



Shire of
Koorda

Drive in, stay awhile

MINUTES

Ordinary Council Meeting

Held in Shire of Koorda Council Chambers

10 Haig Street, Koorda WA 6475

Thursday 15 December 2022

Commencing 6.00pm

CONFIRMED

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 Thursday, 15 December 2022 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda. The format of the day will be:

6.00pm	Council Meeting
Following conclusion of Council Meeting	Council Forum

Darren Simmons
Chief Executive Officer
9 December 2022

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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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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



Darren Simmons
Chief Executive Officer

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**Shire of Koorda
Ordinary Council Meeting
6.00pm, Thursday 15 December 2022**



1. Declaration of Opening

The Presiding person welcomes those in attendance and declared the meeting open at 6.03pm.

2. Record of Attendance, Apologies and Leave of Absence

Councillors:

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

Staff:

Mr DJ Simmons	Chief Executive Officer
Miss L Foote	Deputy Chief Executive Officer

Members of the Public: Nil.

Apologies: Nil.

Visitors: Nil.

Approved Leave of Absence: Nil.

3. Public Question Time

Nil.

4. Disclosure of Interest

Cr JM Stratford declared an indirect financial interest in Item 12.5 – Development Application – Australian Agricultural Services Pty Ltd (Tree Farm) as she has a potential future business arrangement.

Cr GW Greaves declared a proximity interest in Item 12.5 – Development Application – Australian Agricultural Services Pty Ltd (Tree Farm) as he is a neighbour.

Cr GL Boyne declared an indirect financial interest in Item 12.5 – Development Application – Australian Agricultural Services Pty Ltd (Tree Farm) as closely associated (spouse) leases land from the same company but not on the listed locations.

Cr JM Stratford declared an impartiality interest in Item 16.1 – 2023 Australia Day Citizen of the Year Nominations as she was involved with a nomination.

Cr NJ Chandler declared an indirect financial interest in Item 16.1 – 2023 Australia Day Citizen of the Year Nominations as he is closely associated with a nomination.

5. Applications for Leave of Absence

Nil.

6. Petitions and Presentations

Nil.

CONFIRMED

7. Confirmation of Minutes from Previous Meetings

7.1. Ordinary Council Meeting held on 16 November 2022

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

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation Resolution 011222

Moved CR NJ Chandler

Seconded CR GW Greaves

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Ordinary Council Meeting held 16 November 2022, as presented, be confirmed as a true and correct record of proceedings.

CARRIED 6/0

8. Minutes of Committee Meetings to be Received

8.1. NEWROC Council Meeting Minutes for meeting held 28 November 2022

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation Resolution 021222

Moved CR GL Boyne

Seconded CR BG Cooper

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of NEWROC Council Meeting held 28 November 2022, as tabled.

CARRIED 6/0

8.2. LEMC Meeting Minutes for meeting held 24 November 2022

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation Resolution 031222

Moved CR BG Cooper

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 LEMC Meeting held 24 November 2022, as tabled.

CARRIED 6/0

9. Recommendations from Committee Meetings for Council Consideration

Nil.

10. Announcements by the President without Discussion

CEO decisions made under delegated authority since last Ordinary Meeting of Council


Applicant	Date received / Details of application	Address	Estimated project cost / Shire planning fee	Decision / Date

The President expressed condolences to Bill Fensome's family – long standing CEO within NEWROC (initially Mukinbudin then Nungarin).

Wishing everyone a Merry Christmas and a safe holiday period.

11. OFFICER'S REPORTS – CORPORATE & COMMUNITY

11.1. Monthly Financial Statements

Corporate and Community		
Date	9 December 2022	
Location	Not Applicable	
Responsible Officer	Lana Foote, Deputy Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	November 2022 Financial Activity Statement	

Background:

This item presents the Statement of Financial Activity to Council for the period ending 30 November 2022.

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:

In order to fulfil statutory reporting requirements and provide Council with a synopsis of the Shire of Koorda's overall financial performance on a year-to-date basis, the following financial information is included in the Attachment.

Statements of Financial Activity – Statutory Reports by Nature or Type

The Statement of Financial Activity provide details of the Shire's operating revenues and expenditures on a year-to-date basis. The reports further include details of non-cash adjustments and capital revenues and expenditures, to identify the Shire's net current position.

Note 1 – Statement of Financial Activity

Notes supporting the Statement of Financial Activity by Program and by Nature and Type.

Note 2 – Cash and Financial Assets

This note provides Council with the details of the actual amounts in the Shire's bank accounts and/or investment accounts as at the reporting date.

Note 3 – Receivables

This note provides Council with both Rates Receivables and General Receivables outstanding as at the reporting date. This report has been expanded to further break down the detail of General Receivables.

Note 4 – Other Current Assets

This note provides details of other current assets that the Shire may hold.

Note 5 – Payables

This note provides details of Shire payables unpaid as at the reporting date. This Note is new to the financial statements.

Note 6 – Disposal of Assets

This note gives details of the capital asset disposals during the year.

Note 7 – Capital Acquisitions

This note details the capital expenditure program for the year.

Note 8 – Reserve Accounts

This note provides summary details of transfers to and from reserve funds, and associated interest earnings on reserve funds, on a year-to-date basis.

Note 9 – Other Current Liabilities

This note outlines any provisions the Shire has on hand relative to other current liabilities.

Note 10– Operating Grants and Contributions Received

This note provides information on operating grants received.

Note 11 – Non-Operating Grants and Contributions

This note provides information on non-operating grants received.

Note 12 – Explanation of Material Variances

Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 10% and \$10,000. This note explains the reasons for any material variances identified in the Statements of Financial Activity at the end of the reporting period.

Consultation:

Darren Simmons, 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.

Financial Implications:

Nil

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
Resolution 041222**

Moved CR NJ Chandler

Seconded CR LC Smith

That Council, by Simple Majority, pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the statutory Financial Activity Statement report for the period ending 30 November 2022, as presented.

