



SHIRE OF WILLIAMS MINUTES

ORDINARY COUNCIL MEETING
WEDNESDAY 16 NOVEMBER 2022



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SHIRE OF WILLIAMS STRATEGIC COMMUNITY PLAN 2017-2032

ECONOMIC

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

ED1. Develop infrastructure and investment that is sustainable and an ongoing legacy to the Shire.

ED2. 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.

SCD1. To provide community infrastructure and facilities that meet the needs of the population.

SCD2. To support a safe and healthy community with a strong sense of community pride.

SCD3. 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. Recognising and implementing sustainability measures.

LUE4. To have safe and well maintained transport network that supports local economy.

CIVIC LEADERSHIP

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

CL1. The Shire is efficient in its operations, actively listens to the community and anticipates and responds to the community needs.

CL2. The revenue needs of the Shire are managed in an equitable, proactive and sustainable manner.

CL3. Effective collaboration and shared services with other relevant Local, State and Federal Government agencies, industry and community organisations.

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AGENDA

1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member, Deputy President Natalie Major, declared the Meeting open at 4.27pm.

2.0 Record of Attendance / Apologies / Leave of Absence

Elected Members

Cr Natalie Major - Deputy President (Presiding Member)
 Cr Moya Carne
 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 - Cr Jarrad Logie – President
 Cr Simon Harding
 Leave of Absence - Nil

3.0 Public Question Time

Nil

4.0 Petitions / Deputations / Presentations

Nil

5.0 Declarations of Interest

DECLARATION OF INTEREST	
Name / Position	Cr Natalie Major / Deputy President
Item No. / Subject	10.2.1 Loan – Williams Golf Club
Type of Interest	Impartiality

6.0 Confirmation of Minutes of Previous Meetings

6.1 Ordinary Council Meeting Held 19 October 2022

Officer's Recommendation

That the Minutes of the Ordinary Council Meeting held 19 October 2022, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Cowcher/Price

That the Minutes of the Ordinary Council Meeting held 19 October 2022, as previously circulated, be confirmed as a true and accurate record.

**Carried 7/0
Resolution 49/23**

7.0 Announcements by Presiding Member Without Discussion

Nil

8.0 Matters Which Require Decisions

8.1 Corporate and Community Services

8.1.1 Pool Lane Hire Fees – Amendment to the 2022/2023 Fees & Charges

File Reference	Nil
Statutory Ref.	Local Government Act 1995 – Part 6 Financial Management
Author & Date	Britt Logie 11 November 2022
Attachments	Nil

Background

A local government has the power to impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed. Fees and charges are to be imposed when adopting the Annual Budget but may also be imposed during a financial or amended from time during a financial year.

As in previous years, Council has adopted an amendment to the fees and charges in June this year to ensure that any fees and charges raised as of July 1 to the date of budget adoption are levied consistently for the entirety of that financial year.

Comment

The Shire has been approached by an independent swimming teacher wishing to conduct lessons at the Williams Swimming Pool. The Williams Swimming Pool has no lane hire fee. The Shire has always waived any lane hire fee for in-term school swimming lessons and vacation swimming. There was also no lane hire charged when swim club was operating.

I have looked into Boddington Pool's fees and charges, and they have Lane Hire for commercial operators at \$19.50, however they tend to waive their fees for swimming lessons. For an independent instructor, receiving money for the lessons, I suggest that a small fee of \$15.00 a day could be applied.

Strategic Implications

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

- SCD 1.1 Provide, maintain and improve community infrastructure.
- ED 1.4 Encourage business and community groups' initiatives to promote the Shire as a place to live, work, play and invest.
- CL 2.1 Maximise and leverage grant funding opportunities to balance and support Council investment.

Financial Implications

Additional income of \$15.00 for each day this option is taken up.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council adopt the new fees and charges for lane hire at the Williams Swimming Pool as presented and advertise them in accordance with the *Local Government Act 1995*.

Council Resolution**Baker/Macnamara**

That Council adopt the new fees and charges for lane hire at the Williams Swimming Pool as presented and advertise them in accordance with the *Local Government Act 1995*.

**Carried 7/0
Resolution 50/23**

8.1.2 Payment Listing

File Reference	4.23.15
Statutory Ref.	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Geoff McKeown 10 November 2022
Attachments	Payment listing for month ending 31 October 2022

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 104947 – 104948 totalling \$506,461.78 approved by the Chief Executive Officer during the month of October 2022 be endorsed.

Council Resolution

Carne/Baker

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104947 – 104948 totalling \$506,461.78 approved by the Chief Executive Officer during the month of October 2022 be endorsed.

**Carried 7/0
Resolution 51/23**

SHIRE OF WILLIAMS PAYMENT LISTING FOR THE MONTH ENDING 31 NOVEMBER 2022

DATE	NAME	DESCRIPTION	AMOUNT
MUNICIPAL - EFT, BPAY, DIRECT DEBIT & CHEQUES			
04/10/2022	WA SUPER	Superannuation - September 2022	\$ 24,960.33
05/10/2022	Norm Hart Settlements	Refund Overpaid Rates - Norm Hart Settlement Agent	\$ 113.70
05/10/2022	BUILDING AND ENERGY	BSL collection - September 2022	\$ 754.16
05/10/2022	FDC EDUCATORS	FDC Educators PE 02/10/2022	\$ 18,734.58
06/10/2022	SHIRE OF WILLIAMS	Salaries & Wages PE 5/10/2022	\$ 49,057.87
06/10/2022	TELSTRA CORPORATION LTD	Repair Cost Recovery (Roadworks)	\$ 2,123.21
10/10/2022	BOND ADMINISTRATOR	Pet Bond - Ted Petchell	\$ 200.00
19/10/2022	FDC - EDUCATORS	FDC Educators PE 16/10/2022	\$ 17,830.90
19/10/2022	MORGAN RURAL SERVICES PTY LTD	12648 - Roadside Herbicide Spraying	\$ 18,840.47
19/10/2022	WALLIS COMPUTER SOLUTIONS	12915 - IT Services	\$ 31,938.06
20/10/2022	SHIRE OF WILLIAMS	Salaries & Wages PE 19/10/2022	\$ 48,490.17
24/10/2022	DM READ	12597 - Fence at Town Hall Park (Final Payment)	\$ 1,450.00
27/10/2022	AIR RESPONSE	12959 - Service Air Conditioner (Art & Craft Centre)	\$ 187.50
27/10/2022	ASHLEY BLYTH TREE LOPPING	12790 - Tree Trimming (Street Trees)	\$ 2,200.00
27/10/2022	AVON WASTE	11015 - Monthly Refuse Charges September 2022	\$ 9,421.08
27/10/2022	BCITF	BCITF Levy - September 2022	\$ 491.75
27/10/2022	BEST OFFICE SYSTEMS	12803 - Monthly Printing/Copying Charges	\$ 171.90
27/10/2022	BOC Ltd	12822 - September 2022 Container Service Fee	\$ 43.25
27/10/2022	BODDINGTON CARPET CARE	12961 - Carpet Cleaning (U4 New St - Reimbursed)	\$ 100.00
27/10/2022	BODDINGTON MEDICAL CENTRE	Support Doctor's Visit to Williams	\$ 2,064.00
27/10/2022	CENTRAL COUNTRY ZONE OF WALGA	12921 - CCZ Annual Subscription 2022/23	\$ 2,200.00
27/10/2022	CHATTERBOX CAFE & GALLERY	Refreshments (October Council Meeting)	\$ 112.50
27/10/2022	COUNTRY PAINT SUPPLIES	12791 - White Marker Spray (Rural Roads)	\$ 93.60
27/10/2022	DFES.	Var. Buildings (Local Government ESL)	\$ 3,872.37
27/10/2022	DORMAKABA AUSTRALIA PTY LTD	Servicing & Parts for Automatic Doors (Office & CRC)	\$ 321.26
27/10/2022	DUFF ELECTRICAL CONTRACTING	12750 - Electrical Work (Depot HWS)	\$ 132.00
27/10/2022	FUEL DISTRIBUTORS OF WA PTY LTD	12787 - Bulk Fuel	\$ 18,354.87
27/10/2022	GOODYEAR DUNLOP TYRES P/L BEAUREPAINES)	12871 - Puncture Repair (Backhoe)	\$ 65.52
27/10/2022	GREAT SOUTHERN FUELS	Monthly Account - Diesel Fuel (Various)	\$ 1,636.47
27/10/2022	GREENWAY TURF SOLUTIONS PTY LTD	12843, 12912 - Soil Sampling, Soil Improvers (Various)	\$ 3,019.50
27/10/2022	HARMONY SOFTWARE	Educators' Software Fees, Month of September 2022	\$ 320.00
27/10/2022	HOGG, CHRIS.	Refund - Overpayment of Rates	\$ 9,433.34
27/10/2022	IRRI-TEC	12783 - Reticulation Service & Staff Training	\$ 2,205.50
27/10/2022	LGIS	Insurances (Various)	\$ 115,815.66
27/10/2022	M & M CONTRACTORS	12788 - Sand (Rosselloty St Footpath)	\$ 286.00
27/10/2022	McINTOSH & SON	12870 - Filters & Oil (Mini Excavator)	\$ 575.17
27/10/2022	MELCHIORRE PLUMBING & GAS	12741 - Clear Blockage (Town Hall Toilet)	\$ 242.00
27/10/2022	MISTER YARDMAN	12780 - Inspect Stormwater Pipe & Sinkhole (Town Hall Park)	\$ 220.00
27/10/2022	MJB INDUSTRIES PTY LTD	12781, 12766 - Concrete Pipes, Headwalls, Lid etc.	\$ 9,614.33
27/10/2022	MOORE AUSTRALIA (WA) PTY LTD	12325, 12326 - Assistance with Financial Statements	\$ 7,047.34
27/10/2022	NARROGIN BEARING SERVICE	12872 - Parts (HP Water Tanker)	\$ 45.15
27/10/2022	NARROGIN PACKAGING	12916, 12919 - Hire of Vertimower, Reticulation Parts (Various)	\$ 938.00
27/10/2022	PRIME AG SERVICES - WILLIAMS	12785 - Glyphosate (Parks & Gardens)	\$ 750.00
27/10/2022	QUALITY PRESS	12906 - DFES Vehicle ID Stickers & Permit Books	\$ 323.40
27/10/2022	SIMS CIVIL	12784 - Supply & Install Culvert (Lavender Rd Crossing)	\$ 13,015.20
27/10/2022	SOUTH WEST ISUZU	12869 - Parts & Oil (Isuzu Tri-Tipper)	\$ 524.60
27/10/2022	STAR TRACK EXPRESS	Freight ex Quality Press (Fire Related Stationery)	\$ 56.20
27/10/2022	SUNNY INDUSTRIAL BRUSHWARE PTY LTD	12789 - 2-Piece Broom (Skid Steer)	\$ 906.40
27/10/2022	THE GOODS	12913, 12918 - Cleaning Products (Various)	\$ 2,493.91
27/10/2022	THE WEST AUSTRALIAN	12902 - Advertise Vacancy (Manager of Corporate Services)	\$ 313.60
27/10/2022	THE WILLIAMS COMMUNITY NEWSPAPER.	12814 - Photocopy Charges for Shire Notes	\$ 215.50
27/10/2022	TOLL TRANSPORT PTY LTD	Freight Charges (Various)	\$ 300.33
27/10/2022	TOWN PLANNING INNOVATIONS	12911 - General Planning Advice for September 2022	\$ 660.00
27/10/2022	TRUCK CENTRE (WA) PTY LTD	12868 - Parts & Oil (UD Tipper Truck)	\$ 665.86
27/10/2022	WA CONTRACT RANGER SERVICES	12816 - Ranger Services - 14/9/2022, 6/10/2022	\$ 627.00
27/10/2022	WESFARMERS KLEENHEAT GAS PTY LTD	Top Up Bulk LPG (Pavilion)	\$ 198.42
27/10/2022	WESTRAC	12856 - 1,000h Service (CAT Roller)	\$ 4,499.20
27/10/2022	WILLIAMS COMMUNITY RESOURCE CENTRE	2022 Community Chest Fund - Contribution to Evolve Festival	\$ 1,000.00
27/10/2022	WILLIAMS NEWSAGENCY	Monthly Account September 2022	\$ 52.50
27/10/2022	WILLIAMS RURAL SUPPLIES	12858 - Monthly Hardware Account - September 2022	\$ 1,796.91
27/10/2022	WILLIAMS RUSTIC GROCER	Monthly Account (September - Part 2)	\$ 100.73
27/10/2022	WILLIAMS SJA SUB CENTRE	SJA Subscriptions Collected in September 2022	\$ 101.00
27/10/2022	WORKWEAR GROUP	Staff Uniforms (Various)	\$ 939.10
05/10/2022	SYNERGY	Electricity to Streetlights to 24/9/2022	\$ 2,900.21
05/10/2022	TELSTRA	Monthly Phone Usage to 19/9/2022	\$ 429.58

SHIRE OF WILLIAMS PAYMENT LISTING FOR THE MONTH ENDING 31 NOVEMBER 2022

DATE	NAME	DESCRIPTION	AMOUNT
13/10/2022	SYNERGY	Electricity - Communication Tower Bates Rd, 29/7/2022 to 27/9/2022	\$ 444.90
13/10/2022	TELSTRA	Mobile Phone Services to 1/10/2022	\$ 318.49
19/10/2022	TELSTRA	WS Home Phone to 7/10/2022	\$ 55.00
03/10/2022	AUSTRALIAN TAXATION OFFICE	BAS September 2022	\$ 25,376.00
26/10/2022	SYNERGY	Electricity to Swimming Pool 20/9/2022 to 18/10/2022	\$ 496.36
01/10/2022	WESTNET	Monthly CEO Internet Charges, October 2022	\$ 54.99
03/10/2022	CBA	CBA - Merchant Fees September 2022	\$ 979.46
17/10/2022	ANZ CARDS	Monthly Credit Card Expenses x 2	\$ 1,927.57
3-31 Oct 22	DEPARTMENT OF PLANNING & INFRASTRUCTURE	Licensing Payments Forwarded To Department of Transport	\$ 27,617.05
19/10/2022	WATER CORPORATION.	Water Use, Service & Sewer Charges (Various)	\$ 8,682.76
26/10/2022	WATER CORPORATION.	Water - Standpipes a.o.	\$ 1,916.04
Total			\$ 506,461.78

8.1.3 Financial Statements

File Reference	4.23.15
Statutory Ref.	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Geoff McKeown 10 November 2022
Attachments	Financial Statements ending 31 October 2022

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 October 2022 be received.

Council Resolution**Panizza/Macnamara**

That the financial statements presented for the period ending 31 October 2022 be received.

