



*Shire of*  
**Koorda**

*Drive in, stay awhile*

# MINUTES

## Ordinary Council Meeting

Held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Wednesday 20 March 2024

Commencing 5.00pm

UNCONFIRMED

## 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, 20 March 2024 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda.

The format of the day will be:

|   |                                |
|---|--------------------------------|
| 4.00pm                                  | Audit & Risk Committee Meeting |
| 5.00pm                                  | Council Meeting                |
| Following conclusion of Council Meeting | Council Forum                  |

Zac Donovan  
Chief Executive Officer  
15 March 2024

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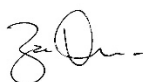
Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

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



Zac Donovan  
Chief Executive Officer

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**Shire of Koorda  
Ordinary Council Meeting  
5.00pm, Wednesday 20 March 2024**



**1. Declaration of Opening**

The Presiding person welcomed those in attendance and declared the meeting open at 5.01pm.

Cr NJ Chandler requested to attend the in-person-meeting via electronic means, which has been authorised by the President JM Stratford.

**2. Record of Attendance, Apologies and Leave of Absence**

**Councillors:**

|                    |  |
|--------------------|--|
| Cr JM Stratford    | President  |
| Cr GW Greaves      | Deputy President                                       |
| Cr NJ Chandler     | <b>(Approved Electronic Attendance – via MS Teams)</b> |
| Cr GL Boyne        |  |
| Cr KM Burrell      |  |
| Cr KA Fuchsbichler |  |

**Staff:**

|              |                                |
|--------------|--------------------------------|
| Mr Z Donovan | Chief Executive Officer        |
| Miss L Foote | Deputy Chief Executive Officer |

**Members of the Public:**

**Apologies:**

**Visitors:**

**Approved Leave of Absence:**

**3. Public Question Time**

Nil.

**4. Disclosure of Interest**

The following Councillors have disclosed an interest in item 13.1 – *Closure of Stockyard Road Reserve, Koorda*

Cr Jannah Stratford

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

Cr Gary Greaves

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



Cr Gina Boyne

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

Cr Kurt Fuchsbichler

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

Cr Nicholas Chandler

Financial – Employee of CBH.

***Due to a potential loss of a quorum resulting from the above financial interest disclosures, the CEO has applied for statutory participation approval for Councillors Stratford, Greaves, Boyne, and Fuchsbichler under s5.69(3) of the Local Government Act 1995 so that item 13.1 may be addressed at this meeting.***

Accordingly, Approval is granted to Cr Gina Boyne, Cr Jannah Stratford, Cr Gary Greaves and Cr Kurt Fuchsbichler to fully participate in the discussion and decision making relating to the following agenda item at the Shire's Ordinary Council Meeting, on 20 March 2024, as follows:

**13.1. CLOSURE OF STOCKYARD ROAD RESERVE, KOORDA**

Conditions of the approval:

- a. The approval is only valid for the 20 March 2024 Ordinary Council Meeting when agenda item 13.1 is considered;
- b. The above-mentioned councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;
- c. The Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries (DLGSC's) letter of approval to the abovementioned councillors;
- d. 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;
- e. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to DLGSC, to allow DLGSC to verify compliance with the conditions of this approval; and
- f. The approval granted is based solely on the interests disclosed by the abovementioned councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

DCEO Lana Foote disclosed a Financial interest in item 16.2 – *Workforce Structure and Skills Development – Business Case* as an employee of the Shire, the skills development aspect directly relates to her employment.

**5. Applications for Leave of Absence**

Nil.

**6. Petitions and Presentations**

Nil.

## 7. Confirmation of Minutes from Previous Meetings

### 7.1. Ordinary Council Meeting held on 21 February 2024

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

**Voting Requirements**     Simple Majority     Absolute Majority

#### Officer Recommendation RESOLUTION 010324

Moved Cr GL Boyne

Seconded Cr GW Greaves

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 21 February 2024, as presented, be confirmed as a true and correct record of proceedings.

**CARRIED: 6/0**

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

## 8. Minutes of Committee Meetings to be Received

### 8.1. Minutes of External Committee Meetings to be Received

- a. GECZ Meeting Minutes for meeting held 22 February 2024  
[GECZ Meeting Minutes](#)
- b. NEWTRAVEL General Meeting Minutes for meeting held 29 February 2024  
[NEWTRAVEL General Minutes](#)

**Voting Requirements**     Simple Majority     Absolute Majority

#### Officer Recommendation RESOLUTION 020324

Moved Cr GL Boyne

Seconded Cr GW Greaves

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


- a. GECZ Meeting, held 22 February 2024; and
- c. NEWTRAVEL General Meeting, held 29 February 2024.

**CARRIED: 6/0**

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

## 9. Recommendations from Committee Meetings for Council Consideration

### 9.1. Shire of Koorda Compliance Audit Return 2023

| <b>Governance and Compliance</b> |  |  |
|----------------------------------|--|---|
| <b>Date</b>                      | 14 March 2024  |   |
| <b>Location</b>                  | Not Applicable   |   |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer   |   |
| <b>Author</b>                    | Lana Foote, Deputy Chief Executive Officer   |   |
| <b>Legislation</b>               | <i>Local Government Act 1995 Section 7.13 (i)</i><br><i>Local Government (Audit) Regulations 1996 – Reg 13, 14 and 15</i>                    |   |
| <b>Disclosure of Interest</b>    | Nil  |   |
| <b>Purpose of Report</b>         | <input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>               | <a href="#">Shire of Koorda Compliance Audit Return 2023</a>   |   |

#### **Background:**

Each local government is to carry out a Compliance Audit return for the period 1 January to 31 December of the previous year against certain requirements included within a Compliance Audit Return (CAR) provided by the Department of Local Government, Sport and Cultural Industries (the Department).

The CAR, once completed, is to be presented to the Audit & Risk Committee and then a report is to be presented to Council for adoption of the return. A copy of the completed CAR is included as an attachment for this item.

The Audit & Risk Committee has been requested to review the CAR for 2023 at a meeting immediately preceding Council's to be held on 20 March 2024 and, if so resolved, present to Council for adoption so the CAR may be submitted prior to 31 March 2024.

#### **Comment:**

The 2023 CAR has been completed as required. Care was taken when completing the Compliance Audit Return to endeavour to ensure all items were adequately addressed in accordance with the 'Audit of Compliance' per Section 7.13(i) of the Local Government Act 1995.

The CAR is now presented to the Audit and Risk Committee and Council for adoption and should be received by the Department by 31 March 2024.

The CAR has endeavoured to cover various aspects of Statutory Compliance as required by the Local Government Act and various regulations, to include statutory requirements listed in the Local Government (Audit) Regulations in the return.

#### **Consultation:**

Zac Donovan, CEO, Shire of Koorda

#### **Statutory Implications:**

Local Government Act 1995 Section 7.13 (i)

Local Government (Audit) Regulations 1996 – Reg 13, 14 and 15

#### **Policy Implications:**

Policy "G - Legislative Compliance" states;

*Regulation 14 of the Local Government (Audit) Regulations 1996 requires local governments to carry out a compliance audit for the period 1 January to 31 December in each year. The Compliance Audit is structured by the Department of Local Government, Sport and Cultural Industries (DLGSC) and relates to key provisions of the Local Government Act 1995.*

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

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

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness

**Risk Implications:**

The Audit & Risk Committee would be contravening the *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996* if this item was not considered.

The CAR covers a robust area of risk assessment and compliance with auditing in compliance with the *Local Government Act 1995* and associated Regulations. The objective of the CAR is to identify risks to the organisation where non-compliant activities may have taken place enabling processes and procedures to be developed or reviewed and amended, if required.

**Financial Implications:**

Nil

**Voting Requirements:**

Simple Majority  Absolute Majority

**Officer Recommendation**  
**RESOLUTION 030324**

**Moved Cr GL Boyne**

**Seconded Cr GW Greaves**

**That, in accordance with Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996*, Council;**


**1. Receives and adopts the 2023 Compliance Audit Return, as presented to the Audit Committee meeting held 20 March 2024.**

**2. The 2023 Compliance Audit Return is submitted to the Department of Local Government, Sport and Cultural Industries prior to 31 March 2024.**

**CARRIED: 6/0**

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

## 9.2. Quarterly Reporting of Integrated Strategic Plan and Workforce Plan

| <b>Governance and Compliance</b> |   |  |
|----------------------------------|---|---|
| <b>Date</b>                      | 13 March 2024   |   |
| <b>Location</b>                  | Not Applicable  |   |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer  |   |
| <b>Author</b>                    | Lana Foote, Deputy Chief Executive Officer  |   |
| <b>Legislation</b>               | <i>Local Government Act 1995;</i><br><i>Local Government (Administration) Regulations 1996</i>  |   |
| <b>Disclosure of Interest</b>    | Nil   |   |
| <b>Purpose of Report</b>         | <input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>               | <a href="#">Quarterly Scorecard January to March 2024</a>   |   |

### Background:

Section 5.56(1) of the Local Government Act 1995 requires all local governments to have a plan for the future of the district and under the Local Government (Administration) Regulations 1996, all local governments in Western Australia are required to have adopted two key documents: a Strategic Community Plan (SCP) and a Corporate Business Plan (CBP). Together these documents drive the development of each local government's Annual Budget.

The Integrated Planning and Reporting Framework and Guidelines (2016) issued by the DLGSC that guides the SCP and CBP process require that regular monitoring and reporting of these plans are undertaken. This quarterly update forms part of this key reporting process.

Council adopted the Integrated Strategic Plan (which incorporates both the SCP & CBP) at its meeting held 20 April 2022.

### Comment:

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

### Consultation:

Zac Donovan, CEO, Shire of Koorda  
Jannah Stratford, President, Shire of Koorda

### Statutory Implications:

Local Government Act 1995 and relevant subsidiary legislation.

### Policy Implications:

Nil

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and transparent leadership.

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

4.3 - Forward planning and delivery of services and facilities that achieve strategic priorities.

4.3.2 - Regularly report on progress of strategic plan initiatives using a quarterly score card.

**Risk Implications:**

The Risk Theme Profile identified as part of this report is Failure to Fulfil Compliance Requirements. The consequence could be Compliance if the requirements of both the Local Government Act 1995 and the Local Government (Administration) Regulations 1996 are not met in terms of the Shire having a plan for the future of the district. Another consequence could be Reputational if the public perceives that the Shire does not have the business planning tools in place to manage ratepayer money in transparent and accountable manner. The measure of Consequence is Minor, and the likelihood is Unlikely, giving an overall risk rating of Low. Both risks will be mitigated through adherence to the Integrated Planning and Reporting framework.

**Financial Implications:**

Nil

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**  
**RESOLUTION 040324**

**Moved Cr GL Boyne**

**Seconded Cr KM Burrell**


**That Council:**

- 1. Adopts the fourth quarterly reporting documents (January to March 2024) as attached to this item; and**
- 2. Endorses the publication of the Integrated Strategic Plan and Workforce Plan components for community information.**

**CARRIED: 6/0**

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

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

| <b>Governance and Compliance</b> |  | <br>Shire of<br><b>Koorda</b><br><small>Drive in, stay awhile</small> |
|----------------------------------|--|--|
| <b>Date</b>                      | 13 March 2024  |  |
| <b>Location</b>                  | Not Applicable   |  |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer   |  |
| <b>Author</b>                    | Lana Foote, Deputy Chief Executive Officer   |  |
| <b>Legislation</b>               | <i>Local Government (Audit) Regulations 1996 – Reg 16 and 17</i>   |  |
| <b>Disclosure of Interest</b>    | Nil  |  |
| <b>Purpose of Report</b>         | <input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |  |
| <b>Attachments</b>               | <a href="#">FMR Action Plan - March 2024</a>   |  |

#### Background:

The Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance.

At the May 2023 Audit Committee Meeting, the Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls was presented for consideration with the below committee recommendation being resolved at the May 2023 Council Meeting.

#### Committee Recommendation RESOLUTION 050523

Moved CR GW Greaves

Seconded CR BG Cooper

That Council:

1. Receives Moore's Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls report, dated April 2023 (Attachment A);
2. Directs the CEO to provide a report, on a quarterly basis, to the Audit Committee to enable the Committee to monitor the Shire's progress in addressing the recommendations, pursuant to Regulation 16 (d) of the Local Government (Audit) Regulations 1996; and
3. Directs the CEO at the first quarterly review to provide proposed actions, including expected completion dates, to the recommendations identified in the report.

**CARRIED BY ABSOLUTE MAJORITY 6/0**

#### Comment:

This report has been presented to the Audit & Risk committee as the committee has a role in supporting Council in fulfilling its governance and oversight responsibilities and provide the audit committee with the opportunity to raise any issues that the document has identified or ask any other questions, they may have in relation to our risk management and compliance activities.

An initial report was tabled at the June 2023 Audit Committee Meeting and the attached Action Plan is an update on actions that have been taken within the past quarter to align with the quarterly reporting on the Integrated Strategic Plan.



**Consultation:**

Zac Donovan, CEO, Shire of Koorda  
Administration Staff

**Statutory Implications:**

Regulation 16 of the Local Government (Audit) Regulations 1996 prescribes the functions of an Audit Committee which includes;

*“16 (c) to review a report given to it by the CEO under regulation 17(3) and is to –*

- (i) Report to the council the results of that review; and*
- (ii) Give a copy of the CEO’s report to the council.”*

*“16 (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under –*

- (i) Regulations 17 (1); and*
- (ii) The Local Government (Financial Management) Regulations 1996 regulation 5(2)(c).”*

Regulation 17 of the Local Government (Audit) Regulations 1996 reads as follows;

*“(1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to –*

- a) risk management; and*
- b) internal control; and*
- c) legislative compliance.*

*(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*

*(3) The CEO is to report to the audit committee the results of that review.”*

Regulation 5 (2) (c) of the Local Government (Financial Management) Regulations 1996 states that -  
*“the CEO is to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.”*

**Policy Implications:**

The review recommended some potential improvement opportunities to some of the Council’s policy. These will be considered separately by the Policy Review Committee and Council at the completion of the review process. Comments made in the FM Review relating to specific Policies and Procedures will be taken on-board as part of the review process.

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

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

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness.

**Risk Implications:**

The CEO would be contravening the *Local Government (Audit) Regulations 1996* if this review was not undertaken at least once every 3 financial years. The CEO is to report to the Audit & Risk Committee the results of this review.

The Financial Management, Risk Management, Legislative Compliance and Internal Controls Review covers a robust area of risk assessment and compliance with auditing in compliance with the Local Government Act 1995 and associated Regulations. The objective of this review is to identify risks to the organisation where non-compliant activities may have taken place enabling processes and procedures to be developed or reviewed and amended, if required.

**Financial Implications:**

Nil.

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**  
**RESOLUTION 050324**

**Moved Cr GL Boyne**


**Seconded Cr KM Burrell**

**That Council, in accordance with Regulations 16 and 17 of the *Local Government (Audit) Regulations 1996*, as per the quarterly report document (to March 2024) as attached to this item, notes and endorses the actions taken to the identified improvements highlighted in the Financial Management, Risk Management, Legislative Compliance and Internal Controls review.**

**CARRIED: 6/0**

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

## 9.4. Shire of Koorda Risk Profile Report

|                                  |   |   |
|----------------------------------|---|---|
| <b>Governance and Compliance</b> |   |  |
| <b>Date</b>                      | 13 March 2024   |   |
| <b>Location</b>                  | Not Applicable  |   |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer  |   |
| <b>Author</b>                    | Lana Foote, Deputy Chief Executive Officer  |   |
| <b>Legislation</b>               | <i>Local Government (Audit) Regulations 1996 – Reg 16 and 17</i><br><i>Local Government Act 1995</i><br>AS/NZS ISO 31000:2018                           |   |
| <b>Disclosure of Interest</b>    | Nil   |   |
| <b>Purpose of Report</b>         | <input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>               | <a href="#">Shire of Koorda Risk Profile Action Plan - March 2024</a>   |   |

### Background:

The Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance.

In addition to the Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls undertaken by Moore in February 2023, as per the above item, Staff undertook an additional review, facilitated by LGIS, to understand the Operational Risks within the organisation.

The Risk Profile workshop, undertaken in October 2023, worked through 15 risk themes to identify what is the risk of this occurring at the Shire, both with and without controls, and what controls are, or should be in place.

Under the Risk Management Framework, the Shire utilises risk profiles to capture its operational and strategic risks. The profiles assessed are:

- Asset Sustainability
- Business and Community Disruption
- Community Engagement
- Compliance Obligations
- Document Management
- Employment Practices
- Environment Management
- Errors, Omissions and Delays
- External Theft and Fraud
- IT, Communication Systems and Infrastructure
- Management of Facilities, Venues and Events
- Misconduct
- Project / Change Management
- Purchasing and Supply
- WHS

For each category, the profile contains the following:

- Objective.
- Risk Event.
- Potential Causes.
- Key Controls / Control Type.
- Control Adequacy.
- Control owner.
- Risk Rating.
- Actions and Responsibility.

**Comment:**

This report has been presented to the Audit & Risk Committee as the committee has a role in supporting Council in fulfilling its governance and oversight responsibilities and provide the audit committee with the opportunity to raise any issues that the document has identified or ask any other questions, they may have in relation to our risk management and compliance activities.

The initial Risk Profile Report was tabled at the December 2023 Audit and Risk Committee Meeting. Similar to the FRM Action Plan, the Risk Profile will be tabled at the quarterly Audit & Risk Committee workshops as a tracking tool to determine progress made against the key themes and improvements towards any identified areas of improvement.

**Consultation:**

Zac Donovan, CEO, Shire of Koorda  
Darren West, Works Supervisor  
Kristyn Harrap, Governance Officer  
Chris Gilmour, Regional Risk Coordinator, LGIS  
Ben Galvin, Divisional Manager - Risk Services, LGIS

**Statutory Implications:**

*Local Government Act 1995*  
*AS/NZS ISO 31000:2018*

Regulation 16 of the Local Government (Audit) Regulations 1996 prescribes the functions of an Audit Committee which includes;

*“16 (c) to review a report given to it by the CEO under regulation 17(3) and is to –*

- (ii) Report to the council the results of that review; and*
- (iii) Give a copy of the CEO’s report to the council.”*

*“16 (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under –*

- (i) Regulations 17 (1); and*
- (ii) The Local Government (Financial Management) Regulations 1996 regulation 5(2)(c).”*

Regulation 17 of the Local Government (Audit) Regulations 1996 reads as follows;

*“(1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —*

- a) risk management; and*
- b) internal control; and*
- c) legislative compliance.*

*(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*

*(3) The CEO is to report to the audit committee the results of that review.”*

### **Policy Implications:**

Shire of Koorda Risk Management Strategy 2023

Policy “G - Risk Management” states;

#### **Risk Assessment and Acceptance Criteria**

*The Shire quantified its broad risk appetite through the development and endorsement of the Shire’s Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Framework and as a component of this policy.*

*All organisational risks are to be assessed according to the Shire’s Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.*

### **Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

4.1.1 - Ensure the use of resources is effective, efficient and reported regularly.

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness

### **Risk Implications:**

The Shire of Koorda has adopted a ‘Three Lines of Defence’ model for the management of risk. This model ensures roles, responsibilities and accountabilities for decision making are structured to demonstrate effective governance and assurance. By operating within the approved risk appetite and framework, Council, management and the community will have assurance that risks are managed effectively to support the delivery of the strategic, corporate and operational plans.

The Risk Profile covers a robust area of risk assessment. The objective of this review is to identify potential and actual risks to the organisation, determine the chances of these risks occurring within the organisation and identify key controls that are and should be in place to help reduce or mitigate the perceived risks.

### **Financial Implications:**

Resource requirements are in accordance with existing budgetary allocation.

**Voting Requirements:**  Simple Majority  Absolute Majority

**Officer Recommendation**  
**RESOLUTION 060324**

**Moved Cr KM Burrell**

**Seconded Cr GL Boyne**

**That, in accordance with Regulations 16 and 17 of the *Local Government (Audit) Regulations 1996*, the Audit & Risk Committee recommends;**


**That Council, as per the quarterly report document (to March 2024) as attached to this item, notes and endorses the actions taken to the identified improvements highlighted in the Risk Profile.**

**CARRIED: 6/0**

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

UNCONFIRMED

## 9.5. Shire of Koorda Business Continuity and Disaster Recovery Plan

|                                  |  |   |
|----------------------------------|--|---|
| <b>Governance and Compliance</b> |  |  |
| <b>Date</b>                      | 14 March 2024  |   |
| <b>Location</b>                  | Not Applicable   |   |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer   |   |
| <b>Author</b>                    | Lana Foote, Deputy Chief Executive Officer   |   |
| <b>Legislation</b>               | Local Government Act 1995; Local Government (Audit) Regulations 1996, AS/NZS ISO 31000:2018  |   |
| <b>Disclosure of Interest</b>    | Nil  |   |
| <b>Purpose of Report</b>         | <input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>               | <a href="#">Shire of Koorda Business Continuity and Disaster Recovery Plan</a>   |   |

### Background:

Following the Risk Profile review undertaken in October 2023 by the Executive Management Team (EMT), the EMT have been working to review and implement necessary documentation to ensure known risks are mitigated or managed.

Business and Community Disruption is an operational risk area that was profiled during the Risk Profile exercise and the below is the definition of the profile:

*Failure to adequately prepare and respond to events that cause disruption to the local community and/or normal business activities. This could be a natural disaster, weather event, or an act carried out by an external party (e.g. sabotage / terrorism) and/or pandemic.*

One of the key controls, which is a recovery measure, is a Business Continuity Plan.

### Comment:

The Shire of Koorda Business Continuity and Disaster Recovery Plan (BC&DRP) is aimed at ensuring the continuity of business operations, with minimal disruption, in the event of a disaster. Without such a plan the Shire may struggle to manage such as event amidst the confusion that often follows a disaster.

The BC&DRP will provide a structured approach to business continuity and disaster recovery planning. Through the provision of preventative measures and recovery procedures, the impact of any potential disaster may be significantly reduced.

### Consultation:

Zac Donovan, CEO, Shire of Koorda  
 Darren West, Works Supervisor  
 Administration Staff

### Statutory Implications:

Regulation 17 of the Local Government (Audit) Regulations 1996 requires the CEO to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal control and legislative compliance.

The BC&DRP is an informing plan to these systems and procedures.



**Policy Implications:**

Policy "G - Risk Management"  
Risk Management Framework

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

4.1.1 - Ensure the use of resources is effective, efficient and reported regularly.

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness.

**Risk Implications:**

The BC&DRP provides a structured approach to business continuity and disaster recovery. Through the provision of preventative measures and recovery procedures, the impact of any potential disaster may be significantly reduced.

**Financial Implications:**

There were no financial implications for this process as the BC&DRP has been developed in-house. The actions included in the BC&DRP will have financial implications to Council, however these are unknown and will depend on the scenario in which the BC&DRP is to be put into effect.

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**

**RESOLUTION 070324**

**Moved Cr GW Greaves**

**Seconded Cr NJ Chandler**

**That Council receives and adopts the Business Continuity and Disaster Recovery Plan, as presented and attached to this item.**

**CARRIED: 6/0**


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

**10. Announcements by the President without Discussion**

Congratulations to the Cougars Cricket Club who won the premiership over the weekend for the Wyalkatchem Cricket Association. Well done to everyone involved.

## 11. OFFICER'S REPORTS – CORPORATE & COMMUNITY

### 11.1. Monthly Financial Statements

| Corporate and Community       |  |  |
|-------------------------------|--|---|
| <b>Date</b>                   | 15 March 2024  |   |
| <b>Location</b>               | Not Applicable   |   |
| <b>Responsible Officer</b>    | Lana Foote, Deputy Chief Executive Officer   |   |
| <b>Author</b>                 | As above   |   |
| <b>Legislation</b>            | <i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>   |   |
| <b>Disclosure of Interest</b> | Nil  |   |
| <b>Purpose of Report</b>      | <input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>            | <a href="#">February 2024 Financial Activity Statement</a>   |   |

#### Background:

This item presents the Statement of Financial Activity to Council for the period ending 29 February 2024.

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  
Zac Donovan, Chief Executive Officer

#### 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.

**Risk Implications:**

|                                      |   |
|--------------------------------------|---|
| <b>Risk Profiling Theme</b>          | Failure to fulfil statutory regulations or compliance requirements  |
| <b>Risk Category</b>                 | Compliance  |
| <b>Risk Description</b>              | No noticeable regulatory or statutory impact                        |
| <b>Consequence Rating</b>            | Insignificant (1)   |
| <b>Likelihood Rating</b>             | Rare (1)  |
| <b>Risk Matrix Rating</b>            | Low (1)   |
| <b>Key Controls (in place)</b>       | Governance Calendar, Financial Management Framework and Legislation |
| <b>Action (Treatment)</b>            | Nil   |
| <b>Risk Rating (after treatment)</b> | Adequate  |

Timely preparation of the monthly financial statements within statutory guidelines is vital to good financial management. Failure to submit compliant reports within statutory time limits will lead to non-compliance with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996.

**Financial Implications:**

Nil

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**  
**RESOLUTION 080324**

**Moved Cr KM Burrell**


**Seconded Cr NJ Chandler**

**That Council, by Simple Majority, pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the statutory Financial Activity Statement report for the period ending 29 February 2024, as presented.**

**CARRIED: 6/0**

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

## 11.2. List of Accounts Paid

| <b>Corporate and Community</b> |  |  |
|--------------------------------|--|---|
| <b>Date</b>                    | 14 March 2024  |   |
| <b>Location</b>                | Not Applicable   |   |
| <b>Responsible Officer</b>     | Zac Donovan, Chief Executive Officer   |   |
| <b>Author</b>                  | Lana Foote, Deputy Chief Executive Officer   |   |
| <b>Legislation</b>             | <i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>   |   |
| <b>Disclosure of Interest</b>  | Nil  |   |
| <b>Purpose of Report</b>       | <input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>             | <a href="#">List of Accounts Paid</a>  |   |

### Background:

This item presents the List of Accounts Paid, paid under delegated authority, for the period 13 February 2024 to 14 March 2024.

### Comment:

From 1 September 2023, Regulations were amended that required Local Governments to disclose information about each transaction made on a credit card, debit card or other purchasing cards. Purchase cards may include the following: business/corporate credit cards, debit cards, store cards, fuel cards and/or taxi cards.

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

### Consultation:

Zac Donovan, Chief Executive Officer  
Finance Team

### Statutory Implications:

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

### Policy Implications:

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

### Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

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

**Risk Implications:**

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

**Financial Implications:**

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

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**  
**RESOLUTION 090324**

**Moved Cr KM Burrell**

**Seconded Cr GL Boyne**

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

Receives the report from the 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 13 February 2024 to 14 March 2024

|  |                         |
|--|-------------------------|
| Municipal Voucher V496 to V546                 | Totalling \$ 487,060.41 |
| Purchase Card Transactions (V511, V527 & V535) | Totalling \$ 4,312.62   |
|  | Total \$ 491,373.03     |

**CARRIED: 6/0**

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

### 11.3. Review of Budget performance as at 29 February 2024

|                                |   |   |
|--------------------------------|---|---|
| <b>Corporate and Community</b> |   |  |
| <b>Date</b>                    | 15 March 2024   |   |
| <b>Location</b>                | Not Applicable  |   |
| <b>Responsible Officer</b>     | Lana Foote, Deputy Chief Executive Officer  |   |
| <b>Author</b>                  | As above  |   |
| <b>Legislation</b>             | <i>Local Government Act 1995;</i><br><i>Local Government (Financial Management) Regulations 1996</i>  |   |
| <b>Disclosure of Interest</b>  | Nil   |   |
| <b>Purpose of Report</b>       | <input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>             | <a href="#">2023/2024 Budget Review</a>   |   |

#### Background:

Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires local governments to conduct a budget review. On 30 June 2023, new changes to the regulation were gazetted which required the review to be undertaken between 31 December and 29 February in each financial year (in appose to previous years being between 1 January to 31 March) and to be presented to Council on or before 31 March.

A copy of the review and determination is to be provided to the Department of Local Government, Sport and Cultural Industries (DLGSC) within 30 days of the adoption of the review.

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:

The 2023/2024 Budget was adopted by Council at a Special Council Meeting on 28 July 2023 (Res: 140723 to 180723)

The final audited 2022/2023 Annual Financial Report was adopted at the December Ordinary Council Meeting, held 18 December 2023 that resulted in an increase to the opening surplus, from 1,808,829 to 2,035,341, as predicted when adopting the Budget for 2023/2024. This increase was mainly due to the movement of \$267,519 for the purchase of P65 Prime Mover. The truck was anticipated to be received in July, however due to delays, the truck wasn't received until September.

The explanation to the major variances is detailed in the below table and summarised in the notes of the Budget Review Report period ending 29 February 2024.

| Budget Program                       | Adopted Budget | Revised Budget | Variance           | Variance Reason  |
|--------------------------------------|----------------|----------------|--------------------|--|
| Op, Grants, Subsidies & Contribution | \$241,676      | \$339,823      | +\$98,147          | Federal Assistance Grants higher than anticipated at time of budget. |
|                                      |                |                | <b>= +\$98,147</b> |  |

|  |             |             |   |   |
|--|-------------|-------------|---|---|
| Capital Revenue (Non-Operating Grants)             | \$1,163,751 | \$1,855,191 | +\$500,000<br>+\$268,279<br>+\$1,000<br>-\$77,839<br><br><b>= +\$691,440</b>  | Seroja Resilience Funding<br>LRCI Grant (Phase 4A)<br>Seniors Week Grant<br>Reduction to Main Roads Direct Grant  |
| Capital Revenue (Proceeds from Disposal of Assets) | \$370,000   | \$350,000   | -\$20,000   | P009 Side Tipper pushed forward to 2024/2025  |
| Capital Expenses (Buildings)                       | \$1,217,635 | \$1,477,635 | +\$60,000<br>+\$200,000<br><br><b>= +\$260,000</b>  | Seroja - Hall Ablution Upgrade<br>Seroja - Rec Centre Ablution Addition   |
| Capital Expenses (Plant & Equipment)               | \$905,000   | \$1,402,319 | +\$267,519<br>-\$120,000<br>+\$130,000<br>-\$15,000<br>+\$52,000<br>+\$62,000<br>+\$38,800<br>+\$57,000<br>+\$25,000<br><br><b>= +\$497,319</b> | P065 B/F from 22/23<br>P009 Side Tipper C/F to 24/25<br>P019 Grade Budget Increase<br>Misc Plant (transferred to P63)<br>P063 Roller Budget Increase<br>Seroja - P10 Mollerin Fire Tender<br>Seroja - 2 x Portable Generators<br>Seroja - Communication Trailer<br>Seroja - 5 x Water Tanks |
| Transfers from Reserves                            | \$2,054,805 | \$2,121,805 | +\$30,000<br>+\$37,000<br><br><b>= +\$67,000</b>  | P019 Grade Budget Increase<br>P063 Roller Budget Increase   |
| Opening Funding Surplus (Deficit)                  | \$1,808,829 | \$2,035,341 | +\$226,512  | Audited annual financial statements (P65 Purchase carry-forward)  |

The Statement of Financial activity remains to provide a balanced budget.

**Consultation:**

Zac Donovan, Chief Executive Officer  
Darren West, Works Supervisor

**Statutory Implications:**

Regulation 33A of the Local Government (Financial Management) Regulations 1996 is applicable and states:

“33A. Review of budget

(1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.

(2A) The review of an annual budget for a financial year must —

- (a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
- (b) consider the local government’s financial position as at the date of the review; and
- (c) review the outcomes for the end of that financial year that are forecast in the budget.

(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.



(3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

\*Absolute majority required.

(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.”

**Policy Implications:**

Nil

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

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

**Risk Implications:**

The Review must be; undertaken between 31 December and 29 February in each financial year, presented to Council on or before 31 March and, lodged with the DLGSC within 30 days of adoption, otherwise the Shire will be non-compliant with the requirements of the *Local Government (Financial Management) Regulations 1996*.

**Financial Implications:**

Variances have been noted with changes required.

If Council adopts the proposed 2023/2024 Budget Review amendments as presented, the result is a balanced budget.

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**

**RESOLUTION 100324**

**Moved Cr GW Greaves**

**Seconded Cr KM Burrell**

**That, by Absolute Majority, in accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, Council:**


- 1. Adopts the 2023/2024 Budget Review, as presented in the attachment; and**
- 2. Submits a copy of the 2023/2024 Budget Review to the Department of Local Government, Sports and Cultural Industries.**

**BY ABSOLUTE MAJORITY CARRIED: 6/0**

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

## 12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE

### 12.1. NEWROC Memorandum of Understanding (MOU) - 1 July 2023 to 30 June 2025

|                                  |  |   |
|----------------------------------|--|---|
| <b>Governance and Compliance</b> |  |  |
| <b>Date</b>                      | 12 March 2024  |   |
| <b>Location</b>                  | Not Applicable   |   |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer   |   |
| <b>Author</b>                    | Lana Foote, Deputy Chief Executive Officer   |   |
| <b>Legislation</b>               | <i>Local Government Act 1995</i>   |   |
| <b>Disclosure of Interest</b>    | Nil  |   |
| <b>Purpose of Report</b>         | <input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>               | <a href="#">NEWROC MOU: 1 July 2023 to 30 June 2025</a>  |   |

#### Background:

The North Eastern Wheatbelt Regional Organisation of Councils (NEWROC), was established in 1994. NEWROC is made up for seven Shires; Koorda, Dowerin, Mt Marshall, Mukinbudin, Nungarin, Trayning and Wyalkatchem.

NEWROC is a united voice advocating, promoting and marketing these communities as a great place to live, work and invest. The NEWROC is committed to retaining and growing our population through successful and collaborative partnerships, promoting and engaging in civic leadership and investment into member communities.

#### Comment:

The purpose of this memorandum of understanding is to affirm the partnership and collaboration of the seven local governments (Participants) and to further the shared aims as below.

The purpose for which NEWROC is established is to provide a means for the Participants, through voluntary participation and the integration and sharing of resources to:

- a. Assess the possibilities and methodology of facilitating a range of projects, services and facilities on a regional basis under the themes of advocacy, community, economic, environment and governance;
- b. Promote, initiate, undertake, manage and facilitate under the themes of advocacy, community, economic, environment and governance;
- c. Promote productive effectiveness and financial benefit to the Participants where there are common and shared community of interest linkages;
- d. To take an active interest in all matters affecting the communities of the Participants with the view to improving, promoting and protecting them
- e. Be recognised as representing the view of community and business in the Participants.

The previous NEWROC MOU (1 July 2020 - 30 June 2023) has expired and a new MOU has been drafted for Council consideration. A significant review of the MOU was completed in 2020, and the current version, as attached, does not incorporate any major changes.

**Consultation:**

February 2024 Councillor Forum  
NEWROC

**Policy Implications:**

Policy “G - Use of the Shire of Koorda Common Seal/Executive of Legal Documents.”

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

2.1.2 - Advocate regionally to reduce economic barriers such as access and reliability of water, electricity, logistics infrastructure and telecommunications.

3.3.2 - Continue to work towards a Regional Waste solution with NEWROC.

4.3.1 - Actively participate in regional collaboration initiatives.

**Financial Implications:**

As per section 6.2 of the NEWROC MOU, each Participant shall make an annual contribution towards the amount necessary to meet the deficiency, if any, disclosed in the annual budget of NEWROC, which contribution shall be 1/7<sup>th</sup>. The NEWROC annual membership fees are included as part of the annual budget.

**Risk Implications:**

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

**Statutory Implications:**

Sections 9.49A and 9.49B of the *Local Government Act 1995*.

**Voting Requirements:**

Simple Majority

Absolute Majority

**Officer Recommendation**  
**RESOLUTION 110324**

**Moved Cr GW Greaves**


**Seconded Cr GL Boyne**

**That Council authorise the Shire President and CEO to sign and affix the Shire of Koorda Common Seal to the NEWROC MOU for the period 1 July 2023 to 30 June 2025.**

**CARRIED: 6/0**

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

## 12.2. Adoption of Customer Service Charter

| <b>Governance and Compliance</b> |  | <br>Shire of<br><b>Koorda</b><br><small>Drive in, stay awhile</small> |
|----------------------------------|--|--|
| <b>Date</b>                      | 12 March 2024  |  |
| <b>Location</b>                  | Not Applicable   |  |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer   |  |
| <b>Author</b>                    | Lana Foote, Deputy Chief Executive Officer   |  |
| <b>Legislation</b>               | <i>Local Government Act 1995</i>   |  |
| <b>Disclosure of Interest</b>    | Nil  |  |
| <b>Purpose of Report</b>         | <input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |  |
| <b>Attachments</b>               | <a href="#">Shire of Koorda Customer Service Charter</a>   |  |

### Background:

Following the Risk Profile review undertaken in October 2023 by the Executive Management Team (EMT), the EMT have been working to review and implement necessary documentation to ensure known risks are mitigated or managed.

Community Engagement is an operational risk area that was profiled during the Risk Profile exercise and the below is the definition of Community Engagement Risk:

*Failure to maintain effective working relationships with the Community (including local Media), Stakeholders, Key Private Sector Companies, Government Agencies and Elected Members. This includes activities where communication, feedback or consultation is required and where it is in the best interests to do so.*

One of the key controls, which is a preventative measure, is the adoption of a Customer Service Charter.

### Comment:

This item presents a draft Customer Service Charter (the Charter) to Council for consideration and, if satisfactory, adoption.

The Charter demonstrates to the community and customers that the Shire of Koorda is committed to providing high-level customer service. The Charter has been drafted to ensure it remains relevant and aligns with current practice.

Once adopted the Charter will be publicised to the community and is embedded into the day to day operations of the Shire.

### Consultation:

Zac Donovan, Chief Executive officer  
Administration Staff

### Policy Implications:

Nil.

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness.

4.1.3 - Develop and implement Customer Service Charter & External Stakeholder communication plan.

4.2.2 - Progress 'Team Koorda' initiative.

**Financial Implications:**

Nil.

**Risk Implications:**

The purpose of the Charter is to outline how the organisation responds to customers. With staff committing to the Charter the risk of delivering unsatisfactory customer service is reduced.

**Statutory Implications:**

*Local Government Act 1995 (section 3.18)*

**Voting Requirements:**

Simple Majority

Absolute Majority

**Officer Recommendation**

**RESOLUTION 120324**

**Moved Cr GL Boyne**

**Seconded Cr KM Burrell**

**That Council, by Simple Majority, pursuant to Section 3.18 of the *Local Government Act 1995*, resolves to adopt the Customer Service Charter, as presented and attached to this item.**

**CARRIED: 6/0**

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

### 13. OFFICER'S REPORTS – WORKS & ASSETS

#### Cr Jannah Stratford

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

#### Cr Gary Greaves

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

#### Cr Gina Boyne

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

#### Cr Kurt Fuchsbichler

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

#### Cr Nicholas Chandler

Financial – Employee of CBH.

***Due to a potential loss of a quorum resulting from the above financial interest disclosures, the CEO has applied for statutory participation approval for Councillors Stratford, Greaves, Boyne, and Fuchsbichler under s5.69(3) of the Local Government Act 1995 so that item 13.1 may be addressed at this meeting.***

Accordingly, Approval is granted to Cr Gina Boyne, Cr Jannah Stratford, Cr Gary Greaves and Cr Kurt Fuchsbichler to fully participate in the discussion and decision making relating to the following agenda item at the Shire's Ordinary Council Meeting, on 20 March 2024, as follows:

#### **13.1. CLOSURE OF STOCKYARD ROAD RESERVE, KOORDA**


Conditions of the approval:

- a. The approval is only valid for the 20 March 2024 Ordinary Council Meeting when agenda item 13.1 is considered;
- b. The above-mentioned councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;
- c. The Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries (DLGSC's) letter of approval to the abovementioned councillors;
- d. 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;
- e. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to DLGSC, to allow DLGSC to verify compliance with the conditions of this approval; and
- f. The approval granted is based solely on the interests disclosed by the abovementioned councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.

5.39pm - Cr NJ Chandler withdrew from the chambers and thus did not participate in discussion or vote on item 13.1.



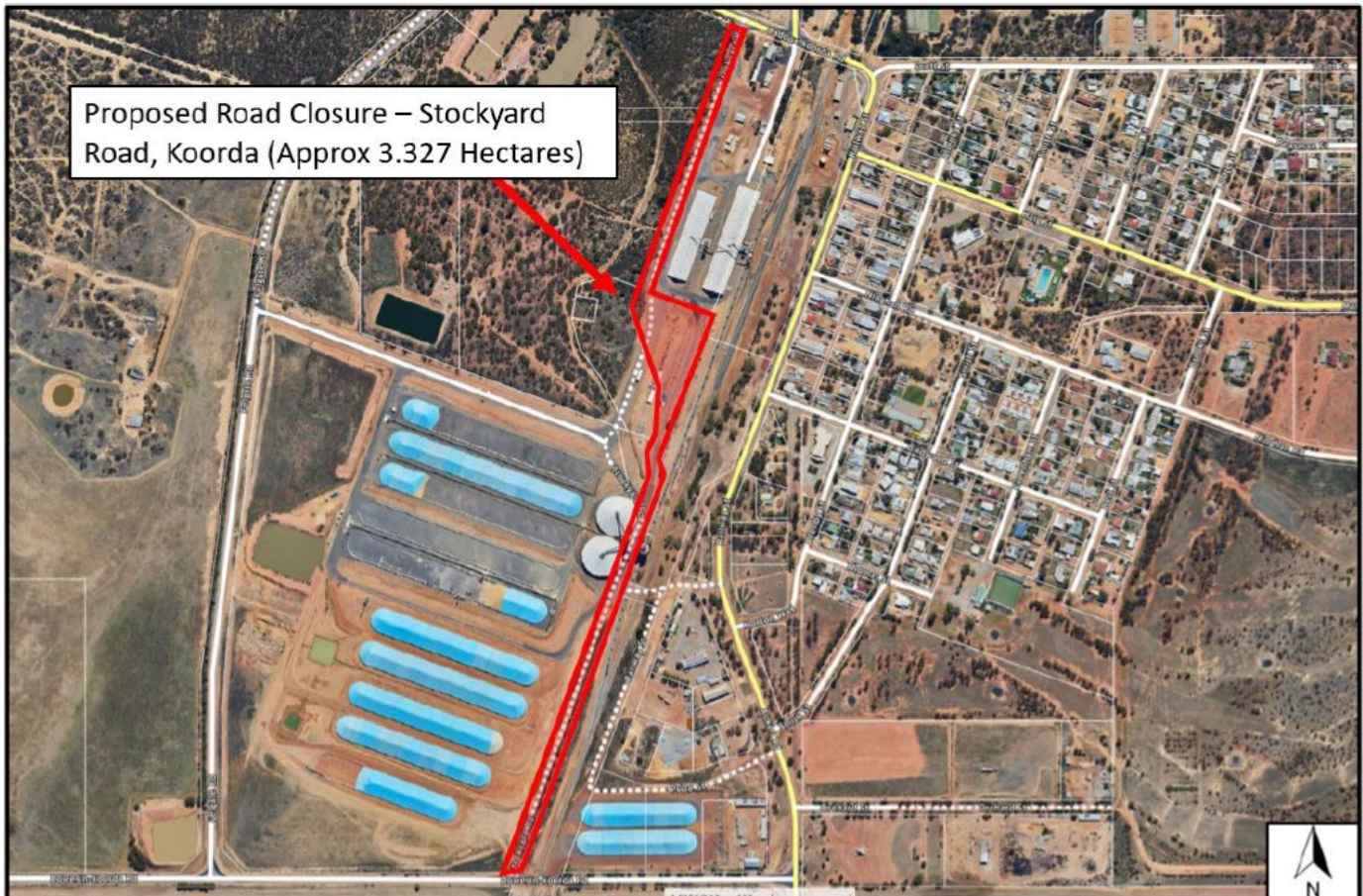
**13.1. Closure of Stockyard Road Reserve, Koorda**

|                                  |  |   |
|----------------------------------|--|---|
| <b>Governance and Compliance</b> |  |  |
| <b>Date</b>                      | 15 March 2024  |   |
| <b>Location</b>                  | Not applicable   |   |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer   |   |
| <b>Author</b>                    | Paul Bashall, Planner, Planwest  |   |
| <b>Legislation</b>               | <i>Land Administration Act 1997</i>  |   |
| <b>Disclosure of Interest</b>    | Nil  |   |
| <b>Purpose of Report</b>         | <input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information  |   |
| <b>Attachments</b>               | <a href="#">A - Council Resolution 211223 to close Stockyard Road, Koorda</a><br><a href="#">B - Copy of Advertisement</a><br><a href="#">C - Schedule of Submissions</a><br><a href="#">D - Copies of Submissions</a> |   |

**Background:**

Cooperative Bulk Handling (CBH) has requested the closure of Stockyard Road in Koorda. This road currently runs through the CBH receival site as shown in **Figure 1** below.

**FIGURE 1 - ROAD CLOSURE LOCATION**



Source: Landgate, lg



**Comment:**

At the Council meeting 18 December 2023, it was resolved to close the entire portion of Stockyard Road from Koorda-Cadoux Road to Koorda-Dowerin Road as shown in **Figure 1**.

In accordance with section 58 of the LAA, local government authorities may request the Minister for Lands, through DPLH, to close a public road permanently. The local government authority must comply with section 58 of the LAA and regulation 9 of the LAR before submitting a request for closure of road with following:

1. A copy of Council resolution to request the closure of the road.
2. A copy the advertisement to close the road.
3. Copies of any submissions and objections to the advertisement as well as comments which address any comments or objections.
4. Copies of correspondence with service authorities and other government departments
5. Plan of survey, sketch plan or document showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed.
6. Written confirmation that the local government authority has complied with section 58(2) and (3) of the LAA.

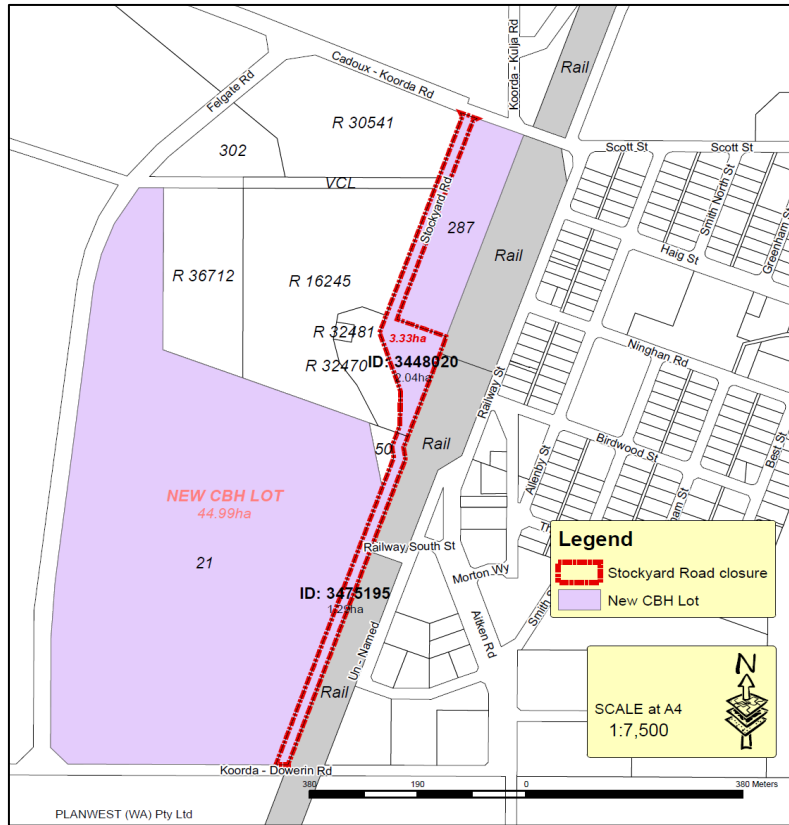
The matter was considered by the Council on 18 December 2023 (see **Attachment A**).

CBH (the proponent) has stated that the subject land will be amalgamated to Lot 21 corner Felgate and Dowerin-Koorda Road. This Lot is about 38 hectares and is owned by CBH and is currently used as its grain terminal. This can clearly be seen in the aerial photograph in **Figure 1**.

Lot 287 Cadoux-Koorda Road is also owned by CBH. It is recommended that, as a condition of the road closure, that the closed road areas be amalgamated to Lots 21 and 287. This will simplify any future works on the new lot in regard to boundary setbacks. It is evident that the subject land is already being used for, almost exclusively, CBH purposes.

**Figure 2** shows the existing surrounding lots and the proposed new CBH lot.

FIGURE 2 - RECOMMENDED NEW CBH LOT



Source: Landgate, Planwest

### Consultation:

The proposed road closure was advertised by way of the following (see **Attachment B**).

- Council's web site published on 23 January, closing on to 7 February 2024.
- Local paper advertising 30 Jan and 6 February 2024.
- Facebook advertising 29 January 2024.
- Specific emails to Water Corporation (WC), Main Roads WA (MRWA), Department of Water and Environmental Regulation (DWER), Telstra, Department of Fire and Emergency Services (DFES), Landgate, Department of Primary Industries and Regional Development (DPIRD) and the Environmental Protection Authority (EPA) on 30 January 2024.
- Email to Public Transport Authority (PTA) (via Burgess Rawson, PTA property managers).

During this period the Council received 4 submissions. The four submitters included WC, DWER, DPIRD and MRWA (see **Attachment C** – Schedule of Submissions). Copies of these are included in the **Attachment D** - Copies of submissions.

There were no objections except that WC required that its assets need to be removed (or capped) from being in private land.

No submissions were received from the public advertising, nor from PTA, Telstra, Landgate, DFES, PTA or EPA.

### Statutory Implications:

Section 58 of the *Land Administration Act 1997* applies to this matter.

The process for a local government to close a road reserve is:

1. Council decides at Council meeting to consider closing a road.

2. Council advertises its intention to consider closing a road in local newspaper circulating in the district, giving a period of notice to provide submissions.
3. Council would write to advise service agencies of the road closure. This could include PTA, Landgate, WAPC, Water Corporation, Western Power, Telstra, the DMIRS and the Department of Lands. Notice would normally also be provided to adjacent or nearby local land owners.
4. Council makes a decision to close the road. This must be at least 35 days after the notice was publicised in the local newspaper. Any objections must be considered by Council.
5. Council writes to the Minister (with plans of road to be closed, copies of advice to service agencies, copy of the Council minutes, copies of any submissions, any other relevant information) requesting closure of road.

The enlarged central section of the subject land is currently zoned Industrial whilst the other two portions of proposed closed road north and southwards have no zone.

Where an area of the Scheme has no zone, this does not preclude development of the land, however a Development Approval (DA) will be required for development or use.

Figure 3 provides an extract from the Scheme Map.

FIGURE 3 - EXTRACT FROM SCHEME MAP



Source: DPLH, Landgate, Planwest

**Policy Implications:**

Nil

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

2.1.1 - Ensure that our planning framework is modern and meets the needs of the relevant zoning stakeholders, such as industry, residential, small business and any emerging opportunities.

**Risk Implications:**

|                                      |  |
|--------------------------------------|--|
| <b>Risk Profiling Theme</b>          | Failure to fulfil statutory regulations or compliance requirements |
| <b>Risk Category</b>                 | Compliance   |
| <b>Risk Description</b>              | No noticeable regulatory or statutory impact                       |
| <b>Consequence Rating</b>            | Insignificant (1)  |
| <b>Likelihood Rating</b>             | Rare (1)   |
| <b>Risk Matrix Rating</b>            | Low (1)  |
| <b>Key Controls (in place)</b>       | Land Administration Act and road closure procedures                |
| <b>Action (Treatment)</b>            | Nil  |
| <b>Risk Rating (after treatment)</b> | Adequate   |

**Financial Implications:**

Closing Stockyard Road will imply that the Council will no longer need to be responsible for on-going maintenance. The Council may consider whether it recommends that the closed road be purchased by CBH, however this is a decision for Landgate to determine.

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation**  
**RESOLUTION 130324**

**Moved Cr GW Greaves**

**Seconded Cr GL Boyne**

**That Council confirms with Landgate that the local government authority;**

- 1. has complied with section 58(2) and (3) of the *Land Administration Act 1997*,**
- 2. supports the closure of Stockyard Road, Koorda, subject to**
  - a. the closed (Stockyard) road being amalgamated with Lot 21 Felgate and Dowerin-Koorda Road and Lot 287 Cadoux-Koorda Road, and**
  - b. CBH satisfying the Water Corporation’s requirements for water supply modifications.**
- 3. once the abovementioned conditions have been satisfied, supports Landgate’s request for the Minister’s approval to finalise the process of closing Stockyard Road and amalgamating the land shown in Figure 2 as “New CBH Lot.”**

**CARRIED: 5/0**

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

5.41pm – Cr NJ Chandler re-joined the meeting and the Presiding person advised him of the outcome to item 13.1.

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

Nil.

## 15. Elected Members' Motions

Nil.

## 16. Matters Behind Closed Doors

### 16.1. Koorda Recreation Ground Synthetic Bowling Green Project

*It is recommended that Council close the meeting to the public in accordance with the Local Government Act section 5.23 (2) (c) as a contract may be entered into and 5.23 (2) (d) commercial value/information of a person other than the Shire.*

#### Officer Recommendation

#### RESOLUTION 140324

Moved Cr GL Boyne

Seconded Cr KM Burrell

That Council close the meeting to the public at 5.41pm in accordance with the Local Government Act section 5.23 (2) (c) as a contract may be entered into and 5.23 (2) (d) commercial value/information of a person other than the Shire.

**CARRIED: 6/0**

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

### 5.42pm – SUSPEND STANDING ORDERS

#### RESOLUTION 150324

Moved Cr GW Greaves

Seconded Cr GL Boyne

That standing orders be suspended to discuss item 16.1 Koorda Recreation Ground Synthetic Bowling Green Project.

**CARRIED: 6/0**

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

### 6.21pm – RESUMPTION OF STANDING ORDERS

#### RESOLUTION 160324

Moved Cr GL Boyne

Seconded Cr GW Greaves

That standing orders be resumed as per the attendance register.

**CARRIED: 6/0**

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

**Officer Recommendation  
Resolution 170324**


**Moved Cr GL Boyne**

**Seconded Cr GW Greaves**

**That Council re-open the meeting to the public at 6.22pm.**

**CARRIED: 6/0**

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

| <b>Governance and Compliance</b> |   |  |
|----------------------------------|---|---|
| <b>Date</b>                      | 15 March 2024   |   |
| <b>Location</b>                  | Not applicable  |   |
| <b>Responsible Officer</b>       | Lana Foote, Deputy Chief Executive Officer  |   |
| <b>Author</b>                    | As above.   |   |
| <b>Legislation</b>               | <i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>  |   |
| <b>Disclosure of Interest</b>    | Nil   |   |
| <b>Purpose of Report</b>         | <input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>               | CONFIDENTIAL - Project Costings   |   |

**Background:**

Arising from the 2023/2024 Shire of Koorda Budget's capital works program and Council being successful in obtaining a grant from the DLGSC for the CSRFF Program for \$130,421, a state-wide request for tender (RFT) was called for the design and construction of the supply and install of a 7-rink synthetic bowling green as part of the co-location project at the Koorda Recreation Centre. Tenders closed at 2.00pm Tuesday 5<sup>th</sup> September 2023. One (1) tender submission was received from Ever Green Synthetic Grass.

A confidential tender evaluation report and related confidential attachments have been provided to Councillors under separate cover.

With one tenderer responding, it appears evident that the current availability of contractors within the building and construction sector remains challenging.

In addition to the request for tender for the Bowling Green, quotes were sought from external suppliers for the retaining and site preparations required for the proposed Bowling Green. Initial quotes came in over budget and were tabled at the November 2023 forum session with Council Members. Following the November 2023 forum session, the Executive Management team have working to seek updated and accurate quotes from suppliers for the project.

At the December 2023 Ordinary Council Meeting, the below was resolved.



**Officer Recommendation - RESOLUTION 241223**

**Moved Cr GW Greaves**

**Seconded Cr NJ Chandler**

**That Item 14.2 Koorda Recreation Ground Synthetic Bowling Green Project lay on the table until March 2024 to investigate the project further.**

**CARRIED: 6/1**

**FOR:** Cr GW Greaves, Cr NJ Chandler, Cr GL Boyne, Cr KM Burrell, Cr CL Nairn, Cr KA Fuchsbichler

**AGAINST:** Cr JM Stratford

**Comment:**

Since the November and December 2023 Council meetings, the EMT have been working to finalise costings for the entire Bowling Green project (now to include lighting) to ensure Council have all the applicable figures for the entire Bowling Green Project, as well as understanding future costings for additional Stages as outlined in the 2016 Recreation Feasibility Study.

As part of the project planning, a project nomination was submitted for the Phase 4A portion of the Local Road and Community Infrastructure (LRCI) Fund. The project nomination for the bowling green project was successful for the full \$439,707 allocation. Phase 4A LRCI funds are to be expended by 30 June 2025.

The grant agreement for the CSRFF funds (\$130,421) in its current form is due to end on 30 June 2024, however extension options have been explored with the Wheatbelt Regional Manager, Samantha Cornthwaite, at the Department of Local Government, Sport and Cultural Industries (DLGSC), should the project still proceed.

