



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
Thursday 27 October 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 John Goodheart – Deputy President
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:

3. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

President Liz Guidera said she would like to acknowledge the work done by Jill Kowald and Rosalie Baxter for another very successful Agriculture Show. She said this event is wonderful for our community and thanked them for their hard work.

4. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS

10.1.1	Cr Kirsty D'Aprile	Disclosure of Financial Interest
10.3.2	Cr Kristy D'Aprile	Disclosure of Interest Affecting Impartiality

6. PUBLIC QUESTION/STATEMENT TIME

Nil.

7. APPLICATIONS FOR LEAVE OF ABSENCE**7.1 Application for Leave of Absence Cr John Goodheart**

Voting Requirement: Simple Majority

MOVED: CR KRISTY D'APRILE

SECONDED: CR JOHN GOODHEART

OC114/22 That Council grants Cr John Goodheart leave of absence for November 2022.

CARRIED: 7/0

8. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**9.1 Ordinary Council Meeting – Wednesday 21 September 2022
(SEE ATTACHED MINUTES)**

Voting Requirement: Simple Majority

MOVED: CR SERENA SANDWELL

SECONDED: CR JOHN GOODHEART

OC115/22 That the minutes of the Ordinary Council Meeting held on Wednesday 21 September 2022 confirmed as a true record of proceedings.

CARRIED: 7/0

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

Cr Kristy D'Aprile disclosed a financial interest to Item 10.1.1 as she is the owner of the property and left the room at 6.03pm.

10.1.1 Development Application – Proposed Oversize Outbuilding (i.e. Domestic Storage Shed)

Attachment 1 – Site Development Plan & Floorplan / Elevation Drawings

File Ref: A3556
Reporting Officer: Joe Douglas – Town Planner
Date Report Prepared: 14 October 2022
Disclosure of Interest: No Interest to disclose

Issue:

Consideration and determination of a development application submitted by Shane and Kristy D'Aprile (Landowners) for the construction and use of a proposed new 144m² steel framed, Colorbond clad outbuilding (i.e. shed) on Lot 9999 (No.4) Gardenia Street, Katanning for domestic storage purposes.

Background:

Shane and Kristy D'Aprile (Landowners) have prepared and submitted a development application requesting Council's approval to construct and use a proposed new 144m² steel framed, Colorbond clad outbuilding (i.e. shed) on Lot 9999 (No.4) Gardenia Street, Katanning for domestic storage purposes.

Lot 9999 is located centrally in the northern extremities of the Katanning townsite, comprises a total area of approximately 2.44 hectares and is gently sloping from north-east to south-west.

The subject land has direct frontage and access to Warren Road along its western boundary and Gardenia Street along its eastern boundary, both of which are sealed and drained local roads under the care, control and management of the Shire of Katanning.

The property contains an existing double storey dwelling, attached garage and various associated improvements in its north-eastern portion including a 2.56m² outbuilding, a 24m² outbuilding and 113m² horse stables to the south-east in close proximity to Gardenia Street with the remaining balance portion of the land containing a large open paddock, a few scattered mature trees, and unsealed driveways.

Lot 9999 is not designated as being flood prone and contains no buildings or places of cultural heritage significance. The northern-most part of the property has however been designated by the Fire and Emergency Services Commissioner as being bushfire prone with a portion of the new outbuilding proposed to be constructed within this bushfire prone area. Notwithstanding this fact, as the proposed outbuilding is not habitable and will not result in an increase of visitors, residents or employees, a bushfire attack level assessment and bushfire management plan are not required in support of the development application due to the exemption afforded by *State Planning Policy 3.7 – Planning in Bushfire Prone Areas* and the associated guidelines.

Existing adjoining and other nearby land uses are broadly described as follows:

- North: Low density residential development on lots comprising an average area of approximately 820m² and a large public recreation reserve and rural living-type development beyond;
- South: A primary school and old winery and distillery (i.e. the former Piesse's Winery) with low density residential development beyond;
- East: Low density residential development on lots comprising an average area of approximately 850m² and a medium size public recreation reserve beyond; and
- West: Low density residential development on lots comprising an average area of approximately 1.3 hectares and a large public recreation reserve beyond

Comment:

Lot 9999 is classified 'Residential' zone in the Shire of Katanning Local Planning Scheme No.5 (LPS5) with a density coding of R25.

