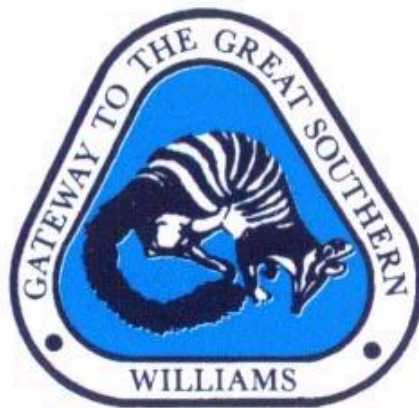


SHIRE OF WILLIAMS

***MINUTES ORDINARY MEETING HELD ON WEDNESDAY
17TH FEBRUARY 2016***



COUNCIL DIARY

WEDNESDAY 17TH FEBRUARY 2016

8am

Ordinary Meeting

WEDNESDAY 16TH MARCH 2016

1.00pm

Ordinary Meeting



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Separate Documents

1. Minutes
2. Appendices
3. Payment Listing
4. Financial Statements
5. Status Report
6. Info Statement



SHIRE OF WILLIAMS

BROOKING STREET, WILLIAMS, WESTERN AUSTRALIA.

OFFICE HOURS: MONDAY TO FRIDAY: 8.30 a.m. to 5.00 p.m.

TELEPHONE (08) 9885 1005 FACSIMILE (08) 9885 1020 EMAIL shire@williams.wa.gov.au

All communications to be addressed to the Chief Executive Officer, P.O. Box 96, Williams, W.A. 6391.

Your Ref:

Our Ref:

NOTICE OF MEETING

You are respectfully advised that the next ordinary meeting of Council will be held in the Council Chambers at 8.00am on Wednesday 17th of February 2016.

Yours faithfully

Geoff McKeown
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.



AGENDA

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President declared the meeting open at 8.03am.

2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Cr John Cowcher President
Cr Greg Cavanagh Deputy President
Cr David Earnshaw
Cr Richard Johnstone
Cr Gilbert Medlen
Cr Natalie Major
Cr Jarrad Logie
Cr Peter Paterson
Cr Moya Carne

Geoff McKeown Chief Executive Officer
Cara Ryan Manager of Finance
Heidi Cowcher Economic Development Officer (8.06am to 8.33am)
Tony Kett Works Supervisor (8.34am to 9.09am)

3.0 PUBLIC QUESTION TIME

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	Peter Paterson / Councillor
Item No. / Subject	8.4.4 / Request for Clearance of Conditions – Williams Darkan Road
Type of Interest	Financial Interest



DECLARATION OF INTEREST	
Name / Position	David Earnshaw / Councillor
Item No. / Subject	8.4.4 / Request for Clearance of Conditions – Williams Darkan Road
Type of Interest	Financial Interest

DECLARATION OF INTEREST	
Name / Position	Moya Carne / Councillor
Item No. / Subject	8.4.5 / Roads to Recovery Expenditure
Type of Interest	Proximity Interest

DECLARATION OF INTEREST	
Name / Position	John Cowcher / Councillor
Item No. / Subject	8.4.5 / Roads to Recovery Expenditure
Type of Interest	Proximity Interest

DECLARATION OF INTEREST	
Name / Position	Richard Johnstone / Councillor
Item No. / Subject	8.4.5 / Roads to Recovery Expenditure
Type of Interest	Impartiality Interest



6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 18TH DECEMBER 2015

Officer's Recommendation

That the Minutes of the Ordinary Meeting held on 18th December 2015, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Johnstone/Earnshaw

That the Minutes of the Ordinary Meeting held on 18th December 2015, as previously circulated, be confirmed as a true and accurate record.

Carried 9/0
Resolution 158/16

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.0 REPORTS



8.1 ECONOMIC DEVELOPMENT OFFICER'S REPORT

The Economic Development Officer, Heidi Cowcher, entered the meeting at 8.06am to discuss her report.

8.1.1 4WDL WELL AGED HOUSING PROJECT

File Reference	EDO Files	
Statutory Reference	N/A	
Author & Date	Heidi Cowcher	9 th February 2016

Background

The Shire of Williams, as lead agency on behalf of the 4WDL Regional Group, has secured funding to construct a total of at least 45 units across seven local governments from various sources. To date five separate funding streams have financed the construction, two of which are now complete (2010/11 CLGFR and 2011/12 CLGFR funding – both have had final reports submitted and accepted by the Department). RCSF and 2012/13 CLGFR are due to be expended in early 2016 with the final funding stream (SII) only just commencing and due for completion 2018.

Comment

The RCSF funding was all expended by **30th September 2015**, with the final report and acquittal originally due to be submitted by 31st December 2015. An extension has now been granted on this, with the Final Report and Acquittal due **30th June 2016**. Once all units are complete, the Shire of Williams is to conduct an independent inspection of the units across the project area to ensure compliance with Universal Access Design principles as per the FAA. Unit inspections have been completed in all Shires with exception of Lake Grace (Newdegate units). A quarterly progress report for activity from October-December was submitted 28th January 2016.

The 2012/13 CLGFR funding (\$1,972,409 to construct 7 units) is due for completion **31st March 2016**. An extension was applied for and secured from the Department for a later completion date (due to the Shire of Lake Grace and the units at Newdegate), with the Final Report and Acquittal due **30th June 2016**. A quarterly progress report for activity from October-December 2015 was submitted 28th January 2016.

SII Funding (due for completion December 2018)

Funding totalling \$5,023,648 has been secured to construct an additional 14 units across 6 shires. A quarterly progress report for activity from October-December 2015 was submitted 28th January 2016.

In each Shire the project is progressing well, and it is hoped that the drawdown of the second instalment of funding (\$3m) will be able to be completed at end of March 2016 as proposed.

Financial Implications

Project Management and Audit expenses attributed to this project are funded from the interest earned on the investment of the funding. The Shire of Williams does not incur any additional expenditure on this project that is not funded from the project interest.



Voting Requirements

Simple Majority

Officer's Recommendation

The report on progress of the 4WDL Well Aged Housing Project is noted.

8.1.2 SHIRE OF WILLIAMS AGED UNITS PROJECT

File Reference	EDO Files	
Statutory Reference	N/A	
Author & Date	Heidi Cowcher	9 th February 2016
Additional Information	Nil	

Background

Council has previously declared its intent to construct Aged Units on former Lots 32, 33, 34 New Street and Lot 110 & 111 Growse St. A concept plan of the proposed development of the entire site that incorporated a potential 13 units was endorsed by Council at its May 2011 meeting. The aforementioned lots were subdivided and the resultant plan has 10 lots available for construction without removing any existing infrastructure.

Construction was completed of the 5 rear units (Lots 69, 70, 71, 72 & 73) in 2014, with tenancy occurring in May 2015. The funding for the construction of these units was provided by the Royalties for Regions Country Local Government Fund (2010/11, 2011/12, 2012/13) and the Regional Community Services Fund.

The sixth block is the public open space (Lot 75), and this is to be completed with funding provided by the Wheatbelt Development Commission's Age Friendly Communities Funding. This space was completed in January 2016.



Through the SII funding, the Shire of Williams is to be allocated \$717,664 to construct a further 2 units. It is proposed that these units are to be constructed on Lots 67 & 68 New Street.



No further funds have been budgeted in the Shire of Williams 2015/16 budget as this funding was secured after the budget had been completed. Any expenditure on this project will need to be approved by Council as unbudgeted expenditure as per the Act.

Comment

H & H Architects have provided Draft Drawings to the Aged Housing Sub-Committee and these have been considered by the committee. Final feedback has now been provided to the architects and they are in the process of finalising the drawings, engaging the relevant consultancy services with a view of completing all specifications ready to advertise tenders mid-February 2016.

H & H Architects have provided quotes on the consultants required. Included in the list of consultants is a Quantity Surveyor, who will provide an estimate of anticipated construction costs. This estimation will be used when reviewing construction tenders to determine if the costs are as expected or need to be reconsidered based on the specifications detailed.

It is anticipated that the tenders will be reviewed at the March meeting of Council.

Financial Implications

Nil for 2015/16.

Voting Requirements

Simple Majority

Officer's Recommendation

The report on the progress of the Williams Aged Units project is noted.

8.1.3 WILLIAMS LIONS PARK

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 9 th February 2016
Additional Information	Masterplan Report to be tabled

Background

The Shire applied to the WDC's Community Chest Funding in December 2014 for \$20,000 to assist with the engagement of a suitably qualified professional to provide assistance and design guidance on the proposed redevelopment of the Williams Lions Park. The Shire received advice that the funding had been successful in March 2015 and in April appointed UDLA to complete the work.

A quarterly report on the progress of the project from October-December 2015 was completed 28th January 2016 as per the Funding Agreement. The project needs to be completed by June 2016 and is currently on track to do so.

Once the Masterplan is complete, funding opportunities will be investigated.



Comment

UDLA are currently finalising the Final Masterplan and Short Report, and this will be presented to Council in hard copy at the meeting.

On consideration of the Final Masterplan and Short Report, Council will be in a position to consider the possible implementation and the sourcing of appropriate funding. The CEO has included a report on the meeting with MRWA representative Craig Manton on the Williams Bridge replacement and the anticipated timeline of this proposed work. This will no doubt impact on the implementation of the proposed Williams Lions Park upgrade.

The Shire President, CEO and EDO met with the President of Project Numbat, Tamara Wilkes-Jones to discuss the fibreglass numbat proposal for the Williams Lions Park. At the meeting, various issues/challenges were discussed in relation to the overall project implementation, including Main Roads timeline for the bridge works, how this potentially could impact on the proposed upgrade, the timeline of the upgrade and appropriate funding sources to be identified for the implementation. This included the numbat and its part in the overall project. Project Numbat are considering their financial opportunities and how they can fundraise to contribute to the anticipated cost of the numbat installation. Various options were considered, including funding opportunities, as well as raising the profile of the group and their project for Williams at the forthcoming Williams Gateway Expo in April 2016.

Financial Implications

Current masterplan project – as agreed to by Council and budgeted

Future implementation – to be staged and budgeted for accordingly.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council accept the Final Masterplan and Short Report for the Williams Lions Park redevelopment.

Council Resolution

Major/Earnshaw

That Council accepts the Final Masterplan and Short Report for the Williams Lions Park redevelopment.

Carried 9/0
Resolution 159/16



8.1.4 COMMUNITY POOLS REVITALISATION SCHEME – WILLIAMS SWIMMING POOL

File Reference

Statutory Reference

N/A

Author & Date

Heidi Cowcher

9th February 2016

Background

The 2015/16 Community Pool Revitalisation Program (CRBP) provides funding to regional local governments to assist with the maintenance and upgrade of their aquatic facility. In 2014/15 the Shire received \$30,000 for general maintenance. The Shire applied in October 2015 for \$32,000 in the 2015/16 round for the installation of an 18kW solar power system at the Williams Swimming Pool.

Comment

The Department of Sport and Recreation have released a media release announcing the successful funding for Regional Aquatic Centres statewide, and Williams has received \$32,000.

<http://www.dsr.wa.gov.au/news-and-events/news/news-articles/2016/02/05/millions-to-help-improve-regional-pools>

Formal advice is yet to be received from the Department of Sport and Recreation. The funds will be transferred directly into the Shire's bank account (the project has been budgeted for) and the expenditure and acquittal of the funds will be required by 1st June 2016.

Financial Implications

Quotes were sourced in mid to late 2015 to support the funding submission, and the EDO is currently following up with the companies to confirm the quotes.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council notes the successful application for grant funds from the 2015/16 Community Pool Revitalisation Program and agrees to proceed with the project to install solar power to the swimming pool based on acceptance of the most advantageous quote for the work.