As part of the 2023/2024 Budget, an allocation was made to engage an external consultant to undertake consultation with current and future Recreation Centre users to work on a future Recreation Centre Management Model for the upgrade facilities. Caroline Robinson from 150 Square was engaged and has been working with Clubs and Organisations to understand their current and future requirements of the Recreation Centre, and recommend a management model to all clubs and the Council for further perusal.

**Consultation:**

Zac Donovan, Chief Executive Officer

Darren West, Works Supervisor

Council Members

Samantha Cornthwaite, Wheatbelt Regional Manager, DLGSC

Caroline Robinson, 150 Square

Suppliers

**Statutory Implications:**

Local Government Act 1995, Section 3.57(1) (2)

Local Government Act (Functions in General) Regulation 1996 – Part 4 – Tenders for providing goods and services 11(1)

**Policy Implications:**

Nil.

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

3.1 – Shire owned facilities are renewed and maintained in a strategic manner to meet community needs.

3.1.1 - Manage Shire Assets sustainably using the Strategic Resourcing Plan.

4.3 – Forward planning and delivery of services and facilities that achieve strategic priorities.

**Risk Implications:**

|                                      |  |
|--------------------------------------|--|
| <b>Risk Profiling Theme</b>          | Project Management   |
| <b>Risk Category</b>                 | Financial Impact   |
| <b>Risk Description</b>              | 20 - 50 % increase in time or cost or variation to scope or objective requiring restructure of project and Executive Management or Council approval. |
| <b>Consequence Rating</b>            | Major (4)  |
| <b>Likelihood Rating</b>             | Possible (3)   |
| <b>Risk Matrix Rating</b>            | High (12)  |
| <b>Key Controls (in place)</b>       | Purchasing Policy, Budget Reporting  |
| <b>Action (Treatment)</b>            | Project Management Framework, Monthly Project Reports, Finalised Quotes  |
| <b>Risk Rating (after treatment)</b> | Adequate   |

**Financial Implications:**

Successful CSRFF Grant of \$130,421.

Successful LRCI Phase 4A project nomination \$439,707.

\$400,000 included in the 2023/2024 Budget for the Synthetic Bowling Green Re-Location Project.

Pending on the outcome of the item, additional funds may be required.

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation  
RESOLUTION 180324**

**Moved Cr GW Greaves**

**Seconded Cr GL Boyne**

**That Council, subject to approval to defer the CSRFF grant to 15 June 2025;**

**1. Increases the budget allocation for the Koorda Bowling Green Project to the total project cost of \$665,864 exc GST;**

**2. Accepts the tender from Evergreen for the Bowling Surface for \$273,664 (with a maximum allowance of 5% price increase to bowling green surface and installation);**

**3. Notes the project is funded from; CSRFF Grant of \$130,421, LRCI Phase 4A Funding allocation of \$439,707 and the remaining amount of \$95,736 will be funded from Council’s Recreation Reserve; and**

**4. Has to approve the final updated architect plans for the Recreation Centre Precinct once finalised.**

**BY ABSOLUTE MAJORITY CARRIED: 6/0**

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

DCEO Lana Foote disclosed a Financial interest in item 16.2 – *Workforce Structure and Skills Development – Business Case* as an employee of the Shire, the skills development aspect directly relates to her employment.

6.49pm – DCEO withdrew from the chambers.

**Officer Recommendation**  
**RESOLUTION 190324**

**Moved Cr KM Burrell**

**Seconded Cr KA Fuchsbichler**

**That Council close the meeting to the public at 6.49pm in accordance with s.5.23(2)(a) of the Local Government Act 1995, as item 16.2 deals with a matter affecting an employee or employees.**


**CARRIED: 6/0**

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

6.50pm – Cr GL Boyne withdrew from the chambers.

6.51pm – Cr GL Boyne returned to the chambers.

**16.2. Workforce Structure and Skills Development – Business Case**

|                                |  |  |
|--------------------------------|--|--|
| <b>Corporate and Community</b> |  |  |
| <b>Date</b>                    | 14 March 2024  |  |
| <b>Location</b>                | Not Applicable   |  |
| <b>Responsible Officer</b>     | Zac Donovan, Chief Executive Officer   |  |
| <b>Author</b>                  | Zac Donovan, Chief Executive Officer   |  |
| <b>Legislation</b>             | <i>Local Government Act 1995</i>   |  |
| <b>Disclosure of Interest</b>  | Nil  |  |
| <b>Purpose of Report</b>       | <input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |  |
| <b>Attachments</b>             | CONFIDENTIAL: Business Case  |  |

**Background:**

Several gaps have been identified in the shire’s current organisational structure and operations in relation to administration and maintenance tasks and responsibilities, specifically:

- Positions with limited management accountability or direction
- Shared tasks, some with financial implications, that have no finite responsibility and,
- Qualification and training gaps for what is appropriate to roles.

For the effective and efficient performance and delivery of associated services by the administrative and maintenance staff these gaps require redress.

**Comment:**

As presented the attached business case sets out to redress these gaps through:

- Recruitment of 2 FTE, one each for administrative and maintenance tasks
- Additional allocations for proposed training and staff development
- Minor organisational restructure and,

- Reallocation of a current works vacancy to a role more appropriate for the shire.

The business case as presented, details costs for the current financial year as part of the mid-year budget review. This is to facilitate implementation as soon as possible.

However, the proposed staff and support changes have budget implications beyond the current financial period. As such included is a summary of the financial implications for the out years.

**Consultation:**

Lana Foote, Deputy Chief Executive officer

Darren West, Works Supervisor

Administration Staff

**Policy Implications:**

Nil.

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

4.1.1 - Ensure the use of resources is effective, efficient and reported regularly.

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness.

4.2.1 - Promote continued professional development amongst elected members and staff.

4.2.2 - Progress 'Team Koorda' initiative.

**Financial Implications:**

Current financial period (2023/24) \$30,262 based on assumptions detailed in attachment.

Non-recurrent expenditure: \$14,590 (2024/25); \$19,450 (2025/26)

Recurrent expenditure: Salaries: \$158,594 for 2 FTE

**Risk Implications:**

Without adoption continuation of operational gaps detailed in attachment.

**Statutory Implications:**

Nil

**Voting Requirements:**

Simple Majority

Absolute Majority

**Officer Recommendation  
RESOLUTION 200324**

**Moved Cr KM Burrell**

**Seconded Cr GL Boyne**

**That Council, supports the business case as proposed for inclusion in the mid-year budget review to:**

- **Recruit a new Reception and Communications Officer position at the salary level as proposed in the item.**
- **Recruit a new Maintenance and Accommodation Officer at the salary level as proposed in the item.**
- **Provide additional funding for staff training as proposed in the item, with a commitment to favourably consider additional funding as required in subsequent financial periods.**

**CARRIED: 6/0**

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

**Officer Recommendation  
RESOLUTION 210324**

**Moved Cr GL Boyne**

**Seconded Cr GW Greaves**

**That Council re-open the meeting to the public at 7.06pm.**

**CARRIED: 6/0**

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

7.09pm – DCEO returned to chambers.

## 17. Closure

The Chairperson thanked everyone for their attendance and closed the meeting at 7.11pm.

Signed: \_\_\_\_\_

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

Date: 17 April 2024

UNCONFIRMED





*Shire of*  
**Koorda**

*Drive in, stay awhile*

# MINUTES

## **Audit & Risk Committee Meeting**

Held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Wednesday 20 March 2024

Commencing 4.00pm

UNCONFIRMED

**NOTICE OF MEETING**

Dear Audit & Risk Committee Members,

The next Audit & Risk Committee Meeting of the Shire of Koorda will be held on Wednesday 20 March 2024 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda, commencing at 4.00pm.

Zac Donovan  
Chief Executive Officer  
14 March 2024

**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.

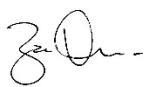
Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

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



Zac Donovan  
Chief Executive Officer

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**Shire of Koorda**  
**Audit & Risk Committee Meeting**  
**4.00pm, Wednesday 20 March 2024**



**1. Declaration of Opening**

The Chairperson welcomes those in attendance and declares the meeting open at 4.01pm.

**2. Record of Attendance, Apologies and Leave of Absence**

**Committee Members:**

|                 |                       |
|-----------------|-----------------------|
| Cr JM Stratford | President & Chair     |
| Cr NJ Chandler  | Member (via MS Teams) |
| Cr GL Boyne     | Member                |

**Staff:**

|              |                          |
|--------------|--------------------------|
| Mr Z Donovan | Chief Executive Officer  |
| Miss L Foote | Deputy Executive Officer |

**Visitors:**

|               |               |
|---------------|---------------|
| Cr GW Greaves | Deputy Member |
|---------------|---------------|

**Apologies:**

**Approved Leave of Absence:**

**3. Public Question Time**

Nil.

**4. Disclosure of Interest**

Nil.

**5. Confirmation of Minutes from Previous Meetings**

**5.1. Audit Committee Meeting held on 18 December 2023**

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

**Voting Requirements**     Simple Majority     Absolute Majority

**Officer Recommendation/Resolution**

Moved Cr GL Boyne

Seconded Cr NJ Chandler

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

**CARRIED 3/0**


**FOR:** Cr JM Stratford, Cr NJ Chandler & Cr GL Boyne

## 6. Presentations

Nil.

## 7. Officer's Reports

### 7.1. Shire of Koorda Compliance Audit Return 2023

| <b>Governance and Compliance</b> |  |  |
|----------------------------------|--|---|
| <b>Date</b>                      | 14 March 2024  |   |
| <b>Location</b>                  | Not Applicable   |   |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer   |   |
| <b>Author</b>                    | Lana Foote, Deputy Chief Executive Officer   |   |
| <b>Legislation</b>               | <i>Local Government Act 1995 Section 7.13 (i)</i><br><i>Local Government (Audit) Regulations 1996 – Reg 13, 14 and 15</i>                    |   |
| <b>Disclosure of Interest</b>    | Nil  |   |
| <b>Purpose of Report</b>         | <input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>               | <a href="#">Shire of Koorda Compliance Audit Return 2023</a>   |   |

#### Background:

Each local government is to carry out a Compliance Audit return for the period 1 January to 31 December of the previous year against certain requirements included within a Compliance Audit Return (CAR) provided by the Department of Local Government, Sport and Cultural Industries (the Department).

The CAR, once completed, is to be presented to the Audit & Risk Committee and then a report is to be presented to Council for adoption of the return. A copy of the completed CAR is included as an attachment for this item.

The Audit & Risk Committee has been requested to review the CAR for 2023 at a meeting immediately preceding Council's to be held on 20 March 2024 and, if so resolved, present to Council for adoption so the CAR may be submitted prior to 31 March 2024.

#### Comment:

The 2023 CAR has been completed as required. Care was taken when completing the Compliance Audit Return to endeavour to ensure all items were adequately addressed in accordance with the 'Audit of Compliance' per Section 7.13(i) of the Local Government Act 1995.

The CAR is now presented to the Audit and Risk Committee and Council for adoption and should be received by the Department by 31 March 2024.

The CAR has endeavoured to cover various aspects of Statutory Compliance as required by the Local Government Act and various regulations, to include statutory requirements listed in the Local Government (Audit) Regulations in the return.

#### Consultation:

Zac Donovan, CEO, Shire of Koorda

#### Statutory Implications:

**Policy Implications:**

Policy “G - Legislative Compliance” states;

*Regulation 14 of the Local Government (Audit) Regulations 1996 requires local governments to carry out a compliance audit for the period 1 January to 31 December in each year. The Compliance Audit is structured by the Department of Local Government, Sport and Cultural Industries (DLGSC) and relates to key provisions of the Local Government Act 1995.*

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

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

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness

**Risk Implications:**

The Audit & Risk Committee would be contravening the *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996* if this item was not considered.

The CAR covers a robust area of risk assessment and compliance with auditing in compliance with the *Local Government Act 1995* and associated Regulations. The objective of the CAR is to identify risks to the organisation where non-compliant activities may have taken place enabling processes and procedures to be developed or reviewed and amended, if required.

**Financial Implications:**

Nil

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation/Resolution**

**Moved Cr GL Boyne**

**Seconded Cr NJ Chandler**

**That, in accordance with Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996*, the Audit & Risk Committee recommends that;**


- 1. Council receives and adopts the 2023 Compliance Audit Return, as presented to the Audit Committee meeting held 20 March 2024.**
- 2. The 2023 Compliance Audit Return is submitted to the Department of Local Government, Sport and Cultural Industries prior to 31 March 2024.**

**CARRIED 3/0**

**FOR:** Cr JM Stratford, Cr NJ Chandler & Cr GL Boyne



## 7.2. Quarterly Reporting of Integrated Strategic Plan and Workforce Plan

| <b>Governance and Compliance</b> |   |  |
|----------------------------------|---|---|
| <b>Date</b>                      | 13 March 2024   |   |
| <b>Location</b>                  | Not Applicable  |   |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer  |   |
| <b>Author</b>                    | Lana Foote, Deputy Chief Executive Officer  |   |
| <b>Legislation</b>               | <i>Local Government Act 1995;</i><br><i>Local Government (Administration) Regulations 1996</i>  |   |
| <b>Disclosure of Interest</b>    | Nil   |   |
| <b>Purpose of Report</b>         | <input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>               | <a href="#">Quarterly Scorecard January to March 2024</a>   |   |

### Background:

Section 5.56(1) of the Local Government Act 1995 requires all local governments to have a plan for the future of the district and under the Local Government (Administration) Regulations 1996, all local governments in Western Australia are required to have adopted two key documents: a Strategic Community Plan (SCP) and a Corporate Business Plan (CBP). Together these documents drive the development of each local government's Annual Budget.

The Integrated Planning and Reporting Framework and Guidelines (2016) issued by the DLGSC that guides the SCP and CBP process require that regular monitoring and reporting of these plans are undertaken. This quarterly update forms part of this key reporting process.

Council adopted the Integrated Strategic Plan (which incorporates both the SCP & CBP) at its meeting held 20 April 2022.

### Comment:

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

### Consultation:

Zac Donovan, CEO, Shire of Koorda  
Jannah Stratford, President, Shire of Koorda

### Statutory Implications:

Local Government Act 1995 and relevant subsidiary legislation.

### Policy Implications:

Nil

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and transparent leadership.

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

4.3 - Forward planning and delivery of services and facilities that achieve strategic priorities.

4.3.2 - Regularly report on progress of strategic plan initiatives using a quarterly score card.

**Risk Implications:**

The Risk Theme Profile identified as part of this report is Failure to Fulfil Compliance Requirements. The consequence could be Compliance if the requirements of both the Local Government Act 1995 and the Local Government (Administration) Regulations 1996 are not met in terms of the Shire having a plan for the future of the district. Another consequence could be Reputational if the public perceives that the Shire does not have the business planning tools in place to manage ratepayer money in transparent and accountable manner. The measure of Consequence is Minor, and the likelihood is Unlikely, giving an overall risk rating of Low. Both risks will be mitigated through adherence to the Integrated Planning and Reporting framework.

**Financial Implications:**

Nil

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation/Resolution**

**Moved Cr GL Boyne**

**Seconded Cr NJ Chandler**

**That the Audit Committee recommends:**


**That Council:**

- 1. Adopts the fourth quarterly reporting documents (January to March 2024) as attached to this item; and**
- 2. Endorses the publication of the Integrated Strategic Plan and Workforce Plan components for community information.**

**CARRIED 3/0**

**FOR:** Cr JM Stratford, Cr NJ Chandler & Cr GL Boyne

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

| <b>Governance and Compliance</b> |  | <br>Shire of<br><b>Koorda</b><br><small>Drive in, stay awhile</small> |
|----------------------------------|--|--|
| <b>Date</b>                      | 13 March 2024  |  |
| <b>Location</b>                  | Not Applicable   |  |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer   |  |
| <b>Author</b>                    | Lana Foote, Deputy Chief Executive Officer   |  |
| <b>Legislation</b>               | <i>Local Government (Audit) Regulations 1996 – Reg 16 and 17</i>   |  |
| <b>Disclosure of Interest</b>    | Nil  |  |
| <b>Purpose of Report</b>         | <input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |  |
| <b>Attachments</b>               | <a href="#">FMR Action Plan - March 2024</a>   |  |

#### Background:

The Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance.

At the May 2023 Audit Committee Meeting, the Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls was presented for consideration with the below committee recommendation being resolved at the May 2023 Council Meeting.

#### Committee Recommendation RESOLUTION 050523

Moved CR GW Greaves

Seconded CR BG Cooper

That Council:

1. Receives Moore's Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls report, dated April 2023 (Attachment A);
2. Directs the CEO to provide a report, on a quarterly basis, to the Audit Committee to enable the Committee to monitor the Shire's progress in addressing the recommendations, pursuant to Regulation 16 (d) of the Local Government (Audit) Regulations 1996; and
3. Directs the CEO at the first quarterly review to provide proposed actions, including expected completion dates, to the recommendations identified in the report.

**CARRIED BY ABSOLUTE MAJORITY 6/0**

#### Comment:

This report has been presented to the Audit & Risk committee as the committee has a role in supporting Council in fulfilling its governance and oversight responsibilities and provide the audit committee with the opportunity to raise any issues that the document has identified or ask any other questions, they may have in relation to our risk management and compliance activities.

An initial report was tabled at the June 2023 Audit Committee Meeting and the attached Action Plan is an update on actions that have been taken within the past quarter to align with the quarterly reporting on the Integrated Strategic Plan.

**Consultation:**

Zac Donovan, CEO, Shire of Koorda  
Administration Staff

**Statutory Implications:**

Regulation 16 of the Local Government (Audit) Regulations 1996 prescribes the functions of an Audit Committee which includes;

*“16 (c) to review a report given to it by the CEO under regulation 17(3) and is to –*

- (i) Report to the council the results of that review; and*
- (ii) Give a copy of the CEO’s report to the council.”*

*“16 (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under –*

- (i) Regulations 17 (1); and*
- (ii) The Local Government (Financial Management) Regulations 1996 regulation 5(2)(c).”*

Regulation 17 of the Local Government (Audit) Regulations 1996 reads as follows;

*“(1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —*

- a) risk management; and*
- b) internal control; and*
- c) legislative compliance.*

*(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*

*(3) The CEO is to report to the audit committee the results of that review.”*

Regulation 5 (2) (c) of the Local Government (Financial Management) Regulations 1996 states that -  
*“the CEO is to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.”*

**Policy Implications:**

The review recommended some potential improvement opportunities to some of the Council’s policy. These will be considered separately by the Policy Review Committee and Council at the completion of the review process. Comments made in the FM Review relating to specific Policies and Procedures will be taken on-board as part of the review process.

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

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

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness.

**Risk Implications:**

The CEO would be contravening the *Local Government (Audit) Regulations 1996* if this review was not undertaken at least once every 3 financial years. The CEO is to report to the Audit & Risk Committee the results of this review.

The Financial Management, Risk Management, Legislative Compliance and Internal Controls Review covers a robust area of risk assessment and compliance with auditing in compliance with the Local Government Act 1995 and associated Regulations. The objective of this review is to identify risks to the organisation where non-compliant activities may have taken place enabling processes and procedures to be developed or reviewed and amended, if required.

**Financial Implications:**

Nil.

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation/Resolution**

**Moved Cr GL Boyne**

**Seconded Cr NJ Chandler**


**That, in accordance with Regulations 16 and 17 of the *Local Government (Audit) Regulations 1996*, the Audit & Risk Committee recommends;**

**That Council as per the quarterly report document (to March 2024) as attached to this item, notes and endorses the actions taken to the identified improvements highlighted in the Financial Management, Risk Management, Legislative Compliance and Internal Controls review.**

**CARRIED 3/0**

**FOR:** Cr JM Stratford, Cr NJ Chandler & Cr GL Boyne

## 7.4. Shire of Koorda Risk Profile Report

|                                  |   |   |
|----------------------------------|---|---|
| <b>Governance and Compliance</b> |   |  |
| <b>Date</b>                      | 13 March 2024   |   |
| <b>Location</b>                  | Not Applicable  |   |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer  |   |
| <b>Author</b>                    | Lana Foote, Deputy Chief Executive Officer  |   |
| <b>Legislation</b>               | <i>Local Government (Audit) Regulations 1996 – Reg 16 and 17</i><br><i>Local Government Act 1995</i><br>AS/NZS ISO 31000:2018                           |   |
| <b>Disclosure of Interest</b>    | Nil   |   |
| <b>Purpose of Report</b>         | <input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>               | <a href="#">Shire of Koorda Risk Profile Action Plan - March 2024</a>   |   |

### Background:

The Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance.

In addition to the Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls undertaken by Moore in February 2023, as per the above item, Staff undertook an additional review, facilitated by LGIS, to understand the Operational Risks within the organisation.

The Risk Profile workshop, undertaken in October 2023, worked through 15 risk themes to identify what is the risk of this occurring at the Shire, both with and without controls, and what controls are, or should be in place.

Under the Risk Management Framework, the Shire utilises risk profiles to capture its operational and strategic risks. The profiles assessed are:

- Asset Sustainability
- Business and Community Disruption
- Community Engagement
- Compliance Obligations
- Document Management
- Employment Practices
- Environment Management
- Errors, Omissions and Delays
- External Theft and Fraud
- IT, Communication Systems and Infrastructure
- Management of Facilities, Venues and Events
- Misconduct
- Project / Change Management
- Purchasing and Supply
- WHS

For each category, the profile contains the following:

- Objective.
- Risk Event.
- Potential Causes.
- Key Controls / Control Type.
- Control Adequacy.
- Control owner.
- Risk Rating.
- Actions and Responsibility.



**Comment:**

This report has been presented to the Audit & Risk Committee as the committee has a role in supporting Council in fulfilling its governance and oversight responsibilities and provide the audit committee with the opportunity to raise any issues that the document has identified or ask any other questions, they may have in relation to our risk management and compliance activities.

The initial Risk Profile Report was tabled at the December 2023 Audit and Risk Committee Meeting. Similar to the FRM Action Plan, the Risk Profile will be tabled at the quarterly Audit & Risk Committee workshops as a tracking tool to determine progress made against the key themes and improvements towards any identified areas of improvement.

**Consultation:**

Zac Donovan, CEO, Shire of Koorda  
Darren West, Works Supervisor  
Kristyn Harrap, Governance Officer  
Chris Gilmour, Regional Risk Coordinator, LGIS  
Ben Galvin, Divisional Manager - Risk Services, LGIS

**Statutory Implications:**

*Local Government Act 1995*  
*AS/NZS ISO 31000:2018*

Regulation 16 of the Local Government (Audit) Regulations 1996 prescribes the functions of an Audit Committee which includes;

*“16 (c) to review a report given to it by the CEO under regulation 17(3) and is to –*

- (i) Report to the council the results of that review; and*
- (ii) Give a copy of the CEO’s report to the council.”*

*“16 (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under –*

- (i) Regulations 17 (1); and*
- (ii) The Local Government (Financial Management) Regulations 1996 regulation 5(2)(c).”*

Regulation 17 of the Local Government (Audit) Regulations 1996 reads as follows;

*“(1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —*

- a) risk management; and*
- b) internal control; and*
- c) legislative compliance.*

*(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*

*(3) The CEO is to report to the audit committee the results of that review.”*

**Policy Implications:**

Shire of Koorda Risk Management Strategy 2023  
Policy “G - Risk Management” states;

**Risk Assessment and Acceptance Criteria**

*The Shire quantified its broad risk appetite through the development and endorsement of the Shire’s Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Framework and as a component of this policy.*

*All organisational risks are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.*

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

4.1.1 - Ensure the use of resources is effective, efficient and reported regularly.

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness

**Risk Implications:**

The Shire of Koorda has adopted a 'Three Lines of Defence' model for the management of risk. This model ensures roles, responsibilities and accountabilities for decision making are structured to demonstrate effective governance and assurance. By operating within the approved risk appetite and framework, Council, management and the community will have assurance that risks are managed effectively to support the delivery of the strategic, corporate and operational plans.

The Risk Profile covers a robust area of risk assessment. The objective of this review is to identify potential and actual risks to the organisation, determine the chances of these risks occurring within the organisation and identify key controls that are and should be in place to help reduce or mitigate the perceived risks.

**Financial Implications:**

Resource requirements are in accordance with existing budgetary allocation.

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation/Resolution**

**Moved Cr NJ Chandler**

**Seconded Cr GL Boyne**


**That, in accordance with Regulations 16 and 17 of the *Local Government (Audit) Regulations 1996*, the Audit & Risk Committee recommends;**

**That Council, as per the quarterly report document (to March 2024) as attached to this item, notes and endorses the actions taken to the identified improvements highlighted in the Risk Profile.**

**CARRIED 3/0**

**FOR:** Cr JM Stratford, Cr NJ Chandler & Cr GL Boyne

## 7.5. Shire of Koorda Business Continuity and Disaster Recovery Plan

|                                  |  |   |
|----------------------------------|--|---|
| <b>Governance and Compliance</b> |  |  |
| <b>Date</b>                      | 14 March 2024  |   |
| <b>Location</b>                  | Not Applicable   |   |
| <b>Responsible Officer</b>       | Zac Donovan, Chief Executive Officer   |   |
| <b>Author</b>                    | Lana Foote, Deputy Chief Executive Officer   |   |
| <b>Legislation</b>               | Local Government Act 1995; Local Government (Audit) Regulations 1996, AS/NZS ISO 31000:2018  |   |
| <b>Disclosure of Interest</b>    | Nil  |   |
| <b>Purpose of Report</b>         | <input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>               | <a href="#">Shire of Koorda Business Continuity and Disaster Recovery Plan</a>   |   |

### Background:

Following the Risk Profile review undertaken in October 2023 by the Executive Management Team (EMT), the EMT have been working to review and implement necessary documentation to ensure known risks are mitigated or managed.

Business and Community Disruption is an operational risk area that was profiled during the Risk Profile exercise and the below is the definition of the profile:

*Failure to adequately prepare and respond to events that cause disruption to the local community and/or normal business activities. This could be a natural disaster, weather event, or an act carried out by an external party (e.g. sabotage / terrorism) and/or pandemic.*

One of the key controls, which is a recovery measure, is a Business Continuity Plan.

### Comment:

The Shire of Koorda Business Continuity and Disaster Recovery Plan (BC&DRP) is aimed at ensuring the continuity of business operations, with minimal disruption, in the event of a disaster. Without such a plan the Shire may struggle to manage such as event amidst the confusion that often follows a disaster.

The BC&DRP will provide a structured approach to business continuity and disaster recovery planning. Through the provision of preventative measures and recovery procedures, the impact of any potential disaster may be significantly reduced.

### Consultation:

Zac Donovan, CEO, Shire of Koorda  
 Darren West, Works Supervisor  
 Administration Staff

### Statutory Implications:

Regulation 17 of the Local Government (Audit) Regulations 1996 requires the CEO to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal control and legislative compliance.

The BC&DRP is an informing plan to these systems and procedures.

**Policy Implications:**

Policy "G - Risk Management"  
Risk Management Framework

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

4.1.1 - Ensure the use of resources is effective, efficient and reported regularly.

4.1.2 - Identify business improvement opportunities to enhance operational effectiveness.

**Risk Implications:**

The BC&DRP provides a structured approach to business continuity and disaster recovery. Through the provision of preventative measures and recovery procedures, the impact of any potential disaster may be significantly reduced.

**Financial Implications:**

There were no financial implications for this process as the BC&DRP has been developed in-house. The actions included in the BC&DRP will have financial implications to Council, however these are unknown and will depend on the scenario in which the BC&DRP is to be put into effect.

**Voting Requirements:**     Simple Majority     Absolute Majority

**Officer Recommendation/Resolution**

**Moved Cr GL Boyne**

**Seconded Cr NJ Chandler**

**That, in accordance with Regulation 17 of the *Local Government (Audit) Regulations 1996*, the Audit & Risk Committee recommends;**

**That Council receives and adopts the Business Continuity and Disaster Recovery Plan, as presented and attached to this item.**

**CARRIED 3/0**

**FOR:** Cr JM Stratford, Cr NJ Chandler & Cr GL Boyne

**8. Urgent Business Approved by the Person Presiding or by Decision**

Nil.

**9. Date of Next Meeting**

19 June 2024.

**10. Closure**

The Chairperson thanked everyone for their attendance and closed the meeting at 4.14pm.

**Signed:** \_\_\_\_\_

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

**Date: 19 June 2024**

UNCONFIRMED

## APPENDIX I – Terms of Reference

# Audit and Risk Committee

## Terms of Reference

### 1. Name

The name of the committee is the Shire of Koorda Audit and Risk Committee.

### 2. Head of Power

The committee is established by Council under section 5.8 of the *Local Government Act 1995* (C15.09.15).

### 3. Definitions

| TERM                    | DEFINITION   |
|-------------------------|--|
| Act                     | The <i>Local Government Act 1995</i> .   |
| Council                 | The body consisting of all council members sitting formally as the Council of Shire of Koorda (“the Shire”).   |
| Chief Executive Officer | The Chief Executive Officer (CEO) of the Shire of Koorda.  |
| Committee               | Shire of Koorda Audit and Risk Committee   |
| Council Member          | A person elected under the Act as a member of Council. Shire of Koorda council members includes the Shire President, Deputy Shire President and Councillors (as defined by the Act). |
| External Member         | A person who is not a council member appointed to the committee with requisite skills, knowledge and experience that compliment the committees objectives.                           |
| Member                  | A person appointed to this committee.  |

### 4. Objectives

The primary objective of the committee is to accept responsibility for the annual external audit and liaise with the Shire’s auditor so that Council can be satisfied with the performance of the Shire in managing its financial affairs.

Reports from the committee will:

- Assist Council in discharging its legislative responsibilities of controlling the Shire’s affairs.
- Ensure openness in the Shire’s financial reporting.
- Liaise with the CEO to ensure the effective and efficient management of the Shire’s financial accounting systems, risk management framework and compliance with legislation.

The committee is to facilitate:

- The enhancement of the credibility and objectivity of external financial reporting.
- Effective management of financial and other risks and the protection of Council assets.
- Compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management, internal control and legislative compliance.
- The provision of an effective means of communication between the external auditor and Council.
- The reduction of fraud, corruption and misconduct risk as a part of their oversight of financial reporting.

### 5. Powers

The committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference. This is in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

The committee meets with the auditor of the Shire at least once in every year to satisfy the requirement of section 7.12A(2) of the Act.

The committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The committee does not have any management functions and cannot involve itself in management processes or procedures without the approval of the CEO.

## 6. Functions of the Committee

In accordance with *Local Government (Audit) Regulations 1996*, the committee is to:

- a. Guide and assist the Shire in carrying out:
  - i. its functions under Part 6 of the Act; and
  - ii. its functions relating to other audits and other matters related to financial management.
- b. Guide and assist the Shire in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act.
- c. Review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to:
  - i. report to the council the results of that review; and
  - ii. give a copy of the CEO's report to Council.
- d. Consider the CEO's three yearly reviews of the appropriateness and effectiveness of the Shire's systems and procedures in regard to risk management, internal control and legislative compliance, required to be provided to the committee, and report to Council the results of those reviews.
- e. Oversee the implementation of any action that the Shire:
  - i. is required to take by section 7.12A(3); and
  - ii. has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
  - iii. has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and
  - iv. has accepted should be taken following receipt of a report of a review conducted under the *Local Government (Financial Management) Regulations 1996* regulation 5(2)(c).
- f. Perform any other function conferred on the committee by the regulations or another written law.

Additionally, the committee is to:

- a. Review the Shire's draft annual financial report, focusing on:
  - i. accounting policies and practices;
  - ii. changes to accounting policies and practices;
  - iii. the process used in making significant accounting estimates;
  - iv. significant adjustments to the financial report (if any) arising from the audit process;
  - v. compliance with accounting standards and other reporting requirements; and
  - vi. significant variances from prior years.
- b. Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation, but before the annual financial report is signed.
- c. Address issues brought to the attention of the committee, including responding to requests from Council for advice that are within the parameters of the committee's terms of reference.
- d. Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference.

### 6.1. Compliance

The committee's functions in regards to compliance is to:

- a. Review the annual Compliance Audit Return and satisfy itself that the return is supported by appropriate processes and controls.
- b. Provide reasonable confidence about the accuracy of information contained in the Compliance Audit Return and make a recommendation on its adoption to Council.



## 6.2. Risk Management

The committee's functions in regards to risk management is to:

- a. Ensure the Shire's risk management framework addresses Council's exposure to both strategic and operational risks.
- b. Monitor the effectiveness of the risk management framework through regular reviews and reporting.
- c. Regularly review Council's strategic risk register to check that extreme and high level risk are managed in accordance with the "Risk Management Policy."
- d. Address any specific requests referred from Council in relation to issues of risk and risk management.
- e. At least once every year consider a report from the Shire's Executive Management Team in relation to the management of risk within the Shire, and satisfy itself that appropriate controls and processes are in operation, and are adequate for dealing with risks that impact the Shire.

## 7. Membership

The committee will consist of three elected members, with a fourth elected member acting as a deputy.

If authorised by the committee, council members attending as observers may participate in the meeting (but are not able to vote).

The CEO and employees are not members of the committee. The Deputy CEO is to provide administrative support to the committee.

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### Related Documents (Legislation/Local Law/Policy/Procedure/Delegation)

Local Government Act 1995, Section 5.36, 5.39C & 5.40

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### Review History

| Date       | Council Resolution | Description of review/amendment              |
|------------|--------------------|--|
| 18/12/2023 | RES: 111223        | Terms of Reference Adopted V2.0              |
| 23/10/2023 | RES: 191023        | Committee Re-established (inclusion of Risk) |
| 15/09/2021 | RES: 060921        | Terms of Reference Adoption V1.0             |



*Shire of*  
**Koorda**

*Drive in, stay awhile*

# MINUTES

## **Bushfire Advisory Committee Meeting**

Held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Wednesday 27 March 2024

Commencing 3.30pm

UNCONFIRMED

**NOTICE OF MEETING**

Dear Bushfire Advisory Committee Members,

Notice is hereby given that a Bushfire Advisory Management Committee of the Shire of Koorda will be held on Wednesday 27 March 2024 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda, commencing at 3.30pm.

Zac Donovan  
Chief Executive Officer  
22 March 2024

**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.

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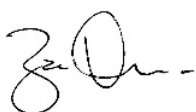
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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, and statement or intimation of approval made by a member or officer of the Shire of 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



Zac Donovan  
Chief Executive Officer

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UNCONFIRMED

**Shire of Koorda**  
**Bushfire Advisory Committee Meeting**  
**3.30pm, Wednesday, 27 March 2024**



Microsoft Teams Meeting Link - [Join the meeting now](#)  
Meeting ID: 447 640 872 032  
Passcode: MusVX9

## 1. Declaration of Opening

Shire of Koorda CEO, Zac Donovan, declared the meeting open at 3.35pm

### 1.1 Election of Presiding and Deputy Presiding Member

The Committee are to elect a Presiding Member and, if desired, Deputy Presiding Member from amongst themselves in accordance with s5.12 of the Local Government Act 1995:

*(1) The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule—*

- (a) to “office” were references to “office of presiding member”; and*
- (b) to “council” were references to “committee”; and*
- (c) to “councillors” were references to “committee members”.*

*(2) The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule—*

- (a) to “office” were references to “office of deputy presiding member”; and*
- (b) to “council” were references to “committee”; and*
- (c) to “councillors” were references to “committee members”; and*
- (d) to “mayor or president” were references to “presiding member”.*

George Storer was nominated in writing by Gary Greaves as Presiding Member, with George Storer indicating consent to the nomination. As no other nomination was received, George Storer was declared elected to the office of Presiding person.

The Presiding Person assumed the Chair.

## 2. Record of Attendance and Apologies

**Attendance:** Cr Jannah Stratford, President, Shire of Koorda  
Zac Donovan, CEO, Shire of Koorda  
George Storer, Chief Bush Fire Control Officer  
Carl Fuchsbichler, Deputy Chief Bush Fire Control Officer  
Gary Greaves, Captain, Kulja Brigade

**Visitors:** Adam Storer, Bush Fire Control Officer  
Rob Steel, DFES Area Officer Mortlock  
Lana Foote, DCEO, Shire of Koorda  
Charli West, Shire of Koorda

**Apologies:** David Trigg, Volunteer, Koorda Brigade  
Matthew Stratford, Volunteer, Koorda Brigade

### 3. Confirmation of Previous Minutes

[Click here to view.](#)

Moved: Gary Greaves

Seconded: Carl Fuchsbichler

That the minutes of the Koorda Bushfire Advisory Committee meeting held on 7 September 2023 at the Shire of Koorda Council Chambers, as circulated, be confirmed as a true and accurate record.

Carried

FOR: Cr JM Stratford, Z Donovan, G Storer, C Fuchsbichler & G Greaves

Action Items and Business Arising from Previous Meeting

- Item 5.3 – Training report tabled below and WHS Induction training item below.
- Item 5.5 – Additional Mollerin Fire Water Tender purchased.

### 4. Correspondence In and Out

4.1. Correspondence In

4.2. Correspondence Out

4.3. Information Tabled

- Training Needs Analysis Report (tabled at the meeting).

### 5. Agenda Items

5.1 Adoption of the Bushfire Advisory Committee Terms of Reference

[Click here to view.](#)

Moved: Gary Greaves

Seconded: Adam Storer

That the Koorda Bushfire Advisory Committee Terms of Reference be adopted.

Carried

FOR: Cr JM Stratford, Z Donovan, G Storer, C Fuchsbichler & G Greaves

5.2 Annual Verification Form for Application to Burn

For discussion.

The Shire of Mt Marshall have recently implemented an Annual Verification Form that is required annually for a permit to burn. [Click here to view the form.](#)

Discussion was had around the process of permits. To be tabled at a future meeting.

### 5.3 Bushfire Policy Review

For discussion.

Council, through the Governance Committee, have been working to update and refresh all existing Council policies. The existing manual had a section on Bushfires, which are due for updating in the current tranche.

Committee members will be invited to attend the policy review meeting on Wednesday 3<sup>rd</sup> April. If not available, arrangements can be made to schedule a meeting.

## 6. General Business

### 6.1 Capital Grant Update - Kulja Fire Tender

The Chief Bushfire Officer has advised that the new appliance will not be available until 2025/2026 at the earliest.

A condition report is needed for the Kulja truck. If it is found in the report that the truck is structurally not sound, DFES will take the truck for repairs/replacement. If it is found that it is only the hoses, fittings, etc that need to be replaced, that will be done in house.

Brigade to seek information from other brigades/DFES as to where to get the report and repairs (if needed) completed.

### 6.2 Volunteer Training Report

For members to discuss any future training needs or courses to be booked in with DFES.

Training report to be emailed to BCFCO for review and to advise Shire staff of training needs.

### 6.3 Volunteer Bushfire Brigade Induction on Damstra

LGIS (the Shire's insurer) have created an online Volunteer Induction on Damstra for volunteer bushfire members. It outlines the volunteers WHS roles and responsibilities when acting as a volunteer for the Shire of Koorda.

Providing training and information is a WHS legislative requirement and by having volunteers undertake this induction, it assists in mitigation should an incident occur.

LGIS understand it can be difficult to have volunteers complete the induction, therefore have made it simple without losing the critical information.

Shire staff will email the link to volunteers for completion.

### 6.4 DFES Local Government Grant Scheme (LGGS)

For an overview of the scheme - [click here to view the LGGS FAQs](#)

The Operating Grant is allocated for BFB's and SES Units to purchase plant and equipment (<\$5,000 per item), BFB PPE/PPC, and other goods and services; and funding to maintain plant and equipment, vehicles, trailers, boats, and buildings and cover the costs of utilities rates and taxes and insurance.

The 2023/2024 funding allocation for the Shire's Operating Grant portion was \$21,540. Due to an underspend in 2021/2022, the allocation was reduced by \$5,610.  
2024/2025 expenditure so far;



\$3,900 - Uniforms

\$4,860 - Insurance

\$12,000 - Plant & Equipment Maintenance/Operating Expenses

\$9,500 - Building Maintenance/Operating Expenses

Discussions around any maintenance required for Fire Shed, Equipment etc.

It was suggested to purchase a phone signal booster for the fire appliances.

### 6.5 Kulja Brigade Tender

Update from Kulja Captain from previous issues raised.

### 6.6 Volunteer Fuel Card

Reminder to spend before 30 June 2024.

### 6.7 Fire Rating & Fuel Loads

George provided an update from the DOAC meeting regarding the discussion around Total Fire Bans and fuel loads. There are concerns from the region that when TFBs are called, there isn't any consideration for the areas where the fuel loads are low. DFES are suggesting the brigades (volunteers) need to provide fuel load estimates.

The Fire Behaviour Index (previously FDI) is currently 40. Fire officers use a phone app to get these readings. It is suggested to take 2/3 readings and not rely on the first one. It may be beneficial to cross reference with the old system.

### 6.8 Roundtable Discussion

Carl Fuchsbichler

- Burning permit process and how officers are to notify other officers/Shire staff.

Adam Storer

- Notification process of extreme fire danger rating.

Gary Greaves

- Zoning the shire when imposing Harvest Bans.
- Calibration of Kestral Weather Meter.

Rob Steel

- Advised he will be on annual leave and unsure of a return date.

## 8. Next Meeting Dates

Thursday, 29 August 2024

## 9. Meeting Closure

The Chairperson thanked those in attendance, thanked Rob Steel for his contribution to the BFAC over the years, and declared the meeting closed at 4.44pm.

Signed: \_\_\_\_\_

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

Date: 29 August 2024

## APPENDIX I – Terms of Reference

# Bushfire Advisory Committee

## Terms of Reference

### 1. Name

The name of the committee is the Shire of Koorda Bushfire Advisory Committee (BFAC).

### 2. Head of Power

The committee is established by Council under section 67 of the *Bush Fires Act 1954*.

### 3. Definitions

| TERM                           | DEFINITION  |
|--------------------------------|---|
| <b>BF Act</b>                  | The <i>Bush Fires Act 1954</i> .  |
| <b>Chief Executive Officer</b> | The Chief Executive Officer (CEO) of the Shire of Koorda.   |
| <b>Committee</b>               | Shire of Koorda Bushfire Advisory Committee.  |
| <b>Council</b>                 | The body consisting of all council members sitting formally as the Council of Shire of Koorda (" <b>the Shire</b> "). |
| <b>Member</b>                  | A person appointed to this committee.   |

### 4. Objectives

To provide advice to the local government on matters pertaining to obligations contained within the Bush Fires Act, organising, managing, resourcing and training volunteer bush fire brigades.

This committee provides a very worthwhile role in engaging with brigades and gaining feedback and input on policy and strategy.

- Recommend and regularly review Council's policies relating to the delivery of fire prevention, preparedness, response and recovery.
- Provide support and guidance to all Bush Fire Brigades within the Shire and to assist those brigades to fulfil their objectives.
- Establish and maintain an operational command and control structure by developing procedures to enhance the ability of the brigades to carry out operations, activities and training efficiently and effectively.
- Ensure co-operation and co-ordination between all brigades within the Shire and between all other brigades/units and stakeholders in their efforts and activities.
- Advise Council regarding all matters relating to prosecutions for breaches of the Bush Fires Act 1954.
- Advise regional officers in the area and any other relevant person or organisation on matters referred to the committee.
- Committee to respond to Council on agenda items submitted from council.
- Perform any other function assigned to the Committee under section 67 of the Bush Fires Act, Fire and Emergency Services Act, various Acts and Regulations or Council policy.

### 5. Powers

- The Committee is a formally appointed committee of Council and is responsible to that body.
- The Committee does not have any delegated authority.
- Committee recommendations must be adopted by Council during a formal Council meeting before they can be implemented.
- Members of the Committee are not permitted to speak to the media as representatives of the Committee unless approved by Council.

## **6. Membership**

The committee shall consist of the following members:

- Shire President,
- Shire CEO,
- The Chief Bush Fire Control Officer,
- The Deputy Chief Bush Fire Control Officer,
- Koorda Brigade Captain,
- Kulja Brigade Captain,
- Bush Fire Control Officers, and
- Shire Works Supervisor

## **7. Committee**

### Presiding Person

During the first meeting of the Committee after ordinary Local Government elections, the Committee shall appoint one of their number to be the Presiding Person.

The role of the Presiding Person includes:

- Ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner and;
- Where a matter has been debated significantly and no new information is being discussed, to call the meeting to order and ask for the debate to be finalised and the motion to be put

### Secretary

A Shire employee will fulfil the role of non-voting Secretary.

## **8. Meetings**

The committee shall meet at least two times annually. These meetings are generally prior to the March and August Local Emergency Management Committee (LEMC) meetings.

Additional meetings shall be convened at the discretion of the presiding person.

## **9. Minutes**

The minutes of the meeting shall be recorded and prepared as per the provisions of section 5.22 of the Act.

The content of the minutes shall be in accordance with regulation 11 of the *Local Government (Administration) Regulations 1996*.

## **10. Reporting**

Recommendations recorded in the minutes arising from the Committee's deliberations shall be presented to the earliest available ordinary meeting of Council.

In the event of a tied vote, where the Presiding Member has exercised a casting vote, the matter will be referred to Council for deliberation.

## **11. Terms of Appointment**

Appointment to the Committee will be determined by the Council following ordinary local government elections, for a term to expire on the date of the subsequent ordinary local government elections.

If a member of the Committee resigns prior to an ordinary local government election, Council will appoint a replacement.

## **12. Code of Conduct**

The Shire's Code of Conduct for Council Members, Committee Members and Candidates applies to all members of the Committee.

### 13. Voting

Shall be in accordance with section 5.21 of the Act.

Each voting member of the Committee present at a meeting is entitled to one vote and are required to vote, subject to the provisions of the Act regarding interests.

In the event of a tied vote, the Presiding Member will have a casting vote.

### 14. Alterations to Terms of Reference

The Committee is to conduct a review of its terms of reference providing Council with recommendations for any changes, in the first instance after twelve months of operation, with subsequent reviews to be held every two years prior to the local government ordinary election.

### 15. Termination of Committee

Termination of the Committee shall be at the discretion of Council and in accordance with the Act.

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#### Related Documents (Legislation/Local Law/Policy/Procedure/Delegation)

Part V, Section 67 of the Bush Fire Act 1954

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#### Review History

| Date       | Council Resolution | Description of review/amendment     |
|------------|--------------------|-------------------------------------|
| 17/04/2024 | RES:               | Terms of Reference Adopted          |
| 27/03/2024 |                    | Terms of Reference endorsed by BFAC |
| 23/10/2023 | RES: 191023        | Committee re-established            |



*Shire of*  
**Koorda**

*Drive in, stay awhile*

# MINUTES

## Local Emergency Management Committee Meeting

Held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Wednesday 29 March 2024

Commencing 4.30pm

**NOTICE OF MEETING**

Dear Local Emergency Management Committee Members,

Notice is hereby given that a Local Emergency Management Committee of the Shire of Koorda will be held on Wednesday 27 March 2024 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda, commencing at 4.30pm.

Zac Donovan  
Chief Executive Officer  
22 March 2024

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To be read aloud if any member of the public is present.

Signed



Zac Donovan  
Chief Executive Officer

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UNCONFIRMED



## Shire of Koorda Local Emergency Management Committee Meeting 4.30pm, Wednesday, 27 March 2024



Microsoft Teams Meeting Link - [Join the meeting now](#)  
Meeting ID: 429 518 251 063  
Passcode: jCQNMB

### 1. Declaration of Opening

The Chairperson, Shire President Cr Jannah Stratford, declared the meeting open at 4.49pm.

### 2. Record of Attendance and Apologies

**Attendance:** Cr Jannah Stratford, President, Shire of Koorda  
Micheal Phillips, Department of Communities  
George Storer, Shire of Koorda Chief Bush Fire Control Officer (CBFCO)

**Visitors:** Zac Donovan, CEO, Shire of Koorda  
Lana Foote, DCEO, Shire of Koorda  
Charli West, LEMC Liaison Officer, Shire of Koorda  
Lesley Foote, Koorda Primary School  
Shelby Robinson, District Emergency Management Advisor, DFES  
Rob Steel, DFES Area Officer Mortlock  
Carl Fuchsbichler, Shire of Koorda Deputy Chief Bush Fire Control Officer

**Apologies:** Fiona Williams, DON/HSM, Wyalkatchem-Koorda Health Centra, WACHS  
Lynne Cooke, Koorda CWA  
Glen Metcalfe, Water Corporation & Wyalkatchem Fire and Rescue  
Colleen Scally, Red Cross  
Acting Sergeant (Sgt) Scott Smith, OIC Koorda Police Station  
Jay Hammond, Chairperson, Wyalkatchem-Koorda St John WA Subcentre

### 3. Confirmation of Previous Minutes

[Click here to view.](#)

Moved: George Storer

Seconded: Gary Greaves

That the minutes of the Koorda Local Emergency Management Committee meeting held on 30 November 2023 at the Shire of Koorda Council Chambers, as circulated, be confirmed as a true and accurate record.

Carried

FOR: Cr JM Stratford, G Storer, M Phillips

Action Items and Business Arising from Previous Meeting  
N/A

## 4. Correspondence In and Out

### 4.1. Correspondence In

N/A

### 4.2 Correspondence Out

N/A

### 4.3 Information Tabled

N/A

## 5. Review of LEMC Membership and Contact List Updates

Recent Updates:

- Removed Yvette Grigg (DFES) and replaced with Shelby Robinson - District Emergency Management Advisor.
- Removed Karen Anstey (WA Country Health Services) and replaced with Fiona Williams - Director of Nursing/Health Service Manager (DON/HSM) Wyalkatchem-Koorda Health Service.
- Removed Maxi McDonald and replaced with a general email address for Community Paramedic, North-East Wheatbelt.
- Removed local Police Officers Iain Lind and Steve Jaworski. Added Sergeant Sheryl Jackamarra.
- Updated the Koorda Primary School landline number.
- Removed Lynne Cooke as CWA representative and added Lesley McNee (President).

## 6. Local Emergency Management (Standing Items)

### 6.1 Post Incident Reports

Discussions around extended power outage that occurred in January 2024.

#### Shire of Koorda

- Having the generator at the office proved to be extremely valuable. We were able to provide services to the community including charging their devices, providing WIFI for the community to contact family and friends, an airconditioned library to keep cool. The future plan is to have generators at the Recreation Centre and the Memorial Hall as the evacuation centres.
- The Shire has two satellite phones and one was given to the Police for their communications during the outages.
- As part of the Seroja Resilience funding, a pop-up communication tower is budgeted to help boost signal within a specified radius (phone signal & WIFI). Two portable generators have been budgeted for future installation on Telstra towers (given an agreement with Telstra can be reached). Telstra are currently looking into strategic sites to string together with generators to ensure communications can be restored during extended power outages.
- Zac provided a further update from the Telstra presentation at a recent NEWROC meeting.

#### Jay Hammond – St John Ambulance (via email)

- 1 known incident in Koorda where a resident could not call 000. This resulted in them having to drive themselves to hospital.
- We had no communication with SJA operations as our call-out system operates on a functional mobile network.
- SJA set up an IMT on day two as it was becoming apparent that the power issues would not be resolved.

Wednesday 27 March 2024

- I was communicating daily with the regional management team when I could find reception. I was seeking advice on our position and options around our ability to deploy.
- I would like to recognise the efforts our volunteers went to in regard to performing welfare checks on the known vulnerable people in our communities as well as checking in on each other. In the later stages of the outage, we had volunteers checking the depot back-up power for the roller doors and also running the ambulances to ensure the batteries were kept charged.

### **DFES/Bush Fire**

- DFES are continuing to discuss with Telstra the communication issues that were faced during the outage.

### **6.2 Post Exercise Reports**

N/A

### **6.3 Exercise Schedule**

Michael advised that the Department of Communities are organising an Emergency Management exercise with Mt Marshall on 26 June 2024. Please advise the Shire if you would like to attend.

### **6.4 Review Local Emergency Management Arrangements**

The LEMA is not due to be reviewed until 2025. However, the contact list will be reviewed and updated at each meeting.

## **7. Agenda Items**

### **7.1 Shire of Koorda Business Continuity and Disaster Recovery Plan**

At the Ordinary Meeting of Council held on Wednesday 20 March 2024, Council adopted the Business Continuity and Disaster Recovery Plan. The plan is presented to the committee for noting.

[Click here to view the plan.](#)

## **8. Agency/Member Reports**

### **St John – Jay Hammond**

- 6 call-outs in Koorda since January.

### **Shire of Koorda**

- The Shire continues to progress through the Seroja funding application. The tanks were installed at strategic locations, a fire tender was purchased for Mollerin and works will begin soon to upgrade the ablution facilities at the Memorial Hall.

### **Koorda Primary School – Lesley Foote**

- A new Principal will arrive next term.

### **Department of Fire and Emergency Services**

Shelby Robinson

- Has taken over from Yvette Grigg and in the role for 3 weeks now. Planning to be the conduit between Local Governments and DFES and other agencies.

Rob Steele

- Recognised the importance of the generators for Local Governments during the extended power outage.

### **Department of Communities – Michael Phillips**

- 8 weeks into the role and working with Jo Spadaccini.
- Updating terminology in the support plans to remove 'welfare'.
- Reiterated Telstra issues were felt across the region. It has been mentioned that Starlink was beneficial for communications with the outages.

### **George Storer – Shire of Koorda Chief Bush Fire Control Officer**

- Expressed thanks to the volunteers who worked tirelessly during the January fires. There were a few issues with comms during this time. However, when on the fire ground, communication was fine.
- Appliances won't be available until 2025/2026.

## **9. General Business**

### **9.1 Mollerin Fire Appliance**

Discussion was had regarding the old Mollerin Fire Tender. Shire staff to follow up with this.

## **10. Next Meeting Dates**

Thursday, 27 June 2024

Thursday, 29 August 2024

Thursday, 28 November 2024

## **11. Meeting Closure**

Cr Stratford thanked those present for attending, reiterated we aren't alone in our communication and power struggles and thanked everyone for their efforts in their roles.

Cr Stratford declared the meeting closed at 5.42pm.

**Signed:** \_\_\_\_\_

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

**Date: 27 June 2024**

## APPENDIX I – Terms of Reference

# Local Emergency Management Committee

## Terms of Reference

### 1. Name

The name of the committee is the Shire of Koorda Local Emergency Management Committee.

### 2. Head of Power

The committee is established by Council under section 38 of the *Emergency Management Act 2005*.

### 3. Definitions

| TERM                           | DEFINITION  |
|--------------------------------|---|
| <b>Act</b>                     | The <i>Emergency Management Act 2005</i> .  |
| <b>Council</b>                 | The body consisting of all council members sitting formally as the Council of Shire of Koorda (“ <b>the Shire</b> ”).   |
| <b>Chief Executive Officer</b> | The Chief Executive Officer (CEO) of the Shire of Koorda.   |
| <b>Committee</b>               | Shire of Koorda Local Emergency Management Committee.   |
| <b>Council Member</b>          | A person elected under the Act as a member of Council. Shire of Koorda council members include the Shire President, Deputy Shire President and Councillors (as defined by the Act). |
| <b>DFES</b>                    | Department of Fire and Emergency Services.  |
| <b>External Member</b>         | A person who is not a council member appointed to the committee with requisite skills, knowledge and experience that compliment the committee’s objectives.                         |
| <b>HMA</b> s                   | Hazard Management Agencies.   |
| <b>LEC</b>                     | Local Emergency Co-ordinator.   |
| <b>LEMA</b>                    | Local Emergency Management Arrangements.  |
| <b>Member</b>                  | A person appointed to this committee.   |

### 4. Objectives

The aim of the LEMC is to collaborate with local support organisations, hazard management agencies, and industry representatives, to collectively build a resilient community that is prepared to respond and recover from an emergency.

The LEMC objectives are to;

- Develop local emergency management arrangements (LEMA) that are practical to all stakeholders and service agencies.
- Ensure that LEMA are contemporary and relevant to the community and addresses all possible risks and scenarios.
- Participate in inter-local government relations to further emergency management cooperation within the emergency management district.
- Build resilience and engage with the community through safety and awareness campaigns, and by disseminating information through social media, media outlets, and public events.
- Participate in interagency training exercises that improve the capabilities and knowledge of the LEMC, local stakeholders, and hazard management agencies.
- Exercise the LEMA to test their effectiveness in practical applications, and actively strive for continuous improvement.
- Share meeting minutes, committee member experiences and proposed actions with local government elected members, State agencies and the local community.
- Strategise ways to mitigate potential emergencies and to improve recovery arrangements.

Key duties and responsibilities include providing advise and assist the Shire of Koorda in ensuring that local emergency management arrangements are established for its district.

- Liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements.
- Carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed by the regulations.
- Perform at least one emergency training exercise a year to assist improve the capabilities of their community to prepare for, respond to and recover from emergencies.
- Prepare and submit an annual report on activities undertaken by the LEMC during the financial year to the District Emergency Management Committee for the district.

## 5. Powers

The Committee is a formally appointed committee of Council and is responsible to that body.

The Committee has no delegated authority and no authority to implement its recommendations without resolution of Council.

The Committee does not have any management functions and cannot involve itself in management processes or procedures.

The Committee recommendations are advisory only and shall not be binding on Council.

## 6. Membership

The membership of the LEMC includes the President (as the local government representative), the Local Emergency Coordinator and representatives, as nominated, from relevant government agencies and other statutory authorities.

