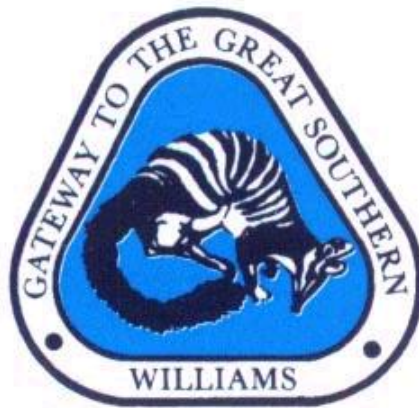


SHIRE OF WILLIAMS

MINUTES ORDINARY MEETING HELD ON WEDNESDAY 16TH MARCH 2016



COUNCIL DIARY

WEDNESDAY 16TH MARCH 2016

12noon

Audit Committee Meeting

WEDNESDAY 16TH MARCH 2016

1.00pm

Ordinary Meeting

WEDNESDAY 20TH APRIL 2016

1.00pm

Ordinary Meeting

MONDAY 25TH APRIL 2016

8.00AM

ANZAC Day Ceremony



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Separate Documents

1. Minutes – Council; Audit; 4WDL, HWEDA
2. CEO General Report – March 2016
3. Appendices – CEO & EDO
4. Payment Listing
5. Financial Statements
6. Status Report
7. 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 1:00pm on Wednesday 16th March 2016, preceded by an Audit Committee Meeting at 12noon.

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 1.04pm.

2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

(PREVIOUSLY APPROVED)

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

Geoff McKeown Chief Executive Officer
Cara Ryan Manager of Finance
Heidi Cowcher Economic Development Officer (1.14pm – 1.55pm)
and (4.03pm – 4.21pm)
Tony Kett Works Supervisor (1.57pm – 2.31pm)

Apologies

Cr Jarrad Logie
Cr David Earnshaw

3.0 PUBLIC QUESTION TIME

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	
Item No. / Subject	
Type of Interest	



6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 17TH FEBRUARY 2016

Officer's Recommendation

That the Minutes of the Ordinary Meeting held on 17th February 2016, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Carne/Cavanagh

That the Minutes of the Ordinary Meeting held on 17th February 2016, as previously circulated, be confirmed as a true and accurate record.

Carried 7/0
Resolution 183/16

6.2 AUDIT COMMITTEE MEETING HELD 16TH MARCH 2016

Officer's Recommendation

That the Minutes of the Audit Committee Meeting held 16th March 2016, as previously circulated, be received.

Council Resolution

Paterson/Medlen

That the Minutes of the Audit Committee Meeting held on 16th March 2016, as previously circulated, be received.

Carried 7/0
Resolution 184/16

6.3 4WDL MEETING HELD 10TH FEBRUARY 2016

Officer's Recommendation

That the Minutes of the 4WDL Meeting held on 10th February 2016, as previously circulated, be received.

Council Resolution

Major/Johnstone

That the Minutes of the 4WDL Meeting held on 10th February 2016, as previously circulated, be received.

Carried 7/0
Resolution 185/16



6.4 4WDL MEETING HELD 8TH MARCH 2016

Officer's Recommendation

That the Minutes of the 4WDL Meeting held on 8th March 2016, as previously circulated, be received.

Council Resolution

Major/Carne

That the Minutes of the 4WDL Meeting held on 8th March 2016, as previously circulated, be received.

**Carried 7/0
Resolution 186/16**

6.5 HWEDA MEETING HELD 1ST MARCH 2016

Officer's Recommendation

That the Minutes of the HWEDA meeting held on 1st March 2016, as previously circulated, be received.

Council Resolution

Major/Medlen

That the Minutes of the HWEDA Meeting held on 1st March 2016, as previously circulated, be received.

**Carried 7/0
Resolution 187/16**

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 1.14pm to discuss her report.

8.1.1 4WDL WELL AGED HOUSING PROJECT

File Reference	EDO Files	
Statutory Reference	N/A	
Author & Date	Heidi Cowcher	8 th March 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).

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**. All funds have now been expended from this fund, including claiming \$11,000 Project Management expenses and funds set aside for the final audit of \$825. Once the units at Newdegate are completed, the Final Report will be prepared.

SII Funding (due for completion December 2018)

Funding totalling \$5,023,648 has been secured to construct an additional 14 units across 6 shires.

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.

Council Resolution

Cavanagh/Medlen

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

**Carried 7/0
Resolution 188/16**

8.1.2 WILLIAMS BOWLING CLUB

File Reference	EDO Files	
Statutory Reference	N/A	
Author & Date	Heidi Cowcher	8 th March 2016
Attachments	Life Cycle Cost Analysis	

Background

The Williams Bowling Club is proposing the construction of a 7 rink synthetic surface to replace one of the grass greens at the Club. The Club had previously considered this in 2009 and Council supported the club at the time by preparing and submitting an application to CSRFF, but unfortunately it was unsuccessful.

In September 2015, the Shire once again submitted an application to CSRFF for funding for this project. Last week, the media announcements were made on the successful 2016/17 CSRFF grants, and the Shire/Williams Bowling Club was not on the list. The Shire is yet to receive formal feedback on the application.

Comment

The Williams Bowling Club committee sourced quotes and compared the options of replacing the grass green with a 7 rink or a 10 rink synthetic surface. The Club endorsed the quote from Evergreen (Ultra Plus Bowling Green) for a 7 rink construction. The installation was to be financed from funding of \$67,619, together with in-kind from the Shire of Williams (site works), \$40,000 cash from the Williams Bowling Club and the balance a self-supporting loan.

With the unsuccessful application to CSRFF, alternative funding sources have been identified in an endeavour to try and secure funding for this project. The Wheatbelt Development Commission's Regional Grant Scheme is for projects from \$50,001 to \$300,000. Funding is available to assist the development of infrastructure, services and community projects intended to build vibrant regions with strong economies.

The Regional Grants Scheme's broad objectives are to:

1. Retain and build the benefits of regional communities.
2. Support improved, relevant and accessible local services.



3. Enable communities to deliver a sustainable economic and social future.
4. Assist regional communities to prosper through increased employment, business and industry development opportunities.
5. Increase capacity for local strategic planning and decision making.

Additionally and concurrently, the Federal Member Rick Wilson has a funding opportunity *Stronger Communities Programme* for funding between \$5000 and \$20,000 designed to deliver social benefits across Australia. Each electorate has up to \$150,000 to fund small capital projects in local communities in each of the 150 Federal Electorates. Applicants must match the SCP grant in cash or an in-kind contribution on at least a dollar for dollar basis. The desired outcome of the programme is to improve local community participation, cohesion and contribute to vibrant and viable communities. Applications close on 8th April, with the outcome likely to be known August/September 2016.

Financial Implications

At Council's meeting in July 2015, Council committed an in-kind cash contribution of up to \$10,000 (site works) towards the proposed project. Council also confirmed that it would take out a self-supporting loan on behalf of the Williams Bowling Club for an amount to be determined once the funding outcomes are known (indicatively, it is currently \$70,239 if both funding applications are successful).

Voting Requirements

Simple Majority

Officer's Recommendation

That Council submits an application to the Wheatbelt Development Commission's Regional Grant Scheme for \$67,619 (excl GST) being 1/3 contribution to the total project cost of \$202,858 (GST excl).

That Council submits an application to the Federal Government's Stronger Communities Programme Round 2 for \$15,000 towards the project.

Council Resolution

Medlen/Paterson

That Council submits an application to the Wheatbelt Development Commission's Regional Grant Scheme for \$67,619 (excl GST) being 1/3 contribution to the total project cost of \$202,858 (GST excl).

That Council submits an application to the Federal Government's Stronger Communities Programme Round 2 for \$15,000 towards the project.

Carried 7/0
Resolution 189/16



8.1.3 GENERAL PROJECTS UPDATE

File Reference	Various	
Statutory Reference	N/A	
Author & Date	Heidi Cowcher	8 th March 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. The New Street path was completed in January 2016 and now completes the link between Rosselloty Street and Albany Highway. The construction of the Brooking Street pathway is also complete, with the final back fill and removal of the old pavers the final component of the project. The entire project was due to be completed by 31st March 2016, with final report and acquittal due 30 June 2016. The project is now complete, and the Final Report is currently being prepared for submission as soon as practicable.

RBN Local Path – Growse/Piesse Streets

This pathway (with exception of the section where the Western Power pole was to be relocated) was completed late 2015. The Western Power pole was finally relocated on 3rd March 2016 and now the contractors can 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.

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. Both Plans have now been completed, and were endorsed at the HWEDA Board meeting on 1st March. *CEO Report includes an agenda item on this.*

The Final Reports were due to be submitted to the WDC and PDC on 29th February 2016 with the completed project acquittal 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.

Council Resolution

Johnstone/Paterson

That Council note the General Projects report update.

**Carried 7/0
Resolution 190/16**

Heidi Cowcher

Economic Development Officer

8th March 2016

Ms Cowcher left the meeting at 1.55pm.



8.2 WORKS SUPERVISOR'S REPORT

Works Supervisor Tony Kett attended the meeting at 1.57pm to discuss his report.

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

8.2.1 MAINTENANCE GRADING ACTIVITY

Road Name	Length Graded (kms)
Graham Rd	1.95
Glenfield Rd	8.4
Bates Rd	3.5
Tin Shed Rd	2.5
Chapman Rd	2.1
Top End Rd	1.1
Dardadine Rd	21.5
English Rd	6.5
Culbin-Boraning Rd	17.7
Culbin South Rd	2.4
Zilko Rd	8.0
Darkan-Quindanning Rd	18.1
Total Length for the Month	93.25 kms

8.2.2 ROAD MAINTENANCE WORKS

- Patching on Carne Rd, ready for re-sealing
- Signs and white post put up after sealing on Marradong Rd and Darkan Rd

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	Completed
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

MINUTES – ORDINARY MEETING OF COUNCIL HELD 16TH MARCH 2016



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	Completed
	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
	Carne Rd.	Reseal	0.00	6.00	6.00	Nov-15	Nov-15	Ready to be done. Full contract by Colas WA.
11	Marradong Rd (11.45km)	Repair drainage and reconstruct failed sections	Various slks		1.00	Nov-15	Nov-15	Completed
75	Cornwall Tce	Re-align intersection	0.50	5.31	4.81	Dec-15	Dec-15	Sealing Done 22-216
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	Carting spoil. Trees and rocks done.
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	Serviced
Holden Colorado Crew Cab Ute WL 742		Andrew Wood	5-Oct 15	180,085 km	
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	

MINUTES – ORDINARY MEETING OF COUNCIL HELD 16TH MARCH 2016



Mitsubishi Triton Single Cab Utility WL 430		Stewart Cowcher	22-Sep-99	225,504 km	
Skid Steer Track Loader	Construction Equipment	Outside works 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	
Caterpillar 12m Grader WL361		Andrew Wood	20-Oct-06	1,140 hr	Serviced
721E Case Loader WL 5639		Roger Gillett	May 2012	4,967 hr	
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	New water pump
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		Parks & Gardens	Refuse Site		2,900 hr
Toro Z597 Ride on Mower WL 731	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	Fixed air leak
Mercedes Benz Actross Prime Mover WL91		Phil Reed	21-Dec-05	2,85000 km	
Isuzu Giga CXZ Tip Truck WL 128		Justin Murdock	10-Dec-08	191,000 km	Cleaned out radiator
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	
Nissan Patrol Fire Ute 1CXV788		BFB Fast attack	23-Feb-16		Serviced and repair work done



8.2.5 STAFF

- Nil to report

8.2.6 TOWN AND FACILITIES REPORT

- Footpath Brooking St completed
- Ready to start sand pad for the 2 new aged units, New St

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

Paterson/Medlen

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

**Carried 7/0
Resolution 191/16**

Mr Kett left the meeting at 2.31pm



8.3 ENVIRONMENTAL HEALTH / BUILDING SURVEYOR'S REPORT

Steve Friend, EHO/BS, is on leave and won't be presenting a report for March 2016.

