



*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 April 2024

Commencing 5.00pm

UNCONFIRMED

## 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 April 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  
12 April 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 17 April 2024**



**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 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:**

Ms Sandra Christie, Council Elect

**Apologies:**

**Visitors:**

**Approved Leave of Absence:**

**3. Public Question Time**

Nil.

**4. Disclosure of Interest**

The following Councillors have disclosed an interest in item 12.2 Scheme 3 Amendment 2 – Additional Use – CBH workforce accommodation and office.

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 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.

Cr Nicholas Chandler

Financial - An employee of CBH Ltd (CBH).

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 Kurt Fuchsbichler

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, an application for statutory participation approval for Councillors Stratford, Greaves, Boyne, and Fuchsbichler under s5.69(3) of the Local Government Act 1995, has been submitted so that item 12.2 may be addressed at this meeting.***

Accordingly, Approval is granted to Cr Gina Boyne, Cr Jannah Stratford, Cr Gary Greaves and Cr Kurt Fuchsbichler to fully participate in the discussion and decision making relating to the following agenda item at the Shire's Ordinary Council Meeting, on 17 April 2024, as follows:

**12.2 – SCHEME 3 AMENDMENT 2 – ADDITIONAL USE – CBH WORKFORCE ACCOMMODATION AND OFFICE**

Conditions of the approval:

- 1. The approval is only valid for the 17 April 2024 Ordinary Council Meeting when agenda item 12.2 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 (DLGSC's) 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 20 March 2024

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

**Voting Requirements**     Simple Majority     Absolute Majority

#### Officer Recommendation RESOLUTION 010424

Moved Cr GW Greaves

Seconded Cr NJ Chandler

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 20 March 2024, as presented, be confirmed as a true and correct record of proceedings.

**CARRIED 6/0**

**For:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

UNCONFIRMED

## 8. Minutes of Committee Meetings to be Received

### 8.1. Minutes of Shire of Koorda Committee Meetings to be Received

- a. Audit & Risk Meeting Minutes for meeting held 20 March 2024  
[Audit & Risk Meeting Minutes](#)
- b. BFAC Meeting Minutes for meeting held 27 March 2024  
[BFAC Meeting Minutes](#)
- c. LEMC Meeting Minutes for meeting held 27 March 2024  
[LEMC Meeting Minutes](#)
- d. Governance Meeting Minutes for meeting held 03 April 2024  
[Governance Meeting Minutes](#)

**Voting Requirements**       Simple Majority       Absolute Majority

#### Officer Recommendation RESOLUTION 020424

Moved Cr GL Boyne

Seconded Cr KM Burrell

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the below Internal Committee meetings, as tabled;

- a. Audit & Risk Meeting, held 20 March 2024;
- b. BFAC Meeting, held 27 March 2024;
- c. LEMC Meeting, held 27 March 2024; and
- d. Governance Meeting, held 3 April 2024.

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

### 8.2. Minutes of External Committee Meetings to be Received

- a. NEWROC Council Meeting Minutes for meeting held 26 March 2024  
[NEWROC Council Meeting Minutes](#)

**Voting Requirements**       Simple Majority       Absolute Majority

#### Officer Recommendation RESOLUTION 030424

Moved Cr GL Boyne

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 below External Committee meetings, as tabled;


- a. NEWROC Council Meeting, held 26 March 2024.

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

## 9. Recommendations from Committee Meetings for Council Consideration

### 9.1. Adoption of Koorda Bushfire Advisory Committee Terms of Reference

<b>Governance and Compliance</b>		
<b>Date</b>	11 April 2024	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Lana Foote, Deputy Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	Nil	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	<a href="#">Draft Koorda Bushfire Advisory Committee Terms of Reference</a>	

#### Background:

The former Koorda Bushfire Advisory Committee was re-established at the Special Meeting of Council held 23 October 2023 (RES: 191023), following the 2023 Ordinary Local Government Elections.

#### Comment:

Appointment of Elected Members to the Koorda Bushfire Advisory Committee was determined by Council following ordinary local government elections, for a term to expire on the date of the subsequent Ordinary Local Government Elections.

The Bushfire Advisory Committee endorsed the Draft ToR at their meeting held 27 March 2024, and now refer them to Council for final adoption.

#### Consultation:

Koorda Bushfire Advisory Committee

#### Statutory Implications:

The Koorda Bushfire Advisory Committee was re-established by Council (in its current format) under section 5.8 of the Local Government Act 1995 (the Act) (RES: 191023). Part 5, Subdivision 2 of the Act provides for committees including establishment and appointment of members. Part 5, Subdivision 3 of the Act provides for the quorum, voting, decisions and minutes of committees. The Local Government (Administration) Regulations 1996 also make provisions in regards to committees.

#### Policy Implications:

##### **Shire of Koorda Code of Conduct for Council Members, Committee Members and Candidates**

Section 10 of the Shire of Koorda Code of Conduct for Council Members, Committee Members and Candidates provides an expected standard of conduct for council members and committee members appointed to a Committee.

#### Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and Transparent Leadership.



**Risk Implications:**

While it is not a legislative requirement for a Committee to have a TOR, it is common practice and ensures committee members are aware of their role and responsibilities and mitigates the risk of committees acting outside their responsibility.

**Financial Implications:**

Nil

**Voting Requirements:**     Simple Majority     Absolute Majority

**Committee Recommendation**

**RESOLUTION 040424**

**Moved Cr GW Greaves**

**Seconded Cr GL Boyne**


**That the Koorda Bushfire Advisory Committee Terms of Reference be adopted.**

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

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## 9.2. Adoption of Koorda Governance Committee Terms of Reference

<b>Governance and Compliance</b>		 Shire of <b>Koorda</b> <small>Drive in, stay awhile</small>
<b>Date</b>	4 April 2024	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Lana Foote, Deputy Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	Nil	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	<a href="#">Draft Koorda Governance Committee Terms of Reference</a>	

### Background:

The former Koorda Policy Review Committee was re-established as the Koorda Governance Committee at the Special Meeting of Council held 23 October 2023 (RES: 191023), following the 2023 Ordinary Local Government Elections.

### Comment:

Appointment of Elected Members to the Koorda Governance Committee was determined by Council following ordinary local government elections, for a term to expire on the date of the subsequent Ordinary Local Government Elections.

The Governance Committee endorsed the Draft ToR at their meeting held 3 April 2024, and now refer them to Council for final adoption.

### Consultation:

Koorda Governance Committee

### Statutory Implications:

The Koorda Governance Committee was re-established by Council (in its current format) under section 5.8 of the Local Government Act 1995 (the Act) (RES: 191023). Part 5, Subdivision 2 of the Act provides for committees including establishment and appointment of members. Part 5, Subdivision 3 of the Act provides for the quorum, voting, decisions and minutes of committees. The Local Government (Administration) Regulations 1996 also make provisions in regards to committees.

