



Shire of
Koorda

Drive in, stay awhile

AGENDA

Ordinary Council Meeting

To be held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Monday 18 December 2023

Commencing 6.00pm

NOTICE OF MEETING

Dear Elected Members,

Notice is hereby given that the next Ordinary Meeting of Council of the Shire of Koorda will be held on Monday, 18 December 2023 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda.

The format of the day will be:

4.00pm	Grants Committee Meeting
5.00pm	Audit & Risk Committee Meeting
5.45pm	Council Elect Swearing-In Ceremony
6.00pm	Council Meeting
Following conclusion of Council Meeting	Council Forum

Lana Foote
Acting Chief Executive Officer
15 December 2023

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



Lana Foote
Acting Chief Executive Officer

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**Shire of Koorda
Ordinary Council Meeting
6.00pm, Monday 18 December 2023**



1. Declaration of Opening

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

2. Record of Attendance, Apologies and Leave of Absence

Councillors:

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

Staff:

Miss L Foote	Acting Chief Executive Officer
Mrs K Harrap	Governance Officer

Members of the Public:

Mrs Linda Longmuir, JP

Apologies:

Visitors:

Approved Leave of Absence:

3. Swearing In of Councillors Elect

Prior to the Ordinary Council Meeting and in accordance with Section 2.29 of the *Local Government Act 1995*, Mrs Linda Longmuir, JP witnessed the declarations of Council Elect:

1. Mr KA Fuchsbichler
2. Ms CL Nairn

4. Public Question Time

5. Disclosure of Interest

The following Councillors have disclosed an interest in item 14.1 – *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 Acting CEO has applied for statutory participation approval for Councillors Stratford, Boyne, and Greaves under s5.69(3) of the Local Government Act 1995 so that item 14.1 may be addressed at this meeting.

6. Applications for Leave of Absence

7. Petitions and Presentations

8. Confirmation of Minutes from Previous Meetings

8.1. Ordinary Council Meeting held on 15 November 2023

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

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Ordinary Council Meeting held 15 November 2023, as presented, be confirmed as a true and correct record of proceedings.

8.2. Special Meeting Minutes for meeting held 4 December 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the Special meeting held 23 October 2023, as tabled.

9. Minutes of Committee Meetings to be Received

9.1. Minutes of Shire of Koorda Committee Meetings to be Received

- a. Koorda Awards Committee Meeting held 15 November 2023
[Koorda Awards Committee Minutes](#)
- b. CEO Recruitment Committee Meeting held 27 November 2023
[CEO Recruitment Committee Minutes](#)
- c. LEMC Meeting held 30 November 2023
[LEMC Minutes](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

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

- a. Koorda Awards Committee Meeting, held 15 November 2023;
- b. CEO Recruitment Committee Meeting, held 27 November 2023;
- c. LEMC Meeting, held 30 November 2023

9.2. Minutes of External Committee Meetings to be Received

- a. NEWTRAVEL AGM & General Meeting Minutes for meetings held 26 October 2023
[NEWTRAVEL AGM Minutes](#); [NEWTRAVEL General Minutes](#)
- b. SRRG Meeting Minutes for meeting held 14 November 2023
[SRRG Meeting Minutes](#)
- c. GECZ Meeting Minutes for meeting held 20 November 2023
[GECZ Meeting Minutes](#)
- d. NEWROC Council Meeting Minutes for meeting held 4 December 2023
[NEWROC Council Minutes](#)

Voting Requirements Simple Majority Absolute Majority


Officer Recommendation

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

- a. NEWTRAVEL Annual General Meeting and General Meeting, held 26 October 2023;
- b. SRRG Meeting, held 14 November 2023;
- c. GECZ Meeting, held 20 November 2023
- d. NEWROC Council Meeting, held 4 December 2023

10. Recommendations from Committee Meetings for Council Consideration

10.1. Adoption of Koorda Grants Committee Terms of Reference

Governance and Compliance		
Date	11 December 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
Legislation	Nil	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Koorda Grants Committee Terms of Reference	

Background:

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

The Koorda Grants Committee's Terms of Reference have been drafted and are presented to the Committee, as attached, for consideration and adoption prior to recommending adoption at the Ordinary Council Meeting to be held, 18 December 2023.

