



Shire of
Katanning
Heart of the Great Southern

‘A prosperous, vibrant and diverse community working together.’

**MINUTES OF
ORDINARY COUNCIL MEETING**

Dear Council Member

Minutes of the Ordinary Council Meeting of the Shire of Katanning held on
Tuesday 22 December 2020 in the Shire of Katanning Council Chambers,
52 Austral Terrace, Katanning.

DISCLAIMER

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

PRESIDING MEMBER _____

DATE SIGNED _____



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1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.01 pm.

2. RECORD OF ATTENDANCE**PRESENT**

Presiding Member: Cr Liz Guidera - President

Members: Cr John Goodheart – Deputy President
Cr Danny McGrath
Cr Serena Sandwell
Cr Martin van Koldenhoven
Cr Owen Boxall
Cr Ernie Menghini
Cr Kristy D’Aprile
Cr Mark Stephens

Council Officers: Julian Murphy, Chief Executive Officer
Heidi Cowcher, Executive Manager Infrastructure & Assets
Denise Gobbart, Executive Manager Corporate & Community
Sue Eastcott, Executive Assistant to CEO

Gallery: Doug Cherry
Matt Collis
David Stade
Natalie Nicholson
Derek Ramm
Flynn Stade

Media:

Apologies:

Leave of Absence:

3. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

In a year of challenges, we should all be very proud of how the Shire of Katanning has thrived in 2020. With one of the worst bushfires in Katanning's history impacting on our town and community in 2020, it is a year we will not forget.

As we continued on our bushfire recovery which included hosting Blazeaid, who assisted farmers to rebuild the 100's of kilometres of fences lost in the fire, we ran head-on into a global pandemic - COVID-19.

Our organisation supported our community with consistent messaging and safe practises, 9 months later we continue to deal with COVID -19.

Tonight, we approve our CEO Julian Murphy's Performance Review. A few months ago, our Council unanimously voted to offer Julian a three-year contract. I take this opportunity on behalf of the Council, our Shire organisation and the community to thank Julian for your leadership over the past five years. It has been an exceptionally challenging time with major projects, floods, fires, pandemics on top of all the usual rough and tumble of Local Government.

Julian, your leadership is both valued and appreciated but I pay particular honour to you for your efforts in 2020, the pinnacle of challenging years, with your calm and considered leadership you have ensured we have not only survived but thrived.

There is a buzz about Katanning and everyone in our organisation past and present has contributed to that success.

On behalf of our community I thank every Councillor for your dedication to the task that is Local Government, you continue to represent our community around the table and it very much appreciated. I would like to make particular note to the Deputy President John Goodheart and thank him for his support of me in my role and he does a lot of work behind the scenes. Thank you, John.

Tonight, we also farewell Heidi Cowcher who leaves us to return to her farming business in Williams, we will get together this evening for dinner to thank Heidi for her service to the Shire of Katanning.

Tonight, is also the first meeting for Denise Gobbart in her new role as Executive Manager of Corporate and Community, we welcome Denise and look forward to working with you over the coming years and we hope you enjoy Katanning as much as we do.

To our Councillors, Executives, Staff and community we wish you all a very safe and Happy Christmas and a wonderful New Year in Katanning in 2021.

4. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS

10.3.2 Cr John Goodheart Disclosure of interest affecting impartiality.

6. PUBLIC QUESTION/STATEMENT TIME**Doug Cherry Statement:**

Doug stated that he would like to wish everyone a Merry Christmas and a safe and happy New Year and thank staff and Councillors for their leadership and their direction in providing us with a very liveable community. Mr Cherry thanked everyone very much.

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 **Ordinary Council Meeting – Tuesday 24 November 2020**
(SEE ATTACHED MINUTES)

MOVED: CR ERNIE MENGHINI SECONDED: CR MARK STEPHENS

OC135/20 That the minutes of the Ordinary Council Meeting held on Tuesday 24 November 2020 be confirmed as a true record of proceedings.

Voting Requirement: Simple Majority

CARRIED 9/0

9.2 **Special Council Meeting – Tuesday 1 December 2020**
(SEE ATTACHED MINUTES)

MOVED: CR SERENA SANDWELL SECONDED: CR DANNY MCGRATH

OC136/20 That the minutes of the Special Council Meeting held on Tuesday 1 December 2020 be confirmed as a true record of proceedings.

