



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
Tuesday 25 March at 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 _____



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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 5:00pm.

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 Liz Guidera – Deputy President
Cr Matt Collis
Cr Ian Hanna
Cr Paul Totino
Cr Michelle Salter

Council Officers: Peter Klein, Chief Executive Officer
Graham Barnes, General Manager Operations
Taryn Human, Executive Assistant to CEO
Moh Aeson, Coordinator People & Culture

Gallery: Steve Bell
Bev Nikolich

Media: Nil.

Apologies: Cr John Goodheart
David Blurton, Executive Manager Corporate Services
Denise Gallanagh-Wood, Executive Manager Community Development

Leave of Absence: Nil.

3. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

It has been a busy month. Our community hosted 20 medical students visiting from Curin University's Immersion Program and our community showed exceptional hospitality and provided meaningful rural experiences for the students. All students had fabulous time and I wanted to thank those families and our community that opened their home and work places to make the students feel welcome, I think it's a great example of what makes Katanning very special.

Cr Guidera and I attended the start of the demolition process of the St Andrew's Hostel and I wanted to offer my gratitude to this Council for the consideration and representation you have given to this matter over the past 8 years. I've received correspondence from the victims acknowledging and thanking Council for our recent media statement on this matter. I would especially like to acknowledge the work done by Cr Guidera in her role as previous Shire President and in her support of me dealing with this matter and supporting me and attending the event on Friday.

Finally, what a fabulous weekend we had in attending this year's Harmony Festival which was an absolute delight for our community despite the sweltering heat. The festival drew a large crowd and it was a fun filled day for all. I would like to acknowledge the hard work and commitment from our staff and volunteers to deliver a wonderful day for our community and Steve summed it up beautifully "it's the icing on the cake of our wonderful community". Thank you for that feedback Steve.

4. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS

Nil.

6. PUBLIC QUESTION/STATEMENT TIME**Steve Bell Statement:**

The National Disability Insurance Agency (NDIA) has been conducting a pilot program in Katanning, one of two sites nationwide, to address service delivery gaps for NDIS participants in rural areas. While funding was available, many participants lacked access to essential services like occupational therapy and speech therapy. Over the past six months, the NDIA team has engaged with the local community to improve service availability and coordination.

Key initiatives include establishing an NDIA access point at the Neighbourhood Centre, hosting community engagement events, and increasing support coordination to help participants use their plans more effectively. As a result, plan utilisation has risen by 7%, injecting more funds into the local economy, while the number of participants in Katanning and surrounding areas has increased by 24%.

The pilot also aims to onboard assistive technology providers and explore solutions for allowing family members to become paid carers. The NDIA will continue engaging with the community and expanding efforts to nearby towns like Tambellup, fostering a sustainable support network for participants. The lessons learned in Katanning will inform similar initiatives nationwide.

Cr Paul Totino Response:

What strategies are you using to attract local providers who are not currently engaged? Have you had any success so far?

Steve Bell Response:

Finding local providers is challenging, as we can't simply reach out to individuals directly. However, once the procurement service is finalised, we will hold town hall meetings to advertise opportunities and explain business models and funding structures. Our goal is to expand the customer base, which has already grown by 24%, making employment opportunities more attractive. This broader reach will hopefully encourage more local providers to engage with the community.

Cr Paul Totino Response:

Have you had success in encouraging existing workers to obtain an ABN, or is that part of the process? It seems that some providers are hesitant to take the leap.

Steve Bell Response:

The new employment model will remove the need for workers to have an ABN, as they will be directly employed rather than working for themselves. This approach also addresses conflict of interest concerns, ensuring care providers are employed by a separate business that manages legal obligations.

Cr Paul Totino Response:

When does the pilot end?

Steve Bell Response:

The pilot ends on 30 June 2025 but that's not to say our involvement will end. We are keen to see Katanning take off. We have a plan to continue to visit Katanning every 6-8 weeks.

Peter Klein Statement:

Aged care services in regional areas, including Katanning, face similar challenges in finding support workers, leading to difficulties in utilizing aged care packages. While the skill sets may differ, the proposed employment model could be beneficial. Is there consideration for closer collaboration with the aged care sector?

Steve Bell Response:

The “Staying in Place” model connects service providers through a platform similar to Facebook, where providers can get an ABN and offer services. While our focus is on people with disabilities, this model could also extend to aged care. The goal now is to attract more people into the sector, including exploring training courses through TAFE to prepare more students for available jobs.

Cr Kristy D’Aprile Statement:

Thank you for your impressive work in such a short time frame. It’s encouraging to hear how you’re facilitating improved access to services in our community, especially in terms of addressing key issues like service accessibility. The efforts you’ve made to identify and bridge service gaps are commendable. I’m particularly impressed by your creativity in delivering services, as working in rural areas presents unique challenges. Your fresh approach has brought much-needed support to our community. Thank you again for your dedication.

Steve Bell Response:

We’ve always felt very welcomed every time we visit Katanning, and we love coming here. Thank you for your time. If you have any questions, we’re happy to answer them.

Steve Bell and Bev Nikolich left the room at 5:22pm

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 26 February 2025**
(SEE ATTACHED MINUTES)**Voting Requirement:** Simple Majority**MOVED:** CR MICHELLE SALTER**SECONDED:** CR IAN HANNA**OC21/25 That the minutes of the Ordinary Council Meeting held on Wednesday 26 February 2025 are confirmed as a true record of proceedings.****CARRIED: 6/0****FOR:** CR KRISTY D'APRILE, CR LIZ GUIDERA, CR MICHELLE SALTER, CR PAUL TOTINO, CR IAN HANNA, CR MATT COLLIS
AGAINST: NIL.**9.2 Ordinary Council Meeting – Wednesday 18 December 2024**
(SEE ATTACHED MINUTES)**Voting Requirement:** Simple Majority**MOVED:** CR MICHELLE SALTER**SECONDED:** CR IAN HANNA**OC22/25 That the minutes of the Audit & Risk Committee Meeting held on Wednesday 18 December 2024 are confirmed as a true record of proceedings.****CARRIED: 6/0****FOR:** CR KRISTY D'APRILE, CR LIZ GUIDERA, CR MICHELLE SALTER, CR PAUL TOTINO, CR IAN HANNA, CR MATT COLLIS
AGAINST: NIL.

