

**2019**

# MINUTES

**Shire of Koorda**

**16/10/2019**

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# SHIRE OF KOORDA MINUTES

**FOR THE ORDINARY MEETING OF COUNCIL**  
Held in the Council Chambers, 10 Haig Street,  
Koorda, Wednesday 16 October 2019 at 4.34 pm

## 1 DECLARATION OF OPENING

The Presiding Person declared the meeting open at 4.34pm

## 2 ANNOUNCEMENT OF VISITORS

Councillor-elect Gina Boyne  
Senior Constable Dee Hall, Koorda Police Station

## 3 RECORD OF ATTENDANCE

### 3.1 *Record of Attendance:*

CR FJ Storer	President
CR PL McWha	Deputy President
CR BG Cooper	Councillor
CR LC Smith	Councillor
CR JM Stratford	Councillor
CR GW Greaves	Councillor
CR G Storer	Councillor

Darren Simmons	CEO
Lana Foote	MoFA

### 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

### 7.1 *Response to Previous Public Questions Taken on Notice*

### 7.2 *Public Question Time Open*

### 7.3 *Public Question Time Closed*

## 5 APPLICATIONS FOR LEAVE OF ABSENCE

## **6 DECLARATIONS OF INTEREST**

Cr LC Smith, GW Greaves & RDG Storer declared a financial interest in Item 11.12.1: Town Planning Scheme #3 – Amendment No 1 as they are shareholders and/or related to shareholders of the company.

Cr FJ Storer declared a financial interest in Item 11.12.1: Town Planning Scheme #3 – Amendment No 1 as he is employed by and/or related to shareholder of the company.

Cr PL McWha and BG Cooper declared a financial interest in Item 11.12.1: Town Planning Scheme #3 – Amendment No 1 as they are employees of the company.

Cr JM Stratford declared a financial interest in Item 11.12.1: Town Planning Scheme #3 – Amendment No 1 as they are shareholders and/or related to shareholders of the company and has a proximity interest as she resides across the road from the proposed lot.

**Ministerial approval was sought so the item resolution could be addressed at the Council meeting. Cr LC Smith, Cr GW Greaves, Cr RDG Storer and Cr FJ Storer have been approved to fully participate in the discussion and decision making and vote on item 11.12.1: Town Planning Scheme #3 – Amendment No 1, and subject to the following conditions:**

- 1. The approval is only valid for the 16 October 2019 Ordinary Meeting of Council when agenda item 11.12.1 is considered;**
- 2. The abovementioned 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 CEO is to provide a copy of the Department's letter of approval given 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 the Department, to allow the Department 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 the approval and the financial interest provisions of the Act will apply.**

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

## **8 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

### **8.1 ORDINARY MEETING HELD 18 September 2019**

#### **COUNCIL DECISION Officer Recommendation**

**Moved Cr LC Smith**

**Seconded Cr JM Stratford**

**That the Minutes of the Koorda Shire Council Ordinary Meeting held on the 18 September 2019, as circulated be confirmed and certified as a true and accurate record.**

**PUT & CARRIED: 7/0  
RESOLUTION NO: 011019**

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

On behalf of Council and community, condolences are offered to Mr Jack Cooper and Cr Buster Cooper and their extended family on the passing of their mother, who was a long term resident of Koorda.

## **10 REPORTS OF COMMITTEES**

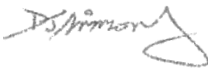
**Nil this month**

## 11 CHIEF EXECUTIVE OFFICERS REPORT

### 11.1 Governance and Administration

#### 11.1.1 **NEWROC EXECUTIVE COUNCIL MEETING** 24 September 2019 at Wyalkatchem

##### **Section 5.23 – Applicability**

<b>Location:</b>	NEWROC Regions
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0105
<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 2-15)

##### **Background:**

Minutes of the NEWROC Council Meeting held on 25 September 2019 at Wyalkatchem.

##### **Comment:**

The following issues were discussed:

- Item 6.1 Income, Expenditure and Profit and Loss
- Item 7.1 NEWROC Strategic Planning – Project Updates
- Item 7.2 Telecommunications Project.
- Item 7.3 NEWTRAVEL
- Item 7.4 NEWROC Health Forum
- Item 8.1 VacSwim
- Item 9 Other Business.

##### **Consultation**

Nil

##### **Statutory Environment:**

Nil

##### **Policy Implications:**

Nil

##### **Financial Implications:**

Nil

##### **Strategic Implications:**

- Shire of Koorda Strategic Community Plan
- C 1.6 - Develop successful and collaborative partnerships
- C 2.3 - Facilitate resource sharing on a regional basis

**Voting Requirement:**

Simple majority

**COUNCIL DECISION**  
**Officer Recommendation**

**Moved Cr BG Cooper**

**Seconded Cr JM Stratford**


**That Council note and endorse the recommendations of the NEWROC Executive meeting held at Wyalkatchem on 24 September 2019.**

**PUT & CARRIED: 7/0**  
**RESOLUTION NO: 021019**

### 11.1.2

## **'TEAM KOORDA' CORPORATE CULTURE PROGRAM**

### **Section 5.23 – Applicability**

<b>Location:</b>	Koorda Shire
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0013
<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:**

At its meeting held on 19 June 2019, as part of its adoption of the 2019/2020 CEO key performance indicators (KPIs), Council included the following item:

**Develop 'Team Koorda' employee cultural program for Councils consideration and support**

### **Comment:**

With the support of the Shire President and Councillors, it has been a CEO induction priority to build effective working relationships with the Shire's stakeholders.

