



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 25 July 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 6pm.

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

Presiding Member: Cr Liz Guidera - President

Members: Cr Craig McKinley - Deputy President  
Cr Danny McGrath  
Cr Serena Sandwell  
Cr Martin Van Koldenhoven  
Cr John Goodheart  
Cr Alep Mydie

Council Officers: Julian Murphy, Chief Executive Officer  
Andrew Holden, Deputy 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  
Taryn Human, Governance Executive Officer

Gallery: Matt Collis  
William Collis  
Isabel Collis  
Alan McFarland  
Saskia Adysti

Media:

Apologies: Cr Richard Kowald

Leave of Absence: Cr Owen Boxall

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

Nil.

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

Cr Danny McGrath	13.1	Disclosure of Interest Affecting Impartiality
Cr Alep Mydie	10.6.1	Disclosure of Interest Affecting Impartiality
Cr Serena Sandwell	10.6.1	Disclosure of Interest Affecting Impartiality
Cr Liz Guidera	10.6.1	Disclosure of Interest Affecting Impartiality
Cr Martin Van Koldenhoven	10.6.1	Disclosure of Financial Interest
Cr Craig McKinley	10.6.1	Disclosure of Financial 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 – 27 June 2017  
(SEE ATTACHED MINUTES)**

**MOVED: CR DANNY MCGRATH**

**SECONDED: CR SERENA SANDWELL**

**OC84/17 That the minutes of the Ordinary Council Meeting held on Tuesday 27 June 2017 be confirmed as a true record of proceedings.**

**Voting Requirement:** Simple Majority

**CARRIED: 7/0**

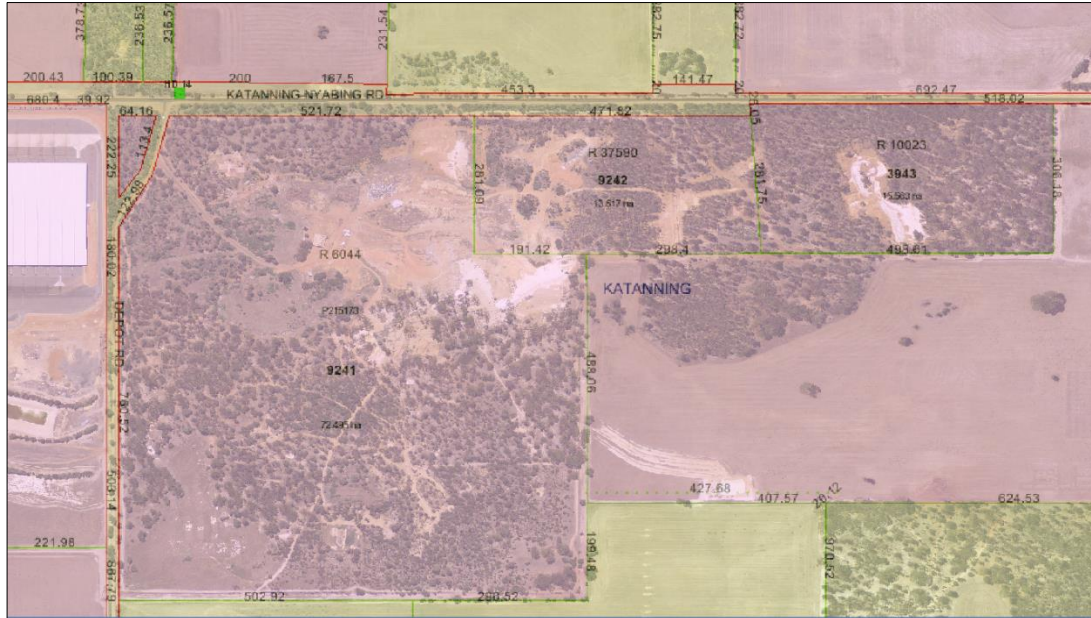
**9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

We have our first budget meeting on Monday and have a lot of work to be done there. It is Andrew Holden's last Ordinary Council Meeting, he finishes on 9 August and we wish him well with his retirement.

