



Shire of
Katanning
Heart of the Great Southern

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

**MINUTES OF THE
ORDINARY COUNCIL MEETING**

Dear Council Member

Minutes of the Ordinary Council Meeting of the Shire of Katanning held on
Tuesday 24 May 2016, in the Shire of Katanning Council Chambers,
14 Austral Terrace, Katanning, commencing at 6:00pm.

DISCLAIMER

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

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1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISTORS

The Presiding Member declared the meeting open at 6pm.

2. RECORD OF ATTENDANCE

PRESENT

Presiding Member: Cr Liz Guidera - President

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

Council Officers: Julian Murphy, Chief Executive Officer
Andrew Holden, Deputy Chief Executive Officer
Uwe Striepe, Director of Engineering & Development Services
Sam Davis, Executive Manager – Strategic Projects
Diana Marsh, Manager of Finance
Shirley King Ching, Project Manager
Taryn Human, PA to the CEO
Tessa Flugge, Administration Officer

Gallery: Matt Collis
Isabel Collis
Joseph Collis

Media:

Apologies:

Leave of Absence:

3. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS

Nil.

5. PUBLIC QUESTION/STATEMENT TIME

Question from Matt Collis:

At the August council meeting last year, I asked a two part question about the Clive Street redevelopment. One part of that question was about the slow progress of works, the answer I was given, that was that the works would be completed by Christmas with just the asphalt sheeting to be completed in the New Year. This answer was frankly at the time unbelievable. Since asking this question the senior staff and council has undergone changes so no reasonable person could expect to hold you to account for the answer given, I would however like to ask that question again,

“Progress on Clive Street seems very slow at times and the project to some has become a joke. The problems you encountered are well documented so there is no need to go into them again however could you give this community some idea as to when we might see the project complete, say from the railway crossing up to Carew Street. You know completed roads working drains, level and safe paving.”

The final part of that question brings me onto something else. I noted last week as I walked along Clive Street some area of significant movement within the paving in the parking area, one near Toy world, one outside Sports Power the last outside the former ANZ building. Is there a good and sustainable repair for these parking bays or is it nearing the time to consider other options?

Now I recently attended the public meeting about the mill, as a number of councillors and staff did. I was really energised about the possibilities for Katanning and the area, what they are planning there is truly amazing, ground breaking stuff. I can say that in the past I never really saw major negatives for Katanning, the risk as I saw it was DOME's but neither did I see the amazing opportunities for this community. Looking back it was a truly inspired decision of council to 'sell' the mill for one dollar. My one worry coming out of that meeting was what would happen to those opportunities if projects like the Clive Street redevelopment were to happen once the hotel and the DOME café is opened? Once tourists are put off of an area they rarely come back. Opportunities lost....

A few days later I attended the public consultation about the Piesse Lake, a very different meeting, full of possible positives for the future but negatives of the past and how that project was planned and implemented. I do wonder how much money has been wasted there like with the reeds that probably will not survive or some of the concrete work that will probably be removed? Again I acknowledge that the most important thing is to fix the problems and

that again the changes of staff and in this council chamber means that these mistakes are not yours, but lessons need to be learnt.

My personal belief is that in the past too much was being done in house, at one time and the right people were not being sought for advice. I do remember some time ago having a discussion with someone about this subject and they came up with the great analogy that you would not generally decide to renovate your whole house while living in it from ground up all at one time, you would do one or two rooms at a time.

My biggest worry is that we need to learn from the mistakes of the past, projects like Clive Street and Piesse are clearly full of mistakes, but mistakes happen. We need to learn from them and I think this is especially important in light of the amazing announcement for Katanning coming out of the recent budget, in the current economic climate we cannot afford to waste investment or opportunities.

Shire President Response

Clive Street – the finished date by Christmas 2015 was an initial estimate. One of the factors that influenced the progress was the availability of shire contractors for the project. The initial planning that was for the work to be done in house but this was not achievable. Tenders have been submitted for the final part of the project. We did request quotes from 3 local contractors but they did not take the job so we have a company starting on 30 May 2016 and they say the work will be completed by June 2016. The line markings will also be completed by the end of the financial year.

I have been making a note of noticing the paving and ongoing conditions and yes, I have seen cracks and chips and movements in some areas. The strategy going forward is that the broken pavers will be lifted and replaced. The sections we have relayed seem to be holding up.

Uwe Striepe (Director of Engineering & Development) advised that we have included in the quotation to relay those areas of parking, including area in front of Sports Power. We believe the larger gap between the pavers will allow for the pave lock to get inside the joints. The company that is doing the work specialises in paving works, they were recommended to us by Freemantle Stone. At one stage Freemantle Stone came to assess the work and they said there is nothing wrong with the paving material.

Old Mill – The Shire can't expect to have the same streetscape that we have on Clive Street on Austral Terrace outside the Mill. The streetscape around the Mill project and heritage precinct should not take as long as the Clive Street project did. The Mill project is going to require the Shire to ensure rigorous project planning. Future Shire projects will not be managed in the same in house fashion that previous project have been undertaken.

Piesse Lake – After attending the Piesse Lake consultation I was very impressed with the new design, modifications and management system and think that the issues and concerns were addressed. Most of the work that has been done already is functional and can be worked with.

