



# SHIRE OF WILLIAMS COUNCIL AGENDA

ORDINARY COUNCIL AGENDA  
WEDNESDAY 15 MAY 2024

SHIRE COUNCIL CHAMBERS  
9 BROOKING STREET  
WILLIAMS WA 6391



## NOTICE OF ORDINARY COUNCIL MEETING

Dear Elected Member and Community Members,

You are respectfully advised the next Ordinary Council Meeting of the Shire of Williams will be held on Wednesday 15 May 2024, in the Shire of Williams Council Chambers, 9 Brooking Street, Williams, commencing at 3:30pm.

A handwritten signature in blue ink, appearing to read 'Peter Stubbs', is centered on the page. The signature is fluid and cursive.

Peter Stubbs

Chief Executive Officer

### DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Williams for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Williams disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Williams during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Williams. The Shire of Williams warns that anyone who has any application lodged with the Shire of Williams must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Williams in respect of the application.



# SHIRE OF WILLIAMS STRATEGIC COMMUNITY PLAN 2022-32

## VALUES / VISION

*Williams is an independent, growing and vibrant community, achieved by maintaining a balanced and caring approach to its people and environment.*

- Community connectedness and great lifestyle.
- Support the young and care for the elderly.
- Ideal Location (proximity to regional centres and metropolitan areas)
- Relevant and well maintained facilities.
- Recognition of the need to care for the environment in a balanced approach.
- Effective communication and cooperation.

## ECONOMIC

To support industry and business development of sustainable infrastructure and investment opportunities.

**E1.** Develop infrastructure and investment that is sustainable and an ongoing legacy to the Shire.

**E2.** To have appropriate levels of housing to cater for population retention and growth.

## SOCIAL & CULTURAL

To be a safe and welcoming community where everyone is valued and has the opportunity to contribute and belong.

**SC1.** To provide community infrastructure and facilities that meet the needs of the population.

**SC2.** To support a safe and healthy community with a strong sense of community pride.

**SC3.** To recognise the vibrant history of the Shire and its rich, varied cultural heritage and natural environment is valued, respected, promoted and celebrated.

## LAND USE AND ENVIRONMENT

To have a balanced respect for our natural assets and built environment, retaining our lifestyle values and community spirit

**LUE1.** To enhance, promote, rehabilitate and leverage the natural environment so it continues to be an asset to the community

**LUE2.** Natural assets and public open spaces are accessible, well utilised and managed.

**LUE3.** To have safe and well maintained transport network that supports local economy.

**LUE4.** Recognising and implementing sustainability measures.



## INNOVATION, LEADERSHIP & GOVERNANCE

To have a shire council that is an innovative, responsive partner to the community with strong civic leadership engaging in effective partnerships which reflect the aspirations of the community as a whole.

**ILG1.** The Shire is efficient in its operations; actively listens to the community and anticipates and responds to the community needs

**ILG2.** The revenue needs of the Shire are managed in an equitable, proactive and sustainable manner.

**ILG3.** Effective collaboration and shared services with other relevant Local, State and Federal Government agencies, industry and community organisations

**ILG4.** A strategically focused, unified Council functioning effectively ensuring compliance within the regulatory framework

## CONTENTS

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	4
2.	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE .....	4
3.	PUBLIC QUESTION TIME .....	4
4.	PETITIONS / DEPUTATIONS / PRESENTATIONS .....	4
5.	DECLARATIONS OF INTEREST .....	4
6.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	5
6.1	ORDINARY COUNCIL MEETING HELD 17 APRIL 2024 .....	5
7.	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....	5
8.	MATTERS WHICH REQUIRE DECISIONS.....	6
8.1	CORPORATE AND COMMUNITY SERVICES.....	6
8.1.1	COMMUNITY DEVELOPMENT OFFICER – LRCI PHASE 4 FUNDING ALLOCATION.....	6
8.1.2	PAYMENT LISTING.....	8
8.1.3	FINANCIAL STATEMENTS.....	9
8.2	CHIEF EXECUTIVE OFFICER'S REPORT .....	10
8.2.1	COMMUNITY WATER SUPPLIES PARTNERSHIP PREGRAM - TARWONGA .....	10
8.2.2	DEVELOPMENT APPLICATION – QUINDANNING CARAVAN PARK .....	12
8.2.3	REQUEST TO CLOSE CHANNON STREET .....	31
8.2.4	CODE OF CONDUCT -COUNCIL & COMMITTEE MEMBERS ABD CANDIDATES .....	33
8.2.5	USE OF COMMON SEAL AND DECISIONS UNDER DELEGATED AUTHORITY .....	35
9.	ELECTED MEMBERS' MOTIONS OF WHICH NOTICE HAS BEEN GIVEN.....	37
10.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING .....	37
10.1	ELECTED MEMBERS .....	37
10.2	OFFICERS .....	37
11.	APPLICATION FOR LEAVE OF ABSENCE.....	37
12.	CLOSURE OF MEETING.....	37

**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Presiding Member, President Logie, will declare the Meeting open at 3:30 pm.

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

**Elected Members**

Cr Jarrad Logie - President  
Cr Natalie Major - Deputy President  
Cr Simon Harding  
Cr Tracey Price  
Cr Bernie Panizza  
Cr Christine Cowcher  
Cr John Macnamara

**Staff**

Peter Stubbs - Chief Executive Officer  
Britt Logie – Community Development Officer / Minute Taker  
Cassie Barker – Senior Finance Officer

Visitors - Nil  
Apologies - Nil  
Leave of Absence – Nil

**3. PUBLIC QUESTION TIME**

**4. PETITIONS / DEPUTATIONS / PRESENTATIONS**

**5. DECLARATIONS OF INTEREST**

<b>DECLARATION OF INTEREST</b>	
Name / Position	Cr Tracey Price
Item No. / Subject	Community Water Supplies Partnership Program-Tarwonga
Type of Interest	Financial Interest

## **6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

### **6.1 ORDINARY COUNCIL MEETING HELD 17 APRIL 2024**

#### **Officers Recommendation**

That the Minutes of the Ordinary Council Meeting held 17 April 2024, as previously circulated, be confirmed as a true and accurate record.

## **7. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

I would like to acknowledge Heather Rose and thank Heather for her donation to the Shire of Williams for the book she has written – *Coalling Farm, Williams, Recollection of Jesse Martin 4<sup>th</sup>*.

I am pleased to advise that in the past month,

- 97.9km of Shire gravel roads have been graded, and regrowth controlled on 211km of rural roads.
- Annual inspection completed for all playgrounds and maintenance items identified and arranged.

## 8. MATTERS WHICH REQUIRE DECISIONS

### 8.1 CORPORATE AND COMMUNITY SERVICES

#### 8.1.1 COMMUNITY DEVELOPMENT OFFICER – LRCI PHASE 4 FUNDING ALLOCATION

<b>File Reference</b>	12.15.36
<b>Statutory Reference</b>	N/A
<b>Author</b>	Britt Logie
<b>Date</b>	10 <sup>th</sup> May 2024
<b>Disclosure of Interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
<b>Attachments</b>	Nil

#### Background

The Community Development Officer manages and supports the management of a variety of projects that are either currently being implemented, in the final stages of delivery / reporting or awaiting outcome advice on potential funding. The Local Road and Community Infrastructure (LRCI) Program supports all Australian councils to deliver priority local roads and community infrastructure projects in their region, creating long-lasting benefits for communities.

PHASE 1	PHASE 2	Phase 3	PHASE 4 PART A	PHASE 4 PART B	PHASE 4 TOTAL	TOTAL ALL PHASES
\$232,929	\$181,836	\$465,858	\$232,929	\$134,358	\$367,287	\$1,247,910

After the initial release of Phase 4 was announced with an allocation of \$232,929, an additional 250 million was allocated, targeted to improve rural, regional and outer urban roads. This created an additional allocation of \$134,358 to the Shire. This additional funding (Part B) can only be spent on roads.

#### Comment

Below are the projects recommended for Councillors to consider for use of Phase 4 LRCI funding.

##### 1. BROOKING STREET – CULVERT & ROAD RESEAL Estimated Cost \$250,000.00

The replacement of the culvert on Brooking Street, and resealing from the Brooking Street roundabout to Narrogin Road. A quote (\$248,500 plus GST) has now been received for the culvert replacement and widening of the culvert to reduce water over the road. With limited time for work before winter, this project is best considered for the 2024/25 year and budget. Using the LRCI funding will ensure that this project is completed with minimal impact on the Shires annual road budget.

The costings for this will be the Part B funding (\$134,358) and Part A (approx. \$132,929).

This project will go out to tender. If the allocated funds for this project is not used, the remaining funds will be redirected into another road project.

**2. TOURISM INFORMATION BAY Estimated Cost \$50,000**

A Tourism Information Bay project has been mentioned in our Strategic Plan and has had previous Council support, however, has not managed to be completed. Using the old bridge logs and having information that is both historical and digital.

**4. FOOTPATH REPLACEMENT – ALBANY HIGHWAY Cost \$30,000**

The recent WABN (WA Bicycle Network) application to replace the pathway along Albany Highway between Richmond Street and New Street was significantly underbudgeted. The initial project application was budgeted at \$60,000. A \$30,000 contribution from the Shire and a \$30,000 contribution from the Department of Transport. However, the re-costings came in at approximately \$90,000. There are 2 options that we have available to us:

1. Reduce the scope of the current project to remain within the current budget;
2. Utilise parts of the current pathway to keep the current scope of the pathway.

Due to the location of the pathway I don't feel that utilising parts of the current paved pathway is acceptable. Many people walk down this pathway, both local and travellers, and we are changing the pathway from paved to concrete so utilising sections may create more of a hazard than what is currently there. It is recommended that we utilise \$30,000 from the LRCI funding to complete the section that was originally set out to be replaced.

**Strategic Implications**

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 – 2032. Specifically, it relates to the following strategy(s):

SCD 1.1 Provide, maintain and improve community infrastructure.

ED 1.4 Encourage business and community groups' initiatives to promote the Shire as a place to live, work, play and invest.

