



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 November 2024

Commencing 6.00pm

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, 20 November 2024 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda.

The format of the day will be:

5.00pm	Koorda Awards Committee Meeting
6.00pm	Council Meeting
Following conclusion of Council Meeting	Council Forum

Zac Donovan
Chief Executive Officer
15 November 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
6.00pm, Wednesday 20 November 2024**



1. Declaration of Opening

The Presiding person welcomes those in attendance and declares the meeting open at 6.01pm.

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	
Cr S Christie	

Staff:

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

Members of the Public:

Apologies:

Visitors:

- Ms Marcia Johnson, Director - Audit Services, Armada Auditing (MS Teams)
- Ms Stephanie Kaharudin, Acting Assistant Director, Office of the Auditor General (MS Teams)

Approved Leave of Absence:

3. Public Question Time

Nil.

4. Disclosure of Interest

Cr GL Boyne disclosed an Impartiality Interest in item 9.1 Consideration of Koorda Awards Nominations as she is closely associated with a nomination.

Cr JM Stratford disclosed an Impartiality Interest in item 9.1 Consideration of Koorda Awards Nominations as she is a member of the Koorda Primary School P&C Association.

5. Applications for Leave of Absence

Nil.

6. Petitions and Presentations

6.02pm - Ms Marcia Johnson and Ms Stephanie Kaharudin joined the meeting via MS Teams to present the Shire of Koorda Audit Completion Summary and Final Management Letter for the year ending 30 June 2024.

6.23pm - Ms Marcia Johnson and Ms Stephanie Kaharudin withdrew from the meeting.

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7. Confirmation of Minutes from Previous Meetings

7.1. Ordinary Council Meeting held on 23 October 2024

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

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation RESOLUTION 011124

Moved Cr KM Burrell

Seconded Cr S Christie

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 23 October 2024, as presented, be confirmed as a true and correct record of proceedings.

CARRIED 7/0

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

8. Minutes of Committee Meetings to be Received

8.1. Minutes of External Committee Meetings to be Received

- a. Newtravel Annual General Meeting Minutes for meeting held 31 October 2024
[Newtravel Annual General Meeting Minutes](#)
- b. Newtravel General Meeting Minutes for meeting held 31 October 2024
[Newtravel General Meeting Minutes](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation RESOLUTION 021124

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. Newtravel Annual General Meeting, 31 October 2024; and
- b. Newtravel General Meeting, 31 October 2024.

CARRIED 7/0

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


9. Recommendations from Committee Meetings for Council Consideration

Cr GL Boyne disclosed an Impartiality Interest in item 9.1 Consideration of Koorda Awards Nominations as she is closely associated with a nomination.

Cr JM Stratford disclosed an Impartiality Interest in item 9.1 Consideration of Koorda Awards Nominations as she is a member of the Koorda Primary School P&C Association.

9.1. Consideration of Koorda Awards Nominations

In accordance with Section 5.23 (2) (b) of the *Local Government Act 1995*, Council will close the meeting to the public to discuss a matter affecting the personal affairs on persons involved.

Governance and Compliance		
Date	7 November 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Lana Foote, Deputy Chief Executive Officer	
Legislation	Nil	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	CONFIDENTIAL Nominations - Sent under separate cover.	

Background:

The Koorda Awards Program was introduced in 2023 to replace the Australia Day Citizenship Awards. Nominations for 2024 Awards closed at 4.00pm, 31 October 2024.

There are four award categories:

- Citizen of the Year category, be a person of any age.
- Citizen of the Year - Youth category, be a person aged between 12 to 24 years.
- Citizen of the Year - Senior category, be a person over the age of 65.
- Citizen of the Year - Group category, be a local community group or not-for-profit organisation based within the Shire of Koorda.

Self-nominations will not be accepted. Nominees must be a person who resides in the Shire of Koorda.

- Sitting members of State, Federal and Local Government are not eligible.
- Nominations must be apolitical in nature.
- A person may only be nominated for one category on a nomination form.
- A person may be nominated more than once (in different categories) on separate nomination forms.
- Late entries will not be accepted.

