



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 next Ordinary Council Meeting of the Shire of Katanning held on  
Wednesday 29 October 2025 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 6:00pm.

**Acknowledgement of Country**

The Shire of Katanning acknowledges the Goreng Noongar people as the traditional custodians of the land that we live and work on. We recognise their cultural heritage, beliefs, and continuing relationship with the land and pay our respects to Elders past and present.

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

Presiding Member: Cr Kristy D'Aprile - President

Members: Cr John Goodheart  
Cr Matt Collis  
Cr Ian Hanna  
Cr Paul Totino  
Cr Gemma Trolove  
Cr Danny McGrath

Council Officers: Peter Klein, Chief Executive Officer  
Graham Barnes, General Manager Operations  
David Blurton, Executive Manager Corporate Services  
Taryn Human, Executive Assistant to CEO

Gallery: Nil.

Media:

Apologies:

Leave of Absence:

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

President D'Aprile acknowledged the attendance of the CEO and CESM at the bushfire pre-season briefing convened by DFES in Albany. She also attended the session and noted that, while it was a long day, it provided valuable insights to assist the organisation and community in preparing for the upcoming summer season. President D'Aprile thanked the CEO and CESM for their time and participation.

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

Nil.

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

Nil.

**6. PUBLIC QUESTION/STATEMENT TIME**

Nil.

**7. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**8. PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

**9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****9.1      Ordinary Council Meeting – Wednesday 24 September 2025**  
(SEE ATTACHED MINUTES)**Voting Requirement:** Simple Majority**MOVED: CR JOHN GOODHEART****SECONDED: CR IAN HANNA****OC145/25 That the minutes of the Ordinary Council Meeting held on Wednesday 25 September 2025 are confirmed as a true record of proceedings.**

CARRIED: 7/0

FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH  
AGAINST: NIL.**9.2      Special Council Meeting – Friday 3 October 2025**  
(SEE ATTACHED MINUTES)**Voting Requirement:** Simple Majority**MOVED: CR MATT COLLIS****SECONDED: CR JOHN GOODHEART****OC146/25 That the minutes of the Special Council Meeting held on Friday 3 October 2025 are confirmed as a true record of proceedings.**

CARRIED: 7/0

FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH  
AGAINST: NIL.**9.3      Special Council Meeting – Wednesday 22 October 2025**  
(SEE ATTACHED MINUTES)**Voting Requirement:** Simple Majority**MOVED: CR PAUL TOTINO****SECONDED: CR GEMMA TROLOVE****OC147/25 That the minutes of the Special Council Meeting held on Wednesday 22 October 2025 are confirmed as a true record of proceedings.**

CARRIED: 7/0

FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH  
AGAINST: NIL.

## 10. REPORTS OF COMMITTEES AND OFFICERS

### 10.1 GENERAL MANAGER OPERATIONS

Nil.

### 10.2 EXECUTIVE MANAGER CORPORATE SERVICES

#### 10.2.1 Schedule of Accounts – September 2025 (Attachment)

**File Ref:** FM.FI.4  
**Reporting Officer:** Patrick Kennedy, Manager Finance  
**Date Report Prepared:** 7 October 2025  
**Disclosure of Interest:** No Interest to disclose.

**Issue:**

To receive the Schedule of Accounts Paid for the period ending 30 September 2025.

**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<br>2025/26 | EFT Payments<br>2025/26 | Direct<br>Debits<br>2025/26 | Credit<br>Card<br>2025/26 | Payroll<br>2025/26  | Total<br>Payments<br>2025/26 |
|--------------|--------------------|-------------------------|-----------------------------|---------------------------|---------------------|------------------------------|
| July         | \$3,479.90         | \$1,038,558.66          | \$129,657.91                | \$9,080.42                | \$364,302.86        | \$1,545,079.75               |
| August       | \$578.00           | \$1,596,393.93          | \$301,498.65                | \$7,885.55                | \$253,211.73        | \$2,159,567.86               |
| September    | \$626.15           | \$1,102,477.89          | \$80,981.22                 | \$2,198.64                | \$250,009.26        | \$1,436,293.16               |
| October      |                    |                         |                             |                           |                     |                              |
| November     |                    |                         |                             |                           |                     |                              |
| December     |                    |                         |                             |                           |                     |                              |
| January      |                    |                         |                             |                           |                     |                              |
| February     |                    |                         |                             |                           |                     |                              |
| March        |                    |                         |                             |                           |                     |                              |
| April        |                    |                         |                             |                           |                     |                              |
| May          |                    |                         |                             |                           |                     |                              |
| June         |                    |                         |                             |                           |                     |                              |
| <b>Total</b> | <b>\$4,684.05</b>  | <b>\$3,737,430.48</b>   | <b>\$512,137.78</b>         | <b>\$19,164.61</b>        | <b>\$867,523.85</b> | <b>\$5,140,940.77</b>        |

