



SHIRE OF WILLIAMS AGENDA

ORDINARY COUNCIL MEETING
WEDNESDAY 16 AUGUST 2023



NOTICE OF ORDINARY MEETING OF COUNCIL

Dear Elected Member & Community Members,

You are respectfully advised the next Ordinary Meeting of the Shire of Williams will be held on Wednesday 16 August 2023, in the Shire of Williams Council Chambers, 9 Brooking Street, Williams, commencing at 3.30 pm.

A handwritten signature in black ink, appearing to read 'Geoff McKeown', is positioned above the printed name.

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.

SHIRE OF WILLIAMS STRATEGIC COMMUNITY PLAN 2022-2032

ECONOMIC

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

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

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

SOCIAL AND CULTURAL

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

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

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

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

LAND USE & ENVIRONMENT

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

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

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

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

LUE4. Recognising and implementing sustainability measures.

INNOVATION, LEADERSHIP & GOVERNANCE

Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.

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

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

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

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

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AGENDA

1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member, President Jarrad Logie, will declare the Meeting open at 3.30pm.

2.0 Record of Attendance / Apologies / Leave of Absence

Elected Members

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

Staff

Geoff McKeown - Chief Executive Officer
Manuela Lenehan - Minute Taker

Visitors – Nil
Apologies - Nil
Leave of Absence – Nil

3.0 Public Question Time

Nil

4.0 Petitions / Deputations / Presentations

Nil

5.0 Declarations of Interest

Nil

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 26 July 2023

Officer's Recommendation

That the Minutes of the Ordinary Council Meeting held 26 July 2023, as previously circulated, be confirmed as a true and accurate record.

6.2 Special Meeting Held 3 August 2023

Officer's Recommendation

That the Minutes of the Special Meeting held 3 August 2023, as previously circulated, be received.

7.0 Announcements by Presiding Member Without Discussion

Nil

8.0 Matters Which Require Decisions

8.1 Corporate and Community Services

8.1.1 Payment Listing

File Reference	4.23.15
Statutory Ref.	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Cassie Barker 11 August 2023
Attachments	Payment listing for month ending 31 July 2023

Background

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

Statutory Implications

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

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

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

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

Comment

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

Strategic Implications

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

CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

As listed in the recommendation below.

Voting Requirements

Simple Majority

Officer's Recommendation
That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104980 – 104983 totalling \$616,657.71 approved by the Chief Executive Officer during the month of July 2023 be endorsed.

SHIRE OF WILLIAMS PAYMENT LISTING FOR THE MONTH ENDING 31 JULY 2023

DATE	NAME	DESCRIPTION	AMOUNT
MUNICIPAL - EFT, BPAY, DIRECT DEBIT & CHEQUES			
03/07/2023	MARKET CREATIONS AGENCY	13258 - Additional Modules to Website	\$ 2,629.00
03/07/2023	WESTRAC	13283 - Repairs (CAT Grader)	\$ 22,600.44
03/07/2023	WILDWEST HAULAGE	13046 - Tree Trimming/Pruning (Zilko Rd)	\$ 46,486.00
03/07/2023	WA SUPER	Superannuation - June 2023	\$ 34,659.02
04/07/2023	HIS and HERS MAINTENANCE	13306 - Initial Deposit - Internal Painting (CRC)	\$ 1,120.00
04/07/2023	M & M CONTRACTORS	13270 - Carry Out Gravel Sheeting (Ram Shed Stock Water)	\$ 6,050.00
05/07/2023	BUILDING AND ENERGY	BSL collection - Jun 2023	\$ 56.65
05/07/2023	WILLIAMS GROCER	Refreshments - Road Safety Week	\$ 141.68
12/07/2023	FDC EDUCATORS	FDC Educators PE 09/07/2023	\$ 21,620.30
12/07/2023	CR BERNARD PANIZZA	Cr Sitting Fees & Travel	\$ 2,860.55
12/07/2023	CR CHRISTINE COWCHER	Cr Sitting Fees & Travel	\$ 2,856.37
12/07/2023	CR JARRAD LOGIE	President's Sitting Fees, Allowance & Travel	\$ 9,440.04
12/07/2023	CR JOHN MACNAMARA	Cr Sitting Fees & Travel	\$ 2,373.80
12/07/2023	CR MOYA CARNE	Cr Sitting Fees & Travel	\$ 2,588.61
12/07/2023	CR NATALIE MAJOR	Cr Sitting Fees & Travel	\$ 2,547.97
12/07/2023	CR ROBERT BAKER	Cr Sitting Fees	\$ 1,904.00
12/07/2023	CR SIMON HARDING	Cr Sitting Fees & Travel	\$ 1,966.62
12/07/2023	CR TRACEY PRICE	Cr Sitting Fees	\$ 2,144.00
13/07/2023	SHIRE OF WILLIAMS	Salaries & Wages PE 12/07/2023	\$ 49,878.92
19/07/2023	HIS and HERS MAINTENANCE	13306 - Final Payment - Internal Painting (CRC)	\$ 4,180.00
19/07/2023	KING, JASON	Reimbursement - Pre Employment Medical (J King)	\$ 162.00
24/07/2023	DRIVETRAIN AUSTRALIA PTY LTD	13130 - Gearbox Overhaul (MT Roller)	\$ 16,364.32
26/07/2023	FDC EDUCATORS	FDC Educators PE 23/07/2023	\$ 22,593.75
26/07/2023	South32 Worsley Alumina Pty Ltd	Refund Rates due to Tenement 'Deaths' - Ass. 3103, 3104 & 3105	\$ 589.41
27/07/2023	SHIRE OF WILLIAMS	Salaries & Wages PE 26/07/2023	\$ 50,659.72
28/07/2023	AVON WASTE	11015 - Monthly Refuse Charges June 2023	\$ 9,585.02
28/07/2023	BOC Ltd	12822 - June 2023 Container Service Fee	\$ 43.25
28/07/2023	CITY OF KALAMUNDA	Building Surveyor Wages 25/5/2023 - 30/6/2023	\$ 208.10
28/07/2023	COHESIS PTY LTD	13277,12942 -Consultancy Support, Business Systems Health Check	\$ 9,072.25
28/07/2023	CORSIGN WA PTY LTD	13269 - 'Restricted Area' Signs (Judges Box)	\$ 39.60
28/07/2023	COUNTRY PAINT SUPPLIES	13197 - Touch Up Paint (Lions Park)	\$ 30.90
28/07/2023	CUMMINS SOUTH PACIFIC PTY LTD	13132 - Parts (Multi-Tyre Roller)	\$ 1,080.23
28/07/2023	E & MJ ROSHER PTY LTD (EFT)	12807, 12806 - Purchase of Rotary Mower & Sprayer Attachment	\$ 92,722.21
28/07/2023	FORMS EXPRESS PTY LTD	13280 - Printed Cheques (Muni Account)	\$ 578.32
28/07/2023	GUARDIAN TACTILE SYSTEMS PTY LTD	13285 - Tactile Indicators (Footpaths)	\$ 475.06
28/07/2023	HARMONY SOFTWARE	Educators' Software Fees, Month of June 2023	\$ 340.00
28/07/2023	JLT	Insurance - Marine Cargo 2023/24	\$ 796.95
28/07/2023	LANDGATE.	Land Valuations - Rating	\$ 71.80
28/07/2023	LOCAL HEALTH AUTH. ANALYTICAL COMM	13293 - Analytical Services 2023/2024	\$ 509.30
28/07/2023	LOGIE, BRITT E.	Reimbursement - Roadwise Event	\$ 168.75
28/07/2023	MARKETFORCE.	13276 - Advertising (CEO Position)	\$ 1,133.62
28/07/2023	MELCHIORRE PLUMBING & GAS	13198 - Supply & Install Mixing Tap (17 New St)	\$ 170.50
28/07/2023	NARROGIN CARPETS & CURTAINS	13187 - Supply & Install Carpet (U6 Sandalwood Crt)	\$ 4,785.00
28/07/2023	NARROGIN GLASS	13264 - Replacement Windscreen (Mazda CX-5)	\$ 1,824.89
28/07/2023	PAUL BABIC.	12509 - Replace Flyscreen Door (U2 Sandalwood Crt)	\$ 557.00
28/07/2023	PRIME AG SERVICES - WILLIAMS	River Soil Testing	\$ 170.00
28/07/2023	SHIRE OF NARROGIN.	Senior EHO Wages & Travel, July-November 2022, Feb. & June 2023	\$ 2,132.48
28/07/2023	THE GOODS	13281 - Disposable Gloves (Various)	\$ 107.25
28/07/2023	THE WEST AUSTRALIAN	13274 - Advertising (Plant Operator)	\$ 112.00
28/07/2023	THE WILLIAMS COMMUNITY NEWSPAPER.	12814 - Printing Costs	\$ 32.40
28/07/2023	TOWN PLANNING INNOVATIONS	13287 - General Planning Advice for June 2023	\$ 2,062.50
28/07/2023	WA CONTRACT RANGER SERVICES	12816 - Ranger Services - 22/6/2023	\$ 209.00
28/07/2023	WALLIS COMPUTER SOLUTIONS	13286 - Laptop Computer (Office - Accounts)	\$ 2,904.40
28/07/2023	WESTRAC	13091 - Repairs to Hydraulic System (CAT Grader)	\$ 81,552.44
28/07/2023	WILLIAMS GROCER	Monthly Refreshments & Consumables, June 2023	\$ 267.81
28/07/2023	WILLIAMS NEWSAGENCY	Monthly Account June 2023	\$ 80.95
28/07/2023	WILLIAMS RURAL SUPPLIES	Monthly Hardware Account - June 2023	\$ 1,912.04
28/07/2023	WILLIAMS SJA SUB CENTRE	SJA Subscriptions Collected in June 2023	\$ 61.00
05/07/2023	TELSTRA	Monthly Phone Usage to 19/6/2023	\$ 412.17
12/07/2023	TELSTRA	Mobile Phone Services to 1/7/2023	\$ 300.69
19/07/2023	TELSTRA	Works Supervisor Home Phone to 7/7/2023	\$ 57.20
21/07/2023	AUSTRALIAN TAXATION OFFICE	BAS June 2023	\$ 22,797.00