Comment:

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

An item will be presented for Council to adopt the terms of reference following this committee meeting.

Consultation:

Nil.

Statutory Implications:

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

Policy Implications:

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

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

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and Transparent Leadership.

Financial Implications:


Nil

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

That the Koorda Grants Committee Terms of Reference be adopted.

10.2. Consideration of 2022/2023 Round 1 Koorda Community Grant Program Applications

Governance and Compliance		
Date	11 December 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting 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	2023 11 13 Koorda Youth Group \$945.36 2023 11 23 Koorda Golf Club \$2,985.45 2023 11 28 Country Bratz Playgroup \$4,325.09* 2023 11 28 Koorda Community Garden \$1,360.00 2023 11 28 Koorda Darts Club \$909.09 2023 11 30 Koorda Football Club \$2,200.00* 2023 11 30 Museum \$499.00*	

Background:

The Shire of Koorda is committed to recognising the value of all community organisations and has developed a clear and powerful vision “To build a vibrant and sustainable community with shared social values, in which we can live and work in harmony with our environment”.

The Community Grants Program is allocated from within Council’s general revenue budget each year to provide financial support to community organisations that meet the objectives of the Community Grants Program (“CGP”).

The CGP objectives are to support projects that promote community capacity, improve social participation and inclusion as well as enhance community harmony and social cohesion.

The Shire of Koorda CGP assists community groups and Not for Profit organisations with their vital work and programmes to:

- Promote community capacity, community harmony and social cohesion;
- Encourage people and organisations to help themselves;
- Ensure fair distribution of activities and services throughout Koorda; and
- Encourage resident participation in activities which benefit the community in Koorda.

A pool of \$10,000 is available in the inaugural round of the CGP, with Grants of up to \$5,000 (exc GST) being available to community organisations. Applications opened from 1 November to 30 November.

Comment:

The Koorda Grants Committee is to recommend to Council the successful applicants for this based on the below selection criteria;

- Applicant History: Has the applicant applied previously? Did the applicant adhere to the guidelines and acquittal requirements?
- Does the project meet a broader community need?
- Does the project benefit a sufficiently broad, or diverse, target group?
- Does the organisation have the capacity to undertake and manage the project?

- Does the application represent value for money?
- Collaborative community wide projects are encouraged.

A list of the applications for 2022/2023 Round 1 are included below;

Group	Project	Project Cost (exc GST)	Requested Amount
Koorda Youth Group	Transforming Spaces (10 x Beanbags)	1,791.61	945.36
Koorda Golf Club	Refurbish Koorda Golf Club Tee Boxes	9,659.99	2,985.45
Country Bratz Playgroup	Jungle Music	4,711.20	4,325.09*
Koorda Darts Club	Portable Dart Boards & Mats	963.63	909.09
Koorda Community Garden	Solid Foundation	3,976.56	1,360.00
Koorda Football Club	Entertainment - mental health focus "wellbeing night"	2,790.00	2,200.00*
Koorda Museum	Rechargeable Vacuum Cleaner	544.55	499.00*
		TOTAL	13,223.99

The “Requested Amounts” marked with an * indicate organisations not registered for GST, and if approved, would not be able to claim GST on their claim invoice to the Shire.

Consultation:

Koorda CGP Applicants

Statutory Implications:

Nil.

Policy Implications:

Policy “[F - Grants - Community Grants Program](#)” covers all aspects of the Koorda CGP.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

1.2.1 - Recognise and support the value of our community volunteers and provide meaningful opportunities to contribute to Shire projects and improving local living.

1.2.2 - Develop and implement a Community Grants Program.

1.2.3 - Make available a list of current grant opportunities to local businesses, clubs and community groups.

Financial Implications:

An allocation of \$10,000 is included in the 2023/2024 Budget for the inaugural round of the Shire of Koorda Community Grants Program.

