



Shire of
Katanning
Heart of the Great Southern

'A prosperous, vibrant and diverse community working together.'

**MINUTES OF
ORDINARY COUNCIL MEETING**

Dear Council Member

Minutes of the Ordinary Council Meeting of the Shire of Katanning held on
Wednesday 23 November 2022 in the Shire of Katanning Council Chambers,
52 Austral Terrace, Katanning.

DISCLAIMER

The Council of the Shire of Katanning hereby
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 _____



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PLEASE NOTE:

Council Meetings are recorded for accuracy of minute taking.

1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

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

2. RECORD OF ATTENDANCE**PRESENT**

Presiding Member: Cr Liz Guidera - President

Members: Cr Kristy D'Aprile
Cr Matt Collis
Cr Serena Sandwell
Cr Adrian Edwards
Cr Michelle Salter

Council Officers: Julian Murphy, Chief Executive Officer
Denise Gobbart, Executive Manager Corporate & Community
Taryn Human, Executive Assistant Governance

Gallery: Nil.

Media: Nil.

Apologies: Sam Bryce, Executive Manager Infrastructure & Assets

Leave of Absence: Cr John Goodheart – Deputy President

3. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

4. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS

13.1 Cr Matt Collis 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 – Thursday 27 October 2022
(SEE ATTACHED MINUTES)

Voting Requirement: Simple Majority

MOVED: CR ADRIAN EDWARDS

SECONDED: CR KRISTY D'APRILE

OC126/22 That the minutes of the Ordinary Council Meeting held on Thursday 27 October 2022 confirmed as a true record of proceedings.

CARRIED: 6/0

10. REPORTS OF COMMITTEES AND OFFICERS**10.1 EXECUTIVE MANAGER INFRASTRUCTURE AND ASSETS**

Nil.

10.2 EXECUTIVE MANAGER CORPORATE AND COMMUNITY

10.2.1 Schedule of Accounts – October 2022 (ATTACHMENTS)

File Ref: FM.FI.4
Reporting Officer: Shenae Watts, Creditors Officer
Date Report Prepared: 03 November 2022
Disclosure of Interest: No Interest to disclose

Issue:

To receive the Schedule of Accounts Paid for the period ending 31 October 2022.

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 2022/23	EFT Payments 2022/23	Direct Debits 202/23	Credit Card 2022/23	Payroll 2022/23	Total Payments 2022/23
July	672.95	584,524.53	34,881.30	4,016.22	228,797.92	852,892.92
August	1,174.70	743,845.96	56,000.45	5,124.34	339,745.15	1,145,890.60
September	17,440.10	1,061,609.49	38,513.01	2,459.81	232,125.09	1,352,147.5
October	6,213.62	751,661.97	45,865.71	5,536.97	249,516.66	1,058,794.93
November						
December						
January						
February						
March						
April						
May						
June						
Total	25,501.37	3,141,641.95	175,260.47	17,137.34	1,050,184.82	4,409,725.95

Officer's Comment:

The schedule of accounts for the month of October 2022 are attached.

The Finance Forum held on 10 October 2022 gave attending Councillors an opportunity to ask questions regarding the presented accounts paid.

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 KRISTY D'APRILE

SECONDED: CR MICHELLE SALTER

OC127/22 That Council endorses the Schedule of Accounts as presented, being cheques 42425 - 42428 totalling \$6,213.62, EFT payments 34840 – 35026 totalling \$751,661.97, payroll payments totalling \$249,516.66, direct payments totalling \$45,865.71 and credit card payments totalling \$5,536.97 authorised and paid in October 2022.

CARRIED: 6/0

10.2.2 Monthly Financial Report – September 2022 **(ATTACHMENTS)**

File Ref: FM.FI.4
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Report Prepared: 15 November 2022
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 30 September 2022.

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

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.

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 Note 17 of the Monthly Financial Report.

Officer's Comment:

A variance report is included with the monthly financial statement's attachment.

The budget was adopted 25 August 2022 and this report reflects the adopted budget. It is noted that monthly depreciation is not run until after the prior year audit has been signed off.