SHIRE OF WILLIAMS PAYMENT LISTING FOR THE MONTH ENDING 31 JULY 2023

DATE	NAME	DESCRIPTION	AMOUNT
26/07/2023	TELSTRA	Pool Telephone to 19/7/2023	\$ 34.54
26/07/2023	WATER CORPORATION.	Annual Trade Waste Permit 2023/24	\$ 246.16
26/07/2023	SYNERGY	Electricity to Office, Chambers & Town Hall to 3/7/2023	\$ 1,163.78
01/07/2023	WESTNET	Monthly CEO Internet Charges, July 2023	\$ 54.99
03/07/2023	CBA	CBA - Merchant Fees June 2023	\$ 230.84
3-31 Jul '23	DEPARTMENT OF PLANNING & INFRASTRUCTURE	Licensing Payments Forwarded to Department of Transport	\$ 47,688.00
17/07/2023	ANZ CARDS	Monthly Credit Card Expenses x 2 (See Details Below)	\$ 1,320.79
24/07/2023	WA TREASURY CORPORATION	July 23 GFEE (Bank Fees for Loans # 65, 70, 71 & 72)	\$ 1,885.07
05/07/2023	SYNERGY	Electricity Charges - Various	\$ 4,812.00
19/07/2023	SYNERGY	Electricity Charges - Various	\$ 2,383.08
19/07/2023	WILLIAMS LICENSED POST OFFICE	Postage & Stationery, June 2023	\$ 232.71
26/07/2023	SHIRE OF WILLIAMS	Regos due 01/08/2023	\$ 8,768.50
			\$ 616,657.71

17/07/2023 ANZ CARDS Monthly Credit Card Expenses x 2 -1,320.79

Geoff McKeown - CEO

Hare & Forbes - Spiral Cutter Heads	134.55
Google - Marradong Trails Promotion	16.80
Reckon - Payroll Training	90.00

Sharon Palumbo - Manager of Children's Services

PLANT:P084 CX-5 2022 WL036 (FDC)	46.73L Petrol	75.57
	Potting Mix, Seeds, Batteries	8.36
	Food Colouring	6.15
	Baby Wipes, Nappy Bags	50.91
PLANT:P084 CX-5 2022 WL036 (FDC)	35.02L Petrol	54.09
PLANT:P084 CX-5 2022 WL036 (FDC)	47.73L Petrol	75.45
	Cooking Supplies	8.10
PLANT:P084 CX-5 2022 WL036 (FDC)	32.55L Petrol	49.09
	Shelving	41.85
PLANT:P084 CX-5 2022 WL036 (FDC)	28.90L Petrol	46.22
	Meals	29.30
PLANT:P084 CX-5 2022 WL036 (FDC)	46.42L Petrol	74.23
	Accommodation - Merredin Tourist Park	159.09
	Meal - Merredin	9.00
	Meal - Merredin	12.41
	Accommodation - Northam	190.91
PLANT:P084 CX-5 2022 WL036 (FDC)	50.03L Petrol	74.55
AUSTRALIAN TAXATION OFFICE	Non-Cap. Acq. - Inc GST	114.16
		1,320.79

8.1.2 Financial Statements

File Reference	4.23.15
Statutory Ref.	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Cassie Barker 11 August 2023
Attachments	Financial Statements ending 31 July 2023

Background

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

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

Statutory Implications

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

Comment

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

Strategic Implications

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

CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

As disclosed in the financial statements.

