



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  
Tuesday 28 March 2017, 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.

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

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



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

The Presiding Member declared the meeting open at 6.00pm.

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

Presiding Member: Cr Liz Guidera - President

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

Council Officers: Julian Murphy, Chief Executive Officer  
Uwe Striepe, Director Engineering & Development Services  
Sam Davis, Executive Manager, Projects and Community Building  
Andrus Budrikis, Executive Manager Property & Assets  
Libby French, Manager Finance  
Delma Baesjou, Consultant Planner  
Taryn Human, Governance Executive Officer

Gallery: Doug Cherry  
Matt Collis  
Will Collis  
Izzy Collis  
Alan McFarland  
Kevin Isaac

Media:

Apologies: Andrew Holden, Deputy Chief Executive Officer

Leave of Absence: Cr John Goodheart

**3. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE****Matt Collis Question 1:**

There are many factors that affects Katanning's ability to grow and prosper into the future. Many of us here, have at various points, been in numerous discussions about how to achieve that growth. Some of these many factors include employment, housing, healthcare, education and the townscape environment. Over the last few years there has been a major investment within Katanning and I commend the shire for their part in that.

I believe that one of the major factors in attracting people to relocate here could be described as "liveability". It was certainly a major consideration when we chose to settle here in Katanning. Liveability can cover so many things, but to me it can be simple described as the services provided and the feel of an area.

The shire has done a great job in planning for and providing infrastructure but I do feel that environmental considerations have somewhat been overlooked at times.

Climate change is real and should be a concern to us all. There are those that argue that man made climate change is not real but not agreeing about the causes should not preclude us from working on ways of dealing with the very real realities of that climate change.

Trees and green open spaces should form part of this strategy. It is fairly well agreed that having trees in our immediate environment benefits us in many ways including

- Reduction in air pollution
- Reduction in storm water
- Mitigation of wind and noise
- Reduction in UV
- Air cooling

And a general increase in wellbeing felt.

Canopy cover and the urban forest have become real factors in many townscapes. Before climate change became a real concern a canopy cover of 25% was considered adequate but now with the reality of climate change many believe we should strive for a 40 to 45% target to achieve the same goals.

This is something that needs immediate action for the sake of our kids and grandkids. There is no five minute fixes, trees take time to mature. I do strongly feel that we need to build on to and protect our existing environment.

Does the shire have an integrated climate change policy? And if so how is it applied?

Does the shire have any forms of targets with regards to canopy cover?

And...

As a percentage how many shire owned buildings presently have some forms of rainwater harvesting, solar power and or solar hot water?

**President's Response:**

No the Shire does not have an integrated climate change policy and does not currently have any tree canopy cover targets or greening program.

As a broad estimate, about 30% of Shire Buildings have some form of rainwater harvesting (the two largest being the KLC and the Saleyards) and less than 10% of Shire Buildings have either solar hot water or solar power cells.

As a general note the current buildings being planned for construction by the Shire will contain a range of sustainable technologies aimed at reducing their long term operating costs and impact on the environment.

**Matt Collis Question 2:**

A couple of weeks ago I attended the harmony festival and what a great event it was, a true Jewel in the crown of Katanning. Well done to the shire and its staff for their part in making the day a success. However while walking around I noticed how damaged some of the planter boxes were. I think this combined with the well documented problems with the paving lets our Main Street down. Has the shire come up with a workable way to deal with the issues our Main Street faces that will work in the long term?

**President Response:**

Shire Operations maintenance teams are responsible for undertaking the ongoing maintenance and repairs of the main street paving and tree planter boxes. Remedial works are undertaken as required until a more permanent solution is found to some of the issues.

Council has authorised a trial section (outside of the Commonwealth Bank) of the paving to be pulled up and relayed on a concrete footing to see how this performs before making a decision about other problem areas in the street. Prior to doing the trial section of paving, the Shire is in the process of engaging a specialist engineering consultant to review the elements which may be causing the paving to fail including investigating the flow of underground water from further up the street. There may be a need to install sub-surface drains back towards the railway line to intercept the underground water which is believed to be flowing down the street after moderate to heavy rain. Following the engineer's assessment, the necessary works will be undertaken.

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

Cr Serena Sandwell	10.1.1	Disclosure of Financial Interest
Cr Serena Sandwell	10.6.3	Disclosure of Interest Affecting Impartiality
Cr Richard Kowald	10.6.3	Disclosure of Proximity Interest
Cr Craig McKinley	10.6.3	Disclosure of Financial Interest
Cr Alep Mydie	10.6.3	Disclosure of Financial Interest

**5. PUBLIC QUESTION/STATEMENT TIME**

Doug Cherry representing the Lions Club thanked Council for the support at the Concert in the Park, he said they have noted what went right and wrong with the event. He requested that he meet with the Shire to raise the issues on how they can improve on the next event. He also congratulated the Council for another great Harmony Festival, he asked that thanks be conveyed to the organisers.

Alan McFarland congratulated the Shire and staff for a fantastic day at the Harmony Festival. He mentioned that Cr Mydie was very entertaining on the day. Mr McFarland supported the proposal for Sunday Trading in Katanning and thought that it was a good idea with Dome coming. Mr McFarland suggested that council adopts the metropolitan retail trading hours to avoid putting applications in every year for Christmas Trading etc. Mr McFarland urged Council to ensure that local businesses and the Katanning Regional Business Association (KRBA) be given the opportunity to have input during the consultation process on Sunday trading.

Kevin Isaac thanked the Shire for a great job on the bituminising of the footpath in front of his upholstery business. He mentioned that there's a lack of facilities for vehicles parking opposite his shop in Austral Terrace and urged Council to consider upgrading the area. Mr Isaac also said that there was a concern on the ice drug issue in Katanning and that Council and the community need to come together and try do something. Mr Isaac gave the example of the CoSafe program being run at the City of Cockburn which may be applicable in Katanning.