**Officer's Comment:**

The schedule of accounts for the month of September 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 MATT COLLIS

**SECONDED:** CR PAUL TOTINO

**OC148/25** That Council endorses the Schedule of Accounts as presented, being EFT payments 40267 - 40411 totalling \$1,102,477.89, Cheques 42519-42520 totalling \$626.15, Payroll payments totalling \$250,009.26 Direct Debit payments totalling \$80,981.22, Credit Cards (August) totalling \$2,198.64, all totalling \$1,436,293.16 authorised and paid in September 2025.

CARRIED: 7/0

FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH

AGAINST: NIL.

## **10.2.2      Monthly Financial Report – September 2025** (Attachment)

**File Ref:** FM.FI.4  
**Reporting Officer:** David Blurton, Executive Manager Corporate Services  
**Report Prepared:** 3 October 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 30 September 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**

- General Rates is \$50,964 more than budgeted as at 30 September 2025. The 25-26 budget includes provision for \$50,000 to be written off in rates during the year none of which has been processed yet.
- Operating Grants and Subsidies are \$158,292 more than budgeted which relates to the following;
  - Direct Grants received \$9,337 less than budget,
  - Harmony Festival grants \$17,499 less than budget
  - Debt collection legal expenses reimbursement \$29,795 less than budget.
  - General Purpose Grants and Untied Road Grants are \$403,343 more than budget because of the WA Grants Commission prepaying 50% grant entitlements in 24/25 rather than 75% as anticipated.
  - Bush Fire Brigade grants scheme is \$12,645 less than budgeted
  - CESM contributions are \$38,254 less than budgeted.
- Fees and Charges are \$108,060 more than budget relating to \$61,544 final phase 3 LRCl payment incorrectly being classified as fees rather than grants. This amount was unbudgeted and will be included in Midyear budget review. Saleyard yarding fees to end of the month are also \$58,685 more than budgeted. Refuse site disposal fees are \$15,327 less than budgeted.
- Interest revenue is \$15,426 more than budgeted representing better investment rates than expected.

- Other revenue is \$17,777 less than budget due to
  - Workers compensation reimbursements is \$7,372 under budget
  - Shared EHO reimbursement is \$10,371 under budget
  - Planning charges and reimbursements are \$6,851 under budget.
- Profit on Asset Disposal is \$30,083 less than budget as no plant or vehicles have been traded yet.

### **Expenditure from Operating Activities**

- Employee costs are \$304,474 less than budgeted which relates mainly to salary costs for Administration staff \$28,420, Public Works Overhead staff \$24,564 below budget. An accrued salaries journal of \$18,511 was processed in early July transferring expense to 24/25 financial year. It was anticipated that the second instalment of workers compensation premiums would have been paid by 30 September, however this remained unpaid (\$119,750).
- Materials and Contracts is \$392,750 less than budget. The following variances from budget are noted
  - Fuel and oil purchases \$10,445 less than budget.
  - Regional Council expense \$10,938 less than budget.
  - KAC Maintenance expense is \$39,181 more than budget. Unfortunately, the budget for refurbishment works on the pool was not carried over into 25/26. This will need to be considered in the 25/26 midyear budget review.
  - Fire mitigation expenses is \$11,965 under budget
  - Road Maintenance Materials \$11,093 under budget
  - Plant costs from hard waste pickup are \$19,323 more than budget
  - Works program – other reserves is \$51,079 under budget
  - Grant expenditure – community development is \$21,696 under budget
  - CCTV maintenance costs are 10,512 under budget
  - Housing business Planning \$10,000 under budget
  - An accrued expense journal has been processed \$82,940 to transfer expected Audit fees relating to 24-25 financial accounts to the 24-25 financial year as was the case in previous financial year.
  - Debt collection legal costs are \$28,848 under budget.
  - Subscriptions and memberships are \$35,677 under budget relating to timing of payment.
  - Computer software subscriptions are \$48,239 under budget relating to timing
  - IT support is \$15,530 under budget.
- Utility charges are \$28,645 under budget relating to the timing of payments for accounts.
- Depreciation expense is \$744,272 below budget as Depreciation has not been run for September at time of printing.

