



Shire of
Katanning
Heart of the Great Southern

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

**MINUTES OF A
ORDINARY COUNCIL MEETING**

Dear Council Member

Minutes of the Ordinary Council Meeting of the Shire of Katanning held on
Tuesday 20 December 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.

PRESIDING MEMBER _____

DATE SIGNED _____



Table of Contents

Item No.	Item Heading	Page No.
1	Declaration of Opening/Announcement of Visitors	3
2	Record of Attendance	3
3	Response to Previous Public Questions Taken on Notice	4
4	Disclosure of Financial/Impartiality Interest	4
5	Public Question/Statement Time	4
6	Applications for Leave of Absence	4
7	Petitions/Deputations/Presentations	4
8	Confirmation of Minutes of Previous Meetings	4
8.1	Ordinary Council Meeting – Tuesday 22 November 2016	4
9	Announcements by Presiding Member Without Discussion	4
10	Reports of Committees and Officers	5
10.1	Director Engineering & Development Services Reports	6
10.1.1	Purchase of Streetsweeper	6
10.1.2	Development Approval Amendment – Service Station Lot 908 (24) Cornwall Street Katanning	9
10.2	Director of Corporate Services' Reports	14
10.2.1	Monthly Financial Reports	14
10.2.2	Schedule of Accounts	15
10.3	Executive Manager, Projects and Community Building	16
10.4	Executive Manager, Property & Assets Reports	17
10.5	Deputy Chief Executive Officer Reports	18
10.5.1	Conduct of the 2017 Local Government Elections	18
10.6	Chief Executive Officer's Reports	21
10.6.1	Shire of Katanning Occupational Safety & Health Policy	21
10.6.2	Katanning Mechanics Institute/Town Hall Buildings Toilet Block	23
10.7	Advisory Committee Meeting Minutes	25
11	Elected Members Motions	25
12	New Business of an Urgent Nature	25
13	Confidential Item	26
13.1	Katanning Citizen of the Year Awards 2017	26
13.2	Conditions of Employment of the Chief Executive Officer	28
14	Closure of Meeting	28

1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISTORS

The Presiding Member declared the meeting open at 6:00pm.

2. RECORD OF ATTENDANCE**PRESENT**

Presiding Member: Cr Liz Guidera - President

Members: Cr Craig McKinley - Deputy President
Cr Alep Mydie
Cr Danny McGrath
Cr Richard Kowald
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 Engineering & Development Services
Sam Davis, Executive Manager, Projects and Community Building
Andrus Budrikis, Executive Manager Property & Assets
Libby French, Manager Finance
Taryn Human, Governance Executive Officer

Gallery: Matt Collis

Media:

Apologies:

Leave of Absence:

3. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS

10.1.2	Cr Serena Sandwell	Disclosure of Financial Interest
13.2	Julian Murphy	Disclosure of Financial Interest

5. PUBLIC QUESTION/STATEMENT TIME

Nil.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Ordinary Council Meeting – 22 November 2016
(SEE ATTACHED MINUTES)

MOVED: CR DANNY MCGRATH

SECONDED: CR OWEN BOXALL

OC161/16 That the minutes of the Ordinary Council Meeting held on Tuesday 22 November 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

Congratulations to the Clive Street Businesses who presented the Christmas on Clive Event – although an extremely hot afternoon the attendance was excellence and a great atmosphere ensued around the town, ending with a great band in the Town Square.

Thank you to Councillor Goodheart and Councillor Van Koldenhoven for attending the funding announcement last Thursday in relation to Housing. Katanning benefit through Royalty for Regions in relation to housing will be 5 independent living units and 4 workforce housing units – a much needed boost for rural housing.

Thank you to Councillor Sandwell for attending the Katanning Primary School Graduation.

We acknowledge Councillor McGrath with his ongoing work with Roadwise spreading the very important road safety message.

2016 has seen a loss of some of our community members – we are thinking of all families in there time of sadness where they are missing loved ones around the Christmas table.

