



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 28 June 2023

Commencing 5.00pm

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 Wednesday, 28 June 2023 in the Shire of Koorda Council Chambers, 10 Haig Street, Koorda.

The format of the day will be:

5.00pm	Council Meeting
Following conclusion of Council Meeting	Council Forum

Lana Foote
Acting Chief Executive Officer
23 June 2023

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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



Darren Simmons
Chief Executive Officer

Table of Contents

1. Declaration of Opening	4
2. Record of Attendance, Apologies and Leave of Absence	4
3. Public Question Time.....	4
4. Disclosure of Interest.....	4
5. Applications for Leave of Absence	4
6. Petitions and Presentations.....	4
7. Confirmation of Minutes from Previous Meetings	5
7.1. Ordinary Council Meeting held on 17 May 2023	5
8. Minutes of Committee Meetings to be Received.....	5
8.1. Audit Committee Meeting Minutes for meeting held 17 May 2023.....	5
8.2. Works Committee Meeting Minutes for meeting held 30 May 2023.....	6
8.3. NEWROC Executive Meeting Minutes for meeting held 30 May 2023.....	6
9. Recommendations from Committee Meetings for Council Consideration.....	7
9.1. Audit Committee Meeting held on 28 June 2023	7
9.1.1. Forth Quarterly Reporting of Integrated Strategic Plan and Workforce Plan.....	7
9.1.2. Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls.....	9
10. Announcements by the President without Discussion	11
11. OFFICER'S REPORTS – CORPORATE & COMMUNITY	12
11.1. Monthly Financial Statements	12
11.2. List of Accounts Paid.....	15
11.3. Adoption of Proposed 2023/2024 Fees & Charges	17
12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE.....	20
12.1 Council Resolutions Status Report.....	20
12.2 Policy Manual Review and Update.....	22
13. OFFICER'S REPORTS – WORKS & ASSETS.....	30
14. Urgent Business Approved by the Person Presiding or by Decision.....	30
15. Elected Members' Motions	30
16. Matters Behind Closed Doors	30
17. Closure	30

**Shire of Koorda
Ordinary Council Meeting
5.00pm, Wednesday 28 June 2023**



1. Declaration of Opening

The Presiding person welcomes those in attendance and declares the meeting open at 5.00pm.

2. Record of Attendance, Apologies and Leave of Absence

Councillors:

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

Staff:

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

Members of the Public:

Apologies:

Cr BG Cooper	Deputy President
Mr DJ Simmons	Chief Executive Officer

Visitors:

Approved Leave of Absence:

3. Public Question Time

Nil.

4. Disclosure of Interest

Nil.

5. Applications for Leave of Absence

Resolution 010623

Moved CR GW Greaves

Seconded CR NJ Chandler

That Cr GL Boyne be approved a leave of absence for the July 2023 Council Meeting.

CARRIED 5/0

6. Petitions and Presentations

Nil.

7. Confirmation of Minutes from Previous Meetings

7.1. Ordinary Council Meeting held on 17 May 2023

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

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation RESOLUTION 020623

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 Ordinary Council Meeting held 17 May 2023, as presented, be confirmed as a true and correct record of proceedings.

CARRIED 5/0

8. Minutes of Committee Meetings to be Received

8.1. Audit Committee Meeting Minutes for meeting held 17 May 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation RESOLUTION 030623

Moved CR NJ Chandler

Seconded CR LC Smith

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the Audit Committee meeting held 17 May 2023, as tabled.

CARRIED 5/0

8.2. Works Committee Meeting Minutes for meeting held 30 May 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 040623

Moved CR NJ Chandler

Seconded CR LC Smith

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of Works Committee meeting held 30 May 2023, as tabled.

CARRIED 5/0

8.3. NEWROC Executive Meeting Minutes for meeting held 30 May 2023

[Click here to view](#)

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation
RESOLUTION 050623

Moved CR GW Greaves

Seconded CR GL Boyne


That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the NEWROC Executive meeting held 30 May 2023, as tabled.

CARRIED 5/0

9. Recommendations from Committee Meetings for Council Consideration

9.1. Audit Committee Meeting held on 28 June 2023

9.1.1. Fourth Quarterly Reporting of Integrated Strategic Plan and Workforce Plan

Governance and Compliance		
Date	20 June 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; Local Government (Administration) Regulations 1996</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Fourth Quarterly Scorecard April to June 2023	

Background:

This report is to inform the Committee and Council of its obligations in relation to the integrated planning and reporting (IPR) requirements under the Local Government Act 1995, the Local Government (Administration) Regulations 1996.