Voting Requirements

Simple Majority

Officer's Recommendation

That the financial statements presented for the period ending 31 July 2023 be received.

SHIRE OF WILLIAMS

MONTHLY FINANCIAL REPORT

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

For the period ended 31 July 2023

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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SHIRE OF WILLIAMS
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2023

	Supplementary Information	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
OPERATING ACTIVITIES							
Revenue from operating activities							
Rates	10	2,245,399	0	(589)	(589)	0.00%	
Grants, subsidies and contributions	13	469,870	294,963	171,963	(123,000)	(41.70%)	▼
Fees and charges		1,093,829	90,133	37,089	(53,044)	(58.85%)	▼
Interest revenue		80,500	6,708	8,461	1,753	26.13%	▲
Other revenue		39,775	2,792	4,001	1,209	43.30%	▲
Profit on asset disposals	6	6,814	0	0	0	0.00%	
		3,936,187	394,596	220,925	(173,671)	(44.01%)	
Expenditure from operating activities							
Employee costs		(1,914,703)	(156,396)	(177,472)	(21,076)	(13.48%)	▼
Materials and contracts		(1,387,703)	(251,723)	(145,151)	106,572	42.34%	▲
Utility charges		(251,190)	(6,578)	(7,950)	(1,372)	(20.86%)	▼
Depreciation		(1,953,425)	(159,411)	(163,604)	(4,193)	(2.63%)	
Finance costs		(19,189)	0	0	0	0.00%	
Insurance		(165,012)	(82,506)	(84,817)	(2,311)	(2.80%)	
Other expenditure		(25,100)	(15,000)	(16,885)	(1,885)	(12.57%)	▼
Loss on asset disposals	6	(9,782)	0	0	0	0.00%	
		(5,726,104)	(671,614)	(595,879)	75,735	11.28%	
Non-cash amounts excluded from operating activities	Note 2(b)	1,956,393	159,411	163,604	4,193	2.63%	
Amount attributable to operating activities		166,476	(117,607)	(211,350)	(93,743)	(79.71%)	
INVESTING ACTIVITIES							
Inflows from investing activities							
Proceeds from capital grants, subsidies and contributions	14	723,437	0	0	0	0.00%	
Proceeds from disposal of assets	6	60,500	0	0	0	0.00%	
Proceeds from financial assets at amortised cost - self supporting loans		17,693	0	0	0	0.00%	
		801,630	0	0	0	0.00%	
Outflows from investing activities							
Payments for property, plant and equipment	5	(1,488,500)	(85,000)	(84,310)	690	0.81%	
Payments for construction of infrastructure	5	(1,391,293)	(3,000)	(2,554)	446	14.85%	▲
		(2,879,793)	(88,000)	(86,864)	1,136	1.29%	
Amount attributable to investing activities		(2,078,163)	(88,000)	(86,864)	1,136	1.29%	
FINANCING ACTIVITIES							
Inflows from financing activities							
Transfer from reserves	4	931,500	0	0	0	0.00%	
		931,500	0	0	0	0.00%	
Outflows from financing activities							
Repayment of borrowings	11	(75,989)	0	0	0	0.00%	
Transfer to reserves	4	(372,500)	0	(5,584)	(5,584)	0.00%	▼
		(448,489)	0	(5,584)	(5,584)	0.00%	
Amount attributable to financing activities		483,011	0	(5,584)	(5,584)	0.00%	
MOVEMENT IN SURPLUS OR DEFICIT							
Surplus or deficit at the start of the financial year		1,428,676	1,428,676	1,198,283	(230,393)	(16.13%)	▼
Amount attributable to operating activities		166,476	(117,607)	(211,350)	(93,743)	(79.71%)	▼
Amount attributable to investing activities		(2,078,163)	(88,000)	(86,864)	1,136	1.29%	
Amount attributable to financing activities		483,011	0	(5,584)	(5,584)	0.00%	▼
Surplus or deficit after imposition of general rates		0	1,223,069	894,485	(328,584)	(26.87%)	▼

KEY INFORMATION

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

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

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

SHIRE OF WILLIAMS
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 JULY 2023

	Supplementary Information	30 June 2022	31 July 2023
		\$	\$
CURRENT ASSETS			
Cash and cash equivalents	3	3,390,001	3,209,699
Trade and other receivables		139,127	10,781
Other financial assets		230,393	230,393
Inventories	8	21,068	23,053
TOTAL CURRENT ASSETS		3,780,589	3,473,926
NON-CURRENT ASSETS			
Property, plant and equipment		17,919,204	17,968,835
Infrastructure		66,190,514	66,064,144
Investment property		61,117	61,117
TOTAL NON-CURRENT ASSETS		84,170,835	84,094,096
TOTAL ASSETS		87,951,424	87,568,022
CURRENT LIABILITIES			
Trade and other payables	9	291,300	282,850
Other liabilities	12	5,000	5,000
Borrowings	11	75,989	75,989
Employee related provisions	12	354,566	354,566
TOTAL CURRENT LIABILITIES		726,855	718,405
NON-CURRENT LIABILITIES			
Borrowings	11	439,890	439,890
Employee related provisions		14,757	14,757
TOTAL NON-CURRENT LIABILITIES		454,647	454,647
TOTAL LIABILITIES		1,181,502	1,173,052
NET ASSETS		86,769,922	86,394,970
EQUITY			
Retained surplus		23,969,607	23,594,654
Reserve accounts	4	1,719,674	1,719,675
Revaluation surplus		61,080,642	61,080,642
TOTAL EQUITY		86,769,923	86,394,971

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 JULY 2023

1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES

BASIS OF PREPARATION

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

Local Government Act 1995 requirements

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

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

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

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

THE LOCAL GOVERNMENT REPORTING ENTITY

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

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 15 to these financial statements.

