



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 23 October 2024 in the Shire of Katanning's Council Chamber,
52 Austral Terrace, Katanning.

DISCLAIMER

Any applicant or members of the public is advised to wait for written advice from the Council
before taking any action on an application or a Council decision.

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 | 5 |
| 9.1 | Ordinary Council Meeting – Wednesday 28 August 2024 | 5 |
| 10 | Reports of Committees and Officers | 6 |
| 10.1 | General Manager Infrastructure & Strategy | 6 |
| 10.2 | General Manager Operations | 6 |
| 10.3 | Executive Manager Corporate Services | 7 |
| 10.3.1 | Schedule of Accounts | 7 |
| 10.3.2 | Monthly Financial Report | 9 |
| 10.3.3 | Requests for Rating Concessions | 13 |
| 10.4 | Executive Manager Community Development | 22 |
| 10.4.1 | Community Grants Program Round 1 - 2024/25 | 22 |
| 10.4.2 | Attraction and Retention Packages for Regional Child Care Workers Program 2024-2025 Grant Application | 25 |
| 10.4.3 | Camping Fee at Katanning Leisure Centre | 28 |
| 10.5 | Chief Executive Officer's Reports | 30 |
| 10.5.1 | Local Government Elections – Advocacy Positions | 30 |
| 10.5.2 | Organisational Structure & Senior Staff | 34 |
| 10.5.3 | Staff Discount on Leisure Centre and Aquatic Centre Memberships | 36 |
| 10.5.4 | Corporate Credit Card | 38 |
| 10.5.5 | Quick Response Grant Program | 40 |
| 11 | Elected Members Motion of Which Previous Notice Has Been Given | 42 |
| 12 | New Business of an Urgent Nature | 42 |
| 13 | Confidential Item | 43 |
| 13.1 | Outstanding Sundry Debtors – Write-off | 43 |
| 13.2 | Amherst Residence Contract – Lease for life | 45 |
| 13.3 | Appointment of General Manager Operations | 47 |
| 14 | Closure of Meeting | 48 |

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 John Goodheart
Cr Matt Collis
Cr Ian Hanna
Cr Paul Totino
Cr Michelle Salter

Council Officers: Peter Klein, Chief Executive Officer
David Blurton, Executive Manager Corporate Services
Geoff Mackin, Acting General Manager Assets & Operations
Denise Gallanagh-Wood, Executive Manager Community Development
Taryn Human, Executive Assistant to CEO

Gallery: Nil.

Media: Nil.

Apologies: Nil.

Leave of Absence: Cr Liz Guidera – Deputy President

3. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The President took a moment to celebrate the incredible artistic talent within our community. Cr D'Aprile recently attended the exhibition at the Katanning Gallery and noted how impressed she was with the phenomenal exhibition of local art, coordinated by James Wood, our Gallery Coordinator. The exhibition has already drawn over 140 visitors and the quality of the artwork is outstanding. Cr D'Aprile also thanked the Katanning Art & Inc for their hospitality and for their contribution to celebrating artists from our region.

Cr D'Aprile also thanked those Councillors who attended the recent Local Government Conference noting her appreciation of their commitment to their role.

Cr D'Aprile gave special thanks to those volunteers and Council staff for their hard work in preparing for the Katanning & National Shears events. She stated this event will be incredible and will further entrench Katanning and its facilities as one of Australia's best locations to host large scale shearing events. Cr D'Aprile concluded by thanking our gardening, civil & roads teams for their outstanding efforts noting positive feedback received about their contributions which highlights the great way they're representing our organization and caring for our community.

4. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS

| | | |
|--------|--------------------|---|
| 10.4.2 | Cr Michelle Salter | Disclosure of Financial Interest |
| 10.4.1 | Cr Michelle Salter | Disclosure of Interest Affecting Impartiality |
| 10.3.3 | Cr Matt Collis | Disclosure of Interest Affecting Impartiality |
| 10.4.1 | Cr Matt Collis | Disclosure of Interest Affecting Impartiality |
| 10.3.3 | Cr Ian Hanna | 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 25 September 2024
(SEE ATTACHED MINUTES)

Voting Requirement: Simple Majority

MOVED: CR MATT COLLIS

SECONDED: CR PAUL TOTINO

OC116/24 That the minutes of the Ordinary Council Meeting held on Wednesday 25 September 2024 are confirmed as a true record of proceedings.

CARRIED: 6/0

**FOR: CR KRISTY D'APRILE, CR JOHN GOODHEART, CR IAN HANNA, CR PAUL TOTINO, CR
MATT COLLIS, CR MICHELLE SALTER**

AGAINST: NIL

10. REPORTS OF COMMITTEES AND OFFICERS

Nil.

10.1 GENERAL MANAGER INFRASTRUCTURE & STRATEGY

Nil.

10.2 GENERAL MANAGER OPERATIONS

Nil.

10.3 EXECUTIVE MANAGER CORPORATE SERVICES

10.3.1 Schedule of Accounts – September 2024
(ATTACHMENT)

File Ref: FM.FI.4
Reporting Officer: Patrick Kennedy, Manager Finance
Date Report Prepared: 07 October 2024
Disclosure of Interest: No Interest to disclose.

Issue:
 To receive the Schedule of Accounts Paid for the period ending 30 September 2024.

Body/Background:
 This information is provided to Council monthly 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 2024/25 | EFT Payments 2024/25 | Direct Debits 2024/25 | Credit Card 2024/25 | Payroll 2024/25 | Total Payments 2024/25 |
|--------------|--------------------|-------------------------|-----------------------------|---------------------------|---------------------|------------------------------|
| July | \$4,136.00 | \$684,927.78 | \$124,124.10 | \$5,494.87 | \$242,598.67 | \$1,061,281.42 |
| August | \$218.00 | \$682,403.96 | \$130,875.64 | \$11,493.47 | \$354,282.34 | \$1,179,273.41 |
| September | \$848.25 | \$706,783.05 | \$78,163.61 | \$6,702.68 | \$230,693.76 | \$1,023,191.35 |
| October | | | | | | |
| November | | | | | | |
| December | | | | | | |
| January | | | | | | |
| February | | | | | | |
| March | | | | | | |
| April | | | | | | |
| May | | | | | | |
| June | | | | | | |
| Total | \$5,202.25 | \$2,074,114.79 | \$333,163.35 | \$23,691.02 | \$827,574.77 | \$3,263,746.18 |

Officer’s Comment:
 The schedule of accounts for the month of September 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 "Low" 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 MICHELLE SALTER

SECONDED: CR PAUL TOTINO

OC117/24 That Council endorses the Schedule of Accounts as presented, being EFT payments 38422 - 38568 totalling \$706,783.05, Cheques 42484-42486 totalling \$848.25, Payroll payments totalling \$230,693.76 Direct Debit payments totalling \$78,163.61, Credit Cards (August) totalling \$6,702.68, all totalling \$1,023,191.35, authorised and paid in September 2024.

