



SHIRE OF WILLIAMS

MINUTES

ORDINARY COUNCIL MEETING
WEDNESDAY 17 APRIL 2024

SHIRE COUNCIL CHAMBERS
9 BROOKING STREET
WILLIAMS WA 6391



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SHIRE OF WILLIAMS STRATEGIC COMMUNITY PLAN 2022-32

VALUES / VISION

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

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

ECONOMIC

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

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

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

SOCIAL & CULTURAL

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

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

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

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

LAND USE AND ENVIRONMENT

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

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

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

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

LUE4. Recognising and implementing sustainability measures.



INNOVATION, LEADERSHIP & GOVERNANCE

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

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

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

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

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

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AGENDA

Prior to and post the Council meeting, Councillors meet for 3 hours and reviewed the following matters:

- South 32 mining plans - current and future.
- Capital Projects and funding opportunities.
- Road construction and maintenance grading program.
- Plant and equipment use and maintenance.
- Town maintenance operations

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member, President Logie, declared the Meeting open at 3:35pm.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Elected Members

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

Staff

Peter Stubbs - Chief Executive Officer
Britt Logie – Minute Taker

Visitors – Trish Bowden
Apologies - Nil
Leave of Absence – Nil

3. PUBLIC QUESTION TIME

Public question time is limited to a total of fifteen minutes of duration, except by consent of the person presiding. Each speaker is limited to three minutes duration to speak, except by consent of the person presiding.

Questions from Trish Bowden

1. What Does the Williams Shire know about South32's current and proposed plans?

The Shire of Williams invited South32 to meet and present to the Shire Councillors prior to this Council meeting today. South32 gave details of the current and proposed mining plans and confirmed that no mining was likely in the Shire of Williams for at least 10 years. The known ore grade in the Shire of Williams is not of the standard required to support the current processing plant, and it would need to be blended with higher quality ore or changes made to the process plant. S32 advised that its priority was to mine further north of the Shire of Williams.

2. Do you feel rate payers should be informed of the Mining in the Williams Shire?

The Shire of Williams encourages all interested rate payers and citizens to take in interest in developments in and around the district including mining.

3. Community Liaison Committee – Who are the members? Are members of the public invited to join? What is the expectations of information received?

S32 has an established a Community Liaison Committee chaired by Mr Greg Cavanagh in a voluntary capacity. Council has nominated its CEO to be member of the Committee with Cr John Macnamara as a proxy delegate.

Members of the public are invited by S32 to be involved in the Community Liaison Committee.

The terms of reference for the Community Liaison Committee define membership and expectations. Membership consists of invited representatives from the following stakeholders,

- Worsley Alumina – At least two representatives,
- Local Government – One representative from the Shires of Boddington, Williams and Wandering.
- Environment – Representatives from the Department of Biodiversity, Conservation and Attractions (DBCA), Peel Harvey Catchment Council, Friends of the Reserves and others if deemed so by the CLC.
- Community Representatives- Business & Industry, Local residents (at least two from Boddington area), Traditional Custodians, Boddington District High School, Specialist interest groups e.g. community organisations, not-for-profits, groups, youth / older population groups.

The expectation is members will listen to community opinions and advise on that to S32.

4. When was a meeting held to announce the \$120,000 to the Quindanning Community?

Following a South32 presentation in Quindanning, suggestions from the Quindanning Community indicated the need to establish priorities for future development of Quindanning. South32 approved a community investment of \$120,000 for the Quindanning Community in June 2023. A Survey was sent out to the Quindanning Community seeking views on the areas of Quindanning to be enhanced / developed. The Shire of Williams received 64 responses to the survey. A community consultation meeting was held at the Quindanning Town Hall 22/07/2023 to discuss the community investment funds and the recent survey that was distributed to all the Quindanning community.

5. Has the Shire received a copy of South32 Buffer Zone map and the possible repercussions of owning land near the Buffer Zone.

The Shire of Williams does not have a buffer map and is informed by S32 that no buffer map exists.

6. South32 are proposing the closure of 3 roads in Boddington to allow future mining activities to occur – Does the Williams Shire anticipate any road closures?

