



Shire of  
**Katanning**  
Heart of the Great Southern

'Together, We're Building Katanning's Future'

**MINUTES OF A  
SPECIAL COUNCIL MEETING**

Dear Council Member

Minutes of a Special Council Meeting of the Shire of Katanning held on  
Thursday 7 September 2017, in the Shire of Katanning Council Chambers,  
14 Austral Terrace, Katanning, commencing at 1:30pm.

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 \_\_\_\_\_



### Table of Contents

Item No.	Item Heading	Page No.
<b>1</b>	<b>Declaration of Opening/Announcement of Visitors</b>	<b>3</b>
<b>2</b>	<b>Record of Attendance</b>	<b>3</b>
<b>3</b>	<b>Response to Previous Public Questions Taken on Notice</b>	<b>4</b>
<b>4</b>	<b>Disclosure of Financial/Impartiality Interest</b>	<b>4</b>
<b>5</b>	<b>Public Question/Statement Time</b>	<b>4</b>
<b>6</b>	<b>Applications for Leave of Absence</b>	<b>4</b>
<b>7</b>	<b>Petitions/Deputations/Presentations</b>	<b>4</b>
<b>8</b>	<b>Confirmation of Minutes of Previous Meetings</b>	<b>4</b>
<b>9</b>	<b>Announcements by Presiding Member Without Discussion</b>	<b>4</b>
<b>10</b>	<b>Reports of Committees and Officers</b>	<b>4</b>
<b>10.1</b>	<b>Executive Manager Infrastructure &amp; Development Reports</b>	<b>4</b>
<b>10.2</b>	<b>Executive Manager Finance &amp; Administration Reports</b>	<b>4</b>
<b>10.3</b>	<b>Executive Manager, Projects and Community Building</b>	<b>4</b>
<b>10.4</b>	<b>Executive Manager, Property &amp; Assets Reports</b>	<b>4</b>
<b>10.6</b>	<b>Chief Executive Officer's Reports</b>	<b>5</b>
10.6.1	Adoption of the 2017/18 Budget	5
<b>10.7</b>	<b>Advisory Committee Meeting Minutes</b>	<b>12</b>
<b>11</b>	<b>Elected Members Motions</b>	<b>12</b>
<b>12</b>	<b>New Business of an Urgent Nature</b>	<b>12</b>
<b>13</b>	<b>Confidential Item</b>	<b>12</b>
<b>14</b>	<b>Closure of Meeting</b>	<b>12</b>

**1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISTORS**

The Presiding Member declared the meeting open at 1:30pm.

**2. RECORD OF ATTENDANCE****PRESENT**

Presiding Member: Cr Liz Guidera - President

Members: Cr Craig McKinley - Deputy President  
Cr Danny McGrath  
Cr Martin Van Koldenhoven  
Cr John Goodheart  
Cr Alep Mydie  
Cr Richard Kowald  
Cr Owen Boxall

Council Officers: Julian Murphy, Chief Executive Officer  
Libby French, Manager Finance  
Taryn Human, Governance Executive Officer  
Sophie Justins, Community Relations Officer

Gallery:

Media:

Apologies: Cr Serena Sandwell

Leave of Absence:

**3. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS**

Nil.

**5. PUBLIC QUESTION/STATEMENT TIME**

Nil.

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**7. PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

**8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Nil.

**9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil.

**10. REPORTS OF COMMITTEES AND OFFICERS**

Nil.

**10.1 EXECUTIVE MANAGER INFRASTRUCTURE & DEVELOPMENT REPORTS**

Nil.

**10.2 EXECUTIVE MANAGER FINANCE & ADMINISTRATION REPORTS**

Nil.

**10.3 EXECUTIVE MANAGER, PROJECTS AND COMMUNITY BUILDING REPORTS**

Nil.

**10.4 EXECUTIVE MANAGER, PROPERTY & ASSETS REPORTS**

Nil.

## 10.6 CHIEF EXECUTIVE OFFICER'S REPORTS

### 10.6.1 Adoption of the 2017/18 Budget

**File Ref:** FM.BU.1  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 6 September 2017

**Issue:**

To consider revoking Council's resolution of 29 August 2017 to adopt the 2017/18 Budget for the Shire of Katanning to correct an administrative error relating to the rate in the dollar imposed on Unimproved Values (UV) of rateable land.