Voting Requirement: Simple Majority

CARRIED 9/0

10. REPORTS OF COMMITTEES AND OFFICERS

Nil

10.1 EXECUTIVE MANAGER INFRASTRUCTURE AND ASSETS**10.1.1 Offer Unit 9 Amherst Village**

File Ref: GV.EL.5
Reporting Officer: Heidi Cowcher, Executive Manager Infrastructure & Assets
Date Report Prepared: 15 December 2020

Issue:

For Council to consider an offer received in relation to Unit 9, Amherst Village.

Body/Background:

There are currently two vacant units at the Amherst Village in Katanning. This one as under offer and Unit 9 which is currently being renovated.

Council have received an offer of \$120,000 as an initial capital deposit, to enter a Licence to Occupy agreement, as per Council Policy 6.2, from Mrs Lynette Coleman.

The family initially sought an amendment to the licence agreement regarding the refundable deposit on exiting the tenancy; however, as Council did not support this request, the family were advised, and they have agreed to accept the licence agreement as presented.

Officer's Comment:

The policy states that a successful applicant pay a 10% deposit within 7 days, with remaining funds to be paid within 35 days.

Mrs Coleman's family, who are assisting her with this purchase, have advised that she is able to comply with the policy and would then immediately move into the Village.

Statutory Environment:

Local Government Act 1995

Policy Implications:

6.2 - Allocation of Units at Amherst Village

Financial Implications:

Council have a Reserve (Amherst Village Refundable Deposits Reserve) and transfers of Licences between departing and new residents and therefore this does not create any operational cost to Council.

The last Licence to Occupy this property was signed in September 2006 (Mrs Joan Clarke) and the initial capital deposit was \$100,000. The agreement was terminated earlier this year.

The terms of the Licence to Occupy state:

12. *In the event that the next succeeding resident to the Unit purchase price exceeds the residents Initial Capital Deposit the Shire shall pay to the resident one half of the profit.*

Unit 9 was previously licensed to Mrs Joan Clarke who entered a licence agreement with an initial capital deposit of \$100,000. She moved in, in September 2006. The agreement was terminated in early 2020.

In this case, the offer is \$20,000 higher than the previous occupant, which would equate to a \$10,000 profit share being made to Mrs Clarke.

If Council resolve to accept the offer from Mrs Coleman, the balance of Mrs Clarke's remaining refund of \$28,000 will be finalised plus profit share of \$10,000.

The unit has recently been renovated and is ready and able to be tenanted as soon as the new owners are ready to occupy, and the licence agreement has been finalised.

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 2017 – 2027

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

Officer's Recommendation

That Council:

1. Accepts the offer made by Mrs Lynette Coleman for the sum of \$120,000 for Unit 9 Amherst Village;
2. Authorise the Shire President and Chief Executive Officer to affix the common seal on the Amherst Village Residency Agreement with Mrs Lynette Coleman; and
3. Authorise the final refund of \$28,000 to Mrs Joan Clarke as the immediate past tenant.
4. Authorise the payment of \$10,000 in profit share to Mrs Joan Clarke

Procedural Motion:

MOVED: CR JOHN GOODHEART SECONDED: CR MARK STEPHENS

OC137/20 That Council adjourn the item.

Voting Requirement: Simple Majority

CARRIED 9/0

10.1.2 Local Roads and Community Infrastructure Funding - Extension

File Ref: RD.AA.1
Reporting Officer: Heidi Cowcher, Executive Manager Infrastructure & Assets
Date Report Prepared: 17 December 2020

Issue:

For Council to endorse the projects to be funded under the Local Roads and Community Infrastructure Funding – Extension (\$340,743) and approve the unbudgeted expenditure as part of the 2020/21 Annual Budget.

Body/Background:

The LRCI Program was announced on 22 May 2020. On 6 October 2020, as part of the 2020-21 Federal Budget, the Australian Government announced a further \$1 billion to extend the LRCI Program. The Program supports local councils to create jobs by delivering priority local road and community infrastructure projects across Australia.

Phase 2 (the extension) of the LRCI Program will run from 14 December 2020 to 30 June 2022. Project construction can commence once Work Schedules are approved by the Department with projects required to be physically completed by 31 December 2021.

The extension of the LRCI Program is a temporary, targeted stimulus measure responding to the economic impacts of the COVID-19 pandemic. The LRCI Program assists a community-led recovery from COVID-19 by supporting local jobs, firms and procurement. It is expected that funding recipients will use local businesses and workforces to deliver projects wherever possible to ensure stimulus funding flows into local communities.

