Shire of Koorda

Drive in, stay awhile

UNCONFIRMED

MINUTES

Ordinary Council Meeting

Held in Shire of Koorda Council Chambers
10 Haig Street, Koorda WA 6475
Wednesday 15 November 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 Wednesday, 15 November 2023 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda.
The format of the day will be:

6.00pm	Council Meeting
Following conclusion of Council Meeting	Council Forum

Lana Foote
Acting Chief Executive Officer
10 November 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, Wednesday 15 November 2023

1. Declaration of Opening

The Presiding person welcomes those in attendance and declares the meeting open at 6.00pm.

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	

Staff:

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

Members of the Public:

Apologies:

Visitors:

Approved Leave of Absence:

3. Public Question Time

Nil.

4. Disclosure of Interest

The following Councillors have disclosed an interest in item *9.2 - Consideration of Koorda Awards Nominations.*

Cr GW Greaves
Impartiality - A nominee is a closely associated person.

Cr NJ Chandler
Impartiality - A nominee is a closely associated person, and he was the nominator for another nominee.

The following Councillors have disclosed an interest in item *12.1 – Scheme 3 Amendment 2 - Additional use - CBH workforce accommodation and office.*

Cr JM 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.

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Cr GW 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 GL 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 NJ 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 12.1 may be addressed at this meeting.

Accordingly, Approval is granted to Cr Gina Boyne, Cr Jannah Stratford and Cr Gary Greaves to fully participate in the discussion and decision making relating to the following agenda item at the Shire's Ordinary Council Meeting, on 15 November 2023 as follows:

12.1. SCHEME 3 AMENDMENT 2 ADDITIONAL USE - CBH WORKFORCE ACCOMMODATION AND OFFICE

Conditions of the approval:
1. The approval is only valid for the 15 November 2023 Ordinary Council Meeting when agenda item 12.1 is considered;
2. The above-mentioned councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;
3. The Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries letter of approval to the abovementioned councillors:
4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;
5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to DLGSC, to allow DLGSC to verify compliance with the conditions of this approval; and
6. The approval granted is based solely on the interests disclosed by the abovementioned councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

5. Applications for Leave of Absence

Nil.

6. Petitions and Presentations

Nil.

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7. Confirmation of Minutes from Previous Meetings

7.1. Ordinary Council Meeting held on 18 October 2023

Click here to view the previous minutes

Voting Requirements ☒Simple Majority ☐Absolute Majority

Officer Recommendation
RESOLUTION 011123

Moved Cr GL Boyne **Seconded Cr NJ Chandler**

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995,* the Minutes of the Ordinary Council Meeting held 18 October 2023, as presented, be confirmed as a true and correct record of proceedings.

CARRIED 5/0

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

7.2. Special Meeting Minutes for meeting held 23 October 2023

Click here to view

Voting Requirements ☒Simple Majority ☐Absolute Majority

Officer Recommendation
RESOLUTION 021123

Moved Cr GW Greaves **Seconded Cr KM Burrell**

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

CARRIED 5/0

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

8. Minutes of Committee Meetings to be Received

8.1. NEWROC Council Meeting Minutes for meeting held 31 October 2023

Click here to view

Voting Requirements ☒Simple Majority ☐Absolute Majority

Officer Recommendation
RESOLUTION 031123

Moved Cr NJ Chandler **Seconded Cr GW Greaves**

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995,* Council receives the Minutes of the NEWROC Council meeting held 31 October 2023, as tabled.

CARRIED 5/0

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

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9. Recommendations from Committee Meetings for Council Consideration

9.1. Adoption of Koorda Awards Committee Terms of Reference

Governance and Compliance	
Date	3 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	☒Executive Decision ☒Legislative Requirement ☐Information
Attachments	Koorda Awards Committee Terms of Reference

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

The Koorda Awards 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, 15 November 2023.

Comment:
Appointment of Elected Members to the Koorda Awards 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 Awards 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.

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Financial Implications:

Nil

Voting Requirements: ☒Simple Majority ☐Absolute Majority

Officer Recommendation
RESOLUTION 041123

Moved Cr KM Burrell **Seconded Cr GL Boyne**

That the Koorda Awards Committee Terms of Reference be adopted.

CARRIED 5/0

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

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The following Councillors have disclosed an interest in item *9.2 - Consideration of Koorda Awards Nominations.*

Cr GW Greaves

Impartiality - A nominee is a closely associated person.

