



Shire of
Katanning
Heart of the Great Southern

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

**NOTICE OF A
ORDINARY COUNCIL MEETING**

Dear Council Member

The next Ordinary Council Meeting of the Shire of Katanning will be held on
Tuesday 26 February 2019, in the Shire of Katanning Council Chambers,
14 Austral Terrace, Katanning, commencing at 6:00pm.

Julian Murphy
CHIEF EXECUTIVE OFFICER
Thursday 21 February 2019

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 ____ pm.

2. RECORD OF ATTENDANCE**PRESENT**

Presiding Member: Cr Liz Guidera - President

Members: 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 and Community Building
Libby French, Manager Finance
Sue Eastcott, Executive Assistant to CEO

Gallery:

Media:

Apologies:

Leave of Absence: Cr John Goodheart – Deputy President

3. RESPONSE TO PUBLIC QUESTIONS TAKEN ON NOTICE**4. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTERESTS****5. PUBLIC QUESTION/STATEMENT TIME****6. APPLICATIONS FOR LEAVE OF ABSENCE****7. PETITIONS/DEPUTATIONS/PRESENTATIONS****8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****8.1 Ordinary Council Meeting – 18 December 2018
(SEE ATTACHED MINUTES)**

OC183/19 That the minutes of the Ordinary Council Meeting held on Tuesday 18 December 2018 be confirmed as a true record of proceedings.

Voting Requirement: Simple Majority

CARRIED/LOST:

**8.2 Special Council Meeting – 22 January 2019
(SEE ATTACHED MINUTES)**

OC184/19 That the minutes of the Special Council Meeting held on Tuesday 22 January 2019 be confirmed as a true record of proceedings.

Voting Requirement: Simple Majority

CARRIED/LOST:

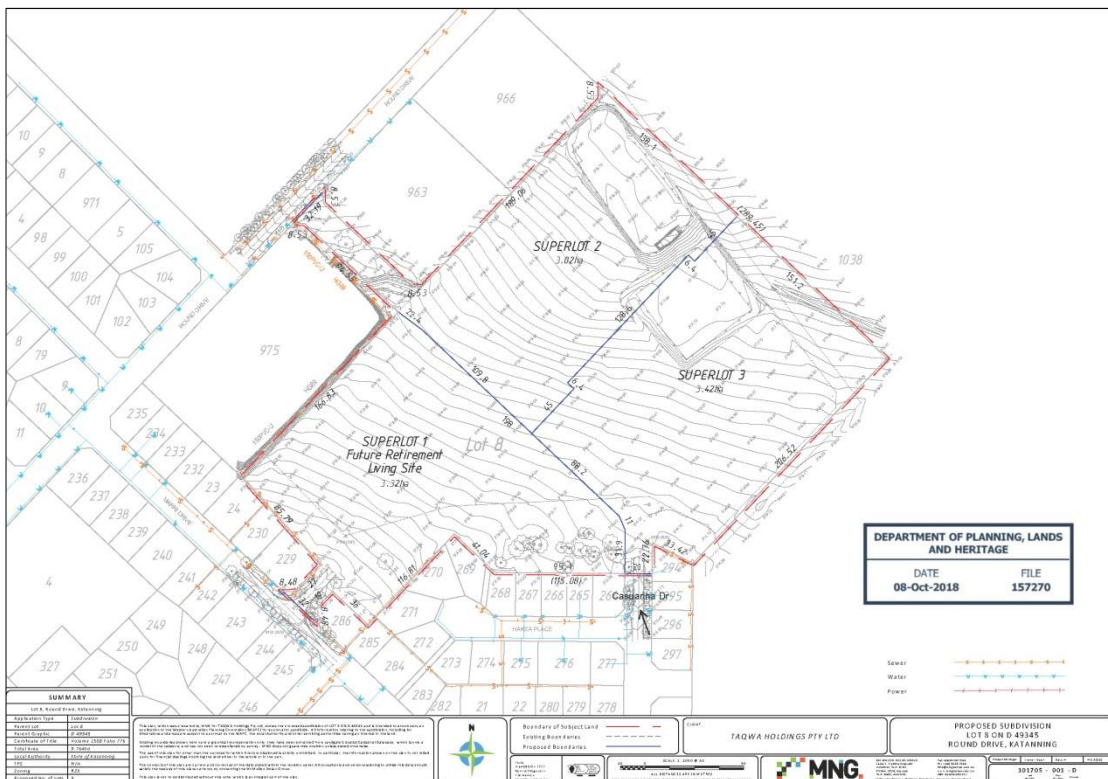
9. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**10. REPORTS OF COMMITTEES AND OFFICERS**

10.1 EXECUTIVE MANAGER INFRASTRUCTURE & DEVELOPMENT REPORTS

**10.1.1 Subdivision Referral – Lot 8 Round Drive, Katanning.
(ATTACHMENT)**

File Ref: A2373 C/18/6604 WAPC 157270
Reporting Officer: Delma Baesjou – Consultant Planner
Date Report Prepared: 15 February 2019

Issue:
 To consider an application for Subdivision of Lot 8 Round Drive, Katanning to create three 3ha ‘Superlots’.



Superlot Application - Plan of Subdivision

Body/Background:

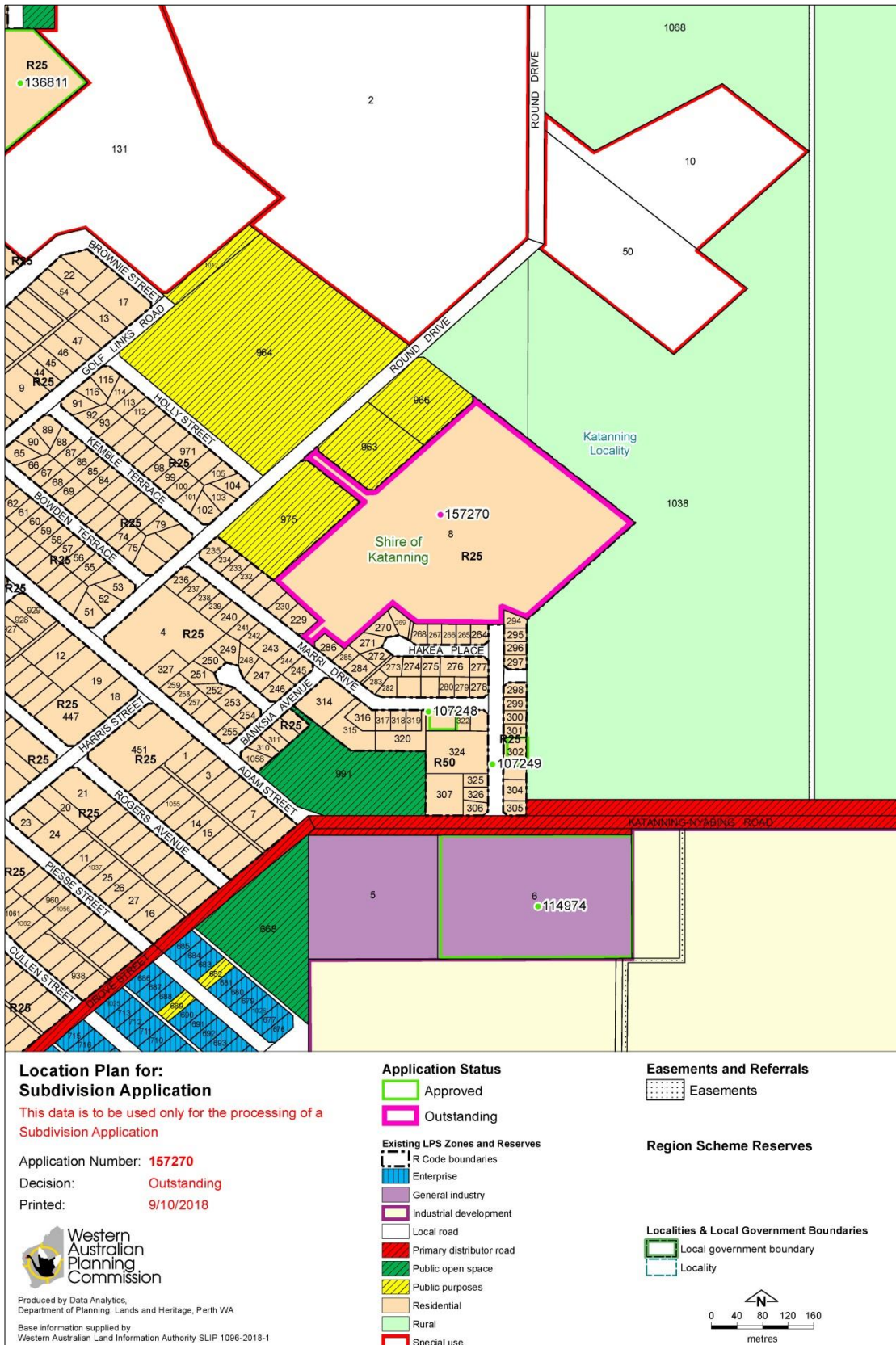
An application for Subdivision has been referred to the Shire by the Western Australian Planning Commission. The Application was prepared by MNG on behalf of TAQWA Holdings Pty Ltd. The proponent’s supporting report is attached.

Lot 8 is 9.764ha and has frontage to Round Drive, Marri Drive and Casuarina Drive.

The site is located approximately 1.5 kilometres to the east of Katanning town centre, adjacent to the former Residential College on Reserves 27059 and 27716. Lot 975, Reserve 27059 contains dams associated with the town’s waste water re-use system. Land to the south and south-west has been developed for residential purposes. The Katanning High School is located on the opposite side of Round Drive. The adjoining property to the north and east is zoned Rural and used for farming purposes.

Officer's Comment:

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



Portion of the subject land is designated Bush Fire Prone Area (BFPA) as identified by the Fire and Emergency Services Commissioner.

A Bushfire Management Plan (BMP) has been prepared to accompany this subdivision application. The subdivision has been assessed against the Bushfire Protection Criteria documented in the Guidelines for Planning in Bushfire Prone Areas. The BMP addresses relevant requirements and Part 4 sets out responsibilities for implementation. Following internal evaluation and consultation, minor refinements to the document are recommended in regard to maintenance of fuel loads within 14m of the boundary and within Asset Protection Zones.

Additional planning and building requirements will apply to future development within the designated BFPA.



Aerial image of Subject Land – Lot 8 Round Drive (and surrounds) showing 2018 Bush Fire Prone designation (in Pink)

Following conferral with Executive staff and the Development Services Team it is recommended that the Subdivision is supported, subject to conditions and advice.

Statutory Environment:

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Scheme No. 5

As cited on its website, “The Western Australian Planning Commission (WAPC) is the responsible authority for subdivision approvals in Western Australia”. Development Control

Policies 1.1 and 3.1 set out the principles and standards that will be used by the WAPC in determining applications for the subdivision of residential land.

Policy Implications:

Shire of Katanning: Nil.

WAPC Development Control Policy 1.1 - General principles for the subdivision of land.

WAPC Development Control Policy 2.2 – Residential Subdivision

WAPC Development Control Policy 2.6 – Residential Road Planning

WAPC Development Control Policy 3.1 - Residential Design Codes

Financial Implications:

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

Risk Implications:

This item has been evaluated against the Shire of Katanning’s Risk Assessment and Acceptance Criteria. The risk relates to the Shire’s role and responsibility in commenting on the draft plan of subdivision prior to determination by the Western Australian Planning Commission and the potential for the Applicants to exercise their right to apply for a review by the State Administrative Tribunal (SAT) should they be aggrieved by the determination and/or conditions.

In this case, the perceived level of risk is considered to be “Low” and is considered acceptable, subject to standard conditions 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	B2.2	Facilitate and encourage housing options; spaces for local service delivery, employment and recreation.
OBJECTIVE	B2.3	Orderly development (Town Planning)

Officer’s Recommendation/Council Motion:

OC185/19 That Council:

- 1) Advises the Western Australian Planning Commission the Shire of Katanning supports to proposal to Subdivision Lot 8 Round Drive, Katanning (WAPC file ref: 157270, date stamped 8 October 2018) subject to;
 - A. The common boundary between proposed lots 2 and 3 being revised to correlate with that shown in Figure 3 of the Bushfire Management Plan, or the BMP being modified accordingly.
 - B. Implementation of Fire Safety requirements, as specified in the Bushfire Management Plan, in particular construction of Emergency Accessways and in accordance with AS3959 all land within 14m of the boundaries between the lots created shall be maintained in low fuel condition (less than 100mm) and all (future) habitable structures to be within a minimum 14m APZ.