Carried 7/0
Resolution 52/23

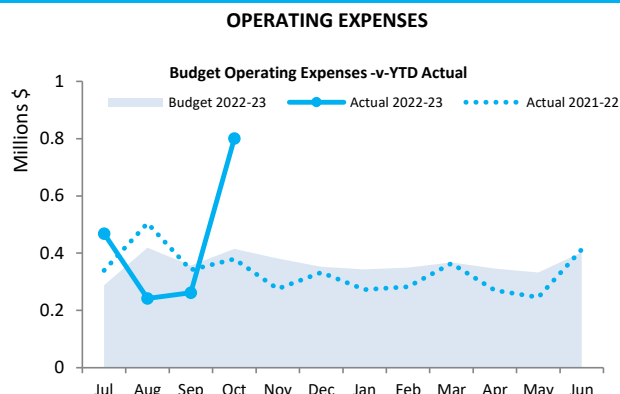
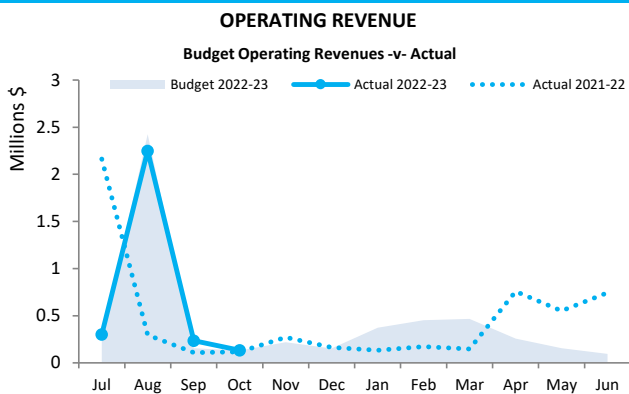
SHIRE OF WILLIAMS
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 31 October 2022

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

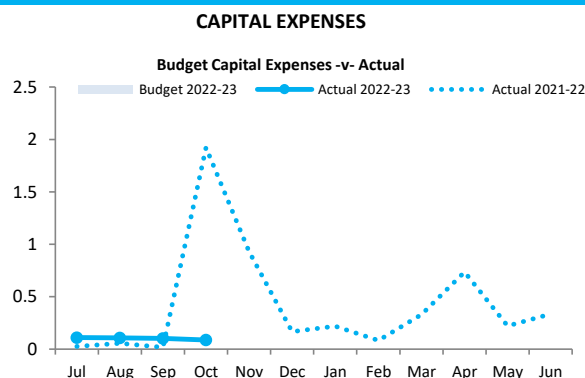
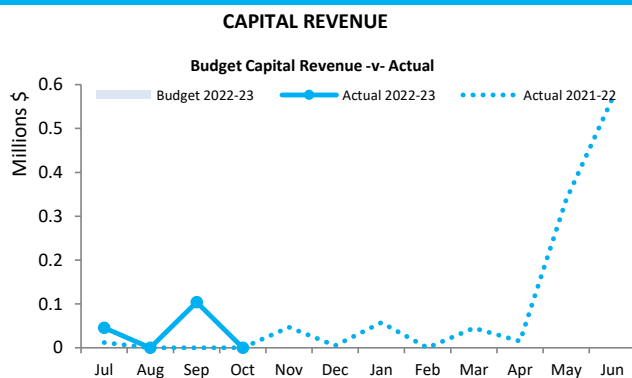
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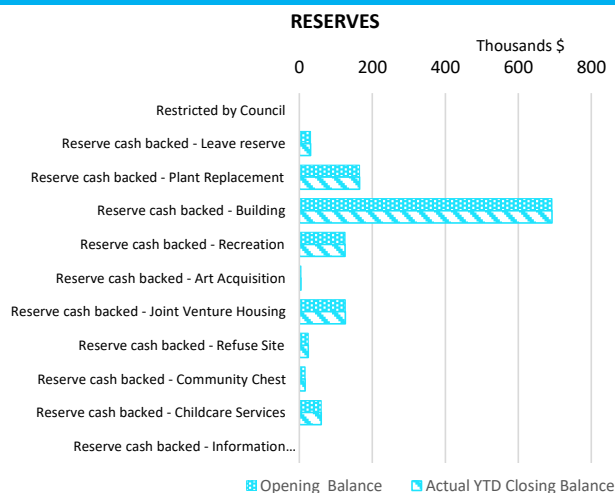
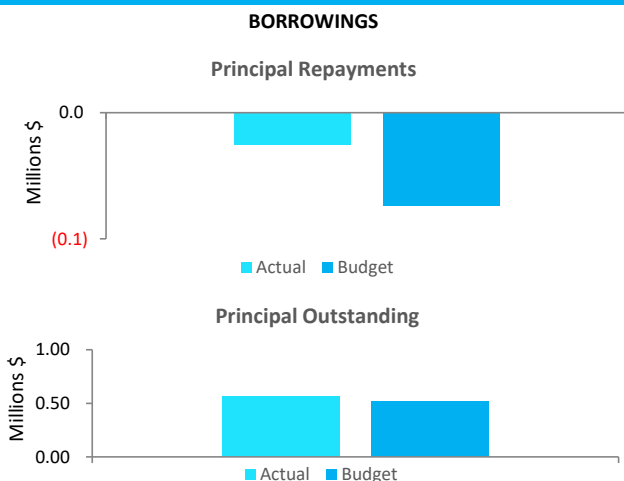
OPERATING ACTIVITIES



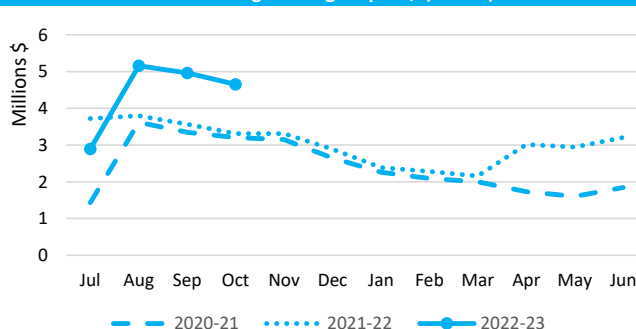
INVESTING ACTIVITIES



FINANCING ACTIVITIES



Closing funding surplus / (deficit)



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

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$0.93 M	\$0.93 M	\$0.90 M	(\$0.03 M)
Closing	\$0.00 M	\$2.89 M	\$2.22 M	(\$0.67 M)
Refer to Statement of Financial Activity			\$0.00 M	\$0.00 M

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$2.77 M	68.6%
Restricted Cash	\$1.26 M	31.4%
Total: \$4.03 M		
Refer to Note 2 - Cash and Financial Assets		

Payables		
	\$	% Outstanding
Trade Payables	\$0.11 M	
0 to 30 Days		0.0%
Over 30 Days		0.0%
Over 90 Days		0%
Refer to Note 5 - Payables		

Receivables		
	\$	%
Rates Receivable	\$0.49 M	77.1%
Trade Receivable	\$0.06 M	
Over 30 Days		8.4%
Over 90 Days		5.3%
Refer to Note 3 - Receivables		

Key Operating Activities

Amount attributable to operating activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.55 M	\$1.74 M	\$1.48 M	(\$0.25 M)
Refer to Statement of Financial Activity			

Rates Revenue		
	\$	% Variance
YTD Actual	\$2.13 M	
YTD Budget	\$2.13 M	0.1%
Refer to Statement of Financial Activity		

Operating Grants and Contributions		
	\$	% Variance
YTD Actual	\$0.00 M	
YTD Budget	\$0.00 M	0.0%
Refer to Note 11 - Operating Grants and Contributions		

Fees and Charges		
	\$	% Variance
YTD Actual	\$0.36 M	
YTD Budget	\$0.24 M	50.4%
Refer to Statement of Financial Activity		

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$1.14 M)	\$0.49 M	(\$0.14 M)	(\$0.62 M)
Refer to Statement of Financial Activity			

Proceeds on sale		
	\$	%
YTD Actual	\$0.07 M	
Adopted Budget	\$0.10 M	(34.3%)
Refer to Note 6 - Disposal of Assets		

Asset Acquisition		
	\$	% Spent
YTD Actual	\$0.33 M	
Adopted Budget	\$2.77 M	(88.1%)
Refer to Note 7 - Capital Acquisitions		

Capital Grants		
	\$	% Received
YTD Actual	\$0.00 M	
Adopted Budget	\$1.50 M	(100.0%)
Refer to Note 7 - Capital Acquisitions		

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.34 M)	(\$0.26 M)	(\$0.03 M)	\$0.24 M
Refer to Statement of Financial Activity			

Borrowings	
Principal repayments	\$0.03 M
Interest expense	\$0.01 M
Principal due	\$0.56 M
Refer to Note 8 - Borrowings	

Reserves	
Reserves balance	\$1.24 M
Interest earned	\$0.00 M
Refer to Note 9 - Cash Reserves	

This information is to be read in conjunction with the accompanying Financial Statements and notes.

KEY TERMS AND DESCRIPTIONS FOR THE PERIOD ENDED 31 OCTOBER 2022

NATURE OR TYPE DESCRIPTIONS

REVENUE

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specified area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts and concessions offered. Excludes administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, and other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates, reimbursements etc.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

EXPENSES

EMPLOYEE COSTS

All costs associated with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets. Excluding Land.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2022**

BY NATURE OR TYPE

	Ref	Adopted Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Var.
	Note	(a)	(b)	(c)	(c) - (b)	((c) - (b))/(b)	
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	927,694	927,694	896,848	(30,846)	(3.33%)	
Revenue from operating activities							
Rates		2,094,863	2,094,863	2,095,094	0	0.00%	
Rates (excluding general rate)		38,224	38,224	39,444	1,220	3.19%	
Operating grants, subsidies and contributions	11	461,514	115,378	280,852	165,474	143.42%	▲
Fees and charges		969,800	242,450	364,576	0	50.37%	
Interest earnings		10,500	2,625	7,785	5,160	0.00%	▲
Other revenue		63,428	15,857	20,407	4,550	28.69%	
Profit on disposal of assets	6	1,003	1,003	10,698	9,695	966.60%	▲
		3,639,332	2,510,400	2,818,856	308,456	12.29%	
Expenditure from operating activities							
Employee costs		(1,820,803)	(455,200)	(645,255)	(190,055)	(41.75%)	▼
Materials and contracts		(838,802)	(209,700)	(476,049)	(266,349)	(127.01%)	▼
Utility charges		(190,061)	(47,515)	(43,362)	4,153	8.74%	
Depreciation on non-current assets		(1,264,609)	(316,152)	(446,189)	(130,037)	(41.13%)	▼
Interest expenses		(21,502)	(5,375)	(8,778)	(3,403)	(63.31%)	
Insurance expenses		(149,166)	(37,292)	(149,873)	(112,581)	(301.89%)	▼
Other expenditure		(65,100)	(16,275)	(59)	16,216	99.64%	▲
Loss on disposal of assets	6	(5,332)	(5,332)	0	5,332	100.00%	▲
		(4,355,375)	(1,092,841)	(1,769,565)	(676,724)	61.92%	
Non-cash amounts excluded from operating activities	1(a)	1,268,938	320,481	435,491	115,010	35.89%	▲
Amount attributable to operating activities		552,895	1,738,040	1,484,782	(253,258)	(14.57%)	
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	12	1,503,941	375,985	115,888	(260,097)	(69.18%)	▼
Proceeds from disposal of assets	6	104,500	104,500	68,623	(35,877)	(34.33%)	▼
Proceeds from financial assets at amortised cost - self supporting loans	8	17,107	8,481	8,481	0	0.00%	
Payments for property, plant and equipment and infrastructure	7	(2,770,535)	0	(328,618)	(328,618)	0.00%	▼
Amount attributable to investing activities		(1,144,987)	488,966	(135,626)	(624,592)	(127.74%)	
Financing Activities							
Transfer from reserves	9	75,000	75,000	0	(75,000)	(100.00%)	▼
Repayment of debentures	8	(73,675)	0	(25,108)	(25,108)	0.00%	▼
Transfer to reserves	9	(336,927)	(336,927)	(30)	336,897	99.99%	▲
Amount attributable to financing activities		(335,602)	(261,927)	(25,138)	236,789	(90.40%)	
Closing funding surplus / (deficit)	1(c)	0	2,892,773	2,220,866	(671,907)	23.23%	▼

KEY INFORMATION

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

Refer to Note 15 for an explanation of the reasons for the variance.

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

BASIS OF PREPARATION

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying Regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

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.

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 13 to these financial statements.

SIGNIFICANT ACCOUNTING POLICES

CRITICAL ACCOUNTING 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 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:

- estimation of fair values of certain financial assets
- estimation of fair values of fixed assets shown at fair value
- impairment of financial assets

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 14 October 2022

(a) Non-cash items 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*.

	Notes	Adopted Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities				
		\$	\$	\$
Adjustments to operating activities				
Less: Profit on asset disposals	6	(1,003)	(1,003)	(10,698)
Add: Loss on asset disposals	6	5,332	5,332	0
Add: Depreciation on assets		1,264,609	316,152	446,189
Total non-cash items excluded from operating activities		1,268,938	320,481	435,491

(b) Adjustments to net current assets in the Statement of Financial Activity

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

	Adopted Budget Opening 30 June 2022	Last Year Closing 30 June 2022	Year to Date 31 October 2022
Adjustments to net current assets			
Less: Reserves - restricted cash	9	(1,243,716)	(1,243,746)
Less: - Financial assets at amortised cost - self supporting loans	4	(200,000)	(191,519)
Total adjustments to net current assets		0	(1,435,265)

(c) Net current assets used in the Statement of Financial Activity

Current assets

Cash and cash equivalents	2	2,983,406	4,029,121
Rates receivables	3	9,821	491,518
Receivables	3	161,804	55,268
Other current assets	4	226,515	239,629

Less: Current liabilities

Payables	5	(160,820)	(178,498)
Contract liabilities	10	(560,413)	(674,745)
Provisions	10	(319,749)	(319,749)
Less: Total adjustments to net current assets	1(b)	(1,443,716)	(1,435,265)

Closing funding surplus / (deficit)		0	896,848	2,207,279
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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.

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Municipal Fund Cheque Account	Cash and cash equivalents	777,466		777,466		0	0.00%	
Municipal Fund Investment	Cash and cash equivalents	326,051		326,051		ANZ	0.01%	
Municipal Treasury OCDF	Cash and cash equivalents	1,661,258		1,661,258		WATC	2.55%	
Trust Fund Cheque Account	Cash and cash equivalents	0	20,000	20,000		0		
Reserve Funds	Cash and cash equivalents	0	1,243,745	1,243,745		ANZ	3.00%	
Petty Cash Advance	Cash and cash equivalents	600		600			0.00%	
Total		2,765,376	1,263,745	4,029,120	0			
Comprising								
Cash and cash equivalents		2,765,376	1,263,745	4,029,120	0			
		2,765,376	1,263,745	4,029,120	0			

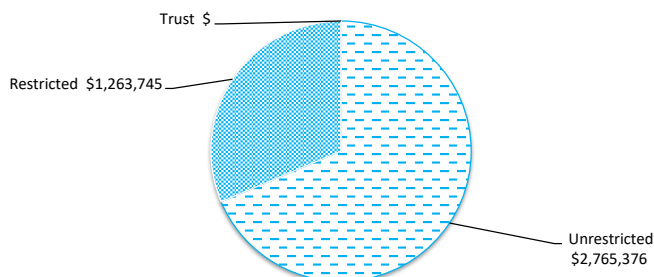
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

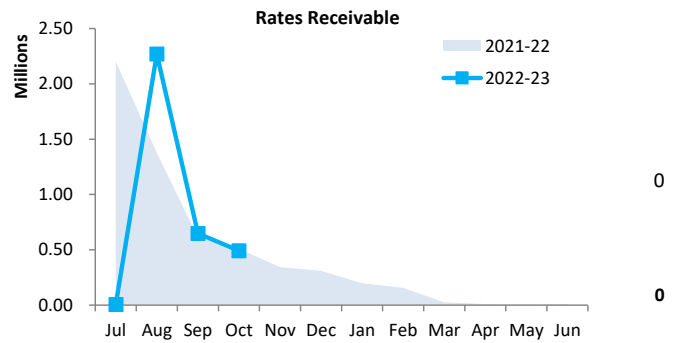
The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



Rates receivable	30 Jun 2022	31 Oct 2022
	\$	\$
Opening arrears previous years	27,020	9,821
Levied this year	2,032,126	2,134,538
Less - collections to date	(2,049,325)	(1,652,841)
Gross rates collectable	9,821	491,518
Net rates collectable	9,821	491,518
% Collected	99.5%	77.1%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	0	50,576	1,019	739	2,934	55,268
Percentage	0.0%	91.5%	1.8%	1.3%	5.3%	
Balance per trial balance						
Sundry receivable						55,268
Total receivables general outstanding						55,268

Amounts shown above include GST (where applicable)

KEY INFORMATION

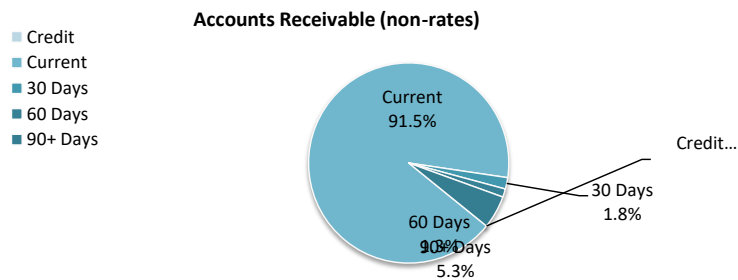
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



	Opening Balance 1 July 2022	Asset Increase	Asset Reduction	Closing Balance 31 October 2022
	\$	\$	\$	\$
Other current assets				
Other financial assets at amortised cost				
Financial assets at amortised cost - self supporting loans	200,000	0	(8,481)	191,519
Inventory				
Fuel	18,559	49,745	(50,661)	17,643
History Books	614	0	0	614
Gravel	7,342	22,511	0	29,853
Total other current assets	226,515	72,256	(59,142)	239,629

Amounts shown above include GST (where applicable)

KEY INFORMATION

Other financial assets at amortised cost

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Inventory

Inventories are measured at the lower of cost and net realisable value.

