



Shire of
Koorda

Drive in, stay awhile

AGENDA

SPECIAL Council Meeting

To be held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Monday 20 October 2025

Commencing 5.00pm

Meeting Purpose: To elect a President and Deputy President, to nominate Council Committee Chairs and Members and approve the use of the common seal on property sales documents.

NOTICE OF MEETING

Dear Elected Members,

Notice is hereby given that the next Special Meeting of Council of the Shire of Koorda will be held on Monday, 20 October 2025 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda.

The format of the day will be:

4.45pm	Swearing In Ceremony
5.00pm	Council Meeting

Zac Donovan
Chief Executive Officer
17 October 2025

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.

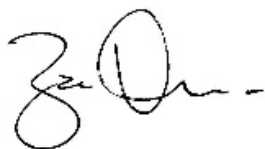
Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

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
Special Council Meeting
5.00pm, 20 October 2025**



1. Declaration of Opening

In accordance with Clause 3 of Schedule 2.3 the *Local Government Act 1995*, the Chief Executive Officer is to preside at the meeting until the officer of President is filled.

The CEO welcomed all those in attendance and declared the meeting open at X.00pm.

2. Record of Attendance, Apologies and Leave of Absence

Councillors:

Cr GL Boyne
Cr KA Fuchsbichler
Cr NJ Chandler
Cr GW Greaves
Cr JM Stratford
Cr BJ Harrap
Cr BH Moore

Staff:

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

Members of the Public:

Apologies:

Approved Leave of Absence:

3. Swearing In of Councillors Elect

Prior to the Special Council Meeting and in accordance with Section 2.29 of the *Local Government Act 1995*, Mr Zac Donovan, CEO witnessed the declaration of the following re-elected member:

1. Mr NJ Chandler
2. Mr GW Greaves
3. Mrs JM Stratford

Witnesses the declaration of Council Elect:

4. Mr BJ Harrap
5. Mr BH Moore

4. Election of President

The CEO will call for nominations for the position of President of the Council, for the ensuing 2 years.

Nominations in writing before or at the meeting:

Nominations must be in writing. They can be given to the CEO before the meeting or at the meeting itself after the CEO calls for nominations. The nomination period is to be sufficient to allow any nominations to be made. Councillors can nominate themselves. Confirmation that they accept the nomination (orally or in writing) must be given to the CEO if a councillor nominates another councillor. The CEO cannot accept a nomination unless the nominee has advised the CEO that they are willing to accept.

5. Declaration by the President

Mr Z Donovan, CEO will witness the declaration of the President

The President will assume the Chair.

6. Election of Deputy President

The President will call for nominations for the position of Deputy President of the Council, for the ensuing 2 years.

Nominations in writing before or at the meeting:

Nominations must be in writing. They can be given to the CEO before the meeting or at the meeting itself after the President calls for nominations. The nomination period is to be sufficient to allow any nominations to be made. Councillors can nominate themselves. Confirmation that they accept the nomination (orally or in writing) must be given to the President if a councillor nominates another councillor. The President cannot accept a nomination unless the nominee has advised the President that they are willing to accept.

7. Declaration by the Deputy President

Mr Z Donovan, CEO will witness the declaration of the Deputy President

8. Draw for Position at the Council Table

Except for the President and Deputy President seats, the CEO is to allot by random draw a position at the Council table for each Councillor as per Clause 7.1 of the Shire of Koorda Standing Orders Local Law 2018.

Voting Requirements: ☒ Simple Majority ☐ Absolute Majority

Officer Recommendation

The Council resolved the seating arrangement for the next two-year period commencing today will be:

- 1. President <Name>**
- 2. Deputy President <Name>**
- 3. Cr <Name>**
- 4. Cr <Name>**
- 5. Cr <Name>**
- 6. Cr <Name>**
- 7. Cr <Name>**

9. Disclosure of Interest

10. Announcements by the President without Discussion

11. ELECTION OF DELEGATES AND DEPUTY DELEGATES TO COMMITTEES

11.1. Nomination for Council Committees

Governance and Compliance		
Date	16 October 2025	
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	☐ Executive Decision ☒ Legislative Requirement ☐ Information	
Attachments	Nil	

Background:

In accordance with Section 5.11 of the Local Government Act 1995 (the Act) committee tenure expires every two years at the ordinary election therefore it is timely for Council to consider the representatives at the first meeting after the elections.

