



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 25 May 2021 in the Shire of Katanning Council Chambers,  
52 Austral Terrace.

DISCLAIMER

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

PRESIDING MEMBER \_\_\_\_\_

DATE SIGNED \_\_\_\_\_



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**PLEASE NOTE:**

Council Meetings are recorded for accuracy of minute taking.

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

The Presiding Member declared the meeting open at 6.00pm.

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

Presiding Member: Cr John Goodheart – Deputy President

Members: 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: Denise Gobbart, Executive Manager Corporate & Community  
Sam Bryce, Executive Manager Infrastructure & Assets  
Sue Eastcott, Executive Assistant to CEO

Gallery: Roxanne Smith

Media: Tom Shanahan

Apologies: Cr Liz Guidera – President  
Julian Murphy, Chief Executive Officer

Leave of Absence:

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

Nil.

**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 – Tuesday 27 April 2021**  
(SEE ATTACHED MINUTES)

**Voting Requirement:** Simple Majority

**MOVED:** CR DANNY MCGRATH

**SECONDED:** CR SERENA SANDWELL

**OC57/21** That the minutes of the Ordinary Council Meeting held on Tuesday 27 April 2021 confirmed as a true record of proceedings.

CARRIED 8/0

**10. REPORTS OF COMMITTEES AND OFFICERS**

Nil.

## 10.1 EXECUTIVE MANAGER INFRASTRUCTURE AND ASSETS

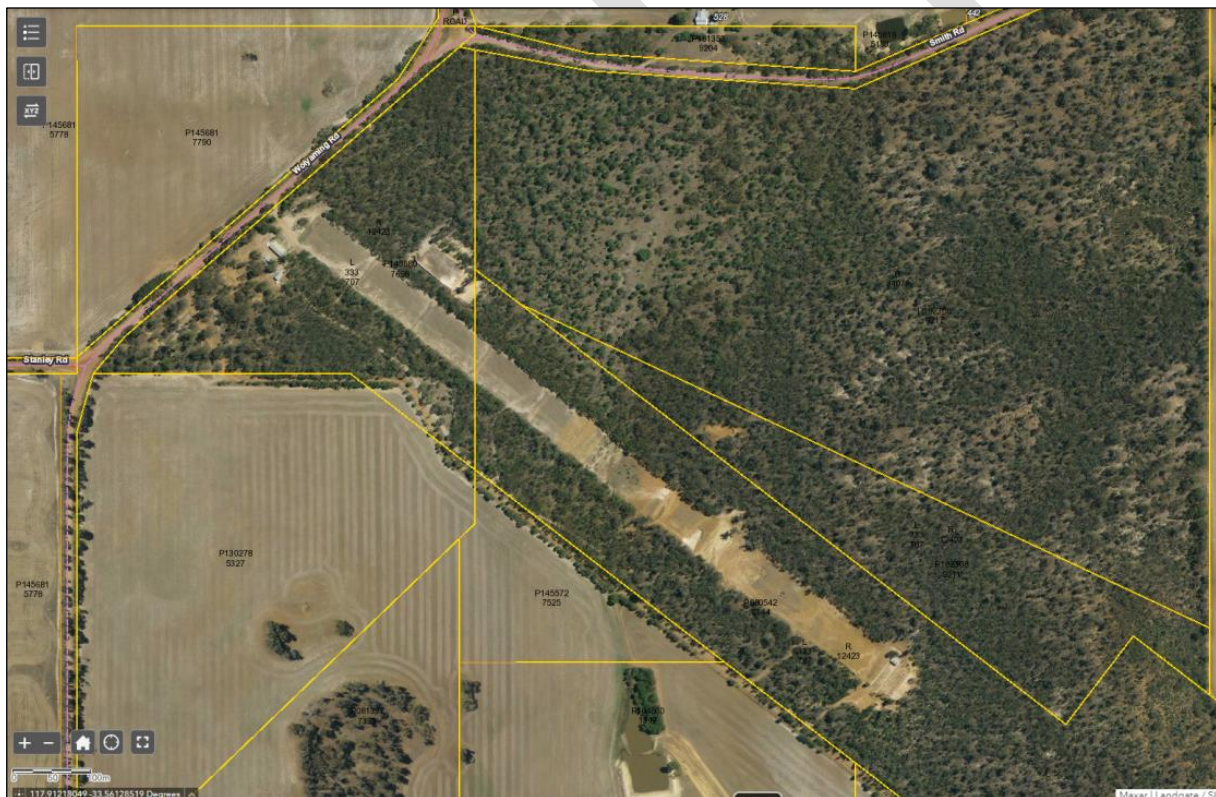
### 10.1.1 **Management Order request, Reserve 12423 Wolyaming Road, Badgebup** (Wurgabup Inc. Vesting request. WARifle Assoc. email 10 May 2021)