Council Resolution

Medlen/Cavanagh

That Council notes the successful application for grant funds from the 2015/16 Community Pool Revitalisation Program and agrees to proceed with the project to install solar power to the swimming pool based on acceptance of the most advantageous quote for the work.

**Carried 9/0
Resolution 160/16**



8.1.5 GENERAL PROJECTS UPDATE

File Reference	Various	
Statutory Reference	N/A	
Author & Date	Heidi Cowcher	9 th February 2016

General Update

Williams LEMC

Local Emergency Management Arrangements were due for review/updating in October 2015. They are currently being reviewed in-house, with a LEMC meeting to be called to consider updates (mainly just change of template) once this review has been completed. This was proposed for completion before Christmas, however with the additional workload experienced late last year, this is still yet to be completed. Advice has been received from DFES that this review should be completed, and the updated plan endorsed by March/April 2016 so that the DEMC/SEMC can appropriate endorse at their May 2016 round of meetings.

Creating Age Friendly Communities project

The Shire secured \$56,054 for the following projects: Brooking Street shared use path, Jam Tree Lane POS and New Street shared use path.

The Jam Tree Lane POS is now complete, including gazebo and seating, concrete paths, raised planter beds and garden. This is now a fantastic meeting place for the residents of Jam Tree Lane and their visitors and one that they are proud to show off to the wider community.

The New Street path was completed in January 2016 and now completes the link between Rossellotty Street and Albany Highway. The Brooking Street pathway is currently under construction, with the paving removed and the concrete works commencing in the second week of February. The entire project is to be completed by 31st March 2016, with final report and acquittal due 30 June 2016. A quarterly progress report for activity October-December 2015 was submitted 29th January 2016.

RBN Local Path – Growse/Piesse Streets

This pathway (with exception of the section where the Western Power pole is to be relocated) has been completed. Once the pole is relocated, the contractors will return and complete the pathway. The project is due for completion by 13th May 2016 with inspection of the pathway to be undertaken on 16th May 2016. A progress report was submitted 8th February 2016.

Williams Bowling Club

Funding application was completed and submitted 22nd September 2015. The project is currently being assessed by DSR and Bowls WA before a recommendation will be made to the Minister. It is hoped that the announcement will be made in February/March 2016.

HWEDA Strategic Plan Review & Economic Implementation Plan

WDC and PDC jointly funded the review of the HWEDA Strategic Plan and the development of an Economic Implementation Plan. Jo Burges facilitated the Strategic Plan review at a meeting held in



early September 2015. The two plans are currently being finalised in collaboration with the Consultants engaged to complete the reports.

A quarterly report on progress October-December 2015 was submitted 30th January 2016. An extension on the completion of the project has been granted, with the Final report to be provided to WDC and PDC by 29th February 2016 with the final report and financial acquittal to be submitted to them respectively by 15th April 2016.

Financial Implications

Project based, as identified.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council note the General Projects report update.

8.1.6 EDO REPORT ACCEPTANCE

Voting Requirements

Simple Majority

Officer's Recommendation

That the EDO's report as presented be received.

Council Resolution

Medlen/Paterson

That the EDO's report as presented be received.

**Carried 9/0
Resolution 161/16**

Heidi Cowcher

Economic Development Officer

9th February 2016

Ms Cowcher left the meeting at 8.33am.



8.2 WORKS SUPERVISOR'S REPORT

Works Supervisor Tony Kett attended the meeting at 8.34am to discuss his report.

File Reference 12.15.36
 Statutory Reference N/A
 Author & Date Tony Kett 10th February 2016

8.2.1 MAINTENANCE GRADING ACTIVITY

Road Name	Length Graded (kms)
Darkan-Quindanning Rd	18.2
Pig Gully Rd	11.0
Taylor Rd	9.1
Dardadine Rd	21.5
Medlen Rd	8.2
Nash Rd	5.8
Gillett Rd	1.1
Congelin-Narrogin Rd	6.4
Pingelly Rd	8.1
Rintoul Rd	1.6
Hamon Rd	.8
Folland Rd	2.9
Martin Rd	3.6
Total Length for the Month	97.8 kms

8.2.2 ROAD MAINTENANCE WORKS

- Open up roads due to storm damage
- Marling, Kelly, Roccis and Coulter Roads are the ones with the most damage.

8.2.3 2015/16 ROAD CONSTRUCTION PROGRAM

Road Construction Program 2015-16								
Road No	Road Name (Road Length)	Description of Work	Start SLK	End SLK	Total	Start Date	Finish Date	Comments
128	Williams Darkan Rd	Repair failed sections				Jul-15	Jul-15	Sealing to do.
8	Tarwonga Dardadine (21.50km)	Clear, widen & gravel sheet to 9m	5.00	12.50	7.50	Jul-15	Aug-15	Gravel sheeting complete.



31	Extracts Rd (12.25km)	Tree trimming and repair failed section	Various slks			Aug-15	Sep-15	Completed.
10	Pingelly Rd (8.01km)	Seal to 7m	0.00	0.50	0.50	Sep-15	Nov-15	Completed
1	York-Williams Rd (19.50km)	Seal previous sections	12.20	19.50	7.30	Sep-15	Nov-15	Completed.
67	Brooking Street	Footpath	0	0.27	0.27	Oct-15	Nov-15	Concrete started.
	New street	Footpath	0	0.32	0.32	Oct-30	Dec-18	Completed.
68	Growse St	Footpath	0	0.32	0.32	Oct-15	Nov-15	Completed.
	Road to be decided	Reseal	0.00	6.00	6.00	Nov-15	Nov-15	
11	Marradong Rd (11.45km)	Repair drainage and reconstruct failed sections	Various slks		1.00	Nov-15	Nov-15	Drainage done, started carting gravel.
75	Cornwall Tce	Re-align intersection	0.50	5.31	4.81	Dec-15	Dec-15	Started.
25	Cowcher Rd	Repair culvert running surface				Jan-16	Jan-16	
15	Glenfield (13.63km)	7m seal	0.50	5.31	4.81	Jan-16	Mar-16	
12	Zilko Rd (19.31km)	Widen & gravel sheet to 9m	13.00	14.50	1.50	Mar-16	Apr-16	
12	Zilko Rd (19.31km)	Tree trimming	Various slks			Mar-16	Apr-16	
2	Darkan Quindanning (30.3)	Tree trimming - south end 14.7km	Various slks			Apr-15	May-15	

8.2.4 MECHANICAL REPORT

Plant Description		Driver	Date Purchased	Hours/Kms January 2016	Works Completed this month
Mazda CX5	Light Vehicles	Cara Ryan	23 Sep 15	13,600 km	
Toyota Kluger 16 WL		Geoff McKeown	10 Sep 14	41,400 km	
Holden Rodeo Dual Cab Utility WL5499		Maintenance	5-Nov-04	230,289 km	
Isuzu D-Max WL 19		Tony Kett	9 –Sep 14	46,000 km	
Kia 2 Tonne Truck WL 5414		Jeff Cowan	9-Oct-07	128,651 km	
Holden Colorado Crew Cab Ute WL 742		Andrew Wood	5-Oct 15	180,085 km	Serviced.
Holden Rodeo Crew Cab Utility WL842		Outside staff	15-Nov-06	294,480 km	



Holden Rodeo Single Cab Utility WL 826		James Lenehan	20-Nov-06	108,936 km	
Mitsubishi Triton Single Cab Utility WL 430		Stewart Cowcher	22-Sep-99	225,504 km	
Skid Steer Track Loader	Construction Equipment	Out Side work Crew.	Sep 2015	136 hr	
Multipac Multi-Tyre Road Roller WL49		Ray Scobie	21-Oct-04	6,017 hr	
Vibromax Roller WL 126			29-Sep-04	4,017 hr	
Caterpillar 12M Grader WL61		Richard Hewitt	Dec 2011	3,841 hr	Serviced.
Caterpillar 12m Grader WL361		Andrew Wood	20-Oct-06	1,140 hr	New slides for blade.
721E Case Loader WL 5639		Roger Gillett	May 2012	4,967 hr	Repaired step. Repaired Hydraulic hose.
Volvo EC210BLC Excavator WL 499		Phil Reed	18-Jul-07	6,096 hr	
John Deere 315SE4 Backhoe WL 745		Trevor Palframan	17-Sep-01	22,474 hr	
John Deere MFWD Tractor WL 767		Works	21-Oct-97	9,590 hr	
Toro Reelmaster SP mower WL5502		Works	Aug-09	874 hr	
Kubota Generator		Refuse Site		2,900 hr	
Toro Z597 Ride on Mower WL 731	Parks & Gardens	Jeff Cowan	1-Oct-06	1,699 hr	
Toro Z400 Kholer Ride on Mower WL5302		Jeff Cowan	8-Aug-05	567 hr	
Honda TRX Four Wheel M/Cycle WL 429		Jeff Cowan	20-Mar-00	1,346 hr	
Toyota DA115 Tip Truck (Water Truck) WL 595		James Lenehan	24-Aug-94	234,129 km	
Isuzu FVZ1400 Tip Truck WL 093	Trucks & Trailers		31-Dec-03	285,359 km	
Mercedes Benz Actross Prime Mover WL91		Phil Reed	21-Dec-05	2,85000 km	8 new drive tyres. Serviced. Repaired air leak.
Isuzu Giga CXZ Tip Truck WL 128		Justin Murdock	10-Dec-08	191,000 km	
Isuzu NPR 300 Truck WL 016		Ray Scobie	21-Jan-13	58,609 km	
SFM Side Tipping Trailer WL 3730		Works	21-Dec-05	125,400 km	
Howard Porter Low Loader WL ITIF 238		Works	31-Aug-07	123,500km	



Howard Porter Pig Trailer WL3792		Justin Murdock	10-Dec-08	132,300 km	New Hydraulic Hose.
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8.2.5 STAFF

- Nil to report

8.2.6 TOWN AND FACILITIES REPORT

- Footpath completed in New Street.
- Footpath in Brooking Street started.

8.2.7 PRIVATE WORKS

- Nil to report

8.2.8 WORKS SUPERVISOR REPORT ACCEPTANCE

Voting Requirements

Simple Majority Required

Officer's Recommendation

That the Works Supervisor's Report as tabled be received.

Council Resolution

Medlen/Paterson

That the Works Supervisor's Report as tabled be received.

**Carried 9/0
Resolution 162/16**

Mr Kett left the meeting at 9.09am



8.3 ENVIRONMENTAL HEALTH / BUILDING SURVEYOR'S REPORT

8.3.1 BUILDING PERMITS

File Reference 13.34.10
Statutory Reference N/A
Author & Date Steve Friend 10th February 2016

Comment

The following building licenses have been issued under delegation by the EHO/BS:

#372	J Anderson	Lot 119 Piesse Street	Carport
#373	G & R Reed	Lot 2 Adam Street	Shed

Financial Implication

Fees: Shire \$190; BSL \$123.30; BCF \$00.00

Voting Requirements

Simple Majority Required

Officer's Recommendation

That Building report by the EHO/BS as listed above be endorsed by Council.

Council Resolution

Earnshaw/Carne

That Building report by the EHO/BS as listed above be endorsed by Council.

Carried 9/0
Resolution 163/16

8.3.2 FOOD PREMISES INSPECTION

File Reference 7.40.41
Statutory Reference N/A
Author & Date Steve Friend 10th February 2016

Comment

Caltex Roadhouse – cleanly maintained. A couple of small issues brought to management's attention

Quindanning Inn – cleanly maintained. No outstanding issues



Voting Requirements

Simple Majority Required

Officer's Recommendation

That the Food Premises Inspection report be endorsed by Council

Council Resolution

Cavanagh/Major

That the Food Premises Inspection report be endorsed by Council.

