



Shire of Katanning

heart of the great southern

'Together, We're Building Katanning's Future'

MINUTES OF A ORDINARY COUNCIL MEETING

Dear Council Member

Minutes of the Ordinary Council Meeting of the Shire of Katanning held on
Wednesday 28 October 2015, in the Shire of Katanning Council Chambers,
14 Austral Terrace, Katanning, commencing at 6:00pm.

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.

Table of Contents

Item No.	Item Heading	Page No.
1	Declaration of Opening/Announcement of Visitors	3
2	Record of Attendance	3
3	Response to Previous Public Questions Taken on Notice	4
4	Disclosure of Financial/Impartiality Interest	5
5	Public Question/Statement Time	5
6	Applications for Leave of Absence	5
7	Petitions/Deputations/Presentations	5
8	Confirmation of Minutes of Previous Meetings	5
8.1	Ordinary Council Meeting – Wednesday 26 September 2015	5
8.2	Special Council Meeting – Wednesday 21 October 2015	5
9	Announcements by Presiding Member Without Discussion	6
10	Reports of Committees and Officers	7
10.1	Director of Engineering & Development Services Reports	7
10.1.1	Restricted Access Vehicle Routes	7
10.2	Director of Corporate and Community Services' Reports	8
10.2.1	Monthly Financial Reports	8
10.2.2	Schedule of Accounts	8
10.3	Executive Manager - Strategic Projects Reports	10
10.3.1	Regional Venues Improvement Fund	10
10.4	Deputy Chief Executive Officer Reports	12
10.4.1	Council Opening Hours – Christmas/New Year Closure	12
10.4.2	Appointment Of Fire Control Officer	14
10.5	Chief Executive Officer's Reports	15
10.5.1	Policy Options to increase Elected Member Participation in Training	15
10.5.2	Appointment of Members to Committees of Council	17
10.5.3	Council Meeting Times	19
10.6	Advisory Committee Meeting Minutes	20
11	Elected Members Motions	20
12	New Business of an Urgent Nature	21
12.1	Extraordinary Election	21
13	Confidential Item	23
14	Closure of Meeting	23

1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISTORS

The Presiding Member declared the meeting open at 6.01pm.

2. RECORD OF ATTENDANCE**PRESENT**

Presiding Member: President – Cr Liz Guidera

Members: Deputy President – Cr Craig McKinley
Cr Danny McGrath
Cr Owen Boxall
Cr Richard Kowald
Cr Alep Mydie
Cr Serena Sandwell
Cr Martin Van Koldenhoven

Council Officers: Julian Murphy, Chief Executive Officer
Andrew Holden, Deputy Chief Executive Officer
Uwe Striepe, Director of Engineering & Development Services
Sam Davis, Executive Manager – Strategic Projects

Council Observer: Taryn Human, PA to the CEO

Gallery: Matt Collis

Media:

Apologies: Sarah Taylor, Director of Corporate and Community Services
Diana Marsh, Manager of Finance

Leave of Absence:

3. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE

The following questions put by Liz Guidera at the September Ordinary Council meeting were taken on notice.

Question

What were the allocations of the SuperTown Funding in the following areas:
SuperTown Plan: Consultants?

Answer

\$175,000 Financial Assistance Agreement was acquitted November 2012.

Question

Clive Street redevelopment project breakdown:
Main Street development total funds allocated to stage 1?

Answer

Town Centre \$2,946,000, Town Square \$1,346,000.

Question

Design and Consultants for Main Street redevelopment? (spent)

Answer

ST51 – Town Centre \$35,880 (post the original design work); ST52 – Town Square \$2,910 and ST 53 – Roundabout \$9,799

Question

Project Management for Main Street redevelopment? (spent to date)

Answer

Salary and direct on costs across 2012/13, 2013/14 and 2014/15 total \$294,977.

Question

Total cost of tiles purchased from Freo Stone?

Answer

For streetscape \$268,628.80 including GST and thus \$244,208 GST exclusive.

