



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 16 November 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 Wednesday, 16 November 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
11 November 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

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 26 October 2022.....	5
8. Minutes of Committee Meetings to be Received	5
9. Recommendations from Committee Meetings for Council Consideration.....	5
10. Announcements by the President without Discussion	5
11. OFFICER'S REPORTS – CORPORATE & COMMUNITY	6
11.1. Monthly Financial Statements	6
11.2. List of Accounts Paid.....	9
12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE	11
12.1 Review Process and Schedule for Council Policies.....	11
13. OFFICER'S REPORTS – WORKS & ASSETS	14
13.1 Draft Strategic Waste Management Plan 2022-2032.....	14
13.2 Draft Koorda Waste Facility Landfill Closure Management Plan	16
14. Urgent Business Approved by the Person Presiding or by Decision.....	19
15. Elected Members' Motions	19
16. Matters Behind Closed Doors	19
17. Closure	19

**Shire of Koorda
Ordinary Council Meeting
6.00pm, Wednesday 16 November 2022**



1. Declaration of Opening

The Presiding person welcomed those in attendance and declared the meeting open at 6.00pm.

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:

Apologies:

Visitors:

Approved Leave of Absence:

3. Public Question Time

Nil.

4. Disclosure of Interest

Nil.

5. Applications for Leave of Absence

Nil.

6. Petitions and Presentations

Nil.

7. Confirmation of Minutes from Previous Meetings

7.1. Ordinary Council Meeting held on 26 October 2022

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

Voting Requirements Simple Majority Absolute Majority

Officer Recommendation Resolution 011122

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*, the Minutes of the Ordinary Council Meeting held 26 October 2022, as presented, be confirmed as a true and correct record of proceedings.

CARRIED 6/0

8. Minutes of Committee Meetings to be Received

Nil.

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 Shire of Narembeen CEO, David Burton & Family, on the sad passing of Michelle.

Welcome to Dr Michael Cudjoe with today his first practise day in Koorda.


Congratulations to Subin Daniel (immediate past Health Service Manager/Director of Nursing - Wyalkatchem Koorda Health Service & Koorda Nursing post) for being a finalist in the Excellence in Rural and Remote Health category of the 2022 Western Australian Nursing and Midwifery Excellence Awards.

[WALGA Quarterly Report](#)

[WALGA Preferred Supplier Annual Report](#)

11. OFFICER'S REPORTS – CORPORATE & COMMUNITY

11.1. Monthly Financial Statements

Corporate and Community		
Date	11 November 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	October 2022 Financial Activity Statement	

Background:

This item presents the Statement of Financial Activity to Council for the period ending 31 October 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 021122

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 31 October 2022, as presented.

CARRIED 6/0

CONFIRMED

11.2. List of Accounts Paid

Corporate and Community		
Date	11 November 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 20 October 2022 to 8 November 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 031122**

Moved CR GW Greaves

Seconded CR GL Boyne

That Council, by Simple Majority, pursuant to Section 6.8(1)(a) of the *Local Government Act 1995* and Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*, receives the report from the Chief Executive Officer on the exercise of delegated authority in relation to creditor payments from the Shire of Koorda Municipal Fund, as presented in the attachment, and as detailed below:

For the period 20 October 2022 to 8 November 2022

**Municipal Voucher V195 to V241
Credit Card Transaction (V241)**

Totalling \$ 305,190.17

Totalling \$ 8.00


Total \$ 305,198.17

CARRIED 6/0

CONFERRING

12. OFFICER'S REPORTS – GOVERNANCE & COMPLIANCE

12.1 Review Process and Schedule for Council Policies

Governance and Compliance		
Date	10 November 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	Nil	

Background:

This item proposes to Council a review process and schedule for more than 120 existing Council policies encompassing over 250 pages.

In considering the proposed review process and schedule, it is worth noting the following definitions from the Shire's existing Policy Manual.

What is a Policy?

A policy is a general rule to be applied in the exercise of a function (power or duty) and includes a statement of conditions under which an authorisation may, or is to be given or withheld.

A policy will ordinarily apply irrespective of whether a matter is to be determined –

- *by an employee with delegated authority; or*
- *at a meeting of the Council.*

Policies should not be confused with delegations and procedures. A delegation for the purposes of the Act, will only apply when –

- *a 'person' has a statutory power or duty;*
- *the person has the power of delegation;*
- *the person commits that power or duty, in writing to another to perform;*
- *the person has the power to make the delegation to the delegate.*

A "procedure" (Macquarie dictionary) is "the act or manner or proceeding in any action or process; conduct", and procedural statement can be construed accordingly.

In very simple terms –

Policy provides what can;

Delegation provides who can;

Procedures provide how to.

Policies are the province of Council. Delegations are primarily the province of the CEO – ie Council can delegate only to a committee or the CEO, whereas the latter delegates to employees. Procedures are appropriately a function of management.

Comment:

With many, if not most, of Council's Policies considered outdated and/or redundant, it is suggested that a standard annual policy manual-based review process will not adequately achieve the best outcome for Council or its stakeholders.