Voting Requirements: Simple Majority Absolute Majority


Officer Recommendation

That the Grant Committee recommends;

That Council, endorse the recipients and funding allocation, for the below applicants of the 2022/2023 Koorda Community Grant Program, as determined at the Grants Committee Meeting held on 18 December 2023;

1. <GROUP> <AMOUNT APPROVED>;
2. <GROUP> <AMOUNT APPROVED>;
3. <GROUP> <AMOUNT APPROVED>;

10.3. Adoption of Koorda Audit and Risk Committee Terms of Reference

Governance and Compliance		
Date	27 November 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
Legislation	Nil	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Koorda Audit and Risk Committee Terms of Reference	

Background:

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

The Koorda Audit and Risk Committee's Terms of Reference have been drafted and are presented to the Committee, as attached, for consideration and adoption prior to recommending adoption at the December 2023 Ordinary Council Meeting.

Comment:

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

An item will be presented for Council to adopt the terms of reference following this committee meeting.

Consultation:

Nil.

Statutory Implications:

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

Policy Implications:

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

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

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022


4.1 - Open and Transparent Leadership.

Council Agenda
Monday 18 December 2023
Financial Implications:
Nil

Voting Requirements: Simple Majority Absolute Majority

Committee Recommendation
That the Koorda Audit & Risk Committee Terms of Reference be adopted.

10.4. 2022/2023 Annual Report and Annual Electors Meeting

Governance and Compliance		
Date	12 December 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995 Section 6.10 & 7.9(1)</i> <i>Local Government Financial Management Regulation 1996 Part 2</i> <i>Local Government (Audit) Regulations 1996 – Reg 10</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	8.2a. 2022/2023 Annual Report 8.2b. 2022/2023 Annual Financial Statements 8.2c. 2022/2023 Independent Auditors Report	

Background:

This item presents the 2022/2023 Annual Report and Audited Financial Report to the Audit & Risk Committee for consideration and, if satisfactory, recommendation to Council for adoption.

The Annual Financial Statements for the year ended 30 June 2023 have been audited by Dry Kirkness, under the Office of the Auditor General (OAG).

The 2022/2023 Annual Report, audited financial report and OAG's Opinion Letter are included as attachments to this item.

Comment:

Pursuant to its Terms of Reference, it is relevant that the Audit & Risk Committee considers the 2022/2023 Annual Report and where appropriate, makes recommendation(s) in respect of the report.

In accordance with Section 7.9 of the *Local Government Act 1995*, an Auditor is required to examine the accounts and annual financial report submitted by a local government for audit. The Auditor is also required, by 31 December following the financial year to which the accounts and report relate, to prepare a report thereon and forward a copy of that report to:

1. The Mayor or President;
2. The CEO of the local government; and
3. The Minister.

The Opinion Letter included as Attachment 8.2c provides an overview of the audit process and outcomes. A separate management letter has been issued and circulated to Council and the Executive Management Team for findings identified during the audit and recommendations to rectify the findings identified. The findings have been listed under heading "Discussions with the OAG and Auditors" later in this item.

The Financial Report and Draft Audit Opinion were received on 11 December 2023, and Council Members and the Acting CEO met with representatives from Dry Kirkness and the OAG for the Auditors Exit Meeting.

Local governments are required to conduct an Annual Electors Meeting not more than 56 days after adopting the Annual Report. A requirement of setting the date is that 14 days Local Public Notice is required for advertising the meeting. To meet reporting requirements the Annual Electors Meeting should be held before Monday 12 February 2024.

Discussions with the OAG and Auditors:

Representatives from the OAG and Dry Kirkness conducted the Exit Interview which discussed the Opinion Letter and other relevant matters with the President Jannah Stratford, Deputy President Gary Greaves, Cr Gina Boyne, Cr Kylie Burrell and Acting CEO via Microsoft Teams on Monday 11 December 2023.

There were no significant findings. There were eight moderate findings with regard to Information Systems as listed below:

1. IT Governance, Policies and Procedures;
2. Disaster Recovery Plan Testing;
3. Service Level Agreement with IT Service Provider;
4. Access Management;
5. IT Risk Register;
6. Change Management;
7. Vulnerability Assessment and Penetration Testing (VAPT); and
8. Endpoint Security - Macros.