As part of the reforms to the Local Government Act, Section 5.12 requires all committees of Council to have the Presiding Member for each appointed by the Council rather than the relevant committee. Councils may wish to appoint a Deputy Presiding Member, however in the absence of the Presiding Member, then the Committee Members present at the meeting are to choose one of themselves to preside at the meeting.

In accordance with Section 5.10(4) of the Act, the President is entitled to be a member on any committee of their choice, even though that may exceed the quorum. Similarly, in accordance with Section 5.10(5) of the Act the CEO is entitled to be on (or appoint a representative to) any committee having employee representation.

Comment:

This item seeks a resolution to seek nominations for Presiding Member, Members and a Deputy Member from Councillors for the following Committees;

- Audit, Risk & Improvement,
- Awards;
- Behavioural Complaints;
- Building, Recreation & Town Planning;
- Bush Fire Advisory,
- CEO Performance Review;
- Governance;
- Grants;
- Koorda Local Emergency Management; and
- Works.

The below table details Council's Committee's and previous representation.

Committee	Legislated/ Optional	Previous Membership	Meeting Cycle	Representatives required by existing ToRs
Audit, Risk & Improvement Committee Terms of Reference	<i>Local Government Act 1995 (Section 7.1A)</i>	1. Mr Ron Back, Independent Chair. 2. President JM Stratford 3. Cr NJ Chandler, 4. Cr GL Boyne Deputy: Cr GW Greaves	At least quarterly.	1 Independent Chair. 3 Members. 1 Deputy Member.
Awards Committee Terms of Reference	<i>Optional</i>	1. Cr GL Boyne (Chair), 2. Cr JM Stratford, 3. Cr GW Greaves, Deputy: Vacant	Once annually.	3 Members. 1 Deputy Member.
Koorda Behavioural Complaints Committee	<i>Local Government Act 1995 (Section 5.8)</i>	1. Cr NJ Chandler (Chair), 2. Cr JM Stratford, 3. Cr GW Greaves, Deputy: Vacant	As required.	3 Members. 1 Deputy Member.
Building, Recreation & Town Planning Committee	<i>Optional</i>	1. Cr GL Boyne (Chair), 2. Cr NJ Chandler, 3. Cr GW Greaves Deputy: Vacant	As required.	3 Members. 1 Deputy Member.
Bush Fire Advisory Committee Terms of Reference	<i>Bush Fires Act 1954</i>	1. President JM Stratford 2. CEO Chair: Mr George Storer	Twice annually	2 Members. 1 Deputy Member.
CEO Performance Review Committee	<i>Local Government Act 1995 (Section 5.38)</i>	1. President JM Stratford (Chair), 2. Deputy President GW Greaves, 3. Cr NJ Chandler Deputy: Cr GL Boyne	At least once annually.	3 Members (President, Deputy President & Councillor) 1 Deputy Member.
Governance Committee Terms of Reference	<i>Optional</i>	1. Cr JM Stratford (Chair), 2. Cr GL Boyne, 3. Cr NJ Chandler, Deputy: Cr KA Fuchsbichler	As required. At least biennially for Policy Review and desktop review of Integrated Strategic Plan.	3 Members. 1 Deputy Member.
Koorda Grants Committee Terms of Reference	<i>Optional</i>	1. Cr GL Boyne (Chair), 2. Cr JM Stratford, 3. Cr KA Fuchsbichler Deputy: Cr GW Greaves	Twice annually.	3 Members. 1 Deputy Member.
Koorda Local Emergency Management Committee Terms of Reference	<i>Emergency Management Act 2005</i>	1. President JM Stratford (Chair) Deputy: Deputy President GW Greaves	Quarterly	1 Member (President-Chairperson). 1 Deputy Member.
Works Committee Terms of Reference	<i>Optional</i>	1. Cr GW Greaves (Chair), 2. Cr NJ Chandler, 3. Cr KA Fuchsbichler, Deputy: Cr JM Stratford	As required.	3 Members. 1 Deputy Member.

The existing Terms of Reference (TOR) for each committee are hyperlinked under the Committee Column in the above table. Each TOR can be reviewed if/when required at the committee meetings following this meeting.

Consultation:

Nil.

Statutory Implications:

Sections 5.10 and 5.11A of the *Local Government Act 1995* stipulates the manner for the appointment of committee members and deputies to committees. An Absolute Majority resolution of Council is required.