CARRIED 6/0

CONFIRMED

11.2. List of Accounts Paid

Corporate and Community		
Date	9 December 2022	
Location	Not Applicable	
Responsible Officer	Lana Foote, Deputy Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	List of Accounts Paid	

Background:

This item presents the List of Accounts Paid, paid under delegated authority, for the period 8 November 2022 to 7 December 2022.

Comment:

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

Consultation:

Darren Simmons, 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)

Financial Implications:

Funds expended are in accordance with Council's adopted 2022/2023 Budget.

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
Resolution 051222**

Moved CR GL Boyne

Seconded CR GW Greaves

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 8 November 2022 to 7 December 2022


Municipal Voucher V242 to V318	Totalling \$ 670,481.88
Credit Card Transaction (V279 & V318)	Totalling \$ 6,667.93
	Total \$ 677,149.81

CARRIED 6/0

CONFERRING

12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE

12.1 Council Resolutions Status Report

Governance and Compliance		
Date	7 December 2022	
Location	Not applicable	
Responsible Officer	Darren Simmons, Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input checked="" type="checkbox"/> Information	
Attachments	November 2022 Status Report	

Background:

The Council resolutions status report (status report) is a register of Council resolutions that are allocated to Shire staff that require actioning. When staff have progressed or completed any action in relation to Council's decision, comments are provided until the process is completed or superseded by more recent Council resolutions.

Comment:

In the interest of increased transparency and communication with the community, the status report is provided for information. (As a new initiative, the status report period commences from October 2022 and will then follow a 'rolling' monthly cycle as Council agenda item 12.1).

Consultation:

Nil.

Statutory Implications:

Nil.

Policy Implications:

Nil.

Strategic Implications:

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

Financial Implications:

Nil.

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
Resolution 061222**

Moved CR BG Cooper


Seconded CR GL Boyne

That the Council Resolutions Status Report for November 2022 be received.

CARRIED 6/0

CONFIRMED

12.2 Council Meeting Dates – 2023

Governance and Compliance		
Date	7 December 2022	
Location	Not applicable	
Responsible Officer	Darren Simmons, Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Nil	

Background:

In accordance with Regulation 12 of the Local Government (Administration) Regulations 1996, the Shire is required to give local public notice of the date, times and place of ordinary council meetings.

Comment:

In readiness for such notice to be given, it is recommended that Council continue its current meeting schedule (as adopted at the ordinary Council meeting of 18 December 2019), which has ordinary meetings held on the third Wednesday of each month, except for January (no meeting held due to a summer recess and December as it is suggested to be held on the third Tuesday being the week before Christmas 2023), with meetings commencing at 5.00pm for the months of February to October and 6.00pm for November and December (to allow for harvest commitments).

Consultation:

Deputy Chief Executive Officer

Statutory Implications:

Local Government Act 1995

Regulation 12 of the *Local Government (Administration) Regulations 1996*

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)

Financial Implications:

Minor advertising costs

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
Resolution 071222**

Moved CR GL Boyne


Seconded CR LC Smith

That Council hold its 2023 Ordinary Council Meetings in Council Chambers, 10 Haig Street, Koorda in accordance with the following schedule:

MONTH	DATE	TIME
February	15	5.00pm
March	15	5.00pm
April	19	5.00pm
May	17	5.00pm
June	21	5.00pm
July	19	5.00pm
August	16	5.00pm
September	20	5.00pm
October	18	5.00pm
November	15	6.00pm
December	19 (Tuesday)	6.00pm

CARRIED 6/0

12.3 Western Australian Local Government Association (WALGA) Governance Review

Governance and Compliance		
Date	7 December 2022	
Location	Not applicable	
Responsible Officer	Darren Simmons, Chief Executive Officer	
Author	As above (with acknowledgment to Mr Dale Stewart, Shire of Narrogin CEO)	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	<ol style="list-style-type: none"> Best Practice Governance Review – Background Paper Best Practice Governance Review – Consultation Paper – Model Options 	

Background:

WALGA has, as a part of its Corporate Strategy 2020-25, identified a key strategic priority, to undertake a Best Practice Governance Review. The objective of the review is to ensure WALGA's governance and engagement models are contemporary, agile, and maximise engagement with members. Other drivers for the review include:

- Misalignment between key governance documents; Constitution, Corporate Governance Charter, State Council Code of Conduct, and Standing Orders – stemming from varying amendments;
- State Council's 3 September 2021 resolution requesting amendment to the Constitution to “deal with matters related to State Councillors' Candidature for State and Federal elections”;
- Proposed legislative reforms to remove WALGA from being constituted under the Local Government Act 1995 (WA); and
- Constitutional requirements for WALGA to become a registered organisation under the Industrial Relations Act 1979 (WA), which would enable WALGA to make applications in its own right to the Western Australian Industrial Relations Commission.

In March 2022 WALGA's State Council commissioned the Best Practice Governance Review (BPGR) and established a Steering Committee to guide the Review. The BPGR Steering Committee had its first meeting on 5 May 2022. There was wide-ranging discussions regarding WALGA's current governance model, better membership engagement, and opportunities for change. At the meeting, five (5) comparator organisations were identified to be used as part of the comparative analysis. The subsequent Steering Committee meetings focused on the development of governance model principles.

WALGA has presented 5 governance model options:

- Option 1 – Two tier model, existing zones;
- Option 2 – Board, regional bodies;
- Option 3 – Board, amalgamated zones;
- Option 4 – Member elected board, regional groups; and
- Option 5 – current model
















In addition, the following principles were endorsed at the State Conference Annual General Meeting which was held on 2 October 2022.

- Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies;
- Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders; and
- Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.

WALGA is now seeking formal feedback by 23 December 2022, via a Council decision, on governance model options as presented in the Consultation Paper.

Furthermore, WALGA will be undertaking independent consultations from CEOs and Elected Members.

Below are the 5 options, including the current model, with details of each of their key governance bodies.