Following the Committee's recommendation of 28 September 2022, the quarterly scorecard reporting document approach was adopted by Council on 26 October 2022.

Comment:

Council adopted its Integrated Strategic Plan and Workforce Plan at its meeting held on 20 April 2022.

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

Consultation:

Nil.

Statutory Implications:

Local Government Act 1995 and relevant subsidiary legislation.

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)

Financial Implications:

Nil

Voting Requirements: Simple Majority Absolute Majority

Committee Recommendation
RESOLUTION 060623

Moved CR GW Greaves

Seconded CR GL Boyne


That Council:

- 1. Adopts the fourth quarterly reporting documents (April to June 2023) as presented to the Audit Committee meeting held on 28 June 2023; and**
- 2. Endorses the publication of the Integrated Strategic Plan and Workforce Plan components for community information.**

CARRIED 5/0

CONFIDENTIAL

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

Governance and Compliance		
Date	20 June 2023	
Location	Not Applicable	
Responsible Officer	Darren Simmons Chief Executive Officer	
Author	Lana Foote, Deputy Chief Executive Officer	
Legislation	<i>Local Government Act 1995 Section 7.13 (i)</i> <i>Local Government (Audit) Regulations 1996 – Reg 13, 14 and 15</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	FMR Action Plan - June 2023	

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:

As per resolution 050523, an initial draft report, as attached to this item, has been prepared for the Committee in relation to the actions that have taken place, and the draft proposed actions.

The action list is subject to review and consultation with the CEO.

This report has been presented to the audit 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.

Consultation:

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.

Financial Implications:

The 2022/23 Budget contained an allocation for the costs associated with undertaking the Financial Management, Risk Management, Legislative Compliance and Internal Controls review, provides at GL 2040250 OTH GOV - Consultancy - Strategic.

Voting Requirements: Simple Majority Absolute Majority

**Committee Recommendation
RESOLUTION 070623**

Moved CR NJ Chandler

Seconded CR GL Boyne

That Council notes the Draft Report of the Deputy CEO on the completed and proposed actions to the identified improvements highlighted in the Financial Management, Risk Management, Legislative Compliance and Internal Controls review.

CARRIED 5/0

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
CBH	18 April 2023 / Tarp and Truck Trailer Store	Lot 287 Stockyard Road, Koorda	\$30,000 / \$147	Approved with conditions / 29 May 2023

Decisions made under delegated authority since last Ordinary Meeting of Council

Delegation	Nature of Deferred, Discounted, Waived or Written Off Request	Amount Deferred, Discounted, Waived or Written Off	Authorised Person to exercise Delegation	Date Delegation Granted
4.2 - Defer, Grant Discounts, Waive or Write off Debts	Waiver of Fees for Community Bus Hire for Koorda Residents to attend Live Export Workshop in Merredin on 20 June 2023.	\$232.00	Lana Foote, Acting CEO	14 June 2023

11. OFFICER'S REPORTS – CORPORATE & COMMUNITY

11.1. Monthly Financial Statements

Corporate and Community		
Date	20 June 2023	
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	May 2023 Financial Activity Statement	

Background:

This item presents the Statement of Financial Activity to Council for the period ending 30 April 2023.

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare financial reports.

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* set out the form and content of the financial reports, which have been prepared and presented to Council.

Comment:

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 – Budget Amendments

This note provides detail of adopted budget amendments.

Note 13 – 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:

Nil

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 080623

Moved CR LC Smith


Seconded CR GW Greaves

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 31 May 2023, as presented.

CARRIED 5/0

CONFIRMED

11.2. List of Accounts Paid

Corporate and Community		
Date	20 June 2023	
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 9 May 2023 to 19 June 2023.

Comment:

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

Consultation:

Finance Team

Statutory Implications:

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

Policy Implications:

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

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

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

Financial Implications:

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

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
RESOLUTION 090623**

Moved CR GL Boyne

Seconded CR LC Smith

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 9 May 2023 to 19 June 2023.

Municipal Voucher V555 to V675	Totalling \$ 383,173.62
Credit Card Transaction (V626 & V647)	Totalling \$ 2,788.68
	Total \$ 385,962.30

CARRIED 5/0

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5.25pm - SUSPEND STANDING ORDERS

Resolution 100623

Moved CR GW Greaves

Seconded CR GL Boyne

That standing orders be suspended to discuss item 11.3 Adoption of Proposed 2023/2024 Fees and Charges.