As part of this process, and of paramount importance to the CEO, has been the development of 'Team Koorda' being a multi-faceted corporate culture program that is focussed on elected and staff member engagement, communication, and team building that will provide for a positive working environment and, ultimately, enhanced productivity and community outcomes.

'Team Koorda' program initiatives to date have included:

- Development and distribution of a regular 'CEO Update' newsletter to Councillors and staff;
- Identification of equitable staffing practices and infrastructure needs such as health and well-being programs (for example, free staff membership of the Koorda Kinetic Centre or annual swimming pool pass, influenza vaccinations, mental health awareness, skin cancer and health checks), new audit-compliant corporate business systems, provision for new or relocated office space and personal amenities, and planning for a Christmas shutdown to cover all staff;
- Design, procurement and issue of a new, dedicated Shire of Koorda polo shirt for Councillors and staff (following adoption by Council of a revised corporate logo);
- Preparation for and conduct of a successful (based on staff member feedback) Shire-wide 'Team Koorda' Staff Development Day on 30 August 2019; and
- CEO/staff social and celebratory functions at the Koorda Sports Club, Shire's Works Depot, Office and CEO Residence;



Moving forward, and as discussed during the values building session, the 'Team Koorda' concept will be progressed further with some draft team values and agreed behaviours being developed collegiately for future senior management and Council consideration.

In addition, the Shire's senior staff being the Manager of Finance and Administration, Works Supervisor and CEO, are all attending WALGA's Local Government People and Culture Seminar on Friday, 11 October 2019 that has arrange of speakers offering expertise to help attendees influence their organisation's culture and build capacity to innovate – subject matter that aligns well with 'Team Koorda' implementation.

### **Consultation**

Shire President and Councillors  
Manager of Finance and Administration  
Works Supervisor  
Shire of Koorda Staff

### **Statutory Environment:**

Local Government Act 1995

### **Policy Implications:**

Minor amendments to Policies E5 – Leave – Outside Workforce (i.e. Christmas shutdown to apply to entire workforce) and E8 – Employee Terms and Conditions (to incorporate staff membership to Koorda Kinetic Centre or Koorda Swimming Pool season pass).

### **Financial Implications:**

Waiving of \$120 annual Koorda Kinetic Centre membership or \$70 Koorda Swimming Pool season pass per staff member applying for relevant benefit.

### **Strategic Implications:**

Shire of Koorda Strategic Community Plan 2018  
Outcome 4.1 – To provide accountable and transparent leadership

**Voting Requirement:**

Simple majority

**COUNCIL DECISION**  
**Officer Recommendation**

**Moved Cr G Storer**

**Seconded Cr GW Greaves**

**That Council**

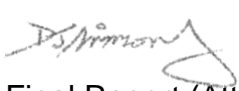
- 1. Notes and endorses the 'Team Koorda' Corporate Culture Program as outlined by the Chief Executive Officer;**
- 2. Agrees to, subject to staff using their leave (or other CEO-authorised absence entitlements) and the existing provisions around sewerage, parks and gardens and emergency callouts remaining in place, amend Policy E5 Leave – Outside Workforce so that the Christmas shutdown applies to the entire Shire workforce; and**
- 3. Agrees to amend Policy E8 – Employee Terms and Conditions to incorporate free staff membership to Koorda Kinetic Centre or Koorda Swimming Pool season pass.**

**PUT & CARRIED: 7/0**  
**RESOLUTION NO: 031019**

11.1.3

**WALGA STATE COUNCIL AND ZONE STRUCTURE AND PROCESS  
WORKING GROUP FINAL REPORT AND RECOMMENDATIONS  
August 2019**

**Section 5.23 – Applicability**

**Location:** WALGA State Council and GECZ Regions  
**Portfolio:** **Governance, Administration and Finance**  
Cr JM Stratford  
**File Reference:** ADM0092  
**Disclosure of Interest:** No Interest declared by CEO  
**Author:** Darren J Simmons, Chief Executive Officer  
**Signature of CEO**   
**Attachment:** Final Report (Attachment page 16-52)

**Background:**

WALGA's State Council has released for consultation the Final Report prepared by the Working Group charged with reviewing WALGA's governance structures and processes.

The Working Group has made a number of recommendations, four of which have been endorsed for immediate implementation by State Council, with the balance endorsed in principle pending sector consultation.

The recommendations endorsed by State Council for implementation relate to the provision of information about WALGA to Elected Members, State Council's committee structure, and the process for considering submissions to Government.

Council's consideration and feedback is sought on the balance of the recommendations, which relate to the composition of State Council, the continuing role of Deputy State Councillors, no term limits for State Councillors, the Member Advisor program, services to Zones, and the State Council agenda, including the cessation of the production of printed agendas.

