

# Shire of Koorda

# AGENDA

**Notice is hereby given that an Ordinary Meeting of Council will be held in the Council Chambers, 10 Haig Street, Koorda commencing at 5.00pm on Wednesday, 18 March 2020.**



Darren Simmons  
Chief Executive Officer



# DISCLOSURE OF INTEREST

## ✦ WRITTEN

- Prior to meeting
- CEO to advise Presiding Person
- Reported to meeting immediately before item discussed
- Standard form may be used

## ✦ VERBAL

- No round robin at start of meeting
- Advise immediately before item discussed

## ✦ TO BE DISCLOSED

- Nature of interest
- Extent if vote on participation held.



## SHIRE OF KOORDA

# 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

DJ Simmons  
**CHIEF EXECUTIVE OFFICER**

# CONTENTS

1	DECLARATION OF OPENING.....	6
2	ANNOUNCEMENT OF VISITORS.....	6
3	RECORD OF ATTENDANCE.....	6
	3.1 <i>Record of Attendance:</i> .....	6
	3.2 <i>Apologies:</i> .....	6
	3.3 <i>Approved Leave of Absence:</i> .....	6
4	QUESTION TIME FOR THE PUBLIC.....	6
	4.1 <i>Response to Previous Public Questions Taken on Notice</i> .....	6
	4.2 <i>Public Question Time Open</i> .....	6
	4.3 <i>Public Question Time Closed</i> .....	6
5	APPLICATIONS FOR LEAVE OF ABSENCE.....	6
6	DECLARATIONS OF INTEREST.....	6
7	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	6
8	CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS.....	6
	8.1 <i>ORDINARY MEETING HELD 18 February 2020</i> .....	6
9	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION.....	6
10	REPORTS OF COMMITTEES.....	6
11	CHIEF EXECUTIVE OFFICERS REPORT.....	7
	11.1 <i>Governance and Administration</i> .....	7
	11.1.1 NEWROC EXECUTIVE MEETING.....	7
	11.1.2 GREAT EASTERN COUNTRY ZONE MEETING.....	9
	11.1.3 NEWTRAVEL MEETING.....	11
	11.1.4 ELECTED MEMBER, CEO AND EMPLOYEE ATTENDANCE AT EVENTS POLICY.....	13
	11.1.5 ELECTED MEMBER TRAINING & CONTINUING PROFESSIONAL DEVELOPMENT POLICY.....	16
	11.1.6 LOCAL GOVERNMENT HOUSE TRUST – DEED OF VARIATION.....	20
	11.1.7 SHIRE OF KOORDA DRESS CODE FOR CITIZENSHIP CEREMONIES.....	23
	11.1.8 REQUEST TO USE SHIRE OF KOORDA ‘CORN DOLLY’ EMBLEM.....	25
	11.1.9 RESIGNATION OF CR RICKY STORER AND PROPOSED SPECIAL COUNCIL MEETING.....	27
	11.2 <i>Finance</i> .....	31
	11.2.1 MONTHLY FINANCIAL STATEMENTS.....	31
	11.2.2 ACCOUNTS PAID AS LISTED.....	33
	11.2.3 MONTHLY FINANCIAL POSITION.....	35
	11.2.4 REVIEW OF BUDGET PERFORMANCE.....	37
	11.3 <i>Law, Order &amp; Public Safety</i> .....	42
	11.4 <i>Health and Building</i> .....	42
	11.5 <i>Education &amp; Welfare</i> .....	42
	11.6 <i>Housing</i> .....	42
	11.7 <i>Community Amenities</i> .....	43
	11.7.1 DEVELOPMENT APPLICATION – BLUESKY CORRIDORS PTY LTD (TREE FARM).....	43
	11.8 <i>Recreation and Culture</i> .....	46
	11.9 <i>Transport</i> .....	46
	11.9.1 HEAVY VEHICLE ROUTE APPLICATION – RAV 9 REQUEST FOR SUPPORT.....	46
	11.10 <i>Economic Services</i> .....	48
	11.11 <i>Other Property &amp; Services</i> .....	48
	11.12 <i>Reserves</i> .....	48
12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	48
13	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING.....	48
14	MATTERS FOR WHICH MEETING MAY BE CLOSED.....	48
15	DATE OF NEXT MEETING.....	48

**16 CLOSURE..... 48**  
**PORTFOLIO'S ..... 49**

**1 DECLARATION OF OPENING**

**2 ANNOUNCEMENT OF VISITORS**

**3 RECORD OF ATTENDANCE**

**3.1** *Record of Attendance:*

**3.2** *Apologies:*

**3.3** *Approved Leave of Absence:*

**PRESIDENT TO DRAW THE DISCLAIMER TO THE PUBLIC'S ATTENTION  
(If members of the public present)**

**4 QUESTION TIME FOR THE PUBLIC**

**4.1** *Response to Previous Public Questions Taken on Notice*

**4.2** *Public Question Time Open*

**4.3** *Public Question Time Closed*

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

**6 DECLARATIONS OF INTEREST**

**7 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

**8 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

**8.1 ORDINARY MEETING HELD 18 February 2020**

**Officer Recommendation**

**That the Minutes of the Koorda Shire Council Ordinary Meeting held on the 18 February 2020, as circulated be confirmed and certified as a true and accurate record.**

**9 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

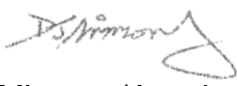
**10 REPORTS OF COMMITTEES**

**11 CHIEF EXECUTIVE OFFICERS REPORT**

**11.1 Governance and Administration**

**11.1.1 NEWROC EXECUTIVE MEETING  
25 February 2020 at Nungarin**

**Section 5.23 – Applicability**

**Location:** NEWROC Regions  
**Portfolio:** **Governance, Administration and Finance**  
Cr JM Stratford  
**File Reference:** ADM 0105  
**Disclosure of Interest:** No Interest declared by CEO  
**Author:** Darren Simmons, Chief Executive Officer  
**Signature of CEO**   
**Attachment:** Minutes (Attachments Page 2 - 22)

**Background:**

Minutes of the NEWROC Executive meeting held on 25 February 2020 at Nungarin.

**Comment:**

The following issues were discussed:

- Item 6.1 List of Income and Expenditure
- Item 7.1 NEWROC Strategic Planning – Project Updates
- Item 7.2 NEWROC Strategic Planning Session
- Item 7.3 NEWROC Membership
- Item 7.4 Waste
- Item 7.5 Telstra
- Item 7.6 Telecommunications Project
- Item 9.1 20 Fresh Ideas for 2020 – Deadline Extended

**Consultation:**

Nil

**Statutory Environment:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

Shire of Koorda Strategic Community Plan

4.1.7 - Develop successful and collaborative partnerships

4.2.2 - Facilitate resource sharing on a regional basis

**Voting Requirement:**

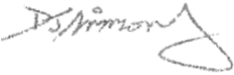
Simple majority

**OFFICER RECOMMENDATION**

**That Council note and endorse the recommendations of the NEWROC Executive meeting held at Nungarin on 25 February 2020.**



**Section 5.23 – Applicability**

<b>Location:</b>	GECZ Regions
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0092
<b>Disclosure of Interest:</b>	No Interest declared by CEO
<b>Author:</b>	Daren Simmons, Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Minutes (Attachments Page 23 - 50)

**Background:**

Minutes of the GECZ Meeting held on 26 February 2020 at Kellerberrin.