Consultation:

Marius van der Merwe, Partner, Dry Kirkness

Eoin Condon, Manager, Dry Kirkness

Ann Ang, Director, Office of the Auditor General for WA

Council Members

Local Public Notice is required to be provided on the availability of the Annual Report and the Annual Electors Meeting.

Statutory Implications:

Sections 5.27, 5.29, 5.53 and 5.54 of the Local Government Act 1995 are applicable and state:

“5.27. Electors’ general meetings

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) *The matters to be discussed at general electors’ meetings are to be those prescribed.*

5.29. Convening electors’ meetings

- (1) *The CEO is to convene an electors’ meeting by giving —*
 - (a) *at least 14 days’ local public notice; and*
 - (b) *each council member at least 14 days’ notice, of the date, time, place and purpose of the meeting.*

5.53. Annual reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain —*
 - (a) *a report from the mayor or president; and*
 - (b) *a report from the CEO; and*
 - [(c), (d) *deleted*]
 - (e) *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*

- (f) *the financial report for the financial year; and*
- (g) *such information as may be prescribed in relation to the payments made to employees; and*
- (h) *the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and*
- (ha) *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
- (hb) *details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - (i) *the number of complaints recorded in the register of complaints; and*
 - (ii) *how the recorded complaints were dealt with; and*
 - (iii) *any other details that the regulations may require; and*
- (i) *such other information as may be prescribed.*

5.54. Acceptance of annual reports

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*

** Absolute majority required.*

- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

Regulation 3A of the *Local Government (Administration) Regulations 1996* stipulates the requirements for providing Local Public Notices and states:

"3A. Requirements for local public notice (Act s. 1.7)

- (1) *For the purposes of section 1.7(a), notice of a matter must be published on the local government's official website for —*
 - (a) *the period specified in or under the Act in relation to the notice; or*
 - (b) *if no period is specified in relation to the notice — a period of not less than 7 days.*
- (2) *For the purposes of section 1.7(b), each of the following ways of giving notice of a matter is prescribed —*
 - (a) *publication in a newspaper circulating generally in the State;*
 - (b) *publication in a newspaper circulating generally in the district;*
 - (c) *publication in 1 or more newsletters circulating generally in the district;*
 - (d) *publication on the official website of the Department or another State agency, as appropriate having regard to the nature of the matter and the persons likely to be affected by it, for —*
 - (i) *the period specified in or under the Act in relation to the notice; or*
 - (ii) *if no period is specified in relation to the notice — a period of not less than 7 days;*
 - (e) *circulation by the local government by email, text message or similar electronic means, as appropriate having regard to the nature of the matter and the persons likely to be affected by it;*
 - (f) *exhibition on a notice board at the local government offices and each local government library in the district for —*
 - (i) *the period specified in or under the Act in relation to the notice; or*
 - (ii) *if no period is specified in relation to the notice — a period of not less than 7 days;*
 - (g) *posting on a social media account administered by the local government for —*
 - (i) *the period specified in or under the Act in relation to the notice; or*
 - (ii) *if no period is specified in relation to the notice — a period of not less than 7 days.*

The *Local Government (Audit) Regulations 1996* provides the legislative framework for the conduct of audits in local government, and the role of the Audit & Risk Committee in considering the results of those audits.

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.

Financial Implications:

Nil


Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

That, by Absolute Majority, in accordance with Sections 5.27, 5.29, 5.53 and 5.54 of the *Local Government Act 1995*, the Audit & Risk Committee:

- 1. Accepts the 2022/2023 Annual Report and Annual Financial Statements, as presented and attached to this item;**
- 2. Recommends to Council that it adopts the 2022/2023 Annual Report and Annual Financial Statements, as presented and attached to this item; and**
- 3. Recommends to Council that it conducts its Annual Electors Meeting on _____, at the Shire of Koorda Council Chambers, 10 Haig Street Koorda, commencing at _____pm.**

10.5. Quarterly Reporting of Integrated Strategic Plan and Workforce Plan

Governance and Compliance		
Date	12 December 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; 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 October to December 2023	

Background:

This report is to inform the Committee and Council of its obligations in relation to the integrated planning and reporting (IPR) requirements under the Local Government Act 1995, the Local Government (Administration) Regulations 1996.

