



Shire of
Katanning
Heart of the Great Southern

'Katanning is a safe, sustainable and prosperous community.
We respect and celebrate our diverse culture.'

**MINUTES OF THE
ORDINARY COUNCIL MEETING**

Dear Council Member

Minutes of the Ordinary Council Meeting of the Shire of Katanning held on
Wednesday 27 March 2024 in the Shire of Katanning's Council Chamber,
52 Austral Terrace, Katanning.

DISCLAIMER

The Council of the Shire of Katanning advises that before taking any action on an application or a decision of the Council, any applicant or members of the public should wait for written advice from the Council.

PRESIDING MEMBER _____ DATE SIGNED _____



Table of Contents

Item No.	Item Heading	Page No.
1	Declaration of Opening/Acknowledgement of Country	3
2	Record of Attendance	3
3	Announcements by Presiding Member Without Discussion	4
4	Response to Previous Public Questions Taken on Notice	4
5	Disclosure of Financial/Impartiality Interest	4
6	Public Question/Statement Time	4
7	Applications for Leave of Absence	4
8	Petitions/Deputations/Presentations	4
9	Confirmation of Minutes of Previous Meetings	4
9.1	Ordinary Council Meeting – Wednesday 28 February 2024	4
10	Reports of Committees and Officers	5
10.1	Executive Manager Corporate Services	5
10.1.1	Schedule of Accounts	5
10.1.2	Monthly Financial Report	7
10.1.3	Budget Review 2023/2024	10
10.2	Chief Executive Officer's Reports	15
10.2.1	Katanning/Great Southern Live Sheep Export Impact Assessment	15
10.2.2	Katanning Tennis Club – Court Resurfacing Project	17
10.2.3	Appointment of Members to Working Groups	19
10.2.4	Soil Conservation Service Charge	21
11	Elected Members Motion of Which Previous Notice Has Been Given	25
12	New Business of an Urgent Nature	25
13	Confidential Item	25
14	Closure of Meeting	25

PLEASE NOTE:

Council Meetings are recorded for accuracy of minute taking.

1. DECLARATION OF OPENING/ ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member declared the meeting open at 6:00pm.

Acknowledgement of Country

The Shire of Katanning acknowledges the Goreng Noongar people as the traditional custodians of the land that we live and work on. We recognise their cultural heritage, beliefs, and continuing relationship with the land, and pay our respects to Elders past and present.

2. RECORD OF ATTENDANCE**PRESENT**

Presiding Member: Cr Kristy D'Aprile - President

Members: Cr Liz Guidera – Deputy President
Cr John Goodheart
Cr Matt Collis
Cr Michelle Salter
Cr Ian Hanna

Council Officers: Peter Klein, Chief Executive Officer
David Blurton, Executive Manager Corporate Services
Lindsay Morrison, Acting Executive Manager Infrastructure & Assets
Taryn Human, Executive Assistant to the CEO

Gallery: Nil.

Media: Nil.

Apologies: Nil.

Leave of Absence: Cr Paul Totino

3. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The President welcomed councillors and noted that March was a big month of celebration in Katanning. In respect to the Harmony Festival the President highlighted the dedication, hard work and commitment demonstrated by staff and thanked them for their contribution to a successful event which involved amazing food, stalls and entertainment. The President also recognised the many volunteers and businesses & community groups that contributed to the success of this event.

The President also congratulated Kerry Palmer for winning the Sir Ronald Wilson Leadership Award at the Office of Multicultural Interests Awards in early March. Kerry was nominated for her exceptional contribution to Katanning's CaLD & Aboriginal communities and for her dedicated advocacy for removing racism and discrimination barriers. The President officially congratulated Kerry for the well-deserved recognition.

The President also noted the resignation and now departure of the Shire's Executive Manager Infrastructure and Assets Mr Sam Bryce. Sam's three-year contribution to the Shire of Katanning was acknowledged and best wishes were given for his future endeavours as CEO for the Shire of Goomalling.

The President extended a warm welcome to Lindsay Morrison who has stepped into the acting position.

4. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS

Cr John Goodheart	10.2.2	Disclosure of Interest Affecting Impartiality
Cr Ian Hanna	10.2.2	Disclosure of Interest Affecting Impartiality
Cr Liz Guidera	10.2.2	Disclosure of Interest Affecting Impartiality

6. PUBLIC QUESTION/STATEMENT TIME

Nil.

