SHIRE OF WILLIAMS AGENDA

ORDINARY COUNCIL MEETING
WEDNESDAY 19 OCTOBER 2022

SHIRE OF WILLIAMS | 9 Brooking St, Williams WA 6391 | T: 9885 1005 F: 9885 1020

NOTICE OF ORDINARY MEETING OF COUNCIL

Dear Elected Member & Community Members,

You are respectfully advised the next Ordinary Meeting of the Shire of Williams will be held on Wednesday 19 October 2022, in the Shire of Williams Council Chambers, 9 Brooking Street, Williams, commencing at 3.30 pm.

Geoff McKeown
Chief Executive Officer

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Williams for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Williams disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Williams during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Williams. The Shire of Williams warns that anyone who has any application lodged with the Shire of Williams must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Williams in respect of the application.

SHIRE OF WILLIAMS STRATEGIC COMMUNITY PLAN 2017-2032

ECONOMIC	SOCIAL AND CULTUTURAL	LAND USE & ENVIRONMENT	CIVIC LEADERSHIP
To support industry and business development through the development of sustainable infrastructure and investment opportunities.	**To be a safe and welcoming community where everyone is valued and has the opportunity to contribute and belong.**	**To have a balanced respect for our natural assets and built environment, retaining our lifestyle values and community split.**	**Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.**
ED1. Develop infrastructure and investment that is sustainable and an ongoing legacy to the Shire.	**SCD1.** To provide community infrastructure and facilities that meet the needs of the population.	**LUE1**. To enhance, promote, rehabilitate and leverage the natural environment so it continues to be an asset to the community.	**CL1**. The Shire is efficient in its operations, actively listens to the community and anticipates and responds to the community needs.
ED2. To have appropriate levels of housing to cater for population retention and growth.	**SCD2**. To support a safe and healthy community with a strong sense of community pride.	**LUE2**. Natural assets and public open spaces are accessible, well utilised and managed. LUE3. Recognising and implementing sustainability measures.	**CL2**. The revenue needs of the Shire are managed in an equitable, proactive and sustainable manner.
	SCD3. To recognise the vibrant history of the Shire and its rich, varied cultural heritage and natural environment is valued, respected, promoted and celebrated.	**LUE4**. To have safe and well maintained transport network that supports local economy.	**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, President Jarrad Logie, will declare the Meeting open at 3.30pm.

2.0 Record of Attendance / Apologies / Leave of Absence

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

Staff
Geoff McKeown - Chief Executive Officer
Britt Logie - Community Development Officer
Manuela Lenehan - Minute Taker

Visitors – Nil
Apologies - Nil
Leave of Absence – Nil

3.0 Public Question Time

Nil

4.0 Petitions / Deputations / Presentations

Nil

5.0 Declarations of Interest

Nil

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

6.0 Confirmation of Minutes of Previous Meetings

6.1 Ordinary Council Meeting Held 21 September 2022

Officer's Recommendation
That the Minutes of the Ordinary Council Meeting held 21 September 2022, as previously circulated, be confirmed as a true and accurate record.

7.0 Announcements by Presiding Member Without Discussion

Nil

8.0 Matters Which Require Decisions

8.1 Corporate and Community Services

8.1.1 Community Development Officer – Live Local Love Local CCF

File Reference	Nil
Statutory Ref.	Local Government Act 1995 – Part 6 Financial Management
Author & Date	Britt Logie 14 October 2022
Attachments	Community Chest Fund Applications – Refer to Separate Document

Background

The Shire of Williams began the Live Local Love Local community campaign in 2019. The idea of this campaign was to create community events, where the funds raised will be returned to the community. In October 2021, the first round of community chest funding was released in the form of 5 x $1,000 grants. In 2022 the second round of funding was approved for an amount up to $5,000. Funding is for undertaking projects and programs within the Shire of Williams or that provide benefit to residents and visitors of the Shire of Williams.

Successful projects should meet at least one defined priority area, or have clearly identified and evidenced the need for the project.

- Building capacity within local community groups, volunteers and residents.
- Supporting our young people.
- Supporting our older people.
- Providing opportunity to be healthy and promote wellbeing.
- Supporting and encouraging cultural diversity and inclusion.
- Developing and attracting art projects and increasing participation.
- Generally building the strength, engagement and cohesion of the community.
- Encourage tourism and increase visitation.
- Activate local business and main streets; and
- Improve, conserve and promote heritage.

Applications should be assessed according to:

- The level of community benefit.
- The level to which it addresses an evidenced need.
- Long term sustainability.
- Partnerships, collaborations, community engagement and involvement or other funding sources that have been secured.
- Capacity to deliver the project.

The following represents an overall assessment of each application.

1. Williams Gateway Expo

The Williams Gateway Expo is held in Williams every year, the Fireworks being a major attraction. The funding will contribute to the cost of the 2023 Fireworks, and have the Shire of Williams as the major sponsor.

ASSESSMENT CRITERIA
COMMUNITY BENEFIT: Annual event which is very popular within the community and surrounding towns. The Fireworks are an anticipated attraction.
COMMUNITY NEED: The Williams Gateways Expo is one of the few annual events held within the Shire. The Expo is a place where connections are made, and people are brought together.
LONG TERM SUSTAINABILITY: Annual event with no long-term sustainability.
TOTAL PROJECT COST: $6,000 FUNDING REQUESTED: $3,000

2. KM Yoga

KM Yoga provides a yoga service to the Williams Community. With weekly and monthly sessions, the community is provided with a service which has extensive mind and body benefits. The yoga classes are extremely popular and are gathering between 15-30 people each session. With currently only 16 Bolsters, it would be beneficial to the community to have an additional 9 bolsters.

ASSESSMENT CRITERIA
COMMUNITY BENEFIT: Yoga has many physical and mental health benefits including improved posture, flexibility, strength, balance and body awareness
COMMUNITY NEED: With classes being held in Williams allows community members access to services previously not offered without travelling.
LONG TERM SUSTAINABILITY: Long term wellbeing to those that take the classes
TOTAL PROJECT COST: $750 FUNDING REQUESTED: $750 The 16 Bolsters that are currently available for use are owned by the Shire. Adding to this will ensure that all of the equipment remains property of the Shire.

3. Williams Playgroup

The Williams Playgroup meet every Thursday at the Art and Craft Centre. The playground equipment that is currently there needs to be replaced. The Williams Playgroup would like to use the funds received to contribute towards a nature inspired outdoor play space. This will create a cohesive space that is open ended and provoke imaginary play, discovery and cognitive development along with the physical, fitness and skill development attributes.

ASSESSMENT CRITERIA
COMMUNITY BENEFIT: Playgroup is an essential service for children to provide a safe and nurturing environment where children can play and learn.
COMMUNITY NEED: Williams playgroup currently has approximately 30 children attending.
LONG TERM SUSTAINABILITY: Helps develop social skills as children play, share and learn together. These are essential skills to prepare children for school.
TOTAL PROJECT COST: $9,504 FUNDING REQUESTED: $2,500 **Playgroup have been approved for $5,000 from Newmont and $2,000 from South 32 to go towards this project**

4. Williams Gateway Parish

The Williams Church Parish Hall is popular amongst the community and is used weekly for congregations and is the location of frequent seminars and events. The Hall has heating for the winter months but unfortunately does not have any cooling, making it a little uncomfortable in the summer months. The Parish is asking for funding to install air conditioning in the hall to provide comfort and wellbeing for the community.