No road closures are anticipated in the Shire of Williams.

7. Does the Shire agree that social licence is important to a community and can only be earned by a business through honesty, transparency and accountability?

Yes, the Shire of Williams agrees with that.

President adjourned the meeting 4:04pm

President recommenced meeting 4:29pm

4. PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

5. DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	Cr Macnamara / Councillor
Item No. / Subject	8.2.3 – Retrospective Development Application – Lot 13 Albany Highway
Type of Interest	Proximity

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 20TH MARCH 2024

OFFICERS RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr Major

Seconded: Cr Cowcher

That the Minutes of the Ordinary Council Meeting held 20 March 2024, as previously circulated, be confirmed as a true and accurate record.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 100/24

7. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

- I would like to congratulate all our volunteers who supported this year Williams Gateway Expo to make it another fantastic event for our community.
- Our next major event will be our ANZAC Day ceremony to be held at 8am on 25 April 2024, at the RSL memorial and I hope to see many people there to commemorate that.
- I would like record Council's appreciation to our volunteer fire fighters who have done a wonderful job in what has been long dry summer. 25 Fires have been successfully responded too and extinguished. In particular I thank Matt Carne, our volunteer Chief Bushfire Control Officer, and to our Fire Captains for the important and demanding jobs they have done.
- Recently the significant fire at Macco's Feed Pellet plant required a coordinated and detailed response by our many volunteers and I extend Council's appreciation and gratitude to everyone who helped with that response and cleanup.
- On behalf of Council, I have relayed our concern to Main Roads WA about the need for improved management of vegetation on Albany Highway to reduce fire risk. This remains our districts greatest risk from fire, and I urge Main Roads WA to increase its effort to support our volunteer fire fighters.
- Main Roads WA have responded to the request of Councillors for Give Way signs to be replaced with Stop signs at the cross roading intersection of the Quindanning-Darkan and Collie-Williams Roads. The Shire will now install additional warning signs leading up the Stop signs.
- I thank Councillor Major and Councillor Cowcher for undertaking our annual maintenance inspections of the 19 houses that Council owns in Williams.
- I advise Councillors that the Deputy Shire President and I met with the CEO in early March to develop his performance plan for the 2024 year.

8. MATTERS WHICH REQUIRE DECISIONS

8.1 CORPORATE AND COMMUNITY SERVICES

8.1.1 PAYMENT LISTING

File Reference	4.23.15
Statutory Reference	Local Government (Financial Management) Regulations 1996
Author	Cassie Barker
Date	12 th April 2024
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
Attachments	Payment listing for month ending 31 st March 2024

Background

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

Statutory Implications

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

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

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

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

Comment

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

Strategic Implications

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

CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

As listed in the recommendation below.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr Price

Seconded: Cr Cowcher

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 105013 – 105013 totalling \$543,620.61 approved by the Chief Executive Officer during the month of March 2024 be endorsed.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 101/24

8.1.2 FINANCIAL STATEMENTS

File Reference	4.23.15
Statutory Reference	Local Government (Financial Management) Regulations 1996
Author	Cassie Barker
Date	12 th April 2024
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
Attachments	Financial Statements ending 31 st March 2024

Background

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

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

Statutory Implications

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

Comment

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

Strategic Implications

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

CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

As disclosed in the financial statements.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION AND COUNCIL RESOLUTION	
Moved: Cr Price	Seconded: Cr Panizza
That the financial statements presented for the period ending 31 st March 2024 be received.	
Carried 7/0	
For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price	
Against: Nil	
Resolution 102/24	

8.2 CHIEF EXECUTIVE OFFICER'S REPORT

8.2.1 COMMUNITY ASSISTED TRANSPORT SERVICE (CATS)

File Reference	7.10.20
Statutory Reference	Nil
Author	Peter Stubbs
Date	12 April 2024
Disclosure of Interest	Neither the Author not Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
Attachments	Letter- Shire of Narrogin -contribution request

Background

The Shire of Narrogin has requested a contribution of \$500.00 towards the Community Assisted Transport Service (CATS) by the Shire. CATS provides transport assistance for people in need of that from the region to metropolitan hospitals. In May 2018 Council made the following decision in relation to this service.