**Comment:**

The Working Group recommendations are as follows:

1	<b>That the existing composition and representational arrangements of State Council be retained.</b>
2	<b>That the role of Deputy State Councillor be retained.</b>
3	<b>That no term limits be introduced for the role of State Councillor.</b>
4	<b>That a Panel of Member Advisors be established comprising of State Councillors and other Elected Members appointed by the President.</b>

5	<p><b>That a Prospectus be prepared and distributed to all Local Governments and all Elected Members following the Local Government elections every two years highlighting the following information, with the aim of promoting the key role of Zone delegates regionally and the key role of State Councillors in leading advocacy and policy development on behalf of the Local Government in Western Australia:</b></p> <ul style="list-style-type: none"> <li>• <b>Role of WALGA as the principal Local Government peak body;</b></li> <li>• <b>Role of State Council as WALGA's governing body;</b></li> <li>• <b>Role of a State Councillor as a key decision-maker regarding policy, advocacy and provision of services for and on behalf of the Local Government sector;</b></li> <li>• <b>Commitment required to be a State Councillor, including attendance at meetings, advocate for WALGA and the Local Government sector, report back to Zones on WALGA and State Council activity, and potentially as a Member Advisor Program mentor;</b></li> <li>• <b>Opportunities for State Councillors to advocate to Government on behalf of their region and / or particular policy issues;</b></li> <li>• <b>Role of Zones as key participants into state-level advocacy and policy development, including the formal required role of Zones and the additional opportunities for Zones;</b></li> <li>• <b>Role of Zone delegates as Council representatives at the regional level, including the obligation to report back to Council on Zone activities; and,</b></li> <li>• <b>Explanation that, while it is best practice that a Zone motion is submitted by way of a Council decision, Zone delegates can submit motions to a meeting of a Zone, which is an autonomous, self- governing body, and it is recommended that the Zone is advised whether the motion has the backing of a Council resolution.</b></li> </ul>
6	<p><b>That:</b></p> <ol style="list-style-type: none"> <li>1. <b>The Committee structure, as outlined above be adopted by State Council, to take effect from December 2019;</b></li> <li>2. <b>The Corporate Governance Charter be amended to reflect the changes to the Committee Terms of Reference and membership, as outlined; and,</b></li> <li>3. <b>A CEO Performance Review Committee be established, to be chaired by the President and to meet at least once per year.</b></li> </ol>
7	<p><b>That the following process be endorsed for the development, consideration and endorsement of submissions Government and other stakeholders (when there is insufficient time for it to be included in the State Council agenda), and the Corporate Governance Charter be amended to reflect the changes:</b></p> <ol style="list-style-type: none"> <li>1. <b>WALGA staff prepare interim submission under the guidance of their Executive Manager, with reference to existing positions of State Council, input from Policy Team and / or contemporary feedback from the Local Government sector.</b></li> <li>2. <b>Policy Team meet to amend or endorse the draft submission to proceed to State Council, with the meetings of the Policy Team to be held via teleconference or videoconference where practicable.</b></li> <li>3. <b>Draft submission is considered by State Council by Flying Minute using the Board Effect platform.</b></li> <li>4. <b>Submission is put forward to Government as an endorsed State Council position.</b></li> </ol>

	<b>5. Submission is included in the next State Council agenda as an item for noting.</b>
<b>8</b>	<b>That information regarding the role of Zones, and Zone delegates, and the process for submission of Zone motions, be prepared and circulated to Zones, and included in the WALGA Elected Member Prospectus and the Corporate Governance Charter.</b>
<b>9</b>	<b>That:</b> <ol style="list-style-type: none"> <li><b>1. The secretariat engage with Zones regarding the services and support that WALGA provides to Zones; and,</b></li> <li><b>2. The secretariat continues to offer baseline Zone secretariat services to Zones as appropriate.</b></li> </ol>
<b>10</b>	<b>That:</b> <ol style="list-style-type: none"> <li><b>1. The secretariat develop templates and processes to reduce the length of State Council agenda items;</b></li> <li><b>2. Following consultation with the sector, production of hard copy agendas cease beginning with the March 2020 meeting of State Council; and,</b></li> <li><b>3. A process be implemented, in consultation with the Local Government sector, to enable Councils to consider items for decision in the State Council agenda to raise awareness of contemporary strategic advocacy and policy issues and to enable Councils to provide guidance and direction to their Zone representatives.</b></li> </ol>

#### **Consultation**

Shire President

#### **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

**COUNCIL DECISION**  
**Officer Recommendation**

**Moved Cr GW Greaves**

**Seconded Cr PL McWha**

**That Council note and endorse the recommendations of WALGA's State Council and Zone Structure and Process Working Group.**

**PUT & CARRIED: 7/0**  
**RESOLUTION NO: 041019**

<b>11.2</b>	<b>Finance</b>
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**11.2.1**                      **MONTHLY FINANCIAL STATEMENTS**  
**As at 30 September 2019**

**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, Manager of Finance and Administration

**Signature of CEO**



**Attachment:** Monthly Financial Statement (Attachments page 53-76)

**Background:**

Submission of monthly Financial Statements for period ended 30 September 2019.

**Comment:**

Monthly Financial Statements for the period ended 30 September 2019 for Council's information and acceptance. The explanations for variances of \$10,000 and 10% more are in Note 14 of the Monthly Financial Statements.