ASSESSMENT CRITERIA
COMMUNITY BENEFIT: The Parish is used regularly for congregations, functions, programs and seminars. The cooling of the hall will provide comfort during the summer months.
COMMUNITY NEED: The Williams Gateway Parish is continuously growing in numbers, providing cooling will ensure that more programs etc can be held over the summer months
LONG TERM SUSTAINABILITY: Cooling of the Parish Hall will provide comfort for the parish community over the years ahead.
TOTAL PROJECT COST: **FUNDING REQUESTED: $5,000** The $5,000 requested will cover the majority of the costs of the purchasing and installation of the air conditioning unit. Any further costs will be covered by the organisation

5. Evolve

Evolve is a festival of Woman's Wellbeing to be held at Millbrook on the 15th October. It is a day that will focus on the holistic framework for the physical, mental and spiritual health supporting our core values of laughter, connection and friendship. Evolve is designed to provide guests with treatments and build awareness of services available locally. Local businesses and groups were invited to give exposure.

ASSESSMENT CRITERIA
COMMUNITY BENEFIT: Evolve is an event for ladies to come together and take the day to focus on themselves through selfcare, laughter, connection with friends and relaxation
COMMUNITY NEED: Living in rural areas can limit options for self-care, Evolve is designed to build awareness of services available.
LONG TERM SUSTAINABILITY: Evolve is a one-off event, however the services accessed on the day could provide long term wellbeing.
TOTAL PROJECT COST: **FUNDING REQUESTED: $1,200** The funds asked for on the day will provide the venue hire for Millbrook.

6. Williams Netball Club

The Williams Netball Club is seeking to improve their current storage setup. They are currently sharing the Stud Breeders' storage shed. Approximately half of their items are stored in two small, donated cupboards with the remainder exposed to dust and mice. The Netball Club is looking at seeking funding to purchase new cupboards and storage tubs to store items such as balls, bibs, training equipment and also memorabilia.

ASSESSMENT CRITERIA	
COMMUNITY BENEFIT: The Williams Netball club currently has 2 adult teams and 4 junior teams. Having an area that can safely store equipment will benefit the club substantially	
COMMUNITY NEED: With larger storage cupboards the equipment will be easily accessible, and the space would be able to be shared with the stud breeders more efficiently.	
LONG TERM SUSTAINABILITY: Better storage will increase the life of the equipment which the netball community will benefit for in years ahead.	
TOTAL PROJECT COST:	**FUNDING REQUESTED: $1,500**

7. Williams Golf Club

The Williams Golf Club operates from April to October. With approximately 40 members increasing yearly, the golf club is quite popular in the community. The Golf Club would like to purchase new flag sticks as the current sticks are worn and weathered and need replacing. On various occasions there are approximately 18 members playing golf; with only 1 ball washer this can be at times inconvenient. With 2 extra washers, players can ensure that their balls can be seen.

ASSESSMENT CRITERIA	
COMMUNITY BENEFIT: The Williams Golf Club provides a friendly and relaxing environment where community members can go and play anytime. Golf has high social and health benefits.	
COMMUNITY NEED: New equipment will provide benefits while playing, ensuring that balls are found easier and that the flags aren't brittle.	
LONG TERM SUSTAINABILITY: This equipment will be used regularly throughout the seasons.	
TOTAL PROJECT COST: $1,384 18 New Flags $594, 2 new Ball Washers $790	**FUNDING REQUESTED: $1,384**

All the applications are attached for Councillor's to view in detail.

Comment

The second round of Community Chest Funding closed on the 30th September 2022. 7 applications were received. Applications are to be reviewed by Council with the Community Development Officers recommendations.

The community chest funding has not been included in the 2022/2023 Budget. It is a requirement of the *Local Government Act 1995* that any expenditure incurred from the Municipal Fund, that is not included in the Annual Budget, is authorised by Council by absolute majority. Section 6.8 states:

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 – 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

An allocation of $5,000 toward the Community Chest Funding will need to be included in the Budget.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council review all applications received and make a decision based on the priority areas listed above.

8.1.2 Payment Listing

File Reference	4.23.15
Statutory Ref.	*Local Government (Financial Management) Regulations 1996*
Author & Date	Geoff McKeown 12 October 2022
Attachments	Payment listing for month ending 30 September 2022

Background
Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shires 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 104944 – 104946 totalling $367,038.72 approved by the Chief Executive Officer during the month of September 2022 be endorsed.

