



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 20 March 2024

Commencing 5.00pm

CONFIRMED

NOTICE OF MEETING

Dear Elected Members,

Notice is hereby given that the next Ordinary Meeting of Council of the Shire of Koorda will be held on Wednesday, 20 March 2024 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda.

The format of the day will be:

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

Zac Donovan
Chief Executive Officer
15 March 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.

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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 20 March 2024**



1. Declaration of Opening

The Presiding person welcomed those in attendance and declared the meeting open at 5.01pm.

Cr NJ Chandler requested to attend the in-person-meeting via electronic means, which has been authorised by the President JM Stratford.

2. Record of Attendance, Apologies and Leave of Absence

Councillors:

Cr JM Stratford	President
Cr GW Greaves	Deputy President
Cr NJ Chandler	(Approved Electronic Attendance – via MS Teams)
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

Nil.

4. Disclosure of Interest

The following Councillors have disclosed an interest in item 13.1 – *Closure of Stockyard Road Reserve, Koorda*

Cr Jannah Stratford

Financial – A shareholder in CBH Ltd (CBH) (as grower member/farmer) who holds one share valued at \$2.00 in CBH, a non-distributing co-operative governed under the Co-operatives Act 2009, and which is also a registered charity.

Cr 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 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.

Cr Nicholas Chandler

Financial – Employee of CBH.

Due to a potential loss of a quorum resulting from the above financial interest disclosures, the CEO has applied for statutory participation approval for Councillors Stratford, Greaves, Boyne, and Fuchsbichler under s5.69(3) of the Local Government Act 1995 so that item 13.1 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 20 March 2024, as follows:

13.1. CLOSURE OF STOCKYARD ROAD RESERVE, KOORDA

Conditions of the approval:

- a. The approval is only valid for the 20 March 2024 Ordinary Council Meeting when agenda item 13.1 is considered;
- b. 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;
- c. 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;
- d. 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;
- e. 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
- f. 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.

DCEO Lana Foote disclosed a Financial interest in item 16.2 – *Workforce Structure and Skills Development – Business Case* as an employee of the Shire, the skills development aspect directly relates to her employment.

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 21 February 2024

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

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation RESOLUTION 010324

Moved Cr GL Boyne

Seconded Cr GW Greaves

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Ordinary Council Meeting held 21 February 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

8. Minutes of Committee Meetings to be Received

8.1. Minutes of External Committee Meetings to be Received

- a. GECZ Meeting Minutes for meeting held 22 February 2024
[GECZ Meeting Minutes](#)
- b. NEWTRAVEL General Meeting Minutes for meeting held 29 February 2024
[NEWTRAVEL General Minutes](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation RESOLUTION 020324

Moved Cr GL Boyne

Seconded Cr GW Greaves

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


- a. GECZ Meeting, held 22 February 2024; and
- b. NEWTRAVEL General Meeting, held 29 February 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. Shire of Koorda Compliance Audit Return 2023

Governance and Compliance		
Date	14 March 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Lana Foote, Deputy Chief Executive Officer	
Legislation	<i>Local Government Act 1995 Section 7.13 (i)</i> <i>Local Government (Audit) Regulations 1996 – Reg 13, 14 and 15</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Shire of Koorda Compliance Audit Return 2023	

Background:

Each local government is to carry out a Compliance Audit return for the period 1 January to 31 December of the previous year against certain requirements included within a Compliance Audit Return (CAR) provided by the Department of Local Government, Sport and Cultural Industries (the Department).

The CAR, once completed, is to be presented to the Audit & Risk Committee and then a report is to be presented to Council for adoption of the return. A copy of the completed CAR is included as an attachment for this item.

The Audit & Risk Committee has been requested to review the CAR for 2023 at a meeting immediately preceding Council's to be held on 20 March 2024 and, if so resolved, present to Council for adoption so the CAR may be submitted prior to 31 March 2024.

Comment:

The 2023 CAR has been completed as required. Care was taken when completing the Compliance Audit Return to endeavour to ensure all items were adequately addressed in accordance with the 'Audit of Compliance' per Section 7.13(i) of the Local Government Act 1995.

The CAR is now presented to the Audit and Risk Committee and Council for adoption and should be received by the Department by 31 March 2024.

The CAR has endeavoured to cover various aspects of Statutory Compliance as required by the Local Government Act and various regulations, to include statutory requirements listed in the Local Government (Audit) Regulations in the return.

Consultation:

Zac Donovan, CEO, Shire of Koorda

Statutory Implications:

Local Government Act 1995 Section 7.13 (i)

Local Government (Audit) Regulations 1996 – Reg 13, 14 and 15

Policy Implications:

Policy "G - Legislative Compliance" states;

Regulation 14 of the Local Government (Audit) Regulations 1996 requires local governments to carry out a compliance audit for the period 1 January to 31 December in each year. The Compliance Audit is structured by the Department of Local Government, Sport and Cultural Industries (DLGSC) and relates to key provisions of the Local Government Act 1995.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

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

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness

Risk Implications:

The Audit & Risk Committee would be contravening the *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996* if this item was not considered.

The CAR covers a robust area of risk assessment and compliance with auditing in compliance with the *Local Government Act 1995* and associated Regulations. The objective of the CAR is to identify risks to the organisation where non-compliant activities may have taken place enabling processes and procedures to be developed or reviewed and amended, if required.

Financial Implications:

Nil

Voting Requirements:

Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 030324

Moved Cr GL Boyne

Seconded Cr GW Greaves


That, in accordance with Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996*, Council;

- 1. Receives and adopts the 2023 Compliance Audit Return, as presented to the Audit Committee meeting held 20 March 2024.**
- 2. The 2023 Compliance Audit Return is submitted to the Department of Local Government, Sport and Cultural Industries prior to 31 March 2024.**

CARRIED 6/0

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

9.2. Quarterly Reporting of Integrated Strategic Plan and Workforce Plan

Governance and Compliance		
Date	13 March 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Lana Foote, Deputy Chief Executive Officer	
Legislation	<i>Local Government Act 1995;</i> <i>Local Government (Administration) Regulations 1996</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	Quarterly Scorecard January to March 2024	

Background:

Section 5.56(1) of the Local Government Act 1995 requires all local governments to have a plan for the future of the district and under the Local Government (Administration) Regulations 1996, all local governments in Western Australia are required to have adopted two key documents: a Strategic Community Plan (SCP) and a Corporate Business Plan (CBP). Together these documents drive the development of each local government's Annual Budget.