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**7. PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

**8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****8.1 Ordinary Council Meeting – 28 February 2017  
(SEE ATTACHED MINUTES)**

**MOVED: CR DANNY MCGRATH**

**SECONDED: CR SERENA SANDWELL**

**OC18/17 That the minutes of the Ordinary Council Meeting held on Tuesday 28 February 2017 be confirmed as a true record of proceedings.**

**Voting Requirement:** Simple Majority

**CARRIED: 8/0**

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

Welcome

Congratulations to our local resident Peter Rundle who was successful in the State Government Elections and is now the Member for Roe. The Successful candidates in the Agricultural Region: Martin Aldridge, Darren West, Jim Chown, Colin De Grussa, Laurie Graham and Rick Mazza – there is a depth of talent and understanding of regional issues in those 6 - we congratulate them and look forward to working with them in the future.

We also congratulate Alannah MacTiernan on her new ministries of both Agriculture and Regional Development. It was good to hear today that Alannah is visiting the Shires of Lake Grace, Ravensthorpe and Esperance seeing firsthand the flood damage and intending to advocate on behalf of Local Government.

Councillors on behalf of you all we thank the staff at the Shire of Katanning who helped in anyway at the Harmony Festival – they go above and beyond to bring this important celebration of cultural diversity to our town. Yes there is the organising – but also the set up and pack away – which goes long into the night and is carried out by staff – Thankyou the festival was a great success!

Blessing of the Roads is on Thursday 6 April 2017 at 5.30pm at the Ram Pavillion, Cr McGrath has been working with the committee to facilitate the event – all welcome – and we wish for a safe Easter on our Roads.

**10. REPORTS OF COMMITTEES AND OFFICERS**

**10.1 DIRECTOR ENGINEERING & DEVELOPMENT SERVICES REPORTS**

Cr Serena Sandwell left the room at 6:23pm as she declared a financial interest.

**10.1.1 Development Approval Amendment – Service Station Lot 908 (24) Cornwall Street, Katanning**

**File Ref:** A1394  
**Reporting Officer:** Delma Baesjou, Consultant Planner  
**Date Report Prepared:** 20 March 2017

**Issue:**

To consider a further application to amend the Development Approval, for the Service Station at Lot 908 (24) Cornwall Street, Katanning. The current amendment proposes to increase the area of the 'convenience store' from 124m<sup>2</sup> to 165m<sup>2</sup> and to increase the number of parking bays from 4 to 5.

**Body/Background:**

Lot 908 is 7191m<sup>2</sup> and has frontage to both Cornwall St and Bays St. The property is zoned 'Light Industrial' under the Shire of Katanning Town Planning Scheme No. 4 (TPS4). Service Station is listed in the Zoning Table as 'P' (Permitted) within the Light Industrial zone.



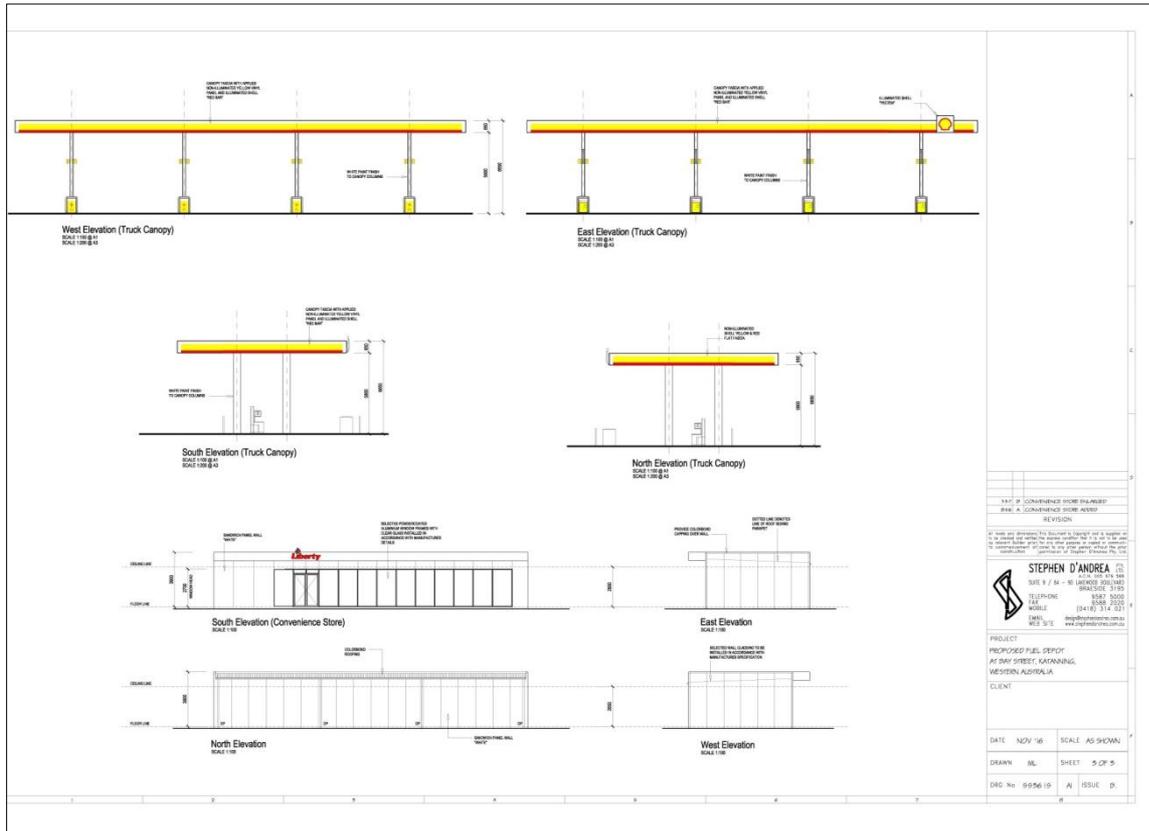
View south east from inside old 'front gate' at corner of Cornwall and Bay Streets showing Development site prior to construction – August 2016



Rear/northeast view of development site during preliminary construction with Bay Street on left, new above ground diesel storage tank and former, decommissioned building [December 2016].