SHIRE OF WILLIAMS PAYMENT LISTING FOR THE MONTH ENDING 30 SEPTEMBER 2022

DATE	NAME	DESCRIPTION	AMOUNT
MUNICIPAL - EFT, BPAY, DIRECT DEBIT & CHEQUES			
01/09/2022	BUILDING AND ENERGY	BSL collection - August 2022	$ 56.65
05/09/2022	AWARE SUPER	Superannuation August 2022	$ 25,271.49
07/09/2022	FDC EDUCATORS	FDC Educators PE 04/09/2022	$ 21,963.09
08/09/2022	SHIRE OF WILLIAMS	Salaries & Wages PE 07/08/2022	$ 50,831.36
15/09/2022	ASTRO SYNTHETIC SURFACES PTY LTD	12642, 12637 - Repairs, Cleaning & Protect Softfall (Oval Playground)	$ 7,590.00
15/09/2022	JUNCTION BROOK PTY LTD	12699 - Parts (Works Vehicles & Plant)	$ 1,533.40
15/09/2022	SHIRE OF PLANTAGENET	Feral Pig Control - June & July 2022	$ 15,050.20
21/09/2022	FDC EDUCATORS	FDC Educators PE 18/09/2022	$ 20,070.91
21/09/2022	SHIRE OF WILLIAMS	Salaries & Wages PE 21/09/2022	$ 49,550.67
23/09/2022	YIRRAKURL	12848 - 4 Murals (Skate Park)	$ 10,000.00
30/09/2022	AAA ASPHALT SURFACES	12776 - Coldmix	$ 2,178.00
30/09/2022	AMPAC DEBT RECOVERY	Debt Recovery (Rates)	$ 887.50
30/09/2022	AVON WASTE	11015 - Monthly Refuse Charges August 2022	$ 11,587.58
30/09/2022	BELVEDERE NURSERY	12955, 12746, 12901 - Landscaping Plants & Stakes	$ 522.50
30/09/2022	BEST OFFICE SYSTEMS	12803 - Photocopy Charges	$ 633.11
30/09/2022	BOC Ltd	12822 - August 2022 Container Service Fee	$ 44.71
30/09/2022	BOYA EQUIPMENT	12854 - Parts (Skid Steer)	$ 521.04
30/09/2022	BW TRUCK PARTS	12864 - Parts (Water Tanker)	$ 950.40
30/09/2022	CHATTERBOX CAFE & GALLERY	12828, 12847 - Catering (2 Meetings)	$ 225.00
30/09/2022	CITY OF KALAMUNDA	Building Surveyor Wages 1/7/2022 - 31/8/2022	$ 353.65
30/09/2022	CORSIGN WA PTY LTD	12762 - Traffic Signs	$ 5,702.40
30/09/2022	DICKSON DECALS	Signage (Various)	$ 160.82
30/09/2022	DUFF ELECTRICAL CONTRACTING	12778, 12952 - Electrical Works	$ 1,300.00
30/09/2022	EDWARDS ISUZU UTE	12698 - Parts (Isuzu Ute)	$ 112.51
30/09/2022	EXPRESS PRINT	12749 - Rates Notices, Purchase Order Books	$ 1,551.00
30/09/2022	FARMERS CENTRE (1978) PTY LTD	12857 - Parts (Multi Tyre Roller)	$ 131.99
30/09/2022	FUEL DISTRIBUTORS OF WA PTY LTD	12846 - Bulk Fuel	$ 18,497.57
30/09/2022	GREAT SOUTHERN FUELS	Plastic Fuel Access Card	$ 2.75
30/09/2022	HARMONY SOFTWARE	Educators' Software Fees, Month of August 2022	$ 290.00
30/09/2022	HERSEY'S SAFETY PTY LTD	12852 - PPE, Depot Items	$ 948.43
30/09/2022	HIMAC ATTACHMENTS	12863 - Parts (Skid Steer Slasher)	$ 226.60
30/09/2022	JP UPHOLSTERY & CANVAS	12735 - Repair Shade Sail (Pavilion)	$ 300.00
30/09/2022	LANDGATE.	Valuation Expenses	$ 392.71
30/09/2022	LG PROFESSIONALS WA	12903 - Advertising (Position Vacant)	$ 165.00
30/09/2022	M & J DYKE PTY LTD	12700 - Hydraulic Hoses (Various)	$ 954.14
30/09/2022	MELCHIORRE PLUMBING & GAS	12747, 12748, 12953 - Plumbing Works	$ 2,025.10
30/09/2022	MISTER YARDMAN	12842 - Spray & Hoe (Quindanning Hall Playground)	$ 132.00
30/09/2022	MOORE AUSTRALIA (WA) PTY LTD	12306, 12325 - Webinar, Assistance with Budget	$ 4,554.00
30/09/2022	NARROGIN BEARING SERVICE	12860 - Ball Bearing (Isuzu Tip Truck)	$ 13.65
30/09/2022	NARROGIN CARPETS & CURTAINS	12710 - Repairs to Curtain Tracks (12 Munthoola Rd)	$ 60.00
30/09/2022	NARROGIN GLASS	12701, 12695 - Windscreen, Sliding Door	$ 6,203.43
30/09/2022	O'CONNELL, LEANNE	Reimbursement - Childcare Items	$ 27.60
30/09/2022	PAUL BABIC.	12702 - Building Repairs (Shire Office & Town Hall)	$ 4,034.57
30/09/2022	POWERVAC PTY LTD	12739 - Vacuum Cleaner & Bags (Various)	$ 683.70
30/09/2022	PRIME AG SERVICES - WILLIAMS	12779 - Herbicides (Parks & Footpaths)	$ 1,425.00
30/09/2022	REPCO	12865 - Parts (Mosquito Fogger)	$ 49.46
30/09/2022	RJ SMITH ENGINEERING	12866 - Parts (Air Compressor)	$ 13.39
30/09/2022	SOUTH WEST ISUZU	12861 - Repairs (Isuzu Tri-tipper)	$ 979.00
30/09/2022	STAR TRACK EXPRESS	Freight - Various	$ 128.20
30/09/2022	T-QUIP.	12697, 12862 - Mower Blades	$ 672.75
30/09/2022	THE GOODS	12841 - Childcare Consumables	$ 177.10
30/09/2022	THE WILLIAMS COMMUNITY NEWSPAPER.	12814 - Photocopy Charges for Shire Notes	$ 145.00
30/09/2022	TOLL TRANSPORT PTY LTD	Freight - Various	$ 500.69
30/09/2022	TOWN PLANNING INNOVATIONS	12908 - General Planning Advice for August 2022	$ 1,485.00
30/09/2022	TRUCK CENTRE (WA) PTY LTD	12851 - Parts (Various)	$ 800.04
30/09/2022	WA CONTRACT RANGER SERVICES	12816 - Ranger Services - 16/8/2022, 29/8/2022	$ 679.25
30/09/2022	WESTRAC	12853 - Travel for Warranty Repairs (CAT Grader)	$ 259.88
30/09/2022	WILLIAMS COMMUNITY RESOURCE CENTRE	Library Service at CRC - First Quarter 2022/23	$ 10,854.91
30/09/2022	WILLIAMS MENS SHED	1277 - Refurbish Benches (Oval, Art & Craft)	$ 1,300.00
30/09/2022	WILLIAMS NEWSAGENCY	Monthly Account August 2022	$ 397.60
30/09/2022	WILLIAMS RURAL SUPPLIES	12774 - Monthly Hardware Account - August 2022	$ 4,288.51
30/09/2022	WILLIAMS RUSTIC GROCER	Monthly Refreshments & Consumables, August 2022	$ 252.01
30/09/2022	YIRRAKURL	12907 - Additional Item (Mural Project)	$ 1,287.41
01/09/2022	TELSTRA	Monthly Phone Usage to 19/8/2022	$ 413.00
14/09/2022	TELSTRA	Telephone & Data Services (Various)	$ 373.49

SHIRE OF WILLIAMS PAYMENT LISTING FOR THE MONTH ENDING 30 SEPTEMBER 2022

DATE	NAME	DESCRIPTION	AMOUNT
21/09/2022	AUSTRALIAN TAXATION OFFICE	BAS August 2022	$ 17,761.00
23/09/2022	SYNERGY	Electricity to Swimming Pool 16/8/2022 to 19/9/2022	$ 457.34
28/09/2022	TELSTRA	Pool Telephone to 19/9/2022	$ 32.33
29/09/2022	SYNERGY	Electricity to Streetlights to 24/8/2022	$ 2,888.77
1-30 Sept.	DEPARTMENT OF PLANNING & INFRASTRUCTURE	Licensing Payments Forwarded to Department of Transport	$ 22,915.20
01/09/2022	WESTNET	Monthly CEO Internet Charges, September 2022	$ 54.99
05/09/2022	CBA	CBA - Merchant Fees AUGUST 2022	$ 156.86
16/09/2022	ANZ CARDS	Monthly Credit Card Expenses x 2	$ 3,706.45
01/09/2022	SYNERGY	Electricity Costs (Various)	$ 3,138.13
23/09/2022	WILLIAMS LICENSED POST OFFICE	Monthly Account for August 2022	$ 566.73
28/09/2022	SHIRE OF WILLIAMS	Rates (Rubbish Charges) for 2022/2023	$ 20,588.00
			$ 367,038.72

8.1.3 Financial Statements

File Reference	4.23.15
Statutory Ref.	*Local Government (Financial Management) Regulations 1996*
Author & Date	Geoff McKeown 12 October 2022
Attachments	Financial Statements ending 30 September 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 30 September 2022 be received.

SHIRE OF WILLIAMS

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 30 September 2022

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

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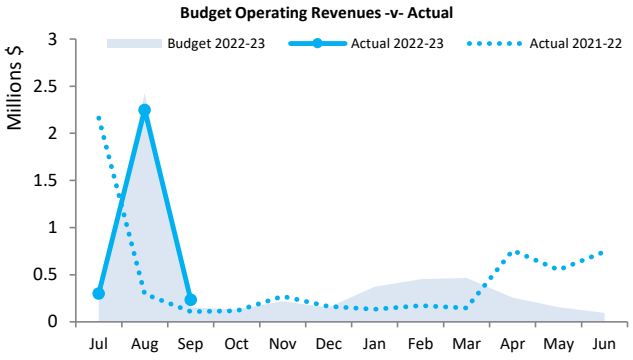
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 SEPTEMBER 2022

