



Shire of  
**Katanning**  
Heart of the Great Southern

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

**NOTICE OF  
ORDINARY COUNCIL MEETING**

Dear Council Member

The next Ordinary Council Meeting of the Shire of Katanning will be held on  
Wednesday 21 September 2022 in the Shire of Katanning Council Chambers,  
52 Austral Terrace, Katanning, commencing at 6.00 pm.

Julian Murphy  
**CHIEF EXECUTIVE OFFICER**  
Thursday 15 September 2022

DISCLAIMER

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

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

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



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**PLEASE NOTE:**

Council Meetings are recorded for accuracy of minute taking.

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

The Presiding Member declared the meeting open at \_\_\_\_ pm.

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

Presiding Member: Cr Liz Guidera - President

Members: Cr John Goodheart – Deputy President  
Cr Kristy D’Aprile  
Cr Matt Collis  
Cr Serena Sandwell

Council Officers: Denise Gobbart, Executive Manager Corporate & Community  
Sam Bryce, Executive Manager Infrastructure & Assets  
Cherrie Campbell, Executive Officer Infrastructure & Development

Gallery:

Media:

Apologies:

Leave of Absence: Cr Adrian Edwards  
Cr Michelle Salter

**3. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION****4. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE****5. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS****6. PUBLIC QUESTION/STATEMENT TIME****7. APPLICATIONS FOR LEAVE OF ABSENCE****8. PETITIONS/DEPUTATIONS/PRESENTATIONS****9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****9.1 Ordinary Council Meeting – Thursday 25 August 2022**  
(SEE ATTACHED MINUTES)

**Voting Requirement:** Simple Majority

**OC/22** That the minutes of the Ordinary Council Meeting held on Thursday 25 August 2022 confirmed as a true record of proceedings.

CARRIED/LOST:

**10. REPORTS OF COMMITTEES AND OFFICERS**

**10.1 EXECUTIVE MANAGER INFRASTRUCTURE AND ASSETS****10.1.1 Proposed Road Dedication – Crown Reserve 22206 Dore Street, Katanning**

Attachment 1 – Landgate Reserve Report

Attachment 2 – Proposed Road Dedication Plan

**File Ref:** A3757  
**Reporting Officer:** Joe Douglas – Town Planner  
**Date Report Prepared:** 12 September 2022  
**Disclosure of Interest:** No Interest to disclose

**Issue:**

Consideration and determination of a proposal by the Shire’s Executive Manager Infrastructure and Assets to initiate the process required to cancel Crown Reserve 22206 Dore Street, Katanning and dedicate it as a public road pursuant to section 56 of the *Land Administration Act 1997*.

**Body/Background:**

Crown Reserve 22206 is located in the south-eastern part of the Katanning townsite in a designated general industrial area.

The subject land comprises a total area of approximately 3,995.35m<sup>2</sup> and has historically been developed and used by the Shire for the purposes of stock saleyards and vehicle parking.

It is understood the land is no longer used for stock saleyards and vehicle parking and all associated improvements have recently been removed by the Shire in their entirety.

Crown Reserve 22206 is a ‘C’ class reserve owned by the State of Western with a management order issued in favour of the Shire of Katanning for the designated purposes ‘Saleyards and Parking’ (see Attachment 1).

The Shire’s Executive Manager Infrastructure and Assets has confirmed the Shire would like to decommission and remove that portion of the Dore Street road carriageway that has previously been constructed through Lots 3 and 4 (Nos.89 and 91) Dore Street, Katanning, both of which are owned in fee simple by the Shire, and reconstruct the road carriageway within Crown Reserve 22206 to tidy up and formalise the alignment of Dore Street in this part of the Katanning townsite (see Attachment 2).

**Officer’s Comment:**

In order to progress the road dedication proposal outlined above Council must resolve to request the Minister for Lands to do the following:

- i) Revoke the current management order for Crown Reserve 22206 pursuant to section 50 of the *Land Administration Act 1997*;
- ii) Cancel Crown Reserve 22206 pursuant to section 51 of the *Land Administration Act 1997*; and
- iii) Dedicate all land comprising Crown Reserve 22206 as a public road pursuant to section 56 of the *Land Administration Act 1997*.

