



Shire of
Katanning
Heart of the Great Southern

‘Together, We’re Building Katanning’s Future’

**MINUTES OF THE
ORDINARY COUNCIL MEETING**

Dear Council Member

Minutes of the Ordinary Council Meeting of the Shire of Katanning held on
Tuesday 19 April 2016, 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.

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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 Danny McGrath
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
Diana Marsh, Manager of Finance
Taryn Human, PA to the CEO

Gallery: Matt Collis
Isabel Collis
Joseph Collis

Media:

Apologies: Cr John Goodheart

Leave of Absence: Cr Owen Boxall

3. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS

10.1.3	Cr Danny McGrath	Disclosure of Proximity Interest
10.1.3	Cr Danny McGrath	Disclosure of Interest Affecting Impartiality
10.1.8	Cr Martin Van Koldenhoven	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 – 22 March 2016
(SEE ATTACHED MINUTES)

MOVED: CR CRAIG MCKINLEY

SECONDED: CR DANNY MCGRATH

OC35/16 That the minutes of the Ordinary Council Meeting held on
Tuesday 22 March 2016 be confirmed as a true
record of proceedings.

Voting Requirement: Simple Majority

CARRIED: 7/0

9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Good evening everyone

Thank you to the Councillors, staff and community who attended the unveiling of the site sign for the Early Childhood Hub last Wednesday – Tuck Waldron our Local Member attended this significant milestone. The tenders for Architectural Services closed on Monday and we have significant interest for this Community Project.

Many of the attendees followed on to the All Ages Playground where we accepted the cheque for 2 million dollars from Lotteries West – 1 million for the AAPG and 1 million for Piesse Lake – we look forward to working with our community to improve both these significant public assets for the future.

The meeting we hosted on Thursday at the Rec Centre with our Regional neighbours for Tony Simpson the Minister for Local Government was successful – a great opportunity for us to liaise with our neighbours over lunch. For Councillors that weren't in attendance I think it's very important you make yourself aware of the new rules for councillors on gifts and travel.

Councillors would have seen that work has begun on the Old Mill site – a very exciting development – lots of Katanning History is coming to light through this process – I remind everyone that there will be an information night for about the Old mill Development on the evening of the 27th in the Town Hall.

Congratulations to The Katanning Rotary Club for another successful Rotary International Night. This has become a significant event on our community calendar and whilst lots of good fun is had – the event raises quite a sum of money.

A big thanks must go to all the staff that set up ran and packed away the Katanning Kolour fest – this Youth Event was held on Saturday with around 100 kids participating – a fantastic afternoon and evening. The idea came out of a Youth Committee and we hope it empowers our youth to engage in the community.

10. REPORTS OF COMMITTEES AND OFFICERS

Nil.

10.1 DIRECTOR OF ENGINEERING & DEVELOPMENT SERVICES REPORTS

10.1.1 Endorsement of the Local Emergency Management Arrangements (ATTACHMENTS)

File Ref: ES.PL.2
Reporting Officer: C Pearce, Community Emergency Services Manager
Date Report Prepared: 8 April 2016

Issue:

To endorse the Local Emergency Management Arrangements (LEMA) and the Local Recovery Arrangements for the Shires of Katanning, Woodanilling and Kent.

Body/Background:

These arrangements provide the framework and information guidelines for the Local Emergency Management Committee to refer to in their role of Preparedness, Prevention and Recovery for incidents.

Currently the arrangements are updated every 5 years, though sections within the document are updated as changes are required. The current documents are required to be endorsed by the State Emergency Management Committee at their June 2016 Meeting.

Officer's Comment:

Following consideration and endorsement of the arrangements by Council, they will be presented to the District Emergency Management Committee (DEMC) for endorsement and then to the State Emergency Management Committee (SEMC) for endorsement.

The Committee are looking at splitting the arrangements in the near future into each individual Shire to make it more manageable at a local level.

Statutory Environment:

Emergency Management Act 2005 (EM Act)

Emergency Management Regulations 2006

State Emergency Management Policy (SEMP) as developed under s17 of the EM Act (2005).
Policy 2.5. Emergency Management for Local Government.

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

LEMA are to be consistent with State emergency management policies and plans (section 41(3) of the EM Act) and shall be developed in accordance with Administrative Procedure (ADP) 5 – Emergency Management for Local Government.

Under SEMP 2.5 Local Government are required to develop participate and maintain LEMA's. Local Governments are the closest level of government to their communities and have access to specialized knowledge about the local environment and demographics.

LEMA's are to include Local recovery Plans (section 41(4) of the EM Act) and should be consistent with the National Principals for Disaster Recovery in accordance with SEMP 4.4 – Recovery Coordination.

Officer's Recommendation/Council Motion:

MOVED: CR CRAIG MCKINLEY

SECONDED: CR SERENA SANDWELL

OC36/16 That Council endorses the Local Emergency Management Arrangements for the Shires of Katanning, Woodanilling and Kent.

Voting Requirement: Simple Majority

CARRIED: 7/0

Cr Craig McKinley spoke for the motion.

10.1.2 Appointment of Fire Control Officer

File Ref: TL/98/0002
Reporting Officer: C Pearce, Community Emergency Services Manager
Date Report Prepared: 12 April 2016

Issue:

Council to endorse the appointment of 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:

It is recommended that Council appointment Stephen Conning as a Fire Control Officer.

Statutory Environment:

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).

Policy Implications:

Nil.

Financial Implications:

Nil.

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

- Community and Culture

Officer's Recommendation/Council Motion:

MOVED: CR CRAIG MCKINLEY

SECONDED: CR RICHARD KOWALD

OC37/16 That Council Appoints Stephen Conning as a Fire Control Officer in accordance with the Bush Fires Act 1954.

Voting Requirement: Simple Majority

CARRIED: 7/0

10.1.3 Development Application – 71 Dijon Street Storage Shed

File Ref: A66
Reporting Officer: D Baesjou, Consultant Planner
Date Report Prepared: 11 April 2016

Issue:

To consider a Development Application for Lot 997 (71) Dijon St, Katanning to be used for Motor Vehicle Repair – Extension (Storage Shed). The proponent is seeking a setback variation.

Body/Background:

An application was received on 29 March 2016 for a 15m x 9m shed on Lot 997 (71) Dijon St. The steel framed, metal structure is to be used for 'secure' storage of vehicles. The existing panel beating and spray painting business operation also involves the temporary, weather-proof, secure storage of some motor vehicles. The new freestanding structure is proposed to be located to the south east of the main shed and workshop. It is proposed to be 3m from the side boundary and 5m from the rear boundary (closed road - unconstructed).

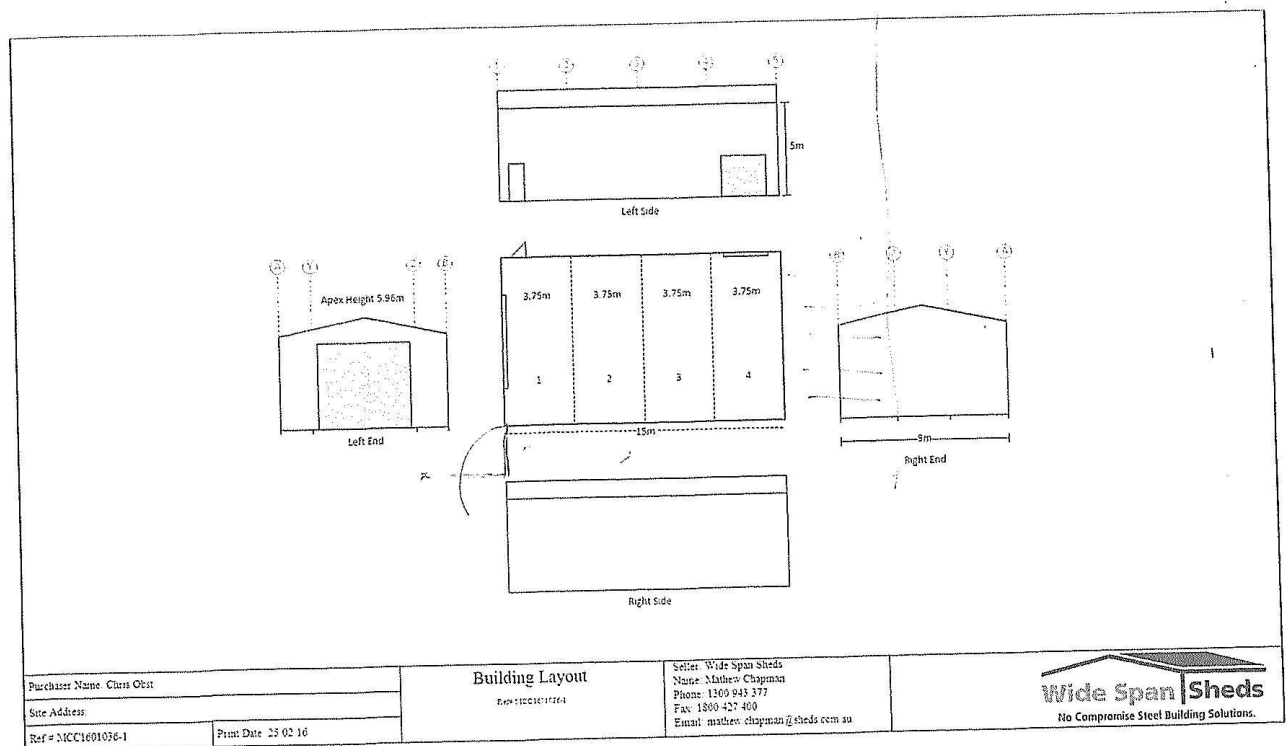
Lot 997 is 2226m² and has frontage to Dijon St along the full extent of the southern boundary.

