



# Shire of Katanning

*heart of the great southern*

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

## **MINUTES OF A ORDINARY COUNCIL MEETING**

Dear Council Member

Minutes of the Ordinary Council Meeting of the Shire of Katanning held on  
Wednesday 22 July 2015, in the Shire of Katanning Council Chambers,  
14 Austral Terrace, Katanning, commencing at 6:00pm

### DISCLAIMER

The Council of the Shire of Katanning hereby  
advises that before taking any action on an application or a  
decision of the Council, any applicant or members of the  
public should wait for written advice from the Council.

Cr Alan McFarland  
SHIRE PRESIDENT

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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: Shire President - Cr Alan McFarland

Members: Cr Robert Godfrey  
Cr Heather McCarley  
Cr Danny McGrath  
Cr Craig McKinley  
Cr Owen Boxall  
Cr Richard Kowald

Council Officers: Andrew Holden, Acting Chief Executive Officer  
Sarah Taylor, Director of Corporate and Community Services  
Uwe Striepe, Director of Engineering & Development Services

Council Observer: Sarah Taylor, Director of Corporate and Community Services

Gallery:

Media:

Apologies: Sam Davis, Executive Manager – Strategic Projects  
Cr Alep Mydie  
Diana Marsh, Manager of Finance

Leave of Absence: Cr Leisha Wood

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

Nil.

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

10.4.2                      Cr Heather McCarley                      Disclosure of Financial Interest

**5. PUBLIC QUESTION/STATEMENT TIME**

Matt Collis complimented Council on the good things that Council is doing around town but in his opinion he thinks Council is bad with communicating e.g. siting of the bus shelter.

Cr Danny McGrath advised that discussions on the bus shelter have been going on for some time with the Roadwise Committee Members and the Seniors Group. Cr Robert Godfrey said that the bus shelter has been in the planning process for some time and has been communicated.

Cr Alan McFarland added that Council communicates through Shire Matters, Facebook page and website which Council is looking to improve.

Matt Collis advised that the Main Street does not look like the concept plans. Alan McFarland said that it is well known that the design had to be modified to cater for what was found under the street as has previously been explained to him.

Matt Collis advised that in his opinion the questions and answers which are recorded in other Shire's minutes are more comprehensive than what Katannings are.

Cr Alan McFarland said that minutes are a summary of what is said and not word for word.

**6. APPLICATIONS FOR LEAVE OF ABSENCE****6.1 Application for Leave of Absence Cr McCarley**

**MOVED: CR ROBERT GODFREY**

**SECONDED: CR DANNY MCGRATH**

**OC66/15      That Council:**

**Approve Cr McCarley's application for leave for the August  
Ordinary Council Meeting 2015.**

**CARRIED**

**Voting Requirement: Simple majority**

**7. PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

**8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****8.1 Ordinary Council Meeting – 24 June 2015**  
(SEE ATTACHED MINUTES)**MOVED: CR DANNY MCGRATH****SECONDED: CR CRAIG MCKINLEY**

**OC67/15** That the minutes of the Ordinary Council Meeting held on Wednesday 24 June 2015 be confirmed as a true record of proceedings.

**Voting Requirement:** Simple Majority**CARRIED: 7/0****PROCEDURAL MOTION****MOVED: CR CRAIG MCKINLEY****SECONDED: CR HEATHER MCCARLEY**

**OC68/15** That Council suspend standing orders and close the meeting to the public and staff.

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

Andrew Holden, Uwe Striepe and Sarah Taylor left the meeting at 6:15pm.

**PROCEDURAL MOTION****MOVED: CR RICHARD KOWALD****SECONDED: CR DANNY MCGRATH**

**OC69/15** That Council resume standing orders and reopen the meeting to the public and staff.

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

Andrew Holden, Uwe Striepe and Sarah Taylor returned to the meeting at 6:35pm.

**8.2 Management Review Committee Meeting – 11 June 2015**  
(SEE ATTACHED MINUTES)**MOVED: CR CRAIG MCKINLEY****SECONDED: CR ROBERT GODFREY**

**OC70/15** That the minutes of the Management Review Committee Meeting held on Thursday 11 June 2015 be received as a true record of proceedings.