Likewise, the development of an entire new Policy Manual from scratch is not considered ideal as such a task would consume significant staff resources and may not accurately reflect Council's preferred policy position leading to additional work.

Therefore, it is proposed that Council establish a Policy Committee (comprising a membership of 3 Councillors with 1 additional Councillor serving as a deputy member) to consider repeal or amendment of existing policies or development of replacement or entirely new policies for Council consideration following a 5-stage approach as follows:

Policy Review Schedule (Proposed)

Stage	Month	Task/Objective	Responsibility
1	December 2022/January 2023	Policy-by-policy assessment (Amend/Repeal/Replace/New)	Staff
2	February 2023	Staff repeal and amend/replace/new prioritisation recommendations considered	Policy Committee
3	March 2023	Policy Committee repeal and amend/replace/new prioritisation recommendations considered	Council
4	June 2023	Amend/replace/new policies developed/considered for recommendation to Council	Staff/Policy Committee
5	July 2023	Amend/replace/new policies considered	Council

Consultation:

Deputy Chief Executive Officer

Statutory Implications:

Local Government Act 1995

Policy Implications:

To be determined.

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 041122**

Moved CR NJ Chandler

Seconded CR GW Greaves

That Council:

1. **By Absolute Majority, pursuant to Section 5.8 of the *Local Government Act 1995*, establish a Policy Committee and pursuant to Section 5.10, appoints Cr JM Stratford, Cr GL Boyne and Cr LC Smith as members and Cr NJ Chandler deputy member; and**

2. **Adopts the 5-stage Policy Review Process and Schedule as outlined below:**

Stage	Month	Task/Objective	Responsibility
1	December 2022/January 2023	Policy-by-policy assessment (Amend/Repeal/Replace/New)	Staff
2	February 2023	Staff repeal and amend/replace/new prioritisation recommendations considered	Policy Committee
3	March 2023	Policy Committee repeal and amend/replace/new prioritisation recommendations considered	Council
4	June 2023	Amend/replace/new polices developed/considered for recommendation to Council	Staff/Policy Committee
5	July 2023	Amend/replace/new polices considered	Council

CARRIED BY AN ABSOLUTE MAJORITY VOTE 6/0

13. OFFICER'S REPORTS – WORKS & ASSETS

13.1 Draft Strategic Waste Management Plan 2022-2032

Works and Assets		
Date	9 November 2022	
Location	Not applicable	
Responsible Officer	Darren Simmons, Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; Waste Avoidance and Resource Recovery Act 2007</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Draft Strategic Waste Management Plan 2022 - 2032	

Background:

This Item presents the Draft Strategic Waste Management Plan 2022 - 2032 to Council for consideration.

The Shire engaged ASK Waste Management (ASK) to prepare a Strategic Waste Management Plan (the Plan). The Plan has been developed in line with the State's Waste Avoidance and Resource Recovery Strategy 2030 (Waste Strategy), the DWER Waste Plan Resource Kit, and relevant Shire strategic documents.

The Plan outlines the services, tools, and activities used to manage waste within the Shire and establishes existing performance, waste profiles and baseline information in relation to the Waste Strategy's key objectives, which are:

- Avoid – Western Australians generate less waste
- Recover – Western Australians recover more value and resources from waste
- Protect – Western Australians protect the environment by managing waste responsibly.

Comment:

As outlined within the Plan, there is no legislative directive for rural and regional local governments outside major regional centres to meet the Waste Strategy objectives.

However, it is considered appropriate that rural and regional governments should be 'working towards' and 'aligning services and approaches' with the Waste Strategy targets.

Therefore, this Plan is aligned with the approaches and outcomes in the State Waste Strategy and includes the following key action areas:

- Strategic planning;
- Waste services;
- Waste infrastructure and operations;
- Polices and procurement; and
- Resource recovery.

An implementation plan for each action area is provided in Section 5 and includes the findings, recommendations and costing for each measure suggested.

The plan fits within the Shire's Integrated Planning and Reporting framework as an issue-specific informing strategy.

The plan should be treated as a dynamic document that is reviewed and amended periodically to ensure that it remains contemporary and relevant to emerging waste management issues and legislation.

Consultation:

Council

Works Supervisor

ASK Waste Management

Statutory Implications:

Section 5.56(1) of the *Local Government Act 1995* requires all local governments to produce plans for the future. The IPR Framework was introduced in Western Australia as part of the State Government's Local Government Reform Program.

Policy Implications:

The plan will assist Council formulate its future waste management policy settings.

Strategic Implications:

Shire of Koorda Integrated Strategic Plan (2022)

3.3.1 - Develop and effectively implement Waste Management and Landfill Rehabilitation Project.

Financial Implications:

A costed implementation schedule is included to provide input into annual operational business planning and budget processes.

Voting Requirements:

Simple Majority Absolute Majority

Officer Recommendation

Resolution 051122


Moved CR BG Greaves

Seconded CR GL Boyne

That the Draft Strategic Waste Management Plan 2022 – 2032, as presented, be adopted.