**10. REPORTS OF COMMITTEES AND OFFICERS**



Lots 9241 and 9242 are fenced as one. The internal common boundaries are not fenced. Lot 3943 is not fenced. All three lots contain areas of remnant vegetation. Lot 9241 has had a flora and fauna survey.



### 2016 Aerial Image





**2006 Aerial Image**



**1996 Aerial Image**

**Officer's Comment:**

Rationalisation of these three existing Reserves, including standardisation of purpose and power to lease, will facilitate development and use of the entire site as a Waste Management Facility.

Officers from the Department of Lands met recently with Shire of Katanning representatives and cited examples of similar contemporary Landfill and waste transfer Reserves.

**Statutory Environment:**

Land Administration Act 1997

**Policy Implications:**

There are no Local Government policy implications for this report.

**Financial Implications:**

There will be minor administrative costs incurred by the Shire.

**Strategic Implications:*****Shire of Katanning Strategic Plan 2013 – 2023 and Corporate Business Plan 2013-2018******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]

***Community Objectives:***

- To actively promote Katanning as a regional centre.

**Officer's Recommendation/Council Motion:****MOVED: CR CRAIG MCKINLEY****SECONDED: CR DANNY MCGRATH****OC85/17      That Council:**

- 1) Seeks the rationalisation and a change of purpose for Reserves 6044, 37590 and 10023 to 'Waste Management Facility' with Power to 'Lease and Licence'; and
- 2) Authorises the President and Chief Executive Officer to complete all relevant documentation, sign and affix the common seal on behalf of the Council.

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



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

**File Ref:** FM.FI.4  
**Reporting Officer:** Libby French, Manager Finance  
**Report Prepared:** 19 July 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 SERENA SANDWELL**

**SECONDED: CR CRAIG MCKINLEY**

**OC86/17 That Council adopts the Statement of Financial Activity for the month ending 30 June 2017, as presented, and notes any material variances.**

**Voting Requirement:** Simple Majority.

CARRIED: 7/0

## 10.2.2 Schedule of Accounts (ATTACHMENTS)

**File Ref:** FM.FI.4  
**Reporting Officer:** Libby French, Manager Finance  
**Report Prepared:** 19 July 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.

Below is a summary of the payments made for the financial year:

Month	Cheques 2016/17	EFT 2016/17	Total Payments 2016/17
July	6,569.81	1,446,275.49	1,452,845.30
August	3,207.95	1,277,723.49	1,280,931.44
September	18,076.69	904,113.88	922,190.57
October	14,142.25	1,040,549.84	1,054,692.09
November	3,291.05	871,844.83	875,135.88
December	1,522.06	821,915.06	823,437.12
January	881.00	974,624.16	975,505.16
February	668.40	783,745.77	784,414.17
March	3,282.15	1,374,449.29	1,377,731.44
April	1,518.00	1,237,063.67	1,238,581.67
May	2,109.70	1,728,942.27	1,731,051.97
June	3,733.45	2,299,779.23	2,303,512.68
<b>Total</b>	<b>59,002.51</b>	<b>14,761,026.98</b>	<b>14,820,029.49</b>

### Officer's Comment:

The schedule of accounts for the month of June 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 SERENA SANDWELL**

**OC87/17** That Council endorses the Schedule of Accounts as presented, being cheques 41944-41949 totalling \$3,733.45 and direct payments totalling \$2,299,779.23 authorised and paid in June 2017.

**Voting Requirement:** Simple Majority.

CARRIED: 7/0

**10.3 EXECUTIVE MANAGER, PROJECTS AND COMMUNITY BUILDING REPORTS****10.3.1 Community Financial Assistance Program (CFAP) Round 1 2017/2018**

**File Ref:** FL/0019

**Reporting Officer:** Sophie Justins, Public Relations and Community Relations Officer

**Date Report Prepared:** 6 July 2017

**Issue:**

To consider applications for the 2017/2018 Round 1 Community Financial Assistance Program.