- C. Construction of crossovers to all proposed lots to Local Government specifications.
 - D. All proposed lots being provided with sewer connection.
 - E. Establishment of Reciprocal Rights of Carriageway across all three proposed lots to provide alternative emergency egress and to protect and enable future access, servicing and infrastructure provision generally in accordance with the draft 'Concept Plan'.
 - F. Establishment of easements or other appropriate measures to ensure the pipeline and infrastructure associated with the waste water re-use system is protected or realigned.
 - G. All existing structures being setback from the new lot boundaries in accordance with Scheme and R Codes requirements.
 - H. Provision of Public Open Space, not less than 10% of the subject land area or appropriate Notification on the Title of proposed Lot 1 identifying potential Public Open Space.
 - I. All reference to R40 subdivision being deleted from the supporting documentation/Bushfire Management Plan.
 - J. In the absence of detailed information relating to water management, drainage and road design, the draft 'Concept Plan' has not been subject to formal assessment and should not be construed as approved or supported by the Shire of Katanning, with particular regard to POS, stormwater, road widths and connectivity with the nominated future Retirement Living on proposed Lot 1.
 - K. The proponent being advised that:
 - Clause 26(1) of Local Planning Scheme No 5 sets out that for R25 Density Coded areas, the maximum permitted density for any residential development where the development is not connected to reticulated sewer infrastructure shall be R10.
 - Clause 26(3) of Local Planning Scheme No 5 allows for a maximum plot ratio of 150m² for an aged persons' dwelling, excluding any attached garage/carport/verandah.
- 2) Grants authority to the Shire President and Chief Executive Officer to affix the Common Seal of the Council to Notifications and Restrictive Covenant documentation pertaining to the creation of the new lots associated with Subdivision WAPC reference 157270, Lot 8 Round Drive, Katanning in accordance with Part IV Division 3A of the Transfer of Land Act 1893 (as amended).

Voting Requirement: Simple Majority

CARRIED/LOST:

10.1.2 Development Application – Upgrade to Wastewater Treatment System, WAMMCO, Lot 3 (28013) Great Southern Highway, Katanning

File Ref: A2140 File Number DA Ref 5U
Reporting Officer: D Baesjou, Consultant Planner
Report Prepared: 15 February 2019

Issue:

To consider an application for Additions and Upgrading of the wastewater treatment system at the WAMMCO Abattoir, Lot 3 (28013) Great Southern Highway, Katanning.

Body/Background:

Following preliminary enquires in November 2018, a Development Application was received for the installation of a 'Hydroflux' waste management system. The purpose-built treatment plant comes fully assembled and will replace the existing deflocculation, aeration and filtration tanks, equipment and pipework at the abattoir.

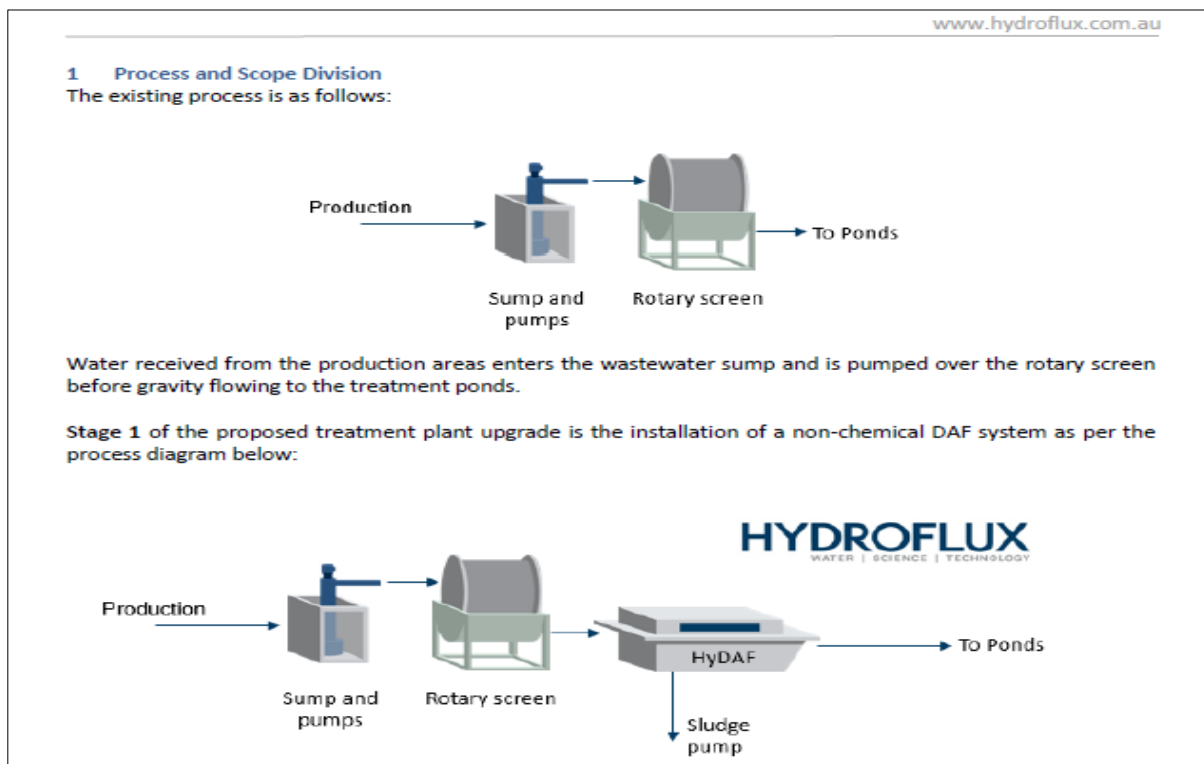




Image showing 'Hydroflux' waste management system loaded for transit.

The applicant advises the new D.A.F system is part of the preliminary work for installation of the bio digester and solar array at WAMMCO Katanning.

The subject land is approximately 250ha. The existing Abattoir is centrally located within Lot 3. Onsite parking for staff and visitors is provided, together with constructed access way for delivery vehicles. Shelter belts and avenue planting serve to screen the Abattoir structures.

