



Shire of  
**Katanning**  
Heart of the Great Southern

‘A prosperous, vibrant and diverse community working together.’

**NOTICE OF  
ORDINARY COUNCIL MEETING**

Dear Council Member

The next Ordinary Council Meeting of the Shire of Katanning will be held on  
Tuesday 28 July 2020 in the Shire of Katanning Council Chambers,  
52 Austral Terrace, Katanning, commencing at 6:00pm.

Julian Murphy  
**CHIEF EXECUTIVE OFFICER**  
Thursday 23 July 2020

**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 \_\_\_\_\_



Heart of the Great Southern

## Table of Contents

Item No.	Item Heading	Page No.
<b>1</b>	<b>Declaration of Opening/Announcement of Visitors</b>	<b>3</b>
<b>2</b>	<b>Record of Attendance</b>	<b>3</b>
<b>3</b>	<b>Announcements by Presiding Member Without Discussion</b>	<b>4</b>
<b>4</b>	<b>Response to Previous Public Questions Taken on Notice</b>	<b>4</b>
<b>5</b>	<b>Disclosure of Financial/Impartiality Interest</b>	<b>4</b>
<b>6</b>	<b>Public Question/Statement Time</b>	<b>4</b>
<b>7</b>	<b>Applications for Leave of Absence</b>	<b>4</b>
<b>8</b>	<b>Petitions/Deputations/Presentations</b>	<b>4</b>
<b>9</b>	<b>Confirmation of Minutes of Previous Meetings</b>	<b>4</b>
9.1	Ordinary Council Meeting – Tuesday 23 June 2020	4
9.2	Special Council Meeting – Tuesday 14 July 2020	4
<b>10</b>	<b>Reports of Committees and Officers</b>	<b>4</b>
<b>10.1</b>	<b>Executive Manager Infrastructure and Assets</b>	<b>5</b>
10.1.1	Replacement Landfill Compactor	5
10.1.2	Subdivision Referral, Survey Strata – Portion Lot 8 Round Drive, Katanning	7
10.1.3	Development Application – Holiday Accommodation, Lot 70 Warren Road, Katanning	16
<b>10.2</b>	<b>Executive Manager Corporate and Community</b>	<b>30</b>
10.2.1	Schedule of Accounts	30
10.2.2	Monthly Financial Reports	32
10.2.3	Rates Exemption – Southern Aboriginal Corporation	33
10.2.4	Licence Agreement – Katanning Community Cinema Inc	35
10.2.5	Licence Agreement – Katanning Dramatic Society	36
10.2.6	New Policy – Financial Hardship (Rate Relief)	38
10.2.7	Disposal of Property – 17 Marri Drive Katanning	40
10.2.8	20/21 Rating and other COVID 19 Assistance	42
10.2.9	CSRFF Priority – Wurgabup Inc.	44
<b>10.3</b>	<b>Chief Executive Officer's Reports</b>	<b>46</b>
10.3.1	WALGA AGM Voting Delegates	46
10.3.2	Katanning Environmental – Purchase of Old Saleyards Land	48
10.3.3	Rural Health West Membership	50
10.3.4	Review of Wards and Representation	52
<b>11</b>	<b>Elected Members Motions</b>	<b>54</b>
<b>12</b>	<b>New Business of an Urgent Nature</b>	<b>54</b>
<b>13</b>	<b>Confidential Item</b>	<b>55</b>
13.1	Katanning Community Medical Centre	55
13.2	Legal Proceedings A183, A184	56
13.3	Chief Executive Officer Contract of Employment	57
13.4	Write Off – Assessment A2842	58
<b>14</b>	<b>Closure of Meeting</b>	<b>59</b>

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

The Presiding Member declared the meeting open at \_\_\_\_ pm.

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

Presiding Member: Cr Liz Guidera - President

Members: Cr John Goodheart – Deputy President  
Cr Danny McGrath  
Cr Serena Sandwell  
Cr Martin van Koldenhoven  
Cr Owen Boxall  
Cr Ernie Menghini  
Cr Kristy D’Aprile  
Cr Mark Stephens

Council Officers: Julian Murphy, Chief Executive Officer  
Lisa Hannagan, Executive Manager Corporate and Community  
Sue Eastcott, Executive Assistant to CEO

Gallery:

Media:

Apologies: Heidi Cowcher, Executive Manager Infrastructure and Assets

Leave of Absence:

**3. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION****4. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE****5. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS****6. PUBLIC QUESTION/STATEMENT TIME****7. APPLICATIONS FOR LEAVE OF ABSENCE****8. PETITIONS/DEPUTATIONS/PRESENTATIONS****9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****9.1      Ordinary Council Meeting – Tuesday 23 June 2020**  
(SEE ATTACHED MINUTES)

**OC/20      That the minutes of the Ordinary Council Meeting held on Tuesday 23 June 2020 be confirmed as a true record of proceedings.**

**Voting Requirement:** Simple Majority

CARRIED/LOST:

**9.2      Special Council Meeting – Tuesday 14 July 2020**  
(SEE ATTACHED MINUTES)

**OC/20      That the minutes of the Special Council Meeting held on Tuesday 14 July 2020 be confirmed as a true record of proceedings.**

**Voting Requirement:** Simple Majority

CARRIED/LOST:

**10. REPORTS OF COMMITTEES AND OFFICERS**

**10.1 EXECUTIVE MANAGER INFRASTRUCTURE AND ASSETS****10.1.1 Replacement Landfill Compactor**

**File Ref:** CP.AL.6  
**Reporting Officer:** Shane Chambers, Manager Regulatory Services  
**Date Report Prepared:** 20 July 2020

**Issue:**

For council to consider accepting the recommendation from the tender evaluation panel to approve the tender from Westrac for the supply and delivery of a CAT 816 landfill compactor.

**Body/Background:**

In the 2019/20 Council budgeted \$400,000 for a replacement landfill compactor however it has proved difficult to source a good quality second-hand replacement throughout Australia and abroad. In view of the above, tenders for a new landfill compactor were advertised in the West Australian and Great Southern Herald newspapers in May 2020, with a closing date of Monday 4 June 2020, 4pm.

The following tenders were received, prior to the tender closing date.

Company	Compactor Details	Price (Ex GST) \$	GST \$	Total \$
Westrac Pty Ltd 128-136 Great Eastern Highway Guildford	CAT 816 Landfill Compactor	563,000	56,300	619,300
Tutt Bryant Equipment 50 Great Eastern Highway South Guildford	Bomag BC473RB-3 Landfill Compactor	573,500	57,350	640,850

**Officer's Comment:**

The Shire believes that the CAT 816 landfill compactor represents best value for money and is considered well suited to the Shires needs.

**Statutory Environment:**

In accordance with Part 4 of the Local Government (Functions and General) Regulations 1996.

**Policy Implications:**

Policy 2.5 Purchasing Policy

**Financial Implications:**

\$400,00 was originally allocated in the 2019/20 budget to purchase a second-hand landfill compactor however the Shire has additional funding available in the waste reserve to purchase a new landfill compactor.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "low". The "Low" risk rank is considered acceptable with adequate controls, managed by routine procedures.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	B1.1	Sustainably manage current and future assets and infrastructure.
OBJECTIVE	B1.1.3	Continue to improve asset management practices in a manner that optimises life, capacity and function.

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

**OC/20**      That Council accepts the tender from Westrac for the supply and delivery of a new CAT 816 landfill compactor for RFT 04-2020 and makes provision in the 2020/21 Annual Budget to purchase the machine.

**Requirement:** Simple Majority

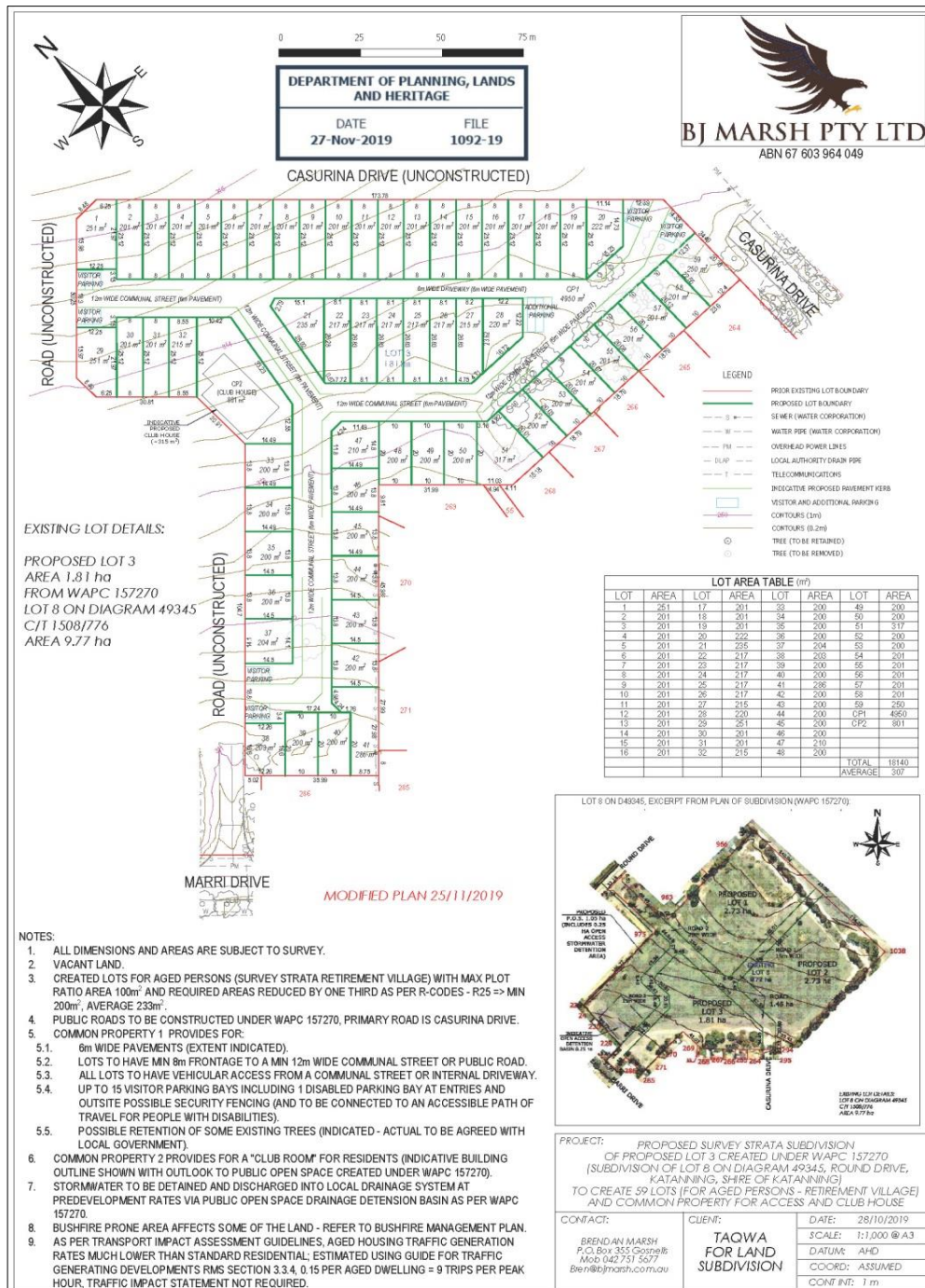
CARRIED/LOST:

### 10.1.2 Subdivision Referral, Survey Strata – Portion Lot 8 Round Drive, Katanning

**File Ref:** A2373  
**Reporting Officer:** Delma Baesjou – Consultant Planner  
**Date Report Prepared:** 16 July 2020

#### Issue:

To consider a subdivision proposal for portion of Lot 8 Round Drive, Katanning to create 59 Survey Strata Lots, communal streets and common property.



#### Application –Survey Strata Subdivision Ref No: 1092-19

#### Body/Background:

A Survey Strata Subdivision was referred to the Shire by the Western Australian Planning Commission (WAPC) in December 2019. Following discussions with staff from the Department

of Planning Lands and Heritage regarding concerns relating to urban water management and Liveable Neighbourhoods, supplementary information was sought from the applicant and extensions granted for the determination date. An Engineering Service Report was received in February 2020. A revised Bushfire Management Plan and revised Liveable Neighbourhoods Report were received on 14 May.

The application was prepared by BJ Marsh Pty Ltd on behalf of TAQWA Holdings Pty Ltd. The proponent's Liveable Neighbourhoods Statement, Engineering Service Report and Bushfire Management Plan are available upon request.