In-house – With the new funding there is a long planning process to go through, but the school of thought is breaking the project up into modules. Each project job package will be designed and costed and then go out to the market which ensures local business and trades

will be able to tender for the jobs. The jobs will be costed, designed and have a clear time line in place.

6. APPLICATIONS FOR LEAVE OF ABSENCE

6.1 Application for Leave of Absence Cr Mydie

MOVED: CR DANNY MCGRATH

SECONDED: CR JOHN GOODHEART

OC49/16 That Council:

Approves Cr Mydie's application for leave for the June Ordinary Council Meeting 2016.

Voting Requirement: Simple majority

CARRIED: 9/0

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Ordinary Council Meeting – 19 April 2016 (SEE ATTACHED MINUTES)

MOVED: CR CRAIG MCKINLEY

SECONDED: CR SERENA SANDWELL

OC50/16 That the minutes of the Ordinary Council Meeting held on Tuesday 19 April 2016 be confirmed as a true record of proceedings.

Voting Requirement: Simple Majority

CARRIED: 9/0

9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Good Evening Everyone

Councillors and community turned out to the information update from Nigel Oakey of the Old Mill Project – a lesson in vision, passion and drive. We thank the Council that came before us for having the foresight to sell the building for \$1 – we are indeed fortunate that Nigel and his team have place so much value on respecting and restoring the history of the Mill and its workings, and his overall vision of Katanning as a Regional gateway.

Certainly there is a an added onus on us the present Council to ensure that projects that we undertake are delivered in a similar high standard and sustainable into the future – which brings me to the \$15.7 Million from the Royalties for Regions Growing our South Initiative –

this application went through Cabinet late last year and we thank those people who have rallied on our behalf to achieve this vital funding to upgrade our Town. And particularly Sam Davis, and Jess Van der Waggen from GSDC for putting together the Business case - a great opportunity for our community

It has been a busy month:

Congratulations to Kristy and Shane D'Aprille for their achievements in being awarded the International Tyre Power Dealership of the year – I know this was announced last year but the celebration occurred this month bringing Craig Lowndes to Katanning for a Community Event.

The Katanning Speedway held their Grand Reopening event earlier this month – Thankyou to Cr McGrath for representing the Shire and congratulations to the Speedway Volunteers to get the facility up and running again.

Piesse Lake Community Consultation - 22 people attended the community consultation it looks like we now have a plan that addresses the water management issues in the long term. We have had good community feedback on the plan and the process.

The Statue of the family at Ewlyamartup was also unveiled this month is another great example of a community collaborative project – Landcare; the artist; Clontarf boys. All involved there. The lake is looking good - the seating, shelters and toilets look fantastic out there – a busy bee was also held on the weekend and some plantings have taken place – this will be a great community recreation area for many years to come.

I attended the Culturally and Linguistically Diverse Communities Community prevention workshop last week – much of the day centred around awareness of the particular cultural information the community needs to take into account in relation to Emergency services

The Katanning Action Network held a *How to Plan a Project* free workshop today which was well attended by communities from around the Region. KAN continues to make a positive difference in our community.

Social Service/Health organisations in Katanning are forming a Multicultural Network – the group is in development stage and has asked the Shire to provide Leadership in the form of Chairing the meetings. Both the CEO and I attended the initial workshop and the follow up meeting which emphasises the importance we place in this space. Whilst we can build things and we will build things it is important that we value people, stay in touch with issues in our community and we are more than happy to provide the leadership requested.

The Katanning Netball Association unveiled their new uniforms on Saturday – a cold wet and windy day that had the kids and parents thanking those who went before us and built the indoor recreation centre KLC. The Uniforms that the Shire of Katanning funded under the CFAP were the Country Week dresses and track tops – they look fantastic and the kids will be proud to represent Katanning this year! The Community Financial Assistance Program mid year round is open we look forward to more submissions from our community groups

Congratulations to Jill and Adrian Richardson for their nomination GSDC Medal The medal is awarded every two years by the Great Southern Development Commission (GSDC) to celebrate best practice in the management of natural resources in the region.

The Richardsons' nomination cites NRM work on their own farm and long involvement with the Katanning Land Conservation District Committee and the Katanning Landcare Centre. The 2016 medal will be presented at a gala dinner in Albany on Friday 27 May 2016.

10. REPORTS OF COMMITTEES AND OFFICERS

Nil.

10.1 DIRECTOR OF ENGINEERING & DEVELOPMENT SERVICES REPORTS

10.1.1 Endorsement of Fire Management Requirement Notice (SEE ATTACHMENT)

File Ref: ES.AT.1
Reporting Officer: C Pearce, Community Emergency Services Manager
Date Report Prepared: 6 May 2016

Issue:

Council to endorse the 2016 – 2017 Fire Management Requirement Notice.

Body/Background:

The Fire Management Requirement Notice is published annually and distributed to all residents and property owners within the Shire.