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

8. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**9.1 Ordinary Council Meeting – Wednesday 28 February 2024**
(SEE ATTACHED MINUTES)**Voting Requirement:** Simple Majority**MOVED: CR LIZ GUIDERA****SECONDED: CR JOHN GOODHEART****OC17/24 That the minutes of the Ordinary Council Meeting held on Wednesday 28 February 2024 confirmed as a true record of proceedings.**

CARRIED:6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR JOHN GOODHEART, CR MICHELLE SALTER, CR
IAN HANNA, CR MATT COLLIS

AGAINST:NIL

10. REPORTS OF COMMITTEES AND OFFICERS

10.1 EXECUTIVE MANAGER CORPORATE AND COMMUNITY

10.1.1 Schedule of Accounts – February 2024 (ATTACHMENT)

File Ref: FM.FI.4
Reporting Officer: David Blurton, Executive Manager Corporate Services **Date**
Report Prepared: 05 February 2024
Disclosure of Interest: No Interest to disclose.

Issue:

To receive the Schedule of Accounts Paid for the period ending 29 February 2024.

Body/Background:

This information is provided to Council on a monthly basis in accordance with provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996. A Local Government is to develop procedures for the authorisation of, and payment of, accounts to ensure that there is effective security for, which money or other benefits may be obtained.

Below is a summary of the payments made for the financial year:

Month	Cheques 2023/24	EFT Payments 2023/24	Direct Debits 2023/24	Credit Card 2023/24	Payroll 2023/24	Total Payments 2023/24
July	\$1,066.49	\$625,026.09	\$49,889.12	\$4,494.65	\$222,508.55	\$902,984.90
August	\$4,102.82	\$1,566,583.44	\$90,318.77	\$5,982.97	\$401,226.60	\$2,068,214.60
September	\$927.15	\$307,470.43	\$40,139.94	\$6,253.23	\$223,849.39	\$578,640.14
October	\$0.00	\$513,250.32	\$70,385.79	\$3,452.35	\$230,996.54	\$818,085.00
November	\$474.00	\$522,543.44	\$225,283.00	\$0.00	\$224,193.28	\$972,493.72
December	\$1,010.80	\$1,231,197.21	\$91,709.28	\$1,472.68	\$224,027.48	\$1,549,417.45
January	\$0.00	\$364,301.53	\$98,372.05	\$2,914.63	\$205,847.25	\$671,435.46
February	\$790.07	\$504,267.83	\$153,590.86	\$4,982.28	\$324,758.91	\$988,389.95
March						
April						
May						
June						
Total	\$8,371.33	\$5,634,640.29	\$819,688.81	\$29,552.79	\$2,057,408.00	\$8,549,661.22

Officer's Comment:

The schedule of accounts for the month of February 2024 is attached.

Statutory Environment:

Local Government Act 1995.

6.8. Expenditure from municipal fund not included in Annual Budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

Policy Implications:

There are no direct policy implications in relation to this item.

Financial Implications:

Expenditure in accordance with s6.8 (1) (a) of the Local Government Act 1995.

Risk Implications:

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 - 2032

Focus Area Leadership

Aspiration Katanning is an inclusive and respectful community.

Objective To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community.

Voting Requirement: Simple Majority.

Officer's Recommendation/Council Motion:

MOVED: CR MATT COLLIS

SECONDED: CR MICHELLE SALTER

OC18/23 That Council endorses the Schedule of Accounts as presented, being EFT payments 37284 - 37453 totalling \$504,267.83, Cheques 42466-42467 totalling \$790.07, Payroll payments totalling \$324,758.91 Direct Debit payments totalling \$153,590.86, Credit Cards totalling \$4,982.28, all totalling \$988,389.95, authorised and paid in February 2024.

CARRIED: 6/0

FOR: FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR JOHN GOODHEART, CR MICHELLE SALTER,
CR IAN HANNA, CR MATT COLLIS
AGAINST: NIL.

10.1.2 Monthly Financial Report – February 2024 (ATTACHMENT)

File Ref: FM.FI.4
Reporting Officer: David Blurton, Executive Manager Corporate Services
Report Prepared: 05 February 2024
Disclosure of Interest: No Interest to disclose.

Body/Background:

This item presents the Monthly Financial Report, which contains the 'Statement of Financial Activity' for the period ending 29 February 2024.

The report includes information which meets the statutory requirements of the Local Government Act and Financial Management Regulations. Other relevant financial information is provided to Elected Members to compare finance performance of the various business functions of the Shire against adopted budgets.

Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 10% with a minimum value of \$10,000. Material variances between budgeted and actual expenditure are reported at Report 3 of the Monthly Financial Report.

Officer's Comment:

Below are the highlights for this reporting period:

Revenue from Operating Activities

*Grants, subsidies and contributions are below budget by \$982,753. As identified on note 12, the majority of this relates to;

- Drought Affected Communities Grant \$300,000 – currently with the auditor for acquittal.
- Local Roads and Infrastructure Grants phase 1-4A – total \$546,533 - currently with the auditor for acquittal.