**File Ref:** A3594 RC/21/300 - LP.PL.1  
**Reporting Officer:** D Baesjou, Consultant Planner  
**Date Report Prepared:** 13 May 2021

**Issue:**

To consider seeking a Management Order for Reserve 12423 Lots 7698, 7144 and 9211 (738) Wolyaming Road, Badgebup. The Status Order on the Crown Land Title for all three properties is 'Reserve without Management Order'.

Correspondence from both Wurgabup Inc. representing the Wurgabup Rifle Club and the Wurgabup Sporting Shooters Association of Australia, and the West Australian Rifle Association Inc. is attached.



*Aerial view of front portion of Subject Land – Source: Landgate (Jan 2019)*

**Body/Background:**

The purpose of C Class Reserve 12423 is 'Rifle Range Rifle Club'.

The subject land has been used and maintained by the Wurgabup Rifle Club since 1909. Existing development at the site includes the Club House, Toilet/Shower Block, Storage Shed, Water Tank, Parking and at the other range facilities. The Club House and associated buildings are located on Lot 7698. The main range is within the north western portion of Lot 7144.



**Officer's Comment:**

To formalise the care, control and management of the Crown land, it is considered appropriate for the Council to seek a Management Order for Reserve 12423, with power to lease and/or licence.

**Statutory Environment:**

Local Government Act 1995  
Local Government (Functions and General) Regulations  
Land Administration Act 199

**Policy Implications:**

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

**Financial Implications:**

There will be some administrative costs associated with this process, however there are no significant financial implications.

**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

<b>PRIORITY</b>	<b>SOCIAL</b>	
ASPIRATION	S1	A capable, vibrant, healthy & connected community.
OBJECTIVE	S1.1	Provide sport, recreation and leisure opportunities that contribute to the health and wellbeing of our growing and diverse community.
<b>PRIORITY</b>	<b>BUILT ENVIRONMENT</b>	
ASPIRATION	B2	Places for the community to live, work and connect
OBJECTIVE	B2.1	Enhance the Public Realm
<b>PRIORITY</b>	<b>ECONOMIC</b>	
ASPIRATION	E2	A great place to live and visit.
OBJECTIVE	E2.3	Ensure a positive town identity and branding that promotes Katanning and enhances community pride.

**PROCEDURAL MOTION:****Voting Requirement:** Simple Majority**MOVED:** CR KRISTY D'APRILE**SECONDED:** CR SERENA SANDWELL**OC58/21** That Council suspends standing orders.

CARRIED 8/0

**PROCEDURAL MOTION:****Voting Requirement:** Simple Majority**MOVED:** CR KRISTY D'APRILE**SECONDED:** CR DANNY MCGRATH**OC59/21** That Council resumes standing orders.

CARRIED 8/0

**Voting Requirement:** Simple Majority**Officer's Recommendation/Council Motion:****MOVED:** CR MARTIN VAN KOLDENHOVEN**SECONDED:** CR SERENA SANDWELL**OC60/21** That Council requests the granting of a Management Order, with power to Lease or Licence, for Reserve 12423 Lots 7698, 7144 and 9211 738 Wolyaming Road, Badgebup,

CARRIED 8/0

Cr Serena Sandwell 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  
**Date Report Prepared:** 04 May 2021

#### **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	719.95	1,834,821.40	85,167.50	6,144.81	245,526.71	0.00	2,172,380.37
January	827.90	2,053,898.21	31,400.98	6,542.22	215,052.79	0.00	2,307,722.10
February	773.90	843,290.57	33,260.31	3,809.49	226,389.25	0.00	1,107,523.52
March	1,286.65	2,197,775.23	54,787.76	4,474.60	366,347.40	0.00	2,624,671.64
April	646.10	1,347,996.16	35,056.00	657.90	240,771.15	0.00	1,625,127.31
May							
June							
<b>Total</b>	<b>43,519.14</b>	<b>16,668,173.97</b>	<b>434,825.42</b>	<b>51,177.26</b>	<b>2,672,616.57</b>	<b>0.00</b>	<b>19,870,312.36</b>

#### **Officer's Comment:**

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

The Finance Forum held on 13 April 2021 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.