Under the terms of LPS5 and the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* the development of an outbuilding in association with a single house is listed as a permitted (i.e. 'P') use on any land classified 'Residential' zone provided it satisfies the deemed-to-comply requirements of the Residential Design Codes of Western Australia (i.e. the 'R-Codes') as well as any specific standards and requirements of LPS5 and any associated Local Planning Policies of relevance.

An assessment of the proposal for Lot 9999 has confirmed it satisfies all relevant deemed-to-comply requirements of the R-Codes as they apply to lot boundary setbacks, site works, stormwater drainage management, open space and solar access for adjoining properties.

The proposal also complies with the maximum permitted wall height requirements of Local Planning Policy No.1 entitled 'Outbuildings' (i.e. 3.6 metres required by the policy / 3.6 metres proposed).

Notwithstanding these assessment findings, the proposed development does not comply with the following deemed-to-comply requirements:

- i) Maximum permitted roof ridge height for residential outbuildings (i.e. 4.2 metres required by the R-Codes / 4.305 metres proposed which constitutes a variation of 0.105 metres); and
- ii) Maximum permitted collective floor area for all residential outbuildings (100m² required by Local Planning Policy No.1 / 170.56m² proposed which includes the 2.56m² shed near the land's northern side boundary, the 24m² shed adjacent to the existing stables in the land's south-eastern portion and the proposed new 144m² outbuilding the subject of this application).

In considering whether or not to approve these proposed variations to the deemed-to-comply requirements as they apply to residential outbuildings Council must decide whether they are likely to have a detrimental impact upon the amenity, character, functionality and safety of the immediate locality or any immediately adjoining or other nearby properties.

It is concluded, following a detailed assessment of the application, that the proposed variations to the deemed-to-comply requirements are unlikely to have any adverse impacts and may therefore be supported and approved by Council for the following reasons:

- i) The proposed new outbuilding is not considered to be excessively large in its local context and will be finished using visual appealing materials and colours;
- ii) The proposed outbuilding will be located at the rear of the land with fully compliant setbacks to all lot boundaries. As such, it is expected to have minimal impact on the visual amenity of the local streetscape or any neighbouring properties and will not give rise to any overshadowing or access to natural sunlight for any dwellings on immediately adjoining or other nearby properties;
- iii) The application was advertised for public comment in excess of the minimum required period of fourteen (14) days with no submissions received at the conclusion of advertising which included correspondence to all immediately adjoining and other nearby landowners inviting their feedback/comment; and
- iv) Council has previously approved oversize outbuildings on other 'Residential' zoned properties in the Katanning townsite and will not therefore create an undesirable precedent for development of this type should it resolve to approve this application.

In light of the above findings and conclusions it is recommended Council exercise its discretion and approve the application subject to a number of conditions to ensure the development proceeds in a proper and orderly manner.

Statutory Environment:

Planning and Development Act 2005 (as amended)

Planning and Development (Local Planning Schemes) Regulations 2015 (as amended)

Shire of Katanning Local Planning Scheme No.5

Policy Implications:

State Planning Policy 7.3 – Residential Design Codes (Volume 1)

Shire of Katanning Local Planning Policy No.1 - Outbuildings

Financial Implications:

There are no immediate financial implications for the Shire aside from the administrative costs associated with processing the application which are provided for in Council's annual budget and have been partially offset by the development application fee paid by the applicants/landowners.

All costs associated with the proposed development will be met by the applicants/ landowners.

It is significant to note should the applicants/landowners be aggrieved by Council's final decision in this matter they have the right seek a formal review of that decision by the State Administrative Tribunal. Should this occur for whatever reason, which is considered highly unlikely in this particular instance, the Shire would need to respond, the cost of which cannot be determined at this preliminary stage but could be expected, based on the recent experience of other local government authorities in Western Australia, to range anywhere from \$5,000 to \$60,000 excluding GST depending upon how far the matter proceeds through the review process.

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:

The proposed development is consistent with the aims and objectives of the Shire of Katanning Local Planning Strategy as well as the following elements of the Shire of Katanning Community Plan 2017 – 2027:

Focus Area	Built Environment
Aspiration	Katanning is a beautiful, well serviced place that invites people to stay.
Objective	To take pride in our town to create an inviting and welcoming place.
Objective	To encourage a range of housing options to cater for our diverse population.