CARRIED: 6/0

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

AGAINST: NIL

10.3.2 Monthly Financial Report – September 2024 (ATTACHMENT)

| | |
|--------------------------------|---|
| File Ref: | FM.FI.4 |
| Reporting Officer: | David Blurton, Executive Manager Corporate Services |
| Report Prepared: | 8 October 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 30 September 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

- Rates levied are \$167,149 (or 3.25%) more than budget. The budgeted rates figure includes an expected \$100,000 write off in rates which is yet to be processed and the actual YTD figure includes an additional \$65,530 in rates attributed to A2140 – WAMMCO property. The GRV valuation for this assessment was received separately from the GRV roll and therefore treated as an interim rate through the rating process.
- Grants, subsidies and contributions \$554,792 under budget or (50.55%) under budget. The YTD budget anticipated quarterly payment of the full amount of general-purpose grants and local roads grants from the Grants Commission (\$2.9m in total) to the end of September, however \$2.517 of the Council's 24-25 grant allocation was prepaid on 28 June 2024. This will be adjusted in the mid-year budget review.
- Fees and charges income is \$50,825 (or 4.43%) over budget which relates to the following items
 - KLC kiosk sales \$6,175 more than YTD budget
 - Yarding Fees \$32,114 and truck wash fees \$5,933 at the Katanning Saleyards are more than budget to the end of September, reflecting greater numbers of sheep being processed at the facility.
 - Property lease fees are \$15,561 more than budget relating to invoices for the last 5 years for the lease agreement between the Shire and DPIRD for the use of lot 508 Police Pools Road.

- Other Revenue is \$4,395 or 4.43% more than budget representing workers compensation insurance reimbursements.
- Profit on sale of asset disposals is \$11,545 or 100% less than budget as no asset disposals have been processed yet. Processing will commence on the audit of 23-24 accounts is complete.

Expenditure from Operating Activities

- Employee costs underbudget by \$266,050 reflecting several key officer and other vacancies which remain vacant as at the end of September 2024.
- Materials and Contracts are \$251,883 below budget which mainly relates to the following items;
 - Software subscriptions \$32,535. This is a timing issue and full expenditure of the budget is expected by the end of financial year.
 - Integrated Planning and Reporting is \$11,250 under budget
 - Debt collection legal expenses is \$23,475 under budget which is also a timing issue.
 - Audit fees are \$22,000 under budget
 - CCTV maintenance is under budget by \$6,500 and is expected to be spent by year end.
 - Tennis club resurfacing contribution \$25,000
 - Works Program – Reserves material component is \$37,800 under budget
 - Road Maintenance material component \$60,000
 - Expensed Minor asset purchase \$12,498
 - Consultants KAC \$25,000
- Utility Charges are \$49,133 under budget. A refund of \$18,662 has been received from Watercorp related to Amherst village. KAC is under budget by \$3,432 and housing utilities are underbudget by \$4,820
- Depreciation costs of \$1,219,568 are underbudget as deprecation for 24/25 will not be processed until the 23/24 financial report is finalised.
- Finance costs are \$22,574 underbudget as the YTD loan budget relating to loan 158 – New admin building requires adjustment as it is currently allocated over 12 months rather than semi annual.
- Insurance costs are \$219,432 under budget as the Council second insurance instalment was expected to be paid by 30 September. LGIS renewal reports indicate that premiums will be approximately \$50,000 less than budgeted for the 24/25 financial year, which is due in large part to a change in market values of the Council’s plant and equipment.
- Other expenditure is underbudget by \$62,723 relating to Councillor donations \$10,749, and a suspense account deposit of \$55,418 (GL1123) which is unclaimed funds relating to the sale of lot 885 Wanke St. This amount will be paid to the public trustee in due course.
- Loss on sale of asset is \$10,000 under budget as no asset transactions have been processed to date.

- Non-Cash Amounts excluded from operating activities relate to depreciation and profit and loss on sale transactions.
- Proceeds from capital grants, subsidies and contributions are \$208,747 underbudget. This relates to Roads to recovery grant income \$173,247 which has not yet been claimed and cultural project grants \$21,790 which were expected to be claimed by the end of September 24.
- Payments for property, plant and equipment and infrastructure are both below budget as at the end of September 24
- Transfer to reserves is \$71,946 less than budget which relates to interest on term deposits which were expected to be received by 30 September and transferred to reserve, however the maturity date of reserve term deposit (\$6.07m) is 16 December 2024.
- Opening Surplus is \$2.769m more than anticipated, which reflects pre-payment of 75% of Federal Assistance Grants on 28 June 2024 of \$2.517m. This will be adjusted during the mid-year budget review process. Closing surplus to end of September is \$3.3m more than anticipated for the reasons outlined above.

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:

Council 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 "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 MICHELLE SALTER

SECONDED: CR PAUL TOTINO

OC118/24 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 30 September 2024, as presented.

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

10.3.3 Requests for Rating Concessions (ATTACHMENT)

File Ref: RC/24/641 and A3318
Reporting Officer: David Blurton – Executive Manager of Corporate Services
Date Report Prepared: 8 October 2024
Disclosure of Interest: No Interest to disclose

Issue:

Several organisations have contacted the Council recently requesting either a rating concession or exemption for the 2024/25 year. In the interests of fairness & equity, Council management consider it appropriate that such requests are considered under guidance of a Council Policy.

Cr Matt Collis declared an interest affecting impartiality as he is the Chair of the Katanning Environmental Inc and Cr Ian Hanna declared an interest affecting impartiality as he is a Katanning Country Club committee member.

Body/Background:

This matter was considered at the Council's September Ordinary Council Meeting where the matter lapsed due to lack of quorum. The Council then resolved to seek participation approval to allow the Council to consider the matter at a future meeting.

Subsequently, the CEO reached out to the DLGSC hotline and was advised to review clause 5.63 of the Local Government Act 1995, to confirm a relevant financial interest exists, before seeking the Minister's "participation approval" under clause 5.69.

Clause 5.63 means that a councillor is not required to disclose an interest in a matter "arising only because the relevant person is, or intends to become, a member or office bearer of a body with non-profit making objects".

This policy will therefore be represented to the October Council Meeting, for approval.

FYI, the relevant extract from clause 5.63 follows;

5.63 Some interests need not be disclosed

- (1) Sections 5.65 (councillor's requirement to disclose an interest), does not apply to a relevant person who has any of the following interests in a matter —
 - (a) an interest common to a significant number of electors or ratepayers; or
 - (b) an interest in the imposition of any rate, charge or fee by the local government; or
 - (c) an interest relating to —
 - (i) a fee, reimbursement of an expense or an allowance to which section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.101(2) refers; or
 - (ii) a gift permitted by section 5.100A; or
 - (iii) reimbursement of an expense that is the subject of regulations made under section 5.101A; or

- (iv) a fee or reimbursement of an expense in accordance with a policy adopted by the local government under section 5.129; or
- (d) an interest relating to the pay, terms or conditions of an employee unless —
 - (i) the relevant person is the employee; or
 - (ii) either the relevant person's spouse, de facto partner or child is the employee if the spouse, de facto partner or child is living with the relevant person; or
- [(e) deleted]
- (f) *an interest arising only because the relevant person is, or intends to become, a member or office bearer of a body with non-profit making objects; or*
- (g) an interest arising only because the relevant person is, or intends to become, a member, office bearer, officer or employee of a department of the Public Service of the State or Commonwealth or a body established under this Act or any other written law.