Lot 3 has frontage to the South Western Highway Road along the full length of the south western boundary and adjoins the rail corridor along the north eastern boundary.

Officer's Comment:

The proposed replacement waste treatment system will be fully integrated with the Abattoir complex and will be within the existing development footprint. The upgrade will not substantially change or intensify the existing land-use.

The proposed structure is approx. 400m from the front boundary (Highway) and almost 500m from rear boundary (Rail Corridor). The proposed treatment plan is more than 450m from adjacent freehold property; in any case the site is screened by shelter belts and landscaping.

The subject land is considered to be of sufficient size to accommodate the proposed development

In terms of compatibility and amenity, this proposed equipment replacement and upgrade is unlikely to have any negative impact on adjoining land or the natural environment. If anything, it may reduce odours from the Abattoir.

The proposal is considered to be consistent with the objectives and intent of LPS5.

Development Approval is recommended, subject to conditions.

Statutory Environment:

Shire of Katanning Local Planning Scheme No. 5.

Planning and Development (Local Planning Schemes) Regulations 2015.

The subject land is zoned Special Use 8 under Local Planning Scheme 5 (LPS5). Under LPS5 and the 2015 Planning Regulations, the proposal requires Development Approval.

The application was assessed, based on the procedures and requirements set out in LPS5 and the current Regulations.

Table 6 of LPS5 sets out the permissible land uses and nominates that all development standards are at the discretion of Council. The relevant extract is shown below:

No.	Description of land	Special use	Conditions
SU8	Northern portion of Lot 3 Great Southern Highway, Katanning <i>WAMMCO</i>	Abattoir, water storage, stockyards & skin-drying sheds Other associated complementary uses approved by the Local Government	Development standards/requirements shall be determined by the Local Government upon application.

The application was assessed against the matters listed in Clause 67, Part 9 Schedule 2 of Planning and Development (Local Planning Schemes) Regulations 2015. The following Table lists the relevant matters that Council is required to consider the, together with planning comments related to this application.

Matter	Relevance	Comment
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area.	Yes	Continued use of the subject land for the purpose of Abattoir is consistent Cl 9 Aims of the Scheme (b) Community Growth and Diversity, (c) Economic Growth and (e) Agriculture and Rural Land Use.
(b) the requirements of orderly and proper planning.	Yes	Land use is consistent with the Growth Plan and the endorsed Local Planning Strategy.
(c) any Environmental Protection Policy approved under the <i>Environmental Protection Act 1986 section 31 (d)</i>	Yes	Aspects of the operation are subject to Licensing and regulations, independent of the Planning application process
(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.	Yes	This proposal represents a minor extension of the existing land use which is unlikely to have any significant negative impact on adjoining land.
(n) the amenity of the locality including the following: (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development.	Yes	No significant negative impact on amenity in regard to noise, odour, and lighting given the setting, function and purpose of the zone.
(o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;	Yes	Proposed upgrade to waste treatment system may reduce any impact on the natural environment and water resources.
(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.	Yes	There are areas of Remnant Vegetation and shelter belts on the subject land. Development site is screened. New structure is within existing development footprint. No existing planting or remnant vegetation will be impacted by this proposal.
(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk.	Yes	Katanning is recognised as being at risk of townsite salinity. Combined with high groundwater and clay soils, this can be problematic for on-site stormwater management, although not considered to be a risk in this instance. A significant portion of the subject land is designated as Bush Fire Prone (DFES mapping 2017).
(r) the suitability of the land for the development taking into account the possible risk to human health or safety;	Yes	Considered to be appropriately managed through relevant Legislation, subject to licensing through DWER and as export operation.
(s) the adequacy of:	Yes	Parking and Loading Areas provided on site. Development will not impact current arrangement.

(i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles.		
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.	Neutral	Development unlikely to result in any increase in vehicle movements.
(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	Neutral	i Public transport services – Not available/of limited significance. ii Provision of water, waste water and power are operational matters for the proponent. iii Management of solid waste and refuse by developer, to State and LG specifications. iv and v On-site parking provided, facilities for pedestrians, cyclists and non-motorised transport available, including accessible amenities.
(w) the history of the site where the development is to be located;	Yes	Continued use of the site as an Abattoir is supported.
(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;	Neutral	Upgrade of infrastructure and potential for minor intensification of the land use represents growth of an existing activity. Considered to be of community benefit.

The proposal is considered to satisfy relevant planning requirements and to meet the Scheme Aims, as well as the intent of the Katanning Local Planning Strategy. Conditional approval is recommended.

A significant portion of the subject land is designated as Bush Fire Prone Area (BFPA) as identified by the Fire and Emergency Services Commissioner. Notwithstanding the proposed waste treatment system within a BFPA, an 'Exemption' from the requirements of SPP 3.7 and the deemed provisions is considered to apply given the function and purpose of the structure. The upgraded system will not result in an increase of employees and is unlikely to result in an increase to the bushfire risk.

As outlined in WAPC Planning Bulletin 111/2016 - Planning in Bushfire Prone Areas, October 2016:

Exemptions from the requirements of SPP 3.7 and the deemed provisions should be applied pragmatically by the decision maker. If the proposal does not result in the intensification of development (or land use), does not result in an increase of residents or employees; or does not involve the occupation of employees on site for any considerable amount of time, then there may not be any practicable reason to require a BAL Assessment.

The existing facility/operation is licensed by the Department of Water and Environmental Regulation. The land owner is obligated to liaise with DWER regarding any variation or new licence arrangements and compliance with State legislation.

Policy Implications:

There are no policy implications for this report.

Financial Implications:

Based on the nominated Development Value of \$520,000 and in accordance with the published schedule of Fees and Charges, the Planning Application Fee is \$1,751.40.

Risk Implications:

This item has been evaluated against the Shire of Katanning's Risk Assessment and Acceptance Criteria. The risk relates to the potential for the Applicants to exercise their right to apply for a review by the State Administrative Tribunal (SAT) should they be aggrieved by the determination for the proposed Addition to Abattoir (upgrade to Wastewater Treatment System).

In this case, the perceived level of risk is considered to be "Low (2)" based on the "Minor" consequence (2) of financial impacts and the "Rare" likelihood (1) that the Applicant would challenge the Council's decision to grant planning approval subject to standard conditions, in accordance with Local Planning Scheme No. 5. The "Low" risk rank is considered acceptable with adequate controls, managed by routine procedures.

