



Shire of
Katanning
Heart of the Great Southern

'A prosperous, vibrant and diverse community working together.'

**MINUTES OF A
ORDINARY COUNCIL MEETING**

Dear Council Member

Minutes of the Ordinary Council Meeting of the Shire of Katanning held on
Tuesday 25 June 2019 in the Shire of Katanning Council Chambers,
52 Austral Terrace, Katanning, commencing at 6:00pm.

DISCLAIMER

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

PRESIDING MEMBER _____

DATE SIGNED _____



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1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISTORS

The Presiding Member declared the meeting open at 6.01pm.

2. RECORD OF ATTENDANCE**PRESENT**

Presiding Member: Cr Liz Guidera - President

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

Council Officers: Julian Murphy, Chief Executive Officer
Lisa Hannagan, Executive Manager Finance and Administration
Sam Davis, Executive Manager Projects & Community Building
Heidi Cowcher, Executive Manager Property and Assets
Sue Eastcott, Executive Assistant to CEO

Gallery: Peter Kerin
Shirley Brokenshire
Gerry Watson
Christine Molinari
Lesley Black
Wilma Severin
Angela Ohlsen
Lenore Lyons
Patrick Kennedy

Media:

Apologies: Libby French, Manager Finance

Leave of Absence:

3. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS

10.1.1 Cr John Goodheart Disclosure of Financial Interest, Disclosure of Proximity Interest and Disclosure of Interest Affecting Impartiality.

5. PUBLIC QUESTION/STATEMENT TIME

Cr Liz Guidera welcomed members of the public and invited questions.

Peter Kerin Question:

Mr Kerin thanked President Liz Guidera and stated that he did have one or two questions.

Mr Kerin firstly wanted to congratulate all Councillors and Staff involved in the building of the Administration and Civic Centre facility. He commented that he thought that it was great.

He further commented that usually something that Council does the community comes in on top however he stated that he thought everyone has accepted it and that the Shire have done a great job achieving that.

Mr Kerin raised a concern regarding the road intersection at Carew and Clive Street stating there is there parking almost up to the corner in front of Café on Clive and as you come out of Carew Street on to Clive Street if a bigger vehicle or a van is parked in that parking spot you cannot see passed it until you have edged out. He expressed in the last month he had a bit of a fright on a couple of occasions and had to back his car up. Mr Kerin remarked that if you have a look at every other intersection up Clive Street there is a setback if you are doing a right hand turn and also the fact that you are sitting down lower than the lay of the land you can't see over the vehicles unless you are in a higher vehicle. He queried if this intersection could be looked into. Mr Kerin stated that he could have put it on a yellow form, but he is sick of them.

Mr Kerin informed Council that the other issue is out on the Warren Road past Kelly Road on the bend there is a hole in the bitumen. Mr Kerin commented that he spoke with the foreman when the road widening was taking place last year and that the foreman told him that it just needed a bit of a cut out and building up.

Mr Kerin explained that it is not too bad if you are in a car but in a truck it will throw you around and that he had noticed that people will try to avoid it and would go to the other side of the road. Mr Kerin felt that It just needs a piece cut out, 5 m by 4 m and resealed, he remarked that it has been like it for a number of years but is getting marginally worse and that he has spoken to the Shire on this issue before but has had no response at this point in time.

Mr Kerin explained the last issue is the Welcome to Katanning sign as he comes out of his gate at 62 Dumbleyung Road. Mr Kerin brought up that he has difficulty seeing out of the driveway due to the Welcome to Katanning sign and that he has have been moving it across as far as he can on the clamps so he can see and then a few weeks later it is moved back by the Shire workers. Mr Kerin commented that the sign probably needs to be put on the other side of his driveway, but that is probably not going to happen. Mr Kerin expressed that these were a few little things that he felt could be attended to.

Mr Kerin again congratulated the Council on getting the Administration facility up and going

President Liz Guidera Statement:

Cr Liz Guidera thanked Peter Kerin and commented that if everyone filled out the yellow forms, Council wouldn't have had the pleasure of his company at the meeting however the yellow forms are very effective.

Cr Guidera explained that when she came back on Council Cr Boxall said that there is a list of all the complaints collated from the Yellow forms and that all of the complaints went on the list with the follow up, that it gets put to Council every month in the Information Bulletin so at least they are tracked.

Cr Guidera expressed that there was a great opportunity coming up the following day when the Councillors were doing a road inspection to drive by and go over the bump on Warren Road.

Cr Owen Boxall Comment:

Cr Boxall asked Mr Kerin, if he thinks losing a car space would be the answer to parking problem coming out on to Clive or if putting a mirror up on a building so you can see down that area?

Mr Kerin responded that if you look along there it looks like there is room there further back for a mirror. Mr Kerin commented that the shop owners wouldn't like it and he believed that it really needs another space there.

Cr Owen Boxall queried that there are mirrors around town in different spots, would that work?

Mr Kerin responded that he didn't and that he thinks it really needs to be set back a bit. He stated that if you come down Richardson Street and Daping Street and do a right-handed turn there is plenty of vision to the right and that all the other roads have vision to the right but not to that one on Carew Street

Cr Liz Guidera responded that she would like to suggest to Peter that it is the first thing on the list for the Road Inspection tomorrow.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

President Liz Guidera welcomed Art Centre Inc to give their presentation and wanted to take the opportunity to acknowledge their contribution of volunteering in the community. President Liz Guidera noted that Art Centre Inc had been going for over 20 years, that they help the Gallery Coordinator to hang exhibitions and help with refreshments on the opening nights.

President Liz Guidera commented that one of the really vital things that they did was coordinating the local exhibitions she shared that from her experience they were the most popular and well attended of all the exhibitions that the gallery has and that it is quite wonderful to see the talent that is in town and also the collections. President Liz Guidera expressed that the Baggage Exhibition was engaging and well attended.

President Liz Guidera thanked them for their volunteering and stated that it does not go unnoticed and also that without their efforts it would be very difficult for the gallery to have some of the exhibitions it does. President Liz Guidera invited Gerry Watson to give the presentation.