Comment:

The Koorda Awards Committee is to recommend to Council the Award recipients in each category based on the below selection criteria and process.

Selection Criteria:

The nomination must demonstrate that the person(s) or group(s) citizenship activities occurred within the Shire of Koorda. External activities that benefitted the Koorda community may be taken into consideration during the selection process.

Nominations will be assessed for an individual or group who has:

- made a significant voluntary contribution to the Koorda community,
- demonstrated leadership on a community issue resulting in the enhancement of community life,
- undertaken a significant initiative that has brought about positive change and added value to community life,
- invested time and effort above the standard expected of any citizen (hours of time volunteered, range of tasks undertaken, and length of service) and is a good role model for the community.

Selection Process:

- Successful nominees will be determined by Council and the results kept strictly confidential until the announcement at the award presentation.
- All nominees will be notified prior to the event to allow recipients to invite friends and family to the presentation.
- Presentation of the Citizen of the Year Awards will be held at the Community Christmas Tree on Friday 13 December 2024, at the Koorda Recreation Centre.
- Shire of Koorda reserves the right to withdraw any awards issued to recipients who bring the awards program or Shire of Koorda into disrepute.

Consultation:

Nil

Statutory Implications:

Nil

Policy Implications:

Nil

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2024

1.2. - Local volunteer groups supported through initiatives that reduce volunteer fatigue and strengthen their resilience.

Financial Implications:

Minor. Any purchase of medallion for winners is included in the operating budget.

Voting Requirements: Simple Majority Absolute Majority

Committee Recommendation
RESOLUTION 031124

Moved Cr KM Burrell

Seconded Cr GL Boyne

That the Awards Committee recommends:

That Council endorse the recipients of the 2024 Koorda Awards Program as determined and discussed at the meeting held on 20 November 2024.

CARRIED 7/0

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

10. Announcements by the President without Discussion


President attended the CWA Meeting Monday and was presented with a copy of "Women of Spirit - A Centenary of CWA Stories" for the Shire Library. The book was put together to celebrate 100 years of CWA in WA.

Congratulations to Ian & Di Haggerty who won the WA Australian of the Year award. We wish Ian & Di the best of luck as they head over to Canberra for the Australian of the Year Award.

Congratulations to Dot & Bruno Luers for celebrating their 'Diamond' 60th Wedding Anniversary recently.

11. OFFICER'S REPORTS – CORPORATE & COMMUNITY

11.1. Monthly Financial Statements

Corporate and Community		 Shire of Koorda <small>Drive in, stay awhile</small>
Date	15 November 2024	
Location	Not Applicable	
Responsible Officer	Lana Foote, Deputy 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	October 2024 Financial Activity Statement	

Background:

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

Consultation:

LG Best Practices

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 2024

4.1.1 - Ensure efficient use of resources and that governance and operational compliance and reporting meets legislative and regulatory requirements.

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 041124

Moved Cr GL Boyne


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 October 2024, as presented.

CARRIED 7/0

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

11.2. List of Accounts Paid

Corporate and Community		
Date	15 November 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Charli West, Finance and Administration 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 12 October 2024 to 13 November 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 2024

4.1.1 - Ensure efficient use of resources and that governance and operational compliance and reporting meets legislative and regulatory requirements.

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 2024/2025 Budget.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 051124

Moved Cr GW Greaves

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 12 October 2024 to 13 November 2024.

Municipal Voucher V217 to V302	Totalling \$ 699,463.62
Purchase Card Transactions (V275, V228, V281 & V286)	Totalling \$ 10,354.30
	Total \$ 709,817.92

CARRIED 7/0

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

11.3. Television Replacement Plan Update

Corporate and Community		
Date	14 November, 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	As above	
Legislation	Nil	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Nil	

Background:

At the July Ordinary Council Meeting, Council resolved that the television re-transmission service be decommissioned by 30 June 2025 with an explanation to be provided to the community. Council also resolved that Shire staff provide details on alternate providers, when requested by residents, and investigate options for Shire buildings.

Advice to the community of the impending closure if the television re-broadcast service was issued via the Shire Facebook and Narkal Notes and prompted only limited online comments. The advice to ratepayers explained the history of the service, the declining access to maintenance and that over the past decade the service has cost the Shire \$215,000 with only \$19,000 recovered from the community.