The Fire Management Requirement Notice provides land owners and renters with information on their responsibilities regarding fire prevention. Also included in the brochure are the contact details of Local Bush Fire Control Officers and information on general fire related matters. The changes that have been recommended by the Bushfire Advisory are as follows:

- 1) To restrict all burning during the Restricted Burning Period to Permits. Currently burning of small piles of green waste less than 1 cubic metre can be conducted after 6pm and extinguished by midnight during this time.
- 2) Apply to have the Restricted Burning Period moved from the 15 October back to the 1 October. This is due to season changes within the district and Fire Control Officers want to have more control over fires being lit pre fire season.
- 3) Other changes to the brochure are in relation to the Bush Fire Control Officers appointments and fire attendance information which are highlighted in Yellow.

Officer's Comment:

Council endorsement of the Brochure and recommended changes as put forward by the Bushfire Advisory Committee.

Statutory Environment:

Bushfire Act 1954.

Policy Implications:

Nil.

Financial Implications:

Annual provision in the budget for printing.

Strategic Implications:

Bushfire Act 1954

The restriction to Permits for all burning conducted during the Restricted Burning Period - Bushfire Act 1954 Section 24 (G2).

Changing the Restricted Burning Period from the 15 October to the 1 October will require gazettal by the Fire and Emergencies Services Commissioner. This is done through a letter of request to the Regional Superintendent of the Department of Fire and Emergency Service.

Officer's Recommendation/Council Motion:

MOVED: CR CRAIG MCKINLEY

SECONDED: CR OWEN BOXALL

OC51/16 That Council:

- 1) Endorses the 2016 – 2017 Shire of Katanning Fire Management Requirement Notice as presented;**
- 2) Applies to have the pre fire season Restricted Burning Period commencement date changed from the 15 October to the 1 October and;**
- 3) In accordance with the Bush Fires Act 1954 Section 24 G (2) requires permits for the burning of garden refuse within the whole district.**

Voting Requirement: Simple Majority

CARRIED: 9/0

10.1.2 Adoption of Structure Plans

File Ref: CM. EB.5
Reporting Officer: D Baesjou, Contract Planner
Date Report Prepared: 16 May 2016

Issue:

To adopt the Piesse Lake, Industrial Expansion and Henry Street Precinct Structure Plans for advertising.

Body/Background:

At its meeting held 23 July 2014 the Shire of Katanning appointed Land Insights as the successful Tenderer for the preparation of the Katanning Structure Plans. (Refer Item 10.1.2, Resolution OC62/14).

The Literature Review and Stakeholder Consultation occurred and Technical documents were prepared in 2014. Opportunities and Constraints Plans for the three priority areas were provided.

Draft concept plans and updates have been provided at various Council Forums and to the Katanning Super Towns Project Advisory Group (PAG).

Officer's Comment:

The new Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regs) came into effect on 19 October 2015. Preparation of the draft Structure Plans commenced under the former Regulations and procedures. The format and content of the documents have been revised to reflect the requirements of the current Regulations.

Preparation of the three Structure Plans enacts recommendations contained within the Council's Local Planning Strategy (LPS) and the SuperTowns Growth and Implementation Plan.

Statutory Environment:

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015, in particular Clause 18, sub clauses (1) and (2)

18. Advertising structure plan

- 1) The local government must, within 28 days of preparing a structure plan or accepting an application for a structure plan to be assessed and advertised —
 - (a) advertise the proposed structure plan in accordance with subclause (2); and
 - (b) seek comments in relation to the proposed structure plan from any public authority or utility service provider that the local government considers appropriate; and
 - (c) provide to the Commission —
 - (i) a copy of the proposed structure plan and all accompanying material; and
 - (ii) details of the advertising and consultation arrangements for the plan.
- 2) The local government must advertise the structure plan in one or more of the following ways —
 - (a) by giving notice of the proposed structure plan to owners and occupiers who, in the opinion of the local government, are likely to be affected by the approval of the structure plan, including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days and not more than 28 days, or a later day approved by the Commission, from the day on which the notice is given to the person;
 - (b) by publishing a notice of the proposed structure plan in a newspaper circulating in the Scheme area including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days and not more than 28 days, or a later day approved by the Commission, from the day on which the notice is published;
 - (c) by publishing a notice of the proposed structure plan on the local government website including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days and not more than 28 days, or a later day approved by the Commission, from the day on which the notice is published;
 - (d) by erecting a sign or signs in a conspicuous place on the land the subject of the proposed structure plan giving notice of the proposed plan for a period of not less than 14 days and not more than 28 days from the day on which the sign is erected including on each sign a statement that submissions may be made to the local government by a specified day being a day not less than 14 days and

- not more than 28 days, or a later day approved by the Commission, from the day on which the sign is erected.
- 3) The local government —
 - (a) must make a structure plan advertised under subclause (2) and the material accompanying it available for public inspection during business hours at the offices of the local government; and
 - (b) may publish the structure plan and the material accompanying it on the website of the local government.
 - 4) If a local government fails to advertise a structure plan in accordance with this clause, the Commission may take reasonable steps to ensure that the plan is advertised.
 - 5) All costs incurred by the Commission in the exercise of the power conferred by subclause (4) may, with the approval of the Minister, be recovered from the local government as a debt due to the Commission.

Policy Implications:

There are no policy implications.

Financial Implications:

The costs related to advertising the Structure Plan include publishing Notices in the local newspaper, erecting signs on the three sites, administration and officer time associated with community consultation. The 2015/2016 Annual Budget includes grant income and expenditure allocation in regard to SuperTowns Projects. There will be no additional direct cost to the Shire associated with advertising the draft Structure Plans.