**Body/Background:**

The first round of funding under this program was advertised in May and June 2017 with advertisements in the Great Southern Herald, the Shire of Katanning Website, Shire Matters Newsletter, letters and emails to the community and Facebook.

The Community Financial Assistance Program (CFAP) provides funding support in three categories; Minor Community Grant (up to \$5,000), Major Community Grant (Over \$5,000) and Triennium Community Grant (3 year approval- Minor or Major), to enable organizations to develop projects that increase participation and benefit the community.

At the closing date 6 applications were received: 6 applications requesting a minor community grant, 5 applications requesting a major community grant and 1 applications requesting a triennium grant.

The application process was coordinated by the PR/Community Relations Officer Amy Kuchel.

Round 1 2017/2018 there is \$19,000 exGST available in the budget (if new budget is approved).

**Summary of applicants**

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

**Full Organisation Name:** Lions Club of Katanning

**Project Title:** Free Community Concert

**Requested Amount from Council:** \$4,500 exGST

**Total Project Cost:** \$20,080

**Full Organisation Name:** Katanning Historical Society

**Project Title:** 9x Security barrier screens for windows in administration building

**Requested Amount from Council:** \$1,401.82 exGST

**Total Project Cost:** \$1,401.82 exGST

**Full Organisation Name:** Katanning Land Conservation District Committee (LCDC) (Katanning Landcare)

**Project Title:** Ecoweek 'Out of the Bin'

**Requested Amount from Council:** \$5,000 exGST

**Total Project Cost:** \$36,008 exGST

**Full Organisation Name:** Palmerston Association Inc & Great Southern Community Alcohol and Drugs Service - Katanning

**Project Title:** Noongar Ball

**Requested Amount from Council:** \$4,635 exGST

**Total Project Cost:** \$7,855 exGST

**Full Organisation Name:** Great Southern regional Middle School Campus Committee

**Project Title:** Scoping Study

**Requested Amount from Council:** \$1,250 exGST

**Total Project Cost:** \$24,200 exGST

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

**Application 1**

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**Full Organisation Name:** Lions Club of Katanning

**Brief Description of Organisation:** Lions International is an International recognised service club organisation which the Lions Club of Katanning is one of 46,000 clubs. 1.4 million members provide volunteer labour, funding to local community needs, State, national and Internal Health Foundations.

**Project Title:** Free Community Concert

**Project Description:** The Lions Club and community volunteers wish to present another free Community Concert. The concert will present a touring band supported by local artists. Shire support for the last years was appreciated. This year with the experience of the last year event it is anticipated that the concert will grow and be an event on the regional entertainment.

**Estimated project start date:** Saturday 10 February 2018

**Location of event:** Piesse Lake Amphitheatre

**Expected project benefits to the community:**

- Attract all sectors of the community and bring them together
- Community project
- Provide general entertainment, sense of togetherness and inclusion
- Concert will promote Katanning, attracting people to the town
- Promote Dome accommodation and restaurant

**Other community groups and/or key people involved in the project:**

- Financial support from the Health Department (Act Belong Commit), Lotterywest, CBH, Brookfield Rail, H Hardware & hire equipment free of charge
- Volunteering support from members of the community to water lawns at the park, submit grant applications and advertising

**Project expenditure:**

- Venue site preparation (watering lawn, stage, power, lighting, road closure, function permit, toilets, seating hire, marquee, decorations, mosquito control, bins)
- Advertising



- Performers accommodation
- Performers meals
- Performance fee
- Children entertainment

**Applicant Cash Contribution:** N/A

**Applicant In-Kind Contribution:** \$1,012

**Other Cash Contribution:** \$11,500 (unconfirmed)

**Other In-Kind Contribution:** \$1,700

**Requested Amount from Council:** \$4,500.00 exGST

plus \$1,600 In-Kind (mosquito control, road closures, stage etup)

**Total Project Cost:** \$20,080

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

**Application 2**

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**Full Organisation Name:** Katanning Historical Society

**Brief Description of Organisation:** Preservation and conservation of items of historical significance from Katanning.

**Project Title:** 9x Security barrier screens for windows in administration building

**Project Description:** Supply and install 9x security barrier screens to windows in the historical administration building

**Estimated project start date:** As soon as funding is available

**Location of event:** Katanning Historical Society

**Expected project benefits to the community:**

- The historical administration centre will be protected, as will the collection of historical artifacts which will benefit the entire community.