- Special guests may be invited to attend committee meetings as determined by the LEMC Executive Officer, in consultation with the LEMC Chair.
- Each voting member should nominate a proxy to the Executive Officer within their agency or organisation to attend if the appointed member is absent.
- Non-attendance at meetings of voting members without a justifiable apology, or that have not been represented by their proxy will be asked to provide an explanation to the Chairperson. Repeated non-attendance may result in the Chairperson notifying the District Emergency Management Committee.
- Members representing agencies and organisations that can no longer participate in the committee should advise the Executive Officer of their resignation and nominate an alternative representative for membership.
- Committee membership will be reviewed at each meeting by the LEMC Executive to ensure that it is representative of the community and the potential risks and scenarios.
- New members may join the LEMC via resolution of the committee.

A full membership list can be found in Schedule 1, at the end of this Terms of Reference.

## 7. Presiding Member

The LEMC Presiding Member and Deputy Presiding Member are determined within the “Shire of Koorda – Local Emergency Management Arrangements 2020 – V01.”

| Position           | Incumbent   |
|--------------------|---|
| Chairperson        | Shire of Koorda<br>President, Deputy, Councillor or CEO |
| Deputy Chairperson | Koorda Police Station<br>Officer in Charge/LEC          |



The role of the Chairperson and Deputy Chairperson are also included in the LEMA.

| <b>Local Role</b>  | <b>Description of Responsibility</b>   |
|--------------------|--|
| Chairperson        | Provide leadership and support to the LEMC to ensure effective meetings and high levels of emergency management planning and preparedness for the Local Government district is undertaken. |
| Deputy Chairperson | Provides leadership and support to the LEMC in the absence of the Chair.   |

## **8. Meetings**

A meeting will be held at least once per quarter throughout the financial year. These meetings are generally the last Thursday of; March, June, August and November.

The schedule will be advised by the Executive Officer and any additional meetings will be convened if and as required at the discretion of the Chairperson.

## **9. Minutes**

The minutes of the meeting shall be recorded and prepared as per the provisions of section 5.22 of the Act.

The content of the minutes shall be in accordance with regulation 11 of the *Local Government (Administration) Regulations 1996*.

## **10. Reporting**

Recommendations recorded in the minutes arising from the Committee's deliberations shall be presented to the earliest available ordinary meeting of Council.

In the event of a tied vote, where the Presiding Member has exercised a casting vote, the matter will be referred to Council for deliberation.

## **11. Terms of Appointment**

Appointment to the Committee will be determined by the Council following ordinary local government elections, for a term to expire on the date of the subsequent ordinary local government elections.

If a member of the Committee resigns prior to an ordinary local government election, Council will appoint a replacement.

## **12. Code of Conduct**

The Shire's Code of Conduct for Council Members, Committee Members and Candidates applies to all members of the Committee.

## **13. Voting**

Shall be in accordance with section 5.21 of the Act.

Each voting member of the Committee present at a meeting is entitled to one vote and are required to vote, subject to the provisions of the Act regarding interests.

In the event of a tied vote, the Presiding Member will have a casting vote.

## **14. Alterations to Terms of Reference**

The Committee is to conduct a review of its terms of reference providing Council with recommendations for any changes, in the first instance after twelve months of operation, with subsequent reviews to be held every two years prior to the local government ordinary election.



## 15. Termination of Committee

Termination of the Committee shall be at the discretion of Council and in accordance with the Act.

### Review History

| Date       | Council Resolution | Description of review/amendment     |
|------------|--------------------|-------------------------------------|
| 18/12/2023 | RES: 081223        | Terms of Reference Adopted          |
| 30/11/2023 |                    | Terms of Reference endorsed by LEMC |
| 23/10/2023 | RES: 191023        | Committee re-established            |

### Schedule 1 - Membership

| Executive                            |  |
|--------------------------------------|--|
| Chairperson ( <b>Voting</b> )        | Shire of Koorda<br>President, Deputy President or Councillor             |
| Deputy Chairperson ( <b>Voting</b> ) | Koorda Police Station<br>Officer in Charge/Appointed LEC                 |
| Executive Officer                    | Shire of Koorda<br>DCEO or staff member                                  |
| Local Recovery Coordinator           | Shire of Koorda<br>CEO   |
| Administrative Support               | Koorda Community Resource Centre/Shire of Koorda<br>Manager/Staff Member |

| HMAs                              |  |
|-----------------------------------|--|
| Shire of Koorda ( <b>Voting</b> ) | Chief Bush Fire Control Officer          |
| Parks and Wildlife                | District Fire Coordinator                |
| DFES                              | District/Area Officer                    |
| Dept. of Transport                | Regional Manager                         |
| Dept. of Health                   | Regional Director                        |
| Dept. of Agriculture and Food     | Site Manager                             |
| WA Police                         | Officer in Charge, Koorda Police Station |

| Welfare Support                      |                                     |
|--------------------------------------|-------------------------------------|
| Centrelink                           | Team Leader                         |
| Community Services ( <b>Voting</b> ) | District Emergency Services Officer |
| Red Cross                            | Representative, Koorda Branch       |
| Salvation Army                       | Lieutenant                          |
| CWA                                  | Representative, Koorda Branch       |

| Utilities     |               |
|---------------|---------------|
| Main Roads WA | Local Manager |

| Additional Members as directed by the Shire of Koorda |  |
|---|--|
| St John Ambulance ( <b>Voting</b> )                   | Regional Manager/Community Paramedic<br>Koorda and Wyalkatchem Subcentre |
| Shire of Koorda                                       | Works Supervisor   |
| DFES  | Regional Superintendent  |
| WALGA   | Representative   |
| Department of Education                               | Koorda Primary School  |
| CBH Group Koorda                                      | Koorda Area Manager  |
| Great Southern Fuel Services                          | Koorda Depot   |



*Shire of*  
**Koorda**

*Drive in, stay awhile*

# MINUTES

## **Governance Committee Meeting**

Held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Wednesday 3 April 2024

Commencing 5.30pm

UNCONFIRMED

**NOTICE OF MEETING**

Dear Governance Committee Members,

The next Governance Committee Meeting of the Shire of Koorda will be held on Wednesday 3 April 2024 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda, commencing at 5.30pm.

Zac Donovan  
Chief Executive Officer  
28 March 2024

**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.

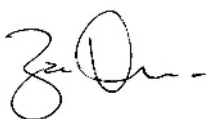
Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

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



Zac Donovan  
Chief Executive Officer

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**Shire of Koorda  
Governance Committee Meeting  
5.30pm, Wednesday 3 April 2024**



### 1. Declaration of Opening

The CEO welcomed those in attendance and declared the meeting open at 5.30pm.

### 2. Record of Attendance, Apologies and Leave of Absence

#### Committee Members:

|                 |           |
|-----------------|-----------|
| Cr JM Stratford | President |
| Cr GL Boyne     | Member    |
| Cr KM Burrell   | Member    |

#### Staff:

|              |                          |
|--------------|--------------------------|
| Mr Z Donovan | Chief Executive Officer  |
| Miss L Foote | Deputy Executive Officer |

#### Visitors:

|          |                                |
|----------|--------------------------------|
| G Storer | Chief Bushfire Control Officer |
|----------|--------------------------------|

#### Apologies:

#### Approved Leave of Absence:

### 3. Election of Presiding Member and Deputy Presiding Member

The Committee are to elect a Presiding Member and, if desired, Deputy Presiding Member from amongst themselves in accordance with s5.12 of the Local Government Act 1995:

*(1) The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule—*

- (a) to “office” were references to “office of presiding member”; and*
- (b) to “council” were references to “committee”; and*
- (c) to “councillors” were references to “committee members”.*

*(2) The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule—*

- (a) to “office” were references to “office of deputy presiding member”; and*
- (b) to “council” were references to “committee”; and*
- (c) to “councillors” were references to “committee members”; and*
- (d) to “mayor or president” were references to “presiding member”.*

One nomination was received from Councillor JM Stratford for the position of Presiding Member. As no other nominations were received, Cr JM Stratford was declared elected.

**5.31pm Cr JM Stratford assumed the chair.**

Cr JM Stratford called for nomination for Deputy Presiding Member.

One nomination was received from Councillor GL Boyne for the position of Deputy Presiding Member. As no other nominations were received, Cr GL Boyne was declared elected.

**4. Public Question Time**

Nil

**5. Disclosure of Interest**


Nil

**6. Confirmation of Minutes from Previous Meetings**

Nil

**7. Officer's Reports**

**7.1. Adoption of Koorda Governance Committee Terms of Reference**

|                                  |   |   |
|----------------------------------|---|---|
| <b>Governance and Compliance</b> |   |  |
| <b>Date</b>                      | 27 March 2024   |   |
| <b>Location</b>                  | Not Applicable  |   |
| <b>Responsible Officer</b>       | Lana Foote, Deputy Chief Executive Officer  |   |
| <b>Author</b>                    | As above  |   |
| <b>Legislation</b>               | Nil   |   |
| <b>Disclosure of Interest</b>    | Nil   |   |
| <b>Purpose of Report</b>         | <input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>               | <a href="#">Draft Koorda Governance Committee Terms of Reference</a>  |   |

**Background:**

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

The Koorda Governance Committee's Terms of Reference have been drafted and are presented to the Committee, as attached, for consideration and adoption prior to recommending adoption at the April 2024 Ordinary Council Meeting.

**Comment:**

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

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

**Consultation:**

Nil.

**Statutory Implications:**

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

**Policy Implications:**

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

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

**Strategic Implications:**

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and Transparent Leadership.

**Risk Implications:**

While it is not a legislative requirement for a Committee to have a TOR, it is common practice and ensures committee members are aware of their role and responsibilities and mitigates the risk of committees acting outside their responsibility.

**Financial Implications:**

Nil

**Voting Requirements:**     Simple Majority     Absolute Majority

**Committee Recommendation**

**Moved Cr GL Boyne**

**Seconded Cr KM Burrell**

**That the Koorda Governance Committee Terms of Reference be adopted.**

**CARRIED 3/0**

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



### 5.35pm – SUSPEND STANDING ORDERS

Moved Cr GL Boyne

Seconded Cr KM Burrell

That standing orders be suspended to discuss item 7.2 Policy Manual Review and Update.

CARRIED 3/0

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

6.15pm - G Storer left the meeting.

### 7.09pm – RESUMPTION OF STANDING ORDERS

Moved Cr GL Boyne


Seconded Cr KM Burrell

That standing orders be resumed as per the attendance register.

CARRIED 3/0

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

## 7.2. Policy Manual Review and Update

| <b>Governance and Compliance</b> |   |  |
|----------------------------------|---|---|
| <b>Date</b>                      | 28 March 2024   |   |
| <b>Location</b>                  | Not Applicable  |   |
| <b>Responsible Officer</b>       | Lana Foote, Deputy Chief Executive Officer  |   |
| <b>Author</b>                    | As above  |   |
| <b>Legislation</b>               | Local Government Act 1995   |   |
| <b>Disclosure of Interest</b>    | Nil   |   |
| <b>Purpose of Report</b>         | <input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information |   |
| <b>Attachments</b>               | Part 1 - Policies for Adoption, Reviewd, New and Amended<br>Part 2 - Rescind Policies   |   |

### 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 Governance 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 the policy review that has been undertaken by Staff, in consultation with the Governance 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:**

The Governance Committee will be undertaking a review on the below policies prior to consideration at the next Council Meeting. Subject to the Committee’s review, these policies will be presented to Council for final consideration.

**PART 1 - 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.*

| <b>Policy Section &amp; Title</b>                                     | <b>Proposed Amendments/Comments</b>  |
|---|--|
| A - Use of Shire Corporate Logo                                       | <ul style="list-style-type: none"> <li>• Amendment to former policy.</li> </ul>  |
| F - Investments   | <ul style="list-style-type: none"> <li>• Updating of former policy as per FMR recommendation: Review and update the policy to provide for investments to align with regulatory requirements, and to include appropriate considerations to monitor and support control procedures required by Regulation 19 of the Local Government (Financial Management) Regulations 1996.</li> </ul> |
| G - Complaints Management   | <ul style="list-style-type: none"> <li>• Introduction of new policy as per FMR recommendation: to help ensure all complaints are adequately monitored, reported and resolved, a register of customer complaints received should be maintained and systems and processes should ensure staff are aware of their obligations in accordance with adopted policies.</li> </ul>             |
| G - Conducting Electronic Meetings and Attendance by Electronic Means | <ul style="list-style-type: none"> <li>• Introduction of new policy as requested during February 2024 Council Forum.</li> </ul>  |
| G - Internal Control  | <ul style="list-style-type: none"> <li>• Introduction of new policy as per FMR recommendation: we suggest an internal control policy be formulated and adopted to formalise Council’s commitment and approach to internal controls, based on a risk management process.</li> </ul>   |
| W - Consumption of Alcohol on Shire Property                          | <ul style="list-style-type: none"> <li>• Amendment to former policy.</li> </ul>  |
| W - Recreational Vehicles and Overflow Camping Grounds                | <ul style="list-style-type: none"> <li>• Amendment to former policy. Inclusion of provisions around Recreational Vehicle (RV) Parking.</li> </ul>  |
| W - Temporary Road Closure for Public Events*                         | <ul style="list-style-type: none"> <li>• Amendment to former policy.</li> </ul>  |

**\* Note: W - Temporary Road Closure for Public Events to be considered at future Governance Committee Meeting.**

**PART 2 - Policies to be Rescinded**

It is recommended that the below policies be removed from the Policy Manual in their entirety. These policies are attached and labelled Part 2.

| <b>Policy</b>                               | <b>Reason for Rescindment</b>  |
|---|--|
| A14 - Instruments of Delegation             | The pre-amble contained (pages 5-7) in the <a href="#">Delegation Register</a> , which is subject to an annual review, is far more comprehensive than the current policy and outlines the process of delegations and instruments of delegations in greater detail.   |
| A26 - Local Government Elections            | Under LG Act Section 4.61 (2) - the decision has to be made by an Absolute Majority at Council to conduct election as a postal election.<br>The current procedure is that any Councillor resignation is tabled at Council for acceptance, and the item, pending when the resignation comes in, involves steps for filling the vacancy (including election preference). |
| A31 - Street Appeals                        | Policy from 2000, no longer applicable.  |
| F2 - Payment of Accounts                    | Council have adopted "F - Purchasing Policy" and "Delegation 4.1 - Payments from the Municipal or Trust Funds" which cover purchasing guidelines and payment authority. Policy F2 outlines the admin/operational procedure, which is now outdated. A comprehensive Admin Procedure for "Payment of Accounts" now exists.   |
| F3 - Amending the Rate Record               | Sections 6.39 (2) and 6.40 of the LG Act outlines the amendment of the rate record process. Council have adopted "Delegation 4.4 - Rate Record Amendment" which provides delegated authority for the CEO and DCEO to amend the rate record.  |
| F6 - Rates - Write Off                      | Section 6.12 of the LG Act outlines "Power to defer, grant discounts, waive or write off debts." Council have adopted "Delegation 4.2 - Defer, Grant Discounts, Waive or Write off Debts" which provides delegated authority and additional amounts of discounts, waivers and write offs.  |
| P3 - Conditions of Hire to be Acknowledged  | As part of the <a href="#">Shire of Koorda Booking Application Form</a> , the hirer is to sign the application form and agree to conditions of hire.   |
| P7 - Seasonal Hire is not exclusive         | Operational process. A note to be included on the Booking Application Form under the conditions of hire.   |
| P8 - Recreation Grounds - Marking Fields    | Operational process. A note to be included on the Booking Application Form under the conditions of hire.   |
| W17 - Heavy Vehicle Operation - Rural Roads | No policy detail included, only references back to another Shire policy.   |

**Consultation:**

Executive Management Team  
Governance 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 Committee'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

**Committee Recommendation**

**Moved Cr GL Boyne**

**Seconded Cr KM Burrell**

**The committee recommend that Council;**

**1. With regards to Shire of Koorda Policy Manual, adopts the following policies, as amended and included in this report, attached in Part 1;**

**(a) A - Shire of Koorda Logo**

**(b) F - Investment**

**(c) G - Complaints Management**

**(d) G - Conducting electronic meetings and attendance by electronic means**

**(e) G - Internal Control**

**(f) W - Consumption of Alcohol**

**(g) W - Recreational Vehicles**

**2. With regards to Shire of Koorda Policy Manual, rescinds and removes the following policies, attached in Part 2;**

**(a) A14 Instrument of Delegation**

**(b) A26 Local Government Elections**

**(c) A31 Street Appeals**

**(d) F2 Payment of Accounts**

**(e) F3 Amending Rate Record**

**(f) F6 Rates - Write Off**

**(g) P3 Conditions of Hire to be Acknowledged**

**(h) P7 Seasonal Hire is not exclusive**

**(i) P8 Recreation Ground/Marking Fields**

**(j) W17 Heavy Vehicle Operation Rural Roads**

**CARRIED BY ABSOLUTE MAJORITY 3/0**

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

**8. Urgent Business Approved by the Person Presiding or by Decision**

Nil.

**9. Date of Next Meeting**

TBC

**10. Closure**

The Chairperson thanked everyone for their attendance and closed the meeting at 7.19pm.

**Signed: \_\_\_\_\_**

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

**Date: TBC**

UNCONFIRMED

## APPENDIX I – Terms of Reference

# Governance Committee

## Terms of Reference

### 1. Name

The name of the committee is the Shire of Koorda Governance Committee. (Formally the Policy Review Committee)

### 2. Head of Power

The committee is established by Council under section 5.8 of the *Local Government Act 1995*. (Res: 041122)

### 3. Definitions

| TERM                    | DEFINITION   |
|-------------------------|--|
| Act                     | The <i>Local Government Act 1995</i> .   |
| Council                 | The body consisting of all council members sitting formally as the Council of Shire of Koorda (“the Shire”).   |
| Chief Executive Officer | The Chief Executive Officer (CEO) of the Shire of Koorda.  |
| Committee               | Shire of Koorda Governance Committee.  |
| Council Member          | A person elected under the Act as a member of Council. Shire of Koorda council members includes the Shire President, Deputy Shire President and Councillors (as defined by the Act). |
| External Member         | A person who is not a council member appointed to the committee with requisite skills, knowledge and experience that compliment the committees objectives.                           |
| Member                  | A person appointed to this committee.  |

### 4. Objectives

The Committee is established to fulfil the following objectives:

- a) provide guidance and assistance to Council in fulfilling its legislative responsibilities to ‘*determine the local government’s policies*’ (section 2.7 (2)(b) of the Act) by:
  - i. conducting at a minimum, a biennial review for Council policies and
  - ii. conducting at a minimum, a review of the Shire of Koorda Local Laws, within an 8-year period after their commencement to determine if they should remain unchanged or be repealed or amended;
  - iii. developing policies and local laws, as required, and making recommendations to Council as a result of those reviews at the next available Ordinary Council Meeting;
  - iv. conducting a review of the Corporate Business Plan and associated Key Performance Indicators and subsequent recommendations to Council;
  - v. reviewing the Corporate Governance Framework; and
- b) assist Council in such other matters as the Council may refer to the Committee.

Planning policies are not considered to be the responsibility of the Committee to review and will instead be presented directly to Council.

Accounting policies and practices are not considered to be the responsibility of the Committee and will instead be presented to the Audit and Risk Committee.

## **5. Powers**

The Committee is a formally appointed committee of Council and is responsible to that body.

The Committee has no delegated authority and no authority to implement its recommendations without resolution of Council.

The Committee does not have any management functions and cannot involve itself in management processes or procedures.

The Committee recommendations are advisory only and shall not be binding on Council.

## **6. Membership**

The committee shall consist of three elected members, with a fourth elected member acting as a deputy.

The quorum for a Committee meeting is as per section 5.19 of the *Local Government Act 1995*: at least 50% of members of the committee (whether vacant or not).

The Committee is supported by the Chief Executive Officer and their nominees, principally the Deputy CEO.

The Shire shall provide secretarial and administrative support to the Committee.

## **7. Presiding Member**

The Committee is to determine the Presiding Member of the Committee at the first meeting of the Committee immediately following the establishment of the Committee or following each biennial local government election, whichever is applicable.

The Committee is to determine a Deputy Presiding Member of the Committee at the first meeting of the Committee immediately following the establishment of the Committee or following each biennial local government election, whichever is applicable.

If the Presiding Member is absent from a meeting, the Deputy Presiding Member is to preside at that meeting.

The role of the Presiding Member includes:

- a) overseeing and facilitating the conduct of meetings in accordance with the Act and the Shire's *Standing Orders Local Law 2018*;
- b) ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner; and
- c) where a matter has been debated significantly and no new information is being discussed, to call the meeting to order and ask for the debate to be finalised and the motion to be put.

In accordance with section 5.14 of the Act, if the Presiding Member and Deputy Presiding Member are not available or are unable or unwilling to perform the function of presiding member (but a quorum is still reached), then the committee members present at the meeting are to choose who is to preside at the meeting.



## **8. Meetings**

Meetings shall be called as required in line with reviews timeframes as outlined in section '4: Objectives'.

An ordinary or a special meeting of the Committee is to be held:

- a) if called for by either the Presiding Member or at least two Committee members in a notice to the CEO setting out the date and purpose of the proposed meeting; or
- b) if so decided by the Committee; or
- c) if called for by Council.

The Committee may invite, through the CEO, Shire employees, or others to attend meetings and provide pertinent information, where necessary.

## **9. Minutes**

The minutes of the meeting shall be recorded and prepared as per the provisions of section 5.22 of the Act.

The content of the minutes shall be in accordance with regulation 11 of the *Local Government (Administration) Regulations 1996*.

## **10. Reporting**

Recommendations recorded in the minutes arising from the Committee's deliberations shall be presented to the earliest available ordinary meeting of Council.

In the event of a tied vote, where the Presiding Member has exercised a casting vote, the matter will be referred to Council for deliberation.

## **11. Terms of Appointment**

Appointment to the Committee will be determined by the Council following ordinary local government elections, for a term to expire on the date of the subsequent ordinary local government elections.

If a member of the Committee resigns prior to an ordinary local government election, Council will appoint a replacement.

## **12. Code of Conduct**

The Shire's Code of Conduct for Council Members, Committee Members and Candidates applies to all members of the Committee.

## **13. Public Question Time**

Committee meetings are generally open to the public and Public Question Time will be conducted in accordance with the Shire's *Standing Orders Local Law 2018*.

## **14. Voting**

Shall be in accordance with section 5.21 of the Act.

Each voting member of the Committee present at a meeting is entitled to one vote and are required to vote, subject to the provisions of the Act regarding interests.

In the event of a tied vote, the Presiding Member will have a casting vote.

**15. Alterations to Terms of Reference**

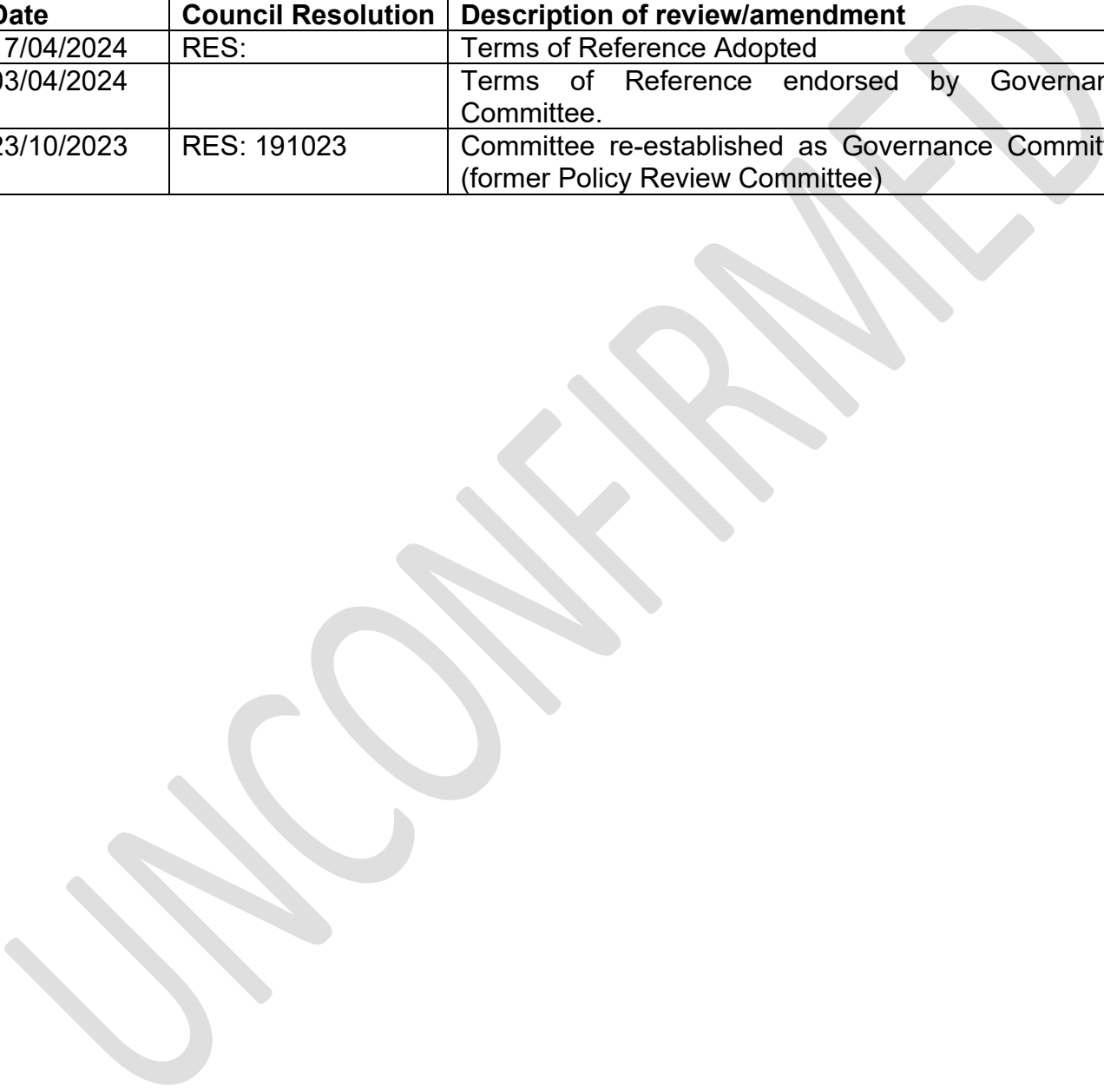
The Committee is to conduct a review of its terms of reference providing Council with recommendations for any changes, in the first instance after twelve months of operation, with subsequent reviews to be held every two years prior to the local government ordinary election.

**16. Termination of Committee**

Termination of the Committee shall be at the discretion of Council and in accordance with the Act.

**Review History**

| <b>Date</b> | <b>Council Resolution</b> | <b>Description of review/amendment</b>  |
|-------------|---------------------------|---|
| 17/04/2024  | RES:                      | Terms of Reference Adopted  |
| 03/04/2024  |                           | Terms of Reference endorsed by Governance Committee.                              |
| 23/10/2023  | RES: 191023               | Committee re-established as Governance Committee (former Policy Review Committee) |





North Eastern Wheatbelt Regional Organisation of Councils

Dowerin | Koorda | Mt Marshall | Mukinbudin | Nungarin | Trayning | Wyalkatchem

# Council Meeting

Tuesday 26 March 2024

Shire of Koorda  
Council Chambers

## MINUTES

1.30pm Light Lunch  
2pm Meeting

[www.newroc.com.au](http://www.newroc.com.au)

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## ANNUAL CALENDAR OF ACTIVITIES

| MONTH     | ACTIVITY   | MEETING   |
|-----------|--|-----------|
| January   |  | Executive |
| February  | <ul style="list-style-type: none"> <li>👉 Council refreshes itself on NEWROC Vision, Mission, Values (review Vision and Mission every other year)</li> <li>👉 Council reviews NEWROC project priorities / strategic plan</li> </ul>  | Council   |
| March     | <ul style="list-style-type: none"> <li>👉 WDC attendance to respond to NEWROC project priorities</li> <li>👉 Submit priority projects to WDC, Regional Development and WA Planning</li> </ul>  | Executive |
| April     | 👉 NEWROC Budget Preparation  | Council   |
| May       | <ul style="list-style-type: none"> <li>👉 NEWROC Draft Budget Presented</li> <li>👉 NEWROC Executive Officer Contract/Hourly Rate Review (current contract expires June 2027)</li> <li>👉 Local Government Week agenda to be discussed at Executive meeting to determine if EA should attend</li> </ul> | Executive |
| June      | 👉 NEWROC Budget Adopted  | Council   |
| July      |  | Executive |
| August    | <ul style="list-style-type: none"> <li>👉 Information for Councillors pre-election</li> <li>👉 NEWROC Audit</li> </ul>   | Council   |
| September |  | Executive |
| October   | <ul style="list-style-type: none"> <li>👉 NEWROC CEO and President Handover (every 2yrs)</li> <li>👉 NEWROC Dinner</li> </ul>  | Council   |
| November  | <ul style="list-style-type: none"> <li>👉 NEWROC Induction of new Council representatives (every other year)</li> <li>👉 Review NEWROC MoU (every other year)</li> </ul>   | Executive |
| December  | 👉 NEWROC Christmas / End of Year Drinks  | Council   |

### **ONGOING ACTIVITIES**

Compliance

Media Releases

### **NEWROC Rotation**

Shire of Mt Marshall

Shire of Nungarin

Shire of Wyalkatchem

Shire of Koorda

Shire of Mukinbudin

Shire of Trayning (Oct 2023 – Oct 2025)

Shire of Dowerin

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## NORTH EASTERN WHEATBELT REGIONAL ORGANISATION OF COUNCILS

Minutes for the Council Meeting held at the Shire of Koorda Council Chambers, commencing at 2.10 pm on 26 March 2024.

### MINUTES

#### 1. OPENING AND ANNOUNCEMENTS

Cr Brown, NEWROC Chair welcomed everyone and opened the meeting at 4.10 pm.

#### 2. RECORD OF ATTENDANCE AND APOLOGIES

##### 2.1 Attendance

|                     |  |
|---------------------|--|
| Cr Melanie Brown    | President, Shire of Trayning, NEWROC Chair |
| Cr Gary Shadbolt    | President, Shire of Mukinbudin             |
| Cr Pippa De Lacy    | President, Shire of Nungarin               |
| Cr Jannah Stratford | President, Shire of Koorda                 |
| Cr Tony Sachse      | President, Shire of Mt Marshall            |
| Cr Robert Trepp     | President, Shire of Dowerin                |
| Cr Owen Garner      | President, Shire of Wyalkatchem            |
| Leanne Parola       | NEWROC CEO, CEO Shire of Trayning          |
| Dirk Sellenger      | CEO Shire of Mukinbudin                    |
| Zac Donovan         | CEO Shire of Koorda                        |
| Ric Halse           | CEO, Shire of Nungarin                     |

##### 2.2 Apologies

|                   |                           |
|-------------------|---------------------------|
| Caroline Robinson | Executive Officer, NEWROC |
| Sabine Taylor     | CEO, Shire of Wyalkatchem |
| Ben McKay         | CEO, Shire of Mt Marshall |

##### 2.3 Observers

|                     |                      |
|---------------------|----------------------|
| Cr Mark Leslie      | Shire of Trayning    |
| Cr Mischa Stratford | Shire of Wyalkatchem |

##### 2.4 Leave of Absence Approvals / Approved

Nil

#### 3. DECLARATIONS OF INTEREST AND DELEGATIONS REGISTER

##### 3.1 Delegation Register

Please find below a delegations register as per the new policy adopted in March 2017:

| Description of Delegations      | Delegatee | Delegated to | Approval         |
|---------------------------------|-----------|--------------|------------------|
| Records Management              | CEO       | NEWROC EO    | Council          |
| NEWROC Financial Management     | CEO       | NEWROC EO    | Council Dec 2017 |
| Bendigo Bank Signatory (NEWROC) | CEO       | NEWROC EO    | Council Dec 2017 |

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|  |         |           |                   |
|--|---------|-----------|-------------------|
| Bendigo Bank Signatory (Shire of Trayning) | Council | CEO       | Council Dec 2017  |
| NEWROC Website                             | CEO     | NEWROC EO | Council June 2017 |

**4. PRESENTATIONS**

Nil

**5. MINUTES OF MEETINGS**

Minutes of the Council Meeting held on 4 December 2023 have previously been circulated.

**RESOLUTION**

**That the Minutes of the Council Meeting held on 4 December 2023 are received as a true and correct record of proceedings.**

**Moved Cr Shadbolt                      Seconded Cr Garner                      CARRIED 7/0**

Minutes of the Executive Meeting held on 27 February 2024 have previously been circulated.

**RESOLUTION**

**That the Minutes of the Executive Meeting held on 27 February 2024 be received.**

**Moved Cr Stratford                      Seconded Cr De Lacy                      CARRIED 7/0**

**5.1 Business Arising**

Nil



## 6. FINANCIAL MATTERS

### 6.1 Income, Expenditure and Profit and Loss

|                                |                                   |
|--------------------------------|-----------------------------------|
| <b>FILE REFERENCE:</b>         | 42-2 Finance Audit and Compliance |
| <b>REPORTING OFFICER:</b>      | Caroline Robinson                 |
| <b>DISCLOSURE OF INTEREST:</b> | Nil                               |
| <b>DATE:</b>                   | 21 March 2024                     |
| <b>ATTACHMENT NUMBER:</b>      | #1P and L                         |
| <b>CONSULTATION:</b>           |                                   |
| <b>STATUTORY ENVIRONMENT:</b>  | Nil                               |
| <b>VOTING REQUIREMENT:</b>     | Simple Majority                   |

#### COMMENT

Account transactions for the period 1 December 2023 – 29 February 2024

| Date                                      | Description  | Reference                     | Credit            | Debit            | Running Balance    |
|---|--|-------------------------------|-------------------|------------------|--------------------|
| <b>BB<br/>NEWROC<br/>Funds-5557</b>       |  |                               |                   |                  |                    |
| <b>Opening Balance</b>                    |  |                               | <b>173,538.88</b> | <b>0.00</b>      | <b>173,538.88</b>  |
| 01 Dec 2023                               | Bendigo Bank   |                               | 0.00              | 4.40             | 173,534.48         |
| 01 Dec 2023                               | Xero Australia   | XEROAUSTRALIPTY               | 0.00              | 61.75            | 173,472.73         |
| 12 Dec 2023                               | Payment: Constructive Visual   | INV 465                       | 0.00              | 22.00            | 173,450.73         |
| 12 Dec 2023                               | Payment: 150Square   | INV-0261                      | 0.00              | 3,660.96         | 169,789.77         |
| 12 Dec 2023                               | Payment: Bencubbin Community Resource Centre                             | INV-2056                      | 0.00              | 40.00            | 169,749.77         |
| 12 Dec 2023                               | Payment: 150Square   | INV-0260                      | 0.00              | 4,549.63         | 165,200.14         |
| 12 Dec 2023                               | Payment: Nungarin Sporting Club  | December Meeting              | 0.00              | 251.00           | 164,949.14         |
| 01 Jan 2024                               | Bendigo Bank   |                               | 0.00              | 2.00             | 164,947.14         |
| 02 Jan 2024                               | Xero Australia   | XEROAUSTRALIPTY               | 0.00              | 61.75            | 164,885.39         |
| 09 Jan 2024                               | Payment: 150Square   | INV-0262 – Canberra All Costs | 0.00              | 4,435.63         | 160,449.76         |
| 30 Jan 2024                               | Payment: 150Square   | INV-0266                      | 0.00              | 3,715.63         | 156,734.13         |
| 30 Jan 2024                               | Econisis   | Power Report 1                | 0.00              | 3,272.50         | 153,461.63         |
| 01 Feb 2024                               | Xero Australia   | XEROAUSTRALIPTY               | 0.00              | 61.75            | 153,399.88         |
| 01 Feb 2024                               | Bendigo Bank   |                               | 0.00              | 1.20             | 153,398.68         |
| 29 Feb 2024                               | Bank Transfer from ATO Integrated Client Account to BB NEWROC Funds-5557 | ATO Refund                    | 2,854.00          | 0.00             | 156,252.68         |
| <b>Total BB<br/>NEWROC<br/>Funds-5557</b> |  |                               | <b>2,854.00</b>   | <b>20,140.20</b> | <b>156,252.68</b>  |
| <b>Closing Balance</b>                    |  |                               | <b>156,252.68</b> | <b>0.00</b>      | <b>156,252.68</b>  |
| <b>Total</b>                              |  |                               | <b>2,854.00</b>   | <b>20,140.20</b> | <b>(17,286.20)</b> |

# Balance Sheet

North Eastern Wheatbelt Regional Organisation of Councils  
As at 29 February 2024

29 FEB 2024

## Assets

### Bank

|                              |                   |
|------------------------------|-------------------|
| BB NEWROC Funds-5557         | 156,252.68        |
| BB Term Deposit Account-1388 | 305,671.84        |
| <b>Total Bank</b>            | <b>461,924.52</b> |

|                     |                   |
|---------------------|-------------------|
| <b>Total Assets</b> | <b>461,924.52</b> |
|---------------------|-------------------|

## Liabilities

### Current Liabilities

|                                  |                   |
|----------------------------------|-------------------|
| GST                              | (3,963.39)        |
| Rounding                         | 0.06              |
| <b>Total Current Liabilities</b> | <b>(3,963.33)</b> |

|                          |                   |
|--------------------------|-------------------|
| <b>Total Liabilities</b> | <b>(3,963.33)</b> |
|--------------------------|-------------------|

|                   |                   |
|-------------------|-------------------|
| <b>Net Assets</b> | <b>465,887.85</b> |
|-------------------|-------------------|

## Equity

|                       |                   |
|-----------------------|-------------------|
| Current Year Earnings | (3,713.85)        |
| Retained Earnings     | 469,601.70        |
| <b>Total Equity</b>   | <b>465,887.85</b> |

## RESOLUTION

That the income and expenditure from 1 December 2023 to 29 February 2024, P and L and balance sheet be received.

Moved Cr De Lacy

Seconded Cr Garner

CARRIED 7/0

**7. MATTERS FOR DECISION**

Cr Shadbolt left the meeting at 2.15 pm

**7.1 WASTE MANAGEMENT – GRANT APPLICATION**

**FILE REFERENCE:** 103-1 Waste Management  
**REPORTING OFFICER:** Caroline Robinson  
**DISCLOSURE OF INTEREST:** Nil  
**DATE:** 21 March  
**ATTACHMENT NUMBER:** #2 Quotes  
**CONSULTATION:** Ask Waste Management  
 Encycle  
**STATUTORY ENVIRONMENT:** Nil  
**VOTING REQUIREMENT:** Simple Majority

**COMMENT**

At the last NEWROC Council meeting, the following resolution was passed:

**RESOLUTION**

The Shires of Nungarin, Trayning, Wyalkatchem, Koorda, Mt Marshall and Dowerin (subject to their Council decision) submits an application to the Regional Precincts and Partnerships Program for waste management planning under the NEWROC organization, with the lead Shire being Trayning.

Moved Cr Shadbolt                      Seconded Cr De Lacy                      CARRIED 6/0

A [Regional Precincts and Partnerships Program](#) grant application has been prepared.

The objectives of the Program are to:

- facilitate place-based approaches to planning, characterised by collaborative partnerships engaging in shared design, stewardship and accountability of planned outcomes
- provide targeted benefits related to productivity, equity and resilience for the people of regional, rural or remote Australia
- support community priorities for regional cities, rural or remote centres and areas
- reflect the Government’s approach to regional investment as outlined under the Regional Investment Framework.

The intended outcomes of the Program are to:

- demonstrate the value of partnerships between governments, communities and businesses for effective planning, coordination and delivery of regional infrastructure
- develop and deliver regional precincts comprised of multiple infrastructure components, which provide benefits related to productivity, equity and resilience
- contribute to the Australian Government’s current policy priorities, including but not limited to Closing the Gap, transition to a net zero economy, Australia’s emission reduction goals, social and affordable housing, and National Cultural Policy.

It is the intent of the Program to:

- deliver grants across a broad geographic spread of regional Australia, including remote and very remote areas
- support precinct projects of differing scales and functionalities
- encourage projects from lesser-resourced applicants.

As a requirement of the grant, NEWROC must make contact with:

- RDA Wheatbelt – completed
- Member Shires – letters of support prepared but not yet sent
- Indigenous leader – to be discussed
- Waste Authority WA - completed

Two quotes have been received for the application. The NEWROC EO has met with Ask Waste Management and Encycle.

The scope was:

- Investigate and determine a preferred regional landfill site;
- Deliver a masterplan for the preferred site;
- Undertake studies and obtain approval from relevant authorities for site operation as a landfill;
- Design and cost transfer stations for each participating NEWROC Shire;
- Develop a detailed business case to underpin individual council decisions regarding their future commitments to this project and to support future grant applications for physical project delivery;
- Design and implement a consultation and communications plan to satisfy the information needs of both community and potential funding partners;
- Incorporate circular economy principles and identify economic opportunities locally, recognising the NEWROC as a precinct for waste recovery and resources.

Members need to review and discuss the two quotes as this will influence the grant application and cash / in kind that the NEWROC commits (note we do not need to match the grant request but it is favorable to contribute towards some costs, minimum grant is \$500K)

| Quote                | Deliverables  | Cost ex GST | Comments  |
|----------------------|---|-------------|---|
| ASK Waste Management | <ol style="list-style-type: none"> <li>Updating the Business Case to reflect post-covid costs and changes in legislation and best practice guidance</li> <li>Producing a Business Case for an in-house waste service (bin pick up and transfer by NEWROC)</li> <li>Development of, and implementation of a Community Consultation Programme</li> <li>Producing a Master Plan for the Regional Resource</li> </ol> | \$588,000   | <ul style="list-style-type: none"> <li>• Previous relationship with NEWROC</li> <li>• Needs to be updated to include nine waste transfer sites</li> <li>• Project management included across the work</li> <li>• Circular economy is included but potentially not the economic opportunities</li> <li>• NEWROC in kind contribution can be to assist with the community engagement</li> </ul> |

NEWROC Council Meeting 26 March 2024 - Minutes

|         |   |             |  |
|---------|---|-------------|--|
|         | <p>Recovery Facility (the regional hub of the RRRP)</p> <ol style="list-style-type: none"> <li>5. Producing Master Plans for seven Waste Transfer Stations (the satellite facilities for the RRRP))</li> <li>6. Developing and liaison with the group to produce Governance Arrangements</li> <li>7. Preparing and submitting Planning and Environmental approval applications for all eight facilities.</li> </ol> |             | <p>and efforts by the NEWROC waste sub committee</p> <ul style="list-style-type: none"> <li>• Cash contribution could also be put forward for contingency costs, to increase the focus on partnerships that deliver circular economy and economic opportunities, potentially establishing relationships with a University</li> </ul>   |
| Encycle | <ol style="list-style-type: none"> <li>1. Inception and Review of current business case and work</li> <li>2. Future site analysis and selection (transfer stations and regional site)</li> <li>3. Business case for waste management and internal service</li> <li>4. Governance arrangements</li> <li>5. Community Engagement</li> <li>6. Planning Approvals</li> </ol>  | \$1,725,777 | <ul style="list-style-type: none"> <li>• Not all services can be delivered in house by Encycle, they will engage numerous sub contractors</li> <li>• Has not visited the sites and hence potentially lacks this understanding</li> <li>• Additional costs of applications and designs not included</li> <li>• NEWROC in kind contribution can be to assist with the community engagement and efforts by the NEWROC waste sub committee</li> <li>• Cash contribution could also be put forward for contingency costs, to increase the focus on partnerships that deliver circular economy and economic opportunities, potentially establishing relationships with a University</li> </ul> |

Community engagement is a key part of this project and will influence its success and outcomes. The Regional Precincts funding has a strong focus on partnerships – bringing government together to deliver regional precincts that are tailored to the local needs and have a shared vision in how that precinct connects to the region.

A community engagement plan should be developed prior to this grant application, with consideration towards keeping communities informed along the whole way.

The Shire of Mukinbudin advised it did not wish to proceed in the grant application. The Shire of Dowerin was still to vote on the project proceeding.

NEWROC has a term deposit of \$305K. Members should discuss the longer term allocation of these reserve funds as well as current and/or future individual contributions towards the waste management project.

Actions since the February Executive Meeting:

- Visit to Bending Landfill and Naremben Waste Transfer Station, hosted by ROEROC
- Regional Precincts grant application has been prepared

**RESOLUTION**

**Executive recommends the NEWROC contribute \$30,000 cash to the grant application.**

**Executive recommends both quotes are included in the grant application. Ask Waste Management quote is used in the budget preparations.**

**NEWROC engage Grants Empire at a cost of \$660 to review the application prior to submission.**

**Moved Cr Stratford**

**Seconded Cr De Lacy**

**CARRIED 6/0**

Cr Shadbolt returned to the meeting at 2.17 pm

**7.2 POWER AND TELECOMMUNICATIONS**

|                                |  |
|--------------------------------|--|
| <b>FILE REFERENCE:</b>         | 107-1 Power  |
| <b>REPORTING OFFICER:</b>      | Caroline Robinson  |
| <b>DISCLOSURE OF INTEREST:</b> | Nil  |
| <b>DATE:</b>                   | 21 March 2024  |
| <b>ATTACHMENT NUMBER:</b>      | #3 Draft Impact Report<br>#4 Hansard extract   |
| <b>CONSULTATION:</b>           | Mark Wallace, Econisis<br>Rob Cossart (WDC)<br>Rik Soderlund (WBN)<br>Rebekah Burges (WEROC)<br>Hon Mia Davies |
| <b>STATUTORY ENVIRONMENT:</b>  | Nil  |
| <b>VOTING REQUIREMENT:</b>     | Simple Majority  |

**COMMENT**

In January, NEWROC members agreed to commission a report into the economic impact of the January power outages on businesses, wider community and telecommunications.

Econisis is completing this report and has provided the draft for review. Mark was unable to quantify the economic impact of mobile phone outages but he could quantify internet outages. He will keep investigating how this might be reflected in the report. Agriculture is also not included in the impact assessment.

The WBN will provide three case studies on businesses to support the NEWROC impact report.

The NEWROC EO, together with WDC CEO, WBN CEO, RDA Wheatbelt Director and WEROC EO have met online twice to discuss the impact of the power outages and what can be done collectively.

Hon Mia Davies has raised the issue in State Parliament (see Hansard extract).

WALGA held a roundtable online with a selection of local governments, however it was not formally placed on the GECZ Agenda.

Actions since the February Executive Meeting:

- Report sent to stakeholders (below)
- NOTE: No response from Minister for Energy, Darren West. NEWROC EO will follow up.
- Article on ABC Wheatbelt, radio interview and news item
- Quairading power story in The West, NEWROC report sent to Dylan Caporn (reporter)
- Cr Brown and NEWROC EO met with Andrew Skinner (COS) Minister Punch, Shelley Court (Policy) Minister Punch, Amy Tait (Policy) Minister for Energy and Rob Cossart (WDC)
- Economic Regulatory Authority has requested NEWROC meet with them to discuss the report
- NEWROC EO has liaised with Rob Cossart, WDC who is presenting our report and solutions to Chair of Telecommunications Review (Alannah McTiernan) who is in Carnamah Friday 22 March



**RESOLUTION**

**NEWROC receives the Econis Economic Impact Report on Power and Telecommunication Outages.**

**NEWROC submits the report to the Wheatbelt Development Commission, RDA Wheatbelt, State Ministers for Regional Development, Energy, local state and federal members, WALGA, GECZ, RDA Wheatbelt, TELSTRA, Minister for Small Business, Department of Water, Federal Minister for Communications and Water Corporation.**

**NEWROC submit a response to the Telecommunications Review Panel on the economic impact of power outages.**

**Moved Cr Shadbolt**

**Seconded Cr Garner**

**CARRIED 7/0**

### 7.3 NEWROC TOWN TEAM BUILDER

|                                |                               |
|--------------------------------|-------------------------------|
| <b>FILE REFERENCE:</b>         | 130-1 Economic Services       |
| <b>REPORTING OFFICER:</b>      | Caroline Robinson             |
| <b>DISCLOSURE OF INTEREST:</b> | Nil                           |
| <b>DATE:</b>                   | 16 February 2024              |
| <b>ATTACHMENT NUMBER:</b>      | #5 NEWROC TTM Plan            |
| <b>CONSULTATION:</b>           | Jimmy Murphy<br>Alyce Ventris |
| <b>STATUTORY ENVIRONMENT:</b>  | Nil                           |
| <b>VOTING REQUIREMENT:</b>     | Simple Majority               |

#### COMMENT

NEWROC EO met with Jimmy Murphy to discuss the NEWROC Town Team Builder.

A workplan for 2024 was developed (and attached):

1. Koorda Skate Park Project (RAC Funded)- 5-7 April
2. Koorda Skate Park Launch Event + Skate Safety Workshop- July
3. Wheatbelt Town Team Social (road safety focus)- July
4. Mukinbudin Main Street Slower Speeds Project- July/August (Project TBC)
5. Wyalkatchem Do Over - May-September (Street party September, TBC)
6. Face to face Placemaking Education Training with LG's- TBC
7. 1x Youth led project- location TBC - by October

NEWROC was also included in the FRRR Drought Project which will be delivered in 2024/25. The project 'Wheatbelt Rising' will include the following:

- Growth and improved strength of community-based networks Improved implementation of place-based practices by communities to build and enhance resilience to drought.
- NEWROC Do Over including Youth space project
- Leadership workshop (May and August)
- 3-5 drought preparedness activations (e.g vibrant main street mural, green infrastructure, community gardening, mindful meditation, block party- TBC) - 2x by June, 3x July-Oct
- Establish 5 new Town Teams across the WEROC/NEWROC Deliver funded projects (10-15) Deliver workshops (1-4)
- Town Team Social/Networking events (2)

A contract between NEWROC and Alyce Ventris concluded on 31 October 2023.

The 2023/24 Budget allocation to the role was \$35,000.

The actual expenditure to date is \$16,049.

#### RESOLUTION

**NEWROC receives the information.**

**A new contract is issued to Alyce Ventris, under the same conditions, until 30 June 2024, upon which it will be reviewed in line with the budget process.**

**Moved Cr Garner**

**Seconded Cr Trepp**

**CARRIED 7/0**

## **New Information for all Town Teams in NEWROC**

Town Team Movement, in partnership with the State Government and the Western Australian Local Government Association (WALGA), are thrilled to announce the Streets Alive program. The program funded from the State Funds for Local Government Roads consist of \$5 million over 5 years for capacity building and support for eligible community organisations and local governments for projects designed to calm traffic on local roads in urban areas across WA.

There are two streams of funding:

- Stream 1 offers 'seed' grants of \$5,000 inc GST in all towns and neighbourhoods across WA for eligible community groups; and
- Stream 2 offers grants of \$50,000 inc GST and \$100,000 inc GST in all towns and neighbourhoods across WA for eligible community groups and LGAs.

Program guidelines and eligibility criteria of Stream 1 grants for eligible community groups will be available and open for expressions of interest from April 1, 2024.

Details of Stream 2 grants for eligible community organisations and LGAs will be released in May.

[Welcome to Streets Alive! - Streets Alive](#)

|                                   |
|-----------------------------------|
| <b>8. MATTERS FOR INFORMATION</b> |
|-----------------------------------|

|                              |
|------------------------------|
| <b>8.1 LIVE SHEEP BY SEA</b> |
|------------------------------|

|                                |                         |
|--------------------------------|-------------------------|
| <b>FILE REFERENCE:</b>         | 130-1 Economic Services |
| <b>REPORTING OFFICER:</b>      | Caroline Robinson       |
| <b>DISCLOSURE OF INTEREST:</b> | Nil                     |
| <b>DATE:</b>                   | 21 March 2024           |
| <b>ATTACHMENT NUMBER:</b>      | #6 Hansard extract      |
| <b>CONSULTATION:</b>           |                         |
| <b>STATUTORY ENVIRONMENT:</b>  | Nil                     |
| <b>VOTING REQUIREMENT:</b>     | Simple Majority         |

**COMMENT**

Update on meetings:

- Cr Stratford and Quentin Davies met with Senator Van in Perth on 2 February.
- Report and request to meet emailed to Kate Chaney MP. Unavailable.
- Request to meet Prime Minister and Minister for Agriculture whilst in Perth on 19 February. Unavailable.
- Hon Mia Davies has raised the issue in State Parliament (see Hansard extract)
- Coalition Live exports WA tour; dates available [here](#)

Actions since February Executive:

- NEWROC EO attended agriculture meeting in Hyden with Rick Wilson and additional Federal members of Parliament

|                   |
|-------------------|
| <b>RESOLUTION</b> |
|-------------------|

|   |
|---|
| <b>NEWROC receives the information.</b> |
|---|

|                         |                          |                    |
|-------------------------|--------------------------|--------------------|
| <b>Moved Cr De Lacy</b> | <b>Seconded Cr Trepp</b> | <b>CARRIED 7/0</b> |
|-------------------------|--------------------------|--------------------|

## 9. OTHER MATTERS, INTRODUCED BY DECISION OF THE MEETING

Nil

## 10. GENERAL UPDATES

- NEWROC EO will make contact with Place Based Capital participants to get them together again. Social media tiles will be available for all members to promote the learnings and work of the participants and to start the education process.
- [WBN Wheatbelt Futures Forum](#). 1 May 2024. NEWROC EO will be attending.
- Bringing Dowerin Down Town: [The Future of Farming is Now!](#) Friday 29<sup>th</sup> July
- Lack of police staff in the district is becoming an issue with four of the local stations only having one office each, it was agreed to invite the District Superintendent to a future NEWROC meeting
- Cr Garner asked whether NEWROC agendas are sent to all Councillors, or just the delegates, the response from other Shires was mixed, with half providing them to all Councillors, and half only providing them to delegates. The Minutes of the NEWROC Council meetings are referred to Ordinary Meetings of Council in all cases.
- Cr Trepp asked for an update on the power project at the next NEWROC meeting.

## 11. 2024 MEETING SCHEDULE

|              |           |                            |
|--------------|-----------|----------------------------|
| 30 April     | Executive | Shire of Mt Marshall       |
| 28 May       | Council   | Shire of Dowerin           |
| 25 June      | Executive | Shire of Trayning          |
| 30 July      | Council   | Shire of Mukinbudin        |
| 23 August    | Executive | Shire of Nungarin **FRIDAY |
| 24 September | Council   | Shire of Wyalkatchem       |
| 29 October   | Executive | Shire of Koorda            |
| 26 November  | Council   | Shire of Dowerin           |

## 12. CLOSURE

Cr Brown thanked everyone and closed the meeting at 2.40 pm.

# Bushfire Advisory Committee

## Terms of Reference

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### 1. Name

The name of the committee is the Shire of Koorda Bushfire Advisory Committee (BFAC).

### 2. Head of Power

The committee is established by Council under section 67 of the *Bush Fires Act 1954*.

### 3. Definitions

| TERM                           | DEFINITION  |
|--------------------------------|---|
| <b>BF Act</b>                  | The <i>Bush Fires Act 1954</i> .  |
| <b>Chief Executive Officer</b> | The Chief Executive Officer (CEO) of the Shire of Koorda.   |
| <b>Committee</b>               | Shire of Koorda Bushfire Advisory Committee.  |
| <b>Council</b>                 | The body consisting of all council members sitting formally as the Council of Shire of Koorda (" <b>the Shire</b> "). |
| <b>Member</b>                  | A person appointed to this committee.   |

### 4. Objectives

To provide advice to the local government on matters pertaining to obligations contained within the Bush Fires Act, organising, managing, resourcing and training volunteer bush fire brigades.

This committee provides a very worthwhile role in engaging with brigades and gaining feedback and input on policy and strategy.

- Recommend and regularly review Council's policies relating to the delivery of fire prevention, preparedness, response and recovery.
- Provide support and guidance to all Bush Fire Brigades within the Shire and to assist those brigades to fulfil their objectives.
- Establish and maintain an operational command and control structure by developing procedures to enhance the ability of the brigades to carry out operations, activities and training efficiently and effectively.
- Ensure co-operation and co-ordination between all brigades within the Shire and between all other brigades/units and stakeholders in their efforts and activities.
- Advise Council regarding all matters relating to prosecutions for breaches of the Bush Fires Act 1954.
- Advise regional officers in the area and any other relevant person or organisation on matters referred to the committee.
- Committee to respond to Council on agenda items submitted from council.
- Perform any other function assigned to the Committee under section 67 of the Bush Fires Act, Fire and Emergency Services Act, various Acts and Regulations or Council policy.

### 5. Powers

- The Committee is a formally appointed committee of Council and is responsible to that body.
- The Committee does not have any delegated authority.
- Committee recommendations must be adopted by Council during a formal Council meeting before they can be implemented.
- Members of the Committee are not permitted to speak to the media as representatives of the Committee unless approved by Council.

## **6. Membership**

The committee shall consist of the following members:

- Shire President,
- Shire CEO,
- The Chief Bush Fire Control Officer,
- The Deputy Chief Bush Fire Control Officer,
- Koorda Brigade Captain,
- Kulja Brigade Captain,
- Bush Fire Control Officers, and
- Shire Works Supervisor

## **7. Committee**

### Presiding Person

During the first meeting of the Committee after ordinary Local Government elections, the Committee shall appoint one of their number to be the Presiding Person.

The role of the Presiding Person includes:

- Ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner and;
- Where a matter has been debated significantly and no new information is being discussed, to call the meeting to order and ask for the debate to be finalised and the motion to be put

### Secretary

A Shire employee will fulfil the role of non-voting Secretary.

## **8. Meetings**

The committee shall meet at least two times annually. These meetings are generally prior to the March and August Local Emergency Management Committee (LEMC) meetings.