Strategic Implications:

Preparation of the Structure Plans is consistent with general and specific recommendations contained in the Local Planning Strategy and many of the Objectives/Tasks set out in the SuperTowns Growth and Implementation Plan. The Structure Plans assist the Council to deliver on several of its strategic objectives and key elements as follows:

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

- Introduce urban expansion areas for residential and industrial development [CBP Ref. O8.5.1]
- Flexible Land Use Planning – Facilitate Development and Encourage progressive consolidation and Redevelopment [CBP Ref. P8.5.2 and O8.5.1]
- Establish a minimal hierarchy of plans required to facilitate development.
- Prepare a Structure Plan for the eastern industrial expansion to facilitate a range of industrial initiatives.

Economic Development

- Locate an agrifood precinct that takes into account the location and linkages with WAMMCO [CBP Ref. P6.5.2 P6.5.10]
- Identify and compile sufficient land to accommodate new services and business opportunities [S6.5.6 O6.5.3]
- Promote R40 housing opportunities on land affording views of Piesse Park [CBP Ref. O8.5.1]

Lifestyle

- Prepare Structure Plan for Piesse Park incorporating Open Space upgrades [CBP Ref. P8.5.5]
- Produce medium density housing around Piesse Park with 'urban living in the country' theme. [CBP Ref. O8.5.1]

Development & Leadership - Governance:

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

Officer's Recommendation/Council Motion:**MOVED: CR RICHARD KOWALD****SECONDED: CR CRAIG MCKINLEY****OC52/16 That Council:**

- 1) **Receives and endorses the Piesse Lake, Industrial Expansion and Henry Street Precinct Structure Plans and associated Technical Appendices:**
 - 2) **Environmental Investigation**
 - 3) **Local Water Management Strategy**
 - 4) **Bushfire Hazard Assessment**
 - 5) **Transport Assessment**
 - 6) **Services and Infrastructure**
- 2) **Advertises the proposed Piesse Lake, Industrial Expansion and Henry Street Precinct Structure Plans in accordance with clause 18(1) of the Deemed provisions for local planning schemes as set out in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of 28 days.**

Voting Requirement: Simple Majority

CARRIED: 9/0

Cr Richard Kowald spoke for the motion.

10.1.3 Reserve 27959, Carinya Gardens – Future Tenure

File Ref: A2336
Reporting Officer: D Baesjou, Contract Planner
Date Report Prepared: 10 May 2016

Issue:

To consider a request from the Department of Lands (DoL) for the possible disposal of Apex Park, Reserve 27959, Lot 968 (8-10) Carinya Gardens, Katanning.

A copy of the 2016 correspondence from the DoL, together with a site plan and the disposal procedure for Section 152 Reserves is Attachment A.

The 1996 correspondence re: vesting and creation of Reserve 27959 is Attachment B.

Body/Background:

Correspondence was received on 8 April 2016 from the Department of Lands (DoL) requesting comment on:

1. whether the Shire wishes to retain care and control of this unmanaged Reserve; and
2. if not, would there be any objection to DoL investigating either:
 - a) including the land in the South West Settlement Land Base; or
 - b) Disposal (in accordance with Section 152).

The correspondence indicates that the Recreation Reserve was set apart and vested in the Crown in 1966 as a condition of subdivision when the surrounding residential lots were created. (Section 152/formerly S20A of the Town Planning and Development Act is applicable)



2014 Aerial Image of Subject Land

Apex Park is opposite Braeside Primary School. The subject land is Lot 968 on Deposited Plan 8282. The parcel is rectangular in shape, 2024m² in area and has frontage to Carinya Gardens along the full length of the north-west boundary. It is grassed, reticulated, contains isolated trees and has been developed with some playground equipment.



2016 view of Apex Park (from Carinya Gardens, looking east)

Officer's Comment:

The Reserve is known as Apex Park, Carinya Gardens. It is maintained by the Shire of Katanning and is utilised by the local community.

The subject land is designated as Recreation and Open Space' local scheme reserve under the Shire of Katanning Town Planning Scheme No. 4 (TPS4).

The draft Local Planning Scheme No.5 (LPS5) designates Lot 968 as 'Public Open Space'.

Lot 968 is shown on Plan 2 of the endorsed Local Planning Strategy as 'Parks and Recreation'. In the absence of a specific Recreation Strategy, this document serves as the most recent indication of community intention and expectations for the Park.

It is recognised the Public Open Space (POS) contributes to quality of life, vitality, identity, community interaction and sense of place. The contemporary planning approach outlined in 'Liveable Neighbourhoods' advocates a POS size hierarchy and function using the categories of Sport, Recreation and Nature (replacing the terms active and passive). Sport spaces provide a setting for formal, structured or organised sporting pursuits including supplementary infrastructure such as club rooms, storage and parking. Recreation Spaces can be accessed by all and provide a setting for informal play, physical activity, relaxation and social interaction. Examples include playgrounds, parks, community gardens, skate parks and training areas. Nature spaces provide a setting for people to enjoy and connect with nature, and at the same time protecting environmental values. POS is also categorised as Small (2000m²-4000m²), Local (4000m²-1ha), Neighbourhood (1-5ha) or District (greater than 5ha). All residential lots should be within walking distance (300m) of a POS site to meet daily needs, as well as within the catchment of POS sites providing access to nature, sport and recreation opportunities.