- Insurance cost is \$185,380 under budget as the second instalment of insurance costs was expected to be paid by the end of September but remains outstanding.
- Other expenditure is \$17,271 over budget relating to Councillor donations of \$15,000 for the Katanning Agricultural Show (timing related).
- Proceeds from capital grants, subsidies and contributions are \$364,764 less than expected at end of September 25, relating to
  - grants from the Katanning Early Childhood Centre (\$83,908 underbudget)
  - Airport runway grant \$152,954 under budget
  - Regional Road Group Grants is \$21,735 more than budgeted.
  - Roads to Recovery Grants is \$150,000 less than budget.
- Acquisition of Property, Plant and Equipment is \$1,441,941 less than expected for the following reasons;
  - BFB Shed \$100,000 under budget due to some delays in delivery of the project.
  - CESM Vehicle purchase \$29,000 under budget. Partners in the CESM agreement have elected to continue to lease a vehicle rather than purchase, so this will require a budget amendment in mid-year review
  - Amherst Village improvements \$15,000 under budget
  - Amherst Village Deposits \$91,197 more than anticipated relating to contractual arrangements in refunding share of profit for outgoing tenants.
  - Road infrastructure \$26,213 under budget
  - Early Childhood hub \$1,119,376 under budget. First claim was paid in August rather than July as anticipated putting claims one month behind the budgeted payment schedule.
  - Cemetery Improvements \$35,180 under budget due to some delays in project delivery.
  - Plant purchases \$99,750 underbudget due to timing.
- Surplus or deficit at the start of the financial year is \$701,980 below budget reflecting prepayment of 50% of federal assistance grants rather than 75% as budgeted. The final surplus figure will not be known until the audit is complete and the difference between estimated and actual surplus will be considered in the midyear budget review process.
- Rates collected year to date is higher than same time in the previous year. Investigations reveal that rates on approximately 149 Department of Communities properties remain unpaid at time of printing. This was initially due to the wrong email address being used to send rates notices to the Department, however this was corrected over a month ago. Officers will follow this up as a matter of urgency.

**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:**

**MOVED:** CR PAUL TOTINO

**SECONDED:** CR JOHN GOODHEART

**OC149/25 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 30 September 2025, as presented.**

CARRIED: 7/0

FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH  
AGAINST: NIL.

Cr Paul Totino spoke for the motion.

**10.2.3            Policy Review – Policy 2.11 Debt Recovery**  
*(Attachment – Policy 2.11 Debt Recovery)*

**File Ref:** GV.PO.1  
**Reporting Officer:** David Blurton, Executive Manager of Corporate Services  
**Date Report Prepared:** 14 October 2025  
**Disclosure of Interest:** Nil

**Issue:**

To review Policy 2.11 - Debt Recovery.

**Body/Background:**

Policy 2.11 Debt Recovery defines the process to recover rates and sundry debtors owed to Council. The policy is due to be reviewed in October annually and officers have undertaken a review and identified some changes with a view to streamline recovery processes.

**Officer's Comment:**

Key changes to the policy include:

- The removal of a second reminder letter which is issued 14 days following final notice.
- Referral to debt collection any amount owed that is over \$50 which has not committed to a payment plan.
- Removal of final demand letters, emails and SMS issued from debt collection service 15 days after stage 1 notice has been completed.
- Addition of an option to issue a Property Seizure and Sale Order (PSSO) against goods and land if necessary.
- Reference to section 6.64 of the Local Government Act 1995 which enables the land to be leased, sold transferred to the crown or transferred to the shire where rates have remained unpaid for a period of more than 3 years.

The changes are intended to tighten the process with a view of addressing the Council's growing issue of unpaid rates whilst ensuring a fair and reasonable process remains in place.

In reviewing the policy, officers assessed several other local government authorities' debt collection processes and the policy as presented represents the industry norm regarding debt recovery process.

**Statutory Environment:**

Not Applicable

**Policy Implications:**

Policy 2.11 – Debt Recovery

**Financial Implications:**

Nil, however the revised policy is expected to improve recovery rates and therefore Council cashflow.

**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

|                   |                                                                                                                   |
|-------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Focus Area</b> | Leadership                                                                                                        |
| <b>Aspiration</b> | Katanning is an inclusive and respectful community.                                                               |
| <b>Objective</b>  | 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 PAUL TOTINO****SECONDED: CR IAN HANNA****OC150/25 That Council adopts the revised policy 2.11 - Debt Recovery, as presented.****CARRIED: 7/0****FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH****AGAINST: NIL.**

Cr Paul Totino spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

|                                                     |
|-----------------------------------------------------|
| <b>10.3 EXECUTIVE MANAGER COMMUNITY DEVELOPMENT</b> |
|-----------------------------------------------------|

Nil.

