



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 will be held on
Thursday 24 February 2022 in the Shire of Katanning Council Chambers,
52 Austral Terrace.

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 7:00pm.

2. RECORD OF ATTENDANCE**PRESENT**

Presiding Member: Cr Liz Guidera - President

Members: Cr John Goodheart – Deputy President
Cr Kristy D’Aprile
Cr Matt Collis
Cr Adrian Edwards
Cr Serena Sandwell

Council Officers: Julian Murphy, Chief Executive Officer
Denise Gobbart, Executive Manager Corporate & Community
Cherrie Campbell, Executive Officer Infrastructure & Development

Gallery: Nil.

Media: Shaun Van Der Wielen

Apologies: Cr Michelle Salter
Sam Bryce, Executive Manager Infrastructure & Assets

Leave of Absence: Nil.

3. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

We acknowledge the passing of Phil Rae and convey our condolences to his family. Phil held the office of President at the Shire of Katanning for 6 years from 2003 to 2009 after first being sworn in as a Councillor in 2001.

4. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE**Tanya Beavan Question – OCM 12/21**

Tanya Beavan stated that there was an unknown road name which leads from the end of Schultz Road to her property and would like the road to be called Beavan Place.

Shire Administration Response

A response to Mrs Beavan's previous enquiry on this matter was provided to Mrs Beavan by the Shire Administration on 10 November 2021.

An application to name an unnamed road/name change must be submitted by the Local Government to Landgate. Mrs Beavan is requested to formally write to the Shire and request support for the application to name the currently unnamed road abutting her property. The following information is requested:

1. The reason for the name change
2. Length of the road (and how it relates to the request)
3. Location of the road (and how it relates to the request)
4. Current utilisation of the road (Volume of traffic, Bush fire zone criteria and criticality of the road to service emergency services)

5. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS

13.3 Cr Adrian Edwards Disclosure of Interest Affecting Impartiality

6. PUBLIC QUESTION/STATEMENT TIME

Nil.

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

8. PETITIONS/DEPUTATIONS/PRESENTATIONS

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**9.1 Ordinary Council Meeting – Tuesday 21 December 2021**
(SEE ATTACHED MINUTES)

Voting Requirement: Simple Majority.

MOVED: CR SERENA SANDWELL

SECONDED: CR ADRIAN EDWARDS

OC04/22 That the minutes of the Ordinary Council Meeting held on Tuesday 21 December 2021 confirmed as a true record of proceedings.

CARRIED: 6/0

9.2 Special Council Meeting – Tuesday 8 February 2022
(SEE ATTACHED MINUTES)

Voting Requirement: Simple Majority.

MOVED: CR MATT COLLIS

SECONDED: CR JOHN GOODHEART

OC05/22 That the minutes of the Special Council Meeting held on Tuesday 8 February 2022 confirmed as a true record of proceedings.

CARRIED: 6/0

10. REPORTS OF COMMITTEES AND OFFICERS

Nil.

10.1 EXECUTIVE MANAGER INFRASTRUCTURE AND ASSETS

Nil.

10.2 EXECUTIVE MANAGER CORPORATE AND COMMUNITY

10.2.1 Schedule of Accounts (ATTACHMENTS)

File Ref: FM.FI.4
Reporting Officer: Shenae Watts, Creditor Officer
Date Report Prepared: 10 January 2022
Disclosure of Interest: No Interest to disclose

Issue:

To receive the Schedule of Accounts Paid for the period ending 31 December 2021.

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 2021/22	EFT Payments 2021/22	Direct Debits 2021/22	Credit Card 2021/22	Payroll 2021/22	Trust 2021/22	Total Payments 2021/22
July	559.90	1,239,701.92	39,737.04	5,458.49	234,583.47	0.00	1,520,040.82
August	2,173	648,801.21	34,876.21	4,237	240,430.70	0.00	930,518.12
September	17,051.30	1,267,827.19	56,741.47	4,564.28	351,445.88	0.00	1,697,630.12
October	1,089.80	801,203.05	42,674.11	2,515.16	247,451.36	0.00	1,094,933.48
November	570.10	501,263.03	245,004.62	2,809.49	241,336.44	0.00	990,983.68
December	1,261.55	993,082.18	37,012.47	5,026.75	252,165.66	0.00	1,288,548.61
January							
February							
March							
April							
May							
June							
Total	22,705.65	5,451,878.58	456,045.92	24,611.17	1,567,413.51	0.00	7,522,654.83

Officer's Comment:

The schedule of accounts for the month of December 2021 are attached.