**Comment:**

The following business issues were discussed:

- Item 7.1 Federal Government Drought Communities Program
- Item 7.2 Wheatbelt Conference 2020
- Item 7.3 Sports Infrastructure Forum
- Item 7.4 Local Government Telecommunications Case Studies
- Item 7.5 Government Regional Housing (GROH)
- Item 7.6 Wheatbelt Health MOU
- Item 7.7 Review of State Council and Zone Structure Process – Update
- Item 8 Various Zone Reports
- Item 9 WALGA Business – State Councillors Report, WALGA Status Report, State Council Agenda Items, WALGA President’s Report
- Item 10 Agency Reports
- Item 11.1 Mia Davies, MLA Member for Central Wheatbelt

**Consultation:**

Nil

**Statutory Environment:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

Shire of Koorda Strategic Community Plan

4.1.7 - Develop successful and collaborative partnerships

4.2.2 - Facilitate resource sharing on a regional basis

**Voting Requirement:**

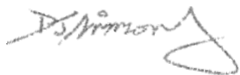
Simple majority

**OFFICER RECOMMENDATION**

**That Council note and endorse the recommendations of the GECZ Meeting held at Kellerberrin on 26 February 2020.**

**NEWTRAVEL MEETING**  
27 February 2020 at Bencubbin

**Section 5.23 – Applicability**

<b>Location:</b>	NEWTRAVEL Regions
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0142
<b>Disclosure of Interest:</b>	No Interest declared by CEO
<b>Author:</b>	Darren Simmons, Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Minutes (Attachments Page 51 - 73)

**Background:**

Minutes of the NEWTRAVEL General Meeting held on 27 February 2020 at Bencubbin.

**Comment:**

The following issues were discussed:

- Item 5.1 Quarterly Statistics
- Item 6.1 Social Media Monitoring Pricing
- Item 6.2 Guidebook Re-print Feedback
- Item 6.3 NEWTRAVEL Forward Plan – Develop a Visiting Friends and Relatives Program
- Item 6.4 2020 Visitor Survey and Curtin Partnership Agreement
- Item 6.5 Starry Weekend in the Wheatbelt Way with Gingin Observatory
- Item 6.6 TV Commercial Advertising
- Item 6.7 2020 Perth Caravan and Camping Show
- Item 6.8 NEWTRAVEL and Local Government MOU
- Item 7.1 Member Reports

**Consultation**

Nil

**Statutory Environment:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

- Shire of Koorda Strategic Community Plan
- 4.1.7 - Develop successful and collaborative partnerships
- 4.2.2 - Facilitate resource sharing on a regional basis

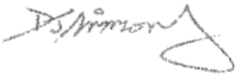
Voting Requirement:

Simple majority

**OFFICER RECOMMENDATION**

**That Council note and endorse the recommendations of the NEWTRAVEL meeting held at Bencubbin on 27 February 2020.**

**Section 5.23 – Applicability**

<b>Location:</b>	Shire of Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0323
<b>Disclosure Of Interest:</b>	No interest declared by the CEO
<b>Author:</b>	Darren Simmons, Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Draft Policy (Attachments Page 74 - 78)

**Background:**

The Local Government Act 1995 was amended recently (October 2019) to require adoption of an attendance at events policy by all local governments.

The administration recommends adopting the attached draft policy, as amended from the City of Stirling and Shire of Narrogin to comply.

**Comment:**

In developing and recommending the proposed policy, the Chief Executive Officer has considered custom and practice of events over the last 10 months at Koorda and in his experience in the sector over 30 years.

Most events that the Elected Members and Chief Executive Officer or employees at the Shire get invited to are by far free non-ticketed events under the auspices of local sports and community groups.

**Consultation:**

The Chief Executive Officer has consulted with management staff and utilised the Department of Local Government, Sport and Cultural Industries (DLGSCI), City of Stirling and Shire of Narrogin policies as templates.

**Statutory Environment:**

Section 5.90A of the Local Government Act 1995, states:

*“5.90A. Policy for attendance at events*

*(1) In this section —*

*event includes the following —*

*(a) a concert;*

*(b) a conference;*

*(c) a function;*

*(d) a sporting event;*

*(e) an occasion of a kind prescribed for the purposes of this definition.*

*(2) A local government must prepare and adopt\* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —*

*(a) the provision of tickets to events; and*

*(b) payments in respect of attendance; and*

*(c) approval of attendance by the local government and criteria for approval; and*

*(d) any prescribed matter.*

*\* Absolute majority required.*

*(3) A local government may amend\* the policy.*

*\* Absolute majority required.*

*(4) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*

*(5) The CEO must publish an up-to-date version of the policy on the local government's official website".*

DLGSCI has established the following Guidelines that relate:

[https://www.dlgsc.wa.gov.au/docs/default-source/local-government/operational-guidelines/operational-guideline---attendance-at-events-policy.pdf?sfvrsn=f053677a\\_9](https://www.dlgsc.wa.gov.au/docs/default-source/local-government/operational-guidelines/operational-guideline---attendance-at-events-policy.pdf?sfvrsn=f053677a_9)

### **Policy Implications:**

The proposal recommends establishment of a new policy, consistent with the intent of the legalisation and the DLGSCI Guidelines and has been adopted to include reference to all Shire of Koorda employees (not just the Chief Executive Officer) as permitted by the Guidelines.

### **Financial Implications:**

Nil

### **Strategic Implications:**

Outcome 4.1 – To provide accountable and transparent leadership


### **Voting Requirement:**

Absolute majority

## **Officer Recommendation**

**That with respect to the requirement to adopt an attendance at events policy pursuant to section 5.90A of the Local Government Act 1995, Council adopt the Policy as per the Attachment and the Chief Executive Officer include the Policy on the Shire's website.**

**Section 5.23 – Applicability**

<b>Location:</b>	Shire of Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0323
<b>Disclosure Of Interest:</b>	No interest declared by the CEO
<b>Author:</b>	Darren Simmons, Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Draft Policy (Attachments Page 79 - 80)

**Background:**

The Local Government Legislation Amendment Act 1995 received the Governor's assent on 5 July 2019. S5.128 of the Act requires Councils to adopt a policy in relation to the continuing professional development of Elected Members with a requirement for a Policy to be published on the local government website.