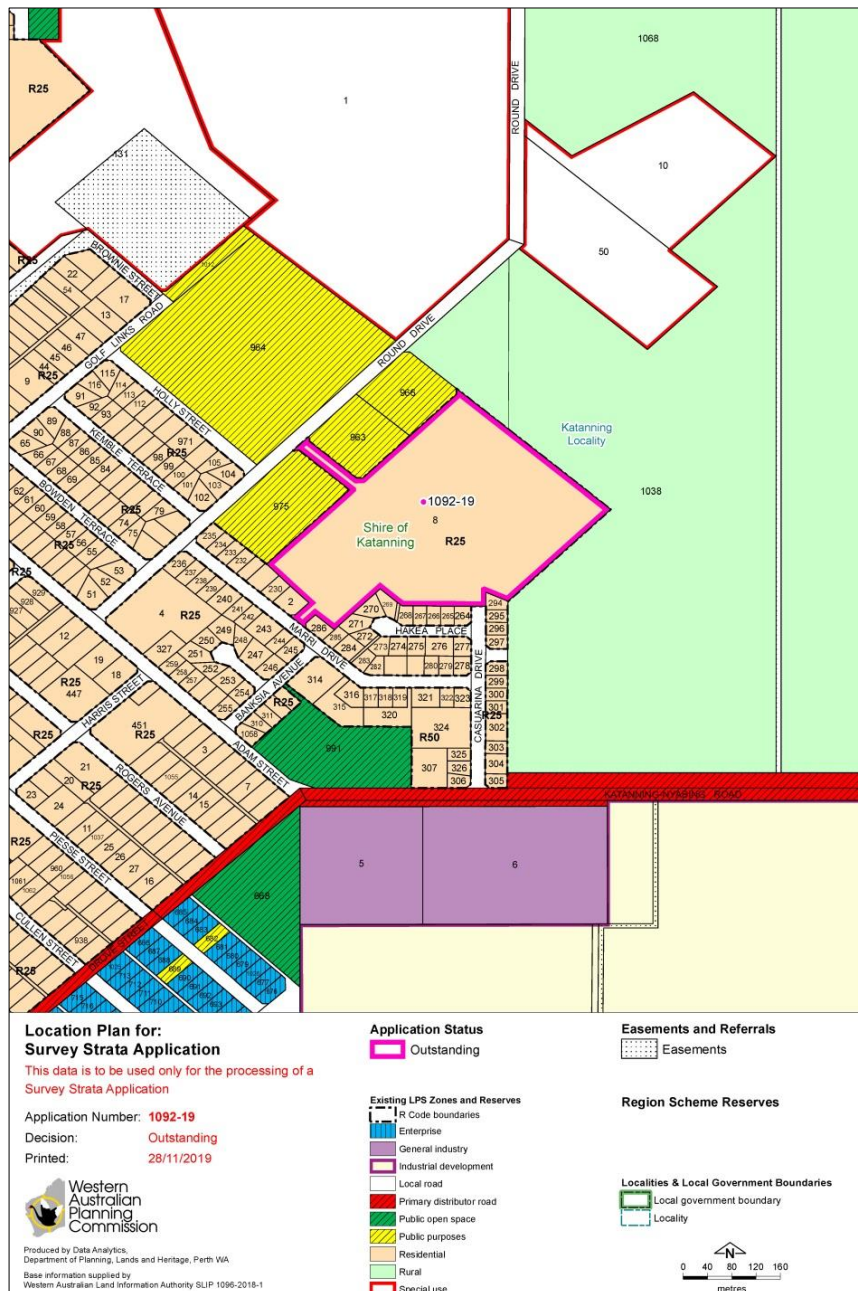
The Survey Strata Plan shows fifty-nine (59) 'Retirement Village' lots ranging from 200 – 251m<sup>2</sup>; Common Property 1 being 4950m<sup>2</sup>, comprising communal streets and visitor parking; and Common Property 2, 801m<sup>2</sup> – Club House. A 6m wide pavement is nominated within the 12m wide streets and the 6m wide rear laneway servicing Lots 8 - 17 Visitor bays are nominated at various intersections.

Lot 8 is 9.764ha and has frontage to Round Drive, Marri Drive and Casuarina Drive. The subject land is proposed 'Super-lot' 3 of WAPC subdivision ref: 157270. Proposed Lot 3 is 1.81ha and would have frontage to a new section of Casuarina Drive and an un-named subdivisional road extending north from Marri Drive.

The site is located approximately 1.5 kilometres to the east of Katanning town centre. Land to the south and south-west has been developed for residential purposes. The Katanning High School is located on the opposite side of Round Drive. The adjoining property to the north and east is zoned Rural and used for farming purposes.

The subject land is zoned Residential under the Shire of Katanning Local Planning Scheme No.5 (LPS). The R25 Density-Code applies. Refer WAPC Zoning and Application location display plan below.





A proposal to create three 'Super-lots', including this parcel of land, was considered by the Council at its meetings held 26 February 2019 and 30 July 2019. The Council resolved to advise the WAPC of its support for that subdivision (ref; 157270), subject to eight conditions. (Refer Items 10.1.1 and Resolutions OC185/19 and OC242/19 respectively).

In determining that proposal, the Council specified that the proponent be advised: The draft 'Concept Plan', including the survey strata Retirement Village, has not been subject to formal assessment and should not be construed as approved or supported by the Shire of Katanning with particular regard to urban water management, road widths, connectivity, POS development, the Residential Design Codes and Liveable Neighbourhoods.

The WAPC granted conditional approval to the three-lot subdivision on 3 September 2019. Importantly, the above proviso is included in the accompanying Advice Notes.

**Officer's Comment:**

The Survey Strata Retirement Village comprises 59 lots and is a significant proposal for Katanning. The concept is consistent with the Planning Strategy and the Residential zoning.

The lot sizes conform to the requirements of the R-Codes, utilising the 30% bonus for aged persons' dwellings provided for under Clause 5.1.1 C1.4 i.

The proposal satisfies most of the criteria for aged or dependent person's dwellings listed under Design Principle P2 5.5.2 of the R-Codes. The following comments relate to key criteria:

- Anecdotally it is recognised there is a need for this type of housing therefore it is considered the application 'Responds to demand for aged or dependent person's accommodation in the locality which is recognised in the local planning framework'
- The proposal has due regard for 'topography in respect to access and mobility';
- The Liveable Neighbourhoods report addresses 'the availability of community facilities'; and
- It is considered the proposal 'does not impinge upon neighbour amenity'.

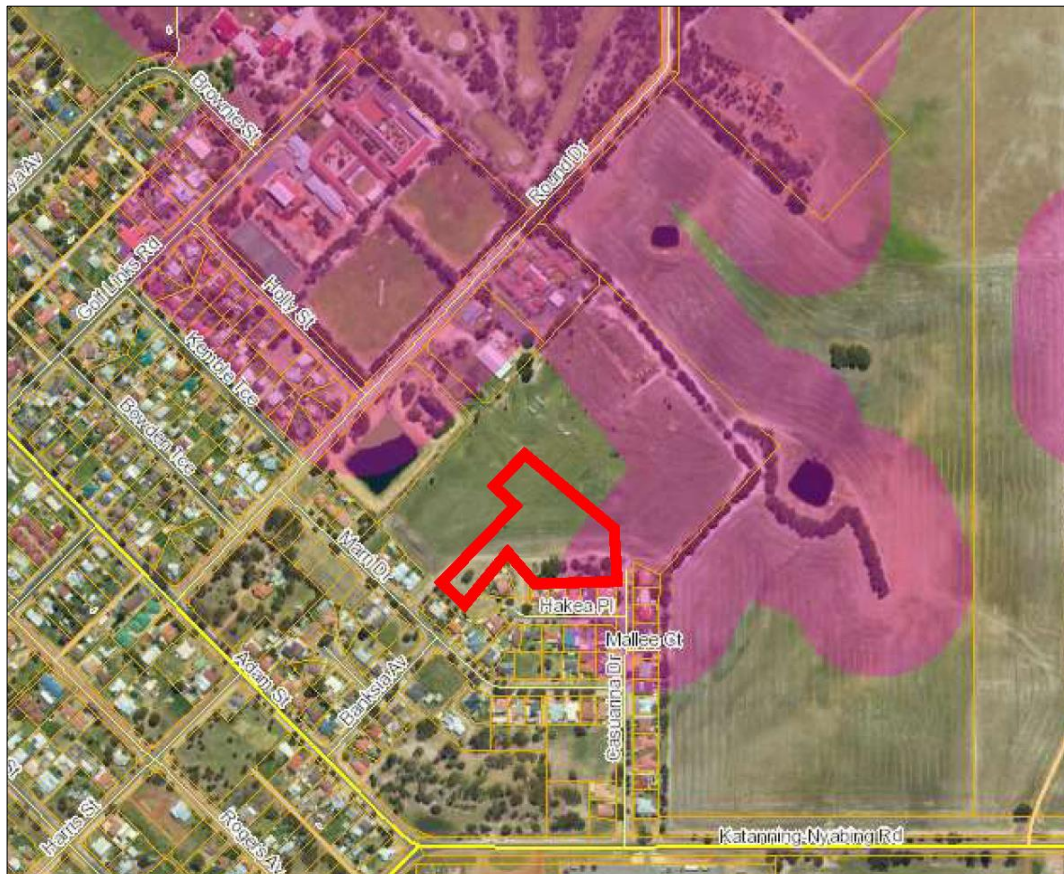
This subdivision does not satisfy the criterion relating to 'reduces car dependence i.e. located in close proximity to public transport and services'. As there is limited public transport available in Katanning this aspect is not relevant; the site is 1.5km from the town centre, therefore is not regarded as walkable. It is inevitable this subdivision and the resultant residential development will be comparatively car dependant.

Officers still have some reservations in relation to elements of the subdivision design, in particular intersection treatments, sight lines, visitor parking, some lot configurations, connection to the existing PAW in Hakea Court and the nominated building footprint for the Club House. Subject to approval by the WAPC, detailed engineering drawings will be required to be submitted to the Shire of Katanning. The road pavements, intersection and parking layout will need to satisfy relevant design standards and all subdivisional works will need to meet the IPWEA Local Government Guidelines for Subdivisional Development. Furthermore, given the nature and density of this proposal it is expected that Design Guidelines would be provided.

The February 2020 Engineering Service Report addresses stormwater management principles for the proposed Survey Strata subdivision (proposed Lot 3). The calculations and basin design capacity appears to be adequate for the 59 lots and associated roads. Although the report references proposed Super-lots 1 & 2, it would seem no allowance has been made for retention and management of stormwater runoff from the future subdivision and/or development of these balance parcels. Future Stages would necessitate new or extended drainage infrastructure. In the absence of an approved overarching Water Management Plan, the implications for the local drainage network are not yet known. Accordingly, recommended Condition I. proposes submission of an Urban Water Management Plan as a pre-requisite to subdivision.

The site contains a number of mature trees near the southern boundary, behind the existing residential lots in Hakea Place. This vegetation was within the POS nominated on the original Plan of Subdivision, however under the current strata subdivision is within proposed Lots 51 – 59 and the future communal street. The proponent suggests some of the trees might be able to be retained within the communal road. This will depend on final detailed design of the road pavement, crossovers, parking and the location of power, water and sewer. Retention of trees

The proprietor has obligations and responsibilities for bushfire safety at all stages of the project. Elements of the BMP will be implemented at the subdivision stage, and future development within the designated BFPA will be subject to relevant planning and building requirements. In the interim there will be ongoing management and maintenance of fire breaks and fuel loads.



**Aerial image of Subject Land – Proposed Lot 3 Round Drive (and surrounds) showing 2019 Bush Fire Prone designation (in Pink)**

**Bushfire Management Plan – BAL Contour****4 IDENTIFICATION OF BUSHFIRE HAZARD ISSUES**

The most significant Bushfire Hazard Issue is the adjoining cropping land located to the east of the subject land, which is likely to pose a hazard while cropped from the commencement of the bushfire season until at least harvest of the crop. The construction of the abutting public roads and the keeping of the subject land as per Asset Protection Zone requirements (which also means in non-vegetated or minimum fuel condition as per AS3959 Clauses 2.2.3.2 (e) and (f)) reduces maximum bushfire attack level to BAL-19.

Extract from Part 4 of BMP

**Statutory Environment:**

Planning and Development Act 2005.

Planning and Development (Local Planning Schemes) Regulations 2015.

Shire of Katanning Local Planning Scheme No. 5 (LPS5).

As cited on its website, 'The Western Australian Planning Commission (WAPC) is the responsible authority for subdivision approvals in Western Australia'. WAPC Development Control Policies 1.1, 2.2, 2.6 and 3.1 set out the principles and standards that will be used by the Commission in determining applications for the subdivision of residential land.

**Policy Implications:**

There are no policy implications for this report.

Relevant WAPC Policies include:

- Development Control Policy 1.1 - General principles for the subdivision of land.
- Development Control Policy 2.2 – Residential Subdivision
- Development Control Policy 2.6 – Residential Road Planning
- State Planning Policy 3: Urban Growth and Settlement.
- State Planning Policy 7.3 - Residential Design Codes Volume 1.
- Liveable Neighbourhoods Policy.

Liveable Neighbourhoods is a WAPC operational policy that guides the structure planning and subdivision for greenfield and large brownfield (urban infill) sites. It is the Commission's preferred policy to guide the subdivision of land. The proponent has submitted a Liveable Neighbourhoods Report that responds, albeit briefly, to the elements set out in the Commission's Policy. Shire Officers have provided preliminary comment on connectivity, POS development, village facilities, pedestrian and non-vehicular pathway, and key elements of Liveable Neighbourhoods. It is expected the DPLH will address these matters and request additional detail or recommend any modifications in its determination of this application.

**Financial Implications:**

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

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. Local Government is a referral authority for subdivision applications which are determined by the Western Australian Planning Commission. Accordingly, the perceived level of risk for any recommendation or advice provided by Local Government is considered to be "Low" risk and can be managed by routine procedures and with current resources.



**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	BUILT ENVIRONMENT	
ASPIRATION	B2	Places for the community to live, work and connect
OBJECTIVE	B2.3	Orderly development (Town Planning).
PRIORITY	ECONOMIC	
ASPIRATION	E3	Sustainable economic and population growth.
OBJECTIVE	E3.2	Continue to build Katanning's reputation as a strategic sub-regional service centre and economic hub.