*Fees and charges income \$66,893 over budget relating to additional income from KLC kiosk and membership, refuse site fees and building licences.

*Interest Income \$11,214 lower than expected, however as interest is brought to account when term deposits fall due, this is expected to be close to budget by the end of the financial year.

*Profit on asset disposal higher than anticipated, refer note 4.

Expenditure from Operating Activities

*Employee costs underbudget by \$218,890, refer note 3.

*Material and contracts costs underbudget by \$1,011,844, mostly represented as;

- Debt collection legal expense \$69,000
- Election expense \$21,482
- Integrated planning and reporting \$22,500
- Admin Consultants \$13,683
- Fire mitigation expenditure \$48,920
- Contract ranger \$16,262
- Health consultants \$18,048

- Education and welfare grant expenditure \$98,574
- Education and welfare special projects \$19,055
- Youth activities \$13,025
- Amhurst feasibility study \$60,000
- Aquatic centre maintenance \$31,602
- Demolition recreation services \$62,500
- Building program KLC \$48,383
- Transport consultants \$52,632
- Expensed minor asset purchases \$49,405
- Economic development services \$20,000
- Economic Services consultants \$19,290

*Depreciation Expenses over budget by \$1,569,352 relating to adjustment to building depreciation rates from fair value revaluation at the end of 21/22.

*Insurance costs are over budget and relate to increased building asset values from 2022 building asset revaluation. This will be considered in the budget review process.

*Capital program income and expense variances are identified at note 13 and 3 respectively.

Statutory Environment:

Local Government Act 1995

Section 6.4 Financial Report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

Local Government (Financial Management) Regulations 1996.

Regulation 34 Financial activity statement required each month (Act s.6.4)

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

Policy Implications:

The Shire has several financial management policies. The finances have been managed in accordance with these policies.

Financial Implications:

There are no financial implications for this report.

Risk Implications:

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 - 2032

Focus Area Leadership

Aspiration Katanning is an inclusive and respectful community.

Objective To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community.

Voting Requirement: Simple Majority.

Officer's Recommendation/Council Motion:

MOVED: CR MATT COLLIS

SECONDED: CR MICHELLE SALTER

OC19/24 That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receives the Monthly Statement of Financial Activity for the period ending 29 February 2024, as presented.

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR JOHN GOODHEART, CR MICHELLE SALTER, CR IAN HANNA, CR MATT COLLIS

AGAINST: NIL.

10.1.3 **Budget Review 2023/2024** (ATTACHMENT)

File Ref: FM.BU.6
Reporting Officer: David Blurton, Executive Manager of Corporate Services
Date Report Prepared: 19 March 2024
Disclosure of Interest: No Interest to disclose.

Matter for Consideration

To consider and adopt the 2023/2024 Budget Review as presented for the period ending 31 December 2023.

Body/Background:

The *Local Government (Financial Management) Regulations 1996*, regulation 33A, requires that local governments conduct a budget review between 1 January and the last day in February in each financial year. A copy of the review and determination is to be provided to the Department of Local Government within 14 days of the adoption of the review.

The budget review has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. Council adopted a 10% or a \$10,000 minimum for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

Officers conducted an initial budget review which was presented to the Audit and Risk Committee on 26 February 2024. The Committee resolved to defer the report to allow further information to be provided which has allowed for a more exhaustive review to be completed. The Shire of Katanning 2023/2024 Budget Review Report is contained in the attachment.

Officer's Comment:

Please note the comments contained in the Budget Variation Summary below.

Consultation:

Belinda Knight, Financial Services Consultant

Statutory Implications:

Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires:

- (1) *Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must*
 - a) *Consideration the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - b) *Consider the local government's financial position as at the date of the review; and*
 - c) *Review the outcomes for the end of that financial year that are forecast in the budget; and*
 - d) *Include the following-*
 - (i) *the annual budget adopted by the local government;*

- (ii) *an update of each of the estimates included in the annual budget;*
- (iii) *the actual amounts of expenditure, revenue and income as at the date of the review;*
- (iv) *adjacent to each item in the annual budget adopted by the local government that stated an amount, the estimated end-of-year amount for the item.*
- (2) *The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.*
- (3) *A Council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
***Absolute majority required.**
- (4) *Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

Policy Implications:

There is no Council Policy relevant to this item.

Financial Implications:

A budget review has been undertaken by staff as per the requirements of the *Local Government Act 1995 and Local Government (Financial Management) Regulations 1996*. The following table summarises the proposed amendments, further details are available on Page 3 of the Budget Review document.