Under the LRCI Program Extension, the Shire of Katanning will receive an additional funding allocation of \$340,793.

Officer's Comment:

Council has provided input into the priority capital projects for this funding and formal endorsement is now required.

Statutory Environment:

Local Government Act 1995

It is a requirement of the *Local Government Act 1995* that any expenditure incurred from the Municipal Fund, that is not included in the Annual Budget, is authorised by Council by absolute majority. Section 6.8 states:

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.*

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

Policy Implications:

Policy 2.5 Purchasing Policy

Policy 2.7 Buy Locally – Regional Price Preference

Financial Implications:

Expenditure of the grant funding will be in accordance with the relevant funding guidelines.

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 2017 – 2027

PRIORITY	SOCIAL	
ASPIRATION	S1	A capable, vibrant, healthy and connected community
OBJECTIVE	S1.1	Provide sport, recreation and leisure opportunities that contribute to the health and wellbeing of our growing and diverse community
ASPIRATION	S2	A safe community
OBJECTIVE	S2.1	Strive for a community where people feel safe and secure
PRIORITY	BUILT	
ASPIRATION	B1	Infrastructure that meets community need
OBJECTIVE	B1.1	Sustainably manage current and future assets and infrastructure
OBJECTIVE	B1.2	Provide Council facilities that meet community need

Officer's Recommendation/Council Motion:**MOVED: CR KRISTY D'APRILE****SECONDED: CR JOHN GOODHEART****OC138/20 That Council:**

1. Endorses the following projects to be included in the Local Roads and Community Infrastructure Funding – Extension totalling \$340,793:
 - a) Prosser Park – Upgrade of Basketball courts (\$30,000);
 - b) CCTV Expansion – Installation of strategic CCTV camera's in Piesse Park and other public areas (\$100,000);
 - c) Katanning Leisure Centre – Installation of energy efficient lighting (\$80,000);
 - d) Bokarup Street – Upgrade of footpath (\$20,793);
 - e) Marmion Street – Installation of solar lighting from intersection of Warren Road to Hill Way (\$70,000);
 - f) Round Drive – Installation of strategic fire fighting tanks near Katanning Country Club (\$40,000).
2. Makes provision in the 2020/21 Annual Budget for Local Roads and Community Infrastructure Extension Projects of \$340,793 and amends the Budget accordingly.

Voting Requirement: Absolute majority

CARRIED 9/0

Cr Kristy D'Aprile spoke for the motion.

Cr John Goodheart spoke for the motion.

10.2 EXECUTIVE MANAGER CORPORATE AND COMMUNITY

10.2.1 Schedule of Accounts (ATTACHMENTS)

File Ref: FM.FI.4
Reporting Officer: Shenae Watts, Creditor Officer
Report Prepared: 4 December 2020

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 2020/21	EFT Payments 2020/21	Direct Debits 2020/21	Credit Card 2020/21	Payroll 2020/21	Trust 2020/21	Total Payments 2020/21
July	1,065.35	1,327,621.42	37,190.14	5,109.64	248,178.73	0.00	1,619,165.25
August	14,612.21	1,426,957.07	29,249.32	2,292.54	243,501.24	0.00	1,716,612.38
September	15,827.22	1,344,053.88	47,884.08	13,384.94	404,488.03	0.00	1,825,638.15
October	6,666.86	2,685,453.19	48,261.12	3,216.50	231,162.66	0.00	2,974,760.33
November	1,093.00	1,606,306.84	32,568.21	5,544.62	251,198.61	0.00	1,896,711.28
December							
January							
February							
March							
April							
May							
June							
Total	39,264.64	8,390,392.40	195,152.87	29,548.24	1,378,529.27	0.00	10,032,887.39

Officer's Comment:

The schedule of accounts for the month of October 2020 are attached.

The Finance Forum held on 15 December 2020 gave attending Councillors an opportunity to ask questions regarding the presented accounts paid.

Statutory Environment:

Local Government (Financial Management) Regulations 1996.

Policy Implications:

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

Financial Implications:

Expenditure in accordance with the 2020/21 Annual Budget.

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

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

Officer's Recommendation/Council Motion:

MOVED: CR KRISTY D'APRILE

SECONDED: CR MARK STEPHENS

OC139/20 That Council endorses the Schedule of Accounts as presented, being cheques 42353-42354 totalling \$1,093.00, EFT payments 30901-31089 totalling \$1,606,306.84, direct payments totalling \$32,568.21, and credit card payments totalling \$5544.62 authorised and paid in November 2020.