Additional meetings shall be convened at the discretion of the presiding person.

## **9. Minutes**

The minutes of the meeting shall be recorded and prepared as per the provisions of section 5.22 of the Act.

The content of the minutes shall be in accordance with regulation 11 of the *Local Government (Administration) Regulations 1996*.

## **10. Reporting**

Recommendations recorded in the minutes arising from the Committee's deliberations shall be presented to the earliest available ordinary meeting of Council.

In the event of a tied vote, where the Presiding Member has exercised a casting vote, the matter will be referred to Council for deliberation.

## **11. Terms of Appointment**

Appointment to the Committee will be determined by the Council following ordinary local government elections, for a term to expire on the date of the subsequent ordinary local government elections.

If a member of the Committee resigns prior to an ordinary local government election, Council will appoint a replacement.

## **12. Code of Conduct**

The Shire's Code of Conduct for Council Members, Committee Members and Candidates applies to all members of the Committee.



### 13. Voting

Shall be in accordance with section 5.21 of the Act.

Each voting member of the Committee present at a meeting is entitled to one vote and are required to vote, subject to the provisions of the Act regarding interests.

In the event of a tied vote, the Presiding Member will have a casting vote.

### 14. Alterations to Terms of Reference

The Committee is to conduct a review of its terms of reference providing Council with recommendations for any changes, in the first instance after twelve months of operation, with subsequent reviews to be held every two years prior to the local government ordinary election.

### 15. Termination of Committee

Termination of the Committee shall be at the discretion of Council and in accordance with the Act.

---

### Related Documents (Legislation/Local Law/Policy/Procedure/Delegation)

Part V, Section 67 of the Bush Fire Act 1954

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### Review History

| Date       | Council Resolution | Description of review/amendment     |
|------------|--------------------|-------------------------------------|
| 17/04/2024 | RES:               | Terms of Reference Adopted          |
| 27/03/2024 |                    | Terms of Reference endorsed by BFAC |
| 23/10/2023 | RES: 191023        | Committee re-established            |



# Governance Committee

## Terms of Reference

### 1. Name

The name of the committee is the Shire of Koorda Governance Committee. (Formally the Policy Review Committee)

### 2. Head of Power

The committee is established by Council under section 5.8 of the *Local Government Act 1995*. (Res: 041122)

### 3. Definitions

| TERM                           | DEFINITION   |
|--------------------------------|--|
| <b>Act</b>                     | The <i>Local Government Act 1995</i> .   |
| <b>Council</b>                 | The body consisting of all council members sitting formally as the Council of Shire of Koorda (“ <b>the Shire</b> ”).  |
| <b>Chief Executive Officer</b> | The Chief Executive Officer (CEO) of the Shire of Koorda.  |
| <b>Committee</b>               | Shire of Koorda Governance Committee.  |
| <b>Council Member</b>          | A person elected under the Act as a member of Council. Shire of Koorda council members includes the Shire President, Deputy Shire President and Councillors (as defined by the Act). |
| <b>External Member</b>         | A person who is not a council member appointed to the committee with requisite skills, knowledge and experience that compliment the committees objectives.                           |
| <b>Member</b>                  | A person appointed to this committee.  |

### 4. Objectives

The Committee is established to fulfil the following objectives:

- a) provide guidance and assistance to Council in fulfilling its legislative responsibilities to ‘*determine the local government’s policies*’ (section 2.7 (2)(b) of the Act) by:
  - i. conducting at a minimum, a biennial review for Council policies and
  - ii. conducting at a minimum, a review of the Shire of Koorda Local Laws, within an 8-year period after their commencement to determine if they should remain unchanged or be repealed or amended;
  - iii. developing policies and local laws, as required, and making recommendations to Council as a result of those reviews at the next available Ordinary Council Meeting;
  - iv. conducting a review of the Corporate Business Plan and associated Key Performance Indicators and subsequent recommendations to Council;
  - v. reviewing the Corporate Governance Framework; and
- b) assist Council in such other matters as the Council may refer to the Committee.

Planning policies are not considered to be the responsibility of the Committee to review and will instead be presented directly to Council.

Accounting policies and practices are not considered to be the responsibility of the Committee and will instead be presented to the Audit and Risk Committee.

### 5. Powers

The Committee is a formally appointed committee of Council and is responsible to that body.

The Committee has no delegated authority and no authority to implement its recommendations without resolution of Council.

The Committee does not have any management functions and cannot involve itself in management processes or procedures.

The Committee recommendations are advisory only and shall not be binding on Council.

## **6. Membership**

The committee shall consist of three elected members, with a fourth elected member acting as a deputy.

The quorum for a Committee meeting is as per section 5.19 of the *Local Government Act 1995*: at least 50% of members of the committee (whether vacant or not).

The Committee is supported by the Chief Executive Officer and their nominees, principally the Deputy CEO.

The Shire shall provide secretarial and administrative support to the Committee.

## **7. Presiding Member**

The Committee is to determine the Presiding Member of the Committee at the first meeting of the Committee immediately following the establishment of the Committee or following each biennial local government election, whichever is applicable.

The Committee is to determine a Deputy Presiding Member of the Committee at the first meeting of the Committee immediately following the establishment of the Committee or following each biennial local government election, whichever is applicable.

If the Presiding Member is absent from a meeting, the Deputy Presiding Member is to preside at that meeting.

The role of the Presiding Member includes:

- a) overseeing and facilitating the conduct of meetings in accordance with the Act and the Shire's *Standing Orders Local Law 2018*;
- b) ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner; and
- c) where a matter has been debated significantly and no new information is being discussed, to call the meeting to order and ask for the debate to be finalised and the motion to be put.

In accordance with section 5.14 of the Act, if the Presiding Member and Deputy Presiding Member are not available or are unable or unwilling to perform the function of presiding member (but a quorum is still reached), then the committee members present at the meeting are to choose who is to preside at the meeting.

## **8. Meetings**

Meetings shall be called as required in line with reviews timeframes as outlined in section '4: Objectives'.

An ordinary or a special meeting of the Committee is to be held:

- a) if called for by either the Presiding Member or at least two Committee members in a notice to the CEO setting out the date and purpose of the proposed meeting; or
- b) if so decided by the Committee; or
- c) if called for by Council.

The Committee may invite, through the CEO, Shire employees, or others to attend meetings and provide pertinent information, where necessary.

## 9. Minutes

The minutes of the meeting shall be recorded and prepared as per the provisions of section 5.22 of the Act.

The content of the minutes shall be in accordance with regulation 11 of the *Local Government (Administration) Regulations 1996*.

## 10. Reporting

Recommendations recorded in the minutes arising from the Committee's deliberations shall be presented to the earliest available ordinary meeting of Council.

In the event of a tied vote, where the Presiding Member has exercised a casting vote, the matter will be referred to Council for deliberation.

## 11. Terms of Appointment

Appointment to the Committee will be determined by the Council following ordinary local government elections, for a term to expire on the date of the subsequent ordinary local government elections.

If a member of the Committee resigns prior to an ordinary local government election, Council will appoint a replacement.

## 12. Code of Conduct

The Shire's Code of Conduct for Council Members, Committee Members and Candidates applies to all members of the Committee.

## 13. Public Question Time

Committee meetings are generally open to the public and Public Question Time will be conducted in accordance with the Shire's *Standing Orders Local Law 2018*.

## 14. Voting

Shall be in accordance with section 5.21 of the Act.

Each voting member of the Committee present at a meeting is entitled to one vote and are required to vote, subject to the provisions of the Act regarding interests.

In the event of a tied vote, the Presiding Member will have a casting vote.

## 15. Alterations to Terms of Reference

The Committee is to conduct a review of its terms of reference providing Council with recommendations for any changes, in the first instance after twelve months of operation, with subsequent reviews to be held every two years prior to the local government ordinary election.

## 16. Termination of Committee

Termination of the Committee shall be at the discretion of Council and in accordance with the Act.

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## Review History

| Date       | Council Resolution | Description of review/amendment   |
|------------|--------------------|---|
| 17/04/2024 | RES:               | Terms of Reference Adopted  |
| 03/04/2024 |                    | Terms of Reference endorsed by Governance Committee                               |
| 23/10/2023 | RES: 191023        | Committee re-established as Governance Committee (former Policy Review Committee) |

## **ADMINISTRATIVE MATTERS**

### **INSTRUMENTS OF DELEGATION**

**Policy No:**                **A14**                                **Adopted 19.7.00**  
**File Reference:**        **ADM 0323**

#### **POLICY STATEMENT**

1. That when powers and duties are delegated by the Council to a Committee, the Instrument of Delegation be executed under the Common Seal of the local government.
2. That when powers and duties are delegated by the Council to the Chief Executive Officer the Instrument of Delegation be signed by the President.

#### **PURPOSE**

To provide the manner in which delegations are to be executed having regard to sections 5.16 and 5.42 of the Local Government Act.

#### **COMPLEMENTARY LEGISLATION**

Local Government Act sections 5.16 and 5.42:-

When powers and duties are delegated by Council to Committees or to the Chief Executive Officer the delegation is “to be in writing and may be general or as otherwise provided in the instrument of delegation”.

#### **SPECIAL NOTE**

## **ADMINISTRATIVE MATTERS**

### **LOCAL GOVERNMENT ELECTIONS**

**Policy No:**             **A26**                             **Adopted: 18 July 2007**             ***11.1.2-2008***

**File Reference:**       **ADM 0323**

#### **POLICY STATEMENT**

To clarify whether Council conducts voting in person elections or utilises the services of the Electoral Commission.

#### **PURPOSE**

That Council conduct voting In Person Elections for all Local Government Elections.

#### **COMPLEMENTARY LEGISLATION**

Local Government Act 1995 – Section 4.61

Local Government (Elections) Regulations 1997

## **ADMINISTRATIVE MATTERS**

### **STREET APPEALS**

**Policy No:**            **A31**                                   **Adopted 19.7.00**

**File Reference:**       **ADM 0323**

#### **POLICY STATEMENT**

- (1) Council Grant permission to Torch Bearers for a legacy in Western Australia incorporated to hold one fund raising street appeal in Koorda annually generally in conjunction with their metropolitan appeal.
- (2) That subject to statement (1) above, the Chief Executive Officer determine all applications for street appeals.

#### **PURPOSE**

To facilitate the occurrence of street appeals on the assumption they will occur on an infrequent basis.



## **FINANCE**

### **PAYMENT OF ACCOUNTS**

**Policy No:** F2 **Adopted 31.7.00**  
**080313** **Amended: 20 March 2013 -**  
**File Reference:** ADM 0323

#### **POLICY STATEMENT**

That the procedures for the authorisation, payment and approval of accounts be as follows –

- (a) that an order form be issued for the purchase of goods and services except in the case of small purchases from petty cash and lease agreements.
- (b) that all purchases from petty cash be acquitted by a receipt;
- (c) that where feasible and practical, price be negotiated in advance of a purchase and recorded on the order form.
- (d) that invoices, where practicable, be certified by the person who placed the order so as to indicate –
  - (i) that the purchase was duly authorised; and
  - (ii) that the goods and services were received in a satisfactory condition, or to a satisfactory standard, and the price and computations on the invoice are correct;
- (e) that the CEO place a list of accounts paid under delegated authority before the Council each month in accordance with Financial Management Regulation 13 (1) (together with vouchers and invoices) for recording in the minutes;
- (f) that two signatories be required to all cheques –
  - (i) the CEO (or acting CEO in his absence) and the Deputy Chief Executive Officer/Manager of Finance and Administration or a Councillor
- (g) that two signatories be required for all electronic fund transfers
  - (i) the CEO and the Deputy Chief Executive Officer/Manager of Finance and Administration or their designated deputies.

*(See also Delegation No 5 – As this a delegated authority)*

## **PURPOSE**

To establish procedures for the authorisation, payment and approval of accounts.

*Note: In reality establishes Chief Executive Officers delegated procedures, as a delegated authority is not a Council Policy.*

## **COMPLEMENTARY LEGISLATION**

Local Government (Financial Management) Regulations 11, 12, and 13 (Extract from Practice Notes) –

### **“Payment of accounts**

A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorized use of –

- cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services money or other benefits may be obtained; and
- petty cash systems.

A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that –

- the relevant debt was incurred by a person who was properly authorized to do so; and
- the goods or services to which each account relates were provided in a satisfactory condition or to a satisfactory standard as the case requires.

Payments made by a local government –

- are not to be made in cash (other than petty cash ); and
- are to be made in a manner which allows identification of –
  - the method of payment;
  - the authority for the payment; and
  - the identity of the person who authorized the payment.

### **Payments from municipal fund or trust fund**

A payment may only be made from the municipal fund or the trust fund –

- (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds by the CEO; or
- (b) otherwise, if the payment is authorised in advance by a resolution of the council.

The council must not authorise a payment from those funds before having before it a list containing the prescribed details of the accounts to be paid.

### **List of Accounts**

If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment, and
- (d) sufficient information to identify the transaction.

A list of accounts for approval to be paid is to be prepared each month showing –

- (a) for each account which requires council authorisation in that month –
  - (i) the payee's name;
  - (ii) the amount of the payment;
  - (iii) sufficient information to identify the transaction; and
- (b) the date of the meeting of the council to which the list is to be presented.

A list of accounts paid by the CEO or for approval to be paid (by the council) is to be presented to the council at the next ordinary meeting of the council after the list is prepared, and is to be recorded in the minutes of that meeting. The total of all other outstanding accounts is also to be presented to the council”.

## **FINANCE**

### **AMENDING THE RATE RECORD**

**Policy No:** F3 **Adopted 31.7.00**

**File Reference:** ADM 0323

#### **POLICY STATEMENT**

That where an error or omission is discovered in the rate record, the rate record be amended for the current year and the 5 preceding financial years if the error or omission has resulted in an underpayment or overpayment of rates; except that where the CEO considers that the circumstances of a particular case warrant a deviation from this policy, the matter be referred to Council for determination.

#### **PURPOSE**

To establish the principle that where a mistake has occurred in good faith an owner or occupier should not be advantaged or disadvantaged by the error.

#### **COMPLEMENTARY LEGISLATION**

Local Government Act –

- S 6.39 (2) A local government –
- (a) is required, from time to time, to amend a rate record for the current financial year to ensure that the information contained in the record is current and correct and that the record is in accordance with this Act; and
  - (b) may amend the rate record for the 5 years preceding the current financial year.

## **FINANCE**

### **RATES – WRITE OFF**

**Policy No: F6 Adopted 31.7.00**

**File Reference: ADM 0323**

#### **POLICY STATEMENT**

That the Chief Executive Officer submit to Council for write off after 31 March in each year, balances owing on rates and service charges up to and including \$10.

#### **PURPOSE**

To clear away small debts not worth pursuing.

#### **COMPLEMENTARY LEGISLATION**

Local Government Act S.6.47.

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive\* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

\*Absolute majority required.

**Policy No: F7 REMOVED 18 March 2015 130315**

## **PROPERTIES**

### **CONDITIONS OF HIRE TO BE ACKNOWLEDGED**

**Policy No:** P3 **Adopted 31.7.00**  
*Amended:15 June 2011 - 110611*

**File Reference:** ADM 0323

#### **POLICY STATEMENT**

Groups or individuals wishing to hire Shire Buildings must sign a “Conditions of Use” statement, abide by these conditions, and accept ‘penalty’ clauses.

#### **PURPOSE**

So that persons hiring the property are aware of the responsibilities which attach to the hire.

---

## **PROPERTIES**

### **SEASONAL HIRE IS NOT EXCLUSIVE**

**Policy No:** P7 **Adopted 31.7.00**  
*Amended:15 June 2011 - 110611*

**File Reference:** ADM 0323

#### **POLICY STATEMENT**

Any seasonal hirer of recreational facilities which are on Council land will not have the exclusive right to the facilities, but will be generally given priority in bookings for the use of these facilities, providing bookings are made.

#### **PURPOSE**

To ensure the community generally has access to local government property.



# **PROPERTIES**

## **RECREATION GROUNDS – MARKING FIELDS**

**Policy No:** P8 **Adopted 31.7.00**

**File Reference:** ADM 0323

### **POLICY STATEMENT**

Sporting groups are responsible for marking their playing fields on both grassed and hard surfaces.

### **PURPOSE**

Part of the definition of responsibilities between Council and sporting groups.

---

# **WORKS**

## **HEAVY VEHICLE OPERATION – RURAL ROADS**

**Policy No: W17**

**Adopted: 18.09.02**

**File Reference: ADM 0323**

### **POLICY STATEMENT**

See Permit Vehicle Approval A35

# Administration

## Use of Shire of Koorda Logo

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### Objective

To ensure that;

1. The Shire of Koorda's ("the Shire's") corporate logo is used for authorised purposes only and that the brand and image of the Shire are maintained and upheld, and
2. Local Groups and Organisations have access to a logo as a promotional and recognised symbol.

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### Policy

#### Scope

This policy applies to the use of the Shire's corporate logo and the Koorda Logo.

#### Definitions

| TERM                  | DEFINITION   |
|-----------------------|--|
| <b>Corporate Logo</b> | The copyright logo of the Shire of Koorda and includes variations of the Corporate Logo that are not substantially different from the copyright. |
| <b>Community Logo</b> | The copyright logo of the Koorda Community and includes variations of the Koorda Logo that are not substantially different from the copyright.   |

#### Shire Corporate Logo

The Shire's corporate logo belongs to the corporate body of the Shire of Koorda and may only be used with the express permission of the Shire. The logo is not to be used by other members of the community unless authorised. Its identity should not be allowed to be diffused by other uses.

Where authorised, the use of the logo must comply with the [Shire of Koorda Style Guide](#). The Shire corporate logo should be featured in one of the approved forms on any document, project or sponsorship event which the Shire issues or promotes.

The Shire's corporate logo is to be used for administrative purposes as authorised by the Chief Executive Officer. The logo is copyright and its use is restricted to bona fide Council situations as set out in the Shire Style Guide.

Use of the Shire's corporate logo is not permitted for the purpose of electioneering.

#### Community Logo

The Shire will make available a high resolution "Community Logo" available for use by Local Groups and Organisations, as a promotional and recognised symbol.

#### Guidelines for Use

Where a group requests permission to use the Shire of Koorda Corporate Logo or the Community Logo the following conditions will apply:

- An application must be made in writing to the CEO and include details of the purpose, form and extent of the proposed use and the reason for such use. Although permission to use the logo in the first instance is to be referred to the CEO, they may delegate this assessment to another employee.
- Approval may be granted providing the group:
  - Is based in the area and provides a service to the Shire of Koorda residents; and

- Has a direct relationship with the Shire, either through funding or operational arrangements.
- Eligible groups will be advised in writing that approval has been granted to use the logo. (Use of the Corporate logo must be in accordance with the Shire of Koorda's Corporate Style Guide standards).
- Ineligible groups will be advised in writing that approval has not been granted to use the logo and provided with an explanation under the guidelines of this policy.
- No fees will be charged for the use of either logo, but eligible groups will be responsible for any costs associated with artwork, design and production.
- The Shire may exercise its right to withdraw any authorisation at any time if the approved user is deemed to be not complying with the conditions as set out in this policy or any approval.

### **Prohibited Usage of Logo**

The logo shall not:

- Be computer enhanced (e.g. represented in 3D perspective),
- Be used in a visually congested or confined manner (e.g. surrounded by a border or tightly positioned with other material), or
- Be used for any purpose during a Local Government Election that seeks to promote an individual candidate over another candidate.

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### **Related Documents (Legislation/Local Law/Policy/Procedure/Delegation)**

[Shire of Koorda Corporate Style Guide](#)

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### **Review History**

| <b>Date</b>   | <b>Council Resolution</b> | <b>Description of review/amendment</b> |
|---|---------------------------|--|
| DD/MM/YY  | RES:                      | V1.0. Update policy wording.           |
| <b>Former Policy No: A41 Koorda Corn Dolly Emblem - Permission to Use</b> |                           |  |
| 15/08/2001  |                           | Adoption of Policy                     |

# Finance

## Investments

### Objective

To provide guidance for the investment of the Shire of Koorda's ("the Shire's") funds that may not be required for immediate use, taking into account legislative requirements and risk while ensuring the Shire's liquidity requirements are being met, along with a favourable rate of return.

### Policy

This Policy applies to all funds (including general funds, reserve funds and other restricted funds) invested by the Shire.

### Delegated Authority to Invest

The Officers authorised to make investment decisions and sign investment lodgements and withdrawals, having full delegated authority are outlined in the *Shire of Koorda Delegation: 4.3 Power to Invest and Manage Investments*.

### Authorised Institutions

Investments are limited to authorised institutions, in accordance with Local Government (Financial Management) Regulations Section 19C, being:

- Authorised deposit taking institution (ADI) as defined in the Banking Act 1959 (Commonwealth) section 5 or
- Western Australian Treasury Corporation.

### Authorised Investments

Authorised investments shall be limited to Australian currency (AUD)

- Term Deposit.
- Bonds guaranteed by the Commonwealth Government, or a State or Territory government.
- Fixed term up to 3 years
- Investments to be equal to or above the Shire's minimum credit rating based on Standard & Poor's classification.

### Risk Management Controls

Risk management controls include:

- Delegated Authority to invest
- Documented investment procedures
- Management reporting (monthly investment reports)
- Utilisation of Standard & Poor's credit rating

### Risk Profile

The following table sets out the Shire's limits for investment in any one category and as presented provides no risk mitigation via diversity. That is, the Shire relies on the conservative minimum credit rating of the investment class selected to mitigate risk rather than diversity.

| Investment Type  | Minimum Credit Rating* | Maximum Term | Minimum % | Maximum % |
|------------------|------------------------|--------------|-----------|-----------|
| Term Deposits    | AA-                    | 3 years      | 0         | 100       |
| Government Bonds | AA-                    | 3 years      | 0         | 100       |

\*Based on Standard & Poor's credit ratings

As depicted below the Standard and Poor's Corporation AA- is a conservative investment rating among the highest in obligor's capacity to meet its financial commitments

Council recognises its obligations under the “Prudent Person” rule by seeking to adhere to an investment policy with a conservative bias.

| S&P RATING | INVESTMENT RISK   |
|------------|---|
| AAA        | Extremely strong capacity to repay debt.  |
| AA+        | Very strong capacity to repay but susceptibility to long-term risks.  |
| AA         |   |
| AA-        |   |
| A+         | Strong capacity to repay debt but somewhat more susceptible to adverse effects of changes in economic conditions. |
| A          |   |
| BBB        | Adequate capacity to repay debt however adverse economic conditions more likely to lead to weakened capacity.     |
| BB         | Speculative grade with major ongoing uncertainties.   |

As of January 2024, Australian authorised deposit taking institutions were allocated the following S&P credit ratings.

| RANK | INSTITUTION    | S&P RATING | RISK   |
|------|----------------|------------|--|
| 1    | ANZ            | AA-        | Very strong capacity to repay but susceptibility to long-term risks.                                 |
| 2    | CBA            | AA-        |  |
| 3    | NAB            | AA-        |  |
| 4    | Westpac        | AA-        |  |
| 5    | Bankwest       | AA-        |  |
| 6    | Suncorp        | A+         | Strong capacity to repay debt but somewhat more susceptible to adverse economic conditions.          |
| 7    | Macquarie Bank | A+         |  |
| 8    | HSBC           | A+         |  |
| 9    | Citigroup      | A          |  |
| 10   | Bendigo        | BBB+       | Adequate capacity to repay debt however adverse conditions more likely to lead to weakened capacity. |

### **Prohibited Investments**

In accordance with Local Government Financial management regulation 19C(2) this investment policy prohibits any investment in the following:

- Deposits with an institution except an authorised institution
- Deposits for a fixed term of more than 3 years
- Investment in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government
- Investment in bonds with a maturity of more than 3 years
- Investment in foreign currency

### **Management Reporting**

A report will be provided to Council within the monthly Financial Activity Statement that includes the details of the Authorised Institution, interest rate and maturity date.

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register retained in the Shire’s Corporate Record Keeping Systems.

Certificates must be obtained from the financial institutions and retained in the Shire’s Corporate Record Keeping Systems, confirming the amounts of investments held on the Shire’s behalf as at 30 June each year and reconciled to the Investment Register.

### **Liquidity**

While the policy confirms Regulation 19C that investments cannot be for a fixed term of more than three years, operational requirements and cashflow management will mostly require investment terms of less than six months.

The Shire cash flow report is to be monitored regularly to ensure cash funds are available to meet commitments.

Maturity analysis report to be monitored at least monthly.

Any surplus cash not required for operating needs will be maintained in an interest earning account with the Shire's preferred banking provider, or with an ADI in adherence with this policy.

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### Related Documents (Legislation/Local Law/Policy/Procedure/Delegation)

Shire of Koorda Delegation: 4.3 Power to Invest and Manage Investments

*Local Government Act 1995* – section 6.14

Local Government (Financial Management) *Regulations 1996*

*The Trustees Amendment Act 1962* – Part III

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### Review History

| Date                                    | Council Resolution | Description of review/amendment |
|---|--------------------|---------------------------------|
| DD/MM/YY                                | RES:               | V1.0. Update policy wording.    |
| <b>Former Policy No: F1 Investments</b> |                    |                                 |
| 21/03/2018                              | RES: 050318        | Amendment of Policy             |
| 17/08/2016                              | RES: 050816        | Amendment of Policy             |
| 31/07/2000                              |                    | Adoption of Policy              |





# Governance & Compliance

## Complaints Management

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### Objective

The Shire of Koorda (“**the Shire**”) recognises that from time to time, members of the community may not be satisfied with Shire services, processes, or decisions. It is recognised that complaints can be an important tool to ensure accountability and promote continuous improvement.

This policy aims to;

- Provide guidelines for dealing with complaints received by the Shire from external persons,
- Assure the community that complaints may be made without fear of recrimination,
- Ensure that all complaints will be promptly dealt with, and will receive a response,
- Use complaints statistics to improve the effectiveness and efficiency of the Shire’s operations, and
- Ensure the Council and its employees are open and honest in its dealings with customers and where no action is proposed in response to the complaint, will provide the reasons why.

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### Policy

#### Scope

This policy applies to external complaints lodged against elected members and employees of the Shire.

#### Definitions

| TERM                       | DEFINITION  |
|----------------------------|---|
| <b>Anonymous complaint</b> | A complaint made without providing any identifying details of the sender.     |
| <b>Complainant</b>         | The person, organisation or their representative who has made the complaint.  |
| <b>Designated officer</b>  | The employee designated with the responsibility to investigate the complaint. |
| <b>Receiving officer</b>   | The employee who received the complaint.                                      |

#### What is a complaint?

Complaints that will be dealt with under this policy include, but are not limited to, expressions of dissatisfaction regarding:

- decisions made by Council or employees,
- inappropriate behaviour of employees or elected members such as rudeness, discrimination, or harassment,
- the standard of works or services provided by Shire, and/or
- failure of Shire to comply with the Local Government Act 1995, Council policies, local laws and other laws administered by the Shire.

The following issues will not be regarded as complaints and will not be dealt with under this policy:

- requests for services,
- requests for information or explanations of policies and/or procedures,
- the lodging of a formal objection or appeal in accordance with the Local Government Act 1995 and other legislation or in accordance with Council policies or standard procedures,
- the lodging of a submission in response to an invitation for comment,
- asset maintenance related complaints/works requests – requests of this nature are to be lodged via the “Works Request” online form on the Shire’s website, and/or



- matters relating to alleged breaches of the Code of Conduct for Council Members, Committee Members and Candidates or Code of Conduct for employees – matters of this nature are to be lodged on the relevant complaint form available on the Shire's website.

The CEO may cease review of a complaint if it:

- has previously been dealt with by the Shire,
- was lodged more than 12 months after the alleged action took place, except where a complaint alleges that an action more than 12 months previously may have caused the issue of current concern, or
- if another statutory authority could more effectively deal with the complaint, in which case an explanation will be provided along with the contact details of the appropriate organisation.

### **Making a complaint?**

Any person or their representative may lodge a complaint.

Complaints will be accepted:

- in writing to Shire of Koorda, PO Box 20, Koorda WA 6475,
- in person at any Shire administration office, 10 Haig Street, Koorda WA 6475,
- online via the webform available at [www.koorda.wa.gov.au](http://www.koorda.wa.gov.au)
- by email to [shire@koorda.wa.gov.au](mailto:shire@koorda.wa.gov.au), or
- by telephone on 9684 1219.

If a verbal complaint alleges a criminal offence, corruption or other serious matter, the receiving officer is to advise the complainant that the matter must be submitted in writing.

Complaints regarding elected members, employees or Shire services are to be directed to the Chief Executive Officer (CEO). The CEO is responsible for investigation and administrative responses.

Where a complaint relates to the CEO, it is to be referred to, and dealt with by the Shire President.

### **Confidentiality**

All complaints are treated confidentially, unless required by law or the complainant provides their permission to release information. There will be no adverse repercussions by the Shire for a complainant who, in good faith, chooses to make a complaint.

### **Anonymous complaints**

The Shire accepts anonymous complaints, however, reserves the right to take no action except where the matter alleges a criminal offence, or poses a risk to public health or safety.

### **Complaint management**

The following standard response times will be adhered to when dealing with complaints:

- Acknowledgement of receipt of the complaint is to be sent, in writing, within three working days.
- A formal response to the complainant will be given within 10 working days.
- Where a delay in response is expected, the complainant is to be notified prior to the expiry of the period above and provided with an estimated response timeframe. The complainant should be provided with status updates from time to time until the complaint is resolved.

When a complaint is received, the receiving officer will attempt to satisfy the complainant as soon as possible. If a resolution/response cannot be provided immediately, or on the same day, the receiving officer will issue to the complainant, a written acknowledgement of the complaint.

Complaints received will be investigated by the designated officer.

### **Complaint resolution**

Where a complaint has been investigated and found to be justified, the designated officer will ensure that the remedy is carried out and will advise the complainant that the Shire has substantiated the complaint and the specific action that has/will be taken by the Shire to respond to the circumstances of the complaint.

Where a complaint has been investigated and the complaint has not been substantiated, the designated officer will provide a formal response to the complainant outlining the reasons why no further action will be taken.

### **Complaints register**

The CEO shall establish and maintain an appropriate record of all complaints. The record will provide the following:

- nature of each complaint
- services or facilities about which the complaints are made
- time taken to conclude complaint investigations
- outcomes
- trends
- other relevant information.

The designated receiving officer of any complaint shall be responsible for ensuring that all details pertaining to the complaint are recorded in the Shire's records management system.

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### **Related Documents (Legislation/Local Law/Policy/Procedure/Delegation)**

Shire of Koorda Customer Service Charter  
*Corruption, Crime and Misconduct Act 2003*  
*Freedom of Information Act (WA) 1992*  
*Local Government Act 1995*  
*Public Interest Disclosure Act 2003*  
*Public Sector Management Act 1994*  
*State Administrative Tribunal Act 2004*  
*State Records Act 2000*

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### **Review History**

| <b>Date</b> | <b>Council Resolution</b> | <b>Description of review/amendment</b> |
|-------------|---------------------------|--|
| DD/MM/2024  | RES:                      | Adoption of Policy                     |

# Governance & Compliance

## Conducting Electronic Meetings and Attendance by Electronic Means

### Objective

To establish the Shire of Koorda's ("the Shire's") decision making framework enabling electronic attendance at in-person meetings and for the conduct of meetings by electronic means.

This policy is to be read in conjunction with the *Local Government Act 1995* ('the Act') and Regulations 14C, 14CA, 14D and 14E of the *Local Government (Administration) Regulations 1996*.

### Policy

#### Definitions

| TERM                    | DEFINITION  |
|-------------------------|---|
| <b>Electronic Means</b> | The approved electronic requirements to access an in-person meeting or attend an electronic meeting, encompassing hardware and software requirements to enable instantaneous communication. The electronic means must be determined before the suitability of a location and equipment can be assessed as part of a request to attend electronically to an in-person meeting or to an electronic meeting. |
| <b>Members</b>          | A council member and any other person appointed as a member of a committee under Section 5.10 of the Act.   |

#### Electronic Attendance at an In-Person Meeting

For efficiency and the avoidance of unnecessary inconvenience, Members are to submit requests for electronic attendance at the earliest opportunity, but in any case, requests must be received so that there is sufficient time for the request to be considered and the necessary technology and meeting protocols to be implemented.

A request for electronic attendance at an in-person meeting:

- Is to be provided to the President;
- Where the President is unavailable to approve a request, the request is to be considered by Council (the request is to be moved, seconded and approved);
- Where the President rejects a request, the requester may ask Council to re-consider the request; and
- The President may refer their own request to the Deputy President, or alternatively, may refer the request to Council for decision.

Note: for committees, a request for electronic attendance to an in-person committee meeting can only be approved by the President or Council (not the relevant committee). Similarly, a request for a committee to be held as an electronic meeting (outside of a declared emergency) must first be approved by Council.

Where a request **meets** the following criteria, approval will not be unreasonably withheld:

- The electronic means of instantaneous communication, and the location and equipment from which the Member seeks to attend the meeting, are determined as suitable for the Member to effectively engage in deliberations and communications throughout the meeting;
- The Member has made a declaration prior to the meeting, or that part of the meeting, that will be closed, that confidentially can be maintained. In the absence of such a declaration, the Member is prohibited from participation in the meeting, or that part of the meeting, that is closed; and

- The approval does not exceed prescribed limitations for the number of meetings attended by that Member by electronic means.

Records of requests and decisions about requests must be retained:

- Where the President makes the decision, the record is retained as a Local Government record (e.g. email communication) in accordance with the Local Government's Record Keeping Plan and protocols established by the CEO; and
- Where Council makes the decision, the decision must be recorded in the minutes.

The CEO shall ensure that necessary administrative and technological support is readily available to facilitate attendance by electronic means at any meeting, on the basis that approvals may be given at any reasonable time prior to commencement of the meeting by the President or during the meeting itself by Council for a Council meeting.

### **Conducting a Meeting by Electronic Means**

Ordinary meetings will primarily be held as in-person meetings.

Where a declared public health or state of emergency, or associated directions, are in effect that prevent an in-person meeting being held, the President or the Council can approve a meeting to be held by electronic means:

- Meetings held by electronic means in these circumstances are not subject to, or included in, the prescribed limitation on the number of meetings held by electronic means.

Where it is otherwise considered expedient or necessary (and there is no declared emergency), the Council may resolve to authorise the meeting to be held by electronic means, subject to:

- The prescribed limitation is not exceeded on the number of electronic meetings allowed;
- The CEO has been consulted, before the electronic means by which the meeting is to be held is determined by the President or Council resolution;
- The decision has given due regard to whether the location from which each Member seeks to attend the meeting and the equipment each Member intends to use, are suitable to ensure each Member is able to effectively engage in deliberations and communications throughout the meeting; and
- Each Member has made a declaration prior to the meeting, or that part of the meeting, that is closed, that confidentially can be maintained. In the absence of such a declaration, a Member is prohibited from participation in the meeting, or that part of the meeting, that is closed.

Where a meeting is authorised to be held as an electronic meeting, the CEO must ensure details are:

- published on the Local Government's Official webpage;
- provided in the Notice of Meeting/Agenda; and
- broadly promoted to ensure community awareness, such as through social media, newsletters, on noticeboards, etc.

### **Participating in Meetings by Electronic Means**

#### **Presiding at Meeting**

Where the President is approved to attend an in-person meeting by electronic means, the President may choose to defer to the Deputy President for the purpose of presiding at the meeting.

#### **Conduct**

Members are to be familiar with their Meeting Procedure/Standing Orders and Code of Conduct requirements, in particular, protecting confidential information and appropriate communication practices, when participating in a meeting by electronic means.



## Meeting Procedures

Where provisions of a Meeting Procedures/Standing Orders are not applicable to an electronic meeting environment, the Presiding Member may need to consider modification or suspension of the inconsistent subject provisions.

## External Parties Participating in Closed Meetings

Where external parties are invited to participate in a closed part of an electronic meeting (such as auditor attending an Audit Committee electronic meeting), before being approved to attend by a resolution of the meeting, they are to first confirm they have met the electronic means, location and equipment suitability requirements of this policy, including maintaining confidentiality.

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## Related Documents (Legislation/Local Law/Policy/Procedure/Delegation)

*Local Government Act 1995*

*Local Government (Administration) Regulations 1996*

Shire of Koorda Standing Orders Local Law 2018

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## Review History

| Date       | Council Resolution | Description of review/amendment |
|------------|--------------------|---------------------------------|
| DD/MM/2024 | RES:               | Adoption of Policy              |



# Governance & Compliance

## Internal Control

### Objective

To ensure that appropriate internal controls are implemented in order to:

1. Fulfil the Shire of Koorda's ("**the Shire's**") statutory obligations under the:
  - Local Government Act 1995;
  - Financial Management Act 2006;
  - Local Government (Audit) Regulations 1996;
  - Local Government (Miscellaneous Provisions) Act 1960;
  - Local Government (Financial Management) Regulations 1996; and
  - Planning and Development Act 2005, sections 214(2), (3) and (5).
2. Ensure that the Shire's activities are conducted in an efficient, compliant, transparent, and an effective risk management manner that is compliant with its policies and procedures; and
3. Ensure that the Shire's assets are safe from loss due to fraud and/or mismanagement.

### Policy

#### Scope

This policy is intended to provide clear direction to all Members, Executive Managers, and Workers to ensure that the Shire is effectively managed and that its resources are not misused or misappropriated.

#### Definitions

| TERM                                   | DEFINITION   |
|--|--|
| <b>Act</b>                             | <i>Local Government Act 1995.</i>  |
| <b>CEO</b>                             | Chief Executive Officer.   |
| <b>Council</b>                         | The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2018</i> .  |
| <b>Detective Controls</b>              | An accounting term that refers to a type of internal control intended to find problems within the Shire's processes.   |
| <b>Executive Management Team (EMT)</b> | CEO, Deputy CEO and Works Supervisor.  |
| <b>Internal Control</b>                | <p>Broadly defined as a process supported by the Shire's policies, procedures and practices which collectively provide a reasonable assurance regarding the achievement of objectives in the following categories:</p> <ul style="list-style-type: none"><li>• Effectiveness and efficiency of operations;</li><li>• Reliability and accuracy of financial data;</li><li>• Compliance with policies, procedures, legislation and regulations.</li></ul> <p>It recognises that a 'system' of internal control extends far beyond those matters which relate solely to the financial matters of the Shire.</p> |
| <b>ISP Documents</b>                   | <p>Integrated Strategic Planning documents are a combination of the Shire's:</p> <ul style="list-style-type: none"><li>• Strategic Resourcing Plan (incorporating the Asset Management Plan and Long-Term Financial Plan);</li><li>• Integrated Strategic Plan (incorporating the Strategic</li></ul>  |

|                              |  |
|------------------------------|--|
|                              | Community Plan and Corporate Business Plan); and the <ul style="list-style-type: none"> <li>• Workforce Plan.</li> </ul>   |
| <b>LGIS</b>                  | Local Government Insurance Scheme.   |
| <b>Member</b>                | In relation to a council or committee, a Council member in the Act; Elected Member; or Councillor; or a member of the committee.   |
| <b>Preventative Action</b>   | A system to eliminate any cause(s) that would create a potential hazard or undesirable situation. Changes can be made or implemented to address an issue, hazard, or weakness in a system. Preventive action can also include ways to improve an organization's workflow or situation. |
| <b>Preventative Controls</b> | Attempt to prevent or deter undesirable acts from occurring. They are proactive controls, designed to prevent a loss, error, or omission.  |
| <b>Regulations</b>           | <i>Local Government (Administration) Regulations 1996</i><br><i>Local Government (Financial Management) Regulations 1996</i>   |
| <b>Shire</b>                 | The Shire of Koorda.   |
| <b>Shire President</b>       | A President elected by the Council from amongst the Councillors.   |
| <b>Workers</b>               | Employees, contractors, and volunteers of the Shire as per the Work Health and Safety legislation (WHS) and regulations.   |

### **Policy Statement**

The purpose of internal control is to provide assurance that the internal risks faced by the Shire are minimised or contained to acceptable levels in accordance with the Risk Tables contained within the Shire's Risk Management Strategy.

Council ensures that the CEO is delegated responsibility for the day-to-day operation and financial management of the Shire.

The CEO ensures that appropriate and efficient internal controls are in place covering:

- Staffing and segregation of duties;
- Information technology;
- Documented procedures and processes covering the recording, reporting and authorisation of transactions;
- Monitoring performance and adherence; and
- Legislative activities.

### **Key Focus Areas**

A comprehensive and appropriate system of internal control will include policies and procedures that provide a framework that ensures:

- Strategic Plan objectives are monitored and reported in an efficient and orderly manner;
- Reporting information is accurate and reliable to facilitate sound decision making;
- Policies and procedures are followed;
- Compliance with the relevant legislation and regulations applicable to Local Government;
- Assets are secured and protected from unauthorised use;
- Records are complete, accurate, secure and reliable; and
- Risks are identified, assessed and mitigated where possible.

## **Internal Control**

Effective Internal Control is achieved through the following steps:

- **Establishing an Appropriate Control Environment**

It is the responsibility of all Members and Workers to comply with the Internal Control Policy, practices and procedures.

Members and Workers will value and be aware of the importance of internal control practices and organisational structure through:

- The existence and compliance with the Codes of Conduct;
- Adherence to the Values documented in the Strategic Community Plan;
- Members and Workers being appropriately trained to effectively perform their role; and
- Defined use of information technology as detailed in contracts, induction manuals, and/or the Code of Conduct.

- **Assessments of Risks**

The Shire shall follow a pro-active risk management approach that includes regular review and identification of the risks that exist within the Shire's activities in accordance with the Shire's Risk Management Policy and Strategy.

- **Implementation of Control activities**

Control activities may include:

- Preventative control measures such as training programs, improvement of and thorough review of contract conditions; regular review of policies and procedures, and security to avoid undesirable events from occurring;
- Detective control measures such as audits, review, and reconciliation processes to detect and subsequently correct undesirable events that have already occurred; and
- Directive processes such as Business Continuity and Disaster Recovery Plans, insurance, education, and disciplinary procedures to encourage continuity and mitigation of risk.

- **Monitoring and Review Activities**

Management systems and internal activities need to be monitored to assess the quality of their performance over time. This may include:

- An internal audit program that reviews and monitors the Shire's activities;
- A Risk Register that is monitored with risks having a rating of catastrophic or major being reviewed on a regular basis to ensure that relevant treatment plans are implemented and work effectively;
- Regular monitoring of the objectives and activities contained within the Shire's ISP documents, to ensure desired outcomes are being achieved;
- Risk Management reviews undertaken regularly by the EMT or LGIS; and
- Completion of an annual Compliance Audit Return.

## **Outcomes**

The following measures can be used as indicators to determine if the operating internal control environment is functioning successfully:

- Equitable, efficient and effective use of resources (people, equipment and funds);
- Minimise discrepancies, anomalies and irregularities, or prompt detection and correction if they occur;
- Assets are used only for authorised purposes and are not subject to improper removal or sale;
- All financial and non-financial data, records, databases and other material are complete and accurate, protected from loss or damage and capable of being readily accessed to continue the smooth operation of the Shire's business; and
- The nature and impact of inherent and residual risks have been identified, assessed and contained to an acceptable level.



## **Roles and Responsibilities**

- **Council**

Council is responsible for the Internal Control Policy.

- **Chief Executive Officer (CEO)**

The CEO is accountable to Council for the development and implementation of appropriate systems to achieve accountability and integrity, to provide support for the development and implementation of appropriate systems and to report to the Council on internal control effectiveness.

The CEO is expected to promote a best practice approach in support of effective business practices and properly functioning controls.

- **Workers**

Workers are responsible for conducting their duties in accordance with internal control policies, procedures and practices of the Shire. They are also responsible for reporting to Management instances where they consider that internal control procedures are inadequate or are not being met.

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### **Related Documents (Legislation/Local Law/Policy/Procedure/Delegation)**

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

*Local Government (Audit) Regulations 1996*

*Financial Management Act 2006*

*Records Management Act 2000*

Shire of Koorda "G - Risk Management Policy"

Shire of Koorda Risk Management Strategy

Shire of Koorda Code of Conducts

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### **Review History**

| <b>Date</b> | <b>Council Resolution</b> | <b>Description of review/amendment</b> |
|-------------|---------------------------|--|
| DD/MM/2024  | RES:                      | Adoption of Policy                     |

# Works and Assets

## Consumption of Alcohol on Shire Property

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### Objective

To describe the conditions to be observed regarding the consumption of alcohol in and on public reserves and Shire of Koorda (“**Shire**”) owned facilities.

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### Policy

#### Scope

This Policy applies to all property and facilities, owned, vested, or under the care, control or maintenance of the Shire.

#### Policy Statement

This policy aims to achieve the following outcomes for the consumption and sale of alcohol at Shire owned and managed property:

- Safe consumption of alcohol,
- Responsible service of alcohol, and
- Minimise harm and alcohol related damaged and violence.

#### Conditions

Members of the public and organisations who wish to consume, supply, or sell alcohol on reserves managed by the Shire and in Shire owned facilities are to observe the following conditions:

- An application must be made to the Shire by submission of a '[Application to Consume Alcohol on Shire Property](#)' at least 14 days prior to the event date.
  - If it is the intention of the applicant to sell liquor to any person the age of 18 years or over (including the exchange for value, either directly or indirectly) a permit must first be obtained from Racing, Gaming and Liquor ([www.rgl.wa.gov.au](http://www.rgl.wa.gov.au)) and a copy of this permit is provided to the Shire prior to the approved event.
- The permit holder listed on the '[Application to Consume Alcohol on Shire Property](#)' is responsible for the safety and wellbeing of all people involved in the event and managing the activity to ensure other users and residents are not impacted. The permit holder must ensure;
  - All relevant insurances required for the booking are obtained;
  - Only invited guests or bona fide members of the applicant's group, organisation or club will consume liquor on the premises;
  - Alcohol is not to be supplied, made available to or consumed by any person under the age of 18 years;
  - Alcohol consumption, for which this permit relates, is restricted to the premises hired only and is not to be consumed outside such premises and the hirer must comply with the provisions of the Liquor Licensing Act 1988 (and other applicable legislation, Council Policies or agreed arrangements). (**Advice Note: Consumption on public open space or a reserve area may constitute an offence**); and
  - Compliance with the Shire's hiring arrangements for the premises for which this permit relates including, but not limited to the hired premises being vacated in a clean and tidy condition as soon as practicable after this permit time expires and a copy of this permit being available for inspection during the times for which the permit applies.
- Alcohol consumption is not to exceed six hours in any one day, must not commence prior to 11am and must cease before the following times:
  - Monday – Thursday 10.00pm,
  - Friday and Saturday 12.00am (midnight), and
  - Sunday 9.00pm.

- Any extension or variation to these hours requires the approval of the Officer in Charge of Police and the Chief Executive Officer of the Shire.
- Events that are high risk, and/or events where the organisers have previously breached hire conditions (including damage to Shire property) may have their permits refused or be asked to provide additional information (such as risk management plans, evidence of crowd controllers etc.) before a permit is granted.
- For any perceived high-risk event, applications to consume alcohol should be forwarded to the local Police station for input before approval is considered.
- Depending on the nature and location of the event or function, the Shire may also place additional terms and conditions on the 'Application to Consume Alcohol on Shire Property'.
- Where the event is on Crown land managed by the Shire an application may be revoked if:
  - The event is not in accordance with the Reserve Purpose e.g., a facility subject to a community lease is hired for a Christmas party.
  - The event is not facilitated by the lessee e.g., the premises are hired to a third party.

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### Related Documents (Legislation/Local Law/Policy/Procedure/Delegation)

*Liquor Control Act 1988*

*Liquor Licensing Act 1988*

*Liquor Control Regulations 1989*

*Shire of Koorda Local Government Property Local Law 2018*

*Health Act 1911*

*Health (Public Building) Regulations 1992*

*Food Act 2008*

*Food Regulations 2009*

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### Review History

| Date  | Council Resolution | Description of review/amendment |
|---|--------------------|---------------------------------|
|   |                    | V1.0. Update policy wording.    |
| <b>Former Policy No: A32 Approval to use and sale of liquor</b> |                    |                                 |
| 19/07/2000  |                    | Adoption of Policy              |

# Works and Assets

## Recreational Vehicles (RV) and Overflow Camping Grounds

### Objective

The purpose of this policy is to provide overflow facilities in the Shire of Koorda (“the Shire”) that will accommodate additional numbers of camping tourists when permanent caravan parks and camping grounds facilities within the Shire are operating at or near capacity.

- To ensure that the operation of overflow sites/facilities within the Shire complies with legislative requirements.
- To ensure that there is a consistency of regulation so that all overflow site/facilities operate and meet the same standard.
- To ensure that the operation of overflow sites/facilities does not impact on the viability of permanent facilities.

### Policy

Throughout the Shire of Koorda, Camping is only permitted in accordance with the *Caravan Parks and Camping Ground Act 1995*, or in designated caravan parks, or as specified in this policy.

### Definitions

| TERM  | DEFINITION  |
|---|---|
| <b>Self-Contained Recreational Vehicle (RV)</b> | Are completely independent of needing power, water, waste services, and have sewerage and sullage points, and normally includes a kitchen, a bathroom, one or more sleeping facilities, and may come in either towable models or can be self-motorised. |
| <b>Overflow Area</b>                            | Has the same meaning as in the <i>Caravan Parks and Camping Grounds Regulations 1997</i> .  |

### Recreational Vehicles (RV) Parking

The Shire has established two areas for self-contained Recreational Vehicles:

1. Admin Office Tourist Bay/Swimming Pool Car Park along Haig Street, and
2. Lions Park/Community Garden on the corner of Birdwood and Railway Streets.

The below rules apply for RV Parking;

- The maximum stay is three (3) consecutive days (72 hours).
- The time frame between one period of stay and the next period by the same Recreational Vehicles is 5 consecutive nights.
- Fees for camping at these facilities shall be determined in accordance with Council’s Annual Schedule of Fees and Charges.
- Constructing, erecting or maintaining a fixed annex is not permitted whether or not attached to an RV or otherwise, where poles or other means are used to fix an annex to the ground, a tree or other fixed point. (Annexes that do not require fixing to the ground, and that form part of the RV, are permitted).
- Clotheslines external to an RV are not permitted.
- Dogs are permitted at these camping areas under the control of a responsible person at all times.

## **Overflow Camping at the Koorda Recreation Centre**

Where there are no vacancies available at the Caravan Park, including approved overflow sites within the licensed Caravan Park, the CEO may determine applications for overflow camping, subject to the following:

- The maximum stay at the Koorda Recreation Reserve Overflow Camping facility is to be only for the period when there are no available spaces in the caravan park within the Shire during that period.
- Fees for camping at the overflow camping facility shall be determined in accordance with Council's Annual Schedule of Fees and Charges.
- Dogs are permitted at the overflow camping area under the control of a responsible person at all times.

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### **Related Documents (Legislation/Local Law/Policy/Procedure/Delegation)**

*Caravan Parks and Camping Grounds Act 1995*

*Caravan Parks and Camping Grounds Regulations 1997*

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### **Review History**

| <b>Date</b>   | <b>Council Resolution</b> | <b>Description of review/amendment</b>             |
|---|---------------------------|--|
| DD/MM/YY  | RES:                      | V1.0 Update policy wording and include RV Parking. |
| <b>Forder Policy: P6 Koorda Recreation Ground – Camping</b> |                           |  |
| 31/07/2000  |                           | Adoption of Policy                                 |



# SHIRE OF KOORDA

## MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)  
For the period ended 31 March 2024

*LOCAL GOVERNMENT ACT 1995*  
*LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*

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**SHIRE OF KOORDA**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 MARCH 2024**

|   | Supplementary Information | Adopted Budget Estimates (a)<br>\$ | YTD Budget Estimates (b)<br>\$ | YTD Actual (c)<br>\$ | Variance*<br>\$<br>(c) - (b) | Variance*<br>%<br>((c) - (b))/(b) | Var. |
|---|---------------------------|------------------------------------|--------------------------------|----------------------|------------------------------|-----------------------------------|------|
| <b>OPERATING ACTIVITIES</b>   |                           |                                    |                                |                      |                              |                                   |      |
| <b>Revenue from operating activities</b>  |                           |                                    |                                |                      |                              |                                   |      |
| General rates   | 10                        | 1,199,557                          | 1,225,178                      | <b>1,207,872</b>     | (17,306)                     | (1.41%)                           |      |
| Rates excluding general rates   |                           | 25,620                             | 0                              | <b>30,199</b>        | 30,199                       | 0.00%                             |      |
| Grants, subsidies and contributions   | 12                        | 339,823                            | 334,065                        | <b>307,587</b>       | (26,478)                     | (7.93%)                           |      |
| Fees and charges  |                           | 589,827                            | 491,885                        | <b>471,955</b>       | (19,930)                     | (4.05%)                           |      |
| Interest revenue  |                           | 226,000                            | 169,200                        | <b>178,649</b>       | 9,449                        | 5.58%                             |      |
| Other revenue   |                           | 22,500                             | 16,869                         | <b>32,933</b>        | 16,064                       | 95.23%                            | ▲    |
| Profit on asset disposals   | 6                         | 163,000                            | 163,000                        | <b>22,719</b>        | (140,281)                    | (86.06%)                          | ▼    |
| Fair value adjustments to financial assets at fair value through profit or loss |                           | 0                                  | 0                              | <b>1,261</b>         | 1,261                        | 0.00%                             |      |
|   |                           | <b>2,566,327</b>                   | <b>2,400,197</b>               | <b>2,253,175</b>     | (147,022)                    | (6.13%)                           |      |
| <b>Expenditure from operating activities</b>                                    |                           |                                    |                                |                      |                              |                                   |      |
| Employee costs  |                           | (1,357,222)                        | (927,701)                      | <b>(797,776)</b>     | 129,925                      | 14.01%                            | ▲    |
| Materials and contracts   |                           | (1,134,828)                        | (865,357)                      | <b>(938,751)</b>     | (73,394)                     | (8.48%)                           |      |
| Utility charges   |                           | (229,950)                          | (172,404)                      | <b>(179,797)</b>     | (7,393)                      | (4.29%)                           |      |
| Depreciation  |                           | (1,864,650)                        | (1,398,411)                    | <b>(1,772,943)</b>   | (374,532)                    | (26.78%)                          | ▼    |
| Insurance   |                           | (194,927)                          | (180,636)                      | <b>(198,802)</b>     | (18,166)                     | (10.06%)                          | ▼    |
| Other expenditure   |                           | (73,530)                           | (46,180)                       | <b>(30,642)</b>      | 15,538                       | 33.65%                            | ▲    |
| Loss on asset disposals   | 6                         | (9,000)                            | (9,000)                        | <b>(1,305)</b>       | 7,695                        | 85.50%                            |      |
|   |                           | <b>(4,864,107)</b>                 | <b>(3,599,689)</b>             | <b>(3,920,016)</b>   | (320,327)                    | (8.90%)                           |      |
| Non-cash amounts excluded from operating activities                             | Note 2(b)                 | 1,718,177                          | 1,244,411                      | <b>1,755,476</b>     | 511,065                      | 41.07%                            | ▲    |
| <b>Amount attributable to operating activities</b>                              |                           | <b>(579,603)</b>                   | <b>44,919</b>                  | <b>88,635</b>        | 43,716                       | 97.32%                            |      |
| <b>INVESTING ACTIVITIES</b>   |                           |                                    |                                |                      |                              |                                   |      |
| <b>Inflows from investing activities</b>  |                           |                                    |                                |                      |                              |                                   |      |
| Proceeds from capital grants, subsidies and contributions                       | 13                        | 1,855,191                          | 1,818,566                      | <b>1,724,125</b>     | (94,441)                     | (5.19%)                           |      |
| Proceeds from disposal of assets  | 6                         | 350,000                            | 155,000                        | <b>144,090</b>       | (10,910)                     | (7.04%)                           |      |
|   |                           | <b>2,205,191</b>                   | <b>1,973,566</b>               | <b>1,868,215</b>     | (105,351)                    | (5.34%)                           |      |
| <b>Outflows from investing activities</b>                                       |                           |                                    |                                |                      |                              |                                   |      |
| Payments for property, plant and equipment                                      | 5                         | (2,937,154)                        | (2,473,519)                    | <b>(2,076,529)</b>   | 396,990                      | 16.05%                            | ▲    |
| Payments for construction of infrastructure                                     | 5                         | (2,377,000)                        | (1,666,200)                    | <b>(1,529,194)</b>   | 137,006                      | 8.22%                             |      |
|   |                           | <b>(5,314,154)</b>                 | <b>(4,139,719)</b>             | <b>(3,605,724)</b>   | 533,995                      | 12.90%                            |      |
| <b>Amount attributable to investing activities</b>                              |                           | <b>(3,108,963)</b>                 | <b>(2,166,153)</b>             | <b>(1,737,509)</b>   | 428,644                      | 19.79%                            |      |
| <b>FINANCING ACTIVITIES</b>   |                           |                                    |                                |                      |                              |                                   |      |
| <b>Inflows from financing activities</b>  |                           |                                    |                                |                      |                              |                                   |      |
| Transfer from reserves  | 4                         | 2,121,805                          | 0                              | <b>0</b>             | 0                            | 0.00%                             |      |
|   |                           | <b>2,121,805</b>                   | <b>0</b>                       | <b>0</b>             | 0                            | 0.00%                             |      |
| <b>Outflows from financing activities</b>                                       |                           |                                    |                                |                      |                              |                                   |      |
| Transfer to reserves  | 4                         | (220,000)                          | 0                              | <b>(152,240)</b>     | (152,240)                    | 0.00%                             |      |
|   |                           | <b>(220,000)</b>                   | <b>0</b>                       | <b>(152,240)</b>     | (152,240)                    | 0.00%                             |      |
| <b>Amount attributable to financing activities</b>                              |                           | <b>1,901,805</b>                   | <b>0</b>                       | <b>(152,240)</b>     | (152,240)                    | 0.00%                             |      |
| <b>MOVEMENT IN SURPLUS OR DEFICIT</b>   |                           |                                    |                                |                      |                              |                                   |      |
| <b>Surplus or deficit at the start of the financial year</b>                    |                           | 2,035,341                          | 2,035,341                      | <b>2,008,589</b>     | (26,752)                     | (1.31%)                           |      |
| Amount attributable to operating activities                                     |                           | (579,603)                          | 44,919                         | <b>88,635</b>        | 43,716                       | 97.32%                            | ▲    |
| Amount attributable to investing activities                                     |                           | (3,108,963)                        | (2,166,153)                    | <b>(1,737,509)</b>   | 428,644                      | 19.79%                            | ▲    |
| Amount attributable to financing activities                                     |                           | 1,901,805                          | 0                              | <b>(152,240)</b>     | (152,240)                    | 0.00%                             |      |
| <b>Surplus or deficit after imposition of general rates</b>                     |                           | <b>248,580</b>                     | <b>(85,893)</b>                | <b>207,476</b>       | 293,369                      | 341.55%                           | ▲    |

**KEY INFORMATION**

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

\* Refer to Note 3 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.