CL 2.1 Maximise and leverage grant funding opportunities to balance and support Council investment.

**Financial Implications**

Projects and activities will be incorporated into the 2024-2025 Budget or be approved by Council as unbudgeted expenditure.

**Voting Requirements**

Absolute Majority

**Officers Recommendation**

That Council accept Officers recommendations and the LRCI phase 4 funding to be allocated in the following way:

Phase 4 Part A

\$132,929 – Brooking Street Culvert

\$50,000 – Tourism information Board

\$30,000 – Footpath Replacement – Albany Highway

Phase 4 Part B

\$134,358 – Brooking Street Culvert.



**8.1.2 PAYMENT LISTING**

<b>File Reference</b>	4.23.15
<b>Statutory Reference</b>	Local Government (Financial Management) Regulations 1996
<b>Author</b>	Cassie Barker
<b>Date</b>	10 May 2024
<b>Disclosure of Interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
<b>Attachments</b>	Payment listing for month ending April 2024

**Background**

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shire's municipal or trust account. In exercising their authority, and in accordance with the Local Government (Financial Management) Regulation, it is a requirement to produce a list of payments made from Councils Municipal Fund and Trust Fund bank accounts to be presented to Council in the following month.

**Statutory Implications**

Regulation 13 of the *Local Government (Financial Management) Regulations 1995* states:

**13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.**

*(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*

- (a) the payee's name; and*
- (b) the amount of the payment; and*
- (c) the date of the payment; and*
- (d) sufficient information to identify the transaction.*

**Comment**

The list of accounts for payment is a separate attachment to this agenda.

**Strategic Implications**

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

CL 2.2 Maintain accountability, transparency and financial responsibility

**Financial Implications**

As listed in the recommendation below.

**Voting Requirements**

Simple Majority

**Officers Recommendation**

That Municipal Fund EFT, Bpay, and Direct Debits totalling \$346,638.18 approved by the Chief Executive Officer during the month of April 2024 be endorsed.

## SHIRE OF WILLIAMS

## PAYMENT LISTING FOR THE MONTH ENDING 30 APRIL 2024

DATE	NAME	DESCRIPTION	AMOUNT
<b>MUNICIPAL - EFT, BPAY, DIRECT DEBIT &amp; CHEQUES</b>			
03/04/2024	FDC EDUCATORS	FDC Educators PE 31/03/2024	\$ 23,111.71
04/04/2024	SHIRE OF WILLIAMS	Salaries & Wages PE 03/04/2024	\$ 58,634.91
04/04/2024	FUEL DISTRIBUTORS OF WA PTY LTD	13492 -Bulk Adblue (Various) & Lithplex Grease	\$ 2,151.00
04/04/2024	McINTOSH & SON	13624 - Test & Repair Engine Fault	\$ 1,759.92
04/04/2024	WA COUNTRY HEALTH SERVICE.	13652 - Occupational Health & Safety	\$ 381.00
04/04/2024	SPINDIZZY TECHNOLOGIES PTY LTD	13549 - Letters for Entry Statement	\$ 1,540.00
09/04/2024	BOC Ltd	13299 - February 2024 Container Service Fee	\$ 41.21
09/04/2024	CORNER'S AUTOMOTIVE ELECTRICS	13632 - Switches, Beacons, Twin Core, Lightbar, Relay	\$ 594.00
09/04/2024	KETT, TONY.	Replacement Phone and Screen Cover	\$ 100.00
09/04/2024	LOGIE, BRITT E.	Reimbursements - Refreshments & Pool Maintenance	\$ 644.90
09/04/2024	PRIME AG SERVICES - WILLIAMS	13580 - Insecticide (Various)	\$ 138.00
09/04/2024	STUBBS, PETER	Reimbursements (Various)	\$ 728.80
09/04/2024	ACUMENTIS	13665 - Valuation 12 Growse Street, Williams	\$ 880.00
09/04/2024	TOWN PLANNING INNOVATIONS	General Planning Advice for February 2024	\$ 1,980.00
10/04/2024	GREAT SOUTHERN FUELS	Monthly Fuel Account February & March 2024	\$ 1,210.93
10/04/2024	WILLIAMS SJA SUB CENTRE	SJA Subscriptions Collected in March 2024	\$ 128.00
10/04/2024	WA SUPER	Superannuation - March 2024	\$ 26,603.87
17/04/2024	FDC - EDUCATORS	FDC Educators PE 14/04/2024	\$ 21,830.99
18/04/2024	SHIRE OF WILLIAMS	Salaries & Wages PE 17/04/2024	\$ 58,204.15
22/04/2024	MOORE AUSTRALIA (WA) PTY LTD	13261 - Strategic Planning - February 2024	\$ 5,759.60
18/04/2024	Paterson, Jessica.	Reimbursement of Pre Employment Expenses	\$ 99.00
18/04/2024	Lindrea, Mathew	Reimbursement for Pre Employment Expenses	\$ 190.00
18/04/2024	Williamson, Wendy.	Reimbursement of Uniforms	\$ 70.00
24/04/2024	Paterson, Jessica.	Reimbursement of Expenses Incurred - DOT Training	\$ 353.64
04/04/2024	SYNERGY	Electricity to Bowling Complex to 29/02/2024	\$ 1,353.87
04/04/2024	SYNERGY	Electricity to Aged Care Units, Oval Dam, Parks & Reserves	\$ 1,858.57
05/04/2024	SYNERGY	Electricity to Childcare Centre to 29/02/2024	\$ 118.61
05/04/2024	SYNERGY	Utilities inc.Telephones, to 29/02/2024	\$ 104.39
09/04/2024	SYNERGY	Electricity to Office, Street Lighting & Others to 24/03/2024	\$ 5,595.74
09/04/2024	TELSTRA	Pool Telephone to 19/4/2024	\$ 34.64
11/04/2024	TELSTRA	Monthly Phone Usage to 19/03/2024	\$ 408.09
15/04/2024	SYNERGY	Electricity to CRC, to 01/03/2024	\$ 741.99
19/04/2024	AUSTRALIAN TAXATION OFFICE	BAS March 2024	\$ 23,442.00
24/04/2024	TELSTRA	Mobile Phone Services to 1/04/2024	\$ 313.69
24/04/2024	SYNERGY	Electricity to JV Units to 29/02/2024	\$ 81.06
24/04/2024	TELSTRA	TIMS SMSs, 07/04/2024 to 06/05/2024	\$ 2.20
24/04/2024	SYNERGY	Electricity to Swimming Pool 19/03/2024 to 15/04/2024	\$ 1,552.95
02/04/2024	DEPARTMENT OF PLANNING & INFRASTRUCTURE	DPI Payment	\$ 45,242.60
03/04/2024	CBA	CBA - Merchant Fees March 2024	\$ 1,079.28
15/04/2024	WA TREASURY CORPORATION	Loan#65 Industrial Land - Repayment	\$ 11,809.89
18/04/2024	ANZ CARDS	Monthly Credit Card Expenses x 1	\$ 3,029.75
29/04/2024	WA TREASURY CORPORATION	Loan Repayment - #72 Bowling Club	\$ 11,878.48
24/04/2024	BOND ADMINISTRATOR	Bond - U2 Sandalwood Crt	\$ 632.00
04/04/2024	WILLIAMS LICENSED POST OFFICE	Petty Cash Recoup	\$ 135.35
24/04/2024	WILLIAMS BOWLING CLUB	Cancelled Cheque	\$ -
24/04/2024	WATER CORPORATION.	Water Use (Various)	\$ 30,087.40
			<b>\$ 346,638.18</b>

18/04/2024 ANZ CARDS Monthly Credit Card Expenses x 1 -\$3,029.75

**Sharon Palumbo - Manager of Children's Services**

01/04/2024		Flights	\$512.25
		Accommodation - Northam 22nd February 2024	\$181.82
	PLANT:P084 CX-5 2022 WL036 (FDC)	43.10L ULP	\$74.80
	PLANT:P084 CX-5 2022 WL036 (FDC)	37.46L ULP	\$65.01
		Meal Ingredients	\$32.49
	PLANT:P084 CX-5 2022 WL036 (FDC)	49.78L ULP	\$86.39
		Accommodation Broome	\$261.56
		Cooking Supplies & Baby Wipes	\$73.86
		46.72 L ULP	\$81.94
		47.77L ULP	\$82.91
		Craft Supplies	\$54.55
		Baby Wipes	\$30.00
		Coles Narrogin - Card Used In Error (Amount Remitted to Shire)	\$61.43
		Mouse & Keyboard	\$53.64
		Working With Children Card - S Palumbo	\$79.09
		Toys & Baby Feeding Seats	\$127.27
		Accommodation, Parking & Meals 11/03/24 - 13/03/2024 - J Paterson	\$819.18
		Working With Children Card - C Barker	\$79.09
	AUSTRALIAN TAXATION OFFICE	Non-Cap. Acq. - Inc GST	\$272.47
			\$3,029.75

### 8.1.3 FINANCIAL STATEMENTS

<b>File Reference</b>	4.23.15
<b>Statutory Reference</b>	Local Government (Financial Management) Regulations 1996
<b>Author</b>	Cassie Barker
<b>Date</b>	10 May 2024
<b>Disclosure of Interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
<b>Attachments</b>	Financial Statements ending April 2024

#### Background

In accordance with the *Local Government Act 1995*, a statement of financial activity must be presented at an Ordinary Meeting of Council. This is required to be presented within two months, after the end of the month, to which the statement relates.

The statement of financial activity is to report on the revenue and expenditure as set out in the annual budget for the month, including explanations of any variances. *Regulation 34*, from the *Local Government (Financial Management) Regulations 1996* sets out the detail that is required to be included in the reports.

#### Statutory Implications

Local Government (Financial Management) Regulations 1996 – Regulation 34.

#### Comment

The attached monthly financial statements and supporting information have been compiled to meet compliance with the *Local Government Act 1995* and associated Regulations.

#### Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

CL 2.2            Maintain accountability, transparency and financial responsibility

#### Financial Implications

As disclosed in the financial statements.