Question

A detailed breakdown of the projects funding allocation.

Answer

See breakdown per Financial Assistance Agreement in report.

Question

And importantly what funds are left for this project? (not including the \$330,000 funding that was awarded for the stage 2).

Answer

As at 30/9/15 \$2,047,926 (see report).

4. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS

10.1.1. Cr Liz Guidera Disclosure of Proximity Interest

5. PUBLIC QUESTION/STATEMENT TIME

Nil.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Ordinary Council Meeting – 23 September 2015
(SEE ATTACHED MINUTES)

MOVED: CR DANNY MCGRATH

SECONDED: CR OWEN BOXALL

**OC99/15 That the minutes of the Ordinary Council Meeting held on
Wednesday 23 September 2015 be confirmed as a true
record of proceedings.**

Voting Requirement: Simple Majority

CARRIED: 8/0

8.2 Special Council Meeting – 21 October 2015
(SEE ATTACHED MINUTES)

MOVED: CR DANNY MCGRATH

SECONDED: CR OWEN BOXALL

**OC100/15 That the minutes of the Special Council Meeting held on
Wednesday 21 October 2015 be confirmed as a true
record of proceedings.**

Voting Requirement: Simple Majority

CARRIED: 8/0

9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Good evening

I would like to acknowledge the traditional owners of this land the noongar – goreng people, and their ancestors past and present

Firstly can I welcome all Councillors tonight, Staff and members of the gallery I look forward to working with you for the betterment of our community.

Personally the support for myself, firstly at the election and then as president has been humbling – and I thank the community for that. I know that I will have to work very hard to get up to speed with all things Local Government – and the state of each particular project, I know I will not always get it right – but know that I come into this position as I care deeply about our community – and believe that a new way of leadership is what we need in community.

I want to see 9 leaders in the room here – in touch with our community in anyway they can. If people have queries – please answer them – if you don't know the answer ask Julian or myself – the way to stop the negative talk is to be open and accountable.

We have some fantastic individuals and organisation working very hard in this community to make our town a better place to live – I hope they will feel supported by Our Council in their task.

We have some work to do to get things back on track – the number one concern communicated to me during the election and since, is our main street.

I have had discussions with Julian in regards to the Clive Street redevelopment and the strategy going forward.

Julian and our Executive Staff will be bringing forward information to our forum meeting in regards to –

- The particulars of the failed paving, tree pits and parking

- What options are available to rectify this

- Costings on these options

- long term costings on cleaning and maintenance

- And if possible potential timing for works

- The plan is also to give consideration to community consultation – both the clive street businesses and the wider community.

As you are aware Robert Godfrey has resigned after being elected to serve as a Councillor on Saturday the 17th of October. As such we have an added item to your agenda item to conduct an extraordinary election.

We will have a new election – I know many people who have spoken to me said – can we just take the person who has the next amount of votes in the election a week ago – unfortunately it's not that simple – and we will have to hold an extraordinary election - the budgetary implications are approximately \$15000

I am very confident going forward that although we don't shy away from the enormity of the task before us – Katanning is in good hands - both with the team of Councillors around the table and the leadership Julian will provide to staff.

I'm sure I speak for everyone in saying that we look forward to open and accountable Local Government and an engaged and supported Katanning community.

10. REPORTS OF COMMITTEES AND OFFICERS

Nil.

10.1 DIRECTOR OF ENGINEERING & DEVELOPMENT SERVICES REPORTS

Cr Liz Guidera declared a proximity interest as she lives on Warren Road and left the room at 6:08pm.

Cr Craig McKinley took the chair at 6:08pm.

10.1.1 Restricted Access Vehicle Routes (SEE ATTACHMENT)

File Ref: TR/09/0013
Reporting Officer: Uwe Striepe, Director of Engineering and Development Planning
Report Prepared: 21 October 2015

Issue:

To consider the incorporation of Flugge Rd, from Tee Rd to Warren RD, Rockwell Rd, from Warren Rd to Flugge Rd, and Stott Rd, from Warren Rd to Ranford Rd into the RAV 3 network.