The Department of Local Government, Sport and Cultural Industries (DLGSC) have subsequently advised that all Council Members will need to complete the Council Member Essentials training course, within 12 months of being elected. The course has been developed to provide Council Members with the skills and knowledge to perform their roles as leaders in their district.

**Comment:**

All Council Members will have to complete the Council Member Essentials course unless, in the previous five years, they have passed the Diploma of Local Government 52756WA (Elected Member) or the course titled LGASS00002 Elected Member Skill Set.

The Council Member Essentials course comprises of the following five units:

- Understanding Local Government (1/2 day) eLearning
- Serving on Council (1/2 day) eLearning
- Meeting Procedures (2 days)
- Conflicts of Interest (1 day)
- Understanding Financial Reports and Budgets (1 day)

Courses are provided by the following two organisations with several delivery options available:



## Western Australian Local Government Association (WALGA)

Options	Delivery of training	Individual cost per person
Option 1	3 x individual face-to-face (at WALGA offices) plus 2 eLearning	\$2,240
Option 2	5 x individual eLearning (all 4 courses conducted online)	\$975
Option 3	5 x individual eLearning (all 4 courses conducted online (unlimited) Sat Band 3)	\$5,000 per local government pa

## South Metropolitan TAFE

Training Course	Individual Fees	
	Face to face per participant at SMT	eLearning per participant
Understanding Local Government	\$450	\$250
Serving on Council	\$800	\$440
Conflicts of Interest	\$450	\$250
Understanding Financial Reports & Budgets	\$450	\$250
Meeting Procedures	\$450	\$250
All 4 courses in one amalgamated course	\$2,365	\$1,300

\*Travel and accommodation costs need to be added to the above costs for face to face learning.

## Cost Comparison

Options		WALGA (pp)	SMTAFE (pp)
1	eLearning modules (all courses online)	\$975	\$1,300
2	3 x individual face to face (duration 4 days) 2 x eLearning (Understanding Local Government and conflicts of Interest)	\$2,240	\$2,200

The Shire of Koorda's Annual Budget includes allowance for the costs associated with Elected Member training, which could be face-to-face or completed online. Council Officers will liaise with Councillors to arrange mutually convenient training opportunities. The training is valid for five years.

It is recommended that the policy refer to eLearning being the Council's preference, given that this represents a cost saving to the Shire. However, the policy also acknowledges that there may be

Elected Members who prefer to receive training face-to-face and/or opportunities to attend training which is being delivered in the region. Individual training requirements can be discussed with the Shire President or CEO.

In addition, arrangements have been made for South Metro TAFE to conduct the 'Serving on Council' face-to-face course in the Council Chambers for all elected members, CEO and DCEO on Friday 20 and Saturday 21 March 2020.

Should an Elected Member have completed any of the units of training previously, the Elected Member will be required to undertake the on-line assessment component only of the training which will then be auto-marked and a Certificate of Achievement automatically issued.

**Consultation:**

Officers have referred to Department of Local Government, Sport and Cultural Industries (DLGSC) website and discussed training opportunities with South Metropolitan TAFE and WALGA.

**Statutory Environment:**

Pursuant to section 5.128 of the Local Government Act 1995, all Councils are required to adopt a policy in relation to the continuing professional development of Elected Members, with a requirement that an up-to-date version of the policy be available on the Shire's website and the policy complying with any prescribed policy, if any. There is no current prescribed policy, nor any proposed by the Department, at this time.

In addition, s5.127 requires the Shire to report on the training completed by Elected Members each financial year, and that report is to be published on the Shire's website within 1 month after the end of the financial year.

**Policy Implications:**

New Policy

**Financial Implications:**

There is an amount of \$15,000 currently available in the Councillor Conference/Training budget for the 2019/2020 financial year.

Costs associated with accommodation, meals and travel expenses should be taken into consideration for any face-to-face training.

**Strategic Implications:**

Strategic Community Plan

3.2.1 Promote a culture of continuous improvement processes

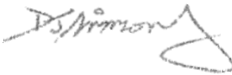
Voting Requirement:

Absolute majority

**Officer Recommendation**

**That, with respect to section 5.128 of the Local Government Act 1995, Council adopts the draft Elected Member Training and Continuing Professional Development Policy as detailed in the attachment.**

**Section 5.23 – Applicability**

<b>Location:</b>	Shire of Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0323
<b>Disclosure Of Interest:</b>	No interest declared by the CEO
<b>Author:</b>	Darren Simmons, Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Deed Variation, Clause 12 of Trust Deed & Email (Attachments Page 81 – 94)

**Background:**

The Local Government House Trust (“The Trust”) exists primarily to provide building accommodation for the Western Australian Local Government Association. Since January 2014, the Trust has provided WALGA with accommodation at 170 Railway Parade West Leederville.

The current trust deed commenced in 1993 and was amended in 2002 to reflect the merger of the metropolitan and country associations into WALGA. The current Trust Deed pronounces WALGA as Trustee and unit holders as Beneficiaries, with the Trustee holding property and associated monies “upon Trust” and in proportion to the units provided.

Commencement date of the current deed is 17 February 1993, with a vesting date 79 years from commencement - which means that the Trust ends in 2072.

The Trust is exempt from income tax on the basis of being a State / Territory Body (STB) pursuant to *Division 1AB of the Income Tax Assessment Act 1936*.

**Trust Deed Variation**

1. removing the existing Trustee’s power to retire and appoint a new Trustee (Clause 2.1 and 2.2 (22.3) of the Deed of Variation)
2. enabling the beneficiaries to appoint and remove a Trustee (Clause 2.2 (22.4) of the Deed of Variation), and
3. ensuring that the Board of Management is the ‘governing body’ of the Trust (Clause 2.3 of the Deed of Variation)

The three proposed amendments when applied to the relevant clauses inserted by the Deed of Variation dated 5 June 2002 will subsequently read as follows (proposed amendments shown in red text):

1. Variation 2.1 amends clause 22.1 to point to additional clause:

22.1 Any Trustee of the Trust may retire as Trustee of the Trust. ~~The Subject to clause 22.3, the~~ right to appoint any new or additional trustee or trustees of the Trust is hereby vested in the retiring or continuing trustee. A corporation or incorporated association may be appointed as Trustee of the Trust.