Also for further discussion was the suggestion from Councillor Guidera (extract from Email);

- *is there a way we could ensure that the concession given to a struggling community organisation is repaid if the association is wound up and assets sold?*
- *Can we create comprehensive policies for the management and repayment of rate concessions in the (unfortunate) event that an organisation folds?*

By implementing these measures, a community organisation can responsibly manage rate concessions and ensure that any obligations to repay funds to the local government are met if the organisation ceases to operate.

Or alternatively can we influence, via requesting constitutional amendments, the flow of funds as an organisation becomes defunct: a hypothetical example: in the case of the Arts and Crafts Society - flow to Katanning Art Gallery (thinking of a more like-minded organisations would be Art Centre Inc or Artisans group but there may be issues there).

Officer Comment

If the rates concession granted by Council is made conditional it is unclear if the Council would be considered a secured or unsecured creditor at insolvency. This classification would determine whether the Council would have any claim on rates concessions granted.

Without seeking legal advice, Officers are of the view that rating concessions should be considered a donation not requiring repayment. Officers are also of the view that influencing constitutional amendments of local not for profits is beyond the remit of local government and the Shire of Katanning does not have the current resources to implement, monitor and manage.

As previously reported, the FY25 rating year was a Gross Rental Valuation (GRV) revaluation year resulting in significant GRV increases for some properties and therefore rate amounts payable. The revaluation process applied to all GRV rated properties.

The Katanning Club Inc – Rate Increase

As a result of this year's GRV revaluation, the Katanning Club's rates assessment increased 70.17% to \$4,964.21. During a meeting with Club representatives, Council management suggested that the club appeal the new valuation to Landgate as an initial action and Club

officials have indicated that this option was investigated but not pursued. The club has since forwarded a letter requesting that Council consider granting a rates concession.

In preparing this report for Council and to aid in decision making, management requested further information about the Club's financial viability however, at time of writing this report, the requested information has not been provided. The table below summarises this year's GRV changes for the Katanning Club and the corresponding effect on rates payable.

| Year | GRV | Rates Payable | % Increase |
|-------|--------|---------------|------------|
| 22/23 | 23,216 | \$2,755.84 | |
| 23/24 | 23,216 | \$2,917.23 | 5.86% |
| 24/25 | 46,790 | \$4,964.21 | 70.17% |

Council has the discretion under section 6.47 of the *Local Government Act* to grant rating concessions as it sees fit.

Palmerston Association Inc, 56 Clive Street Katanning. FY25 rates \$1,537

Palmerston Inc. has contacted the Council requesting a rate exemption on the grounds that they operate as a not-for-profit charity. Council management advised Palmerston to supply information to support their claim and this information has been provided.

Palmerston are a not-for-profit organisation supporting individuals, families and communities affected by alcohol and/or drug addiction and they provide a range of services from the premises including;

- Assessment and referral
- Counselling and support for adults, youth and families
- Counselling for people in the justice system including court diversion programs
- Needle and syringe program
- Group counselling
- Therapy programs including SMART Recovery and art groups
- Afterhours counselling services by appointment
- Support for people with both mental health and alcohol and other drug concerns
- Shared care with other services
- Outreach support
- Support for local communities through prevention and community development activities.

Section 6.26 (1) of the *Local Government Act* prescribes that all land in the district is rateable except for land that is ***used exclusively for charitable purposes***. The decision on whether a rate assessment is classed as charitable rests with the Council however, it is not uncommon for organisations to appeal Council decisions to the State Administrative tribunal or the courts, with some success.

Noongar Boodja Land Sub Pty Ltd, Lot 710 Cullen Street, Katanning. Rates FY25 \$1,200

The above organisation has also contacted the Council requesting a rate exemption on the grounds that the organisation is a not-for-profit charity. However, charitable exemptions under 6.26 (2) are largely determined by whether the land is used exclusively for charitable purposes

and as this land is vacant, management contends that land is therefore not used for a charitable purpose.

In considering this request, Council should be aware that the Southern Aboriginal Corporation (SAC) is also a not-for-profit organisation and owns a further 10 properties in Katanning which collectively levy \$19,502 in rates per annum.

In developing this report, management searched Council minutes for previous Council decisions relating to the rate status of SAC properties. This work confirmed that SAC has previously approached Council seeking exempt charitable status and the decision below was from the Ordinary Meeting of the Council in August 2020.

It is not clear from the motion below whether the Council's intent was to grant SAC a charitable rating exemption for the related properties on a permanent basis or for the FY21 rating year only. In practice, the exemption was applied for the FY21 year only and SAC have continued to pay rates in subsequent financial years - 21/22, 22/23 & 23/24.

They have not approached the Council for an exemption relating to their FY25 rates.

| | | |
|---|--|-------------------------------------|
| ORDINARY COUNCIL MEETING | 19 | 25 August 2020 |
| Officer's Recommendation/Council Motion: | | |
| MOVED: CR KRISTY D'APRILE | | SECONDED: CR SERENA SANDWELL |
| OC87/20 | That Council approves the application from Southern Aboriginal Corporation for rates exemption on Assessment numbers A257, A362, A1538, A593, A52 and A723. | |
| Voting Requirement: Simple Majority | | |
| | | CARRIED: 5/4 |
| President Cr Liz Guidera cast a second vote. | | |
| Cr Kristy D'Aprile spoke for the motion. | | |
| Cr Martin van Koldenhoven spoke against the motion. | | |
| Cr John Goodheart spoke against the motion. | | |
| Cr Kristy D'Aprile exercised the right of reply. | | |

Advance Housing (5 Aberdeen Street and 55A Beaufort Street Katanning)

Advance Housing has also requested a charitable land use rates exemption on the basis that it is a community based not for profit organisation who assists in alleviating poverty through the provision of affordable social housing.

The organisation manages two properties on behalf of the Great Southern Community Housing Association and Department of Communities in Katanning with a combined rates of \$27,877 for FY25.

The issue of social housing entities approaching local authorities for charitable rating exemptions is not new and WALGA has been lobbying on behalf of the industry for some time.

An Extract from WALGA's advocacy position March 2020 is included at Appendix 1 and WALGA has also released a Best Practice Guideline to assess charitable land use application exemptions which is included at Appendix 2. Council management recommends that the Council use this publication as the future basis for assessing rates exemption requests from charitable organisations.

Katanning Arts and Crafts Inc.

Council considered a rating concession for Katanning Arts and Crafts at its meeting August 2024 and opted to defer the report pending further information.

The group has previously approached Council for rating relief in FY17 and FY18 with the Council deciding as follows.

Council considered the matter at its meeting held on 27 September 2016 and determined the following:

OC113/16 That Council:

- 1) *Acknowledges the valued contribution the activities of the Katanning Arts and Craft Society Inc makes to the social cohesion of the Katanning Community in particular for seniors;*
- 2) *Declines the request from the Katanning Arts and Craft Society Inc to waive or provide an ongoing concession of the rates payable on the property at 7 Dore Street, Katanning (A884) in regard to the 2016/17 and future years;*
- 3) *Provides a one-off donation of \$300.00 to the Katanning Arts and Craft Society Inc.*

MOVED: CR MARTIN VAN KOLDENHOVEN

SECONDED: CR OWEN BOXALL

OC153/17 That Council:

- 1) **Acknowledges the valued contribution the activities of the Katanning Arts and Craft Society Inc makes to the social cohesion of the Katanning Community in particular for seniors; and**
- 2) **Makes a donation of \$300 to the Katanning Arts and Craft Society Inc for the 2017/18 financial year.**

Voting Requirement: Simple Majority

CARRIED: 7/0

Existing Rating Concessions

In terms of precedence, the FY25 Budget includes rating concessions to the following organisations.