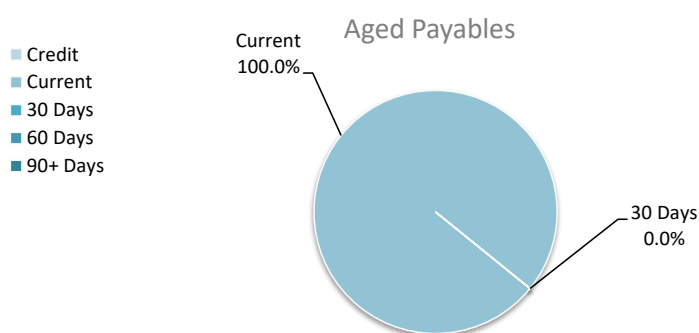
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	18	108,006	0	0	0	108,024
Percentage	0%	100%	0%	0%	0%	
Balance per trial balance						
Sundry creditors				0	0	107,988
ATO liabilities						(38,854)
Other payables				0		103,598
BSL Fees						(5,299)
DPI Licensing					0	10,690
Provision for Doubtful Debts						375
Total payables general outstanding						178,498

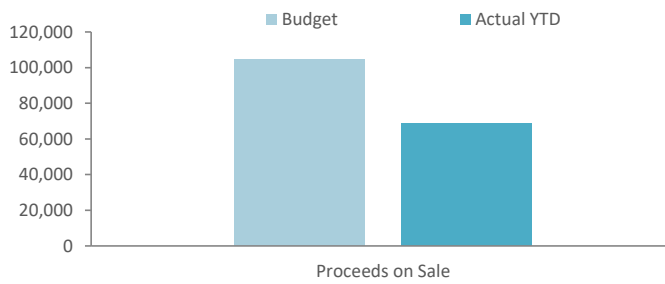
Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment					0			
	Education and welfare								
	Plant and Equipment - Mazda CX-5	23,331	18,000	0	(5,331)	22,352	27,364	5,012	0
	Transport								
	Plant and Equipment - Various	49,497	50,500	1,003	0	35,573	41,259	5,686	0
	Other property and services								
	Plant and Equipment - Isuzu MU-X	36,001	36,000	0	(1)			0	0
		108,829	104,500	1,003	(5,332)	57,925	68,623	10,698	0



Capital acquisitions	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings	15,000			0
Buildings - specialised	641,594		106,437	0
Plant and equipment	371,000		94,444	94,444
Infrastructure - Roads	1,487,841		74,644	74,644
Infrastructure - Footpaths	123,200		25,517	25,517
Infrastructure - Drainage	90,000			0
Infrastructure - Parks and Ovals	41,900		27,576	27,576
Payments for Capital Acquisitions	2,770,535	0	328,618	222,181
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	1,503,941	375,985	0	(375,985)
Other (disposals & C/Fwd)	104,500	104,500	68,623	(35,877)
Cash backed reserves				
Reserve cash backed - Joint Venture Housing	(45,000)		0	0
Reserve cash backed - Childcare Services	(30,000)		0	0
Contribution - operations	1,237,094	(480,485)	259,995	740,480
Capital funding total	2,770,535	0	328,618	328,618

SIGNIFICANT ACCOUNTING POLICIES

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

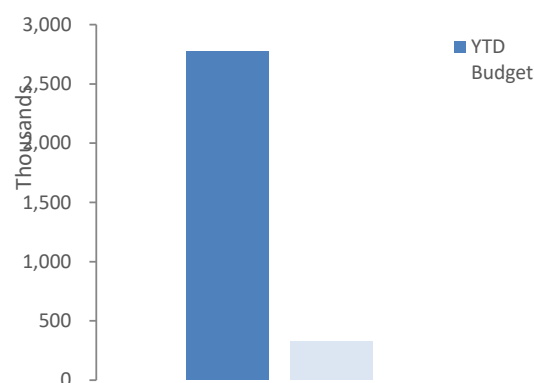
Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

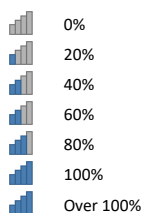
In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Payments for Capital Acquisitions



Capital expenditure total

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

0

0

Level of completion indicator, please see table at the end of this note for further detail.

Account Description	Adopted			Variance (Under)/Over
	Budget	YTD Budget	YTD Actual	
	\$	\$	\$	\$
Land and Buildings				0
Community Housing Refurbishment	15,000			0
E168216 Sandalwood Unit Refurbishment	431,494	104,070	104,070	0
E168218 Water Tank - Ram Shed	24,000	0	2,367	2367.49
Arts & Crafts Building Upgrade	17,000			0
Plant and Equipment				0
E168523 Isuzu MU-X SUV	53,000	53,000	49,364	-3636.45
E168523 Mazda CX-5	38,000	38,000	36,673	-1327.27
Crew Cab Truck	80,000			0
E168520 Minor Plant	10,000	10,000	8,408	-1591.82
Infrastructure - Roads & Drainage				0
E168165 Road Project Grant - Quindanning Darkan Road	298,770		2,543	2543.2
E168172 Road Project Grant - Congelin Narrogin Road	163,281		1,906	1906.15
E168139 Clayton Road C/Fwd RTR 2021/22	41,274		41,274	41274
E168161 York Williams Road C/Fwd RTR 2021/22	66,724			0
Narrakine Road	34,800			0
Infrastructure - Parks & Gardens				0
E168367 Brooking Street Townscape (LRCl Phase 2)	30,000		18,251	18250.68
E168310 Playground Recreation Centre	6,900	6,900	6,900	0
Synthetic Bowling Green (Final Installment)	5,000			0
Infrastructure - Footpaths				0
E168176 Williams Narrogin Road & Richmond Street	99,200		18,572	18572.16
E168184 Rosseloty Street	24,000		6,944	6944.38
	2,770,535	211,970	326,193	114,223

Repayments - borrowings

Information on borrowings Particulars	Loan No.	1 July 2022	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Recreation and culture										
Mens Shed	71	80,285			(9,910)	(19,856)	70,375	60,429	(288)	(540)
Economic services										
Industrial Shed	70	149,353				(23,065)	149,353	126,288		(4,338)
Other property and services										
Industrial Land	65	159,916			(6,717)	(13,647)	153,199	146,269	(5,093)	(9,973)
		389,554	0	0	-16,627	-56,568	372,927	332,986	-5,381	-14,851
Self supporting loans										
Recreation and culture										
Williams Bowling Club		200,000	0	0	-8,481	-17,107	191,519	182,893	(3,397)	(6,651)
		200,000	0	0	-8,481	-17,107	191,519	182,893	(3,397)	(6,651)
Total		589,554	0	0	-25,108	-73,675	564,446	515,879	(8,778)	(21,502)
Current borrowings		73,675					0			
Non-current borrowings		515,879					564,446			
		589,554					564,446			

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

The Shire has no unspent debenture funds as at 30th June 2021, nor is it expected to have unspent funds as at 30th June 2022.

KEY INFORMATION

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2022

OPERATING ACTIVITIES
NOTE 9
RESERVE ACCOUNTS

Reserve accounts

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Restricted by Council									
Reserve cash backed - Leave reserve	30,698	31	1	5,000				35,729	30,699
Reserve cash backed - Plant Replaceme	165,078	165	4	50,000				215,243	165,082
Reserve cash backed - Building	692,521	693	17	50,000				743,214	692,538
Reserve cash backed - Recreation	125,132	125	3	10,000				135,257	125,135
Reserve cash backed - Art Acquisition	4,334	4	0	1,000				5,338	4,334
Reserve cash backed - Joint Venture Ho	125,699	126	3	15,000		(45,000)		95,825	125,702
Reserve cash backed - Refuse Site	24,335	24	1					24,359	24,336
Reserve cash backed - Community Ches	15,919	16	0	4,683				20,618	15,919
Reserve cash backed - Childcare Service	60,000	60	1	150,000		(30,000)		180,060	60,001
Reserve cash backed - Information Tech	0		0	50,000				50,000	0
	1,243,716	1,244	30	335,683	0	(75,000)	0	1,505,643	1,243,746

	Note	Opening Balance 1 July 2022	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 31 October 2022
		\$		\$	\$	\$
Other current liabilities						
Other liabilities						
- Contract liabilities		0	0	169,440	(56,480)	112,960
- Capital grant/contribution liabilities		560,413		123,214	(121,842)	561,785
Total other liabilities		560,413		292,654	(178,322)	674,745
Employee Related Provisions						
Annual leave		164,844	0			164,844
Long service leave		154,905	0			154,905
Total Employee Related Provisions		319,749	0	0	0	319,749
Total other current assets		880,162	0	292,654	(178,322)	994,494
Amounts shown above include GST (where applicable)						

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 11 and 12

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

Provider	Unspent operating grant, subsidies and contributions liability					Operating grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Adopted Budget	YTD Budget	YTD Revenue
	1 July 2022		(As revenue)	31 Oct 2022	31 Oct 2022	Revenue	Budget	Actual
	\$	\$	\$	\$	\$	\$	\$	\$
Operating grants and subsidies								
Governance								
National Australia Day Council - Australia Day 2022	9,348		(9,348)	0	0			
Community amenities								
PHCC - Narrakine Feral Pig Eradication Project	8,424		(8,424)	0	0			
Domestic Waste Collections		112,409	(37,470)	74,939	74,939			
Commercial Waste Collections		57,032	(19,010)	38,021	38,021			
	17,772	169,441	(74,252)	112,960	0	0	0	0

Provider	Capital grant/contribution liabilities					Non operating grants, subsidies and contributions revenue		
	Liability 1 July 2022	Increase in Liability	Decrease in Liability (As revenue)	Liability 31 Oct 2022	Current Liability 31 Oct 2022	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
Non-operating grants and subsidies	\$	\$	\$	\$	\$	\$	\$	\$
Housing								
Dept of Communities - SHERP Grant - Sandalwood Crt	193,247		(104,070)	89,177				
Transport								
Dept of Infrastructure - LRCI Phase 3	349,394			349,394				
	542,641	0	(104,070)	438,571	0	0	0	0

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2022**

**NOTE 13
TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2022	Amount Received	Amount Paid	Closing Balance 31 Oct 2022
	\$	\$	\$	\$
Public Open Space Contribution	20,000			20,000
	20,000	0	0	20,000

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2022**

**NOTE 14
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget adoption					0	927,695
				0	0	0	0

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2022**

**NOTE 15
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 2022-23 year is \$5,000 or 5.00% whichever is the greater.

Nature or type	Var. \$	Var. %	Explanation of positive variances		Explanation of negative variances		
			Timing	Permanent	Timing	Permanent	
	\$	%				0	0
Revenue from operating activities							
Operating grants, subsidies and contributions	165,474	143.42%	▲ Higher than expected at this time			0	
Interest earnings	5,160	0.00%	▲				
Profit on disposal of assets	9,695	966.60%	▲				
Expenditure from operating activities							
Employee costs	(190,055)	(41.75%)	▼				
Materials and contracts	(266,349)	(127.01%)	▼			Lower than expected at this time	
Depreciation on non-current assets	(130,037)	(41.13%)	▼ Depreciation journal has not been completed				
Insurance expenses	(112,581)	(301.89%)	▼			Timing of insurance payments	
Other expenditure	16,216	99.64%	▲ Higher than expected at this time				
Loss on disposal of assets	5,332	100.00%	▲	Lower loss on sale of asset than anticipated			
Non-cash amounts excluded from operating activities	115,010	35.89%	▲			Depreciation journal has not been completed	
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	(260,097)	(69.18%)	▼			Lower than expected at this time	
Proceeds from disposal of assets	(35,877)	(34.33%)	▼			Timing of asset disposals	
Payments for property, plant and equipment and infrastructure	(328,618)	0.00%	▼			Timing of asset purchases	
Financing activities							
Transfer from reserves	(75,000)	(100.00%)	▼			Timing of reserve fund transfers	
Repayment of debentures	(25,108)	0.00%	▼			Timing of loan repayment	
Transfer to reserves	336,897	99.99%	▲ Timing of reserve fund transfers				
Closing funding surplus / (deficit)	(671,907)	23.23%	▼				

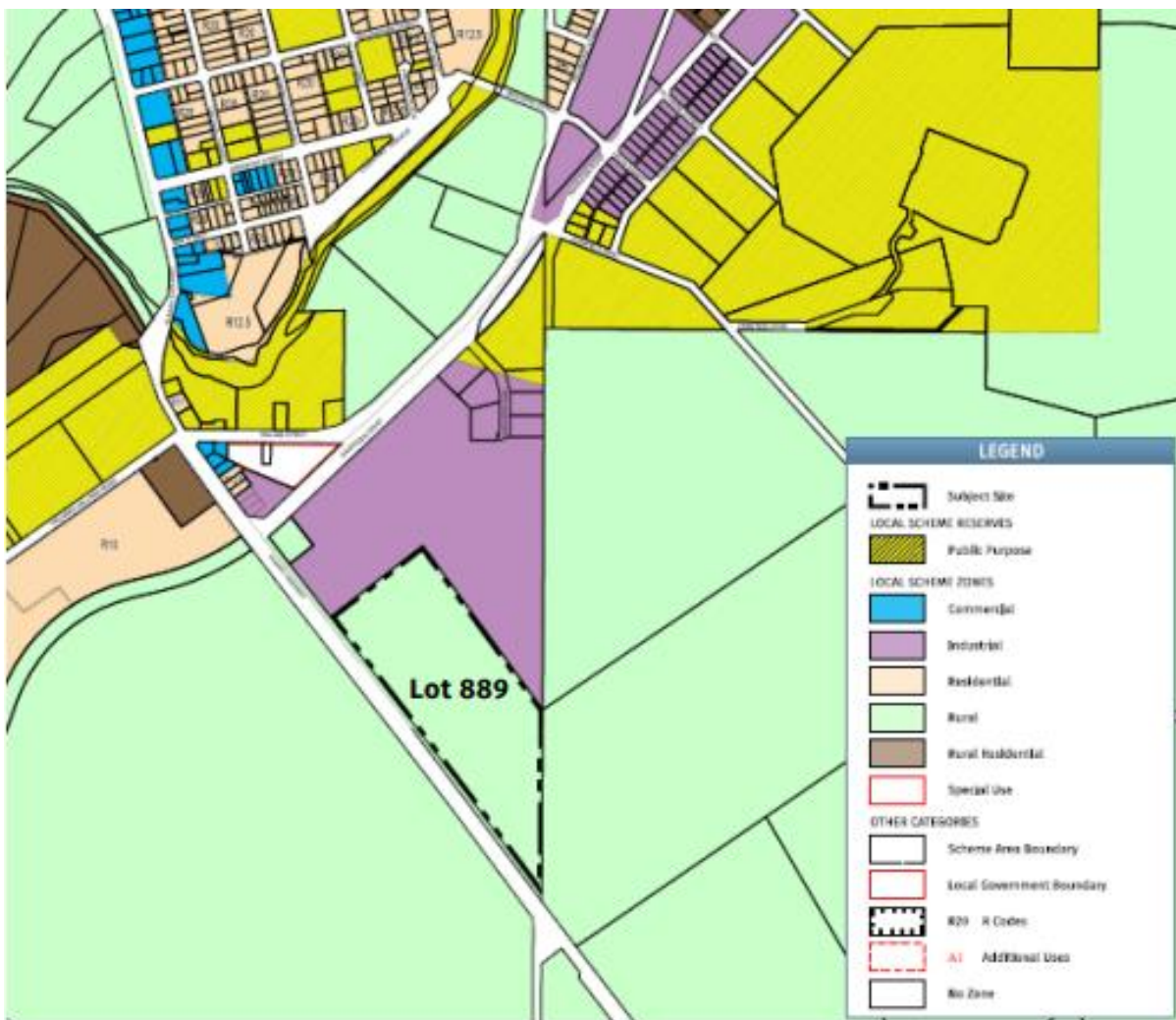
8.2 Office of the Chief Executive Officer

8.2.1 Proposed Amendment 19 to Shire of Williams Town Planning Scheme No.2

File Reference	14.25.26
Statutory Ref.	Shire of Williams Town Planning Scheme No.2
Author & Date	Liz Bushby, Town Planning Innovations 4 November 2022
Attachments	Attachment 1 – Table of Submissions

Background

Lot 889 Albany Highway is zoned 'Rural' under the Shire of Williams Town Planning Scheme No 2 ('the Scheme'). The Shire has approved a service station in the north western corner of the lot.



Existing zoning plan

The land to the north and north west is already zoned Industrial under the Scheme.

The applicant attended a Councillor Briefing Session in September 2021 to present the concept for a scheme amendment and subdivision plan.

Council generally supported the concept of a Service Commercial and Industrial Zone on Lot 889 Albany Highway which would be subject to the lodgement of a more detailed scheme amendment. There was some discussion about the need to reduce the number of access points to Albany Highway.

Council formally initiated Amendment 19 to the Shire of Williams Town Planning Scheme No 2 at the Ordinary Meeting held on the 20 April 2022, for the purposes of conducting public advertising.

Comment

- **Proposed Scheme Amendment**

An application has been lodged to rezone Lot 889 Albany Highway from 'Rural' to 'Industrial' and 'Service Commercial'.

New provisions are proposed to include new zone objectives, land use, and development controls for the proposed service commercial zone, as that zone does not currently exist under the Scheme.

