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

- s34 Financial activity statement required each month (Act s. 6.4)

POLICY IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

Nil

RISK IMPLICATIONS:

Nil

OFFICER RECOMMENDATION:

RESOLUTION:

2021/102

Moved: Cr Kau

Seconded: Cr Bothe

That the Monthly Statement of Financial Activity as included at Attachment 11.3.3 for the period 31 August 2021 be accepted.

**CARRIED 6/0
Simple Majority**

12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN:

13. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION:

14. MATTERS BEHIND CLOSED DOORS:

PROCEDURAL RESOLUTION: 2021/103

Moved: Cr Bothe

Seconded: Cr Heales

That Council goes behind closed doors in accordance with Section 5.23(2)(a) for item 14.1 at 5.20pm.

CARRIED 6/0
Simple Majority

Deputy Chief Executive Officer, Myra Henry declared interest.

14.1 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

Reporting Officer: Chief Executive Officer
Responsible Executive: Chief Executive Officer
File Reference: Personal
Disclosure of Interest: Nil
Attachments: Nil
Voting Requirements: Absolute Majority

Council Role:

Executive The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, setting and amending budgets.

REPORT PURPOSE:

To appoint an Acting Chief Executive Officer whilst the Chief Executive Officer is away on personal leave.

RESOLUTION: **2021/104**

Moved: Cr Peck **Seconded: Cr Heales**

That

1. Mrs Myra Henry, Deputy Chief Executive Officer, be appointed as the Shire of Coorow's Acting Chief Executive Officer from the 14 September 2021 until the 28 September 2021.
2. The Deputy Chief Executive Officer be paid 80% higher duties for the duration of the period as Acting Chief Executive Officer.

CARRIED 6/0
Absolute Majority

PROCEDURAL RESOLUTION: **2021/105**

Moved: Cr Peck **Seconded: Cr Heales**

That Council comes from behind closed doors for item 14.1 at 5.28pm

CARRIED 6/0
Simple Majority

15. DATE OF NEXT MEETING:

15.1 ORDINARY MEETING OF COUNCIL

Ordinary Meeting

Next meeting of Council will be held on Wednesday 20 October 2021 from 5.00 pm.(Coorow)

16. CLOSURE:

There being no further business the Deputy President, Cr Jack closed the meeting at 5.30 pm