#### Voting Requirements

Simple Majority

#### Officers Recommendation

That financial statements presented for the period ending 30<sup>th</sup> April be received.



## SHIRE OF WILLIAMS

### MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)

For the period ended 30 April 2024

*LOCAL GOVERNMENT ACT 1995*

*LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*

### TABLE OF CONTENTS

***Statements required by regulation***

Statement of Financial Activity	2
Statement of Financial Position	3
Note 1      Basis of Preparation	4
Note 2      Statement of Financial Activity Information	5
Note 3      Explanation of Material Variances	6

**SHIRE OF WILLIAMS**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

	Supplementary Information	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
<b>OPERATING ACTIVITIES</b>							
<b>Revenue from operating activities</b>							
Rates	9	2,245,399	2,245,398	<b>2,242,322</b>	(3,076)	(0.14%)	
Grants, subsidies and contributions	12	469,870	454,670	<b>411,961</b>	(42,709)	(9.39%)	▼
Fees and charges		1,093,829	924,721	<b>961,899</b>	37,178	4.02%	▲
Interest revenue		80,500	67,083	<b>125,209</b>	58,126	86.65%	▲
Other revenue		39,775	35,717	<b>74,841</b>	39,124	109.54%	▲
Profit on asset disposals	5	6,814	6,814	<b>40,393</b>	33,579	492.79%	▲
		<b>3,936,187</b>	<b>3,734,403</b>	<b>3,856,625</b>	122,222	3.27%	
<b>Expenditure from operating activities</b>							
Employee costs		(1,914,703)	(1,569,479)	<b>(1,565,767)</b>	3,712	0.24%	
Materials and contracts		(1,387,703)	(1,103,478)	<b>(777,779)</b>	325,699	29.52%	▲
Utility charges		(251,190)	(202,043)	<b>(193,563)</b>	8,480	4.20%	▲
Depreciation		(1,953,425)	(1,627,259)	<b>(1,643,482)</b>	(16,223)	(1.00%)	▼
Finance costs		(19,189)	(17,371)	<b>(17,458)</b>	(87)	(0.50%)	
Insurance		(165,012)	(165,012)	<b>(168,910)</b>	(3,898)	(2.36%)	
Other expenditure		(25,100)	(25,083)	<b>(45,750)</b>	(20,667)	(82.39%)	▼
Loss on asset disposals	5	(9,782)	(9,782)	<b>(1,809)</b>	7,973	81.51%	▲
		<b>(5,726,104)</b>	<b>(4,719,507)</b>	<b>(4,414,518)</b>	304,989	6.46%	
Non-cash amounts excluded from operating activities	Note 2(b)	1,956,393	1,630,227	<b>1,604,898</b>	(25,329)	(1.55%)	▼
<b>Amount attributable to operating activities</b>		<b>166,476</b>	<b>645,123</b>	<b>1,047,005</b>	401,882	62.30%	
<b>INVESTING ACTIVITIES</b>							
<b>Inflows from investing activities</b>							
Proceeds from capital grants, subsidies and contributions	13	723,437	517,325	<b>148,574</b>	(368,751)	(71.28%)	▼
Proceeds from disposal of assets	5	60,500	40,500	<b>89,369</b>	48,869	120.66%	▲
Proceeds from financial assets at amortised cost - self supporting loans		17,693	17,693	<b>17,693</b>	0	0.00%	
		<b>801,630</b>	<b>575,518</b>	<b>255,636</b>	(319,882)	(55.58%)	
<b>Outflows from investing activities</b>							
Payments for property, plant and equipment	4	(1,488,500)	(650,000)	<b>(472,776)</b>	177,224	27.27%	▲
Payments for construction of infrastructure	4	(1,391,293)	(1,055,000)	<b>(993,959)</b>	61,041	5.79%	▲
		<b>(2,879,793)</b>	<b>(1,705,000)</b>	<b>(1,466,735)</b>	238,265	13.97%	
<b>Amount attributable to investing activities</b>		<b>(2,078,163)</b>	<b>(1,129,482)</b>	<b>(1,211,099)</b>	(81,617)	(7.23%)	
<b>FINANCING ACTIVITIES</b>							
<b>Inflows from financing activities</b>							
Transfer from reserves	3	931,500	0	<b>0</b>	0	0.00%	
		<b>931,500</b>	<b>0</b>	<b>0</b>	0	0.00%	
<b>Outflows from financing activities</b>							
Repayment of borrowings	10	(75,989)	(64,016)	<b>(64,016)</b>	0	0.00%	
Transfer to reserves	3	(372,500)	0	<b>(60,261)</b>	(60,261)	0.00%	▼
		<b>(448,489)</b>	<b>(64,016)</b>	<b>(124,277)</b>	(60,261)	(94.13%)	
<b>Amount attributable to financing activities</b>		<b>483,011</b>	<b>(64,016)</b>	<b>(124,277)</b>	(60,261)	(94.13%)	
<b>MOVEMENT IN SURPLUS OR DEFICIT</b>							
<b>Surplus or deficit at the start of the financial year</b>		1,428,676	1,428,676	<b>1,198,283</b>	(230,393)	(16.13%)	▼
Amount attributable to operating activities		166,476	645,123	<b>1,047,005</b>	401,882	62.30%	▲
Amount attributable to investing activities		(2,078,163)	(1,129,482)	<b>(1,211,099)</b>	(81,617)	(7.23%)	▼
Amount attributable to financing activities		483,011	(64,016)	<b>(124,277)</b>	(60,261)	(94.13%)	▼
<b>Surplus or deficit after imposition of general rates</b>		<b>0</b>	<b>880,301</b>	<b>909,913</b>	29,612	3.36%	▲

**KEY INFORMATION**

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

\* Refer to Note 3 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

**SHIRE OF WILLIAMS**  
**STATEMENT OF FINANCIAL POSITION**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

	<b>30 June 2023</b>	<b>30 April 2024</b>
	<b>\$</b>	<b>\$</b>
<b>CURRENT ASSETS</b>		
Cash and cash equivalents	3,390,001	3,338,713
Trade and other receivables	139,127	85,655
Other financial assets	22,693	11,421
Inventories	21,068	15,167
<b>TOTAL CURRENT ASSETS</b>	<b>3,572,889</b>	<b>3,450,956</b>
<b>NON-CURRENT ASSETS</b>		
Other financial assets	207,701	207,701
Property, plant and equipment	17,295,266	17,360,444
Infrastructure	66,457,278	66,164,569
Investment property	61,117	61,117
<b>TOTAL NON-CURRENT ASSETS</b>	<b>84,021,362</b>	<b>83,793,831</b>
<b>TOTAL ASSETS</b>	<b>87,594,251</b>	<b>87,244,787</b>
<b>CURRENT LIABILITIES</b>		
Trade and other payables	291,300	135,829
Other liabilities	5,000	284,343
Borrowings	75,989	21,954
Employee related provisions	354,566	354,566
<b>TOTAL CURRENT LIABILITIES</b>	<b>726,855</b>	<b>796,692</b>
<b>NON-CURRENT LIABILITIES</b>		
Borrowings	439,890	429,909
Employee related provisions	14,757	14,757
<b>TOTAL NON-CURRENT LIABILITIES</b>	<b>454,647</b>	<b>444,666</b>
<b>TOTAL LIABILITIES</b>	<b>1,181,502</b>	<b>1,241,358</b>
<b>NET ASSETS</b>	<b>86,412,749</b>	<b>86,003,429</b>
<b>EQUITY</b>		
Retained surplus	23,612,432	23,203,113
Reserve accounts	1,719,674	1,719,674
Revaluation surplus	61,080,642	61,080,642
<b>TOTAL EQUITY</b>	<b>86,412,748</b>	<b>86,003,429</b>

This statement is to be read in conjunction with the accompanying notes.

# NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 APRIL 2024

## 1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES

### BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

#### **Local Government Act 1995 requirements**

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

*Local Government (Financial Management) Regulations 1996*, regulation 34 prescribes contents of the financial report. Supporting information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

### THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 14 to these financial statements.

### Judgements and estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimated useful life of intangible assets

### SIGNIFICANT ACCOUNTING POLICES

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

### PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 09 May 2024

**SHIRE OF WILLIAMS**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

**2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION**

	Supplementary Information	Adopted Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 30 April 2024
<b>(a) Net current assets used in the Statement of Financial Activity</b>				
<b>Current assets</b>		\$	\$	\$
Cash and cash equivalents	2	1,402,324	3,390,000	3,338,713
Trade and other receivables		139,128	139,127	85,654
Other financial assets		212,700	22,693	11,421
Inventories	7	21,068	21,068	15,167
		1,775,220	3,572,888	3,450,955
<b>Less: current liabilities</b>				
Trade and other payables	8	(291,301)	(291,301)	(135,829)
Other liabilities	11	(5,000)	(5,000)	(284,343)
Borrowings	10	(75,989)	(75,989)	(21,954)
Employee related provisions	11	(354,566)	(354,566)	(354,566)
		(726,856)	(726,856)	(796,692)
<b>Net current assets</b>		<b>1,048,364</b>	<b>2,846,032</b>	<b>2,654,263</b>
<b>Less: Total adjustments to net current assets</b>	Note 2(c)	(1,683,353)	(1,647,749)	(1,744,351)
<b>Closing funding surplus / (deficit)</b>		<b>(634,989)</b>	<b>1,198,283</b>	<b>909,912</b>

**(b) Non-cash amounts excluded from operating activities**

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

	Adopted Budget	YTD Budget (a)	YTD Actual (b)
<b>Non-cash amounts excluded from operating activities</b>	\$	\$	\$
<b>Adjustments to operating activities</b>			
Less: Profit on asset disposals	5	(6,814)	(6,814)
Add: Loss on asset disposals	5	9,782	9,782
Add: Depreciation		1,953,425	1,627,259
<b>Total non-cash amounts excluded from operating activities</b>		<b>1,956,393</b>	<b>1,630,227</b>