The Finance Forum held on 10 February 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 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

Voting Requirement: Simple Majority.

Officer's Recommendation/Council Motion:

MOVED: CR KRISTY D'APRILE

SECONDED: CR SERENA SANDWELL

OC06/22 That Council endorses the Schedule of Accounts as presented, being cheques 42398 - 42400 totalling \$1,261.55, EFT payments 33186-33428 totalling \$993,082.18, payroll payments totalling \$252,165.66, direct payments totalling \$37,012.47 and credit card payments totalling \$5,026.75 authorised and paid in December 2021.

CARRIED: 6/0

Cr Kristy D'Aprile spoke for the motion.

10.2.2 Schedule of Accounts (ATTACHMENTS)

File Ref: FM.FI.4
Reporting Officer: Shenae Watts, Creditor Officer
Date Report Prepared: 01 February 2022
Disclosure of Interest: No Interest to disclose

Issue:

To receive the Schedule of Accounts Paid for the period ending 31 January 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 2021/22	EFT Payments 2021/22	Direct Debits 2021/22	Credit Card 2021/22	Payroll 2021/22	Trust 2021/22	Total Payments 2021/22
July	559.90	1,239,701.9 2	39,737.04	5,458.49	234,583.47	0.00	1,520,040.8 2
August	2,173	648,801.21	34,876.21	4,237	240,430.70	0.00	930,518.12
September	17,051.30	1,267,827.1 9	56,741.47	4,564.28	351,445.88	0.00	1,697,630.1 2
October	1,089.80	801,203.05	42,674.11	2,515.16	247,451.36	0.00	1,094,933.4 8
November	570.10	501,263.03	245,004.6 2	2,809.49	241,336.44	0.00	990,983.68
December	1,261.55	993,082.18	37,012.47	5,026.75	252,165.66	0.00	1,288,548.6 1
January	234.00	393,674.49	36,350.37	3,667.86	221,208.16	0.00	655,134.88
February							
March							
April							
May							
June							
Total	22,939.65	5,845,553.0 7	492,396.2 9	28,279.03	1,788,621.6 4	0.00	8,177,789.7 1

Officer's Comment:

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

The Finance Forum held on 10 February 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 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

Voting Requirement: Simple Majority.

Officer's Recommendation/Council Motion:

MOVED: CR KRISTY D'APRILE

SECONDED: CR SERENA SANDWELL

OC07/22 That Council endorses the Schedule of Accounts as presented, being cheques 42401 totalling \$234.00, EFT payments 33429-33497 totalling \$393,674.49, payroll payments totalling \$221,208.16, direct payments totalling \$36,350.37 and credit card payments totalling \$3,667.86 authorised and paid in January 2022.

CARRIED: 6/0

10.2.3 Monthly Financial Report **(ATTACHMENTS)**

File Ref: FM.FI.4
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Report Prepared: 02 February 2022

Body/Background:

This item presents the Monthly Financial Report, which contains the 'Statement of Financial Activity' for the period ending 31 December 2021.

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 31 August 2021 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 February 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 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

Officer's Recommendation/Council Motion:**Voting Requirement:** Simple Majority.**MOVED: CR SERENA SANDWELL****SECONDED: CR ADRIAN EDWARDS**

OC08/22 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 December 2021, as presented.

CARRIED: 6/0

10.2.4 Monthly Financial Report **(ATTACHMENTS)**

File Ref: FM.FI.4
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Report Prepared: 03 February 2022

Body/Background:

This item presents the Monthly Financial Report, which contains the 'Statement of Financial Activity' for the period ending 31 January 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 31 August 2021 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 February 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 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

Officer's Recommendation/Council Motion:**Voting Requirement:** Simple Majority.**MOVED:** CR KRISTY D'APRILE**SECONDED:** CR SERENA SANDWELL

OC09/22 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 January 2022, as presented.

CARRIED: 6/0

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**

Voting Requirement: Simple Majority.

MOVED: KRISTY D'APRILE

SECONDED: SERENA SANDWELL

OC10/22 That Council closes the meeting to the public to consider the following item:

- **A3414 – Rubbish Bin Charges Refund**
- **Unit 4 Amherst Village – Offer**
- **Disposal of Property RFT 02-2021**

CARRIED: 6/0

Members of the public left the room at 7.10pm.