The proposed service commercial zone provisions have been based on model scheme provisions for a service commercial zone already contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

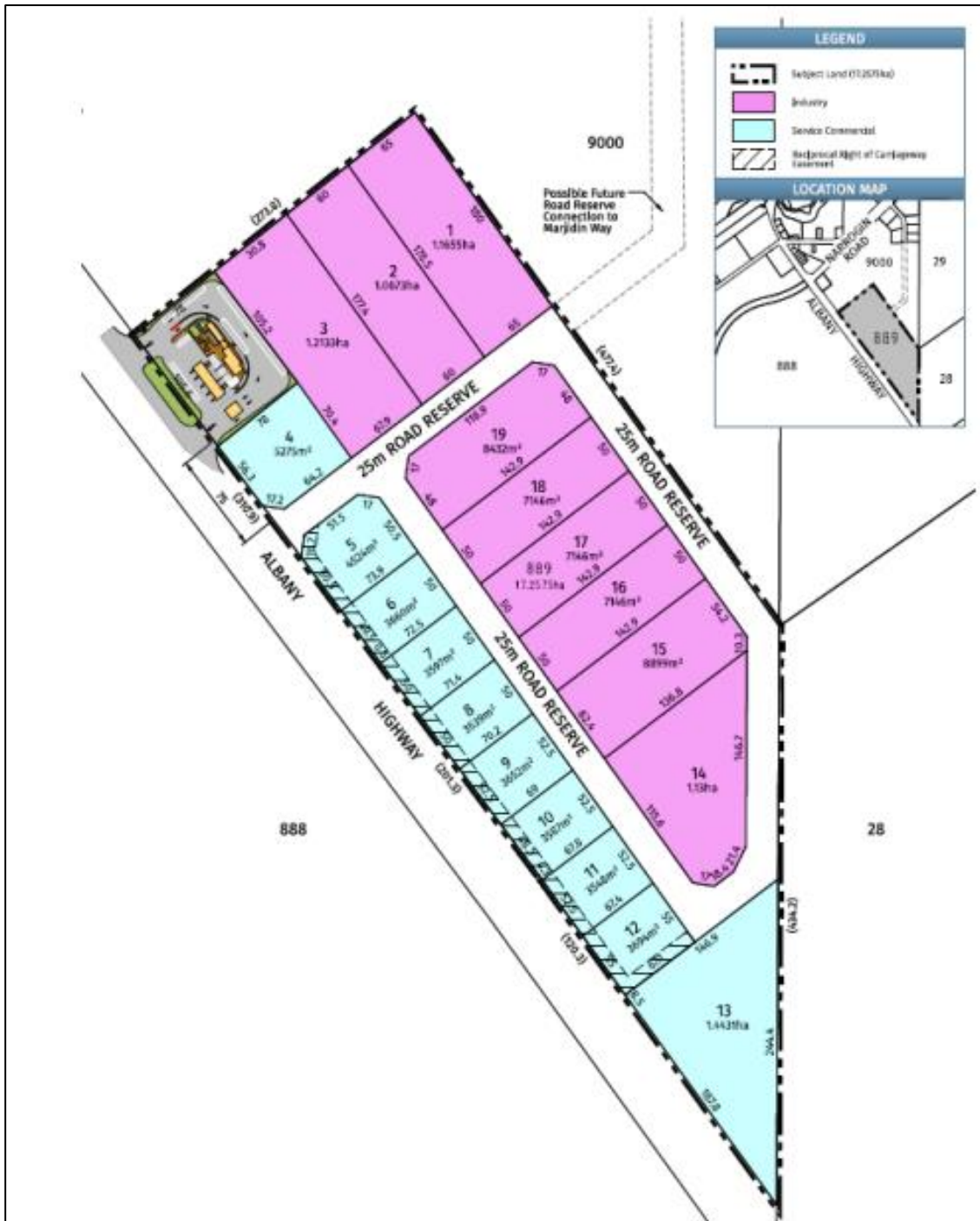
- **Future Subdivision**

The scheme amendment will facilitate future subdivision of the land.

The scheme amendment includes a subdivision concept plan (over page) proposing seven service commercial lots, and nine industrial lots.

The subdivision design proposes one entry road with an internal loop road system.

An easement is proposed to service planned Lots 5 to 12, to allow for front car parking and limit the number of access points to Albany Highway.



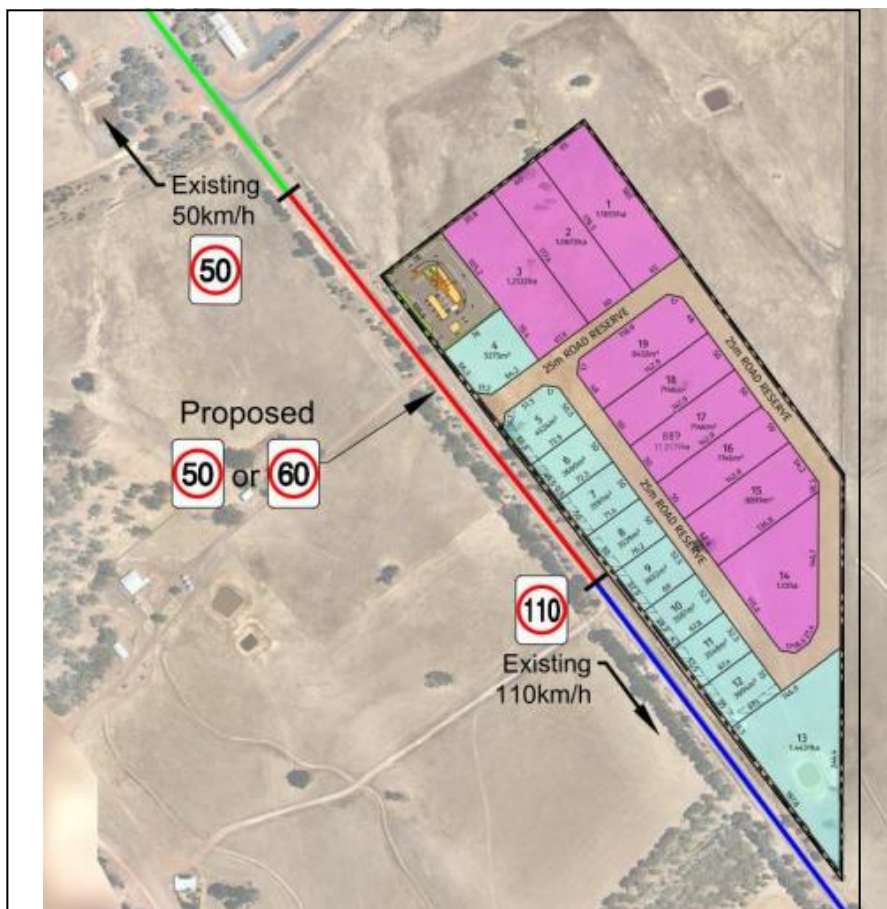
- **Supporting documents**

The Scheme Amendment includes the following supporting documents:

- Traffic Review note;
- Bushfire Management Plan;
- Local Water Management Strategy (includes soil evaluation for on-site effluent disposal).

The abovementioned technical documents have been referred respectively to Main Roads Western Australia, the Department of Fire Emergency Services, the Department of Water and Environmental Regulation and the Department of Health Western Australia.

The Traffic Review note recommends changes to the speed zones along Albany Highway as a result of planned future development. Main Roads WA has not provided any comments on the Scheme Amendment.



Proposed speed zone changes

- **Separate Local Development Plan (LDP)**

A Local Development Plan (LDP) has been prepared for Lot 889 and was advertised concurrently with Amendment 19 – Attachment 1.

Town Planning Innovations (TPI) does not seek to pre-empt Ministerial approval of Amendment 19, so the LDP will be referred back to Council to consider final adoption once the amendment has been determined at the state level.

TPI has liaised with the applicant who has agreed to a longer time period for processing the LDP while Amendment 19 progresses. TPI has recommended that the applicant consider additional provisions on bushfire management to the LDP to address comments by the Department of Fire and Emergency Services.

- **Public Advertising and Submissions**

Amendment 19 has been advertised for public comment, and advertising closed on the 24 October 2022.

Advertising included:

- A Public Notice on the Shire website with a copy of Amendment 19 and the LDP;
- Letters to nearby landowners;
- Letters to relevant service authorities and government agencies.

A total of 9 submissions have been received. All submissions have been lodged by either a government agency or a service provider.

There were two submissions with adverse comments from the Department of Fire and Emergency Services (DFES) on the Bushfire Management Plan, and the Department of Health on the soil evaluation for on-site effluent disposal.

Council needs to consider each submission and make a recommendation on each submission – refer to the 'Table of Submissions' in Attachment 1.

The applicant has provided the following comments on the Table of Submissions:

Submission	Applicant Comment
8. Department of Fire and Emergency Services	The applicant agrees with TPI's comments that further bushfire reporting will be required at time of subdivision or development.
9. Department of Health	The applicant agrees with TPI's comments that further SSE reporting will be required at time of subdivision or development.

The main issues that need to be resolved for future subdivision include:

1. DFES has requested modifications to the Bushfire Management Plan (BMP) and that it reflect the more recent Local Development Plan. A revised BMP can be lodged with a future formal subdivision application.
2. The Bushfire Management Plan recommends two emergency egress points to Albany Highway, which needs support from Main Roads WA.

One is nominated as a Fire Services Access Route (FSAR) in the form of an easement on proposed Lots 1-3 and the service station site, for fire truck access only. The FSAR will provide separation between the lots and surrounding grassland vegetation.

The second access is proposed as an Emergency Access Way (EAW) in the form of a dedicated laneway between proposed Lots 12 and 13. It is proposed to provide a second emergency egress point in the event of a fire event.

3. As Main Roads WA has not commented on the Amendment or Local Development Plan, there will need to be further consultation regarding any final subdivision design.

As there are only two proposed lots within the declared bushfire prone area, some compromise may be able to be reached regarding the final BMP.

4. The Department of Health have requested additional information to demonstrate that the lots can support on-site effluent disposal, with additional soil testing in winter months.

TPI recommends that the abovementioned issues be addressed at subsequent planning stages, prior to subdivision.

POLICY REQUIREMENTS

Not applicable.

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.

Part 5 outlined model provisions for local planning schemes, including a service commercial zone.

The Regulations outline the process for any Scheme Amendment which 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. If the EPA advises that no environmental assessment is required, then the amendment can be advertised.
3. Advertising of amendment for a minimum of 60 days. Advertising should include letters to nearby landowners, a newspaper advertisement, letters to relevant government authorities and service authorities, and may include an advertising sign erected on site (if feasible).
4. Any public submissions must be summarised in a table and each submission has to be considered.
After advertising a second report will be referred to Council to consider the public submissions, whether the amendment needs to be modified to address any issues raised in submissions, and whether to adopt the amendment for final approval (with or without modifications).
5. Once reconsidered by Council 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 can refuse the amendment, or approve the amendment (with or without modifications).
6. If the amendment is approved by the Minister, the decision has to be published in the Government Gazette.

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

STRATEGIC IMPLICATIONS:

There are strategic implications associated with this report. Any scheme amendment will facilitate future subdivision and development.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal. The Environmental Protection Authority has confirmed that no environmental assessment is required for Amendment 19.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

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):

- ED 1.3 Promote land availability within the Shire for residential, industrial and commercial development
- ED 1.5 Advocate, promote and champion industrial development that will offer employment opportunities for our community
- 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. The Applicant has paid a planning fee for progressing the scheme amendment.

Voting Requirements

Simple Majority

Officer's (Consultant Planner) Recommendation

That Council:

- A. Note the submissions in Attachment 1 and resolve that no modifications be made as a result of submissions.
- B. In pursuance of Section 75 of the *Planning and Development Act 2005*, adopt Amendment No 19 to the Shire of Williams Town Planning Scheme No 2 for final approval (without modification) by:
 - 1. Amending Part IV Clause 4.6 to include a 'Service Commercial' zone and inserting the following provisions:
 - (5) **Service Commercial:**
 - (a) All development shall comply with the following standards and requirements –
 - Minimum lot size: 3,000m²
 - Setbacks –
 - (i) Primary street front setback: 4 metres or in accordance with an approved Local Development Plan;
 - (ii) Secondary street setback: 2 metres;
 - (iii) Side/Rear: as determined by the local government; or
 - (iv) The minimum setback between a building and any boundary shared with an adjacent lot zoned Residential shall be 3 metres or half the height of the wall facing that boundary, whichever is greater.
 - (b) No use of the area between the street alignment and the front building setback line shall be permitted other than for planting or for pedestrian and vehicular circulation and vehicle parking in accordance with the provisions of this Scheme, except that an area up to 25 percent of the building setback area may be used for trade display purposes with the approval of the local government.
 - (c) Floor space restrictions:
 - (i) Minimum net lettable area (nla) of 200m² per lot (including a strata or survey strata lot) applies for bulky goods, showroom uses and office uses (exclusive of 'incidental' office uses).

- (ii) Landscaping shall be provided along any Highway or street frontage with a minimum width of 1 metre excluding any crossovers.
- (iii) Suitable manoeuvring space shall be provided so that all vehicles can enter and exit the site in a forward gear. The local government may require lodgement of a truck movement plan as part of any development application.
- (iv) Adequate hardstand constructed off-street parking shall be provided on site, together with adequate parking space for customers and visitors as required by the local government. The local government shall also require adequate space for parking, loading and unloading of trade vehicles to be provided on site.
- (v) Vehicular access and building orientation are to be consistent with the approved Local Development Plan.
- (vi) The use of zincalume / reflective materials is not permitted for construction of new buildings.

2. Amending Clause 4.7 to insert the following provisions:

- (5) Service Commercial Zone – The objectives of the Service Commercial zone are:
 - (a) To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.
 - (b) To provide for a range of wholesale sales, showrooms, trades and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.

3. Amending 'Table 1 – Zoning Table' to include the following Service Commercial provisions:

		Service Commercial
1	Abattoir	X
2	Aged or dependent persons dwelling	X
3	Caretaker's dwelling	AA
4	Civic building	AA
5	Club premises	AA
6	Consulting rooms	P
7	Education establishment	AA
8	Fuel depot	X
9	Grouped dwelling	X
10	Holiday cabins or chalets	X
11	Home occupation	X
12	Hotel	X
13	Industry – cottage	AA
14	Industry – extractive	X
15	Industry – general	X
16	Industry – light	AA
17	Industry – noxious	X
18	Industry – rural	X
19	Motel	AA
20	Office	AA
21	Public recreation	AA
22	Public utility	AA
23	Public worship – place of	AA
24	Residential building	X
25	Restaurant	AA
26	Rural pursuit	X
27	Service station	AA
28	Shop	AA
29	Single house	X
30	Transport depot	AA

4. Re-zoning Lot 889 Albany Highway, Williams, from a 'Rural' zone to an 'Industrial' and 'Service Commercial' zone in accordance with the Scheme Amendment map.

- C. Authorise the Shire President and Chief Executive Officer to sign 3 hardcopies of the Amendment No 19 documents and affix the Shire common seal.
- D. Authorise the Shire's Planning Consultant, Liz Bushby of Town Planning Innovations Pty Ltd to lodge Amendment 19 to the Western Australian Planning Commission (on behalf of the Shire) and seek final approval by the Minister for Planning.
- E. Note that a report on the Local Development Plan for Lot 889 Albany Highway will be referred to a future Council meeting for consideration.

Council Resolution

Baker/Carne

That Council:

- A. Note the submissions in Attachment 1 and resolve that no modifications be made as a result of submissions.

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9	Grouped dwelling	X
10	Holiday cabins or chalets	X
11	Home occupation	X
12	Hotel	X
13	Industry – cottage	AA
14	Industry – extractive	X
15	Industry – general	X
16	Industry – light	AA
17	Industry – noxious	X
18	Industry – rural	X
19	Motel	AA
20	Office	AA
21	Public recreation	AA
22	Public utility	AA
23	Public worship – place of	AA
24	Residential building	X
25	Restaurant	AA
26	Rural pursuit	X
27	Service station	AA
28	Shop	AA
29	Single house	X
30	Transport depot	AA

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 - D. Authorise the Shire's Planning Consultant, Liz Bushby of Town Planning Innovations Pty Ltd to lodge Amendment 19 to the Western Australian Planning Commission (on behalf of the Shire) and seek final approval by the Minister for Planning.
 - E. Note that a report on the Local Development Plan for Lot 889 Albany Highway will be referred to a future Council meeting for consideration.

