



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  
Thursday 22 December 2022 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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**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 Liz Guidera - President

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

Council Officers: Julian Murphy, Chief Executive Officer  
Denise Gobbart, Executive Manager Corporate & Community  
Sam Bryce, Executive Manager Infrastructure & Assets  
Taryn Human, Executive Assistant Governance

Gallery: Tania Severin

Media:

Apologies:

Leave of Absence:

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

Cr Liz Guidera thanked Councillors and staff for their hard work and dedication this year.

Cr Guidera acknowledged the recent resignation of Cr Adrian Edwards and thanked Cr Edwards for his time on Council.

Cr Guidera wished everyone a Happy Christmas and safe New Year, she encouraged everyone to have a great break and she looks forward to 2023.

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

Nil.

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

Nil.

**6. PUBLIC QUESTION/STATEMENT TIME****Tania Severin Statement**

Tania Severin thanked Council for their financial support of the Carols in the Park event. She noted that the community grant funding approval for this event was reduced to the original request and wanted to know why this decision was made.

**Julian Murphy Response**

Julian Murphy said that the Grants Committee wanted to support as many organisations as possible and Council had considered the request along with other grant funding requests. He said that if this event was an annual event and funding was needed yearly then the Carols organising committee should consider applying for funding support as part of the annual budget considerations.

**Cr Liz Guidera Response**

Cr Guidera said that there are a lot of community organisations seeking funding and demand for Council's financial assistance was increasing.

**Cr John Goodheart Response**

Cr Goodheart said that Council wants to do a lot of things, but the budget is restricted. He said that he encourages organisations to seek further funding from other sources.

**Cr Kristy D'Aprile Response**

Cr D'Aprile asked how the change of venue worked and if there were an increase in numbers this year.

**Tania Severin Response**

Tania Severin said that they received good feedback and there was an increase in attendees.

**Cr Kristy D'Aprile Response**

Cr D'Aprile said that Council recognises this incredible event and thanked Tania Severin for her effort.

**Cr Liz Guidera Response**

Cr Guidera said that this was a fantastic event and has been for many years. Cr Guidera asked that when the organisers make their submission to Council they do so giving consideration to what funding was essential for the event with the understanding that Council's capacity to provide funding was limited.

**7. APPLICATIONS FOR LEAVE OF ABSENCE****7.1 Application for Leave of Absence Cr Serena Sandwell**

**Voting Requirement:** Simple Majority

**MOVED: CR MATT COLLIS**

**SECONDED: CR KRISTY D'APRILE**

**OC142/22 That Council grants Cr Serena Sandwell leave of absence for the February 2023 Ordinary Council Meeting.**

CARRIED: 6/0

**8. PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

**9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****9.1 Ordinary Council Meeting – Wednesday 23 November 2022  
(SEE ATTACHED MINUTES)**

**Voting Requirement:** Simple Majority

**MOVED: CR MICHELLE SALTER**

**SECONDED: CR SERENA SANDWELL**

**OC143/22 That the minutes of the Ordinary Council Meeting held on Wednesday 23 November 2022 confirmed as a true record of proceedings.**

CARRIED: 6/0

**10. REPORTS OF COMMITTEES AND OFFICERS**

**Item 10.3.4 was dealt with before item 10.1.1****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

Attachment 3 – Submission from Department of Water and Environmental Regulation

**File Ref:** A3757  
**Reporting Officer:** Joe Douglas – Town Planner  
**Date Report Prepared:** 8 December 2022  
**Disclosure of Interest:** No Interest to disclose

**Issue:**

Consideration and final determination of a proposal by the Shire's Executive Manager Infrastructure and Assets to request the Minister for Lands 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*.

**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 Australia with a management order issued in favour of the Shire of Katanning for the designated purposes 'Saleyards and Parking' (see Attachment 1).

In August 2022 the Shire's Executive Manager Infrastructure and Assets 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).

At its September 2022 Ordinary Meeting Council considered the proposal and resolved 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* (Motion No. OC100/22).

**Officer Comment:**

The proposal 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* was advertised for public

comment for the minimum required period of 35 days. This process included publication of the proposal in a newspaper circulating throughout the local district, 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 on 18 November 2022 one (1) submission had been received from the Department of Water and Environmental Regulation advising that:

- a) The site is considered suitable for the proposed change of land use to a road reserve; and
- b) Based on the available information, the Department has no objection to cancelling Crown Reserve 22206 and dedication of the land as a public road for future development as a road reserve.

A full copy of the submission received from the Department of Water and Environmental Regulation is provided in Attachment 3.

In light of the outcomes from public advertising and the fact no objections were received, it is recommended Council now 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*.

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 also note that in accordance with section 56(4) of the *Land Administration Act 1997* it must also resolve to indemnify the State of Western Australia and Minister for Lands against any claim for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the State and Minister in considering and granting the request. The recommendation provided below in respect of the proposal addresses this requirement.

**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:**

Shire of Katanning Strategic Community Plan 2022 - 2032

**Focus Area** Built Environment

**Aspiration** Katanning is a beautiful, well serviced place that invites people to stay.

**Objective** To provide infrastructure that enables safe movement through our community.

**PROCEDURAL MOTION:**

**Voting Requirement:** Simple Majority

**MOVED: CR JOHN GOODHEART**

**SECONDED: CR MATT COLLIS**

**OC144/22** That Council suspends standing orders.

CARRIED: 6/0

**PROCEDURAL MOTION:**

**Voting Requirement:** Simple Majority

**MOVED: CR JOHN GOODHEART**

**SECONDED: CR MICHELLE SALTER**

**OC145/22** That Council resumes standing orders.

CARRIED: 6/0



**Voting Requirement:** Simple Majority

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

**MOVED: CR JOHN GOODHEART**

**SECONDED: CR SERENA SANDWELL**

**OC146/22** That Council resolves to:

- i) Revoke the current management order for Crown Reserve 22206 Dore Street, Katanning pursuant to section 50 of the *Land Administration Act 1997*;
- ii) Cancel Crown Reserve 22206 Dore Street, Katanning pursuant to section 51 of the *Land Administration Act 1997*;
- iii) Dedicate all land comprising Crown Reserve 22206 Dore Street, Katanning as a public road pursuant to section 56 of the *Land Administration Act 1997*;
- iv) Indemnify the State of Western Australia and Minister for Lands against any possible costs and/or claims arising from the project's implementation; and
- v) Authorise the local government's Chief Executive Officer to prepare and submit the required documentation and plans to the Lands Division of the Department of Planning, Lands and Heritage requesting the Hon. Minister for Lands' formal consideration and final approval to the abovementioned reserve cancellation and road dedication proposals.