Following the Committee's recommendation of 28 September 2022, the quarterly scorecard reporting document approach was adopted by Council on 26 October 2022.

Comment:

Council adopted its Integrated Strategic Plan and Workforce Plan at its meeting held on 20 April 2022.

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

Consultation:

Nil.

Statutory Implications:

Local Government Act 1995 and relevant subsidiary legislation.

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)

Financial Implications:

Nil

Voting Requirements: Simple Majority Absolute Majority


Officer Recommendation

That the Audit Committee recommends:

That Council:

- 1. Adopts the fourth quarterly reporting documents (October to December 2023) as attached to this item; and**
- 2. Endorses the publication of the Integrated Strategic Plan and Workforce Plan components for community information.**

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

Governance and Compliance		
Date	11 December 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
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	FMR Action Plan - December 2023	

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:

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.

Financial Implications:

Nil.


Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

That the Audit Committee recommends;

That Council as per the quarterly report document (to December 2023) 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.

10.7. Shire of Koorda Risk Management Framework

Governance and Compliance		
Date	13 December 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; Local Government (Audit) Regulations 1996, AS/NZS ISO 31000:2018</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	Draft Risk Management Framework	

Background:

Council is responsible for determining the strategic direction of the Shire. The Audit & Risk Committee is responsible for advising Council on matters relating to risk management.

Following the Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls undertaken in May 2023 by Moore and the adoption of updated Risk Management Policy at the Ordinary Council Meeting held 28 March 2023 as per Resolution: 120623, Shire Staff met with Ben Galvin, Head of Strategic Risk at LGIS and undertook a thorough review of the Shire's risk management systems.

Following the Risk Profile workshop undertaken in October 2023, the attached Risk Management Framework is proposed for endorsement to align to the Shire of Koorda Risk Management Policy, the Audit & Risk Committee Terms of Reference, and tie together the Risk Management facets.

Page 14 of the attached Risk Management Framework outlines to process for the Risk Profiling undertaken by the Executive Management Team and Governance Officer, as per following Item 8.6 *Shire of Koorda Risk Profile*.

Comment:

The proposed risk management framework is as attached to this item.

The framework, provided by LGIS, sets out the Shire's approach to the identification, assessment, management, reporting and monitoring of risks. All components of the documents are based on AS/NZS ISO 31000:2019 Risk Management - Guidelines.

The framework aims to balance a documented, structured and systematic process with the current size and complexity of the Shire.

The Shire has adopted a "Three Lines of Defence" model for management of risk. All operational areas of the Shire are considered "1st Line," the executive team as the "2nd Line" and internal and external audit are the "3rd line" of defence.

The framework clearly defines the roles of each body within the lines of defence.

The Shire has quantified its broad risk appetite through the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Framework.

All organisational risks are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. These assessments will be incorporated into the December 2023 Council Agenda under the "Risk Implication" heading within each item.

Consultation:

Ben Galvin, Divisional Manager - Risk Services, LGIS

Darren West, Works Supervisor

Kristyn Harrap, Governance Officer

Upon the Committee's recommendation, the framework will be presented to Council for adoption.

Once adopted the framework will be placed on the Shire's website.

Statutory Implications:

Local Government Act 1995

Local Government (Audit) Regulations 1996

AS/NZS ISO 31000:2018

Policy Implications:

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.

Financial Implications:

Nil


Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

That the Audit & Risk Committee endorses and recommends:

That Council adopts the Shire of Koorda Risk Management Framework, as attached to this item.

10.8. Shire of Koorda Risk Profile Report

Governance and Compliance		
Date	13 December 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; Local Government (Audit) Regulations 1996, AS/NZS ISO 31000:2018</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	Shire of Koorda Risk Profile - October to December 2023	

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.

This item is an addition to the “Risk Management” facet of the Financial Management, Risk Management, Legislative Compliance and Internal Controls Review as tabled in Item 8.4 of this agenda, and is an outcome of the Risk Management Strategy attached for endorsement in previous Item 8.5.