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

OC/20

**That Council:**

**1) Advises the Western Australian Planning Commission the Shire of Katanning is not opposed to the Survey Strata subdivision for Lot 3 of Lot 8 Round Drive, Katanning Assessment no. 2373 WAPC ref: 1092-19, and should the Commission support the proposal the following conditions are recommended:**

- I. Preparation and submission of an Urban Water Management Plan for the whole of the Lot 8 for approval by the Shire of Katanning, in consultation with the Department of Water and Environmental Regulation.**
- II. Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be into the satisfaction of the Shire of Katanning.**
- III. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost.**
- IV. Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of subdivision, for grading and/or stabilisation of the site to ensure that:**
  - a) lots can accommodate their intended use; and**

- b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/ or proposed finished ground levels of the land abutting.
- V. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of communal roads and shared paths through and connecting to the application area.
- VI. Suitable arrangements being made for the provision of sealed vehicular crossovers to service the lots shown on the approved plan of subdivision.
- VII. Provision and maintenance of clearly marked 'visitor parking bays' in accordance with Design Principle 5.3.3 and 5.3.4 of the R-Codes and compliant with relevant engineering standards and specifications.
- VIII. The Bushfire Management Plan to be modified in reference to the Katanning Leisure Centre as the secondary off-site location, by replacing 'LEMC' with 'welfare centre'.
- IX. Implementation of fire safety requirements in accordance with the Fire Management Plan, in particular Part 6 and any subsequent advice from the Department of Fire and Emergency Services.
- X. Street lighting is installed on all new subdivisional roads to the standards of the relevant licensed service provider.
- XI. Arrangements being made for the proposed public open space to be developed by the landowner/applicant to a minimum standard in accordance with the requirements of Liveable Neighbourhoods and to the specifications of the local government.
- XII. Appropriate measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention that is not impacted by the proposed development.
- XIII. Submission of a plan showing proposed street trees and any verge treatments, and subject to approval by the Shire of Katanning, planting, installation and maintenance for not less than two years.
- XIV. Arrangements being made with the Water Corporation for provision of a suitable water supply service to the lots.
- XV. All proposed lots being provided with sewer connection.
- XVI. Installation of fire hydrants to service the subdivision.

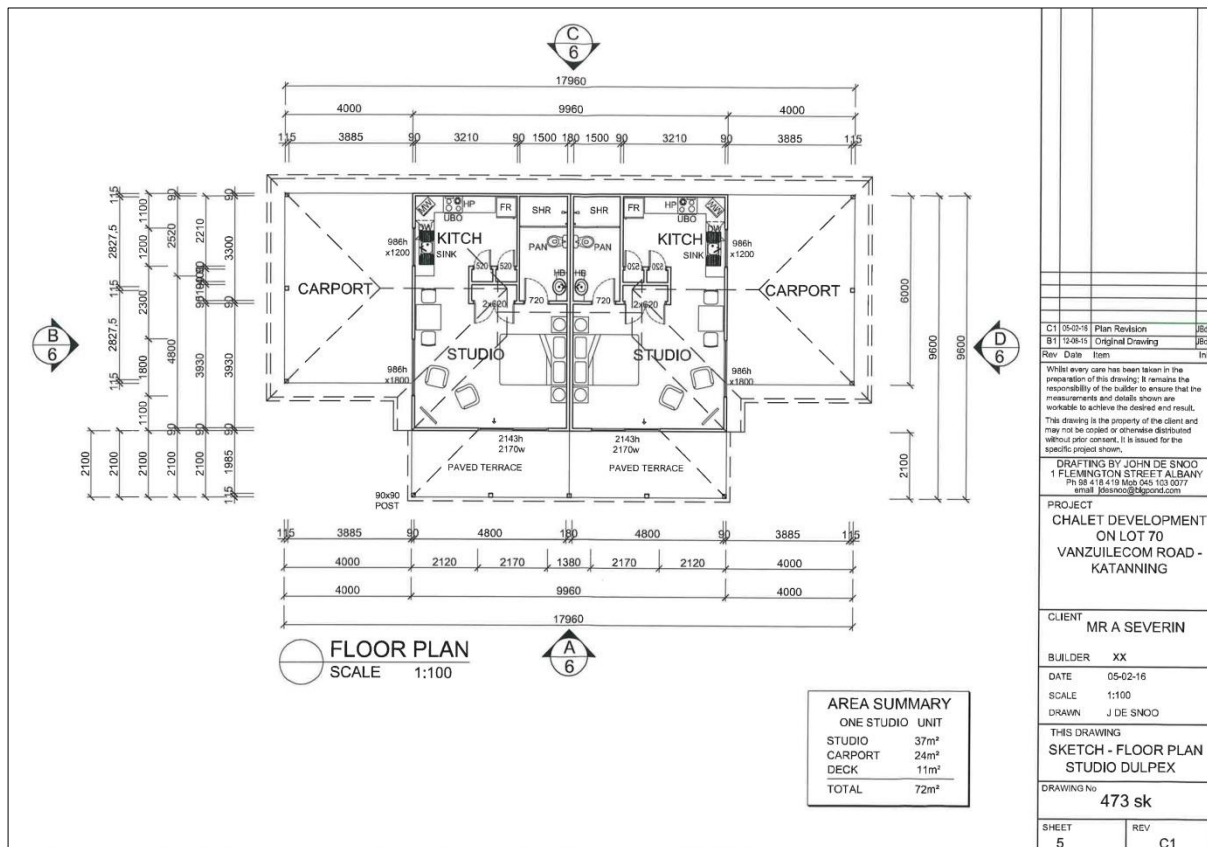
- XVII. Preparation and submission of Design Guidelines for the proposed Dwellings; matters to be addressed include: setbacks; building orientation and solar access; vehicular access; garage and carport location and openings; outdoor living space, security and surveillance; fencing; letterboxes and bin storage areas.**
  - XVIII. A management statement being prepared and submitted for consideration and written confirmation in accordance with the Strata Titles Act 1985 (as amended).**
- 2) Grants authority to the Shire President and Chief Executive Officer to affix the Common Seal of the Council to Notifications and Restrictive Covenant documentation pertaining to the creation of the new lots associated with Survey Strata Subdivision WAPC ref: 1092-19, dated 27 November 2019 (or subsequent revision) for proposed Lot 3 of Lot 8 Round Drive, Katanning in accordance with Part IV Division 3A of the Transfer of Land Act 1893 (as amended).**

**Requirement:** Absolute Majority

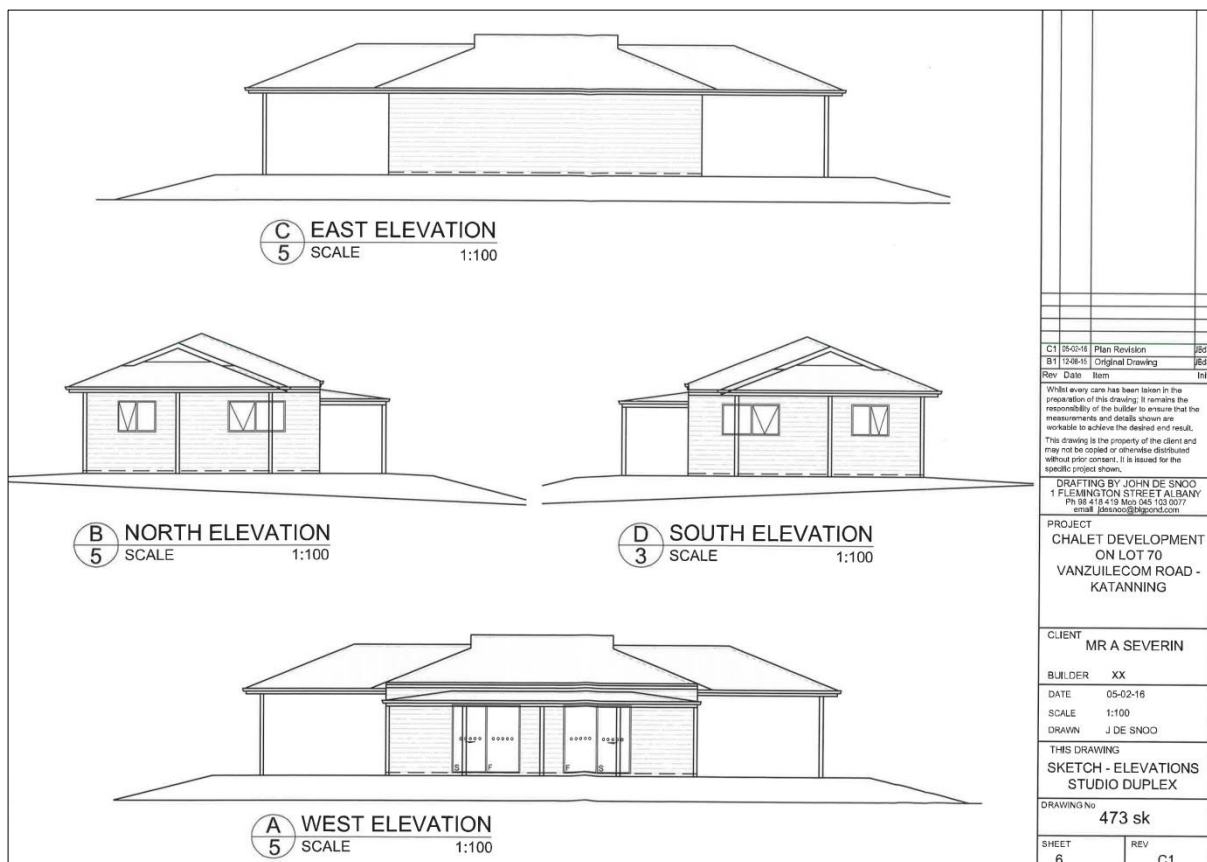
CARRIED/LOST:



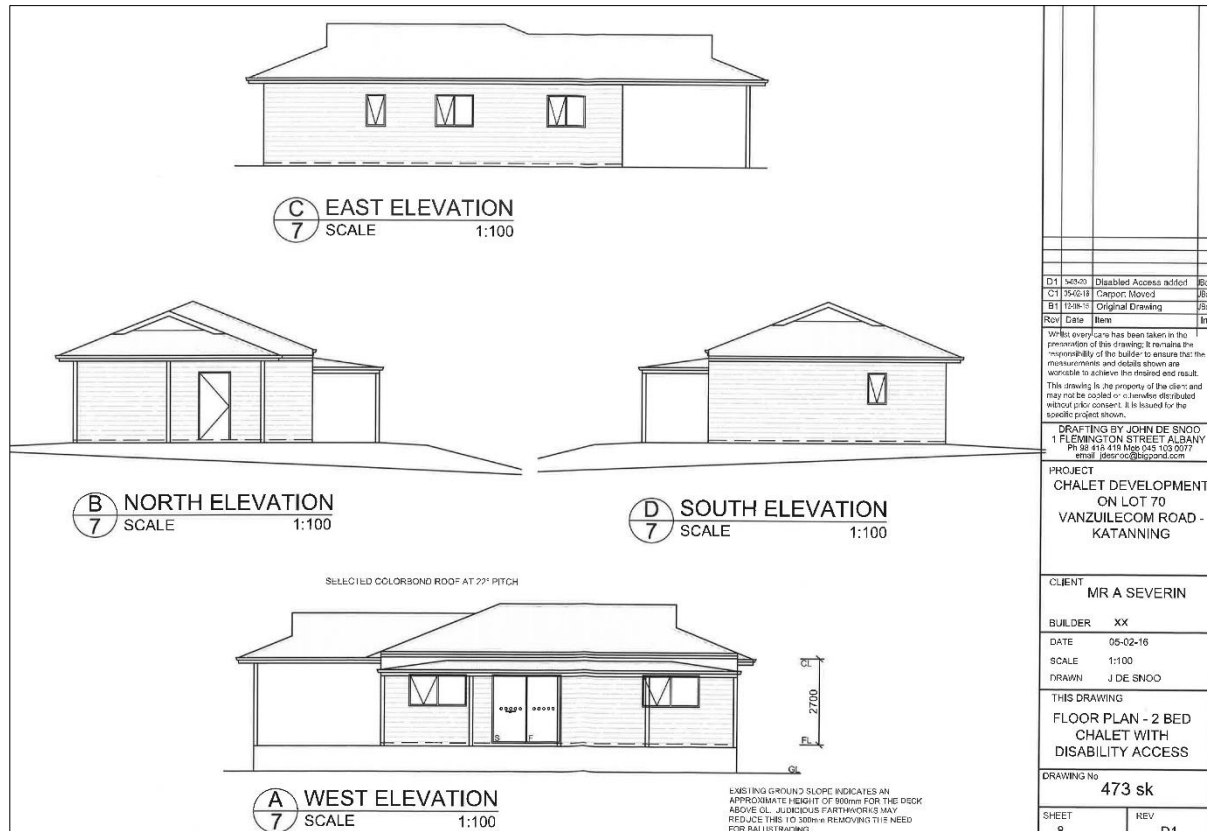
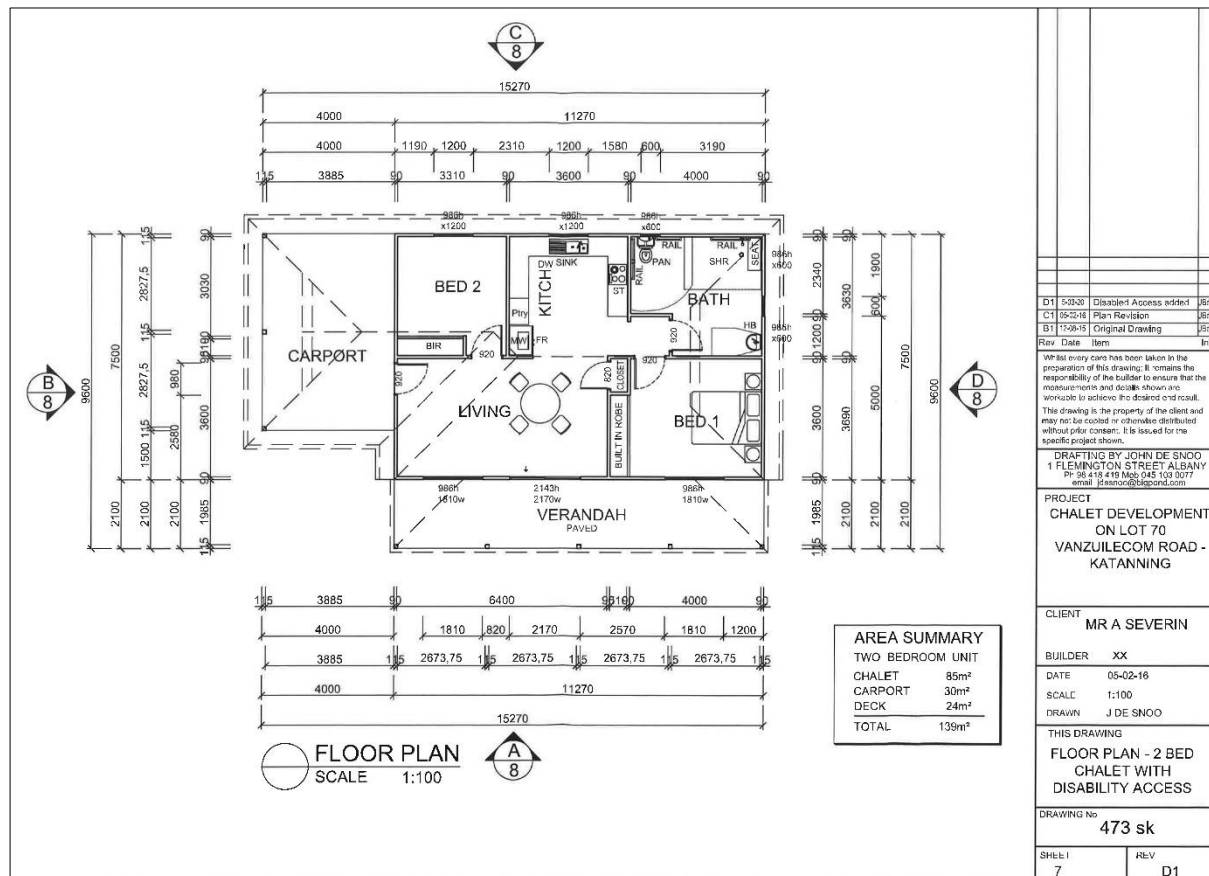