CARRIED: 6/0

**10.1.2 Proposed Road Closure – Portion of Creek and Daping Street Road Reserves, Katanning**

Attachment 1 – Proposed Road Closure Plan  
Attachment 2 – Landgate Plan & Aerial Photo  
Attachment 3 – Site Photos

**File Ref:** A2872  
**Reporting Officer:** Joe Douglas – Town Planner  
**Date Report Prepared:** 9 December 2022  
**Disclosure of Interest:** No Interest to disclose

**Issue:**

Consideration and determination of a request from Harvest Centre Holdings Pty Ltd for Council to initiate the process required to permanently close a 1,301m<sup>2</sup> portion of the Creek and Daping Street road reserves in the Katanning townsite pursuant to section 58 of the *Land Administration Act 1997* to allow the land to be purchased from the State of Western Australia and amalgamated with No.17 Creek Street, Katanning.

**Background:**

Harvest Centre Holdings Pty Ltd have lodged a submission with the Shire requesting Council's approval to initiate the process required to permanently close a 1,301m<sup>2</sup> portion of the Creek and Daping Street road reserves in the Katanning townsite pursuant to section 58 of the *Land Administration Act 1997* to allow the land to be purchased from the State of Western Australia and amalgamated with No.17 Creek Street, Katanning.

In March 2022 Council resolved to enter into an agreement with Harvest Centre Holdings Pty Ltd to develop and use a 1,301m<sup>2</sup> portion of the road reserves adjacent to their property at No.17 Creek Street, Katanning and support the company's proposal to investigate lease options for the road reserves are required through Landgate (Motion No.OC25/22).

Following discussions with the Lands Division of the Department of Planning, Lands and Heritage the Department advised Harvest Centre Holdings Pty Ltd it is not prepared to lease the relevant portion of the Creek and Daping Street road reserves to allow it to be used in conjunction with the current approved use of No.17 Creek Street, Katanning for the display, sale and servicing of agricultural machinery (i.e. 'trade supplies'). The Department instead recommended that the relevant portion of the two road reserves be permanently closed, purchased by Harvest Centre Holdings Pty Ltd based on its current market value and amalgamated with all land comprising No.17 Creek Street, Katanning.

Harvest Centre Holdings Pty Ltd have now prepared and submitted a formal road closure request to the Shire via its licensed surveyor requesting that Council initiate the required road closure process. They have confirmed the land comprising the closed road reserves will be acquired from the State of Western Australia if the Minister for Lands ultimately approves the proposal and will simply be developed and used for the parking and display of agricultural machinery pursuant to the requirements of any development approval that may ultimately be granted by Council.

A plan of the proposal, a Landgate cadastral plan and aerial photo, and photographs of the site sourced from Google Maps is provided in Attachments 1 to 3.

**Officer's Comment:**

In order to progress the road closure proposal outlined above Council must resolve to initiate the process required to permanently close the relevant 1,301m<sup>2</sup> portion of the Creek and Daping Street road reserves pursuant to section 58 of the *Land Administration Act 1997*.

Having regard for the procedural requirements of the *Land Administration Act 1997* and associated regulations as they apply specifically to the permanent closure of public roads, it is recommended the proposal, if supported by Council, 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 key 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 proposal 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 request, direct Council to reconsider the request having regard to such matters as the Minister thinks fit, or refuse the request in its entirety.

When considering the proposal Council should also note the following key points:

1. That portion of the Creek and Daping Street road reserves proposed to be permanently closed and amalgamated with No.17 Creek Street is relatively flat throughout its entire area and contains approximately seven (7) small to medium sized trees in its northern half;
2. The southern portion of the Creek Street road reserve area immediately adjacent to the front boundary of No.17 Creek Street contains an existing 12 metre wide gravel track used for vehicle access and parking purposes. A 6 metre wide bitumen driveway crossover has also been constructed from the front of No.17 Creek Street to Police Pools Road;
3. The existing trees within the relevant portion of the two road reserves are not identified as having any regional environmental significance and could be removed to accommodate any future development subject to approval by the Department of Water and Environmental Regulation if no exemption to the need for a clearing permit approval is applicable. This is a matter for Harvest Centre Holdings Pty Ltd to consider and address in due course if the road closure proposal is ultimately approved by the Minister for Lands and they wish to clear the existing trees to accommodate the parking and display of agricultural machinery;
4. The relevant portion of the two road reserve areas is classified 'Local Road' reserve in the Shire of Katanning Local Planning Scheme No.5 with the key objective being to set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy. Notwithstanding this classification in Local Planning Scheme No.5, Council still has the legal authority to grant development approval for any alternative use if it considers any given proposal is acceptable; and
5. The plan submitted in support of the request confirms there are a number of key essential services traversing that portion of the Creek Street road reserve proposed to be closed including a sewer main, water main, overhead power and telecommunications. The ability to retain these services in their current location or the need to relocate them is expected to be confirmed by the relevant service agencies as part of the required public advertising process. All costs associated with protecting or relocating these services will be the responsibility of Harvest Centre Holdings Pty Ltd.

In light of all the above and Council's stated economic development and growth objectives in the Shire's Local Planning Strategy and Strategic Community Plan 2017 – 2027, it is recommended Council initiate the process required to permanently close the relevant portion of the Creek and Daping Street road reserves as proposed and proceed to public advertising in accordance with the procedural requirements of section 58 of the *Land Administration Act 1997* and associated regulations.

**Statutory Environment:**

Land Administration Act 1997

Land Administration Regulations 1998

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Katanning Local Planning Scheme No.5

**Policy Implications:**

There are no policy implications for this report.

**Financial Implications:**

The applicant has paid the required \$1,500 application fee to process their request. They will also be required to pay the cost of the newspaper advertisement and will be invoiced by the Shire accordingly in due course.