**SHIRE OF KOORDA**  
**STATEMENT OF FINANCIAL POSITION**  
**FOR THE PERIOD ENDED 31 MARCH 2024**

|                                      | Supplementary<br>Information | 30 June 2023       | 31 March 2024      |
|--------------------------------------|------------------------------|--------------------|--------------------|
|                                      |                              | \$                 | \$                 |
| <b>CURRENT ASSETS</b>                |                              |                    |                    |
| Cash and cash equivalents            | 3                            | 2,785,894          | 817,411            |
| Trade and other receivables          |                              | 100,162            | 201,112            |
| Other financial assets               |                              | 6,024,334          | 6,176,574          |
| Inventories                          | 8                            | 23,568             | 30,667             |
| <b>TOTAL CURRENT ASSETS</b>          |                              | <b>8,933,958</b>   | <b>7,225,764</b>   |
| <b>NON-CURRENT ASSETS</b>            |                              |                    |                    |
| Trade and other receivables          |                              | 15,156             | 15,156             |
| Other financial assets               |                              | 61,117             | 62,378             |
| Property, plant and equipment        |                              | 13,666,862         | 15,212,906         |
| Infrastructure                       |                              | 92,645,552         | 92,809,643         |
| <b>TOTAL NON-CURRENT ASSETS</b>      |                              | <b>106,388,687</b> | <b>108,100,083</b> |
| <b>TOTAL ASSETS</b>                  |                              | <b>115,322,645</b> | <b>115,325,847</b> |
| <b>CURRENT LIABILITIES</b>           |                              |                    |                    |
| Trade and other payables             | 9                            | 379,611            | 748,713            |
| Other liabilities                    | 11                           | 423,185            | 0                  |
| Employee related provisions          | 11                           | 304,342            | 304,342            |
| <b>TOTAL CURRENT LIABILITIES</b>     |                              | <b>1,107,138</b>   | <b>1,053,054</b>   |
| <b>NON-CURRENT LIABILITIES</b>       |                              |                    |                    |
| Employee related provisions          |                              | 37,645             | 37,645             |
| Other provisions                     |                              | 553,337            | 553,337            |
| <b>TOTAL NON-CURRENT LIABILITIES</b> |                              | <b>590,982</b>     | <b>590,982</b>     |
| <b>TOTAL LIABILITIES</b>             |                              | <b>1,698,120</b>   | <b>1,644,036</b>   |
| <b>NET ASSETS</b>                    |                              | <b>113,624,525</b> | <b>113,681,810</b> |
| <b>EQUITY</b>                        |                              |                    |                    |
| Retained surplus                     |                              | 53,351,557         | 53,256,602         |
| Reserve accounts                     | 4                            | 6,024,334          | 6,176,574          |
| Revaluation surplus                  |                              | 54,248,635         | 54,248,635         |
| <b>TOTAL EQUITY</b>                  |                              | <b>113,624,525</b> | <b>113,681,810</b> |

This statement is to be read in conjunction with the accompanying notes.

# NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 MARCH 2024

## 1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES

### BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

#### **Local Government Act 1995 requirements**

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

*Local Government (Financial Management) Regulations 1996*, regulation 34 prescribes contents of the financial report. Supporting information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

### THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements.

#### **Judgements and estimates**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimated useful life of intangible assets

#### **SIGNIFICANT ACCOUNTING POLICES**

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

#### **PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 31 March 2024

**SHIRE OF KOORDA**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 MARCH 2024**

**2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION**

|   | Supplementary Information | Adopted Budget Opening 30 June 2023 | Last Year Closing 30 June 2023 | Year to Date 31 March 2024 |
|---|---------------------------|-------------------------------------|--------------------------------|----------------------------|
| <b>(a) Net current assets used in the Statement of Financial Activity</b> |                           |                                     |                                |                            |
| <b>Current assets</b>   |                           | \$                                  | \$                             | \$                         |
| Cash and cash equivalents   | 3                         | 2,784,354                           | 2,785,894                      | 817,411                    |
| Trade and other receivables   |                           | 125,265                             | 100,162                        | 201,112                    |
| Other financial assets  |                           | 6,024,334                           | 6,024,334                      | 6,176,574                  |
| Inventories   | 8                         | 51,949                              | 23,568                         | 30,667                     |
|   |                           | 8,985,902                           | 8,933,958                      | 7,225,764                  |
| <b>Less: current liabilities</b>  |                           |                                     |                                |                            |
| Trade and other payables  | 9                         | (673,743)                           | (379,611)                      | (748,713)                  |
| Other liabilities   | 11                        | (439,707)                           | (423,185)                      | 0                          |
| Employee related provisions   | 11                        | (245,392)                           | (304,342)                      | (304,342)                  |
|   |                           | (1,358,842)                         | (1,107,138)                    | (1,053,054)                |
| <b>Net current assets</b>   |                           | <b>7,627,060</b>                    | <b>7,826,820</b>               | <b>6,172,709</b>           |
| <b>Less: Total adjustments to net current assets</b>                      | Note 2(c)                 | (5,818,231)                         | (5,818,231)                    | (5,965,262)                |
| <b>Closing funding surplus / (deficit)</b>                                |                           | <b>1,808,829</b>                    | <b>2,008,589</b>               | <b>207,447</b>             |

**(b) Non-cash amounts excluded from operating activities**

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

| Non-cash amounts excluded from operating activities                |   | Adopted Budget   | YTD Budget (a)   | YTD Actual (b)   |
|--|---|------------------|------------------|------------------|
|  |   | \$               | \$               | \$               |
| <b>Adjustments to operating activities</b>                         |   |                  |                  |                  |
| Less: Profit on asset disposals                                    | 6 | (163,000)        | (163,000)        | (22,719)         |
| Less: Movement in liabilities associated with restricted cash      |   | 7,527            | 0                | 5,208            |
| Less: Fair value adjustments to financial assets at amortised cost |   | 0                | 0                | (1,261)          |
| Add: Loss on asset disposals                                       | 6 | 9,000            | 9,000            | 1,305            |
| Add: Depreciation  |   | 1,864,650        | 1,398,411        | 1,772,943        |
| <b>Total non-cash amounts excluded from operating activities</b>   |   | <b>1,718,177</b> | <b>1,244,411</b> | <b>1,755,476</b> |

**(c) Current assets and liabilities excluded from budgeted deficiency**

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

|   |           | Adopted Budget Opening 30 June 2023 | Last Year Closing 30 June 2023 | Year to Date 31 March 2024 |
|---|-----------|-------------------------------------|--------------------------------|----------------------------|
|   |           | \$                                  | \$                             | \$                         |
| <b>Adjustments to net current assets</b>                                    |           |                                     |                                |                            |
| Less: Reserve accounts  | 4         | (6,024,334)                         | (6,024,334)                    | (6,176,574)                |
| Add: Current liabilities not expected to be cleared at the end of the year: |           |                                     |                                |                            |
| - Current portion of employee benefit provisions held in reserve            | 4         | 206,103                             | 206,103                        | 211,312                    |
| <b>Total adjustments to net current assets</b>                              | Note 2(a) | <b>(5,818,231)</b>                  | <b>(5,818,231)</b>             | <b>(5,965,262)</b>         |

**CURRENT AND NON-CURRENT CLASSIFICATION**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

**SHIRE OF KOORDA**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 MARCH 2024**

**3 EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2023-24 year is \$10,000 and 10.00%.

| Description   | Var. \$          | Var. %          |   |
|---|------------------|-----------------|---|
|   | \$               | %               |   |
| <b>Revenue from operating activities</b>  |                  |                 |   |
| <b>Other revenue</b>  | <b>16,064</b>    | <b>95.23%</b>   | ▲ |
| \$19k received from Koorda Uniting Church to be used on Community projects. Debt recovery through external agent not yet commenced, so reimbursement of \$2.5k yet to be claimed on overdue rate accounts for recovery costs. Rates recovery is currently underway. |                  | Timing          |   |
| <b>Profit on asset disposals</b>  | <b>(140,281)</b> | <b>(86.06%)</b> | ▼ |
| P63 Roller, P19 Grader, and 3 x Utes (P05, P58 & P66) are currently at the auctioneers for disposal. Action ended 11th April, waiting on final auction results to come through.   |                  | Timing          |   |
| <b>Expenditure from operating activities</b>  |                  |                 |   |
| <b>Employee costs</b>   | <b>129,925</b>   | <b>14.01%</b>   | ▲ |
| Annual budget equally divided per month, timing variance as employee costs lower than anticipated at this time. Admin wages lower than anticipated at time of budget, and PWOH timesheet wages lower than anticipated.  |                  | Timing          |   |
| <b>Depreciation</b>   | <b>(374,532)</b> | <b>(26.78%)</b> | ▼ |
| Depreciation higher than anticipated due to increased asset values following the revaluation of Infrastructure Assets during the 2022/2023 FY. Road Depreciation \$193k higher than anticipated budget and Sewerage \$168k.   |                  | Timing          |   |
| <b>Insurance</b>  | <b>(18,166)</b>  | <b>(10.06%)</b> | ▼ |
| Minor variation based on budget timing estimates, should remain within variance threshold at year end.  |                  | Timing          |   |
| <b>Other expenditure</b>  | <b>15,538</b>    | <b>33.65%</b>   | ▲ |
| November-February Councillor payments to be finalised in April.   |                  |                 |   |
| <b>Non-cash amounts excluded from operating activities</b>  | <b>511,065</b>   | <b>41.07%</b>   | ▲ |
| Annual budget equally divided per month.  |                  | Timing          |   |
| <b>Outflows from investing activities</b>   |                  |                 |   |
| <b>Payments for property, plant and equipment</b>   | <b>396,990</b>   | <b>16.05%</b>   | ▲ |

**SHIRE OF KOORDA**  
**SUPPLEMENTARY INFORMATION**

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**SHIRE OF KOORDA  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MARCH 2024**

**1 KEY INFORMATION**

**Funding Surplus or Deficit Components**

| <b>Funding surplus / (deficit)</b> |                |                |                |                 |
|------------------------------------|----------------|----------------|----------------|-----------------|
|                                    | Adopted Budget | YTD Budget (a) | YTD Actual (b) | Var. \$ (b)-(a) |
| Opening                            | \$2.04 M       | \$2.04 M       | \$2.01 M       | (\$0.03 M)      |
| Closing                            | \$0.25 M       | (\$0.09 M)     | \$0.21 M       | \$0.29 M        |

Refer to Statement of Financial Activity

| <b>Cash and cash equivalents</b> |                 |            |
|----------------------------------|-----------------|------------|
|                                  | \$              | % of total |
| Unrestricted Cash                | \$0.82 M        | 11.7%      |
| Restricted Cash                  | \$6.18 M        | 88.3%      |
| <b>Total</b>                     | <b>\$6.99 M</b> |            |

Refer to 3 - Cash and Financial Assets

| <b>Payables</b> |                 | % Outstanding |
|-----------------|-----------------|---------------|
|                 | \$              |               |
| Trade Payables  | \$0.72 M        |               |
| 0 to 30 Days    |                 | 97.1%         |
| Over 30 Days    |                 | 2.9%          |
| Over 90 Days    |                 | 0.0%          |
| <b>Total</b>    | <b>\$0.75 M</b> |               |

Refer to 9 - Payables

| <b>Receivables</b> |                 |             |
|--------------------|-----------------|-------------|
|                    | \$              | % Collected |
| Rates Receivable   | \$0.13 M        | 90.0%       |
| Trade Receivable   | \$0.07 M        |             |
| Over 30 Days       |                 | 86.0%       |
| Over 90 Days       |                 | 61.4%       |
| <b>Total</b>       | <b>\$0.07 M</b> |             |

Refer to 7 - Receivables

**Key Operating Activities**

| <b>Amount attributable to operating activities</b> |                |                |                 |
|--|----------------|----------------|-----------------|
| Adopted Budget                                     | YTD Budget (a) | YTD Actual (b) | Var. \$ (b)-(a) |
| (\$0.58 M)   | \$0.04 M       | \$0.09 M       | \$0.04 M        |

Refer to Statement of Financial Activity

| <b>Rates Revenue</b> |          |            |
|----------------------|----------|------------|
|                      | \$       | % Variance |
| YTD Actual           | \$1.21 M |            |
| YTD Budget           | \$1.23 M | (1.4%)     |

Refer to 10 - Rate Revenue

| <b>Grants and Contributions</b> |          |            |
|---------------------------------|----------|------------|
|                                 | \$       | % Variance |
| YTD Actual                      | \$0.31 M |            |
| YTD Budget                      | \$0.33 M | (7.9%)     |

Refer to 12 - Grants and Contributions

| <b>Fees and Charges</b> |          |            |
|-------------------------|----------|------------|
|                         | \$       | % Variance |
| YTD Actual              | \$0.47 M |            |
| YTD Budget              | \$0.49 M | (4.1%)     |

Refer to Statement of Financial Activity

**Key Investing Activities**

| <b>Amount attributable to investing activities</b> |                |                |                 |
|--|----------------|----------------|-----------------|
| Adopted Budget                                     | YTD Budget (a) | YTD Actual (b) | Var. \$ (b)-(a) |
| (\$3.11 M)   | (\$2.17 M)     | (\$1.74 M)     | \$0.43 M        |

Refer to Statement of Financial Activity

| <b>Proceeds on sale</b> |          |         |
|-------------------------|----------|---------|
|                         | \$       | %       |
| YTD Actual              | \$0.14 M |         |
| Adopted Budget          | \$0.35 M | (58.8%) |

Refer to 6 - Disposal of Assets

| <b>Asset Acquisition</b> |          |         |
|--------------------------|----------|---------|
|                          | \$       | % Spent |
| YTD Actual               | \$1.53 M |         |
| Adopted Budget           | \$2.38 M | (35.7%) |

Refer to 5 - Capital Acquisitions

| <b>Capital Grants</b> |          |            |
|-----------------------|----------|------------|
|                       | \$       | % Received |
| YTD Actual            | \$1.72 M |            |
| Adopted Budget        | \$1.86 M | (7.1%)     |

Refer to 5 - Capital Acquisitions

**Key Financing Activities**

| <b>Amount attributable to financing activities</b> |                |                |                 |
|--|----------------|----------------|-----------------|
| Adopted Budget                                     | YTD Budget (a) | YTD Actual (b) | Var. \$ (b)-(a) |
| \$1.90 M   | \$0.00 M       | (\$0.15 M)     | (\$0.15 M)      |

Refer to Statement of Financial Activity

| <b>Borrowings</b>    |          |
|----------------------|----------|
|                      | \$       |
| Principal repayments | \$0.00 M |
| Interest expense     | \$0.00 M |
| Principal due        | \$0.00 M |

| <b>Reserves</b>  |          |
|------------------|----------|
|                  | \$       |
| Reserves balance | \$6.18 M |
| Interest earned  | \$0.15 M |

Refer to 4 - Cash Reserves

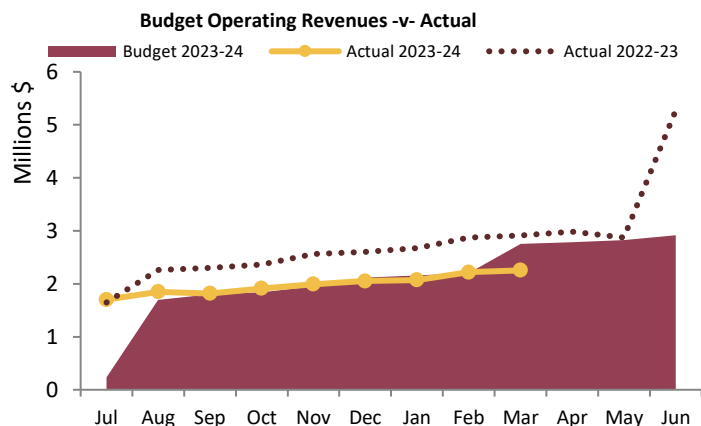
This information is to be read in conjunction with the accompanying Financial Statements and notes.

**SHIRE OF KOORDA  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MARCH 2024**

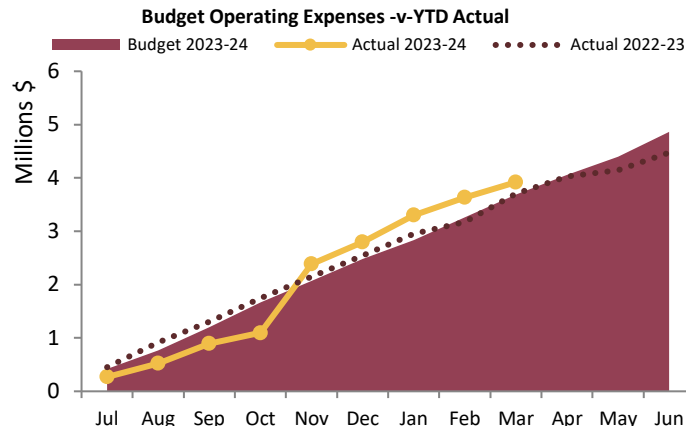
**2 KEY INFORMATION - GRAPHICAL**

**OPERATING ACTIVITIES**

**OPERATING REVENUE**

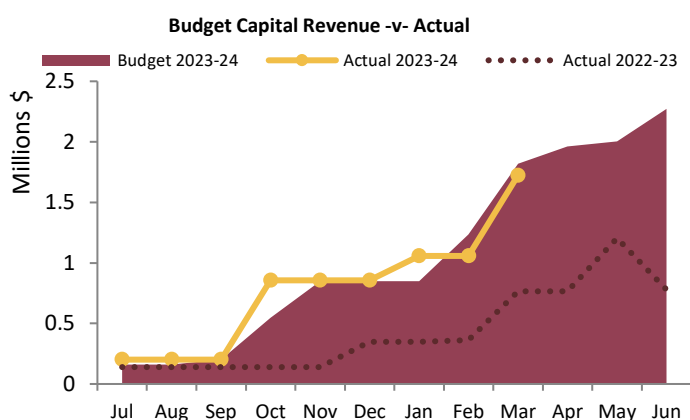


**OPERATING EXPENSES**

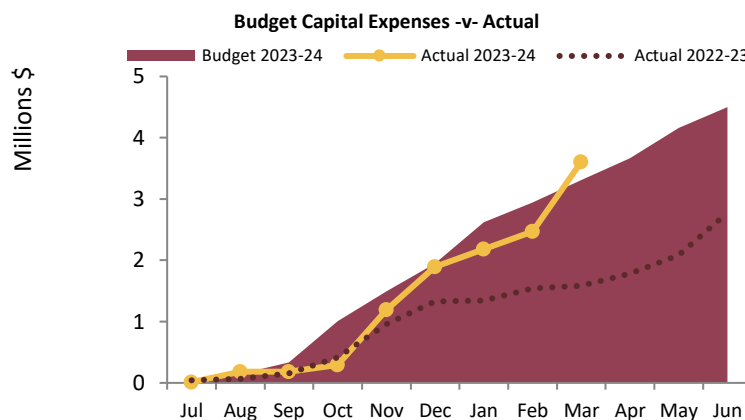


**INVESTING ACTIVITIES**

**CAPITAL REVENUE**



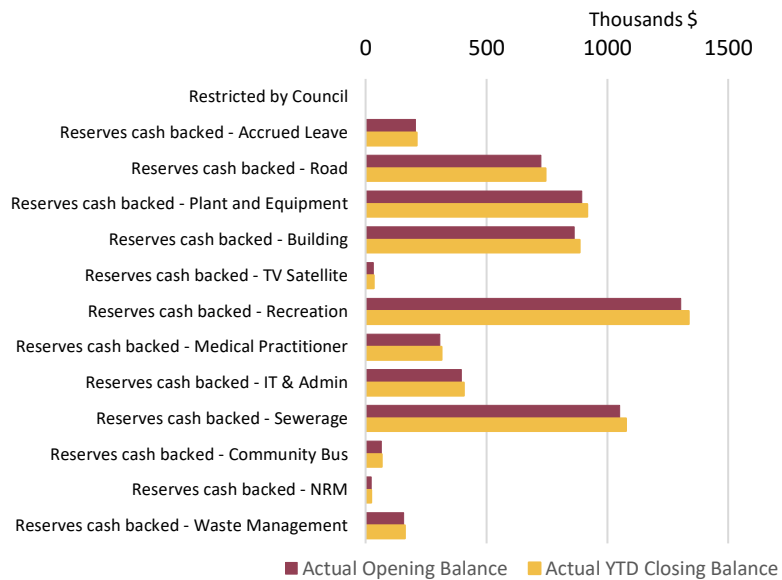
**CAPITAL EXPENSES**



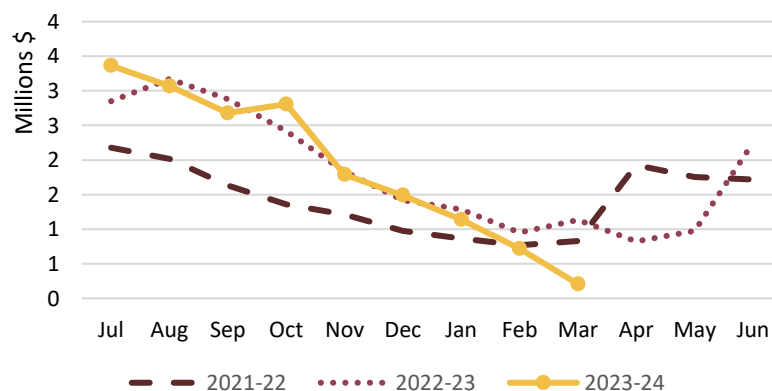
**FINANCING ACTIVITIES**

**BORROWINGS**

**RESERVES**



**Closing funding surplus / (deficit)**



This information is to be read in conjunction with the accompanying Financial Statements and Notes.



**SHIRE OF KOORDA  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MARCH 2024**

**3 CASH AND FINANCIAL ASSETS**

| Description                        | Classification                     | Unrestricted<br>\$ | Restricted<br>\$ | Total<br>Cash<br>\$ | Trust<br>\$ | Institution  | Interest<br>Rate | Maturity<br>Date |
|------------------------------------|------------------------------------|--------------------|------------------|---------------------|-------------|--------------|------------------|------------------|
| Municipal Account                  | Cash and cash equivalents          | 9,294              |                  | 9,294               |             | Bendigo      | Variable         | Nil              |
| Municipal Account                  | Cash and cash equivalents          | 739,437            |                  | 739,437             |             | BWA          | Variable         | Nil              |
| Licensing Account                  | Cash and cash equivalents          | 11,640             |                  | 11,640              |             | BWA          | Variable         | Nil              |
| ATM Control Account                | Cash and cash equivalents          | 30,010             |                  | 30,010              |             | BWA          | Nil              | Nil              |
| ATM Cash Account                   | Cash and cash equivalents          | 26,270             |                  | 26,270              |             | BWA          | Nil              | Nil              |
| Cash on Hand                       | Cash and cash equivalents          | 760                |                  | 760                 |             | Cash on Hand | Nil              | Nil              |
| Term Deposit XXX1                  | Financial assets at amortised cost | 0                  | 4,682,030        | 4,682,030           |             | Bankwest     | 4.45%            | 28/06/2024       |
| Term Deposit XXX2                  | Financial assets at amortised cost | 0                  | 1,494,543        | 1,494,543           |             | Bankwest     | 4.30%            | 02/04/2024       |
| <b>Total</b>                       |                                    | <b>817,411</b>     | <b>6,176,573</b> | <b>6,993,984</b>    | <b>0</b>    |              |                  |                  |
| <b>Comprising</b>                  |                                    |                    |                  |                     |             |              |                  |                  |
| Cash and cash equivalents          |                                    | 817,411            | 0                | 817,411             | 0           |              |                  |                  |
| Financial assets at amortised cost |                                    | 0                  | 6,176,573        | 6,176,573           | 0           |              |                  |                  |
|                                    |                                    | <b>817,411</b>     | <b>6,176,573</b> | <b>6,993,984</b>    | <b>0</b>    |              |                  |                  |

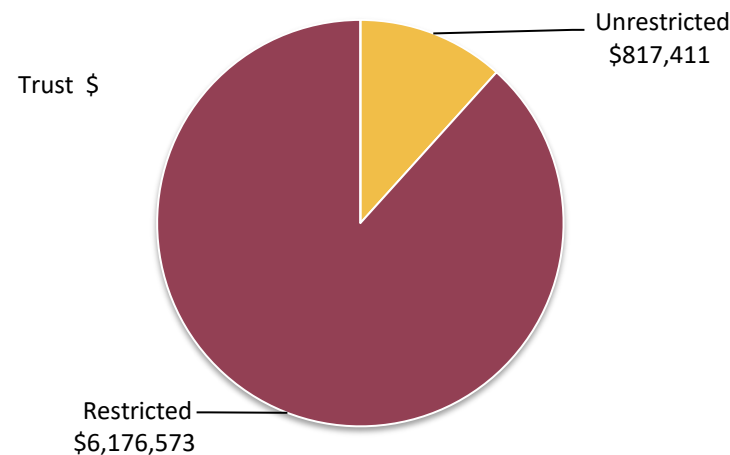
**KEY INFORMATION**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other ass



**SHIRE OF KOORDA**  
**SUPPLEMENTARY INFORMATION**  
**FOR THE PERIOD ENDED 31 MARCH 2024**

**4 RESERVE ACCOUNTS**

| Reserve name                                | Budget           | Budget          | Budget           | Budget             | Budget           | Actual           | Actual          | Actual           | Actual            | Actual YTD       |
|---|------------------|-----------------|------------------|--------------------|------------------|------------------|-----------------|------------------|-------------------|------------------|
|   | Opening Balance  | Interest Earned | Transfers In (+) | Transfers Out (-)  | Closing Balance  | Opening Balance  | Interest Earned | Transfers In (+) | Transfers Out (-) | Closing Balance  |
|   | \$               | \$              | \$               | \$                 | \$               | \$               | \$              | \$               | \$                | \$               |
| <b>Restricted by Council</b>                |                  |                 |                  |                    |                  |                  |                 |                  |                   |                  |
| Reserves cash backed - Accrued Leave        | 206,103          | 0               | 7,527            | 0                  | 213,630          | 206,103          | 5,208           | 0                | 0                 | 211,312          |
| Reserves cash backed - Road                 | 725,329          | 0               | 26,488           | (109,000)          | 642,817          | 725,329          | 18,330          | 0                | 0                 | 743,659          |
| Reserves cash backed - Plant and Equipment  | 895,049          | 0               | 32,686           | (875,000)          | 52,735           | 895,049          | 22,619          | 0                | 0                 | 917,667          |
| Reserves cash backed - Building             | 863,689          | 0               | 31,541           | (206,000)          | 689,230          | 863,689          | 21,826          | 0                | 0                 | 885,516          |
| Reserves cash backed - TV Satellite         | 32,780           | 0               | 1,197            | 0                  | 33,977           | 32,780           | 828             | 0                | 0                 | 33,608           |
| Reserves cash backed - Recreation           | 1,303,568        | 0               | 47,605           | (811,800)          | 539,373          | 1,303,568        | 32,942          | 0                | 0                 | 1,336,510        |
| Reserves cash backed - Medical Practitioner | 306,488          | 0               | 11,193           | (120,005)          | 197,676          | 306,488          | 7,745           | 0                | 0                 | 314,233          |
| Reserves cash backed - IT & Admin           | 395,947          | 0               | 14,459           | 0                  | 410,406          | 395,947          | 10,006          | 0                | 0                 | 405,953          |
| Reserves cash backed - Sewerage             | 1,050,190        | 0               | 38,351           | 0                  | 1,088,541        | 1,050,190        | 26,539          | 0                | 0                 | 1,076,729        |
| Reserves cash backed - Community Bus        | 64,496           | 0               | 2,355            | 0                  | 66,851           | 64,496           | 1,630           | 0                | 0                 | 66,126           |
| Reserves cash backed - NRM                  | 22,656           | 0               | 827              | 0                  | 23,483           | 22,656           | 573             | 0                | 0                 | 23,229           |
| Reserves cash backed - Waste Management     | 158,039          | 0               | 5,771            | 0                  | 163,810          | 158,039          | 3,994           | 0                | 0                 | 162,033          |
|   | <b>6,024,334</b> | <b>0</b>        | <b>220,000</b>   | <b>(2,121,805)</b> | <b>4,122,529</b> | <b>6,024,334</b> | <b>152,240</b>  | <b>0</b>         | <b>0</b>          | <b>6,176,574</b> |

## 5 CAPITAL ACQUISITIONS

| Capital acquisitions                                | Adopted          |                  | YTD Actual       | YTD Actual<br>Variance |
|---|------------------|------------------|------------------|------------------------|
|   | Budget           | YTD Budget       |                  |                        |
|   | \$               | \$               | \$               | \$                     |
| Buildings - non-specialised                         | 1,477,635        | 1,096,000        | 806,051          | (289,949)              |
| Plant and equipment                                 | 1,459,519        | 1,377,519        | 1,270,479        | (107,040)              |
| <b>Acquisition of property, plant and equipment</b> | <b>2,937,154</b> | <b>2,473,519</b> | <b>2,076,529</b> | <b>(396,990)</b>       |
| Infrastructure - roads                              | 1,732,000        | 1,526,200        | 1,493,714        | (32,486)               |
| Infrastructure - Other                              | 645,000          | 140,000          | 35,481           | (104,520)              |
| <b>Acquisition of infrastructure</b>                | <b>2,377,000</b> | <b>1,666,200</b> | <b>1,529,194</b> | <b>(930,985)</b>       |
| <b>Total capital acquisitions</b>                   | <b>5,314,154</b> | <b>4,139,719</b> | <b>3,605,724</b> | <b>(1,327,975)</b>     |
| <b>Capital Acquisitions Funded By:</b>              |                  |                  |                  |                        |
| Capital grants and contributions                    | 1,855,191        | 1,818,566        | 1,724,125        | (94,441)               |
| Other (disposals & C/Fwd)                           | 350,000          | 155,000          | 144,090          | (10,910)               |
| Reserve accounts                                    |                  |                  |                  |                        |
| Reserves cash backed - Road                         | 109,000          | 0                | 0                | 0                      |
| Reserves cash backed - Plant and Equipment          | 875,000          | 0                | 0                | 0                      |
| Reserves cash backed - Building                     | 206,000          | 0                | 0                | 0                      |
| Reserves cash backed - Recreation                   | 811,800          | 0                | 0                | 0                      |
| Reserves cash backed - Medical Practitioner         | 120,005          | 0                | 0                | 0                      |
| Contribution - operations                           | 987,158          | 2,166,153        | 1,737,508        | (428,645)              |
| <b>Capital funding total</b>                        | <b>5,314,154</b> | <b>4,139,719</b> | <b>3,605,724</b> | <b>(533,995)</b>       |

### SIGNIFICANT ACCOUNTING POLICIES

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

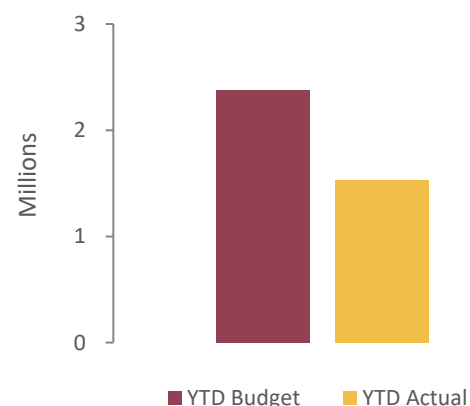
#### Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

#### Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

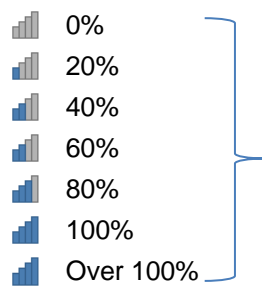
Payments for Capital Acquisitions



5 CAPITAL ACQUISITIONS - DETAILED

Capital expenditure total

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

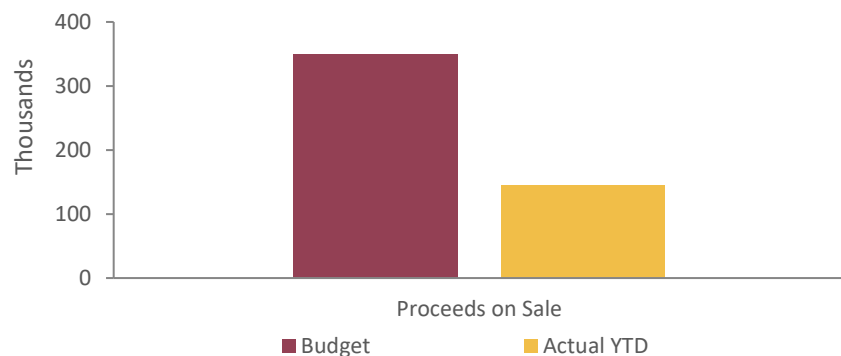
|                              | Account Description                               | Adopted          |                  | YTD Actual       | Variance<br>(Under)/Over |
|------------------------------|---|------------------|------------------|------------------|--------------------------|
|                              |   | Budget           | YTD Budget       |                  |                          |
|                              |   | \$               | \$               | \$               | \$                       |
| <b>Plant &amp; Equipment</b> |   |                  |                  |                  |                          |
| PE0091                       | P09: Semi Side Tipper Trailer                     | 0                | 0                | 0                | 0                        |
| PE0191                       | P19: Grader                                       | 455,000          | 455,000          | 455,000          | 0                        |
| PE0611                       | P61: Ute Patching                                 | 45,000           | 45,000           | 45,808           | (808)                    |
| PE0631                       | P63: Road Roller                                  | 192,000          | 192,000          | 192,000          | 0                        |
| PE0651                       | P065 Prime Mover - 22/23 Carryforward             | 267,519          | 267,519          | 267,519          | 0                        |
| PE0661                       | P066 Ute Works Crew - 22/23 Carryforward          | 0                | 0                | 52,786           | (52,786)                 |
| PE0691                       | P69: Cherry Picker                                | 50,000           | 50,000           | 54,545           | (4,545)                  |
| PE0101                       | P10: Mollerin Fire Truck (SEROJA FUNDING)         | 62,000           | 62,000           | 61,914           | 86                       |
|                              | Misc Plant  | 0                | 0                | 0                | 0                        |
| PE1001                       | P100: CEO Vehicle                                 | 85,000           | 85,000           | 75,768           | 9,232                    |
| PE2001                       | P200: WS Vehicle                                  | 60,000           | 60,000           | 65,139           | (5,139)                  |
| PE3001                       | P300: DCEO Vehicle                                | 65,000           | 65,000           | 0                | 65,000                   |
| PEOGENO                      | Generators - 25KVA Portable (x2) (SEROJA FUNDING) | 38,800           | 38,800           | 0                | 38,800                   |
| PECOMS                       | Communications Tower (SEROJA FUNDING)             | 57,000           | 0                | 0                | 0                        |
| PEWATER                      | Water Tanks*                                      | 25,000           | 0                | 0                | 0                        |
| FE003                        | L33226 Medical Centre - Generator                 | 22,200           | 22,200           | 0                | 22,200                   |
| FE002                        | Rec: Recreation Ground - Generator                | 35,000           | 35,000           | 0                | 35,000                   |
|                              |   |                  |                  |                  | 0                        |
| <b>Buildings</b>             |   |                  |                  |                  |                          |
| BC016                        | Rec Ground Upgrade & Extension                    | 1,146,635        | 800,000          | 743,329          | 56,671                   |
| BC016B                       | Rec Ground Upgrade & Extension                    | 200,000          | 200,000          | 0                | 200,000                  |
| BC001                        | Admin Office (Paint & Gardens)                    | 35,000           | 0                | 0                | 0                        |
| BC054                        | L271 Greenham Paint & Lino                        | 16,000           | 16,000           | 15,693           | 307                      |
| BC003                        | L157 Memorial Hall (SEROJA FUNDING)               | 60,000           | 60,000           | 43,988           | 16,012                   |
| BC024                        | Drive In (Toilets & Tiling)                       | 20,000           | 20,000           | 3,041            | 16,959                   |
| <b>Other Infrastructure</b>  |   |                  |                  |                  |                          |
| PC001                        | Synthetic Bowling Green Relocation                | 400,000          | 100,000          | 0                | 100,000                  |
| IO001                        | Admin Office Carpark                              | 15,000           | 0                | 0                | 0                        |
| PC002                        | Rec Ground Playground                             | 150,000          | 0                | 0                | 0                        |
| IO005                        | Depot Auto Gates                                  | 40,000           | 40,000           | 35,481           | 4,520                    |
| IO002                        | Pool Balance Tank                                 | 40,000           | 0                | 0                | 0                        |
| <b>Infrastructure Roads</b>  |   |                  |                  |                  |                          |
| RRG002                       | Cadoux-Koorda Cement Stabilise                    | 235,000          | 235,000          | 218,025          | 16,975                   |
| RRG003                       | Koorda-Dowerin Reseal                             | 152,000          | 152,000          | 140,408          | 11,592                   |
| RRG140                       | Burakin-Wialki Full Recon                         | 182,000          | 182,000          | 224,218          | (42,218)                 |
| RRG140B                      | Burakin-Wialki Full Reseal                        | 150,000          | 150,000          | 129,764          | 20,236                   |
|                              |   |                  |                  |                  | 0                        |
| R2R004                       | Koorda-Kulja Reseal                               | 273,000          | 273,000          | 368,319          | (95,319)                 |
| R2R006                       | Kulja-Kalannie Full Recon                         | 130,000          | 130,000          | 87,125           | 42,875                   |
| R2R009                       | Koorda North West Shoulder Recon                  | 70,000           | 70,000           | 39,257           | 30,743                   |
|                              |   |                  |                  |                  | 0                        |
| RC003                        | Koorda-Dowerin Reseal                             | 160,000          | 160,000          | 142,001          | 17,999                   |
| RC004                        | Koorda-Kulja Widen Reseal                         | 100,000          | 100,000          | 99,544           | 456                      |
| RC010                        | Mollerin Rock South Reform & Sheet                | 90,000           | 0                | 0                | 0                        |
| RC011                        | Dukin West Reform & Sheet                         | 90,000           | 34,200           | 44,899           | (10,699)                 |
| RC014                        | Maher Reform & Sheet                              | 60,000           | 0                | 153              | (153)                    |
|                              |   |                  |                  |                  | 0                        |
| FC098                        | Footpath - Greenham St                            | 40,000           | 40,000           | 0                | 40,000                   |
|                              |   | <b>5,314,154</b> | <b>4,139,719</b> | <b>3,605,724</b> | <b>533,995</b>           |

**SHIRE OF KOORDA  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MARCH 2024**

**OPERATING ACTIVITIES**

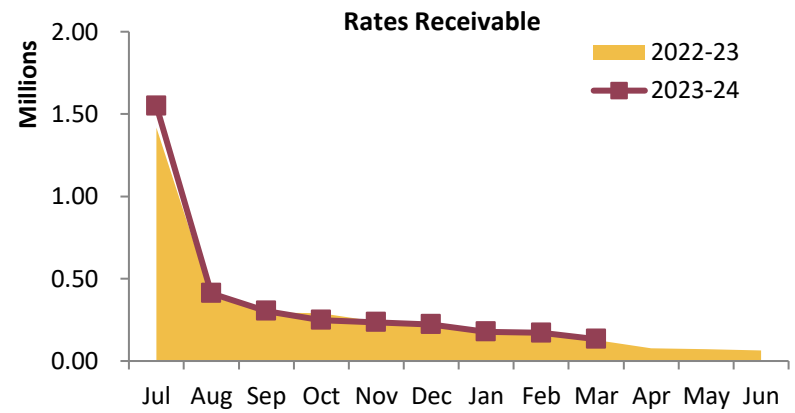
**6 DISPOSAL OF ASSETS**

| Asset Ref.                 | Asset description          | Budget         |                |                |                | YTD Actual     |                |               |                |
|----------------------------|----------------------------|----------------|----------------|----------------|----------------|----------------|----------------|---------------|----------------|
|                            |                            | Net Book Value | Proceeds       | Profit         | (Loss)         | Net Book Value | Proceeds       | Profit        | (Loss)         |
|                            |                            | \$             | \$             | \$             | \$             | \$             | \$             | \$            | \$             |
| <b>Plant and equipment</b> |                            |                |                |                |                |                |                |               |                |
| 10918                      | P020 Grader - 2015 CAT 12M | 0              | 100,000        | 100,000        | 0              | 0              | 0              | 0             | 0              |
| 10949                      | P061 Ute - 2019            | 11,000         | 25,000         | 14,000         | 0              | 8,747          | 23,636         | 14,889        | 0              |
| 10951                      | P063 Roller - 2014 Dynapac | 0              | 30,000         | 30,000         | 0              | 0              | 0              | 0             | 0              |
| 10979                      | P100 CEO Vehicle           | 65,000         | 80,000         | 15,000         | 0              | 65,396         | 64,091         | 0             | (1,305)        |
| 10981                      | P200 WS Vehicle            | 53,000         | 50,000         | 0              | (3,000)        | 48,533         | 56,363         | 7,830         | 0              |
| 10988                      | P300 DCEO Vehicle          | 61,000         | 65,000         | 4,000          | 0              | 0              | 0              | 0             | 0              |
|                            |                            | <b>190,000</b> | <b>350,000</b> | <b>163,000</b> | <b>(3,000)</b> | <b>122,676</b> | <b>144,090</b> | <b>22,719</b> | <b>(1,305)</b> |



7 RECEIVABLES

| Rates receivable               | 30 June 2023  | 31 Mar 2024    |
|--------------------------------|---------------|----------------|
|                                | \$            | \$             |
| Opening arrears previous years | 63,512        | 88,681         |
| Levied this year               | 1,213,196     | 1,238,071      |
| Less - collections to date     | (1,188,027)   | (1,194,148)    |
| Gross rates collectable        | <b>88,681</b> | <b>132,604</b> |
| <b>Net rates collectable</b>   | <b>88,681</b> | <b>132,604</b> |
| % Collected                    | 93.1%         | 90.0%          |



| Receivables - general                        | Credit | Current | 30 Days | 60 Days | 90+ Days | Total         |
|--|--------|---------|---------|---------|----------|---------------|
|  | \$     | \$      | \$      | \$      | \$       | \$            |
| Receivables - general                        | 0      | 4,387   | 7,658   | 0       | 19,125   | 31,170        |
| Percentage                                   | 0.0%   | 14.1%   | 24.6%   | 0.0%    | 61.4%    |               |
| <b>Balance per trial balance</b>             |        |         |         |         |          |               |
| Trade receivables                            | 0      | 4,387   | 7,658   | 0       | 19,125   | 31,170        |
| GST receivable                               |        | 16,353  | (674)   |         |          | 15,679        |
| Interest Receivable                          |        | 21,660  |         |         |          | 21,660        |
| <b>Total receivables general outstanding</b> |        |         |         |         |          | <b>68,508</b> |

Amounts shown above include GST (where applicable)

KEY INFORMATION

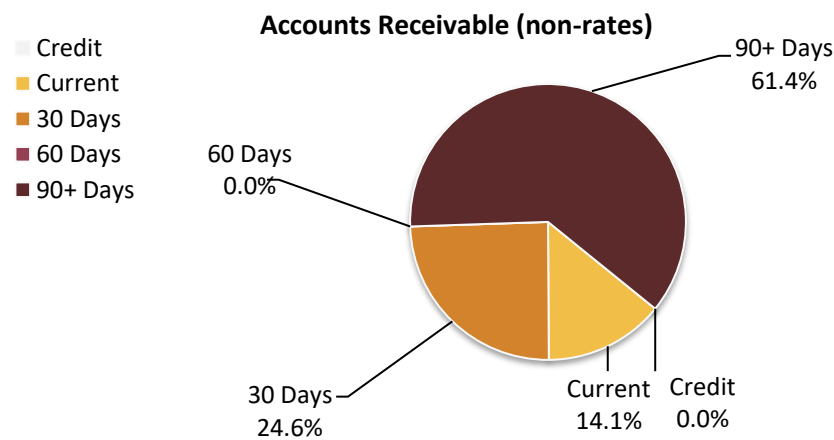
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



**SHIRE OF KOORDA  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MARCH 2024**

**OPERATING ACTIVITIES**

**8 OTHER CURRENT ASSETS**

|                                    | <b>Opening<br/>Balance<br/>1 July 2023</b> | <b>Asset<br/>Increase</b> | <b>Asset<br/>Reduction</b> | <b>Closing<br/>Balance<br/>31 March 2024</b> |
|------------------------------------|--|---------------------------|----------------------------|--|
| <b>Other current assets</b>        | <b>\$</b>                                  | <b>\$</b>                 | <b>\$</b>                  | <b>\$</b>                                    |
| Financial assets at amortised cost | 6,024,334                                  | 152,240                   |                            | 6,176,574                                    |
| <b>Inventory</b>                   |  |                           |                            |  |
| Stock on Hand                      | 23,568                                     | 7,098                     |                            | 30,667                                       |
| <b>Total other current assets</b>  | <b>6,047,902</b>                           | <b>159,338</b>            | <b>0</b>                   | <b>6,207,240</b>                             |

Amounts shown above include GST (where applicable)

**KEY INFORMATION**

**Inventory**

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.



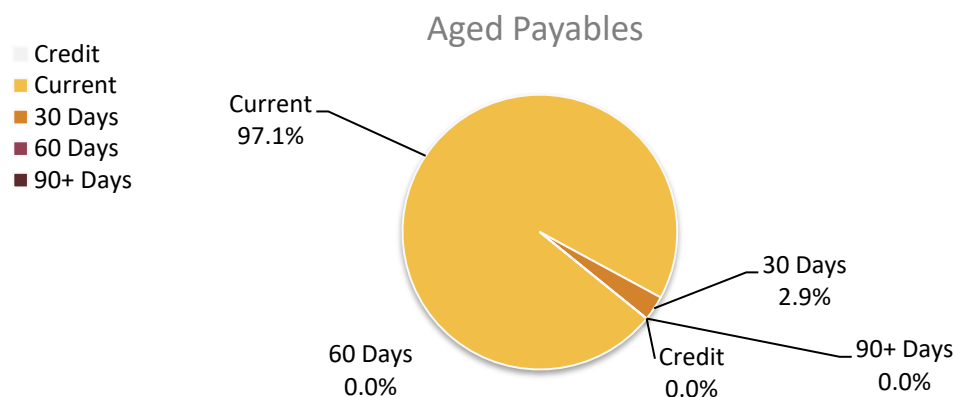
**9 PAYABLES**

| <b>Payables - general</b>                 | <b>Credit</b> | <b>Current</b> | <b>30 Days</b> | <b>60 Days</b> | <b>90+ Days</b> | <b>Total</b>   |
|---|---------------|----------------|----------------|----------------|-----------------|----------------|
|   | <b>\$</b>     | <b>\$</b>      | <b>\$</b>      | <b>\$</b>      | <b>\$</b>       | <b>\$</b>      |
| Payables - general                        | 0             | 694,205        | 20,992         | 0              | 0               | 715,196        |
| Percentage                                | 0.0%          | 97.1%          | 2.9%           | 0.0%           | 0.0%            |                |
| <b>Balance per trial balance</b>          |               |                |                |                |                 |                |
| Sundry creditors                          | 0             | 694,205        | 20,992         | 0              | 0               | 715,196        |
| Other Payables                            |               | 1,650          |                |                |                 | 1,650          |
| Prepaid Rates                             |               | 19,615         |                |                |                 | 13,915         |
| Bonds and Deposits Held                   |               | 7,144          |                |                | 63,428          | 70,572         |
| ESL Liability                             |               | 5,904          |                |                |                 | 5,904          |
| GST Payable                               |               | (69,032)       |                |                |                 | (69,032)       |
| Payroll Creditors                         |               |                |                | (202)          |                 | (202)          |
| PAYG Payables                             |               | 22,224         |                |                |                 | 22,224         |
| FBT Liabilities                           |               |                | (11,514)       |                |                 | (11,514)       |
| <b>Total payables general outstanding</b> |               |                |                |                |                 | <b>748,713</b> |

**Amounts shown above include GST (where applicable)**

**KEY INFORMATION**

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



SHIRE OF KOORDA  
 SUPPLEMENTARY INFORMATION  
 FOR THE PERIOD ENDED 31 MARCH 2024

OPERATING ACTIVITIES 29/02/2024

10 RATE REVENUE

General rate revenue

| RATE TYPE                        | Rate in    | Number of  | Rateable          | Rate             | Budget       | Total            | Rate             | YTD Actual   | Total            |
|----------------------------------|------------|------------|-------------------|------------------|--------------|------------------|------------------|--------------|------------------|
|                                  | \$ (cents) | Properties | Value             | Revenue          | Interim      | Revenue          | Revenue          | Interim      | Revenue          |
|                                  |            |            |                   | \$               | \$           | \$               | \$               | \$           | \$               |
| <b>Gross rental value</b>        |            |            |                   |                  |              |                  |                  |              |                  |
| Gross Rental Value               | 0.1217     | 136        | 959,024           | 116,713          | 1,834        | 118,547          | 116,713          | 7,602        | 124,315          |
| <b>Unimproved value</b>          |            |            |                   |                  |              |                  |                  |              |                  |
| Unimproved Value                 | 0.0126     | 221        | 87,194,166        | 1,100,390        |              | 1,100,390        | 1,100,390        | 577          | 1,100,967        |
| <b>Sub-Total</b>                 |            | <b>357</b> | <b>88,153,190</b> | <b>1,217,103</b> | <b>1,834</b> | <b>1,218,937</b> | <b>1,217,103</b> | <b>8,179</b> | <b>1,225,282</b> |
| <b>Minimum payment</b>           |            |            |                   |                  |              |                  |                  |              |                  |
| <b>Gross rental value</b>        |            |            |                   |                  |              |                  |                  |              |                  |
| Gross Rental Value               | 420        | 28         | 29,070            | 11,760           |              | 11,760           | 12,180           | 0            | 12,180           |
| <b>Unimproved value</b>          |            |            |                   |                  |              |                  |                  |              |                  |
| Unimproved Value                 | 420        | 33         | 442,945           | 13,860           |              | 13,860           | 13,860           | 0            | 13,860           |
| <b>Sub-total</b>                 |            | <b>61</b>  | <b>472,015</b>    | <b>25,620</b>    | <b>0</b>     | <b>25,620</b>    | <b>26,040</b>    | <b>0</b>     | <b>26,040</b>    |
| Discount                         |            |            |                   |                  |              | -45,000          |                  |              | -43,450          |
| <b>Amount from general rates</b> |            |            |                   |                  |              | <b>1,199,557</b> |                  |              | <b>1,207,872</b> |
| Ex-gratia rates                  | 0.06       |            | 457,560           | 25,620           |              | 25,620           |                  |              | 30,199           |
| <b>Total general rates</b>       |            |            |                   |                  |              | <b>1,225,177</b> |                  |              | <b>1,238,071</b> |

11 OTHER CURRENT LIABILITIES

|   | Note | Opening<br>Balance 1<br>July 2023 | Liability<br>transferred<br>from/(to) non<br>current | Liability<br>Increase | Liability<br>Reduction | Closing<br>Balance 31<br>March 2024 |
|---|------|-----------------------------------|--|-----------------------|------------------------|-------------------------------------|
|   |      | \$                                | \$   | \$                    | \$                     | \$                                  |
| <b>Other current liabilities</b>                          |      |                                   |  |                       |                        |                                     |
| <b>Other liabilities</b>                                  |      |                                   |  |                       |                        |                                     |
| Capital grant/contributions liabilities                   |      | 423,185                           | 0  | 0                     | (423,185)              | 0                                   |
| <b>Total other liabilities</b>                            |      | 423,185                           | 0  | 0                     | (423,185)              | 0                                   |
| <b>Employee Related Provisions</b>                        |      |                                   |  |                       |                        |                                     |
| Provision for annual leave                                |      | 169,690                           | 0  | 0                     | 0                      | 169,690                             |
| Provision for long service leave                          |      | 134,652                           | 0  | 0                     | 0                      | 134,652                             |
| <b>Total Provisions</b>                                   |      | 304,342                           | 0  | 0                     | 0                      | 304,342                             |
| <b>Total other current liabilities</b>                    |      | <b>727,527</b>                    | <b>0</b>   | <b>0</b>              | <b>(423,185)</b>       | <b>304,342</b>                      |
| <b>Amounts shown above include GST (where applicable)</b> |      |                                   |  |                       |                        |                                     |

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13

**KEY INFORMATION**

**Provisions**

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

**Employee Related Provisions**

**Short-term employee benefits**

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

**Other long-term employee benefits**

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

**Contract liabilities**

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

**Capital grant/contribution liabilities**

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

**SHIRE OF KOORDA  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MARCH 2024**

**OPERATING ACTIVITIES**

**12 GRANTS, SUBSIDIES AND CONTRIBUTIONS**

| Provider                              | Unspent grant, subsidies and contributions liability |                          |  |                          |                                     | Grants, subsidies and contributions revenue |                |                          |
|---------------------------------------|--|--------------------------|--|--------------------------|-------------------------------------|---|----------------|--------------------------|
|                                       | Liability<br>1 July 2023                             | Increase in<br>Liability | Decrease in<br>Liability<br>(As revenue) | Liability<br>31 Mar 2024 | Current<br>Liability<br>31 Mar 2024 | Adopted<br>Budget<br>Revenue                | YTD<br>Budget  | YTD<br>Revenue<br>Actual |
|                                       | \$   | \$                       | \$                                       | \$                       | \$                                  | \$  | \$             | \$                       |
| <b>Grants and subsidies</b>           |  |                          |  |                          |                                     |   |                |                          |
| ESL Bush Fire Brigade Operating Grant |  |                          |  | 0                        | 0                                   | 15,930                                      | 15,930         | 10,770                   |
| Main Roads Direct Road Grant          |  |                          |  | 0                        | 0                                   | 196,756                                     | 196,756        | 196,756                  |
| Fuel Tax Credits Grant Scheme         |  |                          |  | 0                        | 0                                   | 23,500                                      | 17,622         | 22,243                   |
| Financial Assistance Grant - General  |  |                          |  | 0                        | 0                                   | 64,039                                      | 64,039         | 48,029                   |
| Financial Assistance Grant - Roads    |  |                          |  | 0                        | 0                                   | 39,718                                      | 39,718         | 29,789                   |
|                                       | <b>0</b>   | <b>0</b>                 | <b>0</b>                                 | <b>0</b>                 | <b>0</b>                            | <b>339,943</b>                              | <b>334,065</b> | <b>307,587</b>           |

**SHIRE OF KOORDA  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 MARCH 2024**

**INVESTING ACTIVITIES**

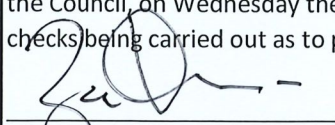
**13 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS**

| Provider   | Capital grant/contribution liabilities |                       |                                       |             |                   | Capital grants, subsidies and contributions revenue |                  |                  |
|--|--|-----------------------|---------------------------------------|-------------|-------------------|---|------------------|------------------|
|  | Liability                              | Increase in Liability | Decrease in Liability<br>(As revenue) | Liability   | Current Liability | Adopted Budget                                      | YTD              | YTD Revenue      |
|  | 1 July 2023                            |                       |                                       | 31 Mar 2024 | 31 Mar 2024       | Revenue   | Budget           | Actual           |
|  | \$                                     | \$                    | \$                                    | \$          | \$                | \$  | \$               | \$               |
| <b>Capital grants and subsidies</b>                      |  |                       |                                       |             |                   |   |                  |                  |
| Local Roads & Community Infrastructure Grant (LRCI)      |  |                       |                                       | 0           |                   | 836,000   | 425,790          | 423,185          |
| CSRFF Grant  |  |                       |                                       | 0           |                   | 130,421   | 86,946           | 0                |
| Regional Road Group Grants                               |  |                       |                                       | 0           |                   | 401,940   | 401,940          | 401,940          |
| Roads to Recovery Grant                                  |  |                       |                                       | 0           |                   | 402,890   | 402,890          | 398,000          |
| LGRF08 - Cyclone Seroja Local Government Resilience Fund |  |                       |                                       | 0           |                   | 500,000   | 500,000          | 500,000          |
| COTA Grant Seniors Luncheon                              |  |                       |                                       | 0           |                   | 1,000   | 1,000            | 1,000            |
|  | <b>0</b>                               | <b>0</b>              | <b>0</b>                              | <b>0</b>    | <b>0</b>          | <b>2,272,251</b>                                    | <b>1,818,566</b> | <b>1,724,125</b> |



**Monthly Report - List of Accounts Paid  
Submitted to Council 17 April 2024**

The following list of accounts has been paid under delegation, by the Chief Executive Officer, since the previous list of accounts. Municipal vouchers numbered from V547 to V604 and direct bank transactions totalling \$1,395,503.66 submitted to each member of the Council, on Wednesday the 17 April 2024, have been checked and are fully supported by vouchers and duly certified invoices with checks being carried out as to prices, computations and costing.