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

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

- I've been asked to tell councillors that they are invited to Bronte & June Rundles going away function this Friday at the Katanning Country Club. Bronte was a Shire Councillor for many years and it's appropriate that we have representation there.
- Festival of Eid: I'm assuming it all went well over 600 attended. It was great seeing everyone in town dressed up for the occasion on Saturday.
- The Australian Army visit: It seemed to go off without a hitch. It was good that they bought all the supplies locally.
- Between the 2 events it is good that there was a bit of a boost to the local economy from all the visitors.
- In the first week of August 4 Councillors will be attending Local government week.
- Some may have seen the Today Tonight Story on Nyabing on Monday night. I spent the previous Monday with the same team showing them the old mill. I was told that it is meant to be a positive story and my comments will reflect that. There was around 3 hours' worth of filming and 30 minutes of interview with me, as well as other interviews done with other community members. How it turns out will depend on what the editor does selecting what gets said and what doesn't get said in the 3 or so minutes that the story will take. We will see. They also did a story on the Australian Army visit.

**10. REPORTS OF COMMITTEES AND OFFICERS**

Nil.

**10.1 DIRECTOR OF ENGINEERING & DEVELOPMENT SERVICES REPORTS**

Nil.

**10.2 DIRECTOR OF CORPORATE AND COMMUNITY SERVICES REPORTS****10.2.1 Receipt of Financial Reports  
(SEE ATTACHED FINANCIAL REPORTS)**

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

**MOVED: CR CRAIG MCKINLEY**

**SECONDED: CR HEATHER MCCARLEY**

**OC71/15**

**That Council:**

- 1. Receive the Schedule of Accounts for June 2015; and**
- 2. Receive the Financial Statement for June 2015**

**Voting Requirement: Simple Majority**

**CARRIED: 7/0**

**10.2.2 Community Financial Assistance Program 2015 round 1**

**File Ref:** FL/08/0019  
**Reporting Officer:** S Taylor, Director of Corporate and Community Services  
**Date Report Prepared:** 15 July 2015

**Issue:**

To consider Round 1 of applications for the 2015/16 Katanning Community Financial Assistance Program.

**Body/Background:**

Round 1 of funding for the 2015/16 financial year under this program opened in May 2015 with advertisements in the Great Southern Herald, the Shire of Katanning Website, Shire Facebook page and the Shire Matters Newsletter.

The Community Financial Assistance Programme (CFAP) provides 2 categories of funding support with the minor category funding of up to \$5,000 and the major category funding of \$5,000 or over. The CFAP objectives are to support projects that promote community capacity, improve social participation and inclusion as well as enhance harmony and social cohesion.

At the closing date 1 application had been received requesting a minor community grant.

The applications were compiled by Ziagul Sultani, Community Development / Youth Officer and applications were assessed by Community Financial Assistance Program Committee comprising of Director Corporate & Community Services, Sarah Taylor, Councilor's Robert Godfrey, Leisha Wood and Heather McCarley.

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

Full Organisation Name:	Katanning Land Conservation District Committee (LCDC)
GST Registered	Yes
Project Title:	'Katanning Eco Week'
Requested Amount from Council:	\$4,204.70 GST Inclusive
Total Project Cost:	\$20,866.00 GST Inclusive

**Minor Community Grant (up to \$5,000)****Application 1**

Full Organisation Name:	Katanning Land Conservation District Committee.
Brief Description of Organisation:	Katanning LCDC (LCDC) aims to link farmers and community with government, scientists & other Natural Resource Management organisations to achieve community driven landcare & sustainable agriculture outcomes. LCDC coordinates soil, water & biodiversity conservation action across the district to improve skills, awareness & land management practices. LCDC also provide technical expertise, advocacy & support to local groups & individuals through the Centre.
Current Membership Numbers:	22 (including committee members and staff).
Project Title:	Katanning EcoWeek 2015
Project Description:	The Katanning EcoWeek event concept was developed in 2014 by the Shire of Katanning library staff. The Katanning EcoWeek 2014 was extremely successful, and saw the collaboration of many agencies in Katanning working together. The library does not have capacity to run an event of this scale. It is envisaged that the Katanning EcoWeek 2015 will run from 12th-20th September 2015. The week of events will consist of a series of workshops, including 'lunch break' events, evening and weekday events, and 2-3 showcase weekend events. Katanning EcoWeek 2015 will focus the community's attention on environmental and sustainable living issues through workshops, promotion and media relating to the event. Katanning EcoWeek 2015 will educate and engage the local community on reducing their personal and family impact on the environment through workshops and events aimed at teaching skills in resource-use reduction, sustainable living and environmental matters.
Estimated project start date:	01/08/2015
Estimated project end date:	11/10/2015
Actual event date:	12/09/2015
Location of event:	Various locations around Katanning

**Expected project benefits to the community:**

- Katanning EcoWeek will educate and engage the local community on reducing their personal and family impact on the environment through workshops and events aimed at teaching skills in resource-use reduction, sustainable living and environmental matters.
- Katanning EcoWeek 2014 attracted approximately 700 participants across all



workshops and activities. The participants made up a large range of demographics and included members of the local community as well as the wider region.