A site visit was conducted on 6 April 2016.





Site Plan



Floor plan and elevations

The property is zoned 'General Industrial' under the current Shire of Katanning Town Planning Scheme No. 4 (TPS4).

Motor Vehicle Repair is listed in the Zoning Table as 'P' (Permitted) within this zone.

The draft Local Planning Scheme No.5 (LPS5) designates Lot 997 as 'General Industry'. The current Model Scheme definition for 'Motor Vehicle Repair' contained in the draft Scheme specifically excludes panel beating and spray painting. Such activities would come under the following more generic definition of 'Industry':

industry means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes —

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail;
- (d) the provision of amenities for employees;
- (e) incidental purposes;

In any case, 'Industry' is nominated as a 'P' use within the draft 'General Industry' zone; the proposal accords with both TPS4 and draft LPS5.

This application was assessed, based on the requirements set out in TPS4, together the matters listed in Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations) which came into effect on 19 October 2015 and introduced 'deemed provisions' that apply throughout Western Australia.

The following Table lists the various matters that Council is required to consider under the LPS Regulations, together with planning comments relevant to this application.

Matter	Relevance	Comment
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area	Yes	Use of the subject land for the purpose of Motor Vehicle Repair (workshop) is consistent with the objectives and intent of the zone and TPS4.
(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving	Yes	This proposed development and extension to the business is in accordance with the Scheme and is regarded as orderly and proper planning. Similar zoning, permissibility, land uses and development requirements are proposed under draft LPS5.
(c) any approved State planning policy	Neutral	
(d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	Yes	Subject to separate Statutes, Licences, compliance and Codes.

(e) any policy of the Commission	Neutral	
(f) any policy of the State	Neutral	
(g) any local planning policy for the Scheme area;	No	Not applicable
(h) any structure plan, activity centre plan or local development plan that relates to the development	No	Not applicable
(i) any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	No	n/a
(j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;	No	n/a
(k) the built heritage conservation of any place that is of cultural significance	No	No registered sites or places on the subject land
(l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;	No	n/a
(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development	Yes	This proposal represents an extension of the existing land use and is within a well-established industrial area. Accordingly the development is unlikely to have a significant negative impact on adjoining land.
(n) the amenity of the locality including the following: (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;	Yes	No significant change in amenity with regard to noise, odour, and lighting given the setting, function and purpose of the zone.
(o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource.	Yes	Subject to licensing and compliance with relevant statutes No significant impact anticipated.
(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved	Yes	Landscaping is depicted on the site plan in the front (south east corner) of the Lot. The Scheme requirements specify that the first five metres of the front setback shall be landscaped

		or used for parking or access.
(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk	Yes	Katanning is recognised as being at risk of townsite salinity. There is no evidence of flooding on this site; occasional, temporary inundation during storm events may occur.
(r) the suitability of the land for the development taking into account the possible risk to human health or safety;	Yes	Storage of dangerous/flammable goods has implications but is considered to be appropriately managed through relevant Legislation.
(s) the adequacy of: (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;	Yes	Existing site layout allows for access/egress, parking and manoeuvring. Access to proposed vehicle storage shed is via existing central 'driveway'.
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety	Neutral	Development of itself is unlikely to result in any change to number of vehicle movements.
(u) the availability and adequacy for the development of the following: (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with disability	Neutral	This workshop area is for staff only. The majority of customers utilise private vehicles, therefore i, and iv public transport services and access for pedestrians, cyclists and non-motorised transport has limited significance. On-site parking and manoeuvring areas are provided and sufficient for the existing land use and this extension. No additional parking is required. Utilities are operational matters for the proponent. On-site effluent management is subject to separate approval and statutes. Management of solid waste and refuse by developer, to LG specifications.
(vi) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing	No	n/a

businesses		
(w) the history of the site where the development is to be located;	Yes	Expansion of the business through development of a workshop on the site is supported.
(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;	Neutral	Development represents an intensification of an existing activity; regarded as beneficial to the local community.
(y) any submissions received on the application;	No	Permissible Use under TPS4, no formal advertising required.
(za) the comments or submissions received from any authority consulted under clause 66;	No	n/a
(zb) any other planning consideration the local government considers appropriate.	Neutral	The proposal is considered to be consistent with the Shire Katanning Strategic Plans, business Plan and SuperTown Growth and Implementation Plan.

Officer's Comment:

The land use is well established and compatible with surrounding development and land-uses. No significant detrimental impact is anticipated from the proposed 'secure' vehicle storage shed. The proposed shed site is currently used for outdoor storage of equipment and vehicles. A setback relaxation to allow development is supported.

Zone Objectives, Site and Development Requirements:

The Objectives and Requirements for the General Industry zone are set out in Part 6.6 of TPS4. Clause 6.6.1 contains the following Objectives:

- a) to make provision for industries which require larger sites, and by the nature of the industrial activity should be isolated from residential development.*
- b) to encourage manufacture using produce from the District.*
- c) to provide for employment opportunities for residents of the District.*
- d) to take advantage of the attributes of location, availability of services, and transport facilities servicing the District.*

Development Requirements set out in clause 6.6.3 include:

The first five metres of the front setback on any lot shall be landscaped to the satisfaction of the Council.

Provision shall be made to the satisfaction of the Council for the control of emissions from the site. Without limiting the generality of this clause, this shall include the control of liquid wastes, odour, dust, or smoke. The Council may seek advice from any public authority before determining an application for development on any site.

Car parking requirements are set out in Part VII and Schedule 5 of TPS4. Based on an estimated 450m² of floor area, 7 on-site bays are required. Existing on-site parking is available for more than 20 vehicles, together with loading and manoeuvring areas for oversized vehicles. No additional parking is required to be provided for this development.

Comments on these matters are included in the above table. Generally the Development Requirements are adequately addressed, other than setbacks

The following minimum building setbacks apply within this zone:

Front : 20m

Rear : 20m

Side : 15m (on one side)

The proposed shed is in excess of 40m from the front boundary, but only 5m from the rear and 3m from the eastern side boundary. A setback relaxation is sought.

The existing building is estimated to be 9m from the front boundary (non-compliant), 5m from the western side boundary and 10m from the rear boundary. The sheds on the adjoining lots are setback from Dijon St 5m and 20m respectively. Development has occurred over time, and under differing building and fire setbacks. The current Building Code allows for a nil setback, subject to appropriate fire rating.

Clause 7.2 of TPS4 provides Council with discretion to modify development standards, including setbacks, if it is satisfied the development is orderly and proper, and will not have adverse effects.

More Particularly:

if a development the subject of an application for planning approval does not comply with a standard prescribed by the Scheme with respect to minimum lot sizes, building height, setbacks, site coverage, car parking, landscaping and related matters, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this clause may only be exercised if the Council is satisfied that:

- a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;*
- b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

The proposed shed is unlikely to adversely affect the amenity of the area and should be approved subject to conditions. Given the lot size, adjacent closed road, prevailing land use and the nature of this development in relation to the surrounding development it is considered appropriate to allow a reduced boundary setback and to vary the rear and side setback requirement in this case.

The proposal is considered to meet the Scheme Objectives for the General Industry zone set out in TPS4 and the intent of the Katanning Local Planning Strategy.