  
Zac Donpvan  
Chief Executive Officer

| No.         | Payment Date      | Supplier Name               | Description of Purchase  | Payment made by delegated authority |
|-------------|-------------------|-----------------------------|--|-------------------------------------|
| V547        | 19/03/2024        | Bitutek PL                  | Bitumen Burkain Wialki & Koorda Kulja Roads  | \$ 192,987.52                       |
| V548        | 19/03/2024        | Central Wheatbelt Plumbing  | L25353 Replace & Repair Copper Pipe to HWU   | \$ 1,528.47                         |
| V549        | 19/03/2024        | Dormakaba                   | 6 Monthly Service Auto Doors 2/3   | \$ 220.00                           |
| V550        | 19/03/2024        | KTY Electrical Services     | L164C Replace Dining Room Light, L09 Replace Kitchen Exhaust Fan   | \$ 340.53                           |
| V551        | 19/03/2024        | Marty Grant Bulldozing      | Push 2000m3 Gravel   | \$ 5,500.00                         |
| V552        | 19/03/2024        | MGC Architects (WA) PL      | Final Claim Schematic Design of Rec Ground   | \$ 990.00                           |
| V553        | 19/03/2024        | Moore Australia             | Final Billing Compilation 22/23 Annual Financial Report  | \$ 4,400.00                         |
| V554        | 19/03/2024        | RBC Rural                   | New Ricoh IM C4510 Printer   | \$ 9,350.00                         |
| V555        | 19/03/2024        | Roadshow Films PL           | Drive In Movie - Force of Nature: The Dry 2  | \$ 271.25                           |
| V556        | 19/03/2024        | Synergy                     | Streetlights 25 Jan 2024 - 24 Feb 2024   | \$ 1,587.05                         |
| V557        | 19/03/2024        | Universal Pictures          | Drive In Movie - Migration   | \$ 330.00                           |
| V558        | 22/03/2024        | BOC Limited                 | Container Service 29.01.2024 to 26.02.2024   | \$ 109.66                           |
| V559        | 22/03/2024        | Dormakaba                   | 6 Monthly Service Auto Doors 3/3   | \$ 110.00                           |
| V560        | 22/03/2024        | Harcher Wheatbelt           | Bulk Toilet Rolls, 10kg Jasol Toilet Air Freshener   | \$ 333.04                           |
| V561        | 22/03/2024        | Koorda Ag Parts             | P007 Water Fittings, P047 Water Fittings, P04 Water Fittings, P016 Tyre Repair & Tube,   | \$ 1,014.86                         |
| V562        | 22/03/2024        | Koorda Supermarket          | Milk Sugar Mop Head & Fly Spray  | \$ 95.21                            |
| V563        | 22/03/2024        | KTY Electrical Services     | L13, L95, L291, L550 UB, L550 UE Replacement Split Air conditioner Systems, L68 Solenoid Hose Kit, L77B Replace Light                      | \$ 29,436.99                        |
| V564        | 22/03/2024        | RBC Rural                   | Monthly Meterplan  | \$ 118.20                           |
| V565        | 22/03/2024        | Stallion Homes & Multicon   | March Progress Claim - Rec Ground  | \$ 229,928.62                       |
| V566        | 22/03/2024        | Synergy                     | L25353 Gym, L99-100 Yalambee   | \$ 1,849.26                         |
| V567        | 22/03/2024        | WA Contract Ranger Services | Ranger Services Inc Travel 1/3, 7/3 & 13/3/24  | \$ 940.50                           |
| V568        | 22/03/2024        | Wyalkatchem/Koorda Health   | Pre Employment Medical   | \$ 125.00                           |
| V569        | 25/03/2024        | Dept of Transport           | P001 Temporary Movement Permit   | \$ 28.30                            |
| <b>V570</b> | <b>27/03/2024</b> | <b>Bankwest Credit Card</b> | <b>See Below</b>   | <b>\$ 3,040.90</b>                  |
| V571        | 27/03/2024        | Shire of Koorda             | Employee Wages   | \$ 41,232.82                        |
| V572        | 27/03/2024        | Beam Superannuation         | Employee Superannuation Payment  | \$ 9,509.49                         |
| V573        | 3/04/2024         | Water Corporation           | Bulk Water Accounts  | \$ 46,110.68                        |
| V574        | 4/04/2024         | Dept of Transport           | P001 12m Registration  | \$ 446.15                           |
| V575        | 9/04/2024         | Able Sales                  | 176KVA Generator, 2 x 25KVA Generators on trailers, 1 x 25KVA Generator stand alone (Seroja)   | \$ 95,700.00                        |
| V576        | 9/04/2024         | Contract Aquatic Services   | March Contract Fee   | \$ 15,400.00                        |
| V577        | 9/04/2024         | DFES                        | ESL March  | \$ 821.90                           |
| V578        | 9/04/2024         | Koorda Ag Parts             | Water Tanker Fittings, P061 Two Way Aerial & Base, P016 2 Tyres, P008 Camloc Fittings, P063 Battery, P043 Tyre Repair & Tube, P065 Battery | \$ 6,969.09                         |
| V579        | 9/04/2024         | Koorda LPO                  | Postage, Stamps & Batteries  | \$ 99.85                            |
|             |                   |                             | <b>Subtotal</b>  | <b>\$ 700,925.34</b>                |





| <b>BP Fuel Cards</b> |            |                 |                                      |             |
|----------------------|------------|-----------------|--------------------------------------|-------------|
| V595                 | 15/03/2024 | DCEO Admin Card | P300 - 108.37L Diesel                | \$ 216.63   |
|                      | 15/03/2024 | Admin Card      | Jerry Cans - 112.65L Unleaded Petrol | \$ 218.43   |
|                      | 8/03/2024  | CEO Card        | P100 - 97.85L Diesel                 | \$ 197.56   |
|                      | 15/03/2024 | CEO Card        | P100 - 95.62L Diesel                 | \$ 191.14   |
|                      | 27/03/2024 | CEO Card        | P100 - 88.30L Diesel                 | \$ 174.75   |
|                      | 11/03/2024 | WS Card         | P001 - 39.41L Diesel                 | \$ 79.57    |
|                      | 11/03/2024 | WS Card         | P200 - 67.62L Diesel                 | \$ 136.52   |
|                      |            |                 |                                      | \$ 1,214.60 |



## **Proposed Budget Development 2024-25**

### **Incorporating Integrated Strategic Plan Minor Review**

#### **SUMMARY**

The intent of the proposed plan is to align the development of the Shire of Koorda 2024-25 budget with the required minor review of the Integrated Strategic Plan and Strategic Resourcing Plan.

An underlying principle of the proposed budget development approach is to initially focus on identifying the initiatives most likely to improve the quality of life for shire residents and ratepayers, absent of financial requirements and administrative constraints.

The necessary financial considerations will be introduced later in the process, to refine the timing and funding options of initiatives, however it is critical that Council is not constrained or self-edits possible ideas and concepts in the strategic development process.

Far better for Council to propose initiatives that are ambitious, for which staged implementation can be developed, or more numerous than possible, to which priorities can be assigned, rather than develop a community plan and budget with compromised thinking from the outset.

As proposed, strategy is emphasised over accounting and as such better harnesses the experience and insights of Council. The alternative and more common budget development approach starts with financial constraints and is more an exercise in rationing resources with community benefit secondary. The proposed approach puts outcomes for the community first.

As such the proposed approach employs a schedule of meetings that combines initial strategy development to feed into the budget process and long-term resource planning. It is also proposed that Council conduct one of the sessions via Teams as it is scheduled between Ordinary Council meetings, and in recognition of the time limitations for many Elected Members.

The proposed schedule has a best-case scenario of finalising the Budget by June 19, and no later than August 21. The endorsed Budget is required to be received by the Department by August 31.

## Strategy and Budget Alignment

The Shire of Koorda Integrated Strategic Plan – incorporating the Strategic Community Plan and Corporate Business Plan – is due for its biennial minor review. The purpose of the Integrated Strategic Plan is to consider community expectations and ambitions for the Shire and set a strategy (Strategic Community Plan) and tactics (Corporate Business Plan) to redress such.

As the Strategic Community Plan should capture the priorities of the community such as “Feeling safe” while the Corporate Business Plan should detail the corresponding tactics such as “Invest in CCTV”, “Provide security services” or “Secure more police presence”. That is, tactics are not limited to infrastructure but can also be procedural, staffing and advocacy initiatives.

Given the intent of the Integrated Strategic Plan, it is appropriate that the timing of the biennial review coincide with the development of the annual Shire budget. In that the strategy and tactics refined or developed as part of the review process consequently underpin the Shire Budget.

The 2024-25 finalised Budget will then provide the first year and starting point for the development of the Shire’s Strategic Resourcing Plan which encompasses the Long-term Financial Plan and Asset Management Plan. In out years the Budget will be a product of Strategic Resourcing Plan considerations rather than as the base year as it will provide in 2024-25.

Shown below is the alignment of the Integrated Strategic Plan with the 2024-25 Budget development and resulting long-term Strategic Resourcing Plan as per the proposed approach.



The development of the Integrated Strategic Plan prior to consideration of financial considerations and constraints required as part of the Budget process enables Council to apply greater insight and creativity in proposing initiatives for the benefit of the community.

As mentioned, the alternate and common process - of developing the budget commencing with financial constraints – results in a process that is more aligned with rationing resources than maximising the input of Council in reflecting community expectations and emerging issues.

Once the draft Integrated Strategic Plan review is completed, the necessary financial considerations are applied so to define which initiatives are timelier and can be accommodated in the Budget and which in turn should be proposed for out years for finalise Strategic Plan.

Irrespective of the current timing alignment of the Integrated Strategic plan review, the input of Council to the Budget has a greater propensity to meet community expectations and ambitions if their input is not constrained by a process commencing through the lens of financial limitations.

## Proposed Budget Development Timetable

As proposed the 2024-25 Budget development process will commence with the review of the Integrated Strategic Plan and overlap with the review of the Strategic Resourcing Plan.

The following schedule is proposed for the various stages of the process:

| DATE       |  | OBJECTIVES  |
|------------|--|---|
| 17 April*  | <b>Meeting 1: OUTLINE</b>  | <ul style="list-style-type: none"> <li>Proposed 2024-25 budget approach presented to Council for discussion</li> </ul>  |
|            | Interim 1<br>(staff action)  | <ul style="list-style-type: none"> <li>Call for and collate Council and staff initiatives against Corporate Business Plan Council actions</li> </ul>  |
| 15 May*    | <b>Meeting 2: PRIORITIES</b>   | <ul style="list-style-type: none"> <li>Present initiatives from staff and Council</li> <li>Add new initiatives uncovered in workshop</li> <li>Prioritise and order all proposed initiatives</li> <li>Present underlying budget assumptions</li> </ul> |
|            | Interim 2<br>(staff action)  | <ul style="list-style-type: none"> <li>Explore costings, quotes, funding for initiatives</li> <li>Allocate initiatives to Integrated Strategic Plan</li> </ul>  |
| 29 May     | <b>Meeting 3: ALIGNMENT</b><br>Potentially via Teams                       | <ul style="list-style-type: none"> <li>Present draft Integrated Strategic Plan</li> <li>Review Strategic Plan for gaps and redress</li> </ul>   |
|            | Interim 3<br>(staff action)  | <ul style="list-style-type: none"> <li>Commence Long term Financial Plan (Moore)</li> <li>Allocate timing of initiatives in Strategic Plan</li> <li>Prepare 2024-25 draft budget</li> </ul>   |
| 19 June*   | <b>Meeting 4: AMEND</b><br>If no amendments required budget can be adopted | <ul style="list-style-type: none"> <li>Present draft Integrated Strategic Plan</li> <li>Present draft 2024-25 Shire of Koorda Budget</li> <li>Amend in response to Council feedback</li> </ul>  |
|            | Interim 4<br>(staff action)  | <ul style="list-style-type: none"> <li>Finalise Shire of Koorda 2024-25 Budget and Integrated Strategic Plan</li> </ul>   |
| 17 July*   | <b>Meeting 5: FINALISE</b>   | <ul style="list-style-type: none"> <li>Finalise budget and Integrated Strategic Plan</li> </ul>   |
|            | Interim 5<br>(staff action)  | <ul style="list-style-type: none"> <li>Prepare any budget amendments</li> <li>Finalise Long Term Resourcing Plan</li> </ul>   |
| 21 August* | <b>Meeting 6: FINALISE 2</b>   | <ul style="list-style-type: none"> <li>Present Long term Resourcing Plan</li> <li>Present final Shire 2024-25 Budget (if required)</li> </ul>   |
| 31 August  | Interim 6<br>(staff action)  | <ul style="list-style-type: none"> <li>Approved Shire Budget to be forwarded to Department of Local Government by August 31</li> </ul>  |

\*denotes Ordinary Council Meeting

As shown the table above sets out a meeting schedule for Council, expectations of each meeting and intervening staff actions to facilitate the process.

It is appreciated the proposed approach will require additional contact time for Elected Members than with a stand-alone annual budget process, however not more than would be required with the addition of an Integrated Strategic Plan review that engages Council input.

The previous Integrated Strategic Plan initiated in 2022 was developed by external consultants in reference to staff and community research and was presented to Council largely for endorsement. The proposed approach aims for greater Council insight to refine initiatives following the experience of the initial two years of the plan.

While the schedule details 6 meetings, these include the current meeting to approve the process and 2 finalisation meetings which may not be required if Council supports the draft budget when presented on June 19. It is also proposed that Council consider meeting via Teams for the May 29 meeting as it is between Ordinary Council Meetings.

## Integrated Strategic Plan Review

As mentioned previously the Integrated Strategic Plan consists of the Shire strategy (Strategic Community Plan) and tactics required to deliver such (Corporate Business Plan). The tactics should be reviewed on an annual basis and ideally captured as part of the budget process, while the strategy is required to undergo a desk-top review biennially. As it was adopted in 2022, the Shire of Koorda Strategic Community Plan is due for review this year.

In consideration of the Strategic Community Plan, Council may require little change to the identified strategy (detailed in the current plan as Community Priorities), whereas the tactics (Corporate Business Plan components) are more likely to require more changes.

The existing Shire of Koorda Strategic Community Plan has four pillars, these are:

- **Our Community** with 3 strategies (community priorities)
- **Our Economy** with 2 strategies (community priorities)
- **Our Environment** with 3 strategies (community priorities)
- **Our Organisation** with 4 strategies (community priorities)

Each of the strategies or community priorities are assigned between 2 to 5 implementation tactics (termed Council Actions) which comprise the elements of the Corporate Business Plan. The strategies and tactics for each pillar are detailed on the current Integrated Strategic Plan ([link here](#)) between pages 10 and 17.

For example, the Our Community pillar includes the following Community Priority strategy (Strategic Community Plan component) with 3 tactics defined as Council Actions (Corporate Business Plan components). As shown the tactics are also identified against future years for implementation up to the point of the current review (2024-25):

| Community Priorities   | Council Actions   | 21<br>22 | 22<br>23 | 23<br>24 | 24<br>25 |
|--|---|----------|----------|----------|----------|
| 1.1 - Local people feel safe, engaged, and enjoy a healthy and peaceful lifestyle. | 1.1.1 - Maintain strong working relationships with State Agencies. (e.g. WAPOL, Department of Education and WACHS)  | ✗        | ✗        | ✗        | ✗        |
|  | 1.1.2 - Advocate for continued improvements in medical, education and support services from other levels of government and the private sector that facilitates aging, living and learning within the Shire. | ✗        | ✗        | ✗        | ✗        |
|  | 1.1.3 - Facilitate and support events that promote the region and deliver a positive economic impact.   | ✗        | ✗        | ✗        | ✗        |

The Integrated Strategic Plan also includes Service Objectives for various Community Facilities, Fire Services and Community Infrastructure. These objectives should also be reviewed by Council as part of the process.

## Proposed Implementation

Should Council approve the proposed Budget development process as presented, the next step in the process will be for Elected Members to review the existing Integrated Strategic Plan ([link here](#)), in particular pages 10 to 17, and forward to the CEO ([ceo@koorda.wa.gov.au](mailto:ceo@koorda.wa.gov.au)) by close of business Wednesday, **1 May**:

- Proposed changes to Community Priorities (Strategic Community Plan components)
- Proposed changes to Council Actions (Corporate Business Plan components)
- Proposed ideas and insight for Shire infrastructure, services and operations.

Changes, additions or new ideas proposed by Elected Members do not need to be aligned to the existing Integrated Strategic Plan and are not expected to have implementation timelines or funding considerations. The first stage of the process is to draw on Council's insights and community experience to suggest initiatives to be considered.

As such the initiatives or ideas proposed need only:

- Define the initiative as succinctly as possible (e.g. "Relocate the Netball/Tennis Courts").
- Define, again in a sentence, the community need or potential problem for the community (e.g. Relocation of the courts helps maximise benefit of the Rec Centre redevelopment)

The second stage of the process on Wednesday May 15 – either in person or via Teams – will be when Council considers all the initiatives, ideas and concepts as suggested by Elected Members and staff and sets a priority for implementation.

Staff will then source preliminary cost estimates for each initiative which combined with the prioritisation set by Council, will be able to draft a timing schedule across financial periods for implementation. This will form the basis of the Integrated Strategic Plan review and initial Budget.

It is intended that the draft of the Integrated Strategic Plan and 2024-25 Budget will be presented to Council on Wednesday, **June 19**. Provisions are made in the Budget timetable, as presented earlier, for meetings to amend the draft budget and two meetings to finalise if required. However, should Council support the draft budget as presented on June 19, it can be adopted at that time.

If additional meetings are required after the meeting of June 19, to the extent that all 3 are required, the schedule still provides for the Budget finalised on August 21 which is ahead of the August 31 deadline to submit the endorsed document to the Department of Local Government.

## Recommendation:

**That Council adopt the proposed aligned approach for the review of the Shire of Koorda Integrated Strategic Plan and development of the Shire Budget for 2024-25.**



*Shire of*  
**Koorda**

---

*Drive in, stay awhile*

**DELEGATIONS REGISTER 2023**  
**(May 2023)**



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## Introduction

The application of delegated authority is intended to improve the efficiency, effectiveness and timeliness of decision-making and is consistent with the Shire's Intergrated Strategic Plan and commitment to a strong customer service focus.

The Council (and the Chief Executive Officer in the case of most sub delegations) delegate matters where the relevant employees have the appropriate skills and expertise to implement the delegation or sub delegation within the Shire's decision-making frameworks. At the same time the exercise of all delegated and sub delegated authority is subject to complying with relevant policies of the Shire, which are referenced within each Instrument.

An important safeguard is also the principle that nothing prevents the delegating body or person from taking back a delegation or sub delegation, or actually making the relevant decision on a particular issue.

## Definitions

The terms used throughout this register are defined below:

**Delegate** the person (named by position title or office) or entity 'appointed' by the delegator, to act in place of the delegator for the purpose of exercising an express power or duty.

**Delegation** the process, prescribed in legislation, for assigning authority to exercise an express power or duty from the delegate to another person (named by position title or office) or an entity (the Delegate).

**Delegator** the person (named by position title or office) or entity in which the written law vests an Express Power or Duty whom delegates that Express Power or Duty.

**Express Power or Duty** a power or duty written (expressly) in legislation.

**Express Power to Delegate** a power (procedure) written (expressly) in legislation that enables the devolution of an Express Power or Duty from a Delegator to a Delegate.

**Head of Power** the legislation, which contains an express power to delegate and/or an express power or duty.

**Instrument of Delegation** the written form of a delegation. Legislation requires delegation be provided in writing. The instrument of delegation communicates the delegation from the Delegator to the Delegate.

**Sub-delegate** the person (named by position or title or office) or entity to which a Delegate has sub-delegated a power or duty, which has been delegated to that Delegate by the Delegator.

## Local Government Act 1995

The majority of delegations and sub delegations described in this Register originate under the *Local Government Act 1995*, which permits a local government (by absolute majority decision under Section 5.42(1)) to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act except those listed in Section 5.43.

The delegation powers under the *Local Government Act 1995* relate to the Act itself, Regulations made under the Act and Local Laws made under the Act.

The *Local Government Act 1995* allows the Chief Executive Officer to delegate any of the powers delegated to the Office of Chief Executive Officer to another employee (Section 5.44(1)), in writing (Section 5.44(2)) and may include conditions (Section 5.44(4)).

## Review of Delegations

The *Local Government Act 1995* requires that a review of the Delegations Register occurs at least once every financial year. Delegations under other Acts may have different requirements. Where there is no statutory requirement for review, the provisions of the *Local Government Act 1995* shall be applied to ensure uniformity. The review will include the Chief Executive Officer reviewing all sub-delegations and authorisations.

## Standard Conditions of Delegations

In accordance with Section 5.71 of the *Local Government Act 1995* and the Shire's Code of Conduct for employees, if an employee has been delegated a power or duty relating to a matter in which the employee has an interest, that employee must not exercise the power or discharge the duty and must, in the case of the CEO, disclose to the Shire President the nature of the interest, and in the case of any other employee, must disclose to the CEO the nature of the interest. The *Local Government Act 1995* contains severe penalties for failure to comply.

In accordance with Sections 5.75 and 5.76 of the *Local Government Act 1995*, the delegation of a power or duty to an employee triggers the requirement to make disclosures in primary and annual returns. The *Local Government Act 1995* contains severe penalties for failure to comply. It is the responsibility of each individual employee to ensure compliance.

Any delegation exercised shall comply with any laws and regulations in force, and the requirements of any Shire of Koorda Local Laws, Council Policies and resolutions of Council.

In accordance with Section 5.46(3) of the *Local Government Act 1995*, a person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty. Regulation 19 of the *Local Government (Administration) Regulations 1996* requires the person to whom the power or duty has been delegated to keep a written record of:

1. how the person exercised the power or discharged the duty;
2. when the person exercised the power or discharged the duty; and
3. the person or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

## Record of Actions and Decisions

If a person is exercising a power or duty that has been delegated (including sub delegated), the *Local Government Act 1995* requires that records be kept whenever the delegated authority is utilised (Section 5.46 (3)). Regulation 19 of the *Local Government (Administration) Regulations 1996* prescribes the information required to be recorded:

1. how the person exercised the power or discharged the duty;
2. when the person exercised the power or discharged the duty; and
3. the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

Officers responsible for a delegated function, power or duty are to ensure that data is captured and records managed in accordance with all legislation, as well as preparing reports to Council where required.

## Primary and Annual Returns

An employee to whom a duty or power is delegated under the *Local Government Act 1995* is considered a 'designated employee' under Section 5.74(1) of the Act and is required to complete a primary and annual return each year.

## Matters which cannot be Delegated

The following are decisions that cannot be delegated by Council to the Chief Executive Officer as per Section 5.43 of the Act:

1. Any power or duty that requires a decision of an absolute majority or special (75%) majority of the local government;
2. Accepting a tender which exceeds an amount determined by the local government;
3. Appointing an auditor;
4. Acquiring or disposing of any property valued at an amount determined by the local government;
5. Any of the local government's powers under Sections 5.98, 5.98A, 5.99A, 5.99 and 5.100 of the Act;
6. Borrowing money on behalf of the local government;
7. Hearing or determining an objection of a kind referred to in Section 9.5;
8. The power under Section 9.49(4) to authorize a person to sign documents on behalf of the local government;
9. Any power of duty that requires the approval of the Minister or Governor; or
10. Such other duties or powers that may be prescribed by the Act.

Furthermore, the following regulations prescribe powers and duties which cannot be delegated to the CEO:

1. Regulation 18G of the *Local Government (Administration) Regulations 1996* prohibits the delegation to a CEO of the powers and duties under Sections 7.12(a), 7.12A(3)(a) and 7.12A(4) of the *Local Government Act 1995* (relating to meetings with auditors);
2. Regulations 18C and 18D (relating to the selection and appointment of CEO's and reviews of their performance); and
3. Regulation 6 of the *Local Government (Financial Management) Regulations 1996* prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.

## Delegation by the Chief Executive Officer to an Employee

Section 5.44(1) of the *Local Government Act 1995* allows for the Chief Executive Officer to delegate any of the powers to another employee other than the power of delegation. This must be done in writing as per Section 5.44(2). The Act also allows for the Chief Executive Officer to place conditions on any delegations if desired under Section 5.44(4).

A register of delegations relevant to the Chief Executive Officer and other employees is to be kept and reviewed at least once every financial year as per Section 5.46(1) and (2) of the Act. If a person is exercising a power or duty that they have been delegated, the Act requires that records be kept whenever the delegated authority is exercised as per Section 5.46(3) of the Act.

The record is to contain the following information:

1. How the person exercised the power or discharged the duty;
2. When the person exercised the power or discharged the duty; and
3. The persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty under Regulation 19 of *Local Government (Administration) Regulations 1996*.

Officers responsible for a work process are to ensure that data is captured and records managed in accordance with all legislation, as well as preparing reports to Council where required under a specific delegation.

A person to whom a power is delegated under the Act is considered to be a “designated employee” under Section 5.74(1) of the Act and is required to complete a primary and annual return each year.

There is no power for a person other than the CEO to delegate a power as stated in Section 5.44(1) of the Act.

Officers must refer to relevant legislation prior to making any decisions under delegated authority.

## Acting through another person

The *Local Government Act 1995* recognises that employees do not always need delegations (or sub delegations) to carry out their tasks and functions on behalf of the Shire. Section 5.45(2) of the Act states:

*“Nothing in this Division (Division 4 - Local Government Employees) is to be read as preventing –*

- (a) a local government from performing any of its functions by acting through a person other than the Chief Executive Officer; or
- (b) a Chief Executive Officer from performing any of his or her functions by acting through another person.”

The key difference between a delegation and “acting through” is that a delegate exercises the delegated decision making function in his or her own right. Thus, an employee may pay an account or issue an approval if directed to do so by another employee who has the authority to make such a decision and chooses to “act through” another employee.

The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the “acting through” concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

## Using delegation to make decisions

Before using a delegated authority a delegate must familiarise themselves with the legislative framework that informs the decisions they will make under the Delegation.

Care should be taken to understand the legislative process, conditions and limitations relevant to the statutory power or duty. The delegate must also consider and apply policy, procedures or standards that are relevant to the decisions they are empowered to make and also ensure that they comprehensively understand the legal framework that informs their decision making.

## Conflicts of Interest

A conflict of interest arises where a personal interest is in conflict with the public interest. Delegates must disclose any conflict of interest, which may require them to be removed from the decision making process. A Delegate may also refer the decision making back to the Delegator where they consider there is a risk or sensitivity which makes it more appropriate for the Delegator to make that decision.

The Shire’s Code of Conduct requires that employees immediately disclose interests that could be in conflict, or could be perceived to be in conflict, with the performance of their public duties.



# 1 Law and Order

## 1.1 Powers of Entry

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.28 When this Subdivision applies<br>s.3.32 Notice of entry<br>s.3.33 Entry under warrant<br>s.3.34 Entry in an emergency<br>s.3.36 Opening fences   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to exercise powers of entry to enter onto land to perform any of the local government functions under this Act, other than entry under a Local Law [s.3.28].</li> <li>2. Authority to give notice of entry [s.3.32].</li> <li>3. Authority to seek and execute an entry under warrant [s.3.33].</li> <li>4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].</li> <li>5. Authority to give notice and effect entry by opening a fence [s.3.36].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Delegated authority under s.3.34(1) and (3) may only be used where there is imminent or substantial risk to public safety or property.   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b><br><b>Works Supervisor</b><br>(Assisted/working through by Contract Ranger, Building Surveyor, and/or Environmental Health Officer, as applicable)   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation   |
| <b>Compliance Links:</b>  | <a href="#"><i>Local Government Act 1995:</i></a><br>s.9.10 Appointment of authorised persons – refer also s.3.32(2)]<br>Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i>  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |



## 1.2 Declare Vehicle is Abandoned Vehicle Wreck

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO  |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.40A(4) Abandoned vehicle wreck may be taken  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].   |
| <b>Council Conditions on this Delegation:</b>   | Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 2.4 Confiscated or Uncollected Goods or alternatively, referred for Council decision.                    |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation  |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a> : Part 3, Division 3, Subdivision 3   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> . |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

### 1.3 Confiscated or Uncollected Goods

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.46 Goods May be withheld until costs paid<br>s.3.47 Confiscated or uncollected goods, disposal of<br>s.3.48 Impounding expenses, recovery of  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to refuse to allow goods impounded under s.3.39 or s.3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46]</li> <li>2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47].</li> <li>3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> <li>4. The period after which goods may be sold or otherwise disposed of under subsection (2b) is: <ol style="list-style-type: none"> <li>a. for perishable goods — 3 days;</li> <li>b. for animals — 7 days;</li> <li>b. for prescribed non-perishable goods — one month;</li> <li>c. for other non-perishable goods — 2 months.</li> </ol> </li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.</li> <li>b. The Delegation can only be used where the Delegate's reasonable efforts to identify and contract an owner have failed.</li> <li>c. If the market value is less than \$500, then the uncollected goods/abandoned vehicles are to be disposed of via a Private Treaty.</li> </ol>   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil  |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a> Part 3, Division 3, Subdivision 3<br>s.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

***GUIDANCE NOTE:***

*Section 3.47 specifies that Section 3.58 applies to disposal of goods under Section 3.47. Note however that the Section 3.57 tender requirements do not apply to either the disposal of confiscated or uncollected goods OR the Disposal of Property under Section 3.58. (Section 3.57 applies only to “contracts... under which another person is to supply goods or service).*

## 1.4 Disposal of Sick or Injured Animals

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | Local Government Act 1995:<br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.47A Sick or injured animals, disposal of<br>s.3.48 Impounding expenses, recovery of  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].</li> <li>2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b><br>(Assisted/working through by Contract Ranger)  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation  |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a> Part 3, Division 3, Subdivision 3<br>s.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.   |
| <b>Record Keeping</b>   | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

## 2 Works

### 2.1 Close Thoroughfares to Vehicles

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.50 Closing certain thoroughfares to vehicles<br>s.3.50A Partial closure of thoroughfare for repairs or maintenance<br>s.3.51 Affected owners to be notified of certain proposals  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)].</li> <li>2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ul style="list-style-type: none"> <li>• give public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and</li> <li>• consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)].</li> </ul> </li> <li>3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].</li> <li>4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]</li> <li>5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s3.51].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].</li> <li>b. Where the closure is required for the conduct of an event, the requirements of the <i>Road Traffic (Events on Roads) Regulations 1991</i> will be applied.</li> </ol>  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer<br/>Works Supervisor</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation   |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a> : Part 3, Division 3, Subdivision 3<br><a href="#">Road Traffic (Events on Roads) Regulations 1991</a><br><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a><br>Local Government Property Local Law  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 2.2 Obstruction of Footpaths and Thoroughfares

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|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government (Uniform Local Provisions) Regulations 1996:</i><br>r.5(2) Interfering with, or taking from, local government land<br>r.6 Obstruction of public thoroughfare by things placed and left – Sch. 9.1 cl. 3(1)(a)<br>r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b)<br>r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> <li>a. prevent damage to the footpath; or</li> <li>b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].</li> </ol> </li> <li>2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)].</li> <li>3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)].</li> <li>4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A].</li> <li>5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Permission may only be granted where the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b><br><b>Works Supervisor</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation.  |
| <b>Compliance Links:</b>  | <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>   |

|                                |  |
|--------------------------------|--|
|                                | <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a><br/><a href="#">Road Traffic (Events on Roads) Regulations 1991</a></p> <p>Local Government Property Local Law</p> |
| <b>Record Keeping</b>          | <p>Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i>.</p>  |
| <b>Reporting Requirements:</b> | <p>Delegations exercised are to be reported to Council monthly.</p>  |

## 2.3 Public Thoroughfare – Dangerous Excavations

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO  |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government (Uniform Local Provisions) Regulations 1996:</i><br>r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)].</li> <li>2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.11(6)].</li> <li>4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].</li> </ol>   |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol> |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation  |
| <b>Compliance Links:</b>  | <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures. Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |



## 2.4 Crossings – Construction, Repair and Removal

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|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government (Uniform Local Provisions) Regulations 1996:</i><br>r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2)<br>r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r,12(1)].</li> <li>2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)].</li> <li>3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)].</li> <li>4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Maintenance and upkeep of the crossing to a safe and useable standard is the responsibility of the property owner.</li> </ol>   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation   |
| <b>Compliance Links:</b>  | <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures<br><br>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 2.5 Performing Particular Things on Land which is not the Local Government's Property

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.27 Particular things local governments can do on land that is not local government property<br>Sch.3.2 Particular things local governments can do on land even though it is not local government property   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to carry out things as follows:<br><ol style="list-style-type: none"> <li>1. Carry out works for the drainage of land [Sch.3.2(1)];</li> <li>2. Do earthworks or other works on land for preventing or reducing flooding [Sch.3.2(2)];</li> <li>3. Take from land any native growing or dead timber, earth, stone, sand or gravel that, in its opinion, the local government requires for making or repairing a thoroughfare, bridge, culvert, fence or gate [Sch.3.2(3)];</li> <li>4. Deposit and leave on land adjoining a thoroughfare any timber, earth, stone, sand, gravel, and other material that persons engaged in making or repairing a thoroughfare, bridge, culvert, fence or gate do not, in the opinion of the local government, require [Sch.3.2(4)];</li> <li>5. Make a temporary thoroughfare through land for use by the public as a detour while work is being done on a public thoroughfare [Sch.3.2(5)];</li> <li>6. Place on land signs to indicate the names of public thoroughfares [Sch.3.2(6)]; and</li> <li>7. Make safe a tree that presents serious and immediate danger, without having to give the owner the notice otherwise required by regulations [Sch.3.2(7)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | An effort must have been made to notify the owner(s) and seek approval prior to works being carried out.   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Works Supervisor</b>  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation   |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a><br><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 2.6 Notices Requiring Things to be done by Owner or Occupier of Land and Additional Powers when Notice is Given

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|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO  |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.25 Notices requiring certain things to be done by owner or occupier of land<br>Sch.3.1 Powers under notices to owners or occupiers of land<br>Sch.3.2 Particular things local governments can do on land even though it is not local government property<br><i>Local Government (Uniform Local Provisions) Regulations 1995</i><br>r.11 Dangerous excavation in or near public thoroughfare – Sch. 9.1 cl. 6 |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to exercise the powers and duties of the local government in relation to notices requiring certain things to be done by owner or occupier of land and additional powers when notice is given.   |
| <b>Council Conditions on this Delegation:</b>   | Must comply with relevant Council Policies.   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Works Supervisor</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation  |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a><br><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a><br>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i>   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

## 2.7 Reserves Under Control of Local Government

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|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.54(1) Reserves under control of local government  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to do anything for the purpose of controlling and managing land under the control and management of the Shire that the Shire could do under s.5 of the <a href="#">Parks and Reserves Act 1895</a> [s.3.54(1)] |
| <b>Council Conditions on this Delegation:</b>   | Limited to matters where the financial implications do not exceed a relevant and current budget allocation and which do not create a financial liability in future budgets.  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Works Supervisor</b>  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | a. Conditions on the original delegation also apply to the sub-delegation<br>b. Must comply with relevant Council Policies   |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a> Part 3, Division 3, Subdivision 3<br><a href="#">Parks and Reserves Act 1895</a>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .          |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 2.8 Give Notice to Prevent Damage to Local Government Property and other Land from Wind Erosion and Sand Drift

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO  |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government (Uniform Local Provisions) Regulations 1996:</i><br>r.21(1) Wind erosion and sand drifts – Sch.9.1 cl. 12 (1) (2)   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to give notice to an owner/occupier of land if it is considered that clearing the owner/occupier's land might cause local government land having a common boundary to be adversely affected by wind erosion or sand drift [ULP r.21(1)]</li> <li>2. Authority to give notice to owner/occupier of land to prevent or to minimise sand drifts that is likely to adversely affect other land</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Works Supervisor</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation  |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a><br><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i>   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

### 3 Administration

#### 3.1 Expressions of Interest for Goods and Services

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.57 Tenders for providing goods or services<br><i>Local Government (Functions and General) Regulations 1996:</i><br>r.21 Limiting who can tender, procedure for<br>r.23 Rejecting and accepting expressions of interest to be acceptable tenderer<br>r.24 Person expressing interest to be notified of outcome   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&amp;G r.21].</li> <li>2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&amp;G r.23 &amp; r24].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation   |
| <b>Compliance Links:</b>  | <p><a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p><a href="#">WALGA Subscription Service</a> – Procurement Toolkit (Paid subscription)</p> <p>Council Purchasing Policy</p> <p>Council Policy Regional Price Preference Policy</p>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .<br><br>Details to be recorded in the Tender Register.   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

### 3.2 Tenders for Goods and Services

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.57 Tenders for providing goods or services<br><i>Local Government (Functions and General) Regulations 1996:</i><br>r.11 When tenders have to be publicly invited<br>r.13 Requirements when local government invites tenders though not required to do so<br>r.14 Publicly inviting tenders, requirements for<br>r.18 Rejecting and accepting tenders<br>r.20 Variation of requirements before entry into contract<br>r.21A Varying a contract for the supply of goods or services   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to call tenders [F&amp;G r.11(1)].</li> <li>2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&amp;G r.11(f)].</li> <li>3. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is \$250,000 or less and the expense is included in the adopted Annual Budget [F&amp;G.r.11(2)].</li> <li>4. Authority to invite tenders although not required to do so [F&amp;G r.13].</li> <li>5. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&amp;G r.14(2a)].</li> <li>6. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&amp;G r.14(4)(a)].</li> <li>7. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&amp;G r.14(5)].</li> <li>8. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&amp;G r.18(4)].</li> <li>9. Authority to accept, or reject tenders, only within the \$250,000 detailed as a condition on this Delegation and in accordance with the requirements of the Functions and General Regulations [F&amp;G r.18(2) and (4)].</li> <li>10. Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender, subject to a maximum 10% variation and within the \$10,000 detailed as a condition on this Delegation, and to then negotiate minor variations with the successful tenderer <u>before</u> entering into a contract [F&amp;G r.20(1) and (3)].</li> <li>11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&amp;G r.18(4a)].</li> <li>12. Authority to decline any tender [F&amp;G r.18(5)].</li> <li>13. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&amp;G r.20(2)]</li> <li>14. Authority to:</li> </ol> |



|   |   |
|---|---|
|   | <ul style="list-style-type: none"> <li>i. Vary a contract that has been entered into with a successful tenderer, provided the variation/s do not change the scope of the original contract or increase the contract value beyond 10%.</li> <li>ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j). [F&amp;G r.21A].</li> </ul> <p>15. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&amp;G r.18(6) &amp; (7)].</p>  |
| <p><b>Council Conditions on this Delegation:</b></p>      | <ul style="list-style-type: none"> <li>a. Sole supplier arrangements may only be approved where a record is retained that evidences: <ul style="list-style-type: none"> <li>i. A detailed specification;</li> <li>ii. The outcomes of market testing of the specification;</li> <li>iii. The reasons why market testing has not met the requirements of the specification; and</li> <li>iv. Rationale for why the supply is unique and cannot be sources through other suppliers;</li> </ul> </li> <li>b. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where the: <ul style="list-style-type: none"> <li>i. proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government,</li> <li>ii. current supply contract expiry is imminent,</li> <li>iii. value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and</li> <li>iv. The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.</li> </ul> </li> <li>c. In accordance with s.5.43, tenders may only be accepted and panels of pre-qualified suppliers established where the total consideration under the resulting contract is \$250,000 or less and the expense is included in the adopted Annual Budget.</li> </ul> |
| <p><b>Express Power to Sub-Delegate:</b></p>              | <p><i>Local Government Act 1995:</i><br/>s.5.44 CEO may delegate some powers and duties to other employees</p>  |
| <p><b>Sub-Delegate/s:</b><br/><i>Appointed by CEO</i></p> | <p><b>Deputy Chief Executive Officer</b></p>  |
| <p><b>CEO Conditions on this Sub-Delegation:</b></p>      | <p>Conditions on the original delegation also apply to the sub-delegation</p>   |
| <p><b>Compliance Links:</b></p>                           | <p><a href="#">Local Government Act 1995</a></p> <p><a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p><a href="#">WALGA Subscription Service</a> – Procurement Toolkit (Paid subscription)</p> <p>Council Policy - Purchasing Policy</p> <p>Council Policy – Regional Price Preference Policy</p>  |
| <p><b>Record Keeping:</b></p>                             | <p>Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i>.</p> <p>Entry in the Tender Register in accordance with Regulation 17 <i>Local Government (Functions and General) Regulations 1996</i>.</p>   |
| <p><b>Reporting Requirements:</b></p>                     | <p>Delegations exercised are to be reported to Council monthly.</p>   |

### 3.3 Application of Regional Price Preference Policy

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government (Functions and General) Regulations 1996::</i><br>r.24G Adopted regional price preference policy, effect of  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to decide when not to apply the regional price preference policy to a particular future tender [F&G r.24G].  |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b><br><b>Works Supervisor</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation   |
| <b>Compliance Links:</b>  | <a href="#"><u>Local Government (Functions &amp; General) Regulations 1996</u></a><br>Council Policy – Purchasing Policy<br>Council Policy - Regional Price Preference Policy  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i><br><br>The decision on whether a regional price preference is to be applied to a particular tender is to be included in the tender specifications for that tender. |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

### 3.4 Disposing of Property

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.58(2) & (3) Disposing of Property   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to dispose of property to: <ol style="list-style-type: none"> <li>(a) to the highest bidder at public auction [s.3.58(2)(a)].</li> <li>(b) to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)]</li> </ol> </li> <li>2. Authority to dispose of property by private treaty only in accordance with Section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].</li> </ol>  |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required.</li> <li>b. In accordance with s.5.43, disposal of property for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of \$75,000 or less.</li> <li>c. When determining the method of disposal: <ul style="list-style-type: none"> <li>• Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> <li>○ Reserve price has been set by independent valuation.</li> <li>○ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price.</li> </ul> </li> <li>• Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method.</li> <li>• Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: <ul style="list-style-type: none"> <li>○ Negotiate the sale of the property up to a -10% variance on the valuation; and</li> <li>○ Consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a decision are recorded.</li> </ul> </li> </ul> </li> <li>d. Where the market value of the property is determined as being less than \$20,000 (F&amp;G r.30(3) excluded disposal) may be undertaken: <ul style="list-style-type: none"> <li>• Without reference to Council for resolution; and</li> <li>• In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value, then the disposal must ensure environmentally responsible disposal.</li> </ul> </li> <li>e. Where the disposal relates to a lease or sub-lease of a Reserve vested in the Shire, the Power to Lease must be included as a condition on the Management Order with the State.</li> </ol> |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil  |

|                                |   |
|--------------------------------|---|
| <b>Compliance Links:</b>       | <p><a href="#">Local Government Act 1995</a> – s.3.58 Disposal of Property</p> <p><a href="#">Local Government (Functions and General) Regulations 1995</a> – r.30 Dispositions of property excluded from Act s. 3.58</p>   |
| <b>Record Keeping:</b>         | <p>Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i>.</p> <p>Executed leases, tenancy agreements etc are to be retained in Legal Services/Agreements file.</p> |
| <b>Reporting Requirements:</b> | <p>Delegations exercised are to be reported to Council monthly.</p>   |

### 3.5 Legal Matters & Representation

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO  |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.9.29   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to appoint an employee to represent the local government in legal proceedings either generally or in a particular case and to obtain legal advice and opinions as are deemed necessary in the exercise and management of the local government. [s.9.29(2)(b)].  |
| <b>Council Conditions on this Delegation:</b>   | <p>a. The CEO may only appoint the following officers to represent Council in legal proceedings or authorise them to obtain legal advice:</p> <ul style="list-style-type: none"> <li>i. Deputy Chief Executive Officer</li> <li>ii. Works Supervisor</li> </ul> <p>b. Legal proceedings may only be initiated with the prior approval of Council subject to adequate provision in the Budget.</p>   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil   |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |
| <b>Note:</b>  | The above delegation is in addition to, and not in derogation of, the provisions under Section 358 of the Health (Miscellaneous Provisions) Act 1911 which states that an environmental health officer of a local government may, by virtue of his/her office, and without receiving express authority from such local government, institute and carry on proceedings against any person for an alleged offence under this Act or any local law or regulation made thereunder, and he/she shall be reimbursed out of the funds of the local government all costs and expenses which he/she may incur or be put to in or about such proceedings. |

## 4 Finance

### 4.1 Payments from the Municipal or Trust Funds

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO  |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government (Financial Management) Regulations 1996:</i><br>r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to make payments from the municipal funds [r.12(1)(a)].   |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>Authority to make payments is subject to annual budget limitations.</li> <li>Procedures are to be systematically documented, retained and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit Committee at least once each financial year. [Audit r.17]</li> </ol>   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | <ol style="list-style-type: none"> <li>Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5.</li> <li>Payments by cheque, BPay and EFT transactions must be approved jointly by two Authorised Officers, one of whom must have Delegated Authority (CEO, DCEO and Finance Officers).</li> <li>The verification of incurring the liability via the purchase order, invoice and evidence of goods/service received must be approved jointly by two Authorised Officers, one of whom must have Delegated Authority (CEO, or DCEO).</li> <li>Conditions on the original delegation also apply to the sub-delegation.</li> </ol> |
| <b>Compliance Links:</b>  | <p><a href="#">Local Government Act 1995</a></p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a> - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p> <p><a href="#">Local Government (Audit) Regulations 1996</a></p> <p>Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No.11 – Use of Corporate Credit Cards</a></p> <p>Department of Local Government, Sport and Cultural Industries: <a href="#">Accounting Manual</a></p> <p>Council Purchasing Policy</p>  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.<br><br>The List of Payments is to be presented as an Attachment to the Agenda to Council each month.   |

## 4.2 Defer, Grant Discounts, Waive or Write Off Debts

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.6.12 Power to defer, grant discounts, waive or write off debts  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Waive a debt which is owed to the Shire of Koorda [s.6.12(1)(b)].</li> <li>2. Grant a concession in relation to money which is owed to the Shire of Koorda [s.6.12(1)(b)].</li> <li>3. Write off an amount of money which is owed to the Shire of Koorda [s.6.12(1)(c)].</li> </ol>  |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>a. A debt, other than a debt relating to a rate or service charge, may only be waived where the dollar amount does not exceed \$1,500 per individual debt.</li> <li>b. A debt relating to a rate or service charge may only be written off where the dollar value does not exceed \$1,500 per individual debt.</li> <li>c. A discount on venue hire fees as listed in the Schedule of Fees &amp; Charges may only be granted where the dollar amount does not exceed \$500.</li> <li>d. A debt may only be written off where all necessary measures have been taken to locate/contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Koorda, or where the value of the debt makes recovery attempts uneconomical.</li> <li>e. Write off of debts greater than these values must be referred to Council for a decision.</li> </ol> |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b><br><b>Finance Officers</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation except that the dollar amount per rates notice cannot exceed \$5 for rates, sewerage and other charges, and \$2 for ESL.  |
| <b>Compliance Links:</b>  | <p><a href="#">Local Government Act 1995</a></p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a></p> <p>Collection of Rates Debts – refer Delegations:</p> <p><a href="#">Delegation 4.5</a> - Agreement as to Payment of Rates and Service Charges<br/> <a href="#">Delegation 4.7</a> - Recovery of Rates or Service Charges<br/> <a href="#">Delegation 4.8</a> - Recovery of Rates Debts – Require Lessee to Pay Rent</p>  |
| <b>Record Keeping:</b>  | <p>Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i>.</p> <p>Where the write off relates to rates, relevant notes are to be kept on the property file within Synergysoft.</p> <p>In accordance with Regulation 42 of the <i>Local Government (Financial Management) Regulations 1996</i>, the total amount of money written off is to be reported in the Annual Report.</p>   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |



### 4.3 Power to Invest and Manage Investments

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO  |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.6.14 Power to invest<br><i>Local Government (Financial Management) Regulations 1996:</i><br>r.19 Investments, control procedures for   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)].</li> <li>2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].</li> </ol>  |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>a. All investment activity must comply with the Financial Management Regulation 19C.</li> <li>b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports.</li> <li>c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit Committee at least once within every 3 financial years. [Audit r.17]</li> </ol> |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | <ol style="list-style-type: none"> <li>1. A decision to invest must be jointly confirmed by two Delegates.</li> <li>2. Conditions on the original delegation also apply to the sub-delegation.</li> </ol>   |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a><br><a href="#">Banking Act 1959</a><br><a href="#">Local Government (Financial Management) Regulations 1996</a> – refer r.19C<br>Investment of money, restrictions on (Act s.6.14(2)(a))  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | A report detailing the investment portfolio is to be presented to Council each month.   |

#### 4.4 Rate Record Amendment

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.6.39(2)(b) Rate record<br>s.6.40 Effect of amendment of rate record   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].   |
| <b>Council Conditions on this Delegation:</b>   | Delegates must comply with the requirements of s.6.40 of the Act.  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation.  |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a> – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record.<br><a href="#">Rates &amp; Charges (Rebates &amp; Deferments) Act 1992</a><br><a href="#">Valuation of Land Act 1978</a><br><a href="#">Fire &amp; Emergency Services Act 1998</a><br>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .<br>Relevant notes to be kept on the property file within Synergyssoft.  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 4.5 Agreement as to Payment of Rates and Service Charges

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.6.49 Agreement as to payment of rates and service charges   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].   |
| <b>Council Conditions on this Delegation:</b>   | Agreements must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation.  |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a><br><a href="#">Rates &amp; Charges (Rebates &amp; Deferrals) Act 1992</a><br><a href="#">Valuation of Land Act 1978</a><br><a href="#">Fire &amp; Emergency Services Act 1998</a><br>Council Policy – Financial Hardship Policy for Water Services<br>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .<br>Relevant notes are to be kept on the property file within Synergyssoft.  |
| <b>Reporting Requirements:</b>  | The full details of the arrangements made under this delegation is to be recorded in the rate record.  |

## 4.6 Determine Due Date for Rates or Service Charges

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO  |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.6.50 Rates or service charges due and payable  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to determine the date on which rates or service charges become due and payable to the Shire of Koorda [s.6.50].   |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation.   |
| <b>Compliance Links:</b>  | <a href="#">Local Government Act 1995</a><br><a href="#">Rates &amp; Charges (Rebates &amp; Deferrals) Act 1992</a><br><a href="#">Valuation of Land Act 1978</a><br><a href="#">Fire &amp; Emergency Services Act 1998</a><br><br>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .<br><br>Relevant notes are to be kept on the property file within Synergysoft.  |
| <b>Reporting Requirements:</b>  | The full details of the arrangements made under this delegation is to be recorded in the rate record.   |

## 4.7 Recovery of Rates or Service Charges

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.6.56 Rates or service charges recoverable in court<br>s.6.64(3) Actions to be taken   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].</li> <li>2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Conditions on the original delegation also apply to the sub-delegation.</li> <li>b. The sub-delegation does not include the authority to lodge and withdraw caveats.</li> </ol>  |
| <b>Compliance Links:</b>  | <p><a href="#">Local Government Act 1995</a></p> <p><a href="#">Rates &amp; Charges (Rebates &amp; Deferments) Act 1992</a></p> <p><a href="#">Valuation of Land Act 1978</a></p> <p><a href="#">Fire &amp; Emergency Services Act 1998</a></p> <p>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</p>                                    |
| <b>Record Keeping:</b>  | <p>Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i>.</p> <p>Relevant notes are to be kept on the property file within Synergyssoft.</p>  |
| <b>Reporting Requirements:</b>  | The full details of the decision and actions taken under this delegation is to be recorded in the rate record.   |

#### 4.8 Recovery of Rates Debts – Require Lessee to Pay Rent

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.6.60 Local Government may require lessee to pay rent  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Koorda [s.6.60(2)].</li> <li>2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation.  |
| <b>Compliance Links:</b>  | <p><a href="#">Local Government Act 1995</a> – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60.</p> <p><a href="#">Rates &amp; Charges (Rebates &amp; Deferments) Act 1992</a></p> <p><a href="#">Valuation of Land Act 1978</a></p> <p><a href="#">Fire &amp; Emergency Services Act 1998</a></p>                                       |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .<br><br>Relevant notes are to be kept on the property file within Synergyssoft.   |
| <b>Reporting Requirements:</b>  | The full details of the decision and actions taken under this delegation is to be recorded in the rate record.   |

## 4.9 Rate Record - Objections

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO  |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.6.76 Grounds of objection  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)].</li> <li>2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil   |
| <b>Compliance Links:</b>  | <p><a href="#">Local Government Act 1995</a></p> <p><a href="#">Rates &amp; Charges (Rebates &amp; Deferments) Act 1992</a></p> <p><a href="#">Valuation of Land Act 1978</a></p> <p><a href="#">Fire &amp; Emergency Services Act 1998</a></p> <p>Notes – Decisions under this delegation may be referred for review by the State Administrative Tribunal</p>  |
| <b>Record Keeping:</b>  | <p>Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i>.</p> <p>Relevant notes are to be kept on the property file within Synergyssoft.</p>   |
| <b>Reporting Requirements:</b>  | The full details of the decision and actions taken under this delegation is to be recorded in the rate record.  |



## 5 Building Act 2011 Delegations

### 5.1 Grant a Building Permit

|   |   |
|---|---|
| <b>Delegator:</b>   | Permit Authority (Local Government)   |
| <b>Express Power to Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(1) & (3) Delegation: special permit authorities and local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Building Act 2011:</i><br>s.18 Further Information<br>s.20 Grant of building permit<br>s.22 Further grounds for not granting an application<br>s.27(1) and (3) Impose Conditions on Permit<br><br><i>Building Regulations 2012:</i><br>r.23 Application to extend time during which permit has effect (s.32)<br>r.24 Extension of time during which permit has effect (s.32(3))<br>r.26 Approval of new responsible person (s.35(c))   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a building permit [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and(3)].</li> <li>4. Authority to determine an application to extend time during which a building permit has effect [r.23]. <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</li> <li>ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation  |
| <b>Compliance Links:</b>  | <p><a href="#">Building Act 2011</a><br/>s.119 Building and demolition permits – application for review by SAT<br/>s.23 Time for deciding application for building or demolition permit<br/>s.17 Uncertified application to be considered by building surveyor</p> <p><a href="#">Building Regulations 2012</a> – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT</p> <p><a href="#">Building Services (Registration Act) 2011</a> – Section 7</p> <p><a href="#">Home Building Contracts Act 1991</a> – Part 3A, Division 2 – Part 7, Division 2</p> <p><a href="#">Building and Construction Industry Training Levy Act 1990</a></p> <p><a href="#">Heritage Act 2018</a></p> <p><a href="#">Caravan and Camping Grounds Act 1995</a></p>   |

|                                |   |
|--------------------------------|---|
|                                | <a href="#"><u>Caravan and Camping Grounds Regulations 1997</u></a>   |
| <b>Record Keeping:</b>         | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> . |
| <b>Reporting Requirements:</b> | Delegations exercised are to be reported to Council monthly.  |

## 5.2 Demolition Permits

|   |  |
|---|--|
| <b>Delegator:</b>   | Permit Authority (Local Government)  |
| <b>Express Power to Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(1) & (3) Delegation: special permit authorities and local government  |
| <b>Express Power or Duty Delegated:</b>   | <i>Building Act 2011:</i><br>s.18 Further Information<br>s.21 Grant of demolition permit<br>s.22 Further grounds for not granting an application<br>s.27(1) and (3) Impose Conditions on Permit<br><br><i>Building Regulations 2012</i><br>r.23 Application to extend time during which permit has effect (s.32)<br>r.24 Extension of time during which permit has effect (s.32(3))<br>r.26 Approval of new responsible person (s.35(c))   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and(3)].</li> <li>4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</li> <li>ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | The granting of a permit excludes those properties contained in the Shire of Koorda Municipal Heritage Inventory.  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Conditions on the original delegation also apply to the sub-delegation</li> <li>b. The CEO is to be advised of the intention to issue a demolition licence prior to the final licence being issued.</li> </ol>   |
| <b>Compliance Links:</b>  | <p><a href="#">Building Act 2011</a><br/>s.119 Building and demolition permits – application for review by SAT<br/>s.23 Time for deciding application for building or demolition permit</p> <p><a href="#">Building Services (Complaint Resolution and Administration) Act 2011</a> – Part 7, Division 2</p> <p><a href="#">Building and Construction Industry Training Levy Act 1990</a></p> <p><a href="#">Heritage Act 2018</a></p>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i>  |