**Other community groups and/or key people involved in the project:**

- Katanning Historical Society
- Katanning Glazing

**Project expenditure:**

- Supply and install 9x security barrier screens for windows

**Applicant Cash Contribution:** \$

**Applicant In-Kind Contribution:** \$

**Other Cash Contribution:** \$

**Other In-Kind Contribution:** \$

**Requested Amount from Council:** \$1,401.82 exGST

**Total Project Cost:** \$

**Minor Community Grant (up to \$5,000)****Application 3**

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**Full Organisation Name:** Katanning Land Conservation District Committee (LCDC) / (Katanning Landcare)

**Brief Description of Organisation:** Katanning LCDC, better known as Katanning Landcare, was established in 1989 and has the vision of “A vibrant caring community enhancing our environment for future generations”. Katanning Landcare is an independent not-for-profit community group that works directly with farmers, individual volunteers, and supports volunteer groups such as Friends of Piesse Lake and the Lake Ewlyamartup Working Group.

**Project Title:** Ecoweek ‘Out of the Bin’

**Project Description:** Katanning Ecoweek 2017 is entering its fourth consecutive year, with a strong commitment from community and surrounds for the workshop series to continue.

The aim of the festival continues to be: to provide a range of high quality, hands-on education and training that is otherwise inaccessible, or very hard to access, to the people of Katanning, so that they can reduce their environmental footprint.

This year’s Ecoweek theme is “Out of the Bin” with a focus on waste-minimisation. This theme was developed to align with Waste Authority WA grant funding secured to run the 10 Week Bin Transformation online course, which will commence with the Katanning Ecoweek 2017 series of events. Further Commitment to this theme was secured through GSDC funding, which has provided us with funding to provide an honorarium payment to a committed Event Coordinator, Mazita Omar, and \$3000 towards promotions and marketing.

This theme and funding was secured long before the ABCs #WarOnWasteAU was put on television, but couldn’t have been more appropriate or apt, as people are very excited about waste minimisation, and this has really made the workshops and theme very timely, relevant, and a hot topic.

**Estimated project start date:**

- Planning began in March 2017
- Events brochure will be produced in mid-late July
- Promotions will begin in early July
- Katanning Ecoweek will officially take place between 16<sup>th</sup> – 23<sup>rd</sup> September 2017

**Location of event:** Ram Pavilion

**Expected project benefits to the community:**

- Engage the community to volunteer
- Make a positive impact on the community and the environment
- Economic boost for Katanning with participants and presenters travelling into town
- Improve and protect the environment
- Provide links to other regional and state events

**Other community groups and/or key people involved in the project:**

- Great Southern Bloom Festival
- Individual volunteers
- Local Businesses

- Katanning Action Network
- Greenskills Albany
- Katanning Agricultural and Horticultural society

**Project expenditure:**

- Venue hire, fees for umbrella, food permit, entertainment WOMM, stage hire and setup
- Presenter fees for various workshops
- Marketing
- Events & presenter fees

**Applicant Cash Contribution:** N/A

**Applicant In-Kind Contribution:** \$6,500

**Other Cash Contribution:** \$31,310

**Other In-Kind Contribution:** \$11,000

**Requested Amount from Council:** \$5,000 exGST plus \$3,500 In-Kind

**Total Project Cost:** \$36,008.00

***Minor Community Grant (up to \$5,000)*****Application 4**

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**Full Organisation Name:** Palmerston Association Inc & Great Southern Community Alcohol and Drugs Service - Katanning

**Brief Description of Organisation:** Palmerston Association aims to prevent and reduce harmful effects of alcohol and other drugs on people, families and communities by offering tailored responses to their desired goals.