### Policy Implications:

#### **Shire of Koorda Code of Conduct for Council Members, Committee Members and Candidates**

Section 10 of the Shire of Koorda Code of Conduct for Council Members, Committee Members and Candidates provides an expected standard of conduct for council members and committee members appointed to a Committee.

### Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and Transparent Leadership.

**Risk Implications:**

While it is not a legislative requirement for a Committee to have a TOR, it is common practice and ensures committee members are aware of their role and responsibilities and mitigates the risk of committees acting outside their responsibility.

**Financial Implications:**

Nil

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**  
**RESOLUTION 050424**

**Moved Cr NJ Chandler**

**Seconded Cr GL Boyne**


**That the Koorda Governance Committee Terms of Reference be adopted.**

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

UNCONFIRMED

### 9.3. Policy Manual Review and Update

<b>Governance and Compliance</b>		
<b>Date</b>	4 April 2024	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Lana Foote, Deputy Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	Local Government Act 1995	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	<a href="#">Part 1 - Policies for Adoption, Review, New and Amended</a> <a href="#">Part 2 - Rescind Policies</a>	

#### Background:

In accordance with Section 2.7(2) of the Local Government Act 1995, Council is to determine the Shire's policies. The development and management of Council policy is an ongoing process.

It is important that Council policies are kept up to date and are reviewed on a regular basis under the direction of the Chief Executive Officer. If any changes or amendments are required these are brought to Council for endorsement.

Staff, in consultation with the Governance Committee, are conducting a major review of the Shires Policy Manual and propose improvements for Council's consideration. This report presents the changes within the policy manual.

This report presents the policy review that has been undertaken by Staff, in consultation with the Governance Committee to update the following:

- Rebranding changes to reflect the new logo.
- Updating of policy sections and numbering to remove redundant numbering and policy sections (A = Administration, EM = Elected Members, F = Finance, G = Governance & Compliance, and W= Works & Assets).
- Separating the existing Policy Manual into two (2) separate sections. One section being Strategic Policies (Council related) and one new section, Operational Policies being those policies that specifically fall under the functions of the CEO as defined in the Local Government Act 1995, Section 5.41 Function of the CEO.
- Amendments to be made to existing policies.
- Introduction of new policies.
- Rescindment of outdated policies.

#### Comment:

The Governance Committee met Wednesday 3 April 2024 to discuss the policies attached to this item, and now refer the below recommendations to Council for final consideration.

**PART 1 - Amendments and introduction of policies to the “Strategic” section of the policy manual**

*Note: A = Administration, EM = Elected Members, F = Finance, G = Governance & Compliance, W= Works & Assets.*

<b>Policy Section &amp; Title</b>	<b>Proposed Amendments/Comments</b>
A - Use of Shire Corporate Logo	<ul style="list-style-type: none"> <li>Amendment to former policy.</li> </ul>
F - Investments	<ul style="list-style-type: none"> <li>Updating of former policy as per FMR recommendation: Review and update the policy to provide for investments to align with regulatory requirements, and to include appropriate considerations to monitor and support control procedures required by Regulation 19 of the Local Government (Financial Management) Regulations 1996.</li> </ul>
G - Complaints Management	<ul style="list-style-type: none"> <li>Introduction of new policy as per FMR recommendation: to help ensure all complaints are adequately monitored, reported and resolved, a register of customer complaints received should be maintained and systems and processes should ensure staff are aware of their obligations in accordance with adopted policies.</li> </ul>
G - Conducting Electronic Meetings and Attendance by Electronic Means	<ul style="list-style-type: none"> <li>Introduction of new policy as requested during February 2024 Council Forum.</li> </ul>
G - Internal Control	<ul style="list-style-type: none"> <li>Introduction of new policy as per FMR recommendation: we suggest an internal control policy be formulated and adopted to formalise Council’s commitment and approach to internal controls, based on a risk management process.</li> </ul>
W - Consumption of Alcohol on Shire Property	<ul style="list-style-type: none"> <li>Amendment to former policy.</li> </ul>
W - Recreational Vehicles and Overflow Camping Grounds	<ul style="list-style-type: none"> <li>Amendment to former policy. Inclusion of provisions around Recreational Vehicle (RV) Parking.</li> </ul>
W - Temporary Road Closure for Public Events*	<ul style="list-style-type: none"> <li>Amendment to former policy.</li> </ul>

**\* Note: W - Temporary Road Closure for Public Events to be considered at future Governance Committee Meeting.**

**PART 2 - Policies to be Rescinded**

It is recommended that the below policies be removed from the Policy Manual in their entirety. These policies are attached and labelled Part 2.

<b>Policy</b>	<b>Reason for Rescindment</b>
A14 - Instruments of Delegation	The pre-amble contained (pages 5-7) in the <a href="#">Delegation Register</a> , which is subject to an annual review, is far more comprehensive than the current policy and outlines the process of delegations and instruments of delegations in greater detail.
A26 - Local Government Elections	Under LG Act Section 4.61 (2) - the decision has to be made by an Absolute Majority at Council to conduct election as a postal election. The current procedure is that any Councillor resignation is tabled at Council for acceptance, and the item, pending when the resignation comes in, involves steps for filling the vacancy (including election preference).

A31 - Street Appeals	Policy from 2000, no longer applicable.
F2 - Payment of Accounts	Council have adopted "F - Purchasing Policy" and "Delegation 4.1 - Payments from the Municipal or Trust Funds" which cover purchasing guidelines and payment authority. Policy F2 outlines the admin/operational procedure, which is now outdated. A comprehensive Admin Procedure for "Payment of Accounts" now exists.
F3 - Amending the Rate Record	Sections 6.39 (2) and 6.40 of the LG Act outlines the amendment of the rate record process. Council have adopted "Delegation 4.4 - Rate Record Amendment" which provides delegated authority for the CEO and DCEO to amend the rate record.
F6 - Rates - Write Off	Section 6.12 of the LG Act outlines "Power to defer, grant discounts, waive or write off debts." Council have adopted "Delegation 4.2 - Defer, Grant Discounts, Waive or Write off Debts" which provides delegated authority and additional amounts of discounts, waivers and write offs.
P3 - Conditions of Hire to be Acknowledged	As part of the <a href="#">Shire of Koorda Booking Application Form</a> , the hirer is to sign the application form and agree to conditions of hire.
P7 - Seasonal Hire is not exclusive	Operational process. A note to be included on the Booking Application Form under the conditions of hire.
P8 - Recreation Grounds - Marking Fields	Operational process. A note to be included on the Booking Application Form under the conditions of hire.
W17 - Heavy Vehicle Operation - Rural Roads	No policy detail included, only references back to another Shire policy.

**Consultation:**

Executive Management Team  
 Governance Committee

**Statutory Implications:**

Local Government Act 1995, Part 2, Division 2 'Role of Council'

2.7. Role of council

(1) The council –

- (a) governs the local government's affairs; and
- (b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the council is to –

- (a) oversee the allocation of the local government's finances and resources; and
- (b) determine the local government's policies.