Statutory Environment:

Shire of Katanning Town Planning Scheme No. 4

The Planning and Development (Local Planning Schemes) Regulations 2015

Policy Implications:

Nil.

Financial Implications:

An Application Fee of \$147 applies, based on the stated value of development @ \$26,000, in accordance with the published schedule of Fees and Charges. The Fee was paid on 29 March 2016.

Strategic Implications:***Shire of Katanning Community Strategic Plan 2013 – 2023 and Corporate Business Plan 2013-2018 and Planning Strategy******Environment & Land Use – Land Use Development:***

- Flexible Land Use Planning – Facilitate Development and Encourage progressive consolidation and Redevelopment [CBP Ref. P8.5.2 and O8.5.1]

Development & Leadership - Governance:

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

Economy Objectives

- *To assist business to create and maintain sustainable employment opportunities for residents.*

Community Objectives:

- To actively promote Katanning as a regional centre.

Leadership and Development:

- Strengthening our economy through the continued support of existing businesses and by exploring opportunities to expand our business base.

Cr Danny McGrath declared a disclosure of proximity interest as he has the same business type and left the room at 6:05pm.

Officer's Recommendation/Council Motion:**MOVED: CR RICHARD KOWALD****SECONDED: CR CRAIG MCKINLEY**

OC38/16 **That Council in respect to the Development Application for Lot 997 (71) Dijon St, Katanning for the purpose of Motor Vehicle Repair – Extension (Storage Shed):**

- 1** **In accordance with Clause 7.2.2 of town Planning Scheme No. 4 approves the development with reduced boundary setbacks of 3m and 5m; and**
- 2** **Development is Approval is subject to the following conditions:**
 - I. Development is to be generally in accordance with approved plans.**
 - II. Maintenance of parking, manoeuvring and accessways is the responsibility of the developer.**
 - III. Provision and maintenance of landscaping within the first five**

metres of the setback area, excluding the accessway.

- IV. 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. All stormwater runoff from the new structure to be adequately detained and controlled on-site. Any connection to the district drainage system to the satisfaction of the Director of Engineering Services.
- II. Any alterations or upgrading of the crossover to be in accordance with Shire of Katanning specifications and requirements.
- III. This Development Approval does not constitute a Building Permit.
- IV. Future use and development is to comply with the Building Code of Australia and the requirements of relevant Health and Environmental statutes.

Voting Requirement: Simple Majority

CARRIED: 6/0

Cr Danny McGrath returned to the room at 6:06pm.

10.1.4 Delegation to CEO – Approval of evaluation report for tender nos. 01/2016 and 02/2016, Storm Damage Restoration

File Ref: GV.AT.1
Reporting Officer: U Striepe, Director of Engineering and Development Services
Date Report Prepared: 13 April 2016

Issue:

To consider making a specific delegation to the Chief Executive Officer of the authority to approve the evaluation report for tender nos. 01/2016 Storm Damage Restoration-Roadworks and 02/2016 Storm Damage Restoration-Drainage and endorse the recommended tenderers.

Body/Background:

On 18 – 21 January 2016, heavy rainfall and associated flooding occurred at several locations on the Shire's road network, inflicting considerable damage to the Shire's road and drainage network. Some of the Shire's neighbours also experienced considerable damage to their road and drainage infrastructure. This event activated the Western Australia Natural Disaster and Recovery Arrangements (WANDRRA). The Shire has applied for assistance through WANDRRA and the administrators (Department of the Premier and Cabinet) have responded confirming that a claim will be considered.

In terms of the WANDRRA arrangements, the Shire is permitted to do 'opening up works' such as road grading. Storm damage restoration however is required to be done by a Contractor and appointment is to be done using the purchasing policy. The Shire advertised tenders nos. 01/2016 and 02/2016 for Storm Damage Restoration which closed at 2:00PM Wednesday 6

April 2016. As for neighbouring Shire`s, a Consultant was appointed to assist with assessing the flood damage as well as preparation of the damage report for consideration by WANDRRA administrators.

It is now required to prepare an evaluation report of the tenders received and make a recommendation as to the award of the tender. The report will not be available for consideration by Council at its ordinary meeting on 19 April 2016. If the report is to be considered for the Council Meeting on 24 May 2016, commencement of flood damage repair will be delayed. A number of complaints from residents have already been received with regard to the flood damage.

Officer`s Comment:

The Consultant assisting the Shire with regard to the WANDRRA claim is ensuring that the process follow the Shire`s purchasing policy and also Main Roads Western Australia (MRWA) and the Department of Premier and Cabinet (DPC) requirements.

Eleven tender documents were received for tender no. 01/2016 (one incomplete) and ten documents for tender no. 02/2016. The panel evaluating the tenders will consist of the Shire`s Consultant (Les Hewer), the Director Engineering and Development Services (Uwe Striepe), Manager Operations (Stephen Thomson) and Councillors Martin Van Koldenhoven and Danny McGrath. The tenders will be evaluated and scored in terms of price (60%), Technical/Physical Capacity (30%) and Previous Experience/Past Performance (10%). Based on the scores attained by tenderers in these categories, a recommendation will be made with regard to the preferred contractor for tenders 01/2016 and 02/2016.

It is proposed that Council delegates to the Chief Executive Officer the authority to approve the evaluation report and endorse the recommended tenderers.

Statutory Environment:

Local Government Act 1995 Sect 5.42 - Delegation of some powers and duties to CEO
Local Government (Functions & General) Regulations 1996 Reg 18 - Rejecting and accepting tenders

Policy Implications:

In line with Council`s Purchasing Policy 3.17

Financial Implications:.

Nil.

Strategic Implications:

In terms of the WANDRRA conditions, the first \$155,000 with regard to opening up and storm damage repair cost is for the Shire`s account. The most recent cost estimate for storm damage restoration in Katanning is \$853,000.

Officer's Recommendation/Council Motion:**MOVED: CR MARTIN VAN KOLDENHOVEN****SECONDED: CR DANNY MCGRATH**

OC39/16 That Council delegates its authority and power to the Chief Executive Officer to approve the evaluation report and accept or reject the recommended tenderers for tender 01/2016 Storm Damage Restoration-Roadworks and 02/2016 Storm Damage-Drainage.

Voting Requirement: Absolute Majority.

CARRIED: 7/0

Cr Martin Van Koldenhoven spoke for the motion.

Cr Danny McGrath spoke for the motion.

10.1.5 **Proposed Outbuilding Lot 21 (2A) Oxley Road, Katanning**

File Ref: A2399

Reporting Officer: D Baesjou, Consultant Planner

Date Report Prepared: 31 March 2016

Issue:

To consider an application for the development approval for a 160m² Outbuilding at Lot 21(2A) Oxley Road, Katanning.

The recommendation is that the application be approved subject to conditions.

Body/Background:

A development application has been received for an oversize outbuilding.

The subject land is zoned Residential, with an R5 density Coding under Town Planning Scheme No. 4 (TPS4).

Lot 21 is 1.0143ha.

Records show the land owners to C & T Edwards.

The site contains a centrally located single storey Dwelling House and detached Garage. The existing Garage is 6m from the Dwelling and approximately 92m² in area. The site a battle-axe lot with frontage to Oxley Rd. It is serviced by an existing crossover and driveway.