Option 1 – Two tier model, existing Zones	Option 2 – Board, Regional Bodies	Option 3 – Board, Amalgamated Zones	Option 4 – Member elected Board, Regional Groups	Option 5 – Current Model
 <p>Board (11 members) 8 elected from Policy Council, incl. Board elected President Up to 3 independents</p>	 <p>Board (11 members) 8 elected from Regional Bodies, incl. Board elected President Up to 3 independents</p>	 <p>Board (15 members) 12 elected from Zones, incl. Board elected President Up to 2 independents</p>	 <p>Board (11 members) 8 elected via direct election, incl. Board elected President Up to 3 independents</p>	 <p>State Council (25 members) 24 State Councillors 1 President</p>
 <p>Policy Council (25 members) 24 members plus President</p>	 <p>Regional Bodies (4 metro, 4 country)</p>	 <p>Zones (6 metro, 6 country)</p>	 <p>Policy Teams / Forums / Committees</p>	 <p>Zones (5 metro, 12 country)</p>
 <p>Zones (5 metro, 12 country)</p>	 <p>Policy Teams / Forums / Committees</p>	 <p>Policy Teams / Forums / Committees</p>	 <p>Regional Groups</p>	 <p>Policy Teams / Forums / Committees</p>

(Attachment 2, pages 15-19 illustrates the nuances of each Option).

Comment:

With 139-member local governments whose size, scale, location, and diversity are extreme, it is not surprising WALGA’s current structure maybe considered cumbersome and time-consuming. However, conversely, it is suggested that has been effective in providing strong sector advocacy that balances the diversity of the membership to reach an agreed sector perspective.

Therefore, it is understandable that the determination of an appropriate governance model for WALGA has many challenges.

A key challenge to be met is whether the status quo (Option 5) should remain or if there are benefits to accrue from a change in governance model, and if, so, which option (Option 1 to 4 or hybrid?)

Interestingly, WALGA’s Consultation Paper (Attachment 2) notes that the Options meet the Principles as follows (highlighting arguably WALGA’s position that there is an argument for change):

- Option 1 score of 8/10
- Option 2 score of 8/10
- Option 3 score of 7/10
- Option 4 score of 7/10

- Option 5 score of 4/10

From the discussion at the Council Forum on 16 November 2022, it would appear Councillors also agree with this position with the following ranking of options being reached by consensus:

- First preference - Option 1 (Two tier model, existing zones)
- Second preference – Option 3 (Board, amalgamated zones)
- Third preference – Option 2 (Board, regional bodies)
- Fourth preference – Option 5 (current model)
- Fifth preference – Option 4 (Member elected board, regional groups)

Based on the agreed ranking above, it is recommended that Council endorse the rankings and advise WALGA accordingly.

Consultation:

Councillors at Council Forum on 16 November 2022

Statutory Implications:

Local Government Act 1995

Policy Implications:

Nil.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan (2022)

4.1 - Open and Transparent Leadership

4.3.1 - Actively participate in regional collaboration initiatives

Financial Implications:

Nil.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation

Resolution 081222

Moved CR GL Boyne


Seconded CR NJ Chandler

That Council advise the Western Australian Local Government Association (WALGA) that in respect to the WALGA Governance Review, the Shire of Koorda's ranking of the five governance model options is as follows:

- First preference – Option 1 (Two tier model, existing zones)*
- Second preference – Option 3 (Board, amalgamated zones)*
- Third preference – Option 2 (Board, regional bodies)*
- Fourth preference – Option 5 (current model)*
- Fifth preference – Option 4 (Member elected board, regional groups)*

CARRIED 6/0

12.4 Development Application - Amplitel Pty Ltd /Ventia Pty Ltd (Telstra)

Governance and Compliance		 Shire of Koorda <small>Drive in, stay awhile</small>
Date	8 December 2022	
Location	Not applicable	
Responsible Officer	Darren Simmons, Chief Executive Officer	
Author	Paul Bashall, Planwest (Planning Consultant)	
Legislation	<i>Planning and Development Act 2005</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Development Application - Amplitel Pty Ltd /Ventia Pty Ltd (Telstra Mobile Telephone Tower – Koorda townsite)	

Background:

Amplitel Pty Ltd /Ventia Pty Ltd has applied for Development Approval (DA) to construct a new 25m high mobile telephone base station tower, 6 panel antennae on a circular headframe, one GPS antenna and other associated equipment at 3 Ninghan Road in Koorda. The deemed provisions (of the Planning and Development (Local Planning Schemes) Regulations 2015) require the application to be determined by the Council.

The development is proposed to be located on Telstra owned land that currently occupied by communications infrastructure.

The applicant has stated that, due to an industry-specific network requirement, Amplitel have identified the need to install a telecommunications facility on the subject site to improve both voice and data services within the surrounding area. Furthermore, the facility will provide 4G and 5G services to the surrounding Koorda area.

All mobile phone network operators are bound by the operational provisions of the federal Telecommunications Act 1997 (“The Act”) and the Telecommunications Code of Practice 2018. The proposed telecommunications facility installation is not defined as a low-impact facility and is therefore subject to relevant State and local planning provisions.

Figure 1 shows the location of the proposed works (provided by the applicant). Although the aerial infrastructure will be placed on Lot 3, the access to Ninghan Street will be via 25 Railway Street (Lot 32), or potentially the abutting laneway.

FIGURE 1 – LOCATION PLAN



Source: Applicant, Planwest

Figure 2 shows the street view from Ninghan Street. The facility faces the Koorda Hotel on the southwest corner of Ninghan and Railway Street.

FIGURE 2 – STREET VIEW



Source: Google Earth, Planwest

The applicant has indicated that the facility is unmanned and will not require dedicated parking or any water or sewerage services.