Cr NJ Chandler

Impartiality - A nominee is a closely associated person, and he was the nominator for another nominee.

6.07pm - Cr GW Greaves and Cr NJ Chandler withdrew from the chambers.

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

As no members of the public were present, the meeting did not need to be closed to the public for discussions.

9.2. Consideration of Koorda Awards Nominations

Governance and Compliance	
Date	3 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	☒Executive Decision ☐Legislative Requirement ☐Information
Attachments	CONFIDENTIAL Nominations - Sent under separate cover.

Background:

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

There are four award categories;

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

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

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

Comment:

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

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

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

Selection Process:
- Successful nominees will be determined by Council and the results kept strictly confidential until the announcement at the award presentation.
- All nominees will be notified prior to the event to allow recipients to invite friends and family to the presentation.
- Presentation of the Citizen of the Year Awards will be held at the Community Christmas Tree on Friday 15 December 2023, at the Koorda Primary School.
- Shire of Koorda reserves the right to withdraw any awards issued to recipients who bring the awards program or Shire of Koorda into disrepute.

Consultation:
Nil.

Statutory Implications:
Nil.

Policy Implications:
Nil.

Strategic Implications:
Shire of Koorda Integrated Strategic Plan 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.

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

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Voting Requirements: ☒Simple Majority ☐Absolute Majority

Committee Recommendation
RESOLUTION 051123

Moved Cr GL Boyne **Seconded Cr KM Burrell**

That Council endorse the recipients of the 2023 Koorda Awards Program as determined and discussed at the Koorda Awards Committee meeting held on 15 November 2023.

CARRIED 3/0

FOR: Cr JM Stratford, Cr GL Boyne, Cr KM Burrell

6.08pm - Cr GW Greaves and Cr NJ Chandler returned to the chambers and the President advised them of the recommendation.

10. Announcements by the President without Discussion

The President expressed condolences to the Brooks family on the passing of Jeff, to the Reid family on the passing of Bill and to the Serone family on the passing of Barry.

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11. OFFICER'S REPORTS – CORPORATE & COMMUNITY

11.1. Monthly Financial Statements

Corporate and Community	
Date	10 November 2023
Location	Not Applicable
Responsible Officer	Lana Foote, Acting Chief Executive Officer
Author	As above
Legislation	*Local Government Act 1995; Local Government (Financial Management) Regulations 1996*
Disclosure of Interest	Nil
Purpose of Report	☐Executive Decision ☒Legislative Requirement ☐Information
Attachments	October 2023 Financial Activity Statement

Background:
This item presents the Statement of Financial Activity to Council for the period ending 31 October 2023.

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare financial reports.

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* set out the form and content of the financial reports, which have been prepared and presented to Council.

Comment:
All financial reports are required to be presented to Council within two meetings following the end of the month that they relate to.

These reports are prepared after all the end-of-month payments and receipts have been processed.

Consultation:
LG Best Practices

Statutory Implications:
Council is required to adopt monthly statements of financial activity to comply with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

Policy Implications:
Finances have been managed in accordance with the Shire of Koorda policies.

Strategic Implications:
Shire of Koorda Integrated Strategic Plan 2022
4.1.1 – Ensure the use of resources is effective, efficient and reported regularly.

Financial Implications:
Nil

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Voting Requirements: ☒Simple Majority ☐Absolute Majority

Officer Recommendation
RESOLUTION 061123

Moved Cr GW Greaves **Seconded Cr NJ Chandler**

That Council, by Simple Majority, pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the statutory Financial Activity Statement report for the period ending 31 October 2023, as presented.

CARRIED 5/0

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

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11.2. List of Accounts Paid

Corporate and Community	
Date	10 November 2023
Location	Not Applicable
Responsible Officer	Lana Foote, Acting Chief Executive Officer
Author	As above
Legislation	*Local Government Act 1995; Local Government (Financial Management) Regulations 1996*
Disclosure of Interest	Nil
Purpose of Report	☐Executive Decision ☒Legislative Requirement ☐Information
Attachments	List of Accounts Paid

Background:
This item presents the List of Accounts Paid, paid under delegated authority, for the period 12 October 2023 to 9 November 2023.