Body/Background:

Permits are required for all operators of Class 2 and 3 Restricted Access Vehicles (RAVs) to access the heavy vehicle network. Examples of Class 2 and 3 RAVs include B-doubles, road trains and truck and trailers. Further information about RAV routes is available from the Main Roads WA website www.mainroads.wa.gov.au.

The routes available under the Gazette Notice permit system are based upon the existing heavy vehicle routes. That is, they are already approved routes. Additional routes can be added following approval of Local Government and route inspection.

Any expansion of, or reduction to, the networks will be done with a view to developing strategic transport routes and ensuring a balance between the needs of industry, Local Government, Government and the expectations of the broader community.

Main Roads will assess routes that are requested by a Local Government in terms of their guidelines for assessing the suitability of routes for restricted access vehicles. If Main Roads finds the chosen routes suitable, they will be added to the RAV network.

Officer's Comment:

Requests have been received from local farmers to include the aforementioned sections of roads in the RAV 3 network. The larger trucks allowed under the RAV 3 classification are more suitable for cartage of large quantities of grain, fuel and fertilizer.

The RAV 3 classification allows for a maximum permitted mass of eighty four (84) tonnes with a length of twenty seven point five (27.5m) metres and a height of four point six (4.6m) metres. Please find the attached.

Statutory Environment:

Local Government Act 1995

Policy Implications:

Nil.

Financial Implications:

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

Strategic Implications:

Nil.

Officer's Recommendation/ Council Motion:

MOVED: CR DANNY MCGRATH

SECONDED: CR OWEN BOXALL

OC101/15 That Council:

Submits the following roads for assessment by Main Roads WA for addition to the RAV 3 network:

- 1) Flugge Rd, from Tee Rd to Warren Rd**
- 2) Rockwell Rd, from Warren Rd to Flugge Rd**
- 3) Stott Rd, from Warren Rd to Ranford Rd**

Voting Requirement: Absolute Majority

CARRIED: 7/0

Cr Danny McGrath spoke for the motion.

Cr Richard Kowald spoke for the motion.

Cr Liz Guidera returned to the meeting at 6:13pm and resumed the chair.

10.2 DIRECTOR OF CORPORATE AND COMMUNITY SERVICES REPORTS
--

10.2.1 Monthly Financial Reports

(SEE ATTACHED FINANCIAL REPORTS)

File Ref: FS/0021

Reporting Officer: Diana Marsh, Manager Finance

Report Prepared: 23 October 2015

Body/Background:

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

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

Officer's Comment:

A variance report is included with the monthly financial statements.

Statutory Environment:

Local Government (Financial Management) Regulations 1996.

Policy Implications:

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

Financial Implications:

Monthly Statement of Financial Activity.

Strategic Implications:

Shire of Katanning Strategic Plan 2013 – 2023
Development and Leadership

- Governance

Officer's Recommendation/Council Motion:

MOVED: CR DANNY MCGRATH

SECONDED: CR CRAIG MCKINLEY

OC102/15 That Council:

Adopts the Statement of Financial Activity for the month ending 30 September 2015, as presented, and notes any material variances.

Voting Requirement: Simple Majority

CARRIED: 8/0

10.2.2 Schedule of Accounts
(SEE ATTACHED)

File Ref: FS/0021
Reporting Officer: Diana Marsh, Manager Finance
Report Prepared: 23 October 2015

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.

Officer's Comment:

The schedule of accounts for month of September 2015 is attached.

Statutory Environment:

Local Government (Financial Management) Regulations

Policy Implications:

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

Financial Implications:

Expenditure in accordance with the 2015/2016 Annual Budget.

Strategic Implications:

Shire of Katanning Strategic Plan 2013 – 2023

Development and Leadership

- Governance

Officer's Recommendation/Council Motion:

MOVED: CR RICHARD KOWALD

SECONDED: CR OWEN BOXALL

OC103/15 That Council:

Endorses the Schedule of Accounts for September 2015, as presented.