7.1 Katanning Art Centre Inc. – Proposed Gallery Advancements. (ATTACHMENT)

Ms Gerry Watson thanked the Council on behalf of Katanning Art Centre Inc for the opportunity to present their vision for the improvement of the Art Gallery. Ms Watson gave the presentation.

President Liz Guidera thanked Ms Watson for giving the presentation and asked Councillors if they had any questions.

President Liz Guidera Question.

President Liz Guidera asked Ms Watson what she thought the ideal number of exhibitions was per year?

Ms Watson Response

Ms Watson replied that they were aiming at 12 and added that so long as they had them coming in and at the moment, they just about had enough for the next 12 months.

President Liz Guidera Question

President Liz Guidera stated the gallery has been available for private exhibitions since its inception and asked what do you think is the impediment for people not using it?

Ms Watson Response

Ms Watson stated that she thought it was probably lack of interest and that the quality and variation of the exhibitions do attract a lot of people and in the last few years it has increased greatly. The variety is important, some exhibitions get a lot of people attending and some not so many, it is just getting the interest levels.

President Liz Guidera Question

President Liz Guidera queried Ms Watson to when the last Art Prize was held.

Ms Watson Response

Ms Watson responded that it was thought to be back in 2003.

President Liz Guidera Question

President Liz Guidera asked Ms Watson that in regard to talking about other regional galleries what is the current resourcing that they have that you are asking us to be equal with?

Ms Watson Response

Ms Watson explained that she doesn't know and that is for the Council to know about the resourcing part of it. Ms Watson further explained that as far the coordinator is concerned, she didn't know what the financial side of it was and that they were mainly wanting to keep the coordinator, to encourage that development and to have him there

President Liz Guidera Question

President Liz Guidera noted that in the presentation it stated that 'To ensure the resourcing of the gallery is at least the same level as other regional galleries' queried if they had looked at what other regional galleries were doing?

Mrs Christine Molinari Statement

Mrs Christine Molinari responded that she thought a lot of the other galleries had a full-time coordinators or curators and with more hours appointed.

President Liz Guidera

President Liz Guidera replied that it is about resourcing and that she had only had a time to have a look Collie and they have a lot of sponsorship, a serious amount of sponsorship and volunteers for the opening hours of 30 hours per week.

Mrs Christine Molinari Statement.

Molinari queried if Collie Gallery had a coordinator 30 hours her week?

President Liz Guidera

President Liz Guidera clarified that they are open 30 hours per week and they have a lot of volunteers, also that it looked like they have a significant amount of sponsorship and membership. President Liz Guidera commented that she wouldn't mind going over and having a look at what they are doing and that it is a brand-new gallery.

Mrs Christine Molinari Statement.

Mrs Christine Molinari stated that she had been involved with the Art Centre Inc for a long time and that there had been various coordinators, others that had a back ground in art and others

that have not and they have been quite capable in running the gallery but they had lacked that artistic edge.

Mrs Molinari further stated the when she first started there was Bruce Gilbert, also an artist, who did a fantastic job in really communicating well in the whole community and getting people involved and enthused in art.

At the moment the gallery has got James Wood who has a similar back ground and she commented that she felt that he has brought a lot to the gallery and she thought that a lot of Katanning Gallery being chosen to get the special exhibitions is due a lot to the work he puts in. Mrs Molinari expressed that she thought that it is really worthwhile to offer a remuneration and number of hours so that the gallery can attract someone with a background in art.

President Liz Guidera Statement

President Liz Guidera explained that she had a quick look at the budget and for this current year taking out administration allocations and depreciation the Council are putting in about \$225,000 which represents about 6% of rates for the gallery.

President Liz Guidera commented that she thought that it is a credit to the Council and the community over such a long period to create the gallery and then have kept it going. President Liz Guidera expressed that the gallery is as engaging this year on its 21st birthday as it was when it was started and that there certainly is commitment around the table for the gallery.

President Liz Guidera thanked Art Centre Inc for your presentation and stated that was great knowledge for some of the Councillors that may not have had the history of the Library/Gallery.

President Liz Guidera concluded by saying that the pressures on Local Government are great and many, we have many things to consider but certainly there has always been that concept and understanding that not everybody played sport and that it is important that we have other endeavours for people in town and certainly the gallery and library form a big part of that.

7.2 Lenore Lyons – GSCORE - Update on Regional Trails Master Plan Project (ATTACHMENT)

President Liz Guidera invited Lenore Lyons from GSCORE to update Council on the Regional Trails Master Plan Project.

Ms Lyons presented the report.

Cr Owen Boxall Statement

Cr Boxall commented that it was a very good idea and that he was thinking that some of the old rail reserves could be used that criss- cross the area that are unfortunately not used by trains any more or some of the dead roadways that are fenced off.

Lenore Lyons Response

Ms Lyons explained that on the issue of the rail trails, it is one of the projects for this region that through this prioritisation process that is coming up very high. Ms Lyons shared that she thought it was a huge opportunity for this region, that there would be some challenges around access to those rail corridors with negotiations with the PTA regards infrastructure and all the leases.

Ms Lyons commented that there are some challenges and they would obviously look at once they have made some final decisions about prioritising those trail plans. Ms Lyons stated they would look to the Shire to assist in those negotiations.

Ms Lyons explained that if you look at the disused trail corridor that runs from Kojonup through to Nyabing taking in a number of different Shires, those Shires that could work together on that as a trail concept.

Ms Lyons shared that from Tambellup across to Gnowangerup you've got the existing active line running north - south that also runs through the entire region. So if we could be developing a rail trail concept that enable us to do a bit of loop trail it takes you down towards the Stirlings where there is amazing amenity and views she commented that she thought this would be a winner for our region.

President Liz Guidera Statement

President Liz Guidera thanked Lenore Lyons for attending and giving the presentation.

Lenore Lyons Response

Ms Lyons stated that she wanted to congratulate the Shire for its foresight for being involved in this project as the funding that has been leveraged through Lotterywest and through the BBRF Scheme is because the Shire decided to be involved in the project and this wouldn't have been able to be achieved that without the Shire being involved.