**Policy Implications:**

The Policy Manual will be updated accordingly, should Council resolve to adopt the Committee's Recommendations.

**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 060424**

**Moved Cr GL Boyne**

**Seconded Cr KM Burrell**

**That Council;**

**1. With regards to Shire of Koorda Policy Manual, adopts the following policies, as amended and included in this report, attached in Part 1;**

- (a) A - Shire of Koorda Logo**
- (b) F - Investment**
- (c) G - Complaints Management**
- (d) G - Conducting electronic meetings and attendance by electronic means**
- (e) G - Internal Control**
- (f) W - Consumption of Alcohol**
- (g) W - Recreational Vehicles**

**2. With regards to Shire of Koorda Policy Manual, rescinds and removes the following policies, attached in Part 2;**

- (a) A14 Instrument of Delegation**
- (b) A26 Local Government Elections**
- (c) A31 Street Appeals**
- (d) F2 Payment of Accounts**
- (e) F3 Amending Rate Record**
- (f) F6 Rates - Write Off**
- (g) P3 Conditions of Hire to be Acknowledged**
- (h) P7 Seasonal Hire is not exclusive**
- (i) P8 Recreation Ground/Marking Fields**
- (j) W17 Heavy Vehicle Operation Rural Roads**


**CARRIED BY ABSOLUTE MAJORITY 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

## 10. Announcements by the President without Discussion

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

### 11.1. Monthly Financial Statements

<b>Corporate and Community</b>		
<b>Date</b>	10 April 2024	
<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="#">March 2024 Financial Activity Statement</a>	

#### **Background:**

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

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Compliance
<b>Risk Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls (in place)</b>	Governance Calendar, Financial Management Framework and Legislation
<b>Action (Treatment)</b>	Nil
<b>Risk Rating (after treatment)</b>	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**  
**RESOLUTION 070424**

**Moved Cr GW Greaves**


**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 31 March 2024, as presented.**

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

## 11.2. List of Accounts Paid

<b>Corporate and Community</b>		
<b>Date</b>	11 April 2024	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Zac Donovan, Chief Executive Officer	
<b>Author</b>	Lana Foote, Deputy Chief Executive Officer	
<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 14 March 2024 to 11 April 2024.

### Comment:

From 1 September 2023, Regulations were amended that required Local Governments to disclose 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 List of Accounts Paid as presented has been reviewed by the Chief Executive Officer.

### 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:**

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

**Financial Implications:**

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

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**  
**RESOLUTION 080424**

**Moved Cr GL Boyne**

**Seconded Cr NJ Chandler**

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 14 March 2024 to 11 April 2024

<b>Municipal Voucher V547 to V604</b>	<b>Totalling \$ 1,390,902.24</b>
<b>Purchase Card Transactions (V570, V591 &amp; V595)</b>	<b>Totalling \$ 4,601.42</b>
	<b>Total \$ 1,395,503.66</b>

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

### 11.3. Proposed Budget Development 2024/2025

<b>Corporate and Community</b>		
<b>Date</b>	10 April 2024	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Zac Donovan, Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	<i>Local Government Act 1995;</i> <i>Local Government (Financial Management) Regulations 1996</i>	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	<a href="#">Proposed Budget Development Plan</a>	

#### **Background:**

Each local government is required to develop and adopt an operating (municipal fund) budget for the succeeding financial year as per the Local Government Act 1995 (6.2) and in accordance with the Financial Management Regulations 1996 (part 3) and Australian Accounting Standards.

As such, preparation of the annual budget needs to consider the income and expenditure for the next financial period in the context of planning for the future.

The annual budget estimates expenditure for operations, services and assets and projects income including grants, fee and charges and earnings, but excluding rate revenue, to define any deficiency. It needs to define the general rates to be raised, fees and charges, any borrowing obligations, funds for reserves and the local government's land transactions and trading activities, if applicable.

#### **Comment:**

The most common approach adopted by local governments in addressing the legislative budget development requirements is to primarily consider financial implications and restrictions and in effect undertake a process of rationing resources for a business-as-usual outcome.

The intent of the approach proposed (attached) is to prioritise the delivery of outcomes for the community and facilitate Council develop and consider new initiatives, uncompromised by financial requirements and constraints.

The necessary financial considerations will be introduced later in the process, to refine the timing and funding options of projects. It is a process that emphasises strategy over accounting and as such better harnesses the experience and insights of Council and puts community outcomes at the forefront.

The proposed timeframe sets out to align the development of the Shire's budget with the review of the Integrated Strategic Plan and Resourcing Plan. The strategies and tactics encompassed in the Integrated Strategic Plan will flow through and be developed in concert with the budget while the adopted financial position for 2024-25 will provide the base year for the Resourcing and Asset plans.

The timetable provides in the best-case scenario for council to be in a meeting of Council, with contingencies to enable final at the latest at the August 21 meeting, ahead of the August 31 deadline.

**Consultation:**

Lana Foote, Deputy Chief Executive Officer  
Darren West, Works Supervisor

**Statutory Implications:**

As per the Local Government Act 195 (6.2) and Financial Management Regulations 1996 (part 3) Council is required to develop and adopt an annual municipal fund budget for each financial period and submit such to the department of Local Government by August 31 of the relevant period.

**Policy Implications:**

Nil

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

3.1.1 - Manage Shire Assets sustainably using the Strategic Resourcing Plan.

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

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness.

**Risk Implications:**

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Compliance
<b>Risk Description</b>	Some temporary non-compliance
<b>Consequence Rating</b>	Minor (2)
<b>Likelihood Rating</b>	Unlikely (2)
<b>Risk Matrix Rating</b>	Low (4)
<b>Key Controls (in place)</b>	Local Government act and regulations & Proposed Budget Development Plan
<b>Action (Treatment)</b>	Nil
<b>Risk Rating (after treatment)</b>	Effective

As per the Local Government Act 195 (6.2) and Financial Management Regulations 1996 (part 3) Council is required to develop and adopt an annual municipal fund budget for each financial period and submit such to the department of Local Government by August 31 of the relevant period. The proposed Budget Development Plan ensures reviews of the Integrated Planning is undertaken within the recommended timeframe and that budget adoption deadlines are met.

**Financial Implications:**

The Shire of Koorda 2024-25 Budget will be developed as a balanced budget.

**Voting Requirements:**  Simple Majority  Absolute Majority

**Officer Recommendation**  
**RESOLUTION 090424**

**Moved Cr NJ Chandler**

**Seconded Cr GW Greaves**


**That Council adopted the proposed budget development approach and accompanying timetable as presented.**

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsichler

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

### 12.1. Review of Delegations

<b>Governance and Compliance</b>		
<b>Date</b>	10 April 2024	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Zac Donovan, Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	<i>Local Government Act 1995</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="#">Shire of Koorda Delegations Register</a>	

#### Background:

Under the provisions of the Local Government Act 1995, it is necessary to review delegations at least annually. In April 2023 an extensive review was undertaken by Council.