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR ADRIAN EDWARDS

SECONDED: CR JOHN GOODHEART

OC116/22 That Council approves the development application submitted by Shane and Kristy D'Aprile (Landowners) to construct and use a proposed new 144m² steel framed, Colorbond clad outbuilding (i.e. shed) on Lot 9999 (No.4) Gardenia Street, Katanning for domestic storage purposes subject to the following conditions and advice notes:

Conditions

1. The proposed outbuilding (i.e. shed) shall be constructed strictly in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by the local government.
2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.
3. The proposed development shall be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period this approval shall lapse and have no further effect. Where an approval has so lapsed, the proposed development shall not be carried out without the further approval of the local government having first being sought and obtained.
4. All external surfaces of the proposed outbuilding shall be clad with new materials only.
5. All stormwater drainage from the proposed outbuilding shall be retained and managed on-site.
6. The proposed outbuilding shall only be used for domestic storage, maintenance and hobby purposes unless otherwise approved by the local government.

Advice Notes

- 1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and landowner and not the local government to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the local government's attention.**
- 2. This is a development approval of the Shire of Katanning under its Local Planning Scheme No.5. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.**
- 3. In accordance with the *Building Act 2011* and *Building Regulations 2012*, a suitable building permit application must be submitted to and approved by the local government's Building Surveyor prior to the commencement of any demolition, construction or earthworks on the land.**
- 4. The proposed new outbuilding is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.**
- 5. No construction works shall commence on the land prior to 7am without the Shire's written approval. No construction works are permitted on Sundays or Public Holidays.**
- 6. The noise generated by any activities on-site shall not exceed the levels as set out under the *Environmental (Noise) Regulations 1997*.**
- 7. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Katanning Local Planning Scheme No.5 and may result in legal action being initiated by the local government.**
- 8. If the applicant/landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be submitted within 28 days of the determination.**

CARRIED: 6/0

Cr John Goodheart spoke for the motion.

Cr Kristy D'Aprile re-entered the room at 6.05pm

10.2 EXECUTIVE MANAGER CORPORATE AND COMMUNITY

10.2.1 Schedule of Accounts (ATTACHMENTS)

File Ref: FM.FI.4
Reporting Officer: Shenae Watts, Creditors Officer
Date Report Prepared: 30 September 2022
Disclosure of Interest: No Interest to disclose

Issue:

To receive the Schedule of Accounts Paid for the period ending 30 September 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						
November						
December						
January						
February						
March						
April						
May						
June						
Total	19,287.75	2,389,979.98	129,394.76	11,600.37	800,668.16	3,350,931.02

Officer's Comment:

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

The Finance Forum held on 13 September 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 SERENA SANDWELL

OC117/22 That Council endorses the Schedule of Accounts as presented, being cheques 42421 - 42424 totalling \$17,440.10, EFT payments 34698 – 34839 totalling \$1,061,609.49, payroll payments totalling \$232,125.09, direct payments totalling \$38,513.01 and credit card payments totalling \$2,459.81 authorised and paid in September 2022.

CARRIED: 7/0

10.2.2 Monthly Financial Report **(ATTACHMENTS)**

File Ref: FM.FI.4
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Report Prepared: 20 October 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 August 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 13 October 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 ADRIAN EDWARDS

OC118/22 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 August 2022, as presented.

CARRIED: 7/0

10.3 CHIEF EXECUTIVE OFFICER'S REPORTS

10.3.1 Christmas/New Year Opening Hours

File Ref: GV.CM.1
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 18 October 2022

Issue:

To consider the closure of Council facilities over the Christmas/New Year period.

Body/Background:

In previous years Council has approved the variation of the Shire's normal operating hours during the Christmas/New Year period to close from lunchtime on the last business day before Christmas until the morning of the first business day following New Year's Day. The following public holidays fall during this period:

Christmas Day holiday	Monday	26 December 2022
Boxing Day holiday	Tuesday	27 December 2022
New Year's Day	Monday	2 January 2023

Officer's Comment:

It is recommended that the closure period for the coming Christmas/New Year period should be from 12 noon on Friday 23 December 2023 until Monday 2 January 2023, reopening for business on Tuesday 3 January 2023.

Month	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Dec 2022							25
	26	27	28	29	30	31	1
Jan 2023	2						

A small number of Works Crew and other staff will be on-call throughout the closure. Most staff will be required to take some form of accrued leave during the closure.

Statutory Environment:

Local Government Act 1995

Policy Implications:

There are no policy implications for this report.

Financial Implications:

Staff (except for skeleton or called out support) will be accessing approved leave types during the closure. There will be minor reductions in overheads due to offices not being open.