10. REPORTS OF COMMITTEES AND OFFICERS

10.1 GENERAL MANAGER OPERATIONS

10.1.1 Proposed Review of the Shire of Katanning Local Planning Scheme No.5 (ATTACHMENT)

File Ref: LP.PL.3
Reporting Officer: Joe Douglas, Town Planner
Date Report Prepared: 18 March 2025
Disclosure of Interest: No Interest to disclose

Issue:

This report recommends that Council allocate sufficient funding and authorise the Shire Administration to proceed with a formal review of the Shire of Katanning Local Planning Scheme No.5 in accordance with the requirements of clause 65 in Part 6, Division 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015* including initial consultation with the local community and key government agencies for a period of 28 days to help inform the review process.

Background and Comment:

It is understood Council wishes to amend the Shire of Katanning Local Planning Scheme No.5 to:

- i) address a number of minor issues and anomalies identified since the scheme was first approved by the Minister for Planning and subsequently gazetted on 9 February 2018;
- ii) align it with the State Planning Framework, including the *Planning and Development (Local Planning Schemes) Regulations 2015* (as amended) where required; and
- iii) improve its operational efficiency.

Technically Local Planning Scheme No.5 is required to be formally reviewed by the Shire to satisfy the requirements of clause 65 in Part 6, Division 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015* before being amended.

Advice recently received from the Department of Planning, Lands and Heritage confirmed the Shire can and should review Local Planning Scheme No.5 and consider initiating a standard (i.e. omnibus type) amendment thereafter to include all proposed changes to the scheme.

The Department also confirmed the Shire can, by adopting the abovementioned approach, avoid the time, effort and cost associated with reviewing and preparing a revised Local Planning Strategy which is typically required to inform the scheme review process and preparation of a new local planning scheme. Preparation of a Local Planning Strategy and a new local planning scheme is considered unnecessary given the Shire's current Local Planning Strategy and Local Planning Scheme No.5 are functioning well and do not need to be revoked and replaced with a new strategy and scheme which is a much more complicated, time consuming and expensive process.

The proposed review of Local Planning Scheme No.5 must consider whether the scheme is up-to-date and complies with the *Planning and Development (Local Planning Schemes) Regulations 2015*. A report documenting the outcomes from the review process must be prepared by the Shire and submitted to the Western Australian Planning Commission for endorsement.

The scheme review report must be prepared in the manner and form approved by the Commission and include the following information:

- a) the date on which the local planning scheme was published in the Government Gazette in accordance with section 87(3) of the *Planning and Development Act 2005*;
- b) the date on which each amendment made to the scheme was published in the Government Gazette in accordance with section 87(3) of the *Planning and Development Act 2005*;
- c) the date on which the scheme was last consolidated under Part 5 Division 5 of the *Planning and Development Act 2005*;
- d) an overview of the subdivision and development activity, lot take-up and population changes in the scheme area since the later of:
 - i) the date on which the scheme was published in the Gazette in accordance with section 87(3) of the *Planning and Development Act 2005*; and
 - ii) the date on which the scheme was last reviewed;
- e) an overview of the extent to which the scheme has been amended to:
 - i) comply with the requirements of any relevant legislation, region planning scheme or State planning policy; or
 - ii) provide for any planning code that is to be read as part of the scheme or any modifications to a planning code.

The report must make recommendations as to:

- a) whether the scheme:
 - i) is satisfactory in its existing form; or
 - ii) should be amended including details of all proposed amendments; or
 - iii) should be repealed and a new scheme prepared in its place;and
- b) whether the local planning strategy for the scheme:
 - i) is satisfactory in its existing form; or
 - ii) should be amended; or
 - iii) should be revoked and a new strategy prepared in its place;and
- c) whether any structure plan or local development plan approved under the scheme:
 - i) is satisfactory in its existing form; or
 - ii) should be amended; or
 - iii) should have its approval revoked.

Within 90 days of receiving a report of a review of a local planning scheme, or such longer period as the Minister for Planning or an authorised person allows, the Commission must consider the report and:

- a) decide whether the Commission agrees or disagrees with the recommendations in the report; and
- b) notify the local government which prepared the report of the Commission's decision.

After receiving notification of the Commission's decision on a report of a review of a local planning scheme the local government must:

- a) publish in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* the report and notice of the Commission's decision; and
- b) initiate suitable amendments to the local planning scheme, local planning strategy and any structure plan or local development plan as applicable.

Prior to preparation of the scheme review report it is recommended the Shire undertake consultation with the local community and key government agencies for a minimum period of 28 days to help inform the review process including details of any proposed amendments to Local Planning Scheme No.5. A scheme review report will then be prepared by the Shire's Administration and presented to Council for formal consideration before being referred to the Commission for further consideration and endorsement as per the process outlined above.

Attachment 1 to this report provides details of a number of possible amendments to Local Planning Scheme No.5 identified by the reporting officer that will be presented to Council for formal consideration in due course, including details of any other amendments identified following completion of the 28-day consultation process and review of any submissions received. The following link to the latest version of Local Planning Scheme No.5 is also provided to assist Council's consideration of the abovementioned amendments to the Scheme:

[Shire of Katanning planning information](#)

Assuming the Commission endorses the scheme review report, the standard amendment to the scheme required thereafter containing specific details of all proposed amendments to Local Planning Scheme No.5 will be advertised for public comment for the minimum required period of 42 days in accordance with the procedural requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Statutory Environment:

Planning and Development Act 2005 (as amended)

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

Shire of Katanning Local Planning Scheme No.5

Policy Implications:

Nil immediate policy implications however the Shire's existing Local Planning Policies will need to be reviewed and possibly amended or revoked depending upon the outcomes from the Scheme review and amendment process to ensure they are relevant and enforceable.

Financial Implications:

It is understood Council will consider allocating funding in its budget for the 2025/26 financial year to progress the project which is expected to cost in the order of \$35,000 to \$40,000

excluding GST. It is also understood funding can possibly be made available in the current financial year to undertake the initial consultation with the local community and key government agencies for a period of 28 days to help inform the review process and all work required to progress preparation of the scheme review report that must be prepared in the manner and form approved by the Commission (i.e. approximately \$5,000 to \$6,000 excluding GST).