**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

C 3.3 - Provide reporting processes in a transparent, accountable and timely manner

**Voting Requirement:**

Simple majority

**COUNCIL DECISION**  
**Officer Recommendation**

**Moved Cr GW Greaves**

**Seconded Cr LC Smith**

**That the monthly Financial Statements for the period ended 30 September 2019, as presented, be received and adopted.**

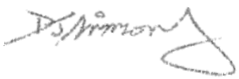
**PUT & CARRIED: 7/0**  
**RESOLUTION NO: 051019**



## 11.2.2

### **ACCOUNTS PAID AS LISTED** **As at 9 October 2019**

#### **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 0448
<b>Disclosure Of Interest:</b>	No interest declared by CEO
<b>Author:</b>	Lana Foote, Manager of Finance and Administration
<b>Signature of CEO</b>	
<b>Attachment:</b>	Monthly Report List (Attachments page 77)

#### **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 18 September 2019 to 9 October 2019 and are generally within budget guidelines and are of an operational nature.

There were no payments made of a capital nature in the monthly list of accounts paid.

#### **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

C 3.3 - Provide reporting processes in a transparent, accountable and timely manner

**Voting Requirement:**

Simple majority

**COUNCIL DECISION  
Officer Recommendation**

**Moved Cr LC Smith**

**Seconded Cr JM Stratford**

**That accounts as listed being for period 18 September 2019 to 9 October 2019.**

**Municipal Vouchers No's V194 to V220**

**Totalling \$135,469.41**

**Bendigo Bank Card (Included in Total) V217**

**\$ 2,660.15**

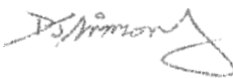
**Total \$138,129.56**

**To be endorsed or passed for payment**

**PUT & CARRIED: 7/0  
RESOLUTION NO: 061019**

### 11.2.3 **MONTHLY FINANCIAL POSITION** **As at 9 October 2019**

**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 0448
<b>Disclosure Of Interest:</b>	No interest declared by the CEO
<b>Author:</b>	Lana Foote, Manager of Finance and Administration
<b>Signature of CEO</b>	
<b>Attachment:</b>	Financial Position (Attachments page 78)

**Background:**

Current Monthly Financial position as at 9 October 2019 on the various accounts.

**Comment:**

The Municipal Account's financial position as at 9 October 2019 indicated at this time.

Monthly Financial Position	Municipal Account	\$1,842,271.09
	Reserve Account	\$5,652,177.2
	Trust Account	\$5,924.46

**Consultation:**

Monthly advice

**Statutory Environment:**

Local Government Act 1995, Section 6.4

**Policy Implications:**

Regulation

**Financial Implications:**

Shows current financial position

**Strategic Implications:**

Shire of Koorda Strategic Community Plan

C 3.3 - Provide reporting processes in a transparent, accountable and timely manner

**Voting Requirement:**

Simple majority

**COUNCIL DECISION**  
**Officer Recommendation**

**Moved Cr JM Stratford**

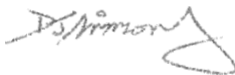
**Seconded Cr BG Cooper**

**That the Financial Position, as at 9 October 2019, as presented, be noted, received and adopted.**

**PUT & CARRIED: 7/0**  
**RESOLUTION NO: 071019**

## 11.2.4 INVESTMENT OF COUNCIL FUNDS

### Section 5.23 – Applicability

<b>Location:</b>	Shire of Koorda
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> JM Stratford
<b>File Reference:</b>	ADM 0448
<b>Disclosure Of Interest:</b>	No interest declared by CEO
<b>Author:</b>	Lana Foote, Manager of Finance and Administration
<b>Signature of CEO</b>	
<b>Attachment:</b>	Quarterly Report (Attachments page 79-80)

### Background:

Quarterly Report for the period ended 30 September 2019.

The Quarterly Report to Council gives details of all current investments showing place of investment, term of investment, interest rate, name of funds invested and transactions for the period.

### Comment:

Nil

### 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:

Finance Policy No. 1

### Financial Implications:

Budgetary considerations, amendments and cash flow requirements.

### Strategic Implications:

Shire of Koorda Strategic Community Plan

C 3.3 - Provide reporting processes in a transparent, accountable and timely manner

## Voting Requirement

Simple majority

### **COUNCIL DECISION** **Officer Recommendation**

**Moved Cr PL McWha**

**Seconded Cr GW Greaves**

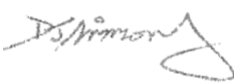
**That the Quarterly Report to Council on all current investments to 30 September 2019, as presented, be received and adopted.**

**PUT & CARRIED: 7/0**  
**RESOLUTION NO: 081019**

## 11.2.5

## PROPOSED DEBT RECOVERY POLICY

### Section 5.23 – Applicability

<b>Location:</b>	Koorda Shire
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr JM Stratford
<b>File Reference:</b>	ADM 0038
<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>	Proposed Debt Recovery Policy (Attachments page 81)

### Background:

At its meeting held on 19 June 2019, as part of its adoption of the 2019/2020 CEO key performance indicators (KPIs), Council included the following item:

**Develop and present to Council for adoption of Council debt recovery policy**

### Comment:

Apart from a small number of debtors that have rates arrears more than \$1,000 outstanding, the Shire of Koorda's rates recovery is generally successful with staff implementing various initiatives such as prompt payment discounts, facilitating a rates payment incentive prize draw, having a combination of statutory and voluntary rates instalment payment plans and, where required, overdue debt recovery tasks using in-house and referral to its external debt recovery agents.