Budget Variation Summary

Income/Expenditure Type	Description	Positive Outcome	Negative Outcome
Opening Surplus / Deficit	Adjustment following the finalisation of the 2022/2023 Audit	\$198,210	
OPERATING EXPENSES			
Employee Costs	Employee costs are tracking at 63% of budget to 31/12/2023. Anticipated amendments are: (GL0342) Administration Salaries - \$38,000 which relate to staff payouts, and additional costs for the Acting EMCC for the period September 2023 – February 2024 (over the budgeted EMCC salary) (Note Manager of Finance salaries NIL as this was treated as contract) (GL8542) Workers Compensation (matched by income) – payments for staff on Workers Compensation - \$60,000 KLC Grant Expenditure relates to additional costs associated with the Everyclub Grant program. \$15,000. This is offset by a \$10,000 grant. (GL1132) Long Service Leave paid to previous employee was unbudgeted \$10,115		\$123,115
Materials & Contracts	Materials & Contracts are tracking at 54% of budget to 31/12/2023. Anticipated amendments are: (GL 0742) Advertising & Promotion – additional advertising and promotion including staff vacancies - \$10,000		\$150,000

Income/Expenditure Type	Description	Positive Outcome	Negative Outcome
	<p>(GL1352) Administration Consultants Manager of Finance Contract - additional costs in excess of budget estimates - \$65,000</p> <p>(GL1360) Administration Professional Advice & Services – additional costs relating to 2022/2023 fair value not included in original budget - \$30,000</p> <p>(GL4850) – Footpath Maintenance – increased costs for verge spraying - \$20,000</p> <p>(GL5252) Airport Maintenance – increased costs relating to conduct of annual compliance inspection, and installation of runway markers - \$10,000</p> <p>(GL5889) – Economic Development – Grant Expenditure – additional costs to install sound system in Town Square - \$15,000</p>		
Insurance	<p>Insurance costs are tracking at 113% of budget, with all invoices having been paid. Anticipated amendments are:</p> <p>Increases in Building insurance due to revaluation in 2022/2023 not being included in original budget - \$30,000</p>		\$30,000
Depreciation	<p>Depreciation costs are significantly different to budget, primarily due to:</p> <p>Building revaluation and reassessment of useful life of assets, resulting in an increase in depreciation expense.</p> <p>The Office of Auditor General has advised that a correction for Depreciation Expense will need to be made to the 30 June 2023 Accounts. Until this transaction has been processed officers are unable to accurately estimate the depreciation expense to the year ended 30 June 2024. It is therefore recommended to leave the depreciation expense estimate as per the original budget estimates until this can be calculated.</p>		
OPERATING REVENUES			
Interest	<p>Interest on investments and rates and charges is tracking at 65%. Anticipated amendments are:</p> <p>Interest on Municipal Investments increase to account for better interest rates - \$50,000</p>	\$50,000	
Fees & Charges	<p>Fees and charges are tracking at 85% of budget. Anticipated amendments are:</p> <p>(GL2613) – Refuse Site disposal charges increase in revenue due to receiving refuse from outside of Shire - \$60,000</p> <p>(GL5613) – Building Licence fees – increase in revenue due to reconciliation of bonds & deposits revealing incorrect allocation of Building Licence Fee - \$15,000</p>	\$27,000	

Income/Expenditure Type	Description	Positive Outcome	Negative Outcome
	(GL5773) – Saleyards yarding fees – stock numbers down on previous year – reduce revenue by \$48,000		
Operating Grants	Operating grants are currently tracking at 34% of budget, however many of these grants are received in arrears. Anticipated amendments are: KLC Grant Income from Everyclub Grant \$10,000 Financial Assistance Grants – budget zero, anticipated revenue - \$63,000 Untied Road Grant – budget zero, anticipated revenue - \$23,000	\$96,000	
Other Revenue	Other Revenue is tracking at 69% of budget. Anticipated amendments are: (GL8553) - Workers Compensation reimbursements (see also Employee Costs) - \$40,000	\$40,000	
CAPITAL GRANTS			
Capital Grants	Capital Grants are well below budget, but this is because Roads to Recovery funding is yet to be received.		
Proceeds on Sale of Assets	Amendment due to CEO vehicle changeover not occurring.		\$55,000
CAPITAL EXPENSES			
Infrastructure - Roads	Kelly Road Resheet R2R was over budget by \$31,000 due to additional material transport costs, fuel and interrupted job delivery		\$31,000
Plant, Equipment & Motor Vehicles	Plant, Equipment & Motor Vehicles budget - \$1,810,197 – Actual to date - \$469,470. The following purchases had purchase orders issued in 2022/2023: (Job AC001) Replace CEO vehicle (confirmed by CEO not proceeding) - \$68,230	\$68,230	
	TOTALS (incl non-cash item)	\$527,530	\$437,115

Risk Implications:

This item has been evaluated against the Shire of Katanning’s Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Low” risk and can be managed by routine procedures and with current resources.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 - 2032

Focus Area Leadership

Aspiration Katanning is an inclusive and respectful community.