**Voting Requirement:** Simple Majority.

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

**MOVED: CR MARK STEPHENS**

**SECONDED: CR SERENA SANDWELL**

**OC61/21** That Council endorses the Schedule of Accounts as presented, being cheques 42368-42371 totalling \$646.10, EFT payments 31796-2028 totalling \$1,347,996.16, payroll payments totalling \$240,771.15, direct payments totalling \$35,056.00 and credit card payments totalling \$657.90 authorised and paid in April 2021.

CARRIED 8/0

## **10.2.2      Monthly Financial Report** **(ATTACHMENTS)**

**File Ref:** FM.FI.4  
**Reporting Officer:** Denise Gobbart, Executive Manager Corporate & Community  
**Report Prepared:** 18 May 2021

### **Body/Background:**

This item presents the Monthly Financial Report, which contains the 'Statement of Financial Activity' for the period ending 30 April 2021.

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

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

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

### **Officer's Comment:**

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

The 2020/21 Budget Review was adopted by absolute majority at the Special Council Meeting held on 29 March 2021. The adopted budget and YTD budget figures stated within the attachment now reflect the current budget (amendments as per the budget review). The full list of adopted amendments to the original budget are presented at "Note 16 Budget Amendments".

The Finance Forum held on 13 May 2021 gave attending Councillors an opportunity to ask questions regarding the presented financial statements.

### **Statutory Environment:**

Local Government Act 1995

Section 6.4    Financial Report

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

Local Government (Financial Management) Regulations 1996.

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

### **Policy Implications:**

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

**Financial Implications:**

There are no financial implications for this report.

**Risk Implications:**

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

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

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

**Voting Requirement:** Simple Majority.

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

**MOVED: CR SERENA SANDWELL**

**SECONDED: CR DANNY MCGRATH**

**OC62/21** That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receive the Monthly Statement of Financial Activity for the period ending 30 April 2021, as presented.

CARRIED 8/0

### 10.2.3 Proposed Disposal of 59 Daping Street

**File Ref:** CP.AL.3  
**Reporting Officer:** Denise Gobbart, Executive Manager Corporate & Community  
**Date Report Prepared:** 17 May 2021

**Issue:**

For Council to consider the disposal of 59 Daping Street Katanning as it is surplus to requirements.

**Body/Background:**

An interested party has made an enquiry regarding 59 Daping Street, they are interested in purchasing the land to build a residence. Given the enquiry, staff seek to formalise the process with council resolving the intent to dispose of 59 Daping Street and allow a market value to be obtained on the land parcel.

Should the Council be inclined to sell the subject land, there are statutory processes that would need to be satisfied before the sale could take place. This could either be through offering the land at public auction or offering the land by tender. The proposed purchaser could either participate in the process chosen to offer the land or could await that process to close and at that time the council could sell by private treaty provided that a valuation of the land no greater than six months old had been obtained.

However, should the council prefer to dispose of the land other than by public tender or auction, the Act provides that local public notice can be given giving details of the proposed disposition, including names of interested parties, the amount offered and the valuation.

The land is zoned, 'Residential' which allows for a dwelling (R25).

**Officer's Comment:**

A formal offer is yet to be made on the land, given this Council is recommended to endorse that the land is surplus to requirements and approve a market valuation be obtained.

Once an offer has been made the item will return to Council to note the offer and endorse the public advertising process.

**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:**

The estimated cost to obtain a market valuation is \$1,000 Ex-GST.

The estimated cost of conveyancing if the sale proceeds is \$1,000 Ex-GST

The Land asset (L57) is recorded in the asset register with a zero value. Any proceeds will be considered a Profit on Sale of Asset.