13.1 **A3414 – Rubbish Bin Charges Refund**

File Ref: A3414

Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community

Date Report Prepared: 05 January 2022

Disclosure of Interest: No Interest to disclose

Reason for Confidentiality

Confidential Item – 5.23 (2) (e) (iii) a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.

Voting Requirement: Simple Majority

PROCEDURAL MOTION:

Voting Requirement: Simple Majority.

MOVED: CR KRISTY D'APRILE

SECONDED: CR SERENA SANDWELL

OC11/22 That Council suspends standing orders.

CARRIED 6/0

PROCEDURAL MOTION:

Voting Requirement: Simple Majority.

MOVED: CR KRISTY D'APRILE

SECONDED: CR ADRIAN EDWARDS

OC12/22 That Council resumes standing orders.

CARRIED 6/0

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR JOHN GOODHEART

SECONDED: CR SERENA SANDWELL

OC13/22 That Council, ex-gratia refund \$356 for the additional bin service charge levied in 2020/21 bin for Assessment A3414.

CARRIED: 6/0

13.2 **Unit 4 Amherst Village - Offer**

File Ref: CP.RE.1

Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community

Date Report Prepared: 14 February 2022

Disclosure of Interest: No Interest to disclose

Reason for Confidentiality

Confidential Item – 5.23 (2) (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

Voting Requirement: Simple Majority

PROCEDURAL MOTION:

Voting Requirement: Simple Majority

MOVED: CR JOHN GOODHEART

SECONDED: CR MATT COLLIS

OC14/22 That Council suspends standing orders.

CARRIED: 6/0

PROCEDURAL MOTION:

Voting Requirement: Simple Majority.

MOVED: CR SERENA SANDWELL

SECONDED: CR JOHN GOOHDEART

OC15/22 That Council resumes standing orders.

CARRIED: 6/0

Voting Requirement: Absolute Majority

Officer's Recommendation/Council Motion:**MOVED: CR SERENA SANDWELL****SECONDED: CR KRISTY D'APRILE****OC16/22****That Council:**

- 1. Accepts the offer made by Mr Harold & Mrs Ann Norrish for the sum of \$80,000 for Unit 4 Amherst Village;**
- 2. Authorise the Shire President and Chief Executive Officer to affix the common seal on the Amherst Village Residency Agreement with Mr Harold & Mrs Ann Norrish; and**
- 3. Authorise the transfer of \$80,000 to the Amherst Village Refundable Deposits Reserve.**

CARRIED BY AN ABSOLUTE MAJORITY: 6/0

Cr Serena Sandwell spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

13.3 Disposal of Property RFT 02-2021**File Ref:** FM.TE.1**Reporting Officer:** Denise Gobbart, Executive Manager Corporate & Community**Date Report Prepared:** 14 February 2022**Disclosure of Interest:** No Interest to disclose**Reason for Confidentiality**

Confidential Item – 5.23 (2) (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

Voting Requirement: Simple Majority.**Officer's Recommendation:****MOVED: CR SERENA SANDWELL****SECONDED: CR MATT COLLIS****OC17/22****That Council awards Tender RFT 02-2021 to Jefferies Bros, in accordance with the tender submission for a period of 3 years and authorise the CEO to proceed with the proposed disposition of land in accordance with Section 3.58(3) of the *Local Government Act*, prior to 22 April 2022.****LOST: 0/6**

Cr Serena Sandwell spoke for the motion.

Cr Kristy D'Aprile spoke against the motion.

Cr John Goodheart spoke against the motion.

Cr Liz Guidera spoke against the motion.

Council Motion:**MOVED: CR KRISTY D'APRILE****SECONDED: CR JOHN GOODHEART**

OC18/22 That Council awards the Tender TRF 02-2021 to Katanning Wanderers Football Club, in accordance with the tender submission for a period of 3 years and authorise the CEO to proceed with the proposed disposition of land in accordance with Section 3.58 (3) of the Local Government Act, prior to 22 April 2022.

CARRIED: 6/0

PROCEDURAL MOTION**Voting Requirement:** Simple Majority**MOVED: CR SERENA SANDWELL****SECONDED: CR ADRIAN EDWARDS**

OC19/22 That Council reopens the meeting to the public.

CARRIED: 6/0

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 7:23pm.