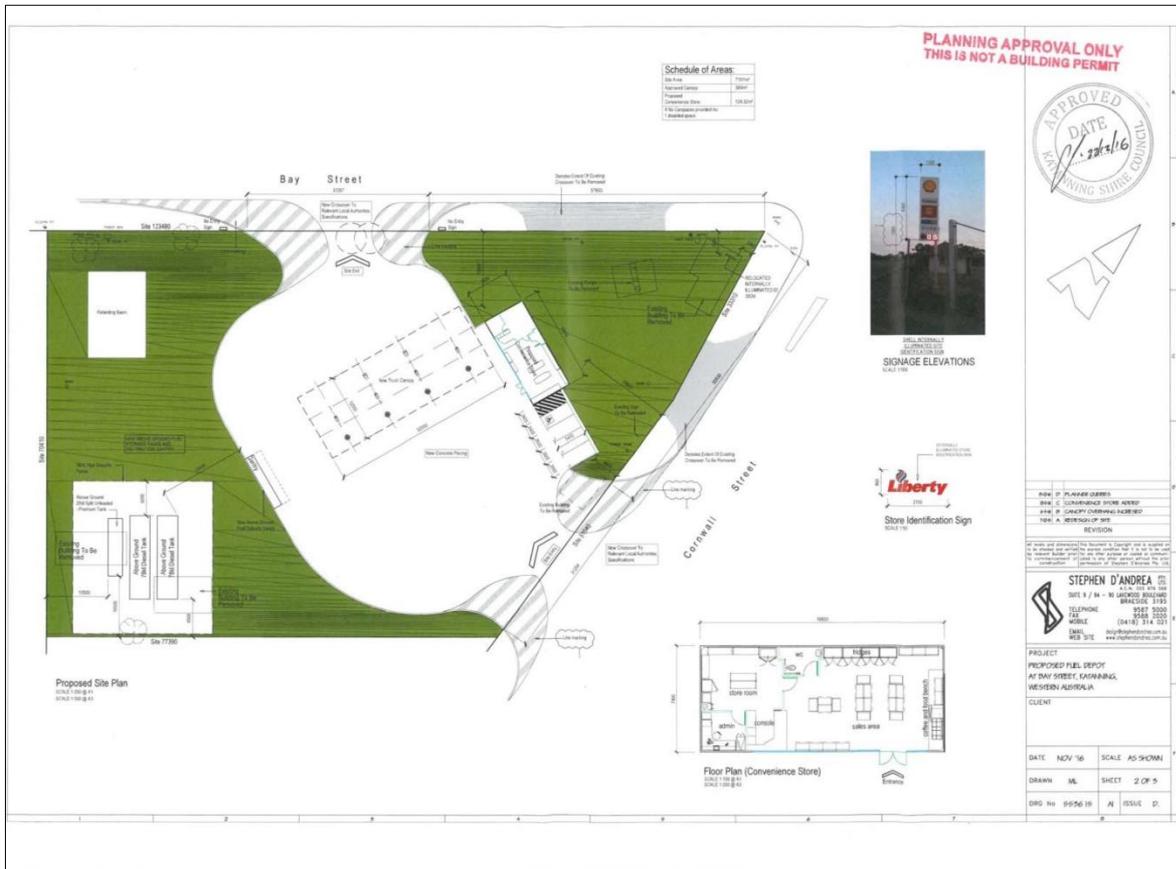
2017 amended plans - DRG No. 553615, Sheet 2, Issue E



2017 amended plans - DRG No. 553615, Sheet 3, Issue B



017 amended plans - Landscaping Plan 110309 4192 Revision 4/DR/Rev/09.03.2017



Approved amended Plan for DA 2016-13B, issued December 2016.

At its meeting held 15 December 2015 the Council resolved to grant conditional approval to an application for a Service Station, Fuel Depot and Signage at Lot 908 Cornwall Street. Item 10.1.2, Resolution OC123/15. Development Approval reference 2016-13 was issued on 19 September 2016.

At its meeting held 20 December 2016 the Council considered an application to amend the Development Approval. Item 10.1.2, Resolution OC 163/16 refers. That amendment was for the 'convenience store' and for the Service Station to be 'attended' between 7.00am and 7.00pm, rather than a 24hour 'un-manned' facility. Development Approval reference 2016-13B was issued on 22 December 2016.

**Officer's Comment:**

The proposal for an additional 41m<sup>2</sup> of convenience retailing associated with the Service Station is considered to be a minor amendment. The scale and nature of the land uses accords with the definition set out in the current Town Planning Scheme. Furthermore, it is similar in intent to the following terms set out in draft LPS5 and the LPS Regulations:

**fuel depot** means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used —

- (a) as a service station; or
- (b) for the sale of fuel by retail into a vehicle for use by the vehicle

**service station** means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for —

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles;

The amended proposal satisfies the landscaping requirement and the following minimum building setbacks: Front & Rear - 7.5m; Side - 5m (on one side).

Clause 7.1 and Schedule 5 of TPS4 deal with car parking requirements; the number of spaces is based on land use. Service Station is not specifically listed, however for Shopping, six (6) spaces are required for every 100 square metres of floor area. For Industry, four (4) spaces are required for the first 200 square metres. The amended site plan shows five (5) parking spaces, including one (1) 'universal' bay. The applicant has advised that additional parking spaces could be provided, if necessary.

The amended development application was assessed, based on the requirements set out in TPS4 and the twenty eight (28) matters listed in Clause 67, Part 9 Schedule 2 of Planning and Development (Local Planning Schemes) Regulations 2015. The planning responses and comments relating to ten (10) selected matters are similar to those set out in the previous assessment (refer Item 10.1.2, 20 December 2016). Key matters include: (m) compatibility, (n) amenity, (r) possible risk, (s) adequacy of access, (t) traffic and (u) availability of (iv) access for pedestrians & cyclists and (v) access by older people and people with disability. Table 2 in the applicant's further amended proposal also includes a similar self-assessment of eighteen (18) matters.

In this case, given the minor nature of the proposed amendment, it is considered there are no substantial changes or issues of concern. Approval of the Amended Development Application is recommended, subject to similar conditions.