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

**Voting Requirement:** Simple Majority

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

**MOVED: CR KRISTY D'APRILE**

**SECONDED: CR MARK STEPHENS**

**OC63/21**

**That Council**

- 1. Agrees that 59 Daping Street Katanning is surplus to current requirements; and**
- 2. Authorises a Market valuation be obtained, to provide for disposing of property in accordance with Section 3.58 of the Local Government Act 1995.**

**CARRIED 8/0**

Cr Kristy D'Aprile spoke for the motion.

Cr Owen Boxall spoke for the motion.

## 10.3 CHIEF EXECUTIVE OFFICER'S REPORTS

### 10.3.1 Code of Conduct Behaviour Complaints Policy (ATTACHMENT)

**File Ref:** GV.CG.9  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 18 May 2021

**Issue:**

To establish a procedure for dealing with complaints about alleged breaches of the behaviour requirements included in Division 3 of the Shire of Katanning Code of Conduct for Council Members, Committee Members and Candidates.

**Body/Background:**

Council adopted a Code of Conduct for Council Members, Committee Members and Candidates in accordance with the Local Government (Model Code of Conduct) Regulations 2021 at its Ordinary Council Meeting in April 2021.

Local Governments are required to establish a procedure for dealing with complaints about alleged breaches of the behaviour requirements included in the Code of Conduct for Council Members, Committee Members and Candidates.

A draft Policy based on the WALGA model is attached. The policy outlines a procedure for dealing with complaints based on the following key points:

- Delegated authority to the CEO appoint a Behaviour Complaints Officer to receive and withdraw complaints;
- Establish a Behaviour Complaints Committee of Council with delegated authority to deal with complaints.

Delegated Authority to the CEO

A delegation from Council to the CEO, providing authority to authorise persons to receive complaints and withdrawal of complaints, may provide flexibility. This would allow the CEO to make authorisations as necessary, to address staff changes, provide backup coverage, The CEO is currently the Behaviour Complaints Officer however delegating authority to the CEO to appoint a person based on the circumstances of the complaint would provide greater flexibility. This may include engaging an outside assessor to investigate a complaint.

Behaviour Complaints Committee

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the Act for the purpose of dealing with complaints. A committee may be granted delegated authority to deal with complaints otherwise all complaints will be referred to full Council for determination.



**Officer's Comment:**

The Code of Conduct Behaviour Complaints Management Policy provides a framework for Council when dealing with complaints made in accordance with the Local Government (Model Code of Conduct) Regulations 2021.

**Statutory Environment:**

- Local Government Act 1995
- Local Government (Model Code of Conduct) Regulations 2021

**Policy Implications:**

- Shire of Katanning Code of Conduct for Council Members, Committee Members and Candidates
- Code of Conduct Behaviour Complaints Management Policy (proposed)

**Financial Implications:**

There are no known meaningful financial implications relative 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 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 recognized as a great place to live and visit
OBJECTIVE	L1.2	Provide effective leadership and good governance

**Voting Requirement:** Simple Majority

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

**MOVED: CR DANNY MCGRATH**

**SECONDED: CR MARK STEPHENS**

**OC64/21 That Council adopts the Code of Conduct Behaviour Complaints Management Policy as proposed.**

CARRIED 8/0

### **10.3.2      Behaviour Complaints Committee** **(ATTACHMENTS)**

**File Ref:** GV.CM.2  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 18 May 2021

**Issue:**

To establish a Behaviour Complaints Committee to deal with complaints about alleged breaches of the behaviour requirements included the Shire of Katanning Code of Conduct for Council Members, Committee Members and Candidates.

**Body/Background:**

Council adopted a Code of Conduct for Council Members, Committee Members and Candidates in accordance with the Local Government (Model Code of Conduct) Regulations 2021 at its Ordinary Council Meeting in April 2021.

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the Act for the purpose of dealing with complaints. A committee may be granted delegated authority to deal with complaints otherwise all complaints will be referred to full Council for determination.

It is proposed that the Committee be granted the following delegated authority,:

*Local Government (Model Code of Conduct) Regulations 2021:*

- Clause 12 Dealing with a complaint
- Clause 13 Dismissal of complaint

A Terms of Reference of the Committee has been developed using the WALGA model Terms of Reference. A copy of the proposed Terms of Reference is attached.