The Integrated Planning and Reporting Framework and Guidelines (2016) issued by the DLGSC that guides the SCP and CBP process require that regular monitoring and reporting of these plans are undertaken. This quarterly update forms part of this key reporting process.

Council adopted the Integrated Strategic Plan (which incorporates both the SCP & CBP) at its meeting held 20 April 2022.

Comment:

To assist Council to meet its IPR requirements under the Local Government Act 1995, the Local Government (Administration) Regulations 1996, Shire staff have prepared the quarterly report, as attached to this item, for the Committee to consider and, if appropriate, recommend to Council that the quarterly scorecard be adopted and the Integrated Strategic Plan and Workforce Plan components be endorsed for publication.

Consultation:

Zac Donovan, CEO, Shire of Koorda
Jannah Stratford, President, Shire of Koorda

Statutory Implications:

Local Government Act 1995 and relevant subsidiary legislation.

Policy Implications:

Nil

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and transparent leadership.

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

4.3 - Forward planning and delivery of services and facilities that achieve strategic priorities.

4.3.2 - Regularly report on progress of strategic plan initiatives using a quarterly score card.

Risk Implications:

The Risk Theme Profile identified as part of this report is Failure to Fulfil Compliance Requirements. The consequence could be Compliance if the requirements of both the Local Government Act 1995 and the Local Government (Administration) Regulations 1996 are not met in terms of the Shire having a plan for the future of the district. Another consequence could be Reputational if the public perceives that the Shire does not have the business planning tools in place to manage ratepayer money in transparent and accountable manner. The measure of Consequence is Minor, and the likelihood is Unlikely, giving an overall risk rating of Low. Both risks will be mitigated through adherence to the Integrated Planning and Reporting framework.

Financial Implications:

Nil

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 040324

Moved Cr GL Boyne

Seconded Cr KM Burrell


That Council:

- 1. Adopts the fourth quarterly reporting documents (January to March 2024) as attached to this item; and**
- 2. Endorses the publication of the Integrated Strategic Plan and Workforce Plan components for community information.**

CARRIED 6/0

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

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

Governance and Compliance		 Shire of Koorda <small>Drive in, stay awhile</small>
Date	13 March 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Lana Foote, Deputy Chief Executive Officer	
Legislation	<i>Local Government (Audit) Regulations 1996 – Reg 16 and 17</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	FMR Action Plan - March 2024	

Background:

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

At the May 2023 Audit Committee Meeting, the Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls was presented for consideration with the below committee recommendation being resolved at the May 2023 Council Meeting.

Committee Recommendation RESOLUTION 050523

Moved CR GW Greaves

Seconded CR BG Cooper

That Council:

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

CARRIED BY ABSOLUTE MAJORITY 6/0

Comment:

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

An initial report was tabled at the June 2023 Audit Committee Meeting and the attached Action Plan is an update on actions that have been taken within the past quarter to align with the quarterly reporting on the Integrated Strategic Plan.

Consultation:

Zac Donovan, CEO, Shire of Koorda
Administration Staff

Statutory Implications:

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

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

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

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

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

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

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

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

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

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

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

Policy Implications:

The review recommended some potential improvement opportunities to some of the Council’s policy. These will be considered separately by the Policy Review Committee and Council at the completion of the review process. Comments made in the FM Review relating to specific Policies and Procedures will be taken on-board as part of the review process.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

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

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness.

Risk Implications:

The CEO would be contravening the *Local Government (Audit) Regulations 1996* if this review was not undertaken at least once every 3 financial years. The CEO is to report to the Audit & Risk Committee the results of this review.

The Financial Management, Risk Management, Legislative Compliance and Internal Controls Review covers a robust area of risk assessment and compliance with auditing in compliance with the Local Government Act 1995 and associated Regulations. The objective of this review is to identify risks to the organisation where non-compliant activities may have taken place enabling processes and procedures to be developed or reviewed and amended, if required.

Financial Implications:

Nil.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 050324

Moved Cr GL Boyne

Seconded Cr KM Burrell


That Council, in accordance with Regulations 16 and 17 of the *Local Government (Audit) Regulations 1996*, as per the quarterly report document (to March 2024) as attached to this item, notes and endorses the actions taken to the identified improvements highlighted in the Financial Management, Risk Management, Legislative Compliance and Internal Controls review.

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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9.4. Shire of Koorda Risk Profile Report

Governance and Compliance		
Date	13 March 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Lana Foote, Deputy Chief Executive Officer	
Legislation	<i>Local Government (Audit) Regulations 1996 – Reg 16 and 17</i> <i>Local Government Act 1995</i> AS/NZS ISO 31000:2018	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Shire of Koorda Risk Profile Action Plan - March 2024	

Background:

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

In addition to the Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls undertaken by Moore in February 2023, as per the above item, Staff undertook an additional review, facilitated by LGIS, to understand the Operational Risks within the organisation.

The Risk Profile workshop, undertaken in October 2023, worked through 15 risk themes to identify what is the risk of this occurring at the Shire, both with and without controls, and what controls are, or should be in place.

Under the Risk Management Framework, the Shire utilises risk profiles to capture its operational and strategic risks. The profiles assessed are:

- Asset Sustainability
- Business and Community Disruption
- Community Engagement
- Compliance Obligations
- Document Management
- Employment Practices
- Environment Management
- Errors, Omissions and Delays
- External Theft and Fraud
- IT, Communication Systems and Infrastructure
- Management of Facilities, Venues and Events
- Misconduct
- Project / Change Management
- Purchasing and Supply
- WHS

For each category, the profile contains the following:

- Objective.
- Risk Event.
- Potential Causes.
- Key Controls / Control Type.
- Control Adequacy.
- Control owner.
- Risk Rating.
- Actions and Responsibility.

Comment:

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

The initial Risk Profile Report was tabled at the December 2023 Audit and Risk Committee Meeting. Similar to the FRM Action Plan, the Risk Profile will be tabled at the quarterly Audit & Risk Committee workshops as a tracking tool to determine progress made against the key themes and improvements towards any identified areas of improvement.