Voting Requirement: Simple Majority.

CARRIED 9/0

10.2.2 Monthly Financial Reports (ATTACHMENTS)

File Ref: FM.FI.4
Reporting Officer: Libby French, Manager Finance
Report Prepared: 16 December 2020

Body/Background:

The Local Government (Financial Management) Regulation 34 states that a local government must prepare a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget for the month.

Variances between budgeted and actual expenditure including the required Material Variances (10% with a minimum value of \$10,000) are included in the variance report.

Officer's Comment:

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

The Finance Forum held on 15/12/2020 gave attending Councillors an opportunity to ask questions regarding the presented financial statements.

Statutory Environment:

Local Government (Financial Management) Regulations 1996.

Policy Implications:

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

Financial Implications:

Monthly Statement of Financial Activity.

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

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

Officer's Recommendation/Council Motion:

MOVED: CR SERENA SANDWELL

SECONDED: CR OWEN BOXALL

OC140/20 That Council adopts the Statement of Financial Activity for the month ending 30 November 2020, as presented.

Voting Requirement: Simple Majority

CARRIED 9/0

10.2.3 Disposal of Property – 77 Piesse Street Katanning

File Ref: CP.AL.3
Reporting Officer: Denise Gobbart, Executive Manager Corporate & Community
Date Report Prepared: 1 December 2020

Issue:

For Council to consider submissions relating to the disposal of 77 Piesse Street Katanning.

Body/Background:

At the Ordinary meeting of Council held 27 October 2020, Council resolved the following:

Officer's Recommendation/Council Motion:

MOVED: CR OWEN BOXALL SECONDED: CR DANNY MCGRATH

OC107/20 That Council:

1. **Accepts the offer to purchase land known as 77 Piesse Street Katanning (Lot 684) made by Cheyenne Uink for the sum of \$10,000.00 be noted;**
2. **Local Public notice of the offer be given pursuant to Section 3.58 (3) of the Local Government Act (1995);**
3. **The valuation of the land dated 28 August 2020 of \$12,000.00 be noted; and**
4. **At the conclusion of the local public notice period the matter be referred back to the council to consider submissions and to resolve whether or not to dispose of the property.**

Voting Requirement: Simple Majority

CARRIED: 8/0

In accordance with the above resolution of Council, local public notice of the disposal of 77 Piesse Street Katanning was advertised in the Great Southern Herald published Thursday 12 November 2020.

Officer's Comment:

Submissions closed at 4:00pm on Friday 27 November 2020, no submissions were received during the advertised period or since the closing date.

Given no objections were raised in offering the land for sale it is recommended that the Shire proceed with the disposal of 77 Piesse Street Katanning.

Statutory Environment:

Local Government Act 1995

3.58 Disposing of Property

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or

- (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

Policy Implications:

There are no policy implications for this report

Financial Implications:

As Asset L27 - 77 Piesse Street (A1742) has a Written Down Value of \$16,000, accepting the offer of \$10,000 will lead to a Loss on Disposal of Asset of \$6,000

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

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

Officer's Recommendation/Council Motion:**MOVED: CR SERENA SANDWELL SECONDED: CR KRISTY D'APRILE****OC141/20 That Council, proceeds with the disposal of 77 (Lot 684) Piesse Street Katanning to Cheyenne Uink for the sum of \$10,000.****Voting Requirement:** Simple Majority

CARRIED 9/0

Cr Serena Sandwell spoke for the motion.

10.2.4 Write-off of Interest & Legal Fees – A542

File Ref: A542
Reporting Officer: Kristina O'Donnell, Rates & Debtors Officer
Date Report Prepared: 11 December 2020

Issue:

To consider a request to write-off of interest of \$63.65 and legal fees of \$90.00 totalling \$153.65 that accrued on assessment A542.

Body/Background:

The owner of the assessment listed above, is requesting the write-off of interest accrued and legal fees imposed on her property. Contact had previously been made to the Shire to request the write-off, but they did not receive a response.

On 31 October 2018 correspondence indicates a phone call discussion where it was agreed that if a payment was made for the outstanding rates then the property would be removed from potential debt collection. On 7 November 2018 further correspondence was received containing credit card details for the payment that was due on the 12 November 2018.

However, the payment was not receipted until the 23 November and interest had accrued and the property was sent for debt collection. This action of not removing the property from debt collection meant a \$90.00 legal fee was applied.