- The event was aligned with the Hidden Treasures of the Great Southern Bloom Festival in 2014, and it is envisaged that it will be incorporated into this year's Bloom Festival. This year's Bloom Festival is of particular importance as the CMCA Rally will coincide with the event.
- Katanning EcoWeek 2015 will provide a great opportunity to promote and market Katanning's unique 'green credentials' to a broader market.

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

Confirmed community groups, individuals, and businesses who will be participating in EcoWeek 2015, include:

- Katanning Landcare
- Katanning Wildflower Group
- Katanning Action Network
- Katanning Public Library and Gallery
- Friends of Piesse Lake
- Katanning Machinery Restoration Group
- Stellar Violets
- Rainbow Coast Neighbourhood Centre
- Terra Perma Designs
- KDs Garden Centre
- Katanning Playgroup
- Eric and Rosemary McFarland

### **Project expenditure:**

Request from Council:

- \$1316.10 - Printing of EcoWeek event brochures
- \$50.00 - estimated shipping costs of EcoWeek brochures
- \$281.60 - 'A-Frame' sign, with EcoWeek Event panels
- \$1780.00 - 1 x full page colour advertisement in GS Herald and GS Weekender
- \$677.00 - 1 x quarter page colour advertisement in GS Herald and GS Weekender
- \$100.00 - estimated costs of additional printing of Team EcoWeek signs for window displays, printing of individual event fliers, and other printing requirements.

The current total amount budgeted for all events, workshops, catering, venue hire, marketing and promotion is \$20,866.00

Funding has been secured from SGIO (\$5000), and results are pending from SUEZ (\$5000), CBH (\$5000), and a further \$5000 will be requested from GSDC. Further requests to local service clubs will also be made.

In-kind contributions will be made by all event partners (as listed above), with a current conservative estimate of \$9,000 of in-kind and volunteer input.

### **Statutory Environment:**

Nil.

### **Policy Implications:**

Nil.

**Financial Implications:**

Sufficient funds will be allocated in 2015/16 budget to cover cost of the recommended donations.

**Strategic Implications:**

Katanning Community Plan 2013-23

**CFAP Committee Recommendation:**

**MOVED: CR DANNY MCGRATH**

**SECONDED: CR CRAIG MCKINLEY**

**OC72/15 That Council:**

**Approve \$3,200 GST INCLUSIVE to Katanning Land Conservation District Committee for the 'Katanning Eco Week' event for the following:**

- **Advertising**
- **Printing (including freight)**

**Voting Requirement:** Simple Majority

CARRIED: 7/0

Cr Danny McGrath spoke for the motion

**10.2.3 Amendment to Policy 7.16 Community Financial Assistance Programme  
(WHITE ATTACHMENT)**

**File Ref:** FL/08/0019

**Reporting Officer:** S Taylor, Director of Corporate and Community Services

**Date Report Prepared:** 18 July 2015

**Issue:**

To consider amendments to policy 7.16 Community Financial Assistance Programme (CFAP).

**Body/Background:**

The CFAP has been providing contributions to Katanning community groups since its inception in 2009. The Community Financial Assistance Programme (CFAP) provides 2 categories of funding support with the minor category funding of up to \$5,000 and the major category funding of \$5,000 or over. The programmes objective is to enable Katanning community based groups to develop projects that increase participation and benefit the community.

Since the introduction of the CFAP there has only been one review of the guidelines and the policy in relation to the programme.

With a change in structure now is an opportune time to review the CFAP and introduce changes that will enhance the programme, by providing a better community understanding, a higher level of accountability for applicants, and ensuring prompt efficient completion of acquittals.

**Officers Comment**

The Shire of Katanning highly values the contribution of not for profit and community groups in Katanning and takes great pleasure in assisting funding of events and activities within the community. Empowering the community to actively seek to make their home town a more enjoyable, pleasant and engaging place to live and work is highly commendable and the Shire of Katanning is committed to continuing to deliver the CFAP into the future.

The CFAP is something that should be recognised as a positive contribution that the Shire of Katanning is providing. The CFAP promotes community capacity, community harmony and social cohesion. It also encourages people and organisations to help themselves by ensuring fair distribution of activities and services throughout Katanning; which ultimately benefits the entire community.

The amendments proposed to the policy 7.16 Community Financial Assistance Programme (CFAP) will ensure that the programme is being run as efficiently and effectively as possible. It will also assist in delivering stronger applications, which will add value to the Katanning community.

