



Shire of
Koorda

Drive in, stay awhile

AGENDA

Ordinary Council Meeting

To be held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Wednesday 18 October 2023

Commencing 5.00pm

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, 18 October 2023 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda. The format of the day will be:

5.00pm	Council Meeting
Following conclusion of Council Meeting	Council Forum

Lana Foote
Acting Chief Executive Officer
13 October 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

Table of Contents

1. Declaration of Opening	4
2. Record of Attendance, Apologies and Leave of Absence	4
3. Public Question Time.....	4
4. Disclosure of Interest.....	4
5. Applications for Leave of Absence	4
6. Petitions and Presentations.....	4
7. Confirmation of Minutes from Previous Meetings	5
7.1. Ordinary Council Meeting held on 20 September 2023	5
7.2. Special Meeting Minutes for meeting held 9 October 2023	5
8. Minutes of Committee Meetings to be Received	5
8.1. GECZ Meeting Minutes for meeting held 21 August 2023	5
8.2. NEWROC Council Meeting Minutes for meeting held 21 August 2023.....	5
8.3. LEMC Meeting Minutes for meeting held 7 September 2023.....	6
8.4. BFAC Meeting Minutes for meeting held 7 September 2023.....	6
8.5. WALGA AGM Meeting Minutes for meeting held 18 September 2023	6
8.6. Audit Meeting Minutes for meeting held 20 September 2023	6
9. Recommendations from Committee Meetings for Council Consideration.....	6
10. Announcements by the President without Discussion	6
11. OFFICER'S REPORTS – CORPORATE & COMMUNITY	7
11.1. Monthly Financial Statements	7
11.2. List of Accounts Paid.....	9
12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE	11
12.2. Policy Manual Review and Update	11
13. OFFICER'S REPORTS – WORKS & ASSETS.....	14
14. Urgent Business Approved by the Person Presiding or by Decision.....	14
15. Elected Members' Motions	14
16. Matters Behind Closed Doors	14
17. Closure	14

**Shire of Koorda
Ordinary Council Meeting
5.00pm, Wednesday 18 October 2023**



1. Declaration of Opening

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

2. Record of Attendance, Apologies and Leave of Absence

Councillors:

Cr JM Stratford	President
Cr BG Cooper	Deputy President
Cr GW Greaves	
Cr GL Boyne	
Cr LC Smith	
Cr NJ Chandler	

Staff:

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

Members of the Public:

Mrs Kylie Burrell	Councillor Elect
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Apologies:

Visitors:

Mrs C Robinson	150 Square (via MS Teams)
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Approved Leave of Absence:

3. Public Question Time

4. Disclosure of Interest

5. Applications for Leave of Absence

6. Petitions and Presentations

Caroline from 150 Square to discuss Recreation Management Model Consultation.

7. Confirmation of Minutes from Previous Meetings

7.1. Ordinary Council Meeting held on 20 September 2023

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

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Ordinary Council Meeting held 20 September 2023, as presented, be confirmed as a true and correct record of proceedings.

7.2. Special Meeting Minutes for meeting held 9 October 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the Special meeting held 9 October 2023, as tabled.

8. Minutes of Committee Meetings to be Received

8.1. GECZ Meeting Minutes for meeting held 21 August 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the GECZ meeting held 21 August 2023, as tabled.

8.2. NEWROC Council Meeting Minutes for meeting held 21 August 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the NEWROC Council meeting held 21 August 2023, as tabled.

8.3. LEMC Meeting Minutes for meeting held 7 September 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the LEMC meeting held 7 September 2023, as tabled.

8.4. BFAC Meeting Minutes for meeting held 7 September 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the BFAC meeting held 7 September 2023, as tabled.

8.5. WALGA AGM Meeting Minutes for meeting held 18 September 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the WALGA AGM meeting held 18 September 2023, as tabled.

8.6. Audit Meeting Minutes for meeting held 20 September 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the Audit meeting held 20 September 2023, as tabled.

9. Recommendations from Committee Meetings for Council Consideration

10. Announcements by the President without Discussion

11. OFFICER'S REPORTS – CORPORATE & COMMUNITY

11.1. Monthly Financial Statements

Corporate and Community		
Date	12 October 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	September 2023 Financial Activity Statement	

Background:

This item presents the Statement of Financial Activity to Council for the period ending 30 September 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

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

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 30 September 2023, as presented.

11.2. List of Accounts Paid

Corporate and Community		
Date	12 October 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	List of Accounts Paid	

Background:

This item presents the List of Accounts Paid, paid under delegated authority, for the period 7 September 2023 to 12 October 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.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation


That Council, by Simple Majority, pursuant to Section 6.8(1)(a) of the *Local Government Act 1995* and Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*, 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 7 September 2023 to 12 October 2023

Municipal Voucher V151 to V231	Totalling \$ 781,094.95
Credit Card Transaction (V188)	Totalling \$ 1,218.90
	Total \$ 782,313.85

12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE

12.2. Policy Manual Review and Update

Governance and Compliance		
Date	13 October 2023	
Location	Not applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	<p>The Policy Review Committee will be reviewing the following policies prior to Council Meeting on Wednesday. Subject to the Committee's review, these policies will be presented to Council.</p> <ol style="list-style-type: none"> 1. DRAFT F - Grants - Community Grants Program 2. DRAFT G - Appointment of an Acting Chief Executive Officer 3. DRAFT G - Code of Conduct Behaviour Complaints Management 4. DRAFT G - Council Meeting System 5. DRAFT W - Asset Management 	

Background:

In accordance with Section 2.7(2) of the Local Government Act 1995, Council is to determine the Shire's policies. The development and management of Council policy is an ongoing process.