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

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)

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

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Voting Requirements: ☒Simple Majority ☐Absolute Majority

Officer Recommendation
RESOLUTION 071123

Moved Cr NJ Chandler **Seconded Cr GL Boyne**

That Council, by Simple Majority, pursuant to Section 6.8(1)(a) of the *Local Government Act 1995* and Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*, receives the report from the 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 12 October 2023 to 9 November 2023

Municipal Voucher V232 to V304	**Totalling $ 817,216.03**
Credit Card Transaction (V237)	**Totalling $ 7,392.17**
	Total $ 824,608.20

CARRIED 5/0

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

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12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE

The following Councillors have disclosed an interest in item *12.1 – Scheme 3 Amendment 2 - Additional use - CBH workforce accommodation and office.*

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

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

Cr 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 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 12.1 may be addressed at this meeting.

Accordingly, Approval is granted to Cr Gina Boyne, Cr Jannah Stratford and Cr Gary Greaves to fully participate in the discussion and decision making relating to the following agenda item at the Shire's Ordinary Council Meeting, on 15 November 2023 as follows:

12.1. SCHEME 3 AMENDMENT 2 ADDITIONAL USE - CBH WORKFORCE ACCOMMODATION AND OFFICE

Conditions of the approval:

7. The approval is only valid for the 15 November 2023 Ordinary Council Meeting when agenda item 12.1 is considered;
8. The above-mentioned councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;
9. The Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries letter of approval to the abovementioned councillors:
10. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;
11. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to DLGSC, to allow DLGSC to verify compliance with the conditions of this approval; and
12. The approval granted is based solely on the interests disclosed by the abovementioned councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

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At 6.12pm - Cr NJ Chandler withdrew from the Chambers and thus did not participate in discussion or vote on item 12.1.

12.1. SCHEME 3 AMENDMENT 2 – Additional use - CBH workforce accommodation and office, Lot 19, Orchard Street, Koorda

Governance and Compliance	
Date	7 November 2023
Location	Not applicable
Responsible Officer	Lana Foote, Acting Chief Executive Officer
Author	Paul Bashall, Planwest
Legislation	*Planning and Development Act 2005 and Shire of Koorda Local Planning Scheme No 3 (the Scheme).*
Disclosure of Interest	Nil
Purpose of Report	☐Executive Decision ☒Legislative Requirement ☐Information
Attachments	Scheme Amendment Report (CLE)

Background:

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

FIGURE 1 – LOCATION PLAN

Source: Landgate, ESRI, Planwest

Comment:

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

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

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

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

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

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

These issues include;

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

The landscaping plan needs to address the appearance of the accommodation from the main access road into Koorda (Aitken Road). The Orchard Street access needs to ensure minimal disruption to the Council's drainage system and minimise Council's resources on road upgrades. Both of these items can be addressed as part of the development process, but could have been mentioned in the Scheme Amendment report.

Consultation:

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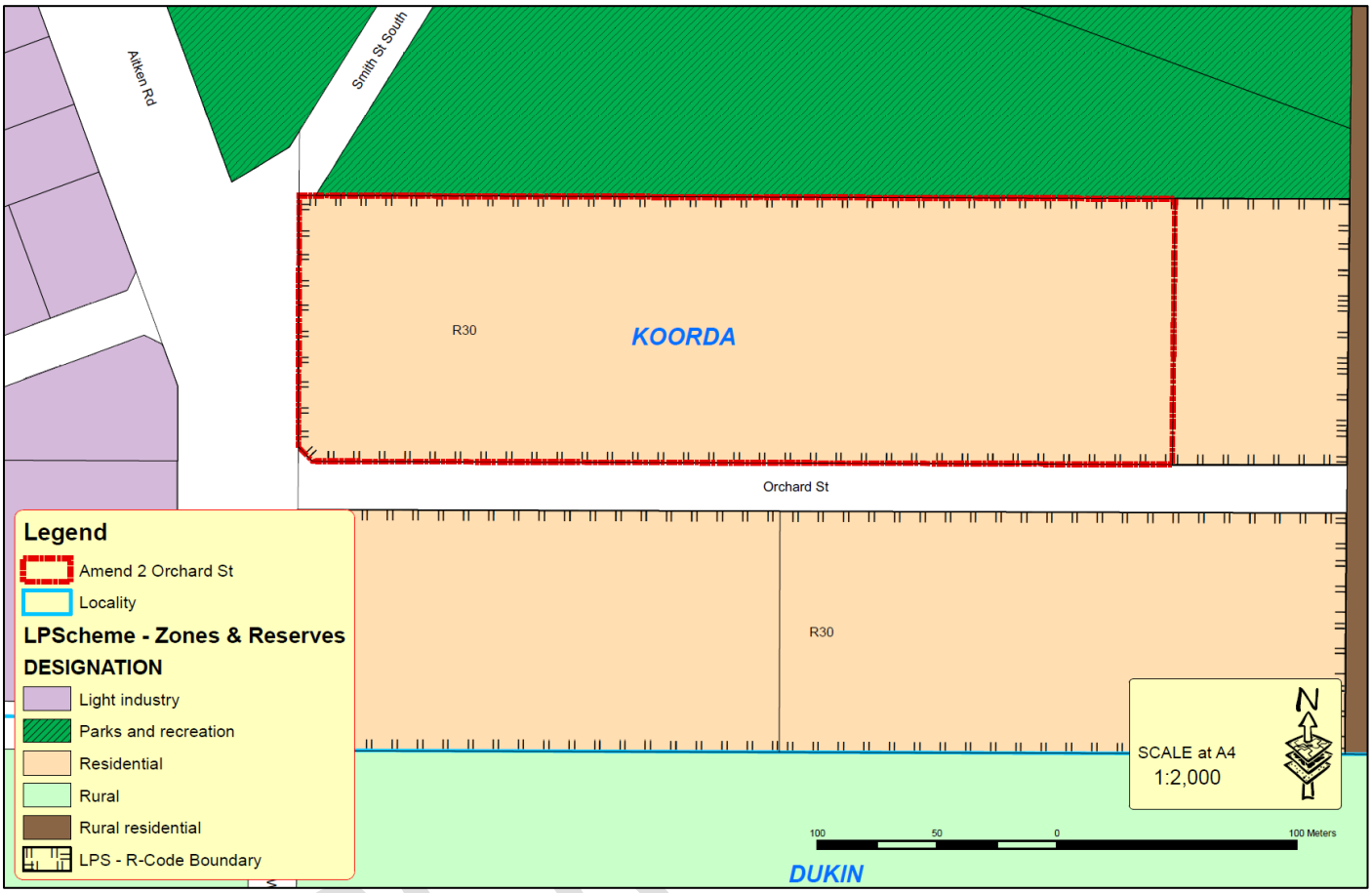
Statutory Implications:

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

FIGURE 2 – EXTRACT FROM SCHEME MAP



Source: DPLH, Landgate, Planwest

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

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

In February 2023 the Council approved a DA application for the workforce accommodation under the provisions of this clause.
An 'Office' use class is an 'X' use in a Residential zone. An 'X' use *means a use that is not permitted by the scheme*.