## 10.4 CHIEF EXECUTIVE OFFICER'S REPORTS

### 10.4.1 Proposed Shire of Katanning Dogs and Bush Fire Brigades Amendment Local Law

**File Ref:** GR.LG.2  
**Reporting Officer:** Chris Liversage, Contractor  
**Date Report Prepared:** 13 August 2025  
**Disclosure of Interest:** No Interest to disclose

**Issue:**

At its meeting held on 23 July 2025, Council resolved to amend the *Shire of Katanning Dogs Local Law 2025* and the *Shire of Katanning Bush Fire Brigades Local Law 2025* in response to a request by the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL), which oversees the making of subsidiary legislation by local governments (item 10.4.2 refers).

The proposed Amendment local law was advertised for public comment; none were received. Council may now make the Amendment local law, which will in turn amend the two local laws concerned.

**Body/Background:**

The *Shire of Katanning Dogs Local Law 2025* and the *Shire of Katanning Bush Fire Brigades Local Law 2025* was made by Council on 25 March 2025 (items 10.4.1 and 10.4.2 refer) and published in the Government Gazette on 8 April 2025 and 25 April 2025 respectively.

Local laws are subject to review by the JSCDL, which requested a series of amendments to the local laws as set out in the minutes of the Council meeting held on 23 July 2025. As required by legislation, a draft *Shire of Katanning Dog and Bush Fire Brigades Amendment Local Law 2025* was advertised for public comment, and copies sent to the CEOs of the Departments of Fire and Emergency Services, and Local Government.

No comments were received from the public or the Department of Local Government. The Department of Fire and Emergency Services acknowledged the advice from the Shire and while noting that the amendment local law was being made in response to a direction from the JSCDL, did not suggest any changes.

**Officer's Comment:**

Council may now make the Amendment local law, which will update the two principal local laws, and in doing so will comply with the request by the JSCDL. The Amendment local law will come into effect after publication in the WA Government Gazette.

**Statutory Environment:**

Section 41 of the *Bush Fires Act 1954* and s51 of the *Dog Act 1976* sets out the process to make bush fire brigade and dog local laws, and to amend them. In both cases, local governments must use the process set out in s3.12 of the *Local Government Act 1995*. Further detail is set out in item 10.4.2 of the report to Council at its meeting held on 23 July 2025.

**Policy Implications:**

Nil.

**Financial Implications:**

There are costs associated with the drafting, advertizing and Gazettal of the proposed Amendment Local Law.

**Risk Implications:**

Local Governments may make local laws about dogs in accordance with the Dog Act and its associated regulations, with such laws helping to reduce risks to the community. Similarly, under the Bush Fires Act, Local Governments with bush fire brigades are required to have a local law in place. While the risk of non-compliance is considered low, it is important that the Shire ensures it meets all statutory obligations.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2022 - 2032

|                   |                                                                                                                   |
|-------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Focus Area</b> | Leadership                                                                                                        |
| <b>Aspiration</b> | Katanning is an inclusive and respectful community.                                                               |
| <b>Objective</b>  | 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 JOHN GOODHEART**

**OC151/25 That Council**

1. In accordance with section 3.12(4) of the Local Government Act 1995, makes the *Shire of Katanning Dogs and Bush Fire Amendment Local Law 2025*;
2. In accordance with s3.12(5) of the Local Government Act 1995 the Amendment local law be published in the Government Gazette and a copy sent to the CEOs of the Departments of Fire and Emergency Services and 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 Amendment local law;
  - (b) Summarising the purpose and effect of the Amendment local law and specifying the day on which it comes into operation; and
  - (c) Advising that copies of the Amendment 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: 7/0

FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH  
AGAINST: NIL.

Cr Paul Totino spoke for the motion.

Cr John Goodheart spoke for the motion.

#### 10.4.2 Retail Trading Hours

**File Ref:** ED.PG.1  
**Reporting Officer:** Peter Klein, Chief Executive Officer  
**Date Report Prepared:** 12 September 2025  
**Disclosure of Interest:** No interest to disclose.

**Issue:**

Determine a position on an offer from the Minister for Commerce to extend trading hours over the 2025 Christmas period and for public holidays in 2026.