Welcome to newly appointed Finance Manager, Libby French, we look forward to working with you.

And finally I wish all our, staff and Councillors and their families and the whole community a very happy and safe Christmas and look forward to 2017.

10. REPORTS OF COMMITTEES AND OFFICERS

DRAFT

10.1 DIRECTOR ENGINEERING & DEVELOPMENT SERVICES REPORTS**10.1.1 Purchase of Streetsweeper
(ATTACHMENT)**

File Ref: PL.AQ.1
Reporting Officer: Uwe Striepe, Director of Engineering and Development Services
Date Report Prepared: 5 December 2016

Issue:

An amount of \$330,000 for the procurement of a new street sweeper was approved as part of the 2016/17 budget. The disposal of the Shire's 1997 Isuzu Schwarze A400 street sweeper is expected to yield an income of between \$15,000 and \$20,000.

Body/Background:

Specifications have been developed and submitted via the West Australian Local Government Association's (WALGA) eQuote platform. Responses were received from three suppliers:

1. Bucher Municipal
2. Rosmech Pty Ltd
3. Schwarze Industries Australia

Officer's Comment

Bucher Municipal submitted two alternatives, Rosmech Pty Ltd submitted five and Schwarze submitted one. Attachment A is a table that summarizes models, prices and some specifications.

The evaluation of this RFQ was undertaken by the following Shire Officials:

1. Director of Engineering and Development Services (Uwe Striepe)
2. Manager Operations (Stephen Thomson)
3. Heavy Duty Mechanic (Ryan D`Aprile)

Bucher Municipal has supplied VT/VS 651 sweepers to the Town of Port Hedland, Cities of Albany, Rockingham, Cockburn, Stirling, Swan, Kalgoorlie-Boulder, Town of Victoria Park, Shire of Collie, Shire of Ashburton, and Roy Hill Mining Port Hedland, Veolia Environmental Services at both Port Hedland and Karatha, along with Sims Metal Management Kwinana and Downer EDI Mouchel JV for the Main Roads contract. Shire Officials contacted most of these organisations and received positive feedback. Listed below are some of the comments received:

- Reliable sweeper
- Good customer support and parts backup
- One LG reported that they preferred the performance of the Johnston over Scarab Mistral when evacuating stormwater sumps
- Operators preferred the Johnston over the Mistral for ease of operation
- One said that they chose the Hino over the Isuzu as they had a fleet of Hino trucks and could standardise tools and parts store
- Some had owned this type of sweeper before and had good service and preferred to stay with this sweeper.

- One LG reported that the deal offered by Bucher included a lot of extras in contrast to the deal offered by Rosmech where all extras were charged for

Rosmech supplied contact details of six referees from Local Government who could report on their experiences with the Scarab sweeper. One of the telephone numbers did not work, another said he no longer worked for the organisation and a third did not return calls. The other three commented as follows:

- They chose the Scarab Mistral as they were offered the sweeper at a better price than the Johnston product
- Reliable sweeper
- One Shire said they had a Johnston VT605 for many years and had good service but now changed to the Mistral as they believed it is less complicated
- One Shire reported they had a 2007 model but had overheating issues as the auxillary engine broke and they had to wait for parts from Italy. (They now use Cummins engines so that wouldn't be an issue).

Schwarze provided four referees for their A4 Storm sweeper; Bega Council (NSW), Woollahra Council (NSW), ACT Government (TAMS) and Broome Airport. Shire Officials were only able to receive a response from the two Councils in NSW. They commented as follows:

- Needed some repairs to the drive motor, otherwise reliable, few breakdowns
- One Council responded that they were not happy with the sweeper but were limited in choice as they needed a sweeper that could unload into their skip (no landfill site close by)

A concern is that Schwarze Industries was not able to supply a contact for a Local Government in WA. The issue with our existing sweeper is that it is not reliable (partially or wholly due to its age) and parts/customer service is not satisfactory in WA. So it spends a lot of time in the workshop waiting for repair and parts.