Council Resolution	Carne / Medlen
That Council advise the Shire of Narrogin that it will consider the allocation of \$500 in the 2018/19 Budget as a contribution to the changeover cost of the Community Assisted Transport Service (CATS) vehicle, reflecting the proportion of the usage by residents of the Shire of Williams.	
	Carried 5/2
	Resolution 191/18

Statutory Implications

Nil.

Comment

The letter request from Shire of Narrogin provides no data on the level of use of the CATS from the people of Williams. A request for this information has been made but has not been received prior to the issue of this Council Agenda.

There is the option for Council consider this request in its 2024-25 budget development and adoption.

Strategic Implications

One of Councils strategic goals is,
 SCD 2.6 Continue to support health service provision for the community (doctor, allied health, Medical Centre)

Financial Implications

\$500.00

Voting Requirements

Simple majority

OFFICERS RECOMMENDATION AND COUNCIL RESOLUTION	
Moved: Cr Major	Seconded: Cr Macnamara
That Council advise the Shire of Narrogin that it will consider the request for a \$500.00 contribution towards the Community Assisted Transport Service (CATS) it coordinates in its 2024-25 budget.	
	Carried 7/0
For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price	
Against: Nil	
	Resolution 103/24

8.2.2 BUSH FIRE & EMERGENCY MANAGEMENT FUNDING

File Reference	5.10.55
Statutory Reference	Emergency Management Act 2005, Bush Fires Act 1954, Local Government Act 1996
Author	Peter Stubbs
Date	12 April 2024
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
Attachments	Nil

Background

Local Governments receive funding support State revenue via the Department of Fire and Emergency Services (DFES) collected from the property rating system (Emergency Service Levy) for bushfire response and management.

\$34,421.00 was allocated to the Shire of Williams from the Local Government Grants Scheme (LGGS) – 2023/24 BFB & SES Operating Grants. The project Operating expenses for 2023-24 are approximately \$60,000. Insurance (\$33,000) to cover volunteer bush fire brigade members consumes most of the current operating grant, and that cost is likely to rise.

Statutory Implications

Local Government has statutory responsibilities to coordinate and respond to bushfire management (Emergency Management Act 2005, Bush Fires Act 1954, Local Government Act 1996)

Comment

Insufficient operating funds are currently being provided to support the expectations for bush fire and other emergency response.

The deadline for Local Government to submit LGGS grants for bush fire response and control was Friday 29 March 2024. The Shire of Williams made application for,

1. An increase in operating funds from \$34,421.00 in 2023/24 to \$94,000 for 2024/25
2. Four (4) fast fill trailers to replace the existing ageing fleet.
3. Major Plant items
 - a. Bulk Water Carrier 12.2
 - b. Light tanker- Narrakine (Toyota)
 - c. Light Tanker- Boraning (Toyota)
4. Thermal Imaging devices to check on fire outages more safely.

Strategic Implications

The community ability to minimise fire risk and impacts to people, property, livestock, and the natural environment is important to community life, safety, and security.