**Body/Background:**

On 11 September Council received a group email, sent on behalf of the Minister for Commerce, giving all regional local governments the opportunity to accept an extended trading hours offer. The offer is summarised in the following table.

| Date Range      | Days Covered                                                                                                                                                | Current Permitted Opening Hours | Proposed Opening Hours | Difference |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|------------------------|------------|
| 6/12 & 28/12    | Saturdays                                                                                                                                                   | 8am – 5pm                       | 8am to 6pm             | +1hr/day   |
| 6/12 & 28/12    | Sundays                                                                                                                                                     | 10am – 5pm                      | 8am to 6pm             | +3hrs/day  |
| 8/12 to 12/12   | Weekdays                                                                                                                                                    | 8am – 6pm                       | 8am to 9pm             | +3hrs/day  |
| 15/12 - 24/12   | Weekdays                                                                                                                                                    | 8am – 6pm                       | 7am to 9pm             | +4hr/day   |
| 25/12           | Christmas Day                                                                                                                                               | Closed                          | Closed                 | -          |
| 29/12 - 31/12   | Weekdays                                                                                                                                                    | 8am – 6pm                       | 8am to 9pm             | +3hrs/day  |
| Public Holidays | Easter Sunday                                                                                                                                               | Closed                          | Closed                 | -          |
|                 | ANZAC Day                                                                                                                                                   | Noon – 5pm                      | 8am – 6pm              | +5hrs/day  |
|                 | Boxing Day, New Years Day, Australia Day, Labour Day (02/03), Easter Monday (06/04), ANZAC Day (27/04 – in lieu), WA Day (01/06) & King's Birthday (28/09). | 10am – 5pm                      | 8am to 6pm             | +3hrs/day  |

If the above hours are acceptable, the Council will complete an application to the Department of Commerce seeking approval for the extended trading hours.

In May 2023, the Council was granted approval to permanently allow retail trading on public holidays (other than Christmas Day & Good Friday) between 10.00am and 5.00pm and on ANZAC Day from 12.00pm to 5.00pm.

Retail Trading Hours apply to all retail shops except those that have;

1. applied for & received a Small Retail Shop Certificate which exempts them from trading hours, or
2. applied for & received a Special Retail Shop Certificate that allows opening hours 6am to 11pm.

Cafes and restaurants are automatically exempt from retail trading hours restrictions.

**Officer's Comment:**

As is the case with all extended trading variations, the decision to open or not during the additional hours provided, if approved, will be at the discretion of individual retailer.

Although retail hour restrictions are likely to apply to only a few local businesses in Katanning, extended hours has the potential to better serve the needs of our immediate and surrounding community.

**Statutory Environment:**

Retail Trading Hours Act 1987

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Risk Implications:**

The level of risk is "Low". The extended hours offer, if accepted, will mainly apply to the Christmas period and if unsuccessful, the Council could elect to not accept a similar offer if made next year.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2022 – 2032

**Focus Area** Economic

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

**Objective** To enable more businesses to locate in Katanning to support the needs of the local population.

**Voting Requirement:** Simple Majority

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

**MOVED: CR JOHN GOODHEART**

**SECONDED: CR DANNY MCGRATH**

**OC152/25      That Council accepts the temporary amendment to trading hours as proposed by the Minister for Commerce for the 2025 Christmas period and for the 2026 public holidays.**

**CARRIED: 7/0**

**FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH**

**AGAINST: NIL.**

Cr John Goodheart spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

### 10.4.3 **Local Government (Miscellaneous Provisions) Act 1960** (Attachment)

**File Ref:** LS.AA.1  
**Reporting Officer:** Peter Klein, Chief Executive Officer  
**Date Report Prepared:** 14 October 2025  
**Disclosure of Interest:** No Interest to disclose

Cr Danny McGrath disclosed an interest affecting impartiality as he drives a school bus and passes the farm mentioned.

**Issue:**

Council to consider advocating for a comprehensive review of the *Local Government (Miscellaneous Provisions) Act 1960*.

**Body/Background:**

The Katanning & Kojonup Councils have separately received multiple complaints, over an extended period, about a particular landowner's cattle consistently straying into road reserves and creating a material risk to road users.

Meetings with the landowner have not previously resulted in fences being sustainably repaired to a stockproof condition despite his cattle being implicated in multiple incidents and near misses.

This experience has demonstrated that local governments have limited avenues to influence the behaviours of such landowners through the application of infringement notices and modified penalties. This has left local governments effectively toothless in enforcing a higher road safety standard and this in turn exposes affected local governments to criticism from ratepayers frustrated with an apparent lack of action.

Under local government provisions, there are currently two possible prosecution pathways;

1. *Local Government (Miscellaneous Provisions) Act 1960*, section 484 - a cattle producer commits an offence if they permit their cattle to stray "in a street or other public place".

The penalty for this offence is \$200.

2. *Local Government Act 1995*, section 3.25 - a local government can issue a notice to a landowner requiring a dilapidated fence or gate that separates the land from land that is local government property to be modified or repaired (refer also to Schedule 3.1, Division 1, Section 12.