**Statutory Environment:**

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

**Policy Implications:**

7.16 Community Financial Assistance Programme

Council policy is to be adopted and implemented as per the attachment and reviewed annually in October.

**Financial Implications:**

Nil.

**Strategic Implications:**

Katanning Community Plan 2013-2023

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

**MOVED: CR ROBERT GODFREY**

**SECONDED: CR CRAIG MCKINLEY**

**OC73/15 That Council;**

**Endorse the amended attached policy 7.16 Community  
Financial Assistance Programme.**

**CARRIED: 7/0**

**Voting Requirement:** Simple Majority

Cr Robert Godfrey spoke for the motion.

## 10.2.4 Regulations Requiring the Microchipping of Dogs

**File Ref:** RL/98/0004  
**Reporting Officer:** S Taylor, Director of Corporate and Community Services  
**Date Report Prepared:** 16 July 2015

**Issue:**

To advise council of the changes to the *Dog Act 1976* and Dog Regulations 2013 in relation to microchipping of dogs as of 1 November 2015.

**Body/Background:**

All domestic dogs in Western Australia must be microchipped from 1 November 2015 as part of changes to the *Dog Act 1976* and Dog Regulations 2013 (*Dog Act*).

Amendments to the legislation require dog owners to ensure that from November 2015 their dog is microchipped once it has reached three months of age.

Owners will need to show proof that their dog has been microchipped by providing their local government with the microchip number when their pet is registered.

A penalty of \$200, which is legislated under the regulations, may apply if a dog is not microchipped.

Amendments to the *Dog Act* include a range of measures to improve community safety and encourage responsible dog ownership, including allowing for nuisance behaviour to be more effectively dealt with and the recognition of assistance dogs.

**Officer's Comment:**

As the statutory dog laws are legislated by the *Dog Act*, the Shire of Katanning may charge dog owners according to that Act.

The Shire of Katanning will be advertising the changes to the *Dog Act* in relation to microchipping over the next few months to ensure that owners of dogs within Katanning are aware of their responsibilities.

**Statutory Environment:**

*Dog Act 1976*

**Policy Implications:**

Nil.

**Financial Implications:**

There will be no significant financial implications to the 2015/16 budget.

**Strategic Implications:**

Katanning Community Plan 2013-2023

**Officer's Recommendation/Council Motion:****MOVED: CR CRAIG MCKINLEY****SECONDED: CR DANNY MCGRATH****OC74/15 That Council:**

**Advertise the new microchipping requirements for dogs to ensure community awareness of the change to the Dog Regulations 2013**

**Voting Requirement:** Simple Majority

CARRIED: 7/0

**10.2.5 Great Southern Merino Sheepbreeders Association requesting Sponsorship****File Ref:** CG/05/0012**Reporting Officer:** S Taylor, Director of Corporate and Community Services**Date Report Prepared:** 16 July 2015

**Issue:** To consider providing a donation to The Great Southern Merino Sheepbreeders Association for sponsoring "Supreme Champion of Show".

**Body/Background:**

The Shire of Katanning has been providing sponsorship to the Great Southern Merino Sheepbreeders association for the 'Supreme Champion of Show' for many years. Of late the \$750 sponsorship request has been through the Community Financial Assistance Programme (CFAP).

In 2014 at the August Ordinary Council Meeting it was recommended and adopted by Council that the Great Southern Merino Sheepbreeders Association would in future have their ongoing donation towards their annual event made through Council's budgeting process and that no further applications through the CFAP would be required.

**Officer's Comment:**

The Rabobank Katanning Sheep Show and Sale is an annual event held in Katanning that attracts many people to our region. The Great Southern Merino Breeders Association have organized and run the event, which has always been successful.

It was Council's stated intention at the August 2014 Council meeting that the sponsorship by the Shire of Katanning would continue but through the budgeting process rather than the Community Financial Assistance Program.

In previous years the budgeting process has always been concluded and the budget adopted in July. Council Officers are still working on the budget and the budget will not be completed in July as usual. The show is held in August 2015, and therefore time is of the essence and it is necessary that a decision regarding the donation for 2015 is made outside of the normal budgeting process.

**Statutory Environment:**

Nil

**Policy Implications:**

Council Policy 1.18 requires donations in excess of \$300 GST exclusive to be referred to Council.

Council Policy 7.16 Community Financial Assistance Programme is not available to this group.

**Financial Implications:**

The amount has been provided for in the preparation of the 2015/16 budget.

**Strategic Implications:**

Nil.