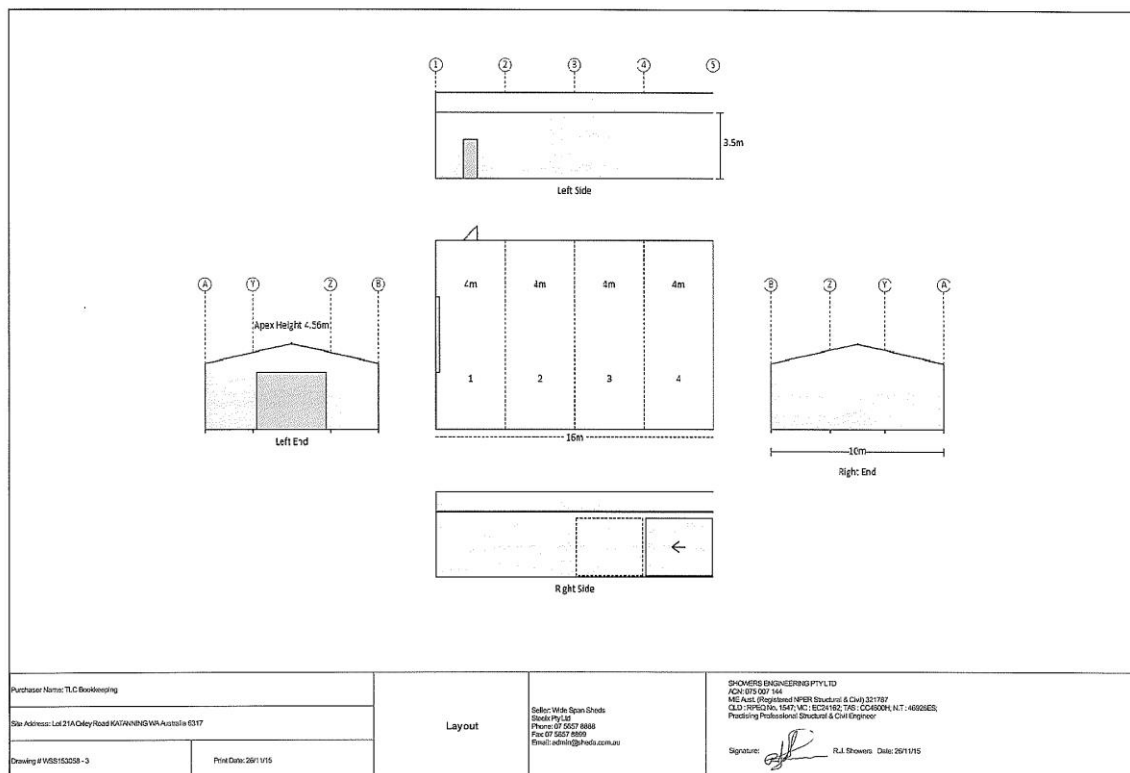
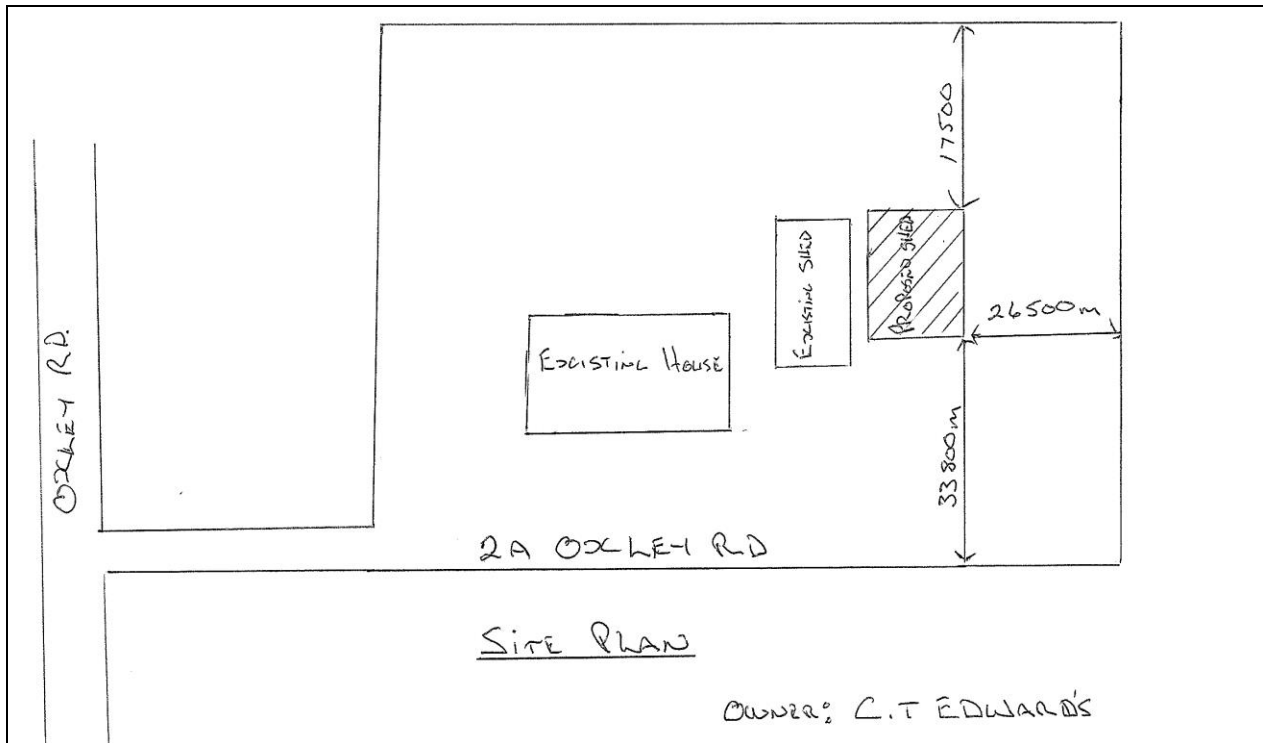
The proposed Outbuilding (domestic shed) is 10m x 16m, has a floor area of 160m². The wall height is 3.5m, with an apex height of 4.56m (effective design height 4.03m). The gable roof has a 12° pitch. The four bay steel-framed shed is to be metal clad using "Gulley" 'Zincalume Trimclad' ® sheeting.

It is intended to locate the outbuilding behind (east) of the existing dwelling, 3.7m from the garage. The new shed is 17.5m from the northern boundary, 26.5m from the eastern (rear) boundary and 33.8m from the southern boundary.

The applicant has advised the outbuilding will be used for a caravan, boat, camper trailer and for storage.



Aerial Image of Lot 21 (2A) Oxley Road and surrounds



Floor Plan and elevations

Officer's Comment:

The subject land is considered to be of sufficient size to accommodate the proposed development [oversize Outbuilding] without adversely impacting on the amenity of the area.

The proposal is considered to be consistent with other development and compatible with land uses in this area.

Given the lot size and surrounding development it is considered appropriate to vary the 100m² floor area Policy requirement in this case.

The proposal is considered to meet the Scheme Objectives and development standards for the Residential zone set out in TPS4 and the draft Local Planning Scheme 5. Planning Approval is recommended, subject to conditions.

Statutory Environment:

Town Planning Scheme No. 4 (TPS4) is an operative local planning scheme under the *Planning and Development Act 2005* and associated Regulations. Clauses 6.1.1 and 6.1.2 of TPS4 set out the following Objectives and Requirements for the Residential Zone:

Objectives

- (a) *to retain the single house as the predominant form of residential development in the town.*
- (b) *to provide for lifestyle choice in and around the town with a range of residential densities.*
- (c) *to allow for the establishment of non-residential uses subject to local amenities not being adversely affected.*
- (d) *to achieve a high standard of residential development.*

Site and Development Requirements

As outlined in the Residential Design Codes (R Codes), based on the dimensions of the proposed Outbuilding, the following minimum building setbacks apply:

Front/Primary street:	12m
Side/other (10m length, 4.03m height):	1.5m
Rear:	6m

Policy Implications:

The Shire of Katanning Town Planning Scheme Policy No. 1 Outbuildings (SoK Policy 1) provides for Outbuildings in the Residential zone up to 3.6m in wall height and a maximum cumulative total floor area of 100m². Criteria 11 gives latitude to approve proposals where they exceed the above standards by up to 20% on the basis of adjoining landowners support and no adverse visual impact on the amenity of the locality. Applications that do not meet the policy criteria shall be referred to the Council for its determination. The cumulative area of the existing and proposed outbuildings is estimated to be 292m². As this is well in excess of the criteria set out in the Shire's Policy, determination by the Council is required.

The subject land is over 1ha and is more akin to Special Rural than Residential. Given the Lot size and prevailing land use the proposal for this oversize Outbuilding is considered acceptable when assessed against TPS4, the R Codes and SoK Policy 1. The height of the end walls is 4.03m and the long (16m) walls are 3.5m high. The side and rear setbacks satisfy the minimum requirements of the R Codes.

Financial Implications:

The applicants have paid \$147 Planning Application Fee, as set out in Council's Schedule of Fees and Charges.

Strategic Implications:

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

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

The proposal is also considered to be consistent with the Katanning Super Town Growth and Implementation Plan.

Officer's Recommendation/Council Motion:

MOVED: CR CRAIG MCKINLEY

SECONDED: CR DANNY MCGRATH

OC40/16 That Council grants the Development Approval for Lot 21 (2A) Oxley Road, Katanning to be used for the purpose of oversize Outbuilding (16m x 10m), subject to the following conditions:

- 1) Development to be generally in accordance with the approved plans.**
- 2) The outbuilding is not to be used as a habitable room.**

Advice Notes

- I. All stormwater runoff from the new structure and associated hardstand to be adequately detained and controlled on-site. Any connection to the district drainage system to the satisfaction of the Director of Engineering Services**
- II. This Development Approval does not constitute a Building Permit.**
- III. Future development/works to comply with the Building Code of Australia and relevant statutes**

Voting Requirement: Simple Majority

CARRIED: 7/0

Cr Craig McKinley spoke for the motion.