Carried 7/0
Resolution 53/23

SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
<p>1. Department of Biodiversity, Conservation and Attractions PO Box 100 Narrogin WA 6312</p>	<p>1a. The Parks and Wildlife Service of the Department of Biodiversity, Conservation and Attractions advises that, based on currently available information, this application to amend the planning scheme and implement the development plan of Lot 889 Albany Highway, Williams is unlikely to cause any impact to known significant biodiversity values.</p> <p>1b. The proposed scheme amendment and development plan falls within the buffers of nearby threatened ecological communities and threatened fauna sightings. However, on assessment, it appears unlikely that either biodiversity asset will be impacted by the proposal.</p>	<p>1a. Non objection noted.</p> <p>1b. Comment noted.</p>	<p>That the submission be noted however no modifications to the amendment are recommended as a result of the submission.</p>
<p>2. Department of Education 151 Royal Street, East Perth WA 6004</p>	<p>2a. The Department of Education (the Department) has reviewed the information in support of Amendment 19 and has no objections as there will be no additional dwelling yield and resultant student yield generated from the proposal. In addition, the subject area is a considerable distance away from Williams Primary School and therefore it is expected there will be no adverse impacts to the school from a land use incompatibility perspective.</p>	<p>2a. Non objection noted.</p>	<p>That the submission be noted however no modifications to the amendment are recommended as a result of the submission.</p>

SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>2b. In terms of the future operation of industrial activities within the subject area, the Department recommends land uses shall adhere to the designated separation distances under the Environmental Protection Authority's 'Separation Distances between Industrial and Sensitive Land Uses, June 2005' guidelines so that they will not adversely impact the amenity of the Primary School site, and the health and safety of students by way of vibration, noise, odour, dust and other undesirable emissions.</p>	<p>2b. Consideration to recommended buffers between industrial uses and sensitive land uses occurs as part of the normal development application process. The primary school located at 14 Rosseloty Street is over 1 kilometre from Lot 889, therefore buffers are not considered an impediment.</p>	<p>That the submission be noted however no modifications to the amendment are recommended as a result of the submission.</p>
<p>3. Department of Planning, Lands and Heritage, Aboriginal Heritage Conservation Locked Bag 2506 Perth WA 6001</p>	<p>3a. Thank you for your electronic correspondence of 22 August 2022 seeking comment from the Department of Planning, Lands and Heritage (DPLH), Aboriginal Heritage Conservation, regarding the proposed Scheme amendment to Lot 889 Albany Highway, Williams). A review of the Aboriginal Heritage Register of Places and Objects, as well as the DPLH Aboriginal Heritage Database, concludes that the subject area does not intersect with any known Aboriginal heritage Places or Registered Sites. Therefore, we have no comments to provide on the proposed amendment.</p>	<p>3a, Submission of no comment noted.</p>	<p>That the submission be noted however no modifications to the amendment are recommended as a result of the submission.</p>

SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
<p>4. Department of Mines, Industry Regulation and Safety 100 Plain Street East Perth WA 6004</p>	<p>4a. The Department of Mines, Industry Regulation and Safety (DMIRS) has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials. DMIRS lodges no objections to the above Town Planning Scheme and Local Development Plan.</p>	<p>4a. Non objection noted.</p>	<p>That the submission be noted however no modifications to the amendment are recommended as a result of the submission.</p>
<p>5. Water Corporation PO Box 100 Leederville WA 6902</p>	<p>5a. <u>Wastewater</u> Lot 889 is located outside of our planned wastewater scheme boundary, and we therefore are unable to provide any means for discharge. Consideration should be given to on site effluent disposal.</p> <p>5b. <u>Water</u> We have agreed to provide water to the proposed service station lot by extension of the 150AC water main near the corner of Albany Hwy and Narrogin Rd. We are in the process of assessing the capability of the scheme to provide water to the remaining lots. We will forward this advice to the Shire once finalised. If there is capability in</p>	<p>5a. Non objection noted. On site effluent disposal is proposed.</p> <p>5b. Comments noted. The developer is to find service provision.</p>	<p>That the submission be noted however no modifications to the amendment are recommended as a result of the submission.</p>


SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>the scheme to service these lots, extension of the water main will be required from the existing water main on the corner of Narrogin Rd and Albany Hwy. All works must be funded by the proponent.</p> <p>5c. <u>General Comments</u></p> <p>The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid. Please provide the above comments to the landowner, developer and/or their representative.</p> <p>5d. <u>Late additional email submission</u></p> <p>Just to follow up on the previous email. We have undertaken modelling and can confirm that there is adequate capacity in the network to supply the development.</p>	<p>5c. Comment noted. TPI has provided a copy of all submissions to the applicant.</p> <p>5d. Noted.</p>	
6. Western Power	6a. Thank you for submitting (Amendment No.19 To Town Planning Scheme No. 2) requesting comments or feedback on your proposal.	6a. Western Power has only provided a generic response on Amendment 19 which is construed as 'no comment',	That the submission be noted however no modifications to the amendment are recommended as a result of the submission.

SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
363 Wellington St. Perth 6000	<p>Western Power advise you to conduct the following:</p> <ul style="list-style-type: none"> • Make a free online request for infrastructure plans and information to determine if your works impact Western Power's electricity network Home Before You Dig Australia (BYDA) • Determine if your works are within a Western Power easement registered on the Certificate of Title for the property. Easements and conditions are available from Landgate) Home - Landgate • Visit our Safety page for more information and advice on how you can keep safe when you're working near Western Power's electricity network. Safety & access - Western Power 		
7. Telstra Email submission Brisbane QLD 4001	7a. Telstra has no objections to the Town Planning Scheme Amendment and Local Development Plan.	7a. Non objection noted.	That the submission be noted however no modifications to the amendment are recommended as a result of the submission.
8. Department of Fire and Emergency Services (DFES)	8a. This advice relates only to State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines).	8a. Statement Noted. Although a bushfire management plan has been lodged, it should be noted that the majority of the	

SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
Email submission	8b. <u>Document Inconsistency</u>	<p>scheme amendment area is located outside of the bushfire prone area.</p> <p>Only proposed Lots 12-13 are in the declared bushfire prone area – refer map over page.</p> 	


SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>The Scheme Amendment Report, BMP and LDP are inconsistent. The LDP has a 10-metre wide 'Right of Carriageway' between lots and the Albany Highway which is not consistent with the right of carriageway shown in the BMP or Scheme Amendment Report.</p> <p>The LDP also has a 2-metre landscaping strip within the carriageway adjacent to the Albany Highway. It is unclear if this landscaping area will be maintained to a low threat standard and can be excluded on that basis, of if it will act as continuation of the Albany Highway road reserve which is classified as Class G Grassland.</p> <p>8c. <u>Siting & Design A2.1 - not demonstrated</u></p> <p>The LDP and BMP should denote building envelopes to ensure that no development will take place within BAL-40/FZ The entire building envelope should demonstrate BAL-29. The building envelopes should be included in the BMP if the BMP is to be used to support subsequent planning</p>	<p>8b. The BMP is to support the re-zoning. The LDP was developed after the scheme amendment document and BMP was prepared, so the LDP has been revised and refined as a result of discussions between the applicant and the Shire.</p> <p>The 2 metre landscaping strip will be maintained to a low threat standard and can be excluded.</p> <p>A revised BMP can be required as part of a future subdivision stage.</p> <p>8c. A revised BMP can be required at the subsequent subdivision stage.</p> <p>Additional information on bushfire requirements can also be denoted on the LDP to:</p> <ul style="list-style-type: none"> • Identify two lots are in a bushfire area; 	


SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>stages. Any proposed landscaping should be denoted in the BMP and excluded under the relevant clause of AS3959 Section 2.2.3.2 as appropriate.</p> <p>8d. <u>Vehicular Access A3.2a – not demonstrated</u></p> <p>The BMP incorrectly states that compliance with the acceptable solution has been achieved. It states the singular access route (which exits onto Albany Highway) is wholly within BAL-LOW. The BAL Contour Map shows the loop road and exit out on to Albany Highway as impacted by a rating higher than BAL-LOW. The BMP states that the preference would be for</p>	<ul style="list-style-type: none"> • State landscaping will be maintained to a low threat standard; • Prohibit buildings within any location with a Bushfire Attack Level of BAL-40/Flame Zone. • Require a revised Bushfire Management Plan at subsequent subdivision stage. <p>At the subdivision stage the WAPC can require notifications on the Certificate of Title(s) for the affected 2 lots to advise prospective purchasers of the bushfire prone area.</p> <p>8d The original draft plan proposed two road egresses onto Albany Highway. The applicant revised the plan to include one road link to Albany Highway at the Shires request.</p> <p>Current bushfire guidelines require two roads of egress for new subdivisions so there are 2</p>	

SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>an EAW onto Albany Highway. The EAW is shown on Figure EX1, however this is not consistent with the Vegetation Classification Map or the BAL Contour Map. The EAW is not denoted on any other aerial image in the BMP. Furthermore, there is no evidence within the BMP that Main Roads would accept an EAW at this location given it would access Albany Highway and should remain unlocked and accessible by the public at all times.</p> <p>8e. <u>Vehicular Access A3.4b – not demonstrated</u></p>	<p>escape routes in the event of a fire emergency.</p> <p>The BMP proposes an emergency access way (EAW) between Lots 12 and 13 – refer plan overpage.</p>  <p>Unfortunately it is not known whether Main Roads WA will permit the emergency access way as they have not commented on the scheme amendment or LDP. This issue will need to be resolved for any subdivision to proceed.</p> <p>8e. The BMP recommends a Fire Service Access Route on Lots 1,2, 3 & the service station site – refer plan overpage.</p>	

SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>An FSAR is shown on Figure EX1, however this is not consistent with the Vegetation Classification Map or the BAL Contour Map. The FSAR is not denoted on any other aerial image in the BMP. An FSAR appears to be proposed as Lots 1, 2, and 3 have no perimeter road providing hazard separation to the adjoining grassland. However, the proposed FSAR is exiting onto Albany Highway. Evidence of approval from Main Roads that this would be acceptable would be required.</p>	<p>The FSAR would be an easement and would only be used for emergency vehicle access. It is not intended to be used frequently for any permanent access to the Highway.</p>  <p>Given that the majority of the subdivision is outside of the bushfire prone area, a FSAR may not be essential. TPI would support the subdivision proposal without a FSAR, however ultimately the WA Planning Commission will assess the scheme amendment and any future subdivision.</p>	

SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>8f. <u>Water A4.2 – not demonstrated</u></p> <p>It is unclear if the current reticulation system would meet the Water Corporation's 'No. 63 Water Reticulation Standard'. The closest hydrant on Albany Highway is approximately 400 metres away from the proposed development.</p> <p>8g. DFES has assessed the BMP for the proposed scheme amendment and associated Local Development Plan and has identified a number of issues that need to be addressed prior to support of the proposal. It is critical the bushfire management measures within the BMP are refined to ensure</p>	<p>8f. The BMP states that site has access to a reticulated water supply, and that hydrants are to be installed in the proposed road (public) in accordance with the Water Corporation Standard No. 63.</p> <p>The Water Corporation has confirmed that:</p> <ol style="list-style-type: none"> 1. They have agreed to provide water to the proposed service station lot by extension of the 150AC water main near the corner of Albany Hwy and Narrogin Rd. 2. They are in the process of assessing the capability of the scheme to provide water to the remaining lots. 3. All costs are to be borne by the developer. <p>8g. Objection noted, however it is also recognised that the majority of the re-zoning and future subdivision is located outside of a bushfire prone area (where there is no trigger for a BMP or BAL's).</p>	

SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>they are accurate and can be implemented to reduce the vulnerability of the development to bushfire.</p> <p>The proposed development is not supported as the scheme amendment has not demonstrated compliance to –</p> <ul style="list-style-type: none"> • Element 2: Siting and Design, • Element 3: Vehicular Access, and • Element 4: Water. 	<p>The BMP requires refinement however that is difficult without MRWA input. The BMP has sufficient information to demonstrate that bushfire requirements can be met, however the developer will need to further liaise with Main Roads WA and Water Corporation.</p> <p>A revised BMP will be required as part of any future subdivision.</p>	
<p>9. Department of Health PO Box 8172 Perth Business Centre WA 6849</p>	<p>9a. The development is required to connect to scheme water.</p> <p>9b. The DOH is unable to currently fully assess or support this proposal with regard to the Government Sewerage Policy (GSP) due to concerns relating to some aspects of the Site and Soil Evaluation (SSE) report prepared by Saracen Properties Pty Ltd (February 2022).</p> <p>9c. SSE did not demonstrate a land application area for each lot. Soil</p>	<p>9a. Noted. The Water Corporation are in the process of assessing the capability of the scheme to provide water to the remaining lots.</p> <p>9b. Comment Noted.</p>	

SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>Categories and related Land Application Area (LAA) sizing are not provided for each lot. As per the GSP, a 450m² of land application area is required for medium to heavy clay soils (for secondary treatment, excluding setbacks). The report must demonstrate that the LAAs can be accommodated in each lot in accordance with the GSP.</p> <p>9d. It is noted that the field work was conducted in the late October 2021, (not the wettest time of the year). The report also indicates that there could be perched water above the clay layer. Thus, DOH has concern regarding possible site inundation. GSP Section 5.2.2 specifies that LAA are not to be in areas which may be subject to inundation.</p> <p>9e. Accordingly, if further comment on the proposal is requested, additional detail would be required including:</p> <ul style="list-style-type: none"> • A site-specific SSE report for onsite sewage management of the subject lot/s undertaken by a qualified consultant under the wettest time of the year (JulySeptember), as per 	<p>9c. Comment Noted. DoH has not specifically objected to the scheme amendment.</p> <p>A revised SSE can be required at the subsequent subdivision stage.</p> <p>As per 9c.</p> <p>9e. A copy of the DoH advice has been provided to the applicant.</p>	

SCHEDULE OF SUBMISSIONS – AMENDMENT 19 SHIRE OF WILLIAMS

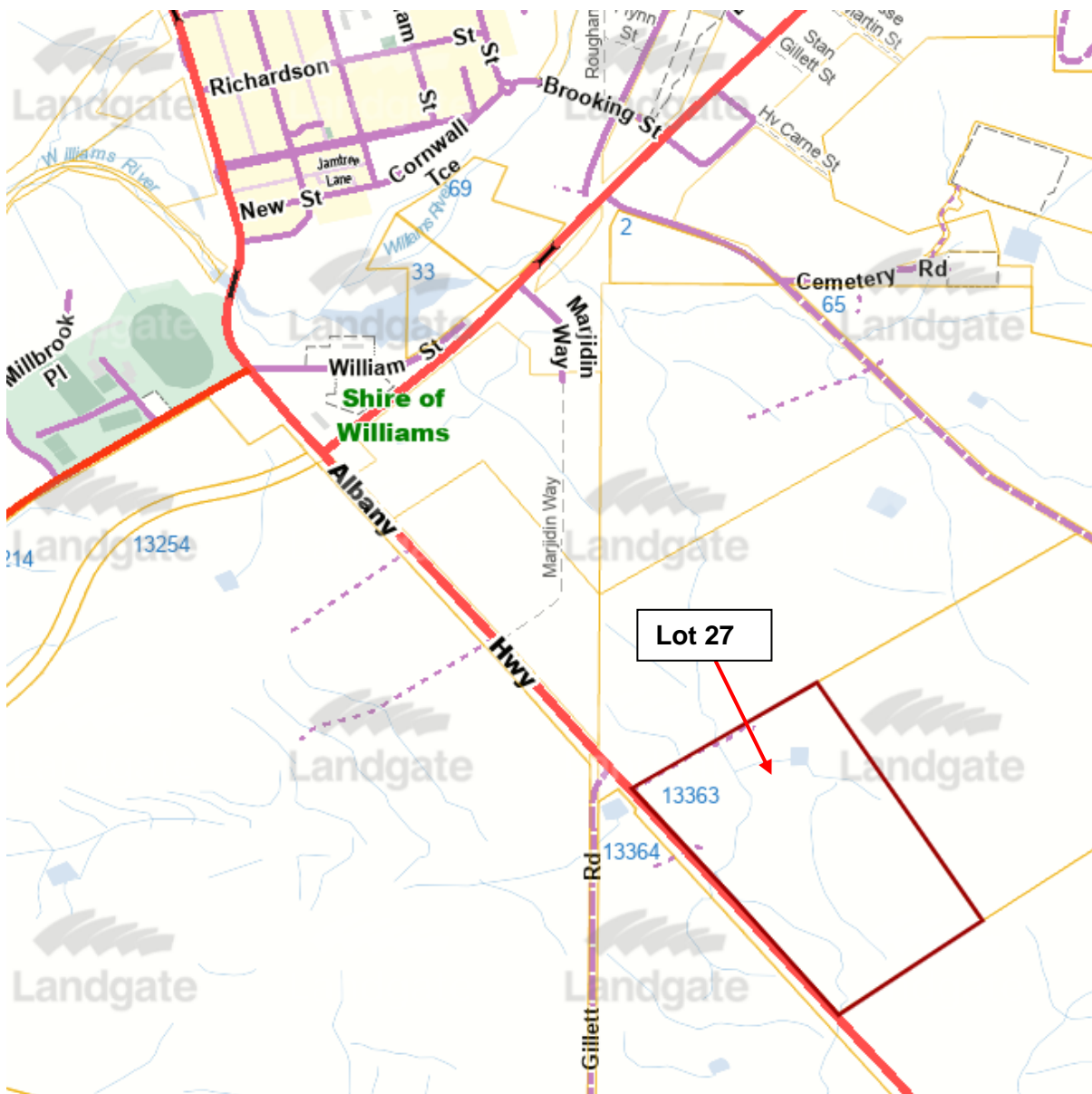
Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>AS/NZS1547:2012 and addressing GSP requirements.</p> <ul style="list-style-type: none">• A plan detailing the proposed building envelopes, land application areas and exclusion zones.• Recommended onsite system design to be proposed for each lot as per GSP requirements and AS/NZS1547:2012.• Fill requirements for each lot.		