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	BUILT ENVIRONMENT	
ASPIRATION	B2	Places for the community to live, work and connect
OBJECTIVE	B2.3	Orderly development (Town Planning)
PRIORITY	ECONOMIC	
ASPIRATION	E3	Sustainable economic and population grow
OBJECTIVE	E3.2	Continue to build Katanning's reputation as a strategic sub-regional service centre and economic hub
OBJECTIVE	E3.2.2	Ensure land use planning for commercial, industrial and residential development.
OBJECTIVE	E3.2.3	Attract business and investment opportunities

Officer's Recommendation/Council Motion:

OC186/19 That Council grants Development Approval for Lot 3 (28013) Great Southern Highway, Katanning for the purpose of addition to Abattoir (installation of 'Hydroflux' wastewater treatment system), subject to the following conditions:

1. Development to be generally in accordance with the approved plans.
2. Maintenance of the crossover, accessways and loading area is the responsibility of the landowner.
3. Any proposed lighting devices are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.

Advice Notes

- I. Stormwater runoff from the new structure and any other impervious surface to be adequately controlled on-site and disposed of to the satisfaction of the Shire of Katanning, in accordance with Engineering requirements and design guidelines.
- II. The property is to be maintained in accordance with the Shire of Katanning Fire Management Requirement Notice, applicable at the time.
- III. This Development Approval does not constitute a Building Permit.

IV. Future use and works to comply with the Building Code of Australia and relevant Health and Environmental statutes.

Voting Requirement: Simple Majority

CARRIED/LOST:

10.1.3 Application to Register Four Dogs

File Ref: A1504
Reporting Officer: Cherrie Campbell, Executive Officer to the Engineer
Date Report Prepared: 15 February 2019

Issue:

To consider the application of four dogs to be housed on a property in the Shire of Katanning subject to certain conditions.

Body/Background:

The Shire of Katanning *Dog Local Law 1986, as amended 1995* limits the number of dogs kept on any premises to two dogs over the age of three months and the young of those dogs under that age.

Donna Wilson-Chapple residents of Katanning have requested an exemption to keep four dogs be considered by Council in accordance with the provisions of section 26 of the *Dog Act 1976*, which allows a local government to consider and grant such an exemption to its local law.

Once a decision has been made by Council, any person who is aggrieved by conditions imposed by the decisions or the refusal of a local government to grant an exemption may appeal in writing to the State Administrative Tribunal for a review of the decision.

Officer's Comment:

Currently there is no provision in the *Dog Act 1976* allowing a local government to delegate authority to council officers regarding these matters, and all applications must be considered by the Council.

Statutory Environment:

Under Section 26 of the *Dog Act 1976*, Subsection (1) states that a local government may, by a local law under this Act-

- (a) *Limit the number of dogs that have reached 3 months of age that can be kept in premises in the local government's district:*

Policy Implications:

Nil

Financial Implications:

Nil

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:

OC187/19 That Council, pursuant to the provisions of the *Dog Act 1976* and the *Shire of Katanning Dog Local Law 1986 as amended 1995*, approve the application for an exemption to keep four dogs on a property currently occupied by Donna Wilson-Chapple, 58 Taylor Street Katanning being:

- 1 female dog 3 years registered with Shire of Katanning, unsterilized, microchipped & vaccinated
- 1 male dog 3 years registered with Shire of Katanning, sterilized, microchipped & vaccinated
- 1 male dog 6 years registered with Shire of Katanning, sterilized, microchipped & vaccinated
- 1 female dog 1 years registered with Shire of Katanning, unsterilized, microchipped & vaccinated

This approval is subject to the following conditions:

1. Only the dogs subject to this exemption are to be kept at this property;
2. All dogs are to have their registrations along with microchip details transferred to the Shire of Katanning in accordance with the *Dog Act 1976*;
3. Fences are to be maintained in order to secure the dogs on the property;
4. The yard area of the property where the dogs are kept is to be maintained in a clean and tidy condition;
5. Dog faeces are to be disposed of in the weekly refuse service or by other approved means;
6. Dogs kept at the property are not permitted to bark so as to create a nuisance;
7. The exemption relates to the individual dogs subject to this application *only*. The applicant will not be permitted to register more than the prescribed number of dogs upon any of these dogs no longer being in the applicant's care, control and/or possession; and
8. On receipt of a justifiable complaint, Council may revoke or vary the exemption at any time

Voting Requirement: Simple Majority

CARRIED/LOST:

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: 08 February 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	-	-	-	-	-	-	-
March	-	-	-	-	-	-	-
April	-	-	-	-	-	-	-
May	-	-	-	-	-	-	-
June	-	-	-	-	-	-	-
Total	350,423.59	8,751,047.05	2,034,668.40	24,254.37	2,501,781.42	15,315.08	13,677,489.91

Officer's Comment:

The schedule of accounts for the months of December 2018 and January 2019 are attached.

The Finance Forum held on 12 February 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 Motions:**OC188/19 That Council:**

1. Endorses the Schedule of Accounts as presented, being cheques 42133-42143 totalling \$47,238.94, EFT payments 26625-26802 totalling \$1,286,575.65, direct payments totalling \$378,902.55, and trust payments totalling \$434.00 authorised and paid in December 2018.
2. Endorses the Schedule of Accounts as presented, being cheques 42144-42157 totalling \$85,128.73, EFT payments 26803-26972 totalling \$1,005,750.38, direct payments totalling \$292,968.54, and trust payments totalling \$1,902.86 authorised and paid in January 2019.

Voting Requirement: Simple Majority.

CARRIED/LOST:

10.2.2 Monthly Financial Reports (ATTACHMENTS)

File Ref: FM.FI.4
Reporting Officer: Libby French, Manager Finance
Report Prepared: 08 February 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 statements attachment.

The Finance Forum held on 12 February 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 is sustainably resourced.
OBJECTIVE	L2.1	Optimise use of shire resources – improve organisational systems.

Officer's Recommendation/Council Motion:

OC189/19 That Council adopts the Statement of Financial Activity for the months ending 31 December 2018 and 31 January 2019, as presented.

Voting Requirement: Simple Majority.