**Officer Recommendation/Council Motion:**

**MOVED: CR ROBERT GODFREY**

**SECONDED: CR DANNY MCGRATH**

**OC75/15 That Council:**

**Authorise the CEO to make a donation of \$750.00 GST inclusive to the Great Southern Merino Sheepbreeders Association for sponsorship towards “Supreme Champion of Show” in the 2015 Rabobank Katanning Sheep Show and Sale.**

**Voting Requirement:** Simple Majority

CARRIED: 7/0

Cr Robert Godfrey spoke for the motion

**10.3 EXECUTIVE MANAGER – STRATEGIC PROJECTS**

Nil.

**10.4 ACTING/DEPUTY CHIEF EXECUTIVE OFFICER****10.4.1 Planning Approval – Administration Centre  
(WHITE ATTACHMENT)**

**File Ref:** A3138

**Reporting Officer:** D Baesjou, Consultant Planner

**Date Report Prepared:** 9 July 2015

**Issue:**

To consider granting planning approval in regard to the proposed development of the subject land for the purpose of Civic Building (Council Chambers and Administration Centre). The development includes Council Chambers and meeting rooms, administration offices and car parking.

**Body/Background:**

The Shire of Katanning is the landowner, proponent and responsible authority. The subject land comprises Lot 102 (42) and Lot 103 (52) Austral Terrace, Katanning. The site is zoned 'Town Centre' under Town Planning Scheme No. 4 (TPS4). Civic Building is listed as 'AA' discretionary.

The subject land is Place Number 01342 in the TPS4 Heritage List/ Municipal Inventory – Category 2 (adopted 25 January 1996). The subject land is also within an identified Heritage Precinct. Under Draft Local Planning Scheme No. 5, the Katanning Unit Hotel is included in Schedule 12 - Heritage List. The Place is not on the Register of Aboriginal Sites.

Conditional approval for the Amalgamation of Lots 102 and 103 was issued by the Western Australian Planning Commission on 21 May 2013. Negotiations with Western Power are in-hand with regard to electricity supply; Clearance of the Conditions is anticipated. A licensed Surveyor has been appointed to prepare and submit the Deposited Plan.

**Officers Comment**

The proposed Civic Building accords with strategic objectives and is generally consistent with statutory planning requirements; it is unlikely to adversely affect the amenity of the area and should be approved subject to conditions.

**Statutory Environment:**Zoning:

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

Relevant objectives for the Town Centre zone (Clause 6.3.1) are as follows:

- a) to ensure the town centre remains the principal place for business and administration within the District.
- b) to encourage a high standard of development including buildings, landscaping, and car parking.
- c) to ensure adequate provision is made for car parking to service development in the town centre.

As set out in Schedule 1 – Definitions of TPS4

Civic Building: means a building designed, used or intended to be used by a public authority or the Council as offices or for administrative other like purposes.

Civic Building is listed in the Zoning Table as 'AA' (discretionary) within the Town Centre zone.

'AA' means that the use is not permitted unless the Council has granted planning approval.

In accordance with the procedure outlined in Clause 9.7 the Chief Executive Officer has been delegated the authority to approve uses that are classified as 'AA', subject to relevant conditions, if necessary, providing they are not contentious.

**Site and Development Requirements:**

Site Requirements for the Town Centre zone (Clause 6.3.2) are at the discretion of the Council, which may be guided by the following:

- a) setbacks are to comply with the Building Code of Australia and the Council will encourage building to the front boundary where this will be consistent with the existing development on adjoining lots facing the same street.

The proposed development will be built up to the front boundary (Austral Terrace), and has nil side setbacks, consistent with development on adjoining lots.

Development Requirements set out in clause 6.3.3 include:

- 6.3.3.1 Development shall not exceed two storeys in height except where the Council considers that particular circumstances may warrant an exception being made and provided such development will not affect local amenity and will enhance the character of the town centre.
- 6.3.3.2 In considering an application for planning approval for a proposed development (including additions and alterations to existing development) in the town centre the Council shall have regard to the following:
- a) the colour and texture of external building materials; the Council may require the building facade and side walls to be constructed in masonry;
  - b) building size, height, bulk, roof pitch;
  - c) setback and location of the building on its lot;
  - d) architectural style and design details of the building;
  - e) function of the building;
  - f) relationship to surrounding development; and
  - g) other characteristics considered by the Council to be relevant.
- 6.3.3.3 Landscaping shall complement the appearance of the proposed development and the town centre.
- 6.3.3.4 The layout of car parking provided in accordance with the provisions of clause 7.1 of the Scheme shall have regard for traffic circulation in existing car parking areas and shall be integrated with any existing and adjoining car park.