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 Risk Profile workshop was facilitated by LGIS in October 2023, and Shire Staff 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.

The attachment includes the initial report, and the updated register to December 2023 with any changes and additional comments included. It should be noted, since the initial report was released in October, the Regional Risk Coordinator and Staff have undertaken significant works in the “WHS” risk theme to move the control effectiveness from “Inadequate” to “Adequate.”

Like the FRM Action Plan, the Risk Register report 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:

Ben Galvin, Divisional Manager - Risk Services, LGIS
Chris Gilmour, Regional Risk Coordinator, LGIS
Darren West, Works Supervisor
Kristyn Harrap, Governance Officer

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 –

- (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.”

Policy Implications:

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

Financial Implications:

Resource requirements are in accordance with existing budgetary allocation.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

That the Audit Committee recommends;

That Council:

- 1. Receives the Risk Profile report, as attached to this item; and**
- 2. Directs the Acting CEO to provide a report, on a quarterly basis, to the Audit & Risk 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.**

11. Announcements by the President without Discussion

12. OFFICER'S REPORTS – CORPORATE & COMMUNITY

12.1. List of Accounts Paid

Corporate and Community		
Date	13 December 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting 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	List of Accounts Paid	

Background:

This item presents the List of Accounts Paid, paid under delegated authority, for the period 9 November 2023 to 13 December 2023.

Comment:

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

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

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

Consultation:

Finance Team

Statutory Implications:

Regulation 12 and 13 of the *Local Government (Financial Management) Regulations 1996* requires that a separate list be prepared each month for adoption by Council showing creditors paid under delegate authority.

Policy Implications:

Finances have been managed in accordance with the Shire of Koorda policies. Payments have been made under delegated authority.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

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

Risk Implications:

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

Financial Implications:

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

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

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

1. Receives the report from the Acting 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 9 November 2023 to 13 December 2023.


Municipal Voucher V305 to V370	Totalling \$ 323,452.68
Purchase Card Transactions (V311, V343 & V355)	Totalling \$ 6,436.03
	Total \$ 329,888.71

2. Notes the transaction detail of purchases made on purchase cards from 1 September 2023 to 9 November 2023 as included at the bottom of the attachment to this item.

Purchase Card Transactions (V216 & V281)	Totalling \$ 1,601.07
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13. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE

13.1. 2024 Ordinary Council Meeting Dates

Governance and Compliance		
Date	7 December 2023	
Location	Not applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Nil	

Background:

This Item presents the proposed dates for the 2024 Ordinary Council Meetings to Council for consideration and, if satisfactory, adoption.

Comment:

In accordance with Regulation 12 of the Local Government (Administration) Regulations 1996 and Policy "G - Council Meeting System," the Chief Executive Officer is to present an Item to Council no later than December each year requesting Council confirm the dates for the Ordinary Meetings of Council for the following year.

As such, the Shire of Koorda is required to advertise the meeting dates for the Ordinary Meetings of Council for 2024.

Consultation:

Nil.

Statutory Implications:

Regulation 12 of the Local Government (Administration) Regulations 1996 is applicable and states:

"12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,Are to be held in the next 12 months.*
- (2) *A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).*
- (3) *Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.*
- (4) *If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable."*

Policy Implications:

G - Council Meeting Systems states:

Meeting frequency and starting time

In accordance with Regulation 12 of the Local Government (Administration) Regulations 1996 the Chief Executive Officer is to present an Item to Council no later than December each year requesting Council confirm the dates for the Ordinary Meetings of Council for the following year.

Council meetings will typically be held the third Wednesday of the month (excluding January where no meeting is typically held).

Council meetings normally commence at 5.00pm to afford an opportunity for most members of the public to attend after work, with November and December meetings normally commencing at 6.00pm to afford the opportunity for members to attend during the harvest period.

Any change to the meeting details must be published on the local government's official website as soon as practicable after the change is made.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and Transparent Leadership

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)	Council Meeting Policy & Compliance Calendar
Action (Treatment)	Nil
Risk Rating (after treatment)	Adequate

Financial Implications:

Funds are included in the 2023/24 Budget to cover any costs associated with conducting Council Meetings, and to advertise and promote the dates of Ordinary Council Meetings.


Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Regulation 12(1) of the Local Government (Administration) Regulations 1996, Council resolves to conduct its 2024 Ordinary Meetings of Council as below;

- 5.00pm, Wednesday 21 February 2024,**
- 5.00pm, Wednesday 20 March 2024,**
- 5.00pm, Wednesday 17 April 2024,**
- 5.00pm, Wednesday 15 May 2024,**
- 5.00pm, Wednesday 19 June 2024,**
- 5.00pm, Wednesday 17 July 2024,**
- 5.00pm, Wednesday 21 August 2024,**
- 5.00pm, Wednesday 18 September 2024,**
- 5.00pm, Wednesday 16 October 2024,**
- 6.00pm, Wednesday 20 November 2024, and**
- 6.00pm, Wednesday 18 December 2024.**

13.2. Application to keep Rooster, 19 Best Street, Koorda.

Corporate and Community		
Date	XX December 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
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	Application to keep one (1) bantam rooster at 19 Best St, Koorda Shire of Koorda Health Local Laws 2001	

Background:

A request has been received from D & S Trigg, for Council to consider their application to keep 1 x bantam rooster at their residence at 19 Best Street, Koorda.

As per the Shire of Koorda Health Local Law 2011, included in the “Statutory Implications” section below, there are limitations to the number of poultry and pigeons that can be kept, there are conditions for keeping poultry in limited numbers and specific requirements around the keeping of roosters, geese, turkeys, peafowls and gamebirds.

Under the Koorda Health Local Laws, section 5.4.4 (2) states;

The Council may upon written application, grant approval with or without conditions to the owner or occupier of premises to keep any one or more birds as specified in subsection (1).

Comment:

WA Contract Ranger Services conducted consultation with the neighbouring properties and advised them of the application that was received by the Council for the keeping of a rooster at 19 Best Street, Koorda.

Objections were received from some of the neighbours, and as per section 5.4.4 (4) of the Shire of Koorda Health Local Law;

(4) The Council may revoke an approval granted under this Section if it is of the opinion that the keeping of the birds specified in the approval is causing a nuisance or is injurious, offensive or dangerous to health.

As the consultation process has been undertaken with neighbours, and objections were received, it is recommended that the application be declined under Section 5.4.4(4) of the Shire of Koorda Health Local Law, as the likelihood of receiving noise complaints/the rooster causing nuisance is high and the Council may have to revoke any approval granted.

Consultation:

WA Contract Ranger Services
Laura Pikoss, Contract EHO
Neighbours of 19 Best Street, Koorda

Statutory Implications:

Koorda Health Local Law 2011

Limitation on Numbers of Poultry and Pigeons

5.4.2 *An owner or occupier of premises within a townsite shall not keep a combined total of more than 12 poultry and pigeons without the approval of Council, on any one lot of land.*

Conditions for Keeping Poultry in Limited Numbers

5.4.3 *A person who keeps poultry or permits poultry to be kept shall ensure that -*

- (a) no poultry is able to approach within 9 metres of a dwelling house, public building or premises where people are employed or where food is stored, prepared, manufactured or sold;*
- (b) all poultry is kept in a properly constructed and securely fastened structure or enclosure;*
- (c) the structure is in a yard having an otherwise unobstructed area of at least 30 square metres;*
- (d) no poultry are able to approach within 9 metres of a street other than a right of way unless, in the case of land at the junction of two or more streets, Council has approved a lesser distance;*
- (e) no poultry is able to approach within 1.2 metres of any side or rear boundary of the premises; and*
- (f) all enclosures or cages within which poultry are kept shall be maintained at all times in a clean condition and shall be disinfected or otherwise dealt with in a way as directed by an Environmental Health Officer.*

Roosters, Geese, Turkeys, Peafowlís and Gamebirds

5.4.4 (1) *An occupier of premises within a townsite, shall not without the written approval of the Council, keep or permit to be kept on those premises, any one or more of the following fowl -*

- (a) a rooster;*
- (b) a goose or gander;*
- (c) a turkey;*
- (d) a peacock or peahen;*
- (e) a gamebird (includes emus and ostriches).*

(2) The Council may upon written application, grant approval with or without conditions to the owner or occupier of premises to keep any one or more birds as specified in subsection (1).