The applicant advises that the proposed telecommunication installation requires the following works:

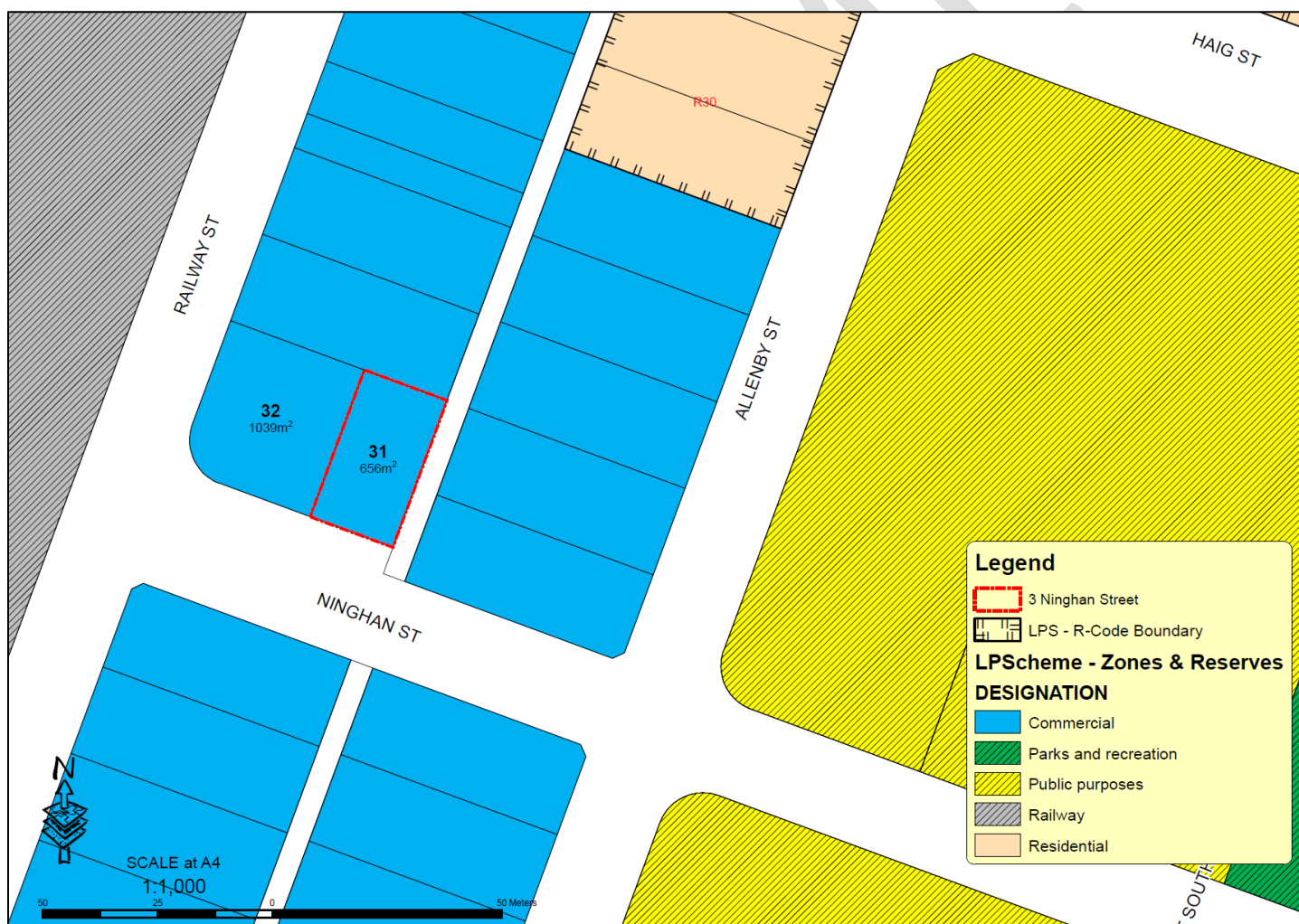
- Installation of one (1) new 25m high concrete monopole;
- Installation of one (1) new circular headframe;
- Installation of six (6) new panel antennas (no greater than 2.8m in length);
- Installation of one (1) new GPS antenna on to existing equipment shelter wall;
- Removal of one (1) existing Telstra omni antenna on the existing equipment shelter; and
- Installation of associated ancillary cabling and equipment.

The proposed monopole will be an unpainted/untreated galvanized grey in colour so that it blends in with the sky backdrop. This is considered appropriate given the moderate level of visual impact from the proposed facility.

Comment:

Figure 3 shows an extract from the Local Planning Scheme No 3 map (Scheme) showing the area of the proposal (red border). The proposed development is an upgrade to an existing use and is not considered inconsistent with the uses permitted in the commercial-type zone.

FIGURE 3 – EXTRACT FROM SCHEME MAP



Source: DPLH, Planwest

The Scheme refers the majority of its definitions to the Model Scheme Text in addition to those outlined in Schedule 1 of the Scheme. The definition of a telecommunications infrastructure in the **Regulations 2015** is as follows.

telecommunications infrastructure means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network;

The use class of a Telecommunication infrastructure is listed as a 'D' use in a Town Centre zone. 'D' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

There are several positives to the proposed development including;

- the benefits to the community for improved communications in government, business and personal applications,
- the logical co-location of the proposed facilities with existing infrastructure,
- the minimal vibration and noise outputs during operational periods,
- the minimal maintenance traffic required to operate the facility,
- the minor visual bulk and colour of the installation,
- there are no native title, heritage, flora or fauna issues associated with the site,
- the adjoining land is zoned for commercial uses, and
- the land is not within the Bushfire Prone mapping area.

However, Telstra acknowledges some people are genuinely concerned about the possible health effects of electromagnetic energy (EME) from mobile phone base stations and is committed to addressing these concerns responsibly.

The report accompanying the DA states that, whilst Amplitel and Telstra rely on the expert advice of national and international health authorities such as the Australian Communications and Media Authority (ARPANSA) and the World Health Organisation (WHO) for overall assessments of health and safety impacts.

The WHO advises that all expert reviews on the health effects of exposure to radiofrequency fields have concluded that no adverse health effects have been established from exposure to radiofrequency fields at levels below the international safety guidelines that have been adopted in Australia.

Telstra has strict procedures in place to ensure its mobile phones and base stations comply with these guidelines. Compliance with all applicable EME standards is part of Telstra's responsible approach to EME and mobile phone technology.