Objective To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community.

Voting Requirement: Absolute Majority

Officer's Recommendation/Council Motion:

MOVED: CR MICHELLE SALTER

SECONDED: CR JOHN GOODHEART

OC20/24

That Council:

- 1. Adopts the Budget Review conducted for the period ended 31 December 2023; and**
- 2. Authorises the Chief Executive Officer to amend the 2023/2024 Budget in accordance with the attached Report.**

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR JOHN GOODHEART, CR MICHELLE SALTER, CR IAN HANNA, CR MATT COLLIS

AGAINST: NIL.

Cr John Goodheart spoke for the motion.

10.2 CHIEF EXECUTIVE OFFICER'S REPORTS

10.2.1 Katanning/Great Southern Live Sheep Export Impact Assessment

File Ref: CP.RP.6
Reporting Officer: Peter Klein
Date Report Prepared: 29 February 2024
Disclosure of Interest: No Interest to disclose.

Background/Officer's Comment:

The live sheep trade is a well-established, essentially WA based industry that supports widespread economic activity throughout the Great Southern.

The Federal Labor Government is planning to ban the export of live sheep by sea.

The State Labor Government has indicated its support for WA sheep producers.

Over the last 5 years, the annual value of the live sheep trade was \$143M and contributed an additional \$45M of value-added activity to the WA economy (ACIL Allen Report June 2023).

This report concludes that;

- if this trade ceased there is an estimated 19.9% reduction in the per head value of a male sheep in WA.
- although boxed or chilled meat may be a convenient and practical alternative to live sheep in some circumstances, it cannot fully replicate the cultural, religious, traditional and practical importance of live sheep in the Middle East.
- if the live sheep trade from Western Australia is banned the export of Australian boxed or chilled sheep meat to the Middle East would not change substantially. Instead, the demand would be replaced by other live sheep export providers.

Missing from the debate is an objective measure of the economic loss communities in the Katanning and Great Southern Shires will incur if the Federal Government follows-through with its plans to ban this trade.

As a result, Mark Wallace from Econisis, has also been asked to develop a scope and quote for him to quantify the economic impact on our region from the loss of the live sheep export trade. This proposal is attached.

NEWROC commissioned a similar study and found the output a very effective tool in firstly understanding the potential impacts on the Northeast Wheatbelt but also to underpin an effort to lobby for the retention of this trade.

Once the report is received the Katanning Council and our neighbouring shires will be better positioned to determine individually or collectively as to whether we want to just communicate the findings locally or if we wish to approach the state and/or federal governments in support of the continuation of this trade.

Statutory Environment:

Nil.

Policy Implications:

Nil.

Financial implication

The cost of undertaking this study will be \$1,250 (ex GST) and would be drawn from account 5881, Economic Development Services.

Risk Implications:

The risk of any adverse implication from this decision is low.

Strategic Implications: Shire of Katanning Strategic Community Plan 2022 - 2032

Focus Area	Leadership
Aspiration	Katanning is an inclusive and respectful community.
Objective	To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community.

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR LIZ GUIDERA

SECONDED: CR MICHELLE SALTER

OC21/24 That Council note the contracting of Econisis to undertake a Katanning/Great Southern Live Sheep Export Impact Assessment with support from the Shires of Cranbrook, Broomehill-Tambellup, Kojonup, Woodanilling and Jerramungup.

CARRIED: 6/0
FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR JOHN GOODHEART, CR MICHELLE SALTER, CR IAN HANNA, CR MATT COLLIS
AGAINST: NIL.

Cr Liz Guidera spoke for the motion.

Cr John Goodheart declared an interest affecting impartiality as he is a member of the Katanning Country Club.

Cr Ian Hanna declared an interest affecting impartiality as he is in the Management Committee at the Katanning Country Club.

Cr Liz Guidera declared an interest affecting impartiality as she is a member of the Katanning Tennis Club.

10.2.2 Katanning Tennis Club – Court Resurfacing Project

File Ref: FM.SO.1
Reporting Officer: Peter Klein
Date Report Prepared: 29 February 2024
Disclosure of Interest: No Interest to disclose.