Section 4 - Form 6
Operating Grant Budget Estimate

OPERATING GRANT BUDGET ESTIMATE - ALTERNATE ALLOCATION		FORM 6
(Line Items 1 - 8, 10)		
ONLY TO BE COMPLETED IF THE DFES ASSESSED ALLOCATION IS NOT ACCEPTED		
Local Government Name:		
Please Tick Box: Bush Fire Brigade(s) <input type="checkbox"/> State Emergency Service Unit(s) <input type="checkbox"/>		
(Complete one form for BFB in AGGREGATE and a separate form for SES in AGGREGATE.)		
OPERATING GRANT BUDGET		
Expenditure Items	2023/24 Projected (\$)	2024/25 Budget (\$)
RECURRENT EXPENDITURE		
1. Purchase of Plant & Equipment <\$1,500 per item	\$0.00	\$0.00
2. Maintenance of Plant and Equipment	\$0.00	\$1,000.00
3. Maintenance of Vehicles/Trailers/Boats	\$2,019.00	\$6,000.00
4. Maintenance of Land and Buildings	\$242.00	\$1,000.00
5. Clothing and Accessories ^(a)	\$4,121.00	\$35,000.00
6. Utilities, Rates and Taxes	\$2,150.00	\$2,500.00
7. Other Goods and Services	\$10,035.00	\$10,500.00
8. Insurances	\$33,431.00	\$38,000.00
NON-RECURRENT EXPENDITURE		
Total Line Items 1 - 8	\$51,998	\$94,000
9. Purchase of Plant and Equipment from \$1,500 to \$5,000 per item ^(b)	0	PLEASE COMPLETE ONLINE
All figures are to be GST EXCLUSIVE.		
NOTES:		
(a) Not applicable for SES.		
(b) Items greater than \$5,000 are to be requested as a capital item.		
As a separate attachment, please provide an explanation of any significant variations between years. DFES reserves the right to seek clarification or additional details supporting the information above.		
DO NOT CHANGE THE LAYOUT OF THIS FORM		

Financial Implications

It is important that appropriate resourcing is provided to Local Government for bush fire and emergency response. If that does not occur, then further costs are shifted to the community.

Voting Requirements

Simple majority

OFFICERS RECOMMENDATION AND COUNCIL RESOLUTION	
Moved: Cr Major	Seconded: Cr Harding
That Council note the Shire of Williams 2024-25 Local Government Grants Scheme (LGGs) Operating and Capital Grants submission including,	
<ol style="list-style-type: none"> 1. A requested operating fund increase from \$34,421.00 in 2023/24 to \$94,000 for 2024/25. 2. Four (4) fast fill trailers to replace the existing ageing fleet. 3. Major Plant items <ol style="list-style-type: none"> a. Bulk Water Carrier 12.2 b. Light tanker- Narrakine (Toyota) c. Light Tanker- Boraning (Toyota) 4. Thermal Imaging devices to check on fire outages more safely 	
Carried 7/0	
For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price	
Against: Nil	
Resolution 104/24	

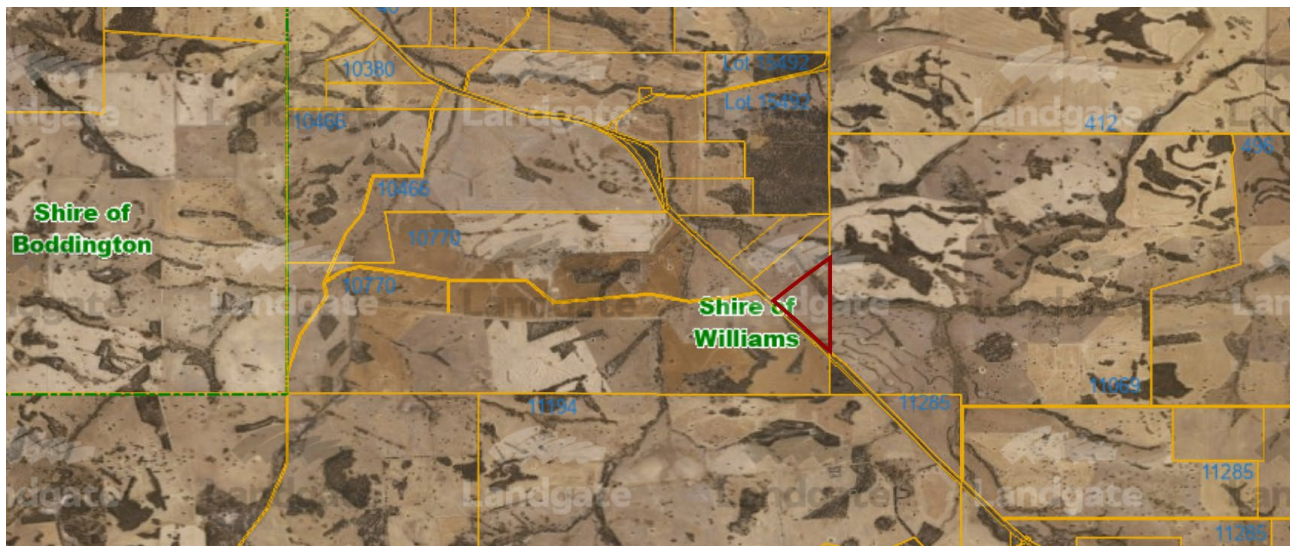
Cr Macnamara declared a proximity interest in the following item 8.2.3 Retrospective Development Application – Lot 13 Albany Highway and left the meeting at 4:51pm. The nature of his interest lies in being an owner of a neighbouring property.