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| <b>Reporting Requirements:</b> | Delegations exercised are to be reported to Council monthly. |
|--------------------------------|--|

### 5.3 Occupancy Permits or Building Approval Certificates

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|---|--|
| <b>Delegator:</b>   | Permit Authority (Local Government)  |
| <b>Express Power to Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(1) & (3) Delegation: special permit authorities and local government  |
| <b>Express Power or Duty Delegated:</b>   | <i>Building Act 2011:</i><br>s.55 Further information<br>s.58 Grant of occupancy permit, building approval certificate<br>s.62(1) and (3) Conditions imposed by permit authority<br>s.65(4) Extension of period of duration<br><br>Building Regulations 2012<br>r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55].</li> <li>2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58].</li> <li>3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)].</li> <li>4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].</li> </ol>   |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation   |
| <b>Compliance Links:</b>  | <p><a href="#">Building Act 2011</a><br/>s.59 time for granting occupancy permit or building approval certificate<br/>s.60 Notice of decision not to grant occupancy permit or grant building approval certificate<br/>s.121 Occupancy permits and building approval certificates – application for review by SAT</p> <p><a href="#">Building Services (Complaint Resolution and Administration) Act 2011</a> – Part 7, Division 2</p> <p><a href="#">Building and Construction Industry Training Levy Act 1990</a></p> <p><a href="#">Heritage Act 2018</a></p> <p><a href="#">Caravan and Camping Grounds Act 1995</a></p> <p><a href="#">Caravan and Camping Grounds Regulations 1997</a></p> |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 5.4 Designate Employees as Authorised Persons

|   |  |
|---|--|
| <b>Delegator:</b>   | Permit Authority (Local Government)  |
| <b>Express Power to Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(1) & (3) Delegation: special permit authorities and local government  |
| <b>Express Power or Duty Delegated:</b>   | <i>Building Act 2011:</i><br>s.96(3) authorised persons<br>s.99(3) Limitation on powers of authorised person   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to designate an employee as an authorised person [s.96(3)].</li> <li>2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Decisions under this delegated authority should be in accordance with r.5 of the <i>Building Regulations 2012</i> .  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(6A) Delegation: special permit authorities and local governments<br>(powers of sub-delegation limited to CEO)   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil  |
| <b>Compliance Links:</b>  | <p><u><a href="#">Building Act 2011:</a></u></p> <p>s.97 requires each person designated as an authorised person must have an identity card.</p> <p>r.5A Authorised persons (s.3) – definition</p> <p><u><a href="#">Building Regulations 2012</a></u></p> <p>Authorised Persons Identity Card and Certificate of Authorisation</p>  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council following appointment.   |

## 5.5 Building Orders

|   |   |
|---|---|
| <b>Delegator:</b>   | Permit Authority (Local Government)   |
| <b>Express Power to Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(1) & (3) Delegation: special permit authorities and local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Building Act 2011:</i><br>s.110(1) A permit authority may make a building order<br>s.111(1) Notice of proposed building order other than building order (emergency)<br>s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect<br>s.118(2) and (3) Permit authority may give effect to building order if non-compliance<br>s.133(1) A permit authority may commence a prosecution for an offence against this Act  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>a. Building work; or</li> <li>b. Demolition work; or</li> <li>c. An existing building or incidental structure [s.110(1)].</li> </ol> </li> <li>2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>3. Authority to revoke a building order [s.117].</li> <li>4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> <li>a. take any action specified in the order; or</li> <li>b. commence or complete any work specified in the order; or</li> <li>c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)].</li> </ol> </li> <li>5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)].</li> <li>6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the <i>Building Act 2011</i>.</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Sub-delegation does not include the: <ol style="list-style-type: none"> <li>1. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)]; and</li> <li>2. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the <i>Building Act 2011</i>.</li> </ol>  |
| <b>Compliance Links:</b>  | <i>Building Act 2011:</i><br>Section 111 Notice of proposed building order other than building order (emergency)<br>Section 112 Content of building order<br>Section 113 Limitation on effect of building order   |

|                                |   |
|--------------------------------|---|
|                                | Section 114 Service of building order<br>Part 9 Review - s.122 Building orders – application for review by SAT  |
| <b>Record Keeping:</b>         | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i> |
| <b>Reporting Requirements:</b> | Delegations exercised are to be reported to Council monthly.  |



## 5.6 Inspection and Copies of Building Records

|   |   |
|---|---|
| <b>Delegator:</b>   | Permit Authority (Local Government)   |
| <b>Express Power to Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(1) & (3) Delegation: special permit authorities and local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Building Act 2011:</i><br>s.131(2) Inspection, copies of building records  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].   |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(6A) Delegation: special permit authorities and local governments<br>(powers of sub-delegation limited to CEO)  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil   |
| <b>Compliance Links:</b>  | <a href="#">Building Act 2011</a> – s.146 Confidentiality<br>Code of Conduct<br><a href="#">Freedom of Information Act 1992</a><br><a href="#">State Records Act 2000</a>                                       |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> . |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council annually.   |

## 5.7 Referrals and Issuing Certificates

|   |  |
|---|--|
| <b>Delegator:</b>   | Permit Authority (Local Government)  |
| <b>Express Power to Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(1) & (3) Delegation: special permit authorities and local government  |
| <b>Express Power or Duty Delegated:</b>   | <i>Building Act 2011:</i><br>s.145A Local Government functions   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)].</li> <li>2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire of Koorda's District [s.145A(2)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer<br/>Administration Officers</b>  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation.  |
| <b>Compliance Links:</b>  | <a href="#">Building Act 2011</a><br><a href="#">Building Regulations 2012</a>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan..</i>   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council annually.  |

## 5.8 Private Pool Barrier – Alternative and Performance Solutions

|   |  |
|---|--|
| <b>Delegator:</b>   | Permit Authority (Local Government)  |
| <b>Express Power to Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(1) & (3) Delegation: special permit authorities and local government  |
| <b>Express Power or Duty Delegated:</b>   | <i>Building Regulations 2012:</i><br>r.51 Approvals by permit authority  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliant with AS 1926.1 [r.51(2)]</li> <li>2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)]</li> <li>3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Building Act 2011:</i><br>s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Conditions on the original delegation also apply to the sub-delegation</li> <li>b. Any variation requested is to be discussed with the CEO prior to approval</li> </ol>  |
| <b>Compliance Links:</b>  | <a href="#">Building Act 2011</a><br><a href="#">Building Regulations 2012</a><br>Swimming Pool Provisions – AS1926.1 Standards (as amended)   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 6 Bush Fires Act 1954 Delegations

### 6.1 Make Request to FES Commissioner – Control of Fire

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Bush Fires Act 1954:</i><br>s.48 Delegation by local government  |
| <b>Express Power or Duty Delegated:</b>   | <i>Bush Fires Act 1954:</i><br>s.13(4) Duties and powers of bush fire liaison officers  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to request on behalf of the Shire of Koorda that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13(4)].                         |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | Nil. Sub-delegation is prohibited by s.48(3)  |
| <b>Compliance Links:</b>  | <a href="#">Bush Fires Act 1954</a><br><a href="#">Work Health and Safety Act 2020</a>  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> . |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

## 6.2 Prohibited Burning Times - Vary

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Bush Fires Act 1954:</i><br>s.48 Delegation by local government<br>s.17(10) Prohibited burning times may be declared by Minister (power of delegation to mayor or president and Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8))  |
| <b>Express Power or Duty Delegated:</b>   | <i>Bush Fires Act 1954:</i><br>s.17(7) Prohibited burning times may be declared by Minister<br><i>Bush Fire Regulations 1954:</i><br>r.15 Permit to burn (Act s.18), form of and apply for after refusal etc.<br>r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times<br>r.39B Crop dusters etc., use of in restricted or prohibited burning times |
| <b>Delegate:</b>  | <b>Shire President and Chief Bush Fire Control Officer (jointly)</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer [s.17(7)].   |
| <b>Council Conditions on this Delegation:</b>   | Decisions under s.17(7) must be undertaken jointly by both the President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).   |
| <b>Express Power to Sub-Delegate:</b>   | Nil. Sub-delegation is prohibited by s.48(3)   |
| <b>Compliance Links:</b>  | <a href="#">Bush Fires Act 1954</a><br><a href="#">Bush Fires Regulations 1954</a><br>Shire of Koorda Fire Order   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

### 6.3 Prohibited Burning Times – Control Activities

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Bush Fires Act 1954:</i><br>s.48 Delegation by local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Bush Fires Act 1954:</i><br>s.17(7) Prohibited burning times may be declared by Minister<br>s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions<br>s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land<br><i>Bush Fire Regulations 1954:</i><br>r.15 Permit to burn (Act s.18), form of and apply for after refusal etc.<br>r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times<br>r.39B Crop dusters etc., use of in restricted or prohibited burning times  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> <li>3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)].</li> <li>4. Authority to issue directions during a Prohibited Burning Time to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</li> <li>5. Authority to prohibit the use of tractors, engines or self-propelled harvesters during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</li> <li>6. Authority to recover the cost of measures taken by the Shire of Koorda or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Decisions under s.17(7) must be undertake jointly by both the President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).  |
| <b>Express Power to Sub-Delegate:</b>   | Nil. Sub-delegation is prohibited by s.48(3)   |
| <b>Compliance Links:</b>  | <a href="#">Bush Fires Act 1954</a><br><a href="#">Bush Fires Regulations 1954</a><br>Shire of Koorda Fire Order   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 6.4 Restricted Burning Times – Vary and Control Activities

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Bush Fires Act 1954:</i><br>s.48 Delegation by local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Bush Fires Act 1954:</i><br>s.18(5), (11) Restricted burning times may be declared by FES Commissioner<br>s.22(6) and (7) Burning on exempt land and land adjoining exempt land<br>s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions<br>s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land<br><i>Bush Fire Regulations 1954:</i><br>r.15 Permit to burn (Act s.18), form of and apply for after refusal etc.<br>r.15C Local Government may prohibit burning on certain days<br>r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times<br>r.39B Crop dusters etc., use of in restricted or prohibited burning times  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. <ol style="list-style-type: none"> <li>a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C].</li> </ol> </li> <li>2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)].</li> <li>3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)].</li> <li>5. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> <li>6. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B].</li> <li>7. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</li> <li>8. Authority to prohibit the use of tractors, engines or self-propelled harvesters, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</li> <li>9. Authority to recover the cost of measures taken by the Shire of Koorda or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil  |



|                                       |  |
|---------------------------------------|--|
| <b>Express Power to Sub-Delegate:</b> | Nil. Sub-delegation is prohibited by s.48(3)   |
| <b>Compliance Links:</b>              | <a href="#">Bush Fires Act 1954</a><br><a href="#">Bush Fires Regulations 1954</a><br>Shire of Koorda Fire Order   |
| <b>Record Keeping:</b>                | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan..</i> |
| <b>Reporting Requirements:</b>        | Delegations exercised are to be reported to Council monthly.   |

## 6.5 Control of Operations Likely to Create Bush Fire Danger

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Bush Fires Act 1954:</i><br>s.48 Delegation by local government  |
| <b>Express Power or Duty Delegated:</b>   | <i>Bush Fires Act 1954:</i><br>s.27D Requirements for carriage and deposit of incendiary material<br><i>Bush Fires Regulations 1954:</i><br>r.39C Welding and cutting apparatus, use of in open air<br>r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc.<br>r.39D Explosives, use of<br>r.39E Fireworks, use of  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ol style="list-style-type: none"> <li>a. a person operating a bee smoker device during a prescribed period [r.39CA(5)].</li> <li>b. a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)].</li> <li>c. a person using explosives [r.39D(2)].</li> <li>d. a person using fireworks [r.39E(3)].</li> </ol> </li> <li>2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. <i>Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.</i></li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | Nil. Sub-delegation is prohibited by s.48(3)  |
| <b>Compliance Links:</b>  | <a href="#">Bush Fires Act 1954</a><br><a href="#">Bush Fires Regulations 1954</a>  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan..</i>  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

## 6.6 Firebreaks

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Bush Fires Act 1954:</i><br>s.48 Delegation by local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Bush Fires Act 1954:</i><br>s.33 Local government may require occupier of land to plough or clear fire-breaks   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire of Koorda: <ol style="list-style-type: none"> <li>a. clearing of firebreaks as determined necessary and specified in the notice; and</li> <li>b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and</li> <li>c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)].</li> </ol> </li> <li>2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. <ol style="list-style-type: none"> <li>a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].</li> </ol> </li> <li>3. Authority to consider and determine a written request to vary the requirements of a Notice issued in accordance with s.33.</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | Nil. Sub-delegation is prohibited by s.48(3)   |
| <b>Compliance Links:</b>  | <a href="#">Bush Fires Act 1954</a><br><a href="#">Bush Fires Regulations 1954</a><br>Shire's Annual Fire Break Notice   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 6.7 Appoint Bush Fire Control Officer/s and Fire Weather Officer

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Bush Fires Act 1954:</i><br>s.48 Delegation by local government  |
| <b>Express Power or Duty Delegated:</b>   | <i>Bush Fires Act 1954:</i><br>s.38 Local Government may appoint bush fire control officer  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the <i>Bush Fires Act 1954</i>; and <ol style="list-style-type: none"> <li>a. Of those Officers, appoint 2 as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer; and</li> <li>b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].</li> </ol> </li> <li>2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of Koorda [s.38(5A)]</li> <li>3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)]. <ol style="list-style-type: none"> <li>a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].</li> </ol> </li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | Nil. Sub-delegation is prohibited by s.48(3)  |
| <b>Compliance Links:</b>  | <a href="#">Bush Fires Act 1954</a><br><a href="#">Bush Fires Regulations 1954</a><br>Shire's Annual Fire Break Notice<br>Fire Break advertising of Officers  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan..</i>  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council annually..  |

## 6.8 Recovery of Expenses Incurred through Contraventions of this Act

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Bush Fires Act 1954:</i><br>s.48 Delegation by local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Bush Fires Act 1954:</i><br>s.58 General penalty and recovery of expenses incurred  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to recover expenses incurred as a result of an offence against the <i>Bush Fires Act 1954</i> , being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Shire of Koorda or those on behalf of the Shire of Koorda to do [s.58]. |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | Nil. Sub-delegation is prohibited by s.48(3)   |
| <b>Compliance Links:</b>  | <a href="#">Bush Fires Act 1954</a><br><a href="#">Bush Fires Regulations 1954</a>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 6.9 Prosecution of Offences and Infringement Notices

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Bush Fires Act 1954:</i><br>s.48 Delegation by local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Bush Fires Act 1954:</i><br>s.59 Prosecution of offences<br>s.59A(2) Alternative procedure – infringement notices   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59].</li> <li>2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].</li> </ol>    |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | Nil. Sub-delegation is prohibited by s.48(3)   |
| <b>Compliance Links:</b>  | <a href="#">Bush Fires Act 1954:</a><br>s.65 Proof of certain matters<br>s.66 Proof of ownership or occupancy<br><br><a href="#">Bush Fires Regulations 1954</a><br>List of First Schedule penalties<br>Form 2 – Withdrawal of Bush Fire Infringement Notice<br>Shire of Koorda Fire Order |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i>  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 6.10 Withdrawal of Infringement Notices

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Bush Fires Act 1954:</i><br>s.48 Delegation by local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Bush Fires Act 1954:</i><br>s.59A(5) Alternative procedure – infringement notices   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to withdraw an infringement notice for an offence against this Act [s.59A(5)].   |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | Nil. Sub-delegation is prohibited by s.48(3)   |
| <b>Compliance Links:</b>  | <a href="#"><u><i>Bush Fires Act 1954:</i></u></a><br>s.65 Proof of certain matters<br>s.66 Proof of ownership or occupancy<br><br><a href="#"><u><i>Bush Fires Regulations 1954</i></u></a><br>List of First Schedule penalties<br>Form 2 – Withdrawal of Bush Fire Infringement Notice<br>Shire of Koorda Fire Order |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i>  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |



## 7 Cat Act 2011 Delegations

### 7.1 Cat Registrations

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Cat Act 2011:</i><br>s.44 Delegation by local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Cat Act 2011:</i><br>s.9 Registration<br>s.10 Cancellation of registration<br>s.11 Registration numbers, certificates and tags<br><i>Cat Regulations 2012</i><br>Schedule 3, cl.1(4) Fees Payable  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)].</li> <li>3. Authority to cancel a cat registration [s.10].</li> <li>4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)].</li> <li>5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire of Koorda's District [Regs. Sch. 3 cl.1(4)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Cat Act 2011:</i><br>s.45 Delegation by CEO of local government  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b><br><b>Administration Officers</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Conditions on the original delegation also apply to the sub-delegation.</li> <li>b. The sub-delegation does not contain the authority to reduce or waive a registration or approval to breed fee.</li> </ol>  |
| <b>Compliance Links:</b>  | <p><a href="#">Cat Act 2011</a></p> <p><a href="#">Cat Regulations 2012:</a></p> <ul style="list-style-type: none"> <li>r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration.</li> <li>r.12 Period of registration (s.9(7))</li> <li>r.11 Changes in registration</li> <li>r.14 Registration certificate (s.11(1)(b))</li> <li>r.15 Registration tags (s.76(2))</li> </ul> <p>Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i>.</p>  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .<br><br>Registrations and amendments to Registrations to be included in Cat Register.   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council annually.   |

## 7.2 Cat Control Notices

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Cat Act 2011:</i><br>s.44 Delegation by local government  |
| <b>Express Power or Duty Delegated:</b>   | <i>Cat Act 2011:</i><br>s.26 Cat control notice may be given to cat owner  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of Koorda's District [s.26].   |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Cat Act 2011:</i><br>s.45 Delegation by CEO of local government   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil  |
| <b>Compliance Links:</b>  | <a href="#">Cat Act 2011</a><br><a href="#">Cat Regulations 2012</a> – r.20 Cat control notice [s.23(3)], prescribes the Form of the notice.   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> . |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

### 7.3 Approval to Breed Cats

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Cat Act 2011:</i><br>s.44 Delegation by local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Cat Act 2011:</i><br>s.37 Approval to Breed Cats<br>s.38 Cancellation of approval to breed cats<br>s.39 Certificate to be given to approved cat breeder  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)].</li> <li>3. Authority to cancel an approval to breed cats [s.38].</li> <li>4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Cat Act 2011:</i><br>s.45 Delegation by CEO of local government  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil   |
| <b>Compliance Links:</b>  | <a href="#">Cat Act 2011</a><br><a href="#">Cat Regulations 2012:</a> <ul style="list-style-type: none"> <li>r.21 Application for approval to breed cats (s.36(2))</li> <li>r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f))</li> <li>r.23 Person who not be refused approval to breed cats (s.37(5))</li> <li>r.24 Duration of approval to breed cats (s.37(6))</li> <li>r.25 Certificate given to approved cat breeder (s.39(1))</li> </ul>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

## 7.4 Recovery of Costs – Destruction of Cats

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Cat Act 2011:</i><br>s.44 Delegation by local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Cat Act 2011:</i><br>s.49(3) Authorised person may cause cat to be destroyed   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].   |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Cat Act 2011:</i><br>s.45 Delegation by CEO of local government  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Conditions on the original delegation also apply to the sub-delegation  |
| <b>Compliance Links:</b>  | <a href="#">Cat Act 2011</a><br><a href="#">Cat Regulations 2012</a><br><a href="#">Cat (Uniform Local Provisions) Regulations 2013</a>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> . |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

## 7.5 Application to Keep Additional Cats

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Cat Act 2011:</i><br>s.44 Delegation by local government  |
| <b>Express Power or Duty Delegated:</b>   | <i>Cat (Uniform Local Provisions) Regulations 2013:</i><br>r.8 Application to keep additional number of cats<br>r.9 Grant of approval to keep additional number of cats  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to require any document or additional information required to determine an application [r.8(3)]</li> <li>2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)].</li> <li>2. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Notices of decisions must include advice as to Review rights in accordance with r.11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i>.</li> <li>b. Where a complaint is made relating to an application to keep additional cats the matter is to be referred to Council for determination.</li> </ol>   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Cat Act 2011:</i><br>s.45 Delegation by CEO of local government   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil  |
| <b>Compliance Links:</b>  | <a href="#">Cat Act 2011</a><br><a href="#">Cat Regulations 2012</a>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 8 Dog Act 1976 Delegations

### 8.1 Refuse or Cancel Registration

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Dog Act 1976:</i><br>s.10AA Delegation of local government powers and duties   |
| <b>Express Power or Duty Delegated:</b>   | <i>Dog Act 1976:</i><br>s.14 Register of dogs<br>s.15(2) and (4A) Registration periods and fees<br>s.16(3) Registration procedure<br>s.17A(2) If no application for registration made<br>s.17(4) and (6) Refusal or cancellation of registration  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)].</li> <li>2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> <li>i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>; or</li> <li>ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or</li> <li>iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept</li> <li>iv. the dog is required to be microchipped but is not microchipped; or</li> <li>v. the dog is a dangerous dog [s.16(3) and s.17A(2)].</li> </ol> </li> <li>3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire of Koorda's District [s15(4A)].</li> <li>4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. <ol style="list-style-type: none"> <li>i. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had been found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]</li> </ol> </li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Dog Act 1976:</i><br>s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil   |
| <b>Compliance Links:</b>  | <a href="#">Dog Act 1976</a><br>s.17A If no application for registration made – procedure for giving notice of decision under s.16(3)<br><br>Dogs Local Law   |

|                                |   |
|--------------------------------|---|
|                                | Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6)   |
| <b>Record Keeping:</b>         | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> . |
| <b>Reporting Requirements:</b> | Delegations exercised are to be reported to Council monthly.  |



## 8.2 Application to Keep Additional Dogs

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Dog Act 1976:</i><br>s.10AA Delegation of local government powers and duties   |
| <b>Express Power or Duty Delegated:</b>   | <i>Dog Act 1976::</i><br>s. 26 (3) Application to keep additional number of dogs  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to grant or refuse approval for additional number of dogs specified in an application to be kept at the prescribed premises and, in addition to statutory conditions, determine any condition reasonably necessary to ensure premises are suitable for the additional number of dogs [s.26 (3)].                    |
| <b>Council Conditions on this Delegation:</b>   | <ul style="list-style-type: none"> <li>a. Notices of decisions must include advice as to Review rights in accordance with s.26 (5) of the <i>Dog Act 1976</i>.</li> <li>b. Where a complaint is made relating to an application to keep additional dogs the matter is to be referred to Council for determination.</li> </ul> |
| <b>Express Power to Sub-Delegate:</b>   | <i>Dog Act 1976:</i><br>s.10AA (3) Delegation by CEO of local government  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil   |
| <b>Compliance Links:</b>  | <p><a href="#">Dog Act 1976</a></p> <p><a href="#">Dog Regulations 2013</a></p> <p>Dogs Local Law</p> <p>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.26 (5) and (6)</p>  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

### 8.3 Recovery of Moneys Due Under this Act

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Dog Act 1976:</i><br>s.10AA Delegation of local government powers and duties   |
| <b>Express Power or Duty Delegated:</b>   | <i>Dog Act 1976:</i><br>s.29(5) Power to seize dogs   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].  |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Dog Act 1976:</i><br>s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil   |
| <b>Compliance Links:</b>  | <a href="#">Dog Act 1976</a><br>Dogs Local Law<br>Includes recovery of expenses relevant to:<br>s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense<br>s.33M Local government expenses to be recoverable.<br>s.47 Veterinary service expenses recoverable from local government<br>r.31 Local government expenses as to dangerous dogs (declared) |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

## 8.4 Dispose of or Sell Dogs Liable to be Destroyed

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Dog Act 1976:</i><br>s.10AA Delegation of local government powers and duties  |
| <b>Express Power or Duty Delegated:</b>   | <i>Dog Act 1976:</i><br>s.29(11) Power to seize dogs   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].  |
| <b>Council Conditions on this Delegation:</b>   | Proceeds from the sale of dogs are to be directed into the Municipal Fund.   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Dog Act 1976:</i><br>s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)                |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil  |
| <b>Compliance Links:</b>  | <a href="#">Dogs Act 1976</a><br>Dogs Local Law  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan..</i> |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 8.5 Declare Dangerous Dog

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Dog Act 1976:</i><br>s.10AA Delegation of local government powers and duties   |
| <b>Express Power or Duty Delegated:</b>   | <i>Dog Act 1976:</i><br>s.33E(1) Individual dog may be declared to be dangerous dog (declared)  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to declare an individual dog to be a dangerous dog [s.33E(1)].  |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Dog Act 1976:</i><br>s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)               |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil   |
| <b>Compliance Links:</b>  | <a href="#">Dogs Act 1976</a><br><a href="#">Dog Regulations 2013</a><br>Dogs Local Law<br>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal       |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i> |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

## 8.6 Determine Recoverable Expenses for Dangerous Dog Declaration

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Dog Act 1976:</i><br>s.10AA Delegation of local government powers and duties   |
| <b>Express Power or Duty Delegated:</b>   | <i>Dog Act 1976:</i><br>s.33M(1)(a) Local Government expenses to be recoverable   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to any maximum amount prescribed, having regard to the expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)]. |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | <i>Dog Act 1976:</i><br>s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil   |
| <b>Compliance Links:</b>  | <a href="#">Dogs Act 1976</a><br><a href="#">Dog Regulations 2013</a><br>Dogs Local Law<br>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i>   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

## 9 Food Act 2008 Delegations

### 9.1 Prohibition Orders

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Food Act 2008:</i><br>s.118 Functions of enforcement agencies and delegation<br>(2)(b) Enforcement agency may delegate a function conferred on it<br>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]<br>(4) Sub-delegation permissible only if expressly provided in regulations  |
| <b>Express Power or Duty Delegated:</b>   | <i>Food Act 2008:</i><br>s.65(1) Prohibition orders<br>s.66 Certificate of clearance to be given in certain circumstances<br>s.67(4) Request for re-inspection   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i> [s.65(1)].</li> <li>2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</li> <li>3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.  |
| <b>Express Power to Sub-Delegate:</b>   | Nil. <i>Food Regulations 2009</i> do not provide for sub-delegation.   |
| <b>Compliance Links:</b>  | <a href="#">Food Act 2008</a><br><a href="#">Guide to Regulatory Guideline Number 1: Introduction of Regulatory Auditing in Western Australia</a><br>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 9.2 Food Business Registrations

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Food Act 2008:</i><br>s.118 Functions of enforcement agencies and delegation<br>(2)(b) Enforcement agency may delegate a function conferred on it<br>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]<br>(4) Sub-delegation permissible only if expressly provided in regulations   |
| <b>Express Power or Duty Delegated:</b>   | <i>Food Act 2008:</i><br>s.110(1) and (5) Registration of food business<br>s.112 Variation of conditions or cancellation of registration of food businesses   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)].</li> <li>2. Authority to vary the conditions or cancel the registration of a food business [s.112].</li> </ol>   |
| <b>Council Conditions on this Delegation:</b>   | In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>• <a href="#">Regulatory food safety auditing for enforcement agencies</a></li> <li>• <a href="#">Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1</a></li> <li>• <a href="#">WA Priority Classification System</a></li> <li>• <a href="#">Verification of Food Safety Program Guideline</a></li> </ul> |
| <b>Express Power to Sub-Delegate:</b>   | Nil. <i>Food Regulations 2009</i> do not provide for sub-delegation.  |
| <b>Compliance Links:</b>  | <a href="#">Food Act 2008</a><br><br>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |



### 9.3 Appoint Authorised Officers and Designated Officers

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Food Act 2008:</i><br>s.118 Functions of enforcement agencies and delegation<br>(2)(b) Enforcement agency may delegate a function conferred on it<br>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]<br>(4) Sub-delegation permissible only if expressly provided in regulations   |
| <b>Express Power or Duty Delegated:</b>   | <i>Food Act 2008:</i><br>s.122(1) Appointment of authorised officers<br>s.126(6), (7) and (13) Infringement Officers  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to appoint persons to undertake the functions of an enforcement agency under this Act. [s.118(1)].</li> <li>2. Authority to appoint a person to be an authorised officer for the purposes of the <i>Food Act 2008</i> [s.122(2)].</li> <li>3. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s.126(13)].</li> <li>4. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>• <a href="#">Appointment of Authorised Officers as Meat Inspectors</a>;</li> <li>• <a href="#">Appointment of Authorised Officers</a>;</li> <li>• <a href="#">Appointment of Authorised Officers – Designated Officers only</a>; and</li> <li>• <a href="#">Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer</a>.</li> </ul>   |
| <b>Express Power to Sub-Delegate:</b>   | Nil. <i>Food Regulations 2009</i> do not provide for sub-delegation.  |
| <b>Compliance Links:</b>  | <a href="#">Food Act 2008</a><br><br>s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers<br><br>s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council following appointment.  |

## 10 Graffiti Vandalism Act 2016 Delegations

### 10.1 Give Notice Requiring Obliteration of Graffiti

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Graffiti Vandalism Act 2016:</i><br>s.16 Delegation by local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.18(2) Notice requiring removal of graffiti<br>s.19(3) & (4) Additional powers when notice is given  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)].</li> <li>2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Graffiti Vandalism Act 2016:</i><br>s.17 Delegation by CEO of local government  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | <b>Deputy Chief Executive Officer<br/>Ranger</b>   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Sub-delegation excludes the authority to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].</li> <li>b. Conditions on the original delegation also apply to the sub-delegation.</li> </ol>  |
| <b>Compliance Links:</b>  | <a href="#">Graffiti Vandalism Act 2016</a><br><br>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i>  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 10.2 Notices – Deal with Objections and Give Effect to Notices

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Graffiti Vandalism Act 2016:</i><br>s.16 Delegation by local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.22(3) Objection may be lodged<br>s.24(1)(b) & (3) Suspension of effect of notice  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to deal with an objection to a notice [s.22(3)].</li> <li>2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> <li>i. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and</li> <li>ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].</li> </ol> </li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Graffiti Vandalism Act 2016:</i><br>s.17 Delegation by CEO of local government  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil  |
| <b>Compliance Links:</b>  | <a href="#">Graffiti Vandalism Act 2016</a><br>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i>  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

### 10.3 Powers of Entry

|   |  |
|---|--|
| <b>Delegator:</b><br><i>Power / Duty assigned in</i>  | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Graffiti Vandalism Act 2016:</i><br>s.16 Delegation by local government   |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.28 Notice of entry<br>s.29 Entry under warrant  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28].</li> <li>2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | <i>Graffiti Vandalism Act 2016:</i><br>s.17 Delegation by CEO of local government  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil  |
| <b>Compliance Links:</b>  | <a href="#">Graffiti Vandalism Act 2016</a>  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 11 Public Health Act 2016 Delegations

### 11.1 Appoint Authorised Officer or Approved Officer

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <p><i>Public Health Act 2016:</i><br/>s.21 Enforcement agency may delegate</p> <p><i>Health (Asbestos) Regulations 1992:</i><br/>r.15D(7) Infringement Notices</p>   |
| <b>Express Power or Duty Delegated:</b>   | <p><i>Public Health Act 2016:</i><br/>s.24(1) and (3) Designation of authorised officers</p> <p><i>Health (Asbestos) Regulations 1992:</i><br/>r.15D(5) Infringement Notices</p> <p>Shire of Koorda Town Planning Scheme No. 2</p>   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to designate a person or class of persons as authorised officers for the purpose of: <ol style="list-style-type: none"> <li>a. The <i>Public Health Act 2016</i> or other specified Act;</li> <li>b. Specified provisions of the <i>Public Health Act 2016</i> or other specified Act;</li> <li>c. Provisions of the <i>Public Health Act 2016</i> or other specified Act, other than the specified provisions of that Act;</li> </ol>                     Including: <ol style="list-style-type: none"> <li>a. An environmental health officer or environmental health officers as a class; or</li> <li>b. A person who is not an environmental health officer or a class of persons who are not environmental health officers; or</li> <li>c. A mixture of the two. [s24(3)]</li> </ol> </li> <li>2. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r.15D(5)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Persons to be appointed as authorised environmental health officers must satisfy the criteria published in Government Gazette No 22 of 24 January 2017 - Public Health Act 2016 – Guidelines on the Designation of Authorised Officer.</li> <li>b. A register (list) of authorised officers is to be maintained in accordance with s27.</li> <li>c. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].</li> </ol>  |
| <b>Express Power to Sub-Delegate:</b>   | Nil. The <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.   |
| <b>Compliance Links:</b>  | <p><a href="#">Public Health Act 2016</a></p> <p><a href="#">Health (Asbestos) Regulations 1992</a></p> <p>Authorisation certificate</p> <p><i>Criminal Investigation Act 2006, Parts 6 and 13 – refer s245 of the Public Health Act 2016</i></p> <p><i>The Criminal Code, Chapter XXVI – refer s252 of the Public Health Act 2016</i></p> <p><i>Criminal Procedure Act 2004 – Part 2</i></p>  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan..</i>  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council following appointment.   |

## 11.2 Enforcement Agency Reports to the Chief Health Officer

|   |   |
|---|---|
| <b>Delegator:</b>   | Enforcement Agency (means Local Government vide s.4 definition)   |
| <b>Express Power to Delegate:</b>   | <i>Public Health Act 2016:</i><br>s.21 Enforcement agency may delegate  |
| <b>Express Power or Duty Delegated:</b>   | <i>Public Health Act 2016</i><br>s.22 Reports by and about enforcement agencies   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of Koorda [s.22(1)]</li> <li>2. Authority to prepare and provide to the Chief Health Officer a report detailing any proceedings for an offence under this Act [s.22(2)].</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | Nil, unless a Regulation enacted under the <i>Public Health Act 2016</i> specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].  |
| <b>Compliance Links:</b>  | <a href="#">Public Health Act 2016</a><br>s.20 Conditions on performance of functions by enforcement agencies.  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council annually.   |

### 11.3 Designate Authorised Officers

|   |  |
|---|--|
| <b>Delegator:</b>   | Enforcement Agency (means Local Government vide s.4 definition)  |
| <b>Express Power to Delegate:</b>   | <i>Public Health Act 2016:</i><br>s.21 Enforcement agency may delegate   |
| <b>Express Power or Duty Delegated:</b>   | <i>Public Health Act 2016</i><br>s.24(1) and (3) Designation of authorised officers  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <p>1. Authority to designate a person or class of persons as authorised officers for the purposes of:</p> <ol style="list-style-type: none"> <li>i. The <i>Public Health Act 2016</i> or other specified Act</li> <li>ii. Specified provisions of the <i>Public Health Act 2016</i> or other specified Act</li> <li>iii. Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act.</li> </ol> <p>Including:</p> <ol style="list-style-type: none"> <li>a. an environmental health officer or environmental health officers as a class; OR</li> <li>b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR</li> <li>c. a mixture of the two. [s.24(1) and (3)].</li> </ol>   |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>a. Subject to each person so appointed being; <ul style="list-style-type: none"> <li>• Appropriately qualified and experienced [s.25(1)(a)]; and</li> <li>• Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31].</li> </ul> </li> <li>b. A Register (list) of authorised officers is to be maintained in accordance with s.27.</li> </ol>  |
| <b>Express Power to Sub-Delegate:</b>   | Nil, unless a Regulation enacted under the <i>Public Health Act 2016</i> specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].   |
| <b>Compliance Links:</b>  | <p><a href="#">Public Health Act 2016</a></p> <ul style="list-style-type: none"> <li>s.20 Conditions on performance of functions by enforcement agencies.</li> <li>s.25 Certain authorised officers required to have qualifications and experience.</li> <li>s.26 Further provisions relating to designations</li> <li>s.27 Lists of authorised officers to be maintained</li> <li>s.28 When designation as authorised officer ceases</li> <li>s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers</li> <li>s.30 Certificates of authority</li> <li>s.31 Issuing and production of certificate of authority for purposes of other written laws</li> <li>s.32 Certificate of authority to be returned.</li> <li>s.136 Authorised officer to produce evidence of authority</li> </ul> <p><a href="#">Criminal Investigation Act 2006</a>, Parts 6 and 13 – refer s.245 of the <i>Public Health Act 2016</i></p> <p><i>The Criminal Code</i>, Chapter XXVI – refer s.252 of the <i>Public Health Act 2016</i></p> |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council following appointment.   |



## 11.4 Commence Proceedings

|   |   |
|---|---|
| <b>Delegator:</b>   | Enforcement Agency (means Local Government vide s.4 definition)   |
| <b>Express Power to Delegate:</b>   | <i>Public Health Act 2016:</i><br>s.21 Enforcement agency may delegate  |
| <b>Express Power or Duty Delegated:</b>   | <i>Public Health Act 2016</i><br>s.280 Commencing Proceedings   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority to commence proceedings for an offence under the <i>Public Health Act 2016</i> [s.280]  |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | Nil, unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].                        |
| <b>Compliance Links:</b>  | <a href="#">Public Health Act 2016</a><br>s.20 Conditions on performance of functions by enforcement agencies.  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> . |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

## 12 Planning and Development Act 2005 Delegations

### 12.1 Development Approvals/Planning Determinations

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>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.</i>   |
| <b>Express Power or Duty Delegated:</b>   | <i>Shire of Koorda Local Planning Scheme No. 3 – Development Approvals/Planning Determinations</i>   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <p>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;</p> <p>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;</p> <p>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;</p> <p>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.</p> |
| <b>Council Conditions on this Delegation:</b>   | Nil.   |
| <b>Express Power to Sub-Delegate:</b>   | <i>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.</i>   |
| <b>Compliance Links:</b>  | <a href="#">Planning and Development (Local Planning Schemes) Regulations 2015 Clause 82, Part 10 of Schedule 2 of the Deemed Provisions for Local Planning Schemes.</a><br><i>Shire of Koorda Local Planning Scheme No.3</i>  |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i>  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 12.2 Illegal/Unauthorised Development

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42(b) Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO   |
| <b>Express Power or Duty Delegated:</b>   | <i>Planning and Development Act 2005:</i><br>Section 214(2), (3) and (5)  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | <ol style="list-style-type: none"> <li>1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements;</li> <li>2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> <li>(a) to remove, pull down, take up, or alter the development; and</li> <li>(b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.</li> </ol> </li> <li>3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.</li> </ol> |
| <b>Council Conditions on this Delegation:</b>   | Nil   |
| <b>Express Power to Sub-Delegate:</b>   | Local Government Act 1995:<br>s.5.44 CEO may delegate some powers and duties to other employees   |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil   |
| <b>Compliance Links:</b>  | Part 13 of the <a href="#">Planning and Development Act 2005</a><br><i>Shire of Koorda Local Planning Scheme No.3</i>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i>   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |

## 13 Health (Miscellaneous Provisions) Act 1911 Delegations

### 13.1 Appointment of Deputy

|   |  |
|---|--|
| <b>Delegator:</b>   | Local Government   |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42(b) Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO  |
| <b>Express Power or Duty Delegated:</b>   | <i>Health (Miscellaneous Provisions) Act 1911</i><br>Section 26  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>   |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | The Chief Executive Officer is appointed as deputy in accordance with Section 26 of the <i>Health (Miscellaneous Provisions) Act 1911</i> and in that capacity delegated authority to perform any or all of the powers/duties of the local government contained within the <i>Health (Miscellaneous Provisions) Act 1911</i> and its subsidiary legislation. |
| <b>Council Conditions on this Delegation:</b>   | Nil  |
| <b>Express Power to Sub-Delegate:</b>   | Local Government Act 1995:<br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil  |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil  |
| <b>Compliance Links:</b>  | <a href="#">Health (Miscellaneous Provisions) Act 1911</a>   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> .  |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.   |

## 14 Delegations in a State of Emergency

### 14.1 Renewal or Extension of Contracts during a State of Emergency

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO  |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.57 Tenders for providing goods or services<br><i>Local Government (Functions and General) Regulations 1996:</i><br>Regulation 11 'When tenders have to be publicly invited'<br>Tender exemption under subregulation 11(2)(ja)  |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to execute a renewal or extension to the term of a contract that will expire within 3 months, for a term of not more than 12 months from the original expiry date, without calling for tenders [F&G r.11(2)(ja)].<br><br>This authority relates to:<br><br>1. contracts not formed through a public tender, where the total value of the original term and the proposed extension or renewal exceeds \$250,000, and<br>2. contracts formed through a public tender.   |
| <b>Council Conditions on this Delegation:</b>   | a. The authority to apply the renewal or extension option may be exercised where one or more of the following principles applies:<br><br>i. It is exercised at the sole discretion of the Local Government;<br>ii. It is in the best interests of the Local Government;<br>iii. It is deemed necessary to facilitate the role of Local Government in relation to the State of Emergency declaration;<br>iv. It has potential to promote local and/or regional economic benefits.<br><br>b. This authority may only be exercised where the total consideration for the renewal or extension is \$100,000 or less.<br><br>c. Contracts may only be renewed or extended where there is an adopted and available budget for the proposed goods and services, OR where the expenditure from an alternative available budget allocation has been authorised in advance by the President (i.e. before the expense is incurred) in accordance with LGA s.6.8(1)(c).<br><br>d. The decision to extend or renew a contract must be made in accordance with the objectives of the Purchasing Policy.<br><br>e. This authority may only be exercised where the total consideration under the resulting contract is \$350,000 or less.<br><br>f. The CEO cannot sub-delegate this authority. |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil   |
| <b>Compliance Links:</b>  | <a href="#">Local Government (Functions and General) Regulations 1996</a><br><a href="#">WALGA Subscription Service</a> – Procurement Toolkit (Paid subscription)<br>Council Purchasing Policy<br>Council Policy Regional Price Preference Policy   |

|                                |   |
|--------------------------------|---|
| <b>Record Keeping:</b>         | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996</i> and the <i>Shire of Koorda Recordkeeping Plan</i> . |
| <b>Reporting Requirements:</b> | Delegations exercised are to be reported to Council monthly.  |

## 14.2 Procurement of Goods or Services required to address a State of Emergency

|   |   |
|---|---|
| <b>Delegator:</b>   | Local Government  |
| <b>Express Power to Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.42 Delegation of some powers or duties to the CEO<br>s.5.43 Limitations on delegations to the CEO  |
| <b>Express Power or Duty Delegated:</b>   | <i>Local Government Act 1995:</i><br>s.3.57 Tenders for providing goods or services<br><i>Local Government (Functions and General) Regulations 1996:</i><br>Regulation 11 'When tenders have to be publicly invited'<br>Tender exemption under subregulation 11(2)(ja)<br>Associated definition under subregulation 11(3)   |
| <b>Delegate:</b>  | <b>Chief Executive Officer</b>  |
| <b>Function:</b><br><i>This is a precis only.<br/>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i> | Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to: <ol style="list-style-type: none"> <li>1. Determine that particular goods or services with a purchasing value &gt;\$250,000 are required for the purposes of addressing the impact, consequences or need arising from the hazard to which the State of Emergency declaration relates [F&amp;G r11(3)(b)]; and</li> <li>2. Undertake tender exempt purchasing activity to obtain the supply of those goods or services identified in accordance with point 1 above [F&amp;G r.11(2)(aa)].</li> </ol>   |
| <b>Council Conditions on this Delegation:</b>   | <ol style="list-style-type: none"> <li>a. This authority may only be exercised where the goods or services are urgently required, and it is not possible for Council to meet within an appropriate timeframe.</li> <li>b. Compliance with the Purchasing Policy is required, but only to the extent that such compliance will not incur an unreasonable delay in providing the required urgent response to the State of Emergency hazard. The rationale for non-compliance with the Purchasing Policy must be evidenced in accordance with the Record Keeping Plan.</li> <li>c. Where a relevant budget allocation is not available and a purchase is necessary in response to a State of Emergency, the expenditure from an alternative available budget allocation must be authorised in advance by the President (i.e. before the expense is incurred) in accordance with LGA s.6.8.</li> <li>d. The CEO is to inform Council after the exercise of this delegation, including details of the contract specification, scope and purchasing value and the rationale for determining that the goods or services were urgently required in response to the State of Emergency declaration.</li> <li>e. The CEO cannot sub-delegate this authority.</li> </ol> |
| <b>Express Power to Sub-Delegate:</b>   | <i>Local Government Act 1995:</i><br>s.5.44 CEO may delegate some powers and duties to other employees  |
| <b>Sub-Delegate/s:</b><br><i>Appointed by CEO</i>   | Nil   |
| <b>CEO Conditions on this Sub-Delegation:</b>   | Nil   |
| <b>Compliance Links:</b>  | <a href="#">Local Government (Functions and General) Regulations 1996</a><br><a href="#">WALGA Subscription Service</a> – Procurement Toolkit (Paid subscription)<br>Council Purchasing Policy<br>Council Policy Regional Price Preference Policy   |
| <b>Record Keeping:</b>  | Each instance of this delegation being exercised is to be recorded in accordance with r.19 of the <i>Local Government (Administration) Regulations 1996 and the Shire of Koorda Recordkeeping Plan.</i>   |
| <b>Reporting Requirements:</b>  | Delegations exercised are to be reported to Council monthly.  |





## Environmental Protection Authority

s.48A Referrals

**Title:** Shire of Koorda Local Planning Scheme 3 Amendment 2

**Location:** Lot 19 Orchard Street, Koorda.

**Description:** Amendment 2 proposes to insert the additional uses 'Workforce accommodation' and 'Office' into 'Schedule 2 – Additional Uses' of the Shire of Koorda Local Planning Scheme 3 for Lot 19 Orchard Street, Koorda to allow development of an office complex and amend the scheme maps accordingly. The base 'Residential' zone will be retained.

**Ref ID:** APP-0025014

**Date Received:** 27/11/2023      **Date Sufficient Information Received:** 27/11/2023

**Responsible Authority:** Shire of Koorda, PO Box 20, Koorda, WA 6475

**Contact:** Lana Foote

**Preliminary Environmental Factors:** None.


**Potential Significant Effects:** None.

**Protection:** Not required

**Determination:** **Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme/Scheme Amendment Not to be Assessed under Part IV of the EP Act. No Advice Given. (Not Appealable).**

The Environmental Protection Authority (EPA) has carried out investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA.

This Determination is not appealable.

Chair's Initials: 

20 December 2023



Search



# PUBLIC COMMENT INVITED: Local Planning Scheme #3, Amendment #2

Published on Monday, 22 January 2024 at 8:51:07 AM

## *Planning and Development Act 2005*

### Shire of Koorda

## Local Planning Scheme No.3, Amendment No. 2

The local government has received a request to amend its Local Planning Scheme to reclassify the below land and invites submissions from the community. In considering and progressing the amendment, the Shire is required to advertise and provide an opportunity for the community to comment.

At the end of the comment period, the Shire will review the submissions received and make a recommendation for Council to consider. Following Council's consideration, the amendment, along with Council's recommendation, is forwarded to the Western Australian Planning Commission for consideration. The Minister for Planning is the final decision-maker on the proposed amendment.

**Lot: Ptn 19**

**Street: Orchard**

**Suburb: Koorda, WA 6475**

**Proposal: Inserting an Additional Use – 'Workforce accommodation' and 'Office' into Schedule 2 – Additional Uses, for Ptn Lot 19 Orchard Street, Koorda and amending the scheme maps accordingly.**

Details of the proposal can be found below. Comments on the proposal may be submitted to the local government in writing on or before the 27th day of March 2024. Submission can be sent via post to Shire of Koorda, PO Box 20, Koorda WA 6475, via email to [shire@koorda.wa.gov.au](mailto:shire@koorda.wa.gov.au) or by using the below online submission form.

**Lana Foote**

**Acting Chief Executive Officer**

for and on behalf of the Shire of Koorda.

 [Amendment No. 2, Local Planning Scheme No. 3](#)

 [November 2023 Council Minutes](#)

 [Web Forms - Community Consultation on Amendment No.2, Local Planning Scheme No.3 — Submission Form](#)

[Back to All News](#)

## **PUBLIC COMMENT INVITED PLANNING AND DEVELOPMENT ACT 2005 SHIRE OF KOORDA LOCAL PLANNING SCHEME NO.3, AMENDMENT NO. 2**

The local government has received a request to amend its Local Planning Scheme to reclassify the below land and invites submissions from the community. In considering and progressing the amendment, the Shire is required to advertise and provide an opportunity for the community to comment.

At the end of the comment period, the Shire will review the submissions received and make a recommendation for Council to consider. Following Council's consideration, the amendment, along with Council's recommendation, is forwarded to the Western Australian Planning Commission for consideration. The Minister for Planning is the final decision-maker on the proposed amendment.

**Lot: Ptn 19**

**Street: Orchard**

**Suburb: Koorda, WA 6475**

**Proposal: Inserting an Additional Use - 'Workforce accommodation' and 'Office' into Schedule 2 - Additional Uses, for Ptn Lot 19 Orchard Street, Koorda and amending the scheme maps accordingly.**

Details of the proposal can be found on our website or following this link:

<https://www.koorda.wa.gov.au/news/public-comment-invited-local-planning-scheme-3-amendment-2/133>

Comments on the proposal may be submitted to the local government in writing on or before the 27th day of March 2024. Submissions can be sent via post to Shire of Koorda, PO Box 20, Koorda WA 6475, via email to [shire@koorda.wa.gov.au](mailto:shire@koorda.wa.gov.au) or by using the online submission form on our website.

Lana Foote

Acting Chief Executive Officer

for and on behalf of the Shire of Koorda.



[www.koorda.wa.gov.au](http://www.koorda.wa.gov.au)

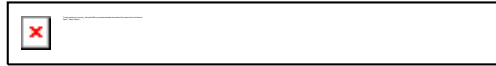
Find us on socials at @ Shire of Koorda



**Lana Foote**

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**From:** Shire of Koorda <no-reply@sparkcms.com.au>  
**Sent:** Wednesday, 31 January 2024 8:24 AM  
**To:** Lana Foote  
**Subject:** Planning Application Submission Form Form Response



The following form was filled out on the Shire of Koorda website.

## Community Consultation on Amendment No.2, Local Planning Scheme No.3 — Submission Form

**First Name**

Linley

**Last Name**

Cornish

**Postal Address**

45  
Koorda  
WA  
6475  
AUSTRALIA

**Email**

linley.cornish@gmail.com

**Phone**

0403393524

**Have you viewed the scheme amendment documents?**

Yes

**Do you support or oppose this planning application?**

Support

**Do you wish to be informed via email of the progress and outcome of this scheme amendment?**

No

**Submitted:**

31/01/2024 8:23:57 AM

**IP:**

101.189.47.248

**Reference Id:**

10470

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**Lana Foote**

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**Subject:** FW: PUBLIC COMMENT INVITED by 27 March 2024: Shire of Koorda Local Planning Scheme No.3, Amendment No. 2

**From:** Jim Garrett <jim.garrett@mainroads.wa.gov.au>

**Sent:** Thursday, 8 February 2024 9:44 AM

**To:** Lana Foote <dceo@koorda.wa.gov.au>

**Subject:** RE: PUBLIC COMMENT INVITED by 27 March 2024: Shire of Koorda Local Planning Scheme No.3, Amendment No. 2

You don't often get email from [jim.garrett@mainroads.wa.gov.au](mailto:jim.garrett@mainroads.wa.gov.au). [Learn why this is important](#)

Good Morning Lana,

Main Roads W.A. have no comments on the Shire of Koorda Planning Scheme amendment.

Regards

**Jim Garrett**

Network Operations Coordinator

Wheatbelt Region

Regional Operations

Tel: +61 8 9622 4733



Main Roads acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present



Department of  
**Primary Industries and  
Regional Development**

**Your reference:** Scheme  
amendment – Additional uses  
**Our reference:** LUP 1796  
**Enquiries:** Grant Stainer

Lana Foote  
Deputy Chief Executive Officer  
Shire of Koorda  
PO Box 20  
Koorda, WA 6475  
shire@koorda.wa.gov.au  
dceo@koorda.wa.gov.au

Date: 18 March 2024

Dear Ms Foote,

**Local Planning Scheme No. 3 Amendment 2 – Inserting an Additional Use – ‘Workforce accommodation’ and ‘Office’ into Schedule 2 – Additional Uses, for Ptn Lot 19 Orchard Street, Koorda and amending the scheme maps accordingly.**

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on the above proposal.

DPIRD supports this proposal, and offers the following comments.

The engineering report indicates that wastewater will be disposed via a leach drain system onsite because there is no sewage network extending to the site.

If the residential area along Orchard Road is connected to the local sewerage treatment plant, it would be advisable to connect the office and workforce accommodation into the sewerage network.

For more information, please contact Grant Stainer on 90813 113 or [grantley.stainer@dpird.wa.gov.au](mailto:grantley.stainer@dpird.wa.gov.au)

Yours sincerely,

A handwritten signature in black ink that reads "Timothy Overheu".

Tim Overheu  
**Acting Director, Agriculture Resource Management Assessment  
Sustainability and Biosecurity**

444 Albany Highway Albany WA 6330  
Telephone 9892 8444 [landuse.planning@dpird.wa.gov.au](mailto:landuse.planning@dpird.wa.gov.au)  
**dpird.wa.gov.au**

ABN: 18 951 343 745





Your Ref:  
Our Ref: 166476986 - TPS406237  
Enquiries: Luke Gabriel  
Direct Tel: 9420 3966  
Email: land.planning@watercorporation.com.au

18 March 2024

Acting Chief Executive Officer  
Shire Of Koorda  
10 Haig Street  
KOORDA WA 6475

Attention of: Lana Foote

**Re: Amendment 2 - Pt Lot 19 Orchard St, Koorda**

Thank you for your letter dated 23<sup>rd</sup> of January 2024. We offer the following comments regarding this proposal.

**Water**

The subject area falls in the Koorda Water Zone. Due to the increase in development density, an upgrade of some reticulation main is required, approximately 111m of DN100 retic pipe is required to be constructed to cater for the increased density for this lot. Attached with this letter is a diagram of the proposed route sent through from our planning department to show the extent of the retic upgrade.

**General Comments**

This proposal will require approval by our Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.

For further information about building applications, the developer should follow this link:

<https://www.watercorporation.com.au/home/builders-and-developers/building/lodging-a-building-application>

If the application is retrospective, approval by our Building Services section is still required.

The developer is expected to provide all water and sewerage reticulation if required. A contribution for Water headworks may also be required. In addition, the developer may be required to fund new works or the upgrading of existing works and protection of all works. Water Corporation may also require land being provided for works.

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.

Please provide the above comments to the landowner, developer and/or their representative.

Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.

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**Lana Foote**

**Subject:** FW: Part of Lot 19, Orchard Street, Koorda - Local Planning Scheme No.3, Amendment No. 2 - DFES Response

**From:** DFES Land Use Planning <[advice@dfes.wa.gov.au](mailto:advice@dfes.wa.gov.au)>

**Sent:** Tuesday, 26 March 2024 2:07 PM

**To:** Shire of Koorda <[shire@koorda.wa.gov.au](mailto:shire@koorda.wa.gov.au)>

**Subject:** Part of Lot 19, Orchard Street, Koorda - Local Planning Scheme No.3, Amendment No. 2 - DFES Response

You don't often get email from [advice@dfes.wa.gov.au](mailto:advice@dfes.wa.gov.au). [Learn why this is important](#)

DFES Ref: D32900

Dear Sir/Madam,

I refer to your letter dated 23 January 2024 in relation to the referral of Scheme Amendment No.2 to Local Planning Scheme No. 3 for Ptn Lot 19 Orchard Street, Kooda.

It is noted from section 2.4 of the Scheme Amendment report that the Shire of Kooda (Shire) has not yet applied *State Planning Policy 3.7 – Planning in Bushfire Prone Areas* (SPP 3.7) to this proposal and proposes to apply it at subsequent layers of planning. However, a Bushfire Management Plan (BMP) is required to accompany strategic planning proposals, in areas above BAL–LOW or areas with a bushfire hazard level above low (refer to clause 6.2b). A BMP includes the bushfire assessment, identification of the bushfire hazard issues arising from the relevant assessment and a clear demonstration that compliance with the bushfire protection criteria contained within Appendix 4 of these Guidelines, is or can be achieved.

Given Scheme Amendment No.2 seeks to insert the additional uses of 'workforce accommodation' and 'office' for the subject site, the Scheme Amendment provides an opportune mechanism for the coordination of bushfire risk to ensure that it does not result in the introduction or intensification of development or land use in an area that has or will, on completion, have an extreme BHL and/or BAL-40 or BAL-FZ. Workforce accommodation is considered to be a vulnerable land use under SPP 3.7.

SPP 3.7 seeks to reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.

The BMP should be prepared as early as possible in the planning process and progressively refined or reviewed as the level of detail increases. The level of detail provided within a BMP should be commensurate with the applicable planning stage and scale of the proposal or application.

Should you apply SPP 3.7 then, we request the relevant information pursuant to this policy be forwarded to DFES to allow us to review and provide comment prior to the (City/Shire) endorsement of the Scheme Amendment.

Land Use Planning staff are available to discuss planning proposals and provide general bushfire advice at any stage of the planning process. Please do not hesitate to contact me on the number below, should you require clarification of any of the matters raised.

Kind regards

**Sasha De Brito**  
**Senior Land Use Planning Officer**

20 Stockton Bend, Cockburn Central, Perth WA 6164

**T:** 08 9395 9703 | **E:** [advice@dfes.wa.gov.au](mailto:advice@dfes.wa.gov.au) | **W:** [dfes.wa.gov.au](http://dfes.wa.gov.au)





# Bushfire Management Plan

## Report Details

**Report / Job number**

20037

**Report version**

1

**Date submitted:**

4 December 2022

**Project:** Proposed Accommodation  
**Project Address:** 1 Orchard Street, Koorda  
**Prepared by:** James Terenciuk, Bushfire Planning Practitioner.