**Body/Background:**

The *Local Government Act 1995, section 6.2* requires a Local Government to prepare and adopt a budget before 31 August.

Council adopted the Annual Budget for 2017/18 as presented at the Special Council Meeting held on 29 August 2017. The budget document and Council's resolution to adopt the budget contained errors relating to the Unimproved Values of rateable land and the rate in the dollar for UV land. The Valuer General re-values UV land every year and the revaluations for 2017/18 were not fully applied when calculating the amount to be raised from rates on UV land.

Council's original intention when adopting the budget was to provide for an increase in rate revenue of 4.63%. The rate in the dollar adopted by Council when applied to the updated Unimproved Values would result in an increase in rates of greater than 6%.

A copy of the Officer's Report for the Special Council Meeting of 29 August 2017 for Adoption of the 2017/18 Budget and a revised Statutory Budget is attached for Council's information. The revised budget provides for an increase in rates of 4.63%.

**Officer's Comment:**

In order to conform to Council's original intent of increasing rates by 4.63% and to meet the requirements of *section 6.32* of the *Local Government Act 1995* to set a rate in the dollar on rateable land it is recommended that Council revokes its resolution of 29 August 2017 to adopt the 2017/18 Budget. Council should then readopt the budget with the correct UV land values and changes to the due dates for the payment of rates.

There should be no change to Council's original decision to adopt the budget for the following items:

- 2: Minimum Rates
- 3: Discount
- 4: Payment options
- 5 & 6: Interest and Administration Charges for Instalment Options, and Penalty Interest
- 7 & 8: Refuse, Recycling Charges and Waste Rate
- 9: Schedule of Fees and Charges
- 10: Material Variances
- 11, 12 & 13: Elected Members fees and allowances

**Statutory Environment:**

- *Local Government Act 1995 – Part 6, Division 2 – Annual Budget*
- *Local Government (Financial Management) Regulations 1996*
- *Local Government (Administration) Regulations 1996, Regulation 10. Revoking or changing decisions (Act s. 5.25(1)(e)) -*
  - (1) *If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported –*
    - (a) *in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or*
    - (b) *in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee,*
  - (2) *If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made –*
    - (a) *in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or*
    - (b) *in any other case, by an absolute majority.*

**Policy Implications:**

Nil.

**Financial Implications:**

Budget of estimated income and expenditure for the 2017/18 financial year.

**Strategic Implications:*****Shire of Katanning Strategic Plan 2013 – 2023***

Development and Leadership

- Governance

**Officer's Recommendation/Council Motion:**

The motion to revoke the decision was supported by Councillors Van Koldenhoven, Goodheart and McGrath.

**MOVED: CR DANNY MCGRATH**

**SECONDED: CR JOHN GOODEHART**

**OC123/17** That Council revokes the following decision made at the Special Council Meeting held on 29 August 2017:

***That Council with respect to the 2017/18 Budget for the Shire of Katanning adopts the following:***

1. ***General Rates - the following rates be imposed on rateable property for 2017/18:***
  - ***Unimproved Values (UV)*** ***\$0.011042***
  - ***Gross Rental Values (GRV)*** ***\$0.098009***