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**8.1 Ordinary Council Meeting – 28 May 2019
(SEE ATTACHED MINUTES)****MOVED: CR SERENA SANDWELL****SECONDED: CR KRISTY D'APRILE****OC229/19 That the minutes of the Ordinary Council Meeting held on Tuesday 28 May 2019 be confirmed as a true record of proceedings.****Voting Requirement:** Simple Majority

CARRIED 8/0

9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Cr Guidera acknowledged the traditional custodians of the land, the Noongar Goreng People and payed respect to their elders past and present.

Cr Guidera stated that the function for the opening of the Administration and Civic Centre was a great success and thanked everyone for their attendance and noted a special thank you to the staff who worked to bring the event together under some interesting conditions.

Cr Guidera expressed that Council was very fortunate to have the Minister for Regional Development attend and open the building and a brief tour around the building. Cr Guidera shared while doing the tour that she took the opportunity to have a quick chat about the Early Childhood Hub and that the Minister suggested that there would be a meeting in the coming weeks to work over some of those issues because things have stalled their end.

Cr Guidera explained that she also took the opportunity in her speech to articulate the many great things that are happening in Katanning on a community level but also in regards to the private investment in the community and that it is really important that we continue to communicate to the community about how many projects both public and private are taking place in Katanning. Cr Guidera stated that the future is very bright in a regional sense.

Cr Guidera expressed her condolences to two local families, the Collard and Wolfe families on the loss of Piper. Her grandmother Tania Wolfe works in in the Property and Asset Department and that Pipers story has touched so many people in our community and all over Australia. The outpouring of support gives us faith in family and community and how important that is, we are pretty lucky to live in Katanning in such a supportive community.

Cr Guidera thanked Councillors as at this time of year there is always more demands on them, particularly in the areas of budget. She commented that there had been a meeting this afternoon and that they had been here since 3pm and would be back at 7.30am tomorrow for the roads tour. There are plenty of meetings happening and Councillors needed to be acknowledged the for their commitment and input because if they are not engaged in the process then the community will not get a good result. Cr Guidera thanked the Councillors on behalf of the community.

10. REPORTS OF COMMITTEES AND OFFICERS

Nil

Cr John Goodheart disclosed a financial interest, proximity interest and an interest affecting impartiality to Item 10.1.1 as he lives on the property and is building a home there, he left the room at 6.51 pm

10.1 EXECUTIVE MANAGER INFRASTRUCTURE & DEVELOPMENT REPORTS**10.1.1 Development Application – Addition, Oversize Outbuilding, Rainwater Tanks and Swimming Pool, Lot 123 (78) Katanning-Dumbleyung Road, Pinwernying**

File Ref: A3325 Application No. 201819050
Reporting Officer: D Baesjou, Consultant Planner
Date Report Prepared: 14 June 2019

Issue:

To consider an application for a 120m² Addition to the existing Dwelling, 144m² Outbuilding, Rainwater Tanks and Swimming Pool at Lot 123 (78) Katanning-Dumbleyung Road, Pinwernying. The application for Development Approval requires determination by the Council primarily because the cumulative floor area of the existing and proposed Outbuildings is greater than 200m².

Body/Background:

The proposal includes the following:

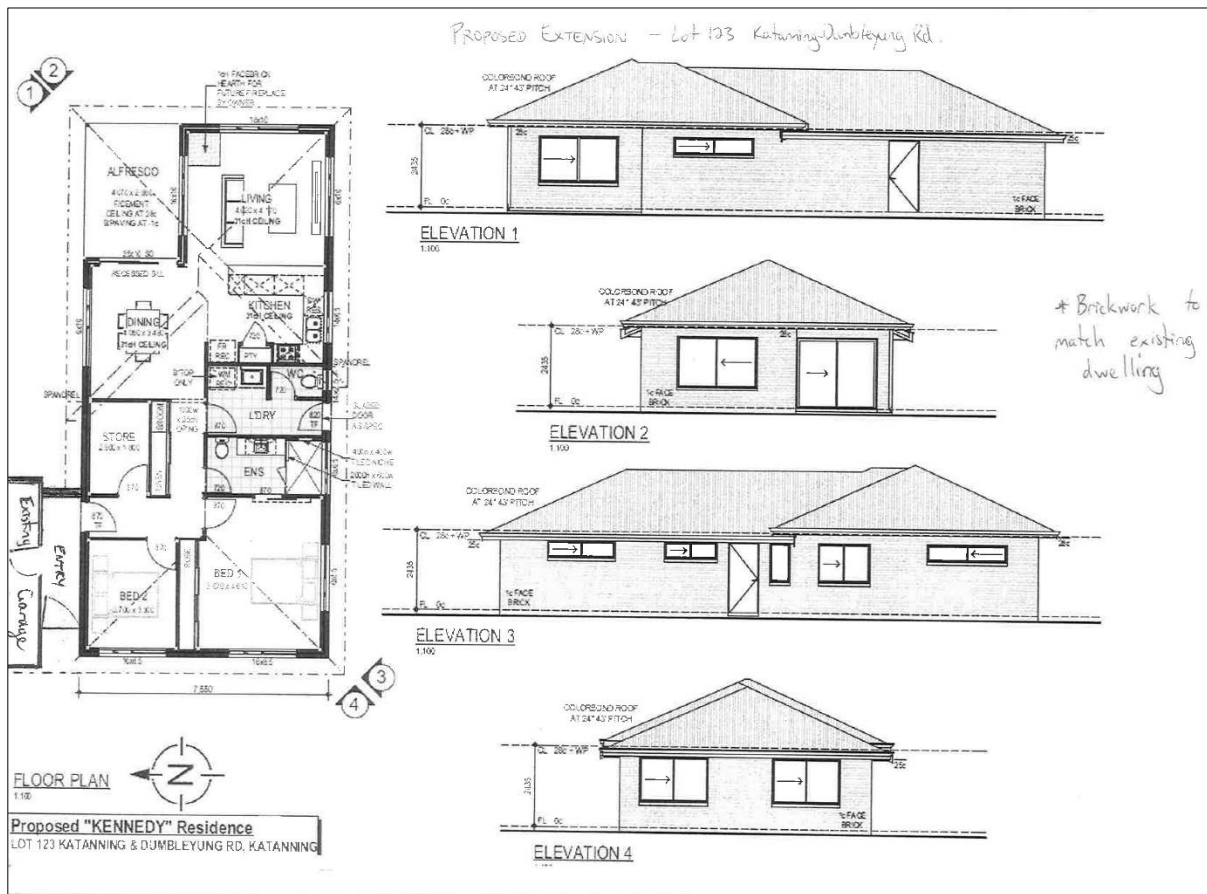
16mx 7.5m Addition on the east side of the existing Dwelling. The proposed single-storey double brick and colorbond® Addition is to be of matching style and materials;