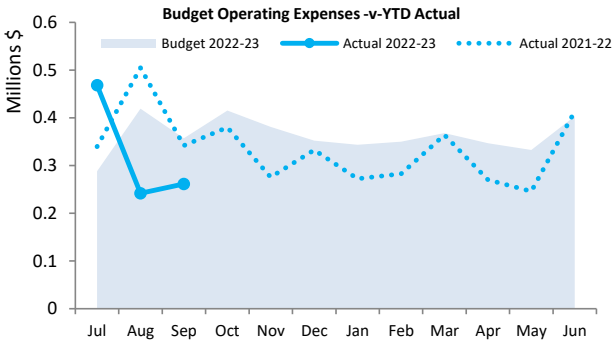
SUMMARY INFORMATION - GRAPHS

OPERATING ACTIVITIES

OPERATING REVENUE

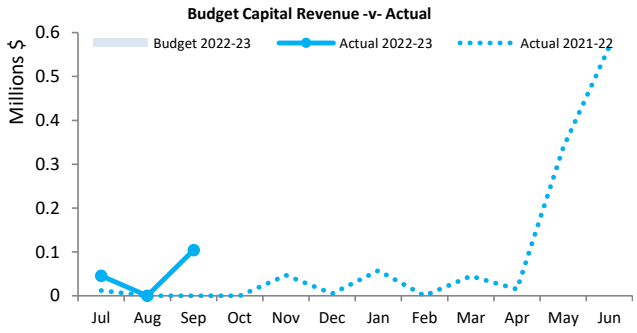


OPERATING EXPENSES

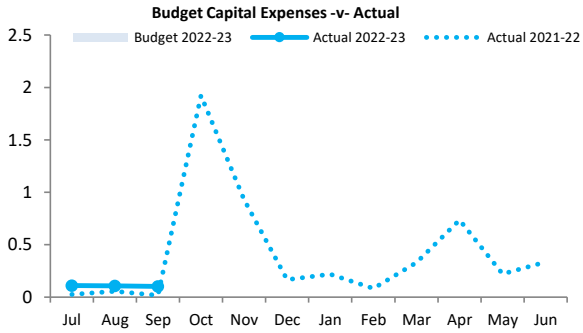


INVESTING ACTIVITIES

CAPITAL REVENUE

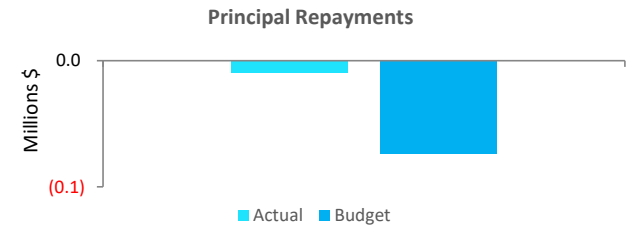


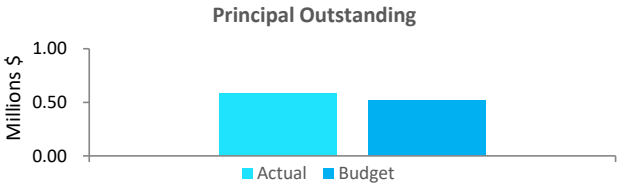
CAPITAL EXPENSES



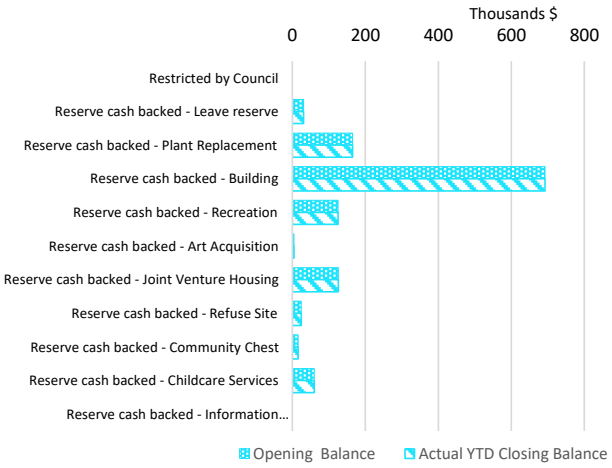
FINANCING ACTIVITIES

BORROWINGS

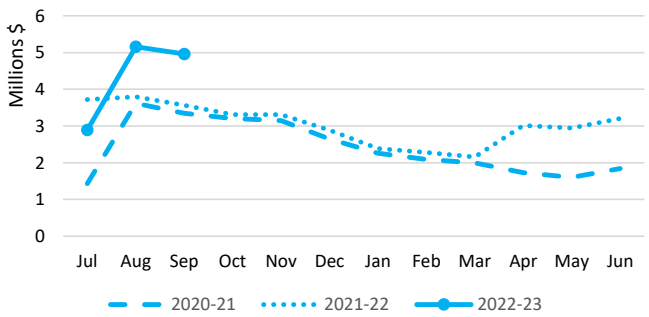




RESERVES



Closing funding surplus / (deficit)



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

EXECUTIVE SUMMARY

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	$2.88 M	$2.53 M	($0.36 M)
Refer to Statement of Financial Activity			$0.00 M	$0.00 M

Cash and cash equivalents

	$4.00 M	% of total
Unrestricted Cash	$2.73 M	68.4%
Restricted Cash	$1.26 M	31.6%

Refer to Note 2 - Cash and Financial Assets

Payables

	$0.00 M	% Outstanding
Trade Payables	$0.06 M	
0 to 30 Days		0.0%
Over 30 Days		0.0%
Over 90 Days		0%

Refer to Note 5 - Payables

Receivables

	$0.17 M	% Collected
Rates Receivable	$0.65 M	69.8%
Trade Receivable	$0.17 M	% Outstanding
Over 30 Days		83.2%
Over 90 Days		0.5%

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	$1.70 M	($0.03 M)

Refer to Statement of Financial Activity

Rates Revenue

YTD Actual	$2.13 M	% Variance
YTD Budget	$2.13 M	(0.0%)

Refer to Statement of Financial Activity

Operating Grants and Contributions

YTD Actual	$0.00 M	% Variance
YTD Budget	$0.00 M	0.0%

Refer to Note 11 - Operating Grants and Contributions

Fees and Charges

YTD Actual	$0.28 M	% Variance
YTD Budget	$0.24 M	13.6%

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)	$0.48 M	($0.06 M)	($0.54 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

YTD Actual	$0.24 M	% Spent
Adopted Budget	$2.77 M	(91.3%)

Refer to Note 7 - Capital Acquisitions

Capital Grants

YTD Actual	$0.00 M	% Received
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)	($0.01 M)	$0.25 M

Refer to Statement of Financial Activity

Borrowings

Principal repayments	$0.01 M
Interest expense	$0.00 M
Principal due	$0.58 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 30 SEPTEMBER 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 30 SEPTEMBER 2022

BY NATURE OR TYPE

	Ref Note	Adopted Budget (a)	YTD Budget (b)	YTD Actual (c)	Variance $ (c) - (b)	Variance % ((c) - (b))/(b)	Var.
		$	$	$	$	%	
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	**2,092,727**	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	**258,195**	142,817	123.78%	▲
Fees and charges		969,800	242,450	**275,368**	0	13.58%	
Interest earnings		10,500	2,625	**2,037**	(588)	0.00%	
Other revenue		63,428	15,857	**14,504**	(1,353)	(8.53%)	
Profit on disposal of assets	6	1,003	1,003	**1,686**	683	68.10%	
		3,639,332	**2,510,400**	**2,683,961**	173,561	6.91%	
Expenditure from operating activities							
Employee costs		(1,820,803)	(455,200)	**(475,544)**	(20,344)	(4.47%)	
Materials and contracts		(838,802)	(209,700)	**(394,864)**	(185,164)	(88.30%)	▼
Utility charges		(190,061)	(47,515)	**(27,971)**	19,544	41.13%	▲
Depreciation on non-current assets		(1,264,609)	(316,152)	**0**	316,152	100.00%	▲
Interest expenses		(21,502)	(5,375)	**(288)**	5,087	94.64%	▲
Insurance expenses		(149,166)	(37,292)	**(72,654)**	(35,362)	(94.82%)	▼
Other expenditure		(65,100)	(16,275)	**(7,019)**	9,256	56.87%	▲
Loss on disposal of assets	6	(5,332)	(5,332)	**(323)**	5,009	93.94%	▲
		(4,355,375)	**(1,092,841)**	**(978,663)**	114,178	(10.45%)	
Non-cash amounts excluded from operating activities	1(a)	1,268,938	320,481	**(1,363)**	(321,844)	(100.43%)	▼
Amount attributable to operating activities		**552,895**	**1,738,040**	**1,703,935**	(34,105)	(1.96%)	
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	12	1,503,941	375,985	**108,971**	(267,014)	(71.02%)	▼
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	0	**0**	0	0.00%	
Payments for property, plant and equipment and infrastructure	7	(2,770,535)	0	**(241,579)**	(241,579)	0.00%	▼
Amount attributable to investing activities		**(1,144,987)**	**480,485**	**(63,985)**	(544,470)	(113.32%)	
Financing Activities							
Transfer from reserves	9	75,000	75,000	**0**	(75,000)	(100.00%)	▼
Repayment of debentures	8	(73,675)	0	**(9,910)**	(9,910)	0.00%	▼
Transfer to reserves	9	(336,927)	(336,927)	**(30)**	336,897	99.99%	▲
Amount attributable to financing activities		**(335,602)**	**(261,927)**	**(9,940)**	251,987	(96.21%)	
Closing funding surplus / (deficit)	1(c)	**0**	**2,884,292**	**2,526,858**	(357,434)	12.39%	▼

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

NOTE 1
STATEMENT OF FINANCIAL ACTIVITY INFORMATION

(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* .