However, in order to address Council's CEO KPI requirement, and provide a fairer and more detailed Council policy framework to guide the Shire's debt recovery process, it is recommended that Council adopt the draft Debt Recovery Policy as presented in the separate attachment.

### Consultation

Manager of Finance and Administration

### Statutory Environment:

Local Government Act 1995

### Policy Implications:

Adoption of the new draft "Debt Recovery Policy" will replace existing Policy F14 "Rates - Procedure for Collection" adopted 31 July 2000.

### Financial Implications:

Adoption of the draft "Debt Recovery Policy" will not incur any additional expense for the Shire.

### Strategic Implications:

Shire of Koorda Strategic Community Plan 2018

Outcome 4.1 – To provide accountable and transparent leadership

### Voting Requirement:

Simple majority

**COUNCIL DECISION**  
**Officer Recommendation**

**Moved Cr GW Greaves**

**Seconded Cr LC Smith**

**That Council replace Policy F14 “Rates – Procedure for Collection” (as adopted on 31 July 2000) by adopting the proposed Debt Recovery Policy as presented in the separate attachment to the report of the Chief Executive Officer.**

**PUT & CARRIED: 7/0**  
**RESOLUTION NO: 091019**



<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***

<b>11.7</b>	<b>Community Amenities</b>
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***No items this month***

<b>11.8</b>	<b>Recreation and Culture</b>
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***No items this month***

<b>11.9</b>	<b>Transport</b>
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***No items this month***

<b>11.10</b>	<b>Economic Services</b>
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***No items this month***

<b>11.11</b>	<b>Other Property &amp; Services</b>
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***No items this month***

## 11.12

## Reserves

Cr LC Smith, GW Greaves & RDG Storer declared a financial interest in Item 11.12.1: Town Planning Scheme #3 – Amendment No 1 as they are shareholders and/or related to shareholders of the company.

Cr FJ Storer declared a financial interest in Item 11.12.1: Town Planning Scheme #3 – Amendment No 1 as he is employed by and/or related to shareholder of the company

Cr PL McWha and BG Cooper declared a financial interest in Item 11.12.1: Town Planning Scheme #3 – Amendment No 1 as they are employees of the company.

Cr JM Stratford declared a financial interest in Item 11.12.1: Town Planning Scheme #3 – Amendment No 1 as they are shareholders and/or related to shareholders of the company and has a proximity interest as she resides across the road from the proposed lot.

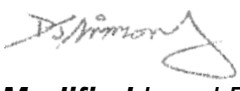
**Ministerial approval was sought so the item resolution could be addressed at the Council meeting. Cr LC Smith, Cr GW Greaves, Cr RDG Storer and Cr FJ Storer have been approved to fully participate in the discussion and decision making and vote on item 11.12.1: Town Planning Scheme #3 – Amendment No 1, and subject to the following conditions:**

- 1. The approval is only valid for the 16 October 2019 Ordinary Meeting of Council when agenda item 11.12.1 is considered;**
- 2. The abovementioned 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 CEO is to provide a copy of the Department's letter of approval given 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 the Department, to allow the Department 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 the approval and the financial interest provisions of the Act will apply.**

**5.01pm: Cr PL McWha, Cr BG Cooper and Cr JM Stratford withdrew from chambers**

## 11.12.1 **TOWN PLANNING SCHEME No 3 – AMENDMENT No 1**

### **Section 5.23 – Applicability**

<b>Location:</b>	Koorda Townsite
<b>Portfolio:</b>	<b><i>Economic, Other Property and Services and Reserves</i></b> <b><i>Cr G Storer</i></b>
<b>File Reference:</b>	ADM0290
<b>Disclosure Of Interest:</b>	No interest to declared by the CEO Ministerial Approval sought for item to be tabled
<b>Author:</b>	Lana Foote, Manager of Finance & Administration Paul Bashall, Planning Consultant, Plan West
<b>Signature of CEO</b>	
<b>Attachment:</b>	<b><i>Modified</i></b> Local Planning Scheme No 3 – Amendment No 1 (Attachments page 82-91)

### **Background:**

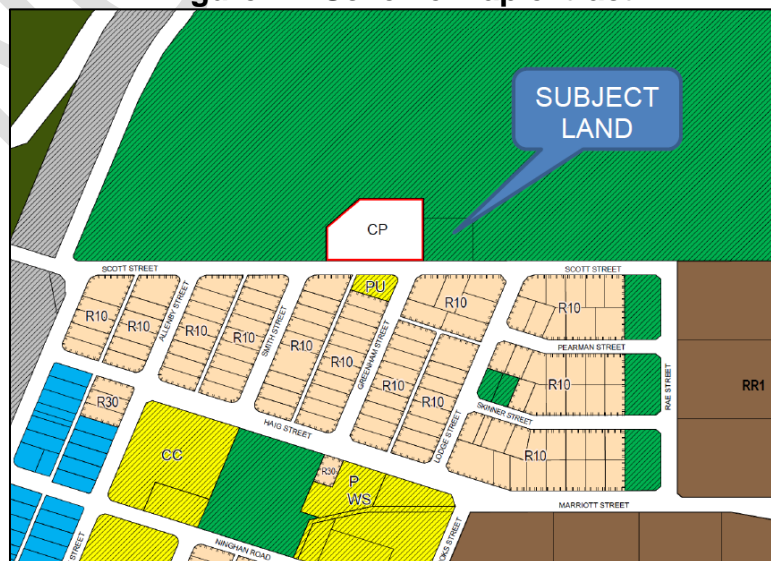
Amendment No 1 seeks to reclassify Lot 28313 (Reserve 20135) Scott Street, Koorda (**Figure 1**), from Local Scheme Reserve “Parks and Recreation” to “Special Use – Holiday and Workforce Accommodation” zone. A copy of this notice is contained in **Attachment A**.