8.2.3 RETROSPECTIVE DEVELOPMENT APPLICATION – LOT 13 ALBANY HIGHWAY

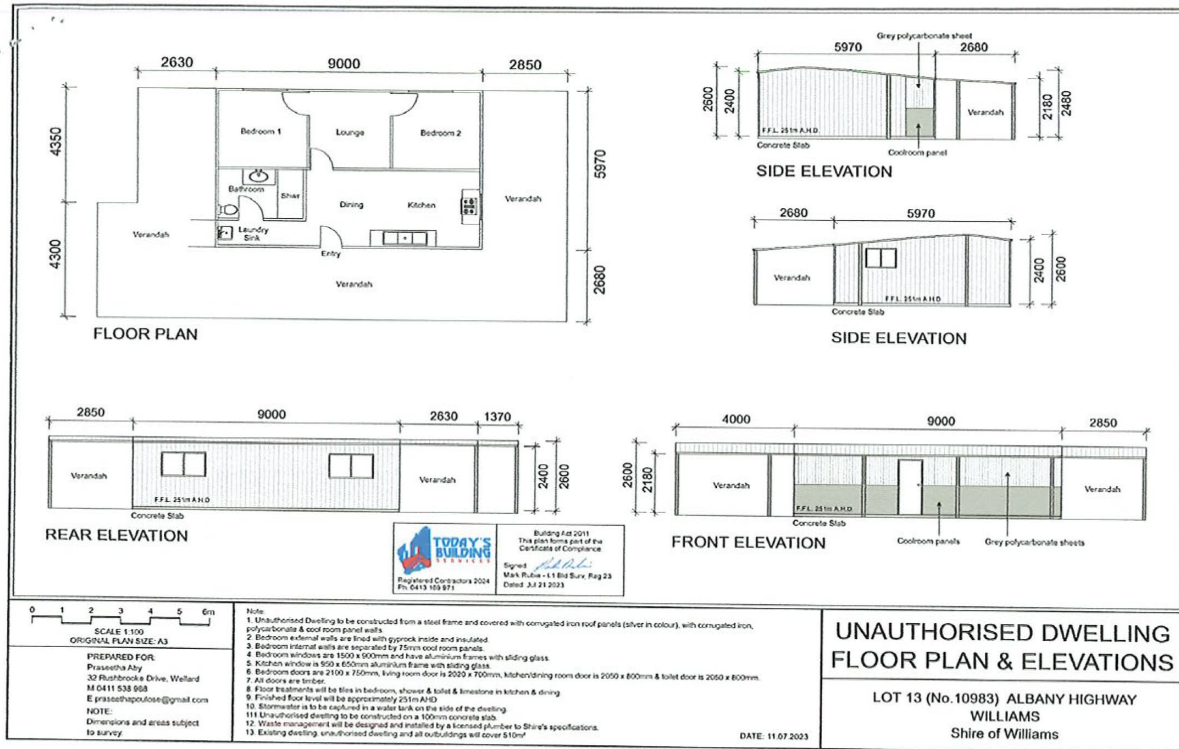
File Reference	10.60.15
Statutory Reference	Planning and Development (Local Planning Schemes) Regulations 2015. Shire of Williams Town Planning Scheme No2
Author	Peter Stubbs
Date	12 April 2024
Disclosure of Interest	Neither the Author not Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
Attachments	Nil

Background

Lot 13 Albany Highway (Rose Creek Farm) is zoned rural and is 33.85hectares in area. The location of the property is north of the Williams townsite shown the site map below.