Apex Park constitutes a Small Recreation Space; it equates to a 'pocket park'.

The bushland Reserves north of the Primary School and west of the Katanning Country Club comprising Lots 986 and 985 respectively, would be categorised as Local Nature POS. Baldwin Park, south of the Bowling Club is undeveloped; it does not serve a POS function. Piesse Park could be regarded as a Neighbourhood Recreation and Nature Space, pending development and further upgrade. The Katanning Leisure Centre and Katanning Country Club are considered to be District Sport Parks.

Apex Park is the only developed 'Recreation POS' servicing the northern residential area. The next closest would be Piesse Park; it is approximately 350m from Apex Park, 500m from Collingwood Street, Hill Way, Burbidge Way and more than 600m from the residential lots in Marmion Street.

The continued growth of Katanning as advocated in the Planning Strategy and SuperTown Growth and Implementation Plan, coupled with the increased Residential Densities proposed in Local Planning Scheme No. 5 will result in increased use of and demand for POS. The Shire has a responsibility to plan for, provide and maintain an integrated POS network. The Public Parkland/Public Open Space design Elements of 'Liveable Neighbourhoods' provide a useful framework and relevant guidelines. Disposal of Reserve 27959 is considered to be inconsistent with the Open Space design principles contained in WAPC Policy 'Liveable Neighbourhoods'.

Disposal of Reserves created through the subdivisional process (Section 152) will typically only be allowed when the intention is for the Council to acquire replacement recreational land or to use the proceeds to enhance other public open space. Other than regular ongoing maintenance, it appears the Shire of Katanning has no immediate plans for development or replacement of Apex Park. Should it be determined that the Reserve is "identified as being no longer required for community purposes" disposal by DoL could be considered, in accordance with the procedures outlined in paragraphs 50 and 51 of the attached extract.

Statutory Environment:

Planning and Development Act 2005
Shire of Katanning Town Planning Scheme No. 4
Land Administration Act 1997

Policy Implications:

There are no policy implications.

Financial Implications:

Unless the Reserve is transferred to the Shire and Disposal of is initiated/requested by Council, any advertising and administrative cost should be borne by DoL. Any proceeds would have to be allocated to other reserves. Inclusion of the Reserve into the South West Settlement Land Base is expected to be cost neutral to Council.

Strategic Implications:

In addition to achieving relevant recommendations and objectives of the Katanning Local Planning and Strategy SuperTown Growth and Implementation Plan, this item assists the Council to deliver on the following strategic objectives:

Shire of Katanning Community Strategic Plan 2013 – 2023 and Corporate Business Plan 2013-2018 and Planning Strategy***Development & Leadership - Governance:***

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

Community & Culture:

- Community Spaces, Cultural Opportunity and Cultural Diversity.

Officer's Recommendation/Council Motion:

MOVED: CR CRAIG MCKINLEY SECONDED: CR OWEN BOXALL

OC53/16 That Council suspend standing orders.

Voting Requirement: Simple Majority

CARRIED: 9/0

PROCEDURAL MOTION

MOVED: CR OWEN BOXALL SECONDED: CR DANNY MCGRATH

OC54/16 That Council resume standing orders.

Voting Requirement: Simple Majority

CARRIED: 9/0

Officer's Recommendation/Council Motion:

MOVED: CR MARTIN VAN KOLDENHOVEN SECONDED: CR JOHN GOODHEART

OC55/16 That Council advises the Department of Lands, with regard to Apex Park, Reserve 27959, Lot 968 (8-10) Carinya Gardens, Katanning:

- 1) That that Council does not support the disposal of the Reserve for the following reasons:
 - i. The park is utilised by the local community;
 - ii. The Reserve is grassed and reticulated, it contains playground equipment and is currently maintained by the Shire of Katanning;
 - iii. This pocket park serves as the only developed 'recreation' public open space in the northern residential area of the Katanning town site; loss of POS would be considered contrary to the Open Space design principles contained in WAPC Policy 'Liveable Neighbourhoods'.

- 2) **That Council does not oppose the change in Purpose of Apex Park, Reserve 27959 968 from 'Recreation' to 'Public Recreation', subject to there being no cost to the Shire of Katanning.**

Voting Requirement: Simple Majority

CARRIED: 9/0

Cr Richard Kowald spoke for the motion.

10.2 DIRECTOR OF CORPORATE AND COMMUNITY SERVICES REPORTS

10.2.1 Monthly Financial Reports

(ATTACHMENTS)

File Ref: FS/0021
Reporting Officer: D Marsh, Manager Finance
Report Prepared: 16 May 2016

Body/Background:

The Local Government (Financial Management) Regulation 34 states that a local government must prepare a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget for the month.

Variances between budgeted and actual expenditure including the required Material Variances (10% with a minimum value of \$10,000 are included in the variance report.

Officer's Comment:

A variance report is included with the monthly financial statements.

Statutory Environment:

Local Government (Financial Management) Regulations 1996.

Policy Implications:

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

Financial Implications:

Monthly Statement of Financial Activity.