It is important that Council policies are kept up to date and are reviewed on a regular basis under the direction of the Chief Executive Officer. If any changes or amendments are required these are brought to Council for endorsement.

Staff, in consultation with the Policy Review Committee, are conducting a major review of the Shires Policy Manual and propose improvements for Council's consideration. This report presents the changes within the policy manual.

This report presents to Council the policy review that has been undertaken by Staff, in consultation with the Policy Review Committee to update the following:

- Rebranding changes to reflect the new logo.
- Updating of policy sections and numbering to remove redundant numbering and policy sections (A = Administration, EM = Elected Members, F = Finance, G = Governance & Compliance, and W= Works & Assets).
- Separating the existing Policy Manual into two (2) separate sections. One section being Strategic Policies (Council related) and one new section, Operational Policies being those policies that specifically fall under the functions of the CEO as defined in the Local Government Act 1995, Section 5.41 Function of the CEO.
- Amendments to be made to existing policies.
- Introduction of new policies.
- Rescindment of outdated policies.

Comment:

Staff and the Policy Review Committee conducted an initial review of the Shire’s Policy Manual and proposed a number of amendments and rescindments for Council’s consideration at the meeting held 28 June 2023.

As the Policy Review Committee were delegated the task of an in-depth review, the policies attached to this report only show the new policy recommended to Council for consideration and a copy of the original Council policy for reference. If any further details are required by Council in relation to the workings of the new policy wording, please contact the ACEO for the workings papers provided to the Policy Review Committee.

The Policy Review Committee will be reviewing the attached policies prior to Council Meeting on Wednesday. Subject to the Committee’s review, these policies will be presented to Council, with any amendments discussed with Council prior to final consideration.

Amendments and introduction of policies to the “Strategic” section of the policy manual

Note: A = Administration, EM = Elected Members, F = Finance, G = Governance & Compliance, W= Works & Assets.

Policy Section & Title	Proposed Amendments/Comments
F - Grants - Community Grants Program	<ul style="list-style-type: none"> • Introduction of new policy. • Budget allocation included in 2023/2024 budget for Grants Program in line with Integrated Strategic Plan “1.2.2 - Develop and implement a Community Grants Program” • To compliment draft Grant guidelines.
G - Appointment of an Acting Chief Executive Officer	<ul style="list-style-type: none"> • Amendment to former policy. • As per 6.2.14 of the FMR Report, the current policy only provides for the appointment of an Acting CEO for period not exceeding six weeks. It does not address the following matters as required by legislation: <ul style="list-style-type: none"> ○ Scope to determine ‘suitably qualified’ persons to act as CEO; ○ Requirements in the event appointment of an Acting CEO will be required to exceed a term of four weeks; and ○ The amount of remuneration to be paid to an Acting CEO is not detailed within this policy. This presents a risk of legislative non-compliance due to a payment to an acting CEO not being in line with the salary bands set by the Salaries and Allowances Tribunal (SAT).
G - Code of Conduct Behaviour Complaints Management	<ul style="list-style-type: none"> • Introduction of new policy as per WALGA Framework. • In accordance with Clause 15(2) of the <i>Local Government (Model Code of Conduct) Regulations 2021</i> and Shire of Koorda Code of Conduct for Council Members, a procedure for dealing with complaints about alleged breaches of the behaviour requirements included in Division 3 of the Shire of Koorda Code of Conduct for Council Members, Committee Members and Candidates is required. • An item will be tabled at a future Council Meeting to establish a Behavioural Complaints Committee and associated Terms of Reference documentation.

G - Council Meeting System	<ul style="list-style-type: none">• Merging and updating of Former Policies;<ul style="list-style-type: none">○ A1 - Administrative Structure & Organisational Chart;○ A22 - Public Question Time;○ A24 - Electors Meeting Date;○ A25 - Procedure at Electors Meetings; and○ A47 - Meeting Attendance - CEO Matters.
W - Asset Management	<ul style="list-style-type: none">• Introduction of new policy as identified during Audit.

Consultation:

Policy Review Committee

Statutory Implications:

Local Government Act 1995, Part 2, Division 2 'Role of Council'

2.7. Role of council

(1) The council –

- (a) governs the local government's affairs; and
- (b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the council is to –

- (a) oversee the allocation of the local government's finances and resources; and
- (b) determine the local government's policies.

Policy Implications:

The Policy Manual will be updated accordingly, should Council resolve to adopt the Officer's Recommendations.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and Transparent Leadership

Financial Implications:

Nil

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

That Council,

1. Notes any minor changes recommended to the attached draft policies by the Policy Review Committee, and

2. Adopts the following policies, as amended;

- (a) F - Grants - Community Grants Program**
- (b) G - Appointment of an Acting Chief Executive Officer**
- (c) G - Code of Conduct Behaviour Complaints Management**
- (d) G - Council Meeting System**
- (e) W - Asset Management**

Note: To note any minor changes to attached DRAFT policies following Policy Review Committee.

13. OFFICER'S REPORTS – WORKS & ASSETS

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

15. Elected Members' Motions

16. Matters Behind Closed Doors

17. Closure