On 2 September 2019 follow-up correspondence was received enquiring about the Arrears of \$106.11. The Arrears was a result of the legal fee and interest that accrued. Again, this request was not responded to.

On 4 September 2020 follow-up correspondence was again received to request write-off of interest and legal fees.

Officer's Comment:

Upon receiving correspondence on 4 September 2020, I investigated the account of assessment A542. I have found that past correspondence was received but not actioned which had resulted in the accrual of interest and the imposition of legal fees.

If the payment was receipted the day of receiving the email containing credit card details, the property would not have been included on the debt recovery listing. No interest or legal fees would have been applied to this property.

Due to the administrative errors and delays it is recommended that Council approves the penalty interest and legal fee write-off for this property.

Statutory Environment:

Local Government Act 1995

Section 6.12 Power to defer, grant discount, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,

which is owed to the local government.

* Absolute majority required.

Policy Implications:

Policy 2.11 Debt Recovery only allows the Chief Executive Officer to approve a penalty interest write off up to \$20.00

Financial Implications:

The write-off of penalty interest for assessments A542, would incur a loss of revenue totalling \$153.65.

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L1	An inclusive community, recognised as a great place to live and visit.
OBJECTIVE	L1.1	Operate with high ethical and professional standards
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

Officer's Recommendation/Council Motion:

MOVED: CR KRISTY D'APRILE

SECONDED: CR MARK STEPHENS

OC142/20 That Council approves the write-off of interest of \$63.65 and legal fees of \$90.00 totalling \$153.65 that is outstanding on assessment A542.

Voting Requirements: Simple Majority

CARRIED 9/0

Cr Kristy D'Aprile spoke for the motion.

10.2.4 Write-off of Interest – A3718, A3727 & A3276

File Ref: A3718, A3727 & A3276
Reporting Officer: Kristina O'Donnell, Rates & Debtors Officer
Date Report Prepared: 12 December 2020

Issue:

To consider a request to write-off interest totalling \$1,534.60 that accrued on the following assessments:

A3718 – \$398.56
A3727 – \$57.94
A3276 – \$1,078.10

Body/Background:

In October 2020, the owner came into the Shire and spoke to the Rates Officer expressing their concerns about the Arrears on the above listed assessments. They claim that as they own multiple lots of land and do regularly sub-divide and transfer property it is difficult to keep track of how many notices to expect during the Rates billing.

Records show A3718 was subdivided and then later amalgamated into A3727, however the excess was not transferred onto the new assessment therefore accruing interest, as the property was now non-rateable the rate notice was not generated and the property owner was not aware of the debt.

Rates Notice of newly created assessment A3727 was posted and later paid on 23 October 2019, as the payment was received within 35 days of interim date no interest should have applied.

Assessment A3276 was claimed to have not been received, given the process of removing the rate notices from the mail out, it is likely that this notice was never sent out.

All assessments listed above have since been paid in full.

Officer's Comment:

Due to the sub-division of A3718, all notices under the same ownership would have been removed from the mailing process. The previous practice when rate billing occurred was to remove any rate notices that had interim rates to be issued. This would reflect why the rate notices had not been received.

Processes for Interim Rates received in June and prior to rate billing have now changed. Rate Billing is completed based on the revised annual revaluation. Once this has been completed all interim rates are then finalised. After this time, the rate notices are produced. All notices are then issued by mail. Given this, notices are no longer being removed from the mailing process.

Due to the administrative errors and delays it is recommended that Council approves the penalty interest write-off for these properties.

Statutory Environment:

Local Government Act 1995

Section 6.12 Power to defer, grant discount, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money, which is owed to the local government.

* Absolute majority required.

Policy Implications:

Policy 2.11 Debt Recovery only allows the Chief Executive Officer to approve a penalty interest write off up to \$20.00.

Financial Implications:

The write-off of penalty interest for assessments A3718, A3727 & A3276 would incur a loss of revenue totalling \$1,534.60.

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L1	An inclusive community, recognised as a great place to live and visit.
OBJECTIVE	L1.1	Operate with high ethical and professional standards
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

Officer's Recommendation/Council Motion:

MOVED: CR KRISTY D'APRILE

SECONDED: CR MARTIN VAN KOLDENHOVEN

OC143/20 That Council approves the write-off of interest totalling \$1,534.60 for the following assessments;
A3718 \$398.56
A3727 \$57.94
A3276 \$1,078.10

Voting Requirements: Simple Majority

CARRIED 9/0

Cr Kristy D'Aprile spoke for the motion.