Voting Requirement: Simple Majority

CARRIED: 8/0

10.3 EXECUTIVE MANAGER – STRATEGIC PROJECTS**10.3.1 Regional Venues Improvement Fund**

File Ref: A2254

Reporting Officer: Sam Davis, Executive Manager – Strategic Projects

Date Report Prepared: 20 October 2015

Issue:

To ratify the Katanning Dramatic Society's 2015 Regional Venues Improvement Fund application for Technical Equipment Upgrades at the Katanning Town Hall.

Body/Background:

The Regional Venues Improvement Fund (RVIF) is part of the State Government Royalties for Regions \$24 million investment in culture and the arts.

The fund aims to:

- Provide WA regional performing arts and entertainment venues with funding assistance to improve the quality of performing arts and cultural infrastructure in WA regional performing arts and entertainment venues; and
- Strengthen the capacity and effectiveness of WA regional performing arts and entertainment venues to deliver culture and the arts services to the Western Australian community.

RVIF investment will focus on a range of key priorities associated with the enhancement of regional venues' infrastructure. Grants are available to eligible applicants under three funding streams: Technical Equipment Upgrades; Venue Assessment and Functional

Upgrades. The priorities of each annual program may be adjusted from year to year to meet requirements as identified by DCA.

Applications for funding through the RVIF can be made through the following categories:

- Technical Equipment Upgrades: Minor – closes 4pm, 29 October. Minor Grants up to \$25,000 are available to support projects requiring a low to moderate level of planning and procurement e.g. plug and play systems. **Under this category applicants are able to apply for funding of up to 50% of the total project cost.**
- Technical Equipment Upgrades: Major – closes 4pm, 29 October. Major Grants up to \$250,000 are available to support equipment upgrade projects involving an advanced level of planning and procurement, such as lighting, audio visual and acoustic systems.
- Venue Assessment: Building Condition Assessment – closes 4pm, 29 October. Building Condition Assessment (BCA) Grants up to \$20,000 are available to support the improvement of building maintenance strategic planning.

Officer's Comment:

The Katanning Dramatic Society (KDS) has prepared an application under the Technical Equipment Upgrades – Minor funding category to undertake upgrades to the Katanning Town Hall.

The KDS propose the replacement of the Katanning Town Hall's old and outdated stage lighting system. This will include the provision of new lighting; mixing board; mounting bars and cabling.

The project will also include the replacement of the stage curtains which are suffering from deterioration, and the installation of a new electric winched lighting bar.

The lighting system currently in place is aged and is failing. The system has become difficult to set up and can no longer be relied upon to provide lighting suitable for stage production.

The Katanning Town Hall's stage curtains are over 30 years old, they are deteriorating badly and falling apart. The KDS has stated that the material that the curtains are made from fails to meet the current fire ratings. If any upgrade is carried out the curtains will be required to be upgraded with a material that meets those fire rating standards.

The upgrading of the lighting, curtains and winches will allow more professional live theatre to be performed and will provide the audience with a better viewing experience.

The KDS's proposal will complement the works already underway by the Shire to upgrade the Town Hall into a Regional Entertainment Centre.

The total project cost of the KDS's proposal is \$49,305 ex GST for which the group is seeking a 50% (\$24,652.50) contribution through the RVIF.

A copy of the Shire's RDAP application will be made available at the council meeting for inspection.

Statutory Environment:

Nil.

Policy Implications:

Nil.

Financial Implications:

Nil – the KDS is not seeking a contribution from Council at this time; however, it intends to apply for funding assistance through the Shire's Community Financial Assistance Program opening in December 2015.

Strategic Implications:

The Shire of Katanning is currently undertaking works to upgrade the town hall into a regional entertainment centre. The KDS's application for funding assistance under the RVIF will further assist in the upgrade of the facility.