Cr Danny McGrath spoke for the motion.

10.1.6 Austral Terrace – Declaration of a time limit parking zone and creation of a No Parking Authorised vehicles Only zone

File Ref: TM.MO.1
Reporting Officer: E Polis, Ranger
Date Report Prepared: 13 April 2016

Issue:

To consider the declaration of a one hour time limit parking zone along the South side of Austral Terrace from Clive Street to the North side of the Unit Hotel.
Also to consider the declaration of a No Parking Authorized Vehicles Only zone on the South side of Austral Terrace utilizing the first three bays from Clive Street eastwards.

Body/Background:

Complaints from business proprietors that some road users choose to park outside business premises for extended periods of time. This then limits parking available for people wishing to park in Austral Terrace for the purpose of visiting the shops. There is also the need to provide dedicated parking to tradesman vehicles that will be involved in the construction of the new Dome Café and hotel.

Officer's Comment:

Declaring a one hour parking limit along Austral Terrace, from Clive Street to the North side of the Unit Hotel site, would provide more available parking for shoppers. It is intended for the time limit to be effective daily from 8am to 6pm, except on Sundays and Public Holidays.

There would be little inconvenience as road users would be able to park for longer periods in parking bays provided in Carew Street, Daping Street, Richardson Street and Taylor Street. Declaring a No Parking, Authorised Vehicles Only zone in the first three bays East from Clive Street would dedicate those bays to tradesman vehicles involved in the construction of the Dome Café and hotel

A local law which will enable Council to declare a one hour parking limitation already exists (section 6.3 (b) and Section 6.4 (a)). It is therefore not required to post in the Government Gazette or advertise in newspapers. The one hour parking limitation will be placed in Shire matters if Council approves the declaration. In addition the council may declare a No Parking Authorised Vehicles Only zone by the provisions of Section 6.3(b) and Section 6.4(c)

Statutory Environment:

This decision is in terms of local laws Division 2 – Standing and Parking of vehicles:

Section 6.3(b) Erection of Signs to Regulate Parking

A discretionary authority is conferred on the Council by resolution to constitute, determine and vary, and also indicate by signs, from time to time regulations and restrictions of parking and standing of vehicles of a specified class or of specified classes in all thoroughfares or specified thoroughfares or in parts of thoroughfares or reserves at all times or specified times, but that discretionary authority shall not be exercised in a manner inconsistent with the provision of these local laws.

Section 6.4(a) Parking Conduct

A person shall not stand or park a vehicle in a thoroughfare or part of a thoroughfare if by such a sign the standing of vehicles is permitted for a specified time, for longer than that time.

Policy Implications:

Nil.

Financial Implications:

Signage would need to be erected and road surface line marked. This would cost approximately \$3,500. The Ranger would need to monitor parking duration and No Parking zone in Austral Terrace to ensure compliance.

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

Facilities & Service

- Transport Systems

Officer's Recommendation/Council Motion:

MOVED: CR MARTIN VAN KOLDENHOVEN

SECONDED: CR RICHARD KOWALD

OC41/16 That Council:

- 1) Declares a one hour parking limitation along the South side of Austral Terrace, Katanning between Clive Street and the North side of the Unit Hotel, effective daily between the hours of 8am to 6pm, except Sundays and Public Holidays; and**
- 2) Declares a No Parking, Authorised Vehicles Only zone on Austral Terrace, Katanning in the first three bays East of Clive Street.**

Voting Requirement: Absolute Majority

CARRIED: 7/0

Cr Martin Van Koldenhoven spoke for the motion.

Cr Richard Kowald spoke for the motion.

10.1.7 Development Application – Veterinary Centre, 108 McLeod St

File Ref: A466

Reporting Officer: D Baesjou, Consultant Planner

Date Report Prepared: 13 April 2016

Issue:

To consider a Development Application for Lot 1 (108) McLeod Street, Katanning to be used for Veterinary Centre.

Body/Background:

An application was received on 1 April 2016 to re-establish a veterinary practice at the McLeod St premises. Floor Plans were received on 4 April and a site Plan was submitted on 5 April. It is proposed to use the existing 10 x 22m (220m²) shed, outbuilding at the rear of the

property for the clinic and various paddocks as holding yards and for lameness assessment. The landowner advises the subject land was previously used for the purpose of veterinary clinic.

The Planning Fee was received on 13 April 2016.

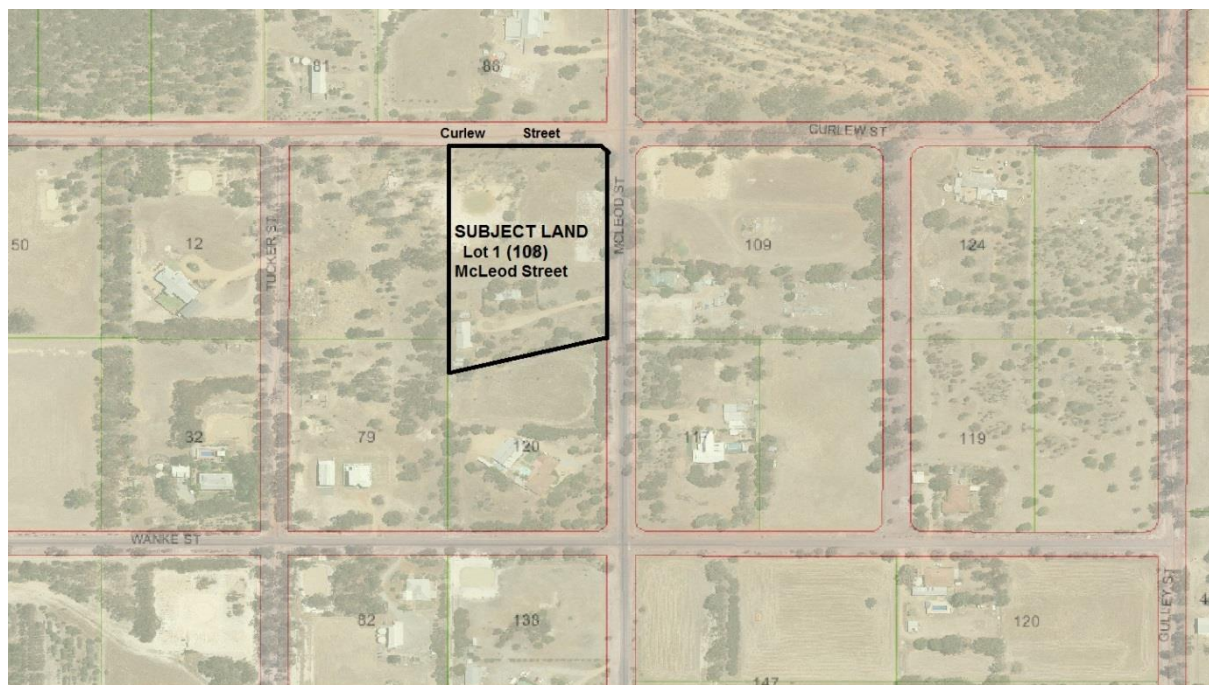
Lot 1 is 3361m² and has frontage to McLeod St along the full extent of the eastern boundary. It has secondary frontage to Curlew St along the northern boundary.

The property is zoned 'Special Rural' under the Shire of Katanning Town Planning Scheme No. 4 (TPS4).

Veterinary Centre is listed in the Zoning Table as 'AA' (Discretionary) within this zone.