Cr Martin van Koldenhoven spoke for the motion.

10.3 CHIEF EXECUTIVE OFFICER'S REPORTS

10.3.1 Endorsement of the Bushfire Brigade Guidelines and Operational Procedures (ATTACHMENT)

File Ref: ES.PC.1
Reporting Officer: Cindy Pearce, Community Emergency Services Manager
Report Prepared: 4 December 2020

Issue:

Council to endorse the update of the Bushfire Brigade Guidelines and Operational Procedures.

Body/Background:

The Guidelines and Operational Procedures are in place to form a structure that Bushfire Brigades work under and to support their day to day activities. The Guidelines include information on how to obtain Personnel Protective Equipment through to reporting bushfire WAERN radio issues.

Officer's Comment:

It is recommended that Council endorses the updated Bushfire Guidelines and Operational Procedures. There are 3 updates outlined as follows:

- Training - Remove the wording Intro to Bushfire Fighting and replace with Bushfire Fighter Training.
- BOP 17 has been added "Roadside Burning Procedure"
- Update of the Emergency Management reference material on page 3.

Statutory Environment:

Bush Fires Act 1954.

Policy Implications:

Nil.

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:

PRIORITY	SOCIAL	
ASPIRATION	S2	A Safe Community
OBJECTIVE	S2.1	Strive for a community where people feel safe and secure.

Officer's Recommendation/Council Motion:

MOVED: CR OWEN BOXALL

SECONDED: CR ERNIE MENGHINI

OC144/20 That Council endorses the updated Bushfire Guidelines and Operational Procedures as presented.

Voting Requirement: Simple Majority

CARRIED 9/0

Cr Owen Boxall spoke for the motion.

Cr Martin van Koldenhoven spoke for the motion.

Cr John Goodheart disclosed an interest affecting impartiality to Item 10.3.2 as he is a member of the Historical Society Committee.

10.3.2 **Community Grants Program (CGP) 2020/2021**
(ATTACHMENTS)

File Ref: GS.AE.1
Reporting Officer: Natassia Shirazee, Community Relations Officer
Date Report Prepared: 10 December 2020

Issue:

To consider applications for the 2020/2021 Community Grants Program.

Body/Background:

The 2020/2021 Community Grants Program was advertised in October 2020 and November 2020 with advertisements in the Great Southern Herald, the Shire of Katanning Website, Shire Matters Newsletter, emails and word-of-mouth to the community and on Facebook.

The Community Grants Program (CGP) provides funding support in three categories; Minor Community Grant (up to \$5,000), Major Community Grant (Over \$5,000) and Triennium Community Grant (3-year approval - Minor or Major), to enable organizations to develop projects that increase participation and benefit the community.

At the closing date five applications were received: two applications requesting a minor community grant, three application requesting a major community grant and no applications requesting a triennium grant.

The application process was coordinated by the Community Relations Officer, Natassia Shirazee.

The Community Grants Program for 2020/2021 has \$25,000.00 ex GST available in the budget.

Summary of applicants:

Minor Community Grants (up to \$5,000)

Full Organisation Name: The Anglican Parish of St Andrew's Katanning (Auspice by The Bunbury Diocesan Trustees)

Project Title: Repairs at St Andrew's Church and Hall Katanning

Requested Amount from Council: \$5,000.00 ex GST

Total Project Cost: \$6,000.00 ex GST

Full Organisation Name: Jeert Mia Aboriginal Corporation

Project Title: Harmony Day 2021 Opening Day Aboriginal Welcome

Requested Amount from Council: \$5,000.00 ex GST

Total Project Cost: \$5,300.00 ex GST

Major Community Grant (over \$5,000)

Full Organisation Name: Katanning & Districts Pool Association Inc

Project Title: Pool Hall Air-Conditioners

Requested Amount from Council: \$5,300.00 ex GST
Total Project Cost: \$5,300.00 ex GST

Full Organisation Name: Katanning Historical Society
Project Title: Restore and Maintain the Katanning Historical Society Buildings
Requested Amount from Council: \$10,000.00 ex GST
Total Project Cost: \$26,362.00 ex GST

Full Organisation Name: Katanning Country Club
Project Title: Katanning Country Club Fire Safety System
Requested Amount from Council: \$10,000.00 ex GST
Total Project Cost: \$39,630.00 ex GST

Copies of the applications are attached for information.

