



Shire of
Koorda

Drive in, stay awhile

AGENDA

Ordinary Council Meeting

To be held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Wednesday 21 February 2024

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, 21 February 2024 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

Zac Donovan
Chief Executive Officer
16 February 2024

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



Zac Donovan
Chief Executive Officer

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**Shire of Koorda
Ordinary Council Meeting
5.00pm, Wednesday 21 February 2024**



1. Declaration of Opening

The Presiding person welcomes those in attendance and declares the meeting open at X.XXpm.

2. Record of Attendance, Apologies and Leave of Absence

Councillors:

Cr JM Stratford	President
Cr GW Greaves	Deputy President
Cr NJ Chandler	
Cr GL Boyne	
Cr KM Burrell	
Cr KA Fuchsbichler	

Staff:

Mr Z Donovan	Chief Executive Officer
Miss L Foote	Deputy Chief Executive Officer

Members of the Public:

Apologies:

Visitors:

Approved Leave of Absence:

3. Public Question Time

4. Disclosure of Interest

5. Applications for Leave of Absence

6. Petitions and Presentations

7. Confirmation of Minutes from Previous Meetings

7.1. Ordinary Council Meeting held on 18 December 2023

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

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

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 18 December 2023, as presented, be confirmed as a true and correct record of proceedings.

7.2. Special Meeting Minutes for meeting held 11 January 2024

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the Special meeting held 11 January 2024, as tabled.

7.3. Electors Meeting Minutes for meeting held 7 February 2024

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the Electors meeting held 7 February 2024, as tabled.


8. Minutes of Committee Meetings to be Received

9. Recommendations from Committee Meetings for Council Consideration

10. Announcements by the President without Discussion

11. OFFICER'S REPORTS – CORPORATE & COMMUNITY

11.1. Monthly Financial Statements

Corporate and Community		
Date	6 February 2024	
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	December 2023 Financial Activity Statement	

Background:

This item presents the Statement of Financial Activity to Council for the period ending 31 December 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:

All financial reports are required to be presented to Council within two meetings following the end of the month that they relate to.

These reports are prepared after all the end-of-month payments and receipts have been processed.

Consultation:

LG Best Practices
Zac Donovan, 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.

Risk Implications:

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Governance Calendar, Financial Management Framework and Legislation
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Timely preparation of the monthly financial statements within statutory guidelines is vital to good financial management. Failure to submit compliant reports within statutory time limits will lead to non-compliance with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996.

Financial Implications:


Nil

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

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 December 2023, as presented.

11.2. Monthly Financial Statements

Corporate and Community		
Date	8 February 2024	
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	January 2024 Financial Activity Statement	

Background:

This item presents the Statement of Financial Activity to Council for the period ending 31 January 2024.

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:

All financial reports are required to be presented to Council within two meetings following the end of the month that they relate to.

These reports are prepared after all the end-of-month payments and receipts have been processed.

Consultation:

LG Best Practices
Zac Donovan, 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.

Risk Implications:

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Governance Calendar, Financial Management Framework and Legislation
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Timely preparation of the monthly financial statements within statutory guidelines is vital to good financial management. Failure to submit compliant reports within statutory time limits will lead to non-compliance with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996.

Financial Implications:


Nil

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

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 January 2024, as presented.

11.3. List of Accounts Paid

Corporate and Community		
Date	13 Febaury 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Lana Foote, Deputy Chief Executive Officer	
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	11.3a. List of Accounts Paid 11.3b. List of Accounts Paid	

Background:

This item presents the List of Accounts Paid, paid under delegated authority, for the period 13 December 2023 to 13 February 2024.

Comment:

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

The Department of Local Government, Sport and Cultural sent out an LG Alert on 19 October to advise of the regulation amendments that; from 1 September 2023, local governments are required to disclosure information about each transaction made on a credit card, debit card or other purchasing cards. Purchase cards may include the following: business/corporate credit cards, debit cards, store cards, fuel cards and/or taxi cards.