**Carried 9/0
Resolution 164/16**

8.3.3 SWIMMING POOL SAMPLES

File Reference

11.20.20

Statutory Reference

Health Act 1911; Health (Aquatic Facilities) Regulations

Author & Date

Steve Friend 10th February 2016

Background

It is a requirement that the public swimming pool is sampled on a monthly basis (main pool and toddler's pool) for bacteriological water quality.

Comment

Water samples have been taken during December and January. Results have been excellent, showing a good water quality.

Financial Implications

N/A

Voting Requirements

Simple Majority

Officer's Recommendation

That Council endorses the actions of the EHO/BS with respect to pool sampling

Council Resolution

Major/Johnstone

That Council endorses the actions of the EHO/BS with respect to pool sampling.

**Carried 9/0
Resolution 165/16**



8.3.4 RECYCLED WATER

File Reference

Statutory Reference

Health Act 1911

Author & Date

Steve Friend 10th February 2016

Background

It is a requirement that the recycled water be tested regularly to monitor the chlorine level of the recycled water before it leaves the Shire tank. Testing at the tank has been conducted on a regular basis.

It is also a requirement that the effluent be sampled where the samples go to the State Health Labs (Path Centre) for testing.

Comment

This should be done on a monthly basis and hasn't always been able to happen, however samples have gone when possible.

This situation will change for the better as I will attend Williams every Wednesday from now on, rather than every Friday, due to me finishing at the Shire of West Arthur.

Voting Requirements

Simple Majority Required

Officer's Recommendation

That Council endorses the actions of the EHO/BS with respect to the management of the Williams Recycled Water Scheme.

Council Resolution

Earnshaw/Medlen

That Council endorses the actions of the EHO/BS with respect to the management of the Williams Recycled Water Scheme.

**Carried 9/0
Resolution 166/16**



8.4 CHIEF EXECUTIVE OFFICER'S REPORT

8.4.1 CHIEF EXECUTIVE OFFICER'S GENERAL REPORT

File Reference	4.1.20	
Statutory Reference	N/A	
Author & Date	Geoff McKeown	10 th February 2016

Background

The Chief Executive Officer General Report provides Council with an update on the activities of the CEO and other matters that do not necessarily require a decision of Council.

Comment

The CEO General Report is provided to Council as a separate document.

Financial implications:

Nil

Voting Requirements:

Simple Majority

Officer's Recommendation

That the Chief Executive Officer's General Report for February 2016 be received by Council.

Council Resolution

Medlen/Major

That the Chief Executive Officer's General Report for February 2016 be received by Council.

Carried 9/0
Resolution 167/16

Morning Tea

The President adjourned the meeting for afternoon tea at 9.54am and resumed the meeting at 10.12am.



8.4.2 QUINDANNING PICNIC RACE DAY CLUB INC. – REQUEST FOR SUPPORT

File Reference	11.70.95	
Statutory Reference	N/A	
Author & Date	Geoff McKeown	18 th January 2016

Background

A letter has been received from the Quindanning Picnic Race Day Club Inc. seeking donations and/or in-kind assistance for the Annual Picnic Race Day to be held on 26th March 2016.

Comment

The Quindanning Picnic Race Ground is located in the Shire of Boddington however a significant number of Williams' residents live in the Quindanning locality and many local people attend the one day event.

The Club was formed in 1978 by the Quindanning Community.

In previous years Council has supported this event with offers of plant hire and more recently the use of the Shire generator at no cost.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That the Shire of Williams provide in-kind support to the Quindanning Picnic Race Day with the provision of a generator and offer to carryout minor earthworks in preparation for the 2016 Race Day Event.

Council Resolution

Medlen/Cavanagh

That the Shire of Williams provide in-kind support to the Quindanning Picnic Race Day with the provision of a generator and offer to carryout minor earthworks in preparation for the 2016 Race Day Event.

Carried 9/0
Resolution 168/16



8.4.3 REQUEST FOR CLEARANCE OF CONDITIONS – LOT 801 ALBANY HIGHWAY

File Reference	10.64.20
Statutory Reference	<i>Town Planning & Development Act 2005</i> and Shire of Williams Town Planning Scheme No.2
Author & Date	Geoff McKeown 19 th January 2016

Background

The Shire of Williams is requested to provide authorisation for clearance of two conditions placed on the subdivision approval for Lot 801 Albany Highway, Williams. This subdivision application was initiated by Robert and Charmaine Duff and received Western Australian Planning Commission (WAPC) approval in September 2014.

Comment

In approving the application the WAPC included the following conditions that require local government clearance:

Condition 5 – A restrictive covenant, to the benefit of the Shire of Williams pursuant to Section 129BA of the *Transfer of Land Act 1893* is to be placed on the certificate of title of proposed Lot 1 advising of the existence of a restriction on the use of the land. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan). The restrictive covenant is to state as follows:

“All habitable buildings are to be located not less than 100 metres from the existing remnant vegetation located on Reserve 17240, for fire management purposes.”

Condition 6 Easement(s) in accordance with Sections 195 and 196 of the *Land Administration Act 1997* for the benefit of the Shire of Williams are to be placed on the certificate(s) of title of the proposed lot(s) specifying access rights. Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan). The easement(s) are to state as follows:

“An easement accessible by Lot 1 connected to Albany Highway shall be available for emergency fire access purposes at all times.”

Condition 7 – A notification, pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

“The lots are situated in the vicinity of an existing agricultural area and use of the land may be affected by the 24 hour operation of machinery, aerial spraying and generation of other noise, dust and odour arising from normal agricultural operations being carried out on surrounding landholdings.”



With regard to Condition 5, the Consultant acting on behalf of the applicants has stated that a restricted covenant has not been provided due to the recently gazetted Bushfire Regulations. They intend to seek WAPC approval that the purpose and intent of this condition will be satisfied without the need for a restricted covenant.

The remaining Conditions 6 and 7 have been met and the Chief Executive Officer has endorsed via correspondence that they have been satisfied. Authorisation to do this is contained under Delegation PLN1 in the Shire of Williams Delegations Register, which states:

“The CEO is authorised to issue planning consent for development applications that fully comply with all requirements.”

This item seeks Council endorsement of the Chief Executive Officer’s exercise of this delegation. Also, Council is requested to endorse the actions of the President and Chief Executive Officer in signing and affixing the Common Seal to the Notification Under section 70A of the *Transfer of Land Act 1893*.

Financial Implications

Nil

Voting Requirements

Absolute Majority

Officer’s Recommendation

That Council endorses the exercise of delegated authority by the Chief Executive Officer in notifying that Conditions 6 and 7, placed on the subdivision approval of Lot 801 Albany Highway, Williams (WAPC Application No.150730), have been met.

Further, Council endorses the actions of the President and Chief Executive Officer in signing and affixing the Common Seal to the Notification Under Section 70A of the *Transfer of Land Act 1893*.

Council Resolution

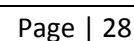
Cavanagh/Paterson

That Council endorses the exercise of delegated authority by the Chief Executive Officer in notifying that Conditions 6 and 7, placed on the subdivision approval of Lot 801 Albany Highway, Williams (WAPC Application No.150730), have been met.

Further, Council endorses the actions of the President and Chief Executive Officer in signing and affixing the Common Seal to the Notification Under Section 70A of the *Transfer of Land Act 1893*.

Carried Absolute Majority 9/0

Resolution 169/16





Cr Paterson and Cr Earnshaw declared a financial interest for the following item 8.4.4 – Request for Clearance of Conditions – Williams Darkan Road and left the council chambers at 10.14am.

8.4.4 REQUEST FOR CLEARANCE OF CONDITIONS – WILLIAMS DARKAN ROAD

File Reference	10.64.20
Statutory Reference	Town Planning & Development Act 2005 and Shire of Williams Town Planning Scheme No.2
Author & Date	Geoff McKeown 9 th February 2016

Background

The Shire of Williams is requested to provide authorisation for clearance of two conditions placed on the subdivision approval for Lot 0000 on the Williams Darkan Road, Williams. This subdivision application was initialled by Peter Paterson and received Western Australian Planning Commission (WAPC) approval in October 2015.

Comment

In approving the application the WAPC included the following conditions that require local government clearance:

Condition 1 – Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision.

Condition 2 – A notification, pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on the certificate(s) of title of the proposes lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

“A mains potable water supply is not available to the lots/s.”

The conditions have been met and the Chief Executive Officer has endorsed via correspondence that they have been satisfied. Authorisation to do this is contained under Delegation PLN1 in the Shire of Williams Delegations Register, which states:

“The CEO is authorised to issue planning consent for development applications that fully comply with all requirements.”

This item seeks Council endorsement of the Chief Executive Officer’s exercise of this delegation. Also, Council is requested to endorse the actions of the President and Chief Executive Officer in signing and affixing the Common Seal to the Notification Under section 70A of the *Transfer of Land Act 1893*.

Financial Implications

Nil



Voting Requirements

Absolute Majority

Officer's Recommendation

That Council endorses the exercise of delegated authority by the Chief Executive Officer in notifying that Conditions 1 and 2, placed on the subdivision approval of Lot 0000 Williams Darkan Road, Williams (WAPC Application No.152368), have been met.

Further, Council endorses the actions of the President and Chief Executive Officer in signing and affixing the Common Seal to the Notification Under Section 70A of the *Transfer of Land Act 1893*.

Council Resolution

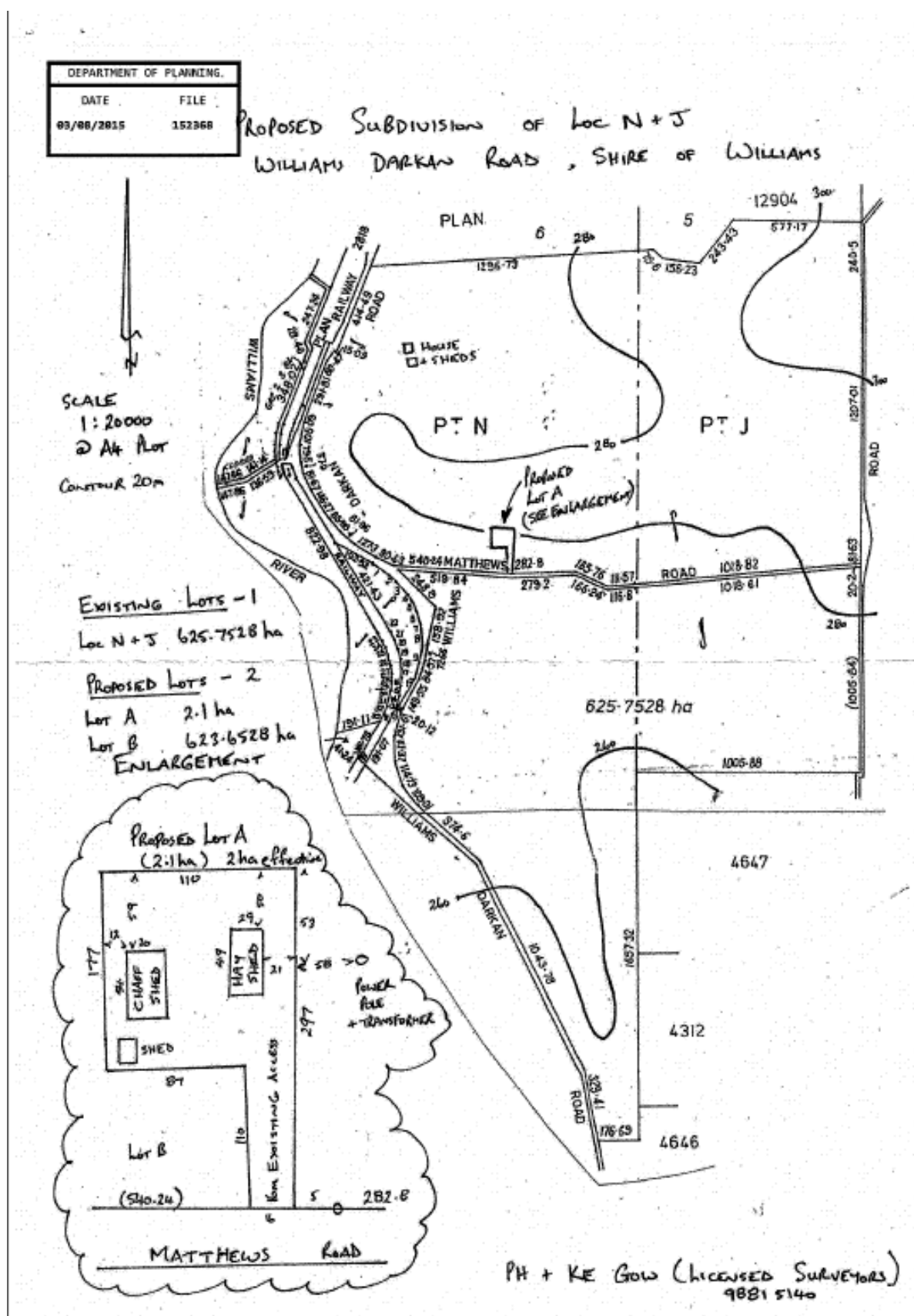
Johnstone/Cavanagh

That Council endorses the exercise of delegated authority by the Chief Executive Officer in notifying that Conditions 1 and 2, placed on the subdivision approval of Lot 0000 Williams Darkan Road, Williams (WAPC Application No.152368), have been met.