Strategic Implications:

Shire of Katanning Strategic Plan 2013 – 2023

Development and Leadership

- Governance

Officer's Recommendation/Council Motion:**MOVED: CR CRAIG MCKINLEY****SECONDED: CR SERENA SANDWELL**

OC56/16 That Council adopts the Statement of Financial Activity for the month ending 30 April 2016, as presented, and notes any material variances.

Voting Requirement: Simple Majority

CARRIED: 9/0

10.2.2 **Schedule of Accounts**
(ATTACHMENTS)

File Ref: FS/0021
Reporting Officer: D Marsh, Manager Finance
Report Prepared: 16 May 2016

Body/Background:

This information is provided to Council on a monthly basis in accordance with provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996. A Local Government is to develop procedures for the authorisation of, and payment of, accounts to ensure that there is effective security for, which money or other benefits may be obtained.

Officer's Comment:

The schedule of accounts for month of April 2016 are attached.

Statutory Environment:

Local Government (Financial Management) Regulations

Policy Implications:

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

Financial Implications:

Expenditure in accordance with the 2015/2016 Annual Budget.

Strategic Implications:

Shire of Katanning Strategic Plan 2013 – 2023
Development and Leadership

- Governance

Officer's Recommendation/Council Motion:**MOVED: CR CRAIG MCKINLEY****SECONDED: CR SERENA SANDWELL**

OC57/16 That Council endorses the Schedule of Accounts for April 2016, as presented.

Voting Requirement: Simple Majority

CARRIED: 9/0

10.3 EXECUTIVE MANAGER – STRATEGIC PROJECTS**10.4 DEPUTY CHIEF EXECUTIVE OFFICER****10.4.1 Katanning Regional Sheep Saleyards – Canteen Licence to Occupy
(ATTACHMENT)**

File Ref: A2324
Reporting Officer: A Holden, Deputy Chief Executive Officer
Date Report Prepared: 16 May 2015

Issue:

To consider submissions from parties interested in being granted the licence to occupy the canteen and dining facilities at the Katanning Regional Sheep Saleyards (Saleyards) to run a business providing refreshments to users of the saleyards.

Body/Background:

The Shire owns and operates the saleyards which contains a commercial kitchen, servery, dining area and associated display/cool and storerooms. When the saleyards opened on 28 May 2014 the operator of the canteen business at the old saleyards, Ms Diane Stewart, transferred and began operating in the new facility until she ceased in December 2014.

Marmion Investments Pty Ltd (Marmion), the operator of the Katanning Chicken Treat, took over the temporary operation of the canteen. In February 2015 Council decided to offer Marmion a Licence to Occupy the facility for a period of three years. The Shire's solicitors McLeods were engaged to complete the preparation of the Licence to Occupy which was delayed due to the resolution of a number of issues but the final version was provided a couple of months ago. This, unfortunately, coincided with changes to the personal circumstances of the operator's principals that ultimately led to their decision to relinquish the Licence to Occupy. Marmion ceased operating the canteen on Wednesday 4 May 2016.

An advertisement was placed in the Great Southern Herald of Thursday 28 April 2016 seeking submissions from experienced parties interested in operating the canteen. By the closing date for submission to be lodged (6 May) the Shire had received only one submission (see attached) from Emu Lane Pty Ltd (Emu), which has David and Julie Harries as Directors.

Officer's Comment:

The submission from Emu contained the information that potential operators were asked to provide. Both the Harries have significant training/qualifications and experience in the hospitality industry and Emu has recently taken over the operation of the café at the BKW Co-operative.

Emu has operated the canteen on a temporary basis since Marmion ceased on 4 May and during that admittedly short period there has been no issue arising that has brought into question their ability to run the business in the longer term. It is the officer's opinion that David and Julie Harris as directors of Emu do possess the demonstrated experience in providing meals of the necessary variety and quality required in the canteen and clearly have ready access to the staff necessary to run the facility.

Statutory Environment:

Nil.

Policy Implications:

Nil.

Financial Implications:

Nil. Council has budgeted to receive income from the operator of the Licence to Occupy the saleyards canteen.

Strategic Implications:

Nil.

Officer's Recommendation/ Council Motion:

MOVED: CR CRAIG MCKINLEY

SECONDED: CR DANNY MCGRATH

OC58/16 That Council:

- 1) Accept the submission from David and Julie Harries as directors of Emu Lane Pty Ltd to operate the saleyard canteen; and**
- 2) Authorise the Chief Executive Officer to negotiate a Licence to Occupy for a period of three years.**

Voting Requirement: Simple Majority

CARRIED: 9/0

Cr Craig Mckinley spoke for the motion.

Cr Danny McGrath spoke for the motion.

Cr Martin Van Koldenhoven spoke for the motion.

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**MOVED: CR CRAIG MCKINLEY****SECONDED: CR DANNY MCGRATH****OC59/16 That the urgent business of 12.1 be accepted at tonight's meeting.****Voting Requirement: Simple Majority**

CARRIED: 9/0

Cr Craig spoke for the motion

12.1 Katanning Supertown Heritage Centre Project Funding**File Ref: CP.RP.1****Reporting Officer: S Davis, Executive Manager of Strategic Projects****Date Report Prepared: 23 May 2016****Issue:**

For Council to consider delegating authority to the Chief Executive Officer to negotiate and execute the Financial Assistance Agreement (FAA) with the Government of Western Australia Department of Regional Development to accept funding for the Katanning Supertown Heritage Centre Project.