Officer's Recommendation/ Council Motion:

MOVED: CR RICHARD KOWALD

SECONDED: CR CRAIG MCKINLEY

OC104/15 That Council:

- 1) **Ratifies the Katanning Dramatic Society's application for funding through the Department of Culture and the Arts/Department of Regional Development's, Regional Venues Improvement Fund to undertake audio visual improvements at the Katanning Town Hall.**

Voting Requirement: Simple Majority

CARRIED: 8/0

Cr Richard Kowald spoke for the motion.

10.4 DEPUTY CHIEF EXECUTIVE OFFICER**10.4.1 Council Opening Hours – Christmas/New Year Closure**

File Ref: AC/99/0005

Reporting Officer: Andrew Holden, Deputy Chief Executive Officer

Date Report Prepared: 13 October 2015

Issue:

To approve an adjustment to the scheduled operating hours of Council facilities over the Christmas/New Year festive season.

Body/Background:

Commencing in December 2009 Council approved the variation of the Shires normal operating hours during the Christmas/New Year festive season to close from lunchtime on the last business day before Christmas until the morning of the first business day following New Year's Day. Since then this arrangement has been appreciated by staff without unduly inconveniencing the public and will continue to be normal on-going business

practice. With both Christmas and New Year's Day falling on a Friday this year there is no requirement to vary from the normal closure period to accommodate the festive season.

Officer's Comment:

Executive Management has this year agreed that the closure period for the coming festive season should be from 12 noon on Thursday 24 December 2015 until Monday 4 January 2016. A small number of Works Crew and other staff will be on-call throughout the closure. All staff will be required to take some form of accrued leave during the closure.

Statutory Environment:

Nil.

Policy Implications:

Nil.

Financial Implications:

Staff (except for skeleton or called out support) will be accessing approved leave types during the closure, which assists in managing Council liability in regard to individual leave balances. There will be minor reductions in overheads due to offices not being open.

Strategic Implications:

Nil.

Officer's Recommendation/Council Motion:

MOVED: CR DANNY MCGRATH

SECONDED: CR CRAIG MCKINELY

OC105/15 That Council:

- 1) Authorise a variation to opening hours during the 2015 Christmas/New Year period as follows:

Thursday 24 December	- Closed from 12 noon
Tuesday 29 December	- Closed
Wednesday 30 December	- Closed
Thursday 31 December	- Closed

- 2) Locally advertise the varied opening hours in the lead up to the Christmas Closure.

Voting Requirement: Simple Majority

CARRIED: 8/0

Cr Danny McGrath spoke for the motion.

10.4.2 Appointment of Fire Control Officer

File Ref: TL/98/0002
Reporting Officer: Cindy Pearce, Community Emergency Services Manager
Date Report Prepared: 25 September 2015

Issue:

Council to endorse Shire of Katanning Ranger Ernest Oswald Polis as an Authorised Fire Control Officer.

Body/Background: Fire Control Officers are appointed by Council under Section 38 of the Bushfires Act 1954 to issue 'Permits to Burn' and to carry out other actions as set out in the Bushfires Act 1954 as enquired by Local Government.

Officer's Comment:

Council endorsement of appointment of Ernest Oswald Polis as an Authorised Fire Control Officer for the Shire of Katanning.

Statutory Environment:

Bushfire Act 1954

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Fire Control Officers under Section 38 of the Bushfires Act 1854 are appointed by Local Governments. Under Section 38 and 39 Bushfire Control Officer may, subject to directions given by the Local Government, take any measures he/she considers necessary and practicable for:

- The prevention of bushfires.
- Protecting life and property in the case of an outbreak of a bushfire
- Carry out any duty or exercising any authority referred to in the Bushfires Act.
- Procuring the due observance of the provisions of the Act. (For this purpose it is his/her duty to demand the name and address of any person committing an offence against the Act and to report the circumstances to the Local Government).

Officer's Recommendation/Council Motion:

MOVED: CR OWEN BOXALL

SECONDED: CR DANNY MCGRATH

OC106/15 That Council:

Endorse Ernie Polis as a Fire Control Officer.