The Finance Forum held on 10 November 2022 gave attending Councillors an opportunity to ask questions regarding the presented financial statements.

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)

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 SERENA SANDWELL

SECONDED: CR KRISTY D'APRILE

OC128/22 That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receive the Monthly Statement of Financial Activity for the period ending 30 September 2022, as presented.

CARRIED: 6/0

10.2.3 Monthly Financial Report – October 2022 **(ATTACHMENTS)**

File Ref: FM.FI.4
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Report Prepared: 15 November 2022
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 31 October 2022.

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

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.

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 Note 17 of the Monthly Financial Report.

Officer's Comment:

A variance report is included with the monthly financial statement's attachment.

The budget was adopted 25 August 2022 and this report reflects the adopted budget. It is noted that monthly depreciation is not run until after the prior year audit has been signed off.

The Finance Forum held on 10 November 2022 gave attending Councillors an opportunity to ask questions regarding the presented financial statements.

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)

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 KRISTY D'APRILE

SECONDED: CR MATT COLLIS

OC129/22 That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receive the Monthly Statement of Financial Activity for the period ending 31 October 2022, as presented.

CARRIED: 6/0

10.2.4 Disposal of Land Assets – Vested Reserves

File Ref: A184
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Date Report Prepared: 11 November 2022
Disclosure of Interest: No Interest to disclose.

Issue:

For Council to consider and endorse the removal of land included in our Asset Register that are not owned freehold.

Body/Background:

On review of our Asset Register for the recent Fair Value revaluation, it was identified that the following are land parcels are reserves vested with the Shire:

- LB0047 – Lot 134 Clime Road - Speedway Reserve 39743
- LB0071 – Lot 68 Van Zuilecom Road - Gravel Reserve 11272
- LB0077 – Lots 962 465 466 588 & 459 Piesse Street – Thompson Park Reserve 14814
- LB0085 – Lot 995 Great Southern Highway – Kupara Park Reserve 27092

As the above four (4) land parcels are reserves vested with the Shire of Katanning, they are not eligible to be recorded on the Asset Register. It appears that LB0047 has been listed since the revaluation for 30 June 2013 and the others listed when the revaluation for 30 June 2017.

As of 01 July 2021, these land assets overstated the value of the Shire’s assets by a total of \$145,300. The land parcels had the following values:

- LB0047 – Speedway \$ 22,000
- LB0071 – Gravel \$ 6,300
- LB0077 - Thompson Park \$ 17,000
- LB0085 – Kupara Park \$100,000

Prior to the revaluation LB0077 and LB0085 were identified as reserves vested with the shire and no new valuations were obtained. Not having identified LB0047 and LB0071 as reserves meant that new valuations were obtained, and the following values were issued:

- LB0047 – Speedway \$88,000
- LB0071 – Gravel \$30,000

Officer’s Comment:

It is proposed that these four (4) reserves be removed from the Asset Register. Depending on materiality provisions, we may be required to do a prior year adjustment, to reflect the changes. This would not impact on the financial report for the period ended 30 June 2021, instead it would be reflected by notes in the financial report for the period ended 30 June 2022.

Statutory Environment:

Local Government Act 1995

6.10. Financial management regulations

Regulations may provide for —

- (a) the security and banking of money received by a local government; and
- (b) the keeping of financial records by a local government; and
- (c) the management by a local government of its assets, liabilities and revenue; and
- (d) the general management of, and the authorisation of payments out of —

- (i) the municipal fund; and
- (ii) the trust fund, of a local government.

Local Government (Financial Management) Regulations 1996

17A. Valuation of certain assets for financial reports

(1) In this regulation —

carrying amount, in relation to a non-financial asset, means the carrying amount of the non-financial asset determined in accordance with the AAS;

fair value, in relation to a non-financial asset, means the fair value of the non-financial asset measured in accordance with the AAS;

right-of-use asset, of a local government, includes the local government's right to use —

(a) Crown land; or

(b) other land that is not owned by the local government,

that is vested in the local government at nil or nominal cost for an indefinite period for the purpose of roads or for any other purpose;

vested improvement, in relation to a local government, means a pre-existing improvement on land of which the care, control or management is vested in the local government at nil or nominal cost for an indefinite period.