The building design, architectural style, size, materials, function and relationship to surrounding development were evaluated during the design selection process and are considered appropriate for a contemporary building within the Austral Terrace precinct. The proposed development integrates with the recently refurbished retained front part of the Unit Hotel; the structures will be linked via connecting doorways and an internal private courtyard.

Car parking requirements are set out Schedule 5 of TPS4.

The minimum number of car parking bays for the different uses, corresponding floor areas and requirements are:

Offices: 1 per 50sqm of Nett Lettable Area – Proposed office area, approx. 900sqm = 18 bays.

Place of Public Assembly: 22 per 100sqm – Gallery and function Hall, approx. 210sqm = 45 bays.

The site plan shows 20 car bays, including one bay for disabled persons. The on-site bays are located at the rear of Lot 103, with direct access to Emu Lane. The layout and dimensions are consistent with the minima set out in Schedule 5.

17 existing angle bays are provided in Austral Terrace immediately adjoining the subject land and there is capacity for at least 24 additional/overflow bays within the



adjacent Reserve. The combined number of on-site and available parking bays is 61. Additional on-street parking is available further along Austral Terrace.

Given the site is included on the Heritage List (Municipal Inventory) Council has discretion to vary parking requirements. There is a precedent for parking variations, including a reduction in the number of bays required for the Royal Exchange Hotel [Item 10.1.7 22 February 2012 refers]. The new Administration Centre includes provision of 20 on-site car parking bays; this is a considerable improvement on the current situation. Furthermore, there is little evidence of problems, or shortage of, public parking. In light of the timing and infrequency of larger functions and the opportunity for reciprocity between various land uses in this section of Austral Terrace, the number of car bays provided is considered to satisfy the demand requirements of the facility.

### **Matters to be Considered**

Clause 8.5 of TPS4 sets out various matters to be taken into consideration in determining planning. The following Table lists the matters, together with planning comment.

<b>Matter</b>	<b>Comment</b>
(a) the aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme Area;	<i>Development is consistent with the objectives and provisions of the Town Centre zone under TPS4</i>
(b) the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;	<i>The proposal is consistent with the relevant Objectives set out in draft LPS5. The creation of a multi-function administrative precinct through the purchase of property and undertaking of heritage works to encourage development of the area accords with the SuperTown Growth Plan, Funding Strategy and 2013 Planning Strategy</i>
(c) any approved Statement of Planning Policy of the Commission;	<i>The development accords with WAPC SPP 3 Urban Growth &amp; Settlement</i>
(d) any approved Environmental Protection Policy under the <i>Environmental Protection Act 1986</i> ;	<i>n/a</i>
(e) any relevant policy or strategy of the Commission or any relevant planning policy adopted by the Government of the State;	<i>Development of the Council Chambers and Administration Building is consistent with the RDA Region Plan and the GSDC Regional Blue Print</i>
(f) any Local Planning Policy adopted by the Council under clause 9.6, any heritage policy statement for a designated area adopted under clause 5.3.2, and any other plan or guideline adopted by the Council under the Scheme;	<i>Proposal is consistent with Policy 6.4 Municipal Inventory Heritage Policy and the Council's strategic and economic objectives for revitalisation of the Historic Precinct.</i>

(g) in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;	<i>n/a</i>
(h) the conservation of any place that has been entered in the Register within the meaning of the <i>Heritage of Western Australia Act 1990</i> or which is included in the Heritage List under clause 5.2, and the effect of the proposal on the character or appearance of a heritage area;	<i>The subject land is not listed in the State Heritage Register. Design, scale and materials assessed previously by Council. Façade to Austral Terrace includes "Shading canopy tubular framed – clad with patterned perforated stainless steel (Artwork)".</i>
(i) the compatibility of a use or development with its setting;	<i>Proposed use considered compatible and appropriate for multi-function commercial and administrative precinct.</i>
(j) any social issues that have an effect on the amenity of the locality;	<i>Positive social impact anticipated following redevelopment.</i>
(k) the cultural significance of any place or area affected by the development;	<i>Proposed Civic Building will contribute to contemporary cultural significance of the place.</i>
(l) the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;	<i>No significant negative impact on natural environment anticipated from the redevelopment of this urban site.</i>
(m) whether the land to which that application relates is unsuitable for the proposal by reason of it being, or likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire, or any other risk;	<i>No known or likely risks than cannot be managed through standard fire safety and Public Building requirements.</i>
(n) the preservation of the amenity of the locality;	<i>Redevelopment of the vacant property will contribute to the amenity and townscape.</i>
(o) the relationship of the proposal to develop on adjoining land or on other land in the locality but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;	<i>The scale, bulk, orientation and appearance of the building is considered appropriate in this section of Austral Terrace.</i>
(p) whether proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring, and parking of vehicles;	<i>Car parking is proposed on-site, accessed via Emu lane. This is supplemented by the existing angled on-street parking in Austral Terrace and public parking in the Reserve to the north.</i>
(q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;	<i>Sufficient parking is available for day-to-day requirements and supplementary parking is available in Austral Terrace and the adjacent Reserve for regular council meetings and peak events such as community/civic functions.</i>