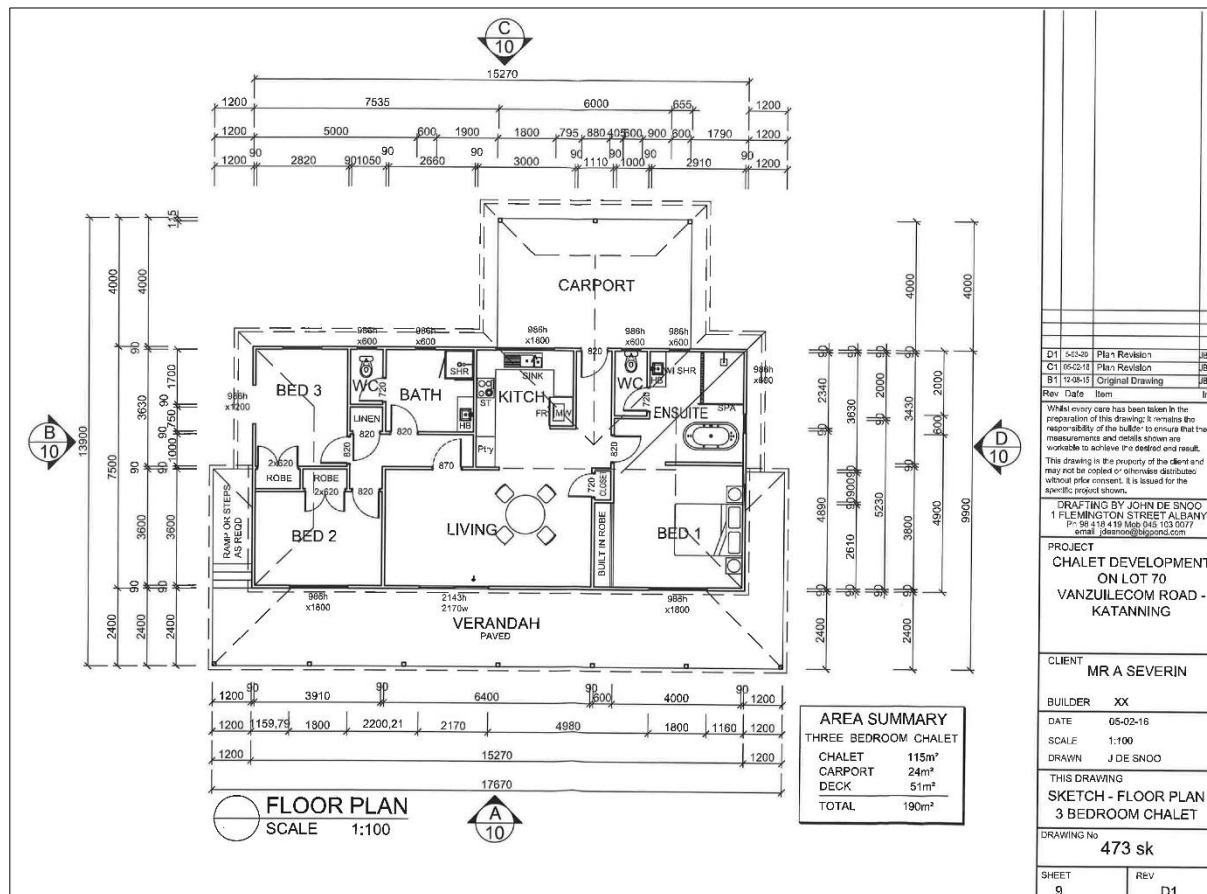


Studio Floor Plan



Studio Elevations

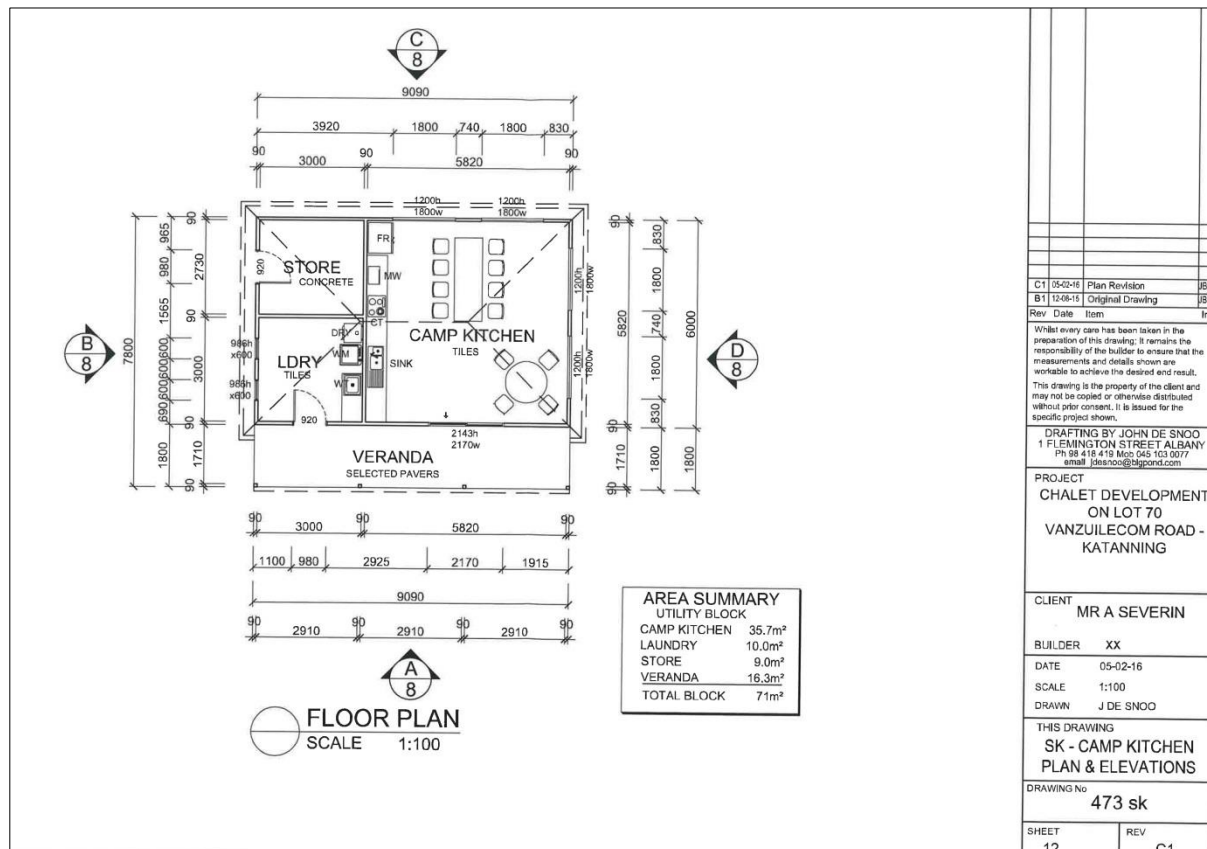




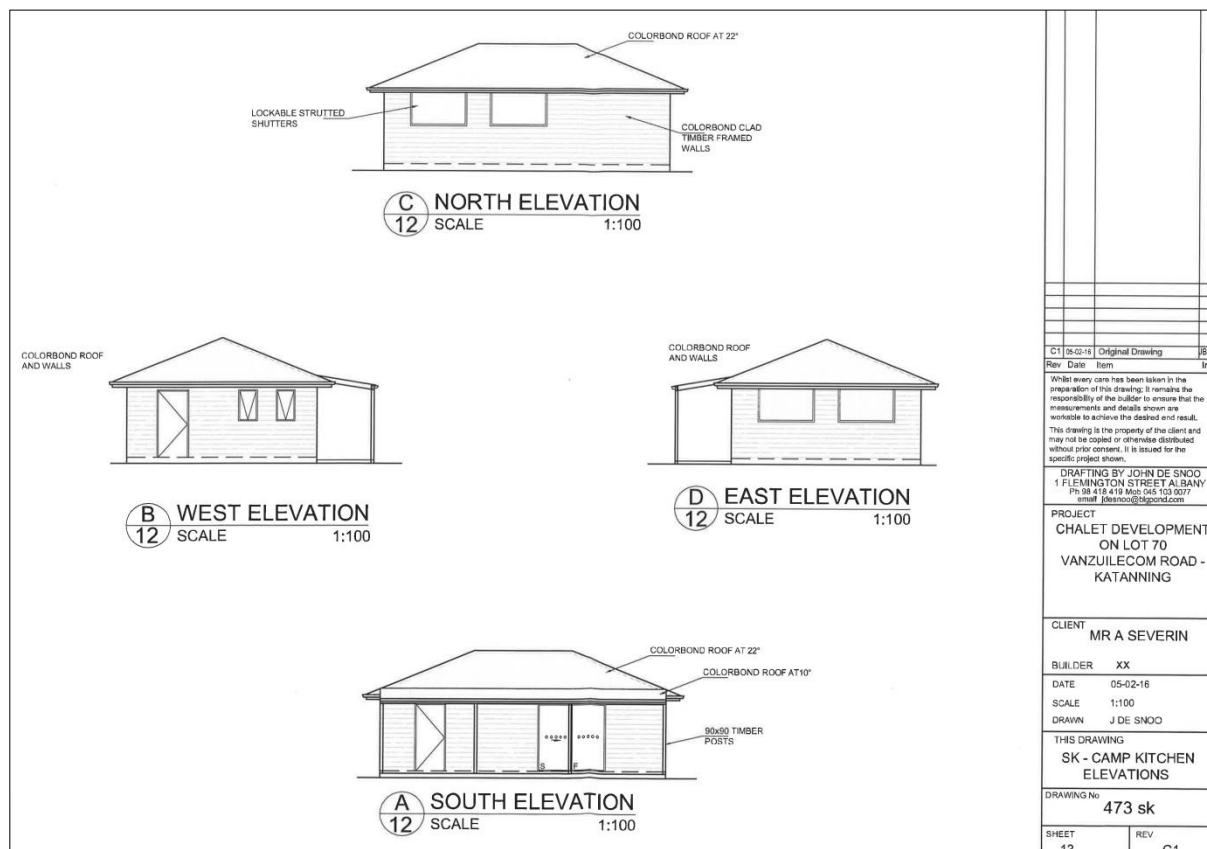
3 Bedroom Chalet Floor Plan



3 Bedroom Chalet Elevations

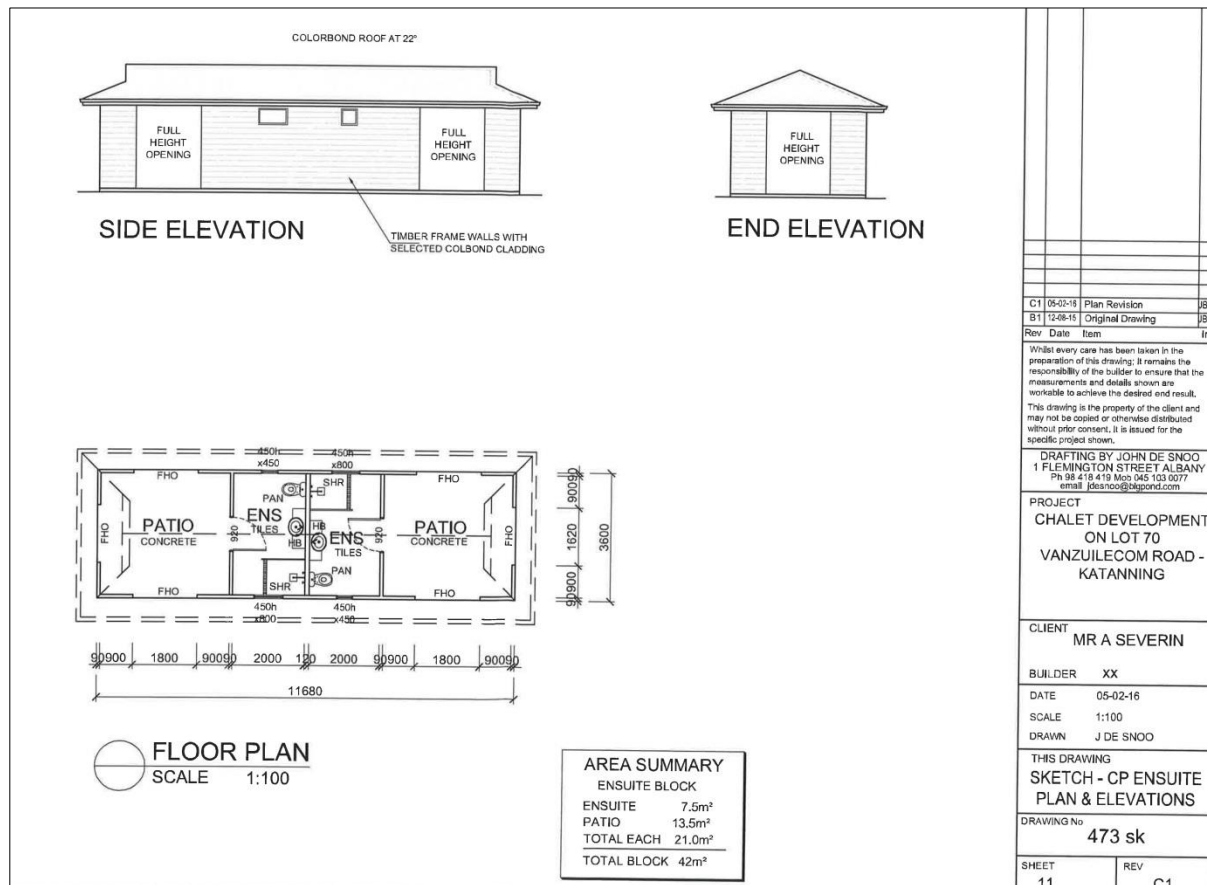


Camp Kitchen Floor Plan

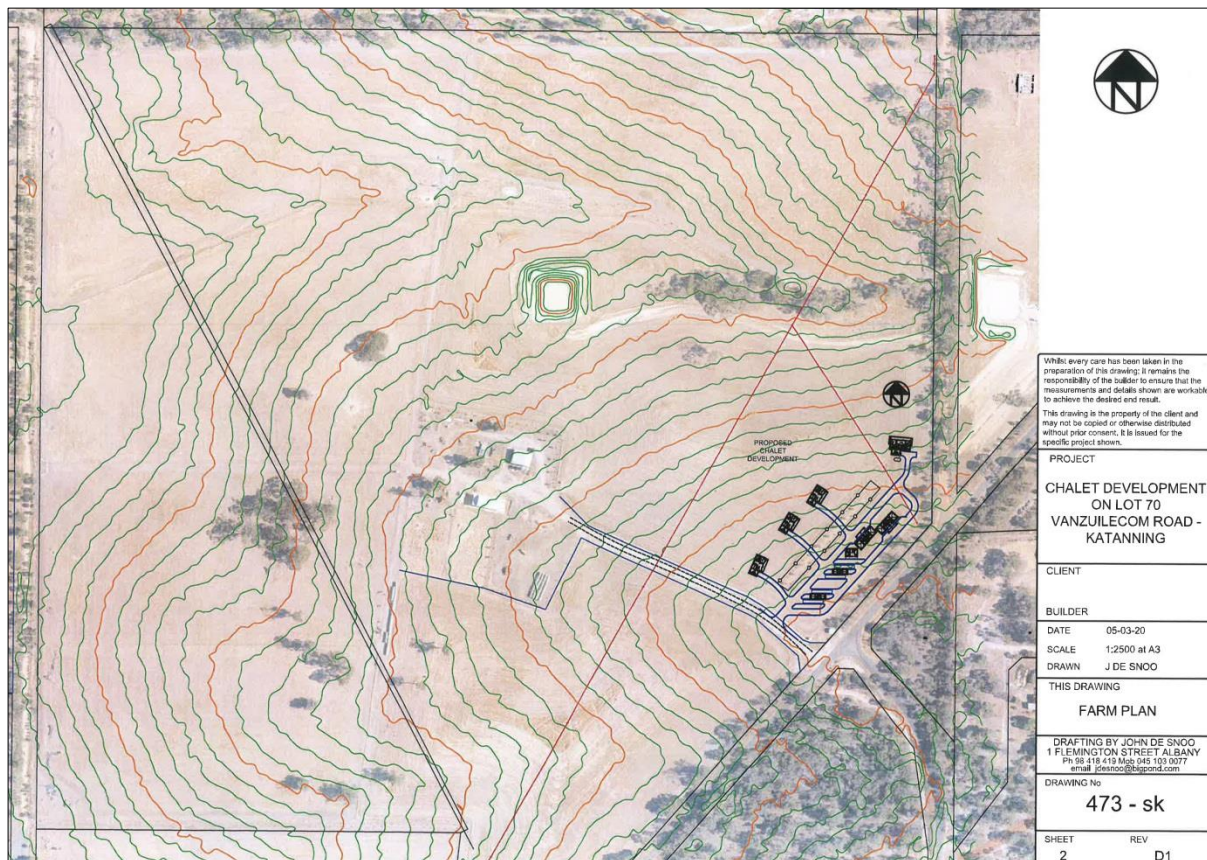


Camp Kitchen Elevations





Caravan Ensuite Floor Plan &amp; Elevations



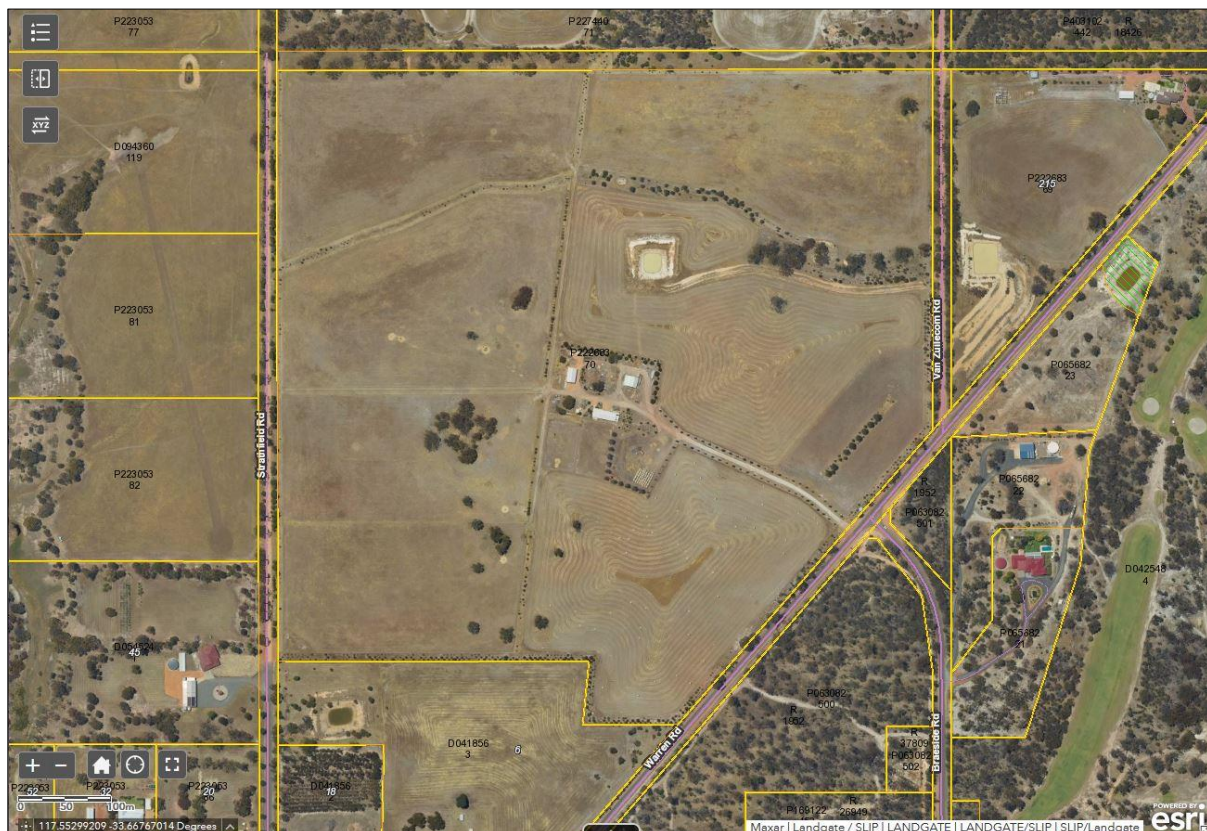
Site Plan with Contours

The subject land is 42.5ha. It has frontage to Warren Road and Van Zuilcom Road along the south eastern and eastern boundaries respectively. The western boundary adjoins Strathfield Road.

The land is used for rural purposes, predominantly cropping and grazed pasture. Existing development includes three Rural Sheds, a formed driveway, dams and farm management tracks.

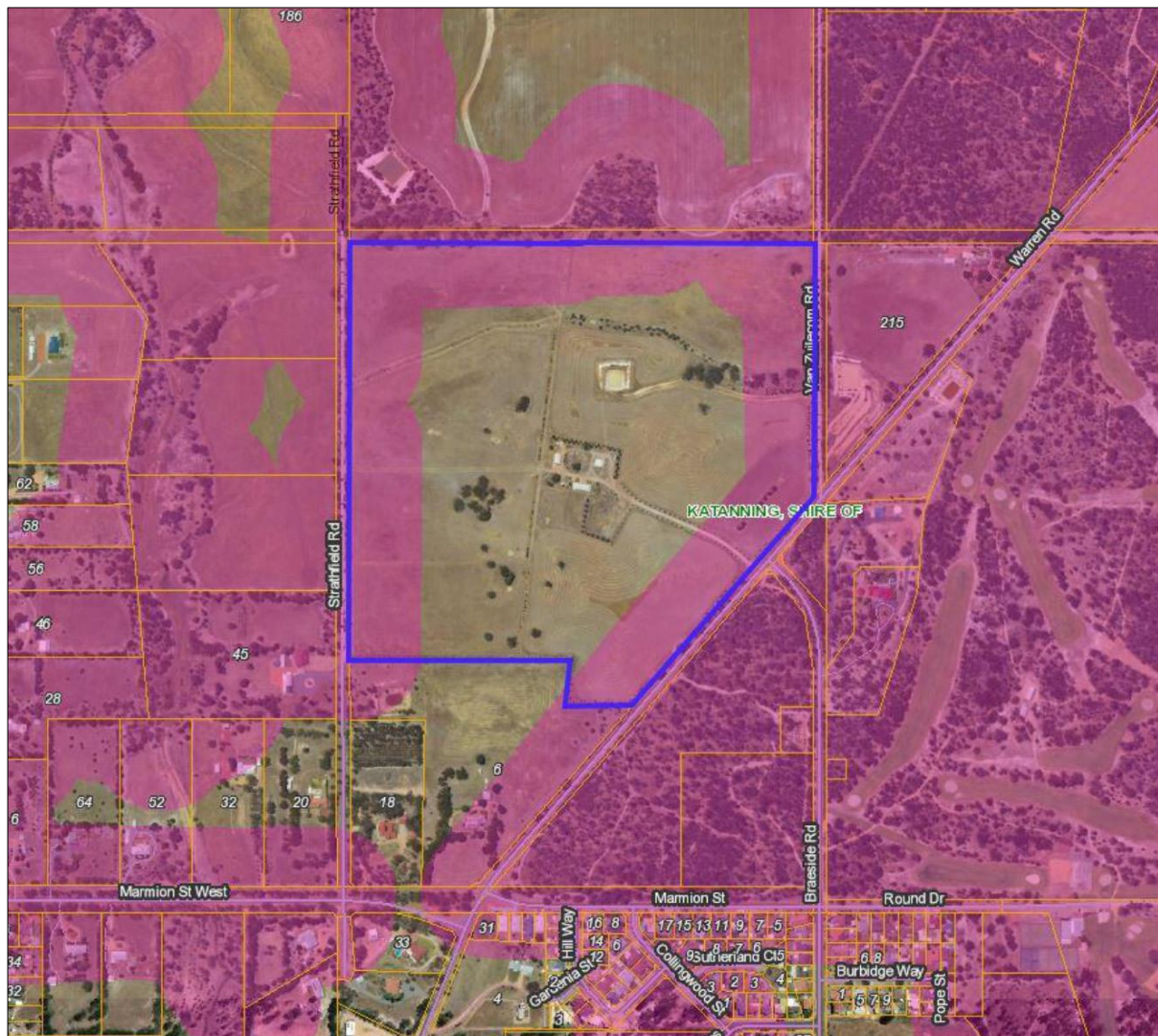
Lot 70 is zoned Urban Development under the Shire of Katanning Local Planning Scheme No. 5 (LPS5). The property was previously zoned 'Rural Residential' under Town Planning Scheme 3.

Adjoining land to the south and east of Van Zuilcom Road is also zoned Urban Development. Land to the west is Rural Residential Area 1. Freehold property to the north of the un-made road is zoned Rural. Land to the east, on the opposite side of Warren Road, is bushland Reserve 1952; it is designated as Public Open Space under LPS5.



**Image of Subject Land – Source: Landgate**





**Image showing Subject Land and Bushfire Prone designation**

### **Officers Comment**

The application was assessed against the zone Objectives, Provisions and Development Requirements set out in Tables 2, 3 and 8 respectively, the Zoning Table and the definitions listed in Division 2 – Clause 38 of LPS5.

Relevant planning considerations for the Urban Development Zone include:

#### **Objectives**

- To provide for a range of residential densities to encourage a variety of residential accommodation.
- To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.
- To provide for sustainable urban consolidation and expansion of the Katanning townsite.
- To designate land considered generally suitable for future urban development and to prevent such land being used or developed in a manner which could prejudice its possible future use for planned urban development.
- To provide for the sustainable development of land in an orderly staged manner with appropriate levels of physical infrastructure and human services.

- To provide a suitable interface between rural and residential land uses.