The Amendment is necessary to allow the development of accommodation for both holiday and recreational users as well as workers’ accommodation.

The Amendment was referred to the EPA and on the 28<sup>th</sup> June 2019 the EPA advised that the Amendment should not be assessed (**Attachment B** provides a copy of this advice).

On the 16 July 2019 Amendment No 1 to Scheme 3 was advertised for a period of 6 weeks.

**Figure 1 – Scheme map extract**



**Source:** Department of Planning, Lands and Heritage, Planwest

**Figure 2** provides an aerial photograph of the site adjacent to the existing caravan park.

**Figure 2 – Aerial Photograph of subject land**



**Source:** Landgate, Planwest

### **Consultation**

The Amendment was;

- advertised in the West Australian on 17 July 2019;
- posted in Narkal Notes (the local newspaper) on 16, 23 and 30 July 2019, and 20 and 27 August 2019;
- posted on the Council notice board for 6 weeks during the advertising period;
- placed on the Council's web site for 6 weeks during the advertising period;
- placed on Facebook on 16 July 2019 (Shire Narkal Pages) and 18 July 2019 (Information and link to Web site).

The Amendment and advice was specifically circulated to the following agencies;

- Water Corporation (WCWA)
- Main Roads WA (MRWA)
- Department Fire and Emergency Services (DFES)
- Department of Water and Environmental Regulation (DWER)
- Department of Biodiversity, Conservation and Attractions (DBCA)
- Telstra
- Western Power

### **Submissions:**

During the advertising period the six submissions were received. **Attachment C** provides a copy of these submissions, and **Schedule 1** provides a Schedule of these submissions.

#### **1 Richard Campbell**

Mr Campbell lives at 1 Scott Street, located directly opposite the Amendment site. His submission is based on the noise currently emanating from the existing caravan park. He says this will get worse with CBH workers.

## **2 Main Roads WA (MRWA)**

MRWA has indicated that the proposal does not have access to the Main Roads network and therefore will not impact these operations. MRWA therefore has no objections or conditions required.

## **3 Department of Water and Environmental Regulation (DWER)**

DWER has indicated that it has assessed the proposed Amendment and has no interest, and therefore no comment to provide to the proposal.

## **4 Department of Biodiversity, Conservation and Attractions (DBCA)**

DBCA has advised that the proposal may have an impact on significant biodiversity values. The DEE (Federal Department of Environment and Energy) mapping indicates that the land may be within a Wheatbelt Woodland area, and where Threatened Ecological Community (TEC) is 'likely to occur'.

The DBCA recommends a vegetation survey and assessment against the diagnostic characteristics and minimum condition thresholds of the TEC is recommended to determine if any native vegetation is found to be consistent with the TEC.

It is recommended that the Conditions of the Special Use (Schedule) be modified to require a vegetation survey to ensure the protection of any identified TECs.

## **5 Water Corporation (WC)**

Reticulated water is available to the site. The WC advises that its principle of 'user pays' applies to any new development. This includes water, drainage and sewerage – and their headworks.

## **6 Department Fire and Emergency Services (DFES)**

DFES has confirmed that the land is identified in its mapping as Bushfire Prone. As a result, any development will require the preparation of a Bushfire Management Plan (BMP).

A BMP is currently being prepared in conjunction with the development proposal.

It is recommended that the Conditions of the Special Use (Schedule) be modified to require the preparation of a BMP to the satisfaction of the local government.

**(b)** amend Schedule 4 - Special Use Zones by adding a new Special Use as follows;

No	Description of land	Special use	Conditions	Map Label
2	Lot 28313 (Reserve 20135) Scott Street, Koorda	Holiday and Workforce Accommodation	No development shall be permitted until the following conditions are satisfied to the satisfaction of the local government; 1. Development is to be designed to minimise impacts on surrounding landuses; 2. Completion of a vegetation survey to ensure protection of Threatened Ecological Communities; 3. Connection to the town's water, drainage and sewerage network; and 4. Completion of a Fire Management Plan.	HWA

A copy of the Amending documentation is attached.

