



Shire of
Katanning
Heart of the Great Southern

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

**NOTICE OF
ORDINARY COUNCIL MEETING**

Dear Council Member

The next Ordinary Council Meeting of the Shire of Katanning will be held on
Tuesday 23 November 2021 in the Shire of Katanning Council Chambers,
52 Austral Terrace, Katanning, commencing at 7.00 pm.

Julian Murphy

CHIEF EXECUTIVE OFFICER

Thursday 18 November 2021

DISCLAIMER

The Council of the Shire of Katanning hereby
advises that before taking any action on an application or a
decision of the Council, any applicant or members of the
public should wait for written advice from the Council.

PRESIDING MEMBER _____

DATE SIGNED _____



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PLEASE NOTE:

Council Meetings are recorded for accuracy of minute taking.

1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at ____ pm.

2. RECORD OF ATTENDANCE

PRESENT

Presiding Member: Cr Liz Guidera - President

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

Council Officers: Julian Murphy, Chief Executive Officer
Denise Gobbart, Executive Manager Corporate & Community
Sam Bryce, Executive Manager Infrastructure & Assets
Taryn Human, Executive Governance Officer

Gallery:

Media:

Apologies:

Leave of Absence: Cr Serena Sandwell

3. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**4. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE****5. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS****6. PUBLIC QUESTION/STATEMENT TIME****7. APPLICATIONS FOR LEAVE OF ABSENCE****8. PETITIONS/DEPUTATIONS/PRESENTATIONS****9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****9.1 Ordinary Council Meeting – Tuesday 26 October 2021
(SEE ATTACHED MINUTES)**

Voting Requirement: Simple Majority

OC/21 That the minutes of the Ordinary Council Meeting held on Tuesday 26 October 2021 confirmed as a true record of proceedings.

CARRIED/LOST:

10. REPORTS OF COMMITTEES AND OFFICERS

10.1 EXECUTIVE MANAGER INFRASTRUCTURE AND ASSETS**10.1.1 Tender 01-2021 - Seal Works to Multiple Roads**

File Ref: RD.TE.1
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Date Report Prepared: 17 November 2021
Disclosure of Interest: No Interest to disclose

Issue:

To endorse the Chief Executive's Officer decision to award Tender 01-2021 to WCP Civil Pty Ltd (WCP).

Body/Background:

Tenders for Seal Works to Multiple Roads were advertised in the West Australian on the 4 September 2021, with a closing date of Monday 20 September 2021.

Seal works included in the tender were for:

- Fairfield Road – Shoulder Reconstruction 2 Coat seal slk 6.91 to 9.11
- Warren Road – Shoulder Reconstruction 2 Coat seal slk 10.0 to 12.1
- Synott Avenue – Asphalt reseal slk 0.0 to .430
- Punchmirrup North Road – 2 Coat seal slk 0.0 to 4.14
- Cullen Street – 2 Coat seal slk 0.0 to 0.70

The 2021/22 Budget included a total of \$650,095 for the above listed road projects. From this budget a total of \$430,823 was provided for materials and contracts.

Officer's Comment:

Only one (1) tender was received for the proposed works. This was submitted by WCP Civil Pty Ltd. They submitted a conforming tender for \$521,486 Ex GST, this tender was \$90,663 over the budget provision. They also submitted a non-conforming tender for \$472,651.70 Ex GST, this tender was \$41,828.70 over the budget provision.

As the tenders were beyond the allocated budget, the Executive Manager Infrastructure and Assets entered negotiations with WCP. WCP indicated if they were successful in gaining the entire package of works tendered, the revised discounted price would be \$297,895. This discount was on the basis of a single mobilisation as machinery was already in town undertaking works at Kaatanup Loop.

The Chief Executive Officer issued the purchase order for the revised price due to availability and provision for contracting services in rural areas is limited. This was evident with only one contractor submitted a tender. In discussions with Main Roads WA and other local Shires they have acknowledged they are all struggling to get contractors to undertake works.