- A2823 - Katanning Country Club - 50 % General Rating concession.
- A3027 – Katanning Clay Target Club 100% rating concession.

Investigations show that the same concessions were included in the FY24 budget process, but the concessions were not applied to the assessments, meaning that both organisations paid rates in full in FY24. At time of writing, The Katanning Country Club has paid its FY25 rates in full while the Katanning Clay Target Club is yet to pay its FY25 rates.

Further investigations shows that the 50% rating concession applied to the Katanning Country Club has been in place since FY14 with a note in SynergySoft stating that the concession is to apply for a 10-year period, that is, up to & including the FY23 financial year only. Management cannot find a Council resolution to support this note.

Officer’s Comment:

Council management acknowledge that the increase in rates has been significant for the Katanning Club and other community-based organisations in FY25.

There are several options for Council to consider in dealing with requests for rating concessions & exemptions and to deliver a process for granting any rating concession or exemption that is fair, equitable and transparent.

- Option 1 – Council encourages organisations to appeal their valuation to the Valuer Generals Office (VGO) as a first step. As the party responsible for increasing the GRV, officers contend that this should be the organisations initial course of action. This could also be incorporated into a policy (refer option 2).
- Option 2 – Develop a Rating Concession Policy which would guide the circumstances and process where rating concessions will be applied. Not all local authorities have such a policy however, a summary of some policies that exist is included in the table below by local authority.

| Local Authority | Policy content |
|----------------------------|--|
| Town of East Fremantle | Policy applies to eligible not for profits and specifies a list of eligible activities such as encouraging arts or cultural development, provision of early childhood care, provision of facilities for conduct of amateur sports. General rates concession of 25% is applied if organisations meet the criteria. |
| City of Kalgoorlie-Boulder | Policy provides for consideration of either 50% or 100% concession for eligible not for profits upon written application and provision of information. Criteria includes must be registered as a charity or undertake charitable activities, fully volunteer based, no commercial gain, no restriction to membership. |
| Town of Port Hedland | Available concession ranges from 50-100% and only applies to charitable not for profits. |

Adopting a concession policy would ensure fairness, equity and transparency and would also avoid the need for Council to revisit the issue when an application is received.

However, Council needs to be fully informed about the potential financial impact on its rating income when considering adopting such a policy.

- Option 3 – continue to receive and assess applications for rating concession from individual clubs as they are received. Officers contend that this potentially leads to inequity in how concessions are assessed and applied.
- Option 4 – resolve to grant no rating concessions.

Draft Policy 2.15 – Rate Concessions

Officers' recommendation is that Council consider the adoption of a Rate Concession Policy to provide guidance on the matter. A draft policy has been developed and is tabled for discussion. The following list represents volunteer/not for profit organisations potentially captured by the adoption of this policy.

| Assess No | Street Name | Surname | Rates FY25 |
|--------------|-------------------|--|--------------------|
| A2823 | Round | Katanning Country Club | \$7,478.50 |
| A3027 | Round | THE KATANNING CLAY TARGET CLUB | \$1,375.50 |
| A3318 | Amherst | KATANNING CLUB INC | \$4,999.21 |
| A3757 | Dore | Katanning Environmental Inc. | \$1,303.00 |
| A3676 | Kojonup-Katanning | Alta One | \$1,375.50 |
| A884 | Dore | Katanning Arts and Crafts Society Inc | \$1,276.05 |
| A3632 | Annie | Katanning & Districts Pool Association | \$2,093.36 |
| A3633 | Annie | Katanning & Districts Pool Association | \$1,375.50 |
| Total | | | \$17,495.98 |

The maximum financial impact on the Council by adopting the policy as presented is approximately \$3,500 (at 25% concession) assuming that all organisations above are eligible and apply for concession. As it currently stands, the Council concedes \$5,114.75 in rates comprising Katanning Country Club (50% - \$3,739.25) and Katanning Clay Target Club (100% - \$1,375.50).

Rates Exemptions

Management considers it prudent to separate the rules for considering a rate concession application from rate exemption application.

Requests for rate exemptions are typically on the grounds that the organisation claims charitable status under 6.26(2)(g) of the *Local Government Act*. As discussed above, management considers WALGA's Best Practice Guidelines should be adopted in full for the consideration of rate exemption applications. Council may delegate authority to the CEO to approve these applications or elect to consider each application at Council level.

In considering requests for charitable rating status, Council should be aware that granting any rate concession or exemption effectively shifts the rating burden to other ratepayers.

Statutory Environment:

Council may resolve to grant a rate concession under section 6.47 of the Local Government Act 1995.

Local Government Act 1995**6.47 Concessions**

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

* Absolute majority required.

6.48. Regulation of grant of discounts and concessions

Regulations may prescribe circumstances in which a local government is not to exercise a power under section 6.46 or 6.47 or regulate the exercise of the power.

Local Government (Financial Management) Regulations 1996**69A. When concession under Act s. 6.47 cannot be granted**

A local government is not to exercise a power to grant a concession in relation to a rate or service charge under section 6.47 of the Act in circumstances where the concession is based on whether or not, or the extent to which, the land in respect of which the rate or service charge is imposed is occupied by a person who owns the land.

Policy Implications:

Nil.

Financial Implications:

Adopting the draft policy as presented would require Council to potentially write off \$3,500 in rates in 24-25 to eligible organizations.

Risk Implications:

Reputational and Financial – considered low

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 – 2023

| | |
|-------------------|--|
| Focus Area | Social, Economic, Leadership |
| Aspiration | We will strive to facilitate the sustainable growth and development of our population and economy |
| Objective | To ensure that Shire resources are utilities in a manner that represents the best interest of the whole community. |

Voting Requirement: Simple and Absolute Majority

Officer's Recommendation/Council Motion:

MOVED: CR PAUL TOTINO

SECONDED: CR MATT COLLIS

OC119/24 That the Council by absolute majority:

- 1. Adopts policy 2.15 Rate Concessions to ensure a fair, equitable and transparent process to guide the future assessment of rate concession applications.**
- 2. Write off any overdue interest which has accrued for FY25 on assessments approved for concession under the new policy.**

That the Council by simple majority:

- 3. Adopt the WALGA Best Practice Guidelines for assessing Charitable Rating Exemption applications under section 6.26 (2) (g) of the Local Government Act.**

CARRIED: 6/0

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

AGAINST: NIL

Cr Paul Totino spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

10.4 EXECUTIVE MANAGER COMMUNITY DEVELOPMENT

Cr Matt Collis declared an interest affecting impartiality as he is the Treasurer of the Katanning Primary School P & C and Cr Michelle Salter declared an interest affecting impartiality as she is the Vice President of A Smart Start Great Southern.