Judgements and estimates

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

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

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

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

SIGNIFICANT ACCOUNTING POLICES

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

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 04 August 2023

SHIRE OF WILLIAMS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2023

2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION

(a) Net current assets used in the Statement of Financial Activity	Supplementary Information	Adopted Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 31 July 2023
		\$	\$	\$
Current assets				
Cash and cash equivalents	3	1,402,324	3,390,000	3,209,699
Trade and other receivables		139,128	139,127	10,781
Other financial assets		165,200	230,393	230,393
Inventories	8	21,068	21,068	23,053
Contract assets	8	47,500	0	0
		<u>1,775,220</u>	<u>3,780,588</u>	<u>3,473,926</u>
Less: current liabilities				
Trade and other payables	9	(291,300)	(291,301)	(282,850)
Other liabilities	12	(5,000)	(5,000)	(5,000)
Borrowings	11		(75,989)	(75,989)
Employee related provisions	12	(354,566)	(354,566)	(354,566)
		<u>(650,866)</u>	<u>(726,856)</u>	<u>(718,405)</u>
Net current assets		1,124,354	3,053,732	2,755,521
Less: Total adjustments to net current assets	Note 2(c)	(1,913,745)	(1,855,449)	(1,860,915)
Closing funding surplus / (deficit)		(789,391)	1,198,283	894,606

(b) Non-cash amounts excluded from operating activities

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

Non-cash amounts excluded from operating activities		Adopted Budget	YTD Budget (a)	YTD Actual (b)
		\$	\$	\$
Adjustments to operating activities				
Less: Profit on asset disposals	6	(6,814)	0	0
Add: Loss on asset disposals	6	9,782	0	0
Add: Depreciation		1,953,425	159,411	163,604
Total non-cash amounts excluded from operating activities		1,956,393	159,411	163,604

(c) Current assets and liabilities excluded from budgeted deficiency

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

Adjustments to net current assets		Adopted Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 31 July 2023
		\$	\$	\$
Less: Reserve accounts	4	(1,719,674)	(1,719,674)	(1,725,258)
Less: Financial assets at amortised cost - self supporting loans	8	(230,393)	(230,393)	(230,393)
- Current financial assets at amortised cost - self supporting loans			(17,693)	(17,693)
Add: Current liabilities not expected to be cleared at the end of the year:				
- Current portion of borrowings	11		75,989	75,989
- Current portion of employee benefit provisions held in reserve	4	36,322	36,322	36,440
Total adjustments to net current assets	Note 2(a)	(1,913,745)	(1,855,449)	(1,860,915)

CURRENT AND NON-CURRENT CLASSIFICATION

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

SHIRE OF WILLIAMS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2023

3 EXPLANATION OF MATERIAL VARIANCES

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

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

Description	Var. \$	Var. %	
	\$	%	
Revenue from operating activities			
Grants, subsidies and contributions	(123,000)	(41.70%)	▼
Timing Variance			
Fees and charges	(53,044)	(58.85%)	▼
Timing Variance			
Interest revenue	1,753	26.13%	▲
Timing Variance			
Other revenue	1,209	43.30%	▲
Timing Variance			
Expenditure from operating activities			
Employee costs	(21,076)	(13.48%)	▼
Timing Variance			
Materials and contracts	106,572	42.34%	▲
Timing Variance			
Utility charges	(1,372)	(20.86%)	▼
Timing Variance			
Other expenditure	(1,885)	(12.57%)	▼
Timing Variance			
Outflows from investing activities			
Payments for construction of infrastructure	446	14.85%	▲
Timing Variance			
Outflows from financing activities			
Transfer to reserves	(5,584)	0.00%	▼
Monthly OCDF Interest			
Surplus or deficit at the start of the financial year	(230,393)	(16.13%)	▼
Surplus or deficit after imposition of general rates	(328,584)	(26.87%)	▼
Due to variances described above			

8.2 Office of the Chief Executive Officer

8.2.1 Joint Management of Dryandra Woodland National Park

File Reference	11.30.31 and 11.51.00
Statutory Ref.	Nil
Author & Date	Geoff McKeown 9 August 2023
Attachments	Nil

Background

Correspondence has been received from the Shire of Narrogin proposing the potential of a joint venture arrangement of the Dryandra Woodland National Park. At the Shire of Narrogin Council Meeting held on 28 June 2023 the following resolution was passed:

“That with respect to the proposal for joint management of Dryandra Woodlands National Park, Council:

- 1. Seek formal support from the Shires of Cuballing, Wandering and Williams; and*
- 2. Subject to receiving majority support from the relevant local governments, authorise the Chief Executive Officer to write to the Gnaala Karla Booja Aboriginal Corporation and the Department of Biodiversity and Conservation Authority (DBCA) to request that they formally enter into discussions to enable joint management of the Park.”*

Comment

In support of this proposal the Shire's correspondence goes on to say:

“We believe that joint management of Dryandra Woodlands National Park is crucial for its long-term sustainability and preservation. By involving multiple stakeholders, including local governments, the Gnaala Karla Booja Aboriginal Corporation, and the DBCA, we can collectively work towards enhancing the protection, conservation, and appreciation of this valuable natural resource.

The Dryandra Woodlands National Park holds great ecological significance, boasting a diverse range of flora and fauna that deserve our utmost care and attention. Additionally, it serves as an important cultural site for our First Nations people, with deep ties to their heritage and traditional practices. Joint management would provide an opportunity to incorporate their invaluable knowledge and expertise into the park's management strategies, ensuring a balanced and holistic approach.

We kindly request the Shire of Williams to formally support this joint management proposal. Your endorsement will not only strengthen the viability of this initiative but also demonstrate the commitment of the local government to sustainable conservation practices and the preservation of our natural and cultural heritage.”

The matter was raised at the recently held Hotham-Williams VROC meeting where representatives of the Shires of Cuballing and Wandering were present.

The Shire of Cuballing has supported the proposal with a resolution at its July 2023 Ordinary Council Meeting. Their representatives spoke on the potential for employment opportunities and connections to Aboriginal cultural heritage.

The Shire of Wandering will be considering its position at its August 2023 Ordinary Council Meeting.

Strategic Implications

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

- SCD 1.5 Continue to support and develop tourism opportunities for the Shire
- SCD 3.1 Advocate and support initiatives that will develop and celebrate the cultural heritage of the Shire
- CL 3.1 Participate in, and actively collaborate with, the 4WDL VROC on resource sharing opportunities
- CL 3.2 Foster, nurture and develop strategic alliances with local government, major industry and government agencies

Financial Implications

Nil

Voting Requirements

Simple

Officer's Recommendation

That the Shire of Williams supports the Shire of Narrogin's proposal to make an approach on behalf of the Shires of Narrogin, Cuballing, Wandering and Williams to the Gnaala Karla Booja Aboriginal Corporation and the Department of Biodiversity and Conservation Authority (DBCA) to request that they formally enter into discussions to enable joint management of the Dryandra Woodland National Park.