#### Comment:

A review of the Delegations Register has found a small number of minor required amendments, as would be expected given the comprehensive review undertaken 12 months prior.

The existing Delegations Register is attached for reference, however given the comprehensive nature of the document (85 pages), the proposed amendments are detailed in the following table:

Delegation	Page	Existing Entry	Proposed Amendment	Rationale
4.1 Payments from Municipal or Trust Funds	28	Sub-Delegates: Deputy CEO	Sub-Delegates: Deputy CEO Finance Officers	Recognise existing practice and harmonise Sub-Delegations with CEO Conditions of this Sub-Delegation: (part 2) <i>Payments by cheque, BPay and EFT transactions must be approved jointly by two Authorised Officers, one of whom must have Delegated Authority (CEO, DCEO and Finance Officers).</i>
		CEO Conditions on sub-delegations: (3) The verification of incurring the liability via the purchase order, invoice and evidence of goods/service received must be approved jointly by two Authorised Officers, one of whom must have Delegated Authority (CEO, or DCEO).	CEO Conditions on sub-delegations: (3) The verification of incurring the liability via the purchase order, invoice and evidence of goods/service received must be approved jointly by two Authorised Officers, one of whom must be the CEO or Deputy CEO.	With the addition of Finance Officers as Sub-delegates for the purpose of making payments (part 2) as above, it is necessary to define that either the CEO or Deputy CEO be required to verify and approve payments.
4.3 Power to Invest and Manage Investments	30	Sub-Delegates: Deputy CEO	Sub-Delegates: Deputy CEO Finance Officers	Required to address practicalities of approvals during times of absences of either CEO or Deputy CEO so to maintain

				compliance with CEO Conditions of Sub-Delegation for (part 1) A decision to invest must be jointly confirmed by two Delegates.
6.1 Make Request FES Commissioner- Control of Fire	47	Delegate: CEO	Delegate CEO Chief Fire Officer	Council empower Chief Fire Officer to make request on behalf of Shire in recognition of potential timeliness in practicalities of emergency situations
6.3 Prohibited Burning Times – Control Activities	49	Function: (part 1) Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15].	Delete Function (1) and renumber functions	Council Policy B4 amended to remove CEO authority to override permit application denied by Chief Fire Control Officer
		Function: (part 5) Authority to prohibit the use of tractors, engines or self-propelled harvesters during a Prohibited Burning Times, [s.27(2) and (3)].	Change reference to [s.27 (3)]	Reference s.27(2) refers to orchards

**Consultation:**

Lana Foote, Deputy Chief Executive Officer

**Policy Implications:**

Nil

**Strategic Implications:**

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

**Financial Implications:**

Nil

**Risk Implications:**

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Compliance
<b>Risk Description</b>	Some temporary non-compliance
<b>Consequence Rating</b>	Minor (2)
<b>Likelihood Rating</b>	Unlikely (2)
<b>Risk Matrix Rating</b>	Low (2)
<b>Key Controls (in place)</b>	Local Government act and regulations
<b>Action (Treatment)</b>	Nil
<b>Risk Rating (after treatment)</b>	Adequate

**Statutory Implications:**

The Local Government Act 1995 (5.46) requires that delegations to the CEO and employees be reviewed at least once each financial year.

**Voting Requirements:**

Simple Majority

Absolute Majority

**Officer Recommendation  
RESOLUTION 100424**

**Moved Cr GW Greaves**

**Seconded Cr KM Burrell**

**That Council endorse the minor amendments to the Shire of Koorda Delegations Register as presented.**

**CARRIED BY ABSOLUTE MAJORITY 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

UNCONFIRMED



## 12.2. SCHEME 3 AMENDMENT 2 – Additional use - CBH workforce accommodation and office

### 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 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.

### Cr Nicholas Chandler

Financial - An employee of CBH Ltd (CBH).

### 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 Kurt Fuchsbichler

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, an application for statutory participation approval for Councillors Stratford, Greaves, Boyne, and Fuchsbichler under s5.69(3) of the Local Government Act 1995, has been submitted so that item 12.2 may be addressed at this meeting.***

Accordingly, Approval is granted to Cr Gina Boyne, Cr Jannah Stratford, Cr Gary Greaves and Cr Kurt Fuchsbichler to fully participate in the discussion and decision making relating to the following agenda item at the Shire's Ordinary Council Meeting, on 17 April 2024, as follows:

## **12.2 – SCHEME 3 AMENDMENT 2 – ADDITIONAL USE – CBH WORKFORCE ACCOMMODATION AND OFFICE**

Conditions of the approval:

- 1. The approval is only valid for the 17 April 2024 Ordinary Council Meeting when agenda item 12.2 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 (DLGSC's) 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.*

5.36pm - Cr NJ Chandler withdrew from chambers and thus did not participate in discussion or vote on item 12.2.

**5.37pm – SUSPEND STANDING ORDERS  
 RESOLUTION 110424**

**Moved Cr GL Boyne**

**Seconded Cr GW Greaves**

**That standing orders be suspended to discuss item 12.2 – Scheme 3 Amendment 2 – Additional Use – CBH Workforce Accommodation and Office.**

**CARRIED 5/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

**5.44pm – RESUMPTION OF STANDING ORDERS  
 RESOLUTION 120424**


**Moved Cr GL Boyne**

**Seconded Cr GW Greaves**

**That standing orders be resumed as per the attendance register.**

**CARRIED 5/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

<b>Governance and Compliance</b>		
<b>Date</b>	10 April 2024	
<b>Location</b>	Not applicable	
<b>Responsible Officer</b>	Zac Donovan, Chief Executive Officer	
<b>Author</b>	Paul Bashall, Planner, Planwest	
<b>Legislation</b>	<i>Land Administration Act 1997</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="#">A - EPA Determination</a> <a href="#">B - Copy of Advertisements</a> <a href="#">C - Copies of Submissions</a> <a href="#">D - Bushfire Management Plan</a>	

**Background:**

CLE Town Planning + Design consultants, on behalf of CBH, lodged a proposed Scheme Amendment to allow the development of a CBH office complex on the western portion of Lot 19 Orchard Street, Koorda currently zoned Residential. **Figure 1** shows the location of the proposed amendment property.

**FIGURE 1 – LOCATION PLAN**



Source: Landgate, ESRI, Planwest

**Comment:**

The Council is keen to provide for the proposed CBH development in Koorda and has supported the Scheme Amendment to insert two new ‘Additional uses’ on the subject land to allow both the CBH office and the workforce accommodation. The Additional uses will make these uses permissible - notwithstanding that an office is not ordinarily permitted in a Residential zone.

A workforce accommodation complex, housing 24 workers, has already been approved under clause 4.4.2 of the Scheme (uses not listed) and development works are currently under way.