(r) whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;	<i>n/a</i>
(s) whether public utility services are necessary and, if so, whether they are available and adequate for the proposal;	<i>Power, water and sewer services are considered adequate, with detailed design and connection addressed through the Building Permit and Amalgamation processes.</i>
(t) whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);	<i>Provision is made for public access to the building (foyer and reception). Public and staff amenities are provided. As with the existing Administration Building, cycle parking can be provided.</i>
u) whether adequate provision has been made for access by disabled persons;	<i>Adequate ground floor access is provided, with facilities in accordance with relevant legislation.</i>
(v) 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;	<i>No existing vegetation, internal courtyard to be provided.</i>
(w) whether the proposal is likely to cause soil erosion or land degradation;	<i>Urban infill/redevelopment. Standard requirements of stormwater management apply; no concerns with erosion or land degradation</i>
(x) the potential loss of any community service or benefit resulting from the planning approval;	<i>Civic Building functions as both community service and benefit.</i>
(y) any relevant submission received on the application;	<i>Concept supported through community engagement and consultation during SuperTown Growth Plan and Strategy</i>
(z) the comments or submissions received from any authority consulted under clause 8.4;	<i>Concept supported and consistent with SuperTown Funding Strategy and arrangements.</i>
(za) the need to protect Aboriginal sites of significance as required under the <i>Aboriginal Heritage Act 1972</i> ;	<i>Subject land not on Register, obligations noted.</i>
(zb) potential impacts of noise, dust light, risk and other pollutants on surrounding land uses; and	<i>n/a</i>
(zc) any other planning consideration the Council considers relevant.	<i>Proposal is consistent with Katanning SuperTown Growth and Implementation Plan and the endorsed Local Planning Strategy. The use and development of the subject land for the purpose of a new Administration Centre was previously considered and endorsed by the Council; refer items 10.6.1 4 October 2012 and 10.7.1 27 March 2013.</i>

**Policy Implications:**

TPS4 Local Planning Policy 4 - Relaxation of Car Parking Requirements for Heritage Buildings.

**Financial Implications:**

The development is valued at \$5million and would normally attract a Planning Application Fee of \$12,311 under the Shire's scheduled Fees and Charges but it is recommended that the fee be waived.

Based on the value of the development, this proposal is within the threshold for determination by a Joint Development Assessment Panel (DAP). The 'Opt-in' DAP application threshold for this area is between \$3 and \$7 million. Under the Regulations, development by local government can constitute an "excluded application". Given the timeframe, the extent of consultation undertaken through the SuperTowns Project and the clearly established community expectation regarding development of the new Administration Building it is considered that in-house assessment and determination is sufficient.

**Strategic Implications:**

This proposed development will assist Council to deliver on several of its strategic objectives, as set out in the Shire of Katanning Strategic, Community and Corporate Business Plans, including:

Enhancing the community's amenities by maintaining and improving the Shire's infrastructure, including improvements to the footpath network and the revitalisation of the Town Centre.

## Facility Development

- Utilise the Unit Hotel and surrounding land as a new Administration Centre.

## CBD Revitalisation

- Assemble land to accommodate parking, major retailers and government offices in the town centre.

## Business Capacity

- Plan for redevelopment of the current Shire of Katanning Administration Offices by 2015.

## Community Objectives:

- To actively promote Katanning as a regional centre.

**Officer's Recommendation/Council Motion:****MOVED: CR RICHARD KOWALD****SECONDED: CR CRAIG MCKINLEY****OC76/15 That Council:**

1. **In accordance with Clause 5.6 of Town Planning Scheme No. 4 and Local Planning Policy 4, determine that a variation to Scheme provision 7.1 Car Parking Requirements is granted for the proposed Civic Buildings on Lots 102 and 103 Austral Terrace;**
2. **Notwithstanding the published schedule of Fees and Charges, the Shire of Katanning waive its Planning**