- 16m x 9m Outbuilding – 3.6m high walls (east and west) and 4.39m at the ridge (average 3.995m north and south) Steel framed structure clad in zinalume;
- Two 130kl rainwater tanks – Galvanised steel;
- 10m x 4m in-ground swimming Pool and Fencing; and
- Associated retaining walls

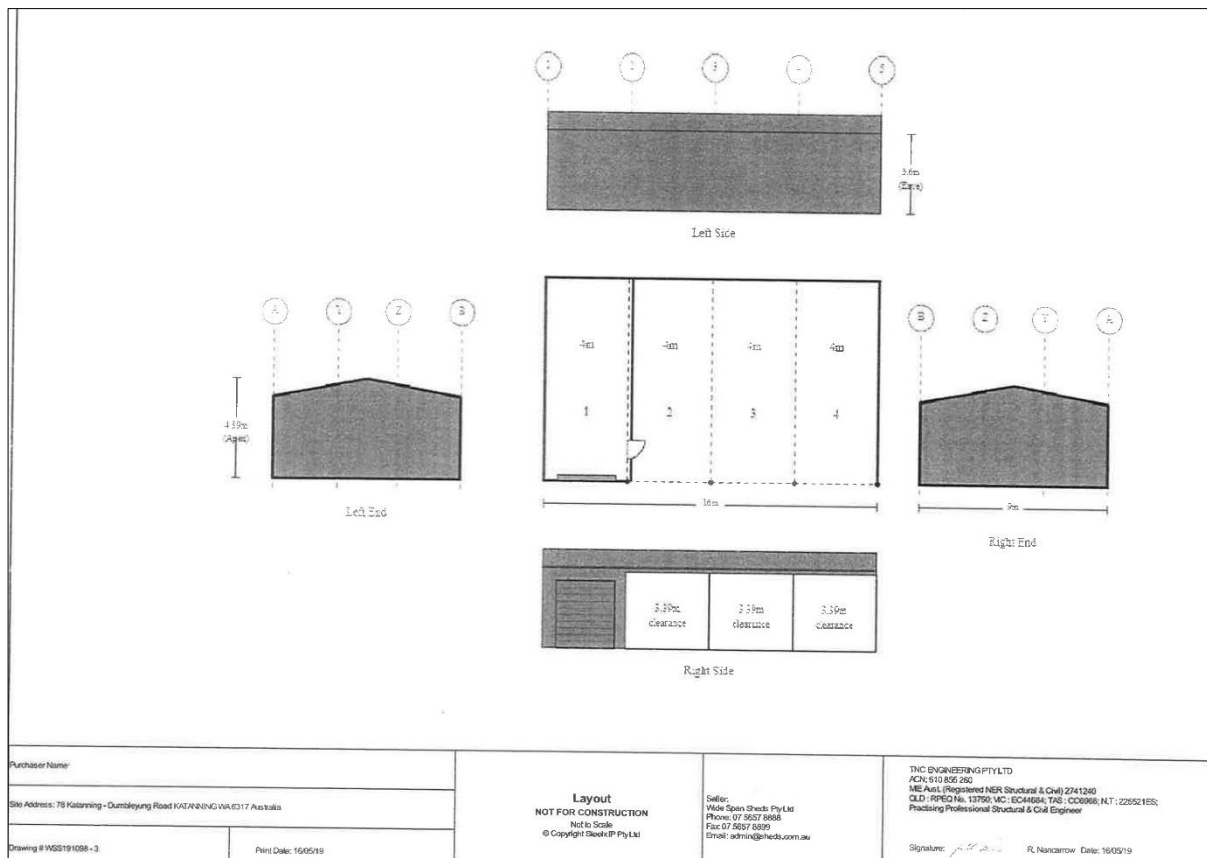
Lot 123 is 2.1165ha and is a regular battle-axe shape with a constructed driveway and crossover access to Katanning- Dumbleyung Road.

Existing development comprises a Dwelling House, Outbuilding and water tanks and private open space.

The property is zoned 'Rural Residential' – Area 1 (RR1) under the Shire of Katanning Local Planning Scheme No. 5 (LPS5). Adjoining properties are zoned RR1.