CARRIED 6/0

13.2 Draft Koorda Waste Facility Landfill Closure Management Plan

Works and Assets		
Date	9 November 2022	
Location	Not applicable	
Responsible Officer	Darren Simmons, Chief Executive Officer	
Author	As above	
Legislation	<i>Local Government Act 1995; Waste Avoidance and Resource Recovery Act 2007</i>	
Disclosure of Interest	Nil	
Purpose of Report	<input checked="" type="checkbox"/> Executive Decision <input type="checkbox"/> Legislative Requirement <input type="checkbox"/> Information	
Attachments	Draft Koorda Waste Facility Landfill Closure Management Plan	

Background:

The Shire of Koorda (the Shire) engaged ASK Waste Management (ASK) to produce a landfill closure management plan (LCMP) for the Koorda Waste Management Facility (the Facility) which is an unlined Category 89 landfill located approximately one kilometre west of the Koorda town site.

The LCMP provides information regarding the progressive rehabilitation and closure of the Facility's landfill cells, together with the post-closure monitoring requirements.

The LCMP has been produced to achieve the following objectives:

- Develop a stable landfill cap that will provide a physical barrier between waste and the environment;
- Develop a post-closure management and monitoring program that can be implemented to ensure that environmental impacts are minimised after the landfill cells are closed and rehabilitated; and
- Provide a bill of quantities and cost estimates for closure and rehabilitation works that the Shire can use to budget for future liabilities.

To satisfy the objectives of the LCMP, this document contains the following sections:

- Facility Overview;
- Environmental Attributes;
- Legislative Context;
- Risk Assessment;
- Rehabilitation Design;
- Revised Risk Assessment;
- Post-Closure Management and Monitoring; and
- Closure Cost Estimates.

Comment:

The LCMP has been prepared to ensure compliance with Regulation 17 of the Environmental Protection (Rural Landfill) Regulations 2002, which states:

“(1) The occupier of a landfill site must prepare and submit to the Chief Executive Officer for approval a post closure rehabilitation plan, in accordance with subregulation (2), for the site within 18 months of the site being registered under regulation 5B of the Environmental Protection Regulations 1987.”

Sub-regulation 2 provides:

“(2) A post-closure rehabilitation plan is to set out a plan for the rehabilitation of the site after it has ceased to be a landfill site and, in particular, is to specify —

(a) options for the use of the site after it has ceased to be a landfill site, and is to specify the preferred option;

(b) a conceptual design of the infrastructure needed for the preferred option for the use of the site after it has ceased to be a landfill site;

(c) the estimated final contours of the site, after allowing for settlement, and specifying to what extent settlement has been allowed for;

(d) the capping materials proposed to be used on the site;

(e) a proposed system of drainage of the site;

(f) measures proposed for the protection of the environment and the monitoring of the site; and

(g) the estimated period for which the site will require protection and monitoring.”

The LCMP has also been prepared in line with a risk-based approach and draws from the Closure Plan Risk Assessment (in Section 5) and the Best Practice Environmental Management (BPEM) Guidelines: Siting, design, operation and rehabilitation of landfills (EPA Victoria, 2015).

According to the BPEM Guidelines, best practice rehabilitation of landfills should include consideration of the site after use, settlement and final surface profile, and landfill cap. The required outcomes of best practice landfill rehabilitation are to:

- Consider after-use options for the Site;
- Ensure that the seepage through the landfill cap is no more than 75% of the anticipated seepage rate through the landfill liner;
- Design and construct the best cap practicable to prevent pollution of groundwater and degradation of air quality through the escape of landfill gas;
- Design and construct the most robust cap to ensure that the system continues to achieve the objective in the event of several components of the system failing; and
- Progressively rehabilitate the landfill.

In addition to meeting its Regulation 17 obligations, adoption of the LCMP will assist in annual audit calculations associated with future remediation of the facility and the NEWROC waste management project.

Consultation:

Council

Works Supervisor

ASK Waste Management

Statutory Implications:

Shire of Koorda Integrated Strategic Plan (2022)

3.3.1 - Develop and effectively implement Waste Management and Landfill Rehabilitation Project.

Policy Implications:

The plan will assist Council in its current and future waste management policy settings as they apply to the Koorda Landfill Facility.

Strategic Implications:

Aligns with the draft Strategic Waste Management Plan 2022 - 2023.

Financial Implications:

The LCMP will assist the Shire in formulating its future financial commitments in respect to Koorda Landfill Facility – a recent feature of the annual external audit process.

Voting Requirements:

Simple Majority Absolute Majority

Officer Recommendation
Resolution 061122

Moved CR BG Cooper

Seconded CR GW Greaves

That Council:

- 1. Adopts the Draft Koorda Waste Facility Landfill Closure Management Plan, as presented; and**
- 2. Submits the adopted Koorda Waste Facility Landfill Closure Management Plan to the Department of Water and Environmental Regulation in accordance with Regulation 17 of the Environmental Protection (Rural Landfill) Regulations 2002.**

CARRIED 6/0

CONFIDENTIAL

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 Councillors and staff for their attendance and declared the meeting closed at 6.36pm.

Signed: Strafford.

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

Date: 15 December 2022