**(c) Current assets and liabilities excluded from budgeted deficiency**

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

	Adopted Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 30 April 2024
<b>Adjustments to net current assets</b>	\$	\$	\$
Less: Reserve accounts	3	(1,719,674)	(1,719,674)
Less: Financial assets at amortised cost - self supporting loans	7	(22,693)	(11,421)
- Current financial assets at amortised cost - self supporting loans		(17,693)	(11,271)
Add: Current liabilities not expected to be cleared at the end of the year:			
- Current portion of borrowings	10	75,989	21,954
- Current portion of employee benefit provisions held in reserve	3	36,322	36,322
<b>Total adjustments to net current assets</b>	Note 2(a)	<b>(1,683,352)</b>	<b>(1,647,749)</b>

**CURRENT AND NON-CURRENT CLASSIFICATION**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.



**SHIRE OF WILLIAMS**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 APRIL 2024**

**3 EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2023-24 year is \$5,000 or 5.00% whichever is the greater.

Description	Var. \$	Var. % %	
<b>Revenue from operating activities</b>			
<b>Grants, subsidies and contributions</b>	(42,709)	(9.39%)	▼
Timing Variance			
<b>Fees and charges</b>	37,178	4.02%	▲
Increase in Childcare attendance and rental increases			
<b>Interest revenue</b>	58,126	86.65%	▲
Increase in interest rates. Interest now added to reserves monthly			
<b>Other revenue</b>	39,124	109.54%	▲
Unbudgeted additional 'other revenue'			
<b>Profit on asset disposals</b>	33,579	492.79%	▲
More than anticipated proceeds on sale			
<b>Expenditure from operating activities</b>			
<b>Materials and contracts</b>	325,699	29.52%	▲
Over budgeted expenditure on Road Projects			
<b>Utility charges</b>	8,480	4.20%	▲
Timing Variance			
<b>Depreciation</b>	(16,223)	(1.00%)	▼
Not material			
<b>Other expenditure</b>	(20,667)	(82.39%)	▼
Timing Variance			
<b>Loss on asset disposals</b>	7,973	81.51%	▲
More than anticipated proceeds on sale			
<b>Non-cash amounts excluded from operating activities</b>	(25,329)	(1.55%)	▼
Not material			
<b>Inflows from investing activities</b>			
<b>Proceeds from capital grants, subsidies and contributions</b>	(368,751)	(71.28%)	▼
Timing Variance			
<b>Proceeds from disposal of assets</b>	48,869	120.66%	▲
More than anticipated proceeds on sale			
<b>Outflows from investing activities</b>			
<b>Payments for property, plant and equipment</b>	177,224	27.27%	▲
Timing Variance			
<b>Payments for construction of infrastructure</b>	61,041	5.79%	▲
Timing Variance			
<b>Outflows from financing activities</b>			
<b>Transfer to reserves</b>	(60,261)	0.00%	▼
Monthly OCDF Interest			
<b>Surplus or deficit at the start of the financial year</b>	(230,393)	(16.13%)	▼
<b>Surplus or deficit after imposition of general rates</b>	29,612	3.36%	▲
Due to variances described above			

## 8.2 CHIEF EXECUTIVE OFFICER'S REPORT

### 8.2.1 COMMUNITY WATER SUPPLIES PARTNERSHIP PROGRAM - TARWONGA

<b>File Reference</b>	13.50.60
<b>Statutory Reference</b>	Local Government Act 1995
<b>Author</b>	Peter Stubbs
<b>Date</b>	15 May 2024
<b>Disclosure of Interest</b>	The Author has no Impartiality, Financial or Proximity Interests that require disclosure
<b>Attachments</b>	Nil

#### Background

In 2023 the Shire lodged a grant with the National Water Grid Connections Partnership Project through the Department of Water and Environmental Regulation (DWER) seeking to gain funding for a community water supply for firefighting and other purposes to be installed at Tarwonga Hall.

This project is similar to the water tanks established at the Golf Club and at the Ram Shed in Williams and is funded through the same scheme.

The grant of \$17,735.00 was approved in May 2024.

#### Comment

Site works for the tank commenced while Shire staff and equipment were in the Tarwonga area and the water tank has been ordered.

The tank and pump will be a Shire asset and added to the Shires Asset Register.

There is the opportunity for further community water tanks, and an application for a future project in 2024-25 has been lodged for a similar tank to be installed at the Quindanning Hall. For that to be effective the Quindanning Hall would need to have gutters installed as part of the project should the project proceed.

#### Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

E1 Develop infrastructure and investment that is sustainable and an ongoing legacy to the Shire.

LUE4 Recognising and implementing sustainability measures.

#### Financial Implications

The financial implication for Council is estimated at \$3,700 cash and \$4,455 of in-kind work. This is an unbudgeted expense in the 2023-24 budget, and therefore requires an Absolute Majority decision.

### **Voting Requirements**

Absolute Majority

### **Officers Recommendation**

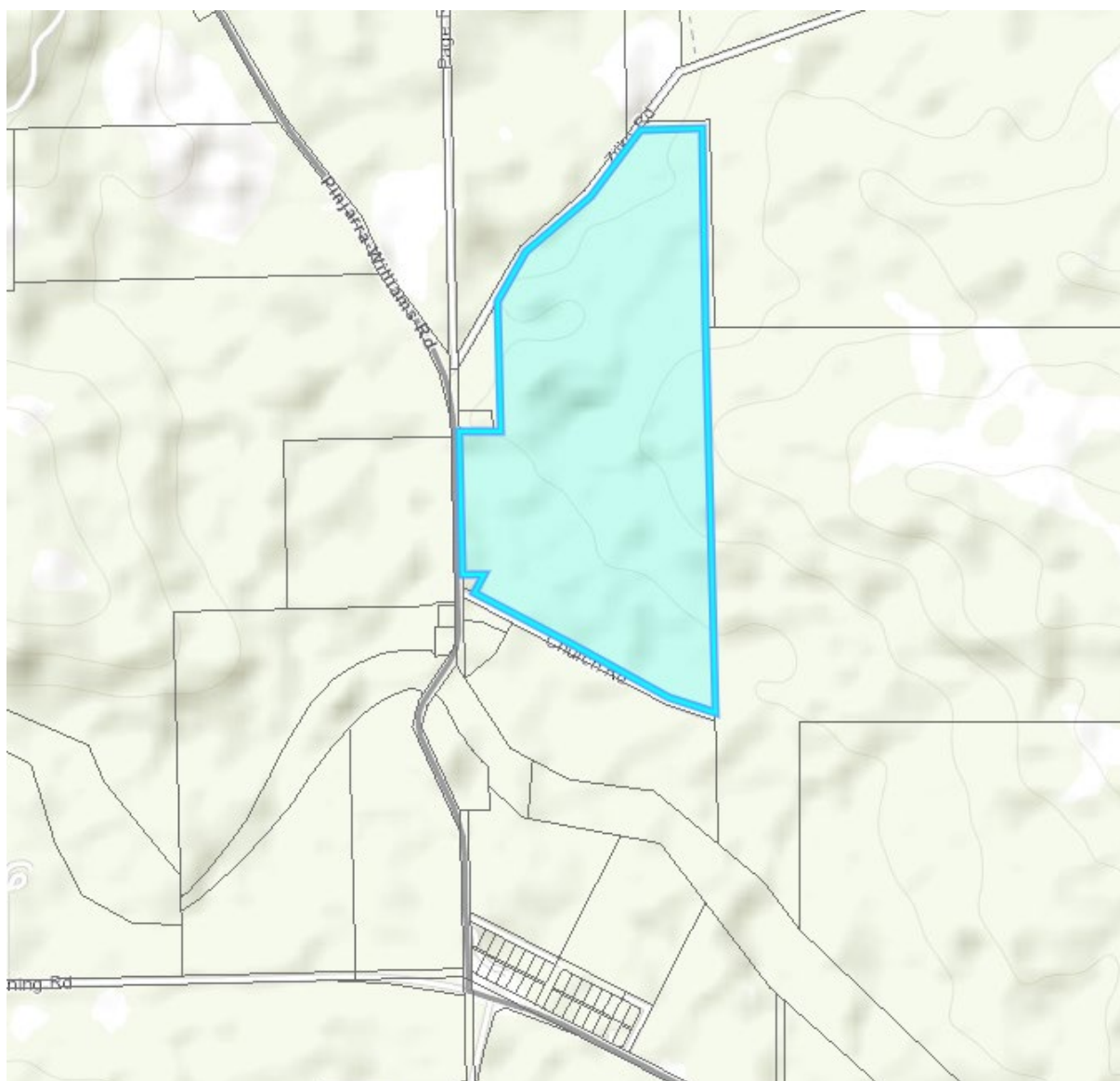
That Council approve unbudgeted expenditure of \$3,700 cash and \$4,455 of in kind works to support the installation of a community water supply tank at Tarwonga Hall and note the approved grant of \$17,735 for the project from the National Water Grid Connections Partnership Project through the Department of Water and Environmental Regulation (DWER).

**8.2.2 DEVELOPMENT APPLICATION – QUINDANNING CARAVAN PARK**

<b>File Reference</b>	10
<b>Statutory Reference</b>	Shire of Williams Town Planning Scheme No 2
<b>Author</b>	Liz Bushby, Town Planning Innovations
<b>Date</b>	15 May 2024
<b>Disclosure of Interest</b>	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
<b>Attachments</b>	Att1 – Quindanning Site Plan Att3 – Elevations and Floor Plans

**Background**

Lot 352 has an approximate area of 60.905 hectares, is gently undulating and it is currently utilised for broad acre agriculture. The lot has frontage to Pinjarra Williams Road, Church Road and Zilko Road in Quindanning.



Above: Location Plan

### **Zoning**

Lot 352 is zoned 'Rural' under the Shire of Williams Town Planning Scheme No 2 ('the Scheme').

Clause 4.7 (3) of the Scheme sets out provisions specifically relating to the Rural zone, however it only discusses subdivision requirements.

The Scheme does not set out any objectives for the Rural zone.

### **Previous Approval (2015)**

Council approved a caravan park and associated facilities for this property at the Ordinary Meeting held in July 2015.