Body/Background:

The Tennis Club has reached out to the Council seeking a commitment of up to \$35,000 (ex GST) to resurface the club's tennis courts.

There are 10 tennis courts at the Country Club with 8 of these having a synthetic surface while 2 have a bitumen surface. If this project is delivered in full, the Tennis Club intends making the two bitumen courts open to the public at no charge. These courts are to be known as the 'public courts'.

Courts 1-4 were laid in 2004 and courts 5-8 were laid in 2005. All courts are showing signs of severe wear and have varying degrees of subsurface damage including water damage and wheel marks from the 2019 lighting project.

For more background on the courts and the Tennis Club's proposal to resurface these courts is outlined in the attached submission to the Community Sport & Recreation Facilities Fund.

The total cost of resurfacing the existing 8 courts and applying a synthetic surface to the 'public courts' for the first time is \$345,940.

The proposed funding sources for delivery of this project is shown in the following table;

Source of funding	\$Amount ex GST	\$ Amount inc GST		Funding confirmed Y / N	Comments to support claim (please attach relevant support)
Local government	35,000	38500	LGA cash and in-kind		
Applicant cash	37970		Organisation's cash		
Volunteer labour	20,000		Cannot exceed applicant cash and LGA contribution – max \$50,000	Y	Rural Works Co – donation of labour and machinery hire
Donated materials			Cannot exceed applicant cash and LGA contribution		
Other State Government funding					
Federal Government funding					
Other funding – to be listed	80000	88000	Loans, sponsorship etc	Y	Court naming Sponsors
CSRFF request	172970	190,267	Up to ½ project cost but capped at \$200,000	N	
b) Total project funding	345940		<i>This should equal project expenditure as listed on the previous page</i>		

The Tennis Club is keen to proceed with this application because under this grant round the CSRFF is offering to pay for up to 50% of a project's cost whereas normally they only offer to cover 33.3% of a project's cost.

The Tennis Club is intending to undertake further fundraising and any funds they raise would reduce the contribution to be made by the Shire of Katanning.

The Tennis Club has met its obligation to provide the Katanning Shire Council with a copy of its submission by 29 February. The next step in the process is for the Council to consider the application during its March meeting and if it is willing to endorse the application, it must submit the application with the DLGSC by 4pm on Thursday, 28 March 2024.

Officer's Comment

On Tuesday 27 February 2024, Kirsty Flugge, Kristy D'Aprile and Peter Klein met with Katanning Tennis Club representatives to explore funding options for resurfacing the courts.

Statutory Environment:

Nil

Policy Implications:

Nil

Financial implication

This matter is unbudgeted but although the commitment is required now, the expense would not be incurred until FY25 and can therefore be incorporated into next year's budget.

Risk Implications:

The risk of any adverse implication from this decision is low.

Strategic Implications: Shire of Katanning Strategic Community Plan 2022 - 2032

Focus Area	Leadership
Aspiration	Katanning is an inclusive and respectful community.
Objective	To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community.

Voting Requirement: Absolute Majority

Officer's Recommendation/Council Motion:

MOVED: CR LIZ GUIDERA

SECONDED: CR MICHELLE SALTER

OC22/24 That Council allocates up to \$25,000 in the FY25 budget to assist the Katanning Tennis Club to resurface the courts subject to the Country Club contributing \$10k in cash to make up the \$35,000 funding shortfall and subject to confirmation that the \$80k of sponsorship funding & \$37,970 of organisation cash is available for investment in this project.

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR JOHN GOODHEART, CR MICHELLE SALTER, CR IAN HANNA, CR MATT COLLIS

AGAINST: NIL.

Cr Liz Guidera spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

10.2.3 Appointment of Members to Working Groups

File Ref: GV.CM.2
Reporting Officer: Moh Aeson, Acting Chief Executive Officer
Date Report Prepared: 18 March 2024
Disclosure of Interest: No interest to disclose

Issue:

Following the ordinary Council election to be held on 21 October 2023 Council is required to appoint elected members to working groups.

Body/Background:

Council has established the following working groups and last year appointed the following members to the working groups:

Katanning Leisure Centre User Group

Cr Michelle Salter

Amherst Village Residents Group

Cr Michelle Salter

Katanning Aquatic Centre User Group

Cr Michelle Salter

Christmas Decorations Working Group

Cr Matt Collis

Cr Serena Sandwell

Cr Liz Guidera

Economic Development Working Group

Cr Liz Guidera

Cr John Goodheart

Cr Kristy D'Aprile

The tenure of members of Council Committees expires on the date of the Local Government elections, 21 October 2023.