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

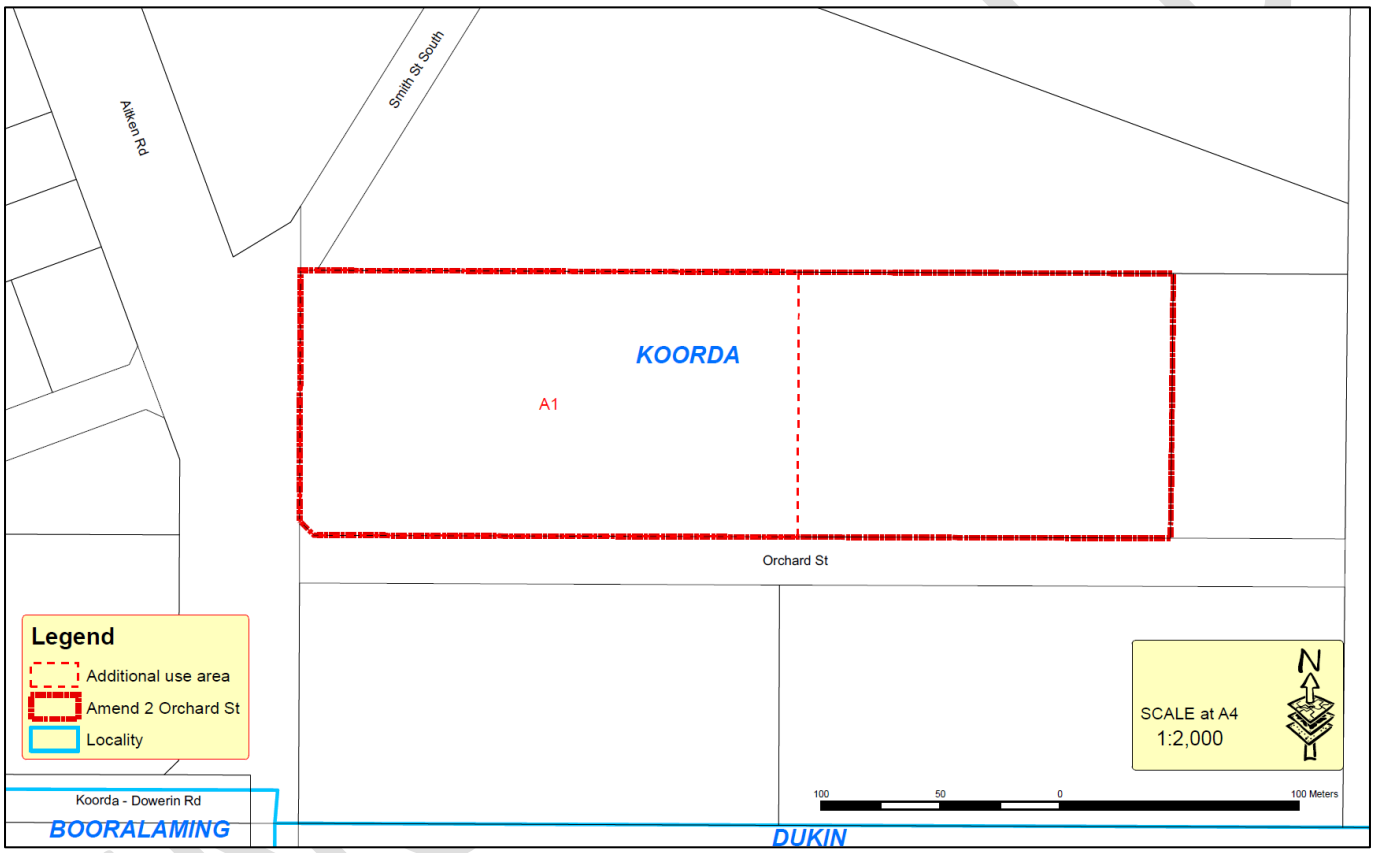
Clause 4.5 – 'Additional uses' of the Scheme states; '*Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set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

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

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

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

FIGURE 3 - ADDITIONAL USE AREA



Source: Landgate, Planwest

Policy Implications:

Nil

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022
2.1 - Our local economy grows in a sustainable manner
4.1 - Open and Transparent Leadership

Financial Implications:

Shire rates for the subject land will need to be adjusted following a revised Valuer General valuation on completion of the project.
Road upgrades may be necessary to cater for the increased traffic on Orchard Street.

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

Voting Requirements: ☒Simple Majority ☐Absolute Majority

Officer Recommendation
RESOLUTION 081123

Moved Cr GW Greaves **Seconded Cr GL Boyne**

That Council;

1. **Initiate the proposed amendment by adopting the first resolution of the Amendment documentation;**
2. **Refer the proposed Amendment to the EPA under section 81 of the *Planning and Development Act 2005*, and**
3. **On satisfactory response from EPA, advertise the proposed Amendment in accordance with Division 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (60 days).**

CARRIED 4/0

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

At 6.16pm - Cr NJ Chandler re-joined the meeting and the Presiding person advised him of the outcome to item 12.1.

UNCONFIR

12.2. Shire of Koorda 2023 Delegation Register Review

Governance and Compliance	
Date	9 November 2023
Location	Not applicable
Responsible Officer	Lana Foote, Acting Chief Executive Officer
Author	As above.
Legislation	*Local Government Act 1995*
Disclosure of Interest	Nil
Purpose of Report	☒Executive Decision ☐Legislative Requirement ☐Information
Attachments	Shire of Koorda Delegation Register 2023

Background:
Under the provisions of the Local Government Act 1995, it is necessary to review delegations at least annually.

As per the below recommendation a new delegation register was adopted by Council in May 2023.

RESOLUTION 090523

Moved CR JM Stratford **Seconded CR NJ Chandler**

That Council;

1. Notes the staff alterations made to the Shire of Koorda Delegations Register 2023, since presentation at the April Council Meeting.