CARRIED/LOST:

10.2.3 Conduct of 2019 Local Government Election (ATTACHMENT)

File Ref: GV.EL.5
Reporting Officer: Lisa Hannagan, Executive Manager Finance & Administration
Date Report Prepared: 31 January 2019

Issue:

For Council to consider appointment of the Western Australian Electoral Commission to conduct the 2019 Local Government Election by postal vote.

Body/Background:

The Shire of Katanning has appointed the Western Australian Electoral Commission to conduct postal elections since 2007.

Voter participation is, on average, 51.68% (based on past 5 elections).

Year	Participation
2017	51.82
2015	57.52
2013	50.87
2011	46.56
2009	51.62
Average:	51.68

The Shire has received correspondence (attached) from the Western Australian Electoral Commission that includes a quotation to conduct a postal ballot for the 2019 ordinary election to be held 19 October 2019.

The quotation) comprehensively covers all costs apart from non-statutory advertising eg. if the Shire chooses to advertise in local papers and the cost of staff time on Polling day.

Officer's Comment:

The Shire of Katanning statistics over the past 5 elections show an average participation rate of 51.68%. According to the WA Electoral Commissions report on the 2017 Local Government elections, average participation for local government elections across Western Australia was 34.5%.

While voting in Local Government elections is not compulsory, postal elections are generally considered more convenient for many electors and typically result in a higher rate of voter participation than in person ballots.

For postal elections, all eligible electors will receive a postal voting package around three weeks prior to polling day. The package will include a list of candidates, ballot papers, instructions on how to vote and a declaration.

Other advantages to appointing the Western Australian Electoral Commission include that it is seen as being completely independent from Council and therefore the integrity of the process

is free from any perception of local influence and that the impost to staff time is limited to just on election day at the polling place.

Section 4.20(4) of the Act requires that Council must have the Electoral Commissioners written agreement to conduct the election prior to the vote by Council being taken.

The letter received by the Shire and attached to this agenda is the relevant document and contains the Electoral Commissioners agreement.

If Council determine to appoint the Western Australian Electoral Commission to conduct the 2019 election by postal vote, the recommendations must be passed by absolute majority, in accordance with the *Local Government Act 1995*.

Statutory Environment:

Local Government Act 1995 Section 4.20 and 4.61.

Policy Implications:

Nil.

Financial Implications:

The cost of appointing WAEC to conduct the 2019 Local Government Election is \$22,000 including GST and will be included in the 2019/2020 Budget. Additional costs include non-statutory advertising (eg. Great Southern Herald) and staff time on Polling Day are estimated at \$1,000. Council has established a reserve to assist with election costs.

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

Officer's Recommendation/Council Motion:

OC190/19 That Council:

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 2019 ordinary election together with any other elections or polls which may 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.

Voting Requirement: Absolute Majority

CARRIED/LOST:

10.3 EXECUTIVE MANAGER, PROJECTS AND COMMUNITY BUILDING REPORTS**10.3.1 Katanning Community Cinema Group – License Fee Proposal**

File Ref: CS.PL.1
Reporting Officer: D Gallanagh Wood, Community Development & Projects
Coordinator
Date Report Prepared: February 2019

Issue:

To consider License and Fees for Katanning Town Hall use for the Katanning Community Cinema Group.

Background/Body:

The Katanning Community Cinema Group is made up of members of Katanning service clubs Lions Club, Apex, Rotary and a number of community members from the Men's Shed and Katanning Dramatic Society.

The group was formed to operate a cinema in the Katanning Town Hall utilising equipment donated to the Shire of Katanning in 2018. A total value of the donated assets is estimated at \$70,000. The equipment was donated by Friends of the Little Gem Theatre Inc. Council accepted this donation at its August 2018 Ordinary Council meeting.

The intention is the group will run the cinema on a voluntary bases as a means for the service clubs to raise funds for their organisations which are all not for profit groups. The groups vision: *Katanning has a Community Cinema that is projecting in the Town Hall movies that our diverse community wants to see, to the benefit of all.*

In order to support the group to provide this service to the community the Council is being requested to issue access to the Town Hall and cinema equipment for the purpose of above at a reduced rate.

Benefits of cinema in the community

- Provides an important role helping to foster a sense of place.
- Introduce a new use for the Town Hall – offer a vibrant and activated community space.
- Residents can enjoy watching blockbusters locally making it an affordable recreational option.
- Choice and recreational variety offered to the community – something to do on a weekend night.
- Enhance inclusiveness as elderly who may not otherwise have the opportunity to attend films.
- Increases the degree of community engagement and social interaction.
- Enhance learning opportunities, local schools could use as an education or recreation outing.
- Earning/fundraising opportunities for community groups.
- It could lead to the creation of part time employment options, voluntary and or paid.
- Links with film societies fosters a film culture adding to the cultural options for locals.
- The cinema audience generate money for the local economy through visits to bars, take away and super markets as a part their trip.

Officer's Comment:

It is recommended that Council offer the Katanning Community Cinema Group a 12-month license to occupy with the suggested charge of \$100.00 ex GST per session. Following a 12-month period it is recommended that a review of the license agreement and charges be undertaken and adjustments made if deemed necessary.

Statutory Environment:

Local Government Act 1995

Policy Implications:

Nil.

Financial Implications:

PROJECT/PROGRAMME NAME: Katanning Cinema Group Costs				
The following costs are based on two sessions per week on 40 weeks of the year.				
Costs have been based on set fees and charges.				
Expenditure Item	Per Session	Per Week	Full Annual	Recommended Session Charge
Facility - 54 x3 = 162 x2 x 40	162	324	\$12,960.00	nil
Cleaning - 60 x 2 hrs x 40 weeks	60	120	\$4,800.00	\$60.00
Utilities - power \$20 per hour - 3hrs per session x2 week x 40 weeks	60	120	\$4,800.00	\$21.25
Equipment maintenance \$1500 annually	18.75	37.5	\$1,500.00	\$18.75
Charges:	300.75	601.5	\$24,060.00	\$100.00

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	S1	A Capable, vibrant, healthy & connected community
OBJECTIVE	S1.1	Provide sport, recreation and leisure opportunities that contribute to the health and wellbeing of our growing and diverse community.
OBJECTIVE	S3.2	Build social and resilience through providing diverse options for participation and engagement.
ASPIRATION	E	Develop and implement strategies to strengthen town identity and community pride.
OBJECTIVE	E2.2	Provide and support local and regionally significant events that have both positive economic and social benefits.
ASPIRATION	L2	Develop and implement strategies to strengthen town identity and community pride.
OBJECTIVE	L2.1	Objective Optimise use of Shire resources – Improve organisational systems.