Voting Requirement: Simple Majority

CARRIED: 8/0

Cr Owen Boxall spoke for the motion.
Cr Richard Kowald spoke for the motion.

10.5 CHIEF EXECUTIVE OFFICER'S REPORTS

10.5.1 Policy Options to increase Elected Member Participation in Training (SEE ATTACHMENT)

File Ref: AM/98/0013
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 21 October 2015

Issue:

The WA Local Government Association (WALGA) is seeking feedback on the attached discussion paper – *Policy Options to Increase Elected Member Participation in Training*.

Body/Background:

The Paper discusses the policy context and existing options for Elected Member training and explores the following six policy options aimed at increasing Elected Member participation in training:

- 1) Enhance the desirability of training offerings;
- 2) Delivery of best practice Council induction programs;
- 3) Require Councils to adopt a training policy;
- 4) Require candidates to attend training prior to nominating for election;
- 5) Incentivise training through the remuneration framework; and
- 6) Mandate training for newly elected Elected Members.

WALGA has prepared the following questions have been prepared to assist in Local Governments preparing a response:

- 1) Best Practice Induction Programs – does Council support Local Governments adopting and delivering a structured and thorough Council induction program? If so, should legislation be changed for this to be a requirement, or should it remain voluntary?
- 2) Training and Development Policy – does Council support legislative amendments to require all Councils to review and adopt an Elected Member Training and Development Policy following every biennial election?
- 3) Candidate Requirements – does Council support legislative amendment to require candidates to attend an information session or complete an equivalent online information session prior to nominating for election?
- 4) Incentivised Training – does Council support legislative amendments to enable Elected Members to be paid additional allowances commensurate with the level of training undertaken? If so, how should the fees and allowances framework be structured? I.e. should Elected Members be paid a specified annual amount, a percentage bonus or using some other method?

- 5) Mandatory Training – does Council support legislative amendment to require Elected Members to be required to undertake foundation training (such as the Elected Member Skill Set or equivalent)?
- Should mandatory training be applied to all Elected Members or only to newly elected Elected Members?
 - For newly elected Elected Members, what is the appropriate timeframe within which training should be completed?
 - What is the appropriate penalty for non-completion of the required training?

Officer's Comment:

The discussion paper was tabled at a recent Council Forum and feedback obtained from Councillors.

Statutory Environment:

Local Government Act 1995

Policy Implications:

Council's policy supports and encourages appropriate training and professional development opportunities for elected members.

Financial Implications:

There are no direct financial implications related to this item.

Strategic Implications:

Shire of Katanning Strategic Plan 2013 – 2023

Development and Leadership

- Governance: Accountability & Business Capacity

Officer's Recommendation/Council Motion:

MOVED: CR CRAIG MCKINLEY

SECONDED: CR DANNY MCGRATH

OC107/15 That Council:

Makes the following submission to WALGA in response to the discussion paper - *Policy Options to Increase Elected Member Participation in Training*:

- 1) Best Practice Induction Programs – Council supports Local Governments adopting and delivering a structured and thorough Council induction program and a change in legislation for this to be a requirement.**
- 2) Training and Development Policy – Council supports legislative amendments to require all Councils to review and adopt an Elected Member Training and Development Policy following every biennial election.**
- 3) Candidate Requirements – Council supports legislative amendment to require candidates to attend an information**

session or complete an equivalent online information session prior to nominating for election.

- 4) **Incentivised Training – Council does not support legislative amendments to enable Elected Members to be paid additional allowances commensurate with the level of training undertaken.**
- 5) **Mandatory Training – Council supports legislative amendment to require Elected Members to be required to undertake foundation training (such as the Elected Member Skill Set or equivalent). Mandatory training should applied to all Elected Members and should be required to be completed within the first year of the legislative amendments or from when first elected for new members.**

Voting Requirement: Simple Majority

CARRIED: 8/0

Cr Craig McKinley spoke for the motion.
Cr Serena Sandwell spoke for the motion.