It is recommended that prior to seeking the Minister for Lands approval to all of the above the proposal be advertised in a newspaper circulating throughout the local district for a minimum period 35 days inviting feedback and comment from anyone who may have an interest in the proposal. This process will also include publication of the proposal on the Shire's website and referral of the proposal to all essential service authorities.

At the conclusion of public advertising and consideration of any submissions received, Council may then resolve to formally request the Minister for Land's approval to the abovementioned proposals and submit the request accordingly.

Upon receiving Council's formal request the Minister may, if he or she is satisfied the Shire has complied with the procedural requirements of the relevant sections of the *Land Administration Act 1997* and associated Regulations, approve the requests, direct Council to reconsider the requests having regard to such matters as the Minister thinks fit, or refuse the requests in their entirety.

Council should note should it resolve to pursue the abovementioned requests it is also required, in accordance with section 56(4) of the *Land Administration Act 1997*, to indemnify the Minister against any claim for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.

**Statutory Environment:**

*Land Administration Act 1997*

*Land Administration Regulations 1998*

**Policy Implications:**

There are no policy implications for this report.

**Financial Implications:**

All costs associated with the proposal will need to be borne by the Shire directly and are likely to be in the order of \$6,000 to \$8,000 excluding GST. This would include all required reporting, public advertising, preparation of a formal submission to the Minister for Lands and all costs and expenses likely to be incurred by the Minister in considering and granting the request (i.e. administrative and surveying costs and Landgate fees as may be applicable).

Council should note the estimate provided above does not include the cost of decommissioning and removing that portion of the Dore Street road carriageway previously constructed through Lots 3 and 4 (Nos.89 and 91) Dore Street, Katanning which has not yet been determined and confirmed. It is understood the cost of this work can and will be covered by allowances made in Council's annual budget for local roadworks.

**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:**

The road dedication proposal outlined above is considered to be consistent with the following elements of the Shire of Katanning Strategic Community Plan 2017 – 2027:

<b>Focus Area</b>	Built Environment
<b>Aspiration</b>	Katanning is a beautiful, well serviced place that invites people to stay.
<b>Objective</b>	To encourage a range of housing options to cater for our diverse population.

**Voting Requirement:** Simple Majority

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

**OC/22** That the Council resolves to initiate the process required to cancel Crown Reserve 22206 Dore Street, Katanning and dedicate it as a public road pursuant to section 56 of the *Land Administration Act 1997*.

CARRIED/LOST:

## 10.2 EXECUTIVE MANAGER CORPORATE AND COMMUNITY

### 10.2.1 Schedule of Accounts (ATTACHMENTS)

**File Ref:** FM.FI.4  
**Reporting Officer:** Shenae Watts, Creditors Officer  
**Date Report Prepared:** 31 August 2022  
**Disclosure of Interest:** No Interest to disclose

**Issue:**

To receive the Schedule of Accounts Paid for the period ending 31 August 2022.

**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 2022/23	EFT Payments 2022/23	Direct Debits 202/23	Credit Card 2022/23	Payroll 2022/23	Total Payments 2022/23
July	672.95	584,524.53	34,881.30	4,016.22	228,797.92	852,892.92
August	1,174.70	743,845.96	56,000.45	5,124.34	339,745.15	1,145,890.60
September						
October						
November						
December						
January						
February						
March						
April						
May						
June						
<b>Total</b>	<b>1,847.65</b>	<b>1,328,370.49</b>	<b>90,881.75</b>	<b>9,140.56</b>	<b>568,543.07</b>	<b>1,998,783.52</b>

**Officer's Comment:**

The schedule of accounts for the month of August 2022 are attached.

The Finance Forum held on 8 September 2022 gave attending Councillors an opportunity to ask questions regarding the presented accounts paid.

**Statutory Environment:**

Local Government Act 1995.

6.8. Expenditure from municipal fund not included in annual budget



- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

\* Absolute majority required.