The approval was for 48 powered caravan and camping sites, 10 transportable dwellings, 1 site manager / reception building, a communal recreation building, amenities, and ancillary development.

The approval was not acted upon so has expired. The applicant has shown the previous proposal as an underlay on a site plan with an aerial – Attachment 1.

### **Comment:**

#### **Proposed Development**

A new application has been lodged with a different layout to the previous 2015 proposal. A colour coded site plan is included as Attachment 2. The elevations and floor plans are shown in Attachment 3.

The application proposes:

- a. 100 caravan bays
- b. 7 drive through 'longer' caravan bays
- c. 12 camping sites
- d. An overflow area for 35 sites which will be restricted to RV's and caravans only.
- e. 6 self contained cabins for short stay
- f. 12 self contained 'duplex' cabins proposed to be used for workers accommodation and/or holiday accommodation depending on demand
- g. A Reception Building that includes an office. Laundry and café
- h. One manager house
- i. A campers kitchen
- j. Recreational facilities including an amphitheatre, pool and tennis court
- k. A wellness centre intended for low key activities by guests such as self guided yoga, meditation, and art/crafts. No permanent staff are proposed however if there was demand it can be rented out to lifestyle practitioners for a fee.
- l. An outbuilding / shed.

The applicant has advised that the development footprint of the caravan park is approximately 15 hectares. As the lot size is 60.9 hectares, the development footprint equates to approximately 24% of the lot area.

#### **Land Use Classification**

There are a number of land uses defined in the Scheme and *Planning and Development (Local Planning Schemes) Regulations 2015* which are relevant to this application. All relevant definitions are included below:

Term	Definition
<p>Caravan Park</p> <p>Planning and Development (Local Planning Schemes) Regulations 2015</p>	<p><i>means premises that are a caravan park as defined in the Caravan Parks and Camping Grounds Act 1995 section 5 (1).</i></p> <p>Under the Caravan Parks and Camping Grounds Act 1995, a caravan park 'means an area of land on which caravans, or caravans and camps, are situated for habitation'.</p> <p>Camp means any portable shed or hut, tent, tent fly, awning, blind or other portable thing used as or capable of being used for habitation and includes a vehicle of a prescribed type or in prescribed circumstances.</p> <p>Caravan means a vehicle that is fitted or designed for habitation, and unless the contrary intention appears, includes an annexe.</p>
<p>Caretakers dwelling</p> <p>The Scheme</p>	<p><i>'means a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation areas carried on or existing on the same site'</i></p>
<p>Farm stay</p> <p>The Scheme</p>	<p><i>'means a residential building, bed and breakfast, chalet or similar accommodation unit used to accommodate short stay guests on a farm or rural property and where occupation by any person is limited to a maximum of three months in any 12 month period'.</i></p>
<p>Holiday cabins or chalets</p> <p>The Scheme</p>	<p><i>'means buildings on one lot used or intended for use for holiday purposes, and none of which is occupied by the same tenant for a continuous period of more than four months'.</i></p>
<p>Office</p> <p>The Scheme</p>	<p>means a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services, and services of a similar nature.</p>
<p>Workers Accommodation</p> <p>WAPC Position Statement</p> <p>Planning and Development (Local Planning Schemes) Regulations 2015</p> <p>(Model Provisions)</p>	<p><i>means premises, which may include modular or relocatable buildings, used –</i></p> <p><i>(a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and</i></p> <p><i>(b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.</i></p>
<p>Restaurant</p> <p>The Scheme</p>	<p><i>means a building wherein food is prepared for sale and consumption within the building and the expression shall include a licensed restaurant, and a restaurant at which food for consumption outside the building is sold where the sale of food for consumption outside the building is not the principal part of the business.</i></p>

Private Recreation <i>Planning and Development                  (Local Planning Schemes)                  Regulations 2015                  (Model Provisions)</i>	means premises that are — (a) used for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge;
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------

In examining the land use definitions it is important to consider matters such as:

1. The 'best fit' definition applicable to the various components of the proposed development;
2. Whether the land use should be considered as separate to the main caravan park use, or whether it is simply ancillary development.

A good example of ancillary development is the reception building's office, as it is not a 'stand-alone' office and will only provide administration for the main caravan park use.

Description of Land Use	Recommended Land Use Definition by TPI	Comment/ reasoning	Symbol in Table 1 - Zoning Table
a. 100 caravan bays	Caravan Park	The definition of a caravan park specifically includes caravans situated for habitation	Use Not Listed
b. 7 drive through 'longer' caravan bays	Caravan Park	The definition of a caravan park specifically includes caravans situated for habitation	Use Not Listed
c. 12 camping sites	Caravan Park	The definition of a caravan park specifically includes camps situated for habitation	Use Not Listed
d. An overflow area for 35 sites which will be restricted to RV's and caravans only.	Caravan Park	The definition of a caravan park specifically includes caravans situated for habitation	Use Not Listed
e. 6 self contained cabins for short stay	Holiday cabins or chalets	Whilst cabins often form part of a caravan park, the caravan park definition only refers to caravans and camps.	AA
f. 12 self contained 'duplex' cabins proposed to be used for workers accommodation and or holiday accommodation depending on demand	Workers Accommodation  Holiday Cabins or chalets	The duplex cabins are proposed to accommodate workers who may stay for periods longer than 3-4 months at a time, however the application seeks flexibility to also let the cabins out for short stay.	Use Not Listed  AA

g. A Reception Bulding that includes an office, laundry and café	Restaurant	Although the café will service guests it will also be open to the general public.  It is considered reasonable to consider that component as a separate land use.  The reception building office and laundry is ancillary to the main caravan park use.	AA
h. One manager house	Caretakers Dwelling	The dwelling will cater for on site manager who will be responsible for looking after the caravan park and grounds	AA
i. A campers kitchen	Ancillary / Caravan Park	The kitchen is minor development that will cater for guests already staying on site.  It forms part of the main caravan park use and is not a separate land use	Not Applicable
j. Recreational facilities including an amplitheatre, pool and tennis court	Ancillary / Caravan Park	These areas are ancillary development that will cater for guests already staying on site.  The areas forms part of the main caravan park use and are not separate land uses.	Not Applicable
k. A wellness centre intended for low key activities by guests such as self guided yoga, meditation, and art/crafts. No permanent staff are proposed however it may be rented out to lifestyle practinitioners for a fee.	Private Recreation	If the Wellness centre was just for guests it could be considered ancillary development. The Private Recreation classification provides the owner with more flexibility to allow public use of the venue.	Use Not Listed
l. Outbuilding	Ancillary	Ancillary to the main caravan park	Not Applicable

TPI is of the view that the majority of the proposed development falls under the ‘caravan park’ definition contained on the Scheme, however components can also be considered as holiday cabins or chalets, workers accommodation, restaurant, private recreation and caretakers dwelling.

The proposed camp kitchen, recreational facilities and reception building office/laundry are considered to be ancillary to the main caravan park land use, and are not construed as separate land uses.



**Landuse Permissibility**

Where a land use is defined in the Scheme and is listed in 'Table 1-Zoning Table' of the Scheme, it is the symbols in that Zoning Table that determine whether the use is permitted (P), discretionary (AA) or not permitted (X) in the Rural zone.

The proposed land uses of a caretakers dwelling, holiday cabins or chalets, and restaurant are listed as 'AA' in the Zoning Table for the Rural zone which 'means that the Council may, at its discretion, permit the use'.

		RESIDENTIAL	RURAL RESIDENTIAL	COMMERCIAL	INDUSTRIAL	RURAL
3	caretaker's dwelling	X	AA	AA	AA	AA
10	holiday cabins or chalets	X	X	X	X	AA
25	restaurant	X	X	P	X	AA

Where a land use does not fall under any of the defined uses listed in the Zoning Table, such as for the proposed workers accommodation and caravan park, then it is processed as a "Use Not Listed".

In accordance with Clause 4.3.2 of the Scheme, Council has two options in dealing with a 'Use Not Listed' -

Option 1: Determine that the Workers Accommodation, Caravan Park and Private Recreation use is not consistent with the objectives and purposes of the Rural zone and is therefore not permitted; or

Option 2: Determine by Absolute Majority that the proposed Workers Accommodation, Caravan Park and Private Recreation use may be consistent with the objectives and purpose of the Rural zone and thereafter follow the advertising procedures of Clause 2.6 in considering an application for planning consent.

It should be noted that there are no specific objectives listed in the Scheme for the Rural zone.

TPI recommends pursuing Option 2 which requires the proposal to be advertised for public comment.

It should be noted that the applicant has advised that the balance land will continue to be used as pasture.

**Advertising**

It is compulsory to advertise the application for 28 days if Council pursues Option 2 as outlined in the 'legislative requirements' section of this report.

To expedite processing of the application, Shire Administration has organised advertising of the proposal by writing to nearby landowners, and publishing a notice on the Shire website. Public advertising closed on the 29 April 2024.

The application has been referred to Telstra, the Department of Biodiversity, Conservation and Attractions, Main Roads WA, Western Power, Water Corporation, the Department of Mines, Industry Regulation and Safety, the Department of Planning, Lands and Heritage (aboriginal heritage), the Department of Water, Environment and Regulation, Shire of Boddington, Department of Health, Tourism WA and Department of Primary Industries and Regional Development.

Advertising to agencies was for 42 days and closed on the 8 May 2024.

**Submissions**

A total of 9 submissions were received with 7 non-objections.

There was a concern raised by a private landowner over the emergency egress shown to Church Street, and an objection lodged by Department of Primary Industries and Regional Development (DPIRD).

Western Power advised they are not in a position to comment so they have not been included in the submission table over page.