Statutory Environment:

In accordance with the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996.

Local Government Act 1995

6.2. Local government to prepare annual budget

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August. * Absolute majority required.
- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —
 - (a) the expenditure by the local government; and
 - (b) the revenue and income, independent of general rates, of the local government; and
 - (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.
- (3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.

Policy Implications:

The following policies had been considered in development of the budget and preparation of the Request for Tender;

- 1.4 Asset Management Policy
- 2.5 Purchasing Policy

Financial Implications:

The budget provided the following allocations for the roads under consideration:

Job	Job Name	Budget
C003	Synott Avenue	\$45,000
C005	Fairfield Road	\$174,653
C006	Warren Road	\$220,442
C009	Punchmirrup Road	\$90,000
C010	Cullen Street	\$120,000
	Total Budget	\$650,095

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". The "Low" risk rank is considered acceptable with adequate controls, managed by routine procedures.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	BUILT ENVIRONMENT	
ASPIRATION	B1	Infrastructure that meets community need.
OBJECTIVE	B1.1	Sustainably manage current and future assets and infrastructure.

Officer's Recommendation/Council Motion:

Voting Requirement: Simple Majority

OC/21 **That Council endorses the actions of the Chief Executive Officer awarding Tender 01-2021 to WCP Civil Pty Ltd for \$297,895 GST Exclusive.**

CARRIED/LOST:

10.2 EXECUTIVE MANAGER CORPORATE AND COMMUNITY

10.2.1 Schedule of Accounts (ATTACHMENTS)

File Ref: FM.FI.4
Reporting Officer: Shenae Watts, Creditor Officer
Report Prepared: 02 November 2021
Disclosure of Interest: No interest to disclose

Body/Background:

This information is provided to Council on a monthly basis in accordance with provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996. A Local Government is to develop procedures for the authorisation of, and payment of, accounts to ensure that there is effective security for, which money or other benefits may be obtained.

Below is a summary of the payments made for the financial year:

Month	Cheques 2021/22	EFT Payments 2021/22	Direct Debits 2021/22	Credit Card 2021/22	Payroll 2021/22	Trust 2021/22	Total Payments 2021/22
July	559.90	1,239,701.92	39,737.04	5,458.49	234,583.47	0.00	1,520,040.82
August	2,173.00	648,801.21	34,876.21	4,237.00	240,430.70	0.00	930,518.12
September	17,051.30	1,267,827.19	56,741.47	4,564.28	351,445.88	0.00	1,697,630.12
October	1,089.80	801,203.05	42,674.11	2,515.16	247,451.36	0.00	1,094,933.48
November							
December							
January							
February							
March							
April							
May							
June							
Total	20,874.00	3,957,533.37	174,028.83	16,774.93	1,073,911.41	0.00	5,243,122.54

Officer's Comment:

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

The Finance Forum held on 11 November 2021 gave attending Councillors an opportunity to ask questions regarding the presented accounts paid.

Statutory Environment:

Local Government Act 1995.

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution*; or
- (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

Policy Implications:

There are no direct policy implications in relation to this item.

Financial Implications:

Expenditure in accordance with s6.8 (1) (a) of the Local Government Act 1995.

Risk Implications:

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

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

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

OC/21 That Council endorses the Schedule of Accounts as presented, being cheques 42390-42395 totalling \$1,089.80, EFT payments 32871-33068 totalling \$801,203.05, payroll payments totalling \$247,451.36, direct payments totalling \$42,674.11 and credit card payments totalling \$2,515.16 authorised and paid in October 2021.

CARRIED/LOST:

10.2.2 Monthly Financial Report **(ATTACHMENTS)**

File Ref: FM.FI.4
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Report Prepared: 11 November 2021
Disclosure of Interest: No interest to disclose

Body/Background:

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

Section 6.4 of the Local Government Act 1995 requires a local government to prepare financial reports.

Regulation 34 of the Local Government (Financial Management) Regulations 1996 sets out the form and content of the financial reports, which have been prepared and are presented to Council.

Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 10% with a minimum value of \$10,000. Material variances between budgeted and actual expenditure are reported at Note 17 of the Monthly Financial Report.

Officer's Comment:

A variance report is included with the monthly financial statement's attachment.

The budget was adopted 31 August 2021 and this report reflects the adopted budget. It is noted that monthly depreciation is not run until after the prior year audit has been signed off.

The Finance Forum held on 11 November 2021 gave attending Councillors an opportunity to ask questions regarding the presented financial statements.

Statutory Environment:

Local Government Act 1995

Section 6.4 Financial Report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

Local Government (Financial Management) Regulations 1996.

Regulation 34 Financial activity statement required each month (Act s.6.4)

Policy Implications:

The Shire has several financial management policies. The finances have been managed in accordance with these policies.

Financial Implications:

There are no financial implications for this report.

Risk Implications:

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

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

Voting Requirement: Simple Majority.

Officer's Recommendation/Council Motion:

OC/21 **That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receive the Monthly Statement of Financial Activity for the period ending 31 October 2021, as presented.**

CARRIED/LOST:

10.2.3 Katanning Leisure Centre Opening Hours - January 2022

File Ref: RC.LI.1
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Date Report Prepared: 15 November 2021
Disclosure of Interest: No interest to disclose

Issue:

For Council to consider reducing the hours of operations for the Katanning Leisure Centre (KLC) during January 2022.

Body/Background:

As January is the month where KLC User Groups and Associations go into recess, the following hours of operations are proposed for January 2022:

DATE	MORNING	AFTERNOON
1-3 January	CLOSED	CLOSED
4 January	6.00am – 8.00am (Members Only)	CLOSED – Maintenance
5 January	6.00am – 8.00am (Members Only)	CLOSED – Maintenance
6 January	6.00am – 8.00am (Members Only)	CLOSED – Maintenance
7 January	6.00am – 8.00am (Members Only)	CLOSED – Maintenance
8-9 January	CLOSED	CLOSED
10 – 14 January	6.00am – 8.00am members only 8.00am -11.00am all gym users	4.00pm – 8.30pm all gym users
15 January	9.00am – 12.00pm all gym users only No Courts Available	CLOSED
16 January	CLOSED	CLOSED
17 - 21 January	6.00am – 8.00am members only 8.00am -11.00am all users	4.00pm – 8.30pm all gym users
22 January	9.00am – 12.00pm	CLOSED
23 January	CLOSED	CLOSED
24 - 25 January	6.00am – 8.30am members only 8.30am – 8.30pm	
26 January	CLOSED	CLOSED
27 - 28 January	6.00am – 8.30am members only 8.30am – 8.30pm	
29 January	9.00am – 1.00pm	
30 January	CLOSED	CLOSED

Normal operating hours are proposed from 24 January 2022 with four (4) days of School Holiday Programs. It is anticipated that Gymnastics/Trampolining will commence Saturday 29 January, this is to be confirmed.

During the week commencing Tuesday 4 January 2022 the following required maintenance has been scheduled to be completed;

- Sanding and seal of main stadium floor & Pioneer Room dance floor, all 4 courts. They require 4 days to sand and seal the areas. Main Stadium Courts and Pioneer Room dance floor will not be available for public use until 17 January.
- Energy Efficient Lighting project – stage 1 part 2 (KLC corridors, offices, gym, kiosk, pioneer room excluding pelmets) To be confirmed.

During the proposed restricted opening hours, it is proposed to have two (2) fulltime staff members working the split shifts, with fulltime staff taking annual leave to accommodate remainder of hours. Staff will also be present for maintenance/service providers whilst the centre is closed to public. Part time Cleaner, will take annual leave for 1 week, and will also work when required plus assist with the clean up after maintenance and conduct annual cleaning procedures whilst closed to the Public.

The Manager Recreation Services will be clearing annual leave, returning to work on 31 January 2022.