Elevations



Floor Plan

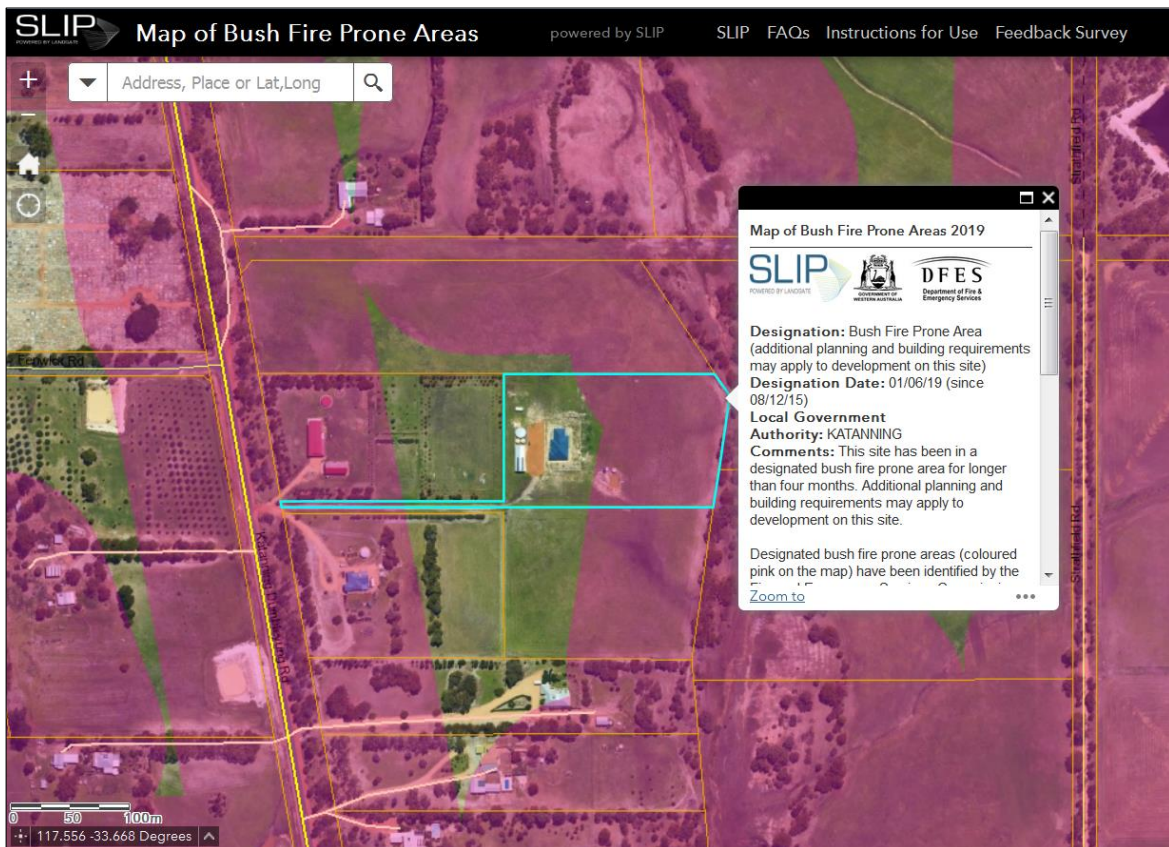


Image showing Subject Land and Bushfire Prone designation

Officers Comment

The application was assessed against the requirements set out in LPS5, Shire of Katanning Local Planning Policy No. 1 – Outbuildings (LPP1) and the Planning and Development Regulations 2015.

Tables 2, 3 and 8, and Schedule 1 of LPS5 set out the following relevant Objectives and Requirements for the Rural Residential Zone:

Objectives

- To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land and avoid off-site impacts such as nutrient loss, drainage and/or potential conflicts with adjoining land uses.
- To set aside areas for the retention of vegetation and landform or other features which distinguish the land.

Planning Scheme considerations include rural amenity, vegetation protection, landscaping, fire safety, water supply, fencing and keeping of animals/Rural Pursuit activities.

The following Table shows the required and proposed setbacks for the Development.

Minimum Setbacks - Proposed Development, Lot 123 (78) Katanning-Dumbleyung Road				
Boundary	Minimum Setback	Proposed Setback		Comment/ Assessment
Front - Dumbleyung Rd (western end of battle-axe leg):	30m	Est. 196m		Compliant
Western (Internal)	10m	Outbuilding Addition	10m 40m	Both aligned with existing structures Compliant
Northern Side	10m	Outbuilding Pool Fence	11m 11m	Compliant
Southern Side	10m	Addition Tank 1	30m 20m	Compliant
Rear/Eastern side	10m	Addition Tank 2	135m 90m	Compliant

This proposal satisfies the zone provisions set out in Table 3 of LPS5.

This proposal satisfies the general provisions for the Rural Residential zone set out in Table 3, other than Clause 5 which states “Wall and roof colours that are highly-visible or reflective such as unpainted zincalume or off-white colours are not permitted”.

The new Scheme came into effect in February 2018. Under the previous Scheme (Town Planning Scheme No.4), the subject land was Special Rural 1 and the provisions relating to use of non-reflective material did not apply. Clause 6.7.4.2 a) required Council to have regard to the colour and texture of external materials; it did not preclude zincalume. As a result, there are a number of zincalume and corrugated iron clad Outbuildings and structures in this established ‘Hobby Farm’ precinct.

Clause 34 of LPS5 provides Council with discretion to vary development requirements, if it is satisfied the development is orderly and proper and will not have adverse effects.

Letters of no objection from three immediate neighbours have been submitted by the Applicant.

Lot 123 is considered to be of sufficient size to accommodate the proposed Addition and Oversize Outbuilding. Notwithstanding the total length of the western walls, it is considered the appearance, size and bulk of the Outbuildings and Tanks will not have a significant detrimental impact on adjoining land, largely due to well established landscaping on Lot 124 which serves to screen the development site. Infill planting on Lot 123 is warranted.

The development is compatible with nearby land uses and is considered to meet the Objectives for the Rural Residential zone set out in LPS5. Development Approval is recommended, subject to conditions.

The Council is under no obligation to approve the proposed oversize Outbuilding. Should the Council decide to not support the Development Application, an alternative recommendation for refusal is set out below.

Statutory Environment:

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

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

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

The subject land is partially designated as a Bush Fire Prone Area (BFPA) as identified by the Fire and Emergency Services Commissioner. Importantly, the proposed Addition to the Dwelling and the Outbuilding are not within the designated BFPA. The proposed easternmost Tank is within the BFPA, however it is more than 6m from the Dwelling, therefore the development is regarded as 'Exempt' from the requirements of SPP 3.7 and the associated deemed provisions. In any case, the landowner is obligated to comply with the Shire of Katanning Fire Management Requirements (Bush Fire Notice), including provision of a '2.5 metre wide bare earth firebreak immediately inside along all external boundaries'.

Policy Implications:

Shire of Katanning Local Planning Policy No. 1 – Outbuildings (LPP1) sets the development criteria for Outbuildings according to zone and site area. Within the Rural Residential zone, LPP1 provides for Outbuildings up to 4.2m in wall height and a maximum cumulative total floor area of 200m². The proposed 3.6m high front and rear walls and 3.995 (av) end walls comply with the LPP1. The proposed 144m² Outbuilding is additional to the existing 168m² Outbuilding. The cumulative area of will be 312m² and therefore requires determination by the Council.

Financial Implications:

As set out in Council's Schedule of Fees and Charges and based on the Estimated Value of Development @ \$218,000, an Application Fee of \$697.60, is required.