2. Variation 2.2 inserts two new clauses:

22.3 ~~The retiring or continuing trustee shall only be entitled to appoint any new or additional trustee of the Trust with the consent of not less than 75% of the Beneficiaries.~~

22.4 ~~The Beneficiaries may at any time by Special Resolution:~~

- ~~(a) remove a Trustee from the office as Trustee of the Trust; and~~
- ~~(b) appoint such new or additional Trustee.~~

3. Variation 2.3 insert a new clause 13A

~~13A Delegation to the Board of Management~~

~~Unless the Beneficiaries otherwise direct (such direction to be given by not less than 75% of the Beneficiaries), the Trustees shall delegate all of the powers authorities and discretions contained in subclauses (a) to (x) of clause 12 to the Board of Management. The Trustees shall, at the direction of the Board of Management, do such things as may be necessary to give effect to the exercise of a power, authority or discretion by the Board of Management.~~

**Comment:**

The first two amendments outlined above remove powers granted to the Trustee in the 2002 Deed Variation resulting from the merger to a single Association representing WA Local Governments. These amendments which previously facilitated the transfer of trusteeship to the then new Western Australian Local Government Association are removed, but with the clarification that any appointment must be with the consent of the beneficiaries.

The final amendment intends to confirm that power rests with the Board of Management. As the Board of Management comprises Local Governments, this satisfies the requirements of a STB for tax purposes. This amendment reflects the actual operation of the Trustee in implementing the decisions of the Board of Management whilst retaining sufficient operational discretion to place and renew investments and pay suppliers.

These amendments provide greater power to beneficiaries through the Board of Management, and as such it is anticipated they will be considered acceptable.

**Consultation:**

Nil

**Statutory Environment:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

There are no relevant financial implications upon the Council's Budget or Long-Term Financial Plan.

One Seventy (170) Railway Parade, (local government house), where WALGA is located, is owned by the Association. The Shire of Koorda owns three (3) units in the Trust that owns the 'Local Government House', which were valued at \$17,517.11 each (as at 30/6/18 as advised by WALGA).

Supporting the Deed of Variation will only strengthen WALGA's financial position. (Of which the Shire of Koorda is a financial member).

**Strategic Implications:**

Strategic Community Plan

3.2.1 - Promote a culture of continuous improvement processes

3.2.3 - Use resources efficiently and effectively

4.1.7 - Develop successful and collaborative partnerships

4.3.2 - Enhance the capacity and effectiveness of administrative processes

**Voting Requirement:**

Simple majority

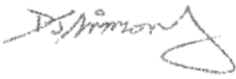
**Officer Recommendation**

**That Council:**

- 1. With respect to the Local Government House Trust – Deed of Variation, consents to a variation to the Trust Deed for the Local Government House Trust (The Trust) as detailed in the attachment; and**
- 2. Communicate this consent in writing to the CEO of WALGA for and on behalf of the Local Government House Trust's Board of Management.**

## 11.1.7 SHIRE OF KOORDA DRESS CODE FOR CITIZENSHIP CEREMONIES

### **Section 5.23 – Applicability**

<b>Location:</b>	Shire of Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0139
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Darren Simmons, Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Proposed Shire of Koorda Dress Code for Australian Citizenship Ceremonies (Attachment Pages 95 - 97)

### **Background:**

Council received a letter from the Minister of Immigration and Citizenship advising as follows;

I am pleased to announce the publication of a new version of the Australian Citizenship Ceremonies Code, which will take effect from the date of this letter. Key changes are outlined below:

- Local government councils must ensure ceremonies are conducted in accordance with the Australian Citizenship Ceremonies Code. This includes a requirement to hold a citizenship ceremony on Australia Day (January 26). Councils that conferred citizenship on less than 20 people in the previous year are exempt from this requirement.
- Federal Members of Parliament, if attending a citizenship ceremony, should read the Minister's message; and
- Individual councils are to establish a Dress Code for ceremonies, to reflect the significance of the occasion, and provide a copy of their Dress Code to the Department of Home Affairs.

### **Comment:**

With the new Citizenship Ceremonies Code now in place Council is required to adopt a Dress Code for Australian Citizenship Ceremonies.

The Citizenship Ceremonies Code outlines the following in relation to the Dress Code;

“Dress Code

The attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion.”

A Dress Code is to be set by individual councils.

Councils must provide a current copy of their Dress Code to the Department of Home Affairs.”

The proposed 'Shire of Koorda Dress Code for Australian Citizenship Ceremonies' for Council's consideration is attached.

**Consultation**

Deputy Chief Executive Officer

**Statutory Environment:**

Australian Citizenship Act 2007

Australian Citizenship Regulation 2016

Australian Citizenship Ceremonies Code

**Policy Implications**

Creation of new policy

**Financial Implications**

Nil

**Strategic Implications**

Strategic Community Plan

4.1.7 Develop successful and collaborative partnerships

4.3.2 Enhance the capacity and effectiveness of administrative processes

**Voting Requirement**

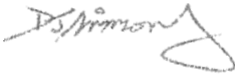
Simple majority

**OFFICER RECOMMENDATION**

**That Council adopts the proposed 'Shire of Koorda Dress Code for Australian Citizenship Ceremonies', as presented.**



**Section 5.23 – Applicability**

<b>Location:</b>	Shire of Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b>
	Cr JM Stratford
<b>File Reference:</b>	ADM 236
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Darren Simmons, Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Letter (Attachment Page 98)

**Background:**

The Shire is in receipt of correspondence from Mr Kevin Brooks dated 9 March 2020 requesting permission to use the Shire of Koorda 'Corn Dolly' emblem on commemorative coffee cups at a Brooks' family reunion on 5 September 2020 (Koorda Show Day).

A copy of the letter from Mr Brooks has been provided as an attachment.

**Comment:**

Council Policy A41 states:

*“That Council adopt as Policy, the use of the Koorda Corn Dolly emblem by local sporting Clubs and organisations as a promotional and recognition symbol conditional upon it not being altered in any way and that further, that the electronic disc held by Council be used as a template.”*

As the application from Mr Brooks is for private purposes, Council's existing policy does not apply hence this referral to Council for its consideration.

Whilst it is open, and generally appropriate, for Council to restrict the use of the emblem in order to protect the 'corporate brand' the emblem provides, in this case, based on the longstanding association of the Brooks family and Koorda, it is recommended that Council grant permission on this occasion.

**Consultation:**

Nil

**Statutory Environment:**

Nil

**Policy Implications:**

Council Policy A41 (as outlined above)

**Financial Implications:**

Nil

**Strategic Implications:**

Strategic Community Plan

4.3.2 Enhance the capacity and effectiveness of administrative processes

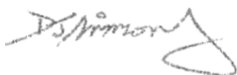
**Voting Requirement**

Simple majority

**OFFICER RECOMMENDATION**

**That, in recognition of the longstanding association of the Brooks family and Koorda, Council grants permission to Mr Kevin Brooks to use the Shire of Koorda Corn Dolly Emblem on commemorative coffee cups for the Brooks Family Reunion in September 2020 subject to the emblem not being altered in any way.**

**Section 5.23 – Applicability**

<b>Location:</b>	Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0370
<b>Disclosure of Interest:</b>	No Interest declared by CEO
<b>Author:</b>	Darren Simmons, Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Nil

**Background:**

On Wednesday, 11 March 2020, the CEO received a signed and dated letter of resignation from the Shire President, Cr Ricky Storer from his dual offices of Councillor (under section 2.32 of the *Local Government Act 1995*) and Shire President (under section 2.34 of the *Local Government Act 1995*) for the Shire of Koorda effective from the close of business (i.e. 4.30pm) on Thursday, 19 March 2020.