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	8 th March 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 March 2016 be received by Council.

Council Resolution

Carne/Johnstone

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

Carried 7/0
Resolution 192/16

Afternoon Tea

The President adjourned the meeting for afternoon tea at 3.09pm and resumed the meeting at 3.34pm.



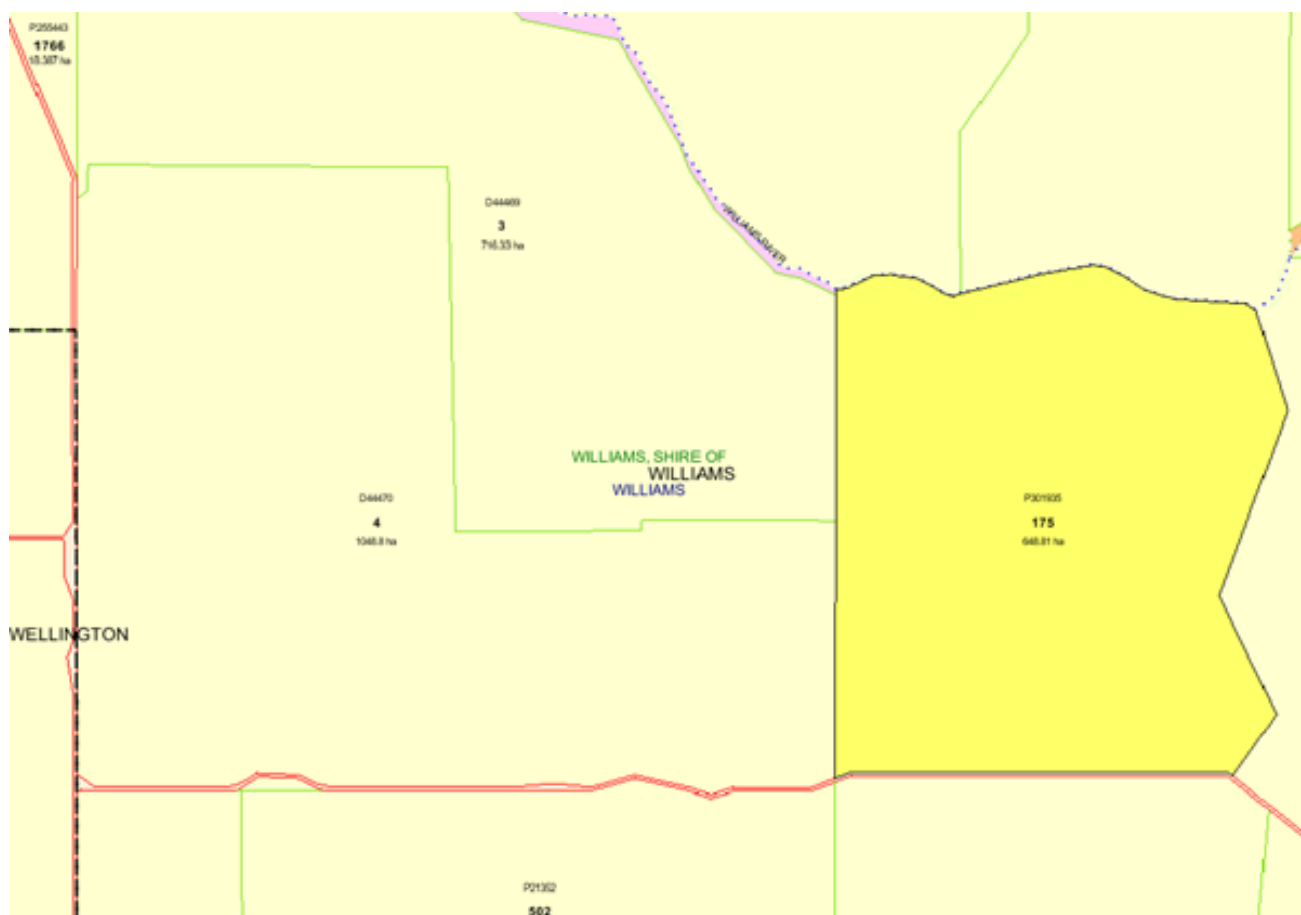
8.4.2 PROPOSED SUBDIVISION – LOTS 4 AND 175 CULBIN BORANING ROAD, WILLIAMS

File Reference	10.64.20
Statutory Reference	Shire of Williams Town Planning Scheme No 2
Author & Date	Liz Bushby – Gray & Lewis, Landuse Planners 4 th March 2016

Background

An application has been lodged with the Western Australian Planning Commission (WAPC) proposing to subdivide Lots 4 and 175 Culbin-Boraning Road, Williams. The WAPC has referred the application to the Shire of Williams for comment (by 11 April 2016).

There are two existing dwellings, a number of sheds and several dams on the two existing lots. Lot 4 has an approximate area of 1048.8 hectares and Lot 175 has an approximate area of 648.81 hectares.



Comment

➤ Description of Application

The application proposes to re-subdivide the subject land into 3 new Lots (described as A, B and C) ranging from 233 hectares to 1207 hectares.



Proposed Lots A and C will contain existing dwellings, however proposed Lot B will be vacant.

The applicant has advised that the two lots are owned by several parties, and subdivision will enable the three ownership groups being able to hold their share as one title. This is not a planning consideration.

➤ ***Shire of Williams Town Planning Scheme No 2***

The lots are zoned 'Rural' under the Shire of Williams Town Planning Scheme No 2 ('the Scheme').

Under the Shire's Scheme there is a general presumption against subdivision of rural land unless the lots have already been divided by a significant physical feature, the lots are for farm adjustment, the lots are for specific uses (recreation) or the lots are for the establishment of uses ancillary to the rural use of the land.

➤ ***State Planning Policy : Development Control Policy 3.4 – Subdivision of Rural Land***

There is also a general presumption against subdivision of Rural land under the WAPC's Development Control Policy 3.4 ('DCP 3.4') which states that *'the creation of new or smaller lots will be by exemption'*.

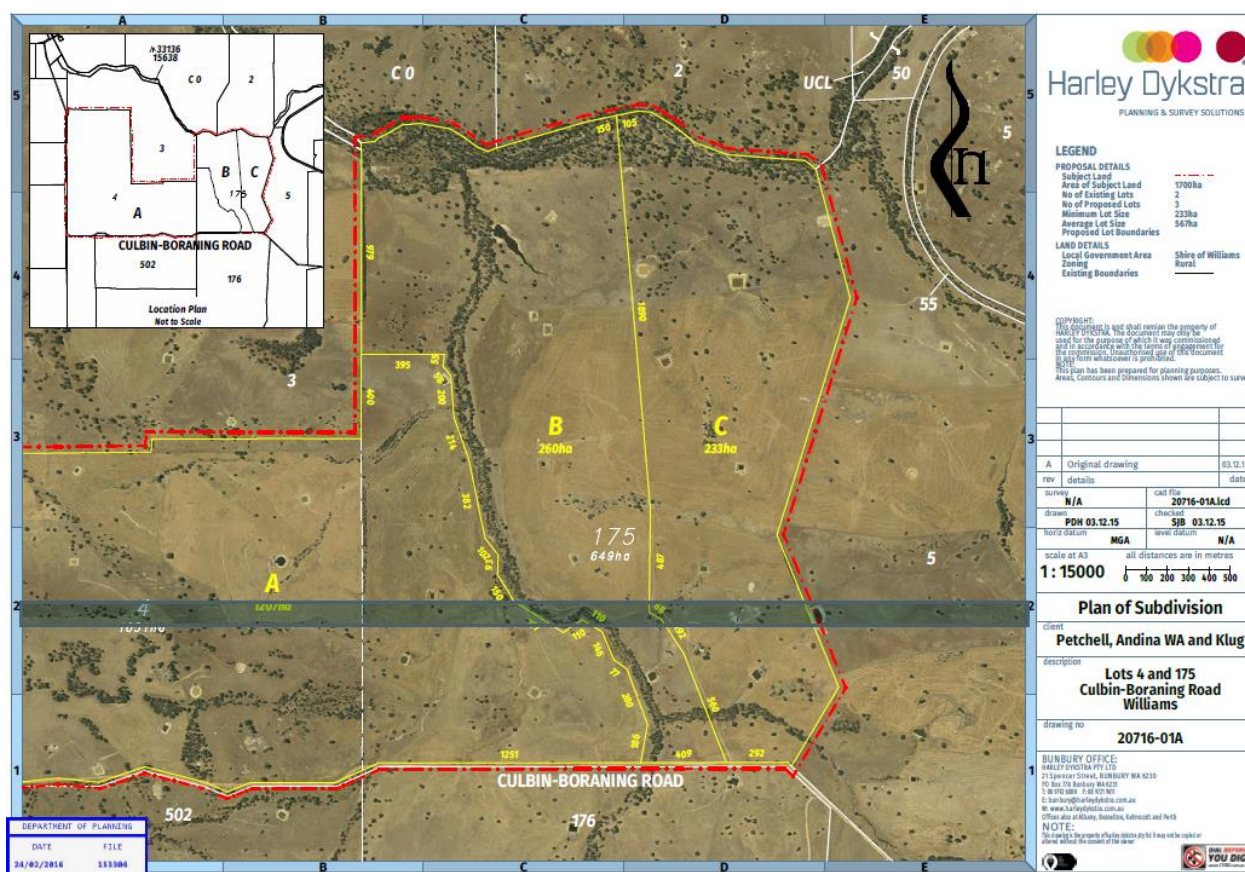
DCP 3.4 outlines exceptional circumstances where subdivision of rural land will be considered as followed:

- Re-alignment of boundaries with no increase in the number of lots.
- Protection of heritage places
- Homestead lots (between 1-20 hectares)
- For public utilities.