(2) A local government must show in each financial report for a financial year ending on or after 30 June 2020 —

(a) the fair value of all of the non-financial assets of the local government that are —

(i) land and buildings that are classified as property, plant and equipment; or

(ii) investment properties; or

(iii) infrastructure; or

(iv) vested improvements that the local government controls;

and

(b) the carrying amount of all of the non-financial assets of the local government that are plant and equipment type assets measured using the cost model in accordance with the AAS; and

(c) the carrying amount of all of the right-of-use assets of the local government (other than vested improvements referred to in paragraph (a)(iv)) measured using the cost model in accordance with the AAS.

[(3) deleted]

(4) A local government must revalue a non-financial asset of the local government referred to in subregulation (2)(a) —

(a) whenever the local government is of the opinion that the fair value of the asset is likely to be materially different from its carrying amount; and

(b) in any event, within a period of no more than 5 years after the day on which the asset was last valued or revalued.

(5) A non-financial asset is to be excluded from the assets of a local government if the fair value of the asset as at the date of acquisition by the local government is under \$5 000.

Policy Implications:

There are no policy implications for this report.

Financial Implications:

The disposal of these assets from the Asset Register would reduce our Property, Plant and Equipment non-current assets by a total of \$145,300.

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 ADRIAN EDWARDS

SECONDED: CR KRISTY D'APRILE

OC130/22 That Council endorses the disposal of assets listed below, as they are all land Reserves Vested with the Shire:

- **LB0047 – Lot 134 Clime Road**
- **LB0071 – Lot 68 Van Zuilecom Road**
- **LB0077 – Lots 962 465 466 588 & 459 Piesse Street**
- **LB0085 – Lot 995 Great Southern Highway**

CARRIED BY ABSOLUTE MAJORITY: 6/0

Cr Kristy D'Aprile spoke for the motion.

10.3 CHIEF EXECUTIVE OFFICER'S REPORTS

Nil.

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

Nil.

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

Nil.

13. CONFIDENTIAL ITEMS**PROCEDURAL MOTION**

MOVED: CR SERENA SANDWELL

SECONDED: CR KRISTY D'APRILE

OC131/22 That Council closes the meeting to the public to consider the following items:

- **Katanning Community Citizen of the Year Awards 2023**
- **Nomination for Freeman of the Shire of Katanning**
- **Outstanding Sundry Debtors – Infringements**
- **Disposal of Land for Non-Payment of Rates A84**
- **Disposal of Land for Non-Payment of Rates A569**

CARRIED: 6/0

Cr Matt Collis disclosed an interest affecting impartiality as he is the chair of the nominated organisation.

13.1 Katanning Community Citizen of the Year Awards 2023
(ATTACHMENT)

File Ref: CR.AW.2
Reporting Officer: Natassia Shirazee, Community Relations Officer
Date Report Prepared: 3 November 2022
Disclosure of Interest: No interest to disclose

Reason for Confidentiality

The Officer's Report is confidential in accordance with section 5.23(2)(b) of the Local Government Act because it deals with the personal affairs of persons. The Officer's Report has been provided to Council under separate cover.

Voting Requirement: Simple Majority

Committee Recommendation/Council Motion:

MOVED: CR KRISTY D'APRILE

SECONDED: CR SERENA SANDWELL

OC132/22 That Council endorses the recommendations of the Shire of Katanning Honours and Awards Committee for the 2023 Community Citizen of the Year Awards and the Katanning Community Long Service Award.

CARRIED: 6/0

Cr Kristy D'Aprile spoke for the motion.

Cr Michelle Salter spoke for the motion.

13.2 Nomination for Freeman of the Shire of Katanning

File Ref: GV.PO.1
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 26 October 2022
Disclosure of Interest: No interest to disclose

Reasons for Confidentiality

The officer's report is confidential because it deals with a matter relating to the personal affairs of a person in accordance with Section 5.23(2)(b) of the Local Government Act 1995.