Consultation:

Zac Donovan, CEO, Shire of Koorda
Darren West, Works Supervisor
Kristyn Harrap, Governance Officer
Chris Gilmour, Regional Risk Coordinator, LGIS
Ben Galvin, Divisional Manager - Risk Services, LGIS

Statutory Implications:

Local Government Act 1995
AS/NZS ISO 31000:2018

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

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

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

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

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

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

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

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

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

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

Policy Implications:

Shire of Koorda Risk Management Strategy 2023

Policy “G - Risk Management” states;

Risk Assessment and Acceptance Criteria

The Shire quantified its broad risk appetite through the development and endorsement of the Shire’s Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Framework and as a component of this policy.

All organisational risks are to be assessed according to the Shire’s Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

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:

The Shire of Koorda has adopted a ‘Three Lines of Defence’ model for the management of risk. This model ensures roles, responsibilities and accountabilities for decision making are structured to demonstrate effective governance and assurance. By operating within the approved risk appetite and framework, Council, management and the community will have assurance that risks are managed effectively to support the delivery of the strategic, corporate and operational plans.

The Risk Profile covers a robust area of risk assessment. The objective of this review is to identify potential and actual risks to the organisation, determine the chances of these risks occurring within the organisation and identify key controls that are and should be in place to help reduce or mitigate the perceived risks.

Financial Implications:

Resource requirements are in accordance with existing budgetary allocation.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 060324

Moved Cr KM Burrell

Seconded Cr GL Boyne

That, in accordance with Regulations 16 and 17 of the *Local Government (Audit) Regulations 1996*, the Audit & Risk Committee recommends;


That Council, as per the quarterly report document (to March 2024) as attached to this item, notes and endorses the actions taken to the identified improvements highlighted in the Risk Profile.

CARRIED 6/0

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

CONFERRING

9.5. Shire of Koorda Business Continuity and Disaster Recovery Plan

Governance and Compliance		
Date	14 March 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Lana Foote, Deputy Chief Executive Officer	
Legislation	Local Government Act 1995; Local Government (Audit) Regulations 1996, AS/NZS ISO 31000:2018	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Shire of Koorda Business Continuity and Disaster Recovery Plan	

Background:

Following the Risk Profile review undertaken in October 2023 by the Executive Management Team (EMT), the EMT have been working to review and implement necessary documentation to ensure known risks are mitigated or managed.

Business and Community Disruption is an operational risk area that was profiled during the Risk Profile exercise and the below is the definition of the profile:

Failure to adequately prepare and respond to events that cause disruption to the local community and/or normal business activities. This could be a natural disaster, weather event, or an act carried out by an external party (e.g. sabotage / terrorism) and/or pandemic.

One of the key controls, which is a recovery measure, is a Business Continuity Plan.

Comment:

The Shire of Koorda Business Continuity and Disaster Recovery Plan (BC&DRP) is aimed at ensuring the continuity of business operations, with minimal disruption, in the event of a disaster. Without such a plan the Shire may struggle to manage such as event amidst the confusion that often follows a disaster.

The BC&DRP will provide a structured approach to business continuity and disaster recovery planning. Through the provision of preventative measures and recovery procedures, the impact of any potential disaster may be significantly reduced.

Consultation:

Zac Donovan, CEO, Shire of Koorda
 Darren West, Works Supervisor
 Administration Staff

Statutory Implications:

Regulation 17 of the Local Government (Audit) Regulations 1996 requires the CEO to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal control and legislative compliance.

The BC&DRP is an informing plan to these systems and procedures.

Policy Implications:

Policy "G - Risk Management"
Risk Management Framework

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

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:

The BC&DRP provides a structured approach to business continuity and disaster recovery. Through the provision of preventative measures and recovery procedures, the impact of any potential disaster may be significantly reduced.

Financial Implications:

There were no financial implications for this process as the BC&DRP has been developed in-house. The actions included in the BC&DRP will have financial implications to Council, however these are unknown and will depend on the scenario in which the BC&DRP is to be put into effect.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 070324

Moved Cr GW Greaves

Seconded Cr NJ Chandler

That Council receives and adopts the Business Continuity and Disaster Recovery Plan, as presented and attached to this item.

CARRIED 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

Congratulations to the Cougars Cricket Club who won the premiership over the weekend for the Wyalkatchem Cricket Association. Well done to everyone involved.

11. OFFICER'S REPORTS – CORPORATE & COMMUNITY

11.1. Monthly Financial Statements

Corporate and Community		
Date	15 March 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	February 2024 Financial Activity Statement	

Background:

This item presents the Statement of Financial Activity to Council for the period ending 29 February 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
RESOLUTION 080324

Moved Cr KM Burrell


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 29 February 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

Corporate and Community		 Shire of Koorda <small>Drive in, stay awhile</small>
Date	14 March 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	List of Accounts Paid	

Background:

This item presents the List of Accounts Paid, paid under delegated authority, for the period 13 February 2024 to 14 March 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:

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
RESOLUTION 090324

Moved Cr KM Burrell

Seconded Cr GL Boyne

That Council, by Simple Majority, pursuant to Section 6.8(1)(a) of the *Local Government Act 1995* and Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*;

Receives the report from the Chief Executive Officer on the exercise of delegated authority in relation to creditor payments from the Shire of Koorda Municipal Fund, as presented in the attachment, and as detailed below:


For the period 13 February 2024 to 14 March 2024

Municipal Voucher V496 to V546	Totalling \$ 487,060.41
Purchase Card Transactions (V511, V527 & V535)	Totalling \$ 4,312.62
	Total \$ 491,373.03

CARRIED 6/0

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

11.3. Review of Budget performance as at 29 February 2024

Corporate and Community		
Date	15 March 2024	
Location	Not Applicable	
Responsible Officer	Lana Foote, Deputy Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995;</i> <i>Local Government (Financial Management) Regulations 1996</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	2023/2024 Budget Review	

Background:

Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires local governments to conduct a budget review. On 30 June 2023, new changes to the regulation were gazetted which required the review to be undertaken between 31 December and 29 February in each financial year (in appose to previous years being between 1 January to 31 March) and to be presented to Council on or before 31 March.

A copy of the review and determination is to be provided to the Department of Local Government, Sport and Cultural Industries (DLGSC) within 30 days of the adoption of the review.