2. That, by Absolute Majority, in accordance with sections 5.42, 5.44 and 5.46 of the Local Government Act 1995, as presented in Attachment B, adopts the Shire of Koorda Delegations Register 2023, subject to subsequent review of the Delegations Register Reporting Requirements at the November 2023 Council Meeting and inclusion of appropriate version control.

CARRIED BY ABSOLUTE MAJORITY 6/0

Comment:
This item serves as a 6-monthly review to ensure Council and the Executive Team are satisfied with the Delegation Register contents and reporting requirements.

Currently all delegations exercised are reported monthly to Council in an “Information Report.”

Consultation:
Nil.

Statutory Implications:
Section 5.46 of the *Local Government Act 1995* requires, at least once every financial year, delegations made under this Division are to be reviewed by the delegator.

UNCONFIRMED

Policy Implications:
Nil

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

Financial Implications:
Nil

Voting Requirements: ☒Simple Majority ☐Absolute Majority

Officer Recommendation
RESOLUTION 091123

MOVED Cr NJ Chandler **Seconded Cr GW Greaves**

That Council;

1. Acknowledges the current reporting requirements and agrees that they remain relevant, and

2. Notes the next annual review is due in March 2024.

CARRIED 5/0
FOR: Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell

UNCONFIRMED

13. OFFICER'S REPORTS – WORKS & ASSETS

13.1. Purchase of New P63 Roller and Increase Transfer from Plant Reserve

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.

As no members of the public were present, the meeting did not need to be closed to the public for discussions.

Works and Assets	
Date	7 November 2023
Location	Not Applicable
Responsible Officer	Lana Foote, Acting Chief Executive Officer
Author	As above
Legislation	*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)*
Disclosure of Interest	Nil
Purpose of Report	☒Executive Decision ☒Legislative Requirement ☐Information
Attachments	Confidential quotes – document provided to Councillors under separate email cover.

Background:
As part of the 2023/2024 Budget considerations, Council approved the replacement P63 Dynapac Road Roller for the 2023/2024 financial year.

The current P63 Roller was manufactured in 2014 and has 5,800 hours.

The Roller has required some major repairs over the past few years. In 2022/23 we spent $17,000 on parts and repairs, as well as needing to hire a replacement roller so our roadworks program could be complete.

The Executive Management Team have deliberated the item and the subsequent increase in funds requested. However, after taking into consideration the ongoing repairs required to the current roller, and need for a hire vehicle to complete the adopted roadworks program, it is suggested that although an increase in reserve transfer is required for the purchase of the new roller, a cost saving will be made with regard to a reduced repair and hire bills.

Comment:
As per purchasing policy, for purchases from $75,001 and up to $250,000, at least three written quotations are required to be sought. Three suppliers were contacted to provide a quote on a replacement P063 roller;

- Tutt Bryant Group,
- Westrac, and
- CEA Construction Equipment Australia.

The quotes for the suppliers who have responded have been circulated to Councillors under separate confidential cover for consideration as part of this item.

UNCONFIRMED

The allocation for new roller as per the 2023/2024 Plant Program was $140,000, with a budgeted trade in amount of $30,000, leaving $110,000 change over costings.
The Works Supervisor has preference to purchase the Bomag Roller from Tutt Bryant Group. It is anticipated that the $30,000 for the sale of the old P63 Roller is still relevant, so if approved an increase in the Plant Transfer would be required to cover the increased purchase cost.

The preferred roller came in over budget, being $192,000, which working off the $30,000 trade in, requires a $162,000, which is an increase of $52,000. We do not anticipate use of the $15,000 allocation for "Miscellaneous Plant" so consideration to use part of this for the $52,000 short fall could be appropriate.

Consultation:
Darren West, Works Supervisor

Statutory Implications:
Local Government Act 1995 S.3.57
Local Government (Functions and General) Regulations 1996. Division 2 of the Regulations details in the tender requirements for the provision of goods and services.

Policy Implications:
The Purchasing Policy has been followed.
As per the Shire Purchasing Policy; for purchases from $75,001 and up to $250,000, the purchasing requirement is listed below;
Seek at least three (3) written quotations from suitable suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in the prior section.