Officer's Comment:

It is recommended to Council that the proposed January 2021 operating hours for the KLC be endorsed.

These operating hours were successful in both January 2020 and 2021. The KLC Manager is not aware of any negative feedback during this time. It is noted that the Katanning Aquatic Centre is open during January, giving an alternate venue for youth to attend.

Statutory Environment:

Not applicable

Policy Implications:

There are no policy implications for this report.

Financial Implications:

The KLC Operational Review – August 2019 estimated that savings of \$4,872 would be made with the Christmas / January closures.

Risk Implications:

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY		SOCIAL
ASPIRATION	S1	A capable, vibrant, healthy & connected community
OBJECTIVE	S1.1	Provide sport, recreation and leisure opportunities that contribute to the health and wellbeing of our growing and diverse community.
PRIORITY		LEADERSHIP
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

Voting Requirement: Simple Majority**Officer's Recommendation/Council Motion:**

OC/21 That Council, endorses the following hours of operation for the Katanning Leisure Centre during January 2022;

WEEK	DATES	OPERATING HOURS
1	4-7 January	6.00am – 8.00am Members only
2	10-14 January	6.00am – 8.00am Members only 8.00am – 11.00am All Gym Users 4.00pm – 8.30pm All Gym Users
	15 January	9.00am – 12.00pm All Gym Users Only (No Courts Available)
3	17-21 January	6.00am – 8.00am Members only 8.00am – 11.00am All Gym Users 4.00pm – 8.30pm All Gym Users
	22 January	9.00am – 12.00pm
4	24-25 January	6.00am – 8.30am Members only 8.30am – 8.30pm
	26 January	Closed – Public Holiday
	27-28 January	6.00am – 8.30am Members only 8.30am – 8.30pm
	29 January	9.00am – 1.00pm

CARRIED/LOST:

10.3 CHIEF EXECUTIVE OFFICER'S REPORTS

10.3.1 Nominations for Regional Joint Development Assessment Panel (ATTACHMENT)

File Ref: CS.PL.1
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 15 November 2021
Disclosure of Interest: No interest to disclose

Issue:

To consider nominations for membership on the Regional Joint Development Assessment Panel (JDAP).

Body/Background:

In accordance with the Planning and Development (Development Assessment Panels) Regulations 2011, the Shire of Katanning is eligible to nominate two (2) representative members and two (2) alternate (deputy) members to represent the Shire on the Regional Joint Development Assessment Panel (JDAP).

The Assessment Panels determine development applications submitted under local planning schemes. The Panels are an independent decision-making body comprising three (3) technical experts and two (2) elected local government representatives. These JDAPs consider development applications that exceed \$10 million, and those proposals exceeding \$2 million if applicants have chosen to "opt-in".

The Development Assessment Panels (DAP) planning approval system was introduced in July 2011 with the intention of creating a more streamlined planning approval process. DAPs were established with the intention of providing a better balance between independent professional advice and Local Government representation through the involvement of independent technical experts in the determination of significant development proposals. The process has been reviewed twice since then, taking account of feedback from local government, stakeholder and the recommendations from the 2015 State Parliamentary inquiry. The criterion for a planning assessment by DAPs was amended at the beginning of 2015-16, with a lowering of the 'opt in' eligibility threshold to \$2m. Under the current State Government's Action Plan for Planning Reform, changes to the DAP process are proposed to promote consistency and transparency in decision making. In recent correspondence the Director General advises local government membership configuration on the DAP will not be affected by the reform initiatives.

Officer's Comment:

Current members are:

Member 1	Cr Owen Boxall – expires 26 January 2022
Member 2	Cr John Goodheart – expires 26 January 2022
Alternative Members	Cr Mark Stephens – expires 26 January 2022 Cr Ernie Menghini – expires 26 January 2022

Membership of Development Assessment Panel is subject to approval and appointment by the Minister for Planning.

Appointment to sit on the JDAP requires an absolute majority decision of Council.