Voting Requirement: Simple Majority

Committee Recommendation/Council Motion:

MOVED: CR ADRIAN EDWARDS

SECONDED:

OC133/22 That Council endorses the Shire of Katanning Honours and Awards Committee recommendation as contained within the body of this report.

THE MOTION LAPSED FOR WANT OF A SECONDER.

13.3 **Outstanding Sundry Debtors - Infringements**
(ATTACHMENT)

File Ref: FM.DT.10
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Date Report Prepared: 11 November 2022
Disclosure of Interest: Nil

Reasons for Confidentiality

The officer's report is confidential because it deals with a matter relating to the personal affairs of a person in accordance with Section 5.23(2)(b) of the Local Government Act 1995.

Council Motion:

MOVED: CR KRISTY D'APRILE **SECONDED: CR MATT COLLIS**

OC134/22 That Council suspends standing orders.

Voting Requirement: Simple Majority

CARRIED: 6/0

Council Motion:

MOVED: CR SERENA SANDWELL **SECONDED: CR KRISTY D'APRILE**

OC135/22 That Council resumes standing orders.

Voting Requirement: Simple Majority

CARRIED: 6/0

Officer's Recommendation/Council Motion:

Voting Requirement: Simple Majority

MOVED: CR KRISTY D'APRILE **SECONDED: CR MATT COLLIS**

OC136/22 That Council:

- 1. Writes off of all invoices associated with infringements as listed, totalling \$5,092.50, as they have been incorrectly recognised as revenue;**
- 2. Writes off invoices 38822, 38823, 39050, 39051, 41619, 41620, 41622, 41278, 42519 and 42879 associated with hazard reduction works, totalling \$2,598.90 as the debt is no longer recoverable due to transfer of ownership;**
- 3. Writes off invoices 32946 and 34026 associated with legal expenses, totalling \$870.03 as the debts are no longer recoverable due to the age of the debts; and**
- 4. Transfers of all invoices associated with hazard reduction works to the relevant rate assessment, totalling \$11,721.40 as these debts are recoverable against the property.**

CARRIED: 6/0

13.4 Disposal of Land for Non-Payment of Rates A84

File Ref: A84
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Date Report Prepared: 15 November 2022
Disclosure of Interest: No Interest to disclose.

Reasons for Confidentiality

The officer's report is confidential because it deals with a matter relating to the personal affairs of a person in accordance with Section 5.23(2)(b) of the Local Government Act 1995.

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR SERENA SANDWELL

SECONDED: CR KRISTY D'APRILE

OC137/22 That Council, pursuant to Section 6.64(1)(b) of the Local Government Act 1995, proceeds to sell the property Assessment 84 which has rates in arrears for 3 or more years, and recover from the proceeds of sale the outstanding balances.

CARRIED: 6/0

13.5 **Disposal of Land for Non-Payment of Rates A569**

File Ref: A569
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Date Report Prepared: 15 November 2022
Disclosure of Interest: No Interest to disclose.

Reasons for Confidentiality

The officer's report is confidential because it deals with a matter relating to the personal affairs of a person in accordance with Section 5.23(2)(b) of the Local Government Act 1995.

Council Motion:

MOVED: CR KRISTY D'APRILE **SECONDED: CR SERENA SANDWELL**

OC138/22 **That Council suspends standing orders.**

Voting Requirement: Simple Majority

CARRIED: 6/0

Council Motion:

MOVED: CR SERENA SANDWELL **SECONDED: CR MICHELLE SALTER**

OC139/22 **That Council resumes standing orders.**

Voting Requirement: Simple Majority

CARRIED: 6/0

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR SERENA SANDWELL **SECONDED: CR MICHELLE SALTER**

OC140/22 **That Council, pursuant to Section 6.64(1)(b) of the Local Government Act 1995, proceeds to sell the property Assessment 569 which has rates in arrears for 3 or more years, and recover from the proceeds of sale the outstanding balances.**

CARRIED: 6/0

PROCEDURAL MOTION

Voting Requirement: Simple Majority

MOVED: CR SERENA SANDWELL **SECONDED: CR KRISTY D'APRILE**

OC141/22 **That Council reopens the meeting to the public.**

CARRIED: 6/0

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 6:26pm.