At the following OCM on 21 August Council was presented with a quote from a supplier to install television reception dishes in each of the 35 Council properties – including the Recreation Centre and both long-term and short-term rentals – at a cost of \$770 (ex GST) per property. The funds were to be allocated from the maintenance costs allocated to each property in the 2024/25 Shire annual budget.

In addition, Council approved that the Shire provide a \$230 rebate to the 21 elderly ratepayers who currently qualified for the household waste discount in their rates notices. As at the time of this item there have been three of these ratepayers' lodge to receive more information regarding the rebate.

The item is returning to Council as there have been developments in the online free-to-air streaming concerning popular sports and staff have also sought a quote for the installation of dishes for Shire properties with a local provider out of concerns as to warranties and ongoing maintenance.

Comment:

All free to air channels that are accessed via the current Shire television rebroadcast service are available online via each networks streaming services. However, despite this the Shire maintained the television service as critically Channel 7 did not have the streaming rights to the AFL only on free-to-air television. However, in September the network securing the streaming rights to AFL and as such further reduced the need for the Shire to maintain a rebroadcast of the free-to-air channels.

With this development in mind quotes were sought from regional internet provider CRISP Internet as to the cost of connecting all Shire owned properties. However which the quoted price was on parity with the quoted price for the installation of the television dishes it is not recommended the Shire proceed down this path due to the ongoing cost of internet service, which would be an additional impost on less

financial ratepayers, and the interruptions to the current service, which would in effect place the Shire back to its current position of providing a less reliable service.

In addition, interactions with the supplier who had initially quoted on the service at \$770 per Shire property began to raise concerns as to ongoing service, given the provider was headquartered interstate, and that there was no intent to inspect the properties prior to commencing the service.

Consequently, staff sought a quote from a local supplier that was significantly higher than the previous supplier at \$972 (ex GST) per property with a total cost to the shire of \$34,000 (ex GST) to install dishes to plug-and-play specifications in each of the 35 Shire properties including the Recreation Centre. The quote was also provided following the supplier visiting the properties to discern if there were any issues or additional considerations given the varying types of property construction and roofing materials.

As such the local supplier quote totals \$7000 more than that quoted previously, and endorsed by Council at the OCM of 21 August, however given the attention to detail taken in providing the quote, and the greater availability and propensity for redress should post instalment issues occur, it is recommended the Council endorse an increase in the expenditure.

It is also recommended that the costs for each property, as with the previous item, be deducted from the annual maintenance allocated to each property in the Shire annual budget rather than draw from the Shire's Television Reserve – currently at \$34,000 - which will be required for the decommissioning of the broadcast tower after June 2025 and to fund rebates for qualifying ratepayers.

Consultation:

Lana Foote, Deputy Chief Executive Officer

Statutory Implications:

Nil

Policy Implications:

Nil

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2024

1.1 Local people feel safe, engaged and enjoy a health and peaceful lifestyle.

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

Risk Implications:

Risk Profiling Theme	Loss of service to community when tower shut down.
Risk Category	Reputational impact
Risk Description	Community dissatisfaction at loss of TV service
Consequence Rating	Moderate (3)
Likelihood Rating	Likely (4)
Risk Matrix Rating	High (12)
Key Controls (in place)	Communications and details of alternative providers
Action (Treatment)	Effective
Risk Rating (after treatment)	Moderate (8)

Financial Implications:

Depending on option selected.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 061124

Moved Cr GW Greaves

Seconded Cr NJ Chandler


That Council endorse the expenditure of \$34,000 exc GST for installation of television reception equipment to Shire properties.

CARRIED 7/0

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

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11.4. WDC Housing Review Proposal

Corporate and Community		
Date	15 November, 2024	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	As above	
Legislation	Nil	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	NEWROC Workforce Housing Investigation – Indicative Scope of Works AROC Dandaragan Workforce Housing Investigation	

Background:

The revision earlier this year of The Shire of Koorda Integrated Strategic Plan identified the need for a formal housing strategy, in particular to facilitate short term worker accommodation and to provide options to attract long-term employees and their families to the town.