Should the Minister for Lands ultimately approve the proposed road closure the applicant will be required to pay all costs associated with the acquisition and amalgamation of the closed roads with its property at No.17 Creek Street, Katanning.

**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** Economic

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

**Objective** To work alongside local businesses to facilitate employment, growth and development.

**PROCEDURAL MOTION:**

**Voting Requirement:** Simple Majority

**MOVED:** CR KRISTY D'APRILE

**SECONDED:** CR SERENA SANDWELL

**OC147/22** That Council suspends standing orders.

CARRIED: 6/0

**PROCEDURAL MOTION:****Voting Requirement:** Simple Majority**MOVED:** CR SERENA SANDWELL**SECONDED:** CR MATT COLLIS**OC148/22** That Council resumes standing orders.

CARRIED: 6/0

**Voting Requirement:** Simple Majority**Officer's Recommendation/Council Motion:****MOVED:** CR KRISTY D'APRILE**SECONDED:** CR JOHN GOODHEART**OC149/22** That Council resolves to initiate the process required to permanently close a 1,301m<sup>2</sup> portion of the Creek and Daping Street road reserves in the Katanning townsite pursuant to section 58 of the *Land Administration Act 1997* to allow the land to be purchased from the State of Western Australia and amalgamated with No.17 Creek Street, Katanning as proposed by Harvest Centre Holdings Pty Ltd.

CARRIED: 6/0

**10.1.3**      **Proposed Amendment No.1 to Local Planning Scheme No.5 – Lot 3 (No.78) Andover Street, Katanning**  
Attachment 1 – Scheme Amendment Documentation  
Attachment 2 – Schedule of Submissions

**File Ref:**                                      A768  
**Reporting Officer:**                        Joe Douglas – Town Planner  
**Date Report Prepared:**                  10 December 2022  
**Disclosure of Interest:**                 No Interest to disclose

**Issue:**

Consideration of all submissions received during public advertising of Amendment No.1 to the Shire of Katanning Local Planning Scheme No.5 to provide opportunity for ‘consulting rooms’ (i.e. a proposed new dental clinic) to be developed on Lot 3 (No.78) Andover Street, Katanning including recommendations in respect of each submission and the scheme amendment proposal as a whole.

**Background:**

At its Ordinary Meeting in July 2022 Council considered and unanimously resolved to initiate a standard amendment to the Shire of Katanning Local Planning Scheme No.5 to provide opportunity for ‘consulting rooms’ (i.e. a proposed new dental clinic) to be developed on Lot 3 (No.78) Andover Street, Katanning.

The scheme amendment proposal was subsequently referred to the Environmental Protection Authority (EPA) for review in accordance with the specific requirements of section 81 of the *Planning and Development Act 2005*.

On 30 August 2022 the EPA determined and subsequently advised the scheme amendment proposal is unlikely to have a significant effect on the natural environment and does not warrant formal assessment under Part IV of the *Environmental Protection Act 1986*. The EPA confirmed all potential impacts can be managed through the Shire’s local planning scheme controls including any potential impacts associated with any future flooding within the Katanning Creek floodplain.

Pursuant to the specific requirements of section 84 of the *Planning and Development Act 2005* and section 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the scheme amendment proposal was then advertised for public comment for the minimum required period of forty two (42) days which included:

- i) publication of a notice in a local newspaper circulating throughout the Shire’s municipal district local (i.e. Great Southern Herald) as well as the Shire’s Facebook page;
- ii) public display of the advertising notice and scheme amendment documentation at the Shire administration centre;
- iii) correspondence to all adjoining and other nearby landowners;
- iv) correspondence to a number of public authorities considered likely to be affected by the proposed amendment; and
- v) publication of the advertising notice and scheme amendment documentation on the Shire’s website.

At the conclusion of public advertising on Friday 18 November 2022 a total of five (5) submissions had been received by the Shire, three (3) of which were from public authorities

with the remaining two (2) submissions being from private individuals (i.e. one from a nearby landowner and another from a client of the landowner/proponent). A summary of all submissions received and a recommendation in respect of each is provided in Attachment 2. It is significant to note no objections were received in respect of the proposal.

Under the terms of section 50 of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is now required to consider all submissions received and determine whether to:

- a) support the amendment without modification; or
- b) support the amendment with proposed modifications to address any issues raised in the submissions; or
- c) not support the amendment.

**Officer's Comment:**

Three (3) of the five (5) submissions received were supportive of the scheme amendment proposal with no objections raised. Whilst the two (2) remaining submissions raised no objections, concerns were expressed in relation to the following matters:

- i) How reticulated sewerage will be provided to the proposed development, including connection points and road crossings, given the possible impact on two (2) nearby privately owned properties; and
- ii) The suitability of the proposed development in the context of *State Planning Policy 3.7 – Planning in Bushfire Prone Areas* and associated *Guidelines for Planning in Bushfire Prone Areas* given it will be undertaken on land designated as being bushfire prone.

All of the above issues have been addressed in the Schedule of Submissions provided in Attachment 2. It is significant to note none of the issues raised are considered fatal to the scheme amendment proposal and can be suitably addressed during the development application stage of the planning approval process which will involve due consideration of all essential service requirements as well as the specific requirements of State Planning Policy 3.7 and associated guidelines.

On balance, having regard for:

- a) the proposal's consistency with the aims and objectives of the State, regional and local planning frameworks;
- b) the ability to develop and use the land for the intended purpose in accordance with all regulatory requirements and standards with minimal potential impact given its small scale and low intensity;
- c) the project's local economic and community benefits; and
- d) the outcomes from public advertising including agency referrals,

it is concluded the proposal is well founded, has considerable merit and worthy of Council's final approval/endorsement. As such, it is recommended Council support the proposal without modification and refer it to the Western Australian Planning Commission for review, assessment and final determination by the Minister for Planning.

Council should note the proposal will be subject to further detailed assessment at State government level with significant scope for further discussion and negotiation with the applicant/proponent and the Shire if required. For now however Council is required to follow due process and make a determination regarding final adoption of the scheme amendment to enable it to be formally referred to the Western Australian Planning Commission for further consideration and final determination by the Minister for Planning thereafter. The recommendation provided in this report enables the proposal to proceed to the final stage of

the statutory planning process without delay.