Non-cash items excluded from operating activities	Notes	Adopted Budget	YTD Budget (a)	YTD Actual (b)
		$	$	$
Adjustments to operating activities				
Less: Profit on asset disposals	6	(1,003)	(1,003)	(1,686)
Add: Loss on asset disposals	6	5,332	5,332	323
Add: Depreciation on assets		1,264,609	316,152	0
Total non-cash items excluded from operating activities		**1,268,938**	**320,481**	**(1,363)**

(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 30 September 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)	(200,000)
Total adjustments to net current assets		**0**	**(1,443,716)**	**(1,443,746)**

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

Current assets				
Cash and cash equivalents	2		2,983,406	3,997,616
Rates receivables	3		9,821	646,993
Receivables	3		161,804	171,057
Other current assets	4		226,515	243,244
Less: Current liabilities				
Payables	5		(160,820)	(141,576)
Contract liabilities	10		(560,413)	(688,865)
Provisions	10		(319,749)	(319,749)
Less: Total adjustments to net current assets	1(b)		(1,443,716)	(1,443,746)
Closing funding surplus / (deficit)		**0**	**896,848**	**2,464,974**

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.

OPERATING ACTIVITIES
NOTE 2
CASH AND FINANCIAL ASSETS

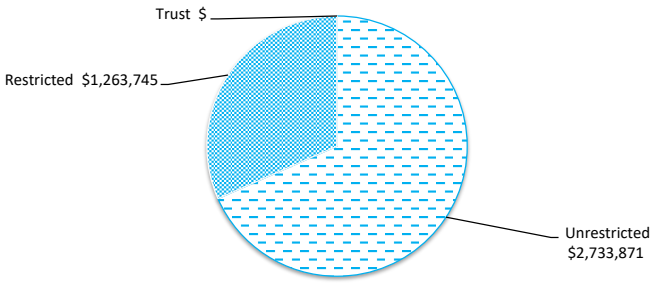
Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		$	$	$	$			
Municipal Fund Cheque Account	Cash and cash equivalents	1,548,499		1,548,499		0	0.00%	
Municipal Fund Investment	Cash and cash equivalents	326,049		326,049				
Municipal Treasury OCDF	Cash and cash equivalents	858,723		858,723				
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				
Petty Cash Advance	Cash and cash equivalents	600		600			0.00%	
Total		**2,733,871**	**1,263,745**	**3,997,615**	**0**			
Comprising								
Cash and cash equivalents		2,733,871	1,263,745	3,997,615	0			
		2,733,871	**1,263,745**	**3,997,615**	**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.

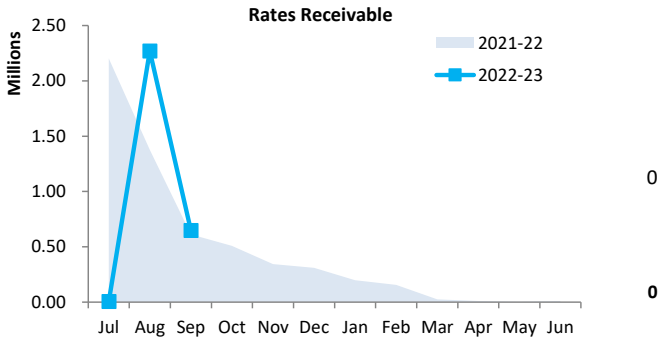
The local government classifies financial assets at amortised cost if both of the following criteria are met:
- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal 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.



OPERATING ACTIVITIES
NOTE 3
RECEIVABLES

Rates receivable	30 Jun 2022	30 Sep 2022
	$	$
Opening arrears previous years	27,020	9,821
Levied this year	2,032,126	2,132,171
Less - collections to date	(2,049,325)	(1,494,999)
Gross rates collectable	**9,821**	**646,993**
Net rates collectable	**9,821**	**646,993**
% Collected	99.5%	69.8%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	$	$	$	$	$	$
Receivables - general	0	28,867	139,201	2,186	804	171,057
Percentage	0.0%	16.9%	81.4%	1.3%	0.5%	
Balance per trial balance						
Sundry receivable						171,057
Total receivables general outstanding						**171,057**

Amounts shown above include GST (where applicable)

KEY INFORMATION

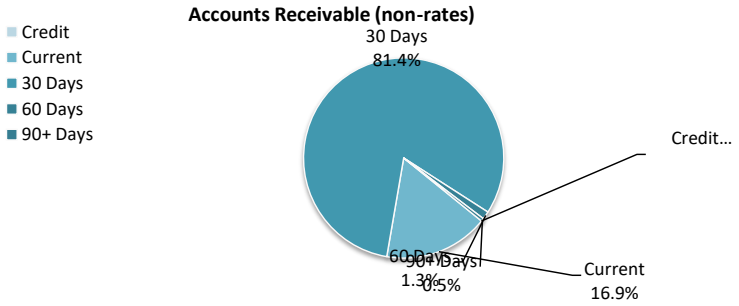
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

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.



OPERATING ACTIVITIES
NOTE 4
OTHER CURRENT ASSETS

Other current assets	Opening Balance 1 July 2022	Asset Increase	Asset Reduction	Closing Balance 30 September 2022
	$	$	$	$
Other financial assets at amortised cost				
Financial assets at amortised cost - self supporting loans	200,000	0	0	200,000
Inventory				
Fuel	18,559	0	(5,782)	12,777
History Books	614	0	0	614
Gravel	7,342	22,511	0	29,853
Total other current assets	**226,515**	**22,511**	**(5,782)**	**243,244**

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.

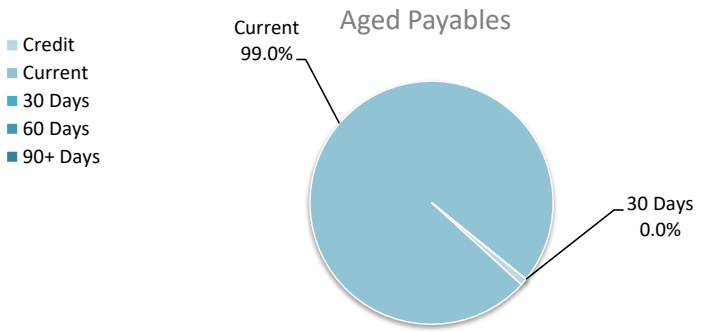
OPERATING ACTIVITIES
NOTE 5
PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	$	$	$	$	$	$
Payables - general	(564)	58,640	0	0	0	58,076
Percentage	-1%	101%	0%	0%	0%	
Balance per trial balance						
Sundry creditors				**0**	**0**	58,076
ATO liabilities						34,980
Other payables				**0**		53,147
BSL Fees						(5,299)
DPI Licensing					**0**	97
Provision for Doubtful Debts						375
Bonds						200
Total payables general outstanding						**141,576**

Amounts shown above include GST (where applicable)

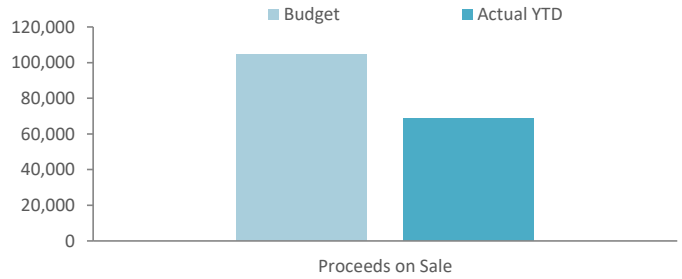
KEY INFORMATION

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.