Further, Council endorses the actions of the President and Chief Executive Officer in signing and affixing the Common Seal to the Notification Under Section 70A of the *Transfer of Land Act 1893*.

**Carried by Absolute Majority 7/0
Resolution 170/16**

Cr Paterson and Cr Earnshaw returned to the meeting at 10.16am.





Cr Cowcher and Cr Carne declared a proximity interest for the following item 8.4.5 Roads to Recovery Expenditure and left the council chambers at 10.17am.

Cr Johnstone declared an impartiality interest and remained in the meeting.

Deputy President Cr Cavanagh assumed the chair.

8.4.5 ROADS TO RECOVERY EXPENDITURE

File Reference 12.15.35
Statutory Reference Nil
Author & Date Geoff McKeown 20th January 2016

Background

At the time of adopting the 2015/16 Budget a recommendation was made in regard to the projects to be funded from the Federal Government's Roads to Recovery Programme. A portion of the available funding was identified for reseal of rural roads. Clarification is sought to identify and approve the expenditure on those roads.

Comment

At the time the Federal Government announced the new round of funding for Road to Recovery, the Shire of Williams was allocated \$844,052 over the five year life of the programme. Subsequent to this announcement the Federal Government made a decision to index the excise on fuel. The get this Budget measure through the Parliament it agreed increase the allocation to the Roads to Recovery Programme over a two year period.

The additional funding available to the Shire of Williams is summarised in the following table:

Financial Year	Original Life of Programme Funding	Fuel Excise Change	Total Available Funding
2014-15	140,675		140,675
2015-16	281,352	120,657	402,009
2016-17	140,675	323,763	464,438
2017-18	140,675		140,675
2018-19	140,675		140,675
Total	844,052	444,420	1,288,472



The road projects that have been submitted at this time are:

Tarwonga Dardadine Road SLK 5.00 to 10.00 (including 2014-15 works) –

Widen and gravel sheet	202,858
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Zilko Road SLK 0.00 to 5.00 –

Tree trimming and gravel sheet various sections	62,318
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Extracts Road SLK 0.00 to 10.00 –

Tree trimming and gravel sheet various sections	82,758
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Quindanning Darkan Road SLK 0.00 to 15.00 –

Tree trimming on the vertical alignment	55,352
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Rural Road (s)

Reseal	115,200
--------	---------

Council is requested to confirm which road(s) will be resealed. The Works Manager has identified the following priorities:

1. Carne Road
2. Clayton Road

With Clayton Road it is recommended that the seal on this road be taken out to 7m to meet the current standard for heavy vehicles. This road carries a high percentage of heavy vehicles.

Financial Implications

Clarifying projects to match the expenditure allocated in the 2015-16 Budget.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council endorses the available funds from the Road to Recovery program for reseal projects, identified in the 2015-16 Budget, being spent on Carne Road.

Council Resolution

Earnshaw/Paterson

That Council endorses the available funds from the Road to Recovery program for reseal projects, identified in the 2015-16 Budget, being spent on Carne Road.

Carried 7/0
Resolution 171/16

Cr Cowcher and Cr Carne returned to the meeting at 10.21am and Cr Cowcher resumed the chair at 10.21am.



8.4.6 MAIN ROADS – REVIEW OF RUBBISH COLLECTION

File Reference	12.15.33	
Statutory Reference	Nil	
Author & Date	Geoff McKeown	21 st January 2016

Background

Main Roads has advised that due to a reduced maintenance budget for the Wheatbelt Region a decision has been made to reduce the number of roadside bins that it services. The Regional Manager for Main Roads Wheatbelt Region recently advised a gathering of local governments that a review would be undertaken. Main Roads was receiving a large number of complaints about overflowing bins at roadside stops. It is understood that due to the maintenance funding constraints the contract for emptying these bins was not continued and Main Roads maintenance staff were emptying the bins on an ad hoc basis.

Comment

Main Roads WA has a Stopping Places Policy which details the different types of stopping places, the recommended spacing between the stopping places and the facilities to be provided. The Wheatbelt Region has reviewed the number of bins in stopping places using the following four scenarios:

1. Any stopping place within a built up area, which may attract local or other itinerant residents rubbish over and above standard use.
2. Any stopping place within 2km of a built up area, which may attract local or other itinerant residents rubbish over and above standard use.
3. Any stopping places adjacent to existing roadhouses and commercial facilities.
4. Any stopping places within 10km of a similar stopping place.

With regard to the first two scenarios, Main Roads intends to remove bins in these areas. Local government may wish to take responsibility for them. If so, the Council is to advise Main Roads accordingly. For the third scenario, where bins are adjacent to roadhouses and commercial facilities, Main Roads will write to the businesses and encourage them to provide the bin as part of their operations. With the final scenario, the bins may be removed and possibly installed at another location where it has been identified that the service is inadequate for current usage and demand.

The bins in the Williams Shire that were reviewed by Main Roads are listed in the following table, including those that will be impacted by this decision:



ROAD	ROAD_NAME	START_SLK	LG_NAME	SIDE	TYPE	Within Townsite	2km within Townsite	Adjacent to Roadhouse	Within 10km of similar bay	Strategy
H001	Albany Hwy	133.25	Williams	Left	Parking Bay					
H001	Albany Hwy	137.34	Williams	Right	Parking Bay					
H001	Albany Hwy	144.05	Williams	Left	Parking Bay					
H001	Albany Hwy	152.58	Williams	Right	Parking Bay				<input checked="" type="checkbox"/>	Remove
H001	Albany Hwy	156.98	Williams	Right	Parking Bay		<input checked="" type="checkbox"/>			Remove
H001	Albany Hwy	157.75	Williams	Right	Parking Bay	<input checked="" type="checkbox"/>				Remove
H001	Albany Hwy	158.12	Williams	Right	Parking Bay	<input checked="" type="checkbox"/>				Remove
H001	Albany Hwy	158.50	Williams	Right	Rest Area	<input checked="" type="checkbox"/>				Remove
H001	Albany Hwy	158.81	Williams	Right	Truck Bay	<input checked="" type="checkbox"/>				Remove
H001	Albany Hwy	171.59	Williams	Right	Parking Bay					
H001	Albany Hwy	174.57	Williams	Left	Parking Bay					Remove
H001	Albany Hwy	178.91	Williams	Left	Parking Bay				<input checked="" type="checkbox"/>	Remove
H053	Williams Narrogin Hwy	8.20	Williams	Left	Parking Bay				<input checked="" type="checkbox"/>	Remove

The Works Manager has reviewed this list and believes there are some bins that should be retained if possible, in particular the bins within the Williams townsite (SLKs 157.75, 158.12, 158.50 and 158.81) and the one in the stopping bay just north of town (SLK 156.98). There is concern that removing these bins will result in the public leaving rubbish at these locations and the Shire having to manage it.

Presently the Shire empties street bins at other locations in town on a twice weekly basis. This service could be extended. There will be cost to do this which needs to be balanced against dealing with rubbish dumped at the stopping places and the appearance of Williams and a clean and tidy town.

Underlining this decision by Main Roads is the issue of shifting cost from state to local government. This review by Main Roads has come about because of a reduced maintenance budget. The outcome will be more cost to local government, whether it adopts the bins or has to deal with the illegal dumping.

Financial Implications

It is estimated that the extra cost to the Shire for emptying the additional bins will be \$5,000 to \$6,000 per annum.

Voting Requirements

Simple Majority



Officer's Recommendation

That Council advise Main Roads that the Shire of Williams is willing to take responsibility for roadside bins identified for removal within the Williams townsite, along with the roadside bin located at SLK 156.98 just north of the townsite.

Further, the Minister for Transport be advised of the Council's disappointment that a reduction of maintenance funding to Main Roads Wheatbelt Region has resulted in a service previously provided by state government being imposed on local government along with the additional cost.

Council Resolution

Major/Earnshaw

That Council advise Main Roads that the Shire of Williams is willing to take responsibility for roadside bins identified for removal within the Williams townsite, along with the roadside bin located at SLK 156.98 just north of the townsite.

Further, the Minister for Transport be advised of the Council's disappointment that a reduction of maintenance funding to Main Roads Wheatbelt Region has resulted in a service previously provided by state government being imposed on local government along with the additional cost.

Carried 9/0
Resolution 172/16



8.4.7 DEVELOPMENT ASSESSMENT PANELS

File Reference	10.60.10
Statutory Reference	<i>Planning and Development (Development Assessment Panels) Regulations 2011</i>
Author & Date	Geoff McKeown 1 st February 2016

Background

Advice has been received from the Department of Planning reminding local governments that, if there has been any change to elected members from last year's local government election, it may be necessary to revise the representation on the Development Assessment Panel (DAP). The legislation establishing DAPs came into operation on 2011 and included provisions for elected members from local government to be nominated as members of the DAP.

Comment

There are fourteen DAPs across the State with five in the Metropolitan area and nine in regional areas. The City of Perth has a separate DAP. The Shire of Williams is included in a DAP covering the Wheatbelt Region.

The legislation dictates the type of application that will be considered by DAPS. It also sets limits where the applicant can opt to have their application considered by a DAP and where it is mandatory to do so. A summary of the process is as follows:

1. A Mandatory DAP application is any application with a development value of equal to or more than \$7million, which is not for:
 - the construction of a single dwelling;
 - the construction of less than ten dwellings or multiple dwellings, including aged care and dependant persons dwellings; or
 - the construction of carports, patios, outbuildings or any incidental development.
2. An Optional DAP application is an application where the applicant has chosen the DAP as the relevant decision-maker. It will have the following characteristics:
 - the value of the development applied for is between \$3 and \$7 million; and
 - the development applied for is not the construction of a single dwelling, less than ten dwellings or multiple dwellings, carports, patios, outbuildings or any incidental development: and
 - the applicant has elected to have the relevant DAP to determine the application.

The legislation allows local government to delegate to their DAP the power to determine optional DAP applications. Development applications under \$3 million will continue to be considered by the relevant local government.

In May 2011, the Council passed the following resolution:

"That Council nominate Councillors Earnshaw and Logie as the Shire's representatives to the relevant Development Assessment Panel with jurisdiction over the Shire's municipal boundaries, with Councillors Johnstone and Carne as the alternative representatives."