**Statutory Environment:**

Environmental Protection Act 1986

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Katanning Local Planning Scheme No.5

**Policy Implications:**

Government Sewerage Policy 2019

State Planning Policy 3.7 - Planning in Bushfire Prone Areas

Guidelines for Planning in Bushfire Prone Areas

**Financial Implications:**

There are no financial implications arising from the scheme amendment proposal. All costs associated with processing the proposal will be covered by the application fee paid by the landowner/proponent.

It is significant to note should the applicant/landowner be aggrieved by Council's final decision in this matter they will not have the right seek a formal review of that decision by the State Administrative Tribunal as decisions in respect of scheme amendment proposals are not able to be appealed.

**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** Economic

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

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

**Objective** To work alongside local businesses to facilitate employment, growth and development.



**Voting Requirement:** Absolute Majority

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

**MOVED: CR KRISTY D'APRILE**

**SECONDED: CR SERENA SANDWELL**

**OC150/22 That Council:**

- 1. Acknowledges receipt of and determine each submission received in respect of Amendment No.1 to the Shire of Katanning Local Planning Scheme No.5 during public advertising in accordance with the recommendations contained in the Schedule of Submissions provided in Attachment 2 to this report;**
- 2. Supports Amendment No.1 to the Shire of Katanning Local Planning Scheme No.5 as proposed without modification; and**
- 3. Authorises the Shire Administration to refer Amendment No.1 to the Shire of Katanning Local Planning Scheme No.5 to the Western Australian Planning Commission confirming Council's resolution and requesting the Honourable Minister for Planning's favourable consideration and final approval, including endorsement of the scheme amendment documentation by affixing the Shire's common seal and authorising the Shire President and Chief Executive Officer to sign the documentation accordingly.**

**CARRIED BY AN ABSOLUTE MAJORITY: 6/0**

Cr Kristy D'Aprile spoke for the motion.

Cr Liz Guidera spoke for the motion.

## 10.2 EXECUTIVE MANAGER CORPORATE AND COMMUNITY

### 10.2.1 Schedule of Accounts (ATTACHMENT)

**File Ref:** FM.FI.4  
**Reporting Officer:** Shenae Watts, Creditors Officer  
**Date Report Prepared:** 1 December 2022  
**Disclosure of Interest:** No Interest to disclose

**Issue:**

To receive the Schedule of Accounts Paid for the period ending 30 November 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	17,440.10	1,061,609.49	38,513.01	2,459.81	232,125.09	1,352,147.5
October	6,213.62	751,661.97	45,865.71	5,536.97	249,516.66	1,058,794.93
November	968.05	778,760.58	179,123.02	4,909.60	247,168.14	1,210,929.39
December						
January						
February						
March						
April						
May						
June						
<b>Total</b>	<b>26,469.42</b>	<b>3,920,402.53</b>	<b>354,383.49</b>	<b>22,046.94</b>	<b>1,297,352.96</b>	<b>5,620,655.34</b>

**Officer's Comment:**

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

The Finance Forum held on 12 December 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:**

**MOVED:** CR KRISTY D'APRILE

**SECONDED:** CR SERENA SANDWELL

**OC151/22** That Council endorses the Schedule of Accounts as presented, being cheques 42429 - 42431 totalling \$968.05, EFT payments 35027 – 35159 totalling \$778,760.58, payroll payments totalling \$247,168.14, direct payments totalling \$179,123.02 and credit card payments totalling \$4,909.60 authorised and paid in November 2022.

CARRIED: 6/0

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

**File Ref:** FM.FI.4  
**Reporting Officer:** Denise Gobbart, Executive Manager Corporate & Community  
**Report Prepared:** 1 December 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 30 November 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 25 August 2022 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 12 December 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:**

**MOVED:** CR SERENA SANDWELL

**SECONDED:** CR MATT COLLIS

**OC152/22** 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 30 November 2022, as presented.

CARRIED: 6/0

**10.2.3      Audit Exit Meeting**  
(ATTACHMENT - Confidential)

**File Ref:** FM.AU.2  
**Reporting Officer:** Denise Gobbart, Executive Manager Finance & Administration  
**Date Report Prepared:** 15 December 2022  
**Disclosure of Interest:** No Interest to disclose

**Issue:**

For the Audit & Risk Committee to meet with our Auditors to discuss the 'Audit Concluding Memorandum' for the year ended 30 June 2022.

**Body/Background:**

On appointment of the Audit & Risk Committee, the terms of reference provided the following:

*f) Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcomes of those discussions.*

The *Local Government Act 1995* does not require the Audit Committee to meet with the Auditor; rather the Local Government is to meet with the Auditor at least once each year.

It should be noted that there would be an additional fee involved for the auditor to visit the Shire of Katanning in person due to travel and time.

**Officer's Comment:**

The 'Audit Concluding Memorandum' is presented to the committee by the Auditors to brief the committee on the outcomes of the audit for the year ended 30 June 2022.

The committee is given the opportunity to discuss with the Auditors any issues raised and other matters of interest.

**Statutory Environment:**

*Local Government Act 1995*

Section 7.12A Duties of Local Government with Respect of Audits

- (1) A local government is to do everything in its power to —
  - (a) assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and
  - (b) ensure that audits are conducted successfully and expeditiously.
- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government must —
  - (aa) examine an audit report received by the local government; and
  - (a) determine if any matters raised by the audit report, require action to be taken by the local government; and
  - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government must —
  - (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
  - (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.

- (5) Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.

**Policy Implications:**

There are no policy implications for this report.

**Financial Implications:**

There are no financial implications for this report.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. 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

**Audit and Risk Committee Recommendation/Council Motion:**

**MOVED: CR JOHN GOODHEART**

**SECONDED: CR KIRSTY D'APRILE**

**OC153/22 That Council receives the Audit Concluding Memorandum for the year ended 30 June 2022.**

**CARRIED: 6/0**

Cr John Goodheart spoke for the motion.

Cr Kirsty D'Aprile spoke for the motion.