Section 5.12 of the *Local Government Act 1995* requires all committees of Council to have the Presiding Member for each appointed by the Council rather than the relevant committee. An Absolute Majority resolution of Council is required.

In accordance with Section 5.10(4) of the Act, the President is entitled to be a member on any committee of their choice, even though that may exceed the quorum. Similarly, in accordance with Section 5.10(5) of the Act the CEO is entitled to be on (or appoint a representative to) any committee having employee representation.

Under Section 5.8 of the Act Council has the power to delegate authority to its committees (except those powers defined in Section 5.17 of the Act), however Council's committees do not have delegated authority. As a result, all recommendations of Council's committees must be presented to Council for consideration. It is recommended this remains in place.

Policy Implications:

These Committees are listed in Policy "G - Council Meeting System."

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2024

4.1 - Open and Transparent Leadership.

Risk Implications:

Risk Profiling Theme	Failure to implement legislative changes
Risk Category	Compliance
Risk Description	Council cannot agree on selecting presiding members and deputies for each of its committees.
Consequence Rating	Minor (2)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (2)
Key Controls (in place)	Decision not required until 1 July 2025
Action (Treatment)	Lead time ahead of deadline for Council decision.
Risk Rating (after treatment)	Adequate

Financial Implications:

Section 5.98 of the Local Government Act 1995 states a Councillor who attends a Council or Committee meeting is entitled to be paid the fee determined for attending a Council or Committee meeting.

The 2025/26 Budget includes an allocation for this purpose at GL 2040113 Members Sitting Fees.

Voting Requirements: ☐ Simple Majority ☒ Absolute Majority

Officer Recommendation

That, by Absolute Majority in accordance with Sections 5.10, 5.11A, 5.12 and 7.1A of the *Local Government Act 1995*, Council appoints the following Presiding Members and Committee Members for Council Committees:

1. Audit, Risk & Improvement

- a. Mr Ron Back as Independent Chairperson
- b. Cr <NAME> as a member
- c. Cr <NAME> as a member
- d. Cr <NAME> as a deputy member

2. Awards

- a. Cr <NAME> as presiding member
- b. Cr <NAME> as a member
- c. Cr <NAME> as a member
- d. Cr <NAME> as a deputy member

3. Behavioural Complaints

- a. Cr <NAME> as presiding member
- b. Cr <NAME> as a member
- c. Cr <NAME> as a member
- d. Cr <NAME> as a deputy member

4. Building, Recreation & Town Planning

- a. Cr <NAME> as presiding member
- b. Cr <NAME> as a member
- c. Cr <NAME> as a member
- d. Cr <NAME> as a deputy member

5. Bush Fire Advisory

- a. <NAME> as presiding member
- b. Cr <NAME> as a member
- c. Cr <NAME> as a deputy member

6. CEO Performance Review

- a. President <NAME> as presiding member
- b. Deputy Present <NAME> as a member
- c. Cr <NAME> as a member
- d. Cr <NAME> as a deputy member

7. Governance

- a. Cr <NAME> as presiding member
- b. Cr <NAME> as a member
- c. Cr <NAME> as a member
- d. Cr <NAME> as a deputy member

8. Grants

- a. Cr <NAME> as presiding member
- b. Cr <NAME> as a member
- c. Cr <NAME> as a member
- d. Cr <NAME> as a deputy member

9. Local Emergency Management

- a. Cr <NAME> as presiding member
- b. Cr <NAME> as a deputy member

10. Works

- a. Cr <NAME> as presiding member
- b. Cr <NAME> as a member
- c. Cr <NAME> as a member
- d. Cr <NAME> as a deputy member

BY ABSOLUTE MAJORITY

11.2. Nomination for External Committees

Governance and Compliance		
Date	16 October 2025	
Location	Not Applicable	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	Lana Foote, Deputy Chief Executive Officer	
Legislation	Local Government Act 1995	
Disclosure of Interest	Nil	
Purpose of Report	☐ Executive Decision ☒ Legislative Requirement ☐ Information	
Attachments	1. WALGA GECZ Elected Member Prospectus 2. Local Government Nominations - Development Assessment Panels	

Background:

This Item seeks nominations from Councillors for various external committees on which Council is represented and a Council resolution on those appointments.