**Project Title:** Noongar Ball

**Project Description:** This project is established to participate and add local value in Katanning to NAIDOC celebrations, held across Australia to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander peoples. NAIDOC is celebrated not only in Aboriginal communities, but by Australians from all backgrounds and walks of life. NAIDOC week occurs nationally between 2 and 9 July 2017 and is a fantastic opportunity to participate in a range of activities and to support local Aboriginal and Torres Strait Islanders communities. However, after consultation with community elders in Katanning, the project will facilitate a specific celebration honouring NAIDOC in Sep 2017 and will take the form of a Noongar Ball.

**Estimated project start date:** 22 September 2017

**Location of event:** Katanning Leisure Centre Pioneer Room

**Expected project benefits to the community:**

- Recognition of Aboriginal & Torres Strait Islander culture, history and achievements
- Opportunity for all Australians to learn about Aboriginal & Torres Strait Islander people
- Improve morale among the Aboriginal community in Katanning
- Build a sense of cohesion

- Build pride in culture that comes with being part of and celebrating with the community

**Other community groups and/or key people involved in the project:**

- Elders advisory group (Palmerston)
- KADA Group
- Community members
- CFPS
- Anglicare

**Project expenditure:**

- Entertainment, travel expenses, PA system & lighting, accommodation, breakfast
- Catering
- Newspaper advertisement
- Decorations
- Venue hire & cleaning venue fee

**Applicant Cash Contribution:** \$1,220.00

**Applicant In-Kind Contribution:** \$

**Other Cash Contribution:** \$2,000.00 (ticket sales)

**Other In-Kind Contribution:** \$

**Requested Amount from Council:** \$4,635.00 exGST

**Total Project Cost:** \$7,855.00

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

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**Full Organisation Name:** Great Southern Regional Middle School Campus Committee

**Brief Description of Organisation:** The Great Southern Regional Middle School Campus Committee goal is to attract and retain residents in the Great Southern by improving choices for educational excellence by delivering a regional middle school campus in Katanning by 2020.

This funding application applies to sourcing funds to meet the gap of \$1250 for a Scoping Study to begin in March 2017 investigating middle school development and educational choices in Katanning and surrounding districts.

The aim of the scoping study is to deliver a report which will be used in the creation of a business case to attract investment in the middle school campus in Katanning but just as importantly to provide recommendations for local government and schools to use in strategic planning and decision making.

**Project Title:** Scoping Study

**Project Description:** A scoping study investigating middle school development and educational choices in Katanning and surrounding districts.

**Estimated project start date:** Engaged consultant in May 2017 to begin the scoping study. Draft report is expected in August 2017. Final report to be delivered in September 2017. This grant will enable payment of the total study on receipt of the final report in September 2017.

**Location of event:** N/A

**Expected project benefits to the community:**

- Adoption of recommendations from scoping study by local schools and government
- Use the scoping study to progress the business case for a middle school in Katanning
- Build community capacity, attract and retain residents, business owners, professionals
- Expand educational choices
- Build stronger family cohesion
- Encourage local expenditure
- Improved community services and amenities
- Economic benefits for the community and business
- Set in motion steps towards Katanning being recognised for educational excellence

**Other community groups and/or key people involved in the project:**

- Katanning Regional Business Association (KRBA)

**Project expenditure:**

- Consult extending the scope of project which increased to overall total
- Consult travel costs to attend stakeholders workshops and meetings in Katanning in Aug 2017

**Applicant Cash Contribution:** \$

**Applicant In-Kind Contribution:** \$

**Other Cash Contribution:** \$21,000

**Other In-Kind Contribution:** \$11,725

**Requested Amount from Council:** \$1,250 exGST (Previous Round2, 2016/2017 approved \$1,950.00 exGST)

**Total Project Cost:** \$24,200

**Additional Comments:**

Community Financial Assistance Program Grant Budget 2017/2018: \$19,000.00

Total cash contribution requested excluding GST: \$16,786.82

Recommended cash contribution: \$11,401.82

Total in-kind contribution requested: \$5,100.00

Recommended amount: \$5,617.50

Total cash and in-kind contribution requested: \$21,886.82

Recommended total of cash and in-kind contribution: \$17,019.32

**Statutory Environment:**

Nil.