8.2.2 Proposed Amendment 21 – Shire of Williams Town Planning Scheme No.2

File Reference	Nil
Statutory Ref.	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Author & Date	Liz Bushby Town Planning Innovations (TPI) 10 August 2023
Attachments	Attachment 1 - draft Local Planning Policy -Wind Farms Attachment 2 – draft Fact Sheet – Wind Farms

Background

The Shire has received enquiries about potential future wind farms and an initial meteorological mast/turbine on land in the Rural zone.

The purpose of this report is to initiate an amendment to the Scheme which will give Council (or an alternative determining authority) discretion to consider a wind farm as a 'use not listed' in Table 1 of the Shire of Williams Town Planning Scheme No. ("the Scheme").

Comment

Land Use Permissibility – Existing Situation

Part of the planning assessment for any application involves determining which land use definition from the Scheme 'best fits' the proposal.

Table 1 in the Shire's Scheme lists land uses in a table format with different symbols listed under different zones. The symbols in Table 1 outline the permissibility of land uses in different zones.

Where a land use is not listed under Table 1, Council has discretion to consider the proposal as a 'use not listed'. Any 'use not listed' is considered in accordance with the objectives of the relevant zone.

Any application for a wind farm in the Shire of Williams could not be processed as a 'use not listed' for the following reasons:

1. A land use can only be considered as a 'use not listed' if that land use does not reasonably fall under any land use already listed in Table 1 (and defined in the Scheme).
2. A wind farm, by its very nature, generates electricity. This means that it would fall under the 'industry' definition under Schedule 1 of the Scheme. The 'industry' definition specifically includes '*the generation of electricity*'.

Whether a wind farm is construed as a 'general industry' or a 'light industry' is somewhat immaterial, as both types of industries are not permitted in a Rural zone under Table 1.

TABLE 1 - ZONING TABLE

		RESIDENTIAL	RURAL RESIDENTIAL	COMMERCIAL	INDUSTRIAL	RURAL
15	industry - general	X	X	X	AA	X
16	industry - light	X	X	X	P	X

Under the current Scheme provisions, Council (or a Development Assessment Panel) has no discretion to consider a wind farm in the Rural zone.

Proposed Scheme Amendment

The Scheme Amendment will:

1. Delete the existing 'Industry' definition and insert a new 'Industry' definition from the Model Provisions contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*. The new definition has no reference to the 'generation of electricity'.
2. Insert a new definition for 'renewable energy facility' which will include wind farms.

There is not a definition for 'renewable energy facility' in the 'Model Provisions' however there is one in the WA Planning Commission Position Statement on Renewable Energy.

Type of Amendment

There are three types of amendments under the Planning Regulations, being a Basic Amendment, a Standard Amendment or a Complex Amendment.

A Basic Amendment does not need to be advertised for public comment and can be pursued where the amendment is largely administrative and is consistent with the Model Provisions.

The amendment as proposed, would be a basic amendment.

Scheme Amendment Process

The process for a Basic Scheme Amendment is summarised below:

1. Amendment considered by Council for adoption (with or without modifications). Council can refuse to initiate a Scheme Amendment.
2. Any Amendment adopted by Council has to be referred to the Environmental Protection Authority (EPA). The EPA has to determine whether any environmental assessment is required. A Basic Amendment is not going to create any need for an environmental assessment.
3. The Amendment is lodged with the Western Australian Planning Commission for referral to the Minister for Planning who makes the final decision on the

amendment. The Minister will approve the amendment (with or without modifications).

4. Once the amendment is approved by the Minister, the decision has to be published in the Government Gazette.

Policy Requirements

A draft Local Planning Policy (Attachment 1) and draft Fact Sheet (Attachment 2) on wind farms has been prepared and can be included as an attachment in the formal Scheme Amendment document.

The Western Australian Planning Commission (WAPC) has a Position Statement on renewable energy facilities that:

- Outlines key environmental and planning considerations for renewable energy proposals.
- Encourages early consultation with the community and local government.
- Recommends any application address specific matters such as environmental impact, visual impact, noise, aviation safety and construction impact.
- It recommends that any turbine be a minimum of 1.5 kilometres from any dwelling or sensitive land use.
- Includes a definition for 'renewable energy facility'.

The WAPC position statement defines 'renewable energy facility' as '*means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary*'.

Legislative Requirements

Planning and Development (Local Planning Schemes) Regulations 2015 -

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

The Regulations include 'model provisions' that outline the recommended format for new and / or amended town planning schemes. The 'model provisions' list the most modern and up to date land use terms to be used in town planning schemes and / or through scheme amendments.

It is noted that the definition for 'industry' under the Shires Scheme does not accord with that in the 'model provisions' of the Regulations.

The model definition for industry is -

'industry' means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes —

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail;
- (d) the provision of amenities for employees;
- (e) incidental purposes'

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

The following definition is included in Schedule 1 -

'industry': means the carrying out of any process in the course of trade or business for gain, for and incidental to one or more of the following:

- a) the winning, processing or treatment of minerals;
- b) the making, altering, repairing, or ornamentation, painting, finishing, cleaning, packing, or canning or adapting for sale, or the breaking up or demolition of any article or part of an article;
- c) the generation of electricity or the production of gas;
- d) the manufacture of edible goods, and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of goods resulting from the process, and the use of land for the amenity of persons engaged in the process; but does not include:
 - i) the carrying out of agriculture,
 - ii) site work on buildings, work or land,
 - iii) in the case of edible goods the preparation of food for sale from the premises,
 - iv) panel beating, spray painting or motor vehicle wrecking.

Sustainability Implications

Environment

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

Economic

Increased flexibility for renewable energy developments may provide broader benefits to owners, developers, and key stakeholders.

Social

There are no known significant social implications associated with this proposal. Notwithstanding the above, wind farms can cause controversy within local communities as they introduce a visual change to the landscape.

Strategic Implications

There are strategic implications associated with this report. The Scheme Amendment will give Council (or a Development Assessment Panel) discretion to consider a wind farm or solar farm as a 'renewable energy facility' / use not listed in all zones.

Part of the assessment for new wind farms will be to determine whether the use is consistent with the objectives for the relevant zone under Scheme.