OPERATING ACTIVITIES
NOTE 6
DISPOSAL OF ASSETS

		Budget				YTD Actual			
Asset Ref.	Asset description	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)	27,686	27,364	0	(323)
	Transport								
	Plant and Equipment - Various	49,497	50,500	1,003	0	39,573	41,259	1,686	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)**	**67,259**	**68,623**	**1,686**	**(323)**



INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS

Capital acquisitions	Adopted Budget	YTD Budget	YTD Actual	YTD Actual Variance
	$	$	$	$
Buildings	15,000			0
Buildings - specialised	641,594		105,569	0 0
Plant and equipment	371,000		94,444	94,444
Infrastructure - Roads	1,487,841		339	339
Infrastructure - Footpaths	123,200		16,075	16,075
Infrastructure - Drainage	90,000			0
Infrastructure - Parks and Ovals	41,900		25,151	25,151
Payments for Capital Acquisitions	**2,770,535**	**0**	**241,579**	**136,009**
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)**	**172,956**	653,441
Capital funding total	**2,770,535**	**0**	**241,579**	**241,579**

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.

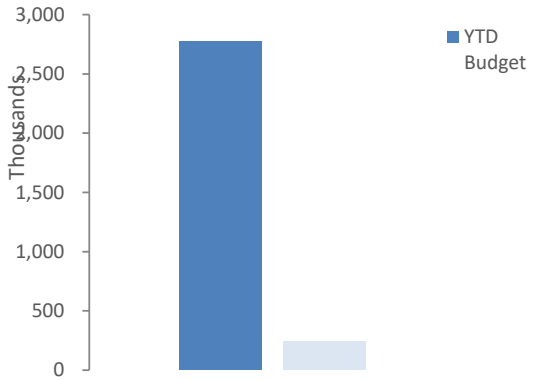
Initial recognition and measurement for assets held at cost

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



INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS (CONTINUED)

Capital expenditure total

Level of completion indicators

0%	Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.		**0**
20%			
40%			
60%			
80%			
100%			**0**
Over 100%			

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

	Account Description		Adopted Budget	YTD Budget	YTD Actual	Variance (Under)/Over
			$	$	$	$
	Land and Buildings					0
		Community Housing Refurbishmnet	15,000			0
	E168216	Sandalwood Unit Refurbishment	431,494	104,070	104,070	0
	E168218	Water Tank - Ram Shed	24,000	0	1,499	1499.49
		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			0
	E168172	Road Project Grant - Congelin Narrogin Road	163,281			0
	E168139	Clayton Road C/Fwd RTR 2021/22	41,274		339	339.05
	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 (LRCI 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		12,036	12036.41
	E168184	Rosselloty Street	24,000		4,039	4038.71
			2,770,535	**211,970**	**241,579**	**29,609**

Repayments - borrowings

Information on borrowings			New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	**Loan No.**	**1 July 2022**	**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				(13,647)	159,916	146,269		(9,973)
		389,554	0	0	-9,910	-56,568	379,644	332,986	-288	-14,851
Self supporting loans										
Recreation and culture										
Williams Bowling Club		200,000	**0**	**0**	**0**	**-17,107**	**200,000**	**182,893**	**0**	**(6,651)**
		200,000	0	0	0	-17,107	200,000	182,893	0	(6,651)
Total		589,554	0	0	-9,910	-73,675	579,644	515,879	(288)	(21,502)
Current borrowings		73,675					0			
Non-current borrowings		515,879					579,644			
		589,554					579,644			

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 materiallly 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.

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**

OPERATING ACTIVITIES
NOTE 10
OTHER CURRENT LIABILITIES

Other current liabilities	Note	Opening Balance 1 July 2022	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 30 September 202
		$		$	$	$
Other liabilities						
- Contract liabilities		0	0	169,440	(42,360)	127,080
- Capital grant/contribution liabilities		560,413	(17,772)	123,214	(104,070)	561,785
Total other liabilities		560,413	(17,772)	292,654	(146,430)	688,865
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**	**(17,772)**	**292,654**	**(146,430)**	**1,008,614**

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.

NOTE 11
OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

	Unspent operating grant, subsidies and contributions liability					Operating grants, subsidies and contributions revenue		
Provider	Liability 1 July 2022	Increase in Liability	Decrease in Liability (As revenue)	Liability 30 Sep 2022	Current Liability 30 Sep 2022	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	$	$	$	$	$	$	$	$
Operating grants and subsidies								
Governance				0	0			
National Australia Day Council - Australia Day 2022	9,348		(9,348)	0				
Community amenities								
PHCC - Narrakine Feral Pig Eradcation Project	8,424		(8,424)	0				
Domestic Waste Collections		112,409	(28,102)	84,307				
Commercial Waste Collections		57,032	(14,258)	42,774				
	17,772	**169,441**	**(60,132)**	**127,080**	**0**	**0**	**0**	**0**

NOTE 12
NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

	Capital grant/contribution liabilities					Non operating grants, subsidies and contributions revenue		
Provider	Liability 1 July 2022	Increase in Liability	Decrease in Liability (As revenue)	Liability 30 Sep 2022	Current Liability 30 Sep 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 30 SEPTEMBER 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 30 Sep 2022
	$	$	$	$
Public Open Space Contribution	20,000			**20,000**
	20,000	**0**	**0**	**20,000**

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						927,695
						0	0
				0	**0**	**0**	**0**

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.

				Explanation of positive variances		Explanation of negative variances	
Nature or type	**Var. $**	**Var. %**		**Timing**	**Permanent**	**Timing**	**Permanent**
	$	%				**0**	**0**
Revenue from operating activities							
Operating grants, subsidies and contributions	142,817	123.78%	▲	Higher than expected at this time		0	
Expenditure from operating activities							
Materials and contracts	(185,164)	(88.30%)	▼			Lower than expected at this time	
Utility charges	19,544	41.13%	▲	Higher than expected at this time			
Depreciation on non-current assets	316,152	100.00%	▲	Depreciation journal has not been completed			
Interest expenses	5,087	94.64%	▲	Timing of loan repaymnet			
Insurance expenses	(35,362)	(94.82%)	▼			Timing of insurance payments	
Other expenditure	9,256	56.87%	▲	Higher than expected at this time			
Loss on disposal of assets	5,009	93.94%	▲		Lower loss on sale of asset than anticipated		
Non-cash amounts excluded from operating activities	(321,844)	(100.43%)	▼			Depreciation journal has not been completed	
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	(267,014)	(71.02%)	▼			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 infrastr	(241,579)	0.00%	▼			Timing of asset purchases	
Financing activities							
Transfer from reserves	(75,000)	(100.00%)	▼			Timing of reserve fund transfers	
Repayment of debentures	(9,910)	0.00%	▼			Timing of loan repayment	
Transfer to reserves	336,897	99.99%	▲	Timing of reserve fund transfers			
Closing funding surplus / (deficit)	(357,434)	12.39%	▼				

8.2 Office of the Chief Executive Officer

8.2.1 South West Native Title Settlement – Land Parcels

File Reference	11.30.35
Statutory Ref.	Native Title Act 1993
Author & Date	Geoff McKeown 23 September 2022
Attachments	Attachment 1 – Land Parcel Listing With Comments

Background
Correspondence has been received from the Department of Planning, Lands and Heritage ("the Department") concerning the South West Native Title Settlement and specifically the proposed allocation of Crown Land under the agreement.

Comment
The correspondence states:

"Request for Comment – Proposed Transfer of Land under the South West Native Title Settlement

The South West Native Title Settlement (Settlement) is a landmark native title agreement reached between the State Government (State) and the six Noongar Agreement Groups. The six requisite Indigenous Land Use Agreements (ILUAs) were conclusively registered, leading to the Settlement commencing on 25 February 2021 after some years of delay. The Settlement recognises the Agreement Groups as the Traditional Owners of the south west of Western Australia, while resolving native title in exchange for a negotiated package of benefits. The area subject to the Settlement is depicted in the attached map.