**SCHEDULE 1 – SCHEDULE OF SUBMISSIONS**  
**LOCAL PLANNING SCHEME No 3 – AMENDMENT No 1**

Sub #	Date received	Submitter	Address	Summary of Submission	Comment	Council recommendation
1	18/7/19	Richard Campbell	1 Scott Street, Koorda	Objection relates to trouble from caravan park users, this will be worse from CBH workers partying at all hours.	Resident lives on the opposite side of the road from the proposed amendment site. CBH will only occupy the accommodation on an exclusive basis during peak harvest season. Driveway placement and building orientation should be designed to minimise impact to surrounding users.	Uphold submission and modify the Conditions of the Special Use (Schedule) to require any new development to be designed to minimise impact on surrounding uses.
2	30/7/19	MRWA	Wheatbelt Region	No objections or conditions required	No comment	Noted
3	30/7/19	DWER	Victoria Park	No interest and no comment	No comment	Noted
4	5/8/19	DBCA	Narrogin	Site may impact biodiversity values TEC (Threatened Ecological Community) are likely to occur. Requirement for on-ground vegetation survey	Although the vegetation on the land is very sparse, it will be necessary to complete a vegetation survey to ensure any identified TECs are protected.	Uphold submission and modify the Conditions of the Special Use (Schedule) to require a vegetation survey to ensure the protection of any identified TECs.
5	6/8/19	WC	Leederville	Reticulated water is available to the site. The principle of 'user pays' applies to any new development. This includes water, drainage and sewerage – and their headworks.	This is a standard requirement for servicing new developments.	Uphold submission and modify the Conditions of the Special Use (Schedule) to require the new development to be connected to the town's water, drainage and sewerage network.
6		DFES	Perth	The Amendment and development require compliance with State Planning Policy 3.7 (SPP 3.7).	The land is included in the Bushfire Prone Mapping and requires the preparation of a Bushfire Management Plan (BMP) consistent with State Planning Policy 3.7.	Uphold submission and modify the Conditions of the Special Use (Schedule) to require the preparation of a BMP to the satisfaction of the local government.

**Statutory Environment:**

Town Planning Development Act  
Shire of Koorda Town Planning Scheme No 3

**Policy Implications:**

Will amend Council's Town Planning Scheme Policies

**Financial Implications:**

Within budget parameters

**Strategic Implications:**

Shire of Koorda Strategic Community Plan

- 1.2.3 – Provide an environment that enhances the growth, development and retention of youth
- 2.1.4 – Facilitate and create sustainable business and community partnerships
- 2.1.7 – Develop a strategy to attract and retain skilled people in the local area
- 2.2.1 – Advocate, promote and market the Shire as a place to live, work and visit
- 2.2.6 – Develop partnerships to actively support visitor growth
- 3.2.2 – Align land use and infrastructure planning
- 4.1.7 – Develop successful and collaborative partnerships

Clarifies future use of this lot

**Voting Requirement:**

Absolute majority

**COUNCIL DECISION**

**Officer Recommendation**

**Moved Cr GW Greaves**

**Seconded Cr LC Smith**

**That Council;**

- 1. Adopts the recommendations on each submission as summarised in Schedule 1 of this report;**
- 2. Modifies Schedule 4 of the Scheme to reflect the Council recommendations on the submissions; and**
- 3. Requests the WA Planning Commission's recommendation to the Minister for Planning for final approval of Amendment No 1 to Town Planning Scheme No. 3 to reclassify Lot 28313 (Reserve 20135) Scott Street, Koorda, from Local Scheme Reserve "Parks and Recreation" to "Special Use – Holiday and Workforce Accommodation" zone;**

**PUT & CARRIED ABSOLUTE MAJORITY: 4/0  
RESOLUTION NO: 101019**

**5.04pm – Cr PL McWha, Cr JM Stratford and Cr BG Cooper re-entered the chambers and the presiding person advised them on the outcome of the resolution item 11.12.1**



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

**13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED**

**COUNCIL DECISION  
Officer Recommendation**

**Moved Cr PL McWha**


**Seconded Cr GW Greaves**

**That Late Item 13.1.1: Proposed Delegation of Authority to CEO – Development Approvals/Planning Determinations be accepted to the Agenda for consideration.**

**PUT & CARRIED: 7/0  
RESOLUTION NO: 111019**

**13.1.1 PROPOSED DELEGATION OF AUTHORITY TO CEO –  
DEVELOPMENT APPROVALS/PLANNING DETERMINATIONS**

**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 0147
<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:**

In order to assist town planning applicants in an efficient and effective manner and to improve customer service generally, numerous local governments have used powers conferred under the *Planning and Development (Local Planning Schemes) Regulations 2015* and specifically Clause 82, Part 10 of Schedule 2 of the Deemed Provisions for Local Planning Schemes, to delegate authority to their CEO to approve or refuse applications for development approval made under their Local Planning Schemes.

**Comment:**

Similar to the experience of numerous local governments, and as Council has set the local town planning framework through the Shire of Koorda Local Planning Scheme No. 3 and its associated Local Planning Strategy, it is suggested that the Shire's town planning customers would receive significant time benefits if the process of development approvals/planning determinations could be streamlined by delegating authority to the CEO to undertake this task on behalf of Council.

However, notwithstanding the common use of planning delegations, as a new regime for the Shire of Koorda, it is also suggested that (should Council agree to the concept of delegating authority for planning determinations to the CEO) such a delegation have a limited timeframe, say, six (6) months with the delegation being subject to Council consideration after that time.



## Consultation

Shire President

### Statutory Environment:

Section 5.42 of the Local Government Act 1995:

#### **5.42. Delegation of some powers and duties to CEO**

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

[Section 5.42 amended: No. 1 of 1998 s. 13; No. 28 of 2010 s. 70.]

*Planning and Development (Local Planning Schemes) Regulations 2015* and specifically Clause 82, Part 10 of Schedule 2 of the Deemed Provisions for Local Planning Schemes:

#### 82. Delegations by local government

- (1) The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under this Scheme other than this power of delegation.
- (2) A resolution referred to in subclause (1) must be by absolute majority of the council of the local government.
- (3) The delegation must be in writing and may be general or as otherwise provided in the instrument of delegation.