10.5.2 Appointment of Members to Committees of Council

File Ref: AG/98/0005
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 22 October 2015

Issue:

Following the Local Government elections held on 17 October 2015 Council is required to appoint members to committees in accordance with section 5.9, 5.10 and 5.11 of the Local Government Act 1995.

Body/Background:

At the Special Meeting of Council held on 21 October 2015 Council determined to establish the following committees with the following members:

Management Review Committee

Cr Guidera
Cr McKinley
Cr McGrath
Cr Boxall

Audit and Risk Committee

Cr Guidera
Cr McKinley
Cr Godfrey
Cr Kowald
Cr Boxall
Cr McGrath
Cr Mydie
Cr Sandwell

Cr Van Koldenhoven

Citizen of the Year Committee

Cr Mydie

Cr McGrath

Cr Sandwell

The election of committee members was conducted in accordance with Council's Election of Committees Policy.

In accordance with section 5.17 (1) of the Local Government Act 1995 a local government can delegate —

- (a) to a committee comprising council members only, any of the council's powers or duties under this Act except —
- (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
- (ii) any other power or duty that is prescribed

Officer's Comment:

The establishment and appointment of members to committees of Council must be done so by an absolute majority decision of Council.

Statutory Environment:

Local Government Act 1995

- Section 5.8 – Establishment of Committees
- Section 5.9 – Types of Committees
- Section 5.11 – Tenure of Committee membership

Policy Implications:

Election of Committees Policy provides for the election of Council Committees in line with the requirements of the Local Government Act.

Financial Implications:

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

Strategic Implications:

Shire of Katanning Strategic Plan 2013 – 2023

Development and Leadership

- Governance

Officer's Recommendation/Council Motion:

MOVED: CR CRAIG MCKINLEY

SECONDED: CR OWEN BOXALL

OC108/15 That Council:

Establishes the following committees and appoint the following members to each committee:

Management Review Committee

Cr Guidera

Cr McKinley

Cr McGrath
Cr Boxall

Audit and Risk Committee

Cr Guidera
Cr McKinley
Cr Kowald
Cr Boxall
Cr McGrath
Cr Mydie
Cr Sandwell
Cr Van Koldenhoven

Citizen of the Year Committee

Cr Mydie
Cr McGrath
Cr Sandwell

Voting Requirement: Absolute Majority

CARRIED: 8/0

Cr Craig McKinley spoke for the motion.

10.5.3 Council Meeting Times

File Ref: AG/98/0005
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 22 October 2015

Issue:

Elected members have indicated a preference to change the days on which Council holds its ordinary meetings and forums.

Body/Background:

Section 5.3 of the Local Government Act 1995 requires a local government to hold ordinary meetings not more than 3 months apart.

The Shire of Katanning Council currently holds its ordinary meetings on the fourth Wednesday of each month, February to December. Council also holds forum on the second Wednesday of each month.

Following the recent local government elections newly elected members have expressed a preference to change the meeting day to the fourth Tuesday of the month and forums to the second Tuesday of the month. Forums are working meetings with Councillors and Staff and are not open to the public.

Officer's Comment:

Elected members have been canvassed and are generally not opposed to a change in the day of ordinary meetings and forums.

Statutory Environment:

Local Government Act 1995

- Section 5.3 – Ordinary and special council meetings

Policy Implications:

There are no policy implications in relation to this matter.

Financial Implications:

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

Strategic Implications:***Shire of Katanning Strategic Plan 2013 – 2023***

Development and Leadership

- Governance:

Officer's Recommendation/Council Motion:

MOVED: CR MARTIN VAN KOLDENHOVEN SECONDED: CR SERENA SANDWELL

OC109/15 That Council:

- 1) **Holds Ordinary Meetings of Council on the fourth Tuesday of each month, excluding January, commencing at 6.00pm; and**
- 2) **Holds Council Forums on the second Tuesday of each month, excluding January, commencing at 6.00pm.**

Voting Requirement: Simple Majority

CARRIED: 8/0

Cr Serena Sandwell spoke for the motion.