Officer's Recommendation/Council Motion:**MOVED:****SECONDED:****OC191/19 That Council:**

- 1. Provides a 12-month license to occupy to the Katanning Community Cinema Group and charge a fee of \$100.00 ex GST per session.**
- 2. Authorises the CEO to conduct a review of the license after 12 months and makes any adjustments deemed necessary.**

Voting Requirement: Simple Majority

CARRIED/LOST:

10.3.2 Community Financial Assistance Program (CFAP) Round 2 2018/2019
(ATTACHMENTS)

File Ref: GS.AE.1
Reporting Officer: Natassia Shirazee, Community Relations Officer
Date Report Prepared: 6 February 2019

Issue:

To consider applications for the 2018/2019 Round 2 Community Financial Assistance Program.

Body/Background:

Funding under this program was advertised in December 2018 and January 2019 with advertisements in the Great Southern Herald, the Shire of Katanning Website, Shire Matters Newsletter, emails and word-of-mouth to the community and on Facebook.

The Community Financial Assistance Program (CFAP) provides funding support in three categories; Minor Community Grant (up to \$5000), Major Community Grant (Over \$5000) and Triennium Community Grant (3-year approval - Minor or Major), to enable organizations to develop projects that increase participation and benefit the community.

At the closing date 3 applications were received: 2 applications requesting a minor community grant, 1 application requesting a major community grant and no applications requesting a triennium grant.

The application process was coordinated by the Community Relations Officer, Natassia Shirazee.

There is \$16,024.31 ex GST available in the budget for the Community Financial Assistance Program Round 2 2018/2019.

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

Full Organisation Name: Katanning Senior High School P&C

Project Title: Senior Ball

Requested Amount from Council: \$465.00 ex GST

Recommended Amount from Council: \$881.82 ex GST

Total Project Cost: \$6081.82 ex GST

Full Organisation Name: Katanning Historical Society Inc.

Project Title: Historical Memorabilia Display Cabinets

Requested Amount from Council: \$4,278.00 ex GST

Total Project Cost: \$4,278.00 ex GST

Major Community Grant (over \$5,000)**Full Organisation Name:** Katanning Men's Shed**Project Title:** Woolstore Project**Requested Amount from Council:** \$9000.00 ex GST**Total Project Cost:** \$30,500.00 ex GST

A copy of the Katanning Men's Shed Woolstore Project is attached for information.

Officer's Comment:

The applications received were reviewed by the Community Financial Assistance Program Committee at a meeting held on Monday 18 February 2019. The Committee made the following recommendation:

1. Approve \$881.82ex to Katanning Senior High School P&C for venue hire and decoration hire costs. Once Katanning Senior High School P&C's amended application has been received with the correct costings for \$881.82 ex GST.
2. Approve \$4,278.00 ex GST to Katanning Historical Society for Display Cabinets in the Katanning Museum as listed in application.
3. Approve \$9,000 ex GST to Katanning Men's Shed for the underground connection of a standard electricity supply to Western Power's LV network to their future base at the Westrail Wool Consolidation Shed (The Woolstore).

Statutory Environment:

Local Government Act 1995.

Policy Implications:

2.9 Community Financial Assistance Program. Applications were assessed in accordance with the Policy Guidelines.

Financial Implications:

Sufficient funds are allocated in Councils 2018/2019 Budget to cover the cost of the recommended grant contributions.

Strategic Implications:

Strategic Community Plan 2017-2027 - S1 Aspiration: A Capable, Vibrant, Healthy & Connected Community

Committee Recommendation/Council Motion:

OC 192/19 That Council approves the following grants for Round 2 of the 2018/2019 Community Financial Assistance Program:

1. Katanning Senior High School P&C \$881.82exGST for venue hire and decoration hire costs.

- 2. Katanning Historical Society \$4,278.00exGST for Display Cabinets in the Katanning Museum as listed in application.**
- 3. Katanning Men's Shed \$9,000exGST for the underground connection of a standard electricity supply to Western Power's LV network to their future base at the Westrail Wool Consolidation Shed (The Woolstore).**

Voting Requirement: Simple Majority

CARRIED/LOST:

10.4 EXECUTIVE MANAGER, PROPERTY & ASSETS REPORTS

Nil

10.5 CHIEF EXECUTIVE OFFICER'S REPORTS

10.5.1. Katanning Saleyards Management Group (ATTACHMENT)

File Ref: CP.RP.6
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 18 February 2019

Issue:

To consider the revised Terms of Reference for the Katanning Saleyards Management Group.

Body/Background:

The Katanning Saleyards is a Shire owned commercial facility where sheep are sold by auction. The Shire of Katanning owns the buildings, yards and infrastructure and is licensed by the State to operate a saleyard on the site. The Shire employs a saleyards manager, and other staff, to ensure the saleyards can operate weekly as a commercial saleyard. Stock sold at the saleyards are sold by stock agents who lease both office space and pay the Shire a fee for use of the saleyards infrastructure. The Shire itself does not manage the stock on site. These are managed directly by the stock agents upon arrival. The transport companies contracted by growers are responsible for the delivery or removal of stock from the facility. The Shire is responsible for maintaining and cleaning the facility.

At its Special Meeting of 23 October 2017 Council established the Katanning Saleyards Operations User Group. The User Group currently has the following members:

- Cr Owen Boxall (Chair)
- Cr Ernie Menghini
- Mr Rod Bushell, Saleyards Manager
- Mr Julian Murphy, CEO
- Executive Manager Property and Assets (EMPA)

The purpose of the User Group is to provide a forum to discuss issues relating to the operation of the Katanning Regional Sheep Saleyards.

The Department of Primary Industry and Regional Development (DPIRD) has requested that the Shire of Katanning enter into an MOU with the department regarding the operation of the saleyards. A Katanning Saleyards Management Plan is required to ensure all stakeholders and users responsibilities and requirements are properly understood and documented.

A new Terms of Reference for the Group has been developed to align with DPIRD requirements. It is proposed that the name of the Group be changed to Katanning Saleyards Management Group to accurately reflect the Group's function and membership.