A key negotiated benefit is the delivery of a 320,000 hectare Noongar Land Estate, in accordance with the Noongar Land Base Strategy (Annexure J to the ILUAs). The Noongar Land Estate will contain up to 300,000 hectares of land transferred in reserve or leasehold, and up to 20,000 hectares of land transferred in freehold. The Landholding Body for all land transferred is the Noongar Boodja Land Sub Pty Ltd, which will hold and manage the land in the Noongar Land Estate in consultation with the soon to be established Noongar Regional Corporations. All land will be used and managed in line with Noongar cultural, social and economic aspirations for the benefit of generations to come.

For more information on the Settlement, please refer to the Department of the Premier and Cabinet website: https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/south-west-native-title-settlement

Over the next five years, the Department of Planning, Lands and Heritage (Department) will progress selected land parcels through to transfer under the Settlement, subject to all necessary consultation and approvals with stakeholders. Land eligible for inclusion in the Noongar Land Estate includes:

- *unallocated Crown land;*
- *unmanaged reserves;*
- *land owned or held by the Aboriginal Lands Trust / Aboriginal Affairs Planning Authority; and*
- *land owner or held by State agencies or Local Government Authorities, at the discretion of the State agency or Local Government Authority.*

A key part of the process being followed by the Department involves the referral of land under consideration for inclusion in the Noongar Land Estate to relevant State agencies and Local Government Authorities. To that end, please find attached a spreadsheet comprising

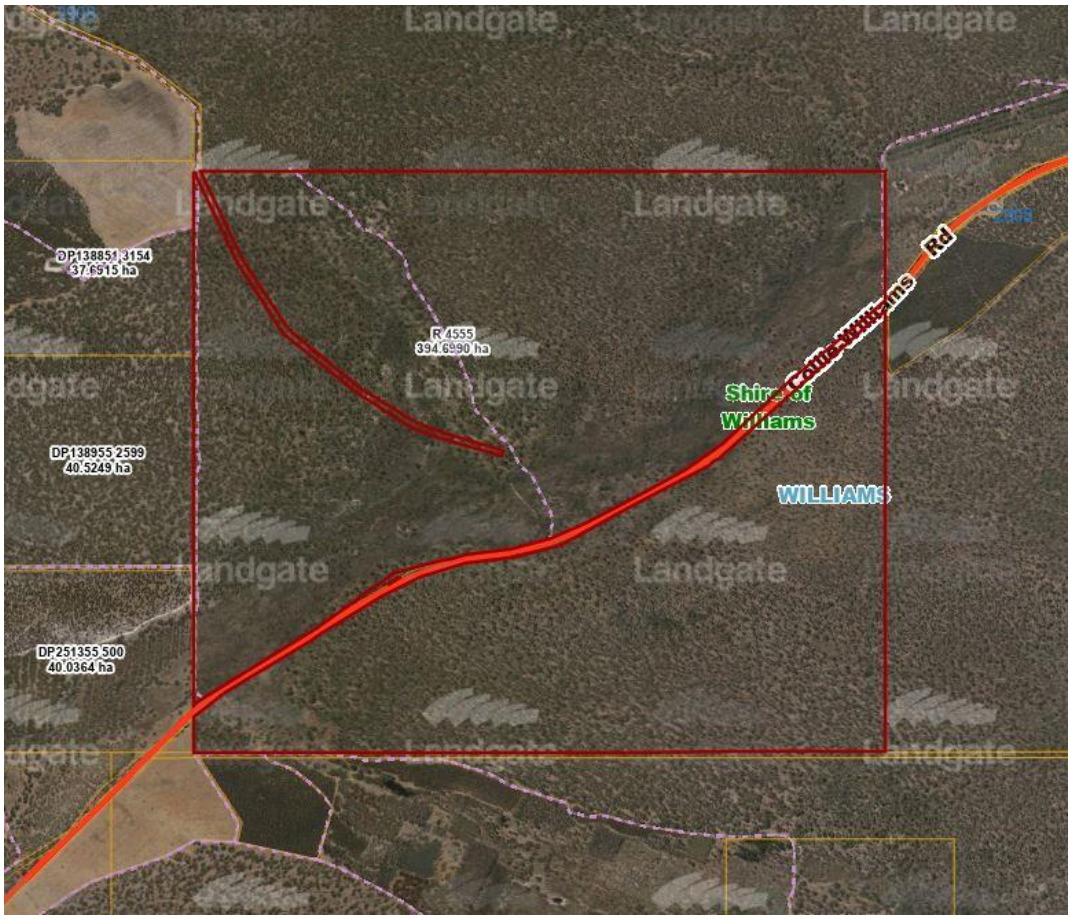
of land parcels identified for possible transfer. It would be appreciated if you could provide comments on each of the land parcels directly into the column labelled 'Referee Comments' in relation to the following:

1. *Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?*
2. *Does the Shire have any interest in the land?*
3. *Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.*
4. *Is the land parcel subject to any mandatory connection to services?*
5. *Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?*
6. *Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?*
7. *Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?*
8. *Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).*
9. *Please provide any additional comments on the proposed transfer of this land as part of the Settlement.*

Once you have considered the land identified, the South West Settlement Project team would be pleased to receive your comments by email to swsettlement@dplh.wa.gov.au. In accordance with the abovementioned Annexure J of the ILUAs, your advice is required to be returned within 40 days of receiving this email. As a result, please provide your comments by 31 October 2022. Should this timeframe not be achievable, please let me know as a matter of priority. Where no response is received from the Shire within the 40 day timeframe, this will be taken as having no comment on the land parcels referred.

If you have any queries, please do not hesitate to contact me."

On the following pages is the list of properties provided by the Department, along with maps for further clarification.



Source: Landgate **Reserve 4555 – Purpose – Resting Place for Travellers & Stock**

Source: Landgate **Reserve 2296 – Purpose – Landscape Protection**

Source: Landgate **Reserve 13207 – Purpose – Stopping Place**

Source: Landgate **Reserve 8707 – Purpose – Stopping Place and Water**

Source: Landgate **Reserve 920 – Purpose – Park & Camping**

Source: Landgate **Reserve 7675 – Purpose – Resting Place for Travellers & Stock**

According to previous information provided by the WA Government, the Noongar Land Estate will be held by the Noongar Boodja Trust. The WA Government will transfer:

- up to 300,000 hectares of land allocated as reserve or leasehold
- up to 20,000 hectares of land allocated as freehold for cultural or economic development use.

Management of the Noongar Land Estate

The Noongar Boodja Trust will own and manage freehold land like any other private land owner and must meet the standard land holding costs associated with freehold land, including local government rates and charges, insurance, fire service levies, and any additional land management costs.

The Noongar Boodja Trust will, in collaboration with the Noongar Regional Corporations, and other appropriate Noongar governance structures, decide whether the land allocated will be for cultural or development purposes.

Cultural Land

The Noongar Boodja Trust will hold and manage cultural land, in consultation with and on the recommendation of the relevant Noongar Regional Corporation(s), in a manner that has regard to the spiritual and cultural connection of the Noongar Agreement Groups to their traditional lands. Cultural Land cannot be sold or commercially developed. Standard WA Government land management requirements apply.

Development Land

The Noongar Boodja Trust will hold, manage, invest and develop development land in consultation with the Noongar Regional Corporations and an Investment Committee, in a manner that will generate financial benefits for the Noongar Boodja Trust Future Fund. The Investment Committee will be established by the Trust to provide guidance on investment decisions.

Draft comments on each land parcel are included in a table, see Attachment 1. Given the timeframe for a response to the Department there has not been an opportunity to consult more widely.

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 Promote land availability within the Shire for residential, industrial and commercial development.

SCD 3.1 Advocate and support initiatives that will develop and celebrate the cultural heritage of the Shire.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council respond to the Department of Planning, Lands and Heritage providing relevant information relating to the land parcels identified as potentially being transferred to the Noongar Land Estate.