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" and can be managed by routine procedures within current resources.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 – 2023

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 JOHN GOODHEART

OC119/22 That Council:

1. Authorises a variation to normal opening hours for Council facilities during the 2022/23 Christmas/New Year period as follows:
 - Friday 23 December 2022 – close at 12 noon
 - Wednesday 28 December 2022 – closed
 - Thursday 29 December 2022 – closed
 - Friday 30 December 2022 – closed
2. Advertises the modified opening hours in the lead up to the Christmas closure.

CARRIED: 7/0

Cr Kristy D'Aprile spoke for the motion.

Cr Kristy D'Aprile disclosed an interest affecting impartiality as she is a business owner and the President of the Katanning Regional Business Association.

10.3.2 Christmas/New Year Retail Trading Extension

File Ref: ED.PG.1
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 18 October 2022

Issue:

To consider extended trading hours for the 2022-2023 Christmas/New Year period.

Body/Background:

Retail trading hours in Katanning for general retail shops are regulated by the *Retail Trading Hours Act 1987*. The Shire of Katanning has permanently extended retail trading on Sundays 10am to 5pm. Trading on public holidays is not permitted unless an application to vary retail trading hours on public holidays is submitted to the Department of Mines, Industry Regulation and Safety – Consumer Protection Division (Consumer Protection)

Council has received a submission from the Woolworths group seeking extended hours for the Christmas/New Year public holidays.

The Katanning Regional Business Association has indicated that they support extended trading hours for public holidays for the Christmas/New Year period with limited support for trading on Australia Day.

The following tables outlines extended hours for Katanning if similar hours to previous years was applied:

Proposed Katanning Extended Christmas/New Year Retail Trading Hours

Monday, 26 December 2022	10am-5pm (Christmas Day public holiday)
Tuesday, 27 December 2022	10am-5pm (Boxing Day public holiday)
Monday, 2 January 2022	10am-5pm (New Year's Day public holiday)
Wednesday, 26 January 2023	10am-5pm (Australia Day public holiday)

Officer's Comment:

Local traders have the right to exercise individual discretion whether to open or not during the proposed trading extension.

It is recommended that Council seek an extension to Retail Trading Hours in the Shire of Katanning for the 2022-2023 Christmas New Year period in accordance with the table above.

Statutory Environment:

Retail Trading Hours Act 1987

12. Trading hours for some general retail shops

- (1) Subject to this Act and any order made under section 12E(1) that affects the trading hours of the general retail shop, a general retail shop that is not in the metropolitan area shall be closed —
 - (a) on Monday, Tuesday, Wednesday and Friday in each week until 8 a.m. and from and after 6 p.m.; and
 - (b) on Thursday in each week, until 8 a.m. and from and after 9 p.m.; and
 - (c) on Saturday in each week, until 8 a.m. and from and after 5 p.m.; and
 - (d) on Sunday in each week; and
 - (e) on each public holiday and public half-holiday.

The Shire of Katanning has permanently extended retail trading on Sundays 10am to 5pm.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 – 2032

Focus Area Economic

Aspiration Katanning is an economic hub of the Great Southern region, offering a range of employment and business opportunities.

Objective To work alongside local businesses to facilitate employment, growth and development.

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR SERENA SANDWELL

SECONDED: CR MATT COLLIS

OC120/22 That Council:

- 1. Makes an application to the Department of Mines, Industry Regulation and Safety – Consumer Protection Division (Consumer Protection) seeking an extension to Retail Trading Hours in the Shire of Katanning for the 2022-2023 Christmas/New Year period in accordance with the following table:**

Date	Hours
Monday, 26 December 2022	10am-5pm
Tuesday, 27 December 2022	10am-5pm
Monday, 2 January 2022	10am-5pm
Wednesday, 26 January 2023	10am-5pm

- 2. Notes, that should approval be granted, that Local traders have the right to exercise individual discretion whether to open or not during the proposed trading extension.**

CARRIED: 7/0

Cr Kristy D'Aprile spoke for the motion.
Cr Michelle Salter spoke for the motion.

10.3.3 Council Meeting Dates 2023

File Ref: GV.CM.1
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 18 October 2022

Issue:

To confirm the dates for Ordinary Council Meetings for the 2023 calendar year.

Body/Background:

In 2022 Council held ordinary meetings at 6.00pm on the fourth Thursday of each month except January. Council is required to give notice of its meeting dates at least once each year.