The Johnston VT651 has the largest capacity, more powerful auxiliary engine and widest swept area. Bucher Municipal has offered approximately \$30,000 worth of extras included in the price. They have also offered the Shire a no trade discount of \$20,000. (Shire can then dispose of its old sweeper via auction or other means as it is worth under \$20,000).

Bucher offers a 12 months 2,400hrs warranty on their sweeper, which can be extended to 24 months 4800hrs for an additional amount of \$5,228. Rosemech offers 12months 2,400 hrs warranty which may be extended by a further 12 months and 2000 hrs. for an amount of \$5,000. The Schwarze A4 Storm has a 12mths 1,200 hrs warranty. The cab chassis in all cases carries a 36mths 150,000km warranty.

The panel examined the multitude of technical specifications and came to the conclusion that whilst both the Scarab Mistral and the Johnston VT651 are excellent sweepers, the Isuzu FSR850 with Johnston VT651 represented best value for money for the Shire.

With all the sweepers offered, assembly of the sweeper starts once a purchase order is received. Delivery could be expected in three to four months. Bucher quotation no. 106788-2 is with Attachment B. A brochure for the Johnston VT651 has been attached as Attachment C.

Statutory Environment:

Local Government Act 1995

- Section 3.57 Tenders for providing goods and Services

Local Government (Functions and General) Regulations 1996

- Regulation 11(2) When Tenders have to be publically invited: Tenders do not have to be publicly invited if the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program.

Policy Implications:

Shire of Katanning Purchasing Policy – Tendering Exemptions

- An exemption to publicly invite tenders may apply if the purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement.

Financial Implications:

The amount approved as part of the 2016/17 budget for the purchase of a street sweeper is \$330,000 ex GST. The cost of the new sweeper is \$292,000 ex GST. The amount allocated for the purchase is to be sourced through a new loan as per the adopted budget.

Strategic Implications:

The purchase of a new street sweeper will improve key community aspirational elements as listed on page 10 of the Katanning Strategic Community Plan;

- Water management – storm water system, the street sweeper is able to efficiently evacuate storm water sumps
- Transport systems – maintain freight routes and road linkage, the new street sweeper is able to efficiently keep streets and gutters clean.

Officer's Recommendation/Council Motion:

MOVED: CR CRAIG MCKINLEY

SECONDED: CR SERENA SANDWELL

OC162/16 That Council:

Approves the purchase of Isuzu FSR850 Johnston VT651 street sweeper as per Bucher Municipal quotation no. 106788-2.

Voting Requirement: Simple Majority.

CARRIED: 9/0

Cr Craig McKinley spoke for the motion.

Cr Serena Sandwell declared a financial interest and left the room at 6:08pm.

10.1.2 Development Approval Amendment – Service Station Lot 908 (24) Cornwall Street, Katanning
(ATTACHMENT)

File Ref: A1394
Reporting Officer: Delma Baesjou, Consultant Planner
Date Report Prepared: 14 December 2016

Issue:

To consider an application to amend the Development Approval, for the Service Station at Lot 908 (24) Cornwall Street, Katanning. Instead of a 24hour 'un-manned' facility, the proposal is for the Service Station to be 'attended' between 7.00am and 7.00pm. In place of the original 30m² amenities and administration building, the amended plan shows a 124m² 'convenience store'.

Attachments:

- The amended Development Application is Attachment A
- The application letter including self-assessment Table 2 is Attachment B
- A copy of the Development Approval 2016-13 is Attachment C

Body/Background:

At its meeting held 15 December 2015 the Council resolved to grant conditional approval to an application for a Service Station, Fuel Depot and Signage at Lot 908 Cornwall Street. Resolution OC123/15, Item 10.1.2 refers. Following submission of revised plans, supplementary drainage design details, extensive officer liaison and endorsement by Main Roads WA, Development Approval was issued 19 September 2016, reference 2016-13.

Lot 908 is 7191m² and has frontage to both Cornwall St and Bays St. The property is zoned 'Light Industrial' under the Shire of Katanning Town Planning Scheme No. 4 (TPS4). Service Station is listed in the Zoning Table as 'P' (Permitted) within the Light Industrial zone.