Failure to comply with the notice carries a penalty of \$10,000.

By adopting a local law, local governments may apply a modified penalty, but these modified penalties cannot be any greater than the penalty prescribed in the Act and approval is typically provided by the Joint Parliamentary Standing Committee on Delegated Legislation for a penalty lower than the penalty prescribed in the Act.

This highlights that the penalties in both the *Local Government Act 1995* and the *Local Government (Miscellaneous Provisions) Act 1960* are inadequate and should be reviewed to create a significantly greater disincentive for landowners who consistently fail to restrain their stock to their properties.

Secondly, local governments should be provided with a clearer pathway to prosecution. This pathway should not be via the *Local Government Act 1995*, as defining a “dilapidated fence” is subjective, but rather through an amended *Local Government (Miscellaneous Provisions) Act*.

The *Local Government (Miscellaneous Provisions) Act* currently contains provisions relating, almost exclusively, to cattle but is inadequate in its dealing with other livestock, especially sheep.

Finally, amendments to this Act could also introduce a more streamlined process to enable the recovery of costs (property, crop/pasture or biosecurity expenses) incurred by a landowner because of a neighbouring landowner not participating reasonably, in the management of a boundary fence.

**Officer’s Comment:**

The required amendments to the *Local Government (Miscellaneous Provisions) Act 1960*, aim to:

- a) broaden the Act’s scope and establish contemporary provisions addressing all modern interfaces between landowners, local governments and the public,
- b) establish penalties to create a meaningful disincentive for landowner non-compliance with provisions of the Act, and
- c) enable a local government to impose penalties against livestock owners who consistently allow their livestock to stray and create a nuisance, without the need to first create a local law or initiate a prosecution.

**Statutory Environment:**

*Local Government (Miscellaneous Provisions) Act 1960*, section 484

*Local Government Act 1995*, section 3.25

**Policy Implications:**

N/A

**Financial Implications:**

Nil

**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”.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2022 – 2023

**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.**Objective** To provide a safe place to live, work and play.**Voting Requirement:** Simple Majority**Officer's Recommendation/Council Motion:****MOVED: CR DANNY MCGRATH****SECONDED: CR IAN HANNA**

**OC153/25** That Council request that WALGA Great Southern Zone advocate for the State Government to comprehensively review the *Local Government (Miscellaneous Provisions) Act 1960* to achieve at least, the following;

- a) broaden the Act's scope and establish contemporary provisions addressing all modern interfaces between landowners, local governments and the public,
- b) establish penalties to create a meaningful disincentive for landowner non-compliance with provisions of the Act, and
- c) enable a local government to impose penalties against livestock owners who consistently allow their livestock to stray and create a nuisance, without the need to first create a local law or initiate a prosecution.

CARRIED: 7/0

FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH  
AGAINST: NIL.

Cr Danny McGrath spoke for the motion.

Cr Ian Hanna spoke for the motion.

Cr Paul Totino spoke for the motion.

Cr John Goodheart spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

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**10.4.4      Endorsement of the Bushfire Brigade Guidelines and Standard Operational Procedures**  
(Attachment)

**File Ref:** ES.AT.1  
**Reporting Officer:** Cindy Pearce Community Emergency Services Manager  
**Date Report Prepared:** 20 October 2025  
**Disclosure of Interest:** No Interest to disclose

**Issue:**

Council to endorse updated Bushfire Brigade Guidelines and Standard Operational Procedures

**Body/Background:**

The Bushfire Brigade Guidelines and Standard Operational Procedures set out the obligations of Bushfire Brigade volunteers and how their services are to be provided in a safe and sustainable manner. The attached guidelines and procedures were recently submitted to the Bushfire Association meeting and endorsed by the Bushfire Advisory Committee.

**Officer's Comment:**

It is recommended that Council endorse the updated Bushfire Brigade Guidelines and Standard Operational Procedures. Slight changes have been made throughout the document which include the following:

1. A Standard Operational Procedure has been added to address the response to Standalone Power Supply System fires. This covers fires burning within the compound as well as fires that might impact the compound (SOP 20).
2. Standard Operational Procedure 1, has had the following added to it – *"1.5. As soon as practicable the Incident Controller is to request that all non-trained (spontaneous volunteers) leave the fire ground"*
3. Standard Operational Procedure 3 refers to PPE, the wording has been changed to reflect the difference between registered trained firefighters and spontaneous volunteers. Wording is now – *Registered trained brigade members* on the fire ground.

**Statutory Environment:**

The updated Bushfire Brigade Guidelines and Standard Operational Procedures are complimentary to, and should be read in conjunction with, the Shire's Bushfire Brigade Local Law.