Compliance with these guidelines and standards should minimise any impact of EMEs from the proposed infrastructure.

Consultation:

Chief Executive Officer

Statutory Implications:

Planning and Development Act 2005

Shire of Koorda Local Planning Scheme No.3

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.

Financial Implications:

Nil.

Voting Requirements: Simple Majority Absolute Majority

Officer Recommendation
Resolution 091222

Moved CR GL Boyne

Seconded CR GW Greaves

That the development application from Amplitel Pty Ltd /Ventia Pty Ltd to construct a new 25m high Telstra mobile telephone base station tower, 6 panel antennae on a circular headframe, one GPS antenna and other associated equipment at 3 Ninghan Road, Koorda be approved subject to the following conditions:

- 1. The applicant providing evidence of an agreement for the facility to use vehicular access via Lot 32 Ninghan Street to the satisfaction of the local government; and**
- 2. The operation and ongoing use of the facility complying with acceptable electromagnetic energy (EME) output standards and guidelines to maintain the health and safety of surrounding users as set out by Australian Communications and Media Authority (ARPANSA) and the World Health Organisation (WHO).**

Advice Notes:

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.


Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

Note 4: The applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the Shire of Koorda and be approved before any work requiring a building permit can commence on site.

CARRIED 6/0

Prior to Council consideration, Item 12.5 – Development Application – Australian Agricultural Services Pty Ltd (Tree Farm) was withdrawn by the CEO.

12.5 (Withdrawn from consideration) Development Application - Australian Agricultural Services Pty Ltd (Tree Farm)

Governance and Compliance		
Date	8 December 2022	
Location	Not applicable	
Responsible Officer	Darren Simmons, Chief Executive Officer	
Author	Paul Bashall, Planwest (Planning Consultant)	
Legislation	<i>Planning and Development Act 2005</i> <i>Shire of Koorda Local Planning Scheme No.3</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Development Application - Australian Agricultural Services Pty Ltd (Tree Farm)	

Background:

Australian Agricultural Services Pty Ltd has applied for Development Approval (DA) to develop a carbon planting project on Drumin Farm (851 Koorda-Kulja Road, Newcarlbeon) owned by Aussie Farming Pty Ltd. The development will consist of eucalypt woodland planting over various parts of the overall farm.

The deemed provisions (of the Planning and Development (Local Planning Schemes) Regulations 2015) require the application to be determined by the Council as it is considered to be a change of use from 'Agriculture extensive' to 'Plantation'.

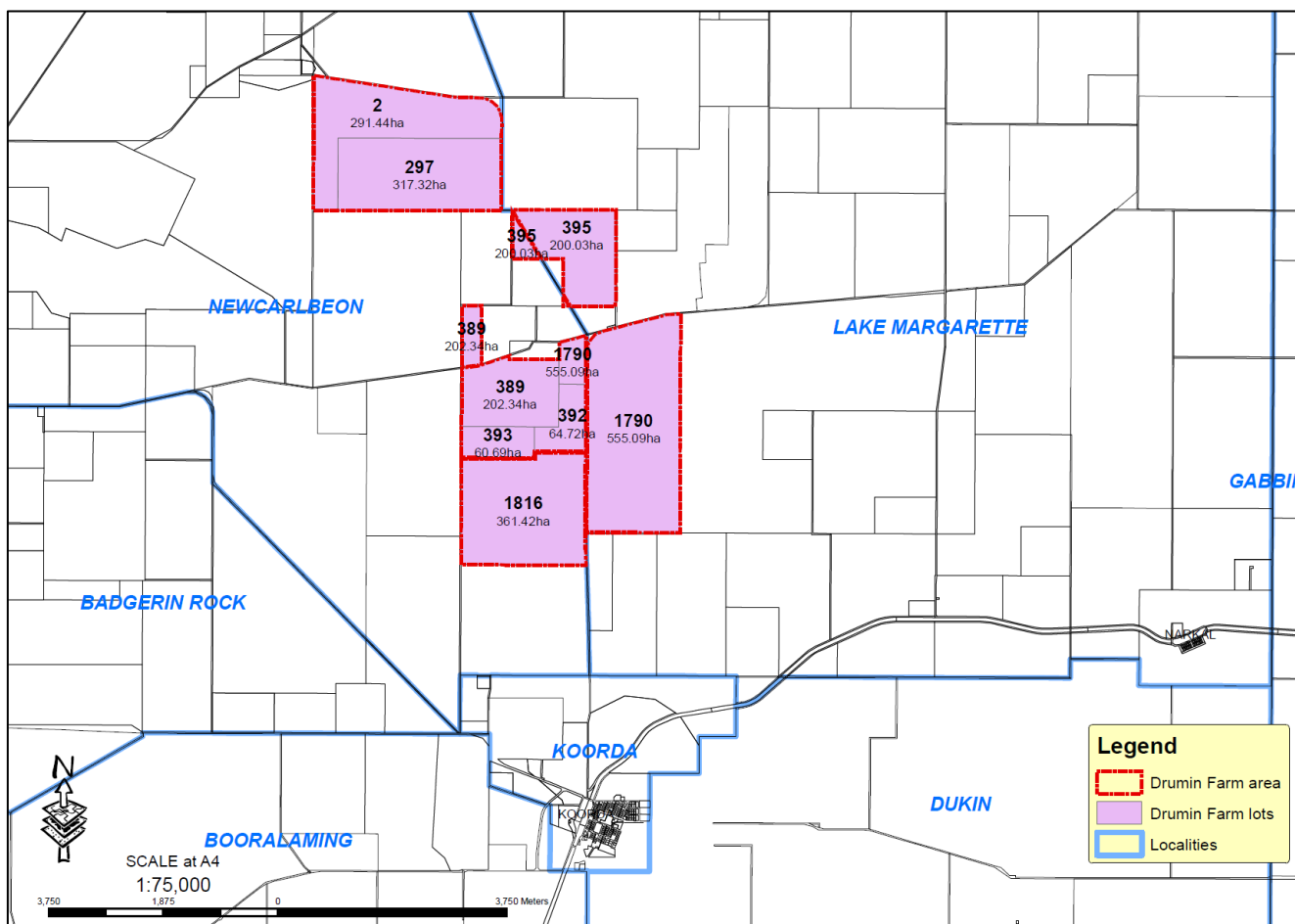
The applicant states that Aussie Farms Pty Ltd has partnered with Australian Agricultural Services Pty Ltd to undertake a carbon planting project on up to 1,300 hectares of land within the southern lots of Drumin Farm (See Figure 1). Whilst the remainder of the farm will maintain agricultural activities, the planting of local trees and shrubs on land adjacent to saline valley floors will be the first step to reintroduce the Eucalypt woodlands to the existing landscape.