10.4.1 Community Grants Program Round 1 - 2024/25 (ATTACHMENT)

File Ref: GS.AE.1
Reporting Officer: Harmony Blair - Community Development Officer
Date Report Prepared: 8 October 2024
Disclosure of Interest: No Interest to disclose

Issue:

To consider applications for Round 1 of the 2024-25 Community Grants Program.

Body/Background:

The Community Grants Program funding was advertised in August 2024 and September 2024 with advertisements in the Great Southern Herald, the Shire of Katanning Website, Shire Matters Newsletter, emails and word-of-mouth to the community and on Facebook.

The Community Grants Program (CGP) provides funding support in three categories; Minor Community Grant (up to \$5000), Major Community Grant (Over \$5000) and Triennium Community Grant (3-year approval - Minor or Major), to enable organisations to develop projects that increase participation and benefit the community.

At the closing date **four** applications were received: Three applications requested a minor community grant, one application requested a major community grant and no application requested a triennium grant. The application process was coordinated by the Community Development Officer, Harmony Blair.

The Community Grants Program for 2024-25 has \$43,000.00 ex GST available in the budget with \$10,000 already allocated to the Katanning Historical Society and \$3,008.75 allocated to the Katanning Baptist Church from the 23/24 program.

ROUND 1 APPLICATIONS RECEIVED – September 2024

| Group | Project | Amount Requested | Round |
|---------------------------------|---|------------------|------------|
| Rotary Club Katanning | 2025 Rotary International Dinner and Auction | \$4,133.00 | R1 2024/25 |
| Read Write Now | Journey of Heritage: Recording the settlement of Cocos and Christmas Islanders in Katanning | \$6,423.00 | R1 2024/25 |
| Katanning Piesse Park Community | Muddy Good Time Event | \$3,200.00 | R1 2024/25 |

| | | | |
|------------------------------|---------------------|------------|------------|
| Katanning Primary School P&C | Cookbook of Harmony | \$1,779.00 | R1 2024/25 |
|------------------------------|---------------------|------------|------------|

Officer's Comment:

Community Grants Program Budget 2024/2025 available: \$29,991.25 ex GST with \$10,000 already allocated to the Katanning Historical Society and \$3,008.75 allocated portion for the Katanning Baptist Church from 23/24 program.

Total cash contribution requested excluding GST: \$15,535.00

Community Grants Program Committee Recommended cash contribution: \$15,535.00 ex GST

No in-kind contribution was requested in this round.

The Community Grants Program (CGP) Committee considered applications for Round 1 of 2024/25 at its meeting held on Wednesday 2 October 2024 where it made the following decision:

1. Approve Rotary Club Katanning \$4,133.00 for the 2025 Rotary International Dinner and Auction, pending further clarification, excluding bond.
2. Approve Read Write Now \$6,423.00 for Journey of Heritage: Recording the Settlement of Cocos and Christmas Islanders in Katanning Project as listed in the application.
3. Approve Katanning Piesse Park Community \$3,200.00 for the Muddy Good Time event as listed in the application.
4. Approve Katanning Primary School P&C \$1,779.00 for the Cookbook of Harmony Project as listed in the application.

Statutory Environment:

Local Government Act 1995

Policy Implications:

2.9 Community Grants Program. Applications were assessed in accordance with the Policy Guidelines.

Financial Implications:

If the recommendation is accepted, the 2024/25 Community Grants program will spend a total of \$28,563.75 inclusive of pre-existing commitments. A budget of 14,436.25 will remain for Round 2 of the CGP.

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

Committee Recommendation:

That Council with respect to the 2024-2025 Community Grants Program:

1. Allocate Rotary Club Katanning \$4,133.00 for the 2025 Rotary International Dinner and Auction, pending further clarification, excluding bond.
2. Allocate Read Write Now \$6,423.00 for Journey of Heritage: Recording the Settlement of Cocos and Christmas Islanders in Katanning Project as listed in the application.
3. Allocate Katanning Piesse Park Community \$3,200.00 for the Muddy Good Time event as listed in the application.
4. Allocate Katanning Primary School P&C \$1,779.00 for the Cookbook of Harmony Project as listed in the application.

Council Motion:**MOVED: CR MICHELLE SALTER****SECONDED: CR JOHN GOODHEART****OC120/24 That Council with respect to the 2024-2025 Community Grants Program:**

1. **Allocate Rotary Club Katanning \$4,133.00 for the 2025 Rotary International Dinner and Auction, pending further clarification, excluding bond.**
2. **Allocate Read Write Now \$6,423.00 for Journey of Heritage: Recording the Settlement of Cocos and Christmas Islanders in Katanning Project as listed in the application.**
3. **Allocate Katanning Piesse Park Community \$3,200.00 for the Muddy Good Time event as listed in the application.**
4. **Allocate Katanning Primary School P&C \$1,779.00 for the Cookbook of Harmony Project as listed in the application.**

CARRIED: 6/0**FOR: CR KRISTY D'APRILE, CR JOHN GOODHEART, CR IAN HANNA, CR PAUL TOTINO, CR
MATT COLLIS, CR MICHELLE SALTER****AGAINST: NIL**

Cr Michelle Salter spoke for the motion.

Cr John Goodheart spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

10.4.2 Attraction and Retention Packages for Regional Child Care Workers Program 2024-2025 Grant Application

File Ref: GS.AE.5
Reporting Officer: Denise Gallanagh-Wood, Executive Manager Community Development
Date Report Prepared: 16 October 2024
Disclosure of Interest: No Interest to disclose

Issue:

For Council to consider Attraction and Retention Packages for Regional Child Care Workers Program 2024-2025 Grant Application - Department of Communities – Enabling flexible workforce strategies to ensure continuity of Early Childhood Education and Care (ECEC) services in the Shire of Katanning.

Cr Michelle Salter declared a financial interest as she works for Wanslea and left the room at 6:12pm.

Body/Background:

One of the main challenges for regional Early Childhood Education and Care (ECEC) providers is attracting and retaining qualified staff. As a result, providers often need to bring in staff from other locations, which leads to high costs. Additionally, regional ECEC services experience fluctuating demand due to seasonal agricultural activities, creating further uncertainty for these providers.

For example, Wanslea, a key provider in Katanning, spent over \$42,000 on travel expenses last year, with \$20,000 specific to Katanning. Seasonal demand fluctuations only add to these challenges, making it difficult to maintain consistent services.

To address this, the Shire of Katanning proposes to partner with Wanslea to introduce flexible workforce strategies to ensure staffing meets the needs. This project will offer travel, food and accommodation for staff needing to work in different locations while also aiming to attract and retain staff, with plans to host a regional conference or expo to enhance professional development opportunities.

The project aims to:

1. enable Wanslea to effectively respond to fluctuating demand and staffing gaps by flexibly sourcing staff from various locations (i.e. neighbouring shires or from Perth).
2. support Wanslea to continue offering lower-cost, high quality services to our local community.
3. identify other key stakeholders and form collaborative partnerships that work together on strategies that attract and retain quality ECEC providers to the region
4. support professional development opportunities for staff in the region

Without this project, in the long term, local ECEC providers may need to either increase fees or scale back services, causing further disadvantage to local families and children who benefit, and often depend upon, high quality early education and care.