**Statutory Environment:**

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Katanning Town Planning Scheme No. 4

Draft Local Planning Scheme No. 5

Clause 77 of Schedule 2 of the 2015 Regulations provides scope for an application to amend a Development Application. The requirements and procedures for considering and assessing such an amendment are outlined in Parts 8 and 9. In determining the application, the Local Government needs to be satisfied that the proposed amendment would not substantially change the Development Approval.

**Policy Implications:**

Nil.

**Financial Implications:**

An Application Fee of \$295.00 has been paid.

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

This item assists the Council to deliver on several of its strategic objectives as follows:

*Environment & Land Use – Land Use Development:*

- Flexible Land Use Planning [CBP Ref. P8.5.2]

*Development & Leadership - Governance:*

- Legal & Ethical Compliance [CBP Ref. P10.5.3]

**Officer's Recommendation/Council Motion:****MOVED: CR CRAIG MCKINLEY****SECONDED: CR OWEN BOXALL**

**OC19/17** That Council approves the Amended Development Application for Lot 908 (24) Cornwall Street, Katanning grants approval to the proposed Service Station, Fuel Depot and Signage subject to the following conditions:

- 1) Development is to be generally in accordance with the Amended approved plans (DRG No. 553615 Sheet 2, Issue E, Sheet 3 Issue B and Landscaping Plan 110309 4192 Revision 4/DR/Rev/09.03.2017).
- 2) Construction of the crossover, accessways and parking areas in accordance with the approved plan.
- 3) Installation and maintenance of line-marking and signage or other appropriate treatments to ensure one-way traffic flow across the site from Cornwall Street to Bay Street.
- 4) Closure and reinstatement of redundant crossovers to the satisfaction of the director of Engineering Services.
- 5) Maintenance of parking, manoeuvring and accessways is the responsibility of the developer.
- 6) Installation and maintenance of landscaping in accordance with the approved plan.
- 7) All signage is to comply with Clause 7.11 of the Shire of Katanning Town Planning Scheme No. 4 and relevant requirements of the Planning and Development (Local Planning Schemes) Regulations 2015.

**Advice Notes**

- I. Stormwater runoff from the new structure and associated hardstand to be adequately contained on-site, with disposal via connection to the district drainage system to the satisfaction of the Director of Engineering Services in accordance with Engineering requirements and design guidelines. Provision of internal reticulation and a retention basin, together with upgrading of the existing downstream stormwater system, at the proponent's expense.
- II. Construction of the crossover and all works within the Cornwall Street Road Reserve require the prior approval of the Shire.

- III. All works and any proposed drainage within the Bay Street Road Reserve (Kojonup – Pingrup Rd M021 40.63slk) requires the prior application and approval of Main Roads WA.
- IV. Future development is required to comply with the Building Code of Australia and the requirements of relevant Health, Environmental, Mining and Petroleum statues, the Dangerous Goods Safety Act 2004 and the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007 (the Storage and Handling Regulations).

**And**

Notwithstanding Part 5.14 and the height and area specified in Part 5.9.1 a) and b) of the Shire of Katanning Local Laws Part XIV – Signs, Hoardings and Bill Posting, Development Approval is granted for Advertising Signage (Illuminated), Lot 908 (24) Cornwall St, Katanning subject to:

- 1) The relocated sign is to be in accordance with the approved plans.
- 2) No part of the sign is to extend beyond the boundary of the subject land.
- 3) Signage to be maintained in good repair, at the proponent's cost.

**Voting Requirement:** Simple Majority

CARRIED: 7/0

Cr Craig McKinley spoke for the motion.

Cr Serena Sandwell returned to the room at 6:24pm.



The preliminary assessments have been completed and it has been found that only Withers Rd, a section of Bibiking Road South between Robinson Rd and River Rd and a section of McKenzie Rd between Withers Rd and Kelly Rd pass the initial assessment.

The other roads are too narrow in sections or have gradients steeper than 5% (maximum allowed for gravel roads for RAV 5 in terms of the Main Roads Route Assessment Guidelines for restricted access vehicle routes). In order for these roads to comply, they would need to be made wider (which often entails vegetation clearing and possibly extension of existing culverts) and have the vertical alignment revised or alternatively have sections sealed to allow for steeper gradients (in terms of the Main Roads Route Assessment Guidelines for restricted access vehicle routes, sealed roads can have maximum gradients of 8% for RAV 5).

The following is a brief summary of findings:

- Bibiking Rd South, between Jam Hills Rd and McKenzie Rd.: The minimum width required for RAV 5 of a low volume rural gravel road for a speed limit of 40km/h is 5.8m. The road would need to be widened at a cost of approximately \$78,000.
- Filmer Rd: Minimum width required is 5.8m. The road needs to be widened (in one section it is only 3.1m wide) approximate cost is \$89,000. There is also a section which has a gradient of about 7.5% which would need to be sealed at a cost of \$4,500.
- Gibney Rd: This road is too narrow (one section is 3.8m wide) and would need to be widened at an approximate cost of \$123,000.
- Jamhills Road: This road is too narrow for RAV 5 and would need to be widened at an approximate cost of \$114,500. A section is also too steep over a distance of 150m and would need that section to be sealed at an additional approximate cost of \$7,000.
- McKenzie Rd, between Katanning Dumbleyung Rd and Withers Rd: There are some sections that are slightly too narrow and would need to be widened. Approximate cost is \$45,000.
- McKenzie Rd, between Kelly Rd and Bibiking Rd South: There is a long section that is slightly too narrow and would need widening. The approximate cost for this is \$130,000. A short section also is too steep and this may need to be sealed at a cost of \$2,500.

Bibiking Rd South links the existing RAV 5 roads of Robinson Rd and River Rd. Withers Rd and the section of McKenzie Rd link the existing RAV 5 roads Warren Rd and Kelly Rd.

The storm damage incurred during the February 2017 event effects the following roads:

- Jam Hills Rd; extensive damage estimated at \$41,500
- Gibney Rd; damage to table drains and culvert headwall estimated at \$29,500
- McKenzie Rd; the section between Withers Rd and Kelly Rd is sealed and there is no damage. The gravel sections either side of this sealed section have extensive damage estimated at \$120,000.
- Bibiking Rd South, between Robinson and River Rd; there is silting of table drains estimated repair cost of \$7,800 and damage to the culvert headwall. This repair work may be prioritized should Council support the incorporation of this section of road into the RAV 5 network.