Risk Implications:

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

Strategic Implications:

The proposal to review and amend Local Planning Scheme No.5 is consistent with the aims and objectives of the Shire's Strategic Community Plan 2022 – 2032 as it applies to all the following focus areas and associated aspirations:

- **Social** - Katanning is a vibrant, active place that encourages its community to thrive;
- **Built Environment** - Katanning is a beautiful, well serviced place that invites people to stay;
- **Natural Environment** - Katanning is a sustainable community with a healthy natural environment;
- **Economic** - Katanning is an economic hub of the Great Southern region, offering a range of employment and business opportunities;
- **Cultural** - Katanning is a place for everyone from all walks of life;
- **Leadership** - Katanning is an inclusive and respectful community.

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR LIZ GUIDERA

SECONDED: CR MICHELLE SALTER

OC23/25 That Council resolve to:

1. **Allocate \$6,000 from the 2024/25 budget and \$40,000 in the 2025/26 annual budgets to progress the formal review of the Shire of Katanning Local Planning Scheme No.5; and**
2. **Proceed with the review of the Shire of Katanning Local Planning Scheme No.5 in accordance with the requirements of clause 65 in Part 6, Division 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015* including initial consultation with the local community and key government agencies for a period of 28 days to help inform the review process.**

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR MICHELLE SALTER, CR PAUL TOTINO, CR IAN HANNA, CR MATT COLLIS
AGAINST: NIL.

Cr Liz Guidera spoke for the motion.

10.2 EXECUTIVE MANAGER CORPORATE SERVICES

10.2.1 Schedule of Accounts – February 2025 (ATTACHMENT)

File Ref: FM.FI.4
Reporting Officer: Patrick Kennedy, Manager Finance
Date Report Prepared: 10 March 2025
Disclosure of Interest: No Interest to disclose.

Issue:

To receive the Schedule of Accounts Paid for the period ending 28 February 2025.

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	\$865.95	\$1,061,303.44	\$98,988.32	\$6,238.29	\$252,178.79	\$1,419,574.79
November	\$192.00	\$592,465.43	\$248,860.46	\$5,913.72	\$262,613.19	\$1,110,044.80
December	\$39,174.29	\$1,479,775.43	\$106,450.56	\$10,647.26	\$256,017.46	\$1,892,065.00
January	\$200.00	\$437,576.16	\$112,012.92	\$5,798.91	\$370,408.74	\$925,996.73
February	\$30,421.98	\$851,922.77	\$107,413.13	\$3,170.98	\$243,383.95	\$1,236,312.81
March						
April						
May						
June						
Total	\$76,056.47	\$6,497,158.02	\$1,006,888.74	\$55,460.18	\$2,212,176.90	\$9,847,740.31

Officer's Comment:

The schedule of accounts for the month of February 2025 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 considered to be "Low" risk and can be managed by routine procedures and with current resources.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 - 2032

Focus Area Leadership

Aspiration Katanning is an inclusive and respectful community.

Objective To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community.

Voting Requirement: Simple Majority.

Officer's Recommendation/Council Motion:

MOVED: CR MICHELLE SALTER

SECONDED: CR PAUL TOTINO

OC24/25 That Council endorses the Schedule of Accounts as presented, being EFT payments 39171 - 39332 totalling \$851,922.77, Cheques 42498-42501 totalling \$30,421.98, Payroll payments totalling \$243,383.95 Direct Debit payments totalling \$107,413.13, Credit Cards (January) totalling \$3,170.98, all totalling \$1,236,312.81, authorised and paid in February 2025.

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR MICHELLE SALTER, CR PAUL TOTINO, CR IAN HANNA, CR MATT COLLIS
AGAINST: NIL.

10.2.2 Monthly Financial Report – February 2025 **(ATTACHMENT)**

File Ref: FM.FI.4
Reporting Officer: Patrick Kennedy, Manager Finance
Report Prepared: 17 March 2025
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 28 February 2025.

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 is \$75,376 (or 1.45%) more than budget. This will decrease as the year progresses as budgeted rates figure includes an expected \$100,000 write off in rates of which only \$29,262 has been processed to date. 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.
- Operating Grants, subsidies and contributions is \$1,198,331 under budget which relates to the prepayment of 70% of the Council's General Purpose Grants in the 23/24 financial year. It is expected that the Grants Commission will pre-pay 70% of Council's 25-26 allocation into this financial year so no adjustment is recommended.
- Fees and charges income is \$38,551 (or 2.20%) over budget which relates to the following items
 - KLC kiosk sales, entry fees, gym fees, membership fees \$16,776 more than YTD budget
 - Refuse site disposal fees \$16,198 less than budget
 - Planning Fees \$6,208 more than budget
 - Tenants Fees (Amherst Village) \$10,747 less than budget. VSA now managing.
 - Town hall hire income is \$16,144 more than budget
 - Building Fees & Licences \$19,383 less than budget.

- Yarding Fees \$45,118 - Katanning Saleyards are more than budget to the end of February, reflecting greater numbers of sheep being processed at the facility.
 - Cemetery charges \$3,927 less than budget.
 - Property lease fees are \$9,310 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.
 - Office rentals (Saleyards) \$3,805 less than budget.
- Interest revenue is \$58,656 below budget. This is expected to meet budget by the end of the financial year.

Expenditure from Operating Activities

- Employee costs underbudget by \$506,726 reflecting savings achieved due to officer vacancies for the year to date in particular
 - Community Development salaries \$75,940
 - Road Maintenance - \$333,975
 - Public Works Overhead salaries - \$108,796
- Materials and Contracts are \$775,199 below budget which mainly relates to the following items;
 - Consultants – Elected Members \$17,438 under budget
 - Consultants – administration is \$14,857 over budget.
 - Integrated planning and reporting \$27,270 under budget
 - CCTV maintenance cost \$18,041 under budget
 - Consultants – Town planning are over budget by \$21,768
 - Local Planning Scheme review is underbudget by \$60,000
 - Works program – other reserves material component \$92,444 under budget
 - Debt collection legal expenses is \$52,405 under budget which is also a timing issue.
 - Community Development special projects material cost \$24,806 under budget
 - Youth Activity Expenses \$18,703 under budget
 - Health Consultants are \$10,623 over budget
 - Audit fees are \$55,091 under budget as \$82,800 was accrued to 23-24
 - Tennis club resurfacing contribution \$25,000
 - Road Maintenance material component \$52,605 under budget
 - Consultants Roads - \$20,000 under budget
 - Building program – Katanning Hotel \$7,390 under budget
 - KAC maintenance expense \$70,147 under budget.
 - KAC consultants \$25,000 under budget
 - Fire mitigation expenses \$52,058 under budget
 - Building Program KLC \$34,098 under budget
 - Consultants Saleyards \$22,500 under budget
 - Fuel and oil purchases \$61,781 under budget
 - Saleyard General Maintenance \$10,666 under budget
 - Building Program (Other Community Amenities) \$11,394 under budget
 - Plant repairs and contract Mechanic \$18,356 under budget