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

- CL 1.3 Maintain, review and ensure relevance of Council's policies, local laws and operational plans

- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business

Financial Implications

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

Voting Requirements

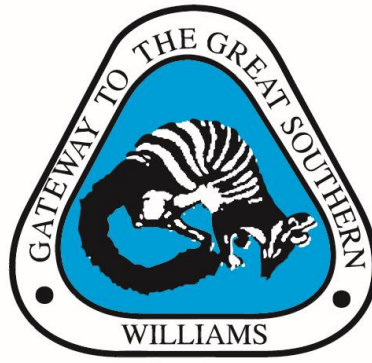
Simple Majority

Officer’s Recommendation

That Council:

- A. In pursuance of Section 75 of the *Planning and Development Act 2005*, adopt Amendment No 21 to the Shire of Williams Town Planning Scheme No 2 by:
 - 1. In ‘Schedule 2 – Interpretations’;
 - (i) deleting the definition for ‘industry’ and inserting the ‘industry’ definition from the Model Provisions;
 - (ii) inserting a definition for ‘renewable energy facility’ from the WAPC Position Statement on Renewable Energy Facilities as follows:

renewable energy facility means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary;
- B. Resolve that Amendment No 21 is ‘basic’ under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:
 - (i) The amendment is consistent with the Model Provisions;
 - (ii) The amendment is consistent with a WAPC Position Statement.
- C. Authorise the Chief Executive Officer and Shire President to sign the Amendment No 21 document and apply the Shires seal.
- D. Authorise the Shire’s Planning Consultant, Liz Bushby of Town Planning Innovations Pty Ltd, to lodge Amendment 21 to:
 - (i) The Western Australian Planning Commission and seek final approval by the Minister for Planning, Lands and Heritage.
 - (ii) The Environmental Protection Authority to confirm that the amendment requires no environmental assessment.



SHIRE OF WILLIAMS LOCAL PLANNING POLICY – WIND FARMS

1.0 PURPOSE

Under the Shire of Williams Town Planning Scheme No. 2 ('the Scheme'), planning approval is required for any proposed wind farm. The Policy sets out the Council's position on wind farms, and is particularly relevant to the Rural zone.

It should be noted that the Local Planning Policy is a guide for the exercise of discretion. The Shire of Williams Council will have significant due regard to the Policy requirements in the assessment of any new planning application.

2.0 OBJECTIVES

- To protect continued traditional agricultural, other food production activities, and tourism uses;
- To reduce the amenity impact of wind farms by ensuring a satisfactory minimum distance from sensitive land uses;
- To decrease the visual impact of wind farms by implementing a minimum distance to neighbouring lot boundaries;
- To minimise or avoid any potential impact on the natural environment, flora and fauna;
- To achieve wind farm layouts which do not compromise the safety of the local community, aviation activities, or continuation of activities occurring on nearby and adjacent land.
- To ensure that the local community is engaged in the early stages of wind farm planning, by the proponent.
- To protect areas of visual significance, and ensure wind turbines are appropriately and sensitively sited.
- To ensure that wind farms are located so as not to have any detrimental impact on Williams Townsite, views from Williams Townsite or any other residential areas.
- To provide a clear position on wind farms for the assessment of development applications.

Under this Local Planning Policy, the following are some of the relevant planning considerations against which a wind farm development application can be assessed.

3.0 COMMUNITY CONSULTATION

The Shire requests that wind farm proponents actively engage in early community consultation, prior to lodgement of any formal application.

Early, meaningful and innovative community consultation, demonstrating an ongoing commitment to providing clear information and ensuring opportunities for genuine input, is important to delivering good planning outcomes.

Pre-lodgement consultation should be aimed at identifying and considering options for eliminating, reducing or otherwise managing impacts, not merely informing communities on the proposed layout.

The Shire's expectation is that proponents will use a range of tools for community engagement. The Shire has a strong view that developers need to invest time and effort into positive community engagement, and to build a relationship with nearby and adjacent owners.

This Policy requires applications for wind farms to address community consultation in a comprehensive way and include:

- (a) Lodgement of a detailed Community Engagement Plan that outlines the outcomes of pre-lodgement community consultation, and a strategy for further consultation for the life of the development.
- (b) Community Engagement Plans should incorporate the fundamental principles, actions and frameworks outlined in the Clean Energy Council 'Community Engagement Guidelines for the Australian Wind Industry'.
- (c) An outline of how landowners issues have been considered prior to lodging any formal development application.
- (c) A written agreement or non-objection by landowners where any turbines are proposed closer than 800 metres to a neighbouring lot boundaries.

Proponents should also liaise with relevant key stakeholders early in the process, including the Shire, Main Roads WA, Western Power, CASA, Air Services Australia, local spraying contractors, and any relevant local community groups.

4.0 ENVIRONMENTAL IMPACT

Consistent with the WAPC Position Statement on Renewable Energy Facilities, this Policy requires applications to address, avoid and minimise impacts of any wind farm on the natural landscape, and environment (including flora/ fauna).

Applications should be accompanied by an environmental survey of the site by a suitable qualified environmental consultant and address:

- (a) The type, location and significance of flora and fauna;
- (b) Any rare or endangered species;
- (c) Stopover sites, local bird species, roosting or nesting sites;
- (d) Location of bat colonies;
- (e) Areas of high raptor activity;
- (f) The cumulative impact of turbines on migration routes;

- (g) Existing remnant vegetation to be retained or that is proposed to be removed (on a plan);
- (h) Distances to areas of habitat, remnant vegetation and areas of natural environment on a context plan, including conservation areas, reserves or crown land;
- (i) Maximising distances to bird conservation areas, breeding grounds of sensitive species and areas of remnant bushland that is likely bird habitat;
- (j) Methods to avoid bird collision such as increasing the visual impact of rotor blades, flashing lights, and keeping bird migration corridors free;
- (k) Decommissioning of the wind farm at the end of its life.

5.0 VISUAL AND LANDSCAPE IMPACT

A Visual and Landscape Impact Assessment is required and shall;

- (a) Describe the appearance of changes in the landscape caused by the proposed wind farm;
- (b) Identify the view of the wind farm from any sensitive premise, views from major roads/tourist routes, heritage places; any tourist facilities and recreational reserves;
- (c) Ensure photos in the report include a view of the existing landscape and a photomontage with the turbines superimposed;
- (d) Include all images in colour with a high quality/ resolution;
- (e) Include a clear plan that shows the location of where each photo was taken, the direction it was taken, and numbering of each photo location;
- (f) Consider the safety of drivers using Highways;
- (g) Be in accordance with the WAPC 'Visual Landscape Planning in Western Australia' manual and the 'Wind Farms and Landscape Values (2005)' produced by the Australian Wind Energy Association and Australian Council of National Trust.