Council adopted a 10% and \$10,000 minimum for reporting material variances to be used in the statement of financial activity and the annual budget review.

Comment:

The 2023/2024 Budget was adopted by Council at a Special Council Meeting on 28 July 2023 (Res: 140723 to 180723)

The final audited 2022/2023 Annual Financial Report was adopted at the December Ordinary Council Meeting, held 18 December 2023 that resulted in an increase to the opening surplus, from 1,808,829 to 2,035,341, as predicted when adopting the Budget for 2023/2024. This increase was mainly due to the movement of \$267,519 for the purchase of P65 Prime Mover. The truck was anticipated to be received in July, however due to delays, the truck wasn't received until September.

The explanation to the major variances is detailed in the below table and summarised in the notes of the Budget Review Report period ending 29 February 2024.

Budget Program	Adopted Budget	Revised Budget	Variance	Variance Reason
Op, Grants, Subsidies & Contribution	\$241,676	\$339,823	+\$98,147	Federal Assistance Grants higher than anticipated at time of budget.
			= +\$98,147	

Capital Revenue (Non-Operating Grants)	\$1,163,751	\$1,855,191	+\$500,000 +\$268,279 +\$1,000 -\$77,839 = +\$691,440	Seroja Resilience Funding LRCI Grant (Phase 4A) Seniors Week Grant Reduction to Main Roads Direct Grant
Capital Revenue (Proceeds from Disposal of Assets)	\$370,000	\$350,000	-\$20,000	P009 Side Tipper pushed forward to 2024/2025
Capital Expenses (Buildings)	\$1,217,635	\$1,477,635	+\$60,000 +\$200,000 = +\$260,000	Seroja - Hall Ablution Upgrade Seroja - Rec Centre Ablution Addition
Capital Expenses (Plant & Equipment)	\$905,000	\$1,402,319	+\$267,519 -\$120,000 +\$130,000 -\$15,000 +\$52,000 +\$62,000 +\$38,800 +\$57,000 +\$25,000 = +\$497,319	P065 B/F from 22/23 P009 Side Tipper C/F to 24/25 P019 Grade Budget Increase Misc Plant (transferred to P63) P063 Roller Budget Increase Seroja - P10 Mollerin Fire Tender Seroja - 2 x Portable Generators Seroja - Communication Trailer Seroja - 5 x Water Tanks
Transfers from Reserves	\$2,054,805	\$2,121,805	+\$30,000 +\$37,000 = +\$67,000	P019 Grade Budget Increase P063 Roller Budget Increase
Opening Funding Surplus (Deficit)	\$1,808,829	\$2,035,341	+\$226,512	Audited annual financial statements (P65 Purchase carry-forward)

The Statement of Financial activity remains to provide a balanced budget.

Consultation:

Zac Donovan, Chief Executive Officer
Darren West, Works Supervisor

Statutory Implications:

Regulation 33A of the Local Government (Financial Management) Regulations 1996 is applicable and states:

“33A. Review of budget

(1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.

(2A) The review of an annual budget for a financial year must —

- (a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
- (b) consider the local government’s financial position as at the date of the review; and
- (c) review the outcomes for the end of that financial year that are forecast in the budget.

(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.

(3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*Absolute majority required.

(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.”

Policy Implications:

Nil

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:

The Review must be; undertaken between 31 December and 29 February in each financial year, presented to Council on or before 31 March and, lodged with the DLGSC within 30 days of adoption, otherwise the Shire will be non-compliant with the requirements of the *Local Government (Financial Management) Regulations 1996*.

Financial Implications:

Variances have been noted with changes required.

If Council adopts the proposed 2023/2024 Budget Review amendments as presented, the result is a balanced budget.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 100324

Moved Cr GW Greaves

Seconded Cr KM Burrell

That, by Absolute Majority, in accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, Council:


- 1. Adopts the 2023/2024 Budget Review, as presented in the attachment; and**
- 2. Submits a copy of the 2023/2024 Budget Review to the Department of Local Government, Sports and Cultural Industries.**

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

12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE

12.1. NEWROC Memorandum of Understanding (MOU) - 1 July 2023 to 30 June 2025

Governance and Compliance		
Date	12 March 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Lana Foote, Deputy Chief Executive Officer	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	NEWROC MOU: 1 July 2023 to 30 June 2025	

Background:

The North Eastern Wheatbelt Regional Organisation of Councils (NEWROC), was established in 1994. NEWROC is made up for seven Shires; Koorda, Dowerin, Mt Marshall, Mukinbudin, Nungarin, Trayning and Wyalkatchem.

NEWROC is a united voice advocating, promoting and marketing these communities as a great place to live, work and invest. The NEWROC is committed to retaining and growing our population through successful and collaborative partnerships, promoting and engaging in civic leadership and investment into member communities.

Comment:

The purpose of this memorandum of understanding is to affirm the partnership and collaboration of the seven local governments (Participants) and to further the shared aims as below.

The purpose for which NEWROC is established is to provide a means for the Participants, through voluntary participation and the integration and sharing of resources to:

- a. Assess the possibilities and methodology of facilitating a range of projects, services and facilities on a regional basis under the themes of advocacy, community, economic, environment and governance;
- b. Promote, initiate, undertake, manage and facilitate under the themes of advocacy, community, economic, environment and governance;
- c. Promote productive effectiveness and financial benefit to the Participants where there are common and shared community of interest linkages;
- d. To take an active interest in all matters affecting the communities of the Participants with the view to improving, promoting and protecting them
- e. Be recognised as representing the view of community and business in the Participants.

The previous NEWROC MOU (1 July 2020 - 30 June 2023) has expired and a new MOU has been drafted for Council consideration. A significant review of the MOU was completed in 2020, and the current version, as attached, does not incorporate any major changes.

Consultation:

February 2024 Councillor Forum
NEWROC

Policy Implications:

Policy “G - Use of the Shire of Koorda Common Seal/Executive of Legal Documents.”

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

2.1.2 - Advocate regionally to reduce economic barriers such as access and reliability of water, electricity, logistics infrastructure and telecommunications.

3.3.2 - Continue to work towards a Regional Waste solution with NEWROC.

4.3.1 - Actively participate in regional collaboration initiatives.