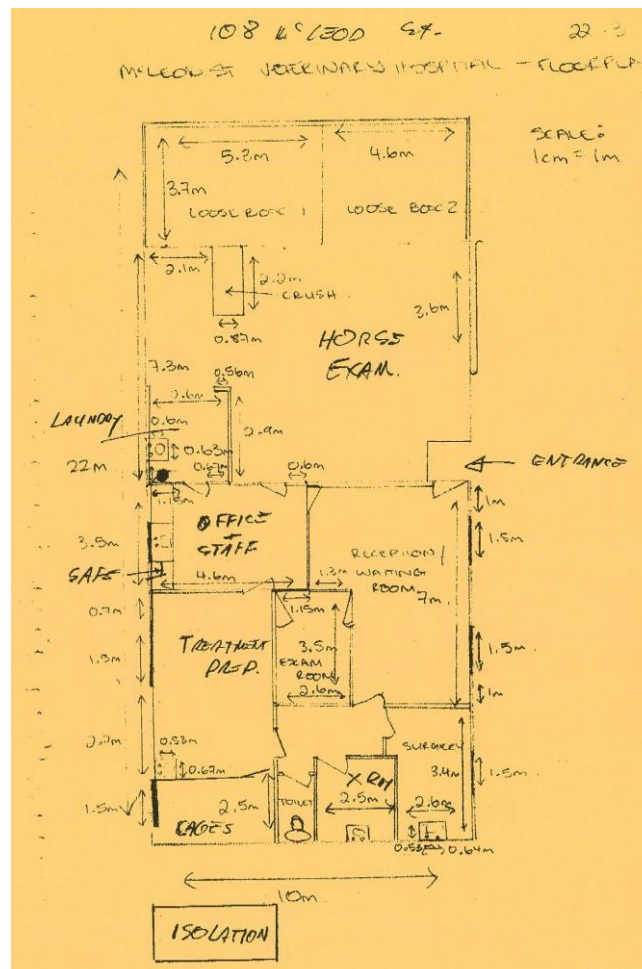
The draft Local Planning Scheme No.5 (LPS5) designates both Lots as 'Rural Residential 2'. Veterinary Centre is nominated as a 'D' (Discretionary) uses in the draft LPS5. The land use definition contained in TPS4 is the same as the following term set out in the draft LPS5:

veterinary centre means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders.





Site Plan



Floor Plan

This application was assessed, based on the requirements set out in TPS4, along with the matters listed in Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations) which came into effect on 19 October 2015 and introduced 'deemed provisions' that apply throughout Western Australia.

The following Table lists the various matters that Council is required to consider under the LPS Regulations, together with planning comments relevant to this application.

Matter	Relevance	Comment
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area	Yes	<i>Use of the subject land for the purpose of Veterinary Centre is not in consistent with the objectives and intent of the zone and TPS4.</i>
(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving	Yes	<i>This proposed land use accords with the Scheme is regarded as orderly and proper planning. Similar zoning, permissibility, land use definitions and requirements are proposed under draft LPS5.</i>
(c) any approved State planning policy	Neutral	
(d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	Yes	<i>Subject to separate Statutes, Licences, compliance and Codes.</i>
(e) any policy of the Commission	Neutral	
(f) any policy of the State	Neutral	
(g) any local planning policy for the Scheme area;	No	<i>Not applicable</i>
(h) any structure plan, activity centre plan or local development plan that relates to the development	Neutral	<i>Not applicable</i>
(i) any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	No	<i>n/a</i>
(j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;	No	<i>n/a</i>
(k) the built heritage conservation of any place that is of cultural significance	No	<i>No registered sites or places on the subject land.</i>

(l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;	No	<i>n/a</i>
(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development	Yes	<i>This proposed Veterinary Clinic will utilise existing buildings and paddocks. Keeping of horses is compatible with the Special Rural setting. The development is unlikely to have a significant negative impact on adjoining land. Clause 6.7.4.1 (e) applies.</i>
(n) the amenity of the locality including the following: (iv) environmental impacts of the development; (v) the character of the locality; (vi) social impacts of the development.	Yes	<i>Issues to be considered include nuisance, dust, traffic generation, vehicle type, frequency and time of movements (After hours, emergency customers and call outs) As a small scale enterprise no significant impact on amenity given the setting, function and purpose of the zone.</i>
(o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	Yes	<i>Subject to compliance with relevant statutes and Clause 6.7.4.1</i>
(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;;	Yes	<i>Remnant vegetation can be identified on the site plan Clauses 6.7.4.1 (c) and (d) apply with regard to tree retention and planting.</i>
(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk	Yes	<i>Katanning is recognised as being at risk of townsite salinity, however there is no evidence of flooding on this site. The subject land is within the designated Bush Fire Prone area.</i>
(r) the suitability of the land for the development taking into account the possible risk to human health or safety;	Yes	<i>Storage of dangerous/flammable goods has implications for human health and safety; considered to be appropriately managed through relevant Legislation and Scheme Provisions.</i>
(s) the adequacy of: (iii) the proposed means of access to and egress from the site; and	Yes	<i>Existing site allows for access/egress, parking and manoeuvring.</i>

(iv) arrangements for the loading, unloading, manoeuvring and parking of vehicles;		<i>A Parking layout plan is required, identification of bays and signage/traffic direction is necessary.</i>
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.	Neutral	<i>Development may result in an increase in vehicle movements. Maintenance of the internal accessway and parking area is the developer's responsibility. Appropriate signage to designate loading areas and customer parking should be provided.</i>
(u) the availability and adequacy for the development of the following: (vii) public transport services; (viii) public utility services; (ix) storage, management and collection of waste; (x) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (xi) access by older people and people with disability.	Neutral	<i>The majority of customers utilise private vehicles, therefore i, and iv public transport services and access for pedestrians, cyclists and non-motorised transport has limited significance. On-site parking and manoeuvring areas are available. A detailed plan and appropriate signage should be provided. Utilities are operational matters for the proponent. On-site effluent management is subject to separate approval and statutes. Management of solid waste and refuse by developer, to LG specifications.</i>
(v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses	No	n/a
(w) the history of the site where the development is to be located;	Yes	It is acknowledged that this property was previously used for a similar purpose.
(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;	Neutral	The proposed land use has potential to service/benefit the rural community.
(y) any submissions received on the application;	No	Permissible Uses under TPS4, no formal advertising required.
(za) the comments or submissions received from any authority consulted under clause 66;	No	n/a
(zb) any other planning consideration the local government considers appropriate.	Neutral	The proposal is considered to be consistent with the Shire Katanning Strategic Plans, Business Plan and

		SuperTown Growth and Implementation Plan.
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Officer's Comment

The property is considered to be of sufficient size to accommodate the proposal. The Special Rural zone is used for the keeping of horses and other animals, and for a variety of Rural Home Businesses Subject to responsible management, and adherence to Scheme Provisions, the land use can be compatible with surrounding development, without significant detrimental impact.

Site and Development Requirements:

Site Requirements for the 'Special Rural' zone are set out in Clause 6.7 of TPS4.

The following minimum building setbacks apply:

Front : 15m
Rear : 10m
Side : 10m

The existing building is setback more than 80m from both the front boundary and the secondary street. It is approximately 3m from the western and in excess of 10m from the southern boundary.

Development Requirements set out in clause 6.7.4.1 include:

- c) *in order to conserve the rural environment or features of natural beauty all trees shall be retained unless their removal is authorized by the Council.*
- d) *in order to enhance the rural amenity of the land in areas the Council considers deficient in tree cover it may require as a condition of any planning approval the planting of such trees and/or groups of trees and species as specified by the Council.*
- e) *any person who keeps an animal or animals or who uses any land for the exercise or training of an animal or animals shall be responsible for appropriate measures to prevent noise, odour, or dust pollution or soil erosion to the satisfaction of the Council. With the intention of preventing overstocking, erosion and any other practice detrimental to the amenity of a special rural zone, the Council may take any action which in the opinion of the Council is necessary to reduce or eliminate adverse effects on the environment caused wholly or partly by the stocking of animals and any costs incurred by the Council in taking such action shall be recoverable by the Council from the landowner.*

As set out in Clause 6.7.4.2, in considering an application for planning approval within the Special Rural zone, Council shall have regard to the following:

- a) *the colour and texture of external building materials;*
- b) *building size, height, bulk, roof pitch;*
- c) *setback and location of the building on its lot;*
- d) *architectural style and design details of the building;*
- e) *relationship to surrounding development;*
- f) *provision to be made for bush fire control; and*
- g) *other characteristics considered by the Council to be relevant*

Criteria c), e), f) and g) are relevant and applicable to this proposal.

Car parking requirements are set out in Part VII and Schedule 5 of TPS4. Four (4) spaces are required for every 100 square metres of NLA. Based on 220m² of floor area, 9 on-site bays are required. Sufficient area is available for on-site parking and manoeuvring, including trailers and horse floats, and for loading/unloading. A parking layout plan is required to be submitted. Signage and/or identification of bays and traffic direction is needed.

Comments on these matters are included in the above table. Generally the Development Requirements are adequately addressed.

Statutory Environment:

Shire of Katanning Town Planning Scheme No. 4

Planning and Development (Local Planning Schemes) Regulations 2015

Delegation:

In accordance with the procedure outlined in Clause 9.7 of TPS4 and Clause 82, Division 2 of Schedule 2 of the Planning and Development Regulations 2015, the Chief Executive Officer has been delegated the authority to approve 'AA' development applications that meet that meet the requirements of the Town Planning Scheme, subject to relevant conditions, if necessary providing they are not contentious.