10.6 ADVISORY COMMITTEE MEETING**11. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING****PROCEDURAL MOTION**

MOVED: CR CRAIG MCKINLEY

SECONDED: CR SERENA SANDWELL

OC110/15 That the urgent business of 12.1 be accepted at tonight's meeting.

Voting Requirement: Simple Majority

CARRIED: 8/0

12.1 Extraordinary Election

File Ref: AC/00/0003
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 28 October 2015

Issue:

The recent retirement of Cr Robert Godfrey has created a vacancy on Council. An extraordinary election is required to fill the vacancy in accordance with Section 4.8 of the Local Government Act (1995).

Body/Background:

In order to meet the requirements of the Local Government Act 1995, Council is required to:

- a) Schedule the election day on a date within four months of the date that the vacancy occurred, unless the Electoral Commissioner approves.
- b) Choose the method of conducting the election, i.e. postal election or voting in person.
- c) Appoint a Returning Officer to conduct the election, if other than the CEO.

Officer's Comment:

Shire Staff have contacted the Western Australian Electoral Commission (WAEC) to establish the Electoral Commissioner's availability to being appointed as the Returning Officer and conducting the extraordinary election by postal voting, as has been the Shire's preferred method of election in the past.

The Electoral Commissioner has agreed in writing to conduct the Shire of Katanning extraordinary election as a postal election on a day determined by Council. A copy of the WAEC letter and election timetable is attached.

The Electoral Commissioner has suggested an election date of Friday 26 February 2016. Any earlier date in February is considered impractical due to important dates occurring over the Christmas/New Year period. An election period of 80 days is required to meet the requirements of the Local Government Act 1995.

The following critical dates would apply for an election held on 26 February 2016:

- Close of Rolls 7/1/2016
- Nominations Open 13/1/2016
- Nominations Close 20/1/2016
- Election Day 26/2/2016

Council has the opportunity to change the date however the election date must be no later than four months from the date of vacancy, i.e. 23 February 2016, unless the Electoral Commissioner approves.

The WAEC have provided an indicative cost of \$15,000 based on the most recent ordinary election cost.

Statutory Environment:

Local Government Act 1995:

- Section 4.8 – Extraordinary elections

- Section 4.9 – Election day for extraordinary election
- Section 4.20 – CEO to be returning officer unless other arrangements made
- Section 4.61 – Choice of methods of conducting election

Policy Implications:

Council does not have a policy in relation to this matter.

Financial Implications:

The cost of conducting the extraordinary election will be approximately \$15,000. Council has made provision in the budget of \$16,500 for election expenses which has already been utilised to conduct the ordinary elections. An additional allocation of approximately \$15,000 will be required.

Strategic Implications:***Shire of Katanning Strategic Plan 2013 – 2023***

Development and Leadership

- Governance

Officer's Recommendation/Council Motion:

MOVED: CR DANNY MCGRATH

SECONDED: CR RICHARD KOWALD

OC111/15 That Council suspend standing orders.

Voting Requirement: Simple Majority

CARRIED: 8/0

PROCEDURAL MOTION

MOVED: CR DANNY MCGRATH

SECONDED: CR CRAIG MCKINELY

OC112/15 That Council resume standing orders.

Voting Requirement: Simple Majority

CARRIED: 8/0

Officer's Recommendation/Council Motion:

MOVED: CR OWEN BOXALL

SECONDED: CR CRAIG MCKINLEY

OC113/15 That Council:

- 1) **Sets the date for the extraordinary election for Friday 26 February 2016, in accordance with section 4.9 of the Local Government Act 1995.**
- 2) **Declares, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the extraordinary election.**
- 3) **Conducts the extraordinary election as a postal election, in accordance with section 4.61(2) of the Local Government Act 1995; and**

- 4) **Allocates an additional \$15,000 to election expenses and amends the budget accordingly.**

Voting Requirement: Absolute Majority

CARRIED: 8/0

Cr Owen Boxall spoke for the motion.

13. CONFIDENTIAL ITEM

Nil.

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 6:38pm