For the January 2016 storm event as well as the February 2017 event, Main Roads WA on behalf of the WANDRRA fund have warned that claims which incorporate any improvement or upgrade to infrastructure will not be accepted. The infrastructure will therefore need to be

repaired to as close as possible to what it was before the storm event and the claims need to be submitted and approved before an upgrade of the infrastructure can be implemented.

**Statutory Environment:**

Local Government Act 1995  
Road Traffic Regulations 2014

**Policy Implications:**

Nil.

**Financial Implications:**

As the extent of the RAV 5 network is increased, it is likely that additional maintenance work will be required and the remaining useful life of the routes in question will reduce.

**Strategic Implications:**

The revision of the RAV 5 network will improve key community aspirational elements as listed on page 10 of the Katanning Strategic Community Plan; Transport systems – maintain freight routes and road linkage

**PROCEDURAL MOTION**

**MOVED: CR DANNY MCGRATH**

**SECONDED: CR MARTIN VAN KOLDENHOVEN**

**OC20/17 That Council suspends standing orders.**

**Voting Requirement:** Simple Majority

CARRIED: 8/0

**PROCEDURAL MOTION**

**MOVED: CR DANNY MCGRATH**

**SECONDED: CR SERENA SANDWELL**

**OC21/17 That Council resume standing orders.**

**Voting Requirement:** Simple Majority

CARRIED: 8/0

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

That Council submits the following roads for assessment by Main Roads WA for addition to the RAV 5 network:

- 1) Bibiking Rd South, from River Rd to Robinson Rd
- 2) McKenzie Rd, from Kelly Rd to Withers Rd
- 3) Withers Rd

**MOVED: CR DANNY MCGRATH****SECONDED: CR SERENA SANDWELL**

**OC22/17** That Council seeks further clarification on the budget implications of submitting the following roads for assessment by Main Roads WA for addition to the RAV 5 network:

- 1) Bibiking Rd South, from River Rd to Robinson Rd**
- 2) McKenzie Rd, from Kelly Rd to Withers Rd**
- 3) Withers Rd**

**Voting Requirement:** Simple Majority

**CARRIED: 8/0**

**Reason for Decision**

Council wished to obtain further clarification on the budget implications of adding roads to the RAV network before considering this matter further.

**10.1.3            Recycled Water Supply - Endorsement of Agreement**  
**(ATTACHMENT)**

**File Ref:**                                WS.AA.1  
**Reporting Officer:**                Uwe Striepe, Director of Engineering and Development Services  
**Date Report Prepared:**            22 March 2017

**Issue:**

To endorse the recycled water supply agreement with Water Corporation and authorise the use of the common seal of Council.

**Body/Background:**

The Shire of Katanning currently maintains a recycled water network utilising partially treated water from the Water Corporation's Katanning wastewater treatment plant to irrigate Prosser Park and sporting grounds at the Katanning Leisure Centre. This network also provides water for irrigation to Braeside Primary School and Katanning Primary School.

A recycled water supply agreement with the Water Corporation was endorsed on 27 March 2007 with a ten year term. An amendment to the agreement which was required as a result of a redesign of the recycled water network was signed on 20 August 2015.

A new agreement is now required.

**Officer's Comment:**

The new recycled water agreement supplied by Water Corporation encapsulates what was contained in the original agreement as well as the amendment signed 20 August 2015.

The only omission in the new agreement is section 11.03 (as contained in the 2007 agreement) which required the Shire to pay \$5,000 per annum, reviewed in accordance with clause 11.6. Clause 11.6 required the fee to be reviewed annually in terms of CPI.

The new agreement will generate a saving of at least \$5,000 per annum.

**Statutory Environment:**

Local Government Act 1995 – Section 9.49A Execution of documents

- (2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.
- (3) The common seal of the local government is to be affixed to a document in the presence of —
  - (a) the mayor or president; and
  - (b) the chief executive officer or a senior employee authorised by the chief executive officer,

each of whom is to sign the document to attest that the common seal was so affixed.

**Policy Implications:**

Nil.

**Financial Implications:**

There will be a saving as the Shire will no longer need to pay Water Corporation for receiving the recycled water.

**Strategic Implications:*****Shire of Katanning Strategic Plan 2013 – 2023*****Community & Culture**

- Lifestyle – improve community space

**Environment and Land Use**

- Water Management - strategize water supply

**Officer's Recommendation/Council Motion:****MOVED: CR OWEN BOXALL****SECONDED: CR CRAIG MCKINLEY****OC23/17 That Council:**

- 1) endorses the recycled water supply agreement with Water Corporation;  
and**
- 2) authorises the President and Chief Executive Officer sign the agreements  
and affix the common seal.**

**Voting Requirement: Simple Majority****CARRIED: 8/0**

**10.2 DIRECTOR OF CORPORATE SERVICES REPORTS****10.2.1 Monthly Financial Reports**  
(ATTACHMENTS)

**File Ref:** FS/0021  
**Reporting Officer:** Libby French, Manager Finance  
**Report Prepared:** 20 March 2017

**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 MARTIN VAN KOLDENHOVEN**

**SECONDED: CR CRAIG MCKINLEY**

**OC24/17 That Council adopts the Statement of Financial Activity for the month ending 28 February 2017, as presented, and notes any material variances.**

**Voting Requirement:** Simple Majority.

CARRIED: 8/0

Cr Martin Van Koldenhoven spoke for the motion.

**10.2.2      Schedule of Accounts**  
(ATTACHMENTS)

**File Ref:** FS/0021  
**Reporting Officer:** Libby French, Manager Finance  
**Report Prepared:** 20 March 2017

**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 the month of February 2017 are attached.

**Statutory Environment:**

Local Government (Financial Management) Regulations 1996.

**Policy Implications:**

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

**Financial Implications:**

Expenditure in accordance with the 2016/2017 Annual Budget.