CARRIED 5/0

At 5.26pm ACEO L Foote and Governance Officer K Harrap withdrew from the chambers.

At 5.35pm ACEO L Foote and Governance Officer K Harrap returned to the meeting.

5.35pm - RESUMPTION OF STANDING ORDERS

Resolution 110623


Moved CR GW Greaves

Seconded CR NJ Chandler

That standing orders be resumed as per the attendance register.

CARRIED 5/0

11.3. Adoption of Proposed 2023/2024 Fees & Charges

Corporate and Community		
Date	23 June 2023	
Location	Not Applicable	
Responsible Officer	Lana Foote, Deputy Chief Executive Officer	
Author	As above	
Legislation	Local Government Act 1995	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input checked="" type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Proposed 2023/2024 Fees & Charges	

Background:

A review of fees and charges is an annual practice within the normal budget process.

Proposed fees and charges were presented to Councillors as part of the Councillor Budget workshop on 30 May 2023. Shire Housing Rental Fees were increased between 3.5 and 9.09%, to better align with current rental market values. Yalambee and Caravan Parks Fees saw minor increases to nightly and weekly charges to cover increasing costs to provide the service.

It is proposed that fees and charges as presented in the attachment are adopted at the Council Meeting on 28 June 2023 and those fees and charges are effective from the 1 July 2023.

Comment:

Due to the 2023/2024 Budget Adoption being anticipated after 1 July 2023, some fees and charges, as listed in the attachment, have been bought forward for adoption.

These fees will be calculated and proposed to Council with the 2023/24 Annual Financial Budget later in the year, along with the remaining Fees and Charges.

A copy of the proposed 2023/24 Shire of Koorda Fees and Charges is attached.

Consultation:

Council Members
Staff

Statutory Implications:

Local Government Act 1995 (Part 6, Division 5, s.6.17 and s.6.19) states in part:

6.17 Setting the level of fees and charges

(1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors –

- (a) the cost to the local government of providing the service or goods;
- (b) the importance of the service or goods to the community; and
- (c) the price at which the service or goods could be provided by an alternative provider.

6.19 Local Government to give notice of fees and charges

If a Local Government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees and charges, give local public notice of

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees and charges will be imposed.

Policy Implications:

Nil.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

2.2.2 - Work towards a high standard of tourism assets and information.

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

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.

Financial Implications:

Increase to fees and charges should have been increased, and this should see a minor increase in Councils fees and charges revenue to cover increasing costs to provide the service.

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation
RESOLUTION 120623**

Moved CR GW Greaves

Seconded CR LC Smith

That Council;


- 1. Adopts the 2023/2024 Fees and Charges Schedule as attached in this item; and**
- 2. Endorse the statutory advertising of the 2023/2024 Fees and Charges for the Shire of Koorda effective 1 July 2023.**

CARRIED BY ABSOLUTE MAJORITY 5/0

CONFIRMED

12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE

12.1 Council Resolutions Status Report

Governance and Compliance		
Date	20 June 2023	
Location	Not applicable	
Responsible Officer	Lana Foote, Acting Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input checked="" type="checkbox"/> Information	
Attachments	May 2023 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 130623

Moved CR NJ Chandler


Seconded CR LC Smith

That the Council Resolutions Status Report for May 2023 be received.

CARRIED 5/0

CONFIRMED

12.2 Policy Manual Review and Update

Governance and Compliance		
Date	20 June 2023	
Location	Not applicable	
Responsible Officer	Lana Foote, Deputy 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	Part 1 – Policies for Adoption, Reviewed, New and Amended Part 2 – Transfer to ‘Operational’ Policies Part 3 – 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 Policy Review Committee, are conducting a major review of the Shires Policy Manual and propose improvements for Council’s consideration. This report presents the changes within the policy manual.

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

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

Comment:

Staff and the Policy Review Committee have conducted an initial review of the Shire’s Policy Manual and propose a number of amendments for Council’s consideration. Once Staff and the Policy Review Committee work through the next lot of policies, another report will be tabled at Council for consideration until all policies have been reviewed and relevant updates/recommendations have been made.

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

The Policy review and update has been broken up into three parts, with comments below to summarise recommended amendments, introductions and rescindments.

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.