The Shire of Koorda is currently represented by Councillors and Staff on the following external committees and has been for several years:

Committee	Previous Membership
North Eastern Wheatbelt Regional Organisation of Councils (NEWROC)	1. NEWROC Council: President NEWROC Council Deputy: Deputy President NEWROC Executive: CEO NEWROC Executive Deputy: Deputy CEO
WALGA Great Eastern Country Zone (GECZ)	1. President 2. Deputy President Deputy: CEO
Regional Road Sub Group	1. Cr NJ Chandler Deputy: Cr GW Greaves
Rural Water Council	1. CEO Deputy: Cr JM Stratford
Wheatbelt Natural Resource Management	1. Cr GL Boyne Deputy: CEO
NEWTRAE	1. Deputy CEO
Bush Fire Regional Board	1. Cr GW Greaves Deputy: CEO
Mid-West/Wheatbelt Joint Development Assessment Panel (DAP)	1. Cr GL Boyne 2. Cr NJ Chandler Deputy: Cr JM Stratford Deputy: Cr KM Burrell

Comment:

In accordance with Section 5.11 of the *Local Government Act 1995* (the Act) committee tenure expires every two years at the ordinary election therefore it is timely for Council to consider the representatives to external committees at the first meeting after the elections.

Nominations for each committee will be called at the meeting.

Regarding the WALGA GECZ, a chronological overview of the process is detailed below:

- Local Government elections occur on Saturday, 18 October.
- Member Councils to elect / appoint their Zone Delegates and to advise WALGA as soon as possible but preferably by 9:00am on Friday, 31 October.

- Zones to meet in November and elect their State Council representatives and deputy representatives.
- Zones to advise WALGA of their elected State Council representative(s) and deputy representative(s) immediately following the November Zone meeting.
- An Induction Session will be held for all incoming State Councillors and Deputy State Councillors on Thursday, 30 November at the WALGA offices in West Leederville.
- The new State Council will take office at the December Ordinary Meeting of State Council.
- The positions of President and Deputy President of WALGA will be elected at the March 2026 Ordinary Meeting of State Council.

Development Assessment Panel (DAP) (as per attachment 2 of this item)

Under the Planning and Development (Development Assessment Panels) Regulations 2011, local governments are required to nominate elected members for inclusion on the register of Local Government DAP Members. All current members are appointed until 26 January 2026, and ahead of this expiry date, each local government must nominate four elected councillors, two primary members and two alternates, for the next term.

With the local government elections taking place on 18 October 2025, council composition may change, and any existing DAP member who is not re-elected will cease to hold their DAP role from 19 October 2025. Nominations must be submitted to the DAP Secretariat by Friday, 21 November 2025, using the provided form and accompanied by a council resolution. If submission by this date is not possible, alternative arrangements must be discussed with the Secretariat. Once received, the Minister will appoint the nominees to the register of Local Government DAP Members for the term ending 26 January 2028.

Consultation:

Nil.

Statutory Implications:

Sections 5.10 and 5.11A of the *Local Government Act 1995* stipulates the manner for the appointment of committee members and deputies to committees. An Absolute Majority resolution of Council is required.

In accordance with Section 5.10(4) of the Act, the President is entitled to be a member on any committee of their choice, even though that may exceed the quorum. Similarly, in accordance with Section 5.10(5) of the Act the CEO is entitled to be on (or appoint a representative to) any committee having employee representation.

Under Section 5.8 of the Act Council has the power to delegate authority to its committees (except those powers defined in Section 5.17 of the Act), however Council's committees do not have delegated authority. As a result, all recommendations of Council's committees must be presented to Council for consideration. It is recommended this remains in place.

Policy Implications:

Nil.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2024
4.1 - Open and Transparent Leadership.

Financial Implications:

Section 5.98 of the Local Government Act 1995 states a Councillor who attends a Council or Committee meeting is entitled to be paid the fee determined for attending a Council or Committee meeting.

The 2025/26 Budget includes an allocation for this purpose at GL 2040113 Members Sitting Fees.