#### 10.2.4 Meeting with the Shire of Katanning Auditors

<b>File Ref:</b>	FM.AU.2
<b>Reporting Officer:</b>	Denise Gobbart, Executive Manager Finance & Administration
<b>Date Report Prepared:</b>	15 December 2022
<b>Disclosure of Interest:</b>	No Interest to disclose

**Issue:**

For the Audit & Risk Committee to recommend that Council notes the outcomes of the electronic meeting with the Council's Auditors, Nayna Raniga – Director Financial Audit Office of the Auditor General (OAG), Wen-Shien Chai – Partner Moore Australia (WA) and Gilles Chan – Audit Manager Moore Australia (WA).

**Body/Background:**

On appointment of the Audit & Risk Committee, the terms of reference provided the following:

*f) Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcomes of those discussions.*

The *Local Government Act 1995* does not require the Audit Committee to meet with the Auditor; rather the Local Government is to meet with the Auditor at least once each year.

It should be noted that there would be an additional fee involved for the auditor to visit the Shire of Katanning in person due to travel and time.

**Officer's Comment:**

Moore Australia (WA) have completed the annual audit for the 30 June 2022 and will be recommending that the OAG issue an unmodified opinion on the audit of the Shire's financial report.

During the audit procedures they identified the following deficiency in internal controls:

- Purchase order raised after the invoice is received – Moderate Rating
- No record of written or verbal quotation for purchases – Moderate Rating
- Fair Value of Infrastructure Assets – Significant Rating

They confirmed that there were no issues with other key matters relating to our independence as auditor of the Shire, irregularities and illegal acts, non-compliance with laws and regulations, appropriateness of accounting policies and liaison with management.

**Statutory Environment:**

*Local Government Act 1995*

Section 7.12A Duties of Local Government with Respect of Audits

- (1) A local government is to do everything in its power to —
  - (a) assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and
  - (b) ensure that audits are conducted successfully and expeditiously.
- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government must —
  - (aa) examine an audit report received by the local government; and



- (a) determine if any matters raised by the audit report, require action to be taken by the local government; and
  - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government must —
- (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
  - (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.
- (5) Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.

**Policy Implications:**

There are no policy implications for this report.

**Financial Implications:**

There are no financial implications for this report.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. 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

**Audit and Risk Committee Recommendation/Council Motion:**

**MOVED:** CR JOHN GOODHEART

**SECONDED:** CR SERENA SANDWELL

**OC154/22** That Council notes the outcomes of the meeting between the Audit and Risk Committee members and the Auditor held by electronic means on 12 December 2022 and determines that the meeting satisfies the requirement of Section 7.12A(2) of the Local Government Act 1995.

CARRIED: 6/0

## 10.3 CHIEF EXECUTIVE OFFICER'S REPORTS

### 10.3.1 Office of Councillor – Vacancy

<b>File Ref:</b>	GV.CG.13
<b>Reporting Officers:</b>	Julian Murphy, Chief Executive Officer
<b>Date Report Prepared:</b>	14 December 2022
<b>Disclosure of Interest:</b>	No interest to disclose

**Issue:**

To consider filling the vacant Office of Councillor created by the resignation of Cr Adrian Edwards.

**Body/Background:**

Cr Adrian Edwards submitted his resignation from Council effective from 28 November 2022.

Cr Edwards was elected to Council in October 2021 for a four year term expiring in 2025. The next Ordinary Local Government Elections will be held in October 2023.

**Officer's Comment:**

When considering filling the current vacancy, Council has two options:

- Hold a by-election to fill the vacancy; or
- Seek the approval of the Electoral Commissioner to allow the vacancy to remain unfilled until the next ordinary Council elections in 2023.

Under Section 4.8 of the Local Government Act 1995, if the office of a Councillor becomes vacant because of a resignation, an election to fill the office is to be held.

Under Section 4.17(3), if an extraordinary vacancy occurs:

- In a district that has no wards; and
- At least 80% of the number of offices or members of the Council in the district are still filled;

the council may, with the approval of the Electoral Commissioner, allow the vacancy to remain unfilled.

Based on previous experience the cost of engaging the Electoral Commission to conduct a postal election to fill the vacancy is estimated to be in the region of \$16,000 – \$18,000. There would also be savings made on elected member payments in the vicinity of \$16,100 per year (pro-rata).

**Statutory Environment:**

Local Government Act 1995

- Section 2.32 How extraordinary vacancies occur in offices elected by electors
- Section 4.17(3) Cases in which vacant offices can remain unfilled
- Section 4.8 Extraordinary elections

**Policy Implications:**

Nil.

**Financial Implications:**

Cost savings from allowing the Office of Councillor to remain vacant:

- \$16,000 – \$18,000 election costs
- \$16,100 (pro rata) elected members payments

**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:**

**MOVED: CR JOHN GOODHEART**

**SECONDED: CR KRISTY D'APRILE**

**OC155/22** That Council in accordance with section 4.17(3) of the Local Government Act 1995, seeks approval from the WA Electoral Commissioner to allow the vacancy caused by the resignation of Councillor Edwards to remain unfilled until the October 2023 Ordinary Local Government Elections.

CARRIED BY AN ABSOLUTE MAJORITY: 6/0

Cr John Goodheart spoke for the motion.

Cr Kristy D'Aprile spoke for the motion.

### 10.3.2 Great Southern Treasures - MOU (ATTACHMENTS)

**File Ref:** ED.ET.1  
**Reporting Officers:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 14 December 2022  
**Disclosure of Interest:** No interest to disclose

**Issue:**

To consider renewing the Memorandum of Understanding (MOU) with neighbouring local governments for the continuation of the Great Southern Treasures tourism organisation.

**Body/Background:**

Great Southern Treasures was established to promote tourism in member local government areas across the Great Southern Region. Current members include the following local governments:

- Shire of Broomehill-Tambellup
- Shire of Cranbrook
- Shire of Gnowangerup
- Shire of Jerramungup
- Shire of Katanning
- Shire of Kent
- Shire of Kojonup
- Shire of Plantagenet
- Shire of Woodanilling

The Shire of Katanning currently contributes \$17,500 ex-GST towards the operations of Great Southern Treasures.

Australia's South West (ASW) tourism organisation has been contracted to provide marketing and liaison services through a dedicated officer operating out of the Great Southern Development Commission (GSDC) offices in Albany. GSDC also provides in kind support for travel and other costs.