<b>Submission Table</b>	
Issue Raised / Summary of Submission	TPI Comment
<p>1. Private Landowner Comment</p> <p>There are no emergence exits shown on the new proposal which needs to be addressed. Bear in mind Church Road is a no through road so another exit needs to be available.</p>	<p>As development is not proposed in a declared bushfire prone area there is no planning requirement for an emergency exit under current state bushfire planning policies and guidelines.</p> <p>Notwithstanding the above, a revised plan was lodged with an aerial underlay that shows an emergency exit to Church Road.</p> <p>This is considered acceptable as it is a public road that will only be used in the event of an emergency. Part of the alternative Ziko Road is in the bushfire prone area so TPI does not recommend any emergency exit to Ziko Road.</p>
<p>2. The Department of Energy, Mines, Industry Regulation and Safety (DEMIRS)</p> <p>The Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.</p>	<p>Non Objection</p>

<p>3. Private landowner non-objection</p> <p>We are one of the closest neighbours to the caravan park, therefore it will influence us most.</p> <p>We believe, a caravan park in Quindanning can only benefit our community. We feel, it will bring not only tourism to our town, but also create jobs for both locals and surrounding towns people.</p> <p>The developer has been forthcoming with their plans. They have met us on several occasions, to consider what effect the caravan park will have on us. They have taken on board our suggestions, and modified their plans to minimise the impact on us.</p> <p>We look forward to this project going ahead.</p>	<p>Non Objection</p>
<p>4. Main Roads WA (MRWA)</p> <p>Main Roads W.A. support in principle the Development Application for the proposed caravan park and associated development at Lot 352 Pinjarra-Williams Road, Quindanning and wish to have the following conditions applied.</p> <ul style="list-style-type: none"> <li>• Any amendments to the current access or a new access onto the Pinjarra-Williams Road from the development will require approval from Main Roads.</li> <li>• The design and construction of the access will require Main Roads W.A. approval before works can proceed.</li> </ul>	<p>Non Objection</p> <p>Separate approval from Main Roads WA will be required to upgrade the crossover to the Pinjarra Williams Road. Owners have to lodge an 'Application to undertake works within road reserve' to MRWA.</p> <p>A footnote advising this is recommended if the application is approved.</p>
<p>5. Department of Water and Environmental Regulation (DWER)</p> <p>In principle the Department does not object to the proposal however key issues, recommendations and advice are provided below and these matters should be addressed.</p> <p>DWER has outlined that any clearing of native vegetation may require a clearing permit. Based on the information provided, should development approval be issued, clearing to construct a building or structure is likely to be exempt from the requirement for a clearing permit under Regulation 5, Item 1 of the Clearing Regulations.</p> <p>DWER has outlined any exemption only applies where planning approval is granted, and provides links to their website.</p>	<p>Non Objection</p> <p>No clearing is proposed however a copy of DWER's advice has been provided to the applicant.</p>

<p>DWER recommends that a Stormwater Management Plan be required to address storage for rainfall events, on site detention, outflow, and quality stormwater management (for runoff from hardstand areas).</p>	<p>A condition can be imposed on any approval to require a Stormwater Management Plan.</p>
<p>6. Department of Primary Industries and Regional Development (DPIRD)</p> <p>DPIRD does not support the proposal and offers the following comments:</p> <p><b>Protection of rural land</b></p> <p>The WA Planning Commission's State Planning Policy 2.5 – Rural Planning seeks to “protect and preserve rural land for rural purposes”.</p> <p>Section 5.1(a) of SPP 2.5 requires that land use change from rural to all other uses be planned and provided for in a planning strategy or scheme.</p> <p>The land in question is currently zoned rural, and the proposed caravan park and associated development are not rural uses.</p> <p>Any approval of these uses would be more appropriately addressed by rezoning the land to a more suitable use classification.</p> <p><b>Land use conflict</b></p> <p>DPIRD considers a caravan park to be a sensitive land use. It is therefore important that a vegetative buffer is established between the caravan park and the rural zone.</p> <p>DPIRD is aware that many tourists travel with pets. DPIRD is also aware of situations where pets have been the cause of stock losses. It is recommended that a Pet Management Plan is developed to prevent pets from roaming freely. This will minimise the potential for land use conflict between the caravan park and neighbouring rural properties</p>	<p>Objection</p> <p><b>Protection of rural land</b></p> <p>That is only one of the objectives of SPP2.5, and it is referring to priority agricultural land.</p> <p>The fact that Council has discretion to consider a caravan park in the Rural zone under the Scheme, means it is contemplated that the use may be compatible with the Rural zone subject to normal planning considerations being addressed.</p> <p>Council has discretion to consider a wide range of land uses in the Rural zone, which is not limited to traditional agriculture.</p> <p>There is no need to re-zone the property, as the main use is a caravan park. Council has discretion to approve the proposed development in the Rural zone if it satisfied that normal planning considerations are addressed, such as land use compatibility.</p> <p><b>Land use conflict</b></p> <p>Whilst DPIRD has objected to the application, in their own submission they also acknowledge that conflict can be minimised through management practices, buffers and landscaping.</p> <p>The applicant proposes to setback the development over 60 metres from Pinjarra Williams Road, and further to the caravans and cabins, to allow a separation distance to the accommodation component of the development.</p> <p>Lodgement of a detailed landscaping plan can be required as a condition of any approval if granted.</p>

<p><b>Biosecurity</b>          Whilst tourism has a positive effect for the economy, in a rural landscape, tourism is a pathway to a biosecurity incursion. The risks can be minimised through good planning and a thorough Biosecurity Management Plan.</p> <p><b>Water supply</b>          The proposal states that it is “apparent that there is a considerable water supply already available on the subject land, from groundwater and also from the large storage dam that exists.” This would need to be quantified prior to development approval to determine whether it is sufficient to meet the proposed usage volume. Advice should be sought from the Department of Water and Environmental Regulation (DWER) and Water Corporation in relation to this.</p> <p>It is noted in Section 4.3.2 of the proposal that the proponents have already contacted Water Corporation and may be able to access scheme water.</p> <p><b>Wastewater management</b>          The Strutterre Consulting report states that: <i>“the overall land capability of the proposed onsite sewage system is constrained. However, the proposed onsite sewage system is able to be designed and installed to satisfactory meet the requirements of AS 1547 and the Health (treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.”</i></p> <p>The fact that the site capabilities are constrained, combined with the proposal indicating that there will be a leach drain system for wastewater with a hydraulic load of 40,190 L/day, gives rise to concerns about impacts on groundwater and for potential export of nutrients via surface water</p>	<p><b>Biosecurity</b>          Any condition imposed has to pass a test of being ‘fair and reasonable’ and necessary as a direct result of the development.</p> <p>TPI considers the request for a biosecurity plan and pet plan to be a ‘reach’ and cannot justify imposing that on the applicant/owner.</p> <p><b>Water supply</b>          For the development to proceed they will need to provide a potable water supply.</p> <p>The owner seeks the certainty of obtaining a development approval so they can further decide whether to enter into a ‘service by agreement’ with the Water Cororation or utilise existing water supply on site.</p> <p>All drinking water provided on site must meet the health-related requirements of the Australian Drinking Water Quality Guidelines 2011 as advised by the Department of Health.</p> <p>From a practiical perspective, the owner will need to secure a water supply for potable and non-potable water to service guests.</p> <p><b>Wastewater management</b>          The owner will need separate approval for installation of any on site waste water disposal.</p> <p>The Department of Health has advised that wastewater disposal is required to comply with the <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i>.</p> <p>Strutterre Consulting has confirmed that it can comply so TPI has accepted that on face value.</p> <p>As a separate approval is required, TPI does not see this as major impediment unless Council wants more supporting information to be provided on servicing.</p> <p>If separate approval for wastewater management cannot be obtained then the development simply may not proceed.</p>
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<p><b>Department of Health WA (DoH)</b></p> <p>Wastewater disposal is required to comply with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974. The DoH has reviewed the site and soil evaluation (SSE) report. The SSE report indicates that the site inspection was conducted in January 2024, which does not represent the wettest time of the year to assess groundwater levels and surface inundation of the land application area. This needs to be addressed through a revised SSE</p> <p>All drinking water provided on site must meet the health-related requirements of the Australian Drinking Water Quality Guidelines 2011 Any non-drinking water (i.e., water that is not intended or suitable for drinking) must be managed to ensure it cannot be confused with or contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration and suitable backflow prevention arrangements in accordance with Australian/New Zealand Standards AS3500 – Plumbing and Drainage.</p>	<p>Non Objection/ Comments Provided</p> <p>TPI agrees with the DoH advice that the Site and Soil Evaluation (with soil testing) should have been conducted in the wetter months however it at least provides an indication of the sites suitability.</p> <p>As separate approval is required for any on site wastewater disposal, additional information can be required at that stage as necessary.</p>
<p><b>Telstra</b></p> <p>Please be advised that Telstra has no objections to the development application. However since there are assets in the area of concern please note that we recommend a dial before you dig investigation prior to works.</p>	<p>Non Objection</p>
<p><b>Tourism WA</b></p> <p>Tourism WA recognises that the provision of appropriate accommodation encourages visitors to stay overnight when in a destination, adding value to the local economy and vibrancy to the area.</p> <p>The proposed caravan park will add significant visitor accommodation stock to the Shire of Williams, which will positively impact tourism by adding a density and diversity of accommodation to the area, encouraging visitors to stay longer and spend more.</p> <p>Tourism WA considers the addition of a range of accommodation types, café, wellness space and pool area will enhance the appeal</p>	<p>Non Objection</p>

<p>of this development to various visitor demographics.</p> <p>Tourism WA recognises that the proposed development will add value to the Shire's tourism offering by facilitating overnight visitation in Quindanning and appreciates the opportunity to provide feedback.</p>	
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The issues raised in submissions have been addressed through conditions of approval or by virtue of the fact that the developer needs to obtain separate approvals (for the crossover, water supply and wastewater management).

### Access

Access to the site is proposed via Pinjarra-Williams Road. There is currently an existing gravel crossover, however it will need to be upgraded and sealed.

The owner will need to obtain separate approval by Main Roads WA for works within their road reserve. Main Roads WA has not objected to the crossover location.

An emergency secondary access is not required as part of the planning process, as development is proposed outside of the designated bushfire prone area.

Irrespective of the above, the applicant proposes an emergency egress to Church Road which is supported at an officer level.

### Carparking

Carparking is to the discretion of Council as there are no specific carparking requirements outlined for the proposed land uses under the Shires Scheme.