All applications are assessed in accordance with stringent criteria aimed at preventing fragmentation of rural land, maintaining lot sizes suitable for continued agriculture, and protecting agricultural land from ad-hoc unplanned subdivision.

The proposed subdivision application will increase the number of lots from 2 to 3, and does not comply with the Shires Scheme or WAPC Development Control Policy 3.4.

Accordingly, it is recommended that the application be refused.



➤ **Bush Fire Prone Mapping**

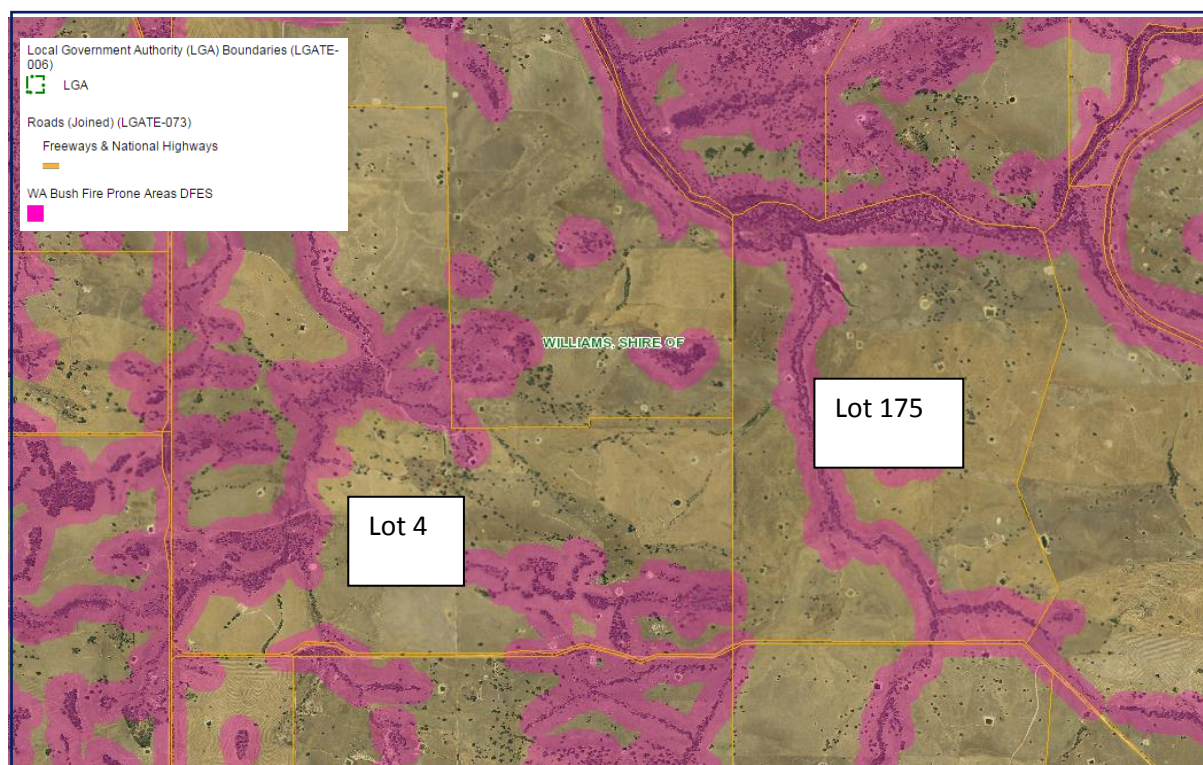
There is on line mapping which identifies all land in bushfire prone areas for the whole of Western Australia – available on www.dfes.wa.gov.au. An extract of the map as it applies to Lots 4 and 175 is included overpage.

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

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.

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.

SPP 3.7 requires all new subdivision applications entailing land identified as Bushfire Prone to be supported with a Bushfire Attack Level (BAL) contour map, however none has been provided.



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 any new development.

Policy Requirements

N/A

Legislative Requirements

Planning and Development (Local Planning Schemes) Amendment Regulations 2015

The Regulations include 'deemed provisions' which automatically apply to the Shire, without the need to amend the Shire's Scheme.

Regulation 67 outlines '*matters to be considered by Council*' including '*any policy of the Commission*'. This gives immense weight to Development Control Policy 3.4.

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



Strategic Implications

Support of subdivision of rural land which increases lot yield will set an undesirable precedent for other rural zoned land within the Shire.

Sustainability Implications

Environment

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

Economic

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

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

Simple Majority

Officer's (Consultant Planner) Recommendation

That Council:

1. Recommend that the Western Australian Planning Commission refuse the application to subdivide Lots 4 and 175 Culbin Boraning Road, Williams for the following reasons:
 - (i) The application does not comply with 'Development Control Policy 3.4 – Subdivision of Rural land' and will set an undesirable precedent for ad hoc unplanned subdivision of agricultural land throughout Western Australia.
 - (ii) The proposal does not constitute boundary rationalisation as it would result in an increased lot yield from 2 to 3 green title lots.

Council Resolution

Medlen/Major

That Council:

1. Recommend that the Western Australian Planning Commission refuse the application to subdivide Lots 4 and 175 Culbin Boraning Road, Williams for the following reasons:
 - (i) The application does not comply with 'Development Control Policy 3.4 – Subdivision of Rural land' and will set an undesirable precedent for ad hoc unplanned subdivision of agricultural land throughout Western Australia.
 - (ii) The proposal does not constitute boundary rationalisation as it would result in an increased lot yield from 2 to 3 green title lots

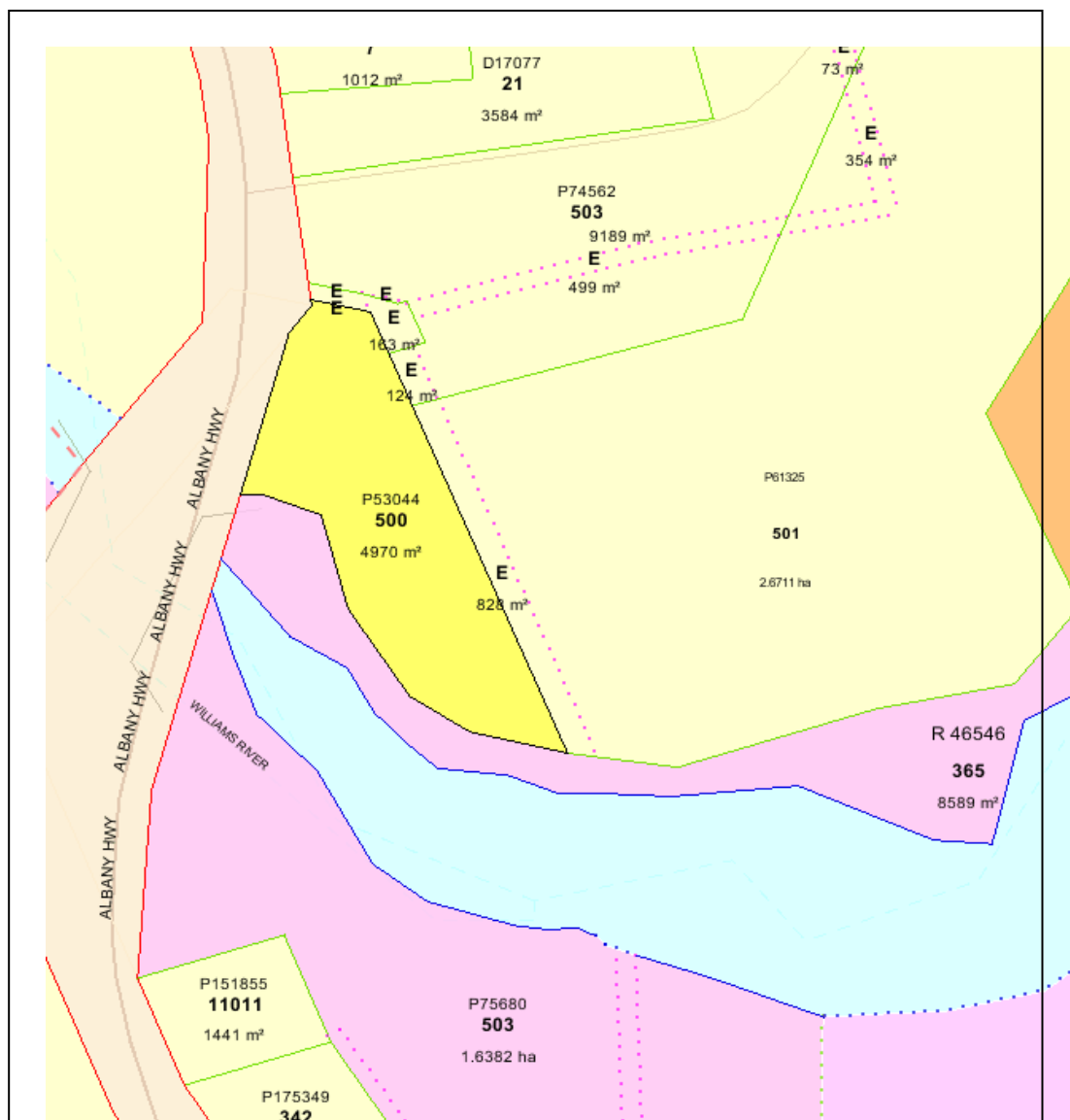
Carried 7/0
Resolution 193/16

8.4.3 PROPOSED WORKERS ACCOMMODATION – LOTS 500 ALBANY HIGHWAY, WILLIAMS

File Reference	10.60.15
Statutory Reference	Shire of Williams Town Planning Scheme No 2
Author & Date	Liz Bushby – Gray & Lewis, Landuse Planners, 9 th March 2016
Attachment	Appendix 1

Background

The northern portion of Lot 500 has been developed with a service station/roadhouse, and there is an existing house located on the southern portion. The existing house is partially screened from Albany Highway by trees within Reserve 46546.



Lot 500 is zoned Commercial under the Shire of Williams Town Planning Scheme No 2 ('the Scheme').