2. **Minimum Rates - the following minimum rates be imposed on rateable property for 2017/18:**
  - **Unimproved Values (UV) \$960**
  - **Gross Rental Values (GRV) \$960**
3. **Discount – That Council grants a discount of 2% of the value of current rates (rates levied in 2017/18) if all rates and charges appearing on the rate notice including arrears are paid in full within 35 days of issue of the rates assessment notice.**
4. **Payment Options – that Council adopts the following options for the payment of rates and charges for 2017/18:**
  - Option 1 (Full Payment)**
    - **Full amount, less any entitled discount, of rates and charges including arrears to be paid on or before 35 days after the date of service appearing on the rate notice. Granting a 2% discount on this option.**
  - Option 2 (2 Instalments)**
    - **The first instalment of 50% of the total current rates and charges, instalment charges plus the total outstanding arrears payable, within 35 days from the date of issue of the rate notice.**
    - **The second instalment of 50% of the total current rates and charges and instalment charges, payable 4 months from the due date of the first instalment.**
  - Option 3 (4 Instalments)**
    - **The first instalment of 25% of the total current rates and charges and instalment charges plus the total outstanding arrears payable, within 35 days from the date of issue of the rate notice.**
    - **The second, third and fourth instalments, each of 25% of the current rates and charges and instalment charges, payable at two monthly intervals after the due date of the first instalment.**
5. **Interest and Administration Charges for Instalment Options – that Council in accordance with 6.45 of the Local Government Act 1995 imposes the following charges:**
  - a) **An administrative charge of \$10 per instalment notice; and**
  - b) **Interest of 5.5% per annum on rates paid by instalments in 2017/18.**
6. **Penalty Interest on Overdue Rates – that Council imposes a penalty interest rate of 11% per annum to be imposed on**

**outstanding rates in 2017/18 in accordance with 6.51 of the Local Government Act 1995.**

- 7. Refuse and Recycling Charges – That Council in accordance with section 67 of the Waste Avoidance and Resource Recovery Act 2007, imposes the following charges for 2017/18 for the collection and disposal of refuse:**

• Domestic service 240 litre bin, per bin per year	\$350
• Domestic Service (additional 240 litre bin)	\$350
• Domestic Service 120 litre bin, per bin per year	\$265
• Commercial service 240 litre bin. Per bin per year	\$350
• Commercial service (additional 240 litre bin)	\$350
• Commercial Service 120 litre, per bin per year	\$265
• Street Bin Collection, per bin per year	\$165
• Commercial waste management charge	\$97

- 8. Waste Rate – That Council in accordance with section 66 of the Waste Avoidance and Resource Recovery Act 2007, imposes a waste rate for 2017/18 for the provision of waste services in Katanning. This includes the provision of a local refuse site and street sweeping.**

**Waste Rate:**

• Unimproved Values (UV)	\$0.0001
• Gross Rental Values (GRV)	\$0.0001

**Minimum Waste Rate:**

• Unimproved Values (UV)	\$31.00
• Gross Rental Values (GRV)	\$31.00

- 9. Fees and Charges – adopts the Schedule of Fees and Charges as detailed for 2017/18 in accordance with section 6.16 of the Local Governments Act 1995.**

- 10. Material Variances – In relation to financial reporting in 2017/18, adopt a variance of 10% or greater of the annual budget for each program area in the budget, as a level which requires an explanation or report, with a minimum dollar value of \$10,000.**

- 11. Elected Members Meeting Attendance Fees - adopts the annual sitting fee option and the fee for 2017/18 be set at:**

• Councillors	\$10,000 per Councillor
• President	\$10,000 President

- 12. President and Deputy President Allowances – for 2017/18 adopts the annual allowance for the President of \$20,000 and for the Deputy President \$5,000.**



- 13. Information and Communication Technology Allowance – for 2017/18 adopts an annual information and communications technology allowance of \$1,100 per elected member.**
- 14. Adoption of Annual Budget – that Council adopts the annual budget for 2017/18.**