**Policy Implications:**

The Bushfire Brigade Guidelines and Standard Operational Procedures are provided to assist local bushfire brigade members to comply with relevant State and Local Government legislation when undertaking brigade activities.

**Financial Implications:**

Nil

**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** Social

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

**Objective** To provide a safe place to live, work and play.

**Voting Requirement:** Simple Majority

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

**MOVED: CR IAN HANNA**

**SECONDED: CR DANNY MCGRATH**

**OC154/25 That Council endorses the Bushfire Brigade Guidelines and Standard Operational Procedures for the 2025 and 2026, as presented.**

CARRIED: 7/0

FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH

AGAINST: NIL.

Cr Ian Hanna spoke for the motion.,

#### **10.4.5                      Council Meeting Dates 2025/6** **(ATTACHMENT)**

**File Ref:** GV.CM.1  
**Reporting Officer:** Peter Klein, Chief Executive Officer  
**Date Report Prepared:** 23 October 2025  
**Disclosure of Interest:** No Interest to disclose

**Issue:**

To confirm the dates for Ordinary Council Meetings for the 2025/26 calendar year.

**Body/Background:**

In 2025, Council held its Ordinary Meetings on Wednesdays at 6:00pm on the fourth Wednesday of each month, except in January.

As Council is required to provide public notice of its meeting dates at least once each year, please note that from November 2025 onwards, Ordinary Council Meetings will be held on the fourth Tuesday of each month, commencing at 5:30pm.

**Officer's Comment:**

The following meeting dates and times are proposed from November 2025 to the coming year:

|         |                   |        |
|---------|-------------------|--------|
| Tuesday | 25 November 2025  | 5:30pm |
| Tuesday | 16 December 2025  | 5:30pm |
| Tuesday | 24 February 2026  | 5:30pm |
| Tuesday | 24 March 2026     | 5:30pm |
| Tuesday | 21 April 2026     | 5:30pm |
| Tuesday | 26 May 2026       | 5:30pm |
| Tuesday | 23 June 2026      | 5:30pm |
| Tuesday | 21 July 2026      | 5:30pm |
| Tuesday | 25 August 2026    | 5:30pm |
| Tuesday | 22 September 2026 | 5:30pm |
| Tuesday | 27 October 2026   | 5:30pm |
| Tuesday | 24 November 2026  | 5:30pm |
| Tuesday | 15 December 2026  | 5:30pm |

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

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

**Statutory Environment:**

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

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

**Policy Implications:**

There are no policy implications in relation to this matter.

**Financial Implications:**

There are no financial implications in relation to this matter.

**Risk Implications:**

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

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2022 - 2032

**Focus Area** Leadership

**Aspiration** Katanning is an inclusive and respectful community.

**Objective** To facilitate diversity and representation.

**Voting Requirement:** Simple Majority

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

**MOVED: CR JOHN GOODHEART**

**SECONDED: CR IAN HANNA**

**OC155/25**

**That Council:**

- 1) Holds Ordinary Meetings of Council commencing at 5.30pm in the Council Chambers, 52 Austral Terrace, Katanning on the following dates for the coming year:**

|                |                          |               |
|----------------|--------------------------|---------------|
| <b>Tuesday</b> | <b>25 November 2025</b>  | <b>5:30pm</b> |
| <b>Tuesday</b> | <b>16 December 2025</b>  | <b>5:30pm</b> |
| <b>Tuesday</b> | <b>24 February 2026</b>  | <b>5:30pm</b> |
| <b>Tuesday</b> | <b>24 March 2026</b>     | <b>5:30pm</b> |
| <b>Tuesday</b> | <b>21 April 2026</b>     | <b>5:30pm</b> |
| <b>Tuesday</b> | <b>26 May 2026</b>       | <b>5:30pm</b> |
| <b>Tuesday</b> | <b>23 June 2026</b>      | <b>5:30pm</b> |
| <b>Tuesday</b> | <b>21 July 2026</b>      | <b>5:30pm</b> |
| <b>Tuesday</b> | <b>25 August 2026</b>    | <b>5:30pm</b> |
| <b>Tuesday</b> | <b>22 September 2026</b> | <b>5:30pm</b> |
| <b>Tuesday</b> | <b>27 October 2026</b>   | <b>5:30pm</b> |
| <b>Tuesday</b> | <b>24 November 2026</b>  | <b>5:30pm</b> |
| <b>Tuesday</b> | <b>15 December 2026</b>  | <b>5:30pm</b> |

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

**CARRIED: 7/0**

**FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH**  
**AGAINST: NIL.**

Cr John Goodheart spoke for the motion.