Strategic Implications:
Shire of Koorda Integrated Strategic Plan 2022
3.1.1 - Manage Shire Assets sustainably using the Strategic Resourcing Plan.
4.1.1 - Ensure the use of resources is effective, efficient and reported regularly. (e.g. Financial Management)

Financial Implications:
It is recommended that the $15,000 allocated for "Miscellaneous Plant," and an additional $37,000 is transferred from the Plant Reserve to cover the additional change over funds for the purchase of the P063 Road Roller.

UNCONFIRMED

Voting Requirements: ☐Simple Majority ☒Absolute Majority

Officer Recommendation
RESOLUTION 101123

Moved Cr GW Greaves **Seconded Cr NJ Chandler**

That Council, by absolute majority,

1. Note the quotations received for the new P063 Road Roller,
2. Award the Quote to Tutt Bryant Group for a Road Roller at the quoted price of $192,000 (exc GST),
3. Transfer the $15,000 allocation for "Miscellaneous Plant" to P063 Road Roller,
4. Increase the Plant Reserve transfers by $37,000 to cover the additional change over cost for P063 Roller, and
5. Authorise the Acting Chief Executive Officer to dispose of P063 2014 Road Roller to the highest and best price through Auction and advise Council of the price received.

BY ABSOLUTE MAJORITY CARRIED 5/0
FOR: Cr JM Stratford, Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell

UNCONFIRM

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

Officer Recommendation
RESOLUTION 111123

Moved Cr GL Boyne **Seconded Cr NJ Chandler**

That late item 14.1 *NEWROC Waste Project – Regional Landfill* be accepted to the Agenda for consideration.

CARRIED 5/0

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

14.1. NEWROC Waste Project - Regional Landfill

Governance and Compliance	
Date	13 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	☒Executive Decision ☐Legislative Requirement ☐Information
Attachments	Nil

Background:
Member Councils and the NEWROC has identified the need to improve waste infrastructure and services in the district.

A number of members have either identified the need to expand their current landfill sites or likely to need expansion or a new site in the future, as well as improvements to meet compliance.

Across the NEWROC, landfill sites are unmanned and with 24/7 public access. Some towns provide a general bin pick up whilst others operate a general and recycling bin pick up.

A *Regional Landfill Strategy* was commissioned in 2020. Ask Waste Management completed the report. The NEWROC Council received the report and identified a preferred option going forward, that being option 4: Transfer stations in each Shire and one staffed Regional Landfill. See September 2020 Ordinary Meeting resolution below;

COUNCIL DECISION
Officer Recommendation

Moved CR PL McWha **Seconded CR G Storer**

That Council:

1. Except for items 7.2 and 7.7, note and endorse the resolutions of the NEWROC Council meeting held at Dowerin on 25 August 2020;

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2. In respect to item 7.2 (NEWROC MOU), authorises the Shire President and CEO to sign and affix the Shire of Koorda Common Seal to the NEWROC MOU for the period July 2020 – June 2023; and

3. In relation to item 7.7 (WASTE), advises the NEWROC Executive Officer that, subject to its consideration of the findings of its own Waste Management consultancy with ASK Waste Management, NEWROC Council's preference for Option 4 being All transfer stations (remote access) plus one staffed landfill - weekly collection, is supported in principle.

PUT & CARRIED: 6/0
RESOLUTION NO: 030920

NEWROC members visited the Narembeen Waste Transfer Station in 2021 and requested information from ROEROC regarding their waste governance structure, infrastructure and fee arrangements (five waste transfer sites, one regional landfill).

Tip closure plans have been commissioned for Shires. Some of these plans have been completed. This is a necessary requirement under state legislation, regardless of this project.

Wyalkatchem was identified as a preferred site for a regional landfill and a capacity and site assessment was completed – the *Wyalkatchem Capacity Assessment Report*. The Shire of Wyalkatchem completed a DEWR assessment on the site as well to determine its 'fit' against site criteria and end of life expectancy.

The Shire of Wyalkatchem suggested NEWROC investigate alternative green field sites central to all members for further consideration.

Ask Waste Management completed a *Landfill Site Identification Report* in July 2023, which identified a number of sites that may be suitable for siting a regional landfill that could service the NEWROC region.

The Landfill Site Identification Report was received by the NEWROC Council.

Comment:
To progress the waste project and improve each member Council's waste sites, the NEWROC is considering an application to the Regional Precincts funding. An outline of the funding is summarised below.