The Shire has corporate credit cards which meet reporting requirements. Additional reporting is required for use of Fuel Cards, which has been included as part of this item as the LG Alert was released following the October Meeting, and no Fuel Card purchases were paid as per the report to the November Council Meeting.

Consultation:

Zac Donovan, 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)

Risk Implications:

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Governance Calendar
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Financial Implications:

Funds expended are in accordance with Council's adopted 2023/2024 Budget.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

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*;

1. 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 December 2023 to 3 January 2024


Municipal Voucher V371 to V435	Totalling \$ 865,070.93
Purchase Card Transactions (V378 & V397)	Totalling \$ 1,116.11
	Total \$ 866,187.14

For the period 4 January 2024 to 13 February 2024

Municipal Voucher V436 to V495	Totalling \$ 584,641.98
Purchase Card Transactions (V439, V460 & V484)	Totalling \$ 1,493.72
	Total \$ 586,135.70

12. OFFICER’S REPORTS – GOVERNANCE & COMPLIANCE

12.1. Best Bypass Road, Booralaming– Proposed Subdivision

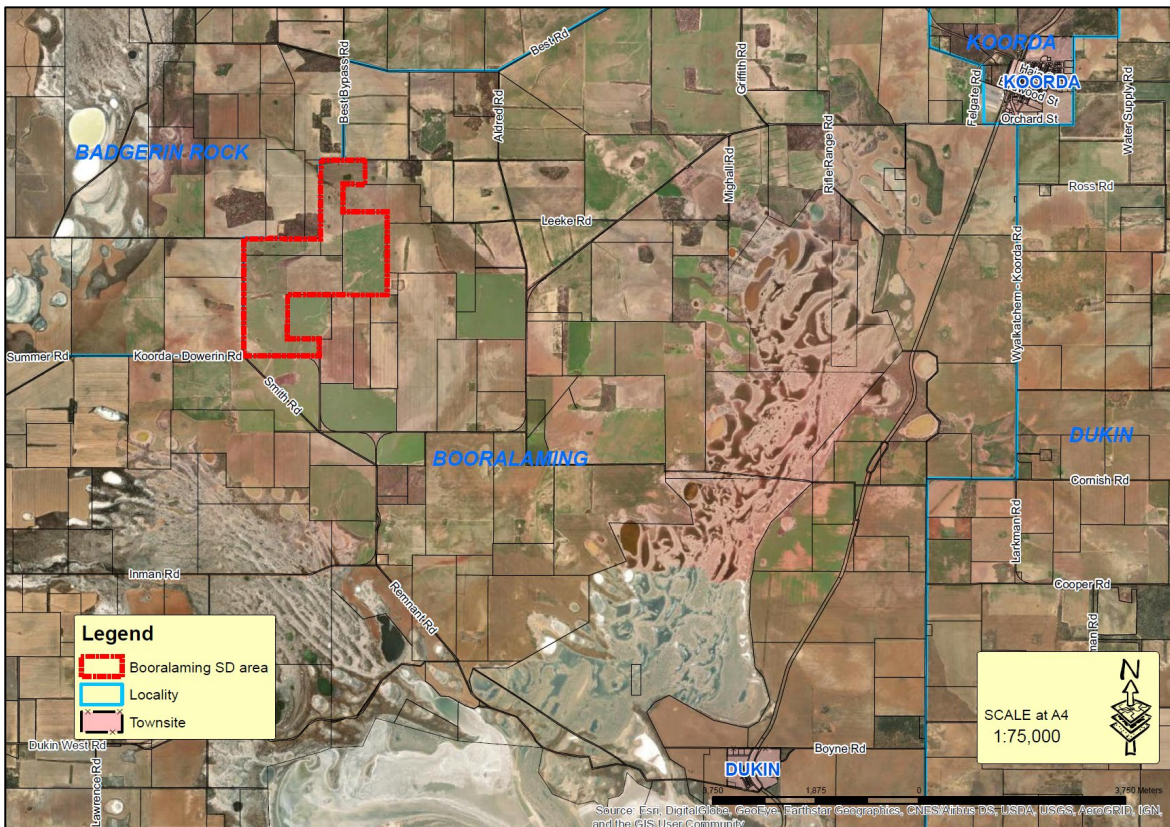
Governance and Compliance		
Date	9 February 2024	
Location	Lots 14875, 15768, 24407 and 24938, BOORALAMING	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Paul Bashall, Planwest Planning Consultant	
Legislation	Shire of Koorda Local Planning Scheme No 3	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Subdivision (SD) application (Ref: 164535)	