- Application Fee of \$12,311 for the proposed Civic and Administration Building; and**
3. **Grant Planning Approval for Lots 102 and 103 (42-52) Austral Terrace, Katanning to be used for the purpose of Civic Building (Council Chambers and Administration Centre) subject to the following conditions:**
- a. **The development is to be generally in accordance with approved plans;**
  - b. **Provision and maintenance of twenty on-site car parking bays;**
  - c. **Installation of a sealed crossover connecting the development to Emu Lane;**
  - d. **All signage is to conform to clause 7.11 of the Shire of Katanning Town Planning Scheme No. 4 and relevant Local Laws.**

**Voting Requirement:** Simple Majority

**CARRIED: 7/0**

Cr Richard Kowald spoke for the motion

Advice Notes

- i) All stormwater should be retained on-site, in accordance with Engineering requirements and design guidelines.
- ii) In the event of a shortage of car parking for civic and community functions, the Shire of Katanning will review the layout and extent of on-street parking and may provide additional temporary parking bays within the adjacent Reserves.
- iii) This Planning Approval does not constitute a Building Permit, for which a separate application is necessary.

Cr Heather McCarley Owner of another take away outlet left the meeting at 6:45pm.

#### **PROCEDURAL MOTION**

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

**OC77/15                      That Council suspend standing orders.**

**Voting Requirement:** Simple Majority

**CARRIED: 7/0**

#### **PROCEDURAL MOTION**

**MOVED: CR ROBERT GODFREY                      SECONDED: CR RICHARD KOWALD**

**OC78/15                      That Council resume standing orders.**

**Voting Requirement:** Simple Majority

**CARRIED: 7/0**

#### 10.4.2 Planning Approval – Take-Away Food Outlet, Lot 88 Clive Street, Katanning

**File Ref:** A2614  
**Reporting Officer:** D Baesjou, Consultant Planner  
**Date Report Prepared:** 13 July 2015

**Issue:**

To consider a proposal for a Take-Away Food Outlet on Lot 88 (168-172) Clive Street, Katanning which is owned by Kimlee Investments Pty Ltd. The recommendation is to grant conditional planning approval.

**Body/Background:**

Rob & Debra Evans, of 32-34 Beaufort Street, Katanning, have, with the agreement of the owners, been intermittently operating a food van from within the property of the New Lodge Motel and Function Centre (New Lodge) for a number of months. The subject area of land is used for informal parking, associated with the accommodation units of the New Lodge Hotel on the property. A Hawkers Licence has been issued. It is understood that the initially suggested level of operations of the food van were previously regarded by the Shire's Planner as incidental land use and therefore not requiring planning approval. The actual level of operations have increased since commencement leading to the necessity to review the situation.

Council officers have held discussions with the operators, Rob & Debra Evans, who have subsequently now lodged a proposal/enquiry for Lot 88 Clive Street Katanning to be used for a Take-Away Food Outlet.

**Officer's Comment:**

It is acknowledged that the business has been operating intermittently from the subject land for some time following the previous determination that planning approval was not required. The increase in operating hours to 4 evenings per week, and the potential traffic and landuse impact warrant consideration and determination under Town Planning Scheme No. 4.

**Statutory Environment:**

Planning and Development Act 2005  
Shire of Katanning Town Planning Scheme No. 4

The subject land is zoned `Commercial` under the Shire of Katanning Town Planning Scheme No. 4 (TPS4).

Take-Away Food Outlet is defined under TPS4 as 'any land and buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises'.

Take-Away Food Outlet is listed as an 'AA' use in the 'Commercial' zone which means it is not permitted unless the Council has granted planning approval.

**Policy Implications:**

There are no policy implications.

**Financial Implications:**

The appropriate fee for Planning Approval will be paid following Council's approval.

**Strategic Implications:**

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

***Shire of Katanning Strategic Plan 2013 – 2023******Community Objectives:***

- To actively promote Katanning as a regional centre.

***Leadership and Development:***

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

**Officer's Recommendation/Council Motion:****MOVED: CR ROBERT GODFREY****SECONDED: CR RICHARD KOWALD****OC79/15 That Council:**

**Subject to payment of applicable Shire of Katanning Fees and Charges, grant conditional planning approval for the proposal that Lot 88 Clive Street may be used as a Take- Away Food Outlet compliant with Clause 6.7.4 of Town Planning Scheme No.4.**

**Voting Requirement:** Simple Majority

CARRIED: 7/0

Cr Heather McCarley returned to the meeting 6:56pm.

**10.5 CHIEF EXECUTIVE OFFICER'S REPORTS**

Nil.

**10.6 ADVISORY COMMITTEE MEETING**

Nil.

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

Nil.

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

Nil.

**13. CONFIDENTIAL ITEM**

Nil.

**14. CLOSURE OF MEETING**

The Presiding Member declared the meeting closed at 6:57pm