8.2.2 Proposed Workers Accommodation in Existing House and Third New Dwelling – Lot 27 (13363) Albany Highway, Williams

File Reference	10.60.15
Statutory Ref.	Shire of Williams Town Planning Scheme No.2
Author & Date	Liz Bushby, Town Planning Innovations 10 November 2022
Attachments	Nil

Background

Lot 27 is used for agricultural purposes and has an approximate area of 39.48 hectares.



Above: Location Plan

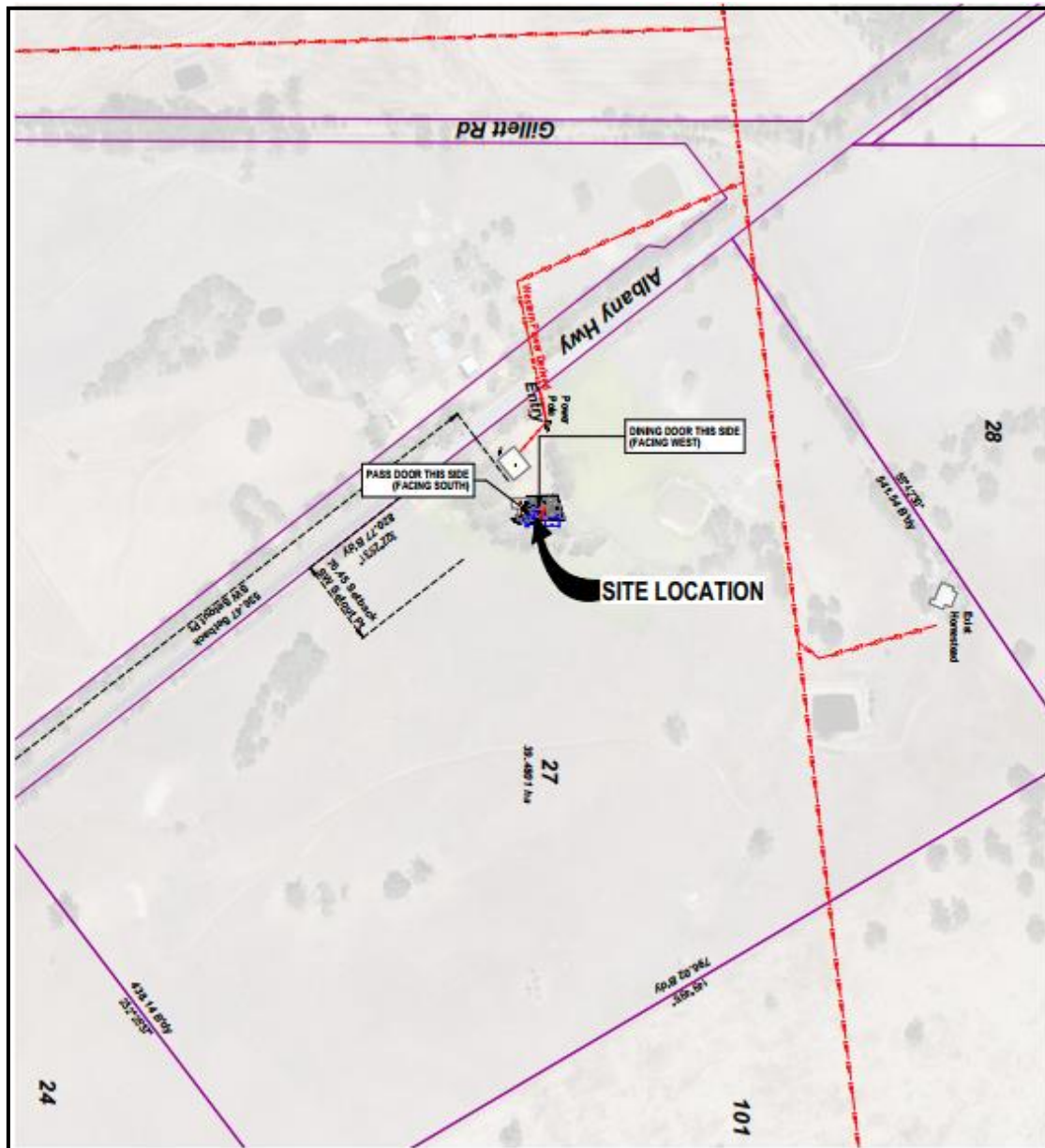
There are two existing dwellings on the lot, and a shearing shed. It is understood that the owner lives in an existing house located near the north east boundary of the lot, and his son lives in a second dwelling located closer to the Albany Highway frontage.

Comment

- **Proposed Development**

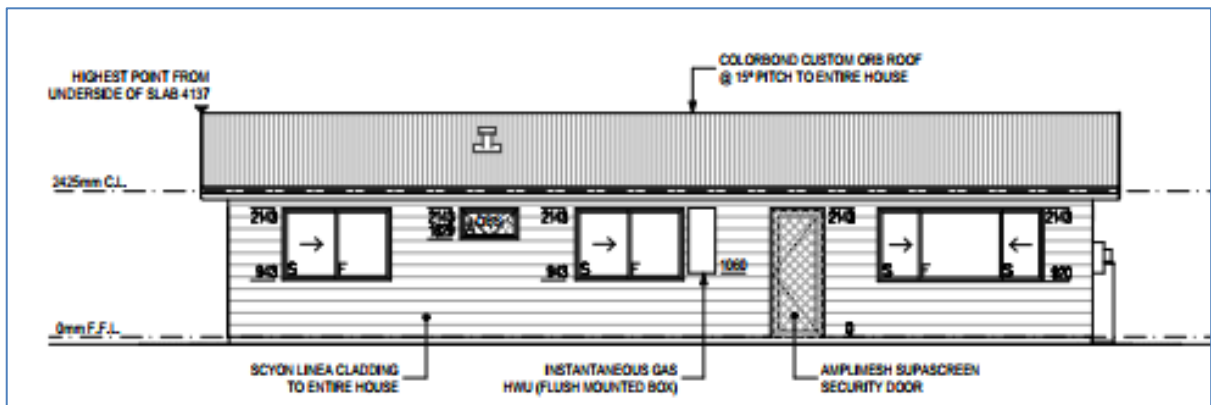
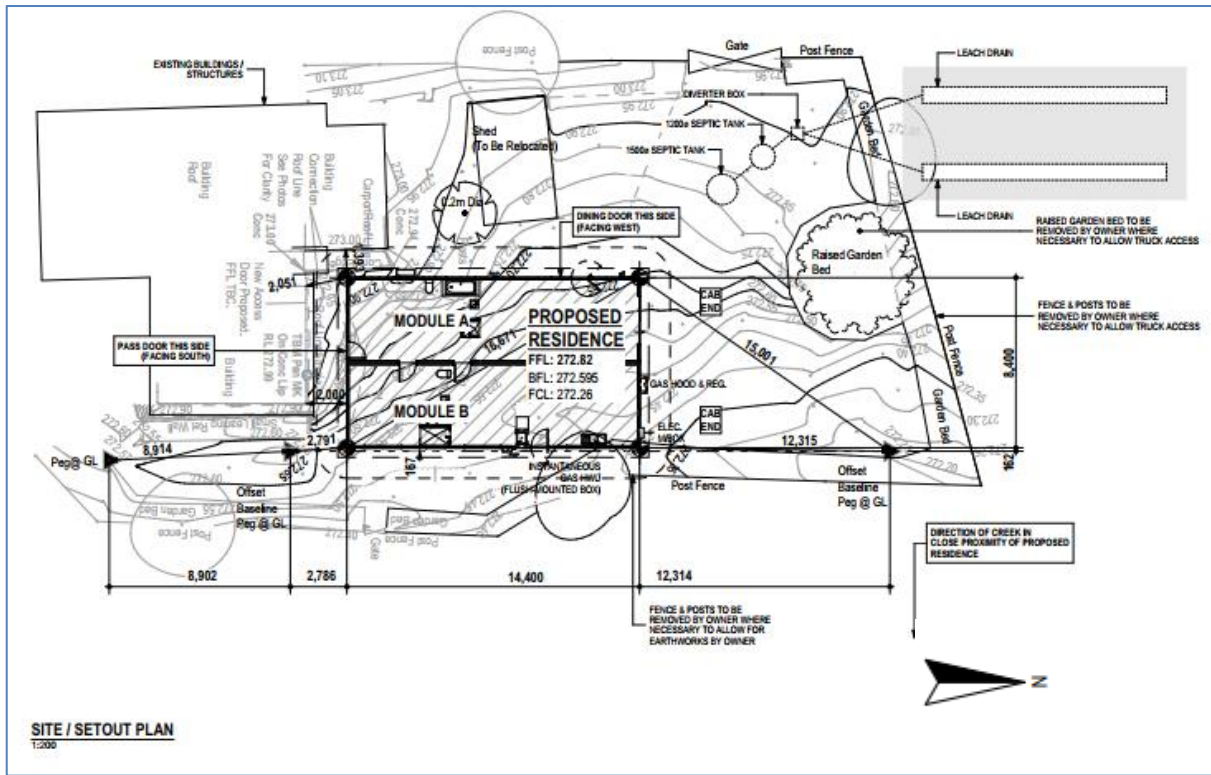
The owner has applied to build a third dwelling on Lot 27. On completion, the third dwelling will be occupied by the owner's son.

They propose to make the second house (near Albany Highway) available for workers accommodation.



OVERALL SITE PLAN
1:4000

The plan on the following page is an enlargement showing the existing dwelling to be converted to workers accommodation, and the proposed third dwelling.



- **Landuse Permissibility**

Lot 27 is zoned 'Rural' under the Shire of Williams Town Planning Scheme No 2 ('the Scheme').

The proposal for a third dwelling on Lot 27 is construed as a 'grouped dwelling' which is listed as an 'AA' use in the Rural zone, which means it requires planning approval.

The proposal to use the existing house for workers could be construed as 'workers accommodation' which is not defined in the Shires Scheme or listed in 'Table 1-Zoning Table' of the Scheme.

Notwithstanding the above, as a 'grouped dwelling' is listed in Table 1, it is construed that the 'workers accommodation' could also be processed as part of a 'grouped dwelling' development.

A 'grouped dwelling' is defined as 'a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above or below another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property'.

The benefit of processing the development as a 'grouped dwelling' is that the use of the existing house does not need to be limited to workers, and from a planning perspective it is preferable to utilise any applicable land use that is listed in Table 1 of the Scheme.

This is consistent with Clause 4.3.1 of the Scheme which states '*where in the Zoning Table a particular use is mentioned it is deemed to be excluded from any other use which by its more general terms might otherwise include such particular use*'.

- **Advertising**

Shire Administration has organised advertising of the proposal by writing to adjacent landowners and publishing a notice on the Shire website. Advertising closes on the 23 November 2022.

Although the development is on land that abuts Albany Highway, the application has not been referred to Main Roads WA as access to the proposed new dwelling is via an existing crossover from Albany Highway, and there will be no significant increase in traffic.

POLICY REQUIREMENTS

There is no local planning policy applicable to the development.

LEGISLATIVE REQUIREMENTS

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

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

The Regulations have been amended and the revised Regulations became operative on the 15 February 2021.

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

- **Delegated Authority**

Clause 82(1) and 82(2) provides Council with the ability to grant delegated authority to the Chief Executive Officer to determine the application. This will expedite determination of the application (after advertising). Any delegation must be made by an Absolute Majority of Council.

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

SUSTAINABILITY IMPLICATIONS

- **Environment**

There are no known significant environmental implications associated with this proposal. The owner will need to lodge a separate application seeking approval to install a new on-site effluent disposal system for the proposed new dwelling.

- **Economic**
There are no quantified economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

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 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. The Applicant has paid a planning fee for progressing this application.

Voting Requirements

Absolute Majority

Officer's (Consultant Planner) Recommendation

That Council

1. Note that the application is being publicly advertised until the 23 November 2022. At the time of writing this report no submissions had been received.
2. Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the development application for grouped dwellings on Lot 27 (No 13363) Albany Highway, Williams.

Council Resolution

Price/Cowcher

That Council

1. Note that the application is being publicly advertised until the 23 November 2022. At the time of writing this report no submissions had been received.
2. Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the development application for grouped dwellings on Lot 27 (No 13363) Albany Highway, Williams.

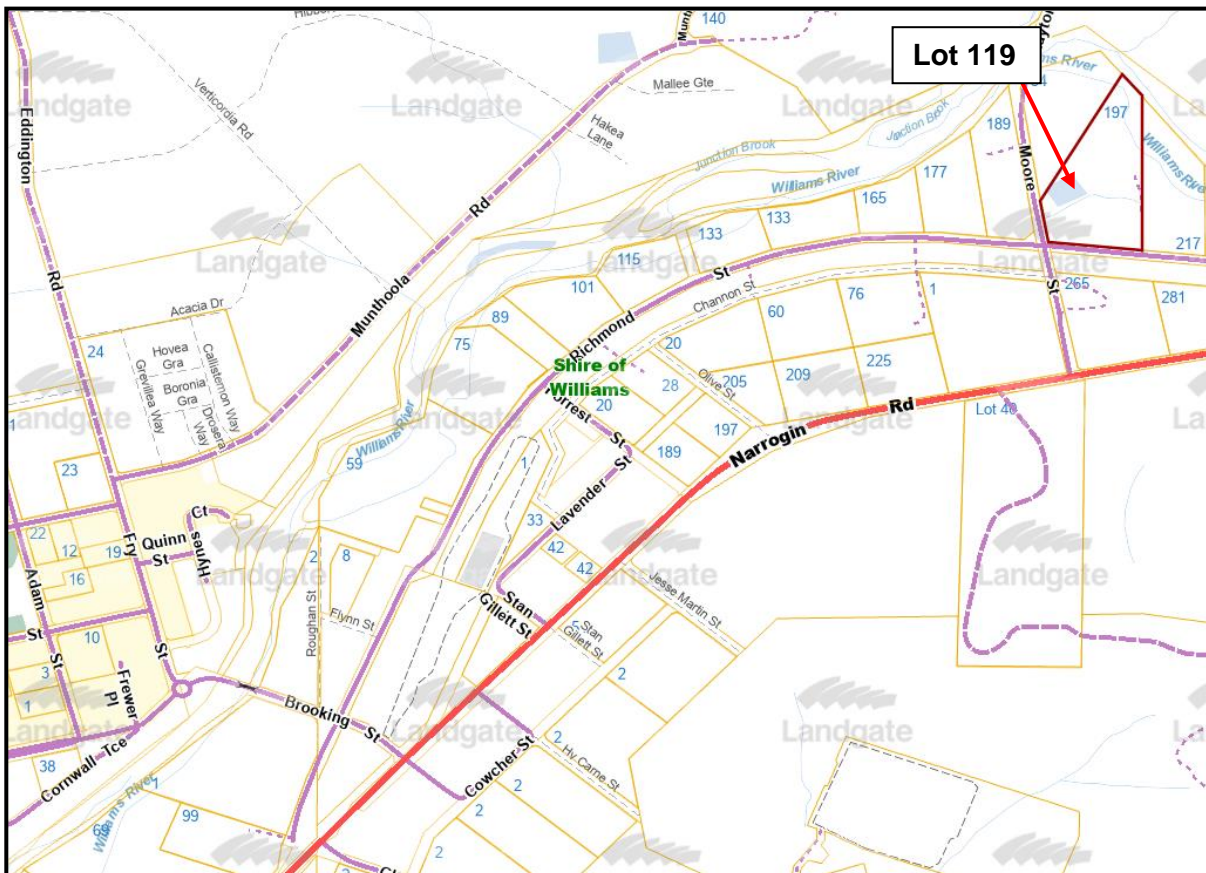
**Carried by Absolute Majority 7/0
Resolution 54/23**

8.2.3 Proposed Transport Depot and New Agricultural Outbuilding – Lot 119 (197) Richmond Street, Williams

File Reference	10.60.15
Statutory Ref.	Shire of Williams Town Planning Scheme No.2
Author & Date	Liz Bushby, Town Planning Innovations 10 November 2022
Attachments	Nil

Background

Lot 119 is used for agricultural purposes and has an approximate area of 35.6 hectares.



Above: Location Plan

Comment

- **Proposed Development**

There is an existing dwelling on the lot, and it is understood that the owner operates a transport depot from the property. The owner seeks retrospective planning approval for the existing transport depot.

The owner seeks approval for:

- Parking his own commercial vehicle and trailer on the lot;
- Construction of a new agricultural outbuilding to use as part of the transport depot.
The existing commercial vehicle will be serviced within the proposed new building.