Financial Implications:

As per section 6.2 of the NEWROC MOU, each Participant shall make an annual contribution towards the amount necessary to meet the deficiency, if any, disclosed in the annual budget of NEWROC, which contribution shall be 1/7th. The NEWROC annual membership fees are included as part of the annual budget.

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:

Sections 9.49A and 9.49B of the *Local Government Act 1995*.

Voting Requirements:

Simple Majority

Absolute Majority

Officer Recommendation
RESOLUTION 110324

Moved Cr GW Greaves


Seconded Cr GL Boyne

That Council authorise the Shire President and CEO to sign and affix the Shire of Koorda Common Seal to the NEWROC MOU for the period 1 July 2023 to 30 June 2025.

CARRIED 6/0

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

12.2. Adoption of Customer Service Charter

Governance and Compliance		
Date	12 March 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Lana Foote, Deputy Chief Executive Officer	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Shire of Koorda Customer Service Charter	

Background:

Following the Risk Profile review undertaken in October 2023 by the Executive Management Team (EMT), the EMT have been working to review and implement necessary documentation to ensure known risks are mitigated or managed.

Community Engagement is an operational risk area that was profiled during the Risk Profile exercise and the below is the definition of Community Engagement Risk:

Failure to maintain effective working relationships with the Community (including local Media), Stakeholders, Key Private Sector Companies, Government Agencies and Elected Members. This includes activities where communication, feedback or consultation is required and where it is in the best interests to do so.

One of the key controls, which is a preventative measure, is the adoption of a Customer Service Charter.

Comment:

This item presents a draft Customer Service Charter (the Charter) to Council for consideration and, if satisfactory, adoption.

The Charter demonstrates to the community and customers that the Shire of Koorda is committed to providing high-level customer service. The Charter has been drafted to ensure it remains relevant and aligns with current practice.

Once adopted the Charter will be publicised to the community and is embedded into the day to day operations of the Shire.

Consultation:

Zac Donovan, Chief Executive officer
Administration Staff

Policy Implications:

Nil.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness.

4.1.3 - Develop and implement Customer Service Charter & External Stakeholder communication plan.

4.2.2 - Progress 'Team Koorda' initiative.

Financial Implications:

Nil.

Risk Implications:

The purpose of the Charter is to outline how the organisation responds to customers. With staff committing to the Charter the risk of delivering unsatisfactory customer service is reduced.

Statutory Implications:

Local Government Act 1995 (section 3.18)

Voting Requirements:

Simple Majority

Absolute Majority

Officer Recommendation

RESOLUTION 120324

Moved Cr GL Boyne

Seconded Cr KM Burrell

That Council, by Simple Majority, pursuant to Section 3.18 of the *Local Government Act 1995*, resolves to adopt the Customer Service Charter, as presented and attached to this item.

CARRIED 6/0

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

13. OFFICER'S REPORTS – WORKS & ASSETS

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 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.

Cr Nicholas Chandler

Financial – Employee of CBH.

Due to a potential loss of a quorum resulting from the above financial interest disclosures, the CEO has applied for statutory participation approval for Councillors Stratford, Greaves, Boyne, and Fuchsbichler under s5.69(3) of the Local Government Act 1995 so that item 13.1 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 20 March 2024, as follows:


13.1. CLOSURE OF STOCKYARD ROAD RESERVE, KOORDA

Conditions of the approval:

- a. The approval is only valid for the 20 March 2024 Ordinary Council Meeting when agenda item 13.1 is considered;
- b. 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;
- c. 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;
- d. 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;
- e. 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
- f. 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.

5.39pm - Cr NJ Chandler withdrew from the chambers and thus did not participate in discussion or vote on item 13.1.

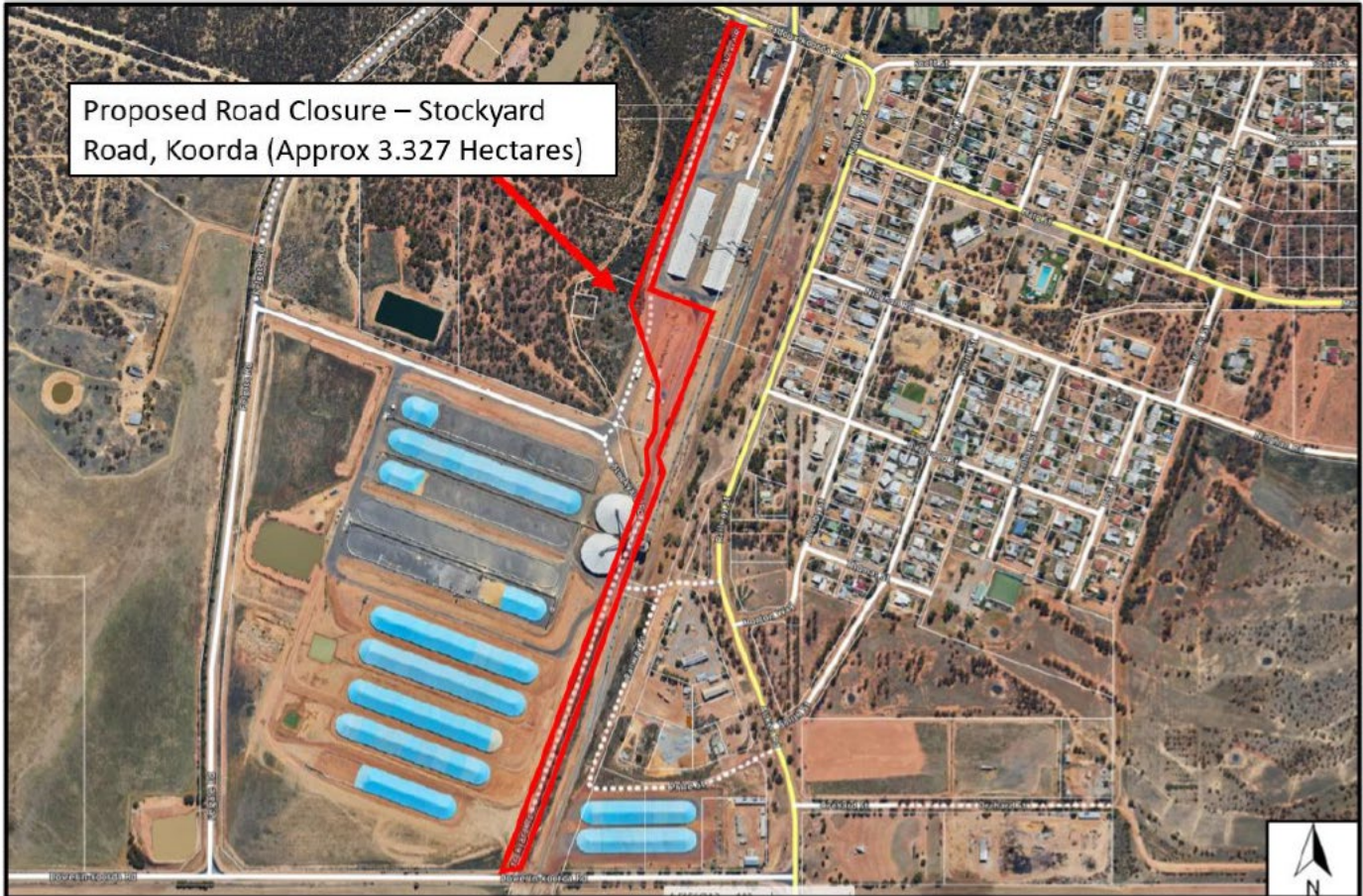
13.1. Closure of Stockyard Road Reserve, Koorda