- Depreciation Expenses are \$31,001 over budget which relates to depreciation on revalued infrastructure assets revalued at 30/6/24.
- Other expenditure is underbudget by \$74,523. A large portion of this relates to suspense account deposit of \$21,572 (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.
- Proceeds from capital grants, subsidies and contributions are \$3,006,871 underbudget. The following grants funds were anticipated to have been received.
 - DFES grant for BFB shed \$250,000
 - Early Childhood hub grants \$1,452,136
 - University Study hub fit out \$325,000 – with change of venue, Council are not responsible for fit out and will therefore not receive the grant funds.
 - LRCI grant phase 4b of \$81,174 remains outstanding
 - Saleyard ear tagging equipment grant \$878,199
- Proceeds from Asset sales is above budget by \$87,520 relating to disposal of plant and equipment and land (Kaatunup Loop properties).
- Payments for property, plant and equipment and infrastructure are below budget collectively reflecting a delayed start to some projects or delays in invoice payment.
- Opening Surplus is \$2.584m more than anticipated, which reflects pre-payment of 75% of Federal Assistance Grants on 28 June 2024 of \$2.517m.

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:

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 "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:

OC/25 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 28 February 2025, as presented.

Council Motion:

MOVED: CR LIZ GUIDERA

SECONDED: CR MATT COLLIS

OC25/25 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 28 February 2025, as presented and that clarification be provided to Councillors on the matter of under budget reported audit fees.

CARRIED: 6/0

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

AGAINST: NIL.

Cr Liz Guidera spoke for the motion.

10.2.3 **Budget Review 2024/2025** (ATTACHMENT)

File Ref: FM.BU.6
Reporting Officer: David Blurton, Executive Manager of Corporate Services
Reviewed by: Peter Klein, Chief Executive Officer
Date Report Prepared: 7 February 2025

Matter for Consideration

To consider the 2024/2025 Budget Review as presented for the period ending 31 December 2024.

Background

The *Local Government (Financial Management) Regulations 1996*, regulation 33A, requires that local governments conduct a budget review between 1 January and the last day in February in each financial year. A copy of the review and determination is to be provided to the Department of Local Government within 14 days of the adoption of the review.

The budget review has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. Council adopted a 10% or a \$10,000 minimum for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

The Shire of Katanning's 2024/2025 Budget Review Report is contained in the attachment.

Comment

Please note the comments in the Budget Variation Summary below.

Consultation

Belinda Knight, Financial Services Consultant

Statutory Implications

Regulation 33A of the Local Government (Financial Management) Regulations 1996 requires:

- (1) Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) The review of an annual budget for a financial year must*
 - a) Consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - b) Consider the local government's financial position as at the date of the review; and*
 - c) Review the outcomes for the end of that financial year that are forecast in the budget; and*
 - d) Include the following-*
 - (i) the annual budget adopted by the local government;*
 - (ii) an update of each of the estimates included in the annual budget;*
 - (iii) the actual amounts of expenditure, revenue and income as at the date of the review;*
 - (iv) adjacent to each item in the annual budget adopted by the local government that stated an amount, the estimated end-of-year amount for the item.*

- (2) *The review of an annual budget for a financial year must be submitted to the Council on or before 31 March in that financial year.*
- (3) *A Council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

***Absolute majority required.**

- (4) *Within 14 days after a Council has made a determination, a copy of the review and determination is to be provided to the Department.*

Policy Implications

There is no Council Policy relevant to this item.

Financial Implications

A budget review has been undertaken by staff as per the requirements of the *Local Government Act 1995 and Local Government (Financial Management) Regulations 1996*. The following table summarises the proposed amendments, further details are available on Page 3 of the Budget Review document.

Budget Variation Summary

Income/Expenditure Type	Description	Positive Outcome	Negative Outcome
Opening Surplus / Deficit	Adjustment following the finalisation of the 2023/2024 Audit. The majority of this relates to the prepayment of General Purpose and United grants prior to June 2024 totalling \$2,442,467	\$2,576,376	
OPERATING EXPENSES			
Employee Costs	Employee costs are tracking at 48% of budget to 31/12/2024. Anticipated amendments are: (various) Employee Superannuation + \$48,901. Collectively, superannuation expense is expected to be below budget at 30/6/25 (GL0802) Salary Costs (OTG) – (\$26,299) reflect changes in salary packaging CEO vehicle made after budget was adopted. Also refer to FBT and CEO vehicle expense account changes. (GL2082) Health Salaries +\$66,000 savings from not replacing position, however reverting to outsourcing arrangement – refer item in materials and contracts.	\$138,630	

Income/Expenditure Type	Description	Positive Outcome	Negative Outcome
	• (GL8542) Workers Compensation (matched by income) – payments for staff on Workers Compensation (\$25,000) more than budgeted. • (GL8333) Plant Repairs + \$66,028 savings from not appointed mechanic, although costs are outweighed by outsourcing arrangement. – refer materials and contracts. • (GL5952) – Fringe Benefits Tax +\$9,000 saving from change in CEO vehicle packaging		
Materials & Contracts	Materials & Contracts are tracking at 41% of budget to 31/12/2024. Anticipated amendments are: • (GL 0953) CEO vehicle costs – savings from packaging arrangement +\$8,054 • (G2081) Consultants Health Fees – reflects midyear change from employee to contractor position – (\$45,275) • (GL4703) Ranger Services – reflects additional costs expected to year end with current ranger services levels provided – (\$15,000) • (Z108) – Statues Memorials / Street Towers – represents unbudgeted restoration works carried out Prosser Park memorial – (\$9,500) • (GL6603) Amherst Contract Management – reflects annual management fee for outsourcing Amherst Village operation – (\$54,084) • (GL8332) – Plants, Parts and Repair – reflects increase maintenance being carried out to the Shires fleets (\$66,500) • (GL8333) Contract mechanic – change required to reflect		\$300,305