Officer's Comment:

The proposal for convenience retailing associated with the Service Station is typical for such land use, and consistent with the definition set out in the current Town Planning Scheme. The land use definitions contained in TPS4 are similar in intent to the following terms set out in draft LPS5 and the LPS Regulations:

***fuel depot** means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used —*

(a) as a service station; or

(b) for the sale of fuel by retail into a vehicle for use by the vehicle

***service station** means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for —*

(a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or

(b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles;

The Development and Site Requirements for the Light Industry zone are set out in Clause 6.5 of TPS4

The amended proposal satisfies the landscaping requirement and following minimum building setbacks: Front & Rear - 7.5m; Side - 5m (on one side).

Clause 7.1 and Schedule 5 of TPS4 deal with car parking requirements, including minimum number of spaces, dimensions, layout, access, manoeuvring, screening and landscaping. The number spaces is based on land use: Service Station is not specifically listed, however for Shopping, six (6) spaces are required for every 100 square metres of floor area. For Industry, four (4) spaces are required for the first 200 square metres. The amended site plan shows four (4) parking spaces, including one (1) 'universal' bay. The applicant has advised that additional parking spaces could be provided, if necessary.

The amended application was assessed, based on the requirements set out in TPS4 and the twenty eight (28) matters listed in Clause 67, Part 9 Schedule 2 of Planning and Development (Local Planning Schemes) Regulations 2015. Table 2 in the applicant's proposal includes a self-assessment of eighteen (18) of those matters. In this case, further consideration by the Council is warranted in respect of particular matters including: (m) compatibility, (n) amenity, (p) landscaping, (r) possible risk, (s) adequacy of access, (t) traffic and (u) availability of (iv) access for pedestrians & cyclists and (v) access by older people and people with disability. The following Table lists ten (10) selected matters relevant to this amended application together with planning comments.

Matter	Relevance	Comment
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area	Yes	Retailing of convenience goods falls within the scope of "Service Station" which is a "P" (Permitted) use. The amended DA is consistent with the objectives and intent of the zone and TPS4.
(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving	Yes	Although this application is, permissible under the current Scheme, both Service Station and Fuel Depot are X (not permitted) within the proposed 'Enterprise' zone in draft Local Planning Scheme 5. The applicant and DoP support modification of LPS5 to rectify this situation.
(m) the compatibility of the development with its setting including the relationship of the	Yes	The amended plans satisfy the minimum setback requirements. Relative to other structures in the

development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development		vicinity and the nature of the uses in the locality, it is considered the appearance, size and bulk will have no significant negative impact on adjoining land.
(n) the amenity of the locality including the following: (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;	Yes	Development and hours of will impact on amenity in regard to traffic, noise, and lighting however considered acceptable given the setting, function and purpose of the zone.
(r) the suitability of the land for the development taking into account the possible risk to human health or safety;	Yes	Storage of dangerous/flammable goods has implications for human health and safety; Notwithstanding the intensification associated with the retail component, any risk is considered to be appropriately managed through relevant Legislation.
(s) the adequacy of: (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;	Yes	Layout appears to address safety and design requirements. Redundant crossovers, drainage and footpath to be reinstated. Proposal is for provision of 4 on-site car parking bays.
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety	Yes	Amended Plan may result in increased traffic generation and intensification of vehicle movements; considered to be within the capacity of the existing network.
(u) the availability and adequacy for the development of the following: (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with disability	No	Purpose of facility is to re-fuel vehicles, therefore public transport services and access for pedestrians, cyclists and non-motorised transport has limited significance. Supply and connection to public Utilities are operational matters for the proponent. Management of solid waste and refuse by developer, to LG specifications. Commercial premises and parking to satisfy relevant standards re: accessibility. One 'universal' bay is proposed.