The applicant adds that the project will be operated as a carbon storage project, with the income generated from the plantings returned to the partnership. The mixed species planting will increase the aesthetics along Koorda-Kulja Road, enhance local biodiversity and increase the resilience of existing remnant vegetation. The permanence of the project for carbon will be approximately 30 years from the date of declaration, which is anticipated to be within the first quarter of 2023.

The applicant has advised that the development cost is \$600,000.

Figure 1 shows the location of land parcels involved in the planting project in relation to the Koorda townsite.

FIGURE 1 – LOCATION PLAN



Source: Landgate, Planwest

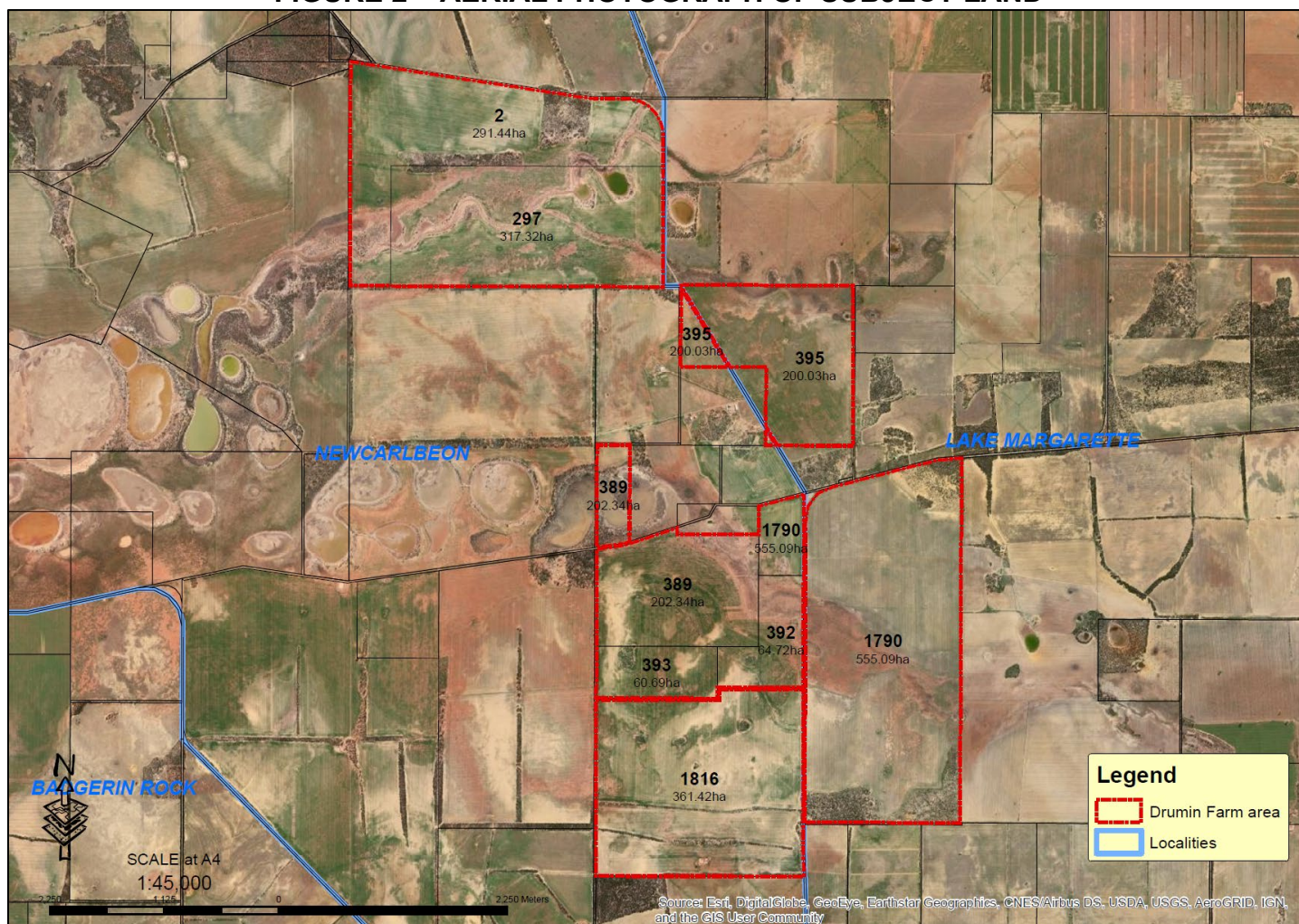
The planting operations will be managed and implemented by Woodland Services, owned and operated by Dan and Jodi Wildy. Woodland Services have worked extensively throughout the central and northern wheatbelt providing tree planting services, plantation and project management for more than 15 years.

Approximately 100 ha will be planted during Stage 1 of the project during winter 2023, with target completion of planting for the project during winter 2025. To reduce fuel loads, light grazing may be introduced into the block plantings once the trees are established and not at risk of damage from the stock.