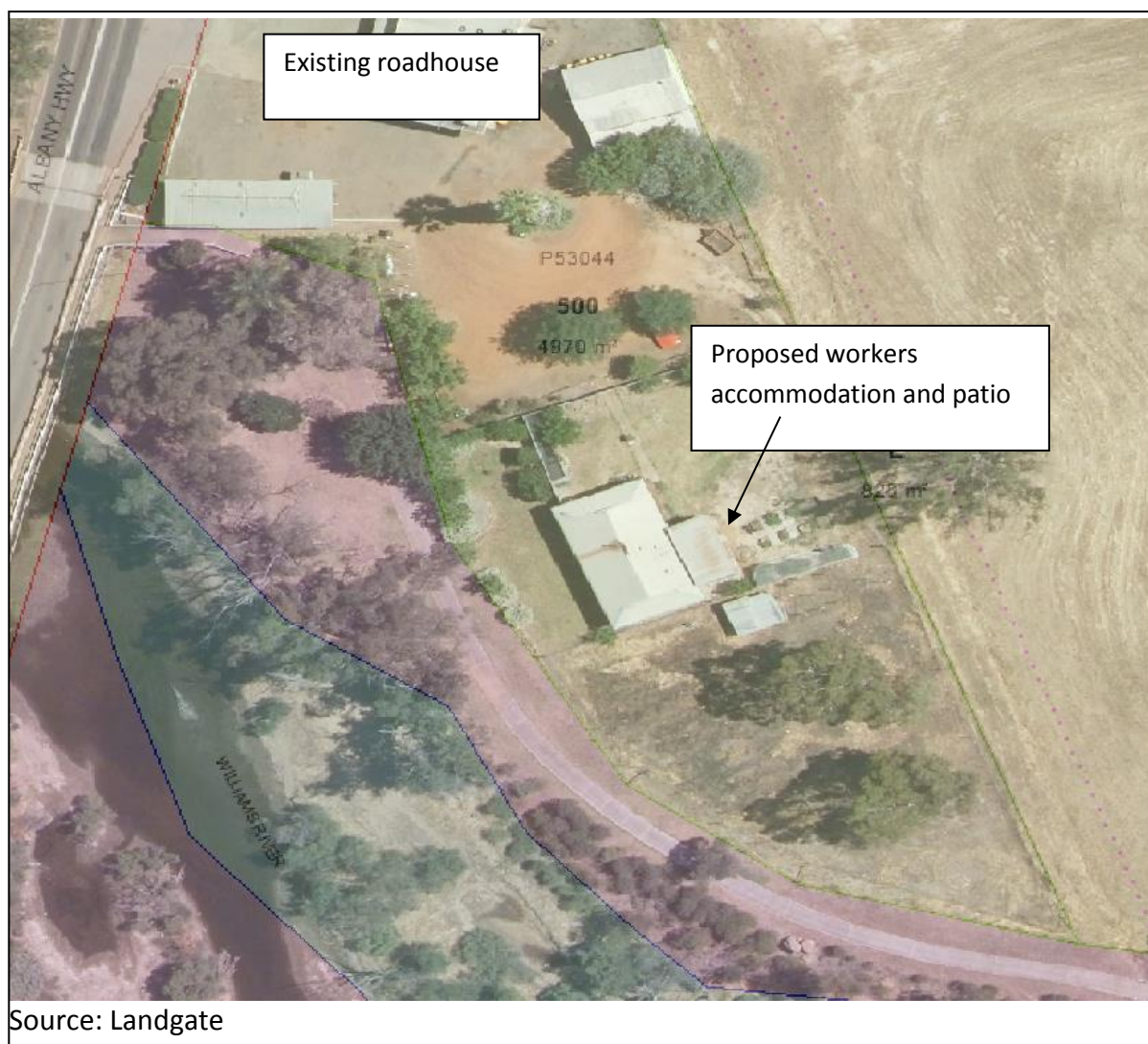
Comment

➤ **Description of Application**

A planning application has been lodged for a transportable building (for workers accommodation) and a patio to the rear of an existing house located on Lot 500 Albany Highway, Williams. The applicant has advised 2 rooms within the existing house are already used for workers accommodation.

The transportable building will be located approximately 9.8 metres from the east boundary and 40 metres from the south boundary. The floor area of approximately 60m² will accommodate 4 single rooms with individual en-suites.

A patio measuring 5 metres by 14.5 metres is proposed between the rear of the existing house and the proposed transportable building.





In support of the proposal the applicant has advised:

- The purpose of the accommodation is to increase the number of rooms available for staff from 2 useable rooms to 5.
- There is currently a workforce of 8 employees for the roadhouse, four of which are transient workers.
- All persons would be employed directly by the entity holding a lease over the entire premises, and will not be charged any nightly or short term accommodation fees.
- It is proposed to utilise an Ausco 4 person transportable building. The building has not been purchased yet as it is subject to necessary Shire approvals.
- The buildings are circa 2011 and there is a large supply in Perth.
- The existing building and new building will have a height of +400mm.
- The patio will be cream tube and zincalume loom for the roof sheeting.

The applicant has provided photograph examples to demonstrate the visual appearance of the proposed structures – Attachment 1.

➤ **Landuse definitions permissibility**

The landuse of 'workers accommodation' is not defined in the Shire's Scheme or in the Model Scheme Text contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

A number of other town planning schemes throughout Western Australia contain landuse definitions for workers accommodation. Definitions between Schemes vary however the most recent one that Gray & Lewis has dealt with is for the Shire of Cranbrook (scheme amendment gazetted May 2015) as follows:

"workers' accommodation" means a building or buildings used for the accommodation of persons who are employed by the predominant industry or business operating on the same site; are seasonal workers in the agricultural industry; or another major industry in the same local government area that is considered vital by the Shire to the local community. Workers Accommodation may include a range of associated facilities for the exclusive use of staff including, but not limited to, the provision of meals, cooking facilities, ancillary services, recreational areas, laundry facilities, car parking and bus parking, but does not include a Single Dwelling, Grouped Dwelling, Ancillary Dwelling or Residential Building as defined in the Residential Design Codes.

As the landuse of 'workers accommodation' is not specifically mentioned in the Zoning table of the Scheme, Council only has two options in accordance with Clause 4.3.2 of the Scheme as follows:

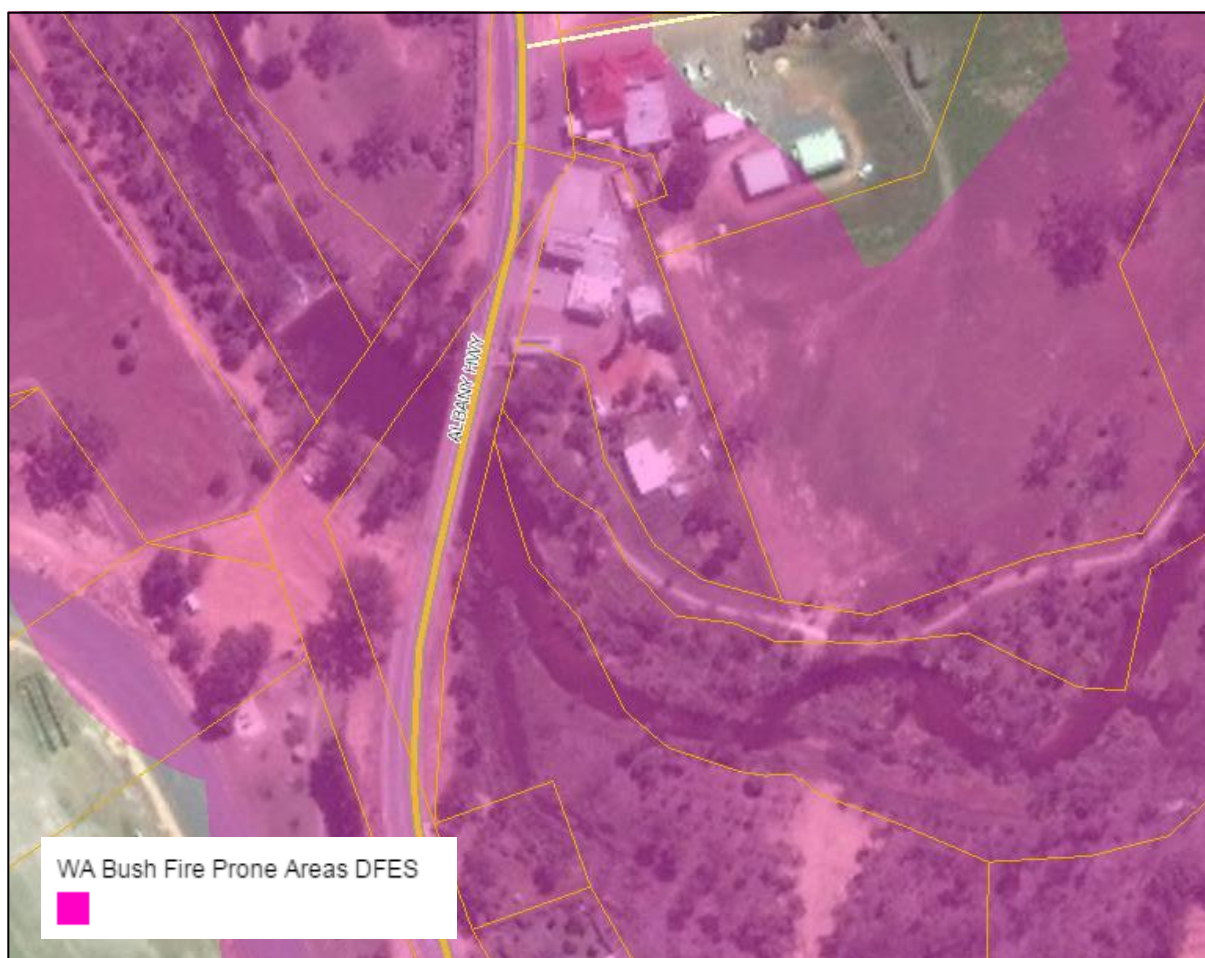
Option 1 – Council may determine that the use is not consistent with the objectives and purposes of the Commercial zone and is therefore not permitted; or

Option 2 – Council may determine by absolute majority that the workers accommodation may be consistent with objectives and purposes of the zone and thereafter follow the advertising procedures of Clause 2.6 in considering an application for planning consent.

Gray & Lewis recommends Option 2 as the use is ancillary to the existing roadhouse, will not be prominent from Albany Highway, and will not conflict with the objectives of the Commercial zone.

➤ **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 Lot 500 is included below.



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

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. Technically SPP 3.7 is effective now and the 'Guidelines for Planning in Bushfire Prone Areas' require all development applications in bushfire prone areas to be accompanied by a BAL assessment.

Building requirements for bushfire prone areas will become effective on the 8 April 2016. After the 8 April 2016 a BAL assessment will be required to be lodged with Building Permit applications for Class 1, 2, 3 buildings and associated Class 10A buildings and decks.



Gray & Lewis has not requested a Bushfire Attack Level (BAL) assessment as part of the planning application as timeframes for determination were unknown, and the application details were still being clarified.