Officer's Comment:

It is recommended that Council appoint new members to working groups for the new term of Council.

Statutory Environment:

Local Government Act 1995

- Section 5.8 Establishment of committees
- Section 5.9 Committees, types of
- Section 5.10 Committee members, appointment of

Policy Implications:

There are no direct policy implications in relation to this item.

Financial Implications:

There are no direct financial implications in relation to this item.

Risk Implications:

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 - 2032

Focus Area Leadership

Aspiration Katanning is an inclusive and respectful community.

Objective To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community.

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR LIZ GUIDERA

SECONDED: CR IAN HANNA

OC23/24 That Council appoints Elected Members Cr Michelle Salter and Cr Kristy D'Aprile to represent Council on the Katanning Recreation Facilities User Group.

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR JOHN GOODHEART, CR MICHELLE SALTER, CR IAN HANNA, CR MATT COLLIS

AGAINST: NIL.

Cr Liz Guidera spoke for the motion.

10.2.4 Soil Conservation Service Charge (ATTACHMENT)

File Ref: RV.FE.1
Reporting Officer: David Blurton, Acting Executive Manager of Corporate Services
Date Report Prepared: 20 March 2024

Issue:

To consider a request from the Katanning Land Conservation District Committee (LCDC) to support a soil conservation service charge for the rate years 2024-2025, 2025-2026, 2026-2027 of \$35 per rateable assessment.

Body/Background:

Since 1999 the Shire of Katanning has supported a service charge on landowners to contribute to the cost of providing a soil conservation service. The service charge is imposed by the Minister for Agriculture acting on advice from the Katanning Land Care District Committee (LCDC) to support their continued Landcare operations within the Shire.

The Minister's approval for the service charge ceases with the 2023/24 rates assessments. If the arrangement is to continue it is necessary for the LCDC to request the Minister for Agriculture to approve the service charge for the next three years. Council must agree to the imposition of the service charge.

The steps that must be undertaken by LCDCs considering a soil conservation service charge are:

- The LCDC to pass a resolution to impose a service charge;
- The LCDC must hold a public meeting to vote on the service charge proposal;
- Recommendation of public meeting to be forwarded to Local Government; and
- Following confirmation of Local Government support, forward a recommendation to the Minister.

The public meeting was held at the Katanning Leisure Centre Pioneer Room on 20 March 2024 and was attended by 60 people. The following motion was carried;

“That a Soil Conservation Service Charge be raised under section 25A of Soil and Land Conservation Act 1945 (amended 1999). This charge to be \$35 per rateable assessment for the financial years 2024-2025, 2025-2026 and 2026-2027, for the purpose of assisting with the funding of the following projects:

- i. Katanning LCDC Landcare Officer and Community Landcare Centre*
- ii. Project development for on ground works for soil, land, and conservation activities”*

Officer's Comment:

The Katanning LCDC is a local community group that has been very effective over the past years in undertaking many land care initiatives including the Lake Ewlyamartup restoration project and Piesse Lake revegetation project. Funds raised from the levy are used by the group to leverage other grants and contributions to deliver a range of local conservation activities.

There is no question that the Katanning LCDC is undertaking valuable environmental work on behalf of the local community and their efforts are to be commended. The group's activities

align with the environmental aspirations and objectives of the Councils Strategic Community Plan 2022-2032 and Corporate Business Plan 2023-24 to 2026-27.

As outlined in the financial implications section of this report, \$19,001 remains outstanding from prior years' service charges which have been levied but remain unpaid. Further there is no overdue interest penalty charged against unpaid service charges at present, leaving Council with an opportunity cost in terms of interest income. For these reasons, changes to the historical method of administering the service charge on behalf of the LCDC are recommended.

A copy of the Minutes from and information provided at the public meeting are attached.

Statutory Environment:

Soil and Land Conservation Act 1945

The Minister, acting on advice of an LCDC, may impose a service charge on landowners to meet the cost of providing a soil conservation service.