**Voting Requirement:** Absolute Majority

CARRIED BY AN ABSOLUTE MAJORITY: 8/0

**Officer's Recommendation/Council Motion:**

**MOVED: CR DANNY MCGRATH**

**SECONDED: CR CRAIG MCKINLEY**

**OC124/17 That Council with respect to the 2017/18 Budget for the Shire of Katanning adopts the following:**

- 1. General Rates - the following rates be imposed on rateable property for 2017/18:**
  - **Unimproved Values (UV) \$0.010500**
  - **Gross Rental Values (GRV) \$0.098009**
- 2. Minimum Rates - the following minimum rates be imposed on rateable property for 2017/18:**
  - **Unimproved Values (UV) \$960**
  - **Gross Rental Values (GRV) \$960**
- 3. Discount – That Council grants a discount of 2% of the value of current rates (rates levied in 2017/18) if all rates and charges appearing on the rate notice including arrears are paid in full within 35 days of issue of the rates assessment notice.**
- 4. Payment Options – that Council adopts the following options for the payment of rates and charges for 2017/18:**
  - Option 1 (Full Payment)**
    - **Full amount, less any entitled discount, of rates and charges including arrears to be paid on or before 35 days after the date of service appearing on the rate notice. Granting a 2% discount on this option.**
  - Option 2 (2 Instalments)**
    - **The first instalment of 50% of the total current rates and charges, instalment charges plus the total outstanding arrears payable, within 35 days from the date of issue of the rate notice.**
    - **The second instalment of 50% of the total current rates and charges and instalment charges, payable 4 months from the due date of the first instalment.**

**Option 3 (4 Instalments)**

- The first instalment of 25% of the total current rates and charges and instalment charges plus the total outstanding arrears payable, within 35 days from the date of issue of the rate notice.
  - The second, third and fourth instalments, each of 25% of the current rates and charges and instalment charges, payable at two monthly intervals after the due date of the first instalment.
5. **Interest and Administration Charges for Instalment Options – that Council in accordance with 6.45 of the Local Government Act 1995 imposes the following charges:**
- c) An administrative charge of \$10 per instalment notice; and
  - d) Interest of 5.5% per annum on rates paid by instalments in 2017/18.
6. **Penalty Interest on Overdue Rates – that Council imposes a penalty interest rate of 11% per annum to be imposed on outstanding rates in 2017/18 in accordance with 6.51 of the Local Government Act 1995.**
7. **Refuse and Recycling Charges – That Council in accordance with section 67 of the Waste Avoidance and Resource Recovery Act 2007, imposes the following charges for 2017/18 for the collection and disposal of refuse:**
- Domestic service 240 litre bin, per bin per year \$350
  - Domestic Service (additional 240 litre bin) \$350
  - Domestic Service 120 litre bin, per bin per year \$265
  - Commercial service 240 litre bin. Per bin per year \$350
  - Commercial service (additional 240 litre bin) \$350
  - Commercial Service 120 litre, per bin per year \$265
  - Street Bin Collection, per bin per year \$165
  - Commercial waste management charge \$97
8. **Waste Rate – That Council in accordance with section 66 of the Waste Avoidance and Resource Recovery Act 2007, imposes a waste rate for 2017/18 for the provision of waste services in Katanning. This includes the provision of a local refuse site and street sweeping.**
- Waste Rate:**
- Unimproved Values (UV) \$0.0001
  - Gross Rental Values (GRV) \$0.0001
- Minimum Waste Rate:**
- Unimproved Values (UV) \$31.00
  - Gross Rental Values (GRV) \$31.00

9. **Fees and Charges – adopts the Schedule of Fees and Charges as detailed for 2017/18 in accordance with section 6.16 of the Local Governments Act 1995.**
10. **Material Variances – In relation to financial reporting in 2017/18, adopt a variance of 10% or greater of the annual budget for each program area in the budget, as a level which requires an explanation or report, with a minimum dollar value of \$10,000.**
11. **Elected Members Meeting Attendance Fees - adopts the annual sitting fee option and the fee for 2017/18 be set at:**
  - **Councillors \$10,000 per Councillor**
  - **President \$10,000 President**
12. **President and Deputy President Allowances – for 2017/18 adopts the annual allowance for the President of \$20,000 and for the Deputy President \$5,000.**
13. **Information and Communication Technology Allowance – for 2017/18 adopts an annual information and communications technology allowance of \$1,100 per elected member.**
14. **Adoption of Annual Budget – that Council adopts the annual budget for 2017/18.**

**Voting Requirement:** Absolute Majority

CARRIED BY AN ABSOLUTE MAJORITY: 8/0

Cr Danny McGrath spoke for the motion.

Cr Richard Kowald spoke for the motion.

Cr Martin Van Koldenhoven spoke for the motion.

**10.7 ADVISORY COMMITTEE MEETING**

Nil.

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

Nil.

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

Nil.

**13. CONFIDENTIAL ITEM**

Nil.

**14. CLOSURE OF MEETING**

The Presiding Member declared the meeting closed at 1:37pm