The applicant has been advised (in writing) by Gray & Lewis that:

- The lot is contained within a bushfire prone area and
- New building requirements become effective on the 8 April 2016.

As the application has to be advertised the proposal will be affected as a separate building permit is not likely to be obtained prior to the 8 April 2016.

It is recommended that the applicant be advised that:

- A. The Shire is required to advertise the application under the Shire of Williams Town Planning Scheme No 2. Council will not be in a position to determine the application until after advertising (in April 2016).
- B. Any building permit application will be impacted on by new bushfire prone requirements.
- C. A BAL assessment will be required to ensure the proposed development can meet new bushfire requirements.

➤ **Flood Prone Area**

As Lot 500 may be in a flood prone area the application was referred to the Department of Water who advised as follows:

- The Department of Water, in carrying out its role in floodplain management, provides advice and recommends guidelines for development on floodplains with the object of minimising flood risk and damage.
- We have no formal floodplain mapping in Williams. However, some information is available for a large event that occurred in December 2011 (expected to be ~ 50 year ARI event). Based on observations during this event the peak flood level upstream of the Albany Highway Bridge was ~261.2 m AHD.
- Based on our floodplain development strategy for the area, a minimum habitable floor level of 262.2 m AHD is recommended to ensure adequate flood protection.
- Please note that a failure to adhere to these recommendations will result in a greater exposure to risks of flood damage. It should be noted that this advice is related to major flooding only and other planning issues, such as environmental and ecological considerations, may also need to be addressed.

The applicant has advised the existing house has a finished floor level above 400m AHD, and the new building will comply with the Department of Water's advice.

Policy Requirements

N/A



Legislative Requirements

Planning and Development (Local Planning Schemes) Amendment Regulations 2015

The Regulations include 'deemed provisions' which automatically apply to the Shire, without the need to amend the Shire's Scheme.

Regulation 67 outlines 'matters to be considered by Council' including 'any policy of the Commission'. This gives immense weight to State Planning Policy 3.7.

The application has to be advertised in accordance with Regulation 64(1)(b)(i) as the proposed use of workers accommodation is not listed in the Zoning Table. Regulation 64(3) requires advertising for a 14 day period.

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

Strategic Implications

There are no known strategic implications associated with this proposal.

Sustainability Implications

Environment

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

Economic

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

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 for Option 2.

Officer's (Consultant Planner) Recommendation

That Council:

1. Determine by absolute majority that the proposed workers accommodation use may be consistent with objectives and purposes of the Commercial zone and thereafter follow the advertising procedures of Clause 2.6 in considering an application for planning consent.
2. Note that the deemed advertising requirements under Regulation 64 (1)(b)(i) of the *Planning and Development (Local Planning Schemes) Amendment Regulations 2015* apply, and the application has to be advertised for 14 days because the workers accommodation landuse is not listed in the Zoning Table of the Shire of Williams Town Planning Scheme No 2.



3. Authorise the Chief Executive Officer to advertise the application by writing to nearby and adjacent landowner / occupiers (for 14 days).
4. Authorise the Chief Executive Officer to advise the applicant of this Council resolution and that:
 - (i) The Shire is required to advertise the application under the Shire of Williams Town Planning Scheme No 2. Council will not be in a position to determine the application until after advertising (in April 2016).
 - (ii) Any building permit application will be impacted on by new bushfire prone requirements.
 - (iii) A Bushfire Attack Level assessment will be required to ensure the proposed development can meet new bushfire requirements.
5. Note that the application will be referred to a future Council meeting for final determination following completion of advertising.

Council Resolution

Johnstone/Medlen

That Council:

1. Determine by absolute majority that the proposed workers accommodation use may be consistent with objectives and purposes of the Commercial zone and thereafter follow the advertising procedures of Clause 2.6 in considering an application for planning consent.
2. Note that the deemed advertising requirements under Regulation 64 (1)(b)(i) of the Planning and Development (Local Planning Schemes) Amendment Regulations 2015 apply, and the application has to be advertised for 14 days because the workers accommodation landuse is not listed in the Zoning Table of the Shire of Williams Town Planning Scheme No 2.
3. Authorise the Chief Executive Officer to advertise the application by writing to nearby and adjacent landowner / occupiers (for 14 days).
4. Authorise the Chief Executive Officer to advise the applicant of this Council resolution and that:
 - (i) The Shire is required to advertise the application under the Shire of Williams Town Planning Scheme No 2. Council will not be in a position to determine the application until after advertising (in April 2016).
 - (ii) Any building permit application will be impacted on by new bushfire prone requirements.
 - (iii) A Bushfire Attack Level assessment will be required to ensure the proposed development can meet new bushfire requirements.
5. Note that the application will be referred to a future Council meeting for final determination following completion of advertising.

**Carried by Absolute Majority 7/0
Resolution 194/16**



8.4.4 2015 ANNUAL COMPLIANCE AUDIT RETURN

File Reference	4.50.00
Statutory Reference	<i>Local Government (Audit) Regulations 1996</i>
Author & Date	Geoff McKeown 8 th March 2016
Attachment	Appendix 2

Background

To review the Annual Compliance Audit Return for the period 1 January 2015 to 31 December 2015, as presented, and report to council the results of the review.

All Local Governments are required to carry out a Compliance Audit Return (CAR) under the *Local Government (Audit) Regulations 1996* on an annual basis. The Compliance Audit Return contains a checklist of statutory requirements and covers the calendar year, 1 January 2015 to 31 December 2015.

The Compliance Audit Return is to be:

1. Presented to the Audit Committee for review at a meeting of the Audit Committee;
2. Recommended for Adoption by Council at an Audit Committee Meeting;
3. Presented to the Council at a meeting of Council;
4. Adopted by the Councils; and
5. The adoption recorded in the minutes of the meeting at which it is adopted.

Once the Compliance Audit Return has been presented to Council, a certified copy of the return, along with the relevant section of the minutes and any additional information explaining or qualifying the CAR is to be submitted to the Executive Director, Department of Local Government and Communities by 31st March 2016.

Comment

The audit was carried out internally, sourcing evidence of compliance through the Shire's own records. The audit checklist, which is determined by the Minister of Local Government, focused on the following area of compliance:

1. Commercial Enterprises of Local Governments
2. Delegation of Power / Duty
3. Disclosure of Interest
4. Disposal of Property
5. Elections
6. Finance
7. Local Government Employees
8. Official Conduct
9. Tenders for Providing Goods and Services

There were no areas where non-compliance was noted. Comment has been made in relation to a number of areas where an absolute majority resolution is needed. Although an absolute majority of votes was identified in the agenda item and obtained by the number of votes cast, the



resolution appearing in the Minutes stated "Carried" rather than "Carried by Absolute Majority". Attention will be given to this to matter to ensure the correct notation is recorded in future Minutes.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council adopts the 2015 Compliance Audit Return and endorses the certification by the Shire President and the Chief Executive Officer.

Council Resolution

Paterson/Cavanagh

That Council adopts the 2015 Compliance Audit Return and endorses the certification by the Shire President and the Chief Executive Officer.

Carried 7/0
Resolution 195/16



MINUTES – ORDINARY MEETING OF COUNCIL HELD 16TH MARCH 2016

The Economic Development Officer, Heidi Cowcher, entered the meeting at 4.03pm to observe Council's discussions on the following items 8.4.5, 8.4.6 and 8.4.7.

8.4.5 TENDER – INDEPENDENT AGED PERSONS UNITS

File Reference	8.40.25
Statutory Reference	Local Government Act 1995
Author & Date	Geoff McKeown 10 th March 2016

Background

This item progresses the project to construct two (2) addition independent aged persons units in New Street/Jam Tree Lane.

At the November 2015 Council Meeting a resolution was passed that included, in part, the following:

"That Council requests that the Economic Development Officer obtain three quotes for a qualified Architect to design and provide architectural plans with Councils desired specifications. Further, the Architect is to include in the quote provision for contract management support for the construction of two (2), 3 x 2 bathroom, and independent living units. Once the architectural plans have been adopted by Council, a tender for construction will be advertised."

Also at the December 2015 Council meeting the following resolution was passed:

"That Council agrees to support the Aged Housing Sub-Committee recommendations to the architect. Further, that the Shire of Williams in consultation with the architect commences the tender process provided agreement has been reached with the Aged Housing Sub-Committee on design and specifications."

Comment

Following those decisions a tender was invited from registered builders for the construction of two (2) Independent Living Aged Person Units. The tender was advertised in the West Australian on the 17th February 2016 with a closing time and date of the 10.00am on 9th March 2016.

During the advertising period seventeen (17) packages were sent to prospective tenderers. By the closing time six (6) valid tenders received. A further three (3) were received after the closing time via email. The *Local Government (Functions and General) Regulations 1996* state that a tender is required to be rejected unless it is submitted at a place and within the time specified in the invitation for tenders.

The Architect that has been engaged to assist the Shire with this process has requested the information submitted by the four companies that tendered the lowest price and met the submission timing. They will assess these tenders and provide a separate report for Council. It is likely that this report will not be available to include in the agenda papers and will have to be sent separately.



Through the Southern Investment Initiative, the Shire of Williams has been allocated \$717,664 to construct the units. A breakdown of budget for this project is as follows:

SII Funding 2015		
Site costs	\$25,000.00	Shire
Services /Tel/gas/elec/water	\$30,000.00	Shire/Builder
Building costs	\$597,664.00	Builder
Driveway	\$17,500.00	Builder
Footpath	\$17,500.00	Builder
Fencing	\$15,000.00	Shire
Landscaping	\$15,000.00	Shire
TOTAL	\$717,664.00	

Financial Implications

As confirmation of Southern Investment Initiative funding was not received at the time of adopting the 2015/16 Budget, no allocation for income or expenditure was included in the Budget. Section 6.8 (1) *Local Government Act 1995* states:

A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –

- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
- (b) *is authorised in advance by resolution*; or*
- (c) *is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

As expenditure will be incurred shortly with engagement of the Architect and some of the Shire costs shown in the table above, Council is requested to endorse the incurring of this expenditure.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council approve the incurring of expenditure not included in the 2015/16 Budget for the construction of two (2) independent aged person units.

Officer's Recommendation

That Council accept the recommendation from H&H Architects to award the contract to construct two (2) independent aged person units at Lots 67 & 68 New Street to



Council Resolution

Major/Medlen

That Council approve the incurring of expenditure not included in the 2015/16 Budget for the construction of two (2) independent aged person units.

**Carried by Absolute Majority 7/0
Resolution 196/16**

Council Resolution

Carne Medlen

That Council accept the recommendation from H&H Architects to award the contract to construct two (2) independent aged person units at Lots 67 & 68 New Street to Tradesman Homes, subject to favourable reference check being obtained by the Chief Executive Officer.