Following this in February 2013 the Council reviewed its membership as follows:

“That Council nominate Councillors Cavanagh and Carne as members with Councillors Cowcher and Major as proxy members to sit on a Development Assessment Panel to represent the Shire of Williams.”

Correspondence was received from the Department of Planning in October 2015 reminding local governments to consider their nominated representatives with the upcoming local government elections in that month and the possibility that elected members may change. The correspondence was recorded in the Council Information Bulletin but there is no reference to Council making a decision to reaffirm the previously nominated elected members or make a change.

The Department of Planning is offering a final opportunity to update membership of the DAP.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council nominate Councillors and as members with Councillors and as proxy members to sit on a Development Assessment Panel to represent the Shire of Williams.

Council Resolution

Medlen/Logie

That Council nominate Councillors Cavanagh and Carne as members with Councillors Major and Cowcher as proxy members to sit on a Development Assessment Panel to represent the Shire of Williams.

Carried 9/0
Resolution 173/16



8.4.8 DRUGS AND ALCOHOL POLICY

File Reference 4.50.60

Statutory Reference

Author & Date Geoff McKeown 2nd February 2016

Background

Currently the Shire of Williams has a policy covering drugs and alcohol. The purpose of this item is to review this policy and update as necessary in relation to approved functions.

Comment

The current policy was adopted in 2011 and reads as follows:

Policy Purpose: The Shire is committed to providing a safe, healthy and productive workplace for all its employees and contractors, and to ensuring the safety of all visitors. The Shire recognises that drugs and alcohol can affect an individual's fitness for work and can be a contributing factor in workplace injuries and incidents. Our drug and alcohol policy is designed to assist in the provision of a safe working environment. We require the support and cooperation of all Shire employees and contractors to ensure that the Shire remains a workplace free of the hazards that drugs and alcohol may introduce.

Scope: This policy applies to all organisational employees and contracted service providers engaged in any Shire controlled or authorised activities. Contractors are required to implement the intent of this policy and comply with this policy when attending Shire controlled worksites or functions.

Objectives: The objectives of this policy are to:

- *Communicate the restrictions on the use of drugs and/or alcohol by personnel engaged in Shire controlled activities.*
- *Ensure that employees or contractors who are adversely affected by drugs or alcohol are not allowed to work.*
- *Assist in the creation of a safe and health workplace for our employees and contractors which is free of the hazards that may be associated with the use of drugs and/or alcohol in the workplace.*
- *Foster and promote an attitude amongst all personnel that it is not acceptable to come to, or be at, work under the influence of drugs and/or alcohol.*
- *Ensure that managers, supervisors and employee representatives are provided with guidelines to assist them to make informed decisions, and to take a consultative approach, when confronted with issues contained in the policy guidelines.*



- *Provide awareness to employees about how the Employee Assistance Program (EAP) can be used to provide support and rehabilitation opportunities for employees with drug and/or alcohol problems.*
- *Ensure that the Shire meets all legislative obligations with regards to providing a safe working environment for all personnel engaged in Shire controlled activities.*
- *Ensure that an organisation wide approach to disciplinary action is adopted in relation to any breaches of this policy.*
- *Ensure that alcohol is used responsibly at approved Shire functions.*

Responsibilities:

- *Chief Executive Officer to authorise the Policy Guidelines and any future amendments.*
- *Managers/Supervisors to ensure all staff within their area of responsibility are aware of understand and implement the Policy Guidelines.*
- *Employees to cooperate with management by complying with this policy.*

Supporting Documentation:

The following minimum requirements shall be adopted to support this policy:

- *Implementation and enforcement of the attached Policy Guidelines.*

Attachments:

- *Shire Drug and Alcohol Policy Statement*
- *Appendix A - Shire Drug and Alcohol Guideline for Managers, Supervisors and Employee Representatives*
- *Appendix B - Guidelines for the Responsible Service of Alcohol at Approved Functions*
- *Appendix C - Shire Discipline Action - Breach of Drug/Alcohol Policy*



ATTACHMENT

SHIRE DRUG AND ALCOHOL POLICY STATEMENT

- 1) *A person who appears to be adversely affected by alcohol and/or other drugs will not be allowed to work until he/she is deemed safe to do the work.*
- 2) *The decision on a person's ability to work in a safe manner will be made by the person's supervisor and an employee representative. (Refer to Appendix A – Guideline for Managers, Supervisors and Employee Representatives)*
- 3) *There will be no payment for lost time to a person being unable to work in a safe manner as a result of being adversely affected by alcohol or drugs.*
- 4) *In all cases where an employee is adversely affected by alcohol or other drugs during work, the Shire disciplinary procedures apply.*
- 5) *A person having problems with alcohol and/ or other drugs*
 - *Will not have their employment terminated if they are willing to obtain help*
 - *Must undertake and continue with treatment to maintain the protection of this policy*
 - *Will be entitled to sick leave or leave without pay whilst attending treatment*
 - *Should keep their supervisor informed of their treatment requirements*
- 6) *Shire employees and contractors should not use, store or bring illicit drugs onto any Shire premises or vehicle, or any place where Shire employees or contractors engaged in Shire activities are working.*
- 7) *Shire employees and contractors should not consume, store or bring alcohol onto any Shire premises or vehicle, or any place where Shire employees or contractors are working, except for the purpose of conducting an approved Shire function.*
- 8) *Any on or off site, on or off duty Shire function where alcohol will be served/ consumed, such as a social club function, team BBQ/ lunch, training function or Christmas party, must be approved by the relevant manager who should ensure that the Shire guidelines for the responsible use of alcohol at Shire functions are followed at the approved function. (Refer to Appendix B – Shire Guidelines for the Responsible Service of Alcohol at Approved Functions)*
- 9) *Where an employee is deemed adversely affected by drugs and/or alcohol and requested to leave the workplace, the supervisor making the request must make every effort to ensure that the employee is not in breach of the relevant Road Traffic Act, Regulations or Code. Alternative transport arrangements should be offered wherever necessary.*
- 10) *All drugs and alcohol related disciplinary matters must be kept confidential by the subject employee's supervisor and employee representative.*



Appendix A

Shire Drug and Alcohol Guideline for Managers, Supervisors and Employee Representatives.

These guidelines are provided to assist managers, supervisors and employee representatives when dealing with an employee who may be adversely affected by alcohol and/ or other drugs at work. This is often a difficult issue where a balance must be struck between rights and obligations.

Under the Occupational Safety and Health Act 1984 (WA), all employees have an obligation to look after their own safety and the safety of others around them in the workplace. A prime responsibility of supervisors is the health and safety of those they supervise.

Workers who are adversely affected by alcohol and/ or other drugs can be a danger to themselves and others. This matter will be initially treated as a safety issue, but if the behaviour is repeated it will become a disciplinary issue.

Wherever practicable, a consultative approach should be taken to resolving the issue in the first instance.

The supervisor and an employee representative shall consult to decide whether in their opinion, the employees ability to do the job, the employees or another's safety, or the employees ability to communicate effectively, is adversely affected by alcohol or drugs.

If the situation arises where a supervisor believes an employee is adversely affected by alcohol or drugs, and the employee representative does not agree, an option open to the supervisor is to assign the employee in question to other duties involving less risk in order to ensure that safety is not compromised. For assistance in such circumstances, Human Resources should be contacted.

If the employee is sent home or assigned alternative duties as a result of this decision, the supervisor must ensure the safety of the affected employee.

It must be remembered that if there is an imminent threat to the safety of workers under your supervision, immediate action must be taken to minimise that risk. These guidelines do not reduce your authority or resulting responsibility in that regard.

Advice and assistance is available from:

- *LGIS Human Resources - (08) 9483 8823*
- *The Shire Employee Assistance Provider (EAP) – INSERT CONTACT NUMBER*



Appendix B

Guidelines for the responsible use of Alcohol at approved Shire functions

General Guidance

The Shire is committed to the responsible use of alcohol at approved Shire functions. Consequently all employees of the Shire are expected to set an example in this regard at Shire functions. This commitment is founded on the need for those who do not choose to use alcohol; whose lives are affected by the misuse of alcohol and those who experience difficulty in their personal use of alcohol. It also takes into account the changing judicial environment.

The CEO will have the responsibility for approving any Shire function where alcohol is served and shall appoint an appropriate host to plan, attend and oversee the function. The host should brief staff members, caterers and those responsible for logistics at hotels, conference centres etc. about Shire policy.

These guidelines are to assist in the planning and hosting of Shire functions when alcoholic beverages are being served (on or off site, on or off duty).

Specific Guidelines

- 1) The host assumes responsibility for the function and shall take steps to see that these guidelines are observed.*
- 2) The host should specify how long alcohol will be served or what time the function will cease, and ensure that this occurs.*
- 3) Non-alcoholic beverage choices will be offered (i.e. alcohol not automatically offered). Food should be provided with alcoholic beverages.*
- 4) The Shire shall encourage those attending functions and consuming alcohol to use public transport wherever possible.*
- 5) If the Shire host, or any other employee is aware that a guest has had too much alcohol to drink, he/she should attempt to provide supervised transport home for that person. If in doubt about a guest's condition, the person should be discouraged from driving.*
- 6) The Shire Drug and Alcohol policy shall be observed at all times, i.e. no return to work if affected by alcohol or other drugs.*
- 7) Professional, responsible behaviour and good judgement is expected when Shire representatives are present at functions sponsored by other organisations.*



Appendix C

Shire Discipline Action – Breach of Drug/ Alcohol Policy

First Incident

In consultation with the employee representative, the supervisor should request that the affected employee leave the workplace to recover. Where the employee cooperates there will be no further action at this stage, other than to counsel the employee on his/ her return about his/ her behaviour in the workplace.

This informal discussion should take place with the employee representative present, (with the employees consent). At this stage and any subsequent stage, assistance should be offered. The employee will have access to sick leave or leave without pay for the purpose of attending treatment. Supervisors must keep a record of the incident for possible future action.

Second Incident

Following further consultation with an employee representative, the supervisor should direct the employee to leave the workplace.

The employee should be encouraged to seek drug and /or alcohol counselling and treatment, and be informed that they will have access to sick leave or leave without pay whilst attending appropriate treatment options. Again the employee should be counselled with an employee representative present (with the employees consent). The employee must be advised at this stage that a further recurrence may lead to disciplinary action. Assistance should be offered as per the first incident. Those present during the counselling session should be asked to countersign notes of the events and these maintained as records for possible future action.

Third or subsequent incidents

The employee will be sent off the workplace. The employee may be suspended for the remainder of that day and disciplinary action commenced. Assistance must be offered as per the first event.

Failure to provide evidence of counselling / treatment

Where an employee fails to produce evidence of their participation in a counselling / treatment program, the employee has failed to maintain the protection of this policy, and may be subject to disciplinary action. There may be valid reason for the employee failing to obtain such evidence and this should be considered before referring the matter further.



Refusal to leave the workplace

Where an employee refuses to follow supervisor directions to leave the workplace, it must be emphasised that failure to follow the supervisor's direction may result in disciplinary action being taken. If there is an immediate threat to the safety of employees or others, immediate action may be required. If the individual will not leave, and poses an immediate threat to the safety of others, then the others may need to leave consistent with the employer's duty of care under the OHS Act. In extreme circumstances, such as if an employee becomes violent or is using threatening behaviour, it may become a police matter.

The issue that has prompted this review is the section of the policy relating to guidelines for the responsible use of Alcohol at approved Shire functions.

Advice from the Shire's Risk Coordinator has been sought and the following guidelines are proposed to replace those in the current policy:

Guidelines for the responsible use of Alcohol at approved Shire functions

Objective

To ensure that, when alcohol is served and consumed on Shire premises, it is done in a responsible manner.

This policy is applicable to all councillors, staff and guests of the Shire of Williams at functions or events for which the Shire is responsible.