Income/Expenditure Type	Description	Positive Outcome	Negative Outcome
	outsourced Mechanic arrangement (\$118,000)		
Insurance	Insurance costs are tracking at 89% of budget, with all invoices having been paid. Anticipated amendments are: Decrease in replacement value for Plant fleet. Realizing \$28,405 in savings	\$28,045	
Utilities	As a result of a refund on water costs which were overcharged at Amherst Village a change in budget is recommended.	\$15,120	
Depreciation	Depreciation costs are significantly different to budget, as a result of revaluation of Infrastructure Assets at 30 June 2024.		\$1,813,565
Other Expenditure	An increase of \$10,000 is recommended recognising the commitment towards the Great Southern Treasures group of \$20,000 annually.		\$10,000
OPERATING REVENUES			
Rates	An increase in budget is recommended of \$65,000 to recognise interim rates which were raised after the annual rates were levied.	\$65,000	
Operating Grants	An additional \$32,460 has been received in excess of budget relating to Direct Grants from Main Roads WA	\$32,460	
Fees & Charges	Fees and charges are tracking at 78% of budget. Anticipated amendments are: (GL2613) – Refuse Site disposal charges increase in revenue due to receiving refuse from outside of Shire - \$60,000. Fees collected from the Shire of Kojonup total \$45,624 to 31/12/24. (GL2893) - Town Planning Fees are \$30,000 more than anticipated. This	\$192,400	

Income/Expenditure Type	Description	Positive Outcome	Negative Outcome
	includes over \$25,000 relating to WAMMCO planning applications. • (GL4801) – rental Income – Key Worker Housing will be (\$12,600) less than anticipated as unit 3/5 Kaatanup Loop was vacant for longer than anticipated. • (GL5773) Sheep Yarding Fees is expected to be greater than budget by \$100,000 by 30 June 2025. Offers recommend transfer of this to Saleyards Reserve. • (GL8873) rental income from Property Leases will be \$15,000 more than expected, mainly due to the Shire invoicing DPRID for five years rent at the Shires Police Pools Road property.		
Other Revenue	Other Revenue is tracking at 45% of budget. Anticipated amendments are: • (GL2224) EHO Reimbursements will be less than budgeted as the Shire has reverted to outsourcing arrangement rather than a shared employee agreement. (\$36,347) • (GL2063) Insurance Claim Reimbursement – Administration are greater than expected \$10,175 relating to the Administration Centre Air conditioning system. • (GL8553) - Workers Compensation reimbursements (see also Employee Costs) - \$25,000		\$1,172
CAPITAL PROJECTS			
	Capital Grants are well below budget at 3.7%, however it is expected that the majority of grants will be received by 30 June 2025. The following represents expected amendments. • (GL2680 and GL2679) University Hub Expenditure and Grant. It was anticipated that the Council would		

Income/Expenditure Type	Description	Positive Outcome	Negative Outcome
	receive \$325,000 form Regional Development Australia to upgrade and fit out the old hotel units at Austral terrace for the project, however with the agreed change in venue to the old Council Administration, responsibilities for fit out changed to Great Southern University requiring an amendment to project income and expense. (jobCC17 and GL3556)) Quartermaine Oval Upgrade. The project is tracking well, however as the Council is aware (resolution OC111/24) quotes received were over the initial \$2m budget by \$67,317. The resolution of Council was to accept the quotes and negotiate any savings that could be identified, of which only \$7,246 in savings was able to be achieved. There have been some minor variations arise during the project (totalling \$4,677 at time of writing) and the project has required water to be transported from the depot standpipe to site to sure up water supplies in readiness for turf laying at an estimated additional cost of \$12,500 (excluding plant and labour) which was not included in the initial project budget. Department of Sport and Recreation have advised that 1/3 of these additional costs can be claimed in the CSRFF grant agreement. (GL4631) Regional Road Group Income (RRG). Pemble Street RRG job was incomplete at year end 30/6/24 and this was not included in 24/25 budget so an adjustment to both RRG expense and income is required. There is also a final adjustment to the RRG grant for the	306,330 \$46,055 \$69,406	306,330 \$80,859 \$87,788

Income/Expenditure Type	Description	Positive Outcome	Negative Outcome
	Clive Street project from 23/24 that needs to be made.		
	(GL5051 and job C138) Roads to Recovery Income and Expense (R2R). Kelly Road upgrade was also not carried forward to the 24/25 budget so an adjustment is needed which can be full claimed by the R2R program	\$20,000	\$20,000
	(GL1sys010 and job C981) Saleyards Ear Tagging System. The 24/25 budget had reflected that \$878,199 would be spent on this project which was to be fully funded from a grant. Officers have been advised that the grant will be less (\$769,404) with 50% likely to be received in 25/26 following audit acquittal. An adjustment is therefore recommended to recognise this.	\$108,795	\$108,795
	(jobC403) Cemetery Upgrade. Council considered this at its meeting September 2024 and resolved to increase the project budget to \$127,585 with additional \$27,585 to be accessed from Reserve. Officers recommend accessing surplus funds rather than reserve funds as part of the budget review process.		\$27,585
	(GL2676) Noongar public artworks project – requires an adjustment of \$19,002 as design work for the Kaarl Yarning project undertaken in 22/23 and 23/24 has been incorrectly allocated to this project.		\$19,002
	(CC18) Kaarl Yarning Project – requires budget reduction of \$21,002 as design work has previously been incorrectly allocated to GL2676 plus a \$2,000 GST accounting error.	21,002	
	JobAC047 Generator 60KVA purchase. This transaction was budgeted in 23/24 but delivered and		25,595

Income/Expenditure Type	Description	Positive Outcome	Negative Outcome
	paid in 24/25 requiring budget amendment. - JobAC094 Isuzu NPR purchase. Quote received for vehicle replacement were well in excess of available budget, so management recommend not replacing this item in 24/25 - New budget allocations recommended. - Housing Development Project – to reflect proposed agreement with Evoke Housing Housing Capital expense Sale of Land Land and Buildings reserve transfer - Transfer to Saleyards Reserve – representing additional fees collected. - Forest Hills golf club demolition – proposal to demolish old clubrooms which are on Council reserve. - Amherst Units Lease for life deposits - 4 new tenancies Less shared profit previous tenant arrangement Transfer to Amherst reserve	79,000 80,000 280,000 632,500	360,000 100,000 70,000 117,500 515,000
	TOTALS (incl non-cash item)	4,691,479	3,963,496
	Estimated 24-25 End of Year Surplus Note – Federal Assistance Grants have not been adjusted as it is assumed that the WA Grants Commission will continue to prepay 70% of the Council's 25-26 grant allocation in the 24-25 financial year.	\$2,541,549	

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 - 2032

Focus Area Leadership

Aspiration Katanning is an inclusive and respectful community.