Policy Section & Title	Proposed Amendments/Comments
A - Annual Council Christmas Function	<ul style="list-style-type: none"> Former Policy No: C15 Annual Christmas Employee Functions. Update policy wording.
A - Bereavement Policy (including flying of Koorda Flag at half-mast)	<ul style="list-style-type: none"> Former Policy No: C13 Flag - Flown for Funerals. Update policy and add bereavement guide.
A - Chief Executive Officer Performance Review Policy	<ul style="list-style-type: none"> Former Policy No: A21 CEO Performance Review. Re-branded with major policy review and update.
A - Elected Members, CEO and Employee Attendance at Events Policy	<ul style="list-style-type: none"> Former Policy: A26 - Elected Member, CEO and Employee Attendance at Events Minor wording and formatting updates.
A - Freeman of the Shire of Koorda - Guidelines for Appointments	<ul style="list-style-type: none"> Former Policy No: C11 Freeman of the Shire of Koorda - Guidelines for Appointments Review and updating of policy. Addition of further nomination criteria, nomination procedure and assessment sheet.
A - Internet, Email Usage and Access to IT Systems Policy	<ul style="list-style-type: none"> Former Policy No: A45 E-mail Use & A46 Internet and WI-FI/LAN Use Re-write and merge old policies (A45 & A46) as per WALGA template.
EM - Continuing Professional Development – Elected Members	<ul style="list-style-type: none"> Former Policy No: A26 Continuing Professional Development – Elected Members, A42 Conference, Seminar and Forum Attendance & C4 Councillor - Training Separated Compulsory Elected Members Training and Continuing Professional Development and added additional guidance and procedures.
EM - Elected Member Entitlements	<ul style="list-style-type: none"> Former Policy No: C1 Councillor Information Requirements, C2 Presidential Allowance, C2(1) Deputy Presidential Allowance & C3 Payments to Councillors. Merged and re-wrote old policies.
EM - Elected Member Service Recognition	<ul style="list-style-type: none"> Former Policy: C5 Certificate of Service Re-written with addition of gift as per allowance in Local Government (Administration) Regulations 1996
EM - Elected Member Social Media and Communications	<ul style="list-style-type: none"> Former Policy No: A13 Media Statements/Interviews & A48 Social Media Policy Re-write and merge old policies (A13 & A48) as per WALGA template.
F - Corporate Purchasing Cards	<ul style="list-style-type: none"> Former Policy: F18 Corporate Credit Card Use

	<ul style="list-style-type: none"> • Re-write policy and include additional corporate purchasing cards.
F - Donations and Requests to Waiver fees	<ul style="list-style-type: none"> • Former Policy: F8 Donations/Requests/Waivers and P12 Community Bus • Merge policy F8 and P12 and update.
F - Purchasing Policy	<ul style="list-style-type: none"> • Former Policy: F16 Purchasing Policy • Updating of Purchasing Thresholds, Authorised Officer Limits, Sole Supplier Limit. Removal of Pre-qualified Supplier Panels (do not currently use).
G - Development, Review and Amendment of Policies	<ul style="list-style-type: none"> • Former Policy: A15 Policy Change and Review • Policy amended to include further back ground and definition between policies, procedures and delegations.
G - Fraud and Corruption Control	<ul style="list-style-type: none"> • Introduction of new policy following release of OAG Report “Fraud Prevention in Local Government.”
G - Legislative Compliance	<ul style="list-style-type: none"> • Introduction of new policy following recommendation from 2023 Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls.
G - Risk Management	<ul style="list-style-type: none"> • Former Policy No: R4 Risk Management • Re-write policy following recommendations from 2023 Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls.
G - Shire of Koorda Dress Code for Australian Citizenship Ceremonies	<ul style="list-style-type: none"> • Former Policy “Shire of Koorda Dress Code for Australian Citizenship Ceremonies” • Re-branded with major policy review and update.
G - Use of the Shire of Koorda Common Seal-Executing of Legal Documents	<ul style="list-style-type: none"> • Former Policy “Use of the Shire of Koorda Common Seal-Executing of Legal Documents” • Re-branded with major policy review and update.

PART 2 - Policies to be transferred to the new “Operational” section of the Policy Manual:

In the policy review it was noted that there are numerous policies that address matters relating to management supervision and direction of employees.

Operational policies do not need the approval of Council as this delegation already exists in the *Local Government Act 1995 – Part 5 Administration*:

5.41 Functions of the CEO

- (d) Manage the day-to-day operations of the local government*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees*

Policies, particularly those with budget implications or demonstrating sound management, can be brought to Council for noting or receiving.