**Carried 7/0
Resolution 197/16**

The resolution differed from the recommendation as Council selected a preferred tenderer and requested the Chief Executive Officer to obtain a reference check of the company before awarding the contract.



8.4.6 COUNTRY SMILE CUSTOMER SERVICE CHARTER

File Reference	4.50.25	
Statutory Reference	Nil	
Author & Date	Geoff McKeown	10 th March 2016

Background

At the recent Hotham Williams Economic Development Alliance (HWEDA) Meeting there was discussion regarding the outcome of a study of the levels of customer service in the three local governments that make up HWEDA. The results of the study were distributed and the local governments were invited to adopt the recommended customer service charter and distribute it to local businesses.

Comment

Graham Harvey of Service IQ was employed by the Shire of Boddington to undertake the study. The aim was to improve the level of customer service across all the communities and thereby assist the development of the Marradong Country Brand.

Workshops were undertaken where employees of local businesses and local governments were given the opportunity learn what is needed in order to give good customer service. From this process came the document titled "Country Smile Customer Service Charter".

Council is asked to embrace the charter and encourage other businesses in the Shire to use it as the basis of their customer service efforts.

The wording on the charter appears on the following page. The one page document can be displayed by business to demonstrate their commitment and to set a standard for their employees to follow.

If Council is supportive of the charter it can be distributed to local businesses along with a request that they incorporate it into their operations.



Country Smile Customer Service Charter



Management and staff of this business are committed to working with a Country Smile.
We aim to help deliver Marradong Country's brand promise by striving for excellence in customer service.

We will *strive* to do this by:

1. Greeting every customer with a smile & acknowledging a customer's arrival immediately.
2. Listening to and anticipating our customers' needs.
3. Maintaining appropriate dress standards in accordance with our employee policy and ensuring we maintain a high level of personal hygiene at all times.
4. Treating our customers with respect & ensuring their confidentiality.
5. Answering phone calls and responding to emails in a timely & professional fashion.
6. Treating all customers equally regardless of race, age, gender or ability.
7. Refraining from smoking in our business, near entrances or along public thoroughfares close to our business.
8. Acting honestly and openly, especially with regard to timeframes, complaints or orders.
9. Striving to exceed our customers expectations in all that we do.
10. Ensuring all staff are trained in and agree to follow the Country Smile Customer Service Charter for Marradong Country.



**marradong
COUNTRY**

PO Box 104, Boddington WA 6390
(08) 9883 4999
www.marradongcountry.org.au

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council adopts the Country Smile Customer Service Charter and supports the distribution of the Charter in the Shire of Williams to encourage its adoption and implementation by business.



Council Resolution

Cavanagh/Johnstone

That Council adopts the Country Smile Customer Service Charter and supports the distribution of the Charter in the Shire of Williams to encourage its adoption and implementation by business.

Carried 7/0

Resolution 198/16

8.4.7 HWEDA ECONOMIC DEVELOPMENT IMPLEMENTATION PLAN AND STRATEGIC PLAN

File Reference	4.50.25
Statutory Reference	Nil
Author & Date	Geoff McKeown 10 th March 2016
Attachment	Appendices 3, 4 and 5

Background

At the recent Hotham Williams Economic Development Alliance (HWEDA) Meeting a number of important documents were adopted. As a member of this organisation the Shire of Williams has key role to play in assisting to implement these plans and ensure their strategies and outcomes are realised.

Comment

The two documents that chart the future for HWEDA are:

1. HWEDA Economic Development Implementation Plan; and
2. HWEDA Strategic Plan.

HWEDA was established as part of the Boddington SuperTown Economic Development Strategy. The Alliance is a collaborative sub-regional group made up of the three communities of Williams, Wandering and Boddington.

In late 2012, the Shire of Boddington received \$1.17m funding for 2 years to establish an Economic Development Unit at the Shire of Boddington, engage staff and implement an Economic Development Strategy for the sub-region. One of the outcomes of this funding was to form a strategic alliance and to prioritise economic development resources within the region and provide ongoing economic input into Supertown Growth Plan. During the duration of the 2 year project, the Hotham-Williams Economic Development Alliance was established and commenced discussions around the economic development opportunities regionally. HWEDA is an incorporated association with nominated membership from the three towns.

Although HWEDA does not necessarily represent the views of the local governments directly it is appropriate that this Shire support the organisation by noting the existence the documents and recognising that the strategies and outcomes have direct benefit to this community. They can also be used by the local government when opportunities arise to apply for external funding.



Copies of both plans are attachments to this Agenda.

Financial Implications

The Shire of Williams has provided a contribution to HWEDA which has been used for the development of these plans.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council notes that the Hotham Williams Economic Development Alliance has adopted an Economic Development Implementation Plan and a Strategic Plan, and welcomes their implementation to the benefit of the communities of Boddington, Wandering and Williams.

Council Resolution

Johnstone/Cavanagh

That Council notes that the Hotham Williams Economic Development Alliance has adopted an Economic Development Implementation Plan and a Strategic Plan, and welcomes their implementation to the benefit of the communities of Boddington, Wandering and Williams.

Carried 7/0
Resolution 199/16

Heidi Cowcher left the meeting at 4.21pm.

8.4.8 HAZARD REDUCTION BURNING – DEPARTMENT OF PARKS AND WILDLIFE

File Reference 5.10.3

Statutory Reference

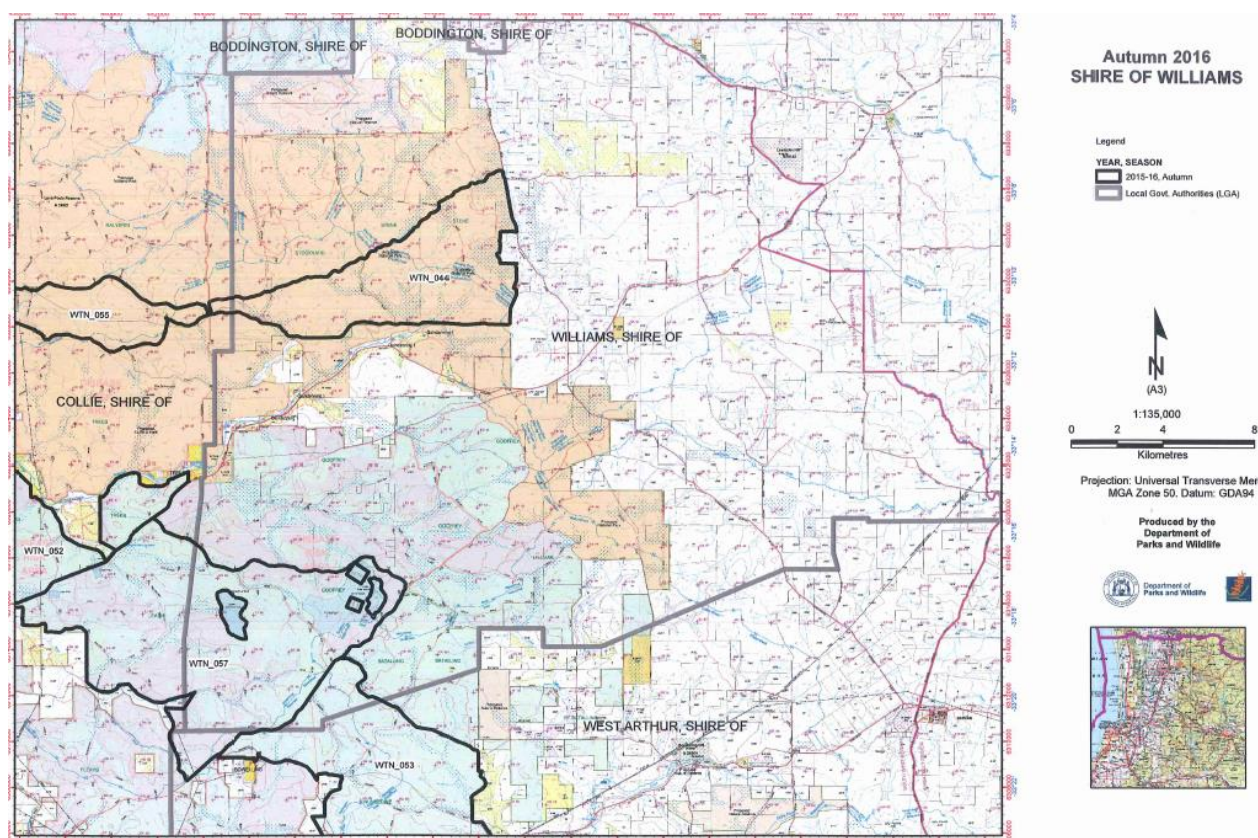
Author & Date Geoff McKeown 11th March 2016

Background

The Department of Parks & Wildlife intends to undertake hazard reduction burning operations in the Shire of Williams during the 2016 Autumn period. It is seeking the Shire's consideration and approval to allow the Department to take responsibility for the ignition and management of a controlled burn on lands that are the responsibility of the Shire

Comment

The Department is seeking permission only to shire managed lands, reserves and road reserves as depicted on the following map.



Advice will be provided to the Chief Bush Fire Control Officer each day the burning is proposed. The ignition and conduct of the burning will be carried out under a prescribed fire plan and in accordance with the Department's processes and procedures.

Also, the Department will manage roads and traffic in accordance with an approved traffic management plan.



Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council notes the Department of Parks and Wildlife's intention to undertake hazard reduction burning in parts of the Shire of Williams during the 2016 Autumn period and has no objection to the burning proceeding under the conditions provided by the Department.

Council Resolution

Johnstone/Cavanagh

That Council notes the Department of Parks and Wildlife's intention to undertake hazard reduction burning in parts of the Shire of Williams during the 2016 Autumn period and has no objection to the burning proceeding under the conditions provided by the Department.

Carried 7/0
Resolution 200/16



8.4.9 USE OF THE COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY

File Reference 4.50.60

Statutory Reference Sections 5.42 and 9.49A *Local Government Act 1995*

Author & Date Author of Original Item – Amanda O’Halloran, CEO Shire of Williams and modified by Geoff McKeown 11th March 2016

Background

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

Council has approved the updated Delegations Register at the December 2015 Ordinary Meeting of Council. The procedure associated with the register is to report to Council the activities or actions that have been performed under the delegated authority. A report will be completed for Council at each meeting that identifies (1) use of the Common Seal, and (2) actions performed under the delegated authority requiring referral to Council as per the Shire of Williams Delegations Register.