Wind farms are required to be designed, sited and operated to minimise their impacts and shall meet the following requirements:

- (a) A setback of at least 1.5 kilometres between any wind turbine and a sensitive land use, that is not associated with the development;
- (b) A setback of 800m between any wind turbine from a neighbouring lot boundary, unless otherwise agreed to in writing by the affected property owner at the time of lodgement of a formal development application;
- (c) Implementation of irregular spacing of wind turbines in hilly/rugged landscapes where vegetation is varied;
- (d) Regular spacing of wind turbines in open/flat landscapes where vegetation is orderly;
- (e) Blades on wind turbines to rotate in the same direction;
- (f) Ensure that all wind turbines have uniformity in terms of colour, size, and shape; and
- (g) Implementation of landscaping within the development site to mitigate visual impact.

Landscaping outside of the lots being developed for a wind farm is not accepted as being a practical mechanism for visual mitigation as conditions of planning approval cannot require works outside of the development site.

For the purpose of this Policy, the term 'sensitive land use' is as per the definition in the WAPC Position Statement on Renewable Energy Facilities as '*comprise land uses that are residential or institutional in nature, where people live or regularly spend extended periods of time. These include dwellings, short-stay accommodation, schools, hospitals and child care centres and generally exclude commercial or industrial premises.*'

The Shire will also take into account the description of types of a 'sensitive land use' as outlined in Clause 2.3 the Environmental Protection Authority 'Guidance for the Assessment of Environmental Factors'.

6.0 NOISE IMPACT

A Noise Impact Assessment shall be lodged with any wind farm proposal to demonstrate that it can meet the standards under the *Environmental Protection (Noise) Regulations 2017*. The South Australian Environmental Protection Authority 'Wind Farms Environmental Noise Guidelines (2009)' should also be referenced.

Any Noise Impact Assessment is to be completed by a suitably qualified acoustic consultant, and should address construction noise, predicted noise levels associated with a fully operational wind farm, and predictions of low frequency noise and infrasound.

Any Noise Impact Assessment will take into account the location of any sensitive land use. Following construction, wind farm proponents take a commercial risk, as there is potential for adjacent landowners to construct new dwellings on their lots.

Any application shall address the following;

- (a) Commitment to providing a Noise Impact Mitigation Plan for post-operational noise monitoring, to demonstrate that any constructed wind farm complies with the *Environmental Protection (Noise) Regulations 2017*, and to manage complaints regarding noise impact during the operational phase of the development.
- (b) Potential methods to address compliance with the *Environmental Protection (Noise) Regulations 2017* in the event that any future sensitive land use, particularly dwellings, are constructed in the locality. Methods may include new noise monitoring, shutting down turbines, replacement of turbines with a quieter model etc

7.0 OTHER POTENTIAL IMPACTS

The impact of wind farms on nearby property owners, road users, and the use of adjacent land should be addressed through the detailed design.

Wind farm proposals should not have negatively impact through:

- (a) shadowing, flickering, reflection, or blade glint impacts;
- (b) interference with normal agricultural or farming activities of nearby rural properties, such as aerial spraying;
- (c) interference with existing lawful continued use of neighbouring land including intensive rural activities, and tourism uses; or
- (d) proximity to established residential areas, whether the land is zoned residential, rural residential or is residential by nature (smaller lots of a typical residential size containing dwellings). The amenity of urban areas and the rural character surrounding urban areas needs to be afforded a high level of protection.

The Shire will also consider any wind farm application in accordance with Clause 5.3.5 (Public Aviation and Safety), 5.3.6 (Heritage) and 5.3.7 (Construction Impact) contained in the Western Australian Planning Commission published a *Position Statement: Renewable Energy Facilities – March 2020*.

Where there is a conflict between this Local Planning Policy and the WAPC Position Statement, this Policy shall prevail.

8.0 TRAFFIC MANAGEMENT AND THE PROTECTION OF ROADS AND OTHER PUBLIC INFRASTRUCTURE

Local roads are under the care and control of the Shire. There is a considerable amount of public infrastructure within the Shire's local government boundary.

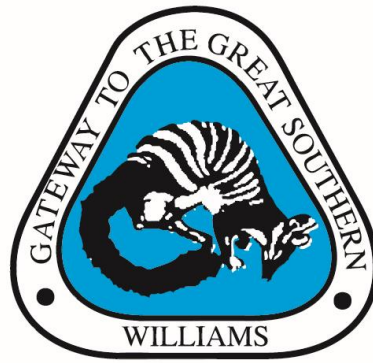
Other roads, such as Highways, fall under the care and control of Main Roads WA.

Any wind farm proponent will be responsible for:

- (a) Preparation of a pre-development 'Road and Shire infrastructure Condition' report that identifies and records the condition of any local roads and Shire infrastructure that will be affected by any route for vehicles needed for the construction phase;
- (b) The costs associated with any damage caused to the roads or Shire infrastructure attributable to the construction phase of the development. Any damage shall be rectified by the operator/proponent to the standard identified in the Pre-Construction Road and Shire Infrastructure Condition Report;
- (c) All costs of any road upgrading required for construction transport routes and / or the development.

The Shire Council may place conditions on any development approval to ensure any costs associated with roads damage, widening or upgrading are met by the developer.

The Shire and / or Main Roads WA may require lodgement of a Traffic Impact Assessment report by a suitably qualified traffic engineer in support of any application.



SHIRE OF WILLIAMS

FACT SHEET – WIND FARMS

1.0 INTRODUCTION

This Fact Sheet provides general information on wind farms, existing and proposed statutory controls, and the different avenues for wind farm applications.

2.0 OVERVIEW OF THE SHIRE OF WILLIAMS TOWN PLANNING SCHEME NO 2

Under the current provisions of the Shire of Williams Town Planning Scheme No.2 ('the Scheme'), it is the Shire's view that Council (or a Development Assessment Panel) has no discretion to consider a wind farm in the 'Rural' zone of the Shire.

This is because the Scheme contains a definition of 'industry' which includes '*the activity of generation of electricity*'. An 'industry' activity is not permitted in the 'Rural' zone.

The Shire is pursuing an amendment to the Scheme to align the definition for 'industry' with the 'model provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015* which will allow a wind farm development to be considered as a 'use not listed'. A 'use not listed' is a use that is not listed in Table 1 of the Scheme.

4.0 OVER VIEW OF DETERMINING AUTHORITIES

4.1 Shire Role

The Shire can determine applications where the estimated cost is less than \$10 million. Where the Shire is not the determining authority, it would still be consulted about any application.