**Officer's Comment:**

In order to continue to build on past successes and further develop tourism in the region, Great Southern Treasures is seeking the commitment of all its member local governments for funding for the next 3 years. The proposed MOU provides for a 3 year commitment without the option to withdraw until the completion of the MOU term.

Great Southern Treasures has been successful in leveraging investment into the region through the promotion of festivals, events and tourism attractions. Great Southern Treasures also coordinates the Bloom Festival as its major event for the year.

The Bloom Festival 2022 attracted over \$69,000 in sponsorship and generated an estimated \$1.9M in tourism expenditure throughout the Great Southern.

All member local governments have received the benefit for the increased effectiveness of the Great Southern Treasures following the employment of a dedicated marketing and liaison officer. The 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 a dedicated 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.

A meeting of participating Local Governments will be held in March 2023 to discuss the future MOU and service agreement with Australia's South West.

**Statutory Environment:**

Local Government Act 1995

**Policy Implications:**

Nil.

**Financial Implications:**

Ongoing contributions to Great Southern Treasures of \$17,500 - \$20,000 per year.

**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** Economic

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

**Objective** To promote and facilitate tourism opportunities that showcase the unique character, culture and offerings of Katanning.

**Voting Requirement:** Simple Majority

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

**MOVED:** CR KRISTY D'APRILE

**SECONDED:** CR MATT COLLIS

**OC156/22** That Council supports the Shire of Katanning's participation with Great Southern Treasures:

1. Commits to enter into a further MOU with participating Shires for another 3 years;
2. Agrees to continue funding at the same or greater level up to \$20,000 per year; and
3. Authorises the President and CEO to negotiate on behalf of the Shire of Katanning the terms of the MOU and ongoing arrangements for the provision of marketing and liaison services.

CARRIED: 6/0

Cr Kristy D'Aprile spoke for the motion.

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

**File Ref:** ES.AF.1  
**Reporting Officer:** Cindy Pearce Community Emergency Services Manager  
**Date Report Prepared:** 12 December 2022  
**Disclosure of Interest:** No interest to disclose

**Issue:**

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

**Body/Background:**

The Bushfire Brigade Guidelines and Operational Procedures are in place to form the structure that the Bushfire Brigade volunteers work under and to support their day-to-day activities with information that's requires member to be aware of for a safe working environment.

**Officer's Comment:**

It is recommended that Council endorse the updated Bushfire Brigade Guidelines and Operational Procedures. Changes have been made throughout the document, so Bushfire Brigade volunteers fall into line with the Work Health and Safety regulations. This includes a minimal standard of training and an induction process for members.

**Statutory Environment:**

Bush Fires Act 1954, section 41 – Bush fire brigades

**Policy Implications:**

Council does not have a policy relating to this matter.

**Financial Implications:**

No direct financial implications relating 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 "High" risk and requires the allocation of additional own source funding to address any further payments for the project.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2022 – 2032

**Focus Area** Leadership

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

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

**Voting Requirement:** Simple Majority

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

**MOVED: CR MICHELLE SALTER**

**SECONDED: CR SERENA SANDWELL**

**OC157/22** That Council endorses the update to the Bushfire Brigade Guidelines and Operational Procedures.

CARRIED: 6/0

DRAFT

**This item was dealt with before item 10.1.1****10.3.4 Community Grants Program (CGP) 2022/2023  
(ATTACHMENTS)**

**File Ref:** GS.AE.1  
**Reporting Officer:** Natassia Shirazee, Community Relations Officer  
**Date Report Prepared:** 8 December 2022  
**Disclosure of Interest:** No interest to disclose

**Issue:**

To consider applications for the 2022/2023 Community Grants Program and change of the program opening dates to July and August with approval going to Council in September as of the 2023/2024 Financial Year.

**Body/Background:**

The 2022/2023 Community Grants Program was advertised in October 2022 and November 2022 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 three applications were received: one application requesting a minor community grant, two applications 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 2022-23 has \$24,000.00 ex GST available in the budget with \$10,000.00 ex GST already allocated to the second year of the triennium grant agreement with the Katanning Historical Society. The total amount in the budget is \$34,000.00 ex GST.

Summary of applicants (Copies of the applications are attached for information):

***Minor Community Grant (up to \$5,000)***

Full Organisation Name: Katanning Scout Group  
Project Title: Lighting Upgrade Katanning Scout Hall  
Requested Amount from Council: \$2,560.00 ex GST  
Total Project Cost: \$3,130.28 ex GST

***Major Community Grants (over \$5,000)***

Full Organisation Name: St Andrews Anglican Church Katanning  
Auspice Organisation: Bunbury Diocesan Trustees  
Project Title: Painting Building Rooves  
Requested Amount from Council: \$7,000.00 ex GST



Total Project Cost: \$9,600.00 ex GST

Full Organisation Name: Katanning Baptist Church

Project Title: Carols in the Park 2023

Requested Amount from Council: \$14,000.00 ex GST

Total Project Cost: \$23,832.72 ex GST

The Community Grants Program was updated at the Public Ordinary Council Meeting September 2020 with changes for the funding to be advertised in October and November with applications going to Council at the December Ordinary Council Meetings.

After two financial years of this process, it was identified that applications for projects within a financial year between July – December have either not been able to be funded or would need to have their grant applied for in one financial year with the funds being released early or rolled into the following financial year.

**Officer's Comment:**

Community Grants Program Budget 2022/2023 available: \$24,000 ex GST

Katanning Historical Society Triennium Grant: \$10,000.00 ex GST

Total cash contribution requested excluding GST: \$23,560.00 ex GST

Community Grants Program Committee Recommended cash contribution: \$17,120.00 ex GST

No in-kind contribution was requested in this round.

It is recommended that future Community Grant Program opening dates be moved closer to align when the annual budget is finalised to allow for projects to be funded without the need to roll over funds into following financial years. This would be for the program to be open for applications from 1 July and closing 31 August with applications sent to the September Ordinary Council Meeting.