The floor plan and elevation plans for that are provided here



The owner seeks retrospective Development Approval for the shed conversion into a dwelling/house (second dwelling). Land zoned Rural under the Town Planning Scheme has provision for discretion of Council to approve a caretaker dwelling, grouped dwelling and or holiday cabins and chalets (AA use).

Legislative Requirements

Planning and Development (Local Planning Schemes) Regulations 2015

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

- *Matters to be Considered By Council*

Regulation 67 of the deemed provisions outlines 'matters to be considered by Council' including but not limited to orderly and proper planning, the compatibility of the development with its setting including the relationship to development on adjoining land, the amenity of the locality, the adequacy of proposed means of access to and from the site, the amount of traffic to be generated by the development, and any submission received.

- *State Planning Policy 3.7*

Under the 'deemed provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have 'due regard' to any state planning policy. This means Council has an obligation to give proper, genuine and realistic consideration to the requirements of 'State Planning Policy 3.7: Planning in Bushfire Prone Areas' (SPP 3.7). The Shire has a mandatory obligation to consider SPP3.7 when making a decision on any application where the lot is within a designated bushfire prone area.

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

Strategic Implications

There are no strategic implications from this matter.

Financial Implications

The fee for a retrospective Development Approval is twice the normal fee, in this case \$294.00.

Voting Requirements

Simple majority

OFFICERS RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr Major

Seconded: Cr Panizza

That Council

1. approve the retrospective development application for a dwelling (shed conversion) on Lot 13 Albany Highway (Rose Creek Farm).
2. Note that a Building Certificate (BA14) was issued by the Shire of Williams for this dwelling on the 12 October 2023, after receiving a Certificate of Building Compliance by a registered building surveyor dated 21 July 2023.
3. Note that an Electrical Safety Certificate for this dwelling is on the Shire records.

Carried 5/1

For: Cr Cowcher, Cr Harding, Cr Major, Cr Panizza, Cr Price

Against: Cr Logie

Resolution 105/24

Councillor Macnamara returned to the meeting at 4:56pm.

8.2.4 USE OF COMMON SEAL AND DECISIONS UNDER DELEGATED AUTHORITY

File Reference	Various
Statutory Reference	Local Government Act 1996
Author	Peter Stubbs
Date	12 April 2024
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
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

There was no use of the Common Seal in the reporting period 20 March 2024 to 17 April 2024.

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

Decision Type	Name/Property	Date of Decision	Purpose
1 Development Application	12513 Pinjarra-Williams Rd	18 March 2024	Outbuilding (Shed)
2 Development Application	Lot 204 (No 173) Narrogin Rd	22 March 2024	Single dwelling & rainwater tank
3 Development Application	Lots 40 & 41 New St	22 March 2024	Two single dwellings
4 Licences- Occasional Food Vendors	12 Licences issued	12 April 2024	Williams Expo

Payment from the Municipal or Trust Funds – Delegation 1.1.19

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

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

Strategic Implications

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

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

Financial Implications

The standard approved Council fees were applied the above decisions.

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr Price

Seconded: Cr Macnamara

That Council accept the report "Use of Common Seal and Actions Performed under Delegated Authority" for the period 20 March to 17 April 2024

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 106/24

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

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

10.1 ELECTED MEMBERS

10.2 OFFICERS

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

COUNCIL RESOLUTION

Moved: Cr Harding

Seconded: Cr Major

That the following late items:

10.2.1 Repertory Club Request – funding support for kitchenette plumbing; and

10.2.2 Notification of Prescribed Burning – Autumn 2024;

be considered by Council.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 107/24

10.2.1 REPERTORY CLUB REQUEST – FUNDING SUPPORT FOR KITCHENETTE PLUMBING

File Reference	11.10.35
Statutory Reference	Section 6.8 Local Government Act 1996
Author	Peter Stubbs
Date	15 April 2024
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
Attachments	Attachment 1 – Repertory Club letter request Attachment 2 - Quotes

Background

The Williams Repertory Club Incorporated (Club) has requested Council provide funding support for plumbing to enable the Club to install a Kitchenette with potable hot water to it, in the repertory support room at the rear of the Williams Hall behind the stage. A summary of the background is provided below.