(w) the history of the site where the development is to be located;	Yes	The subject land has previously been used for the purpose of Service Station. It is classified as 'possibly contaminated' site under relevant Statutes, with a Memorial to this effect on the Title of Lot 908.
---	-----	---

Statutory Environment:

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Shire of Katanning Town Planning Scheme No. 4
- Draft Local Planning Scheme No. 5

There is scope for an application to amend a Development Application, as set out in Clause 77 of Schedule 2 of the 2015 Regulations. The requirements and procedures for considering and assessing an amendment are outlined in Parts 8 and 9. In determining the application, the Local Government needs to be satisfied that the proposed amendment would not substantially change the Development Approval.

Policy Implications:

Nil.

Financial Implications:

An Application Fee of \$295.00 has been paid.

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

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

Environment & Land Use – Land Use Development:

- Flexible Land Use Planning [CBP Ref. P8.5.2]

Development & Leadership - Governance:

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

Officer's Recommendation/Council Motion:

MOVED: CR CRAIG MCKINLEY

SECONDED: CR MARTIN VAN KOLDENHOVEN

OC163/16 That Council

Approves the Amended Development Application for Lot 908 (24) Cornwall Street, Katanning for the proposed Service Station, Fuel Depot and Signage subject to the following conditions:

- 1) Development is to be generally in accordance with the Amended approved plans (DRG No. 553615 Sheet 2, Issue D, Sheet 3 Issue A and 161130 4192 Revision 3/EF/Rev/30.11.2016).**
- 2) Construction of the crossover, accessways and parking areas in accordance with the approved plan.**

- 3) Installation and maintenance of line-marking and signage or other appropriate treatments to ensure one-way traffic flow across the site from Cornwall Street to Bay Street.
- 4) Closure and reinstatement of redundant crossovers to the satisfaction of the director of Engineering Services.
- 5) Maintenance of parking, manoeuvring and accessways is the responsibility of the developer.
- 6) Installation and maintenance of landscaping in accordance with the approved plan.
- 7) All signage is to comply with Clause 7.11 of the Shire of Katanning Town Planning Scheme No. 4 and relevant requirements of the Planning and Development (Local Planning Schemes) Regulations 2015.

Advice Notes

- I. Stormwater runoff from the new structure and associated hardstand to be adequately contained on-site, with disposal via connection to the district drainage system to the satisfaction of the Director of Engineering Services in accordance with Engineering requirements and design guidelines. Provision of internal reticulation and a retention basin, together with upgrading of the existing downstream stormwater system, at the proponent's expense is required. Supplementary geotechnical testing, carried out by a suitable qualified practitioner, may be provided to determine the permeability for the site.
- II. Construction of the crossover and all works within the Cornwall Street Road Reserve require the prior approval of the Shire.
- III. All works and any proposed drainage within the Bay Street Road Reserve (Kojonup – Pingrup Rd M021 40.63slk) will require an Application for Works from Main Roads WA and approval prior to any construction works proceeding
- IV. Future development is required to comply with the Building Code of Australia and the requirements of relevant Health, Environmental, Mining and Petroleum statutes, the Dangerous Goods Safety Act 2004 and the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007 (the Storage and Handling Regulations).

And

Notwithstanding Part 5.14 and the height and area specified in Part 5.9.1 a) and b) of the Shire of Katanning Local Laws Part XIV – Signs, Hoardings and Bill Posting, Development Approval is granted for Advertising Signage (Illuminated), Lot 908 (24) Cornwall St, Katanning subject to:

1. The relocated sign is to be in accordance with the approved plans.
2. No part of the sign is to extend beyond the boundary of the subject land.
3. Signage to be maintained in good repair, at the proponent's cost.

Voting Requirement: Simple Majority

CARRIED: 8/0

Cr Craig McKinley spoke for the motion.

Cr Serena Sandwell returned to the room at 6:10pm.

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

File Ref: FS/0021
Reporting Officer: Libby French, Manager Finance
Report Prepared: 14 December 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 OWEN BOXALL

SECONDED: CR CRAIG MCKINLEY

OC164/16 That Council adopts the Statement of Financial Activity for the month ending 30 November 2016, as presented, and notes any material variances.