The Community Grants Program (CGP) Committee considered applications and future application date changes at its meeting held on Wednesday 7 December 2022 where it made the following decision:

That the Community Grants Program Committee make the following recommendations for the Community Grants Program to Council:

1. Approve the following grant recommendations for the 2022-23 Community Grants Program
  - a. Approve Katanning Scout Group \$2,560.00 ex GST for the Lighting Upgrade for Katanning Scout Hall as listed in the application;
  - b. Deny Bunbury Diocesan Trustees on behalf of St Andrews Anglican Church Katanning, \$7,000.00 ex GST for the Painting Building Rooves Project as listed in the application;
  - c. Approve the Katanning Baptist Church \$4,560.00 ex GST for the Security, Sound, Lighting and Staging of the Carols in the Park 2023 as listed in the application;
2. Hold a second funding round to be held for the remaining funds, opening for advertising in February and March 2023 with funding announced following approval by Council in April 2023.
3. Approve the change to the Community Grants Program funding application dates to July and August as of the 2023-2024 Financial Year.

**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 2022/2023 Budget to cover the cost of the recommended grant contributions.

**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:** Simple Majority

**Committee Recommendation/Council Motion:**

**MOVED: CRKRISTY D'APRILE**

**SECONDED: CR MICHELLE SALTER**

**OC158/22 That Council:**

- 1. Approves the following grant recommendations for the 2022-23 Community Grants Program:**
  - a. Approve Katanning Scout Group \$2,560.00 ex GST for the Lighting Upgrade for Katanning Scout Hall as listed in the application;**
  - b. Deny Bunbury Diocesan Trustees on behalf of St Andrews Anglican Church Katanning, \$7,000.00 ex GST for the Painting Building Rooves Project as listed in the application;**
  - c. Approve the Katanning Baptist Church \$4,560.00 ex GST for the Security, Sound, Lighting and Staging of the Carols in the Park 2023 as listed in the application.**
- 2. Holds a second funding round to be held for the remaining funds, opening for advertising in February and March 2023 with funding announced following approval by Council in April 2023;**
- 3. Approves the change to the Community Grants Program funding application dates to July and August as of the 2023-2024 Financial Year.**

CARRIED: 6/0

Cr Kristy D'Aprile spoke for the motion.

### 10.3.5 Shire Policy Review 2022 (ATTACHMENT)

**File Ref:** GV.PO.1  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 14 December 2022  
**Disclosure of Interest:** No interest to disclose

**Issue:**

Section 2.7(2)(b) of the Local Government Act 1995 (“the Act”) states that the making of policy is a role of the Council. Policies provide clarity, ownership and accountability to the Katanning community and for the staff of the Shire. A review of policies was completed at the Council Forum held on Monday 12 December 2022. Councillors are working through the Council Policies to ensure that they are relevant, current and strategic and which reflect the Council’s commitment to ensuring best practice governance principles.

**Body/Background:**

Council was provided with the Policy review documentation and attended Council Forum on Monday 12 December 2022 to consider Officer review/commentary.

**Officer’s Comment:**

Council policies which have undergone changes during their review are attached to this Agenda for consideration of approval.

The table below summarises the changes required to the Council Policy Register.

Administration Policies

Policy Number	Policy Name	Recommendation
1.2	Citizenship Ceremonies	Amend and adopt
1.3	Records Management	Amend and adopt
1.4	Asset Management Policy	Amend and adopt
1.13	Habitual or Vexatious Complainants	Amend and adopt

Finance Policies

Policy Number	Policy Name	Recommendation
2.1	Discount on Leisure Centre & Aquatic Centre Memberships	Amend and adopt
2.3	Application of Early Rate Payment Discount	Delete
2.4	Material Variance	Delete
2.5	Purchasing	No change
2.6	Asset Capitalisation Threshold	Delete
2.7	Buy Locally – Regional Price Preference	No change
2.8	Corporate Credit Card	Amend and adopt
2.9	Community Grants Program	No change
2.10	Lease of / License to Occupy Community Assets	Amend and adopt
2.11	Debt Recovery	Amend and adopt
2.13	Financial Hardship (Rate Relief) Policy	No change

2.14	Quick Response Grants Program	Amend and adopt
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#### Risk Management & Workplace Policies

Policy Number	Policy Name	Recommendation
3.1	Equal Opportunity	No change
3.2	Risk Management Policy	Amend and adopt
3.3	Related Party Disclosures	Amend and adopt
3.4	Legislative Compliance	Delete
3.5	Internal Control	Amend and adopt
3.6	Occupational Safety & Health Policy	Amend and adopt

#### Council and Elected Member Policies

Policy Number	Policy Name	Recommendation
4.2	Reimbursement of Elected Member Expenses	No changes
4.3	Councillor Retirement – Gift/Function	No changes
4.4	Councillor Training / Professional Development	Amend and adopt
4.5	Attendance at Local Government Convention	No change
4.6	Donation Requests	No change
4.7	Community Consultation	No change
4.8	Attendance at Events for Elected Members, Chief Executive Officer and Employees	No change
4.9	Code of Conduct Behaviour Complaints Management Policy	No change
4.10	Freeman Policy	Delete

#### Employee Policies

Policy Number	Policy Name	Recommendation
5.1	Appointment of an Acting Chief Executive Officer	Amend and adopt
5.5	Recognition of Long Service Employees	No change
5.12	Employee Superannuation	Amend and adopt
5.13	Employee Housing	No change
5.15	Drug and Alcohol	No change

#### Community Services & Facilities Policies

Policy Number	Policy Name	Recommendation
6.1	Graffiti Removal & Prevention	Amend and adopt
6.2	Allocation of Units at Amherst Village	Amend and adopt
6.10	Donation of Centenary Plaques	Amend and adopt
6.12	Katanning Community Groups Hire Charge Policy	Amend and adopt
6.16	Smoke Free Places	Amend and adopt
6.17	Public Memorials and the Pioneer Wall	Amend and adopt
6.18	Pets – Amherst Village	No change

6.19	Shire of Katanning Independent Living Units – Eligibility Criteria Policy	No change
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#### Works & Services Policies

Policy Number	Policy Name	Recommendation
7.3	Signage on Road Reserves	Amend and adopt
7.4	Street Trees	Amend and adopt
7.6	Private Works – Local Clubs/Organisations	Amend and adopt
7.7	Undertaking Private Works	Amend and adopt

#### Town Planning & Building Policies

Policy Number	Policy Name	Recommendation
8.1	Amalgamation of Lots	Amend and adopt
8.5	Temporary Accommodation	Amend and adopt
8.9	Municipal Inventory Heritage Policy	Amend and adopt

#### Statutory Environment:

The *Local Government Act 1995* Section 2.7(2)(b) states that the Council is to determine the local government's policies.