#### Additional Provisions

... within the Urban Development Zone the Local Government may consider the establishment of uses in accordance with the zoning table prior to the completion and endorsement of a structure plan.

#### Development Requirements:

Where any premises are approved for tourist accommodation purposes such as bed and breakfast/farmstay, caravan park, camping ground, hotel, motel or the like, the duration of occupancy by any person in those premises shall be limited to a maximum of 3 months during any 12-month period.

All vehicle access points, other than in the Residential zone, shall be designed so that all vehicles can enter and leave the lot in a forward gear.

The Local Government may require an area be set aside on-site for bin and refuse storage purposes for grouped/multiple dwelling, tourist, commercial, or industrial use.

All bin and refuse storage areas shall;

- (a) Be located, constructed/drained, paved and screened from public view to the satisfaction of the Local Government and;
- (b) Be permanently retained for that exclusive use.

Potable water and fit-for-purpose water (wastewater recycling and reuse)

On-site Effluent Disposal

As defined in LPS5,

**holiday accommodation** means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot;

**caravan park** means premises that are a caravan park as defined in the *Caravan Parks and Camping Grounds Act 1995* section 5(1);

Holiday Accommodation is listed as 'D' discretionary in the Zoning Table. Caravan Park is defined in the Scheme, but is not listed in the Table. Accordingly, as set out in Clause 18 (4) the Council may either:

- (a) determine that the use is consistent with the zone objectives and is therefore a use that may be permitted subject to conditions; or
- (b) determine that the use may be consistent with the objectives of a particular zone and give notice before considering an application for development approval for the use of the land; or
- (c) determine that the use is not consistent with the objectives of the zone and is therefore not permitted.

The four proposed Caravan sites are a relatively minor component of the Holiday Accommodation development. Under the circumstances, and given the scale and nature of the proposed land use, it is considered to be consistent with the zone objectives. Approval, subject to conditions is recommended.

The application was assessed against the matters listed in Clause 67, Part 9 Schedule 2 of Planning and Development (Local Planning Schemes) Regulations 2015. The following Table



lists the relevant matters that Council is required to consider the, together with planning comments related 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 Holiday Accommodation is permissible at the Discretion of Council in the Urban Development zone, compliant with relevant provisions and consistent with Cl 9 Aims of the Scheme (b) 'Community Growth and Diversity'.
(b) the requirements of orderly and proper planning.	Yes	Whilst acknowledging the aspiration for Structure Planning, use of the site for the purpose of Holiday Accommodation accords with the zoning and is consistent with the Growth Plan and the endorsed Local Planning Strategy,
(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	The proposal represents and intensification of land use, however is considered compatible and unlikely to have any 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	The development may have some impact on amenity in regard to noise lighting and vehicular activity, but considered manageable.
(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	The Holiday Accommodation is relatively low density and is well setback from intermittent tributaries. Subject to installation of an approved wastewater system it is unlikely to have any negative impact on the natural environment and water resources.
(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 in the form of managed nature strips is proposed. No existing trees are impacted.
(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal	Neutral	Townsite salinity, high groundwater and clay soils can be problematic for on-site stormwater management, although not

inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk.		considered to be a significant risk in this instance. Portion of the development site is designated as Bush Fire Prone. A site specific BMP has been prepared.
(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	The existing entry is to be upgraded, on-site parking, accessways and manoeuvring areas are proposed. Alternative emergency egress is proposed.
(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 will result in an increase in vehicle movements. Considered to be within the capacity of the existing road system
(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	Yes	i Public transport services - of limited significance. ii Provision of water, waste water and power are operational matters. iii Management of wastewater by occupier, to Department of Health specifications. Solid waste to Local Government requirements. iv & v One chalet to be constructed to satisfy universal accessibility specifications.
(w) the history of the site where the development is to be located;	Yes	The subject land was previously zoned Rural Residential. By comparison, the Holiday Accommodation development is relatively small scale and low impact in terms of density, visual amenity and infrastructure.

It is considered Lot 70 is of sufficient size to accommodate the proposed development and that it will not have a significant detrimental impact on amenity, the environment or the adjoining land. The buildings are to be setback more than 15m from all lot boundaries and will be adequately screened from view/public roads.

Development Approval is recommended, subject to conditions.

Should the Council decide to give notice (seek comment) before determining the application for Development Approval for the use of the land as a Caravan Park, an alternative recommendation is set out below.

#### **Statutory Environment:**

Shire of Katanning Local Planning Scheme No. 5 (LPS5).

The Planning and Development (Local Planning Schemes) Regulations 2015 (P&D Regs 2015).

### WAPC State Planning Policy 3.7 Planning in Bushfire Prone Areas.

The proposal is considered to be consistent with the following Aims of the Scheme:

- Community growth and Diversity - Provide opportunities for growth of the Katanning townsite and reinforce its status as a regional centre to accommodate a growing and diverse community with a strong sense of place, heritage and achievement.
- Economic Growth - Strengthen and diversify the Shire of Katanning's economic base by providing an overall pattern of land use and development flexibility that supports existing businesses and provides for expansion of the economic base by encouraging new business and industry.

The subject land is not of historical cultural significance. The site is not recorded in the State Register of Heritage Places, the Municipal Inventory or other Heritage lists. Based on a recent search using the DoPLH online Aboriginal Heritage Inquiry System, it is not listed as a Registered Aboriginal Site or Survey Area.

Portion of the subject land is designated as a Bush Fire Prone Area (BFPA) as identified by the Fire and Emergency Services Commissioner. A Bushfire Management Plan (BMP) and BAL Contour Plan were prepared by an accredited fire consultant to accompany this application. Section 3 contains the Bushfire Assessment Results and Figure 5 is the BAL Allocation Contour Plan. Section 4 identifies the bushfire impacts, Section 5 assesses this proposal to the 'Acceptable Solutions' and Section 6 sets out responsibilities for implementation.

The report confirms compliance and states that all buildings can achieve BAL -29 or lower. Standard requirements include maintenance of Asset Protection Zones, installation of firebreak and vehicular access construction specifications. Specific to this development is the provision of two 50kl water tanks for firefighting purposes, meeting Acceptable Solution 3.2 of the Position Statement 'Tourism land uses in bushfire prone areas' with the provision of a static supply of 10kl per building/structure. Warren Road serves as suitable vehicle access to two different destinations, and a supplementary Emergency Access Way is proposed onto Van Zuijlecom Road.

The BMP was reviewed by the Shire's Community Emergency Services Manager (CESM) who advised there were no concerns with the document.

It is considered in order to require an Emergency Evacuation Plan at the Building Permit stage.

The Holiday Accommodation is regarded as a 'Vulnerable land use' therefore this proposal was formally referred to the Department of Fire and Emergency Services for comment. At the time of preparing this report a response was still pending.

#### **Policy Implications:**

There are no Shire of Katanning policy implications for this report.

WAPC Policy SPP 3.7 Planning in Bushfire Prone Areas and Position Statement 'Tourism land uses in bushfire prone areas' (2019) are considered relevant.

#### **Financial Implications:**

Based on the development value of \$950,000, the Application Fee of \$2856.50 is required as set out in Council's Schedule of Fees and Charges.

**Risk Implications:**

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

The risk relates to possible Financial and Reputational Consequences, in the event the Applicants exercise their right to apply for a review by the State Administrative Tribunal (SAT) should they be aggrieved by the determination (either Approval or Refusal) of the Development Application.

In this case, the perceived level of risk in relation is considered to be "Low (2)" based on the "Minor" (2) consequence of Financial or Reputational impacts, and the "Rare" (1) likelihood that the Applicant would challenge the Council's decision on this proposal. The "Low" risk rank is considered acceptable with adequate controls, managed by routine procedures.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	BUILT ENVIRONMENT	
ASPIRATION	B2	Places for the community to live, work and connect
OBJECTIVE	B2.3	Orderly development (Town Planning).
PRIORITY	ECONOMIC	
ASPIRATION	E3	Sustainable economic and population growth
OBJECTIVE	E3.2	Continue to build Katanning's reputation as a strategic sub-regional service centre and economic hub.

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

**OC/20** That Council grants Development Approval for Lot 70 Warren Road, Katanning for the purpose of Holiday Accommodation (eight Chalets, four Caravan Sites with ensuites and Camper's Kitchen) and Entry/Security Gate subject to the following conditions:

- 1) Development is to be generally in accordance with approved plans.
- 2) The construction and maintenance of the internal driveways and parking areas is the responsibility of the developer.
- 3) Installation of emergency water supplies, accessways and implementation of fire safety requirements in accordance with Tables 4, 5 and 6 of the Fire Management Plan.
- 4) Preparation and submission of an Emergency Evacuation Plan prior to occupation of the premises.
- 5) All stormwater runoff from the new structure to be adequately controlled on-site. Any connection to the district drainage system to be to the satisfaction of the Shire of Katanning, in accordance with Engineering requirements and design guidelines.
- 6) Installation of an on-site wastewater management system, approved by the Department of Health, prior to occupation of the premises.
- 7) Provision of potable water to each dwelling, in accordance with the Australian Drinking Water Standards.
- 8) Provision of bin storage areas designed and constructed to the satisfaction of the Shire of Katanning and suitable arrangements being made for the regular collection and disposal of waste.

- 9) Any lighting devices to be located and controlled to minimise 'spill' and off- site impact.**

**Advice Notes**

- I. Future use and development is to comply with the Building Code of Australia and relevant statutes.**
- II. Any modifications to the existing crossover require prior approval and shall be in accordance with Shire of Katanning specifications and requirements.**
- III. Any damage or disruption to infrastructure within the road reserves is to be remediated at the proponent's cost.**
- IV. The operation and management of the Caravan Park, including Licensing, is to comply with the Caravan Parks and Camping Grounds Regulations 1997, and Amendments.**

Alternatively, should Council decide seek comment prior to determining the proposal, it is recommended

**That Council:**

**Determines the proposed 4 site Caravan Park on portion of Lot 70 Warren Road may be consistent with the objectives of the Urban Development zone and gives notice under Clause 64 of the deemed provisions before considering the application for Development Approval.**

**Voting Requirement:** Simple Majority

CARRIED/LOST:

## 10.2 EXECUTIVE MANAGER CORPORATE AND COMMUNITY

### 10.2.1 Schedule of Accounts (ATTACHMENTS)

**File Ref:** FM.FI.4  
**Reporting Officer:** Wendy Stringer, Manager Finance  
**Report Prepared:** 10 June 2020

#### **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 2019/20	EFT Payments 2019/20	Direct Debits 2019/20	Credit Card 2019/20	Payroll 2019/20	Trust 2019/20	Total Payments 2019/20
July	47,366.57	1,176,232.69	233,759.25	-	330,679.18	574.8	1,788,612.57
August	41,439.99	908,599.83	105,255.62	25,680.27	315,742.80	736.45	1,397,454.96
September	26,200.40	1,751,702.11	48,767.40	1,070.69	314,244.68	-	2,141,985.28
October	43,117.15	1,590,746.79	52,380.52	-	517,707.50	-	2,203,951.96
November	51,601.72	1,588,987.73	31,777.33	7,613.45	298,108.14	-	1,978,082.37
December	41,223.00	1,159,597.47	30,584.45	1,973.64	308,213.62	-	1,441,592.18
January	63,781.96	990,544.55	29,912.68	-	218,916.24	-	1,303,155.43
February	25,391.90	479,807.99	29,869.29	-	238,368.36	-	773,437.54
March	3,390.90	842,605.38	29,279.65	11,931.66	215,792.33	-	1,102,999.92
April	1,148.30	1,013,531.70	45,952.54	-	323,294.55	-	1,384,927.09
May	612.25	1,295,643.35	33,540.54	3,236.99	209,042.12	-	1,542,075.25
June							
<b>Total</b>	<b>345,274.14</b>	<b>12,797,999.59</b>	<b>671,,079.27</b>	<b>51,506.70</b>	<b>3,290,109.52</b>	<b>1,311.25</b>	<b>17,157,280.55</b>

#### **Officer's Comment:**

The schedule of accounts for the month of May 2020 are attached.

The Finance Forum held on 16 June 2020 gave attending Councillors an opportunity to ask questions regarding the presented accounts paid.

#### **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 2019/20 Annual Budget.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

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

**OC/20** That Council endorses the Schedule of Accounts as presented, being cheques 42322 - 42324 totalling \$612.25, EFT payments 29833 - 29987 totalling \$1,295,643.35, direct payments totalling \$33,540.54 and credit card payments totalling \$3,236.99 authorised and paid in May 2020.

**Voting Requirement:** Simple Majority.

CARRIED/LOST:

### 10.2.2 Monthly Financial Reports (ATTACHMENTS)

**File Ref:** FM.FI.4  
**Reporting Officer:** Wendy Stringer, Manager Finance  
**Report Prepared:** 11 June 2020

**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 statement's attachment.

The Finance Forum held on 16 June 2020 gave attending Councillors an opportunity to ask questions regarding the presented 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.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

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

**OC/20** That Council adopts the Statement of Financial Activity for the month ending 31 May 2020, as presented.

**Voting Requirement:** Simple Majority.

CARRIED/LOST:



**10.2.3      Rates Exemption – Southern Aboriginal Corporation**

**File Ref:** RV.RP.2  
**Reporting Officer:** Lisa Hannagan, Executive Manager Corporate & Community  
**Date Report Prepared:** 4 June 2020

**Issue:**

To consider an application from Southern Aboriginal Corporate for Rate Exemptions for the following properties:

A257 - 1 Todd Street, Katanning  
A362 - 11 Carew Street, Katanning  
A1538 - 24 Kemble Terrace, Katanning  
A593 - 48 Conroy Street, Katanning  
A52 - 67 Park Street, Katanning  
A723 - 36 Piesse Street, Katanning

**Body/Background:**

An application for a Rate Exemptions has been received from Southern Aboriginal Corporation in relation to Assessment numbers noted above. A review of the Rates Record shows that all property rates and charges are currently up to date. An application has been completed for each property.