Ultimately the lot has sufficient area to be able to accommodate parking on site. Council needs to be satisfied that the parking will likely be adequate to service the proposal.

A total of 238 bays are proposed. TPI has summarised parking for the different land uses /accommodation types in the table below.

Description	Bays
Cafe	28 bays
Reception Building	10 bays
Overflow parking area (near café)	12 bays
Outbuilding	2 bays
Managers House	2 bays (one covered and one uncovered)
Cabins (6)	6 bays (one each)
Workers accomodation (6 duplexes /12 units)	12 bays (one each)
Caravan sites (100)	1 bay within each site (10 metres wide)

Overflow caravan sites (34)	1 bay within each site (10 metres wide)
Overflow bays along driveway access	21 bays
Drive through sites (7)	7 bays (one per each site)
Campsites (12)	12 bays (informal adjacent to each site)
Wellness centre (private recreation)	4 bays - Small carpark shown
Total	250 bays

The applicant advises that they intend to all weather seal (asphalt) the main entry crossover, the main parking (caravan park visitor parking area) and the entry road from the crossover to 10m within the caravan park side of the boom gates. The boom gates are near the managers house.

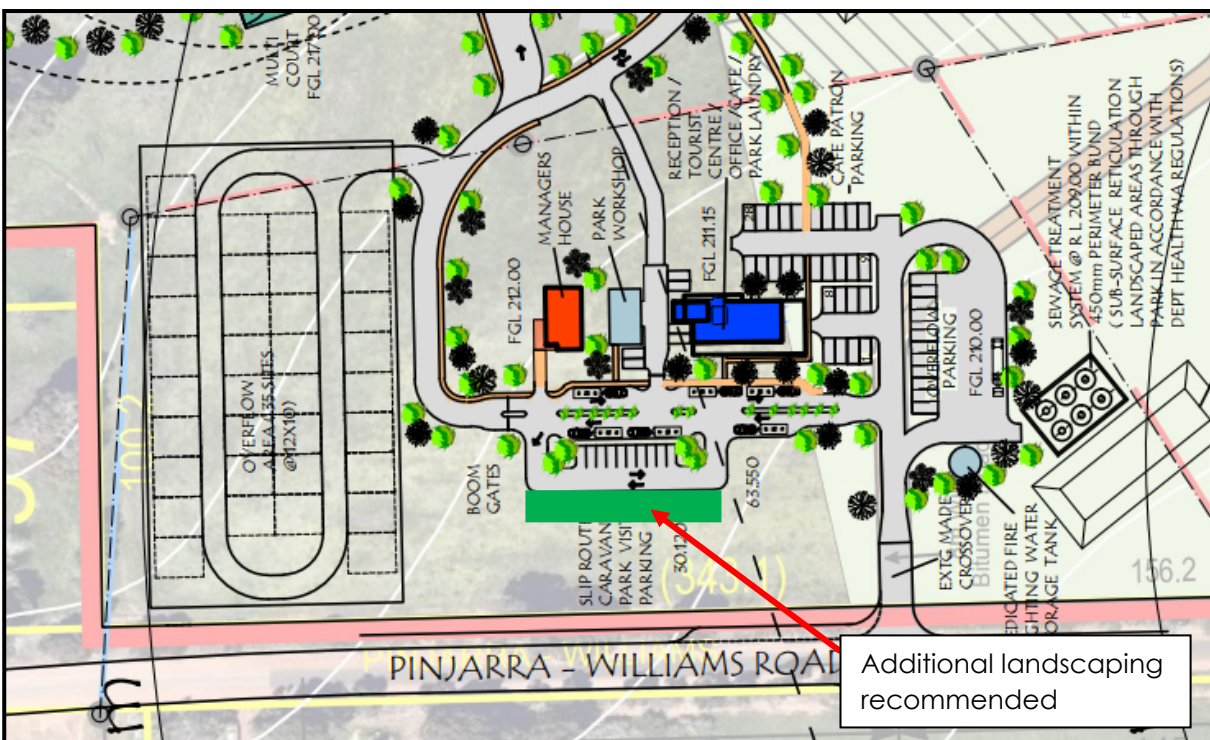
TPI has liaised with the applicant who has verbally confirmed that the café/patron parking will also be sealed.

The balance of the internal roads (driveways), and parking (including the overflow carpark of 12 bays) will be constructed as all weather, compacted gravel roads, which TPI supports as it is more in line aesthetically with the rural character of the area.

**Landscaping**

The site plan includes indicative landscaping for the reception and overflow parking area closest to Pinjarra-Williams Road, and then scattered landscaping along the main driveways.

It is recommended that additional landscaping be required in front of the visitor carparking area to 'soften' the view of that hardstand area from Pinjarra Williams Road.





### ***Servicing***

Planning approval is being sought so that the proponent can make informed decisions on the best available avenues for servicing the development in terms of water and wastewater.

The development plans depict a sewerage treatment system south of the entry parking area.

The applicants preferred option for water supply is to access nearby reticulated potable water. They have obtained preliminary advice from the Water Corporation who confirmed Lot 352 meets all criteria for a 'service by agreement'.

If reticulated water cannot be sourced then the applicant has advised that water tanks located near to the cabins and communal buildings can be utilised, although there is also option (subject to approval), to use an approved Reverse Osmosis (water purification) system with adequate storage to cater for peak demand.

More certainty that the proposed development can be adequately serviced would be preferable, however ultimately these are issues that the owner/developer need to address for the development to proceed. Rainwater tanks will need to be sufficient for potable water supply given the vagaries of rainfall patterns.

### ***Future details of wellness centre building***

Elevations and floor plans have been provided for all proposed buildings with the exception of the proposed 'wellness centre'.

The proponent has advised that they will accept a condition that requires them to provide the wellness centre details later.

This can be achieved through conditions of any approval as long as Council is satisfied that the further details to be approved would not substantially change the development approval.

### ***Heritage Buildings***

The applicant has identified that the Quindanning Hotel is a registered heritage site by the Heritage Council of WA, and the St Boniface Anglican Church is listed on the Shire's Municipal Inventory.

The applicant has advised that the revised plans address this situation by;

- having suitable distances to the heritage sites and setting the development back a much greater distance than was originally proposed in the 2015 development approval.
- minimising the potential for visual impact on adjoining heritage places;
- sensitively siting the proposed development outside of major sightlines of the St Boniface Anglican Church; and
- further mitigation by quality landscaping which can provide an effective screen.

### **Policy Requirements:**

There is no local planning policy applicable to the development.

### **Legislative Requirements:**

*Planning and Development (Local Planning Schemes) Regulations 2015* - The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire of Williams Town Planning Scheme No 2.

#### *Advertising*

As the 'workers accommodation' and 'caravan park' component of the application is being processed as a 'Use Not Listed', it is classified as a 'complex application' under the Regulations. Public advertising must be for a minimum of 28 days.

The compulsory advertising requirements for a 'complex application' are more onerous under the current Regulations and include:

- (a) Publication of a Notice with copies of the proposed plans on the Shire website; and
- (b) Make a copy of the plans available to the public for viewing at the Shire office; and
- (c) Writing to the owners and occupiers of lots within 200 metres of the proposed development; and
- (d) Erecting a sign a conspicuous place on Lot 4708 to advertise the proposal.

The Western Australian Planning Commission has permanently exempted the Shire from having to meet some of the abovementioned advertising requirements if it is not practical to achieve (such as erecting a sign on site).

Relevant authorities such as Main Roads WA have to be provided with 42 days to comment.

#### *Matters to be considered by Council*

Clause 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

#### *Approval subject to later details*

Clause 74(1) and 74(2) provides Council with the ability to grant approval subject to a condition requiring further details of any works or use.

Council has to be satisfied that the further details to be approved would not substantially change the development approval.

*Shire of Williams Town Planning Scheme No 2* – discussed in the body of this report.

**Strategic Implications:**

There are no known strategic implications associated with this application.

**Sustainability Implications:**

Environment

There are no known significant environmental implications associated with this proposal.

Economic

There are no quantified economic implications associated with this report.

Social

There are no known significant social implications associated with this proposal.

**Financial Implications:**

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning advice.

**Voting Requirements:**

ABSOLUTE MAJORITY REQUIRED

**Staff (Consultant Planner) Recommendation**

That Council;

- A. In accordance with Clause 4.3.2 of the Scheme, determine by Absolute Majority that the proposed 'workers accommodation' and 'caravan park' use may be consistent with the objectives and purpose of the Rural zone and thereafter follow the advertising procedures of Clause 2.6 of the Scheme, and Clause 64 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, in considering an application for planning consent.
- B. Note that:
  - (a) the application has been publicly advertised as required in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.
  - (b) Nine submissions have been received as outlined in the Submission Table in the body of this report.
- C. Approve the application for a caravan park, holiday cabins or chalets, workers accommodation, restaurant, caretakers dwelling, private recreation (wellness centre) and ancillary development (including an outbuilding, court, pool, camp kitchen, ablutions and amphitheatre) on Lot 352 (No 9155) Pinjarra-Williams Road, Quindanning subject to the following conditions and footnotes:
  - 1. The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.

2. Prior to commencement of operation, all of the internal access roads (commencing north of the proposed boom gate), an egress emergency access to Church Street, and associated informal carparking bays are to be provided and maintained to a trafficable all weather standard (compacted gravel at a minimum) on site to the satisfaction of the Shire's Chief Executive Officer in accordance with the plans submitted or any revised plans approved in accordance with Condition 1.
3. Prior to commencement of operation, the caravan park visitor carpark (10 bays), café patron carpark (28 bays) and associated manoeuvring and circulation areas shall be designed, constructed, sealed (asphalt), line marked and kerbed in accordance with the plans submitted or any revised plans approved in accordance with Condition 1.
4. A minimum of 12 informal bays shall be provided as an 'overflow' parking area to the south of the reception/café building in accordance with the plans submitted or any revised plans approved in accordance with Condition 1.
5. All staff, guest and visitor carparking is to be fully accommodated within the lot boundaries at all times.
6. The owner shall upgrade and seal the existing crossover in accordance with the specifications of Main Roads Western Australia.
7. Prior to commencement of construction, a stormwater management plan shall be lodged for separate written approval by the Chief Executive Officer.
8. All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into road reserve unless otherwise approved in writing by the Chief Executive Officer.
9. The owner / applicant to lodge a landscaping plan for separate written approval by the Chief Executive Officer. Landscaping shall be installed in accordance with a plan approved by the Shire within 6 months from completion or occupation of the development, whichever is the lesser time period, or an alternative time period approved separately by the Shire in writing.  
  