Policy Implications:

Transport and Engineering - 8.3 Footpath/Vehicle Crossover

Financial Implications:

An Application Fee of \$147 applies, based on the stated value of development @ \$5,000, in accordance with the published schedule of Fees and Charges. *The Fee has been paid.*

Strategic Implications:***Shire of Katanning Community Strategic Plan 2013 – 2023 and Corporate Business Plan 2013-2018 and Planning Strategy******Environment & Land Use – Land Use Development:***

- Flexible Land Use Planning – Facilitate Development and Encourage progressive consolidation and Redevelopment [CBP Ref. P8.5.2 and O8.5.1]

Development & Leadership - Governance:

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

Economy Objectives

- *To assist business to create and maintain sustainable employment opportunities for residents.*

Community Objectives:

- To actively promote Katanning as a regional centre.

Officer's Recommendation/Council Motion:**MOVED: CR RICHARD KOWALD****SECONDED: CR CRAIG MCKINLEY**

OC42/16 That Council approves the Development Application for Lot 1 (108) McLeod St, Katanning for the purpose of Veterinary Centre/ Service subject to the following conditions:

1. Development is to be generally in accordance with approved plans.
2. Provision of nine (9) on-site parking spaces for staff and customers.
3. Submission of a detailed parking plan for approval by the Director of Engineering Services.
4. Maintenance of parking, manoeuvring and accessways is the responsibility of the developer.
5. Retention of existing trees in accordance with Clause 6.7.4.1 of the Scheme and replanting if required.
6. All solid waste is to be disposed of to the satisfaction of the Shire's Environmental Health Officer.
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.
8. Compliance with Clause 6.7.4.1 (e) of the Scheme in regard to the noise, odour, or dust pollution or soil erosion, with the intention of preventing overstocking, erosion and any other practice detrimental to the amenity of a special rural zone

Advice Notes

- I. All stormwater runoff to be adequately detained and controlled on-site. Any connection to the district drainage system to the satisfaction of the Director of Engineering Services.
- II. Any alterations or upgrading of the crossover to be in accordance with Shire of Katanning specifications and requirements.
- III. Waste water is to be disposed of in accordance with the requirements of Health Act. An application for on-site effluent disposal to be submitted to the Shire for approval.
- IV. Future use and development is to comply with the requirements of relevant Health and Environmental statutes, the Dangerous Goods Safety Act 2004 and the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007 (the Storage and Handling Regulations).
- V. The development will need to comply with the Environmental Protection Act including the Environmental Protection Noise Regulations.

Voting Requirement: Simple Majority**CARRIED: 7/0**

Cr Richard Kowald spoke for the motion.

10.1.8 Subdivision Referral – Lots 3 and 4 (32) Beach Street, Katanning (ATTACHMENT)

File Ref: A2861
Reporting Officer: D Baesjou, Consultant Planner
Date Report Prepared: 12 April 2015

Issue:

To consider an application for Amalgamation of Lots 3 and 4 (32) Beach Street, Katanning.

Body/Background:

An application for Subdivision/Amalgamation was referred to the Shire by the Western Australian Planning Commission on 6 April 2016.

Proposed Lot A is 4250m² and comprises the entirety of Lots 3 and 4.

Both existing Lots are 2125m² in area and front Beach Street. There is an unmade laneway (right of Way) to the rear.

Records show the registered proprietor as Southern Aboriginal Corporation (SAC).

Lot 3 contains a Shed and car parking.

A Deed of Agreement between the Shire and SAC was entered into in October 2001 and a Caveat was subsequently registered on the Titles. This was to allow the issuing of a Building Licence, prior to the Amalgamation of the Lots. Amalgamation enabled the development on Lot 3 to be connected to the Water Corporation services on Lot 4.



Lots 3 & 4 Beach Street and surrounds

JOHN KINNEAR AND ASSOCIATES

Consulting Surveyors

JKA REF. E106

45 COLLIE STREET
P.O. BOX 298, ALBANY, WA, 6330.
TELEPHONE (08) 9842 1353. FACSIMILE (08) 9842 1570.

DEPARTMENT OF PLANNING

DATE

FILE

05/04/2016

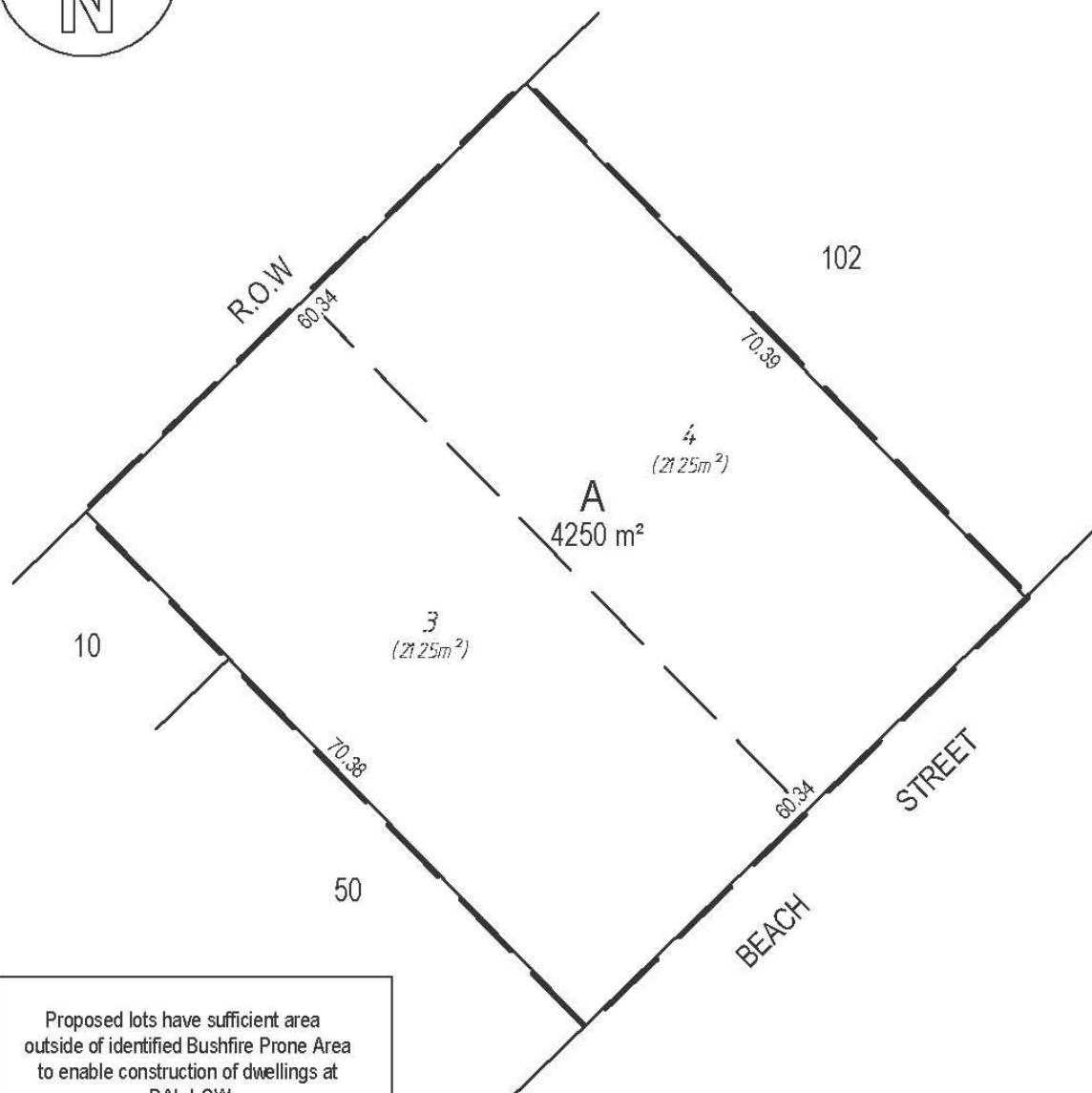
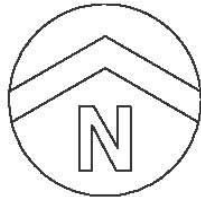
153469

PROPOSED AMALGAMATION

LOTS 3 & 4	DIA 23546	MAP SEE SMARTPLAN
C/T Volume 1335	Folio 301,302	LOCAL AUTHORITY SHIRE OF KATANNING
LOCALITY KATANNING	ZONING LI	OWNER SOUTHERN ABORIGINAL CORPORATION
Total Area 4250m ²	Scale 1:600	
No. of Exist Lots 2	Date Mar'16	
No. of Prop Lots 1	Job No. E106	

NOTE: DISTANCES AND AREAS
SUBJECT TO SURVEY.