Policy

At the discretion, and only with the prior approval of the Chief Executive Officer, alcoholic beverages may be available for consumption on Shire premises. Consideration should be applied at all times to the responsible service and consumption of alcohol.

- The person or persons organising the function is / are responsible for ensuring that prior CEO approval has been obtained and are subsequently accountable for ensuring that alcohol is served in a responsible manner with regards to the health and safety of all persons in attendance.
- Clearly communicated start and finish times shall be stipulated for functions and events.
- Food is encouraged to be provided to accompany alcoholic beverages. This may range from finger food to a full meal, depending on the situation.
- A range of drinks will be made available at all functions, including low alcohol beverages, non-alcoholic beverages and water.
- Those responsible for serving drinks or supervising events should consider the following guidelines:
 - No one should provide, or allow the provision of, alcohol to those under the age of 18 years.



- Care must be exercised by all to ensure that alcohol is not consumed to excess.
- The Shire will not supply or allow the supply of alcohol to anyone that appears intoxicated.
- The Shire will not tolerate drunkenness, lewd behaviour, abusive or obscene language or suggestions, unwelcome advances or inappropriate physical contact with other persons at the function or event.
- Failure to observe these principles may lead to supply of alcohol being refused and any non-conforming person being requested to leave the premises.
- All staff have responsibility for monitoring their own actions, and that of others, to ensure that behaviour remains within policy objectives.
- The Shire requires responsible driving practices at all times, so if any person is intending to consume alcohol at a Shire function or event, then that person should plan ahead and ensure that alternative travel arrangements have been made. No Shire plant or equipment is to be operated following consumption of alcohol, except where private use of light vehicles is approved and the employee can meet their obligations under road traffic legislation.
- When departing the venue, please respect our neighbours and leave in a quiet orderly manner.

The proposed changes to the guidelines will make it more relevant to our local arrangements. The requirements extend to councillors as well as staff. Start and finish times are stipulated and the obligations when leaving an event is more prescriptive.

All employees have been made aware of this proposed change to the Policy and guidelines.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council endorses the amendment to the Drugs and Alcohol Policy with the insertion of new guidelines for the responsible use of Alcohol at approved Shire functions.

Council Resolution

Johnstone/Earnshaw

That Council endorses the amendment to the Drugs and Alcohol Policy with the insertion of new guidelines for the responsible use of Alcohol at approved Shire functions.

Carried 9/0
Resolution 174/16



8.4.9 PURCHASING POLICY

File Reference	4.50.60
Statutory Reference	Local Government (Financial Management) Regulations 1996
Author & Date	Geoff McKeown 8 th February 2016

Background

Currently the Shire of Williams has a Purchasing Policy which assists to deliver a best practice approach and procedures to internal purchasing for the Shire of Williams.

A change in the threshold amount where a local government is required to invite a tender for the supply of goods and services has prompted a review of the Shire's Policy.

Comment

The *Local Government (Functions and General) Regulations 1996* were amended recently to raise the threshold from \$100,000 to \$150,000 before a public tender must be called. Regulation 11A(1) states:

"A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less or worth \$150,000 or less."

The current Purchasing Policy shows the following table to guide purchases by the Shire:

Amount of Purchase	Model Policy
\$5,001 - \$19,999	Obtain at least TWO verbal or written quotations.
\$20,000 - \$39,999	Obtain at least three written quotations
\$40,000 - \$99,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$100,000 and above	Conduct a public tender process.

As the threshold before a public tender must be called has increased, it is recommended that the guide be amended to reflect this and also to take into consideration the ongoing increases in the value of goods and services since these limited were first adopted.



The following table shows the recommended changes:

Amount of Purchase	Model Policy
\$5,001 -\$19,999	Obtain at least TWO verbal or written quotations.
\$20,000 -\$49,999	Obtain at least three written quotations
\$50,000 -\$149,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$150,000 and above	Conduct a public tender process.

A full copy of the revised Purchasing Policy is attached for consideration.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council adopt a revised Purchasing Policy to include new limits in relation to contracts for other persons to supply goods or services, including where the consideration under the contract is, or is expected to be, \$150,000 or less or worth \$150,000 or less.

Council Resolution

Cavanagh/Major

That Council adopt a revised Purchasing Policy to include new limits in relation to contracts for other persons to supply goods or services, including where the consideration under the contract is, or is expected to be, \$150,000 or less or worth \$150,000 or less.

Carried 9/0
Resolution 175/16



8.4.10 VOLUNTEER SUPPORT POLICY

File Reference	4.50.60
Statutory Reference	Nil
Author & Date	Geoff McKeown 8 th February 2016

Background

The Chief Executive Officer was approached by a shire employee asking if consideration would be given to compensating the employee who recently volunteered to attend the Waroona Harvey Fire. The employee was asked to attend the fire as part of a crew under the management of the Department of Fire & Emergency Services.

Comment

Currently the Shire of Williams does not have a policy that demonstrates its support for volunteers in the community. Neither is there any direction for the Chief Executive Officer to make a determination in response to the request from the employee.

In response to this, a draft Policy has been developed for Council's consideration, see below. It outlines how the Shire embraces volunteerism. It comments that volunteering is an activity that takes place in not for profit organisations or projects and is undertaken:

- to be of benefit to the community and the volunteer;
- of the volunteer's own free will and without coercion,
- for no financial payment; and
- in designated volunteer positions only.

The draft does not make reference to employees of the Shire that volunteer their time to organisations or projects and how this is dealt with when volunteering occurs during their normal working hours. Council may wish to consider if it is appropriate to compensate them when this arises. If this proposition is not supported the policy can be silent on this matter and the wording can remain unchanged.

Volunteer Support Policy

Policy: **Aim:**

Promote, support and develop volunteerism in the Shire of Williams.

Purpose:

The Shire of Williams' Volunteer Support Policy is to:

- Recognise and value the substantial and ongoing contribution made by volunteers and voluntary groups to the quality of life of the community.
- Work in partnership with community groups and relevant stakeholders to develop volunteering opportunities, promote volunteering, improve volunteer skills, raise the profile of volunteerism, and facilitate access to information about volunteering opportunities.
- Identify and implement initiatives to financially support volunteerism in the Shire of Williams.



The Shire acknowledges that volunteers contribute to the political, social, economic, environmental, safety and cultural well-being of the community by:

- Strengthening community cohesion, social wellbeing, and trust;
- Providing a wide range of community and emergency services;
- Expanding the ability of the community to respond to the needs of its citizens and provide a range of services and activities;
- Engaging the community in protecting local resources, improving the physical environment and support for environmental issues;
- Encouraging understanding and acceptance of culture, diversity and difference.

In accordance with the “National Standards for Involving Volunteers in Not-For-Profit Organisations”, the Shire adopts as its definition of volunteering:

Formal volunteering is an activity which takes place in not for profit organisations or projects and is undertaken:

- to be of benefit to the community and the volunteer;
- of the volunteer’s own free will and without coercion,
- for no financial payment; and
- in designated volunteer positions only.

Funding:

The Shire of Williams shall allocate an appropriate amount in the Annual Budget for activities supporting volunteers, for example, Thank A Volunteer Day.

Objectives:
Guidelines:

History: Adopted 17th February 2016

Review: CEO

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council adopt a Volunteer Support Policy which outlines how the Shire of Williams embraces volunteerism.

Council Resolution

Major/Logie

That Council adopt a Volunteer Support Policy which outlines how the Shire of Williams embraces volunteerism.

Carried 9/0
Resolution 176/16



8.4.11 HARVEST AND MOVEMENT OF VEHICLE BAN – PERMITTED ACTIVITIES

File Reference	5.10.3
Statutory Reference	Bush Fires Act 1954
Author & Date	Geoff McKeown 9 th February 2016

Background

This item raises the possibility of the Shire approving certain activities during the imposition of a ban on harvesting, movement of vehicles and operation of internal combustion engines in paddocks. Presently when a ban is imposed these activities are to cease. In some situations certain activities present minimal risk and a mechanism to allow them to continue would be beneficial.

Comment

Section 27(6) and (7) of the *Bush Fires Act 1954* states:

- (6) *The Governor may make regulations with respect to the prohibition or regulation of the use of engines, vehicles, plant and machinery during the prohibited burning times or restricted burning times."*
- (7) *Regulations made under subsection (6) may —*
 - (a) *authorise a local government or a bush fire control officer to prohibit the carrying out of an activity or operation either absolutely or except in accordance with conditions specified in the notice or direction by which the prohibition is imposed or in the regulations;*
 - (b) *prohibit the carrying out of an activity or operation without the consent of a local government or bush fire control officer;*
 - (c) *provide that an act or thing shall be done subject to the approval or to the satisfaction of a local government or a bush fire control officer;*
 - (d) *provide as the penalty for a breach of any regulation so made a maximum penalty of \$5 000.*

The *Bush Fire Regulations 1954* provide more guidance with regard to this matter. Regulation 38A states:

- (1) *Where a bush fire control officer is of the opinion that the use or operation of any engines, vehicles, plant or machinery during the prohibited burning times or restricted burning times, or both, is likely to cause a bush fire, or would be conducive to the spread of a bush fire, the bush fire control officer may by notice or direction prohibit or regulate the carrying out of any activity or operation in a specified area either absolutely or except in accordance with conditions specified in the notice or direction or without the consent of the local government or bush fire control officer.*
- (2) *A notice or direction under subregulation (1) —*
 - (a) *may be given by wireless broadcast or in writing;*



- (b) shall have effect for such period during the prohibited burning times or restricted burning times, or both, as is specified in the notice or direction;
 - (c) may be varied or cancelled by a bush fire control officer by a subsequent notice or direction in the manner set out in that subregulation.
 - (3) During any period for which a notice or direction under subregulation (1) has effect a person shall not, in any area specified in the notice or direction, operate or use any engines, vehicles, plant or machinery contrary to the notice or direction.
- Penalty: \$5 000.

The Shire follows this legislation when it imposed a harvest and movement of vehicle ban. Regulation 38A(1) gives some discretion to 'prohibit' or 'regulate' activities or operations.

With this option it is proposed that certain activities, on receipt of an application from the property owner, will be given an exemption from the ban. Examples of activities include feedlots, hay and chaff processing, feed mill operations, grain storage, etc.

To obtain an exemption the property owner makes application. The location and activity is then inspected by a Fire Control Officer. Following is an example of the application and conditions to be met in order to receive the exemption.

Shire of Williams
Brooking Street, Williams
(08) 9885 1005 (Phone) (08) 9885 1020 (Fax)
shire@williams.wa.gov.au (Email)

Permit Number:.....(Shire to Complete)

Permission to undertake certain listed activities at a registered shed/site during a Harvest and Movement of Vehicle Ban period subject to conditions listed below:

Property Owner.....

Address.....

Phone No.....Fax No. or Email.....

Location No/s.....Activity.....

For the 20__/20__ Fire Season.

Conditions:

1. Fire Unit to be on hand at all times
2. Area around shed/site to be clear of inflammable material to a distance of 50 metres at all times.



MINUTES – ORDINARY MEETING OF COUNCIL HELD 17TH FEBRUARY 2016

3. Road/s leading to shed/site to be clear of inflammable material to a minimum of 4 metres.

Date.....

Signed
Bush Fire Control Officer (please sign and print name)

Signed
Shire of Williams (please sign and print name)

Note: Forms must be faxed or emailed to the Shire Office to receive a permit number.
Permit numbers must be allocated by the Shire of Williams to be valid.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council adopt a procedure to approve certain activities that may continue during the imposition of a ban on harvesting, movement of vehicles and operation of internal combustion engines in paddocks.

Council Resolution

Medlen/Paterson

That Council adopt a procedure in consultation with the Bushfire Control Officers to approve certain activities that may continue during the imposition of a ban on harvesting, movement of vehicles and operation of internal combustion engines in paddocks.