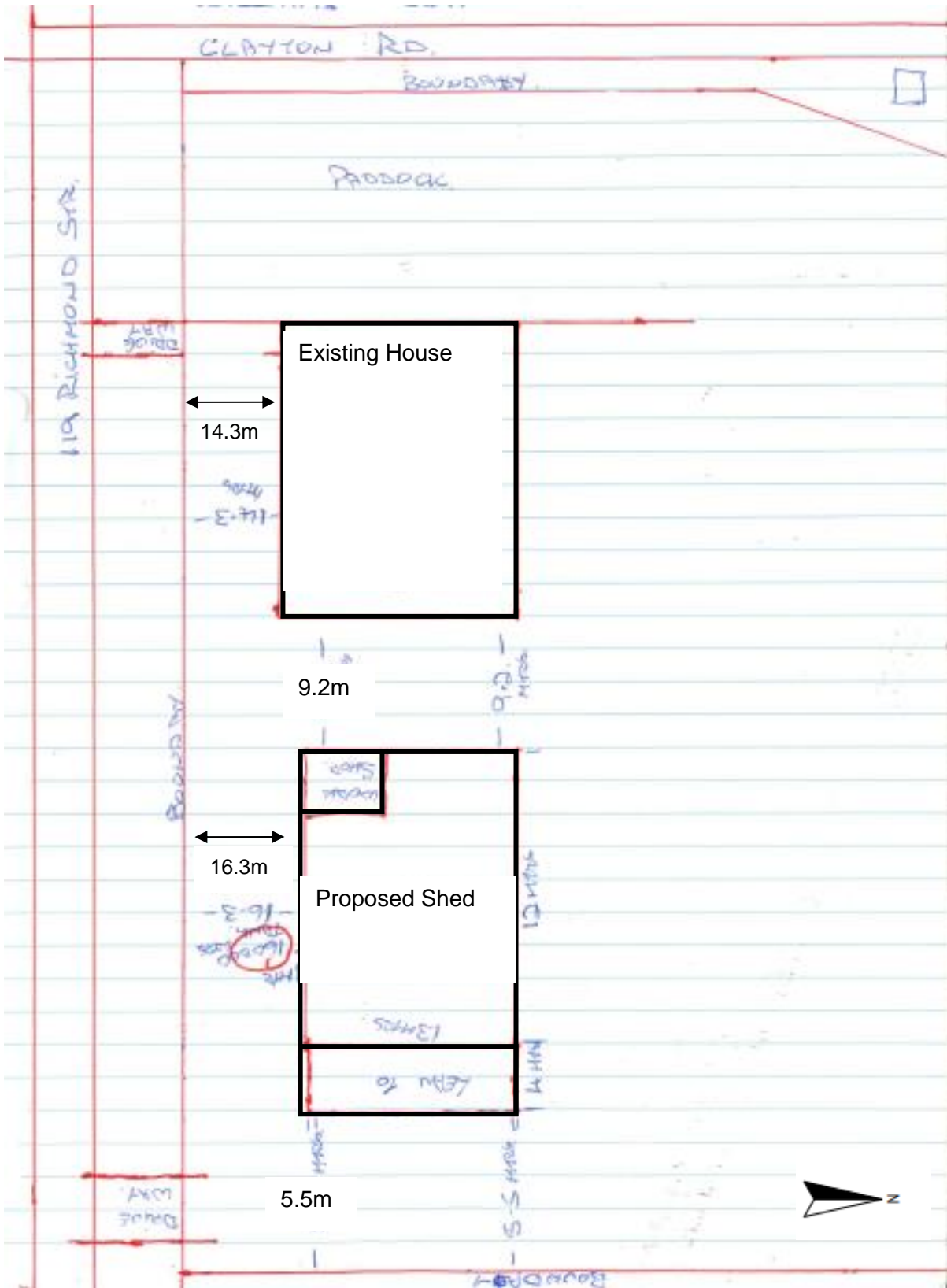
The new building is proposed to the east of the existing dwelling on the lot. It is proposed to be setback 16.3 metres from the front lot boundary, and 5.5 metres from the nearest side (east) lot boundary.

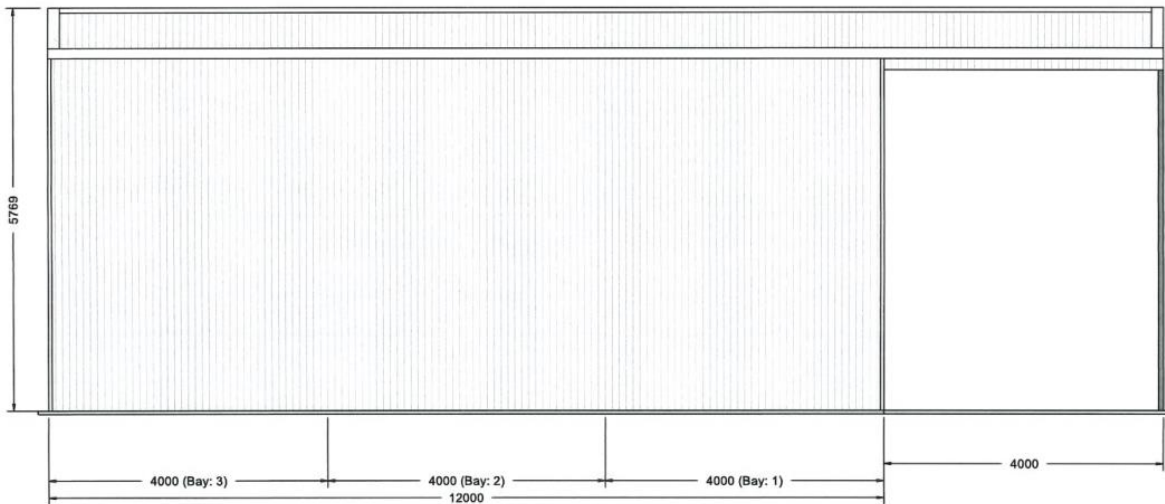
It has a proposed floor area of 156m² with a 52m² roofed lean-to. A wall height of 5.2 metres is proposed, with the total height to the roof peak being 5.789 metres. An aerial photo is included below for ease of reference.



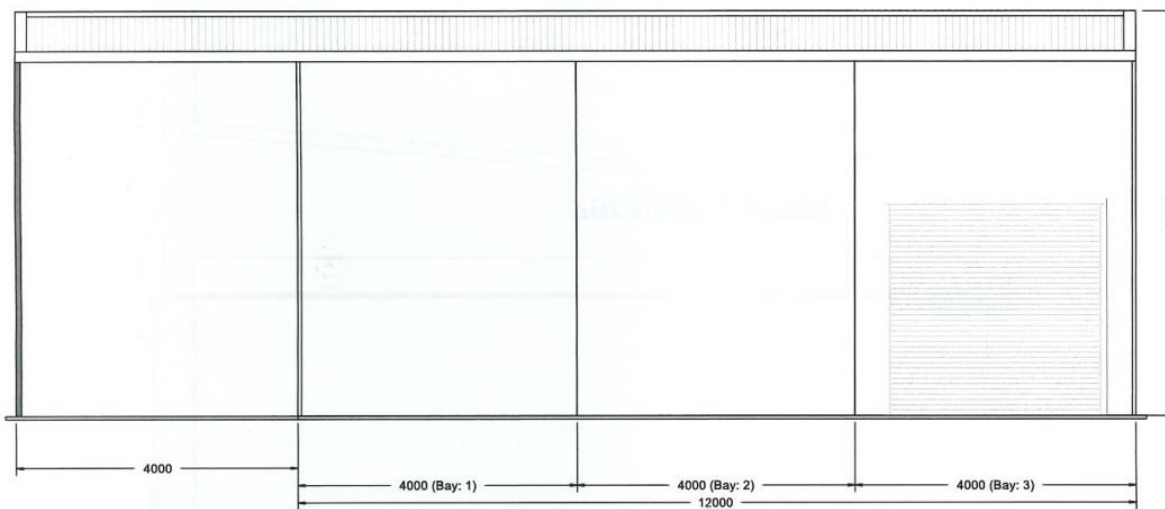
Aerial photograph

A site plan and elevations are included below and over page.





LEFT ELEVATION



RIGHT ELEVATION

- **Landuse Permissibility**

Lot 27 is zoned 'Rural' under the Shire of Williams Town Planning Scheme No 2 ('the Scheme').

The proposed land use is construed as a 'transport depot' which is defined in the Shire's Scheme as 'means land and buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one such motor vehicle to another of such motor vehicle and includes maintenance, management and repair of the vehicles used, but not of other vehicles.'

A 'transport depot' is listed as an 'AA' use in the Rural zone under 'Table 1-Zoning Table' of the Scheme. The 'AA' symbol means the proposed land use requires planning approval.

- **Advertising**

Shire Administration has organised advertising of the proposal by writing to adjacent landowners and publishing a notice on the Shire website. Advertising closes on the 28 November 2022.

POLICY REQUIREMENTS

There is no local planning policy applicable to the development.

It should be noted that State Planning Policy 3.7 applies where development is proposed within a bushfire prone area. Bushfire prone areas are designated as 'pink' on mapping available through the website of the Department of Fire and Emergency Services.

Whilst portions of Lot 119 are within a declared bushfire prone area, the proposed transport depot (and new building) is outside of the designated bushfire prone area, so no Bushfire Attack Level assessment is required.

LEGISLATIVE REQUIREMENTS

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

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

The Regulations have been amended and the revised Regulations became operative on the 15 February 2021.

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

- **Delegated Authority**

Clause 82(1) and 82(2) provides Council with the ability to grant delegated authority to the Chief Executive Officer to determine the application. This will expedite determination of the application (after advertising). Any delegation must be made by an Absolute Majority of Council.

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

SUSTAINABILITY IMPLICATIONS

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no quantified economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

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 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. The Applicant will pay a planning fee for progressing this application.

Voting Requirements

Absolute Majority

Officer's (Consultant Planner) Recommendation

That Council

1. Note that the application is being publicly advertised until the 28 November 2022. At the time of writing this report no submissions had been received.
2. Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the development application for a Transport Depot (and associated building) on Lot 119 (No 197) Richmond Street, Williams.

Council Resolution

Baker/Macnamara

That Council

1. Note that the application is being publicly advertised until the 28 November 2022. At the time of writing this report no submissions had been received.
2. Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the development application for a Transport Depot (and associated building) on Lot 119 (No 197) Richmond Street, Williams.

**Carried by Absolute Majority 7/0
Resolution 55/23**

8.2.4 Setback Variation – Proposed Shed at Lot 97 (14) Munthoola Road

File Reference	10.60.15
Statutory Ref.	Shire of Williams Town Planning Scheme No.2
Author & Date	Geoff McKeown 11 November 2022
Attachments	Nil

Background

Lot 97 (14) Munthoola Road, Williams is zoned 'Residential' with a density code of R12.5 under the Shire of Williams Town Planning Scheme No. ('the Scheme').

The lot has an approximate area of 1,118m² and has been developed with an existing single house. The locality plan below shows the lot before the construction of the house.



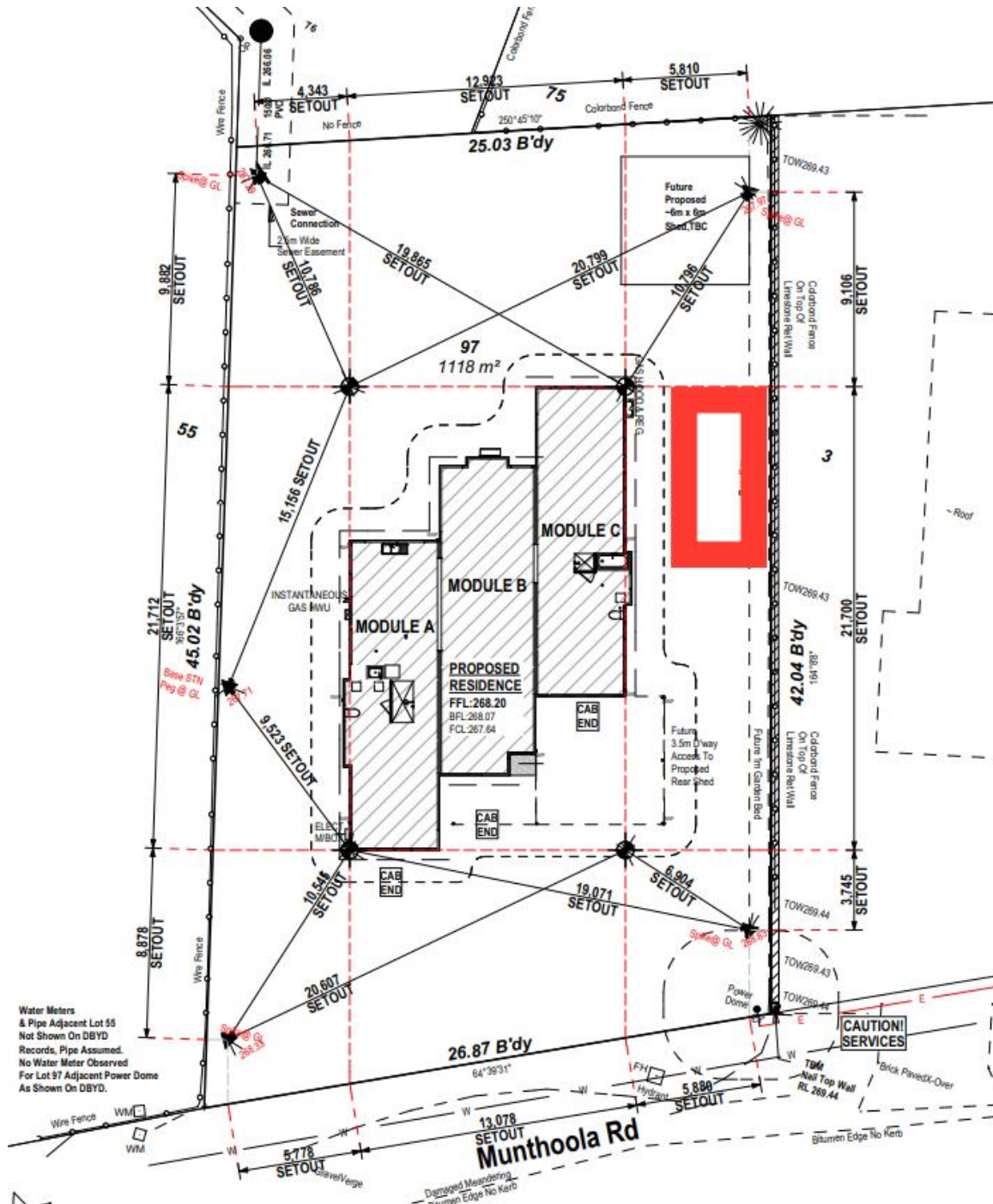
Above: Location Plan

Comment

- **Proposed Development**

The owner seeks approval to construct a new shed on the lot.

The shed is proposed to be setback 24 metres from the front lot boundary, 12.2 metre from the rear boundary, 4 metres from the house and 100mm from the western side boundary – see site plan overpage.



Above: Site Plan

- **Residential Design Codes**

The Residential Design Codes ('the Codes') operate as a state planning policy and apply to all residential development in Western Australia.

The Codes have two separate options for the assessment of development including 'Deemed to Comply' criteria and 'Design Principles'.

Under the Residential Design Codes there are specific 'Deemed to Comply' requirements for setbacks to lot boundaries.

The applicant seeks a variation to the Residential Design Codes as a 100mm side setback is proposed in lieu of the required 1 metre setback. There is discretion to vary the setback requirement where it doesn't have an adverse impact on the adjoining property.

- **Public Consultation**

This application is being advertised for public comment, to provide the affected neighbours with an opportunity to comment on the proposal. One response was received from the Department of Communities indicating that it had no objection to the proposal.

At the October 2022 Ordinary Meeting the Council deferred a decision on this application indicating that it wished to receive more information.

POLICY REQUIREMENTS

Not applicable.

LEGISLATIVE REQUIREMENTS

Planning and Development (Local Planning Schemes) Regulations 2015 -

Clause 61(1) only exempts outbuildings from the need for planning approval where no variation to the 'deemed to comply' provisions of the Residential Design Codes are proposed.

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

Clause 82(1) gives the local government the ability to delegate its powers to the Chief Executive Officer. Clause 82(2) requires any delegation to be by Absolute Majority.

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

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.

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

Financial Implications

A planning application fee is applicable.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council:

1. notes that the side setback variation to the Residential Design Codes has been referred to the affected neighbour for comment.
2. approves the reduced setback for a shed on Lot 97 (14) Munthoola Road, Williams in accordance with the submitted plans.

Council Resolution

Price/Cowcher

That Council:

1. notes that the side setback variation to the Residential Design Codes has been referred to the affected neighbour for comment.
2. approves the reduced setback for a shed on Lot 97 (14) Munthoola Road, Williams in accordance with the submitted plans.

**Carried by Absolute Majority 7/0
Resolution 56/23**

8.2.5 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 10 November 2022
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 – Building Permit(s) issued for the Month of October 2022:

Permit Number	Owner	Address	Description
489	Ryan & Sara Duff	Lot 60 (24) Eddington Road	Dwelling

- **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 concession may be granted where a fee or charge would normally be applied, and the event or activity is held by a charitable body, not-for-profit organisation or community group.

Action – The Chief Executive Officer waived a hire fee for use cups, plates and cutlery for a community event run by the Williams Community Resource Centre on the 8 October 2022. The Hire fee would have been \$20.90.

Action – The Chief Executive Officer intends to waive penalty interest charges on several rate assessments, where payment was received by bank deposit on the day after the date the rates were due and payable. The details are included in the following table and total \$50.78.