Risk Implications:

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

The risks relate to:

- A. Financial and Reputational Consequences, in the event the Applicants exercise their right to apply for a review by the State Administrative Tribunal (SAT) should they be aggrieved by the determination (either Approval or Refusal) of the Development Application; and
- B. Property and Environmental Consequences should the oversize Outbuilding be used for any industrial or commercial purpose, contrary to the conditions of approval.

In this case, the perceived level of risk in relation to A (above) is considered to be "Low (2)" based on the "Minor" (2) consequence of Financial or Reputational impacts, and the "Rare" (1) likelihood that the Applicant would challenge the Council's decision on this proposal.

In the "Unlikely" (2) event of non-approved use of the premises, any "Minor" (2) damage or impact could be rectified or reversed through routine procedures and responses, therefore risk in relation to B (above) is considered to be "Low (4)".

Under either scenario the “Low” risk rank is considered acceptable with adequate controls, managed by routine procedures.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	BUILT ENVIRONMENT	
ASPIRATION	B2	Places for the community to live, work and connect
OBJECTIVE	B2.3	Orderly development (Town Planning)
PRIORITY	ECONOMIC	
OBJECTIVE	E3.2.2	Ensure land use planning for commercial, industrial and residential development.

Officer’s Recommendation/Council Motion:

MOVED: CR KRISTY D’APRILE

SECONDED: CR DANNY MCGRATH

OC230/19 That Council grant Development Approval for Lot 123 (78) Katanning-Dumbleyung Road, Pinwernying for the purpose of Addition to Dwelling, oversized Outbuilding (16m x 9m), Rainwater Tanks and Swimming Pool subject to the following conditions:

- 1) Development is to be generally in accordance with approved plans.
- 2) Written confirmation from the applicants in the form of a Statutory Declaration to the effect that the Outbuilding will not be used for habitation or commercial purposes.
- 3) Planting and maintenance of Infill landscaping along the western side of the Outbuilding to visually screen the development.
- 4) All stormwater runoff from the new structures is to be adequately controlled on-site. Any connection to the district drainage system to be to the satisfaction of the Shire of Katanning, in accordance with Engineering requirements and design guidelines.

Advice Notes

- I. Future use and development is to comply with the Building Act 2011, the Building Regulations 2012 and the Australian Standard AS1926.1 - Safety Barriers for Swimming Pools and relevant statutes.
- II. Maintenance of the driveway is the responsibility of the landowner.
- III. The rear portion of Lot 122 is designated as a Bush Fire Prone Area (BFPA) as identified by the Fire and Emergency Services Commissioner. Notwithstanding this Development Approval is ‘Exempt’ from the requirements of SPP 3.7 and the relevant deemed provisions, the landowner is obligated to comply with the Shire of Katanning Fire Management Requirements (Bush Fire Notice).

Voting Requirement: Simple Majority

CARRIED 7/0

Cr Kristy D'Aprile spoke for the motion.
Cr Danny McGrath spoke for the motion.

Cr John Goodheart returned to the room at 6.53 pm.

Alternative Recommendation, , should Council decide not to support the proposed Outbuilding, it is recommended that Council:

Refuse to Grant Development Approval for Lot 234 (78) Katanning-Dumbleyung Road, Pinwernyng for the purpose of oversize Outbuilding (16m x 9m) on the following grounds:

- 1) The proposed development does not satisfy the 200m² maximum floor area criteria set out in the Shire of Katanning Local Planning Policy 1 – Outbuildings.
- 2) Use of unpainted zincalume is not in accordance with Clause 5 of Table 3 – Rural Residential under Shire of Katanning Local Planning Scheme No. 5.
- 3) The size and scale of the proposed development is not in keeping with a shed used as a domestic Outbuilding.

Grant Development Approval for Lot 123 (78) Katanning-Dumbleyung Road, Pinwernyng for the purpose of Addition to Dwelling, Rainwater Tanks and Swimming Pool subject to the following conditions:

- 1) Development is to be generally in accordance with approved plans.
- 2) All stormwater runoff from the new structures is to be adequately controlled on-site. Any connection to the district drainage system to be to the satisfaction of the Shire of Katanning, in accordance with Engineering requirements and design guidelines.

Advice Notes

- I. Future use and development is to comply with the Building Act 2011, the Building Regulations 2012 and the Australian Standard AS1926.1 - Safety Barriers for Swimming Pools and relevant statutes.
- II. Maintenance of the driveway is the responsibility of the landowner.
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10.2 EXECUTIVE MANAGER FINANCE & ADMINISTRATION REPORTS

10.2.1 Schedule of Accounts (ATTACHMENTS)

File Ref: FM.FI.4
Reporting Officer: Libby French, Manager Finance
Report Prepared: 02 June 2019

Body/Background:

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

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

Month	Cheques 2018/19	EFT Payments 2018/19	Direct Debits 2018/19	Credit Card 2018/19	Payroll 2018/19	Trust 2018/19	Total Payments 2018/19
July	49,856.02	1,304,275.74	263,772.85	8,263.63	328,265.62	1,166.35	1,955,600.21
August	43,071.62	1,677,488.87	266,397.60	-	343,394.41	11,358.67	2,341,711.17
September	59,931.92	730,022.40	202,453.71	-	318,147.13	226.60	1,310,781.76
October	33,516.56	1,433,099.82	303,461.87	-	338,329.85	226.60	2,108,634.70
November	31,679.80	1,313,834.19	326,711.28	-	500,094.12	-	2,172,319.39
December	47,238.94	1,286,575.65	378,902.55	15,990.74	335,876.84	434.00	2,065,018.72
January	85,128.73	1,005,750.38	292,968.54	-	337,673.45	1,902.86	1,723,423.96
February	97,090.14	988,593.68	186,113.98	19,039.64	330,238.84	56.65	1,621,132.93
March	2,718.86	581,497.36	236,397.46	-	343,976.97	788.91	1,165,379.56
April	65,962.68	4,077,570.50	316,090.10	2,188.53	319,945.30	-	4,781,757.11
May	77,238.33	1,741,325.52	287,201.04	-	484,895.55	-	2,590,660.44
June	-	-	-	-	-	-	-
Total	593,433.60	16,140,034.11	3,060,470.98	45,482.54	3,980,838.08	16,160.64	23,836,419.95

Officer's Comment:

The schedule of accounts for the month of May 2019 are attached.