Carried 9/0
Resolution 177/16

The resolution differed from the recommendation, as Council wished that the Bushfire Control Officers to be involved in the development of the procedure, as they are going to be the authorisers of these permits.

8.4.12 BUSHFIRE PLANNING REFORMS

File Reference	5.10.3
Statutory Reference	Planning and Development (Local Planning Schemes) Amendment Regulations 2015
Author & Date	Liz Bushby – Gray & Lewis – Landuse Planners 9 th February 2016

Background

A package of bushfire planning reforms was announced on the 6 December 2015, and includes the following documents:

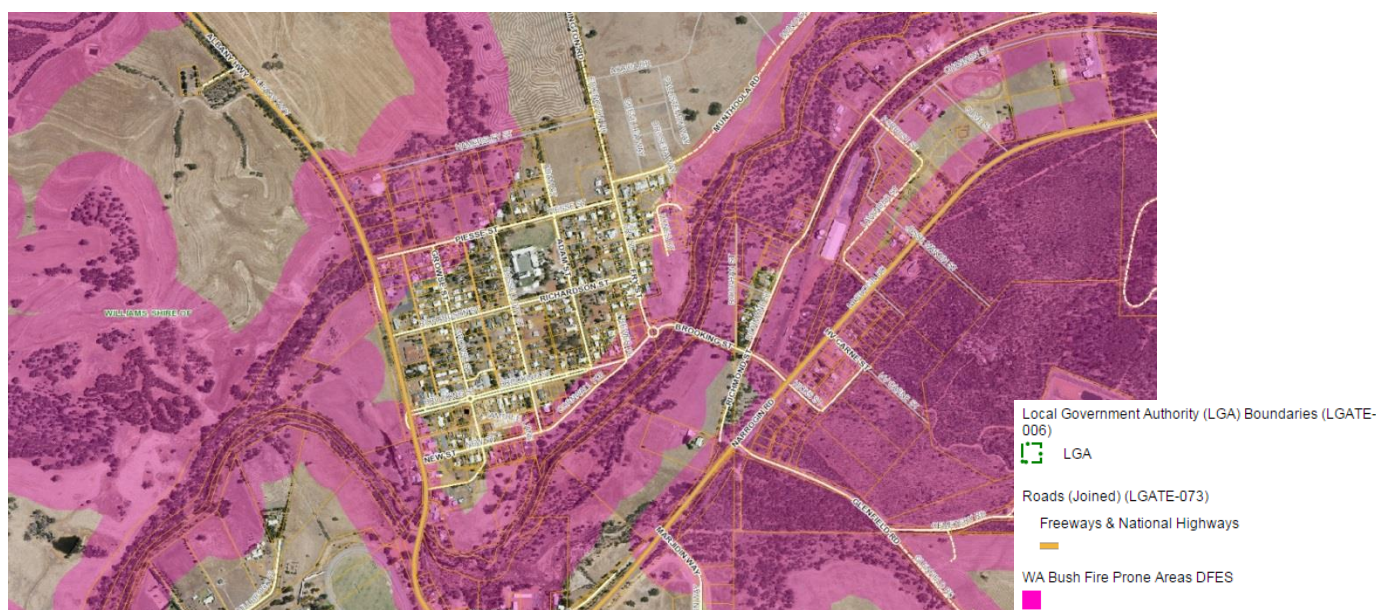
- Planning and Development (Local Planning Schemes) Amendment Regulations 2015;
- State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7);
- Guidelines for Planning in Bushfire Prone Areas (the Guidelines);
- Planning Bulletin No 111/2015 Planning in Bushfire Prone Areas;
- Fact Sheets to assist in implementation of the reforms;
- Creation of bushfire prone mapping by order of the Fire and Emergency Services (FES) Commissioner.

The designation of bushfire prone areas triggers the bushfire construction requirements of the Building Code of Australia, commencing 8 April 2016.

Comment

➤ **Bush Fire Prone Mapping**

There is on line mapping which identifies all land in bushfire prone areas for the whole of Western Australia – available on www.dfes.wa.gov.au An extract of the map as it applies to Williams townsite is included below:



The bush fire prone areas have been designated by the Fire and Emergency Services Commissioner.



Council should note as follows:

- The maps have been prepared in accordance with a mapping standard. Generally it identifies any land within 100 metres of any bushfire prone vegetation, particularly where the vegetated area is one hectare or greater. It includes vegetation strips that are wider than 20 metres.
- Under the mapping standards the only vegetation that is not considered bushfire prone is 'managed grasslands'.
- The maps will be updated annually.

The Department of Fire and Emergency Services (DFES) is reviewing existing mapping and the next edition of the Map of Bushfire Prone Mapping is scheduled for release in early May 2016.

➤ **State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)**

A new State Planning Policy, State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) was gazetted on Monday 7 December 2016 and is effective now.

SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services (FES) Commissioner as highlighted on the Map of Bush Fire Prone Areas.

It applies to all higher order strategic planning documents, strategic planning proposals, subdivision and development applications located in designated bushfire prone areas (unless exemptions apply).

The accompanying *Guidelines for Planning in Bushfire Prone Areas* provide supporting information to assist in the interpretation of the objectives and policy measures outlined in SPP 3.7. They provide advice on how bushfire risk is to be addressed when planning, designing or assessing a planning proposal within a designated bushfire prone area.

➤ **Bushfire Attack Level (BAL) assessment and BAL ratings**

A Bushfire Attack Level assessment is a site specific assessment which takes into account the lot location, types of vegetation within 100 metres, distance to vegetation, slope, and sets a BAL rating in accordance with Australian Standard 3959.

The assigned BAL determines the level of bush fire resistant construction required for the building.

There are six BAL ratings that can be applied as summarised in the table over page.



Table 2: BAL and corresponding descriptions of the predicted levels of exposure and heat flux exposure thresholds

BAL	DESCRIPTION (Source: AS 3959-2009, Appendix G)
BAL-LOW	The risk is considered to be VERY LOW. There is insufficient risk to warrant any specific construction requirements but there is still some risk.
BAL-12.5	The risk is considered to be LOW. There is a risk of ember attack. The construction elements are expected to be exposed to a heat flux not greater than 12.5kW/m ² .
BAL-19	The risk is considered to be MODERATE. There is a risk of ember attack and burning debris ignited by wind-borne embers and a likelihood of exposure to radiant heat. The construction elements are expected to be exposed to a heat flux not greater than 19kW/m ² .
BAL-29	The risk is considered to be HIGH. There is an increased risk of ember attack and burning debris ignited by wind-borne embers and a likelihood of exposure to an increased level of radiant heat. The construction elements are expected to be exposed to a heat flux not greater than 29kW/m ² .
BAL-40	The risk is considered to be VERY HIGH. There is a much increased risk of ember attack and burning debris ignited by wind-borne embers, a likelihood of exposure to a high level of radiant heat and some likelihood of direct exposure to flames from the fire front. The construction elements are expected to be exposed to a heat flux not greater than 40kW/m ² .
BAL-Flame Zone (FZ)	The risk is considered to be EXTREME. There is an extremely high risk of ember attack and burning debris ignited by wind-borne embers, and a likelihood of exposure to an extreme level of radiant heat and direct exposure to flames from the fire front. The construction elements are expected to be exposed to a heat flux greater than 40kW/m ² .

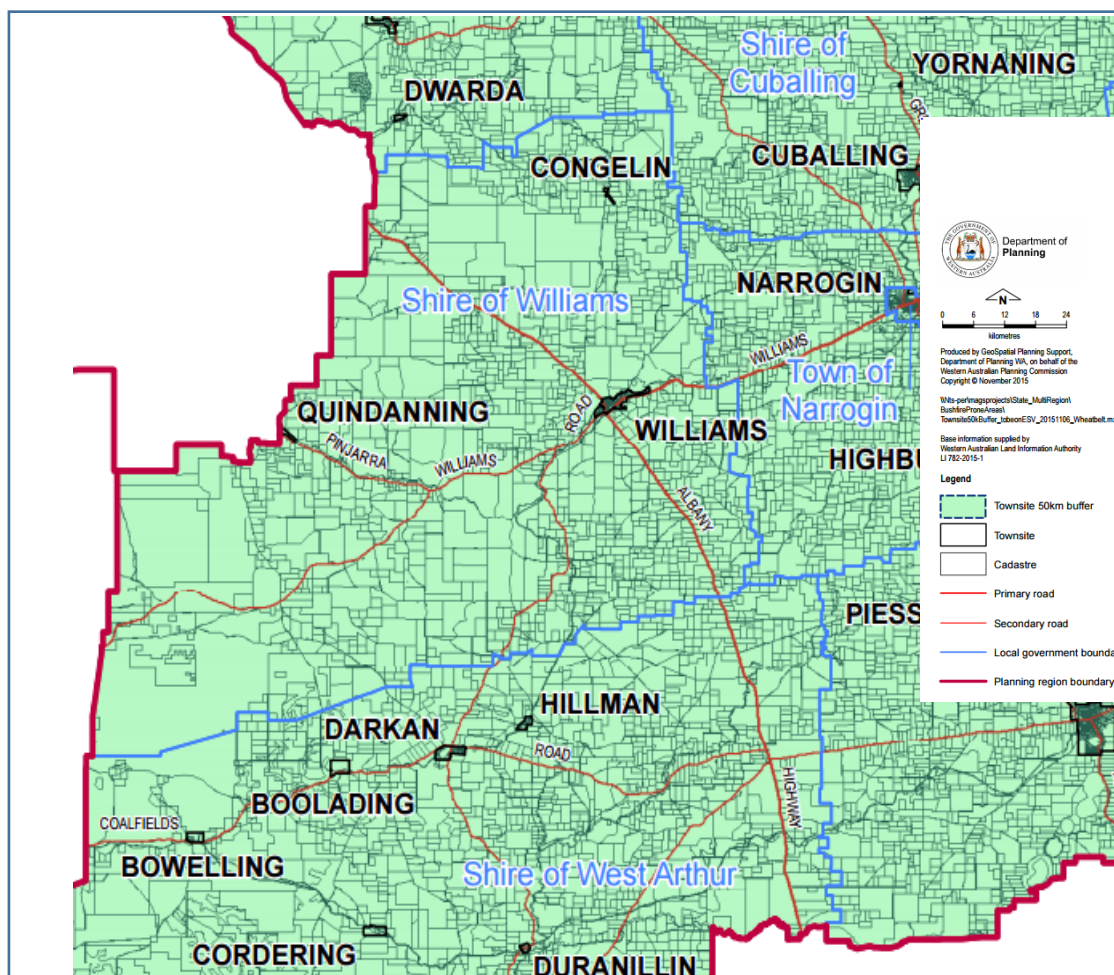
An example of a BAL map and contour map is included as an Attachment.

➤ **Key planning and building issues**

The key issues for planning and building in bushfire prone areas include:

- Owners/applicants seeking to construct a new dwelling or associated outbuilding/deck on a lot identified as 'bush fire prone' will have to provide a Bushfire Attack Level (BAL) assessment either as part of a planning or building application. It also applies to alterations / additions.
- Australian Standard AS 3959 - Construction of buildings in bushfire-prone areas provides methods for measuring the severity of the building's potential exposure to ember attack, radiant heat and direct flame contact.
- Where a BAL rating between 12.5 and 29 is identified, there may also be a requirement for a Bushfire Management Plan to be endorsed jointly by the Shire and state authority for emergency services.
- The BAL determines the construction standard required. The higher the BAL, the higher the construction standard (and cost of construction).
- The Building Code of Australia (BCA) contains bushfire construction requirements for most classes of residential buildings (Class 1, 2, 3 and associated Class 10a outbuildings and decks).
- There are guidelines that will apply to vulnerable landuses (such as nursing homes and tourist accommodation) which present evacuation challenges, and high risk landuses such as service stations and landfill sites. A Bushfire Management Plan will be required for these types of landuses.
- In remote areas where a proposed new single house or ancillary dwelling will be located outside a 50 km radius of a gazetted townsite, a property owner may be able to complete their own BAL assessment.