## 1. Background Information

This Bushfire Management Plan was prepared to provide guidance for the planning and management of potential bushfire threat. The standards and recommendations within this plan are based on the performance criteria as set out in Guidelines for Planning in Bushfire Prone Areas (Version 1.4, Dec-2021).

This Bushfire Management Plan meets the requirements of SPP 3.7 and the Guidelines for Planning in Bushfire Prone Areas.



James Terenciuk  
Bushfire Planning Practitioner

### 1.1 Purpose of Plan

The purpose of this Plan is to minimise the occurrence and impact of bushfires and their devastating effects to life, property and the environment, and to document fire prevention requirements at the Site. By providing acceptable solutions the BAL level can be managed to an acceptable level.

### 1.2 Objectives

The objectives of this Plan are to:

- Define areas where values are located
- Define and rank hazard areas
- Identify individuals and organizations responsible for fire management and associated works within the area of the plan
- Develop fire management strategies for all land with regard to life, property and the environment
- Nominate an assessment procedure that evaluates the effectiveness and impact of proposed and existing fire prevention work and strategies
- Identify performance criteria and acceptable solutions for all fire management works, including acceptable solutions for fire breaks, low fuel areas and building construction standards.

This Plan will achieve the objectives by:

- Assessing the bushfire attack level
- Determining bushfire management requirements
- Determining ongoing management responsibilities

### 1.3 Statement against Other Relevant Documents

This Bushfire Management Plan meets the intent of:

1. State Planning Policy 3.7,
2. Guidelines for Planning in Bushfire Prone Areas,
3. Local planning strategy references to bushfire risk management,
4. Local planning scheme provisions relating to bushfire risk management,
5. Applicable structure plans, special control area provisions, previous planning approvals or similar referencing bushfire risk management applicable to the subject site,
6. Standard fire break orders of the area; and
7. AS3959 Construction of Buildings in Bushfire-Prone Areas.

### 1.4 Proposal details

The Site is located approximately 230 km North-East of the Perth CBD. The lot area is about 4.04 ha. The proposal at 1 Orchard Street, Koorda seeks approval for a proposed accommodation (refer to Figure 1: Site layout plan).

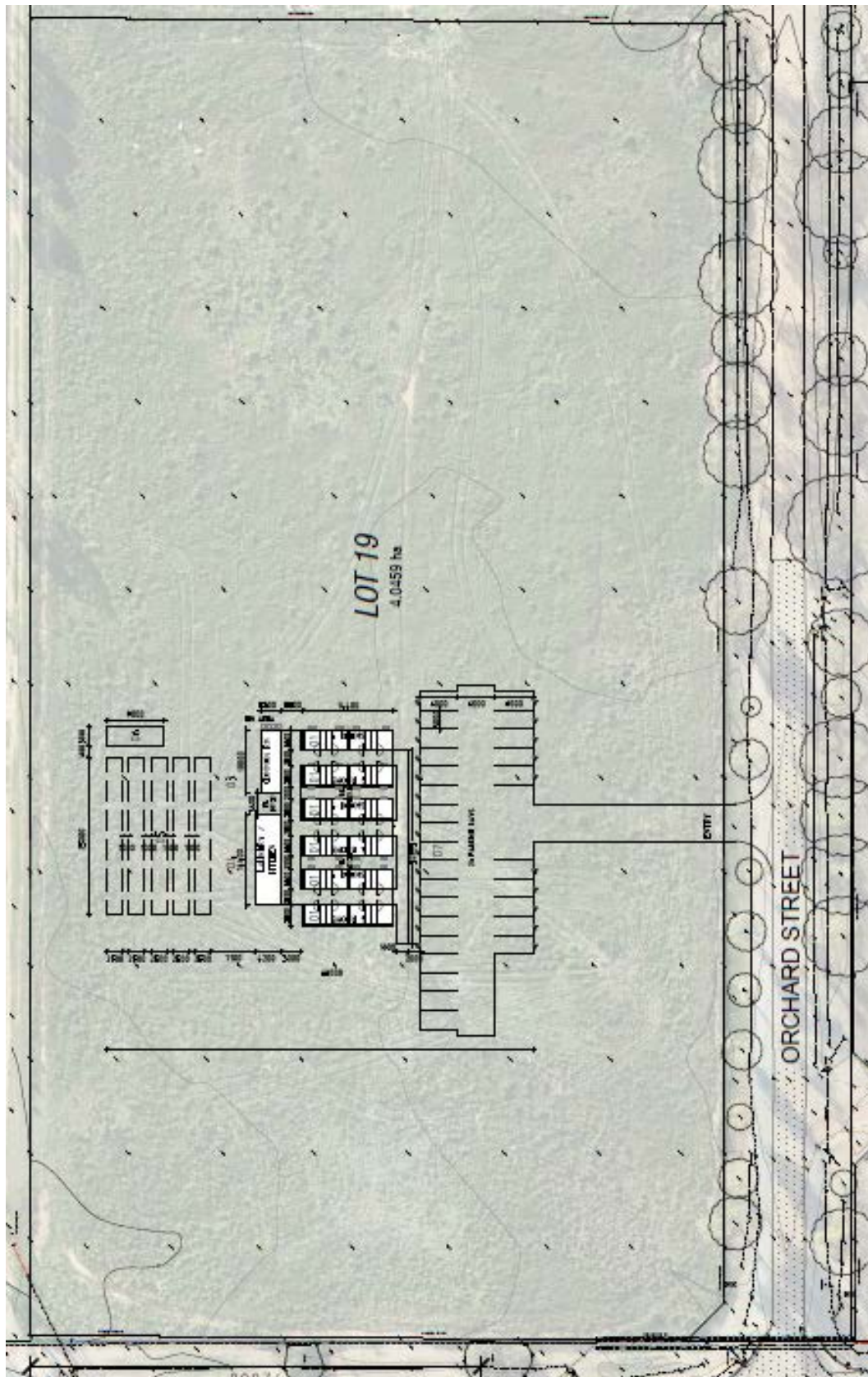
It has been identified as being located within a bushfire prone area according to the most recent map published by the Department of Fire and Emergency Services (refer to Figure 2).

There are no relevant environmental considerations, including local reserves, State Forest, National park, wetlands, Bush Forever sites, etc. within the site or being affected by the development.

There are no known previous bushfire assessments that have been undertaken for the site.

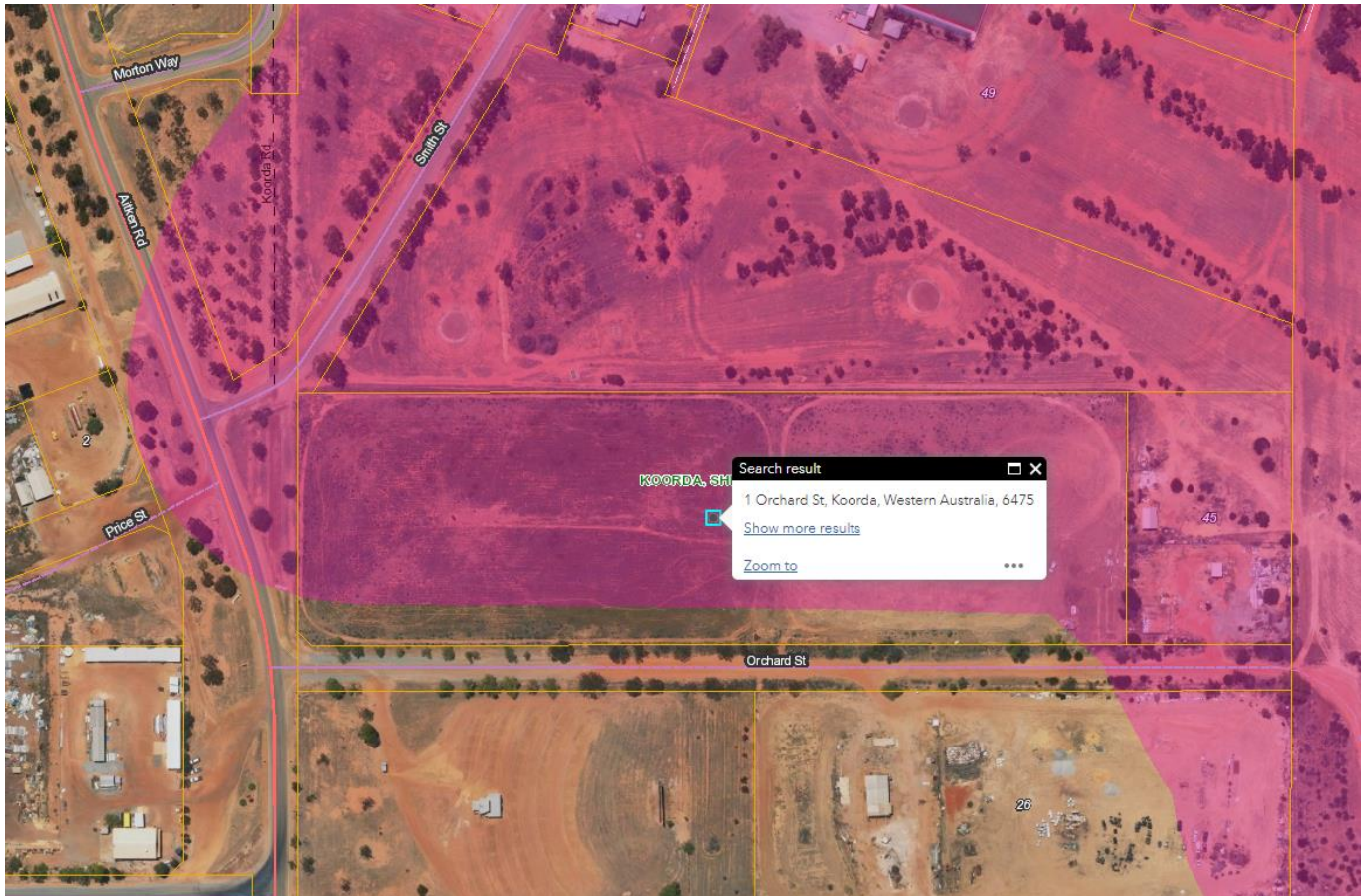


1.4.1 Figure 1: Site plan





1.4.2 Figure 2: Map of Bushfire Prone Areas for the subject site



## 2. Environmental considerations

There are no environmental, biodiversity or conservation values on the subject site (or adjoining).

### 2.1 Native vegetation – modification and clearing

The subject site does not contain those values mentioned above and is not identified in a local planning strategy or local biodiversity strategy therefore clearing requirements will be in accordance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

### 3. Bushfire assessment Results

#### 3.1 Assessment Inputs


The location and extent of the classifiable vegetation in relation to the proposed developments have been assessed and recorded in the attached BAL Assessment Report extract. The BAL Assessment Report is produced based on a methodology 1 assessment, with the vegetation being assessed “as is” in accordance with AS3959. The initial BAL rating is given in the table below.

**Table 2A:** Worst case BAL that applies to the site

| Plot | Vegetation Classification      | Effective Slope | Separation (m) | BAL        |
|------|--------------------------------|-----------------|----------------|------------|
| 1    | Excludable – Clause 2.2.3.2(f) | -               | -              | BAL – LOW  |
| 2    | Class C Shrubland              | Flat land       | 40m            | BAL – 12.5 |
| 3    | Excludable – Clause 2.2.3.2(e) | -               | -              | BAL – LOW  |

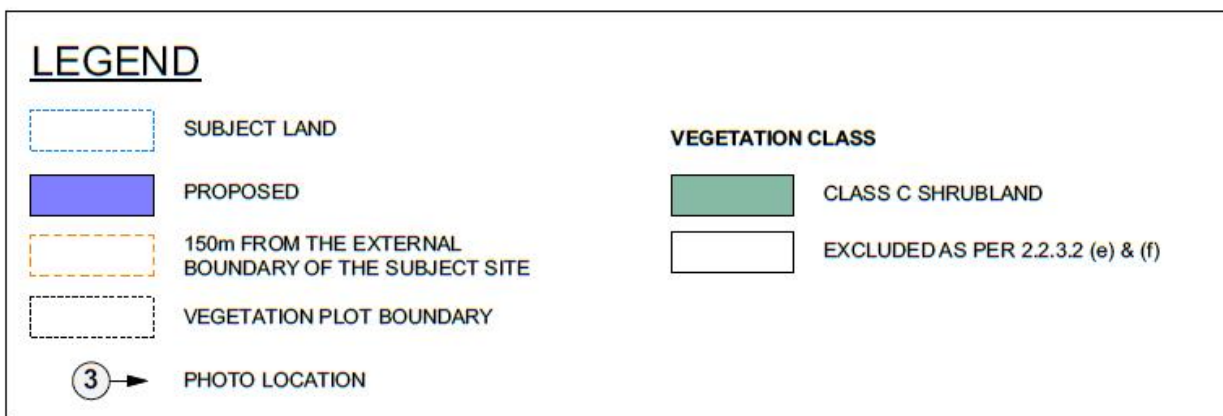
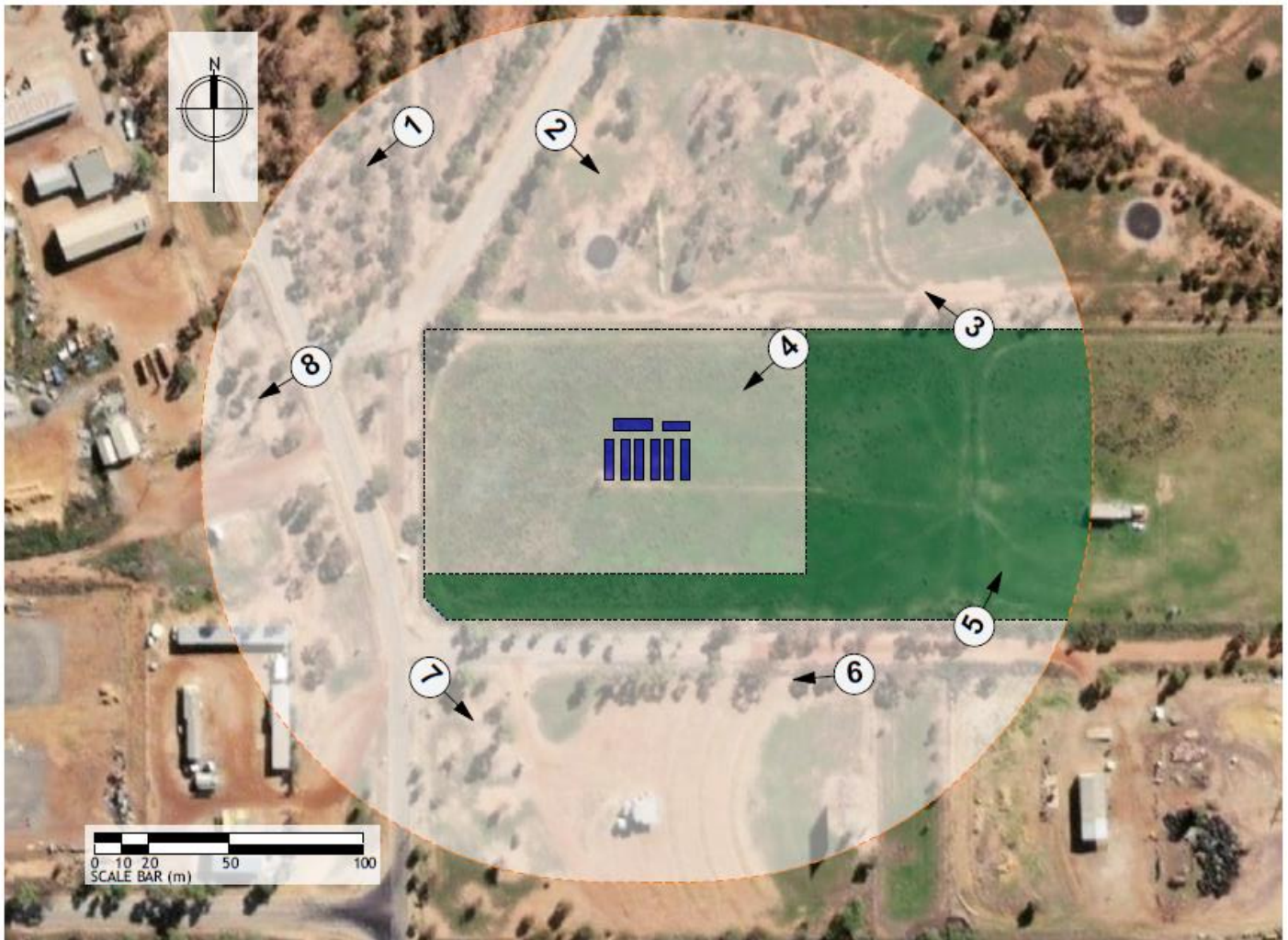
**Table 2B:** Determined Bushfire Attack Level (BAL)

The Determined Bushfire Attack Level for the proposed development has been determined in accordance with clause 2.2.6 of AS 3959-2018 using the above analysis.

| Determined Bushfire Attack Level                      |   |              |   | BAL – 12.5   |
|---|---|--------------|---|--|
| <b>Photo ID:</b>                                      | 5 | <b>Plot:</b> | 2 |  |
| <b>Vegetation Classification or Exclusion Clause</b>  |   |              |   |  |
| Class C Shrubland - Low shrubland C-12                |   |              |   |  |
| <b>Description / Justification for Classification</b> |   |              |   |  |
| Shrubs 1m-2m high.                                    |   |              |   |  |



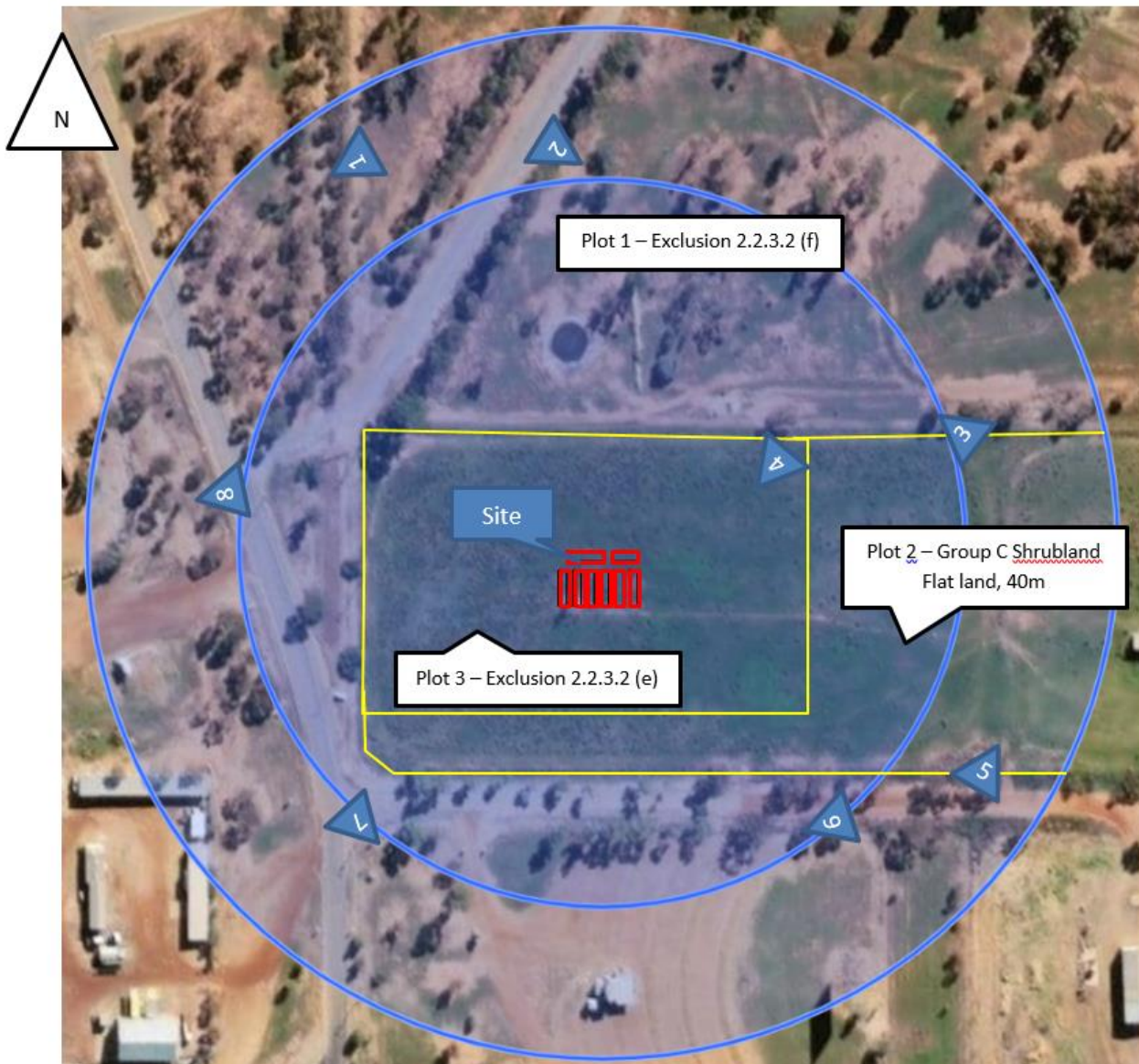
3.1.1 Figure 3: Vegetation Classification Map







### 3.2 Preliminary BAL Assessment

#### 3.2.1 Site Assessment & Site Plans

The assessment of this site was undertaken by a BPAD Accredited Practitioner for the purpose of determining the Bushfire Attack Level in accordance with AS 3959 - 2018 Simplified Procedure (Method 1).





Legend




-  = Photo location
-  = 100m and 150m wide buffers
-  = Vegetation plots
-  = Site






### 3.2.2 Vegetation Classification

All vegetation within 100m of the site development was classified in accordance with Clause 2.2.3 of AS 3959-2018. Each distinguishable vegetation plot with the potential to determine the Bushfire Attack Level is identified below.

|   |   |              |   |   |
|---|---|--------------|---|---|
| <b>Photo ID:</b>  | 1 | <b>Plot:</b> | 1 |   |
| <b>Vegetation Classification or Exclusion Clause</b>  |   |              |   |   |
| Excludable - 2.2.3.2(f) Low Threat Vegetation   |   |              |   |   |
| <b>Description / Justification for Classification</b>   |   |              |   |   |
| Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. |   |              |   |   |
| <b>Photo ID:</b>  | 2 | <b>Plot:</b> | 1 |  |
| <b>Vegetation Classification or Exclusion Clause</b>  |   |              |   |   |
| Excludable - 2.2.3.2(f) Low Threat Vegetation   |   |              |   |   |
| <b>Description / Justification for Classification</b>   |   |              |   |   |
| Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. |   |              |   |   |

|   |                |  |
|---|----------------|--|
| <b>Photo ID:</b> 3  | <b>Plot:</b> 1 |  <p>30 Jun 2022 13:28:54</p>   |
| <b>Vegetation Classification or Exclusion Clause</b>  |                |  |
| Excludable - 2.2.3.2(f) Low Threat Vegetation   |                |  |
| <b>Description / Justification for Classification</b>   |                |  |
| Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. |                |  |
| <b>Photo ID:</b> 4  | <b>Plot:</b> 3 |                               |
| <b>Vegetation Classification or Exclusion Clause</b>  |                |  |
| Excludable - 2.2.3.2(e) Non Vegetated Areas   |                |  |
| <b>Description / Justification for Classification</b>   |                |  |
| Non-vegetated areas.  |                |  |
| <b>Photo ID:</b> 5  | <b>Plot:</b> 2 |  <p>30 Jun 2022 13:11:21</p> |
| <b>Vegetation Classification or Exclusion Clause</b>  |                |  |
| Class C Shrubland - Low shrubland C-12  |                |  |
| <b>Description / Justification for Classification</b>   |                |  |
| Shrubs 1m-2m high.  |                |  |

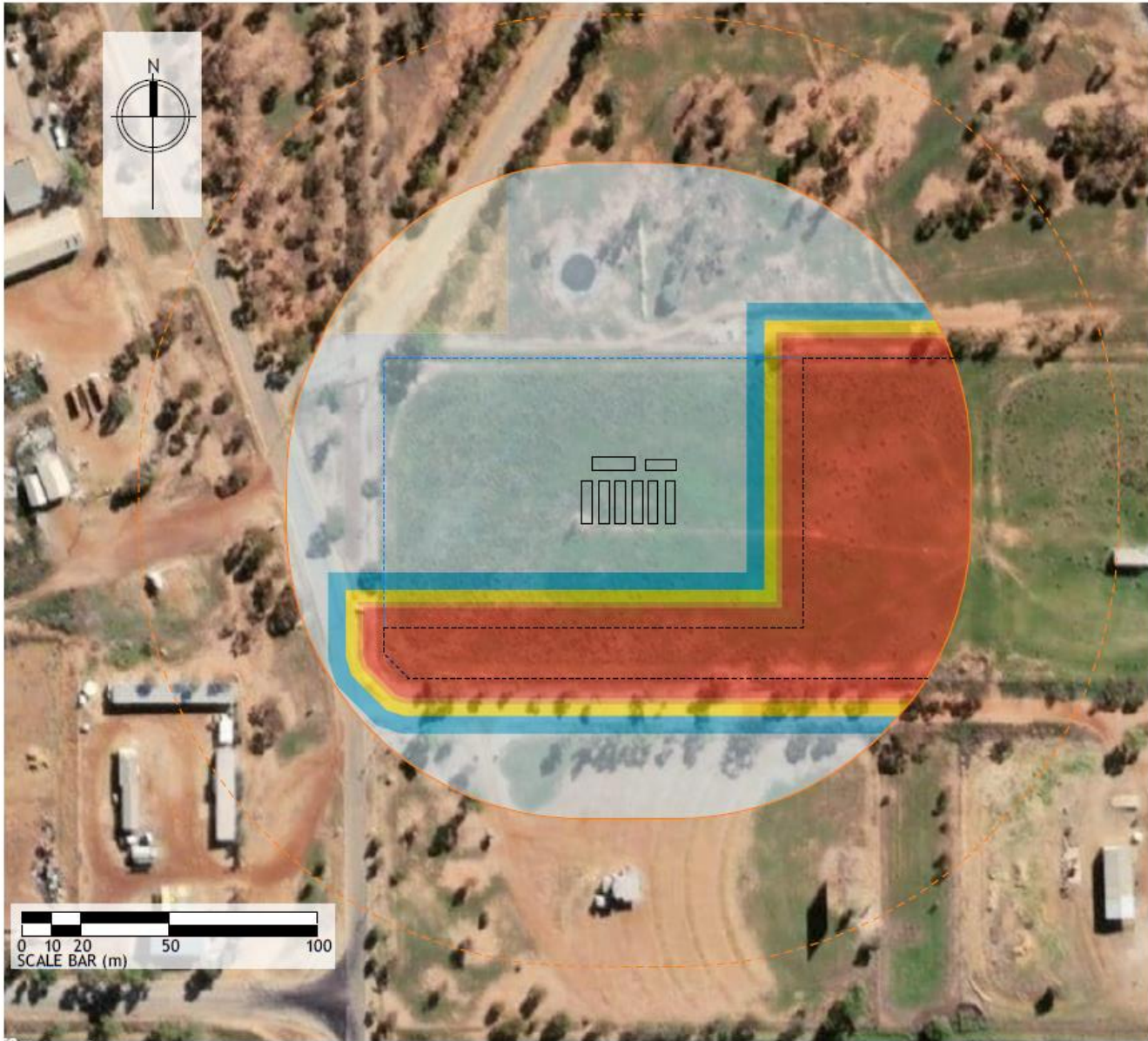













|   |                |  |
|---|----------------|--|
| <b>Photo ID:</b> 6  | <b>Plot:</b> 1 |  <p style="text-align: right; font-size: small;">30 Jun. 2022 13:13:06</p>   |
| <b>Vegetation Classification or Exclusion Clause</b>  |                |  |
| Excludable - 2.2.3.2(f) Low Threat Vegetation   |                |  |
| <b>Description / Justification for Classification</b>   |                |  |
| Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. |                |  |
| <b>Photo ID:</b> 7  | <b>Plot:</b> 1 |  <p style="text-align: right; font-size: small;">30 Jun. 2022 13:39:17</p>  |
| <b>Vegetation Classification or Exclusion Clause</b>  |                |  |
| Excludable - 2.2.3.2(f) Low Threat Vegetation   |                |  |
| <b>Description / Justification for Classification</b>   |                |  |
| Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. |                |  |
| <b>Photo ID:</b> 8  | <b>Plot:</b> 1 |  <p style="text-align: right; font-size: small;">30 Jun. 2022 13:43:09</p> |
| <b>Vegetation Classification or Exclusion Clause</b>  |                |  |
| Excludable - 2.2.3.2(f) Low Threat Vegetation   |                |  |
| <b>Description / Justification for Classification</b>   |                |  |
| Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load. |                |  |



### 3.3 Assessment outputs (when Contour Map)

#### 3.3.1 Figure 4: BAL Contour Map



| LEGEND  |   | BUSHFIRE ATTACK LEVELS  |          |
|---|---|---|----------|
|  | SUBJECT LAND  |  | BAL-FZ   |
|  | PROPOSED BUILDING OUTLINE   |  | BAL-40   |
|  | 150m FROM THE EXTERNAL BOUNDARY OF THE SUBJECT SITE                   |  | BAL-29   |
|  | ASSESSMENT AREA (100m FROM THE EXTERNAL BOUNDARY OF THE SUBJECT SITE) |  | BAL-19   |
|  | VEGETATION PLOT BOUNDARY  |  | BAL-12.5 |
|   |   |  | BAL-LOW  |

**3.3.2 Table A: Method 1 Table**

| BAL Determination             |                                   |   |   |                    | Asset Protection Zone around future construction to archive BAL-29 (metres) |
|-------------------------------|-----------------------------------|---|---|--------------------|---|
|                               | Applied Vegetation Classification | Effective Slope Under the Classified Vegetation (degrees) | Separation Distance to the Classified Vegetation (metres) | Highest BAL Rating |   |
| Potential future construction | Class D Scrub                     | Flat land   | 40m   | BAL – 12.5         | 9m  |

## 4. Assessment against the Bushfire Protection Criteria

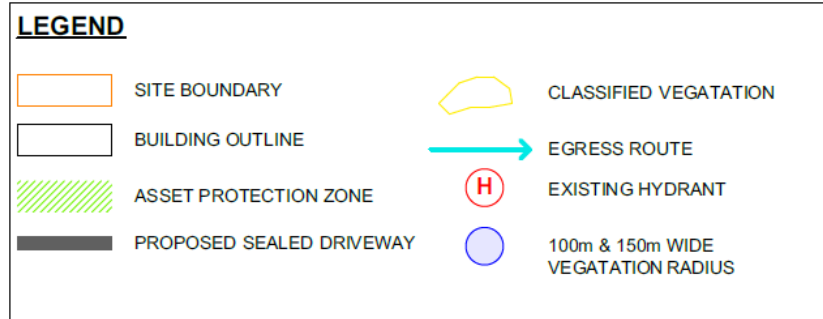
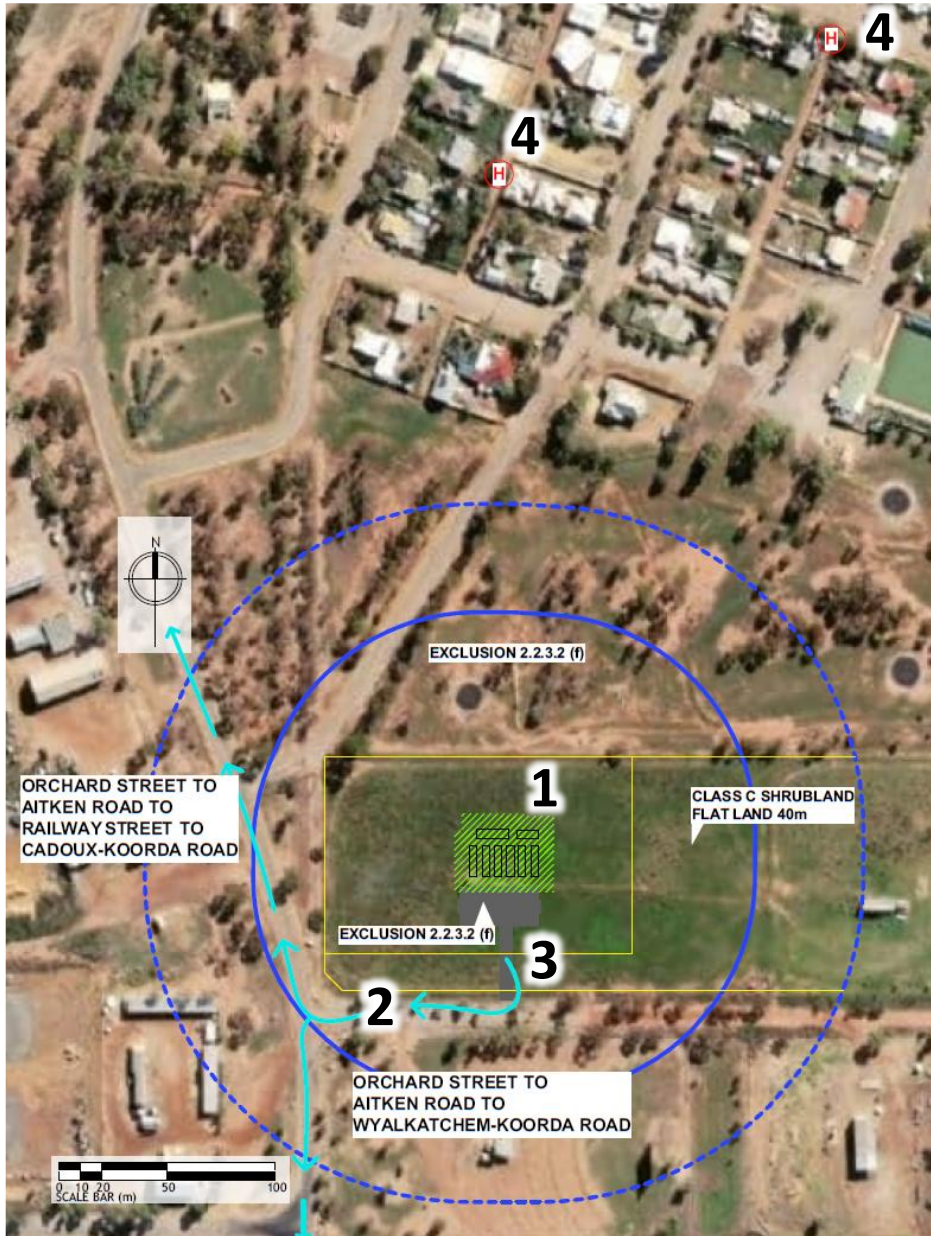
### 4.1 Compliance

Each of the elements listed within Appendix 4 of the Guidelines for Planning in Bushfire Prone Areas has been addressed in this bushfire management plan as per the following table.

| Bushfire protection criteria                | Method of Compliance/Acceptable Solutions   | Proposed bushfire management strategies  |
|---|---|--|
| Element 1: Location                         | A1.1 Development location   | The proposed dwelling would ensure all future constructions are located in an area subject to BAL-29 or lower in order to comply with the <i>Guidelines for Planning in Bushfire Prone Areas</i> .   |
| Element 2: Siting and design of development | A2.1 Asset Protection Zone  | <p>The Asset Protection Zone will be maintained within the boundary of the lot. All future construction are to be surrounded by an APZ of 9m to Scrub to ensure the potential radiant heat impact of a bushfire does not exceed BAL-29.</p> <p>Refer to Table A which indicates the minimum width of the APZ to be maintained for BAL-29. The standards for APZ from the Guidelines is attached in Appendix 1.</p> |
| Element 3: Vehicular access                 | A3.1 Public road  | Public roads are to meet the minimum technical requirements in Table 6, Column 1.  |
|   | A3.2a Two access routes   | <p>The existing network demonstrates that access provided to the subject site will be primarily via Orchard St, giving a choice of two safe egress destinations to the North (Orchard St to Aitken Rd to Railway St to Cadoux-Koorda Rd) and South (Orchard St to Aitken Rd to Wyalkatchem-Koorda Rd).</p> <p>Both are available to all people at all times.</p>   |
|   | A3.2b Emergency access way  | N/A  |
|   | A3.3 Cul-de-sac (including dead-end-road)   | N/A  |
|   | A3.4a Perimeter roads   | N/A  |
|   | A3.4b Fire services access routes   | N/A  |
|   | A3.5 Battle-axe   | N/A  |
|   | A3.6 Private driveway longer than 70m. A private driveway is to meet detailed requirements contained within the Guidelines. | N/A - The private driveway is only 30m long.   |
| Element 4: Water                            | A4.1 Identification of future water supply  | <p>The site is provided with a reticulated water supply in accordance with the specifications of the relevant water supply authority and Department of Fire and Emergency Services.</p> <p>Existing hydrant is located on Birdwood St – refer to Figure 5 for the location.</p>  |
|   | A4.2 Provision of water for firefighting purposes   | N/A  |



4.1.1 Figure 5: Spatial representation of the bushfire management strategies



**Notes**

- 1) The APZ is to be contained solely within the lots. An APZ is required around the future dwellings to ensure the BAL rating is not higher than BAL-29. Refer to Appendix 1.
- 2) The existing network is minimum 6m and trafficable (bitume and hard gravel)
- 3) The proposed driveway is minimum 6m and trafficable (bitume and hard gravel)
- 4) Existing hydrant is located on Birdwood St – refer to map for the location.

Location Details: 1 Orchard Street, Koorda

Local Government Area: Shire of Koorda

Assessment Date: 30.06.2022

Date of aerial photo: Unknown

Prepared by: James Tereciuk, Bushfire Planning Practitioner

Address: Suite 26, 443 Albany Highway, Victoria Park, WA 6100, Phone: (08) 6114 9356

Email: admin@greenstartconsulting.com.au, Web: www.greenstartconsulting.com.au

## 5. Responsibilities for Implementation and Management of the Bushfire Measures

| DEVELOPER/LANDOWNER – PRIOR TO SALE OR OCCUPANCY |   |
|--|---|
| No.  | Implementation Action   |
| 1  | Install the private driveway to the standards stated in the BMP.  |
| 2  | Establish the Asset Protection Zone to the dimensions and standards stated in the BMP.  |
| 3  | Comply with the relevant local government annual firebreak notice issued under s33 of the Bush Fires Act 1954.  |
| LANDOWNER/OCCUPIER – ONGOING MANAGEMENT          |   |
| No.  | Management Action   |
| 1  | Maintain the Asset Protection Zone to the dimensions and standard stated in the BMP.  |
| 2  | Landowners/occupiers to thoroughly read this BMP. If there are any items which require clarification it is recommended that they contact the author of this report. |
| 3  | Maintain vehicular access routes within the lot to the required surface condition and clearances .  |
| 4  | Comply with the relevant local government annual firebreak notice issued under s33 of the Bush Fires Act 1954.  |

To ensure that the above individuals/organisations are able to comply with the Bushfire Management Plan they are to be notified of their responsibilities by the developer and be given a copy of the endorsed Bushfire Management Plan.

This Bushfire Management Plan relates to a specific planning approval and should be referred to periodically as part of the owner's fire mitigation strategy. As time passes, any items found to require review due to changing circumstances are to be brought to the attention of the local government and the Bushfire Management Plan author.

### Certification by bushfire consultant

I James Terenciuk, certify that at the time of inspection, the BAL ratings contained within this BMP are correct; Clearance by local government is recommended.

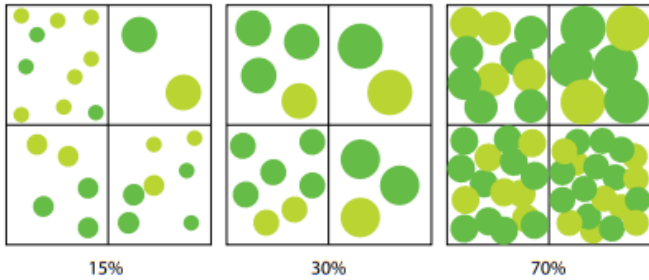


James Terenciuk  
 Bushfire Planning Practitioner

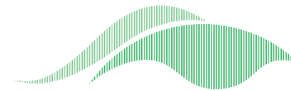
**Date: 4 December 2022**

## 6. Appendix 1: Schedule 1: Standard for Asset Protection Zones (Appendix 4 of the Guidelines)

### SCHEDULE 1: STANDARDS FOR ASSET PROTECTION ZONES

| OBJECT  | REQUIREMENT  |
|---|--|
| Fences within the APZ   | <ul style="list-style-type: none"> <li>Should be constructed from non-combustible materials (for example, iron, brick, limestone, metal post and wire, or bushfire-resisting timber referenced in Appendix F of AS 3959).</li> </ul>   |
| Fine fuel load<br>(Combustible, dead vegetation matter <6 millimetres in thickness)                                     | <ul style="list-style-type: none"> <li>Should be managed and removed on a regular basis to maintain a low threat state.</li> <li>Should be maintained at &lt;2 tonnes per hectare (on average).</li> <li>Mulches should be non-combustible such as stone, gravel or crushed mineral earth or wood mulch &gt;6 millimetres in thickness.</li> </ul>   |
| Trees* (>6 metres in height)  | <ul style="list-style-type: none"> <li>Trunks at maturity should be a minimum distance of six metres from all elevations of the building.</li> <li>Branches at maturity should not touch or overhang a building or powerline.</li> <li>Lower branches and loose bark should be removed to a height of two metres above the ground and/or surface vegetation.</li> <li>Canopy cover within the APZ should be &lt;1.5 per cent of the total APZ area.</li> <li>Tree canopies at maturity should be at least five metres apart to avoid forming a continuous canopy. Stands of existing mature trees with interlocking canopies may be treated as an individual canopy provided that the total canopy cover within the APZ will not exceed 1.5 per cent and are not connected to the tree canopy outside the APZ.</li> </ul> <p data-bbox="574 1059 1098 1120"><b>Figure 19:</b> Tree canopy cover – ranging from 1.5 to 70 per cent at maturity</p>  |
| Shrub* and scrub* (0.5 metres to six metres in height). Shrub and scrub >6 metres in height are to be treated as trees. | <ul style="list-style-type: none"> <li>Should not be located under trees or within three metres of buildings.</li> <li>Should not be planted in clumps &gt;5 square metres in area.</li> <li>Clumps should be separated from each other and any exposed window or door by at least 10 metres.</li> </ul>   |
| Ground covers* (<0.5 metres in height. Ground covers >0.5 metres in height are to be treated as shrubs)                 | <ul style="list-style-type: none"> <li>Can be planted under trees but must be maintained to remove dead plant material, as prescribed in 'Fine fuel load' above.</li> <li>Can be located within two metres of a structure, but three metres from windows or doors if &gt;100 millimetres in height.</li> </ul>   |





**SCHEDULE 1: STANDARDS FOR ASSET PROTECTION ZONES**

| OBJECT           | REQUIREMENT   |
|------------------|---|
| Grass            | <ul style="list-style-type: none"> <li>• Grass should be maintained at a height of 100 millimetres or less, at all times.</li> <li>• Wherever possible, perennial grasses should be used and well-hydrated with regular application of wetting agents and efficient irrigation.</li> </ul>  |
| Defendable space | <ul style="list-style-type: none"> <li>• Within three metres of each wall or supporting post of a habitable building, the area is kept free from vegetation, but can include ground covers, grass and non-combustible mulches as prescribed above.</li> </ul>   |
| LP Gas Cylinders | <ul style="list-style-type: none"> <li>• Should be located on the side of a building furthest from the likely direction of a bushfire or on the side of a building where surrounding classified vegetation is upslope, at least one metre from vulnerable parts of a building.</li> <li>• The pressure relief valve should point away from the house.</li> <li>• No flammable material within six metres from the front of the valve.</li> <li>• Must sit on a firm, level and non-combustible base and be secured to a solid structure.</li> </ul> |

\* Plant flammability, landscaping design and maintenance should be considered – refer to explanatory notes

## 7. Appendix 2: Table 6 – Vehicular access technical requirements

| TECHNICAL REQUIREMENTS                       | 1<br>Public roads                               | 2<br>Emergency access way <sup>1</sup> | 3<br>Fire service access route <sup>1</sup> | 4<br>Battle-axe and private driveways <sup>2</sup> |
|--|---|--|---|--|
| Minimum trafficable surface (metres)         | In accordance with A3.1                         | 6                                      | 6   | 4  |
| Minimum horizontal clearance (metres)        | N/A   | 6                                      | 6   | 6  |
| Minimum vertical clearance (metres)          | 4.5   |  |   |  |
| Minimum weight capacity (tonnes)             | 15  |  |   |  |
| Maximum grade unsealed road <sup>3</sup>     | As outlined in the IPWEA Subdivision Guidelines | 1:10 (10%)                             |   |  |
| Maximum grade sealed road <sup>3</sup>       |   | 1:7 (14.3%)                            |   |  |
| Maximum average grade sealed road            |   | 1:10 (10%)                             |   |  |
| Minimum inner radius of road curves (metres) |   | 8.5                                    |   |  |

**Notes:**

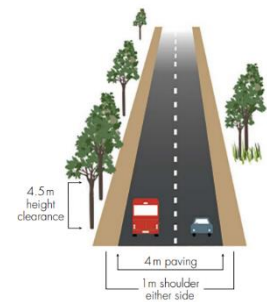
<sup>1</sup> To have crossfalls between 3 and 6%.

<sup>2</sup> Where driveways and battle-axe legs are not required to comply with the widths in A3.5 or A3.6, they are to comply with the Residential Design Codes and Development Control Policy 2.2 Residential Subdivision.

<sup>3</sup> Dips must have no more than a 1 in 8 (12.5% -7.1 degree) entry and exit angle.

### E3.1 Public road

**Trafficable surface:** Widths quoted for access routes refer to the width of the trafficable surface. A six metre trafficable surface does not necessarily mean paving width. It could, for example, include four metre wide having one metre wide constructed road shoulders. In special circumstances, where eight lots or less are being serviced, a public road with a minimum trafficable surface of four metres for a maximum distance of 90 metres may be provided subject to the approval of both the local government and Department of Fire and Emergency Services.



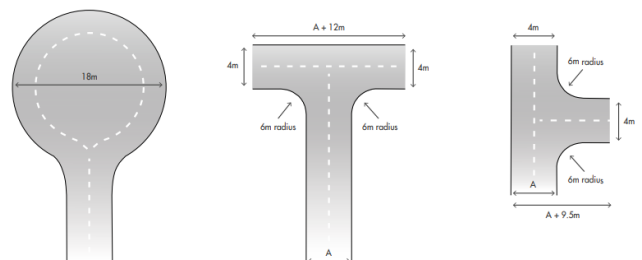
### E3.2a Two access route

Two different vehicular access routes are provided, both of which connect to the public road network, provide safe access and egress to two different destinations and are available to all residents/the public at all times and under all weather conditions.

### E3.6 Private Driveway longer than 70 metres

A private driveway is to meet all of the following requirements:

- Requirements in Table 4, Column 3;
- Required where a house site is more than 70 metres from a public road;
- Passing bays: every 200 metres with a minimum length of 20 metres and a minimum width of two metres (i.e. the combined width of the passing bay and constructed private driveway to be a minimum six metres);
- Turn-around areas designed to accommodate type 3.4 fire appliances and to enable them to turn around safely every 500 metres (i.e. kerb to kerb 18metres) and within 30 metres of a house.



## 8. Appendix 3: LG's Firebreak Notice

### Annual Fire Break Notice

Notice of Owners and/or Occupiers of Land within the Shire of Koorda.

In pursuance of the powers conferred in Section 33 of the Bush Fires Act, 1954, notice is hereby given to all owners and/or occupiers of land within the Shire of Koorda that Council has adopted the following requirements to prevent the outbreak or spread of a bush fire within the Shire.

All owners and/or occupiers of land are required to carry out fire prevention work in accordance with this notice on land owned or occupied by you on or before the 31st day of October 2022 or within fourteen days of the date of you becoming the owner or occupier should this be after the 31st day of October 2022. All work required by this Notice shall be maintained until the 15th day of March 2023.

*“Firebreak” means an area of ground, of a specified width that is kept and maintained ‘reasonably’ clear of all material (living or dead) by scarifying, cultivating, ploughing or other means, and includes the pruning and removal of any living or dead trees, scrub or other material that overhang the cleared firebreak area to a vertical height of 4.5 metres from the ground.*

*In this instance, ‘reasonably’ is intended to mean “best endeavour”, acknowledging that it is impracticable to clear and maintain a firebreak ‘totally clear’ of inflammable material for the period of this notice.*

*“Flammable Material” means material that can be easily ignited, i.e. – dead or dry grass, leaves, timber, paper, plastic and other material or thins deemed by an authorised officer to be capable of combustion.*

### Rural Land

- On all land owned or occupied which is not within a townsite subdivision, firebreaks not less than three (3) metres wide must be cleared inside and along the external boundary of all land.
- For the purpose of this part, all Road Reserves are to be taken as boundaries.
- The maximum area allowed with a single perimeter firebreak must not exceed 400 hectares.
- Where buildings or hay stacks are situated on the property, additional firebreaks not less than three (3) metres in width must be provided within ten (10) metres of the perimeter of such buildings or hay stacks in such manner as to completely encircle the buildings or hay stacks.

### Townsite Land

- All lots within townsites are required to be completely cleared of all debris of any inflammable nature and maintained free of such material.

If it is considered impractical for any reason to clear firebreaks or remove flammable materials from the land as required by this notice, a written application for a variation may be made to the Chief Executive Officer, to reach him not less than two weeks prior to the date by which the firebreak(s), are to be cleared.

No such application will be considered unless it bears the signature of the Fire Control Officer for the area in which the property is situated signifying that the Officer's agreement to the variation applied for.

Persons who fail to comply with the requirements of this Order may be issued with an infringement notice or prosecuted with a penalty up to \$5,000.00 through the courts as per Section 33 (3) of the Act.

Additionally, Council may carry out the required work at a cost to the owner or occupier as per Sections 33 (4) & 33 (5) of the 1954 Bush Fires Act.

## Townsite Land

- All lots within townsites are required to be completely cleared of all debris of any inflammable nature and maintained free of such material.

If it is considered impractical for any reason to clear firebreaks or remove flammable materials from the land as required by this notice, a written application for a variation may be made to the Chief Executive Officer, to reach him not less than two weeks prior to the date by which the firebreak(s), are to be cleared.

No such application will be considered unless it bears the signature of the Fire Control Officer for the area in which the property is situated signifying that the Officer's agreement to the variation applied for.

Persons who fail to comply with the requirements of this Order may be issued with an infringement notice or prosecuted with a penalty up to \$5,000.00 through the courts as per Section 33 (3) of the Act.

Additionally, Council may carry out the required work at a cost to the owner or occupier as per Sections 33 (4) & 33 (5) of the 1954 Bush Fires Act.

**Restricted-Permit Required: 19 September 2022 to 31 October 2022**

**Prohibited-No Burning: 1 November 2022 to 31 January 2023**

**Restricted-Permit Required: 1 February 2023 to 15 March 2023**

*Landholders should note that as the reasonable installation and maintenance of fire breaks is a local Council requirement., any landholder not meeting this obligation may breach their insurance provisions.*

**Darren Simmons**  
Chief Executive Officer

## 9. Appendix 4: Schedule 2: Water Supply Dedicated for Bushfire Firefighting Purposes

### 2.1 Water supply requirements

Water dedicated for firefighting should be provided in accordance with Table 7 below, and be in addition to water required for drinking purposes.

Table 7: Water supply dedicated for bushfire firefighting purposes

| PLANNING APPLICATION  | NON-RETICULATED AREAS  |
|---|--|
| Development application                                       | 10,000L per habitable building   |
| Structure Plan / Subdivision:<br>Creation of 1 additional lot | 10,000L per lot  |
| Structure Plan / Subdivision:<br>Creation of 3 to 24 lots     | 10,000L tank per lot <b>or</b> 50,000L strategic water tank  |
| Structure Plan / Subdivision:<br>Creation of 25 lots or more  | 50,000L per 25 lots or part thereof<br>Provided as a strategic water tank(s) or 10,000L tank per lot |

### 2.2 Technical requirements

#### 2.2.1 Construction and design

An above-ground tank and associated stand should be constructed of non-combustible material. The tank may need to comply with AS/NZS 3500.1:2018.

Below ground tanks should have a 200mm diameter access hole to allow tankers or emergency service vehicles to refill direct from the tank, with the outlet location clearly marked at the surface. The tank may need to comply with AS/NZS 3500.1:2018. An inspection opening may double as the access hole provided that the inspection opening meets the requirements of AS/NZS 3500.1:2018. If the tank is required under the BCA as part of fire hydrant installation, then the tank will also need to comply with AS 2419.

Where an outlet for an emergency service vehicle is provided, then an unobstructed, hardened ground surface is to be supplied within four metres of any water supply.

#### 2.2.2 Pipes and fittings

All above-ground, exposed water supply pipes and fittings should be metal. Fittings should be located away from the source of bushfire attack and be in accordance with the applicable section below, unless otherwise specified by the local government.

##### 2.2.2.1 Fittings for above-ground water tanks:

- Commercial land uses: 125mm Storz fitting; or
- Strategic water tanks: 50mm or 100mm (where applicable and adapters are available) male camlock coupling with full flow valve; or
- Standalone water tanks: 50mm male camlock coupling with full flow valve; or
- Combined water tanks: 50mm male camlock coupling with full flow valve or a domestic fitting, being a standard household tap that enables an occupant to access the water supply with domestic hoses or buckets for extinguishing minor fires.

##### 2.2.2.2 Remote outlets

In certain circumstances, it may be beneficial to have the outlet located away from the water supply. In such instances in which a remote outlet is to be used, the applicant should consult the local government and DFES on their proposal.



# Application to Add or Amend a Road on a Restricted Access Vehicle Network

This form is to be completed when applying to have road(s) assessed to be added to a RAV Network. All route assessment applications will be assessed in accordance with the *RAV Access Approval & Review Policy* and associated documents, available on the Access Requirements in WA page on our website.

## Applicant Details

Operator Name Qube Bulk Pty Ltd

Contact Name Chris Campbell

Contact Number 0419030800

Email chris.campbell@qube.com.au

## RAV Category to be Assessed

Tandem Drive RAV Categories RAV 7 (36.5m)

Note: Refer to our website for the relevant Operating Conditions on the Orders page.



Tri Drive Categories 1-5 Not Required

Note: Refer to our website for the relevant Operating Conditions on the Tri Drive page.

Tandem Drive PBS Categories Not Required

Note: Refer to our website for the WA PBS Scheme - Access Levels & Principles on the PBS page to determine your PBS Category.

Tri Drive PBS Categories Not Required

Accredited Containerised Freight Categories Not Required

Note: Refer to our website for the Accredited Containerised Freight Operating Conditions.

Road Trains with Long Trailers Not Required

Note: Refer to our website for the Road Train with Long Trailers Operating Conditions.

Oversize Road Train and B-Double Categories Not Required

Note: Refer to our website for the Oversize Road Train and B-Double Operating Conditions.

Platform Trailer Relocation Not Required

Note: Refer to our website for the Platform Trailer Relocation Operating Conditions.

Class 1 RAV - 8 Tyres Per Axle Low Loader Overmass Not Required

Note: Refer to our website for the Class 1 RAV - 8 Tyres Per Axle Low Loader Overmass Period Permit Operating Conditions.

Other

PBS Specific Access (e.g. Level 2, 31.5 metres)

MRWA

## Concessional Mass Level to be Assessed

Level 1 Mass Networks are applied when a road is approved on the equivalent base Tandem Drive, Tri Drive or PBS Network(s) listed in the above section.

Note: Refer to our website for the relevant Operating Conditions on the Accredited Mass Management Scheme (AMMS) page.

### Concessional Mass Levels

|         | Tandem Axle Group | Tri Axle Group | Quad Axle Group (PBS) |
|---------|-------------------|----------------|-----------------------|
| Level 1 | 17.0t             | 21.5t          | 24.0t                 |
| Level 2 | 17.0t             | 22.5t          | 27.0t                 |
| Level 3 | 17.5t             | 23.5t          | 28.5t                 |

Requested Mass Level AMMS Level 3



## Transport Task Details

Estimated Annual Tonnage (t) 150,000

Estimated Loaded Movements 2,000

per year



Reason for RAV Access Application

List all roads for the intended route (for campaign haulage tasks only): Include start and end location and attach a map.

Goulds Rd, Rudds Gully Rd, Brand Hwy, Midlands Rd, MingenewMorowaRd, Wubin Mullewa Rd, Gt Northern Hwy, Pithara East Rd, Kalannie Kuja Rd, Burakin Wialki Rd, Bimbijy Rd

## Roads to be Assessed

List required road(s) that are not currently approved for the required level of RAV Access.

4110006 Kalannie Kuja Rd SLK 12.68 to Burakin Wialki Rd,  
BurakinWialkiRdSLK 6-149 to 21-445.  
Bimbijy Rd SLK 0.00 to 28.1

Email completed form to: [hvsrouteassessments@mainroads.wa.gov.au](mailto:hvsrouteassessments@mainroads.wa.gov.au)

Heavy Vehicle Services Main Roads WA

PO Box 374 | WELSHPOOL DC | WA 6986 | Telephone: 138 486

[www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au)