### 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:**

Absolute majority

**COUNCIL DECISION**

**Officer Recommendation**

**Moved Cr PL McWha**

**Seconded Cr JM Stratford**

**That Council, for a period of six (6) months from the date of this resolution and pursuant to Clause 82, Part 10 of Schedule 2 of the Deemed Provisions for Local Planning Schemes under the *Planning and Development (Local Planning Schemes) Regulations 2015*, delegates authority for planning determinations to the Chief Executive Officer in order to approve or refuse applications for development approval made under Shire of Koorda Local Planning Scheme No. 3 (the Scheme) as follows:**

**In the case of development applications involving use which is classified as “P” or “D” use in the Local Planning Scheme text, the Chief Executive Officer has delegated authority to approve such applications subject to relevant conditions if necessary;**

**In the case of development applications involving a use which is classified as “A” use in the Scheme text, the Chief Executive Officer has delegated authority to approve each application subject to the application being advertised in accordance with the Scheme, no substantive objections being received;**

**The Chief Executive Officer has delegated authority to refuse development applications in cases where such applications do not comply with the provisions of the Scheme and could not comply without significantly altering the proposal;**

**The Chief Executive Officer has delegated authority to consider and determine applications for patios, pergolas, verandas, car ports, shade structures and/or other minor additions in all zones provided that, where appropriate, advertising/consultation with likely affected adjoining landowners has been undertaken and submissions adequately addressed.**

**All approvals and refusals processed shall be submitted monthly to Council for information.**

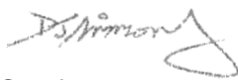
**PUT & CARRIED ABSOLUTE MAJORITY: 7/0  
RESOLUTION NO: 121019**

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

5.21pm: CEO Darren Simmons (declared interest), MoFA Lana Foote, Councillor-elect Gina Boyne and visitor SC Dee Hall withdrew from chambers

**14.1 CEO PROBATION ASSESSMENT AND KPI's PROGRESS UPDATE**

**Section 5.23 – Applicability**

<b>Location:</b>	WALGA Region
<b>Portfolio:</b>	<b>Governance, Administration and Finance</b> Cr J M Stratford
<b>File Reference:</b>	ADM 0053
<b>Disclosure of Interest:</b>	Interest to be declared by CEO and withdraw from Chambers
<b>Author:</b>	Darren Simmons, Chief Executive Officer
<b>Signature of CEO</b>	
<b>Attachment:</b>	Confidential Report sent separately to Councillors by Shire President.

**5.23. Meetings generally open to public**

- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
- (a) a matter affecting an employee or employees; and
  - (b) the personal affairs of any person; and

**Voting Requirement:** Simple majority

**COUNCIL RESOLUTION  
Officer Recommendation**

~~Moved Cr JM Stratford ————— Seconded Cr LC Smith~~

~~That Council, having assessed the CEO's performance during the contractual probationary period:~~

- ~~1) Confirms the appointment of the CEO; and~~
- ~~2) Authorises the Shire President to meet with and agree with the CEO a recalibration of his adopted 2019/20 Key Performance Indicators (KPIs).~~

**PUT & CARRIED: 7/0  
RESOLUTION NO: 131019**

*In accordance with Resolution No. 021119, the Minutes for its meeting held on 16 October 2019 were amended by Council at its meeting held on 20 November 2019 so that Resolution No. 131019 for item 14.1 is amended to read as follows:*

**COUNCIL RESOLUTION**

**Moved Cr JM Stratford**

**Seconded Cr LC Smith**

**That Council, having assessed the CEO's performance during the contractual probationary period:**

- 1) Confirms the appointment of the CEO; and**
- 2) Authorises the Shire President to meet with and agree with the CEO a recalibration of his adopted 2019/20 Key Performance Indicators (KPIs), contract changes to include staff benefits set out in Council Policies and executive time off arrangements.**

**PUT & CARRIED: 7/0  
RESOLUTION NO: 131019**

5.49pm – CEO Darren Simmons (declared interest), MoFA Lana Foote, Councillor-elect Gina Boyne and visitor SC Dee Hall re-entered the chambers and the Presiding person advised them on the outcome of item 14.1 and extended congratulations to the CEO.

<b>15</b> <b>DATE OF NEXT MEETING</b>
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Wednesday 20 November 2019 @ 6.00pm

<b>16</b> <b>CLOSURE</b>
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Cr GW Greaves was presented a certificate of service by the Shire President in recognition of his eight-year term as a Councillor to the Shire of Koorda from November 2011 to October 2019. Cr Greaves also held the position of Deputy President from November 2013 to October 2017. Council would like to acknowledge Gary's input and contribution throughout the past eight years and wish him well for his future endeavors.

Cr Greaves provided a brief address to Council in which he thanked Councillors, staff and the community for their support during his time on Council and acknowledged the efforts of Shire President Ricky Storer, and, particularly in respect to his leadership contribution of both the Koorda Shire and the wider local government sector.

The President thanked Cr Greaves for his address, Councillors for their participation, staff and visitors for their attendance and closed the meeting at 5.57pm.

Signed .....
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Presiding person at the meeting at which the minutes were confirmed
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Date: 20 November 2019
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