Southern Aboriginal Corporation are requesting a rate exemption based on 6.26(g) of the *Local Government Act 1995* which allows exempt status for land used exclusively for charitable purposes.

The residential properties are leased by the Southern Aboriginal Corporation to Aboriginal tenants. The Southern Aboriginal Corporation is a registered Community Housing organisation and manages its housing program in accordance with the national standards that apply to registered not for profit community housing organisations.

The properties listed are used to provide low cost rental housing for economically disadvantaged indigenous people. The proceeds are used by the corporation to pay bills, cover office costs and generally further the objectives of the organisation, but not in order to generate any profit.

**Officer's Comment:**

The properties are all zoned residential. Rates levied for the 19/20 financial year were as follows:

A257	\$1,184
A362	\$1,105
A1538	\$979
A593	\$1,237
A52	\$979
A723	\$1500
<b>Total</b>	<b>\$11,332</b>

The applications have been reviewed and found to be in order.

A 2019 Financial Report (Audited), Certificate of Incorporation as an Aboriginal Corporation and the “Rule Book” for the organisation were included in the application.

The rate payer will be required to pay the Emergency Services Levy and any other service fees and charges, such as rubbish collection.

The listed properties were visually inspected (externally) on Thursday 4 June 2020 and found to be in generally good repair. Several of the properties appeared to be vacant.

**Statutory Environment:**

Section 6.26(g) of the *Local Government Act 1995* states the following:

All land within a district is rateable land except –  
(g) land used exclusively for charitable purposes;

**Policy Implications:**

Nil.

**Financial Implications:**

There is a cost implication in granting the Rate Exemptions which is a loss of rates income for the properties for each financial year in which the rate exemption is in place. For the 2020/21 financial year, for 6 properties this is \$11,332.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning’s Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “Low” risk and can be managed by routine procedures and with current resources.

Any change in ownership of the property would result in resumption of regular rating.

**Strategic Implications:** Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

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

**OC/20**      **That Council approves the application from Southern Aboriginal Corporation for rates exemption on Assessment numbers A257, A362, A1538, A593, A52 and A723.**

**Voting Requirement:** Absolute Majority

CARRIED/LOST:

**10.2.4      Licence Agreement – Katanning Community Cinema Inc****File Ref:** CS.AA.1**Reporting Officer:** Lisa Hannagan, Executive Manager Corporate & Community**Date Report Prepared:** 26 June 2020**Issue:**

At the Ordinary Meeting of Council held 26 November 2019, Council authorised the CEO to negotiate a Licence Agreement with Katanning Community Cinema Inc for a period of 12 months with an initial review after three months.

**Body/Background:**

The Licence to Occupy has now been agreed by both parties and Section 75 Ministerial Consent was received from the Department of Planning, Lands and Heritage on 25 June 2020.

**Officer's Comment:**

The Licence to Occupy commencement date is noted as "after Ministerial Approval" and therefore 26 June 2020 has been noted on the document.

The first term will expire 27 June 2021 and a further term may be negotiated at that time.

Office Bearers of the Katanning Community Cinema Group have signed the Licence Agreement.

**Statutory Environment:**

Local Government Act 1995

Land Administration Act 1997, Section 75

**Policy Implications:**

There are no policy implications in this matter.

**Financial Implications:**

Council will budget to receive income from the Katanning Community Cinema Group for the 2020/21 financial year at a rate of \$100 per session. The number of sessions that will be held is currently unknown.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY		LEADERSHIP
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

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

**OC/20      That Council approves the Licence Agreement – Katanning Town Hall – Katanning Community Cinema Inc and authorises the CEO and Shire President to execute and affix the common seal to the document.**

**Voting Requirement:** Absolute Majority

CARRIED/LOST:

**10.2.5      Licence Agreement – Katanning Dramatic Society**

**File Ref:** CS.AA.1

**Reporting Officer:** Lisa Hannagan, Executive Manager Corporate & Community

**Date Report Prepared:** 10 July 2020

**Issue:**

Formal Shire records indicate that the Katanning Dramatic Society has operated at the Katanning Town Hall, under a variety of different agreements and arrangements, since 2000.

The Katanning Dramatic Society is an integral part of the community and, over many years, have developed and delivered programs for both young and old and presented theatrical events to the benefit of our community.

This Shire has undertaken a program to formalise the documentation around agreements with a number of community groups in recent times and has worked closely with the Katanning Dramatic Society to ensure that group is comfortable with the more formal style of agreement.

**Body/Background:**

The Licence to Occupy has now been agreed by both parties.

Section 75 Ministerial Consent has been received from the Department of Planning, Lands and Heritage, 26 June 2020 (attached).

**Officer's Comment:**

The Licence to Occupy commencement date is noted as 26 June 2020 which is the same date as Ministerial Consent was issued.

The first term of 3 year will expire 27 June 2023 and a further term of 2 years will be available to the Katanning Dramatic Society.

The office bearers of the Katanning Dramatic Society have signed the Licence agreement.

**Statutory Environment:**

Local Government Act 1995

Land Administration Act 1997, Section 75

**Policy Implications:**

There are no policy implications in this matter.

**Financial Implications:**

The annual fee for the licence agreement is based on Council Minimum rate set annually.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

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

**OC/20**      That Council approves the Licence Agreement – Katanning Town Hall – Katanning Dramatic Society and authorises the CEO and Shire President to execute and affix the common seal to the document.

**Voting Requirement:** Absolute Majority

CARRIED/LOST:

**10.2.6        New Policy – Financial Hardship (Rate Relief)**  
**(ATTACHMENTS)**

**File Ref:** GV.PO.1

**Reporting Officer:** Lisa Hannagan, Executive Manager Corporate & Community

**Date Report Prepared:** 17 July 2020

**Issue:**

A Ministerial Order, dated 8 May 2020, relating to Local Government Penalty Interest has been gazetted.

Section 13 (4) states that “If the local government has not adopted a financial hardship policy, the maximum rate of interest that may be imposed by the local government under section 6.45(3) is 3%.

**Body/Background:**

The Shire currently charges 5.5% pa on instalments and will be able to continue this charge if Council adopt a Hardship Policy.

In relation to penalty interest, at 14 (3) “The rate of interest set by the local government under section 6.51 is not to exceed 8%.”

The Shire charged 11% pa for penalty interest on overdue rates in 2019/20.

A Hardship Policy will not affect penalty interest and the Shire will reduce, to 8%, penalty interest charges for the 2020/21 financial year.

**Officer’s Comment:**

That Council adopt the Hardship Policy (Rate Relief) and Application Form.

The Hardship Policy provides a transparent process for both rate payers and staff in relation to Council’s position. The application for sets out the evidentiary requirements.

**Statutory Environment:**

*Local Government Act 1995*

*Local Government (COVID-19 Response) 2020*

**Policy Implications:**

New Policy – Hardship Policy to be clearly disseminated to Shire staff.

**Financial Implications:**

There may be financial implications, in that by accepting cases of financial hardship, there would be delay in expected cash flow from rates income.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY		LEADERSHIP
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

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

**OC/20**      **That Council adopts the Financial Hardship Policy as presented.**

**Voting Requirement:** Simple Majority

CARRIED/LOST:

**10.2.7      Disposal of Property – 17 Marri Drive Katanning**

**File Ref:** CP.AL.3  
**Reporting Officer:** Lisa Hannagan, Executive Manager Corporate & Community  
**Date Report Prepared:** 22 July 2020

**Issue:**

The purpose of this report is for Council to consider an offer received for 17 Marri Drive Katanning.

**Body/Background:**

Council have identified residential properties that are surplus to requirements. 17 Marri Drive Katanning was identified as surplus.

Surplus properties were listed for sale with Bolto Professionals in November 2019.

The listing price was based on market appraisal by Bolto for the property at \$280,000.

An offer of \$250,000 was received from Nur Alisha Brandon in June 2020.

The Shire had engaged Acumentis to provide a sworn valuation on this property in April 2020 and Acumentis reported that, in their professional opinion, the value of 17 Marri Drive was \$260,000.

**Officer's Comment:**

In accordance with section 3.58(3) of the Local Government Act 1995, public notice was issued in the local newspaper for 14 days seeking submissions on the offer from members of the community. Submissions closed on Friday 24 July 2020 and no submissions were received.

**Statutory Environment:**

*Local Government Act 1995, Section 3.58(3)*

Section 3.58(3) and (4) of the Local Government Act 1995 prescribe the process for disposing of property, including a public notice submission period open for 14 days which is to include details of the disposition, name of the parties involved and market value of the property.

**Policy Implications:**

No policy implication.

**Financial Implications:**

Funds received for the sale of 17 Marri Drive will be directed to the Land and Building Reserve.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.



**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

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

**OC/20**            **That Council accepts the offer from Nur Alisha Brandon in the sum of \$250,000 for the purchase of 17 Marri Drive Katanning.**

**Voting Requirement:** Absolute Majority

CARRIED/LOST:

**10.2.8      20/21 Rating and other COVID 19 Assistance**

**File Ref:** FM.BU.6  
**Reporting Officer:** Lisa Hannagan, Executive Manager Corporate & Community  
**Date Report Prepared:** 22 July 2020

**Issue:**

Council are committed to reduce, where possible, financial hardship caused by the COVID 19 Pandemic on the Katanning community.

**Body/Background:**

The *Local Government (COVID-19 Response) 2020* was gazetted on 8 May 2020 and mandated a number of changes to local government financial management processes but left rate increases to the discretion of individual local governments.

Like many other Western Australian local governments Katanning has, during budget consideration, reviewed the income and expenditure planned for the coming financial year and have considered a suite of measures to ensure the community is supported, from a financial perspective where possible, through the ongoing COVID 19 Pandemic.

Council have:

1. Adopted a Financial Hardship Policy; and
2. Reduced penalty interest charges from 11% in 2019/2020 financial year to 8% for 2020/21.

To further support the community, Council has looked at rating and, in particular, the annual percentage increase that would normally be applied to cover increased costs of Council operations and service delivery.

The Shire, like many businesses, has been impacted by the COVID 19 issue, but Council and Officers have worked to minimise the impacts to the community and continue to provide service wherever possible under COVID 19 Government Orders.

**Officer's Comment:**

The following rates in the dollar were adopted by Council for the previous (2019/20) financial year:

Gross Rental Value (GRV):    \$0.101250  
Unimproved Value (UV):      \$0.010400

It is recommended Council maintain the same rate in the dollar for the 2020/21 financial year, representing a zero increase in the rate in the dollar.

For many ratepayers this will mean that their rates will be similar or the same as for last year.

Shire properties (Unimproved) were revalued by Landgate during the 2019/20 financial year and saw increases, on average 6-9% in the value of their properties. Therefore, for some rural ratepayers, even maintaining the same rate in the dollar will see an increase.

The strong growth in Shire rural land values is seen as a positive indicator going forward and Council are in a sound financial position to be able to forgo a rate increase for the 2020/21 financial year.

**Statutory Environment:**

*Local Government Act 1995*

*Local Government (COVID-19 Response) 2020*

**Policy Implications:**

Not applicable.

**Financial Implications:**

Rate income will be less than if a percentage increase was imposed.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L2	A collaborative, progressive and resilient local government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

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

**OC/20**      **That Council maintains the same rate in the dollar for the 2020/21 financial year as was adopted in the 2019/20 financial year to assist ratepayers during the COVID 19 pandemic.**

**Voting Requirement:** Simple Majority

CARRIED/LOST:

**10.2.9      CSRFF Priority – Wurgabup Rifle Club Inc.**

**File Ref:** GS.AE.3

**Reporting Officer:** Lisa Hannagan, Executive Manager Corporate & Community

**Date Report Prepared:** 15 July 2020

**Issue:**

To consider Wurgabup Rifle Club Inc. facilities upgrade application for 2020/21 CSRFF Funding round. The club has applied for a Small Grant (attached) and Chris Thompson, Regional Manager from the DLGSC has visited the Club, inspected the facilities and been briefed on the proposal.

**Body/Background:**

Through the Community Sport and Recreation Facilities Fund (CSRFF), the State Government provides financial assistance to community groups and local governments to develop infrastructure for sport and recreation.

Community sport and recreation groups and local government authorities are eligible to apply for funding. All applicants are required to submit an application to the Shire for assessment, ranking and rating prior to submission to the Department of Sport and Recreation (DSR).

This is the only application the Shire of Katanning has received for the 2020/21 financial year.

DSR requests that Council place a priority and rating on all applications within its municipality. The ratings are to be assessed on the following criteria:

- Well planned and needed by the municipality (high)
- Well planned and needed by the applicant (medium/high)
- Needed by the municipality but more planning required (medium)
- Needed by the applicant but more planning required (medium/low)
- Idea has merit, but more planning required (medium/low); and
- Not recommended.

The Wurgabup Rifle Club Inc. facilities upgrade application, prepared for the current funding round, will be made available at Council for inspection.

The Department of Sport and Recreation will assess the total eligible cost of the applicant's project (excluding GST) from the information provided. Generally, Small Grant projects will not require a facility or project manager to be assigned to the project.

**Officer's Comment:**

Wurgabup Rifle Club Inc is a community-based shooting club located in Badgebup in the Katanning Shire.

State Records indicate there has been a Rifle Range at Wurgabup since 1908, and this unique organisation incorporates sport and target shooting disciplines under the auspices of the Sporting Shooters Association of Australia (SSAA) and West Australian Rifle Association (WARA).

The club maintains facilities for the benefit of both members and visitors and hosts inter club shoots. Facility are also made available for hosting local events, including training activities and Bushfire Brigade meetings.

Wurgabup Rifle Club Inc. are seeking funding from CSRFF to improve and upgrade their facilities.