Officer's Comment:

Community Grants Program Budget 2020/2021 available: \$25,000 ex GST
Total cash contribution requested excluding GST: \$35,300.00 ex GST
Recommended cash contribution: \$16,450.00 ex GST

The Community Financial Assistance Program (CFAP) Committee considered applications at its meeting held on Wednesday 9 December 2020 where it made the following decision:

That the CFAP Committee make the following grant recommendations the 2020/20201 Community Grants Program to Council:

1. Partially approve the Anglican Parish of St Andrew's Katanning (Auspice by The Bunbury Diocesan Trustees) \$3,000.00 ex GST to partially fund the Repairs at St Andrew's Church and Hall Katanning Project as listed in the application;
2. Partially approve Jeert Mia Aboriginal Corporation \$800.00 ex GST to fund the tee-shirts for the Harmony Day 2021 Opening Day Aboriginal Welcome Project as listed in the application;
3. Partially approve Katanning & Districts Pool Association Inc \$2,650.00 ex GST for one Air-Conditioner as listed in the application;
4. Approve Katanning Historical Society \$10,000.00 ex GST to restore and maintain the Katanning Historical Society Buildings Project as listed in the application;
5. Defer Katanning Country Club's application of \$10,000.00 ex GST for the Katanning Country Club Fire Safety System Project as listed in the application and recommend funding through the budget process;
6. Consider a second funding round to be held for the remaining funds of \$8,550.00 ex GST, opening for advertising in February and March 2021 with funding announced following approval by Council in April 2021.

Statutory Environment:

Local Government Act 1995

Policy Implications:

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

Financial Implications:

Sufficient funds are allocated in Councils 2020/2021 Budget to cover the cost of the recommended grant contributions.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	SOCIAL	
ASPIRATION	S1	A capable, vibrant, healthy and connected community
OBJECTIVE	S1.1	Provide sport, recreation and leisure opportunities that contribute to the health and wellbeing of our growing and diverse community.
ASPIRATION	S3	A resilient, engaged community with a strong sense of pride
OBJECTIVE	S3.2	Build social resilience through providing diverse options for participation and engagement.
PRIORITY	NATURAL ENVIRONMENT	
ASPIRATION	N3	A strong sense of community ownership and pride for the natural environment
OBJECTIVE	N3.1	Encourage the community to feel proud of and take ownership of public spaces.

Committee Recommendation:

That Council:

1. Approves the following allocations for the 2020/2021 Community Grants Program:
 - a) The Anglican Parish of St Andrew's Katanning (Auspice by The Bunbury Diocesan Trustees) \$3,000.00 ex GST to partially fund the Repairs at St Andrew's Church and Hall Katanning Project as listed in the application;
 - b) Jeert Mia Aboriginal Corporation \$800.00 ex GST to fund the tee-shirts for the Harmony Day 2021 Opening Day Aboriginal Welcome Project as listed in the application;
 - c) Katanning & Districts Pool Association Inc \$2,650.00 ex GST for one Air-Conditioner as listed in the application;
 - d) Katanning Historical Society \$10,000.00 ex GST to restore and maintain the Katanning Historical Society Buildings Project as listed in the application;
2. Defer Katanning Country Club's application of \$10,000.00 ex GST for the Katanning Country Club Fire Safety System Project as listed in the application and recommend funding through the budget process;
3. Holds a second funding round to be held for the remaining funds of \$8,550.00 ex GST, opening for advertising in February and March 2021 with funding announced following approval by Council in April 2021.

Council Motion:**MOVED: CR KRISTY D'APRILE****SECONDED: CR MARK STEPHENS****OC145/20 That Council:**

1. Approves the following allocations for the 2020/2021 Community Grants Program:
 - a) The Anglican Parish of St Andrew's Katanning (Auspice by The Bunbury Diocesan Trustees) \$3,000.00 ex GST to partially fund the Repairs at St Andrew's Church and Hall Katanning Project as listed in the application;
 - b) Katanning & Districts Pool Association Inc \$2,650.00 ex GST for one Air-Conditioner as listed in the application;
 - c) Katanning Historical Society \$10,000.00 ex GST to restore and maintain the Katanning Historical Society Buildings Project as listed in the application;
2. Defer Katanning Country Club's application of \$10,000.00 ex GST for the Katanning Country Club Fire Safety System Project as listed in the application;
3. Holds a second funding round to be held for the remaining funds, opening for advertising in February and March 2021 with funding announced following approval by Council in April 2021.