Voting Requirements: ☐ Simple Majority ☒ Absolute Majority

Officer Recommendation

That, by Absolute Majority in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Council appoints the following Councillors and Staff Members as representatives to the following external committees:

<u>COMMITTEE</u>	<u>REPRESENTATIVES</u>
1. NEWROC	Council Meetings 1. President Deputy: Deputy President Executive Meetings 1. CEO Deputy: Deputy CEO
2. WALGA GECZ	1. President 2. Deputy President Deputy: CEO
3. Regional Road Group Sub Group	1. Cr Deputy: Cr
4. Rural Water Council	1. Cr/CEO Deputy:
5. Wheatbelt Natural Resource Management	1. Cr Deputy: Cr/CEO
6. NEWTRAVEL	1. Deputy CEO Deputy:
7. Bush Fire Regional Board	1. Cr Deputy: Cr/CEO
8. Mid-West/Wheatbelt Joint DAP	1. Cr 2. Cr Deputy 1: Cr Deputy 2: Cr

BY ABSOLUTE MAJORITY

12. OFFICER'S REPORTS – GOVERNANCE AND COMPLIANCE

12.1. Use of Common Seal on Property Sales Documents

Governance and Compliance		
Date	16 October, 2025	
Location	Properties in the Koorda townsite	
Responsible Officer	Zac Donovan, Chief Executive Officer	
Author	As above	
Legislation	Local Government Act 1995	
Disclosure of Interest	Nil	
Purpose of Report	☒ Executive Decision ☐ Legislative Requirement ☐ Information	
Attachments	Nil	

Background:

The Ordinary Council Meeting of 15 October 2025 endorsed the CEO to act on behalf of the Shire of Koorda to proceed with the sale of the two properties – at 23 Smith and 1 Allenby Streets Koorda – that were seized and sold by the Shire to recover outstanding rates, charges and associated fees.

Following the statutory requirements under the Local Government Act 1995, the two properties were sold by public auction on 4 October on an “as basis” and at the fall of the hammer realised a total of \$55,500 from which the shire will recover \$50,626 of the \$58,717 owed.

The purpose of this item is for Council to approve the use of the common seal on the various documents to necessitate the sale process.

Comment:

Various documents provided by the settlement agency associated with the property at 23 Smith Street require the application of the common seal both for the appointment of the settlement agent and the Landgate transfer of Land form.

The 23 Smith Street transaction is the simplest of the two settlements as the Shire holds the only encumbrances and the amount realised by the auction (\$25,500) is less than that (\$33,591) owed to the Shire in fees, charges and costs which voids a distribution to the original owner.

Given the simplicity of the transaction, and to facilitate the process the Shire has engaged the same settlement agent as the buyer in Chris Goddard of CPC Conveyancing.

The process to complete the sale for 1 Allenby Street is complicated by both a State agency (Department of Justice) and a Federal agency (Child Support Registry) also holding encumbrances over the property. As such the settlement process is anticipated to be extended.

As detailed at the 15 October OCM, as a result of the sale (\$30,000) the Shire will recover the full amount owed (\$28,127) with the Shire's best interests served by having a separate settlement agency to the buyer to ensure experienced in the additional matters.

On the recommendation of Palisade Corporate (the law firm assisting with the rates recovery) the Shire has engaged John Carey of however the settlement will require additional experience.

Though not as yet provided, it is anticipated that the sales process for 1 Allenby Street will be similar to those required for 23 Smith Street and will also require the use of the Shire's common seal. In addition, the timing of the sale, and the pending absence of the CEO, is such that Council should also endorse the Deputy CEO to act on behalf of the Shire to complete the sales processes.

Consultation:

Gianni Rifici, Solicitor, Palisade Corporate Law
Jessica Hill, Sales Representative, Bob Davey Real Estate Northam
Chris Goodall, Director, CPC Conveyancing
John Carey, Icon Settlements
Lana Foote, Deputy Chief Executive Officer

Statutory Implications:

Local Government Act 1995

Policy Implications:

F – Debt Recovery V1.0
G – Use of the Shire of Koorda Common Seal-Executing of Legal Documents V1.0

Strategic Implications:

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

Risk Implications:

Risk Profiling Theme	Delays in the receipt or distribution of funds.
Risk Category	Financial
Risk Description	Timing only
Consequence Rating	Insignificant (1)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Low (2)
Key Controls (in place)	Contractual agreements.
Action (Treatment)	Project management
Risk Rating (after treatment)	Effective

Financial Implications:

Nil additional

Voting Requirements: ☐ Simple Majority ☒ Absolute Majority

Officer Recommendation:

That Council:

1. Approve the use of the common seal as necessary for documents to complete the sales of 23 Smith and 1 Allenby Streets, Koorda.
2. Endorse the Deputy CEO to act on behalf of the Shire to finalise the sales agreements for 23 Smith and 1 Allenby Streets Koorda in the absence of the CEO.

BY ABSOLUTE MAJORITY