Cr Storer's resignation letter states:

"Dear Darren

*It is with much regret that I ask that you accept my resignation as Koorda Shire President and also as a Koorda Shire councillor, effective COB Thursday 19th March.*

*My decision is due to having to relocate for an employment opportunity.*

*I would like to express my sincere gratitude to yourself and all the staff at the Shire for the support and respect that has been shown to me for the past 15 years. It has been an incredible journey for me, having had the opportunity and experience to represent not only our Shire, but the region on many occasions and in various forums.*

*I am humbled and privileged to have had the support of both the Koorda community and Councillors to have been entrusted with the position as Shire President. It is difficult to imagine a greater honour and I have always performed the duties to the best of my ability.*

*I am disappointed and saddened not to be able to continue to serve as a councillor, not because of any contributions I may have been able to make, but more that I will no longer be a member of a wonderful organization.*

*I would like to extend my best wishes to the Councillors and staff and especially to my successor.*

*Kind regards,*

*Ricky Storer  
President  
Shire of Koorda”*

Cr Ricky Storer has been a Councillor for the Shire of Koorda since 2005.

In addition, Cr Storer served as Deputy Shire President from 2007 to 2011 and has been Shire President since 2011.

Committed to the improvement of regional roads, Cr Storer has been involved in many road and transport organisations, including the Wheatbelt North Regional Road Group where, as Chairperson, he was instrumental in the development of and co-chairs the Wheatbelt Secondary Freight Network, an initiative that involves the 42 Wheatbelt Local Governments, industry, plus State and Federal Governments.

Cr Storer was the Shire of Koorda delegate to the Grain Freight Group during the debate over the closure of the Tier 3 rail network. He attended the Australian Local Government Association National Local Roads and Transport Congress in 2017 and in 2019 the SEGRA (Sustainable Economic Growth for Regional Australia) Conference in Barooga, NSW, presenting on the Wheatbelt Secondary Freight Network project.

Cr Storer was the Shire delegate to the Regional Transition Group and is the Shire of Koorda delegate and current Chair for the North Eastern Wheatbelt Regional Organisation of Councils (NEWROC).

He has also been a Shire delegate to the WA Local Government Association's Great Eastern Country Zone and the Central East Aged Care Alliance (CEACA) that has seen 71 independent living units constructed within the CEACA area comprising 11 Shires, including 4 newly tenanted units in Koorda.

He has represented the Koorda community on the Central Wheatbelt Biosecurity Association Inc which covers the Shires of Dalwallinu, Koorda, Morawa and Perenjori, and he Chairs this important group.

Cr Storer has been or is currently involved in numerous other sporting and community groups.

On 12 March 2020, the Shire distributed a media release advising of Cr Storer's resignation.

**Comment:**

Arising from Cr Storer's resignation, Council is required to elect a new Shire President and ensure arrangements are in place for an extraordinary election to fill the vacancy on Council within the 4-month statutory timeframe.

With the Shire President's resignation taking effect from the close of business (i.e. 4.30pm) on Thursday, 19 March 2020, and as the April 2020 ordinary meeting of Council is more than 3 weeks after the vacancy occurs Council is required to hold a special meeting.

As the Koorda Shire President also holds the role of Chair of NEWROC until October 2021 and as NEWROC is holding a strategy workshop in Koorda on Tuesday, 24 March 2020, it is recommended that Council hold a special meeting on Monday, 23 March 2020 commencing at 5.00pm in order to conduct an election for Shire President and to consider options for holding an extraordinary election for the vacancy on Council as result of Cr Storer's resignation.

### **Consultation**

Shire President

Deputy Shire President

### **Statutory Environment:**

Local Government Act 1995

#### 5.4 Calling council meetings

An ordinary or a special meeting of a council is to be held —

if called for by either —

the mayor or president; or

at least 1/3 of the councillors,

in a notice to the CEO setting out the date and purpose of the proposed meeting; or

if so decided by the council.

Schedule 2.3 — When and how mayors, presidents, deputy

mayors and deputy presidents are elected by the council

[Sections 2.11(1)(b) and 2.15]

Division 1 — Mayors and presidents

#### 1. Terms used

In this Division —

*extraordinary vacancy* means a vacancy that occurs under section 2.34(1);

*office* means the office of councillor mayor or president.

When council elects mayor or president

The office is to be filled as the first matter dealt with —

at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and

at the first meeting of the council after an extraordinary vacancy occurs in the office.

If the first ordinary meeting of the council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.

### **Policy Implications:**

Nil

### **Financial Implications:**

Nil

### **Strategic Implications:**

Shire of Koorda Strategic Community Plan 2018

Outcome 4.1 – To provide accountable and transparent leadership

Voting Requirement:

Simple majority

## **OFFICER RECOMMENDATION**

**That Council:**

- 1. Notes Cr Ricky Storer's resignation as Shire President and Councillor for the Shire of Koorda;**
- 2. Acknowledges and thanks Cr Ricky Storer for his 15 years of dedicated service to the Shire, Koorda community and the local government sector; and**
- 3. Calls a special meeting of Council to be held on Monday, 23 March 2020 commencing at 5.00pm for the election and subsequent declaration to office of a new Shire President and to consider options for the conduct of an extraordinary election for the vacancy on Council arising from Cr Ricky Storer's resignation.**

## 11.2.1

**MONTHLY FINANCIAL STATEMENTS**

As at 29 February 2020

**Section 5.23 – Applicability****Location:**

Shire of Koorda

**Portfolio:****Governance, Administration and Finance****Cr JM Stratford****File Reference:**

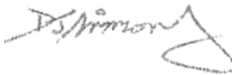
ADM 0448

**Disclosure Of Interest:**

No interest declared by CEO

**Author:**

Lana Foote, Deputy Chief Executive Officer

**Signature of CEO**

**Attachment:**

Monthly Financial Statement (Attachments Page 99 - 122)

**Background:**

Submission of monthly Financial Statements for period ended 29 February 2020.

**Comment:**

Monthly Financial Statements for the period ended 29 February 2020 for Council's information and acceptance. The variances are mentioned on Note 14 of Statement of Financial Activity.