**Policy Implications:**

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

**Financial Implications:**

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

**Risk Implications:**

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

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2022 - 2032

**Focus Area** Leadership

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

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

**Voting Requirement:** Simple Majority.

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

**OC/22** That Council endorses the Schedule of Accounts as presented, being cheques 42419 - 42420 totalling \$1,174.70, EFT payments 34553 – 34697 totalling \$743,845.96, payroll payments totalling \$339,745.15, direct payments totalling \$56,000.45 and credit card payments totalling \$5,124.34 authorised and paid in August 2022.

CARRIED/LOST:

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

**File Ref:** FM.FI.4  
**Reporting Officer:** Denise Gobbart, Executive Manager Corporate & Community  
**Report Prepared:** 1 September 2022  
**Disclosure of Interest:** No Interest to disclose

### **Body/Background:**

This item presents the Monthly Financial Report, which contains the 'Statement of Financial Activity' for the period ending 31 July 2022.

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

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

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

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

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

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

The Finance Forum held on 08 September 2022 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 2022 - 2032

**Focus Area** Leadership

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

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

**Voting Requirement:** Simple Majority.

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

**OC/22** That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, receive the Monthly Statement of Financial Activity for the period ending 31 July 2022, as presented.

CARRIED/LOST:

**10.3 CHIEF EXECUTIVE OFFICER'S REPORTS****10.3.1 Establishment of Honours and Awards Committee**  
(ATTACHMENT)

**File Ref:** GV.CM.2  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 8 September 2022

**Issue:**

To consider the establishment of the Honours and Awards Committee.

**Body/Background:**

Following the ordinary Council election to be held on 16 October 2021 Council established several committees of Council including the Citizen of the Year Committee.

The Citizen of the Year Committee was established to make recommendations to assist Council in its decision making regarding the awarding of Australia Day WA Citizen of the Year Awards for the Shire of Katanning.

The Citizen of the Year Committee was established in accordance with section 5.8, 5.9 and 5.10 of the *Local Government Act 1995* and Council appointed the following persons as members:

- Cr Kristy D'Aprile
- Cr Serena Sandwell
- Cr Adrian Edwards

The tenure of members of Council Committees expires on the date of the Local Government elections, to be held in October 2023.

At the Ordinary Council Meeting held in July 2022 Council adopted a new policy relating to the award of Freeman of the Shire of Katanning, this policy provides the framework for considering nominations and awarding the title of Honorary Freeman.

**Officer's Comment:**

It is proposed to create a new committee to consider all awards and honours that may be given by Council. New Terms of Reference for the proposed new Honours and Awards Committee are attached.

The purpose of the new committee is to make recommendations to assist Council in its decision making regarding the awarding of Australia Day WA Citizen of the Year Awards, Honorary Freeman award and any other awards conferred by Council.

It is recommended that Council disbands the Citizen of the Year Committee and establishes a new committee to deal with all Shire of Katanning Honours and Awards.

**Statutory Environment:**

*Local Government Act 1995*

- Section 5.8 Establishment of committees
- Section 5.9 Committees, types of
- Section 5.10 Committee members, appointment of

- Section 5.11 Committee membership, tenure of

**Policy Implications:**

The Freeman of the Shire of Katanning Policy provides the framework for considering nominations and awarding the title of Honorary Freeman of the Shire of Katanning.

**Financial Implications:**

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

**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 – 2023

**Focus Area** Leadership

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

**Objective** To facilitate diversity and representation within the decision-making process.

**Voting Requirement:** Absolute Majority

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

**OC/22** That Council in accordance with sections 5.8 - 5.11 of the *Local Government Act 1995*:

1. Disbands the Citizen of the Year Committee;
2. Establishes the Honours and Awards Committee as a Committee of Council;
3. Endorses the Committee terms of Terms of Reference; and
4. appoints the following members to the Committee:
  - President
  - Cr.....
  - Cr.....
  - Cr.....