● PROPOSAL TO AMALGAMATE LOTS 3 & 4 INTO ONE LOT



Proposed lots have sufficient area
outside of identified Bushfire Prone Area
to enable construction of dwellings at
BAL-LOW

Licensed Land, Mining and Engineering Surveyors

Officers Comment:

The proposed Amalgamation satisfies the 2001 obligation.

Preliminary discussions between representatives from the Shire and Great Southern Aboriginal Corporation (GSAC) occurred in February and March 2016 in regard to completing the Amalgamation and withdrawal of the Caveat. Notwithstanding the Default clauses within the Deed that authorise the Shire to undertake the Amalgamation and recover all associated costs, it was considered prudent for GSAC to directly engage a Consulting Surveyor to apply to WAPC and prepare the Deposited Plan.

Statutory Environment:

The subject land is zoned Light Industry under the Shire of Katanning Town Planning Scheme No. 4.

Policy Implications:

Nil.

Financial Implications:

There are no Local Government Fees for this referral stage of the Subdivision/Amalgamation process.

If applicable, the Shire's Clearance Fee is \$75, plus \$35 per lot.

Clauses 2.2 and 6 of the Deed of Agreement set out that all costs associated with the preparation and withdrawal of Deed are to be borne by the "Applicant" and that any costs incurred by the Shire may be recovered.

Strategic Implications:***Shire of Katanning Community Strategic Plan 2013 – 2023 and Corporate Business Plan 2013-2018 and Planning Strategy******Environment & Land Use – Land Use Development:***

- Flexible Land Use Planning – Facilitate Development and Encourage progressive consolidation and Redevelopment [CBP Ref. P8.5.2 and O8.5.1]

Development & Leadership - Governance:

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

Cr Martin Van Koldenhoven declared a disclosure of proximity interest as he is the owner of the adjoining land and left the room at 6:17pm.

Officer's Recommendation/Council Motion:**MOVED: CR RICHARD KOWALD****SECONDED: CR CRAIG MCKINLEY****OC43/16****That Council:**

- 1) **Advises the Western Australian Planning Commission that the Shire of Katanning supports to proposal to Amalgamate Lots 3 and 4 Beach St, Katanning (WAPC ref: 153469 date stamped 05/04/16); and**
- 2) **Subject to conditional approval of WAPC subdivision ref: 153469 for the amalgamation of Lots 3 and 4 Beach Street, Katanning and preparation of the associated Deposited Plan, withdrawal of the Caveat is authorised in accordance with Clause 5 of the Deed of Agreement, with the costs to be borne by Southern Aboriginal Corporation.**

Voting Requirement: Simple Majority**CARRIED: 6/0****10.2 DIRECTOR OF CORPORATE AND COMMUNITY SERVICES REPORTS****10.2.1 Monthly Financial Reports**
(ATTACHMENTS)

File Ref: FS/0021
Reporting Officer: D Marsh, Manager Finance
Report Prepared: 11 April 2016

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 CRAIG MCKINLEY

SECONDED: CR RICHARD KOWALD

OC44/16 **That Council adopts the Statement of Financial Activity for the month ending 31 March 2016, as presented, and notes any material variances.**

Voting Requirement: Simple Majority

CARRIED: 7/0

Cr Craig McKinley spoke for the motion.

10.2.2 Schedule of Accounts
(ATTACHMENTS)

File Ref: FS/0021
Reporting Officer: D Marsh, Manager Finance
Report Prepared: 11 April 2016

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 March 2016 are 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 CRAIG MCKINLEY****SECONDED: CR SERENA SANDWELL**

OC45/16 **That Council endorses the Schedule of Accounts for March 2016, as presented.**

Voting Requirement: Simple Majority

CARRIED: 7/0

10.3 EXECUTIVE MANAGER – STRATEGIC PROJECTS

Nil.

10.4 DEPUTY CHIEF EXECUTIVE OFFICER

Nil.

10.5 CHIEF EXECUTIVE OFFICER'S REPORTS

10.5.1 **Council representation on the Katanning Land Conservation District Committee**
(ATTACHMENT)

File Ref: GV.CM.2
Reporting Officer: J Murphy, Chief Executive Officer
Date Report Prepared: 3 January 2017

Issue:

To consider the number of Council representatives appointed to the Katanning Land Conservation District Committee (LCDC).

Body/Background:

Land conservation district committees (LCDCs) are statutory committees appointed by the Commissioner of Soil and Land Conservation to administer Land Conservation Districts in accordance with an Order proclaimed by the Governor. Their main function is to promote land management and undertake projects.

The Katanning LCDC structure was established in the 1990s and provides for 22 positions on the Committee including two representatives from the Shire of Katanning.

The Shire of Katanning currently has one nominated representative (Cr Sandwell) on the Katanning LCDC and one vacant position. The Katanning LCDC has requested that Council consider reducing its representation on the Committee from two representatives to one representative. A copy of their request is attached.

Officer's Comment:

If Council agrees to reduce its current representation to one representative then the Katanning LCDC will make application to the Commissioner of Soil and Land Conservation to formally make the changes.

Statutory Environment:

Soil and Land Conservation Act 1945, section 23 – Constitution and membership of district committees

Policy Implications:

Nil.

Financial Implications:

Nil.

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

Environment and Land Use

- Climate & Ecology

Officer's Recommendation/Council Motion:

MOVED: CR SERENA SANDWELL

SECONDED: CR CRAIG MCKINLEY

OC46/16

That Council:

- 1. Reduces its representation on the Katanning Land Conservation District Committee from two representatives to one representative; and**
- 2. Requests the Katanning Land Conservation District Committee to make application to the Commissioner of Soil and Land Conservation to formally make the changes.**

Voting Requirement: Simple Majority

CARRIED: 7/0

Cr Serena Sandwell spoke for the motion.

10.6 ADVISORY COMMITTEE MEETING
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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**MOVED: CR CRAIG MCKINLEY****SECONDED: CR RICHARD KOWALD****OC47/16 That the urgent business of 12.1 be accepted at tonight's meeting.****Voting Requirement: Simple Majority****CARRIED: 7/0****12.1 Purchasing Policy Update**

File Ref: GV.PO.1
Reporting Officer: D Marsh, Manager of Finance
Date Report Prepared: 14 April 2016

Issue: To consider amendments to the Council Purchasing Policy.

Body/Background:

In reviewing the Purchasing Policy it has been identified that the position of Building Maintenance Officer was removed from the authorised credit card holders list during the last review in error.

It has also identified a need to provide a purchasing authority for the position of Technical Officer.

Officer's Comment:

The recommended changes are required in order for the purchasing policy to continue to regulate Shire purchasing effectively, allowing easy recognition of authorised officers and setting clear purchasing limits.

The Building Maintenance Officer and Projects Building Maintenance Officer currently hold credit cards with limits of \$1500 and \$1000 respectively. Adding their position back to the authorised corporate credit card users list, will allow them to continue to use this payment method to efficiently carry out their duties.

With the new Works Operations Manager starting recently, the Acting Operations Manager has moved into the role of Technical Officer and now requires adding to the purchasing policy to allow the employee to continue to efficiently carry out his duties.

Statutory Environment:

Section 2.7 of the Local Government Act includes the determining of the Local Government's policies as a role of the Council.

Policy Implications:

Policies are to be amended, deleted or added as detailed per the recommendations below.

Financial Implications:

Nil.

Strategic Implications:

Nil.

Officer's Recommendation/Council Motion:

MOVED: CR RICHARD KOWALD

SECONDED: CR CRAIG MCKINLEY

OC48/16 That Council adopt the following changes to its purchasing policy:

- 1. Add the Building Maintenance Officer position and Projects Building Maintenance Officer to the list of authorised corporate credit card holders under Purchasing Policy 3.17, with a limit of \$1,500 and \$1000 respectively.**
- 2. Add the Technical Officer position to the authorised purchasers listed under Purchasing Policy 3.17, with a limit of \$10,000.**

Voting Requirement: Simple Majority

CARRIED: 7/0

Cr Richard Kowald spoke for the motion.

13. CONFIDENTIAL ITEM

Nil.

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 6:24pm