Comment

Actions performed under delegation during the month of January 2016 are provided below:

- **Disposal of Surplus Equipment, Materials, Tools, etc. – Delegation No LGA3**

Delegation - Under section 5.42 of the *Local Government Act 1995*, the Chief Executive Officer is delegated to exercise the powers or discharge the duties of the Council under section 3.58 of the *Local Government Act 1995* where -

- the disposition of property is an exempt disposition in accordance with Regulation 30(3) of the *Local Government (Functions and General) Regulations 1996*.
- the surplus items have an estimated value of less than \$1000

Action – The Chief Executive Officer approved the disposal of an unused item of plant, being the sale of a multi tyred drawn roller to the Collie Speedway Club for the sum of \$500, including GST.

- **Payment of Creditors – Delegation FMR1**

Delegation - Under section 5.42 of the *Local Government Act 1995*, the Chief Executive Officer is delegated to exercise the powers or discharge the duties of the Council under Regulation 12 of the *Local Government (Financial Management) Regulations 1996*, in regard to the making of payments from the municipal and trust funds.

Action - Payments from the Municipal Fund and Trust Fund as per financial report attached at 8.5.1 of this Agenda.



- **Donations – Delegation Misc1**

Delegation - The Chief Executive Officer has delegated authority to approve requests for donation of monies up to the value of \$200.00 in accordance with Policy.

Action - The Chief Executive Officer approved a donation of \$200.00 to the Williams Gateway Expo Art Subcommittee for prizemoney for the Art Exhibition which forms part of this year's Expo.

Financial Implications

Funds received from sale of plant not included as income in 2015/16 Budget.

Payments from the Municipal Fund and Trust Fund have been approved in the 2015/16 Annual Budget.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council accepts the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of February 2016.

Council Resolution

Paterson/Cavanagh

That Council accepts the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of February 2016.

**Carried 7/0
Resolution 201/16**

LATE ITEMS

Council Resolution

Carne/Paterson

That the following late items be accepted for discussion.

**Carried 7/0
Resolution 202/16**



8.4 CHIEF EXECUTIVE OFFICER'S REPORT – LATE ITEM

8.4.10 PROPOSED BOUNDARY CHANGE – QUINDANNING LOCALITY

File Reference	4.1.20
Statutory Reference	Schedule 2.1 <i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 15 th March 2016

Background

At the December 2015 Council Meeting it was reported that the President had been presented with information from a resident in Quindanning seeking support for a proposal to change the boundary between the Shire of Williams and Shire of Boddington to transfer a number of properties to the Shire of Williams via a boundary change.

The resident, Mr Keith Davies, outlined the reasoning behind the proposal and indicated that there was broad support from the landowners that would be affected.

Comment

The President, Deputy President and CEO visited the Boddington Shire on the 2nd February and met with President, John Allert and CEO, Chris Littlemore.

The purpose of the meeting was to gauge the views of the Boddington Shire on the proposal initiated by Mr Davies.

It would be true to say that the Boddington representatives did not see a need for a boundary change as they believed their Shire was adequately servicing their residents in Quindanning. They did agree to raise the matter with the Boddington Council.

One of the points that came up in the discussion was the actual level of support in the community for such a change. There was consensus that both Councils would be willing to have further discussion with the community if more residents demonstrated their support for the proposal.

Mr Davies subsequently presented a petition to the Boddington Shire Council Meeting on the 16th February 2016. The petition was signed by a number of property owners who would be affected by the proposed boundary change. Attached to the petition was a letter that summarised the reasoning for seeking to change. It stated as follows:

"President Boddington Shire Council Mr John Allert and Councillors

We the ratepayers of Quindanning, listed below, within the Shire of Boddington, ask the Boddington Shire Council to receive this community proposal to change the boundaries of this Local Government district.



The map attached indicates the properties of the undersigned and a possible boundary location that would allow them to become part of the Williams Shire. We understand that the changes, if any, at the end of community consultation could be different from those indicated on the map.

Some of the reasons we have for requesting this change are as follows:

The hub of Quindanning is disadvantaged because it falls within two Local Authorities. The Shire boundary follows the main road through the centre of the Quindanning town site.

In the metropolitan area, because of the dense population, there is no problem with local authority boundaries traversing roads.

In Quindanning it has a greater effect due to our sparse population. This issue is not new and has been raised at council previously.

*See Town Planning Consultants report item 8.1.1 Ordinary meeting 4th March 2008. which states: **It is in some ways an awkward situation having the common Shire boundary aligned down the regional collector road with the gazetted town site in the Shire of Williams.....***

*And **It is difficult to develop cohesive planning policies for an area under two separate local government authorities.***

We wish to be a united community, we do not have the number of people that makes running our different community activities easy. We believe that being united would assist in this regard.

We also would like to see a small increase in the number of families residing here, not a huge increase but for the reasons mentioned above.

We accept that there are no shops and limited facilities here which is fine, we are prepared to accept this. To facilitate a growth in the number of families in Quindanning could require some Town Planning changes. It would be far better for one Local Authority to consider the entire locality rather than two Councils being involved.

Other reasons for requesting this change are:

Quindanning Town site is in the Shire of Williams

The Quindanning Inne, Hall, Church and old School site are in the Shire of Williams

Quindanning postcode is the same as Shire of Williams

Quindanning phone numbers are the same (first four digits) as Williams

Rural lifestyle of residents relates well to Shire of Williams

Some of Quindannings early settlers originated from Williams

Local children obtain their schooling in Williams and Narrogin

To rectify the situation where our community has TWO emergency evacuation centres This needs to be addressed.



Williams Shire Council have indicated they would be willing to work with Boddington Shire to establish a more functional boundary between the Shires.

We have canvassed the majority of ratepayers around the hub of the town site of Quindanning and the overwhelming majority wish to see the boundary altered with relocation of properties west of the current boundary to the Williams Shire as seen on the attached map.

We trust that Council will consider this matter and work with the Williams Shire Council to bring about a change.

Listed below are signatories to Local Government Forms used for requesting consideration for boundary changes (see attached).

The properties are within the area delineated on the attached map.

Keith & Angela Davies 7623 Harvey to Quindanning Rd

David & Tracey McGowan 7557 “ “

Greg & Sandra Green 7362 “ “ (continued on page 2)

Elaine Sherry 9122 Pinjarra Williams Rd

George & Neta Lavender 9198 “ “

Wynona Roberts & Nathan Groves 9170 “ “

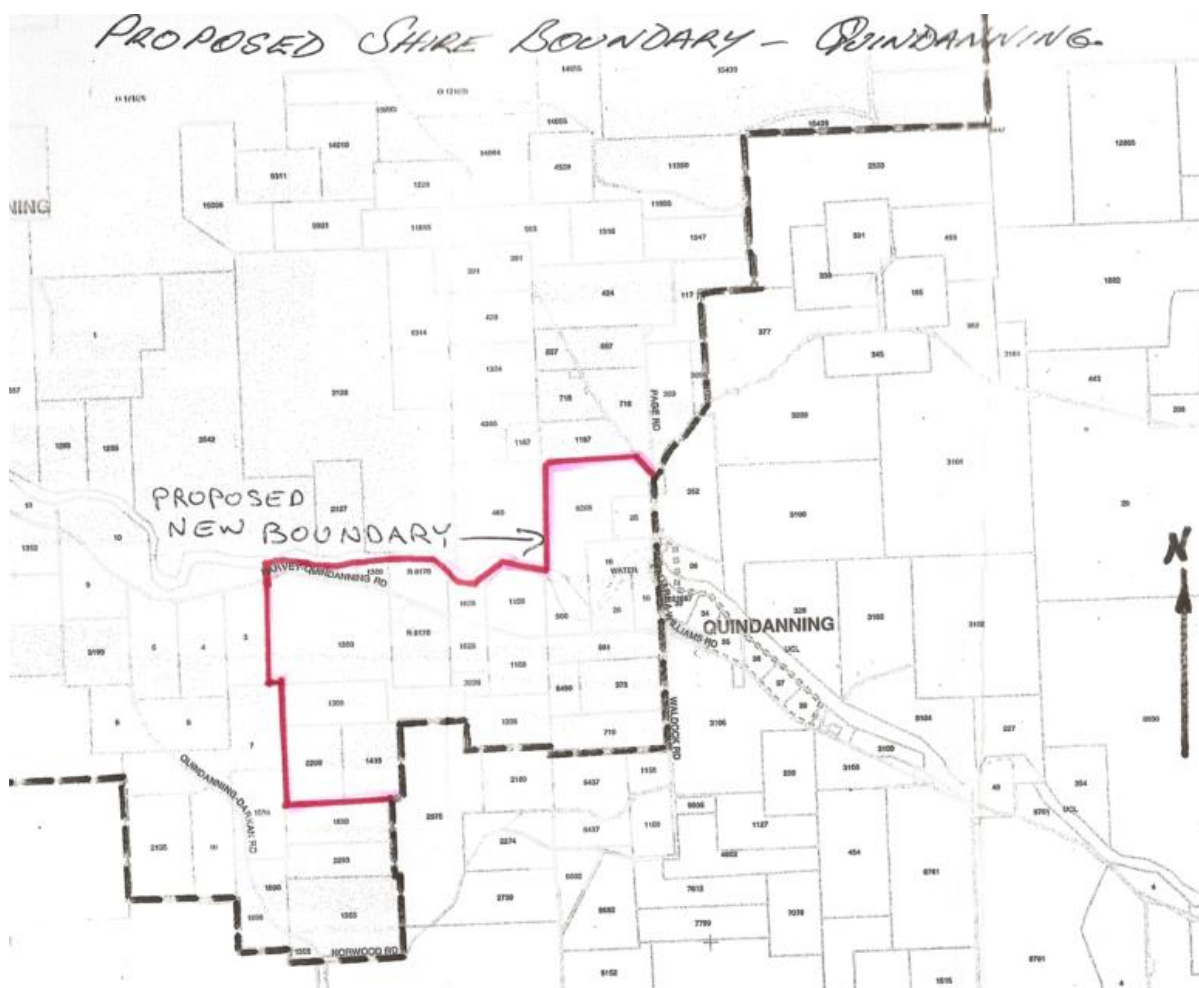
Angela Dudding 9192 “ “

Therese Mitchell 9198 “ “

Yours faithfully,

Keith Davies RMB 604, Williams, 6391

9th Feb 2016”



Schedule 2.1 of the *Local Government Act 1995* states that

2. Making a proposal

- (1) A proposal may be made to the Advisory Board by —
 - (a) the Minister; or
 - (b) an affected local government; or
 - (c) 2 or more affected local governments, jointly; or
 - (d) affected electors who —
 - (i) are at least 250 in number; or
 - (ii) are at least 10% of the total number of affected electors.
- (2) A proposal is to —
 - (a) set out clearly the nature of the proposal, the reasons for making the proposal and the effects of the proposal on local governments; and
 - (b) be accompanied by a plan illustrating any proposed changes to the boundaries of a district; and
 - (c) comply with any regulations about proposals.