Voting Requirement: Simple Majority.

CARRIED: 9/0

Cr Owen Boxall spoke for the motion.

10.2.2 Schedule of Accounts
(ATTACHMENTS)

File Ref: FS/0021
Reporting Officer: Libby French, Manager Finance
Report Prepared: 14 December 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 November 2016 are attached.

Statutory Environment:

Local Government (Financial Management) Regulations 1996.

Policy Implications:

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

Financial Implications:

Expenditure in accordance with the 2016/2017 Annual Budget.

Strategic Implications:

Shire of Katanning Strategic Plan 2013 – 2023
Development and Leadership

- Governance

Officer's Recommendation/Council Motion:

MOVED: CR CRAIG MCKINLEY

SECONDED: CR SERENA SANDWELL

OC165/16 That Council endorses the Schedule of Accounts for November 2016, as presented.

Voting Requirement: Simple Majority.

CARRIED: 9/0

10.3 EXECUTIVE MANAGER, PROJECTS AND COMMUNITY BUILDING REPORTS

Nil.

DRAFT

10.4 EXECUTIVE MANAGER, PROPERTY & ASSETS REPORTS

Nil.

DRAFT

10.5 DEPUTY CHIEF EXECUTIVE OFFICER**10.5.1 Conduct of the 2017 Local Government Elections**
(ATTACHMENT)

File Ref: GV.EL.5
Reporting Officer: Andrew Holden, Deputy Chief Executive Officer
Date Report Prepared: 15 December 2016

Issue:

This report deals with the Council elections to be held in October 2017 and recommends that Council declare the W.A. Electoral Commissioner to be responsible for the conduct of the elections as a postal election.

Body/Background:

The previous Council election held in October 2015 was conducted by the Electoral Commissioner as a postal election. The Electoral Commissioner has written (see attachment) requesting that Council consider whether it wishes to conduct the next election in a similar manner.

At this stage it appears that the next local government election will be conducted on 21 October 2017 and will have five (5) vacancies.

The postal election held in October 2015 resulted in a voter turnout of 57.52%. The turnout rate in earlier elections was 39.8% in 2005, 51.3% in 2007, 51.56% in 2009, 46.56% in 2011, and 50.87% in 2013.

Officer's Comment:

The Electoral Commissioner is the person authorised to undertake a postal election.

Council has essentially two options for the conduct of the election:

1. Council hold an "in person" election; or
2. Nominate the Electoral Commissioner to conduct a postal election.

If Council decides that the October 2017 election is to be conducted by the Electoral Commissioner as a postal election, it is necessary to pass two motions by "absolute majority", namely:

1. Declare, in accordance with Section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2017 ordinary elections together with any other elections or polls which may also be required;
2. Decide, in accordance with Section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.

The above motions have no effect if they are made after the 80th day before the election date (i.e. 1 August 2017) and also such motions cannot be rescinded after that date.

Section 4.20(4) of the Act requires that Council is not able to declare the Electoral Commissioner to be responsible for the conduct of the election unless it first obtains the written agreement of the Electoral Commissioner. The Electoral Commissioner has provided this agreement in the quotation provided.

The cost of the Electoral Commissioner undertaking the postal election in 2015 was \$15,430.26 excluding GST. The quotation provided by the Electoral Commissioner for the 2017 election is \$20,500 including GST with the increase in estimated cost largely a product of changes in Australia Post charges since the 2015 election.

The quotation does not include the cost of one Council staff member assisting with the count on the day of the election or the cost of non-statutory advertising (i.e. advertisements placed in the Great Southern Herald). The estimated cost of these items is around \$400 and \$600 respectively and thus the total estimated cost of the election will be approximately \$19,545 exclusive of GST. This amount will be provided in the 2016/17 budget.

The Local Government Act provides that postal elections are conducted on the basis of cost recovery and therefore the actual cost of the election may vary from the estimate provided by the Electoral Commissioner.