The nature, appearance and movement patterns of a typical workforce accommodation development usually involves activities and movements that often do not sit comfortably within a residential area. The proposed site is currently unused (apart from the building works of the workforce accommodation units) and has no existing sensitive uses within close proximity. The adjacent uses on Orchard Street include a drive-in cinema and drum recycling operation – both of which have been operational for decades.

The logical location for an office complex would normally be in the Town centre zone, however there are no sites available that would have the capacity for the proposed development.

The details of the siting, landscaping, bushfire measures, plans, elevations, servicing and access issues can be dealt with at the Development Approval (DA) stage.

On request, the Amendment documentation has been modified to discuss various issues that may impact this proposal. Most changes have been addressed, however there are still outstanding issues that may be of concern in the development of the project - but are not considered as ‘showstoppers’ for this Amendment.

These issues include;

1. The Engineering Services Report (McDowall Affleck Pty Ltd) states that the *geotechnical report also indicated possible shallow rock that their borehole auger was not able to penetrate*. This observation may have a serious impact on the capacity of the proposed drainage system to adequately deal with effluent disposal and stormwater on site in all-weather events. The Report states that the office component has not been included in the wastewater or drainage calculations. Although this is reasonable (as a DA for the office component has yet to be lodged and determined), the Council may be concerned that, in the event that drainage overflows into the public road and drainage system, it would require more of the Council's resources. This issue was not addressed in the Scheme Amendment report.
2. The Engineering Services Report states that there is doubt whether the existing power infrastructure has the capacity to service the proposed development. The Report states '*The forecasted capacity is estimated to remain at this capacity until 2029 noting that there is currently no plan for increasing this capacity for the next 6 years*', but then states that the *site can ultimately be serviced with overhead power considering possible power works to service the site*. Although this is not an issue that needs to be addressed at the Scheme Amendment stage, it is a issue that must be resolved at the development stage to ensure the extra draw on the power grid does not impact other town users, and an issue that should have been addressed in the Scheme Amendment report.
3. The Scheme Amendment report includes 2 items that will be provided as 'subsequent information'. These include Bushfire Management Plan and Plans and Elevations. It was suggested that a landscaping plan and access upgrade details also be subsequently provided. The landscaping plan needs to address the appearance of the accommodation from the main access road into Koorda (Aitken Road). The Orchard Street access needs to ensure minimal disruption to the Council's drainage system and minimise Council's resources on road upgrades. Both of these items can be addressed as part of the development process, but could have been mentioned in the Scheme Amendment report.

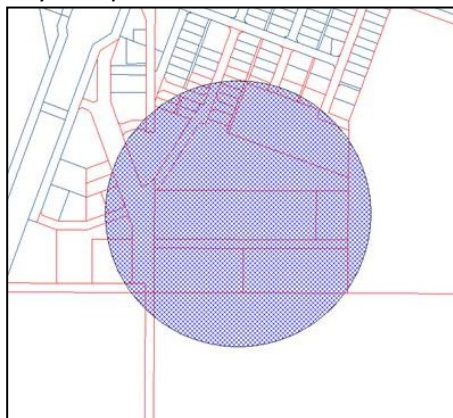
### Consultation:

The Amendment was presented to the Council on 15<sup>th</sup> November 2023 to initiate the Amendment. The documentation was subsequently forwarded to the EPA (Environmental Protection Authority) for clearance prior to advertising.

**Attachment A** shows a copy of the EPA's determination that the Amendment **not** be assessed.

The proposed Amendment was advertised as follows.

1. By email on 23/1/24 to several agencies, including.
  - [landplanning@watercorporation.com.au](mailto:landplanning@watercorporation.com.au)
  - [planninginfo@mainroads.wa.gov.au](mailto:planninginfo@mainroads.wa.gov.au)
  - [planning.enquiry@dwer.wa.gov.au](mailto:planning.enquiry@dwer.wa.gov.au)
  - [sustainability@team.telstra.com](mailto:sustainability@team.telstra.com)
  - [advice@dfes.wa.gov.au](mailto:advice@dfes.wa.gov.au)
  - [customerservice@landgate.wa.gov.au](mailto:customerservice@landgate.wa.gov.au)
  - [landuse.planning@dpird.wa.gov.au](mailto:landuse.planning@dpird.wa.gov.au)
  - [info@epa.wa.gov.au](mailto:info@epa.wa.gov.au)
2. By email on 29/1/24 to properties within 300m of the site (See diagram below).



3. On the Council's web site on 22<sup>nd</sup> January 2024 (see **Attachment B**).
4. In the local paper on 23<sup>rd</sup> and 30<sup>th</sup> January, and 6<sup>th</sup> February 2024.
5. Facebook on 30<sup>th</sup> January 2024.

The advertising period closed on the 27 March 2024 with the Council receiving 5 submissions. These are summarised in **Table 1** below. Copies of these submission are contained in **Attachment C**.