**Consultation:**

Nil

**Statutory Environment:**

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996 34.1(2) as amended 2005

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

Shire of Koorda Strategic Community Plan

4.2.4 - Operate in a financially sustainable manner (ongoing)

4.3.3 - Provide reporting processes in a transparent, accountable and timely manner

**Voting Requirement:**

Simple majority

**OFFICER RECOMMENDATION**

**That the monthly Financial Statements for the period ended 29 February 2020, as presented, be received and adopted.**



**ACCOUNTS PAID AS LISTED**  
As at 9 March 2020

<b>Section 5.23 – Applicability</b>	
<b>Location:</b>	Shire of Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0448
<b>Disclosure Of Interest:</b>	No interest declared by CEO
<b>Author:</b>	Lana Foote, Deputy Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Monthly Report List (Attachments Page 123 - 124)

**Background:**

Regulatory requirement to advise Council of payments made, since the previous meeting.

**Comment:**

The payments on the attached schedule have been made for the period to 9 March 2020 and are generally within budget guidelines and are of an operational nature. Payments for capital assets expenditure are:

V579	WCS Concrete Pty Ltd	\$1,291.20
V580	Western Rural Earthmoving	\$5,940.00
V581	Wongan Hills Hardware	\$449.40
V601	Treebrook Pty Ltd	\$1,544.40
V605	Credit Card: Wonder Walls	\$1,157.20

**Consultation:**

Nil

**Statutory Environment:**

Local Government Act 1995, Section 5.42

Local Government (Financial Management) Regulations 1996 12(1) (a), 13(1), 13(3).

**Policy Implications:**

Nil

**Financial Implications:**

Budget guidelines and constraints

Need to authorise unbudgeted expenditure (if any)

**Strategic Implications:**

Shire of Koorda Strategic Community Plan

4.2.4 - Operate in a financially sustainable manner

4.3.3 - Provide reporting processes in a transparent, accountable and timely manner

**Voting Requirement:**

Simple majority

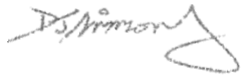
**OFFICER RECOMMENDATION**

**That accounts as listed being for period 13 February 2020 to 9 March 2020.**

<b>Municipal Vouchers No's V565 to V608</b>	<b>Totalling</b>	<b>\$182,992.35</b>
<b>Credit Card Transactions (V605)</b>	<b>Totalling</b>	<b>\$ 1,747.90</b>
	<b>Total</b>	<b>\$184,740.25</b>

**To be endorsed or passed for payment**

**MONTHLY FINANCIAL POSITION**  
As at 9 March 2020

<b>Section 5.23 – Applicability</b>	
<b>Location:</b>	Shire of Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0448
<b>Disclosure Of Interest:</b>	No interest declared by the CEO
<b>Author:</b>	Lana Foote, Deputy Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Financial Position (Attachments Page 125)

**Background:**

Current Monthly Financial position as at 9 March 2020 on various accounts.

**Comment:**

The Municipal Account's financial position as at 9 March 2020 indicated at this time.

Monthly Financial Position	Municipal Account	\$587,491.23
	Reserve Account	\$5,675,428.37
	Trust Account	\$5,604.46

**Consultation:**

Monthly advice

**Statutory Environment:**

Local Government Act 1995, Section 6.4

**Policy Implications:**

Nil

**Financial Implications:**

Shows current financial position

**Strategic Implications:**

Shire of Koorda Strategic Community Plan

4.2.4 - Operate in a financially sustainable manner (ongoing)

4.3.3 - Provide reporting processes in a transparent, accountable and timely manner

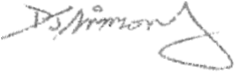
**Voting Requirement:**

Simple majority

**OFFICER RECOMMENDATION**

**That the Financial Position, as at 9 March 2020, as presented, be noted, received and adopted.**

**Section 5.23 – Applicability**

<b>Location:</b>	Shire of Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0044
<b>Disclosure Of Interest:</b>	No interest declared by the CEO and DCEO
<b>Author:</b>	Lana Foote, Deputy Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	2019/2020 Budget Review (Attachment to be sent out separately)

**Background:**

Council is required to conduct a budget review annually between 1 January and 31 March and as such, a budget review document has been prepared and attached, it is a summary of the outcomes. Council adopted a 10% and \$10,000 minimum for reporting material variances to be used in the statement of financial activity and the annual budget review.

**Comment:****OPENING FUNDING SURPLUS/(DEFICIT)**

The variance in the Opening Funding Surplus (Deficit) is a result of Audited Annual Financial Statements.

Initial Opening Surplus	\$821,674
Audited Opening Surplus	<u>\$1,054,445</u>
Variance	<u>\$232,771</u>

**INCOME**

Variation to the budgeted revenue worthy of note since the adoption of the 2019/2020 budget and are listed below. Where practicable, projects will be financed by way of a combination of reallocations from other projects and Reserve transfers. Some budgeted projects are there solely for the provision of future projects. It also assists when urgent work is required on housing or plant.

**Operating Income**

It is anticipated the Council's total budgeted operation income should remain within the parameters of the overall budget allocations, however this will need to be monitored regularly.

- Gain on disposal on assets: with the disposal of P44 (Champion Grader), it was anticipated the proceeds of sale would amount to a loss on disposal of asset, however more was received than anticipated which resulted in a profit in asset disposal. The accounts are required to be increase by \$17,000 to account for this gain on disposal of asset.

(Nature & Type: Profit on asset disposal / Class: Transport)

- As per last years insurance claim for the damage to the Drive in Projector, insurance reimbursement was received this financial year and therefore is unaccounted for. The

reimbursement received was for \$61,519. It is suggested to amend accounts to reflect this income. (Nature & Type: Other Revenue / Class: Recreation and Culture to increase)

- With the proposed changes to the Plant Replacement Program for the changeover of the CEO & DCEO vehicle, a reduction in proceeds of sale is proposed as part of the changeover. With the discontinuation of the current vehicles, less trade in price is offered and regardless of the new vehicles purchased, the proceeds from sale will be impacted due to a reduced value to the vehicle with the recent General Motors.

(Nature & Type: Profit on asset disposal / Class: Other Property and Services)

Income was	\$1,865,234
<i>P44 profit on disposal</i>	+ \$17,000
<i>Insurance claim reimbursement</i>	+ \$61,519
<i>P100 &amp; P300 Changeover</i>	- \$6,000
Revised Income	<u>\$1,937,753</u>
Variance	<b>\$72,519</b>

## Capital Revenues

### Grants, Subsidies and Contributions

- Operating Grants: will be slightly higher than anticipated budget (Main Roads Direct Grant: \$9,321, Grants Commission General Grant: \$8,468 and Grants Commission Road Grant: \$2,568) however with the increase only being less than 10%, action to amend the budget is not required as it falls below Council's adopted Material Variance level.

- Non-Operating Grants: in July after budget adoption, the Federal Government announced revised Roads to Recovery allocations. The Shire of Koorda's allocation increased by \$80,000 from \$322,000 to \$402,000.