Running from January 16, 2025, to December 31, 2025, the project is supported by Wanslea and includes collaboration with the Shire of Kent to develop regional solutions for staffing challenges. Key outcomes of the project include:

- Attracting and retaining a suitable Early Childhood teacher to reach capacity for 30 children, lifting the cap of 19 places.
- Reducing staff turnover by fostering a supportive, connected work environment.
- Encouraging staff relocation to the region by offering positive experiences.
- Boosting the local economy through increased spending from visiting staff.

A total project cost of \$35,000 to be considered as divided below.

| | |
|---|----------|
| Department of Communities Attraction & Retention Packages for Regional Child Care Workers Program 2024-2025 | \$25,000 |
| Project related costs (in kind) Wanslea | \$10,000 |

Expenditure includes:

| | |
|---|-----------------|
| Travel, accommodation and meals. | \$23,000 |
| Support the Shire of Kent in delivering a regionally based conference or expo | \$ 2,000 |
| Project related costs (in kind) Wanslea | \$10,000 |
| Total | \$35,000 |

Officer's Comment:

The project aims to ensure affordable, high-quality ECEC services, support flexible staffing solutions, and build partnerships to attract skilled staff to the region. Without these efforts, local providers may face increased costs or reduced services, which would negatively impact families relying on ECEC services

Statutory Environment:

Local Government Act 1995

Policy Implications:

Nil

Financial Implications:

Project cost of \$35,000

Risk Implications:

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is "Low" and can be managed by entering into an MOU with Wanslea to address matters of concern.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 – 2023

| | |
|-------------------|---|
| 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 PAUL TOTINO****SECONDED: CR IAN HANNA**

OC121/24 That Council submit the prepared grant application to the Department of Communities seeking funding to support the recruitment and retention of childcare workers in Katanning.

CARRIED: 6/0

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

AGAINST: NIL

Cr Paul Totino spoke for the motion.

Cr John Goodheart spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

Cr Michelle Salter returned to the room at 6:19pm.

10.4.3 Camping Fee at Katanning Leisure Centre

File Ref: FM.FC.1
Reporting Officer: Kirsty Flugge, Manager Recreation Services
Date Report Prepared: 16 October 2024
Disclosure of Interest: NIL

Issue:

Council is asked to consider the implementation of a camping fee of \$20 per vehicle per day for attendees wishing to camp at the Katanning Leisure Centre Grounds during the Katanning Agricultural Show 2024. This fee will offset costs related to facility usage, utilities utilised and support maintenance efforts during the event.

Body/Background:

We have introduced camping options at the Katanning Leisure Centre grounds to cater for overflow. Due to concurrent events the Katanning Agricultural Show 2024 and National Shearing Competition the demand for accommodation is higher than usual and all available lodging in Katanning and surrounding areas is fully booked. Council is therefore prompted to consider implementing a fee to facilitate effective management and maintenance of the venues facilities during this busy event. There is no camping fee in the current fees and charges for 2024/25 for this purpose.

Officer's Comment:

That Council endorse a charge of \$20 per vehicle per day for the duration of the Agricultural Show 2024.

Statutory Environment:

Local Government Act 1995

Policy Implications:

Nil.

Financial Implications:

This fee will offset costs related to facility usage, utilities utilised and support maintenance efforts during the event.

Risk Implications:

Nil.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 – 2023

Focus Area Cultural
Social

Aspiration Katanning is a place for everyone from all walks of life.
Katanning is a vibrant active place that encourages this community to thrive.

Objective To be welcoming and inviting place for all cultures – existing and future
To support and encourage community events that bring us together

PROCEDURAL MOTION:

Voting Requirement: Simple Majority

MOVED: CR JOHN GOODHEART

SECONDED: CR IAN HANNA

OC122/24 That Council suspends standing orders.

CARRIED: 6/0

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

AGAINST: NIL

PROCEDURAL MOTION:

Voting Requirement: Simple Majority.

MOVED: CR JOHN GOODHEART

SECONDED: CR MICHELLE SALTER

OC123/24 That Council resumes standing orders.

CARRIED: 6/0

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

AGAINST: NIL

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR PAUL TOTINO

SECONDED: CR JOHN GOODHEART

OC124/24 That Council endorse charging a \$20 camping fee per vehicle per day for the duration of the Katanning Agricultural Show 2024.

CARRIED: 6/0

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

AGAINST: NIL

10.5 CHIEF EXECUTIVE OFFICER'S REPORTS

10.5.1 Local Government Elections – Advocacy Positions

File Ref:**Reporting Officer:** Tony Brown - Executive Director Member Services (WALGA)**Date Report Prepared:** 24 September 2024**Disclosure of Interest:** Nil**Issue:**

- Local Governments are being asked to consider WALGAs current and alternative advocacy positions as they relate to Local Government Elections
- Input from the Katanning Council has been requested by 28 October

Body/Background:**Officer's Comment:**

The *Local Government Amendment Act 2023* introduced the following electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several zones, WALGA has recently reviewed the last 5 ordinary election cycles against the backdrop of these legislative reforms. The review & report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis confirming the rising cost of conducting Local Government elections in Western Australia.

The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions.

Following are WALGA's current advocacy positions:

a) ELECTIONS**Position Statement**

The Local Government sector supports:

1. Four year terms with a two year spill
2. Greater participation in Local Government elections
3. The option to hold elections through:
 - Online voting
 - Postal voting, and
 - In-person voting

4. Voting at Local Government elections to be voluntary
5. The first past the post method of counting votes

The Local Government sector opposes the introduction of preferential voting, however if 'first past the post' voting is not retained then optional preferential voting is preferred.

Background The first past the post (FPTP) method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.

b) METHOD OF ELECTION OF MAYOR

Position Statement Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

c) CONDUCT OF POSTAL ELECTIONS

Position Statement The *Local Government Act 1995* should be amended to allow the Australian Electoral Commission (AEC) and any other third-party provider including Local Governments to conduct postal elections.

Background Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.

WALGA has requested the following advocacy positions be considered by Councils:

1. PARTICIPATION

- (a) The sector supports voluntary voting at Local Government elections, or;
- (b) The sector supports compulsory voting at Local Governments elections.

2. TERMS OF OFFICE

- (a) The sector continues to support four-year terms with a two-year spill, or;
- (b) The sector supports four-year terms on an all in/all out basis.

3. VOTING METHODS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections, or
- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

4. INTERNAL ELECTIONS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections, or;
- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

- (a) Electronic voting; and/or
- (b) Postal voting; and/or

(c) In-Person voting.

6. METHOD OF ELECTION OF MAYOR/PRESIDENT

The sector supports:

- (a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.
- (b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.
- (c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

Statutory Environment:

Part 4, Division 1-12 of the *Local Government Act 1995* specifies the conditions by which local government elections are held.

Policy Implications:

Nil

Financial Implications:

Postal ballots conducted by the WAEC on behalf of Council was budgeted to costs approximately \$30,000.