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

Development and Leadership

- Governance

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

**MOVED: CR CRAIG MCKINLEY**

**SECONDED: CR DANNY MCGRATH**

**OC25/17      That Council endorses the Schedule of Accounts for February 2017, as presented.**

**Voting Requirement:** Simple Majority.

CARRIED: 8/0

**10.2.3        Adoption of the Shire of Katanning Annual Report 2015/16**  
**(ATTACHMENT)**

**File Ref:** AC/02/0019  
**Reporting Officer:** Libby French, Manager Finance  
**Date Report Prepared:** 22 March 2017

**Issue:**

To consider accepting the Shire of Katanning Annual Report 2015/16 and to set the date for the Annual Electors meeting.

**Body/Background:**

A Council resolution adopting the Shire of Katanning Annual Report 2015/16 and Annual Financial Report 2015/16 is required before Council can convene its Annual General Meeting of Electors.

A copy of the Draft Annual Report has been provided to Councillors. The Draft Annual Report 2015/16 is in accordance with *s5.53 of the Local Government Act 1995* and contains;

- a report from the Shire President;
- a report from the Chief Executive Officer;
- other statutory reporting requirements;
- the Annual Financial Report for the 2015/16 financial year; and
- the Auditors report for the 2015/16 financial year.

**Officer's Comment:**

The Shire of Katanning's auditor has completed the audit of the Annual Financial Report and certification of Council's 2015/16 Annual Financial Statements. Copies of the Auditor's Report and the Draft Annual Report are included with this agenda and once accepted copies of the Annual Report will be made available for public inspection.

Of particular note in the Auditor's report, there were two instances where the Shire of Katanning did not comply with the *Local Government Act 1995*:

- The accounts and financial report for the year ended 30 June 2016 were not submitted to the auditor by 30 September 2016 as required by Section 6.4(3) of the Act.
- The Annual Financial Report for the year ended 30 June 2015 was not submitted to the Department of Local Government within 30 days of the auditor's report becoming available, as required by Local Government (Financial Management) Regulation 51(2).

These were the only findings of non-compliance, as a result of delays through staff turnover and resulting inefficiencies, which may be considered to be extenuating circumstances. Staff are reviewing practices and adopting measures to ensure compliance for future years. There are statutory plans requiring review (Long Term Financial Plan, Strategic Community Plan and Asset Management Plans) and staff are currently working on timelines and budgeting for the coming year to complete these reviews.

Should the Annual Report be accepted at this meeting (28 March 2017) the first practicable date for the Annual General Meeting of Electors could be scheduled for Thursday 20 April

2017 (by local advertising in the first available issue on Thursday 6 April 2017. Any decisions made at the Annual Electors Meeting will be placed on the agenda for the May 2017 round of Council meetings.

**Statutory Obligations:**

The relevant sections of the *Local Government Act 1995* and associated regulations provide as follows:

**s6.4: 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.
- (2) The financial report is to —
  - (a) be prepared and presented in the manner and form prescribed; and
  - (b) contain the prescribed information.
- (3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —
  - (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
  - (b) the annual financial report of the local government for the preceding financial year.

**s5.54: Acceptance of annual reports**

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.

\* Absolute majority required.

- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

**s5.55: Notice of annual reports**

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

**s5.27: Electors' general meetings**

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

**s5.29: Convening electors' meetings**

- (1) The CEO is to convene an electors' meeting by giving —
  - (a) at least 14 days' local public notice; and
  - (b) each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.

**s5.33: Decisions made at electors' meetings**

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —
  - (a) at the first ordinary council meeting after that meeting; or
  - (b) at a special meeting called for that purpose, whichever happens first.
- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

*Local Government (Financial Management) Regulations 1996 - Reg 51*

**51: Annual financial report to be signed etc. by CEO and given to Department**

- (1) After the annual financial report has been audited in accordance with the Act the CEO is to sign and append to the report a declaration in the form of Form 1.
- (2) A copy of the annual financial report of a local government is to be submitted to the Departmental CEO within 30 days of the receipt by the local government's CEO of the auditor's report on that financial report.

**Policy Implications:**

Nil.

**Financial Implications:**

Nil.

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

Development and Leadership

- Governance

**Officers Recommendation/Council Motion:**

**MOVED: CR MARTIN VAN KOLDENHOVEN**

**SECONDED: CR SERENA SANDWELL**

**OC26/17**

**That Council:**

- 1) Accepts the Audit Report for the 2015/16 financial year as presented;**
- 2) Adopts the Annual Report for the year ended 30 June 2016 as presented;**  
**and**
- 3) Holds a General Meeting of Electors on Thursday 20 April 2017 commencing at 7:30pm at the Katanning Pioneer Room.**

**Voting Requirement:** Absolute Majority

**CARRIED: 8/0**

Cr Martin Van Koldenhoven spoke for the motion.

Cr Richard Kowald spoke for the motion.

**10.3 EXECUTIVE MANAGER, PROJECTS AND COMMUNITY BUILDING REPORTS**

Nil.

## 10.4 EXECUTIVE MANAGER, PROPERTY & ASSETS REPORTS

### 10.4.1 Shire of Katanning New Administration and Civic Building Design (ATTACHMENT)

**File Ref:** CP.PL.2  
**Reporting Officer:** Andrus Budrikis, Executive Manager, Property & Assets  
**Date Report Prepared:** 22 March 2017

**Issue:**

- To endorse the Project Management Plan for the new Shire of Katanning Administration and Civic Building
- To endorse the Sketch Design for the new Shire of Katanning Administration and Civic Building
- To confirm the Project Advisory Group and membership for the new Shire of Katanning Administration and Civic Building

**Body/Background:**

At the 28 June 2016 Ordinary Council meeting Council carried the motion;

OC74/16 That Council:

1. Outsources the design and construction of the Administration and Civic project rather than undertaking the project in-house; and
2. Invites public tenders for Architectural design and contract administration services for the Shire of Katanning Administration and Civic Building Project.