**Policy Implications:**

Nil.

**Financial Implications:**

Sufficient funds are allocated in Councils 2017/2018 Budget to cover the cost of the recommended grant contributions.



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

## Community and Culture

- Lifestyle

**PROCEDURAL MOTION****MOVED: CR MARTIN VAN KOLDENHOVEN****SECONDED: CR DANNY MCGRATH****OC88/17      That Council suspends standing orders.****Voting Requirement:** Simple Majority

CARRIED: 7/0

**PROCEDURAL MOTION****MOVED: CR MARTIN VAN KOLDENHOVEN****SECONDED: CR DANNY MCGRATH****OC89/17      That Council resume standing orders.****Voting Requirement:** Simple Majority

CARRIED: 7/0

**Officer's Recommendation:**

That Council approves the following grants for Round 1 of the 2017/2018 Community Financial Assistance Program:

- 1) \$2,500exGST to Lions Club of Katanning for portion of entertainment cost for Free Community Concert; plus \$1,600exGST in kind for Mosquito Control, Stage setup & road closure.
- 2) \$1,401.82exGST to Katanning Historical Society for Security barrier screens for windows in administration building.
- 3) \$5,000exGST to Katanning Landcare for part payments of events, presenters, entertainment, venue, accommodation, marketing and advertising for Ecoweek 'Out of the Bin'; plus \$3,500exGST in kind for volunteer labour.
- 4) \$2,500exGST to Palmerston Association Inc for Entertainment, Band travel expenses, PA system and Lighting for the NAIDOC Ball; plus \$517.50exGST in kind for 50% discount of venue hire.
- 5) Deny the Great Southern Regional Middle School Campus Committee request for \$1,250exGST in this round due to the Shire of Katanning Community Financial Assistance Program Policy: the Policy does not allow funding approval for projects that have already commenced.

**Council Motion:**

**MOVED: CR CRAIG MCKINLEY**

**SECONDED: CR MARTIN VAN KOLDEHOVEN**

**OC90/17**

**That the motion lie on the table**

**CARRIED: 7/0**

**10.4 EXECUTIVE MANAGER, PROPERTY & ASSETS REPORTS**

Nil.

**10.5 DEPUTY CHIEF EXECUTIVE OFFICER****10.5.1      Licence to Occupy / Sub-Licence to Occupy PTA property**  
(ATTACHMENT)

**File Ref:** CR.LI.1  
**Reporting Officer:** Andrew Holden, Deputy Chief Executive Officer  
**Date Report Prepared:** 20 July 2017

**Issue:**

To consider accepting a Licence to Occupy from the Public Transport Authority and the granting of a Licence to Occupy to the Katanning Men's Shed in relation to portions of Reserve 10422, Lot 559 and Reserve 15750, Lots 847 and 848.

**Body/Background:**

The Katanning Men's Shed (KMS) has been seeking more appropriate premises for their operations that will provide them security of on-going tenure. KMS identified the disused shed and adjacent toilet block situated on the subject land adjoining the railway reserve as potential buildings to meet their needs. KMS approached the Shire and the property owners, the Public Transport Authority (PTA), through their agents Burgess Rawson to ask whether and to attempt to negotiate the necessary agreements so that KMS would be granted a licence to use the property.

The PTA has agreed to provide the Shire with a Licence to Occupy the identified property, termed "Woolstore" in the draft licence, for a term of 10 years at the nominal fee of \$1 per year, payable as and when demanded (see attached draft licence). The Licence as drafted includes at clause 11.3 a no representation or warranty in regard to contamination, pollution or environmental harm. Shire officer sought to have that clause removed or if not removed the risk associated with that clause be mitigated by PTA conducting and providing a current environmental inspection of the property. That assessment was undertaken by Engtech Risk Consultants and a report dated 29 June 2017 provided to the PTA (see attached). Shire officer believes that report now largely addresses the risks to the Shire inherent in clause 11.3 of the draft licence.