Body/Background:

On 29 September 2015, the author on behalf of the Shire submitted a business case proposal in a bid for \$15.72 million through Royalties for Regions and the WA State Cabinet to undertake the project termed Katanning Supertown Heritage Centre Project (Project).

On 12 November 2015 a grant application was submitted to Lotterywest with a separate request seeking \$2 million in funding for the Project, which was approved in March 2016 contingent on the Shire securing funds through the state government.

During the hand down of the WA State budget on 12 May 2016, \$15.72 million in government funding was announced for the project.

The Project comprises two main components: the Welcome Precinct and the Piesse Lake Developments.

The **Welcome Precinct** refers to the re-development of the All Ages Playground site and will include:

- Improvements and additions to Katanning's famous and iconic All Ages Playground; park amenity enhancements, including: play areas; barbeques; toilets; RV dump point; skate-street park; and improvements to access and parking etc.
- Construction of a tourist visitor centre and community run museum on the site adjacent to the new roundabout and entry point to town.
- Extension of the existing sewer system to service the full Welcome Precinct district.

This component will enhance Katanning's visitor experience and develop the town's tourism product through providing an attractive and unique welcome precinct at the main entry to

town. As Katanning is located approximately halfway between Perth and Albany, between Perth and Esperance and en-route to the Stirling Ranges, the Welcome Precinct can also act as a 'conciierge' facility for the wider region. This will involve signposting visitors to broader tourism experiences which include Hidden Treasures of the Great Southern, the Biodiversity Trail, the Regional Botanic Gardens network, the Bremer Bay Canyon, wine and food trails and the ANZAC heritage assets of the region. The project will also provide a fresh and redeveloped all-inclusive recreation area for the Katanning community based around the All Ages Playground.

BUDGET NOTE: Full project scoping, design and planning will take place as part of the first stage of the project's delivery and for this reason, as the project develops, the notional budget allocations for each project item is likely to vary from the figures listed in the original funding proposal.

WELCOME PRECINCT – NOTIONAL EXPENDITURE BUDGET

Item	Estimated Budget Allocation	Inclusions
Planning and Pre-Works	\$1,084,000	Masterplan design and planning, demolition, earthworks, contractors mob and de-mob, project management of planning and pre-works.
Building Construction	\$2,020,000	Visitor centre, museum, toilets, project management, professional fees and design costs.
Play Areas	\$4,176,000	All ages play structure, street/skate park, children's play areas and all associated construction costs, project management, professional fees and design costs.
Landscaping; Access/Egress/Parking	\$1,295,775	All associated construction costs, project management, professional fees and design costs.
Sewer Extension	1,000,000	1 Km of new sewer @ 2m depth along Andover Street between AAP and Crosby Street. Includes all associated construction costs, project management, professional fees and design costs.
Project contingency	\$374,225	4.36% of WP project budget.
Indicative Expenditure TOTAL:	\$9,950,000	Figure is GST exclusive.

The **Piesse Lake** Development will include:

- Creation of a Botanic Garden, landscaped green space and recreational area (including nature playground; walk trails; interpretive elements; toilet facilities; boardwalks and amphitheatre etc.) around the recently developed freshwater Piesse Lake.
- A medium density residential land development adjacent to the Botanic Garden and Piesse Lake. This element will deliver 32 lots at Piesse Lake and include the relocation of the Bowling Club to the Katanning Country Club site.

This component will enhance the amenity to the east of the central business district by transforming a currently underutilised and undeveloped reserve into a unique recreational and adaptive housing precinct. The outcomes will be largely qualitative, including improved facilities and amenity, community spirit and ownership, visitor experience, supporting attraction and retention of population. The direct economic benefits will be generated by events and small business start-ups (eg coffee stop, gift shop etc). The residential development will deliver diversity in the residential market which may, in turn, drive new urban housing solutions for the town.

PIESSE LAKE – NOTIONAL EXPENDITURE BUDGET

Item	Estimated Allocation	Budget	Inclusions
Residential Development	\$3,515,782		Development of detailed residential development business case, headworks and implementation, project management, professional fees and design costs.
Lawn Bowls Relocation	\$1,100,000		Professional fees and design costs, construction costs, project management.
Botanic Garden	\$830,000		Piesse Lake Master Plan and stage 1 detailed design plan, all botanic garden construction and implementation costs, botanic garden volunteer program, all other professional fees and design costs.
Piesse Lake Parklands Landscaping and Infrastructure	\$2,323,516		Design and construction of Amphitheatre, Nature Playground, Toilets, Barbeques & Shelters, Board Walks, Walk Trails, Access, Landscaping, Signage, Public and Community Art.

Botanic Garden and Recreation Area Project Management and Contingency	\$630,702	10% project management, 10% project contingency.
Indicative Expenditure TOTAL:	\$8,400,000	Figure is GST exclusive.

PROJECT REVENUE

Funding Source	Amount (Ex GST)
Growing Our South	\$15,720,000
Lotterywest	\$2,000,000
Total Income	\$17,720,000

Shire Contribution

Shire	\$1,665,000 (Ex GST)
TOTAL PROJECT REVENUE	\$19,385,000 (Ex GST)

Officer's Comment:

The project business case pledges a Shire funding commitment of up to \$1.665 million to the project. Should Council choose to accept the funds and delegate authority to the CEO to negotiate and execute the FAA, the Council will be required to commit a minimum of \$630,000 of its own funds to the Project.