Regional Precincts and Partnership Program

- Funding opened in August 2023. Non-competitive process, can apply at any time.
- Objectives:
  - facilitate place-based approaches to planning, characterised by collaborative partnerships,
  - engaging in shared design, stewardship and accountability of planned outcomes,
  - provide targeted benefits related to productivity, equity and resilience for the people of regional, rural or remote Australia,
  - support community priorities for regional cities, rural or remote centres and areas, and
  - reflect the Government's approach to regional investment as outlined under the Regional Investment Framework.
- Outcomes (including but not limited to):
  - demonstrate the value of partnerships between governments, communities and businesses for effective planning, coordination and delivery of regional infrastructure,
  - develop and deliver regional precincts comprised of multiple infrastructure components, which provide benefits related to productivity, equity and resilience, and

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- contribute to the Australian Government's current policy priorities, including but not limited to Closing the Gap, transition to a net zero economy, Australia's emission reduction goals, social and affordable housing, and National Cultural Policy.

- *What are Precincts?* User defined, geographic area with specific shared need or theme. They will be located in renewal and growth areas in regional centres, regional corridors, regional cities etc
- Needs to be based on community need and demonstrated partnerships

The NEWROC intend to apply for Stream One: Precinct development and planning. Grants of between $500,000 to $5 million will be available for master planning, consultation, design, business cases and partnership establishment ($500,000 - $5million).

A summary of the grant and the NEWROC's eligibility against the criteria can be found in the NEWROC October 2023 Council minutes. This is a significant project for member Councils and requires additional planning and community consultation. Should the NEWROC be successful in stream one, the group may proceed to stream two of the Regional Precincts funding for precinct delivery, subject to each member Council's decision.

NEWROC will be required to contribute a cash and in-kind contribution towards the grant application. This will be resourced from the NEWROC, not individual member Councils.

The requested deliverables of the grant will include:

1. An update of the original Business Case
2. Development of a business case for internal waste services (bin pick up and transfer by NEWROC)
3. Community consultation across each of the seven Shires regarding the fees and proposed services
4. Development of a Master Plan for a Regional Waste Site and identification of a location
5. Development of a Master Plan for Waste Transfer Stations in each town (Dowerin, Wyalkatchem, Yelbini, Trayning, Beacon, Bencubbin, Koorda, Nungarin, Mukinbudin)
6. Governance Arrangements for the group
7. Planning approval preparation
8. Presentations to Councils for discussion and consideration

This funding suggestion is being put forward to each member Council to consider due to the limited funding opportunities available for waste infrastructure at an individual level.

The following resolution was passed at the October NEWROC meeting.

RESOLUTION NEWROC distribute information relating to the Regional Precincts Funding (for waste management planning purposes) for consideration at each members next Council meeting. Moved Cr Sachse Seconded Cr Shadbolt CARRIED 7/0

Consultation:
NEWROC

Statutory Implications:
DWER are the custodians of standards for the management of landfills in WA. A regional landfill will reduce the Council's risk of failing a landfill compliance test.

Policy Implications:
Alignment with Shire of Koorda Strategic Waste Management Plan 2022-2032 adopted at the Ordinary Council Meeting held 16 November 2022 (RES: 051122) and the Shire of Koorda Landfill Closure Management Plan adopted at the Ordinary Council Meeting held 16 November 2022 (RES: 061122)

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Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022
2.1.4 - Promote business network development and collaboration.
3.1.1 - Manage Shire Assets sustainably using the Strategic Resourcing Plan.
3.3.1 - Develop and effectively implement Waste Management and Landfill Rehabilitation Project.
3.3.2 - Continue to work towards a Regional Waste solution with NEWROC.
4.1.2 - Identify business improvement opportunities to enhance operational effectiveness.
4.3.1 - Actively participate in regional collaboration initiatives.

Financial Implications:

No matching contribution from applicants is necessary under the Federal Government's Regional Precincts and Partnership Program.

Voting Requirements: ☒Simple Majority ☐Absolute Majority

Officer Recommendation
RESOLUTION 121123

Moved Cr GL Boyne **Seconded Cr NJ Chandler**

That Council endorse an application by NEWROC to the Federal Government's Regional Precincts and Partnership Program for waste management planning.

CARRIED 5/0

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

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15. Elected Members' Motions

Nil.

16. Matters Behind Closed Doors

Nil.

17. Closure

The Presiding Person thanked those present for their attendance and declared the meeting closed at 6.47pm.

Signed: _____

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

Date: 19 December 2023

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