KMS has formally requested (see attached) that the Shire accept a licence from PTA and on-licence the property to them and that they are willing to accept that sub-licence on the same terms and conditions as the original licence from PTA to the Shire.

**Officer's Comment:**

The process in getting the necessary draft documents prepared to effect the Licence and Sub-Licence has been somewhat drawn out and KMS are keen to have something in place to provide them certainty for both planning the necessary work to be done before they can move into and operate within the property. KMS are also keen to be able to demonstrate that they will have tenure of the property so they may include that in applications for grant funding.

Consequently, this item is being presented to Council for consideration before the drafting of a Sub-Licence is completed but with the recommended motion including that the Sub-Licence shall be on the same terms and conditions as the draft Licence to Occupy between the PTA and the Shire.

**Statutory Environment:**

Section 3.58 of the Local Government Act 1995 allows for the granting of the licence to occupy.

**Policy Implications:**

3.13 Lease of Community Assets

**Financial Implications:**

The Shire has paid the PTA \$385 including GST re the preparation of the draft Licence to Occupy from within the Shire's 2017/18 operating budget. Negotiations are continuing re the cost to complete a draft Sub-Licence but has currently received a quote of \$1,100 including GST which would be expensed in the 2017/18 budget. Final actual costs incurred by the Shire should then be reimbursed by KMS.

**Strategic Implications:**

The acceptance of a licence to occupy and granting of a sub-licence to occupy is in line with the Community Building objectives of the Community Strategic Plan.

**PROCEDURAL MOTION**

**MOVED: CR MARTIN VAN KOLDENHOVEN**

**SECONDED: CR CRAIG MCKINLEY**

**OC91/17 That Council suspends standing orders.**

**Voting Requirement:** Simple Majority

CARRIED: 7/0

**PROCEDURAL MOTION**

**MOVED: CR MARTIN VAN KOLDENHOVEN**

**SECONDED: CR DANNY MCGRATH**

**OC92/17 That Council resume standing orders.**

**Voting Requirement:** Simple Majority

CARRIED: 7/0

**Officer's Recommendation:**

That Council:

- 1) Accepts the Licence to Occupy from the PTA for the "Woolstore" and free standing toilet block situated on portions of Reserve 10422, Lot 559 and Reserve 15750, Lots 847 and 848 for a 10 year term ending 30 June 2027.
- 2) Agrees to provide a Sub-Licence to Occupy to Katanning Men's Shed on the same terms and conditions as in the original Licence to Occupy between the PTA and the Shire;



- 3) Authorises the CEO to finalise the necessary documentation to effect both the Licence and Sub-Licence;
- 4) Endorses that the Katanning Men's Shed shall be invoiced for the actual costs of preparation of the documents, as noted in 3 above, once finally determined.

**Voting Requirement:** Simple Majority

**Council Motion:**

**MOVED: CR MARTIN VAN KOLDENHOVEN**

**SECONDED: CR CRAIG MCKINLEY**

**OC93/17            That the motion lie on the table.**

**CARRIED: 7/0**

## 10.6 CHIEF EXECUTIVE OFFICER'S REPORTS

Councillors Martin Van Koldenhoven and Craig McKinley declared a financial interest as they are retail shop owners and left the room at 6:28pm.

### 10.6.1 Sunday Retail Trading (ATTACHMENT)

**File Ref:** ED.PG.1  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 19 July 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.

Council considered the request for Sunday trading at its Ordinary Council Meeting held on 28 March 2017 and resolved the following:

*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.*

Local government authorities outside the Perth metropolitan area can apply to the Department of Mines, Industry Regulation and Safety - Consumer Protection Division to extend the trading hours for general retail shops in their district beyond those stipulated in the Act.

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.

Local public notice inviting submissions was given on 27 April 2017 with submissions closing on 8 June 2017. Letters inviting submissions were also sent to state parliamentary representatives for the Agricultural Region and Roe, Katanning Regional Business Association, National Retail Association and neighbouring local governments. A copy of the public consultation details are attached for information.

Twelve written submissions were received. Seven submissions wrote in support of the Sunday trading proposal, four opposed the proposal and one did not offer a comment. A copy of the summary of submissions is attached for information.