- 21 MARCH 2019** Email from the club to Shire documenting proposed upgrades.
- 16 JULY 2019** Email from Club to Shire advising of a letter and proposal for Council consideration, and asking about MOU or similar
- 19 JULY 2019** Email from Shire to Club providing example MOU and advising no financial contribution from Council was needed at this time.
- 29 JULY 2019** Email from Club to Shire requesting feedback from Council Forum meeting on proposal
- 29 JULY 2019** Email from Shire to Club advising that Council was supportive of the Club to proceed with Stage 1 (air conditioners).
- 2 FEB 2024** Club approached the Shire with two quotes for plumbing to support installation of proposed kitchenette. Shire met on site with plumber to consider what the options to get potable hot water to the Club preferred location would be. Shire requested revised quote from plumber.
Recommendation from the plumber was to install cold water pipe along external wall, run drainage under brick paving into known wastewater pipe, and install instant hot water unit in external wall. The Club made the Shire aware of blocked toilets and shower drainage, rendering these facilities unusable. The Shire instigated plumber repairs to unblock the drainage (tree roots)
- 3 APRIL 2024** Email Shire to Club requesting clarity on the Club request to Council
- 12 APRIL 2024** Email received from the Club with the Letter and quotes attached to this item

Comment

Commitment the plumbing work would be unbudgeted expense, hence the matter is presented to Council for its consideration. An absolute majority decision is required for unbudgeted expenses as per section 6.8 of the Local Government Act.

An alternative is for Council to consider the request in the development of its 2024-25 budget.

The matter presented as a late item to Council because the Club letter was received after the Council Agenda was formatted on Friday 12 April 2024.

Local Government Act 1995- 6.8. Expenditure from municipal fund not included in annual budget.

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

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

* Absolute majority required.

(1a) In subsection (1) —

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

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

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

Strategic Implications

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

SCD 1.1 Provide, maintain, and improve community infrastructure.

CL 2.2 Maintain accountability, transparency, and financial responsibility.

Financial Implications

Quotes (GST inclusive) received for the plumbing work requested by the Club are.

1. \$3,890.91 7 Dec 2023 Pyke Plumbing and Gas
2. \$5,639.59 7 Oct 2023 Melchiorre Plumbing & Gas
3. \$5,601.09 29 Mar 2024 Melchiorre Plumbing & Gas

Additionally, Shire staff may need to lift and relay paving bricks to enable the wastewater connection to existing pipes. This is not included in the quotes.

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council consider the requested funding support from the Williams Repertory Club Incorporated for plumbing to a proposed new kitchenette (to be provided by the Repertory Club) in its 2024-25 consideration.

COUNCIL RESOLUTION

Moved: Cr Major

Seconded: Cr Macnamara

That Council

1. consider the requested funding support from the Williams Repertory Club Incorporated for plumbing to a proposed new kitchenette (to be provided by the Repertory Club) in its 2024-25 consideration.
2. requests CEO to liaise with the Williams Repertory Club to consider alternative locations for the proposed kitchenette to lower plumbing costs and negate the need for an additional hot water system.
3. invites the Repertory Club to use the RSL kitchen for hot water, free of charge, on the provisions that the terms and conditions of hire are adhered to.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 108/24

10.2.2 NOTIFICATION OF PRESCRIBED BURNING – AUTUMN 2024

File Reference	5.10.60
Statutory Reference	Local Government Act 1996
Author	Peter Stubbs
Date	15 April 2024
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that require disclosure
Attachments	Attachment 1 – Overview Map proposed lands for prescribed burns. Attachment 2 – Map proposed lands for prescribed burns

Background

The Department of Biodiversity, Conservation and Attractions' Parks and Wildlife Service (DBCA) are seeking Councils consideration and approval to allow the Department of Biodiversity, Conservation and Attractions' Parks and Wildlife Service to take responsibility for the ignition and management of prescribed burning on lands that are the responsibility of your Shire, under the following conditions:

The advice from DBCA State as follows (*italics*),

- *The permission is restricted only to Shire lands, reserves and road reserves as depicted on the attached maps.*
- *Advice is provided daily to your Chief Bush Fire Control Officer (CBFCO) or delegate each day burning is proposed.*
- *The permission is temporary and may be revoked at any time.*
- *All prescribed burns will be carried out under an approved prescribed fire plan.*
- *The decision to commence ignition and the conduct of each burn is in accordance with strict Departmental processes and procedures, peer reviewed and with advice from the Bureau of Meteorology.*
- *The responsibility for the management of fire applied to the Shire land remains with the Department until the controlled burn is considered safe by the CBFCO.*
- *The Department manages roads and traffic in accordance with its approved traffic management plan.*

During the burn, boundary preparation, and prior to ignition experienced and highly trained DBCA staff often identify Hazardous/Dangerous trees that may pose a safety risk to our staff and to the road users. DBCA Wellington District is also seeking your permission to treat the Hazardous trees within the Shire reserves as an extension of the Departments approach to risk mitigation.

Prior to treatment all trees are assessed for Habitat value, identified, and if safe to do so are protected during all operations. Hazardous trees are removed by either falling or use of machines to push them, appropriate traffic management will be applied to mitigate risks to road users where required.

Attached is an overview of our District Burn Program, as well as an overview of Autumn burns within the Shire. Alternatively, this link shows the planned areas:

<https://www.dbca.wa.gov.au/management/fire/prescribed-burning/burn-options-program>

*I ask that you review the attached maps and forward relevant issues to the Wellington District Fire Coordinator –Allan Madgwick by the **26th of April**.*

Importantly, I also request that you provide written permission (an email is suitable) to allow the Parks and Wildlife Service on behalf of the Department to apply prescribed fire to Shire owned or managed land where it falls within prescribed boundaries.

*Please also be advised that we are moving to an **Annual Notification System**. This should minimise disruption, streamline workflow, and will come in the same format as is being received currently with Seasonal Notifications. If you identify any seasonal specific queries, we are happy to discuss them as they arise.*

Comment

The lands identified for prescribed burning are not in the control and management of the Shire. They are DBCA reserve land.

The Shire of Williams Chief Bush Control Officer, Mr Matt Carne has been advised and invited to make comment.

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):

LUE 1.5 Continue to ensure appropriate compliance in fire safety mitigation measures within the townsite and work with relevant agencies to address issues on public land responsibility.

Financial Implications

Nil

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION AND COUNCIL RESOLUTION

Moved: Cr Major

Seconded: Cr Harding

That Council advise the Department of Biodiversity, Conservation and Attractions' Parks and Wildlife Service (DBCA) that it supports the Departments proposed Autumn prescribed burning program, including on Shire roadsides where required, with the following provisions',

- 1.The support is restricted only to DBCA managed land, Shire lands, reserves and road reserves as depicted on the attached maps.
- 2.Advice is provided daily to the Shires Chief Bush Fire Control Officer (CBFCO) or delegate each day burning is proposed.
3. Support is temporary and may be revoked at any time.
4. All prescribed burns are to be carried out under a DBCA approved prescribed fire plan.
5. The decision to commence ignition and the conduct of each burn is in accordance with DBCA processes and procedures, peer reviewed, and with advice from the Bureau of Meteorology.
6. The responsibility for the management of fire applied to all land involved remains with the Department.
7. The DBCA manages roads and traffic in accordance with its approved traffic management plan.
- 8.The DBCA provides written notification of neighbouring property owners.
- 9.The DBCA provides regular media updates on the proposed prescribed burns.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 109/24

11. APPLICATION FOR LEAVE OF ABSENCE

Cr Price requested Leave of Absence for the Ordinary Meeting of Council to be held on 19 June 2024.

COUNCIL RESOLUTION

Moved: Cr Major

Seconded: Cr Cowcher

That Council endorse the Leave of Absence request from Cr Price for the Ordinary Meeting of Council to be held on 19 June 2024.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 110/24

12. CLOSURE OF MEETING

There being no further business for discussion, the President, Cr Logie, declared the meeting closed at 5:29pm.