Council approved a project budget of \$6,998,214 in the 2016/17 Annual Budget. The funding sources are

Land and Building Reserve	\$2,398,563
Borrowings	\$3,498,214
Country Local Government Fund	\$ 601,437
Supertowns Grant Interest	<u>\$ 500,000</u>
<b>Total</b>	<b>\$6,998,214</b>

Expenditure to date (20/3/2017) is \$741,556 leaving a budget of \$6,256,658 to complete the project.

**Officer's Comment:**

A public tender was called for submissions from architects to design the new Administration and Civic Building. The successful architects, i2C, were appointed in November 2016 based on their approach to the design of the new building. The architects presented their first schematic design to a public forum on 20 December 2016 and the further developed scheme to Councillor's and senior staff on 21 February 2017.

The scheme has been revised following these presentations and includes the feedback from the public, Councillors and staff. The final Katanning Administration & Civic Building Sketch Design (Schematic Design 21/3/2017) is attached for endorsement by Council.

A project management plan has been developed by the Executive Manager Property & Assets to reflect the change of strategy endorsed by Council at 28 June 2016 Ordinary Council meeting. The Katanning Administration & Civic Building Project Management Plan is attached for endorsement by Council.

The Katanning Administration & Civic Building Project Management Plan proposes that a Project Advisory Group be formed consisting of the Shire President, members of the previous Council Working Group, and two community members. The role of the PAG will include reviewing the Design Development stage including contributing to the finishes schedule, interior design and external landscape and courtyard design.

**Statutory Environment:**

Local Government Act 1995

**Policy Implications:**

Nil.

**Financial Implications:**

The endorsement of the sketch design and project management plan has no financial implications outside the current budget.

**Strategic Implications:**

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

Facilities and Services

- Facility Development

**PROCEDURAL MOTION**

**MOVED: CR DANNY MCGRATH**

**SECONDED: CR MARTIN VAN KOLDENHOVEN**

**OC27/17 That Council suspends standing orders.**

**Voting Requirement:** Simple Majority

CARRIED: 8/0

Cr Owen Boxall left the room at 7:31pm and returned at 7:33pm.

**PROCEDURAL MOTION**

**MOVED: CR SERENA SANDWELL**

**SECONDED: CR MARTIN VAN KOLDENHOVEN**

**OC28/17 That Council resume standing orders.**

**Voting Requirement:** Simple Majority

CARRIED: 8/0

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

That Council:

- 1) Endorses the new Katanning Administration & Civic Building Sketch Design (Schematic Design 20/3/2017); and
- 2) Endorses the new Administration & Civic Building Project Management Plan Draft 20/3/2017; and
- 3) Confirms the membership of the new Administration & Civic Building Project Advisory Group.

**MOVED: CR CRAIG MCKINLEY**

**SECONDED: CR DANNY MCGRATH**

**OC29/17**      **That Council:**

- 1) **Endorses the new Katanning Administration & Civic Building Sketch Design (Schematic Design 20/3/2017); and**
- 2) **Endorses the new Administration & Civic Building Project Management Plan Draft 20/3/2017; and**
- 3) **Confirms the membership of the new Administration & Civic Building Project Advisory Group community members being Doug Cherry and Ainsley Evans.**
- 4) **Reviews the façade.**

**Voting Requirement:** Simple Majority

**CARRIED: 7/1**

Cr Craig McKinley spoke for the motion.

Cr Richard Kowald spoke against the motion.

**Reason for Decision**

Whilst adopting the proposed sketch design Council also wished to review the façade and external look of the building including the choice of materials before proceeding to design development. Council also confirmed the membership of the Advisory Group with the addition of community representative.

**10.5 DEPUTY CHIEF EXECUTIVE OFFICER**

Nil.

**10.6 CHIEF EXECUTIVE OFFICER'S REPORTS****10.6.1 Townscape Advisory Committee**

**File Ref:** GV.CM.2  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 22 March 2017

**Issue:**

To consider the appointment of members the Katanning Townscape Advisory Committee and review the committee Terms of Reference.

**Body/Background:**

At its Ordinary Meeting of 22 November 2016 Council considered the establishment of the Katanning Townscape Committee and made the following decision:

***That Council:***

- 1) establishes the Katanning Townscape Advisory Committee;***
- 2) adopts the terms of reference for the committee as amended;***
- 3) appoints Councillors McGrath and Van Koldenhoven to the committee and Councillor Goodheart as proxy; and***
- 4) seeks nominations to the committee from the community and member organisations.***

Nominations from the community and member organisations were invited with the following nominations received:

- Mrs Rosemary McFarland from the Katanning Action Network
- Mrs Barbara Groves from the Katanning Garden Club
- No nominations were received from the community

The terms of reference have been revised to reflect increased Councillor membership and adjustments to community organization membership.

The revised Terms of Reference are proposed as follows:

**Objectives of the Committee**

The Katanning Townscape Advisory Committee is to make recommendations to assist Council in its decision making regarding the development of parks, gardens, public spaces and streetscapes in Katanning.

**Role of the Committee**

The Committee will –

- provide an avenue of communication and consultation between Council and the community;
- provide assistance and advice on the development of Katanning Townscape Plans;

- monitor and review the Katanning Townscape Plans;
- provide assistance and advice on landscape plans for projects;
- provide advice on townscape development priorities; and
- provide assistance with co-ordinating community participation.

#### Membership

The committee will consist of six (6) members appointed by Council:

- Two (2) elected members of the Shire of Katanning and one (1) proxy elected member
- Two (2) community members
- Shire of Katanning Manager Operations or his/her delegate
- One (1) representative of the Katanning Action Network (KAN)
- One (1) representative of the Katanning Garden Club

The Shire of Katanning shall provide secretarial and administrative support to the committee.

#### Meetings

The committee shall meet at least quarterly.

Additional meetings shall be convened at the discretion of the presiding person.

#### Reporting

Reports and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.

#### Officer's Comment:

It is recommended that Council confirm the appointment of members the Katanning Townscape Advisory Committee and endorses the revised committee Terms of Reference.

#### Statutory Environment:

Local Government Act 1995, section 5.8. Establishment of committees

#### Policy Implications:

Nil.

#### Financial Implications:

Nil.