Governance and Compliance		
Date	15 March 2024	
Location	Not applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Paul Bashall, Planner, Planwest	
Legislation	<i>Land Administration Act 1997</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	A - Council Resolution 211223 to close Stockyard Road, Koorda B - Copy of Advertisement C - Schedule of Submissions D - Copies of Submissions	

Background:

Cooperative Bulk Handling (CBH) has requested the closure of Stockyard Road in Koorda. This road currently runs through the CBH receival site as shown in **Figure 1** below.

FIGURE 1 - ROAD CLOSURE LOCATION



Source: Landgate, lg

Comment:

At the Council meeting 18 December 2023, it was resolved to close the entire portion of Stockyard Road from Koorda-Cadoux Road to Koorda-Dowerin Road as shown in **Figure 1**.

In accordance with section 58 of the LAA, local government authorities may request the Minister for Lands, through DPLH, to close a public road permanently. The local government authority must comply with section 58 of the LAA and regulation 9 of the LAR before submitting a request for closure of road with following:

1. A copy of Council resolution to request the closure of the road.
2. A copy the advertisement to close the road.
3. Copies of any submissions and objections to the advertisement as well as comments which address any comments or objections.
4. Copies of correspondence with service authorities and other government departments
5. Plan of survey, sketch plan or document showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed.
6. Written confirmation that the local government authority has complied with section 58(2) and (3) of the LAA.

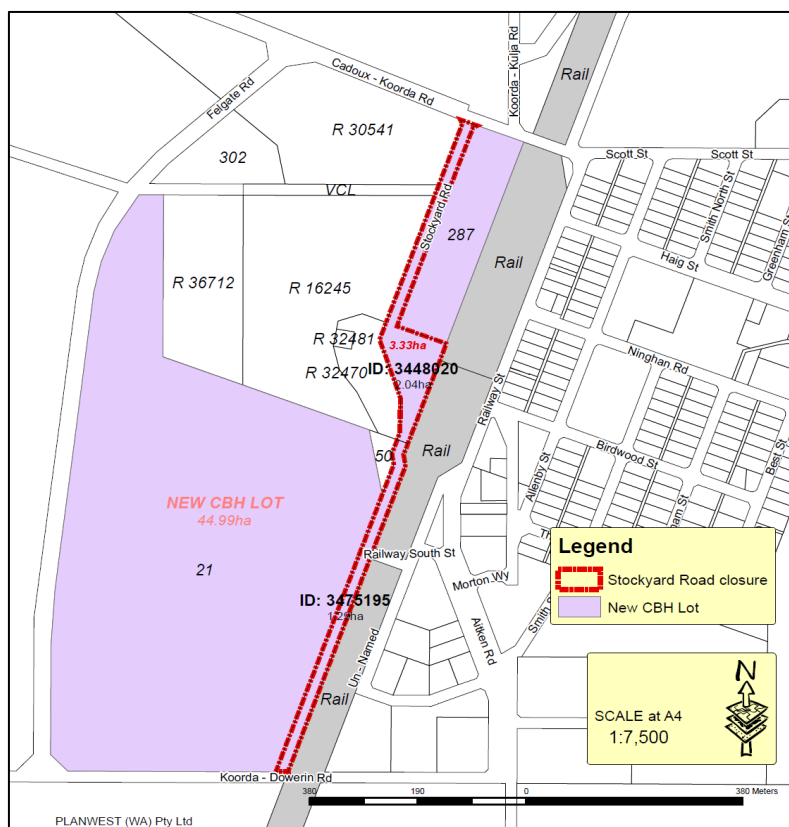
The matter was considered by the Council on 18 December 2023 (see **Attachment A**).

CBH (the proponent) has stated that the subject land will be amalgamated to Lot 21 corner Felgate and Dowerin-Koorda Road. This Lot is about 38 hectares and is owned by CBH and is currently used as its grain terminal. This can clearly be seen in the aerial photograph in **Figure 1**.

Lot 287 Cadoux-Koorda Road is also owned by CBH. It is recommended that, as a condition of the road closure, that the closed road areas be amalgamated to Lots 21 and 287. This will simplify any future works on the new lot in regard to boundary setbacks. It is evident that the subject land is already being used for, almost exclusively, CBH purposes.

Figure 2 shows the existing surrounding lots and the proposed new CBH lot.

FIGURE 2 - RECOMMENDED NEW CBH LOT



Source: Landgate, Planwest

Consultation:

The proposed road closure was advertised by way of the following (see **Attachment B**).

- Council's web site published on 23 January, closing on to 7 February 2024.
- Local paper advertising 30 Jan and 6 February 2024.
- Facebook advertising 29 January 2024.
- Specific emails to Water Corporation (WC), Main Roads WA (MRWA), Department of Water and Environmental Regulation (DWER), Telstra, Department of Fire and Emergency Services (DFES), Landgate, Department of Primary Industries and Regional Development (DPIRD) and the Environmental Protection Authority (EPA) on 30 January 2024.
- Email to Public Transport Authority (PTA) (via Burgess Rawson, PTA property managers).