The configuration of the planting will be in a block formation in compartment sizes less than 100 ha and firebreaks compliant with the Guidelines for Plantation Fire Protection (DFES 2011) and Shire regulations. The applicant states that there is no built infrastructure on the areas of land that will be part of the project

Figure 2 shows an aerial photograph of the subject land

FIGURE 2 – AERIAL PHOTOGRAPH OF SUBJECT LAND



Comment:

Figure 3 shows an extract from the Local Planning Scheme No 3 map (Scheme) showing the area of the proposal (red border). The whole of the land is zoned 'Rural' whereas the Scheme designates a 'Plantation' use class as a 'D' use in a Rural zone.

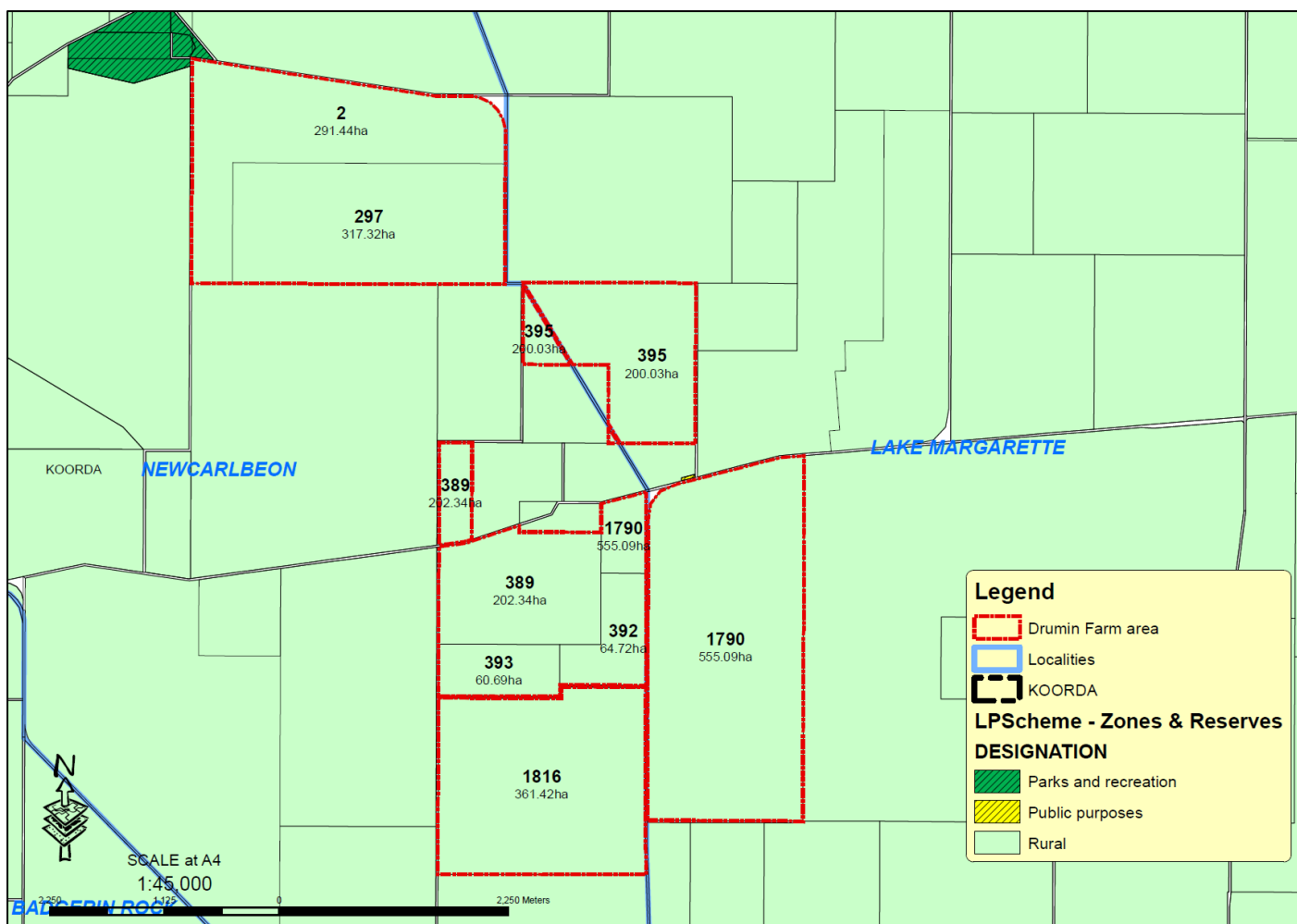
A 'D' use means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

Schedule 1 of the Scheme refers to definitions of the model scheme text. At the time of drafting the Scheme the definition of "plantation" had the same meaning as in the Code of Practice for Timber Plantations in Western Australia (1997) published by the Department of Conservation and Land Management and the Australian Forest Growers.

However, there is now no definition of Plantation in the model scheme text (of the Regulations 2015) - the equivalent is termed a 'Tree farm'.

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

FIGURE 3 – EXTRACT FROM SCHEME MAP



Source: DPLH, Planwest

The planting of 1,300 hectares of eucalypt woodlands appears to be a positive step towards reverting these agricultural areas back to their previous natural state. The incentive being the creation of carbon credits.

It is considered unlikely that the planting project will create any other issues, however the details of the proposal are sketchy in regard to duration of the planting program, the access points, the ongoing management of the grazing stock, any earth works that may alter the drainage of the land that may impact the existing road reserve drainage, and any planning implications of the 'completion' of the project.

Although a Fire Management Plan has been prepared it will need to be certified by an appropriately qualified practitioner.

The validity of the DA has been extended to 4 years (instead of the standard 2 years) due to the planting program outlined in the application.

Consultation:

Chief Executive Officer

Statutory Implications:

Planning and Development Act 2005

Shire of Koorda Local Planning Scheme No.3

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.

Financial Implications:

Nil.

Voting Requirements: Simple Majority Absolute Majority

Withdrawn without consideration

Officer Recommendation

Resolution 1222

Moved CR

Seconded CR

That the development application from Australian Agricultural Services Pty Ltd to plant up to 1,300ha of trees for biodiversity and carbon planting purposes at 851 Koorda-Kulja Road, Newcarlbeon (Drumin Farm) be approved subject to the following conditions:

1. The applicant verifying that the Fire Management Plan complies with current bushfire protection provisions to the satisfaction of the Shire of Koorda Chief Executive Officer.
2. On-going compliance with the management plan for bushfires to the satisfaction of the Shire of Koorda Chief Executive Officer; and
3. The preparation of a construction (planting) management plan, to ensure minimal impact to public infrastructure, to the satisfaction of the Shire of Koorda Chief Executive Officer.