Reason for the decision: Jeert Mia Aboriginal Corporation withdrew their application.

Voting Requirement: Simple Majority

CARRIED 9/0

Cr Kristy D'Aprile spoke for the motion.

Cr Mark Stephens spoke for the motion.

Cr Martin van Koldenhoven spoke for the motion.

objectives for the next three years are clearly outlined in the Strategic Plan and will only be achieved if local governments commit the current level of funding and the ongoing employment of an Executive Officer.

The benefits to the member local governments working together could not be achieved at the same cost if each local government were to go it alone in tourism and destination marketing.

Statutory Environment:

Local Government Act 1995

Policy Implications:

Nil

Financial Implications:

Contribution of \$17,500 ex-GST per year for the next three years (2021, 2022 & 2023) for membership of Great Southern Treasures

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	ECONOMIC	
ASPIRATION	E1	Local business and industry is resilient, growing
OBJECTIVE	E1.1	Encourage new avenues to upskill and create employment opportunities for our diverse community
ASPIRATION	E2	A great place to live and visit
OBJECTIVE	E2.1	Strengthen our tourism sector
OBJECTIVE	E2.2	Provide and support local and regionally significant events that have both positive economic and social benefits

Officer's Recommendation/Council Motion:

MOVED: CR SERENA SANDWELL

SECONDED: CR JOHN GOODHEART

OC146/20 That Council:

- 1. Receives the Great Southern Treasures Strategic Plan and Forward Directions 2020 – 2023;**
- 2. Enters into a Memorandum of Understanding for a three year term commencing in 2021 with participating local governments for the funding and operation of Great Southern Treasures tourism organisation; and**
- 3. Authorises the President and Chief Executive Officer to affix the common seal to the Memorandum of Understanding.**

Voting Requirement: Simple Majority

CARRIED 9/0

Cr John Goodheart spoke for the motion.

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

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

13. CONFIDENTIAL ITEMS**PROCEDURAL MOTION****MOVED: CR MARK STEPHENS****SECONDED: CR DANNY MCGRATH****OC147/20 That Council closes the meeting to the public to consider the following item:**

- **Chief Executive Officer Performance Review**

Voting Requirement: Simple Majority

CARRIED 9/0

Denise Gobbart, Heidi Cowher, Sue Eastcott and members of the gallery left Council Chambers at 6.21 pm.

13.1 Chief Executive Officer Performance Review**File Ref:****Reporting Officers:** Julian Murphy, Chief Executive Officer**Date Report Prepared:** 17 December 2020**Disclosure of Interest:** Financial Interest - Matters affecting the employment of the CEO**Reason For Confidentiality**

The Chief Executive Officer's Report is confidential in accordance with section 5.23(2)(a) of the Local Government Act because it deals with matters affecting an employee of Council. The Chief Executive Officer's Report has been provided to Council under separate cover.

Officer's Recommendation:

That Council:

1. Notes that the appraisal of Julian Murphy, Chief Executive Officer, has been undertaken for the period of October 2019 - October 2020.
2. Accepts the outcome of 'Meets Expectations' and thanks Mr. Murphy for his efforts.
3. Endorses the CEO's Key Result Areas for the next review period as agreed between Council and the CEO during the performance review.

Council Motion:**MOVED: CR SERENA SANDWELL****SECONDED: CR JOHN GOODHEART****OC148/20 That Council:**

4. Notes that the appraisal of Julian Murphy, Chief Executive Officer, has been undertaken for the period of October 2019 - October 2020.
5. Accepts the outcome of 'Meets Expectations' and thanks Mr. Murphy for his efforts.
6. Endorses the CEO's Key Result Areas for the next review period as agreed between Council and the CEO during the performance review.

7. Acknowledges and thanks Mr Murphy for his outstanding leadership in 2020.

Voting Requirement: Simple Majority

CARRIED 9/0

Cr Serena Sandwell spoke for the motion.

Cr John Goodheart spoke for the motion.

Cr Martin Van Koldenhoven spoke for the motion.

PROCEDURAL MOTION

MOVED: CR MARK STEPHENS

SECONDED: CR ERNIE MENGHINI

OC149/20 That Council reopens the meeting to the public.

Voting Requirement: Simple Majority

CARRIED 9/0

Denise Gobbart, Heidi Cowher, Sue Eastcott and Doug Cherry return to Chambers at 6.26pm.

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 6.26 pm.