#### Strategic Implications:

#### *Shire of Katanning Strategic Plan 2013 – 2023*

Development and Leadership

- Governance

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

That Council:

- 1) Appoints the following members to the Katanning Townscape Advisory Committee:
  - Councillor McGrath;
  - Councillor Van Koldenhoven;

- Councillor Goodheart as Councillor proxy;
  - Mrs Rosemary McFarland from the Katanning Action Network;
  - Mrs Barbara Groves from the Katanning Garden Club;
  - Shire of Katanning Manager Operations or his delegate; and
- 2) Adopts the revised committee Terms of Reference as proposed.

**MOVED: CR SERENA SANDWELL**

**SECONDED: CR DANNY MCGRATH**

**OC30/17**

**That Council:**

- 1) **Appoints the following members to the Katanning Townscape Advisory Committee:**
- **Councillor McGrath;**
  - **Councillor Van Koldenhoven;**
  - **Councillor Goodheart as Councillor proxy;**
  - **Mrs Rosemary McFarland from the Katanning Action Network;**
  - **Mrs Barbara Groves from the Katanning Garden Club;**
  - **Fiona Taylor and Rachael Newman as community members;**
  - **Shire of Katanning Manager Operations or his delegate; and**
- 2) **Adopts the revised committee Terms of Reference as proposed.**

**Voting Requirement:** Simple Majority

CARRIED: 7/1

Cr Serena Sandwell spoke for the motion.  
Cr Richard Kowald spoke against the motion.  
Cr Danny McGrath spoke for the motion.

**Reason for Decision**

Whilst adopting the members to the Katanning Townscape Advisory Committee Council also wished to include Barbara Groves from the Katanning Garden Club and Fiona Taylor and Rachael Newman as community members.

**10.6.2**            **Compliance Audit Return 2016**  
(ATTACHMENT)

**File Ref:** CV.CM.2  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 2 May 2017

**Issue:**

To endorse the Compliance Audit Return for the Period 1 January 2016 to 31 December 2016.

**Body/Background:**

In accordance with the Local Government (Audit) Regulations 1996, Council is required to carry out a compliance audit for the period 1 January 2016 to 31 December 2016 against the requirements included in the Compliance Audit Return.

The completed Compliance Audit Return is required to be presented to the Audit and Risk Committee for consideration before being submitted to Council for adoption. Following Council's adoption of the Compliance Audit Return, it is to be submitted to the Director General of the Department of Local Government and Communities before 31 March 2016.

**Officer's Comment:**

The compliance audit has been carried out by Council Staff and one matter of non-compliance against the criteria has been identified relating to the completion of the financial audit. This matter was attended to by the Shire's Auditor and the financial audit was completed in March 2017. A copy of the Compliance Audit Return is attached.

The Compliance Audit Return for 2016 was presented to the Audit and Risk Committee for consideration at its meeting of 14 March 2017.

**Statutory Environment:**

Local Government (Audit) Regulations 1996 – Regulations 13, 14 & 15 – Compliance Audit Returns

**Policy Implications:**

Nil.

**Financial Implications:**

Nil.

**Strategic Implications:**

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

***Development and Leadership***

- *Governance*

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

**MOVED: CR MARTIN VAN KOLDENHOVEN**

**SECONDED: CR CRAIG MCKINLEY**

**OC31/17 That Council adopts the Compliance Audit Return for the period 1 January 2016 to 31 December 2016.**

**Voting Requirement:** Simple Majority

**CARRIED: 8/0**

Cr Richard Kowald declared a disclosure of proximity interest, Cr Craig McKinley and Cr Alep Mydie declared a disclosure of financial interest and left the room at 7:41pm.

Cr Serena Sandwell declared a disclosure of interest affecting impartiality.

**10.6.3            Sunday Retail Trading**  
(ATTACHMENT)

**File Ref:** GR.SR.1  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 22 March 2017

**Issue:**

To consider allowing permanent retail trading in Katanning on Sundays.

**Body/Background:**

Council has received a request from the National Retail Association (NRA) to permanently allow retail trading in the Shire of Katanning on Sundays 10.00am to 5.00pm. A copy of their request is attached.

Local government authorities outside the Perth metropolitan area can apply to the Department of Commerce (Consumer Protection) to extend the trading hours for general retail shops in their district beyond those stipulated in the Act.

The NRA proposal is to vary the retail trading hours within the Shire of Katanning local government boundaries to permanently allow for all retail between 10.00am and 5.00pm on Sundays

Consumer Protection requires a local government to consult with the community to demonstrate that there is general support for a permanent change to Sunday trading hours.

Consumer Protection will take into account the views of the Council, Local Members of Parliament (MLA & MLC), retailers, local trader organisations, tourism interests and the community generally before making a recommendation to the Minister.

A copy of the permanent variation submission guidelines provided by Consumer Protection is attached.

**Officer's Comment:**

Prior to considering the request from the National Retail Trading Association, Council may wish to consult with the community and retailers to ascertain the community's views on permanent Sunday trading in Katanning.

**Statutory Environment:**

Retail Trading Hours Act 1987

**Policy Implications:**

Nil

**Financial Implications:**

Estimated cost of advertising Sunday retail trading proposal and community consultation \$2,000.

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

Development and Leadership

- Economic Development

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

**MOVED: CR OWEN BOXALL**

**SECONDED: CR SERENA SANDWELL**

**OC32/17** That Council, prior to considering the request from the National Retail Trading Association, undertakes community consultation to ascertain views in the community on permanent Sunday trading between 10.00am and 5.00pm in the Shire of Katanning.

**Voting Requirement:** Simple Majority

CARRIED: 5/0

Cr Owen Boxall spoke for the motion.

Cr Danny McGrath spoke for the motion.

Cr Serena Sandwell spoke for the motion.

Crs Sandwell, Kowald, McKinley and Mydie returned to the room at 7:44pm.

**10.7 ADVISORY COMMITTEE MEETING**

Nil.

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

Nil.

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

Nil.

**13. CONFIDENTIAL ITEM**

Nil.

**14. CLOSURE OF MEETING**

The Presiding Member declared the meeting closed at 7:45pm.