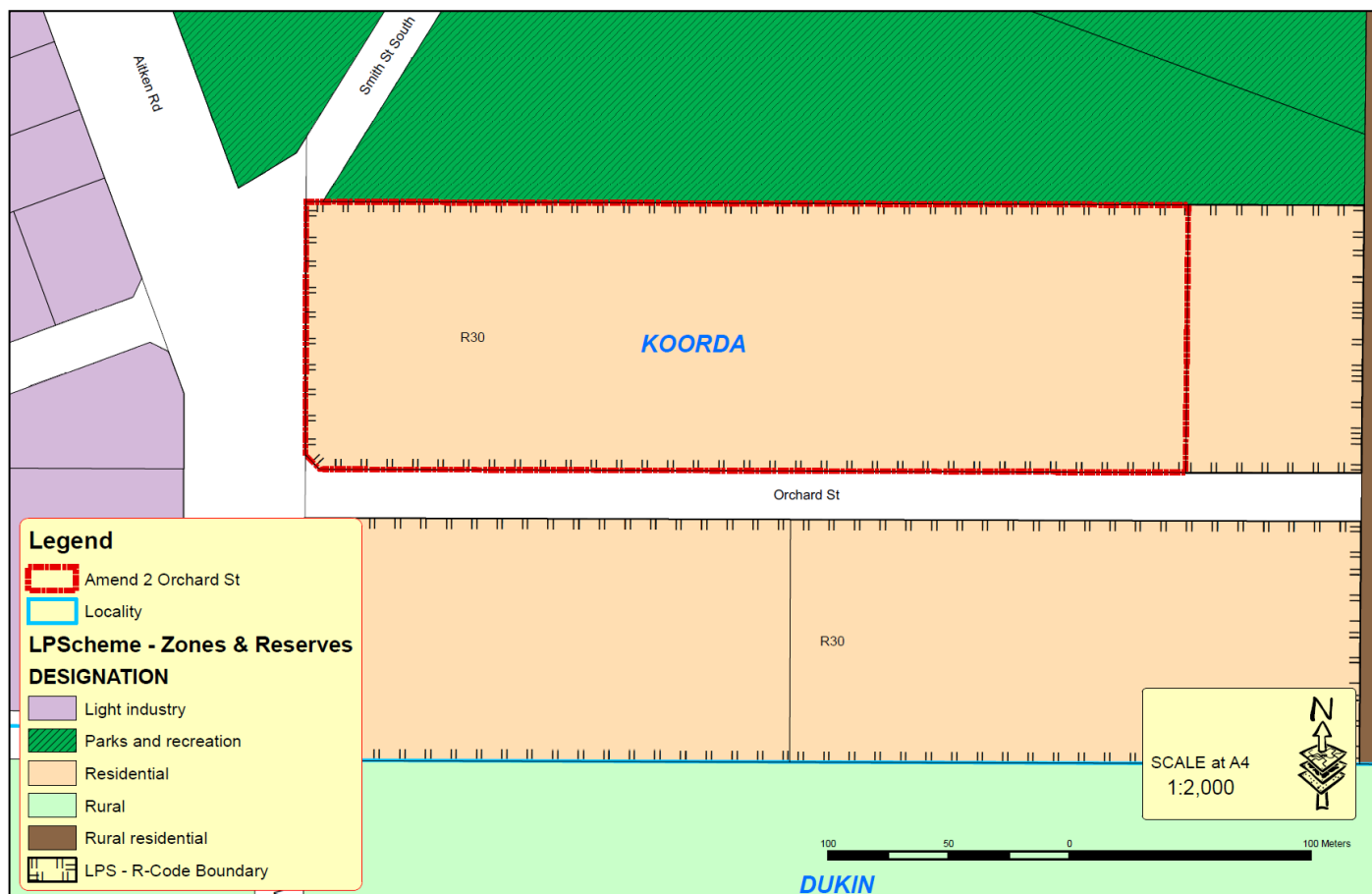
**TABLE 1 – SUMMARY OF SUBMISSIONS**

Sub No	Date Rec'd	Submitter location	Summary of Sub	Recommendation
1	31/1/24	Spark - Koorda	Support.	Note the submission.
2	8/2/24	Main Roads WA - Perth	No comments.	Note the submission.
3	18/3/24	DPIRD - Perth	Supports the proposal. Advises that, if the accommodation is to be connected to the Koorda sewer, then the office should be too.	Note the submission and advise the proponent of this advice.
4	18/3/24	Water Corporation (WC) - Perth	Developer is required to provide water and sewerage services. 111m of water main extension is required to service the new facility. WC Infrastructure contribution and fees may be required prior to approval.	Note the submission and advise the proponent to contact the WC for the satisfactory provision of services and associated costs.
5	4/4/24	DFES - Perth	DFES notes the absence of a BMP (Bushfire Management Plan) as required by SPP 3.7. A BMP will need to be assessed by DFES prior to any development approval.	Note the submission and advise the proponent that a BMP was prepared for the accommodation DA (to the satisfaction of the local government), a copy of which will be forwarded to DFES.

**Statutory Implications:**

The subject land is zoned Residential in the Scheme. **Figure 2** provides an extract from the Scheme Map.

FIGURE 2 – EXTRACT FROM SCHEME MAP



Source: DPLH, Landgate, Planwest

The term 'Workforce accommodation' is defined in the Scheme but is not listed in Table 1 – Zoning Table.

Clause 4.4.2 states that *'If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may (inter alia) – b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval'*.

In February 2023 the Council approved a DA application for the workforce accommodation under the provisions of this clause.

An 'Office' use class is an 'X' use in a Residential zone. An 'X' use *means a use that is not permitted by the scheme*.

It has been determined that, rather than rezoning the subject land to a zone that permits an office use, an 'Additional use' will be allowed on this particular property.

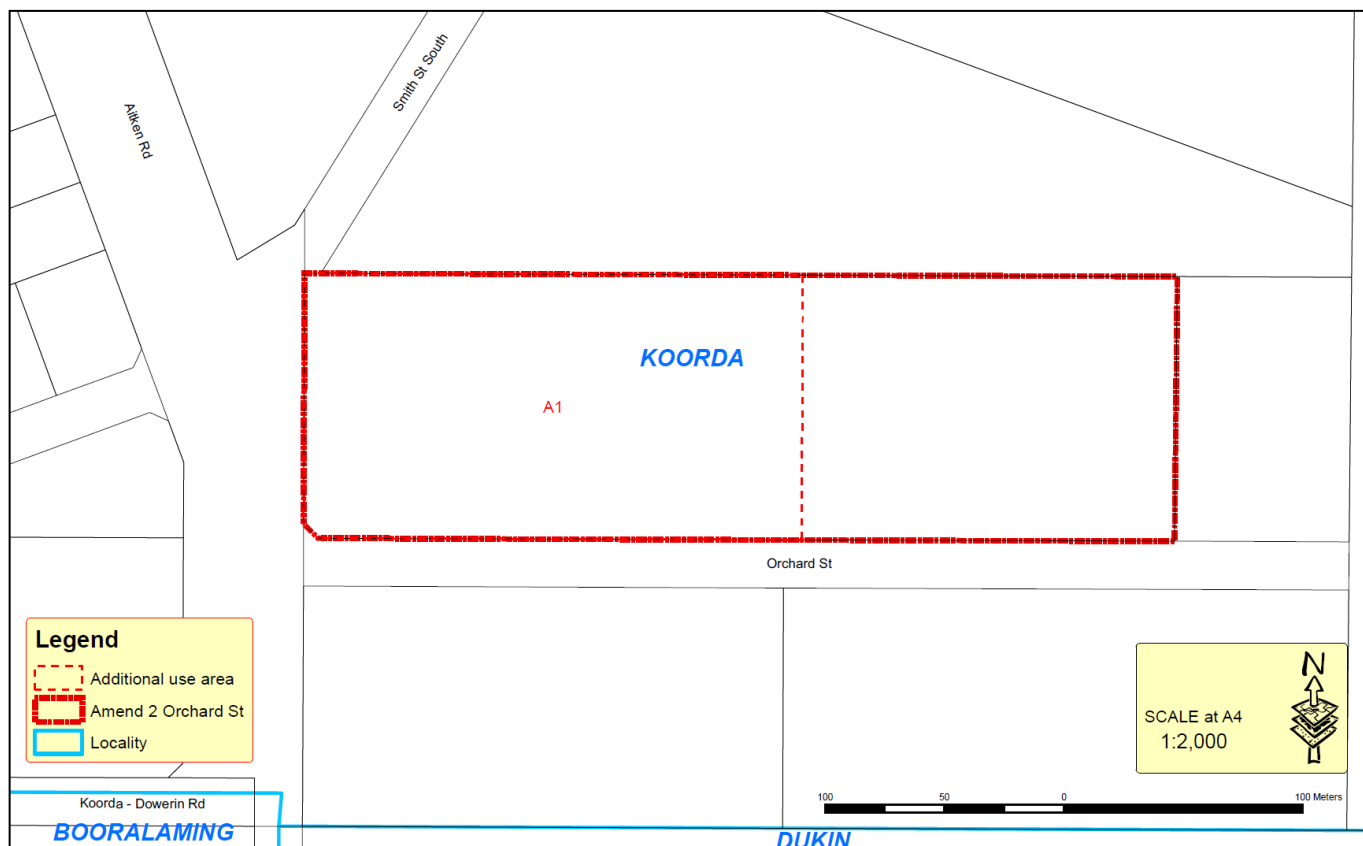
Clause 4.5 – 'Additional uses' of the Scheme states; *'Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.'*

This Amendment will insert additional uses into Schedule 2 of the Scheme to allow an office and workforce accommodation (amongst other uses permitted in the Residential zone) on that portion of the subject land shown on the Scheme Amendment map.