When considering a proposal, the Local Government Advisory Board (LGAB) assesses the following matters:

- community of interest
- physical and topographic features
- demographic trends
- economic factors
- history of the area
- transport and communication
- matters affecting the viability of local governments
- effective delivery of local government services

If Council believes there is merit in the argument put forward by the residents of Quindanning and sufficient evidence can be gathered to address the matters that will be assessed by the LGAB, then the Shire could support submission of a proposal. To have a better chance of success a combined proposal with support of the shires and the residents is recommended.

Alternatively, if the Shire does not believe the proposal has merit it can advise the residents and the Shire of Boddington accordingly.

Financial implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council seek support from the Shire of Boddington for a joint proposal to be made to the Local Government Advisory Board for a boundary change involving a number of properties in the Quindanning locality.

Officer's Alternative Recommendation

That Council advise the Shire of Boddington and residents of the Quindanning locality, that have indicated support for a boundary change, that the Shire of Williams will not support or oppose a proposal being made to the Local Government Advisory Board. Further, if a proposal is made the Shire of Williams will comment on the merits of the boundary change if the Local Government Advisory Board conducts a formal enquiry.

Council Resolution

Cavanagh/Medlen

That Council seek support from the Shire of Boddington for a joint proposal to be made to the Local Government Advisory Board for a boundary change involving a number of properties in the Quindanning locality.

Carried 7/0
Resolution 203/16



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 March 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 104502 - 104506, EFT Transfers and Direct Debits totalling \$158,626.54, Trust cheque 1155 totalling \$704.00, CLGFR EFT transfer totalling \$141,708.29 approved by the Chief Executive Officer be endorsed and Municipal Fund EFT transfers totalling \$146,991.13, Cheques 104507 – 104512 totalling \$10,070.15 be approved for payment.



Council Resolution

Johnstone/Paterson

That Municipal Fund cheques 104502 - 104506, EFT Transfers and Direct Debits totalling \$158,626.54, Trust cheque 1155 totalling \$704.00, CLGFR EFT transfer totalling \$141,708.29 approved by the Chief Executive Officer be endorsed and Municipal Fund EFT transfers totalling \$146,991.13, Cheques 104507 – 104512 totalling \$10,070.15 be approved for payment.

Carried 7/0
Resolution 204/16

8.5.2 FINANCIAL STATEMENTS

File Reference

4.23.15

Statutory Reference

N/A

Author & Date

Cara Ryan

10th March 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 29th February 2016 be received.

Council Resolution

Cavanagh/Carne

That the financial statements presented for the period ending 29th February 2016 be received.

Carried 7/0
Resolution 205/16



8.5.3 2015/2016 BUDGET VARIATIONS

File Reference	4.23.20
Statutory Reference	<i>Local Government Act 1995</i> Section 6.8
Author & Date	Cara Ryan 11 th March 2016

Background

It is a requirement of the *Local Government Act 1995* that any expenditure incurred from the municipal fund, that is not included in the Annual Budget, is authorised by Council by absolute majority. Although, Council have previously endorsed the activities for the expenditure in this report these items remain unbudgeted under the current Annual Budget.

Comment

The following table details items of expenditure that requires Council's endorsement, which were not included in the 2015/2016 Annual Budget.

GL Account	Purpose	Amt
E053110 - Security Services	At May 2015 Ordinary Meeting, Council endorsed that the Chief Executive Officer review and update the Community Safety and Crime Prevention Strategy 2006-2009, along with holding workshop's with the Williams Business Group and Williams Police. (Resolution 240/15). An independent consultant, Redfish Technologies was engaged to undertake a complete review and developed a plan for CCTV. The total unbudgeted expense is for consultancy services by Redfish Technologies.	\$1,920
E092013 - NRAS Fees	Council endorsed the expenditure of \$10,000 + GST per unit to enter into the National Rental Affordability Scheme via Questus Residential Investment Fund, at the September 2014 Ordinary Meeting. (Resolution 60/15). This allocation was for 5 units located at Jam Tree Lane, making the total expenditure \$50,000 + GST. Questus invoiced 50% of this fee in April 2015. The remaining 50% was invoiced September 2015. The invoiced amount paid in September 2015 was not included in the 2015/2016 Budget.	\$25,000
E122033 - Storm Damage	Heavy Rainfall, resulting in flooding occurred from the 18th to 20th January 2016. There was extensive damage on Marling Road, which required immediate repairs to make the road safe.	\$23,459
TOTAL		\$50,379



Statutory Implications

LOCAL GOVERNMENT ACT 1995 - SECT 6.8 (1)

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or*
- (b) is authorised in advance by resolution*; or*
- (c) is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Financial Implications

The total amount of unbudgeted expenditure of \$50,379 has been covered by unexpected income received, via 4WDL VROC, from the RDC and CLGFR 2012/2013 Aged Housing Project. This expenditure along with the extra savings has been reported in the Budget Review undertaken as of the 29 February 2016.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council approve the unbudgeted expenditure as paid from the Shire of Williams Municipal fund:

1. Security Services - \$1,920
2. NRAS Administration Fee - \$25,000
3. Storm Damage - \$23,459



Council Resolution

Medlen/Johnstone

That Council approve the unbudgeted expenditure as paid from the Shire of Williams Municipal fund:

1. Security Services - \$1,920
2. NRAS Administration Fee - \$25,000
3. Storm Damage - \$23,459

**Carried by Absolute Majority 7/0
Resolution 206/16**



8.5.4 2015/2016 BUDGET REVIEW

File Reference	4.21.25
Statutory Reference	<i>Local Government Act 1995</i> Section 6.12(1)
Author & Date	Cara Ryan 11 th March 2016
Attachments	Appendix 1 - 2015/2016 Budget Review Statement of Financial Activity, Net Current Funding and Predicted Variances

Purpose

To consider and adopt the Budget Review as presented and recommended at the Audit Committee meeting held on Wednesday, 14th March 2016.

Background

A Statement of Financial Activity incorporating year to date budget variations and forecasts to 30th June 2016 for the period ending 29th February 2016 is presented to the committee to consider and for recommendation to Council for adoption. The *Local Government (Financial Management) Regulations 1996*, regulation 33A as amended, requires that local governments conduct a budget review between 1 January and 31 March in each financial year. The results of the review and accompanying report from the review must be presented to Council within 30 days of the review. The review and determination is then to be provided to the Department of Local Government and Communities within 30 days of the adoption of the review.

The budget review has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. Council adopted a 5% and \$5,000 minimum for reporting of material variances to be used in the statements of financial activity and the annual budget review.

Features of the review as summarised from the detailed financial reports attached are as follows:

REVENUE

Unexpected Bonus Payment from LGIS	\$3,907
Reimbursement for Risk Management from LGIS	\$2,802
Long Service Leave Reimbursement	\$14,957
Increase in CDO Outsourcing income	\$15,000
Increase rental income for the CEO House	\$5,000
Decrease of the Federal Equalisation Grant	(\$3,000)
Adjustment to ESL Maintenance Grant – 2014/2015	(\$5,839)
Refund from Telstra for incorrect phone charges from previous years	\$1,600
Increase in expected revenue for Childcare Centre Fees	\$15,000
Increase in the Federal Sustainability Grant for the Childcare Centre	\$2,972
Parental Leave Reimbursement	\$11,826
Decrease in expected revenue due for NRAS	(\$39,032)
No revenue expected for Sale of Scrap for the current year	(\$5,000)
TOTAL ADJUSTED REVENUE	\$20,193



EXPENDITURE

Decrease in members expenses	\$10,000
Payment Annual Leave and Long Service Leave on termination	(\$38,357)
Saving on Staff Training allocated to Administration Staff	\$5,000
Additional maintenance required on Staff Housing	(\$5,000)
Funds allocated to Valuers not required	\$5,000
Additional expenditure for Bank Fees – Treasury Guarantee Fee	(\$2,000)
Expenses incurred for development of a CCTV plan	(\$1,920)
Parental Leave Payments	(\$11,826)
NRAS 50% upfront payment for Administration Costs	(\$25,000)
Additional expense for maintenance Agricultural Hall	(\$4,180)
Savings on Pool Contractor Wages	\$6,800
Water usage expense over budget expectations	(\$7,000)
Major Plant Repairs on Multi Roller and Prime Mover	(\$48,345)
TOTAL ADJUSTED EXPENDITURE	(\$116,828)

CAPITAL ADJUSTMENTS

Additional revenue received from RDC Funding – Aged Housing Project	\$21,758
Additional revenue received from CLGFR 2012/2013 – Aged Housing Project	\$42,693
Transfer to Reserves reduced by \$40,000 due to NRAS revenue reduced	\$40,000
Additional expenditure on Jam Tree Lane public open space	(\$10,240)
Regional Refuse site postponed	\$85,000
CAPITAL ADJUSTMENT	\$179,211

OTHER ITEMS

Decrease in Opening Surplus	(\$18,176)
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Statutory Implications

REGULATION 33A OF THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996 requires:

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its budget for that year.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.
- (3) A Council is to consider a review submitted to it and is to determine by absolute majority whether or not to adopt the review, any parts of the review or any recommendations made in the review.
- (4) Within 30 days after a Council has made a determination it is to be provided to the Department of Local Government.



Financial Implications

Due to the combined value of the above adjustments the balanced budget is now predicted to be a surplus of \$64,400. This predicted surplus includes a timing adjustment of \$85,000 for the proposed Regional Waste Site and may be required to be carried over to the 2016/2017 budget.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council adopt the 2015/2016 Budget Review for the period 1 July 2015 to 29 February 2016, as presented in the 2015/2016 Budget Review Financial Statements.

Council Resolution

Major/Paterson

That Council adopt the 2015/2016 Budget Review for the period 1 July 2015 to 29 February 2016, as presented in the 2015/2016 Budget Review Financial Statements.

**Carried by Absolute Majority 7/0
Resolution 207/16**



8.6 COUNCILLORS' REPORTS

- Cr Cavanagh attended and discussed the Bauxite CLC meeting held on the 25th February 2015.
- Cr Carne attended and discussed the WALGA Central Country Zone meeting, hosted by Kulin, on the 26th February 2015.

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN.

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

Cr Cavanagh indicated that he had new business of an urgent nature that he would like to raise with Council. As the business deals with matters affecting an employee or employees, the Council can close the meeting to the public in accordance with section 5.23(2) of the *Local Government Act 1995*.

Council Resolution

Medlen/Paterson

That Council allows Cr Cavanagh to raise an item of new business of an urgent nature concerning matters potentially affecting an employee or employees of the Council.

**Carried 7/0
Resolution 208/16**

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 6.20pm.