The Katanning Regional Business Association undertook a survey of members (which received 11 responses) with 80% of respondents supporting Sunday trading in Katanning. 60% of respondents said that they would open their business for a whole or part of the day if Sunday

trading was introduced. All respondents believed that Sunday trading would have a positive or no impact on their business.

**Officer's Comment:**

Sunday trading will provide a convenience to shoppers in Katanning currently only afforded to shoppers in the metropolitan and larger regional centres. If Sunday trading is approved for Katanning, retailers will retain the right to choose whether to open on Sundays or not.

Katanning already provides opportunities for local residents and those from surrounding communities to access many of their core services including education, health, recreation and shopping requirements. Extended retail trading hours will enhance Katanning's position as a regional centre in the Upper Great Southern.

Sunday trading offers an opportunity for increased retail activity for businesses, as well as increased job opportunities and tourism benefits.

**Statutory Environment:**

Retail Trading Hours Act 1987

**Policy Implications:**

Nil.

**Financial Implications:**

Nil.

**Strategic Implications:**

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

**Development and Leadership**

- Economic Development

**PROCEDURAL MOTION**

**MOVED: CR DANNY MCGRATH**

**SECONDED: CR JOHN GOODHEART**

**OC94/17 That Council suspends standing orders.**

**Voting Requirement:** Simple Majority

CARRIED: 5/0

**PROCEDURAL MOTION**

**MOVED: CR SERENA SANDWELL**

**SECONDED: CR DANNY MCGRATH**

**OC95/17 That Council resume standing orders.**

**Voting Requirement:** Simple Majority

CARRIED: 5/0

**Officer's Recommendation/Council Motion:****MOVED: CR SERENA SANDWELL****SECONDED: CR DANNY MCGRATH**

**OC96/17      That Council, having considered the submissions received following public consultation, makes an application to the Department of Mines, Industry Regulation and Safety - Consumer Protection Division to permanently allow retail trading in the Shire of Katanning on Sundays 10.00am to 5.00pm.**

**Voting Requirement:** Simple Majority**CARRIED: 4/1**

Cr Serena Sandwell spoke for the motion  
Cr Liz Guidera spoke against the motion  
Cr Danny McGrath spoke for the motion  
Cr Alep Mydie spoke for the motion  
Cr John Goodheart spoke for the motion

**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**

Councillor Danny McGrath declared an interest affecting impartiality as his partner's son works for Riverhill Construction.

**PROCEDURAL MOTION****MOVED: CR CRAIG MCKINLEY****SECONDED: CR DANNY MCGRATH**

**OC97/17** That Council closes the meeting to the public to consider the following item regarding the flood damage repair tenders.

CARRIED: 7/0

**13.1** **Approval of appointment of contractors for tender nos. RFT01/2017 and RFT02/2017, Storm Damage Restoration**  
(ATTACHMENT)

**File Ref:** RD.TE.1

**Reporting Officer:** Uwe Striepe, Director of Engineering and Development Services

**Date Report Prepared:** 13 July 2017

**Reason for Confidentiality**

The Officer's Report is confidential in accordance with section 5.23(2)(c) of the Local Government Act because it deals with matters relating to a contract which may be entered into by council.

**Officer's Recommendation/Council Motion:****MOVED: CR MARTIN VAN KOLDENHOVEN****SECONDED: CR JOHN GOODHEART**

**OC98/17** That Council:

- 1) Awards tender RFT 01/2017 - Roadworks to Riverhill Contracting; and**
- 2) Awards tender RFT 02/2017 - Drainage to AA Contracting.**

**Voting Requirement:** Simple Majority

CARRIED: 7/0

Cr Martin Van Koldenhoven spoke for the motion.

**PROCEDURAL MOTION****MOVED: CR SERENA SANDWELL****SECONDED: CR CRAIG MCKINLEY****OC99/17 That Council reopens the meeting to the public.****CARRIED: 7/0****14. CLOSURE OF MEETING**

The Presiding Member declared the meeting closed at 6:44pm