A draft revision of Council's Long Term Financial Plan by Shire officers has identified Council's capacity to make provision in its Long Term Financial Plan for a commitment to the Project of up to \$1.665 million.

Statutory Environment:

Nil.

Policy Implications:

Nil.

Financial Implications:

Should Council choose to accept the state government funds and commit up to \$1.665 million of its own funds to the project, Council's Long Term Financial Plan and other informing strategic documents will require a formal revision and will need to be updated to reflect this commitment.

Strategic Implications:

Nil.

Officer's Recommendation/Council Motion:**MOVED: CR CRAIG MCKINLEY****SECONDED: CR OWEN BOXALL****OC60/16****That Council:**

- 1) Delegates authority to the Chief Executive Officer to negotiate and execute the Financial Assistance Agreement with the Government of Western Australia Department of Regional Development to secure funding for the Katanning Supertown Heritage Centre Project;**
- 2) Makes a funding contribution of up to \$1,665,000 ex GST to the Katanning Supertown Heritage Centre Project; and**
- 3) Directs the Chief Executive Officer to update the Shire of Katanning's Long Term Financial Plan and other informing documents to incorporate Council's financial Commitment to the Katanning Supertown Heritage Centre Project.**

Voting Requirement: Absolute Majority**CARRIED: 9/0****PROCEDURAL MOTION****MOVED: CR CRAIG MCKINLEY****SECONDED: CR JOHN GOODHEART****OC61/16****That Council closes the meeting to the public to consider the following items (12.2, 13.1 and 13.2) in accordance with sections 5.23(2)(a), 5.23(2)(b) and 5.23(2)(c) of the Local Government Act.****REASON FOR CONFIDENTIALITY****The President's Report (12.2) is confidential because it deals with a matter relating to an employee contract in accordance with Section 5.23(2)(a) of the Local Government Act.****The Finance Manager's Report (13.2) is confidential because it deals with matters affecting the personal affairs of persons in accordance with Section 5.23(2)(b) of the Local Government Act.****The Project Manager's Report (13.1) is confidential because it deals with a matter relating to a contract to be entered into by Council in accordance with Section 5.23(2)(c) and****CARRIED: 9/0**

The public and the following Council officers, S Davis, S King Ching, A Holden, D Marsh, U Striepe, T Human and T Flugge left the room at 6:40pm.

12.2 Chief Executive Officer's Review Procedure

File Ref: Murphy J
Reporting Member: L Guidera, Shire President
Date Report Prepared: 26 July 2016

Elected Member's Recommendation/Council Motion:

MOVED: CR CRAIG MCKINLEY

SECONDED: CR DANNY MCGRATH

OC62/16 The Council engages Clara Pound of Practical People Solutions to assist Council in establishing the procedures for the conduct of the Chief Executive Officer's Review.

Voting Requirement: Simple Majority

CARRIED: 7/2

Cr Craig McKinley spoke for the motion.
Cr Martin Van Koldenhoven spoke against the motion.
Cr Guidera spoke for the motion.
Cr Danny McGrath spoke for the motion.
Cr Richard Kowald spoke against the motion.
Cr Owen Boxall spoke for the motion.
Cr Serena Sandwell spoke for the motion.
Cr Alep Mydie spoke for the motion.
Cr John Goodheart spoke for the motion.

The following Council officers, S Davis, S King Ching, A Holden, D Marsh, U Striepe, T Human and T Flugge returned to the room at 6:52pm.

13. CONFIDENTIAL ITEM**13.1 03/2016 Katanning ECH Architectural & Contract Services Tender**

File Ref: CP.TE.6
Reporting Officer: S King Ching, Project Manager
Date Report Prepared: 19 May 2016

Officer's Recommendation/ Council Motion:

MOVED: CR DANNY MCGRATH

SECONDED: CR CRAIG MCKINLEY

OC63/16 That Council accepts the tender from Slavin Architects for tender 03/2016 - Provision of architectural services for the Katanning Early Childhood Hub as per the schedule of prices submitted.

Voting Requirement: Simple Majority

CARRIED: 9/0

Cr Danny McGrath spoke for the motion

13.2 Sale of Property for Recovery of Rates

File Reference: A2315, A37, A109, A1514, A569
Reporting Officer: D Marsh, Manager of Finance
Date Report Prepared: 18 May 2016

Officer's Recommendation/Council Motion:

MOVED: CR OWEN BOXALL

SECONDED: CR CRAIG MCKINLEY

OC64/16 That Council:
Pursuant to Sections 6.56, 6.64 and 6.68 of the Local Government Act 1995,
proceed to sell, or transfer ownership to the Shire of Katanning, all the
properties as listed in the confidential report.

Voting Requirements: Absolute Majority

CARRIED: 9/0

PROCEDURAL MOTION

MOVED: CR CRAIG MCKINLEY

SECONDED: CR DANNY MCGRATH

OC65/16 That Council re-open the meeting to members of the public.

CARRIED: 9/0

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 6:56pm.