#### Policy Implications:

The Policy Register will be updated according to Council resolution.

#### Financial Implications:

There are no 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 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:** Simple Majority

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

**MOVED:** CR KRISTY D'APRILE

**SECONDED:** CR MATT COLLIS

**OC159/22** That Council:

1. Rescinds Policies as listed in the Policy Recommendation Table; and
2. Adopts the Policies as proposed in the Policy Recommendation Table.

CARRIED: 6/0

### 10.3.6 Appointment of Members to Committees and Working Groups

**File Ref:** GV.CM.2  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 14 December 2022  
**Disclosure of Interest:** No interests to disclose

**Issue:**

Following the resignation of Cr Edwards, Council may consider appointing replacement members to vacant positions on committees.

**Body/Background:**

Cr Adrian Edwards resigned from Council effective from 28 November 2022.

Cr Edwards held the following positions on the following Committees and Working Groups:

- Audit & Risk Committee (proxy)
- Honours and Awards Committee
- Katanning Bushfire Advisory Committee
- Saleyards Management Group
- Amherst Village Residents Group
- WALGA Great Southern Country Zone (proxy)

**Officer's Comment:**

It is recommended that Council appoints Elected Members to Committees and Working Groups to fill the vacancies created by Cr Edwards' resignation.

**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

**Policy Implications:**

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

**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 – 2032

**Focus Area** Leadership

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

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

**PROCEDURAL MOTION:****Voting Requirement:** Simple Majority**MOVED:** CR MICHELLE SALTER**SECONDED:** CR SERENA SANDWELL**OC160/22**            **That Council suspends standing orders.**

CARRIED: 6/0

**PROCEDURAL MOTION:****Voting Requirement:** Simple Majority**MOVED:** CR MICHELLE SALTER**SECONDED:** CR SERENA SANDWELL**OC161/22**            **That Council resumes standing orders.**

CARRIED: 6/0

**Voting Requirement:** Absolute Majority**Officer's Recommendation/Council Motion:****MOVED:** CR SERENA SANDWELL**SECONDED:** CR KRISTY D'APRILE**OC162/22**    **That Council appoints the following members to the following Committees and Working Groups to fill the vacancies created by Cr Edwards' resignation:**

- **Audit & Risk Committee (proxy) Cr Michelle Salter**
- **Honours and Awards Committee Cr Michelle Salter**
- **Katanning Bushfire Advisory Committee Cr Liz Guidera**
- **Saleyards Management Group Cr John Goodheart**
- **Amherst Village Residents Group Cr Michelle Salter**
- **WALGA Great Southern Country Zone (proxy) Cr Serena Sandwell**

CARRIED BY AN ABSOLUTE MAJORITY: 6/0

**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 SERENA SANDWELL****SECONDED: CR MATT COLLIS****OC163/22 That Council closes the meeting to the public to consider the following items:**

- **Disposal of Land for Non-Payment of Rates A84**
- **A569 Property Condition Report**

**CARRIED: 6/0****13.1 Disposal of Land for Non-Payment of Rates A84****File Ref:** A84**Reporting Officer:** Denise Gobbart, Executive Manager Corporate & Community**Date Report Prepared:** 09 December 2022**Disclosure of Interest:** No Interest to disclose.**Reasons for Confidentiality**

The officer's report is confidential because it deals with a matter relating to the personal affairs of a person in accordance with Section 5.23(2)(e) of the Local Government Act 1995.

**Voting Requirement:** Simple Majority**Officer's Recommendation/Council Motion:****MOVED: CR SERENA SANDWELL****SECONDED: CR KRISTY D'APRILE****OC164/22 That Council, pursuant to:**

1. **Section 6.64(1)(b) of the Local Government Act 1995, proceeds to sell property Assessment 84 which has rates in arrears for 3 or more years, and recover from the proceeds of sale the outstanding balances; and**
2. **Notes section 6.68(2)(b) of the Local Government Act acknowledges the Shire is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the Shire having made reasonable efforts to locate the owner of the property is unable to do so.**

**CARRIED: 6/0**



**13.2 A569 Property Condition Report**

**File Ref:** A569  
**Reporting Officer:** Denise Gobbart, Executive Manager Corporate & Community  
**Date Report Prepared:** 14 December 2022  
**Disclosure of Interest:** No Interest to disclose.

**Reasons for Confidentiality**

The officer's report is confidential because it deals with a matter relating to the personal affairs of a person in accordance with Section 5.23(2)(e) of the Local Government Act 1995.

**PROCEDURAL MOTION:**

**Voting Requirement:** Simple Majority

**MOVED: CR JOHN GOODHEART**

**SECONDED: CR SERENA SANDWELL**

**OC165/22 That Council suspends standing orders.**

**CARRIED: 6/0**

**PROCEDURAL MOTION:**

**Voting Requirement:** Simple Majority

**MOVED: CR JOHN GOODHEART**

**SECONDED: CR SERENA SADNWELL**

**OC166/22 That Council resumes standing orders.**

**CARRIED: 6/0**

**Voting Requirement:** Simple Majority

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

**MOVED: CR JOHN GOODHEART**

**SECONDED: CR MATT COLLIS**

**OC167/22 That Council, pursuant to Section 137 of the Health (Miscellaneous Provisions) Act 1995, serve notice on the owner of 59 Beaufort Street Katanning to take down and remove the dwelling.**

**CARRIED: 6/0**

**PROCEDURAL MOTION**

**Voting Requirement:** Simple Majority

**MOVED:** CR SERENA SANDWELL

**SECONDED:** CR MICHELLE SALTER

**OC168/22** That Council reopens the meeting to the public.

CARRIED: 6/0

**14. CLOSURE OF MEETING**

The Presiding Member declared the meeting closed at 7:01pm.

DRAFT