It is proposed that the Committee be made up of three members and two deputy members. Meetings would be held as required to deal with complaints as they are received.

**Officer's Comment:**

It is recommended that Council establishes a Behaviour Complaints Committee in accordance with the proposed Terms of Reference for the purpose of dealing with Code of Conduct complaints.

**Statutory Environment:**

- Local Government Act 1995
- Local Government (Model Code of Conduct) Regulations 2021

**Policy Implications:**

- Shire of Katanning Code of Conduct for Council Members, Committee Members and Candidates
- Code of Conduct Behaviour Complaints Management Policy

**Financial Implications:**

There are no known meaningful financial implications relative 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 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 recognized as a great place to live and visit
OBJECTIVE	L1.2	Provide effective leadership and good governance

**Voting Requirement:** Absolute Majority

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

**MOVED: CR DANNY MCGRATH**

**SECONDED: CR SERENA SANDWELL**

**OC65/21**

**That Council:**

1. Establishes the Behaviour Complaints Committee in accordance with the Terms of Reference as proposed.
2. Appoints the following Elected Members to the Committee:
  - Cr Kristy D'Aprile
  - Cr Mark Stephens
  - Cr Danny McGrath
3. Appoints the following Deputy Members to the Committee:
  - Cr Serena Sandwell
  - Cr John Goodheart
4. Delegates Authority to the Behaviour Complaints Committee in accordance with the *Local Government (Model Code of Conduct) Regulations 2021*:
  - Clause 12 Dealing with a complaint
  - Clause 13 Dismissal of complaint
 And the conditions outlined in the instrument of delegation.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

Cr Mark Stephens spoke for the motion.

### **10.3.3        Delegation of Authority to Appoint a Behaviour Complaints Officer** **(ATTACHMENT)**

**File Ref:** GV.AT.1  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 14 May 2021

**Issue:**

To delegate authority to the Chief Executive Officer to appoint persons to receive and withdraw complaints in accordance with the Local Government (Model Code of Conduct) Regulations 2021.

**Body/Background:**

Council adopted a Code of Conduct for Council Members, Committee Members and Candidates in accordance with the Local Government (Model Code of Conduct) Regulations 2021 at its Ordinary Council Meeting in April 2021.

At the February 2021 Ordinary Council Meeting, in accordance with the Local Government (Model Code of Conduct) Regulations 2021, Council:

- appointed the CEO as the Behaviour Complaints Officer for the purposes of receiving complaints and withdrawals of complaints; and
- approve a complaint form.

Local Governments are required to establish a procedure for dealing with complaints about alleged breaches of the behaviour requirements included in the Code of Conduct for Council Members, Committee Members and Candidates.

**Officer's Comment:**

Delegation from Council to the CEO, providing authority to authorise persons to receive complaints and withdrawal of complaints, may provide flexibility. This would allow the CEO to make authorisations as necessary, to address staff changes, provide backup coverage, and make subsequent appointments based on better understanding of the Behaviour Complaints Officer role and the nature of complaints.

The instrument of delegation is attached.

**Statutory Environment:**

- Local Government Act 1995
- Local Government (Model Code of Conduct) Regulations 2021

**Policy Implications:**

- Shire of Katanning Code of Conduct for Council Members, Committee Members and Candidates
- Code of Conduct Behaviour Complaints Management Policy (proposed)

**Financial Implications:**

There are no known meaningful financial implications relative 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 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 recognized as a great place to live and visit
OBJECTIVE	L1.2	Provide effective leadership and good governance

**Voting Requirement:** Absolute Majority

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

**MOVED: CR MARK STEPHENS**

**SECONDED: CR DANNY MCGRATH**

**OC66/21** That Council Delegates Authority to the Chief Executive Officer to appoint 1 or more persons to receive complaints and withdrawals of complaints in accordance with Division 3 of the Local Government (Model Code of Conduct) Regulations 2021 – Clause 11(3) and the conditions outlined in the instrument of delegation.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

**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**

Nil.

**14. CLOSURE OF MEETING**

The Presiding Member declared the meeting closed at 6.15pm.

DRAFT