Officer's Comment:

The following meeting dates and times are proposed for the coming year:

Thursday	23 February 2023	6.00pm
Thursday	23 March 2023	6.00pm
Thursday	27 April 2023	6.00pm
Thursday	25 May 2023	6.00pm
Thursday	22 June 2023	6.00pm
Thursday	27 July 2023	6.00pm
Thursday	24 August 2023	6.00pm
Thursday	28 September 2023	6.00pm
Thursday	26 October 2023	6.00pm
Thursday	23 November 2023	6.00pm
Thursday	21 December 2023	6.00pm

Council meetings are open to the public and held in the Shire of Katanning Administration and Civic Centre, Council Chambers, 52 Austral Terrace Katanning.

Changes to the meeting days and starting times are proposed to meet the needs and availability to the current Councillor cohort.

Statutory Environment:

Local Government Act 1995, section 5.3(2) Ordinary and Special Council Meetings - Ordinary meetings are to be held not more than 3 months apart.

Local Government (Administration) Regulations, Regulation 12(1) Meetings, public notice of - at least once each year a local government is to give local public notice of the dates on which and the time and place at which the Ordinary Council Meetings.

Policy Implications:

There are no policy implications in relation to this matter.

Financial Implications:

There are no financial implications in relation to this matter.

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 – 2023

Focus Area Leadership

Aspiration Katanning is an inclusive and respectful community.

Objective To facilitate diversity and representation within the decision-making process.

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR KRISTY D'APRILE

SECONDED: CR ADRIAN EDWARDS

OC121/22 That Council:

- 1) **Holds Ordinary Meetings of Council commencing at 6.00pm in the Council Chambers, 52 Austral Terrace, Katanning on the following dates for the coming year:**

Thursday	23 February 2023
Thursday	23 March 2023
Thursday	27 April 2023
Thursday	25 May 2023
Thursday	22 June 2023
Thursday	27 July 2023
Thursday	24 August 2023
Thursday	28 September 2023
Thursday	26 October 2023
Thursday	23 November 2023
Thursday	21 December 2023

- 2) **Gives public notice of the Ordinary Meeting dates, time and place in accordance with Local Government (Administration) Regulations.**

CARRIED: 7/0

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****PROCEDURAL MOTION****MOVED: CR MATT COLLIS****SECONDED: CR JOHN GOODHEART****OC122/22 That Council closes the meeting to the public to consider the following items:**

- **Sale of Land Unpaid Rates – A184**
- **Katanning Community and Medical Centre Lease**

CARRIED: 7/0

**13.1 Sale of Land Unpaid Rates – A184
(ATTACHMENT)****File Ref:** A184**Reporting Officer:** Denise Gobbart, Executive Manager Corporate & Community**Date Report Prepared:** 21 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 a contract that may be entered into by Council in accordance with Section 5.23(2)(c) of the Local Government Act 1995.

Voting Requirement: Absolute Majority**Officer's Recommendation/Council Motion:****MOVED: CR JOHN GOODHEART****SECONDED: CR KRISTY D'APRILE****OC123/22 That Council authorise the recommendation contained within the body of this report.**

CARRIED: 7/0

Cr John Goodheart spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

13.2 **Katanning Community and Medical Centre Lease**
(ATTACHMENT)

File Ref:

Reporting Officer: Julian Murphy, Chief Executive Officer

Date Report Prepared: 24 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 a contract that may be entered into by Council in accordance with Section 5.23(2)(c) of the Local Government Act 1995.

Voting Requirement: Absolute Majority

Officer's Recommendation/Council Motion:

MOVED: CR MICHELLE SALTER

SECONDED: CR SERENA SANDWELL

OC124/22 **That Council:**

- 1. Enters into a lease agreement with the South West Aboriginal Medical Service for the establishment of a medical centre at the Katanning Community and Medical Centre, 20 Austral Terrace Katanning;**
- 2. That the proposed lease agreement be in accordance with the terms recommended in the body of this report;**
- 3. Authorises the Chief Executive Officer to finalise the terms of the agreement; and**
- 4. Authorises the President and Chief Executive Office to affix the common seal to the agreement.**

CARRIED BY AN ABSOLUTE MAJORITY: 7/0

Cr Michelle Salter spoke for the motion.

Cr John Goodheart spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

Cr Liz Guidera spoke for the motion.

PROCEDURAL MOTION

Voting Requirement: Simple Majority

MOVED: CR KRISTY D'APRILE

SECONDED: CR MICHELLE SALTER

OC125/22 **That Council reopens the meeting to the public.**

CARRIED: 7/0

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 6:25pm.