Objective To ensure that Shire resources are utilised in a manner that represents the best interest of the whole community.

Voting Requirement: Absolute Majority

Officer's Recommendation/Council Motion:

MOVED: CR PAUL TOTINO

SECONDED: CR IAN HANNA

OC26/25

That Council:

- 1. Receives the Budget Review conducted for the period ended 31 December 2024; and**
- 2. Authorises the Chief Executive Officer to amend the 2024/2025 Budget in accordance with the attached Report with the following amendment;**
 - a. Removal of the Housing development project Income and Expense**

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR MICHELLE SALTER, CR PAUL TOTINO, CR IAN HANNA, CR MATT COLLIS
AGAINST: NIL.

Cr Paul Totino spoke for the motion.

10.2.4 Compliance Audit Return 2024 **(ATTACHMENT)**

File Ref: FM.AU.2
Reporting Officer: David Blurton, Executive Manager Corporate Services
Date Report Prepared: 4 February 2025
Disclosure of Interest: No Interest to disclose.

Issue:

For the Audit Committee to consider the Compliance Audit Return (CAR) for the year ending 31 December 2024.

Body/Background:

The Compliance Audit Return questionnaire is issued annually by the Department of Local Government and Communities and comprises several questions aimed at testing each authority's compliance with various section of the Local Government Act and Regulations.

The CAR is based on calendar years and is to be completed and formally endorsed by the Council by 31 March 2025. A certified copy is then signed by the CEO and President and submitted to the Director General, Department of Local Government and Communities.

The CAR It is not a full assessment of compliance with the Act, but more a sample test of compliance questions with the aim of improving governance standards across the sector.

Officer's Comment:

The CAR was completed by the Governance Officer and Executive Manager of Corporate Services and then reviewed by the Chief Executive Officer.

This year there were eleven (11) categories with a total of ninety-four (94) questions. No matters of non-compliance have been identified in this year's return.

Statutory Environment:

Local Government (Audit) Regulation 1996;

14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the Council the results of that review.
- (3) After the audit committee has reported to the Council under sub regulation (3A), the compliance audit return is to be —
 - (a) presented to the Council at a meeting of the Council; and
 - (b) adopted by the Council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO

- (1) After the compliance audit return has been presented to the Council in accordance with regulation 14(3) a certified copy of the return together with —
 - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
 - (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.
- (2) In this regulation — certified in relation to a compliance audit return means signed by —
 - (a) the mayor or president; and
 - (b) the CEO.

Policy Implications:

There are no policy implications for this report.

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 and the 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's 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 PAUL TOTINO

SECONDED: CR LIZ GUIDERA

OC27/25 That Council:

1. Adopts the Shire of Katanning Compliance Audit Return for the period 1 January 2024 to 31 December 2024; and
2. Authorises the Shire President and Chief Executive Officer to endorse the certification contained within the Compliance Audit Return 2024.

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR MICHELLE SALTER, CR PAUL TOTINO, CR IAN HANNA, CR MATT COLLIS
AGAINST: NIL.

Cr Paul Totino spoke for the motion.

10.3 EXECUTIVE MANAGER COMMUNITY DEVELOPMENT**10.4 CHIEF EXECUTIVE OFFICER'S REPORTS****10.4.1 Proposed Shire of Katanning Dogs Local Law**
(ATTACHMENT) – Proposed *Shire of Katanning Dogs Local Law 2025*.

File Ref: GR.LG.2
Reporting Officer: Chris Liversage, Contractor
Date Report Prepared: 11 March 2025
Disclosure of Interest: No Interest to disclose

Issue:

Previous local laws made by the Shire relating to dogs have become out of date following changes to the Dog Act and its associated Regulations. The local law requires updating.

Body/Background:

At its meeting held on 26 November 2024, Council resolved to adopt an updated draft *Shire of Katanning Dogs Local Law*. It was subsequently advertised for public comment and a copy sent to the Minister for Local Government.

No comments were received and therefore the local law may now be 'made' and will come into effect 14 days after publication in the Government Gazette.

Several activities dealt with by this local law have been affected by changes to other legislation and in particular changes to the *Dog Act 1976* and the *Dogs Regulations 2013*. This includes:

- Registration of dogs;
- 'Dangerous dogs' as defined by the Act;
- Operation of dog management facilities (pounds), including:
 - Issues in relation to the impounding of dogs;
 - Attendance of a pound keeper at the pound; and
 - Release of impounded dogs is dealt with by the Dog Act 1976, and section 29.
- Registration fees (although fees for the seizure and impounding of a dog may be set by a local government in its annual budget under section 6.16 of the Local Government Act 1995);
- How off leash dog exercise areas are established;
- Dogs wandering at large;
- Dogs not under control;
 - Dog attacks;
 - Provisions about assistance animals such as guide dogs; and
 - Modified penalties applicable for minor offences.

The only matters that a local government may now make local laws about are listed in section 51 of the Dog Act:

51. Local law-making powers

A local government may so make local laws —

- (a) providing for the registration of dogs;*
- [(b) deleted]*
- (b) specifying areas within which it shall be an offence (unless the excreta are removed) for any person liable for the control of a dog to permit that dog to excrete on any street or public place or on any land without the consent of the occupier;*
- (c) requiring that in specified areas a portion of the premises where a dog is kept must be fenced in a manner capable of confining the dog;*
- (d) providing for the establishment and maintenance of dog management facilities and other services and facilities necessary or expedient for the purposes of this Act;*
- (e) providing for the detention, maintenance, care and release or disposal of dogs seized;*
- (f) as to the destruction of dogs pursuant to the powers hereinbefore conferred;*
- [(h) deleted]*
- (g) providing for the licensing, regulating, construction, use, and inspection of approved kennel establishments.*

It is only necessary to make a local law that deals with confinement, the requirement to pick up dog excreta, and kennels.