Adequate available housing is a key to economic development of any precinct. As such development of a Housing Strategy is one of the 36 actions identified in the 2025 Integrated Strategic Plan and one of nine under the Community Priority of ensuring “Our economy grows in a sustainable manner”.

Any housing strategy developed and adopted by the Shire should take into consideration all environmental factors including the strategies adopted by neighbouring shires as comparative offers will influence potential residents’ decisions. As such taking a regional approach to housing provision, while still ensuring local priorities are provided for, has a potential multiplier effect.

To this end the Wheatbelt Development Commission has approached NEWROC shires for an expression of interest in undertaking a shared investigation and analysis of housing needs in the region as has been completed for other wheatbelt regions.

The consideration before Council with this item is to determine if it would be beneficial for the Shire of Koorda to participate in a housing review project for NEWROC by the WDC.

Comment:

The Shire President and CEO met with WDC Regional Development Officer Alex MacKenzie on 24 October for a presentation on the proposal to undertake a housing investigation on behalf of NEWROC as had been completed for other wheatbelt groups of Councils.

The purpose of the project would be to provide participating shires with a basis from which to target their housing projects and allocation. At the meeting on 24 October, Mr MacKenzie provided examples of similar work that the WDC had undertaken for other groups of shires with the report provided for the Avon Regional Organisation of Councils attached as an example.

Depending on the response from NEWROC shires, Mr MacKenzie said an indicative cost for each shire to participate was estimated at \$10,000 per shire. He explained that dependent on the commitment from NEWROC shires, the project may be combined with the investigation for WEROC shires.

Following the meeting Mr MacKenzie confirmed he had indicative support from 11 shires across NEWROC and WEROC, with the Shires of Dowerin, Mt Marshall, Nungarin, Wyalkatchem and Trayning expressing initial interest.

- Building the evidence base around workforce housing demand and what this means in terms of housing product type, price-points and tenure relative to current supply;
- Understanding land and housing development costs in the Wheatbelt's sub-regions and what this means from a project feasibility perspective and the interventions needed from government to enable land and housing supply;
- Identifying the servicing, planning, tenure (and other) constraints to land and housing development across subject towns;
- Identifying opportunities to unlock crown land where possible to ensure capacity to respond to residential and other strategic growth priorities (i.e. light industrial land); and
- Quantifying the regional economic and social benefits of priority project opportunities including the value of co-investment for government. Note: Priority project opportunities are to be determined by the respective Shire's in the course of the proposed work.

As is demonstrated in the timeframe provided in the attached proposal, delivery of the report, including consultation, assessment, identification and cost/benefit analysis is estimated to take up to six months. While the report will not provide a Housing Strategy for the Shire specifically, it will provide the consultative and empirical basis from which Council can consider and develop an appropriate strategy.

With this in mind, the necessity of the work to be undertaken by the Shire to help ensure efficient application of investment, it is recommended that the projected \$10,000 fee is value for money.

Consultation:

Alex MacKenzie, Wheatbelt Develop Commission Regional Development Officer
Jannah Stratford, President, Shire of Koorda
Ben McKay, Chief Executive Officer, Shire of Mt Marshall

Statutory Implications:

Nil

Policy Implications:

Nil

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2024

2.1.6 – Develop Shire Housing Strategy to include expanded short-term worker accommodation.

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

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

Risk Implications:

Risk Profiling Theme	Failure of project to meet shire's specific needs.
Risk Category	Financial
Risk Description	The final report may not be adequately specific from which to develop a housing strategy.
Consequence Rating	Insignificant (1)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Low (3)
Key Controls (in place)	Project reporting and communication.
Action (Treatment)	Progress reports
Risk Rating (after treatment)	Effective

Financial Implications:

\$10,000 expenditure from Other Governance Consultancy, Annual 2024-25 Shire Budget.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 071124

Moved Cr GW Greaves

Seconded Cr KA Fuchsbichler


That Council approve Shire participation in the WDC housing investigation as proposed and allocate up to \$10,000 in consultancy expenditure.