Background:

The WA Planning Commission has referred a proposed subdivision (Ref: 164535) of Lots 14875, 15768, 24407 and 24938 Best Bypass Road, **BOORALAMING** to the Council for comment. The application appears to involve 4 lots and proposes to rearrange lot boundaries to create 4 new lots – presumably to better reflect land management objectives although there is no accompanying explanation. The existing lot sizes range from 42ha to 234ha whilst the new lots are more evenly sized from 184ha to 97ha. A response to the Commission is due by 19th March 2024.

The proposed subdivision area is located about 12 kilometres West of Koorda townsite and about 12 kilometres northwest of Dukin townsite as shown in **Figure 1** below.

FIGURE 1 – LOCATION PLAN



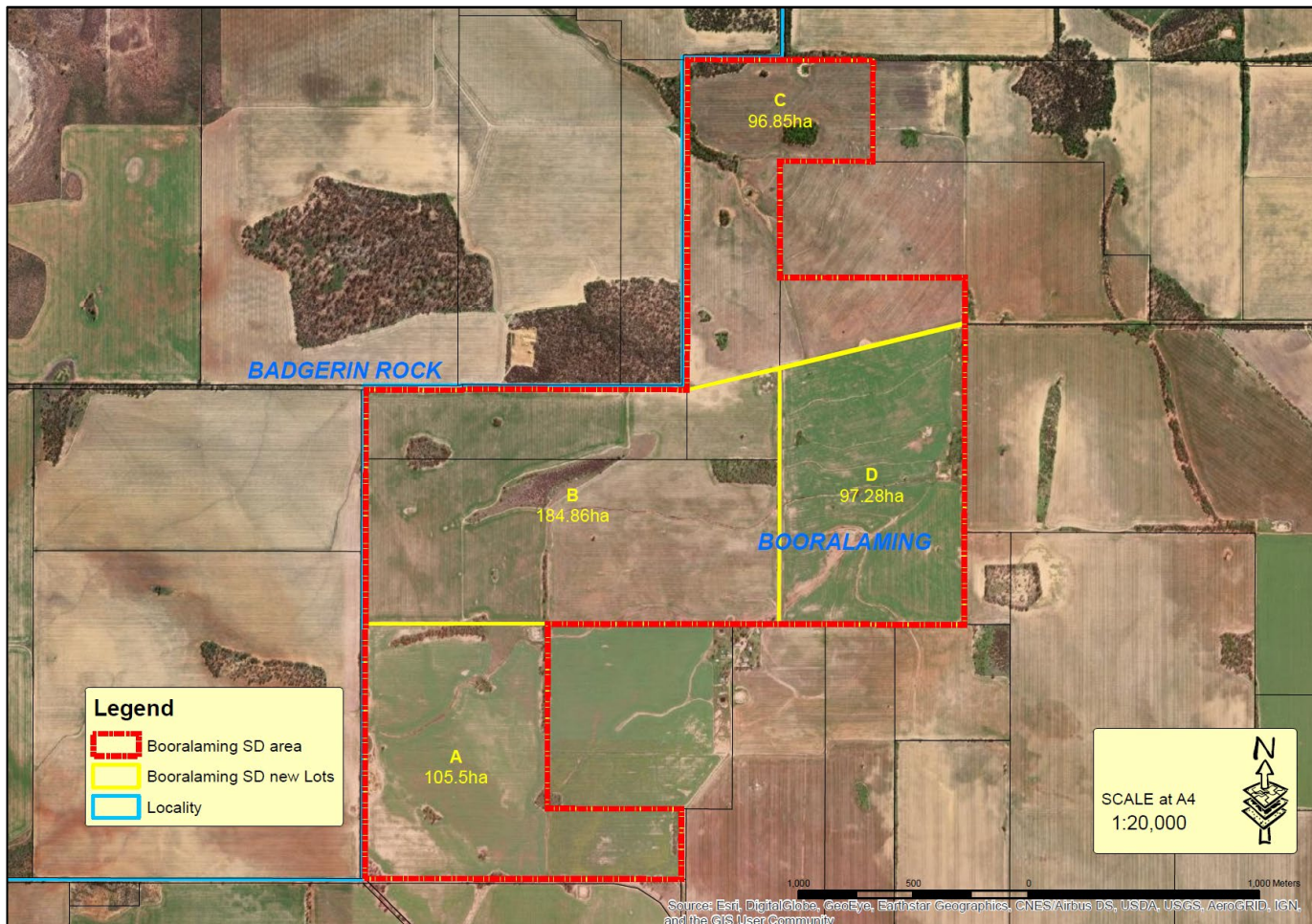
Source: Planwest, ESRI, Landgate

The application indicates that there are no buildings on the four lots and that the existing fenced paddocks are consistent with the proposed subdivision layout.

Proposal:

Figure 2 shows an enlargement of the subdivision area and the configuration of the proposed lots.

FIGURE 2 – PROPOSED LOT CONFIGURATION



Source: Planwest, ESRI, WAPC

Consultation:

Zac Donovan, Chief Executive Officer
Lana Foote, Deputy CEO
Department of Planning, Lands & Heritage

Policy Implications:

Nil

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

2.1.1 - Ensure that our planning framework is modern and meets the needs of the relevant zoning stakeholders, such as industry, residential, small business and any emerging opportunities.

Financial Implications:

Nil

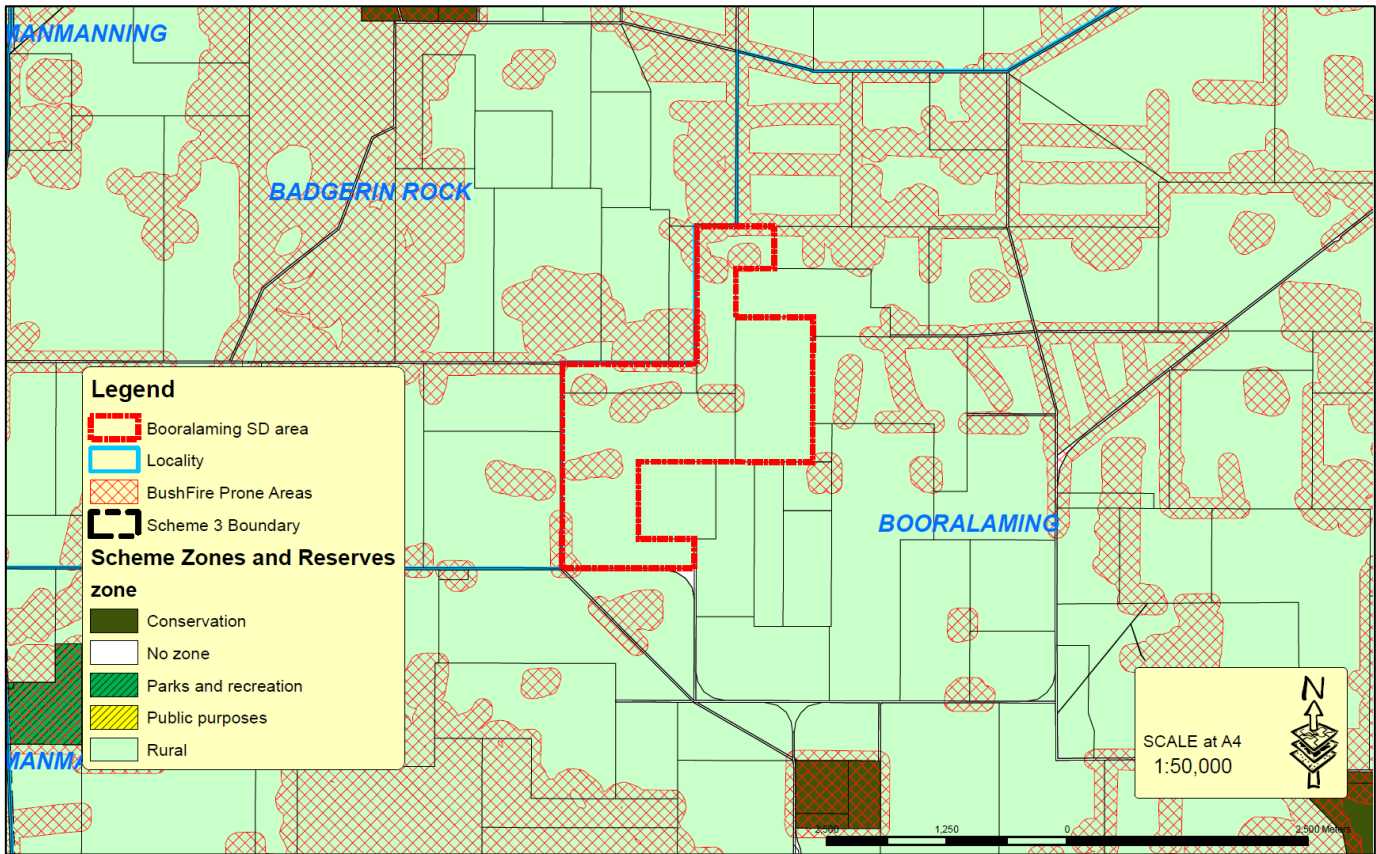
Risk Implications:

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Nil
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Statutory Implications:

The land is zoned Rural in the Shire of Koorda Local Planning Scheme No 3 (the Scheme) - an extract of which is shown in **Figure 3**. The Scheme was gazetted in December 2014 and has one amendment completed in 2020. The subdivision area is affected by the Bushfire Prone mapping, however, as there are no new residential uses, a Bushfire Attack Level assessment is not considered necessary.

FIGURE 3 – EXTRACT FROM THE SCHEME 3



Source: Planwest, DFES, DPLH, Landgate

Conclusion:

The Commission is responsible for determining all subdivision applications in the State.

It is recommended that Council supports the application, raising no objections or conditions as,

- The subdivision proposal simply seeks to rearrange existing lot boundaries without creating additional lots.
- Because there is no new development, the BAL (Bushfire Attack Level) should not be required. Any future development may require the Council’s assessment of a fresh DA (Development Approval) application at which time a BAL may be necessary.
- Fire breaks will automatically apply to new boundaries.

Voting Requirements: Simple Majority


Absolute Majority

Officer Recommendation

That Council:

- 1. Supports the subdivision application (Ref: 164535) of Lots 14875, 15768, 24407 and 24938 Best Bypass Road, BOORALAMING as outlined in the application to the WA Planning Commission, and**
- 2. Advises the WA Planning Commission that is has no objections to the proposed subdivision and has no conditions to impose on the proposal.**

12.2. SCHEME 3 AMENDMENT 3 – Amending Table 1 - Zoning Table to modify the permissibility of a ‘Grouped dwelling’ in a ‘Rural’ zone from an ‘X’ use to a ‘D’ use.

