



Shire of
Katanning
Heart of the Great Southern

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

**NOTICE OF
SPECIAL COUNCIL MEETING**

Dear Council Member

A Special Council Meeting of the Shire of Katanning will be held on
Thursday 9 February 2023 in the Shire of Katanning Council Chambers,
52 Austral Terrace, Katanning, commencing at 6.45pm.

Julian Murphy
CHIEF EXECUTIVE OFFICER
6 February 2023

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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1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISTORS

The Presiding Member declared the meeting open at ____ pm.

2. RECORD OF ATTENDANCE**PRESENT**

Presiding Member: Cr Liz Guidera - President

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

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

Gallery:

Media:

Apologies: Sam Bryce, Executive Manager Infrastructure and Assets
Cr John Goodheart – Deputy President

Leave of Absence:

3. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**4. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS****5. PUBLIC QUESTION/STATEMENT TIME****6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****6.1 Audit and Risk Committee Meeting – Wednesday 8 February 2023**
(SEE ATTACHED MINUTES)

Voting Requirement: Simple Majority

MOVED:

SECONDED:

OC/22 That Council receives the minutes of the Audit and Risk Committee Meeting held on Wednesday 8 February 2023.

CARRIED/LOST:

7. REPORTS OF COMMITTEES AND OFFICERS**7.1 AUDIT AND RISK COMMITTEE MEETING****7.2 Shire of Katanning Annual Report 2021/22**
(ATTACHMENTS)

File Ref: FM.AU.2

Reporting Officer: Denise Gobbart, Executive Manager Finance & Administration

Date Report Prepared: 1 February 2023

Issue:

For the Audit & Risk Committee to recommend that Council adopts the Annual Report for the year ended 30 June 2022.

Body/Background:

The Annual Financial Report for the year ended 30 June 2022 was presented to the Shire of Katanning's auditor prior to 30 September 2021. The auditors undertook the annual site visit between the 12 and 14 September 2022. The Audit Exit meeting was held Monday 12 December 2022 with the audit signed off Wednesday 14 December 2022.

Section 5.54 'Acceptance of Annual Reports' by the *Local Government Act 1995* requires an Annual Report to be accepted by Council by 31 December in each year unless the Auditor's Report is not available in time. The *Local Government Act 1995* Section 5.42(2) requires that if

the Annual Report is not accepted by the Local Government by 31 December, then it must be presented within two (2) months of the Auditors Report becoming available.

Officer's Comment:

The completion of the audit and the annual financial report confirms the financial data for the 2021/22 year including the carried forward position at the 30 June 2022.

During the current year, no new or revised Australian Accounting standards and Interpretations were compiled, became mandatory and were applicable to our operations.

In the Independent Auditor's Report, the following was noted:

In my opinion, the financial report is:

- *based on proper accounts and records.*
- *Presents fairly, in all material respects, the results of the operations of the Shire for the year ended 30 June 2022 and its financial position at the end of that period.*
- *In accordance with the Local Government Act 1995 (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.*

The report did not identify any significant adverse trend or any matters of non-compliance with the Act or applicable financial controls of any other relevant written law during the course of the audit.

Statutory Environment:

Local Government Act 1995

Section 5.53 Annual Reports

(1) The local government is to prepare an annual report for each financial year.

(2) The annual report is to contain —

- (a) a report from the mayor or president; and
- (b) a report from the CEO; and
- [(c), (d) deleted]
- (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and
- (f) the financial report for the financial year; and
- (g) such information as may be prescribed in relation to the payments made to employees; and
- (h) the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and
- (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and
- (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —
 - (i) the number of complaints recorded in the register of complaints; and
 - (ii) how the recorded complaints were dealt with; and
 - (iii) any other details that the regulations may require; and
- (i) such other information as may be prescribed

Section 5.54 Acceptance of Annual Reports

(1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

* *Absolute majority required.*

- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Section 5.55 Notice of Annual Reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

Section 5.55A Publication of Annual Reports

The CEO is to publish the annual report on the local government's official website within 14 days after the report has been accepted by the local government.

Policy Implications:

There are no policy implications for this report.

Financial Implications:

It is estimated that advertising costs of the availability of the Annual Report and the Annual Electors General meeting will be \$600 which will be charged to account 102140 Advertising & Promotion.

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.

Officer's Recommendation/Council Motion:

Voting Requirement: Absolute Majority

ARC/22

That Council:

- 1. In accordance with Sections 5.53 and 5.54 of the Local Government Act 1995, accepts the Annual Report for the 2021/22 financial year; and**
- 2. In accordance with Section 5.55 of the Local Government Act 1995 authorises the Chief Executive Officer to give public notice of the availability of the Annual Report from Wednesday 15 February 2023.**

CARRIED/LOST:

7.3 2021/22 Annual Electors General Meeting

File Ref: FM.AU.2
Reporting Officer: Denise Gobbart, Executive Manager Finance & Administration
Date Report Prepared: 1 February 2023

Issue:

For the Audit & Risk Committee to recommend that Council endorse the date for the Annual General Meeting set by the Chief Executive Officer.

Body/Background:

The Annual Electors General Meeting is to be held within 56 days of the local government accepting the Annual Report.

A requirement of setting the date is that 14 days local public notice is required for advertising the meeting. Providing the Annual Report is endorsed at the Special Council Meeting proposed on 10 February 2023, it is recommended that this be held after the March Council Meeting which is scheduled on 23 March 2023.

Officer's Comment:

Council is requested to endorse the date proposed, in accordance with the *Local Government Act*, for the Annual Electors Meeting.

Statutory Environment:

Local Government Act 1995

5.27 Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

Local Government (Administration) Regulation 1996

15 Matters to be discussed at general meeting (Act s. 5.27(3))

For the purposes of section 5.27(3), the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

Local Government Act 1995

5.29 Convening electors' meetings

- (1) The CEO is to convene an electors' meeting by giving —
 - (a) at least 14 days' local public notice; and
 - (b) each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.
- (2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time the notice is first given and is to continue in the prescribed way until the meeting has been held.

Policy Implications:

There are no policy implications for this report.

Financial Implications:

It is estimated that advertising costs of the availability of the Annual Report and the Annual Electors General meeting will be \$600 which will be charged to account 102140 Advertising & Promotion.

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.

Officer's Recommendation/Council Motion:

Voting Requirement: Simple Majority

ARC/22 That Council holds the Annual General Meeting of Electors on Thursday 23 March 2023 at 7.00pm at the Shire of Katanning Council Chambers.

CARRIED/LOST:

7.2 EXECUTIVE MANAGER CORPORATE AND COMMUNITY

8. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at ___ pm.