Under the revised Terms of Reference the objective of the Management Group will be to guide the development and endorse the Management Plan as well as provide guidance on the ongoing operation of the saleyards and future planning. The Management Group is required to meet with users/stakeholders at least once every two years.

Membership of the Group will remain the same (2x Councillors, CEO, Saleyards Manager and EMPA).

The User Group considered the Terms Of Reference at its meeting held on 6 February 2019 where it resolved to endorse the name change and new Terms of Reference.

Officer’s Comment:

It is recommended that Council confirm the appointment of members the Katanning Saleyards Management Group and endorses name change the revised Terms of Reference.

Statutory Environment:

Local Government Act 1995, section 5.8. Establishment of committees

Policy Implications:

Nil

Financial Implications:

Nil

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	BUILT ENVIRONMENT	
ASPIRATION	B1	Infrastructure that meets community need
OBJECTIVE	B1.1	Sustainably manage current and future assets and infrastructure

Officer’s Recommendation/Council Motion:

OC193/19 That Council:

1. Endorses the revised Terms of Reference and name change for the Katanning Saleyards Management Group; and
2. Confirms the following members for the remainder of the current term:
 - Cr Owen Boxall (Chair)
 - Cr Ernie Menghini
 - Mr Rod Bushell, Saleyards Manager
 - Mr Julian Murphy, CEO
 - Executive Manager Property and Assets (EMPA)

Voting Requirement: Simple Majority

CARRIED/LOST:

10.5.2 Bower Bird Lane, Katanning – Proposal to Reopen to Traffic

File Ref: LP.PL.1
Reporting Officer: Julian Murphy
Date Report Prepared: 18 February 2019

Issue:

To consider a request to re-open the section of Bower Bird Lane from Clive Street to Arbour Street to pedestrian and vehicle traffic to allow residents to access the rear of their properties.

Body/Background:

The Shire has received a written request from a resident, whose property adjoins Bower Bird Lane, to remove or open the barrier gate that currently prevents pedestrian and vehicle traffic through the laneway.

There are concerns about the stormwater runoff that floods Bower Bird Lane near the Clive Street intersection in winter. During periods of heavy rain sections of the laneway are prone to flooding which prevents vehicle access to properties from Clive Street down the laneway.

Residents have previously cut-through nearby Council land from Aberdeen Street, however the recent redevelopment of the site and installation of the RV Rest Area means that this is no longer an option.

A barrier gate has been in place across Bower Bird Lane for a number of years with Council last considering the issue in 2007. An enhanced barrier gate preventing both vehicle and pedestrian access through the laneway was erected in 2007 as a response to vandalism and anti-social behaviour. Prior to 2007 the lane was closed to traffic with a pipe barrier gate to limit access by vehicles.

Officer's Comment:

The effectiveness of the barrier gate and the need for the barrier to prevent anti-social behaviour is not currently known.

Prior to making any determination on vehicle and pedestrian access through Bower Bird Lane it is recommended that Council invites submissions from nearby residents on the proposal to reopen the laneway.

Statutory Environment:

Local Government Act 1995 – section 3.50, Closing certain thoroughfares to vehicles

Policy Implications:

Nil

Financial Implications:

Nil

Risk Implications:

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

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	BUILT ENVIRONMENT	
ASPIRATION	B1	Infrastructure that meets community need
OBJECTIVE	B1.1	Sustainably manage current and future assets and infrastructure

Officer's Recommendation/Council Motion:

OC194/19 That Council prior to making any determination on vehicle and pedestrian access through Bower Bird Lane invites submissions from nearby residents on the proposal to reopen the laneway.

Voting Requirement: Simple Majority

CARRIED/LOST:

10.5.3 2019 Annual Electors Meeting Minutes (ATTACHMENT)

File Ref: FM.FI.1
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 20 February 2019

Issue:

To consider the minutes of the Annual Electors Meeting held on 11 February 2019.

Body/Background:

The Annual Electors Meeting for the Shire of Katanning was held on 11 February 2019 at the Katanning Leisure Centre. Public notice was given of the meeting time and date and the agenda was made available for public inspection prior to the meeting in accordance with the Local Government Act.

Officer's Comment:

At the electors meeting, the Annual Report for 2017/18 including the Financial, Shire President and CEO reports were received.

No decisions were made at electors' meeting that require Council's consideration.

Statutory Environment:

Local Government Act 1995

- Section 5.27 – requires a general meeting of electors to be held at least once each year.
- Section 5.29 – requires 14 days local public notice of electors' meetings to be given.
- 5.33 – requires that decisions made at electors' meetings to be considered at the next ordinary meeting of Council.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Katanning Strategic Community Plan 2017 – 2027

PRIORITY	LEADERSHIP	
ASPIRATION	L1	An inclusive community, recognised as a great place to live and visit.
OBJECTIVE	L1.1	Operate with the high ethical and professional standards, being open, transparent and responsive to the community and other stake holders.
OBJECTIVE	L1.2	Provide effective Leadership and good governance

Officer's Recommendation/Council Motion:

OC195/19 That Council receives the minutes of the Annual Electors Meeting held on 11 February 2019

Voting Requirement: Simple Majority

CARRIED/LOST:

10.6 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

13. CONFIDENTIAL ITEM**PROCEDURAL MOTION****MOVED:****SECONDED:**

OC196/19 That Council closes the meeting to the public to consider the following item:

- **Katanning Waste Transfer Station Civil Works Tender RFT 08-2018**

CARRIED/LOST:

13.1 **Katanning Waste Transfer Station Civil Works Tender RFT 08-2018**
(ATTACHMENTS)

File Ref: WM.TE.1
Reporting Officer: Julian Murphy, Chief Executive Officer
Date Report Prepared: 18 February 2019

Reason for Confidentiality:

The Chief Executive Officer's Report is confidential in accordance with section 5.23(2)(c) of the Local Government Act because it deals with a contract which maybe entered into by Council.

Officer's Recommendation/Council Motion:

OC197/19 That Council accepts the tender from Tricoast Civil for Request for Tender 08-2018 for the Katanning Waste Transfer Station Civil Works as per the Tender Report.

Voting Requirement: Simple Majority

CARRIED/LOST:

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

OC198/19 That Council reopens the meeting to the public.

CARRIED/LOST:

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at ____ pm