The estimated cost of a “voting in person election” conducted by Council staff is around \$15,000. Such additional cost associated with conducting a “postal election” is well worth the advantages that are delivered.

The advantages of a “postal election” conducted by the Electoral Commissioner are –

- It is seen as being independent from Council and therefore the integrity of the electoral process is free from any perceived local influence;
- Significantly higher number of electors vote in Local Government elections conducted as ‘postal elections’ compared to ‘in person elections’; and
- Council staff are only involved in a minor way and are therefore able to concentrate on operational duties.

Statutory Environment:

Sections 4.20 and 4.61 of the Local Government Act 1995.

Policy Implications:

Nil.

Financial Implications:

An amount of \$19,545 will be included in the 2016/17 budget for the postal election.

Strategic Implications:

A transparent, accountable and independently run election process aligns with the key aspirational elements of good governance and leadership as contained in the Katanning Community Strategic Plan.

Officer's Recommendation/Council Motion:**MOVED: CR MARTIN VAN KOLDENHOVEN****SECONDED: CR JOHN GOODHEART****OC166/16 That Council:**

- 1) **Declares, in accordance with Section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2017 ordinary elections together with any other elections or polls which may also be required; and**
- 2) **Decide, in accordance with Section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.**

Voting Requirement: Absolute Majority

CARRIED: 9/0

Cr Martin Van Koldenhoven spoke for the motion.

10.6 CHIEF EXECUTIVE OFFICER'S REPORTS**10.6.1 Shire of Katanning Occupational Safety & Health Policy**
(ATTACHMENT)

File Ref: PE.OC.9
Reporting Officer: Kate Doyle, OHS Coordinator
Date Report Prepared: 14 December 2016

Issue:

To consider the adoption of the Shire of Katanning Occupational Safety and Health (OSH) Policy.

Body/Background:

An OSH Policy sets the foundation for the management of safety. The policy includes the Shires commitment to ensuring the safety of workers whilst reducing injury and illness.

The Policy outlines the Shire of Katanning's commitment to fully integrate health and safety into all aspects of its activities and systems of work such that employees are not exposed to hazards by:

- Providing and maintaining a safe work environment, well-maintained plant and machinery
- Consulting and cooperating with safety and health representatives and other employees at our workplaces,
- Providing ongoing active employee training and employee supervision
- Ensuring information is readily available to all employees
- Arranging the best possible compliance with all relevant OSH legislation, regulations, code of practice and standards throughout the workplace.
- Ensuring effective policies and procedures.

Officer's Comment:

Once adopted by Council, the OSH Policy must be endorsed by the CEO and be communicated to workers, contractors and visitors.

Statutory Environment:

Occupational Safety and Health Act 1984

Policy Implications:

Review and adoption of the updated Shire of Katanning Occupational Safety and Health (OSH) Policy.

Financial Implications:

Expenditure within budgeted allowances for ongoing safety and health initiatives and activities.

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

OC167/16 That Council adopts the Shire of Katanning Occupational Safety and Health (OSH) Policy as presented.

Voting Requirement: Simple Majority

CARRIED: 9/0

DRAFT

10.6.2 **Katanning Mechanics Institute/Town Hall Buildings Toilet Block**
(ATTACHMENT)

File Ref: CP.RP.2
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 14 December 2016

Issue:

To consider the removal of the decommissioned toilet block behind the Katanning Mechanics Institute/Town Hall Buildings.

Body/Background:

The old toilet block behind the Katanning Mechanics Institute/Town Hall was decommissioned a number of years ago. The toilet block is no longer used for any purpose and has fallen into a state of disrepair. A site plan showing the location of the toilet block is attached.

The toilet block provides a visual screen to the adjoining street and has become a place which is used for antisocial and undesirable activities.

The Katanning Town Hall Buildings Conservation Plan (1999) identified that the toilet block should be removed or renovated as an essential works item to be completed within two years. The toilet block has no preservation value.