Governance and Compliance		
Date	9 Febaury 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Paul Bashall, Planwest Planning Consultant	
Legislation	<i>Planning and Development Act 2005 and Shire of Koorda Local Planning Scheme No 3 (the Scheme).</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Scheme Amendment Report (LPS No.3, Amendment No. 3)	

Background:

Over the past several years, the Shire have been experiencing an increased demand for a second dwelling on rural properties. The demand is a reflection of the aging demographic of farmers in the region.

The need for the second dwelling is twofold; firstly, to provide for relatives that may be responsible for taking over the farm management without the need for the retiring farmer to vacate the property, and secondly, to provide for farm workers to reside on site.

The Council is aware of the implications of allowing increased number of dwellings in the rural areas of the Shire, and as a result, has prepared a Local Planning Policy to address these issues.

These implications include the possibility of an increased demand for urban services like rubbish collection and road upgrades – none of which the Council is keen to comply with. It is also possible that the residents of the additional dwelling may be less likely to use the townsite retail outlets, amenities, services and facilities. Following this latter point, the Council considers it appropriate that grouped dwellings in close proximity to a townsite, should be encouraged to locate in the townsite.

It has been shown that an increased grouping of dwellings in a rural area is likely to increase the demand for its own community and recreational facilities that the Council will want to avoid where possible.

Currently, Table 1 – Zoning Table of the Council’s Scheme designates a Grouped dwelling as an ‘X’ use in a Rural zone. This means that the Council cannot approve more than one dwelling on a rural property – even if it was minded to support such a proposal.

As such, an allocation was made in the adopted 2023/2024 Shire of Koorda Budget for the Shire’s Planning Consultant to prepare a Scheme Amendment Report to propose an amendment to the Shire’s Local Planning Scheme, as this item describes.

Comment:

The Shire of Koorda seeks the WA Planning Commission’s support and the Hon. Minister’s approval to a Scheme Amendment to change the permissibility of a Grouped dwelling in a Rural zone from an

'X' use to a 'D' use (discretionary). The Amendment will be supported by the adoption of a Local Planning Policy (LPP) outlining the application of the Council's discretion.

Proposal:

This Amendment seeks to change the permissibility of a 'Grouped dwelling' in a 'Rural' zone from an 'X' use to a 'D' use. The Council will only support a Grouped dwelling in the 'Rural' zone where it is designed to house a family member or a station worker. The Council has prepared a Local Planning Policy (No.10) to more clearly outline its discretion in determining such Development Approval (DA) applications. (contained on pages 8 to 9 of the attachment to this item)

Consultation:

Zac Donovan, Chief Executive Officer
Lana Foote, Deputy CEO
Council

Statutory Implications:

Planning and Development Act 2005
Shire of Koorda Local Planning Scheme No 3

Policy Implications:

If endorsed, a new Local Planning Policy (No. 10) would be adopted.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022
2.1.1 - Ensure that our planning framework is modern and meets the needs of the relevant zoning stakeholders, such as industry, residential, small business and any emerging opportunities.

Risk Implications:

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Governance Calendar
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Financial Implications:

Allowance for the Shire's Planning Consultant to prepare the Local Planning Scheme amendment for the above item was allocated in Council's adopted 2023/2024 Budget. There are small financial implications for the advertising in relation to this item.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

That Council;

- 1. Initiate the proposed amendment by adopting the first resolution of the Amendment documentation;**
- 2. Refer the proposed Amendment to the EPA under section 81 of the *Planning and Development Act 2005*, and**
- 3. On satisfactory response from EPA, advertise the proposed Amendment in accordance with Division 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (42 days).**

13. OFFICER'S REPORTS – WORKS & ASSETS

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

16. Elected Members' Motions

17. Matters Behind Closed Doors

18. Closure