This method of allowing the proposed uses avoids creating a precedent for other similar requests for offices in a Residential zone.

**Figure 3** shows the area of the subject where the additional uses will be permitted.

**FIGURE 3 - ADDITIONAL USE AREA**



Source: Landgate, Planwest

**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.

2.1 - Our local economy grows in a sustainable manner

- Housing and rental stock assists in the attraction and retention of the local workforce.
- 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.

4.1 - Open and Transparent Leadership

- Audits confirm we deliver sound strategic planning, financial and asset management practices.
- Identify business improvement opportunities to enhance operational effectiveness.

### Risk Implications:

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Compliance
<b>Risk Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls (in place)</b>	Land Administration Act and road closure procedures
<b>Action (Treatment)</b>	Nil
<b>Risk Rating (after treatment)</b>	Adequate

### Financial Implications:

Shire rates for the subject land will need to be adjusted following a revised Valuer General valuation on completion of the project.

Road upgrades may be necessary to cater for the increased traffic on Orchard Street.

The applicant has been advised of a Scheme Amendment fee to cover the processing and advertising costs.

### Conclusion:

There are 2 issues raised in the 5 submissions received during the advertising period. Both of these issues relate to any proposed development on the site.

The first issue is the provision of **water and sewerage services** for the proposed development. This advice should be forwarded to the proponent in order that satisfactory arrangements can be made with DPIRP and Water Corporation for the servicing of any future development on the site.

The second issue is the preparation and approval of a **BMP** (Bushfire Management Plan). It should be noted that a DA (Development Approval) was required for the development of the workforce accommodation on the subject land (approved under clause 4.4.2 of the Scheme). The DA was accompanied by a BMP prepared by James Terenciuk, Bushfire Planning Practitioner (copy attached). This BMP was not part of this Amendment process as the new addition of the CBH office component does not require a BMP.

Any subsequent DA determination may include a requirement for plans and elevations, a landscaping plan and access upgrade details to the satisfaction of the local; government.

The landscaping plan needs to address the appearance of any development from the main access road into Koorda (Aitken Road).



**Voting Requirements:**  Simple Majority  Absolute Majority

**Officer Recommendation  
RESOLUTION 130424**

**Moved Cr GL Boyne**

**Seconded Cr GW Greaves**

**That Council;**

- 1. Notes the submissions as detailed in Table 1 and provides the appropriate advice to the proponents as recommended,**
- 2. Grants its final approval to Amendment No 2 to the Shire of Koorda Local Planning Scheme No 3,**
- 3. Requests that the WA Planning Commission supports the proposed Amendment No 2 to the Shire of Koorda Local Planning Scheme No 3, and**
- 4. Requests that the WA Planning Commission recommends that the Minister grants final approval for the said Amendment.**

**CARRIED 5/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

5.45pm – Cr NJ Chandler re-joined the meeting and the Presiding Person advised him of the outcome of item 12.2.

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

### 5.46pm – SUSPEND STANDING ORDERS RESOLUTION 140424

Moved Cr KA Fuchsbichler

Seconded Cr GW Greaves

That standing orders be suspended to discuss item 13.1 Heavy Vehicle Route Determinations.

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

### 6.14pm – RESUMPTION OF STANDING ORDERS RESOLUTION 150424

Moved Cr KA Fuchsbichler


Seconded Cr GW Greaves

That standing orders be resumed as per the attendance register.

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

### 13.1. Heavy Vehicle Route Determinations

<b>Works and Assets</b>		
<b>Date</b>	4 April 2024	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Zac Donovan, Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	<i>Road Traffic Act 1974; Road Traffic (Vehicle) Regulations 2014</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="#">Email from Main Roads RAV 7 Request for Support</a> <a href="#">Qube Bulk Pty Ltd Application to MRWA</a>	

#### **Background:**

Main Roads WA Heavy Vehicle Services have received an application (from Qube Bulk Pty Ltd) to permanently add 2 Shire of Koorda managed roads to the Restricted Access Vehicle (Tandem Drive) Network 7 and increase the Accredited Mass Management Scheme to Level 3.

The roads subject to the request were previously among those endorsed by Council to temporarily be RAV7 to facilitate the harvest period between 1 October, 2023 to January 31, 2024. They are:

Number	Road	Origin	Terminus
4110006	Kalannie - Kulja Rd	Kalannie - Kulja Rd (0.00)	Burakin - Wialki Rd (14.33)
4110140	Burakin - Wialki Rd	Kalannie - Kulja Rd (6.15)	LGA Boundary Line (36.63)

**Comment:**

The change from RAV6 to RAV7 permits an increase in trailer combinations but up to the same total length at 36.5m. The increase in the AMMS for Tandem Drive RAV7 roads from Level 1 (as current) to Level 3 is an increase of 18.5 tonne (115t to 123.5t).

Council previously resolved (April 2019) that any application beyond RAV 4 is to be referred to Council for consideration. In addition, the Shire Work Supervisor has expressed concerns as to the potential damage to the roads with the proposed changes and the resulting increased maintenance cost.

However, as detailed in correspondence from MRWA, The Road Traffic (Vehicles) Act 2012 provides authority for the Commissioner of Main Roads to approve road access to RAVs and does not provide authority for Local Governments, or other road managers, to approve or decline RAV access.

MRWA HVS intends to conduct an on-site assessment of the relevant roads and has requested from the Shire details regarding estimated traffic volumes and comments on local circumstances including road conditions, planning conflicts and development issues, which will be addressed by the Shire Works Supervisor within the requested timeframe (4 weeks from receipt of the 4 April email).

While Council does not have an approval role within existing legislation, there is the opportunity for Council to express its support or otherwise to the proposed changes via a OCM motion and additional correspondence as deemed appropriate to accompany the Works Supervisor response.

**Consultation:**

Darren West, Works Supervisor  
 Main Roads WA Heavy Vehicle Services

**Statutory Implications:**

The Road Traffic (Vehicles) Act 2012 provides authority for the Commissioner of Main Roads to approve RAV status and access.