During this period the Council received 4 submissions. The four submitters included WC, DWER, DPIRD and MRWA (see **Attachment C** – Schedule of Submissions). Copies of these are included in the **Attachment D** - Copies of submissions.

There were no objections except that WC required that its assets need to be removed (or capped) from being in private land.

No submissions were received from the public advertising, nor from PTA, Telstra, Landgate, DFES, PTA or EPA.

Statutory Implications:

Section 58 of the *Land Administration Act 1997* applies to this matter.

The process for a local government to close a road reserve is:

1. Council decides at Council meeting to consider closing a road.

2. Council advertises its intention to consider closing a road in local newspaper circulating in the district, giving a period of notice to provide submissions.
3. Council would write to advise service agencies of the road closure. This could include PTA, Landgate, WAPC, Water Corporation, Western Power, Telstra, the DMIRS and the Department of Lands. Notice would normally also be provided to adjacent or nearby local land owners.
4. Council makes a decision to close the road. This must be at least 35 days after the notice was publicised in the local newspaper. Any objections must be considered by Council.
5. Council writes to the Minister (with plans of road to be closed, copies of advice to service agencies, copy of the Council minutes, copies of any submissions, any other relevant information) requesting closure of road.

The enlarged central section of the subject land is currently zoned Industrial whilst the other two portions of proposed closed road north and southwards have no zone.

Where an area of the Scheme has no zone, this does not preclude development of the land, however a Development Approval (DA) will be required for development or use.

Figure 3 provides an extract from the Scheme Map.

FIGURE 3 - EXTRACT FROM SCHEME MAP



Source: DPLH, 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.

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)	Land Administration Act and road closure procedures
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Financial Implications:

Closing Stockyard Road will imply that the Council will no longer need to be responsible for on-going maintenance. The Council may consider whether it recommends that the closed road be purchased by CBH, however this is a decision for Landgate to determine.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 130324

Moved Cr GW Greaves

Seconded Cr GL Boyne

That Council confirms with Landgate that the local government authority;

- 1. has complied with section 58(2) and (3) of the *Land Administration Act 1997*,**
- 2. supports the closure of Stockyard Road, Koorda, subject to**
 - a. the closed (Stockyard) road being amalgamated with Lot 21 Felgate and Dowerin-Koorda Road and Lot 287 Cadoux-Koorda Road, and**
 - b. CBH satisfying the Water Corporation’s requirements for water supply modifications.**
- 3. once the abovementioned conditions have been satisfied, supports Landgate’s request for the Minister’s approval to finalise the process of closing Stockyard Road and amalgamating the land shown in Figure 2 as “New CBH Lot.”**

CARRIED 5/0

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

5.41pm – Cr NJ Chandler re-joined the meeting and the Presiding person advised him of the outcome to item 13.1.

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

Nil.

15. Elected Members' Motions

Nil.

16. Matters Behind Closed Doors

16.1. Koorda Recreation Ground Synthetic Bowling Green Project

It is recommended that Council close the meeting to the public in accordance with the Local Government Act section 5.23 (2) (c) as a contract may be entered into and 5.23 (2) (d) commercial value/information of a person other than the Shire.

Officer Recommendation

RESOLUTION 140324

Moved Cr GL Boyne

Seconded Cr KM Burrell

That Council close the meeting to the public at 5.41pm in accordance with the Local Government Act section 5.23 (2) (c) as a contract may be entered into and 5.23 (2) (d) commercial value/information of a person other than the Shire.

CARRIED 6/0

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

5.42pm – SUSPEND STANDING ORDERS

RESOLUTION 150324

Moved Cr GW Greaves

Seconded Cr GL Boyne

That standing orders be suspended to discuss item 16.1 Koorda Recreation Ground Synthetic Bowling Green Project.

CARRIED 6/0

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

6.21pm – RESUMPTION OF STANDING ORDERS

RESOLUTION 160324

Moved Cr GL Boyne

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

**Officer Recommendation
Resolution 170324**


Moved Cr GL Boyne

Seconded Cr GW Greaves

That Council re-open the meeting to the public at 6.22pm.

CARRIED 6/0

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

Governance and Compliance		
Date	15 March 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 checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	CONFIDENTIAL - Project Costings	

Background:

Arising from the 2023/2024 Shire of Koorda Budget's capital works program and Council being successful in obtaining a grant from the DLGSC for the CSRFF Program for \$130,421, a state-wide request for tender (RFT) was called for the design and construction of the supply and install of a 7-rink synthetic bowling green as part of the co-location project at the Koorda Recreation Centre. Tenders closed at 2.00pm Tuesday 5th September 2023. One (1) tender submission was received from Ever Green Synthetic Grass.

A confidential tender evaluation report and related confidential attachments have been provided to Councillors under separate cover.

With one tenderer responding, it appears evident that the current availability of contractors within the building and construction sector remains challenging.

In addition to the request for tender for the Bowling Green, quotes were sought from external suppliers for the retaining and site preparations required for the proposed Bowling Green. Initial quotes came in over budget and were tabled at the November 2023 forum session with Council Members. Following the November 2023 forum session, the Executive Management team have working to seek updated and accurate quotes from suppliers for the project.

At the December 2023 Ordinary Council Meeting, the below was resolved.

Officer Recommendation - RESOLUTION 241223

Moved Cr GW Greaves

Seconded Cr NJ Chandler

That Item 14.2 Koorda Recreation Ground Synthetic Bowling Green Project lay on the table until March 2024 to investigate the project further.

CARRIED 6/1

FOR: Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr CL Nairn, Cr KA Fuchsbichler

AGAINST: Cr JM Stratford

Comment:

Since the November and December 2023 Council meetings, the EMT have been working to finalise costings for the entire Bowling Green project (now to include lighting) to ensure Council have all the applicable figures for the entire Bowling Green Project, as well as understanding future costings for additional Stages as outlined in the 2016 Recreation Feasibility Study.

As part of the project planning, a project nomination was submitted for the Phase 4A portion of the Local Road and Community Infrastructure (LRCI) Fund. The project nomination for the bowling green project was successful for the full \$439,707 allocation. Phase 4A LRCI funds are to be expended by 30 June 2025.