The Finance Forum held on 11 June 2019 gave attending Councillors an opportunity to ask questions regarding the presented accounts paid.

Statutory Environment:

Local Government (Financial Management) Regulations 1996.

Policy Implications:

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

Financial Implications:

Expenditure in accordance with the 2018/19 Annual Budget.

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

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

Officer's Recommendation/Council Motion:

MOVED: CR KRISTY D'APRILE

SECONDED: CR SERENA SANDWELL

OC231/19 That Council endorses the Schedule of Accounts as presented, being cheques 42197-42221 totalling \$77,238.33, EFT payments 27513-27869 totalling \$1,741,325.52 and direct payments totalling \$287,201.04 authorised and paid in May 2019.

Voting Requirement: Simple Majority.

CARRIED 8/0

10.2.2 Monthly Financial Reports (ATTACHMENTS)

File Ref: FM.FI.4
Reporting Officer: Libby French, Manager Finance
Report Prepared: 02 June 2019

Body/Background:

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

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

Officer's Comment:

A variance report is included with the monthly financial statement attachment. The Finance Forum held on 11 June 2019 gave attending Councillors an opportunity to ask questions regarding the presented financial statements.

Statutory Environment:

Local Government (Financial Management) Regulations 1996.

Policy Implications:

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

Financial Implications:

Monthly Statement of Financial Activity.

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

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

Officer's Recommendation/Council Motion:

MOVED: CR SERENA SANDWELL

SECONDED: CR KRISTY D'APRILE

OC232/19 That Council adopts the Statement of Financial Activity for the month ending 31 May 2019, as presented.

Voting Requirement: Simple Majority.

CARRIED 8/0

10.2.3 2019/20 FEES AND CHARGES (ATTACHMENT)

File Ref: FM.FC.1
Reporting Officer: Lisa Hannagan, Executive Manager Finance & Administration
Date Report Prepared: 04 June 2019

Issue:

For Council to adopt Fees and Charges for the 2019/20 Financial Year so that they can be advertised as per the statutory requirement.

Body/Background:

In accordance with section 6.16(1) of the Local Government Act 1995, Council may impose and recover a fee or charge for any goods or services it provides or proposes to provide.

Council are required to review fees and charges on an annual basis.

Council have a number of charges, which are applicable from 1 July 2019, and therefore it is recommended that the proposed Schedule of Fees and Charges is adopted so that all fees and charges can apply from 1 August 2019.

All fees and charges have been reviewed by officers and their recommended changes incorporated in the draft schedule of Fees and Charges that was presented to Council at the May Forum and again at the June Forum.

All charges included in the schedule have been rounded to the nearest 0.05 cent.

The adopted fees and charges will be incorporated into the 2019/20 Budget.

Officer's Comment:

Council have approximately 600 fees and charges, including statutory fees, generating significant income that is required to support the delivery of services to our community.

It is acknowledged that Council has competing priorities between community service obligations, maintaining infrastructure and ensuring the community is not unduly burdened.

Council financial resources, largely comprised of rate revenue and fees and charges, are limited. The key is therefore to ensure fair and reasonable charging to the community for the goods and services that the Shire provides, seeking an appropriate balance between all priorities.

The setting of fees and charges has considered certain overarching principles:

Benefit	Pricing Basis
Public Benefit – service provides a broad community benefit and therefore full cost recovery should not apply. Partial cost recovery could apply in some circumstances.	Zero to partial cost recovery.
Private Benefit – service benefits particular users making a contribution to their individual income, welfare or profits generally without any broader benefits to the community	Full cost recovery.
Shared Benefit – service provides both community benefits and a private benefit.	Partial cost recovery.

Regulatory – fee or charge fixed by legislation.	100% of regulatory fee or charge.
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Discussions around fees and charges are often centred on what basis to use, as a local government, as a predictor of price changes over time.

Australian Bureau of Statistics (ABS), when calculating the Consumer Price Index (CPI), uses a basket of goods based on the same commodity categories and is not at all reflective of the mix of business activities undertaken by any local government.

The Local Government Association (WALGA) Economic Briefing LG Cost Index is still considered the most appropriate methodology to utilise as a base as it considers expenditure items like road construction, machinery and equipment and street lighting.

Officers have taken both the CPI and LG Cost Index into consideration when reviewing the fees and charges.

Statutory Environment:

Local Government Act 1995

Part 6, Division 5 – Financing local government activities

6.16 Imposition of fees and charges

(1) A local government may impose* and recover a fee or charge for any goods and service it provides or proposed to provide, other than a service for which a service charge is imposed.

* *Absolute majority required.*

(2) A fee or charge may be imposed for the following —

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
- (b) supplying a service or carrying out work at the request of a person;
- (c) subject to section 5.94, providing information from local government records;
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
- (e) supplying goods;
- (f) such other service as may be prescribed.

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

- (a) imposed* during a financial year; and (b) amended* from time to time during a financial year.

* *Absolute majority required.*

6.17 Setting level of fees and charges

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors –
 - (a) the cost to the local government of providing the service or goods; and
 - (b) the importance of the service or goods to the community; and
 - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service –
 - (a) under section 5.96; or
 - (b) under section 6.16(2)(d); or
 - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may –
 - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

6.18. Effect of other written laws

- (1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not –
 - (a) determine an amount that is inconsistent with the amount determined under the other written law; or
 - (b) charge a fee or charge in addition to the amount determined by or under the other written law.
- (2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

6.19. Local government to give notice of fees and charges

- If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of –
- (a) its intention to do so; and
 - (b) the date from which it is proposed the fees or charges will be imposed.

5. CEO's duties as to financial management

- (1) Efficient systems and procedures are to be established by the CEO of a local government:
 - (a) to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.
- (2) The CEO is to:
 - (b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year).

Policy Implications:

There are no policy implications in relation to Fees and Charges.