In addition, areas where dogs are prohibited and where dogs may be exercised off leash are now set by Council resolution and by the giving of local public notice under s31(3A) of the Dog Act 1976.

Clauses 18 – 20 of the current Dogs local law provide that:

18. The Council of a dog shall prevent that dog from entering or being in any of the following places:

- (a) a public building;*
- (b) a theatre or picture garden;*
- (c) a house of worship;*
- (d) a food shop or other public business premises;*
- (e) a public swimming pool;*
- (f) an area set aside for public recreation where the appropriate signing prohibiting dogs is erected.*

19. The Council of a dog shall prevent that dog from entering or being in any of the following places unless on a leash held by a person:

- (a) a sports ground;*
- (b) a children's playground; (and)*
- (c) a car park.*

20. Guide Dogs are exempt from clauses 18 and 19.

Dog exercise areas are also part of the local law in clauses 20A and the Fourth Schedule and are:

- The Piesse Dam - Portion of Kojonup Location 1619 and portion of each of Katanning Town Lots 421 and 458 and being Lot 79, and portion of Katanning Town Lots 421 and 422 and being part of Lot 1;
- Thomson Park - Reserve 14814, excluding those areas set aside for specific recreation purposes being the Katanning Aquatic Centre, Thomson Park Tennis Club and Katanning Croquet Club; and
- Balston Reserve - Reserve 35409.

Statutory Environment:

As reported to Council on 26 November 2024, several activities previously dealt with by local laws have been affected by changes to other legislation, and in particular changes to the Dog Act 1976 and the Dogs Regulations 2013.

The new local law deals only with those matters about which a local government may make local laws as listed in section 51 of the Dog Act 1976.

Once Council has resolved to make the local law, it must be published in the *Government Gazette* and will come into effect 14 days after Gazettal.

Policy Implications:

Nil.

Financial Implications:

There are costs associated with the process to make the local law, including advertising it for public comment and publication in the Government Gazette.

Risk Implications:

Local governments may make local laws about dogs subject to the provisions of the Dog Act and its associated regulations. The local law complements those provisions and will assist the Shire in reducing any risk to the community posed by dogs.

Strategic Implications:

Nil.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 – 2032

Focus Area	Social
Aspiration	Katanning is a vibrant, active place that encourages its community to thrive.
Objective	To provide support for the physical and mental health and wellbeing of our community.

Voting Requirement: Absolute Majority

Officer's Recommendation/Council Motion:

MOVED: CR IAN HANNA

SECONDED: CR MICHELLE SALTER

OC28/25 That Council:

1. In accordance with section 3.12(4) of the Local Government Act 1995 the *Shire of Katanning Dogs Local Law 2025* be adopted.
2. In accordance with s3.12(5) of the Local Government Act 1995 the local law be published in the Government Gazette and a copy sent to the Minister for Local Government;
3. In accordance with s3.12(6) of the Local Government Act 1995, after Gazettal local public notice be given:
 - (a) Stating the title of the local law;
 - (b) Summarising the purpose and effect of the local law and specifying the day on which it comes into operation; and
 - (c) Advising that copies of the local law may be inspected or obtained from the Shire offices.
4. In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister for Local Government on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Shire President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

CARRIED: 6/0

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

AGAINST: NIL.

10.4.2 Proposed Shire of Katanning Bush Fire Brigades Local Law **(ATTACHMENT)**

File Ref: GR.LG.2
Reporting Officer: Chris Liversage, Contractor
Date Report Prepared: 11 March 2025
Disclosure of Interest: No Interest to disclose

Issue:

Local governments that have established bush fire brigades also require a local law under the Bush Fires Act. The Shire made a local law in 2024 but which had to be remade. The process was restarted in late 2024, and subject to several minor amendments the local law can now be made. It will come into effect 14 days after publication in the Government Gazette.

Body/Background:

At its meeting held on 25 November 2024 (item 10.2.7 refers), Council resolved to adopt a draft local law, advertise it for public comment and send copies to the Ministers for Emergency Services and Local Government.

No comments were received from the public or the Minister for Local Government. While the WA Department of Fire and Emergency Services suggested some minor amendments be made to clause 1.2(1) (definition of ‘normal brigade activities’) of the draft local law, the comments were in relation to a version that contained text which was not in the version adopted by Council.

The difference is not considered material. Clause 3.12(2A) of the Act provides that:
Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.

Officer’s Comment:

The proposed Shire of Katanning Bush Fire Brigades Local Law is attached. It is based on a model made by the WA Local Government Association and used by several local governments.

Statutory Environment:

Where a local government decides to establish a bush fire brigade, it must do so via a local law under s41 of the Bush Fires Act 1954. This requires using the process set out in s3.12 of Act.

Once Council has resolved to make the local law, it must be published in the *Government Gazette* and will come into effect 14 days after Gazettal.

Policy Implications:

Nil.

Financial Implications:

There are costs associated with the process to make the local law, including advertising it for public comment and publication in the Government Gazette.

Risk Implications:

As noted above, the Bush Fires Act requires local governments who have bush fire brigades also have a local law. The consequence associated with non-compliance is considered low, but it is considered that the Shire should ensure it meets its statutory obligations.

Strategic Implications:

Nil.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 – 2032

Focus Area Social

Aspiration Katanning is a vibrant, active place that encourages its community to thrive.

Objective To provide support for the physical and mental health and wellbeing of our community.

Voting Requirement: Absolute Majority

Officer's Recommendation/Council Motion:

MOVED: CR LIZ GUIDERA

SECONDED: CR IAN HANNA

OC29/25

That Council:

1. In accordance with section 3.12(4) of the Local Government Act 1995 adopts the *Shire of Katanning Bush Fire Brigades Local Law 2025* be adopted, subject to:
 - (a) Minor amendments as 'marked up' on the attachment to the report to Council; and
 - (b) Deletion of text boxes, page numbers in the index and notes in the version to be officially Gazetted; and
2. In accordance with s3.12(5) of the Local Government Act 1995 the local law be published in the Government Gazette and a copy sent to the Ministers for Local Government and Emergency Services;
3. In accordance with s3.12(6) of the Local Government Act 1995, after Gazettal local public notice be given:
 - (a) Stating the title of the local law;
 - (b) Summarising the purpose and effect of the local law and specifying the day on which it comes into operation; and
 - (c) Advising that copies of the local law may be inspected or obtained from the Shire offices.
4. In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister for Local Government on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Shire President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

CARRIED: 6/0

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

AGAINST: NIL.