CARRIED/LOST:

### 10.3.2 Carols in the Park – Funding Request ATTACHMENT

**File Ref:** GS.AE.4  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 14 September 2022

**Issue:**

To consider the request from the Katanning Baptist Church on behalf of the combined churches of Katanning to provide financial support to the Carols in the Park event.

**Body/Background:**

Council has received a request from the Katanning Baptist Church for financial support for the Carols in the Park event proposed for 10 December 2022. A copy of the request is attached for Council's information.

Carols by Candlelight is a community event that has been run for many years, most recently at the Town Square. The event is well supported by the community and the organisers are seeking to relocate the event to the Piesse Park Amphitheatre to accommodate the increasing number of people attending the event.

The new event will be called the Carols in the Park and include family events, food vans and a carols service.

The change of venue will require the support of professional lighting and sound to ensure a high-quality experience for those attending.

The organisers of the event are seeking a financial contribution of \$9,119.99 for this year's event and ongoing funding of \$15,000 for each year thereafter.

Council currently makes a provision of \$350 towards the costs of the event (namely the Traffic Management Plan) and around \$3,600 in wages for Shire of Katanning staff time and plant and equipment costs.

Any additional funding would need to be identified from existing budget allowances.

**Officer's Comment:**

The proposed change of venue to the Piesse Park Amphitheatre will require sound amplification and lighting, as this venue is a much larger space and the equipment used for the Town Square will not be sufficient for the new venue.

Council's Community Grants Program grant round usually opens in October and closes towards the end of November each year. Given the timing of this request it would not be reasonable to consider this submission as part of the Community Grants Program and make a decision before the event is scheduled to be held.

Council may consider providing a funding contribution towards the lighting and sound requirements (\$2,500), however given the demands on this year's budget it may not be possible for Council to support the entire funding request.

Future funding of the event would be subject to consideration in next year's budget setting process.

**Statutory Environment:**

*Local Government Act 1995*

*Section 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 (absolute majority required); or*
- (c) is authorised in advance by the mayor or president in an emergency.*

**Policy Implications:**

Council's Community Grants Program Policy outlines the process for grant applications from community groups for financial assistance. The grant rounds usually open in October and close towards the end of November each year.

The Quick Response Grants Policy provides for CEO donations up to \$500 and Quick Response Grants up to \$1,000.

**Financial Implications:**

Council currently makes a provision in the annual budget (GL 3554 – Works Program Events) of \$350 towards the costs of the event (namely the Traffic Management Plan) and around \$3,600 in wages for Shire of Katanning staff time, plant and equipment costs.

Council has made a budget provision of \$34,000 for the Community Grants Program for 2022/23.

A financial contribution of \$2,500 towards sound and lighting could be funded from CEO Donations provision in the budget (GL 1011) which has a provision of \$19,000 for CEO Donations and Quick Response Grants of up to \$1,000. The CEO Donations and Quick Response Grants programs were undersubscribed in 2021/22.

**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 – 2023

**Focus Area** Social

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

**Objective** To support and encourage community events that bring us together.

**Voting Requirement:** Absolute Majority

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

**OC/22** That Council authorises a contribution of \$2,500 to the Katanning Baptist Church on behalf of the combined churches of Katanning for the 2022 Carols in the Parks event, funded from the CEO Donations provision in the annual budget.

CARRIED/LOST:



**11. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING****13. CONFIDENTIAL ITEMS****PROCEDURAL MOTION****MOVED:****SECONDED:**

**OC/22** That Council closes the meeting to the public to consider the following item regarding the Performance Review of the Chief Executive Officer.

CARRIED/LOST:

**13.1** **Chief Executive Officer Performance Review**  
(ATTACHMENT)

**File Ref:** Personnel File

**Reporting Officers:** Julian Murphy, Chief Executive Officer  
Dr Shayne Silcox, Strategic Leadership Consulting

**Date Report Prepared:** 14 September 2022

**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.

**PROCEDURAL MOTION**

**Voting Requirement:** Simple Majority

**OC/22** That Council reopens the meeting to the public.

CARRIED/LOST:

**14. CLOSURE OF MEETING**

The Presiding Member declared the meeting closed at \_\_\_\_ pm.