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

Nil.

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

Nil.

**13. CONFIDENTIAL ITEMS****PROCEDURAL MOTION**

**MOVED: CR IAN HANNA**

**SECONDED: CR JOHN GOODHEART**

**OC156/25** That Council closes the meeting to the public to consider the following item relating to:

- **Recovery of Amounts Owing – Debtor O267**
- **Grant Agreement with Minderoo Foundation – Katanning Early Childhood Hub**
- **Industrial Land Lease**

**CARRIED: 7/0**

**FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH**  
**AGAINST: NIL.**

The meeting closed to the public at 6:21pm.

**13.1            Recovery of Amounts Owning - Debtor O267**  
(Attachment – Legal advice from McLeod’s Lawyers)

**File Ref:** FM.DT.11  
**Reporting Officer:** David Blurton, Executive Manager of Corporate Services  
**Date Report Prepared:** 13 October 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 PAUL TOTINO**

**SECONDED: CR IAN HANNA**

- OC157/25      That Council, in regard to Debtor O267;**
- 1.            receive the legal advice provided, and**
  - 2.            write off the debtor’s outstanding rates balance.**

CARRIED: 7/0

FOR: CR KRISTY D’APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH  
AGAINST: NIL.

Cr Paul Totino spoke for the motion.

Cr Ian Hanna spoke for the motion.

Cr Danny McGrath spoke for the motion.

Cr John Goodheart spoke for the motion.

**13.2 Grant Agreement with Minderoo Foundation – Katanning Early Childhood Hub**  
*(Attachment – Draft Grant Agreement with Minderoo Foundation)*

**File Ref:** GS.PG.2  
**Reporting Officer:** David Blurton, Executive Manager of Corporate Services  
**Date Report Prepared:** 13 October 2025  
**Disclosure of Interest:** Nil

## Reason for Confidentiality

The Officer's Report is confidential in accordance with section 5.23 (2) (C) of the Local Government Act because it represents a contract entered, or which may be entered into by the local government, and which relates to a matter to be discussed at the meeting.

### Voting Requirement: Simple Majority

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

**MOVED: CR JOHN GOOHDEART**

**SECONDED: CR IAN HANNA**

**OC158/25** That Council authorises the CEO to execute the presented Draft Grant Agreement with Minderoo Foundation for the construction of the Family Centre and landscaping components of the Katanning Early Childhood Hub.

CARRIED: 7/0

FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH  
AGAINST: NIL.

Cr John Goodheart spoke for the motion.  
Cr Paul Totino spoke for the motion.

Councillors Hanna and Totino declared a financial interest as they are shareholders of Ausgold. Councillor McGrath also declared a financial interest as Ausgold is both a tenant and a shareholder. The Councillors left the room at 6:30pm.

**13.3            Industrial Land Lease**  
(Attachment)

**File Ref:** LS.AA.1  
**Reporting Officer:** Peter Klein, Chief Executive Officer  
**Date Report Prepared:** 13 October 2025  
**Disclosure of Interest:** No Interest to disclose

**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:** Simple Majority

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

**MOVED: CR JOHN GOODHEART**

**SECONDED: CR MATT COLLIS**

**OC159/25    That Council**

- 1.        issue a public notice (as required by section 3.58 (3)) – seeking feedback on Council's intention to lease the land on advised terms;**
- 2.        if;**
  - i.        feedback is received, consider this feedback prior to making a final determination to enter into this lease, at a future Council meeting.**
  - ii.       no feedback is received that Council execute the lease agreement, as presented in accordance with the *Local Government Act 1995*, section 9.49(A).**

CARRIED: 4/0

FOR: CR KRISTY D'APRILE, CR JOHN GOODHEART, CR MATT COLLIS, CR GEMMA TROLOVE  
AGAINST: NIL.

Cr John Goodheart spoke for the motion.

Councillors returned to the room at 6:32pm.

**PROCEDURAL MOTION**

**MOVED: CR DANNY MCGRATH**

**SECONDED: CR IAN HANNA**

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

**Voting Requirement:** Simple Majority

**OC160/25      That Council reopens the meeting to the public.**

CARRIED: 7/0

FOR: CR KRISTY D'APRILE, CR IAN HANNA, CR JOHN GOODHEART, CR PAUL TOTINO, CR MATT  
COLLIS, CR GEMMA TROVLOVE, CR DANNY MCGRATH

AGAINST: NIL.

|                                    |
|------------------------------------|
| <b>14.      CLOSURE OF MEETING</b> |
|------------------------------------|

The Presiding Member declared the meeting closed at 6:33pm.