Officer's Comment:

The toilet block is neither functional nor required to service the Town Hall Buildings. Removing the toilet block will open up the area behind the Mechanics Institute/Town Hall Buildings and improve passive surveillance from the street by passing members of the public and nearby residents. This will contribute to discouraging individuals and groups from sheltering behind the toilets to carry out antisocial activities away from the view of the public.

Demolition of the toilet block would be carried out by suitably qualified Shire Staff using Shire equipment. The electrical connection will need to be removed by a contractor prior to demolition and a demolition license obtained from the Shire Building Surveyor.

Statutory Environment:

Local Government Act 1995

Policy Implications:

Nil.

Financial Implications:

Estimated costs of demolition of the toilet block at the rear of the Town Hall Buildings of \$3,000 from existing budget allocations.

Strategic Implications:***Shire of Katanning Strategic Plan 2013 – 2023*****Community and Culture**

- Lifestyle

Officer's Recommendation/Council Motion:**MOVED: CR MARTIN VAN KOLDENHOVEN****SECONDED: CR CRAIG MCKINLEY**

OC168/16 That Council authorises the demolition of the old toilet block at the rear of the Mechanics Institute/Town Hall Buildings.

Voting Requirement: Simple Majority

CARRIED: 9/0

Cr Martin Van Koldenhoven spoke for the motion.

DRAFT

10.7 ADVISORY COMMITTEE MEETING

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

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

DRAFT

13. CONFIDENTIAL ITEM**PROCEDURAL MOTION****MOVED: CR CRAIG MCKINLEY****SECONDED: CR SERENA SANDWELL**

OC169/16 That Council closes the meeting to the public to consider the following items regarding the Katanning Citizen of the Year Awards 2017 and Conditions of Employment of the Chief Executive Officer.

CARRIED: 9/0

The Public and staff left the room at 6:20pm.

13.1 Katanning Citizen of the Year Awards 2017

File Ref: CR.AH.1
Reporting Officer: Amy Kuchel, Community Relations Officer
Date Report Prepared: 14 December 2016

Reason For Confidentiality

The Officer's Report is confidential in accordance with section 5.23(2)(b) of the Local Government Act because it deals with the personal affairs of persons. The Officer's Report has been provided to Council under separate cover.

Officer's Recommendation/Council Motion:**MOVED: CR MARTIN VAN KOLDENHOVEN****SECONDED: CR CRAIG MCKINLEY**

OC170/16 That Council suspends standing orders.

Voting Requirement: Simple Majority

CARRIED: 9/0

PROCEDURAL MOTION**MOVED: CR DANNY MCGRATH****SECONDED: CR OWEN BOXALL****OC171/16 That Council resumes standing orders.****Voting Requirement:** Simple Majority

CARRIED: 9/0

Officer's Recommendation/Council Motion:**MOVED: CR DANNY MCGRATH****SECONDED: CR OWEN BOXALL****OC172/16 That Council endorses the recommendations from the Citizen of the Year Committee for the 2017 Katanning Citizen of the Year Awards.****Voting Requirement:** Simple Majority

CARRIED: 9/0

Cr Danny McGrath spoke for the motion.

13.2 **Conditions of Employment of the Chief Executive Officer**
(ATTACHMENT)

File Ref: Murphy J
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 14 December 2016
Disclosure of Interest: Financial Interest - Matters affecting the employment of the CEO

Officer's Recommendation/Council Motion:

MOVED: CR OWEN BOXALL

SECONDED: CR SERENA SANDWELL

OC173/16 That Council notes the Salary and Allowances Tribunal determination on the remuneration of Local Government Chief Executive Officers and Elected Members of 12 April 2016 and authorises an increase in the Chief Executive Officer's total reward package in accordance with the Chief Executive Officer's Report.

Voting Requirement: Simple Majority

CARRIED: 9/0

Cr Owen Boxall spoke for the motion.

Officer's Recommendation/Council Motion:

MOVED: CR CRAIG MCKINLEY

SECONDED: CR SERENA SANDWELL

OC174/16 Reopen the meeting to members of the public.

CARRIED: 9/0

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 6:31pm