It is recommended that the below policies that specifically fall under the Functions of the CEO as defined in the Act, remain in the Policy Manual but are transferred into the new “Operational” section of the Manual. These policies are attached and labelled Part 2.

Council should note that the original policies are yet to be fully reviewed. Once the policies have been transferred to the “Operational” section of the manual, and the Strategic Policy review and update has

been completed, the Executive Management Team will commence work on the review and updates to the Operational policies.

Policies to be transferred to the “Operation” section of the Policy Manual
A12 - Sexual Harassment
E1 - Police Clearance Checks
E2 - Medical Clearance Checks
E3 - Employee Incentives
E4 - Employee Use of Council Property
E4a - Employee Use of Council Property - DCEO/MoFA Administration Vehicle
E5 - Leave - Outside Workforce
E6 - Gratuitous Payments to Employees
E7 - Employee Annual Christmas Bonus
E8 - Employee Terms and Conditions
R1 - Occupational Safety, Health and Welfare
R2 - Equal Employment Opportunity
R3 - Injury Management and Rehabilitation
R5 - Consultation and Communication (Risk Management)
R6 - Training and Development
R7 - Contractor Management
R8 - Volunteer Management
R9 - Noise
R10 - Visitor Management
S1 - Safety & Health
S2 - Personal Conduct
S3 - Personal Protective Equipment
S4 - Roadworks
S5 - Plant and Equipment Responsibilities
S6 - Use of Equipment
S7 - Tree Pruning
S8 - Drugs and Alcohol
W7 - Private Works
W8 - Private Works - Service/Sporting Clubs

PART 3 - 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 3.

Policy	Reason for Rescindment
A36 - Authorisations under the Dog Act 1976	Covered under Section 8 of the 2023 Shire of Koorda Delegation Register.
A39 - CEO to Enforce Act	Policy references are currently outdated in current policy format. Policy contains specific detail relating to legislation and other external references which may result in conflict between the policy and legislation or guidance in the instance of a change in legislation, guidance, or other external references.
A40 - Exercise Powers Under Part 3	Policy references are currently outdated in current policy format. Policy contains specific detail relating to legislation and other external references which may result in conflict between the policy and legislation or guidance in the instance of a change in legislation, guidance, or other external references.

B2 - Bush Fire Prosecutions	Covered under Delegation 6.9 of the 2023 Shire of Koorda Delegation Register.
B5 - Fire Control Officers	Covered under Delegation 6.7 of the 2023 Shire of Koorda Delegation Register.
B9 - Extension of Burning Periods	Not in-line with the Bush Fires Act 1954. Shire President and Chief Bush Fire Control Officer (jointly) can only Vary Prohibited Burning Times. Covered under Delegation 6.2 of the 2023 Shire of Koorda Delegation Register.
C14 - District - Group Photographs	No longer relevant.
F11 - Asset Valuations in Accounts	Recommended rescindment following 2023 FMR Review. Formalisation of policies relating to asset accounting may conflict with the Australian Accounting Standards. To avoid conflict with the standards and legislation, the policy should not include legislative and standards requirements and should enhance these requirements to provide a policy decision where an accounting standard allows a policy choice. To adopt accounting policies annually within the annual statutory budget.
F15 - Review of Financial Management Systems	Recommended rescindment following 2023 FMR Review. The policy statement provides for the CEO to negotiate with Council's auditors to review financial management systems every four years. The review frequency required by legislation is every three years. To avoid conflict with legislation the policy should not restate legislative requirements, but rather should enhance these requirements.

Consultation:

Policy Review Committee

Darren Simmons, Chief Executive Officer

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.

Section 5.41(d) and (g) of the Local Government Act 1995 is applicable and states:

5.41. Functions of CEO

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and
- (c) cause council decisions to be implemented; and
- (d) manage the day to day operations of the local government; and

- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- (f) speak on behalf of the local government if the mayor or president agrees; and
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Policy Implications:

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

Strategic Implications:

Shire of Koorda Integrated Strategic Plan 2022

4.1 - Open and Transparent Leadership

Financial Implications:

Nil

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation 1
RESOLUTION 140623**

Moved CR GL Boyne

Seconded CR GW Greaves

That Council, 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 - Annual Council Christmas Function**
- (b) A - Bereavement Policy (including flying of Koorda Flag at half-mast)**
- (c) A - Chief Executive Officer Performance Review Policy**
- (d) A - Elected Members, CEO and Employee Attendance at Events Policy**
- (e) A - Freeman of the Shire of Koorda - Guidelines for Appointments**
- (f) A - Internet, Email Usage and Access to IT Systems Policy**
- (g) EM - Continuing Professional Development – Elected Members**
- (h) EM - Elected Member Entitlements**
- (i) EM - Elected Member Service Recognition**
- (j) EM - Elected Member Social Media and Communications**
- (k) F - Corporate Purchasing Cards**
- (l) F - Donations and Requests to Waiver fees**
- (m) F - Purchasing Policy**
- (n) G - Development, Review and Amendment of Policies**
- (o) G - Fraud and Corruption Control**
- (p) G - Legislative Compliance**
- (q) G - Risk Management**
- (r) G - Shire of Koorda Dress Code for Australian Citizenship Ceremonies**
- (s) G - Use of the Shire of Koorda Common Seal-Executing of Legal Documents.**

CARRIED BY ABSOLUTE MAJORITY 5/0

Officer Recommendation 2

RESOLUTION 150623

Moved CR NJ Chandler

Seconded CR LC Smith

That Council, with regards to Shire of Koorda Policy Manual, and in accordance with Section 5.41(d) and (g) of the Local Government Act 1995, transfers the following policies that fall under the function of the CEO into the new Operational section of the Council Policy Manual, as attached in Part 2:

- (a) A12 - Sexual Harassment**
- (b) E1 - Police Clearance Checks**
- (c) E2 - Medical Clearance Checks**
- (d) E3 - Employee Incentives**
- (e) E4 - Employee Use of Council Property**
- (f) E4a - Employee Use of Council Property - DCEO/MoFA Administration Vehicle**
- (g) E5 - Leave - Outside Workforce**
- (h) E6 - Gratuitous Payments to Employees**
- (i) E7 - Employee Annual Christmas Bonus**
- (j) E8 - Employee Terms and Conditions**
- (k) R1 - Occupational Safety, Health and Welfare**
- (l) R2 - Equal Employment Opportunity**
- (m) R3 - Injury Management and Rehabilitation**
- (n) R5 - Consultation and Communication (Risk Management)**
- (o) R6 - Training and Development**
- (p) R7 - Contractor Management**
- (q) R8 - Volunteer Management**
- (r) R9 - Noise**
- (s) R10 - Visitor Management**
- (t) S1 - Safety & Health**
- (u) S2 - Personal Conduct**
- (v) S3 - Personal Protective Equipment**
- (w) S4 - Roadworks**
- (x) S5 - Plant and Equipment Responsibilities**
- (y) S6 - Use of Equipment**
- (z) S7 - Tree Pruning**
- (aa) S8 - Drugs and Alcohol**
- (ab) W7 - Private Works**
- (ac) W8 - Private Works - Service/Sporting Clubs.**

CARRIED BY ABSOLUTE MAJORITY 5/0

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation 3
RESOLUTION 160623**

Moved CR LC Smith

Seconded CR GL Boyne

That Council, with regards to Shire of Koorda Policy Manual, rescinds and removes the following policies, attached in Part 3

- (a) A36 - Authorisations under the Dog Act 1976**
- (b) A39 - CEO to Enforce Act**
- (c) A40 - Exercise Powers Under Part 3**
- (d) B2 - Bush Fire Prosecutions**
- (e) B5 - Fire Control Officers**
- (f) B9 - Extension of Burning Periods**
- (g) C14 - District - Group Photographs**
- (h) F11 - Asset Valuations in Accounts**
- (i) F15 - Review of Financial Management Systems**

CARRIED BY ABSOLUTE MAJORITY 5/0

Voting Requirements: Simple Majority Absolute Majority

**Officer Recommendation 4
RESOLUTION 170623**

Moved CR NJ Chandler

Seconded CR GL Boyne

That Council, with regards to the Shire of Koorda Policy Manual, authorises the Deputy CEO to make any necessary minor typographical and formatting changes, new policy numbering to remove redundant numbering and improve the layout and rebranding prior to publication.

CARRIED 5/0

Congratulations to Deputy CEO, Lana for her work on the Policy Review so far, and to Cr Boyne and Cr Smith for their review work as part of the Policy Review Committee.

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

Nil.

17. Closure

The Presiding Person thanked those present for their attendance and declared the meeting closed at 6.16pm.

Signed: Stratford

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

Date: 17 July 2023