4.2 Development Assessment Panel

Where the estimated cost is more than \$10 million, it is mandatory for the application be determined by a Development Assessment Panel (DAP). Where the estimated cost is between \$2 million and is less than \$10 million, the applicant can opt to have the application determined by a DAP.

Given the cost of wind farm developments, applications for development approval will likely to be determined by a Development Assessment Panel.

A Development Assessment Panel (DAP) is an independent decision-making body comprised of technical experts and two elected local government members. These panels determine development applications made under town planning schemes, in the place of the Shire Council.

4.3 State Development Assessment Unit (SDUA)

The State Development Assessment Unit (SDAU) is a team of planners who assess significant development proposals on behalf of the Western Australian Planning Commission (WAPC).

To be considered a significant development, proposals must have an estimated value of \$20 million or more.

Applications lodged under this pathway are processed by the SDUA, advertised by the SDUA, and determined by the Western Australian Planning Commission.

5.0 COMMUNITY INVOLVEMENT

Whether an application is determined by the Shire, a DAP or the SDUA, the community is involved in the planning process through a formal public advertising process.

Members of the community can lodge submissions on wind farm proposals, which will be taken into account as part of the decision making process.

The Shire has developed a Local Planning Policy on Wind Farms which seeks to strengthen pre-lodgement community engagement by wind farm proponents.

Meetings held by the determining authority (Shire, DAP or SDUA) are all open to the public, and any person can seek approval to make a deputation at these meetings.

6.0 STATE PLANNING POSITION STATEMENT

The Department of Planning, Lands and Heritage and the Western Australian Planning Commission published a *Position Statement: Renewable Energy Facilities – March 2020*.

The Position Statement identifies issues that need to be considered such as early community consultation, environmental impact, visual impact, noise impact, public and aviation safety, heritage, construction impact and distances to sensitive land uses.

Any determining authority has to consider a wide range of planning issues for any proposed wind farm, including the issues outlined in the WAPC Position Statement.

7.0 SHIRE OF WILLIAMS LOCAL PLANNING POLICY ON WIND FARMS

It is recognised that wind farm proposals can be significant, and some applications may attract controversy. The Shire has developed a Local Planning Policy to provide additional guidance on the Shire's policy position on wind farms.

8.2.3 Use of Common Seal and Actions Performed Under Delegated Authority

File Reference	4.50.60
Statutory Ref.	Sections 5.42 and 9.49A <i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 11 August 2023
Attachments	Nil

Background

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

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

Comment

Actions performed under delegation during the preceding month is provided below:

- **Granting of Building Permits – Delegation 2.1.1**

Delegation - Powers to grant or refuse to grant a building permit under the *Building Act 2011*. The Council may delegate its powers or duties as a permit authority under provisions of this Act.

Action – There were two Building Permits issued for the Month of July 2023:

Permit Number	Owner	Address	Description
504	Samuel and Evie Nairn	Lot 52 (1066) Extracts Road	Dwelling
503	Ben and Emma Kirk	Lot 97 (14) Munthoola Road	Deck

- **Payment from the Municipal or Trust Funds – Delegation 1.1.19**

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

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

- **Defer, Grant Discounts, Waive or Write Off Debts – Delegation 1.1.20**

Delegation - A debt may be written off where costs associated with continuing action to recover the debt will outweigh the net value of the debt.

Action – The Chief Executive Officer wrote off small amounts of interest applying to late payment of rates that carried forward to the 2023/2024 financial year. Further, the Administration has doubts about the accuracy of the interest calculation.

The following table lists the assessment number and amount:

Assessment No.	Amount
819	4.41
841	2.75
860	1.47
862	4.85
864	0.35
880	1.20
889	0.40
890	7.65
894	4.41
926	7.29
963	2.23
983	0.13
995	0.20
1004	1.79
1020	2.56
1021	5.17
1069	4.41
1093	6.81
1145	0.20
1170	0.19
1449	2.99
1453	3.11
1786	4.40
2005	5.40
2612	0.03
2850	6.86
2873	4.66
3081	3.42
	\$89.34

• **Power to Invest and Manage Investments – Delegation 1.1.21**

Delegation - Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose.

Action – The Chief Executive Officer approved a transfer of:

1. \$400,000.00 from the Reserve Fund Cash Management Account to the WA Treasury Corporation Reserve Overnight Cash Deposit Facility Fund to earn interest on 3 July 2023.
2. \$400,000.00 from the Reserve Fund Cash Management Account to the WA Treasury Corporation Reserve Overnight Cash Deposit Facility Fund to earn interest on 5 July 2023.

• **Local Planning Scheme – Council to CEO – Delegation 9.2**

Delegation - Authority to determine development applications that fully comply with all requirements of the Act and Regulations, and the Town Planning Scheme.

Action – The CEO granted planning approval for short stay accommodation on Lot 14 Albany Highway, Williams, as per Council Resolution 120/23 of 21 June 2023, with the following conditions:

1. The plans lodged with this application shall form part of this approval.
2. All guest car parking shall be accommodated within the boundary of Lot 14 at all times.
3. The owner shall implement the measures in the Management Plan (including the fire management/ evacuation plan) lodged and approved as part of this application.
4. The owner shall engage a local property manager at all times to manage the holiday house in accordance with the Management Plan approved as part of this application.
If an alternative manager is engaged (other than the person stated in the Management Plan), then a revised Management Plan is to be lodged for separate written approval by the Chief Executive Officer with the contact details for the new property manager.
5. The owner shall keep and maintain a working fire extinguisher on the premises at all times in accordance with the Management Plan approved as part of this application, or any revised Management Plan approved separately in writing by the Chief Executive Officer.
6. A copy of the evacuation / fire emergency plan approved as part of this application shall be displayed in a prominent place within the existing dwelling at all times.
7. No guest shall be accommodated for periods totalling more than 3 months in any 12-month period.
8. The maximum number of persons to be accommodated at any one time shall be limited to 10.
9. If any sign is installed to advertise or identify the holiday house it shall only be located within the lot boundary and the sign face shall not exceed an area of 0.2 square metres, unless otherwise approved in writing by the Chief Executive Officer.

Strategic Implications

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

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

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council accept the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of July 2023.

9.0 Elected Members' Motions of which Notice has been given

Nil

10.0 New Business of an Urgent Nature introduced by Decision of Meeting

10.1 Elected Members

Nil

10.2 Officers

Nil

11.0 Application for Leave of Absence

Nil

12.0 Closure of Meeting