Risk Implications:

The perceived level of risk is considered “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 JOHN GOODHEART

SECONDED: CR MICHELLE SALTER

- OC125/24**
- 1. The Shire of Katanning supports the following local government election, advocacy positions;**
 - a) Participation – voluntary voting at local government elections (advocacy position 1a).**
 - b) Terms of Office – four-year terms with a two-year spill (advocacy position 2a).**
 - c) Voting Method - first Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, then Council supports removing the 'proportional' part of the voting method for general elections (advocacy position 3a).**
 - d) Internal Elections – first past the post as the preferred voting method for all internal elections (advocacy position 4a).**
 - e) Voting accessibility – Council supports the option of hosting an election by;**
 - i. Electronic voting; and/or**
 - ii. Postal voting; and/or**
 - iii. In-Person voting.**
 - f) Method of electing a President/Mayor - return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President (advocacy position 6b)**
 - 2. That Band 1 & 2 council responses be grouped and assessed separately from Band 3 & 4 council responses and if different, WALGA's advocacy position is to reflect these differences.**

CARRIED: 6/0

**FOR: CR KRISTY D'APRILE, CR JOHN GOODHEART, CR IAN HANNA, CR PAUL TOTINO, CR
MATT COLLIS, CR MICHELLE SALTER**

AGAINST: NIL

Cr John Goodheart spoke for the motion.

10.5.2 Organisational Structure & Senior Staff (ATTACHMENT)

File Ref:**Reporting Officer:** Peter Klein – Chief Executive Officer**Date Report Prepared:** 17 October 2024**Disclosure of Interest:** Nil**Issue:**

Organisational structure approval and the nomination of senior employees.

Body/Background:

The organisational structure has been reviewed and lines of reporting and some positions have been amended to improve delivery of Council's strategy.

Secondly, the Local Government Act 1999 at clause 5.37, states as follows;

5.37 Senior employees

- (1) A local government may designate employees or persons belonging to a class of employee to be senior employees.*
- (2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for it doing so.*

Clause 39(1a) deals with the recruitment of people into acting positions.

Officer's Comment:

Attached is a copy of the current organisational chart for approval.

Consider nominating the following positions as senior employees, in accordance with clause 5.37;

- General Manager Operations
- General Manager Assets & Strategy
- Executive Manager Corporate Services
- Executive Manager Community Development

Statutory Environment:

Council's option to establish senior employees, under the *Local Government Act 1999*, is conferred by clause 5.37.

Policy Implications:

Nil.

Financial Implications:

Nil – employee costs are approved annually via the budget process.

Risk Implications:

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 JOHN GOODHEART****SECONDED: CR PAUL TOTINO****OC126/24****That Council;**

- a) Endorse the amended organisational chart; and**
- b) Nominate the following positions as senior employees in accordance with clause 5.37 of the *Local Government Act 1995*;**
 - General Manager Operations**
 - General Manager Assets & Strategy**
 - Executive Manager Corporate Services**
 - Executive Manager Community Development**

CARRIED: 5/1**FOR: CR KRISTY D'APRILE, CR JOHN GOODHEART, CR IAN HANNA, CR PAUL TOTINO, CR
MATT COLLIS****AGAINST: CR MICHELLE SALTER**

Cr John Goodheart spoke for the motion.

Cr Paul Totino spoke for the motion.

Cr Michelle Salter spoke against the motion.

Cr Kristy D'Aprile spoke for the motion.

10.5.3 **Staff Discount on Leisure Centre & Aquatic Centre Memberships** (ATTACHMENT)

File Ref: GV.PO.1
Reporting Officer: Peter Klein
Date Report Prepared: 18 October 2024
Disclosure of Interest: No Interest to disclose
Attachments Amended Policy - marked-up and clean versions

Issue:

Periodic review of Shire policies.

Body/Background:

The Council's policies are key governance documents and are the mechanism by which Councillors direct the values & performance of Council staff and ensure a consistent approach across the organisation to solving problems.

The Council has a list of 48 policies and these are currently required to be reviewed by Councillors, on an annual basis.

To make this process manageable, several policies will be presented to each future Forum/Council meeting.

Officer's Comment:

The aim of this policy is to promote and enhance health, fitness, and wellbeing among councillors and Council staff. Management has reviewed the policy and requests that the Council consider adopting the proposed amendments.

Statutory Environment:

Under the Local Government Act 1999, clause 2.7(2)(b) the council is responsible for determining the local government's policies.

Policy Implications:

Subject to Council approval the current policy will be updated & replaced.

Financial Implications:

Nil.

Risk Implications:

Low.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 - 2032

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 PAUL TOTINO

SECONDED: CR MICHELLE SALTER

OC127/24 Council approves the amended Staff Discount on Leisure Centre & Aquatic Centre Memberships Policy.

CARRIED: 6/0

**FOR: CR KRISTY D'APRILE, CR JOHN GOODHEART, CR IAN HANNA, CR PAUL TOTINO, CR
MATT COLLIS, CR MICHELLE SALTER**

AGAINST: NIL

Cr Paul Totino spoke for the motion.

10.5.4 **Corporate Credit Card** (ATTACHMENT)

File Ref: GV.PO.1
Reporting Officer: Peter Klein
Date Report Prepared: 18 October 2024
Disclosure of Interest: No Interest to disclose
Attachments Amended Policy - marked-up and clean versions

Issue:

Periodic review of Shire policies.

Body/Background:

The Council's policies are key governance documents and are the mechanism by which Councillors direct the values & performance of Council staff and ensure a consistent approach across the organisation to solving problems.

The Katanning Shire Council has a list of 48 policies and these are currently required to be reviewed by Councillors, on an annual basis.

To make this process manageable, several policies will be presented to each future Forum/Council meeting.

Officer's Comment:

The objective of this policy is to establish a clear framework for the use of corporate credit cards, providing staff with concise guidelines to minimize the risk of fraud and misuse.

Statutory Environment:

Under the Local Government Act 1999, clause 2.7(2)(b) the council is responsible for determining the local government's policies.

Policy Implications:

Subject to Council approval the current policy will be updated & replaced.

Financial Implications:

Nil.

Risk Implications:

Low.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 - 2032

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 JOHN GOODHEART

SECONDED: CR PAUL TOTINO

OC128/24

Council approves the amended Corporate Credit Card Policy.

CARRIED: 6/0

**FOR: CR KRISTY D'APRILE, CR JOHN GOODHEART, CR IAN HANNA, CR PAUL TOTINO, CR
MATT COLLIS, CR MICHELLE SALTER**

AGAINST: NIL

Cr John Goodheart spoke for the motion.

Cr Paul Totino spoke for the motion.

10.5.5 Quick Response Grants Program (ATTACHMENT)

File Ref: GV.PO.1
Reporting Officer: Peter Klein
Date Report Prepared: 18 October 2024
Disclosure of Interest: No Interest to disclose
Attachments Amended Policy - marked-up and clean versions

Issue:
Periodic review of Shire policies.

Body/Background:

The Council's policies are key governance documents and are the mechanism by which Councillors direct the values & performance of Council staff and ensure a consistent approach across the organisation to solving problems.

The Katanning Shire Council has a list of 48 policies and these are currently required to be reviewed by Councillors, on an annual basis.