Cr Liz Guidera spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

10.4.4 Code of Conduct - Review **(ATTACHMENT)**

File Ref: CM.PL.1
Reporting Officers: Peter Klein, Chief Executive Officer
Date Report Prepared: 11 March 2025
Disclosure of Interest: No interest to disclose.

Issue:

To consider revised Codes of Conduct in response to the adoption of new organisational values.

Body/Background:

The Code of Conduct for employees was issued by the CEO in April 2023. Under the Local Government Act 1995 clause 5.51A, the CEO is responsible for preparing, implementing and amending the Code of Conduct for local government employees. This matter is raised with Council for information.

The model code of conduct for Council members, committee members and candidates is prescribed in regulations and rules for its adoption are covered by clause 5.104.

Council may make amendments to this code of conduct providing that the amendment will only affect Council & committee members and must not be inconsistent with the model code.

The model code of conduct was adopted by Council in April 2021.

Officer's Comment:

The only amendment made to the code of conduct for employees is to update the Council's new values & behaviours. No other changes were considered appropriate. The document is presenting for discussion and noting.

The model code of conduct for Council members, committee members and candidates adopted by Council has been reviewed and no changes are recommended. The code does not reference Council's values and consequently, no amendment is recommended.

This code is presented for review and approval by an absolute majority of Council.

Statutory Environment:

- Local Government Act 1995, s 5.51A - Code of conduct for employees.
- Local Government Act 1995, s 5.103 – Model code of conduct for Council members, committee members and candidates.
- Local Government (Administration) Regulations 1996; Part 4A – Codes of conduct for local government employees

Financial Implications:

Nil.

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2022 – 2032

Focus Area Leadership

Aspiration Katanning is an inclusive and respectful community.

Objective To lead by example – be involved, respectful and inclusive.

The following motions were carried en-bloc

Voting Requirement: Simple Majority

Officer's Recommendation/Council Motion:

MOVED: CR LIZ GUIDERA

SECONDED: CR MATT COLLIS

OC30/25 That Council notes the amended Code of Conduct for employees.

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR MICHELLE SALTER, CR PAUL TOTINO, CR IAN HANNA, CR MATT COLLIS
AGAINST: NIL.

Voting Requirement: Absolute Majority

Officer's Recommendation/Council Motion:

MOVED: CR LIZ GUIDERA

SECONDED: CR MATT COLLIS

OC31/25 That Council re-confirms its approval for the model Code of Conduct for Council Members, Committee Members and Candidates.

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR MICHELLE SALTER, CR PAUL TOTINO, CR IAN HANNA, CR MATT COLLIS
AGAINST: NIL.

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

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

DRAFT

13. CONFIDENTIAL ITEMS**PROCEDURAL MOTION****MOVED:****SECONDED:**

OC32/25 That Council closes the meeting to the public to consider the following item relating to:

- Request for Rates Exemption - A3861 – Lot 710 Cullen Street, Katanning
- Request for Rates Exemption - A3003 – 5 Aberdeen Street, Katanning
- Request for Rates Exemption - A3313 – 55 Beaufort Street, Katanning

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR MICHELLE SALTER, CR PAUL TOTINO, CR IAN HANNA, CR MATT COLLIS
AGAINST: NIL.

13.1 Request for Rates Exemption - A3861 – Lot 710 Cullen Street, Katanning
(ATTACHMENT)

File Ref: RV/24/266
Reporting Officer: Michelle Hopkirk, Rates Officer
Date Report Prepared: 13 February 2025
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.

Voting Requirement: Absolute Majority.

Officer's Recommendation/Council Motion:

MOVED: CR LIZ GUIDERA

SECONDED: CR IAN HANNA

OC33/25 That Council disallows the grant exemption application for the
Cullen Street property.

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR MICHELLE SALTER, CR PAUL TOTINO, CR IAN
HANNA, CR MATT COLLIS
AGAINST: NIL.

Cr Liz Guidera spoke for the motion.
Cr Ian Hanna spoke for the motion.
Cr Paul Totino spoke for the motion.
Cr Kristy D'Aprile spoke for the motion.

13.2 Request for Rates Exemption - A3003 – 5 Aberdeen Street, Katanning
(ATTACHMENT)

File Ref: RV/24/519
Reporting Officer: Michelle Hopkirk, Rates Officer
Date Report Prepared: 13 February 2025
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.

Voting Requirement: Absolute Majority.

Officer's Recommendation/Council Motion:

MOVED: CR LIZ GUIDERA

SECONDED: CR IAN HANNA

OC34/25 That Council disallows the grant exemption application for the
Aberdeen Street property.

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR MICHELLE SALTER, CR PAUL TOTINO, CR IAN
HANNA, CR MATT COLLIS
AGAINST: NIL.

Cr Liz Guidera spoke for the motion.

13.3 Request for Rates Exemption - A3313 – 55 Beaufort Street, Katanning
(ATTACHMENT)

File Ref: RV/24/519
Reporting Officer: Michelle Hopkirk, Rates Officer
Date Report Prepared: 13 February 2025
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.

Voting Requirement: Absolute Majority.

Officer's Recommendation/Council Motion:

MOVED: CR IAN HANNA

SECONDED: CR MATT COLLIS

OC35/25 That Council disallows the grant exemption application for the Beaufort Street property.

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

Cr Ian Hanna spoke for the motion.

PROCEDURAL MOTION

Voting Requirement: Simple Majority

MOVED: CR LIZ GUIDERA

SECONDED: CR IAN HANNA

Officer's Recommendation/Council Motion:

OC36/25 That Council reopens the meeting to the public.

CARRIED: 6/0

FOR: CR KRISTY D'APRILE, CR LIZ GUIDERA, CR MICHELLE SALTER, CR PAUL TOTINO, CR IAN HANNA, CR MATT COLLIS
AGAINST: NIL.

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 5:44pm.