Advice Notes:

Note 1: If the development the subject of this approval is not substantially commenced within a period of 4 years after the date of the determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

Note 4: The applicant is advised of the on-going obligation to maintain appropriate fire breaks around the property.

CARRIED

13. OFFICER'S REPORTS – WORKS & ASSETS

Nil.

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

Nil.

15. Elected Members' Motions

Nil.

16. Matters Behind Closed Doors

Officer Recommendation Resolution 101222

Moved CR GW Greaves

Seconded CR LC Smith

That Council close the meeting to the public at 6.26pm in accordance with section 5.23 (2) (b), (c) and (d) of the Local Government Act 1995 as the matters in item 16.1 and 16.2 relates to the personal affairs of persons involved (16.1) and as a contract may be entered into and/or has commercial value/information of a person other than the Shire (16.2).


CARRIED 6/0

Cr JM Stratford declared an impartiality interest in Item 16.1 – 2023 Australia Day Citizen of the Year Nominations as she was involved with the nomination.

Cr NJ Chandler declared an indirect financial interest in Item 16.1 – 2023 Australia Day Citizen of the Year Nominations as he is closely associated with a nomination. Cr NJ Chandler departed the chambers at 6.27pm prior to any discussion or vote.

16.1 2023 Australia Day Citizen of the Year Nominations

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

Corporate and Community		 Shire of Koorda <small>Drive in, stay awhile</small>
Date	9 December 2022	
Location	Not applicable	
Responsible Officer	Darren Simmons, Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Confidential Nominations	

The matter of the 2023 Australia Day Citizen of the Year nominations will be discussed, and a resolution made.

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
Resolution 111222**

Moved CR BG Cooper

Seconded CR GL Boyne

That the Citizen of the Year for 2023 Australia Day awards be determined as discussed at the Council Meeting held on 15 December 2022.


CARRIED 5/0

Cr NJ Chandler re-entered the chambers at 6.50pm.

CONFIRMED

Item 16.2 originally listed in agenda for this meeting as item 11.3 but was moved by the President for Council consideration 'behind closed doors.'

16.2. Request for Tender (RFT) 2022/01 - Koorda Recreation Ground Pavilion Extension and Upgrade – Design and Construction

Corporate and Community		
Date	9 December 2022	
Location	Not Applicable	
Responsible Officer	Lana Foote, Deputy Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Confidential Report	

Background:

Arising from the 2022/2023 Shire of Koorda Budget's house and building program, a state-wide request for tender (RFT) was called for the design and construction of an extension and upgrade to the Koorda Recreation Pavilion.

Tenders closed at 2.00pm Tuesday 4th October 2022. One (1) tender submission was received from Stallion Building Co Pty Ltd (Stallion Homes).

The RFT Evaluation report went to a Special Meeting of Council on 13 October 2022, and the following was resolved.

Officer Recommendation Resolution 031022

Moved CR GW Greaves

Seconded CR BG Cooper

That Council:

- 1. Subject to future Council approval of the final design, costings, and construction plan, receives the sole tender response to the Request for Tender 2022/01 - Koorda Recreation Ground Pavilion Extension and Upgrade – Design and Construction from Stallion Building Co Pty Ltd (Stallion Homes) for \$1,048,813.06 ex GST;**
- 2. Authorises the Chief Executive Officer to arrange for Councillors and executive staff to meet with Stallion Homes to discuss design concepts as soon as practicable; and**
- 3. Directs the Chief Executive Officer to present to a future meeting of Council, the draft final design, costings, and construction plan for Council consideration.**

CARRIED 5/0

Comment:

Following the October Special Council Meeting, community feedback on the design concept was sought through the local Narkal notes, via notice boards, online survey and two community workshops.

Four responses were received from the online survey and over the two community workshops; 13 community members attended, and various feedback was received.

At the November 2022 Council Forum, Councillors went through each item of feedback and noted and accepted changes to determine the final design to allow Stallion Homes to provide the final costing for Council consideration at its meeting to be held on 15 December 2022. (Whilst the final costing was not available at the time of agenda production, details will be provided to Councillors under separate confidential cover prior to the meeting).

It is also worth noting that due to the numerous additional items requested for inclusion (such as 2 x automatic sliding doors, key fob entry system, CCTV, installation of a safe and installation of a projector and pull-down screen) it is anticipated to result in an increase to the tendered pricing.

Consultation:

Community Consultation (Online survey, Narkal notes and two community workshops)
Council Members
Darren Simmons, Chief Executive Officer
Darren West, Works Supervisor
Stallion Homes

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

Financial Implications:

2022/2023 Budget Provisions (\$1,000,000 allocation to the Recreation Pavilion)
Approved Local Roads and Community Infrastructure Program Phase 3 Project Nomination

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
Resolution 121222**

Moved CR GL Boyne

Seconded CR GW Greaves

That Council;

- 1. Accept the Tender from Stallion Homes Pty Ltd for \$1,048,813.06 ex GST;**
- 2. Accept the Council and Community variations as listed in item 16.2 for \$97,822.81 ex GST;**
- and**
- 3. Increase allocation from the Recreation Reserve to a total contribution of \$267,221.**

CARRIED BY ABSOLUTE MAJORITY 6/0

**Officer Recommendation
Resolution 131222**

Moved CR NJ Chandler

Seconded CR GW Greaves

That Council re-open the meeting to the public at 7.24pm.

CARRIED 6/0

17. Closure

The Presiding Person thanked Councillors and staff for their attendance, wished all a **Merry Christmas** and declared the meeting closed at 7.25pm.

Signed: *Stratford*

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

Date: 15 February 2023