To make this process manageable, several policies will be presented to each future Forum/Council meeting.

Officer's Comment:

The objective of this policy is to guide Council in planning its support for community projects that fall outside the CEO donation limits and the application periods of the community grants program.

Statutory Environment:

Under the Local Government Act 1999, clause 2.7(2)(b) the council is responsible for determining the local government's policies.

Policy Implications:

Subject to Council approval the current policy will be updated & replaced.

Financial Implications:

Nil.

Risk Implications:

Low.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 - 2032

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 PAUL TOTINO

SECONDED: CR MATT COLLIS

OC129/24 Council approves the amended Quick Response Grants Program Policy.

CARRIED: 6/0

**FOR: CR KRISTY D'APRILE, CR JOHN GOODHEART, CR IAN HANNA, CR PAUL TOTINO, CR
MATT COLLIS, CR MICHELLE SALTER**

AGAINST: NIL

Cr Paul Totino 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

PROCEDURAL MOTION

MOVED: CR MATT COLLIS

SECONDED: CR JOHN GOODHEART

OC130/24 That Council closes the meeting to the public to consider the following items:

- **Outstanding Sundry Debtors – Write-off**
- **Amherst Residence Contract – Lease for life**
- **Appointment of General Manager Operations**

CARRIED/LOST:

FOR:

AGAINST:

13.1 Outstanding Sundry Debtors – Write-off
(ATTACHMENT)

File Ref: FM.DT.10
Reporting Officer: Patrick Kennedy, Manager Finance
Date Report Prepared: 01 October 2024
Disclosure of Interest: Nil

Reason for Confidentiality

The Officer's Report is confidential in accordance with section 5.23 (2) (e) (iii) of the Local Government Act because it deals with a matter if disclosed, would reveal information about a business, professional, commercial or financial affairs of a person.

PROCEDURAL MOTION:

Voting Requirement: Simple Majority

MOVED: CR MICHELLE SALTER **SECONDED: CR MATT COLLIS**

OC131/24 **That Council suspends standing orders.**

CARRIED: 6/0

**FOR: CR KRISTY D'APRILE, CR JOHN GOODHEART, CR IAN HANNA, CR PAUL TOTINO, CR
MATT COLLIS, CR MICHELLE SALTER
AGAINST: NIL**

PROCEDURAL MOTION:

Voting Requirement: Simple Majority.

MOVED: CR MICHELLE SALTER **SECONDED: CR PAUL TOTINO**

OC132/24 **That Council resumes standing orders.**

CARRIED: 6/0

**FOR: CR KRISTY D'APRILE, CR JOHN GOODHEART, CR IAN HANNA, CR PAUL TOTINO, CR
MATT COLLIS, CR MICHELLE SALTER
AGAINST: NIL**

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR MATT COLLIS

SECONDED: CR PAUL TOTINO

OC133/24 Council, authorise the write-off of invoices totalling \$3,020.25 as listed in the body of this report, as the debts are deemed to be no longer recoverable.

CARRIED: 6/0

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

AGAINST: NIL

Cr Matt Collis spoke for the motion.

Cr Paul Totino spoke for the motion.

Cr John Goodheart spoke for the motion.

13.2 **Amherst Residence Contract – Lease for life**
(ATTACHMENT)

File Ref:

Reporting Officer: Peter Klein – Chief Executive Officer

Date Report Prepared: 11 October 2024

Disclosure of Interest: Nil

Reason for Confidentiality

The Officer's Report is confidential in accordance with section 5.23 (2) (e) (iii) of the Local Government Act because it deals with a matter if disclosed, would reveal information about the financial affairs of a person.

PROCEDURAL MOTION:

Voting Requirement: Simple Majority

MOVED: CR JOHN GOODHEART

SECONDED: CR IAN HANNA

OC134/24 That Council suspends standing orders.

CARRIED: 6/0

**FOR: CR KRISTY D'APRILE, CR JOHN GOODHEART, CR IAN HANNA, CR PAUL TOTINO, CR
MATT COLLIS, CR MICHELLE SALTER**

AGAINST: NIL

PROCEDURAL MOTION:

Voting Requirement: Simple Majority.

MOVED: CR PAUL TOTINO

SECONDED: CR IAN HANNA

OC135/24 That Council resumes standing orders.

CARRIED: 6/0

**FOR: CR KRISTY D'APRILE, CR JOHN GOODHEART, CR IAN HANNA, CR PAUL TOTINO, CR
MATT COLLIS, CR MICHELLE SALTER**

AGAINST: NIL

Voting Requirement: Simple Majority

Officer's Recommendation:

That;

- a) subject to there being no material change to the "Amherst Village Residence Contract – Lease for Life", Council approve the Contract's execution in accordance with clause 9.49A(3) of the *Local Government Act 1995*.
- b) Council endorses the Allocation of Amherst Units Policy.

- c) Council endorses the Amherst Village “Rules of Residency”.

Council Motion:

MOVED: CR PAUL TOTINO

SECONDED: CR MICHELLE SALTER

OC136/24 That;

- a) subject to the recurrent charge being \$486 per fortnight and there being no material change to the “Amherst Village Residence Contract – Lease for Life”, Council approves the Contracts execution in accordance with clause 9.49A(3) of the *Local Government Act 1995*.
- b) Council endorses the Allocation of Amherst Units Policy.
- c) Council endorses the Amherst Village Rules of Residency.

CARRIED: 6/0

**FOR: CR KRISTY D’APRILE, CR JOHN GOODHEART, CR IAN HANNA, CR PAUL TOTINO, CR
MATT COLLIS, CR MICHELLE SALTER**

AGAINST: NIL

Cr Paul Totino spoke for the motion.

Cr John Goodheart spoke for the motion.

Staff left the room at 7:15pm

13.3 Appointment of General Manager Operations

File Ref: K006
Reporting Officer: Peter Klein, Chief Executive Officer
Date Report Prepared: 16 October 2024

Reason for Confidentiality

The Chief Executive Officer's Report is confidential in accordance with section 5.23(2)(a) & (b) of the Local Government Act because it deals with matters affecting an employee and the personal affairs of a person.

PROCEDURAL MOTION:

Voting Requirement: Simple Majority

MOVED: CR JOHN GOODHEART SECONDED: CR MATT COLLIS

OC137/24 That Council suspends standing orders.

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

PROCEDURAL MOTION:

Voting Requirement: Simple Majority.

MOVED: CR PAUL TOTINO SECONDED: CR IAN HANNA

OC138/24 That Council resumes standing orders.

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

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR PAUL TOTINO

SECONDED: CR IAN HANNA

OC139/24 Council endorses the preferred applicant's appointment to the position of Executive Manager Operations, in accordance with section 5.37(2) of the *Local Government Act 1995*.

CARRIED: 6/0

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

AGAINST: NIL

PROCEDURAL MOTION

Voting Requirement: Simple Majority

MOVED: CR IAN HANNA

SECONDED: CR MATT COLLIS

OC140/24 That Council reopens the meeting to the public.

CARRIED: 6/0

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

AGAINST: NIL

| |
|-------------------------------|
| 14. CLOSURE OF MEETING |
|-------------------------------|

The Presiding Member declared the meeting closed at 7:27pm.