Financial Implications:

The setting of fees and charges for the 2017/18 year will have no impact on the current year position, however it will have financial implications for 2018/19. Fees and charges are a significant source of income for the Shire.

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

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

Officer's Recommendation/Council Motion:

MOVED: CR KRISTY D'APRILE

SECONDED: CR SERENA SANDWELL

OC233/19 That Council:

1. Adopts the proposed Fees & Charges for 2019/20 as detailed in Schedule of Fees & Charges 2019/20 to be effective from 1 August 2019; and
2. Gives local public notice of the Council's intention to impose the Schedule of Fees & Charges 2019/20, in accordance with section 6.19 of the *Local Government Act 1995*.

Voting Requirement: Absolute Majority

CARRIED BY ABSOLUTE MAJORITY 8/0

Cr Kristy D'Aprile spoke for the motion.

Cr Serena Sandwell spoke for the motion.

10.3 EXECUTIVE MANAGER, PROJECTS AND COMMUNITY BUILDING REPORTS

Nil.

10.4 EXECUTIVE MANAGER, PROPERTY & ASSETS REPORTS

Nil.

10.5 CHIEF EXECUTIVE OFFICER'S REPORTS**10.5.1 Endorsement of Fire Management Requirement Brochure
(ATTACHMENT)**

File Ref: ES.AT.1
Reporting Officer: Cindy Pearce, Community Emergency Services Manager
Date Report Prepared: 11 June 2019

Issue:

Council to endorse the 2019 – 2020 Fire Management Requirement Brochure.

Body/Background:

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

The Fire Management Requirement Brochure provides landowners and occupiers 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. There are a number of changes within the Fire Management Requirement Brochure for 2019/2020. Changes are as follows:

- 1) Dates updated 2019/2020 throughout the brochure;
- 2) Include the wording "No Timber to be burnt during the October Restricted Burning Period";
- 3) Page 11 - Update of the Fire Control Officers.

Officer's Comment:

Council endorsement of the Brochure and recommended changes are required prior to printing and distribution.

Statutory Environment:

Bushfire Act 1954.

Policy Implications:

Nil.

Financial Implications:

Annual provision in the budget for printing approximately \$2,500.

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	SOCIAL	
ASPIRATION	S2	A safe community.
OBJECTIVE	S2.1	Strive for a community where people feel safe and secure.

Officer's Recommendation/Council Motion:

MOVED: CR OWEN BOXALL

SECONDED: CR DANNY MCGRATH

OC234/19 That Council endorses the 2019-2020 Shire of Katanning Fire Management Requirement Brochure as presented.

Voting Requirement: Simple Majority

CARRIED 8/0

Cr Owen Boxall spoke for the motion.

10.5.2 Appointment of Fire Control Officers

File Ref: ES.AF.1
Reporting Officer: Cindy Pearce, Community Emergency Services Manager
Report Prepared: 10 June 2019

Issue:

Council to endorse the appointment of authorised Fire Control Officers.

Body/Background:

Fire Control Officers are appointed by Council under Section 38 of the Bushfires Act 1954 to issue 'Permits to Burn' and to carry out other actions as set out in the Bushfires Act 1954 as required by Local Government.

Officer's Comment:

It is recommended that Council renews its appointment of Fire Control Officers.

Statutory Environment:

Fire Control Officers under Section 38 of the Bushfires Act 1854 are appointed by Local Governments. Under Section 38 and 39 Bushfire Control Officer may, subject to directions given by the Local Government, take any measures he/she considers necessary and practicable for:

- The prevention of bushfires.
- Protecting life and property in the case of an outbreak of a bushfire.
- Carry out any duty or exercising any authority referred to in the Bushfire Act.
- Procuring the due observance of the provisions of the Act. (For this purpose, it is his/her duty to demand the name and address of any person committing an offence against the Act and to report the circumstance to the Local Government).

Policy Implications:

Nil.

Financial Implications:

Budgeted cost of advertising appointments in the Government Gazette approximately \$600.

Risk Implications:

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

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

PRIORITY	SOCIAL	
ASPIRATION	S2	A safe community.
OBJECTIVE	S2.1	Strive for a community where people feel safe and secure.

Officer's Recommendation/Council Motion:**MOVED: CR OWEN BOXALL****SECONDED: CR JOHN GOODHEART**

OC235/19 That Council appoints the following persons as Fire Control Officers in accordance with the Bush Fires Act 1954:

Cynthia Pearce	Ian Knapp	Timothy Clegg
Geoffrey Stade	Richard Marshall	Barry Kowald
Jeffrey Baxter	Matthew Kitchen	Ian Coleman
Alan Wilson	Stephen Conning	Alistair Dusing
Anthony Richardson	Norman Flugge	Gregory Garlick
Shane Butterworth	Matthew Kerin	Timothy Harris
Kim Kowald	Christopher Quartermaine	Peter Caldwell

Voting Requirement: Simple Majority

CARRIED 8/0

Cr Owen Boxall spoke for the motion.

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**PROCEDURAL MOTION****MOVED: CR SERENA SANDWELL****SECONDED: CR JOHN GOODHEART****OC236/19 That Council closes the meeting to the public to consider the following item:**

- **RFT 01-2019 Clive Street West Streetscape Upgrade**

CARRIED 8/0

Members of the public left the room at 6.58pm.

13.1 RFT 01-2019 Clive Street West Streetscape Upgrade**File Ref: CP.TE.8****Reporting Officer: Heidi Cowcher, Executive Manager Property & Assets****Date Report Prepared: 18 June 2019****REASONS FOR CONFIDENTIALITY**

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

Officer's Recommendation / Council Motion:**MOVED: CR SERENA SANDWELL****SECONDED: CR OWEN BOXALL****OC237/19 That Council accepts no tender for RFT 01-2019 Clive Street West Streetscape Upgrade on the basis that no tenders submitted were within the allocated budget.****Voting Requirement: Simple Majority****CARRIED 8/0**

Cr Serena Sandwell spoke for the motion.

PROCEDURAL MOTION**MOVED: CR SERENA SANDWELL****SECONDED: CR ERNIE MENGHINI****OC238/19 That Council reopens the meeting to the public.****CARRIED 8/0**

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 7.06 pm.