The grant agreement for the CSRFF funds (\$130,421) in its current form is due to end on 30 June 2024, however extension options have been explored with the Wheatbelt Regional Manager, Samantha Cornthwaite, at the Department of Local Government, Sport and Cultural Industries (DLGSC), should the project still proceed.

As part of the 2023/2024 Budget, an allocation was made to engage an external consultant to undertake consultation with current and future Recreation Centre users to work on a future Recreation Centre Management Model for the upgrade facilities. Caroline Robinson from 150 Square was engaged and has been working with Clubs and Organisations to understand their current and future requirements of the Recreation Centre, and recommend a management model to all clubs and the Council for further perusal.

Consultation:

Zac Donovan, Chief Executive Officer

Darren West, Works Supervisor

Council Members

Samantha Cornthwaite, Wheatbelt Regional Manager, DLGSC

Caroline Robinson, 150 Square

Suppliers

Statutory Implications:

Local Government Act 1995, Section 3.57(1) (2)

Local Government Act (Functions in General) Regulation 1996 – Part 4 – Tenders for providing goods and services 11(1)

Policy Implications:

Nil.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

3.1 – Shire owned facilities are renewed and maintained in a strategic manner to meet community needs.

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

4.3 – Forward planning and delivery of services and facilities that achieve strategic priorities.

Risk Implications:

Risk Profiling Theme	Project Management
Risk Category	Financial Impact
Risk Description	20 - 50 % increase in time or cost or variation to scope or objective requiring restructure of project and Executive Management or Council approval.
Consequence Rating	Major (4)
Likelihood Rating	Possible (3)
Risk Matrix Rating	High (12)
Key Controls (in place)	Purchasing Policy, Budget Reporting
Action (Treatment)	Project Management Framework, Monthly Project Reports, Finalised Quotes
Risk Rating (after treatment)	Adequate

Financial Implications:

Successful CSRFF Grant of \$130,421.

Successful LRCI Phase 4A project nomination \$439,707.

\$400,000 included in the 2023/2024 Budget for the Synthetic Bowling Green Re-Location Project.

Pending on the outcome of the item, additional funds may be required.

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
RESOLUTION 180324**

Moved Cr GW Greaves

Seconded Cr GL Boyne

That Council, subject to approval to defer the CSRFF grant to 15 June 2025;

1. Increases the budget allocation for the Koorda Bowling Green Project to the total project cost of \$665,864 exc GST;

2. Accepts the tender from Evergreen for the Bowling Surface for \$273,664 (with a maximum allowance of 5% price increase to bowling green surface and installation);

3. Notes the project is funded from; CSRFF Grant of \$130,421, LRCI Phase 4A Funding allocation of \$439,707 and the remaining amount of \$95,736 will be funded from Council’s Recreation Reserve; and

4. Has to approve the final updated architect plans for the Recreation Centre Precinct once finalised.

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

DCEO Lana Foote disclosed a Financial interest in item 16.2 – *Workforce Structure and Skills Development – Business Case* as an employee of the Shire, the skills development aspect directly relates to her employment.

6.49pm – DCEO L Foote withdrew from the chambers.

Officer Recommendation
RESOLUTION 190324

Moved Cr KM Burrell **Seconded Cr KA Fuchsbichler**

That Council close the meeting to the public at 6.49pm in accordance with s.5.23(2)(a) of the Local Government Act 1995, as item 16.2 deals with a matter affecting an employee or employees.


CARRIED 6/0

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

6.50pm – Cr GL Boyne withdrew from the chambers.

6.51pm – Cr GL Boyne returned to the chambers.

16.2. Workforce Structure and Skills Development – Business Case

Corporate and Community		
Date	14 March 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Zac Donovan, Chief Executive Officer	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	CONFIDENTIAL: Business Case	

Background:

Several gaps have been identified in the shire’s current organisational structure and operations in relation to administration and maintenance tasks and responsibilities, specifically:

- Positions with limited management accountability or direction
- Shared tasks, some with financial implications, that have no finite responsibility and,
- Qualification and training gaps for what is appropriate to roles.

For the effective and efficient performance and delivery of associated services by the administrative and maintenance staff these gaps require redress.

Comment:

As presented the attached business case sets out to redress these gaps through:

- Recruitment of 2 FTE, one each for administrative and maintenance tasks
- Additional allocations for proposed training and staff development

- Minor organisational restructure and,
- Reallocation of a current works vacancy to a role more appropriate for the shire.

The business case as presented, details costs for the current financial year as part of the mid-year budget review. This is to facilitate implementation as soon as possible.

However, the proposed staff and support changes have budget implications beyond the current financial period. As such included is a summary of the financial implications for the out years.

Consultation:

Lana Foote, Deputy Chief Executive officer

Darren West, Works Supervisor

Administration Staff

Policy Implications:

Nil.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

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.

4.2.1 - Promote continued professional development amongst elected members and staff.

4.2.2 - Progress 'Team Koorda' initiative.

Financial Implications:

Current financial period (2023/24) \$30,262 based on assumptions detailed in attachment.

Non-recurrent expenditure: \$14,590 (2024/25); \$19,450 (2025/26)

Recurrent expenditure: Salaries: \$158,594 for 2 FTE

Risk Implications:

Without adoption continuation of operational gaps detailed in attachment.

Statutory Implications:

Nil

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
RESOLUTION 200324**

Moved Cr KM Burrell

Seconded Cr GL Boyne

That Council, supports the business case as proposed for inclusion in the mid-year budget review to:

- **Recruit a new Reception and Communications Officer position at the salary level as proposed in the item.**
- **Recruit a new Maintenance and Accommodation Officer at the salary level as proposed in the item.**
- **Provide additional funding for staff training as proposed in the item, with a commitment to favourably consider additional funding as required in subsequent financial periods.**

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 210324**

Moved Cr GL Boyne

Seconded Cr GW Greaves

That Council re-open the meeting to the public at 7.06pm.

CARRIED 6/0

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

7.09pm – DCEO L Foote returned to chambers.

17. Closure

The Chairperson thanked everyone for their attendance and closed the meeting at 7.11pm.

Signed: *Stratford*

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

Date: 17 April 2024