The Land Administration Act 1997 Section 55 and Local Government Act 1995 Section 3.53(2) provides the Shire management responsibility for local roads.

**Policy Implications:**

No policy exists at this time however resolution of April 2019 was for all requests exceeding RAV4 to be considered by Council.

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022  
 2.3.2 - Maintain an efficient, safe and quality local road network.

**Risk Implications:**

<b>Risk Profiling Theme</b>	Likely increased wear and tear to affected roads and increased maintenance costs for ratepayers.
<b>Risk Category</b>	Property Damage and Financial Impact
<b>Risk Description</b>	Localised damaged rectified by routine internal procedures.
<b>Consequence Rating</b>	Minor (2)
<b>Likelihood Rating</b>	Likely (4)

<b>Risk Matrix Rating</b>	Moderate (8)
<b>Key Controls (in place)</b>	Reallocation of road grant funding.
<b>Action (Treatment)</b>	Advocacy
<b>Risk Rating (after treatment)</b>	Adequate

**Financial Implications:**

The increase in both RAV and AMMS status has the likelihood of increasing wear and tear on the affected roads and consequently resulting in an ongoing additional maintenance cost to the Shire.

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**  
**RESOLUTION 160424**

**Moved Cr NJ Chandler**

**Seconded Cr GL Boyne**

**That the Main Roads application be approved, RAV 7 Access, Roads ...**

**TIED VOTE - 3 FOR/3 AGAINST**

**FOR:** Cr NJ Chandler, Cr GL Boyne, Cr KA Fuchsbichler

**AGAINST:** Cr JM Stratford, Cr GW Greaves, Cr KM Burrell,

Due to the 3/3 tied vote, Cr JM Stratford as the Presiding member cast a second vote - AGAINST the motion.

Therefore, the motion was PUT & LOST 4/3

**6.28pm – SUSPEND STANDING ORDERS**  
**RESOLUTION 170424**

**Moved Cr GW Greaves**

**Seconded Cr GL Boyne**

**That standing orders be suspended to discuss item 13.1 Heavy Vehicle Route Determinations.**

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

**6.36pm – RESUMPTION OF STANDING ORDERS**  
**RESOLUTION 180424**

**Moved Cr GW Greaves**

**Seconded Cr GL Boyne**

**That standing orders be resumed as per the attendance register.**

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

**Officer Recommendation**  
**RESOLUTION 190424**

**Moved Cr JM Stratford**

**Seconded Cr GW Greaves**

**That Council;**

**Direct CEO to seek further information on the impacts of increasing RAV on Shire of Koorda Roads by:**

- 1. Engaging an Independent Consultant to analyse and assess the impact on increasing RAV, and**
- 2. Explore advocacy options for future planning of Shire roads.**

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

UNCONFIRMED

**6.38pm – SUSPEND STANDING ORDERS  
RESOLUTION 200424**

**Moved Cr NJ Chandler**

**Seconded Cr KA Fuchsbichler**

**That standing orders be suspended to discuss item 13.2 Koorda Recreation Centre Management.**

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

**6.54pm – RESUMPTION OF STANDING ORDERS  
RESOLUTION 210424**

**Moved Cr NJ Chandler**


**Seconded Cr KM Burrell**

**That standing orders be resumed as per the attendance register.**

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

**13.2. Koorda Recreation Centre Management**

<b>Works and Assets</b>		
<b>Date</b>	12 April 2024	
<b>Location</b>	Not Applicable	
<b>Responsible Officer</b>	Zac Donovan, Chief Executive Officer	
<b>Author</b>	As above	
<b>Legislation</b>	Nil	
<b>Disclosure of Interest</b>	Nil	
<b>Purpose of Report</b>	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
<b>Attachments</b>	CONFIDENTIAL REPORT - Progress Report - Koorda Recreation Centre Management	

**Background:**

At the March Ordinary Meeting, Council decided to proceed with the bowling green construction project at the Recreation Centre subject to a number of conditions.

These conditions included extension of grant funding; confirmation of tendered pricing and quotes within parameters; and Council to be presented final architectural plans and elevations.

In concert with the proposal proceeding, a consultation process was undertaken by 150square with various stakeholders including the Koorda Sports Club Inc. and representatives of other local winter and summer sports clubs.

The purpose of the consultation was to assist Council to define a preferred management model for the redeveloped Recreation Centre that will facilitate the relocation of the Koorda Sports Club and provide a contingency should the club decide to remain at its existing Greenham Street premises.

**Comment:**

Following extensive consultation, Caroline Robinson from 150square held a workshop with Council on 8 April to work through the various potential Recreation Centre management models.

The workshop defined a preferred management model and an alternative should the requirements of the first option not be able to be achieved. The consultation process and the preferred and alternative models are detailed in the attachment under a sperate cover.

Also outlined in the attachment are key positions that need to be endorsed by Council in regard to the ongoing status of the bowling green project; options for Koorda Sports Club building; provision of future golf club facilities.

**Consultation:**

Council Members  
Caroline Robinson, 150 Square  
Recreation Centre Users  
Koorda Sports Club Inc.

**Statutory Implications:**

Nil

**Policy Implications:**

Nil

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

- 1.1 - Local people feel safe, engaged and enjoy a healthy and peaceful lifestyle.
- 1.2.1 - Recognise and support the value of our community volunteers.
- 3.1 - Shire owned facilities are renewed and maintained to meet community needs.
- 4.1.1 – Ensure the use of resources is effective, efficient and reported regularly.

**Risk Implications:**

<b>Risk Profiling Theme</b>	Possible damage to reputation of Shire in managing expectations
<b>Risk Category</b>	Reputational
<b>Risk Description</b>	Unsubstantiated, low impact and low profile.
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Likely (4)
<b>Risk Matrix Rating</b>	Low (4)
<b>Key Controls (in place)</b>	Consultation process and contingency
<b>Action (Treatment)</b>	Communication
<b>Risk Rating (after treatment)</b>	Adequate

**Financial Implications:**

Financial implications for Shire will be dependent on the management model eventually implemented.

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**  
**RESOLUTION 220424**

**Moved Cr KM Burrell**

**Seconded Cr GL Boyne**

**That Council endorse:**

- 1. Preferred and Alternative management models as defined in the 150square report,**
- 2. Positions detailed in the 150square report under Points of Clarification, and**
- 3. 150square providing the report to relevant stakeholders including the Koorda Sports Club Inc. and local sports clubs.**

**CARRIED 6/0**

**FOR:** Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr KA Fuchsbichler

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

Nil.

**15. Elected Members' Motions**

Nil.

**16. Matters Behind Closed Doors**

Nil.

**17. Closure**

The President thanked everyone for their attendance and closed the meeting at 6.55pm.

**Signed:** \_\_\_\_\_

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

**Date: 15 May 2024**