(3) A person who has been granted approval under this Section to keep a bird may keep the bird on the premises only while he is the occupier thereof.

(4) The Council may revoke an approval granted under this Section if it is of the opinion that the keeping of the birds specified in the approval is causing a nuisance or is injurious, offensive or dangerous to health.

Policy Implications:

Nil.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and Transparent Leadership

Risk Implications:

Risk Profiling Theme	Engagement Practices
Risk Category	Reputation (Social/Community)
Risk Description	Unsubstantiated, localised low impact on community trust, low profile or no media item
Consequence Rating	Minor (2)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Moderate (6)
Key Controls (in place)	Complaints Procedure
Action (Treatment)	Complaints Process
Risk Rating (after treatment)	Adequate

During Consultation with neighbours, all neighbours within a close proximity did not support the application for the keeping of a rooster. Based on this, it is considered a risk to approve the application, as Council may revoke an approval under Section 5.4.4 (4) of the Koorda Health Local Laws if the approved bird is causing a nuisance.

Financial Implications:

Nil.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

That Council decline the application to keep a rooster at the premises owned by D & S Trigg at 19 Best Street, Koorda.

14. 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 Acting CEO has applied for statutory participation approval for Councillors Stratford, Boyne, and Greaves under s5.69(3) of the Local Government Act 1995 so that item 14.1 may be addressed at this meeting.

14.1. Closure of Stockyard Road Reserve, Koorda

Governance and Compliance		
Date	9 November 2023	
Location	Not applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above.	
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	14.1a - Letter Requesting Closure of Stockyard Road 14.1b - Proposed Stockyard Road Closure Location Plan	

Background:

An application (Attachment 14.1a of this item) has been received from Co-Operative Bulk Handling (CBH) to close Stockyard Road, Koorda, which runs through their Koorda Reveal Site.

A location map is included as Attachment 14.1b of this item.

Comment:

The proposal is to close the whole portion of Stockyard Road, from the Koorda-Cadoux Road, through the CBH site and to the Koorda-Dowerin Road, as shown in red on Attachment 14.1b. The estimated area of land is 3.327 hectares.

The purpose of this request is to undertake the official closure of the subject road reserve, enabling CBH to proceed with the purchase and amalgamation of the subject land into the adjoining Lot 21 on Deposited Plan 46674.

It is noted that the closure of the subject road reserve will result in two neighbouring freehold lots losing their road frontage, description below:

1. Lot 255 on Plan 180072 – Reserve with a management order from PTA, and CBH currently holds a 99-year lease.
2. Lot 50 on Deposited Plan 010617 – Owned by the State of Western Australia, and like Lot 20984, no formal legal tenure information is available.

Consultation:

Darren West, Works Supervisor.
Paul Bashall, Planwest

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.

Policy Implications:

Nil

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022
Type

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

Council Agenda
Monday 18 December 2023
Financial Implications:
Nil


Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

That Council consider closing the entire portion of Stockyard Road, from Koorda-Cadoux Road to Koorda-Dowerin Road, as show on the plan included in Attachment 14.1b of this item.

14.2. 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.

Governance and Compliance		 Shire of Koorda <small>Drive in. stay awhile</small>
Date	15 December 2023	
Location	Not applicable	
Responsible Officer	Lana Foote, Acting 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 - Tender Evaluation (Sent to Councillors under separate cover)	

Background:

Arising from the 2023/2024 Shire of Koorda Budget's capital works program, 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.

Council were successful in obtaining a grant from the DLGSC for the CSRFF Program for \$130,421.

Comment:

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. Pricing received is included in the confidential tender evaluation document.

Consultation:

Darren West, Works Supervisor
Council Members
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.

\$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

For Council consideration.

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

16. Elected Members' Motions

17. Matters Behind Closed Doors

18. Closure