CARRIED 7/0

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

12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE

12.1. Prosecution Under Delegated Authority

Governance and Compliance		
Date	13 November 2024	
Location	10 Haig Street	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	As above	
Legislation	Bush Fires Act 1954 Bush Fires (Infringements) Regulations 1978	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input checked="" type="checkbox"/> Information	
Attachments	2024-25 Shire of Koorda Rates Info Booklet	

Background:

Under the Shire of Koorda Delegation Register section 6.9 Prosecution of Offences and Infringement Notices and as per the Bush Fires Act 1954 section 48(a), Council has delegated the CEO under section 59 of the Act to “institute or carry out proceedings against a person” for an alleged offence against the Act and “authority to serve an infringement notice”.

The Bush Fires Act 1954 section 65 provides that “no proof is required until evidence is given in the contrary” for prosecution for the offences and corresponding penalties listed under the Bush Fires (Infringements) Regulations 1978.

In addition, the Shire of Koorda Delegation Register requires that exercised delegations are to be reported to Council at each monthly Ordinary Council Meeting, as has been the practice.

The purpose of the item is to detail application by the CEO of the delegated authority to prosecute and place on the public record the serious intent of the Shire regarding bush fire control.

Comment:

An incident on Monday 28 October involving a fire allegedly started by a property owner without a permit and that required attendance by three volunteer fire appliances has resulted in the issuing of a \$100 fine under section 24(1) for “Failure to produce a permit to burn”.

Claims of ignorance to as to requirements for setting fires is not accepted by the Shire, as apart from the reasonable expectation that landowners will make themselves aware of their obligations, all rate notices (issued three months ago) contained a pamphlet (attached) detailing these requirements.

The Shire also publishes on its website the requirements for permits between 19 September and 31 October and 1 February to 30 April, with no burning permitted during the intervening period (1 November to 31 January).

As such, had the incident at hand occurred four days later – during the ban period – the landowner would have been subject to a fine of \$1000 or penalties up to \$25,000 or 12 months imprisonment or both if the matter proceeded to court.

The permits issued by the Shire also details the requirements for property owners including the provision of a suitable appliance and legal responsibility to extinguish fires on their property.

While the Shire is not obligated to provide proof under section 65 of the Act, unless the infringement is contested, the Shire retains a detailed statement from the Shire's Chief Bush Fire Control Officer who attended the incident and can speak to the circumstances and behaviours encountered.

As with matters of prosecution open to the Shire there is the option of issuing a letter of warning to the property owner however given the seasonal circumstances, the individual's reported responses to attending crews and proximity of potentially similar situations, the Shire proceeded with a fine.

It should be noted the Shire opted for the lesser of the fines available as the fire was contained by crews, and the infringement selected is the more efficient to impose and prosecute.

Given reports from attending crews, the Shire arguably could have applied a \$250 infringement for the landowner not taking responsibility to extinguish the fire (s.28) which can be up to \$10,000 if escalated to court; or \$250 for setting a fire in the open air (s.25) which can be up to \$3000.

Also, under section 58 of the Act, the Shire could have sought to recover from the landowner the expenses incurred in fighting the fire, which was attended by appliances Kulja 2-4, Koorda 3-4, and the Koorda light tanker.

The \$100 infringement was issued to the landowner via post on Wednesday, 13 November along with a copy of the Shire's information pamphlet, which accompanied rates notices, and details landowner obligations concerning fire control and preparation.

Consultation:

George Storer, Chief Bush Fire Control Officer, Shire of Koorda
Kelsi Wells, DFES Acting District Officer, Emergency Management, (Goldfields/Midland)
Phillip Hay, DFES Acting Superintendent, (Goldfields/Midland)
Lana Foote, Deputy Chief Executive Officer

Policy Implications:

G - Legislative Compliance V1.0

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2024
1.3 Emergency services are supported with effective planning, risk mitigation, response and recovery.