- An addition Road project was added to the 2019/2020 Roadworks Program for \$52,000 (Koorda-Kulja widen/seal at slk 12.20 – 13.20). The remaining \$28,000 was spread between the program, reducing the Shire's "own contribution" as a RRG project grant was reduced by \$10,000, so in consultation with the Works Supervisor, allocations to several projects were amended to reflect the changes and balance the program.

<b>Operating Grants</b>	Income was	\$1,204,333
	Revised Income	<u>\$1,204,333</u>
	Variance	<b>\$NIL</b>

<b>Non-Operating Grants</b>	Income was	\$694,971
	<i>Roads to Recovery Grant</i>	+\$80,000
	Revised Income	<u>\$774,971</u>
	Variance	<b>\$80,000</b>

## EXPENDITURE

Throughout the year, consideration has been made for items that may have been required outside of the budget process or may be an opportunity to create a savings in the future. All items to date have been brought to Council but are still shown in the Budget Review. Other changes that are required are also included below.

## Operating Expenditure

It is anticipated that Council's total budgeted operational expenditure should remain within the parameters of overall budget allocations, however this will need to be monitored regularly.

- Road Preservation: an annual allocation of \$85,000 was made. To date expenditure sits at \$165,000. It is suggested to increase the budget by \$115,000 to allocate a total of \$200,000 towards road preservation for the 2019/2020 financial year.

(Nature & Type: Materials & Contracts / Class: Transport to increase)

Expenditure was	\$4,466,321
<i>Road Preservation</i>	+ \$115,000
Revised Expenditure	<u>\$4,581,321</u>
Variance	<b>\$115,000</b>

## Capital Expenses

### Building and Improvements

- \$350,000: GROH House construction is completed.

- \$50,000: Cementing of Lot 550 (Newcarlbeon Nook) drive way has been completed.

- \$40,000 was included for the Interior and Exterior painting of L204 Pearman street (GROH/Police House), however after recent housing inspections, painting is not required for another 5 years.

Whilst it remains open for Council to sell the property at L98 Greenham Street, it is suggested to transfer the budgeted capital upgrades to the repair and upgrades of the bathroom, as this would provide an additional rental property within town, that could be used to address the current tenancy wait list.

- \$25,000: Caravan Park ablution re-painting may not be completed this financial year. As part of the 2020/2021 budget preparation workshop, management suggest holding off on painting the facilities until discussions are held regarding future projects at the caravan park. It is suggested that this capital expenditure if transferred to the purchase and installation of new ablutions at the works depot.

- Inclusion of the Netball/Basketball Court resurfacing was overlooked during budget preparation. A grant of \$11,000 was received to contribute to the works that were budgeted at \$22,000. The works came in at \$15,200, and management suggest the Shire contribution comes from the Opening Funding Surplus.

- Remaining items in the building program will be endeavoured to be completed.

Budgeted Expenditure	\$520,000
<i>Court resurfacing</i>	+ \$15,200
<i>Caravan Park Re-vamp</i>	- \$25,000
<i>Depot Ablutions</i>	+ \$25,000
Revised Expenditure	<u>\$535,200</u>
Variance	<b>\$15,200</b>

### Furniture and Equipment/Intangible Assets

- Currently nil additions at this point for F&E.
- New finance/rates system to be ordered in the coming months for implementation on 1<sup>st</sup> July 2020.

Budgeted Expenditure	\$157,000
Revised Expenditure	<u>\$157,000</u>
Variance	<b>\$NIL</b>

### Infrastructure – Other

- \$70,000: The Recreation ground Recycled Water system is currently being investigated and EHO and Works Supervisor are investigating options and costings.
- \$15,000: Pearman Street footpath has been completed.

Budgeted Expenditure	\$85,000
<i>Main Street Revitalisation</i>	+ \$40,000
<i>Admin Office Automatic Door</i>	+ \$10,000
Revised Expenditure	<u>\$135,000</u>
Variance	<b>\$50,000</b>

### Plant and Equipment

- The Plant replacement program is on track year to date. With the announcement from General Motors regarding the discontinuation of Holden Vehicles, management have investigated and sought quotes from other providers and have included the initial changeover figures below. We envisage there will be no further amendments to the program and all budget plant replacement should take place within the 2019/2020 financial year.

Budgeted Expenditure	\$637,000
<i>P100 &amp; P300 changeovers</i>	+\$38,000
Revised Expenditure	<u>\$675,000</u>
Variance	<b>\$38,000</b>

### Infrastructure – Roads

- It is anticipated that all items on the Road works program will be completed this year. For those projects unable to be completed in this financial year, it is anticipated they will be moved into the 2019/2020 road works program.

Budgeted Expenditure	\$1,326,000
+ <i>Koorda/Kulja W/Seal</i>	+\$52,000
Revised Expenditure	<u>\$1,378,000</u>
Variance	<b>\$52,000</b>

### Land

- Nil capital land transactions included in the 2019/2020 budget, nor anything to be considered at the time of budget review.



## **FINANCING**

### Transfer from Reserves

It is anticipated that transfers from reserves will remain as per budget schedule.

Transfer from was	\$1,093,000
Revised Transfer	<u>\$1,093,000</u>
Variance	<b>\$NIL</b>

### Transfer to Reserves

It is anticipated that transfers to reserves will remain as per budget schedule.

Transfer to was	\$ 635,295
Revised Transfer	<u>\$ 635,295</u>
Variance	<b>\$NIL</b>

### **Consultation:**

Darren Simmons, Chief Executive Officer

Darren West, Works Supervisor

Shire of Koorda Councillors

### **Statutory Environment:**

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

### **Policy Implications:**

Nil

### **Financial Implications:**

Variances have been noted with changes required. The general financial impact of the review will leave the Council in a similar overall position financially. From the time of the budget, the carried forward figure increased after the financials had been audited.

### **Strategic Implications:**

Shire of Koorda Strategic Community Plan

4.2.3 - Use resources efficiently and effectively (ongoing)

4.2.4 - Operate in a financially sustainable manner (ongoing)

### **Voting Requirement:**

Absolute majority (4)

## **OFFICER RECOMMENDATION**

**That Council note the Budget changes and adopt the amended Budget, as presented.**

<b>11.3</b>	<b>Law, Order &amp; Public Safety</b>
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*No items this month*

<b>11.4</b>	<b>Health and Building</b>
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*No items this month*

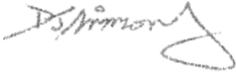
<b>11.5</b>	<b>Education &amp; Welfare</b>
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*No items this month*

<b>11.6</b>	<b>Housing</b>
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*No items this month*

**DEVELOPMENT APPLICATION – BLUESKY CORRIDORS PTY LTD (TREE FARM)****Section 5.23 – Applicability**

<b>Location:</b>	Shire of Koorda
<b>Portfolio:</b>	Community Amenities, Environment, Recreation & Culture Cr LC Smith
<b>File Reference:</b>	ADM 0290
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Darren Simmons, Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Development Application (Attachment Pages 126 – 128)

**Background**

A development application has been received from Bluesky Corridors Pty Ltd to plant 900ha of trees for biodiversity and carbon planting purposes on Lots 2576 and 3957 Kulja Central Road, Kulja.