Landscaping areas shall be generally in accordance with the plans submitted or any revised plans approved in accordance with Condition 1. An additional 2 metre wide landscaping area is to be provided in front of (west) the caravan park visitor carparking area.
10. This approval is issued based on the proposed land uses of caravan park, holiday cabins or chalets, workers accommodation, a caretakers' dwelling, a restaurant and private recreation (wellness centre). An outbuilding, laundry, reception office,

court, pool, ablutions, camp kitchen and amphitheater have been approved as part of the caravan park as ancillary development.

11. No guests within any caravan site, camp site, overflow site or the six nominated holiday cabins or chalets shall be accommodated for periods totaling more than 4 months in any 12 month period. This condition does not apply to the 6 worker accommodation duplexes (which may also be used for holiday cabins or chalets).
12. The owner shall lodge a Construction Management Plan prior to commencement of site works that includes a site plan showing:
  - (i) The location of any required site office and workers facilities (such as ablutions);
  - (ii) Areas for stockpiling of any required materials;
  - (iii) Access for construction vehicles entering and egressing the site;
  - (iv) Construction worker parking within the lot boundaries; and
  - (v) Any required areas for parking of construction machinery.
13. A caretaker shall reside permanently on site in the caretakers dwelling during the life of the development to manage the caravan park and associated uses.
14. Prior to commencement of site works, the owner is to provide detailed information to the Shire to demonstrate that the development can be adequately serviced with a reliable potable water supply and on site wastewater. This is not an approval of any water supply or on site waste water disposal system.
15. The owner/applicant is to lodge detailed elevations and floor plans for the proposed wellness centre (private recreation) to the Shire for separate written approval by the Chief Executive Officer.
16. If the development the subject of this approval is not substantially commenced within a period of 4 years, the approval shall lapse and be of no further effect.

Footnotes:

- (i) This is a planning consent only and owner needs to apply for a separate building approval prior to commencing any construction.
- (ii) The owner is advised they will need to lodge a separate application to the Shire to seek separate approval for on-site wastewater which is to comply with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*. A new Site and Soil Evaluation (with soil testing) in the wetter months may be required.
- (iii) All potable water provided on site must meet the health-related requirements of the Australian Drinking Water Quality Guidelines 2011 as advised by the Department of Health.
- (iv) A separate application will need to be lodged to Main Roads Western Australia for upgrading of the existing crossover in the form of an 'an *Application to undertake works within road reserve*'.
- (v) This approval is not an approval to commence any caravan park use. The owner needs to lodge an application and secure a separate Caravan Park licence through the Shire in accordance with the *Caravan Parks and Camping*

*Grounds Act 1995* and associated Regulations. Separate requirements may apply under the Act that have not been assessed as part of the planning process.

**8.2.3 REQUEST TO CLOSE CHANNON STREET**

<b>File Reference</b>	12.15.37
<b>Statutory Reference</b>	Land Act 1933, Local Government Act 1995
<b>Author</b>	Peter Stubbs, CEO
<b>Date</b>	15 May 2024
<b>Disclosure of Interest</b>	The Authorising Officer has no Impartiality, Financial or Proximity Interests that require disclosure
<b>Attachments</b>	Nil

**Background**

Several landholders access their properties from Richmond Street via entrances which cross the Channon Street Road reserve and a Reserve held by the Public Transport Authority (old railway reserve).

Access to their property has not been formalised by an easement to their property across these two Reserves.

Landholders adjacent to Channon Street are using the Channon Street Road reserve and by doing so are keeping the grass and under vegetation under control to reduce fire risk.

Two landholders have asked that Council consider requesting the Department of Planning, Lands and Heritage (DPLH) to close and relinquish the Channon Street Road reserve (crown land).

The image below shows Channon Street and the Olive Street Road reserve.



### **Comment**

If the road closure(s) is supported by Council and the DPLH, the adjacent landowners would be consulted and likely expected to cover costs associated with the purchase of the land. DPLH would arrange a valuation with Landgate and survey, with instructions issued through DPLH, to affect the land amalgamations.

Consultation with all adjacent and impacted landholders would be required to progress road reserve closure.

### **Strategic Implications**

The matter does not have strategic implications.

### **Financial Implications**

Nil

### **Voting Requirements**

Simple Majority

### **Officers Recommendation**

That Council request the Department of Planning Lands and Heritage to cancel the road reservation for Channon Street in Williams, given that a road in the reserve is not likely to be constructed.



## 8.2.4 CODE OF CONDUCT -COUNCIL & COMMITTEE MEMBERS ABD CANDIDATES

<b>File Reference</b>	4.1.20
<b>Statutory Reference</b>	Section 5.103. of the Local Government Act 1995
<b>Author</b>	Peter Stubbs
<b>Date</b>	15 May 2024
<b>Disclosure of Interest</b>	The Author has no Impartiality, Financial or Proximity Interests that require disclosure
<b>Attachments</b>	Code of Conduct for Council Members, Committee Members, and Candidates

### Background

Council last adopted its Code of Conduct for Council Members, Committee Members, and Candidates in March 2021.

Council's Code of Conduct incorporates the principles and requirements recommended by Western Australian Local Government Association Model Code.

Local governments may not amend Division 2 (Principles) or Division 4 (Rules of Conduct), but additional behaviour requirements can be included in Division 3 (Behaviours) if deemed appropriate by Council.

Any additions must be consistent with the Model Code of Conduct (section 5.104(3) of the Act). In preparing the Code for adoption, local governments are encouraged to review their existing Code and consider incorporating any additional behaviour requirements that are not represented in the Model Code. This may include specific dress standards or the appropriate use of technology. To adopt the Code, a resolution passed by an absolute majority of the council is required. Once the Code is adopted, it must be published on the local government's official website (section 5.104(7)).

### Statutory Implications

*Section 5.103. of the Local Government Act 1995 - Model code of conduct for council members, committee members and candidates*

- (1) Regulations must prescribe a model code of conduct for council members, committee members and candidates.
- (2) The model code of conduct must include —
  - (a) general principles to guide behaviour; and
  - (b) requirements relating to behaviour; and
  - (c) provisions specified to be rules of conduct.
- (3) The model code of conduct may include provisions about how the following are to be dealt with —
  - (a) alleged breaches of the requirements referred to in subsection (2)(b);
  - (b) alleged breaches of the rules of conduct by committee members.
- (4) The model code of conduct cannot include a rule of conduct if contravention of the rule would, in addition to being a minor breach under section 5.105(1)(a), also be a serious breach under section 5.105(3).
- (5) Regulations may amend the model code of conduct.

### Comment

No changes to the existing Code of Conduct is recommended.

**Strategic Implications**

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

ILG4 A strategically focused, unified Council functioning effectively ensuring compliance within the regulatory framework.

**Financial Implications**

Nil

**Voting Requirements**

Simple Majority

**Officers Recommendation**

That Council adopt the Code of Conduct for Council Members, Committee Members, and Candidates and note there are no changes on the Code from the last adoption in March 2021.

## 8.2.5 USE OF COMMON SEAL AND DECISIONS UNDER DELEGATED AUTHORITY

<b>File Reference</b>	Various
<b>Statutory Reference</b>	Local Government Act 1996
<b>Author</b>	Peter Stubbs
<b>Date</b>	15 May 2024
<b>Disclosure of Interest</b>	The Authorising Officer has no Impartiality, Financial or Proximity Interests that require disclosure
<b>Attachments</b>	Nil

### Background

The purpose of this Agenda Item is to report to Council for endorsement, the use of the Common Seal and actions performed under delegated authority requiring referral to Council.

There is a requirement under the *Local Government Act 1995* that the Delegations Register is reviewed annually by Council. A procedure included in the Delegations Register is to report to Council the activities or actions that have been performed under delegated authority. A report will be completed for Council at meetings that identifies: (1) use of the Common Seal, and (2) actions performed under the delegated authority requiring referral to Council as per the Delegations Register.

### Comment

There was no use of the Common Seal in the reporting period 17 April to 15 May 2024.

Decisions by the CEO using delegated authority are provided in the table below;

	<b>Decision Type</b>	<b>Name/Property</b>	<b>Date of Decision</b>	<b>Purpose</b>
<b>1</b>	Building Permit	Lot 18 New St, Williams	19 April 2024	Earthworks, new fence, site preparation for residential house build
<b>2</b>	Building Permit	Lot 20 New St, Williams	19 April 2024	Earthworks, new fence, site preparation for residential house build
<b>3</b>	Approval-construct Effluent Disposal System	Lot 29 Glenfield Road, Williams	10 May 2024	Septic tanks system for new house build

Payment from the Municipal or Trust Funds – Delegation 1.1.19

Delegation - Authority to make payments from the municipal or trust funds with the authority limited to making payments subject to annual budget limitations.

Action - Payments from the Municipal Fund and Trust Fund are as per the payments listing attached to this Agenda.

**Strategic Implications**

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

- CL 2.2 Maintain accountability, transparency and financial responsibility.
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business.

**Financial Implications**

The standard approved Council fees were applied the above decisions.

**Voting Requirements**

Simple Majority

**Officer's Recommendation**

That Council accept the report "Use of Common Seal and Actions Performed under Delegated Authority" for the period 17 April to 15 May 2024.

**9. ELECTED MEMBERS' MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

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

**10.1 ELECTED MEMBERS**

**10.2 OFFICERS**

**11. APPLICATION FOR LEAVE OF ABSENCE**

**12. CLOSURE OF MEETING**