Statutory Implications:

Bush Fires Act 1954
Bush Fires (Infringements) Regulations 1978

Risk Implications:

Risk Profiling Theme	Ratepayer disagreement with infringement.
Risk Category	Reputational
Risk Description	Potential for ratepayers to disagree with infringement being issued.
Consequence Rating	Minor (1)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Low (4)
Key Controls (in place)	Shire could have sought to prosecute at higher offence.
Action (Treatment)	Communications
Risk Rating (after treatment)	Effective – Low (3)

Financial Implications:

Nil immediate financial impact on the Shire.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 081124

Moved Cr GW Greaves


Seconded Cr KA Fuchsbichler

That Council notes the infringement issued by the Shire under delegated authority.

CARRIED 7/0

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

12.2. Christmas Closure

Governance and Compliance		
Date	11 November 2024	
Location	10 Haig Street	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	As above	
Legislation	Nil	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Nil	

Background:

Traditionally the Shire of Koorda closes for the two weeks capturing the Christmas and New Year public holidays. Both the office and depot are shut down with calls diverted to message and the CEO mobile provided as a point of contact for emergencies.

Minimal gardening crews are kept on for maintenance with cleaning staff are scheduled in line with short-stay bookings and for intermittent checks on the caravan park. All other staff are required to take annual leave or leave without pay if they do not sufficient leave accrued.

Comment:

The proposed Shire of Koorda shut period this year will be from Monday 23 December 2024 to Friday 3 January 2025. That is the last day the Shire office will be open for 2024 will be Friday 20 December and reopen on Monday 6 January 2025.

There will be three staff who will not have accrued sufficient annual leave prior to the closure and will be required to take leave without pay for the seven days that are not public holidays during the period. All have been advised.

Short-term bookings will be reviewed prior to the shut down so as to coordinate cleaning requirements with bookings suspended during the office closure.

The Shire closure will be advertised on Facebook and in the Narkal Notes in the weeks preceding the period and a notice posted at the office entrance in the week prior and during the shutdown.

Consultation:

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

Policy Implications:

Nil

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2024
4.1 Open and transparent leadership

Statutory Implications:

Nil

Risk Implications:

Risk Profiling Theme	Ratepayers may feel inconvenienced by the shut down.
Risk Category	Reputational
Risk Description	Potential for individuals wanting to access services to be disappointed
Consequence Rating	Minor (1)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Low (4)
Key Controls (in place)	Emergency contact provided
Action (Treatment)	Communications prior
Risk Rating (after treatment)	Effective – Low (3)

Financial Implications:

Nil financial impact on the Shire

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

RESOLUTION 091124

Moved Cr GL Boyne

Seconded Cr S Christie

That Council endorses the Shire of Koorda office and depot closure inclusive from Monday 23 December 2024 to Friday 3 January 2025.

CARRIED 7/0

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

13. OFFICER'S REPORTS – WORKS & ASSETS

Nil.

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

Nil.

15. Elected Members' Motions

Nil.

UNCONFIRMED

16. Matters Behind Closed Doors

Officer Recommendation RESOLUTION 101124

Moved Cr GL Boyne

Seconded Cr GW Greaves

That Council close the meeting to the public at 7.02pm in accordance with the Local Government Act section 5.23 (2) (e) (ii) information that has a commercial value to a person.

CARRIED 7/0

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

Officer Recommendation Resolution 111124

Moved Cr GL Boyne

Seconded Cr GW Greaves


That Council re-open the meeting to the public at 7.07pm.

CARRIED 7/0

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

16.1. Recreation Precinct Stage Two – Project Inspection Proposal

It is recommended that Council close the meeting to the public in accordance with the Local Government Act section 5.23 (2) (e)(ii) information that has a commercial value to a person.

Corporate and Community		
Date	11 November, 2024	
Location	Koorda Recreation Precinct	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	As above	
Legislation	Local Government Act 1995 Local Government (Functions and General) Regulations 1996	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Nil	

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
RESOLUTION 121124**

Moved Cr GW Greaves

Seconded Cr KM Burrell

That by absolute majority, Council approve the allocation of \$42,902 from the Shire Recreation Reserve for MCG Architects to undertake project inspections and construction monitoring for Stage 2 (Bowling Green project) of the recreation precinct redevelopment.

CARRIED BY ABSOLUTE MAJORITY 7/0

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

17. Closure

The Presiding Person thanked those present for their attendance and declared the meeting closed at 7.08pm.

Signed: _____

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

Date: 18 December 2024