Members must undertake training provided by the Department of Planning Lands and Heritage prior to attending a JDAP meeting. The DAPs Secretariat advises that Cr Goodheart is the only Shire of Katanning member to have completed the mandatory training.

It is appropriate and judicious for the Shire to confirm/nominate up to four (4) members for Regional JDAP. Alternatively, elected members may:

1. Reserve the right not to nominate to JDAP at this time;
2. Reserve the right to nominate at a later date should a vacancy be available; or
3. Nominate for membership at a future date, should a vacancy become available.

Statutory Environment:

The Planning and Development (Development Assessment Panels) Regulations 2011.

Appointment to sit on the JDAP requires an absolute majority decision of Council.

Policy Implications:

There are no Shire of Katanning policy implications for this report.

Financial Implications:

Members are entitled to be paid for meetings and training.

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 relevant training.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L1	An inclusive community, recognized as a great place to live and visit.
OBJECTIVE	L1.2	Provide effective leadership and good governance
PRIORITY	ECONOMIC	
ASPIRATION	E3	Sustainable economic and population growth
OBJECTIVE	E3.2	Continue to build Katanning's reputation as a strategic sub-regional service centre and economic hub.
PRIORITY	BUILT ENVIRONMENT	
ASPIRATION	B2	Places for the community to live, work and connect
OBJECTIVE	B2.3	Orderly development (Town Planning)

Voting Requirement: Absolute Majority

Officer’s Recommendation/Council Motion:

OC/21 That Council nominates the following elected members to represent the Shire of Katanning on the Regional Joint Development Assessment Panel:

1. Councillor

2. Councillor

3. (Alternate) Councillor

4. (Alternate) Councillor

CARRIED/LOST:

10.3.2 Review of Council Policies (Elected Members) (ATTACHMENT)

File Ref: GV.PO.1
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 16 November 2021
Disclosure of Interest: No interest to disclose

Issue:

To review and adopt Council Policies relating to Elected Members.

Body/Background:

Council has adopted the following policies relating to Elected Members:

- 4.2 Reimbursement of Elected Member Expenses
- 4.3 Councillor Retirement – Gift Function
- 4.4 Councillor Training/Professional Development
- 4.5 Attendance at Local Government Convention
- 4.6 Donation Requests
- 4.7 Community Consultation
- 4.8 Attendance at Events Policy for Elected Members, CEO and Employees
- 4.9 Code of Conduct Behaviour Complaints Policy

Section 2.7(2)(b) of the Local Government Act 1995 provides within the role of Council for Council to determine the local government’s policies.

Section 5.128(5)(a) of the Local Government Act 1995 requires Council to review its policy relating to continuing professional development following each ordinary election.

Officer’s Comment:

The Chief Executive Officer has reviewed Council’s policies relating to Elected Members. A copy of the policies have been provided with notes on proposed changes highlighted.

Statutory Environment:

Local Government Act 1995

- Section 2.7 Role of Council
- Section 5.128 Policy for continuing professional development
- Section 5.90A Policy for attendance at events

Local Government (Model Code of Conduct) Regulations 2021

Policy Implications:

Review and adoption of Council Policies relating to Elected Members

Financial Implications:

There are no known meaningful financial implications relative to this matter.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L1	An inclusive community recognized as a great place to live and visit
OBJECTIVE	L1.2	Provide effective leadership and good governance

Voting Requirement: Absolute Majority**Officer's Recommendation/Council Motion:**

OC/21 **That Council adopts the following revised policies relating to Elected Members as proposed:**

- 4.2 Reimbursement of Elected Member Expenses**
- 4.3 Councillor Retirement – Gift/Function**
- 4.4 Councillor Training/Professional Development**
- 4.5 Attendance at Local Government Convention**
- 4.6 Donation Requests**
- 4.7 Community Consultation**
- 4.8 Attendance at Events Policy for Elected Members, CEO and Employees**
- 4.9 Code of Conduct Behaviour Complaints Policy**

CARRIED/LOST:

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

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at ____ pm.