**Comment**

The Shire's town planning consultant has provided the following comment:

*The permissibility of Use Classes in zones is determined by Table 1 – Zoning Table in the Scheme (Shire of Koorda Local Planning Scheme No 3). It should be noted that the list of use classes was designed to match the interpretations as contained in Appendix B of the Town Planning Regulations 1967.*

*The definition below is the closest match to the proposal put forward by Blue Sky Corridors Pty Ltd in your current Scheme.*

**“agroforestry”** means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare;

*Agroforestry is an ‘A’ use in a Rural zone.*

*‘A’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4;*

*If the Council considers Agroforestry to be not a close enough match to the proposal it may refer to clause 4.4 of the Scheme and select option a) or b) of 4.4.2. The Council could select option c) if it was minded to refuse the DA, however I do not consider that this would be appropriate.*

**4.4 INTERPRETATION OF THE ZONING TABLE**

*4.4.1 Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.*

4.4.2 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 –

- a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
- 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; or
- c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

The Town Planning Regulations 1967 have now been superseded by the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

It appears that agroforestry has been updated by changing the name to 'tree farm' and adding reference to the Carbon Rights Act.

**tree farm** means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the Carbon Rights Act 2003 section 5;

As this definition is not part of the Deemed Provisions and is not listed in Table 1 – Zoning Table, I consider that it is up to the Council's discretion of whether it selects option a or c of clause 4.4.2.

The difference between option a) and b) is advertising.

My recommendation would be to approve the DA using option a) of 4.4.2 of the Scheme. I say this because the revegetation of the property could be considered as non-commercial until you add the reference to Carbon Credits.

## **Consultation**

Mr Paul Bashall - Town Planning Consultant

## **Statutory Environment**

Planning and Development Act 2005 and associated regulations  
Shire of Koorda Local Planning Scheme #3

## **Policy Implications**

Nil.

## **Financial Implications**

Nil

## **Strategic Implications**

Strategic Community Plan

2.1.4 Facilitate and create sustainable business and community partnerships

3.1.7 Encourage and support community environmental projects

Voting Requirement

Simple majority

**OFFICER RECOMMENDATION**

**That the development application from Bluesky Corridors Pty Ltd to plant 900ha of trees for biodiversity and carbon planting purposes on Lots 2576 and 3957 Kulja Central Road, Kulja be approved in accordance with clause 4.4.2 a) of the Shire of Koorda Local Planning Scheme #3.**

11.8

Recreation and Culture

No items this month

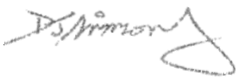
11.9

Transport

11.9.1

HEAVY VEHICLE ROUTE APPLICATION – RAV 9 REQUEST FOR SUPPORT

Section 5.23 – Applicability

**Location:** Shire of Koorda  
**Portfolio:** Transport and Communication  
 Cr RDG Storer  
**File Reference:** ADM 242  
**Disclosure of Interest:** Nil  
**Author:** Darren Simmons, Chief Executive Officer  
**Signature of CEO**   
**Attachment:** Email from Main Roads 6 March 2020 RAV 9 Request for Support (Attachment Page 129)

Background

An application has been referred to the Shire for the following local roads to be assessed for RAV 9 status:

Road No. 4110006	Kalannie/Kulja Road	SLK 0 to 1.93	RAV 9
Road No. 4110030	Graves Road	SLK 0 to 7.37	RAV 9
Road No. 4110088	Kulja/Central Road	SLK 0 to 26.79	RAV 9
Road No. 4110103	Warren Road	SLK 5.64 to 14.05	RAV 9

Comment

At its meeting held on 17 April 2019, in respect to heavy vehicle applications, Council resolved:

- That the Shire supports RAV 4 for assessment as per current arrangements;
- Any application in excess of RAV 4 to be referred to Council for consideration;
- The Shire does not support RAV 9; and
- The Shire develop a policy and conditions for managing applications for the Harvest Mass Management Scheme (HMMS).

Whilst a draft policy will be included in a new draft Council Policy Manual (to be presented by the June 2020 ordinary meeting of Council), it is clear from Council’s resolution above that it requires applications in excess of RAV 4 to be referred to Council for consideration and, hence, the presentation of this item.

Heavy Vehicle Services (HVS) of Main Roads are seeking any comments relating to road condition, planning conflicts, development issues etc. that may be impacted by adding the above roads onto the RAV network.

With Main Roads the approving authority, it is recommended that the Shire reiterate its position of not supporting RAV 9 within the Shire of Koorda as its roads were not constructed with such a transport load in mind, resulting potential adverse safety impacts on other road users and unplanned adverse impact on road maintenance expense.

### **Consultation**

Works Supervisor

### **Statutory Environment**

MRD RAV and HMMS Guidelines

### **Policy Implications**

No existing written policy but Council has resolved for applications beyond RAV 4 to be referred to Council for consideration. (A draft policy reflecting this position will be included within a new draft Policy Manual due for presentation to Council by June 2020).

### **Financial Implications**

There are no direct financial implications from this report.

### **Strategic Implications**

Strategic Community Plan

2.3.2 Maintain an efficient, safe and quality local road network

### **Voting Requirement**

Simple majority

### **OFFICER RECOMMENDATION**

**That Council reiterates its previous advice to Heavy Vehicle Services of Main Roads Western that it does not support a Restricted Access Vehicle Rating 9 (RAV 9) within the Shire of Koorda as its roads were not constructed with such a transport load in mind, resulting potential adverse safety impacts on other road users and adverse impact on road maintenance expense.**

**11.10 Economic Services**

*No items this month*

**11.11 Other Property & Services**

*No items this month*

**11.12 Reserves**

*No items this month*

**12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

**14 MATTERS FOR WHICH MEETING MAY BE CLOSED**

**15 DATE OF NEXT MEETING**

Wednesday 15 April 2020 @ 5.00pm

**16 CLOSURE**



# **PORTFOLIO'S**

- ***Governance, Administration and Finance - Cr JM Stratford***
  
- ***Law, Order, Health and Building - Cr BG Cooper***
  
- ***Education, Welfare and Property – Cr GL Boyne***
  
- ***Community Amenities, Environment, Recreation and Culture - Cr LC Smith***
  
- ***Transport and Communication - Cr G Storer***
  
- ***Economic, Other Property and Services and Reserves - Cr PL McWha***