25A. Imposition of rate or service charge

- (1) Subject to subsections (6) and (7) the Minister acting on the recommendation of the district committee for a land conservation district may, by notice published in the *Gazette*, impose a rate in respect of that district or such part of that district as is specified in the notice, and where a rate is so imposed rates shall be assessed, collected and paid on land in accordance with this Division at the rate so imposed.
- (3) Subject to subsection (5) a rate imposed under subsection (1) applies to all land within the land conservation district or part of a land conservation district, as the case may be, that is at the time of the imposition of the rate rateable land in a local government district for the purposes of Part 6 of the *Local Government Act 1995* and the amount payable by way of rates on any land —
 - (a) shall be assessed on the gross rental value of that land or unimproved value of that land, as the case may be, shown at that time in the rate record of the local government of that district; and
 - (b) is payable by the owner of that land as shown at that time in the rate record of the local government of that district.
- (3a) Subject to subsection (5), a service charge imposed under subsection (1a) —
 - (a) applies to all land within the land conservation district or part of a land conservation district, as the case may be, that is at the time of the imposition of the service charge rateable land in a local government district for the purposes of Part 6 of the *Local Government Act 1995*; and
 - (b) is payable by the owner of that land as shown at that time in the rate record of the local government of that district.
- (7) Before exercising any power conferred on him by this section the Minister shall consult with the local government of each district that is wholly or in part comprised within the land conservation district, or part of a land conservation district, in respect of which the power is proposed to be exercised.
- (8) Before imposing a service charge the Minister is to ensure that the prescribed steps have been taken or will be taken by the district committee for the land conservation district in which it is proposed to impose the service charge.
- (9) The steps that are prescribed for the purposes of subsection (8) in relation to a proposed service charge are to include —

- (a) the holding of one or more public meetings for the consideration of the service charge by persons who would be required to pay it and who attend such a meeting;
 - (b) the placing of prescribed information before any such public meeting; and
 - (c) the giving of an opportunity to persons referred to in paragraph (a) to vote at a public meeting for or against the service charge or otherwise to express their views.
- (10) Regulations made as mentioned in subsection (9)(a) in relation to public meetings are to include —
- (a) requirements to be observed in connection with the calling of any public meeting, including a requirement to give public notice of the meeting;
 - (b) provision as to the chairperson; and
 - (c) provision for the procedures to be followed, including provisions for a quorum and in respect of voting.
- (11) The imposition of a service charge is of no effect if any prescribed step is not taken or is not taken in accordance with the regulations.

Policy Implications:

Nil.

Financial Implications:

The Shire has 2,166 rateable assessments and at \$35 per assessment, the Service Charge will raise approximately \$75,810 in 24/25. The Shire receives an administration fee of 5% (approximately \$3,790 per annum).

As at 20 March 2024, \$19,001.57 remains unpaid from previous years services charges imposed in Council's rate debtor system.

Council does receive 5% of the total services charges levied to administer the service charge, however as the LCDC is reimbursed the full amount levied the Council is left out of pocket where the levy remains unpaid. Further, Council incurs legal costs recovering unpaid debts, and runs the risks that some services charges will be unrecoverable. At present no interest penalty is charged on overdue services charges.

To mitigate these risks, it is suggested that Council consider the following options.

1. requiring a higher percentage to administer the collection of the soil conservation service charges;
2. impose penalty interest on overdue soil conservation service charges and keep the interest income raised. This is consistent with the ESL levy collection of on behalf of DFES.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 - 2032

Focus Area Leadership

Aspiration Katanning is an inclusive and respectful community.

Objective To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community.

Corporate Business Plan 2023-2024 to 2026-2027

Objective NE1 – to educate the community about sustainable and green practices in the home and community.

Objective NE2 – to support and encourage vegetation and tree planting to enhance our local biodiversity.

Objective NE4 – the Shire and the community will work in partnership to manage pests through education and practice.

Objective NE5 – support and enhance local biodiversity.

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR LIZ GUIDERA

SECONDED: CR JOHN GOODHEART

OC24/24

That Council:

- 1. Endorses the Katanning Land Conservation District Committee's (LCDC) recommendation that a Soil Conservation Service Charge be raised under section 25A of Soil and Land Conservation Act 1945 (amended 1999). This charge to be \$35 per rateable assessment for the financial years 2024-2025, 2025-2026 and 2026-2027, for the purpose of assisting with the funding of the following projects:**
 - **Katanning LCDC Landcare Officer and Community Landcare Centre**
 - **Project development for on ground works for soil, land, and conservation activities; and**
- 2. Advises the Katanning LCDC that the Shire of Katanning is willing to levy and collect the service charge on their behalf for the years 2024-2025, 2025-2026 and 2026-2027 subject to**
 - a. an increase in administration fee for collection to 7.5% to cover collections costs associated with unpaid services charges and to mitigate the risk that unpaid services charges are unrecoverable.**
 - b. Impose penalty interest on overdue soil conservation service charges at a rate to be determined during the 24/25 budget process which will be retained by the Shire of Katanning.**

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR JOHN GOODHEART, CR MICHELLE SALTER, CR IAN HANNA, CR MATT COLLIS

AGAINST: NIL

Cr Liz Guidera spoke for the motion.

Cr John Goodheart spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

11. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

13. CONFIDENTIAL ITEMS

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 6:21pm.