Assessment	Amount	Assessment	Amount
1043	\$7.36	808	\$6.97
1217	\$1.04	2773	\$1.36
804	\$1.25	930	\$3.83
1733	\$3.57	952	\$1.18
2005	\$1.04	2061	\$0.01
1747	\$2.64	2900	\$0.87
1712	\$1.63	2823	\$2.41
1787	\$3.90	2043	\$3.90
2719	\$3.15	1013	\$3.15
2775	\$0.45	1738	\$1.07

• **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 Municipal Fund to the WA Treasury Corporation Overnight Cash Deposit Facility to earn interest on the 19 October 2022.
2. \$400,000.00 from the Municipal Fund to the WA Treasury Corporation Overnight Cash Deposit Facility to earn interest on the 20 October 2022.

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

Fees are received for the issue of Building Permits.

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 October 2022.

Council Resolution

Carne/Macnamara

That Council accept the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of October 2022.

**Carried 7/0
Resolution 57/23**

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

The Chief Executive Officer sought Council approval to raise additional items not included in the Agenda.

Council Resolution

Price/Baker

That the following two late items, relating to 10.2.1 Loan - Williams Golf Club, and 10.2.2 Christmas/New Year Period – Office Closure, be accepted for discussion.

**Carried 7/0
Resolution 58/23**

Cr Natalie Major declared an impartiality interest in the following item 10.2.1 Loan – Williams Golf Club, remained in meeting and voted on the item. Her interest relates to her being a member of the Williams Golf Club.

10.2.1 Loan - Williams Golf Club

File Reference	11.70.54
Statutory Ref.	Local Government Act 1995, section 3.1(1) & (3)
Author & Date	Geoff McKeown 14 November 2022
Attachments	Attachment 2 – Loan Agreement

Background

In March 2022, the Williams Golf Club wrote to Council asking if the Shire would consider lending the Club \$50,000 to undertake the replacement of the Clubhouse roof and to build a new storage shed adjacent to its existing shed.

The funding request was incorporated in the adopted 2022/23 Budget.

Comment

A Loan Agreement has been prepared and is presented for Council's consideration. The significant provisions are:

- Loan Amount - \$50,000
- Advance date – 1 December 2022
- Term – Ten Years
- Repayments - \$2,500 in May and November each year
- Interest – Nil
- Default Interest on repayment instalments not paid within thirty (30) days – 7% per annum.

It is proposed that a mortgage will be registered on the Club's freehold land, being Lot 1160 on Plan 104171 Certificate of Title Volume 762 Folio 130; and Lot 2264 on Plan 112010 Certificate of Title Volume 762 Folio 134.

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):

- ED 1.4 Encourage business and community groups' initiatives to promote the Shire as a place to live, work, play and invest
- SCD 1.1 Provide, maintain and improve community infrastructure
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business

Financial Implications

The loan amount has been included in the 2022/23 Budget. The cost of preparing the loan agreement and the Landgate fee for registering the mortgage is approximately \$687.60.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. approve entering into a loan agreement with the Williams Golf Club, whereby the Shire will lend the Club the amount of \$50,000, repayable over ten (10) years, and subject to the provisions of the loan agreement as presented; and
2. authorise the Shire President and Chief Executive Officer to sign the loan agreement and mortgage documents and affix the common seal where required.

Council Resolution

Baker/Carne

That Council:

1. approve entering into a loan agreement with the Williams Golf Club, whereby the Shire will lend the Club the amount of \$50,000, repayable over ten (10) years, and subject to the provisions of the loan agreement as presented; and
2. authorise the Shire President and Chief Executive Officer to sign the loan agreement and mortgage documents and affix the common seal where required.

**Carried 7/0
Resolution 59/23**

Shire of Williams

("the Lender")

and

Williams Golf Club Inc

("the Borrower")

LOAN AGREEMENT

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THIS AGREEMENT is made on the date specified in Item 1 of the Particulars by the person ("the Lender") specified in Item 2 of the Particulars and the person ("the Borrower") specified in Item 3 of the Particulars.

BACKGROUND

- A. The Lender and the Borrower wish by this Agreement to record the terms and conditions upon which the Lender advances to the Borrower a loan of the amount referred to in Item 4 of the Particulars ("the Loan") on the Advance Date specified in Item 5 ("the Advance Date").
- B. The Loan is made on certain terms and conditions agreed by the parties and the parties by this Agreement wish to record those terms and conditions.

OPERATIVE PART

1. ACKNOWLEDGMENT OF DEBT

The Borrower acknowledges and agrees that the Borrower is indebted to the Lender in the amount of the Loan on terms agreed between the parties and as more particularly set out in this Agreement.

2. REPAYMENT DATE

The Loan shall be repaid by payment of the instalment/s in the amount/s and on the date/s ("the Repayment Date") as specified in Item 6 the Particulars **SUBJECT ALWAYS** to the rights of early repayment as set out in this Agreement and to the provisions of Clause 5 hereof.

3. INTEREST

The Borrower shall pay interest to the Lender at the rate specified in Item 7 of the Particulars ("the Rate") calculated from the Advance Date in the manner contained in this Agreement.

4. PAYMENT OF INTEREST

Interest which shall be calculated on the daily balance of the Loan shall be paid on the interest payment date specified in Item 8 of the Particulars ("the Interest Payment Date").

5. EARLY REPAYMENT

The Borrower may at any time and without penalty, repay the whole of the Loan or any part or parts thereof.

6. BORROWER'S COVENANTS

The Borrower generally covenant with the Lender as follows:

- (a) To pay the interest at the Rate on the Interest Payment Date;
- (b) To provide to the Lender copies of any notices, demands, claims, orders and/or requirements issued to the Borrower from time to time requiring the payment of moneys of an amount exceeding TEN THOUSAND DOLLARS (\$10,000.00);
- (c) To repay the Loan as required by this agreement.

7. **EVENT OF DEFAULT**

The following shall be events of default any one of which will entitle the Lender to require the immediate repayment of the Loan, the interest and all other moneys payable hereunder ("Moneys Secured"):

- (a) The Borrower entering into an arrangement whether oral or written with any of its creditors whereby a debt due by the Borrower is compromised or paid in part;
- (b) The Borrower having judgment entered against them in an amount of TEN THOUSAND DOLLARS (\$10,000.00) or more which judgment remains unsatisfied for a period of THIRTY (30) days from the date it is made;
- (c) The Borrower being in breach or default of any of the provisions of this Agreement and in particular the obligation to pay the Moneys Secured or any part thereof;
- (d) The Borrower or any guarantee being in breach or default of any of the provisions of any guarantee given or security agreement made in relation to the Loan.

Where an event of default occurs, the Lender may by notice in writing served upon the Borrower require the default to be rectified within SEVEN (7) days of the service of such notice on the Borrower and thereafter may require that the Moneys Secured be immediately repaid including all of the Lender's costs of and associated with the breach by, default by and recovery from the Borrower of the Moneys Secured howsoever incurred, including solicitor and client costs in providing advice to the Lender.

8. **SECURITY**

The Debtor hereby grants to the Lender the security interest/s (if any) set out in Item 9 of the Particulars for the purpose of securing the payment of the Moneys Secured.

9. **MISCELLANEOUS**

9.1. **Alterations**

This Agreement may be altered only in writing signed by each party.

9.2. **Costs**

Each party is responsible for costs under this agreement in accordance with Item 10.

9.3. **Counterparts and Electronic Signing and Delivery**

This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute a duplicate original, but all counterparts together shall constitute a single agreement. To the extent allowed by law this Agreement may be signed, attested and delivered electronically.

9.4. **Further Action**

Each party must do, at its own expense, everything reasonably necessary (including executing documents) to give full effect to this Agreement and the transactions contemplated by it.

9.5. **Waiver**

A party does not waive a right, power or remedy if it fails to exercise or delays in exercising the right, power or remedy. A single or partial exercise of a right, power or remedy does not prevent another or further exercise of that or another right, power or remedy. A waiver of a right, power or remedy must be in writing and signed by the party giving the waiver.

9.6. **Governing Law and Jurisdiction**

This Agreement is governed by and to be construed in accordance with the laws in force in the Jurisdiction and the parties agree by execution of this Agreement irrevocably to submit to the non-exclusive jurisdiction of the Courts in the Jurisdiction in respect to all matters arising under or in connection with this Agreement.

10. **NOTICES**

10.1. **Method of Giving Notices**

A notice required or permitted to be given by one party to another under this Agreement must be in writing and is treated as being duly given if it is:

- (a) left at that party's address;
- (b) sent by pre-paid mail to that party's address; or
- (c) transmitted electronically to that party's address.

10.2. **Time of Receipt**

A notice given to a party in accordance with clause 10.1 is treated as having been duly given and received:

- (a) when delivered (in the case of it being left at that party's address);
- (b) on the second Business Day after posting (in the case of it being sent by pre-paid mail), and
- (c) on the Business Day of transmission (in the case of it being given electronically)

and sent to receivers address and no intimation has been received that the notice had not been received, whether that intimation comes from that party or otherwise) if sent before 4pm and otherwise on the Business Day after the Business Day of transmission.

11. ADDITIONAL TERMS AND CONDITIONS

The terms and conditions (if any) set out in Item 12 of the Particulars (“the Additional Terms and Conditions) shall form part of and shall be deemed to be incorporated in the terms of this Agreement and to the extent of any inconsistency between the terms of this Agreement and the Additional Terms and Conditions, the Additional Terms and Conditions shall prevail.

12. INTERPRETATION

12.1. Definitions

In this Agreement, unless the context indicates otherwise:

Business Day	means a day that is not a Saturday or Sunday or a public holiday, special holiday or bank holiday in the Jurisdiction.
Jurisdiction	means the jurisdiction specified in Item 11 of the Particulars.
Borrower	means the person specified in Item 3 of the Particulars.
Lender	means the person specified in Item 2 of the Particulars.
Loan	has the meaning given to it be Recital A.
Advance Date	has the meaning given to it be Recital A.
Repayment Date	has the meaning given to it be Clause 2.
Rate	has the meaning given to it be Clause 3.
Interest Payment Date	has the meaning given to it by Clause 4
Moneys Secured	has the meaning given to it by Clause 7.

12.2. Interpretation

In this Agreement, unless the contrary intention appears:

- (a) words importing a gender include any other gender;
- (b) words in the singular include the plural and words in the plural include the singular;
- (c) clause headings are for convenient reference only and have no effect in limiting or extending the language of provisions to which they refer;
- (d) words importing a person include a partnership and a body whether corporate or otherwise;
- (e) reference to any legislation or legislative provision includes any statutory

modification, substitution or re-enactment of that legislation or legislative provision;

- (f) reference to this or any other document include the document as varied or replaced and notwithstanding any change in the identity of the parties;
- (g) reference to writing include any mode of representation or reproducing words in electronic or tangible and permanent visible form and includes email and facsimile transmission;
- (h) reference to a thing (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them;
- (i) reference to a month and cognate terms means a period commencing on any day of a calendar month and ending on the corresponding day in the next succeeding calendar month but if a corresponding day does not occur in the next succeeding calendar month the period shall end on the last day of the next succeeding calendar month;
- (j) if any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (k) a reference to a party includes that party's personal representatives and successors in title;
- (l) where two or more persons are a party to this Agreement the covenants and agreements on their part bind and are to be observed and performed by them jointly and each of them severally;
- (m) an obligation incurred in favour of two or more parties shall be enforceable by them jointly and severally;
- (n) references to a person which has ceased to exist or has been reconstituted, amalgamated, reconstructed or merged, or the functions of which have become exercisable by any other person or body in its place, shall be taken to refer to the person or body established or constituted in its place or by which its functions have become exercisable;
- (o) where a party is the trustee of a trust the provisions hereof are binding on that party both in their personal capacity and also in their capacity as trustee of that trust;
- (p) the Background form part of this Agreement;
- (q) if any conflict arises between the terms and conditions of this Agreement and the Background, the terms and conditions of the clauses prevail;
- (r) a reference to the Particulars is a reference to Schedule 1;
- (s) a reference to an Item is a reference to an Item in the Particulars;

- (t) the Schedule and any Attachments form part of this Agreement;
- (u) if any conflict arises between the parts of this Agreement then this Agreement will be interpreted giving priority to the parts in the following order:
 - (i) the Particulars;
 - (ii) the terms and conditions contained in the clauses of this Agreement;
 - (iii) the other Schedules; and then
 - (iv) the Attachments and other parts of this Agreement.
- (v) a reference to writing is a reference to any representation of words, figures or symbols, whether or not in a visible form; and
- (w) if a nominated date on which something is to occur falls on a weekend or public holiday, then the date on which that something is to occur shall be the next Business Day after the nominated date.

12.3. **Guidance on construction**

- (a) This Agreement records the entire agreement between the parties in relation to its subject matter.
- (b) As far as possible all provisions of this Agreement will be construed so as not to be void or otherwise unenforceable.
- (c) If anything in this Agreement is void or otherwise unenforceable then it will be severed and the rest of the Agreement remains in force.
- (d) A provision of this Agreement will not be construed to the disadvantage of a party solely on the basis that it proposed that provision.

SCHEDULE 1 – THE PARTICULARS**1. Date**

The 16th day of November 2022

2. The Lender

Shire of Williams of 9 Brooking Street, Williams in the State of Western Australia

3. The Borrower

Williams Golf Club Inc of 12587 Albany Highway, Williams in the State of Western Australia.

4. The Loan

(Recital A)

\$50,000.00

5. Advance Date

(Recital A)

1 December 2022

6. Repayment

(Clause 2)

By twenty (20) bi-annual instalments each of Two thousand five hundred dollars (\$2,500) with each installment to be paid within thirty (30) days of receipt of an invoice from the Lender to be issued in May and November of each year of the Loan.

7. Interest Rate

(Clause 3)

Not Applicable

8. Interest Payment Dates

(Clause 4)

Not Applicable

9. Security

(Clause 8)

The whole of the land comprised in:

Lot 1160 on Plan 104171 Certificate of Title Volume 762 Folio 130; and

Lot 2264 on Plan 112010 Certificate of Title Volume 762 Folio 134.

10. Costs

(Clause 9.2)

Each party must pay its own costs of negotiating, preparing and executing this Agreement.

The Borrower must pay the Lender's costs of and associated with any breach by, default by and recovery from the Borrower of the Moneys Secured howsoever incurred, including solicitor and client costs in providing advice to the Lender.

11. Jurisdiction

(Clause 9.6)

The State of Western Australia.

12. Additional Terms and Conditions

(Clause 11)

1. The Loan is to be used for refurbishment of the Clubhouse roof and the construction of a new storage shed and no other purpose.
2. In the event the Borrower is in default and fails to make any repayment under the terms of this Loan Agreement the interest rate of seven percent (7%) per annum shall be payable on any amount the Borrower is in default of paying pursuant to Item 6 above and with such interest payable immediately.

EXECUTED AS A DEED.

THE COMMON SEAL of the **SHIRE OF WILLIAMS** was hereunto affixed by authority of Council in the presence of:

Signature of Shire President

(Print Full Name)

Signature of Chief Executive Officer

(Print Full Name)

THE COMMON SEAL of the **WILLIAMS GOLF CLUB INC.** was hereunto affixed by authority of Council in the presence of:

Signature of President

(Print Full Name)

Signature of Committee Member

(Print Full Name)

Signature of Committee Member

(Print Full Name)

10.2.2 Christmas/New Year Period – Office Closure

File Reference	4.20.50
Statutory Ref.	Nil
Author & Date	Geoff McKeown 14 November 2022
Attachments	Nil

Background

In recent years the Shire Office has closed during the Christmas/New Year's period. This year Council is asked to approve a closure from 8.00am Wednesday, 28 December 2022 to reopen at 8.00am Tuesday, 3 January 2023. This period includes three working days.

Comment

The Public Holidays over the Christmas/New Year period are:

Monday	26 December 2022
Tuesday	27 December 2022
Monday	2 January 2023

The three scheduled working days during the proposed closure period are Wednesday, 28 December 2022 to Friday, 30 December 2022.

If approved, the Administration Staff will take annual leave for these working days.

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 1.2	Ensure the community remains well informed, well connected and engaged and has the opportunity to actively participate.
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Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council approves the Shire Office closure from 8.00am Wednesday, 28 December 2022 and to reopen 8.00am Tuesday, 3 January 2023 and that the appropriate advertising of the closure be undertaken, and suitable emergency contacts be listed for the duration of the closure period.

Council Resolution**Macnamara/Price**

That Council approves the Shire Office closure from 8.00am Wednesday, 28 December 2022 and to reopen 8.00am Tuesday, 3 January 2023 and that the appropriate advertising of the closure be undertaken, and suitable emergency contacts be listed for the duration of the closure period.

**Carried 7/0
Resolution 60/23**

11.0 Application for Leave of Absence

Nil

12.0 Closure of Meeting

There being no further business for discussion the Presiding Member, Deputy President Cr Major, declared the Meeting closed at 5.02pm.