The available mapping shows all of Williams Shire is within 50 kilometres of a gazetted townsite, therefore owners will not have any opportunity to do their own BAL.



➤ **BAL Assessors**

The Fire Protection Association Australia (FPA Australia) is the first training and currently only accrediting body for Level 1 BAL Assessors recognised by the State Government.

Only a limited number of training courses have been held this year. The next training course for a Level 1 BAL assessor is scheduled for March 2016 and is already full.

There are a number of fire management firms available to service the Williams area which are based in Perth. At this stage, the Building Surveyor from the Shire of Cuballing will also provide BAL services to Williams (and other local governments).

POLICY REQUIREMENTS

N/A



LEGISLATIVE REQUIREMENTS

Planning and Development (Local Planning Schemes) Amendment Regulations 2015.

Part 10A outlines requirements for development on land identified as bushfire prone.

Development applications in a designated Bushfire Prone Area are to be accompanied by a BAL assessment. Some developments, such as tourist accommodation, will require lodgement of a Bushfire Management Plan.

The Regulations include transitional provisions as they only apply once land has been identified on a bushfire prone map for four months (8 April 2016).

Planning approval will be required for any dwelling or habitable building where the Bushfire Attack Level (BAL) is identified as BAL 40 or BAL –Flame Zone.

Building Code of Australia – The Building Code of Australia contains bushfire construction requirements that are applied to residential classes of development, including Class 1, 2, 3 and associated Class10a buildings or decks in designated bushfire prone areas.

A BAL assessment will be required for single houses, habitable buildings and any associated outbuildings / decks if the land is identified as being in a bushfire prone area.

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

➤ Environment

There may be cases where vegetation or fuel needs to be removed / reduced for implementation of Building Protection zones and Hazard Separation zones for development.

➤ Economic

There will be an increase of costs associated with the planning / building process, with potential increased construction costs on lots within the bushfire prone areas.

➤ Social

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

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Gray & Lewis Landuse Planners for advice.

VOTING REQUIREMENTS

ABSOLUTE MAJORITY REQUIRED: NO



Voting Requirements

Simple Majority

Officer's (Consultant Planner) Recommendation:

That Council:

1. Note that there are a number of planning reform documents that will introduce new planning and building requirements for dwellings, habitable buildings and associated outbuildings/decks on lots identified as being in a Bush Fire prone area.
2. Authorise the Chief Executive Officer to publish general information (drafted by Gray & Lewis) on the new fire requirements in a local newsletter to increase public awareness that new building requirements will commence on 8 April 2016.

Council Resolution

Medlen/Earnshaw

That Council:

1. Note that there are a number of planning reform documents that will introduce new planning and building requirements for dwellings, habitable buildings and associated outbuildings/decks on lots identified as being in a Bush Fire prone area.
2. Authorise the Chief Executive Officer to publish general information (drafted by Gray & Lewis) on the new fire requirements in a local newsletter to increase public awareness that new building requirements will commence on 8 April 2016.

**Carried 8/1
Resolution 178/16**



8.5 MANAGER OF FINANCE'S REPORT

8.5.1 ACCOUNTS FOR PAYMENT

File Reference	4.23.15	
Statutory Reference	N/A	
Author & Date	Cara Ryan	10 th February 2016

Background

That the Chief Executive Officer be authorised to make payments from Councils Municipal Fund, Trust and Reserve Accounts to a maximum of \$100,000 for payment of:

- Refunds of overpayment, deposits and bonds.
- Postage
- Salaries and Wages
- Petty cash recoup
- Payment of creditors where a discount or penalty applies
- Council vehicle licenses
- Special emergency payments as authorised
- Loan Repayments
- Police Licensing, receipts.
- Credit Card purchases up to \$5,000 for items contained in the Budget
- Progress payments for tender contracts

Comment

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

Financial Implications

As listed in the recommendation below.

Voting Requirements

Simple Majority

Officer's Recommendation

That Municipal Fund cheques 104484 -104491, EFT, Transfers and Direct Debits totalling \$342,564.43, Trust Cheque 001154, EFT transfer totalling \$578, CLGF Regional Funding EFT \$32,902.27 approved for payment by the Chief Executive Officer be endorsed and that Municipal Fund cheques 104492 - 104501 totalling \$15,442.52 and Municipal Fund EFT Transfers totalling \$112,168.59 be approved for payment.



Council Resolution

Earnshaw/Paterson

That Council:

That Municipal Fund cheques 104484 -104491, EFT, Transfers and Direct Debits totalling \$342,564.43, Trust Cheque 001154, EFT transfer totalling \$578, CLGF Regional Funding EFT \$32,902.27 approved for payment by the Chief Executive Officer be endorsed and that Municipal Fund cheques 104492 - 104501 totalling \$15,442.52 and Municipal Fund EFT Transfers totalling \$112,168.59 be approved for payment.

**Carried 9/0
Resolution 179/16**

8.5.2 FINANCIAL STATEMENTS

File Reference	4.23.15	
Statutory Reference	N/A	
Author & Date	Cara Ryan	10 th February 2016

Background

A statement of financial activity must be produced monthly and presented to Council.

In accordance with the Local Government Act 1995, a statement of financial activity must be presented to each Council meeting, including a comparison to the budget and variance from it. It must also include explanations of any variances.

Statutory Implications

Local Government (Financial Management) Regulations 1996, reg 34.

Comment

The financial statements are a separate attachment to this agenda.

Financial Implications

As disclosed in the financial statements.

Voting Requirements

Simple Majority

Officer's Recommendation

That the financial statements presented for the period ending 31st December 2015 and 31st January 2016 be received.



Council Resolution

Johnstone/Earnshaw

That Council:

That the financial statements presented for the period ending 31st December 2015 and 31st January 2016 be received.

**Carried 9/0
Resolution 180/16**

8.5.3 SHIRE HOUSING – 6 RICHARDSON ST, WILLIAMS

File Reference

9.10.20

Statutory Reference

Local Government Act 1995 Section 6.16

Author & Date

Cara Ryan

9th February 2016

Background

The tenant of 6 Richardson Street has formally requested that Council consider reviewing the weekly rental charge of \$412 per week, by decreasing this by \$62 per week, making it \$350 per week.

The correspondence received states the following:

“Perth rental vacancy rates have recently hit their highest point since December 1995 at just over 5% with the median Perth house rental price now sitting at only \$420 a week. The regional rental market has seen similar declines with September quarter median house rental figures sitting at \$375 a week, down \$15 on the June quarter. With the decline of the mining boom considered a major contributing factor to these decreases our region is feeling the immediate effects of the downturn as a result of our proximity to the Boddington Gold and Bauxite mine. In briefly researching the current asking price for similar properties in our region I have found 19B Growse Street Williams, also a 4 bedroom 2 bathroom home listed at just \$385 per week. Similar 4 bedroom 2 bathroom rentals are also listed in Narrogin around the \$380 per week mark, again markedly lower than what I am currently paying at 6 Richardson Street.

Having rented this property for the past 2 years I have been a loyal tenant with an excellent pay history throughout this time. I believe the property has been maintained to the highest level during my tenancy and while I would like to continue to rent the property I am apprehensive to do so at the current rental price. With rental prices decreasing across the state I believe the shire needs to review their current rental prices and adjust accordingly to market changes.

In light of my points detailed above I feel it would be in the best interests of both the shire and myself for the rent on 6 Richardson Street to be decreased. If I were to vacate the property this would see two shire owned properties vacant at the same time in Williams, resulting in a significant decrease in the shire revenue these properties are meant to generate. I believe a



decrease of \$62 per week would bring the rental price of this property more closely in line with current market rates."

Comment

The current tenants immaculately maintain the premises and the rent has continued to remain two weeks in advance. Since receiving the tenants' letter, dated the 14th December 2015, the median weekly rental on Perth metropolitan houses are now sitting at \$410 and as the tenant has identified in his letter the current weekly rental on a similar house in Williams is \$385.

Given that the rental market has experienced declines and that Council's premium house is currently available for rent with only one remaining enquiry, I recommend that Council consider reducing the weekly rent for 6 Richardson Street, Williams to \$385.

Statutory Implications

LOCAL GOVERNMENT ACT 1995 - SECT 6.16

6.16 . Imposition of fees and charges

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

(a) imposed during a financial year; and*

(b) amended from time to time during a financial year.*

**Absolute majority required*

Financial Implications

If Council agrees to decrease the rent to \$385 per week, commencing the 1st March 2016, it would result in a budget reduction on rental fees of \$540.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council reduce the weekly rental for 6 Richardson Street, Williams to \$385 commencing the 1st March 2016.

Council Resolution

Major/Logie

That Council reduce the weekly rental for 6 Richardson Street, Williams to \$385 commencing the 1st March 2016.

**Carried by Absolute Majority 9/0
Resolution 181/16**



8.5.4 SHIRE HOUSING – LOT3, 6 MUNTHOOLA RD, WILLIAMS

File Reference	11.70.40
Statutory Reference	<i>Local Government Act 1995 Section 6.16</i>
Author & Date	Cara Ryan 9 th February 2016

Background

Lot 3, 6 Munthoola Rd, Williams, which has previously been rented by the Chief Executive Officer was vacated 30th October 2015. This property is no longer required for any Council staff member and as such was advertised locally in The Williams paper for \$450 per week. There have been a total of two enquiries regarding this property. Currently, one of these people has expressed an interest in this property, but has asked if Council would consider adopting a lower weekly rental fee.

Currently the weekly rental fee adopted by Council is \$164.75, which is a subsidised rate allocated specifically for the Chief Executive Officer.

The property is considered to be our premium house, and has recently been completely re-painted as part of regular maintenance program, given the house is now 7 years old.

Statutory Implications

LOCAL GOVERNMENT ACT 1995 - SECT 6.16

6.16 . Imposition of fees and charges

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

**Absolute majority required.*

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

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

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

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

**Absolute majority required.*



Comment

The rental market is currently experiencing high vacancy rates and the median weekly rental on Perth metropolitan houses are now sitting at \$410 and as there is only one enquiry, I would recommend Council consider setting the weekly rental rate to \$420.

A complete reference check has been completed for this potential tenant, with excellent results. The tenant would be looking to move in at the beginning of March 2016 and has requested a 12 month lease.

Financial Implications

Should Council support the recommendation to set the weekly rental fee of \$420 per week this would result in unbudgeted extra income for rental fees of \$1,539 for year ending 30 June 2016, calculated as follows:

	New Tenant	\$7140 (Rent 01/03/16 to 30/06/16 = \$420 x 14 weeks)
Less	CEO Rent	\$5601 (Rent 01/11/15 to 30/06/16 = \$164.75 x 34 weeks)
		\$1,539

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council set a weekly rental fee for private rent of 6 Munthoola Rd, Williams at \$420 per week commencing when the property is tenanted in March 2016.

Council Resolution

Logie/Paterson

That Council set a weekly rental fee for private rent of 6 Munthoola Rd, Williams at \$420 per week commencing when the property is tenanted in March 2016.

**Carried by Absolute Majority 9/0
Resolution 182/16**



8.6 COUNCILLORS' REPORTS

Cr Carne attended and discussed the District Health Advisory Council (DHAC) meeting that was held in Narrogin.

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN.

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

10.1 ELECTED MEMBERS.

10.2 OFFICERS.

11.0 APPLICATION FOR LEAVE OF ABSENCE

12.0 INFORMATION SESSION

13.0 CLOSURE OF MEETING

There being no further business for discussion the President declared the meeting closed at 12.22pm.