*Wurgabup Rifle Club Inc. Facilities Upgrade Proposal (Summary)*

Item	Cost	Shire Ranking
Air Pistol Range	\$8,700	Medium/High
Covered Firing Point	\$16,200	Medium/High
Establishment of 100 and 200 metre firing mounds	\$8,820	Medium/High
Disabled ablution facility	\$20,550	Medium/High
Installation of a dam	\$16,500	Medium/High
Installation of power, water and communications facilities	\$31,000	Medium/High
	<b>\$101,000</b>	

**Statutory Environment:**

Nil.

**Policy Implications:**

Nil.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedures and with current resources.

**Financial Implications:**

There is no financial implication for Council supporting the Wurgabup Rifle Club Inc. CSRFF application. The Club has not requested funding from Council.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L1	An inclusive community, recognised as a great place to live and visit.
OBJECTIVE	L1.2	Provide effective leadership and good governance.

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

**OC/20** That Council endorses the Wurgabup Rifle Club Inc. facilities upgrade application to the Department of Sport and Recreation through the CSRFF grants program as medium high priority and ranks its project 1 of 1 in the 2020/21 Small Grants Round.

**Voting Requirement:** Simple Majority

CARRIED/LOST:

## 10.3 CHIEF EXECUTIVE OFFICER'S REPORTS

### 10.3.1 WALGA AGM Voting Delegates

**File Ref:** GR.LR.1  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 2 July 2020

**Issue:**

To appoint voting delegates to represent the Shire of Katanning at the WA Local Government Association (WALGA) 2020 Annual General Meeting.

**Body/Background:**

Correspondence has been received from WALGA requesting registration of Council's voting delegates for the WALGA Annual General Meeting to be held on Friday 25 September 2020.

**Officer's Comment:**

In previous years the voting delegates for the Shire of Katanning have generally been the President and Deputy President.

WALGA also has provision for Council to nominate proxy voting delegates. Council may wish to consider nominating proxy voting delegates for the AGM.

**Statutory Environment:**

Local Government Act 1995

**Policy Implications:**

Nil.

**Financial Implications:**

Nil.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L1	An inclusive community recognised as a great place to live and visit.
OBJECTIVE	L1.2	Provide effective leadership and good governance.
ASPIRATION	L2	A collaborative, progressive and resilient Local Government which is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of Shire resources – Improve organisational systems.

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

**OC/20**      **That Council appoints the following voting delegates and proxies for the 2020 WALGA Annual General Meeting:**

**Voting Delegates**

Cr \_\_\_\_\_

Cr \_\_\_\_\_

**Proxy Voting Delegates**

Cr \_\_\_\_\_

Cr \_\_\_\_\_

**Voting Requirement:** Simple Majority

CARRIED/LOST:

### **10.3.2        Katanning Environmental – Purchase of Old Saleyards Land** **(ATTACHMENTS)**

**File Ref:** CP.AL.3  
**Reporting Officer:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 22 July 2020

**Issue:**

To consider the disposal of property at Lot 523 Dore St Katanning to Katanning Environmental Inc.

**Body/Background:**

Katanning Environmental is seeking land to develop a packing shed as part of its operations and has a grant to fund the project (see letter attached).

The Shire of Katanning has remnant vacant industrial land at the old saleyards site. The land is a mixture of freehold lots and crown land with contaminated site and aboriginal heritage issues, although Lot 523 is largely unaffected.

Lot 523 Dore St Katanning has been identified as a suitable site for development of a packing shed without impacting on future development opportunities or the need for changes to lot or road layouts (see attached site plan).

Lot 523 has been formally valued by Acumentis on 4 June 2020 at \$40,000 (see attached report).

Katanning Environmental is seeking to purchase the Lot 523 and the adjacent Lot 904 at a subsidised price of \$1,000 subject to conditions.

The reduced sale price recognises that Katanning Environmental is a not for profit community organisation and that they will be spending a substantial sum on building a packing shed on the site.

**Officer's Comment:**

Council can dispose of land to a not for profit community organisation without the need to apply the requirements of section 3.58 of the *Local Government Act 1995* (Disposing of property).

Lot 523 Dore Street Katanning is suitably located and has the appropriate zoning for the development of a packing shed for the needs of Katanning Environmental.

Whilst Lot 904 has also been requested, the current packing shed project can proceed without the need to use this portion or any other lots comprising the old saleyards land.

The CEO has delegated authority to permit the use of Council land under a lease or MOU arrangement and can continue to negotiate the use of other old saleyards lots with Katanning Environmental.

Whilst Katanning Environmental has submitted a letter of offer to purchase subject to conditions including the provision of utilities to Lot 523, these conditions do not have to be accepted by Council.



The discounted price of the land recognises there will be additional costs of developing the land as the lot is currently unserviced.

Council has precedents for the sale of land at a discounted price when the disposal is to an organisation which undertakes to develop the land in a way that promotes economic development and community benefit (i.e. Premier Mill).

**Statutory Environment:**

*Local Government Act 1995*, section 3.58 Disposing of property

*Local Government (Functions and General) Regulations*, Regulation 30(2)(b) Dispositions of property excluded from Act s. 3.58

**Policy Implications:**

Nil

**Financial Implications:**

Income from disposal of property at 523 Dore St Katanning to Katanning Environmental at valued at \$40,000 at a discounted price of \$1,000.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	ECONOMIC	
ASPIRATION	E1	Local business and industry is resilient, growing.
OBJECTIVE	E1.1	Encourage new avenues to upskill and create employment opportunities for our diverse community.
OBJECTIVE	E1.2	Develop local business and encourage start-ups.

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

OC/20

**That Council:**

- 1. Sells Lot 523 Dore Street Katanning to Katanning Environmental Inc for the purposes of developing a packing shed on the site for a sale price of \$1,000 on an as is where is basis; and**
- 2. Is satisfied that the disposal of Lot 523 Dore Street Katanning to Katanning Environmental Inc is an exempt disposition for the purposes of Regulation 30(2)(b) of the *Local Government (Functions and General) Regulations*.**

**Voting Requirement:** Simple Majority

CARRIED/LOST:

### **10.3.3      Rural Health West Membership** **(ATTACHMENT)**

**File Ref:** CS.SV.1  
**Reporting Officers:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 22 July 2020

**Issue:**

To consider becoming an organisational member of Rural Health West.

**Body/Background:**

Rural Health West is a not-for-profit organisation providing support to country communities to ensure country residents have access to medical and health services.

Rural Health West receives funding from State and Federal health agencies to deliver programs to attract, recruit and support medical and health professionals to rural Western Australia.

The organisation is administered by an eight member Board of Directors and managed by their Chief Executive Officer.

The Board of Directors is made up of up to 4 health professional members, one organisational member and up to 4 appointed directors who hold qualifications or skills recognised by the Board of Directors.

**Officer Comment:**

Organisational members must demonstrate a commitment to bettering the health and wellbeing of communities in rural and remote areas.

Organisational members are entitled to vote at the Annual General Meeting and General Meetings, and can nominate a representative to become an organisational member of the Board of Directors. The cost of membership is \$100 per year.

There is a current vacancy for an organisational member on the Board of Directors. It is recommended that Council considers becoming an organisational member of Rural Health West and nominates the Shire President to be its representative.

**Statutory Environment:**

Local Government Act 1995

**Policy Implications:**

Nil

**Financial Implications:**

Cost of organisational membership to Rural Health West - \$100 per year.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The level of risk is considered to be "Low" risk and can be managed by routine procedures and with currently available resources.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L1	An inclusive community recognized as a great place to live and visit
OBJECTIVE	L1.2	Provide effective leadership and good governance
PRIORITY	SOCIAL	
ASPIRATION	S1	A capable, vibrant, healthy & connected community
OBJECTIVE	S1.2	Optimum quality of life for all citizens with access to health and other support services to meet the needs of our community

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

**OC/20**      **That Council applies to become an organisational member of Rural Health West and nominates President Liz Guidera to be its representative.**

**Voting Requirement:** Simple Majority

CARRIED/LOST:

### 10.3.4 Review of Wards and Representation (ATTACHMENT)

**File Ref:** GV.EL.9  
**Reporting Officers:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 22 July 2020

**Issue:**

To consider undertaking a review of wards and representation in the Shire of Katanning.

**Body/Background:**

The Shire of Katanning has nine (9) councillors and 2,463 electors with a councillor/elector ratio of 1 councillor to each 273.67 electors and no wards. Five (5) councillor positions will become vacant at the 2021 ordinary council elections.

The last review of wards and representation in the Shire of Katanning was undertaken in 2010 and it is now appropriate to carry out another review. Schedule 2.2 of the *Local Government Act 1995* outlines the review process.

The review process involves a number of steps:

- Council resolves to undertake the review;
- 6 week public submission period opens;
- Information provided to the community for discussion;
- Public submission period closes;
- The Council considers all submissions and relevant factors and makes a decision;
- The Council submits a report to the Local Government Advisory Board (the Board) for its consideration; and (If a change is proposed) The Board submits a recommendation to the Minister for Local Government and Regional Development (the Minister).
- Any changes approved by the Minister where possible will be in place for the next ordinary election.

**Comment:**

A discussion paper outlining the process, factors for consideration and the options for representation is attached. The options in the discussion paper include maintaining the current number of councillors or reducing the number of councillors as outlined below.

Option	Councillors	Ratio of Councillors to Electors
Option 1 no wards	9	273.67
Option 2 no wards	8	307.87
Option 3 no wards	7	351.86
Option 4 no wards	6	410.50

**Statutory Environment:**

*Local Government Act 1995*, Schedule 2.2 Provisions about names, wards and representation

**Policy Implications:**

Nil

**Financial Implications:**

Cost of community consultation and advertising - \$1,000.

**Risk Implications:**

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The level of risk is considered to be "Low" risk and can be managed by routine procedures and with currently available resources.

**Strategic Implications:**

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L1	An inclusive community recognized as a great place to live and visit
OBJECTIVE	L1.2	Provide effective leadership and good governance

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

**OC/20**      **That Council undertakes a review of wards and representation and endorses the discussion paper for community consultation.**

**Voting Requirement:** Simple Majority

CARRIED/LOST:

**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 ITEMS****PROCEDURAL MOTION****MOVED:****SECONDED:**

- OC/20** That Council closes the meeting to the public to consider the following items:
- **Katanning Community Medical Centre**
  - **Legal Proceedings A183, A184**
  - **Chief Executive Officer Contract of Employment**
  - **Write Off – Assessment A2842**

**Voting Requirement:** Simple Majority**CARRIED/LOST:****13.1 Katanning Community Medical Centre****File Ref:** CP.TE.10**Reporting Officer:** Heidi Cowcher, Executive Manager Infrastructure & Assets**Date Report Prepared:** 16 July 2020**Reasons for Confidentiality:**

The officer's report is confidential because it deals with a matter relating to a contract that may be entered into by Council in accordance with Section 5.23(2)(c) of the *Local Government Act 1995*.

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

- OC/20** That Council delegates to the CEO, authority to accept or reject tenders for RFT 07-2020 Katanning Community Medical Centre.

**Voting Requirement:** Absolute Majority**CARRIED / LOST:**

**13.2            Legal Proceedings A183, A184****File Ref:** LS.AA.1**Reporting Officer:** Lisa Hannagan, Executive Manager Corporate & Community**Date Report Prepared:** 17 July 2020**Reasons for Confidentiality**

The officer's report is confidential because it deals with a matter relating to legal advice obtained, or which may be obtained by the local government in accordance with Section 5.23 (2)(d) of the *Local Government Act 1995*.

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

**OC/20            That Council authorises the CEO to take action to gain possession of land for property assessment numbers A183 and A184.**

**Voting Requirement:** Absolute Majority

CARRIED/LOST:



**13.3            Chief Executive Officer Contract of Employment**  
**(ATTACHMENT)**

**File Ref:** MURPHY J  
**Reporting Officers:** Julian Murphy, Chief Executive Officer  
**Date Report Prepared:** 17 July 2020  
**Disclosure of Interest:** Financial Interest - Matters affecting the employment of the CEO

**Reason for Confidentiality**

The Chief Executive Officer's Report is confidential in accordance with section 5.23(2)(a) of the Local Government Act 1995 because it deals with matters affecting an employee of Council. The Chief Executive Officer's Report has been provided to Council under separate cover.

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

**OC/20        That Council:**

- 1. Re-appoints Mr Julian Murphy to the position of Chief Executive Officer for a further three year term commencing on 31 August 2020 and expiring 31 August 2023;**
- 2. Is satisfied that the remuneration and provisions of the proposed contract of employment are in accordance with the Local Government Act 1995 and Salaries and Allowances Tribunal determination for Band 3 Local Government Chief Executive Officers, as negotiated by the President;**
- 3. Authorises the President to approve the Chief Executive Officer's applications for leave, motor vehicle use and expenses in accordance with the contract of employment; and**
- 4. Authorises the President to execute the Chief Executive Officer's contract of employment and apply the common seal on behalf of Council.**

**Voting Requirement:** Absolute Majority

CARRIED/LOST:

**13.4            Write Off – Assessment A2842**  
**(ATTACHMENT)**

**File Ref:** FM.DT.10

**Reporting Officer:** Lisa Hannagan, Executive Manager Corporate & Community

**Date Report Prepared:** 22 July 2020

**Reasons for Confidentiality:**

The officer's report is confidential because it deals with a matter relating to commercial information about a business in accordance with Section 5.23 (2)(e) of the *Local Government Act 1995*.

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

**OC/20            That Council writes off rates for 2019/20 in relation to Assessment A2842 in recognition of the special economic circumstances created by the COVID 19 pandemic.**

**Voting Requirement:** Absolute Majority

CARRIED/LOST:

**PROCEDURAL MOTION**

**MOVED:                            SECONDED:**

**OC/20            That Council reopens the meeting to the public.**

**Voting Requirement:** Simple Majority

CARRIED/LOST:

**14. CLOSURE OF MEETING**

The Presiding Member declared the meeting closed at \_\_\_\_ pm.