Referral ID	Referee	Request Date	Land List
9862	Local Government Authority	2022-09-21T02:50:33.5531752Z	20190521_SWALSC_GKB_Williams

PIN	Lot Number	Survey Number	Street Address	Locality Suburb	LGA	CLT	Reserve Number	Area (Ha)	Reserve Purpose	Referee Comment	Selected Tenure
549276			Collie-Williams Road (SLK 35.0 measured from Collie townsite)	WILLIAMS	WILLIAMS(S)		R 4555	153.49	RESTING PLACE FOR TRAVELLERS & STOCK	Shire has no direct interest in the land. No neighbouring landowner consultation undertaken within available timeframe. No existing or planned infrastructure on the land.	Freehold
549302			Collie-Williams Road (SLK 35.0 measured from Collie townsite)	WILLIAMS	WILLIAMS(S)		R 4555	241.19	RESTING PLACE FOR TRAVELLERS & STOCK	Shire has no direct interest in the land. No neighbouring landowner consultation undertaken within available timeframe. No existing or planned infrastructure on the land.	Freehold
11054762	6032	DP33379	Williams-Darkan Road (SLK25.5 measured from Pinjarra-Williams Road turnoff)	DARDADINE	WILLIAMS(S)	LR3117/527	R 2296	7.54	LANDSCAPE PROTECTION	The reserve has a purpose of 'Landscape Protection' and is imporant for preservation of native flora and fauna. The Department of Biodiversity, Conservation and Attractions should be consulted. Shire has no direct interest in the land. No neighbouring landowner consultation undertaken within available timeframe. No existing or planned infrastructure on the land.	Freehold
11054761	6031	DP33379	Williams-Darkan Road (SLK25.5 measured from Pinjarra-Williams Road turnoff)	DARDADINE	WILLIAMS(S)	LR3117/526	R 2296	60	LANDSCAPE PROTECTION	The reserve has a purpose of 'Landscape Protection' and is imporant for preservation of native flora and fauna. The Department of Biodiversity, Conservation and Attractions should be consulted. Shire has no direct interest in the land. No neighbouring landowner consultation undertaken within available timeframe. No existing or planned infrastructure on the land.	Freehold
554230	10899	DP84262	Albany Highway (SLK 150.5 just north of Carne Road)	WILLIAMS	WILLIAMS(S)	LR3020/595	R 13207	1.69	STOPPING PLACE	Shire has no direct interest in the land. No neighbouring landowner consultation undertaken within available timeframe. No existing or planned infrastructure on the land. Access to the reserve is difficult due to its location on the Albany Highway.	Freehold
553688	20	DP233309	Albany Highway (SLK 164.50 Just north of Nash Road)	WILLIAMS	WILLIAMS(S)	LR3020/586	R 8707	2.15	STOPPING PLACE & WATER	Shire has no direct interest in the land. No neighbouring landowner consultation undertaken within available timeframe. No existing or planned infrastructure on the land. Access to the reserve is difficult due to its location on the Albany Highway.	Freehold
553051	15003	DP245689	Albany Highway (SLK 129.80 at Wilkie Road)	WILLIAMS	WILLIAMS(S)	LR3020/603	R 920	5.36	PARK & CAMPING	This reserve incorporates an existing road that has been built off the road reserve alignmnet to accommodate a safer exit point onto Albany Highway. It is important that this access remains. The reserve is the location of a 'lonely grave'. No neighbouring landowner consultation undertaken within available timeframe. The Shire will continue to maintain the road through the reserve.	Freehold
550342	5433	DP215993	Collie-Williams Road (SLK 28.0 measured from Collie townsite)	WILLIAMS	WILLIAMS(S)	LR3151/915	R 7675	67.03	RESTING PLACE FOR TRAVELLERS & STOCK	Shire has no direct interest in the land. No neighbouring landowner consultation undertaken within available timeframe. No existing or planned infrastructure on the land.	Freehold
558554	5433	DP215993	Collie-Williams Road (SLK 28.0 measured from Collie townsite)	WILLIAMS	WILLIAMS(S)	LR3151/915	R 7675	105.34	RESTING PLACE FOR TRAVELLERS & STOCK	Shire has no direct interest in the land. No neighbouring landowner consultation undertaken within available timeframe. No existing or planned infrastructure on the land.	Freehold
549266	5433	DP215993	Collie-Williams Road (SLK 28.0 measured from Collie townsite)	WILLIAMS	WILLIAMS(S)	LR3151/915	R 7675	16.27	RESTING PLACE FOR TRAVELLERS & STOCK	Shire has no direct interest in the land. No neighbouring landowner consultation undertaken within available timeframe. No existing or planned infrastructure on the land.	Freehold

8.2.2 Review of Councillor Representation

File Reference	4.1.30
Statutory Ref.	Local Government Act 1995
Author & Date	Geoff McKeown 4 October 2022
Attachments	Attachment 2 – Correspondence from the Minister for Local Government

Background
Correspondence has been received from the Minister for Local Government advising that new requirements will be introduced to provide for:

- The introduction of optional preferential voting;
- Directly elected Mayors and Presidents for band 1 and 2 local governments;
- Councillor numbers based on population; and
- The removal of wards for band 3 and 4 local governments.

Comment
A Bill to amend the *Local Government Act 1995* will be introduced into Parliament in early 2023. One of the amendments will decree the reduction in Councillor numbers, where local governments with a population of up to 5000 will have between 5 & 7 Councillors (including the President).

The Shire of Williams is impacted by this amendment as it has nine (9) Councillors.

The Minister for Local Government has advised that there are two pathways for Council to consider for making the transition to a reduced number of Councillors. These are:

Voluntary Pathway
The local government can decide to implement the changes on a voluntary basis. This involves:

- Advice the DLGSC of its intention to undertake a voluntary process. This advice should include a high-level plan outlining the potential changes to be implemented for the ordinary elections to be held in 2023 (and in 2025, if applicable); and
- Initiate a Ward and Representation Review to determine the specific changes to the structure of the council for the 2023 and 2025 ordinary elections, to be completed by 14 February 2023.

The Ward and Representation Review will need to be initiated before the 28 October 2022, and finalised by 14 February 2023, to ensure that the timeframes set out in the Act can be practically met.

The Voluntary Pathway can involve staging any larger changes in the number of Councillors over two ordinary elections. Potentially, it can accommodate the arrangement whereby Councillors whose terms conclude in 2025 can continue to hold office until their term ends, with the reduced number of Councillors still being implemented in 2023. Currently four (4) Councillors have terms concluding in 2025 and five (5) have terms concluding in 2023. The Ward and Representation Review could incorporate the proposal whereby three (3) Councillors are elected in 2023, to make a total of seven (7) in all. This is assuming that seven (7) Councillors is the preferred number.

Reform Election Pathway
Alternatively, it is intended that the Amendment Act will provide for all changes to be implemented through reform elections in 2023. This pathway would provide that all the

council's offices can be declared vacant, all wards can be abolished (if applicable), and the number of council offices would be set based on the reform proposals.

Elections would then be held to fill all council offices, with a split between two- and four-year terms as might be necessary to re-establish an ordinary election cycle. If the local government decides to follow the Reform Election Pathway the DLGSC needs to be advised by 28 October 2022.

The correspondence from the Minister is silent on how the number of Councillors would be determined (i.e. either 5, 6 or 7). Clarification obtained from the DLGSC indicates that a local government may decide how many council offices are appropriate to the needs of the district within the threshold limits.

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

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

Financial Implications
Nil

Voting Requirements
Simple Majority

Officer's Recommendation
That Council advise the Department of Local Government, Sport and Cultural Industries (DLGSC) that, in relation to the proposed Local Government Reforms: Election Transitions Arrangements, it supports the following:

1. proceed with the Reform Election Pathway, whereby all council's offices can be declared vacant and elections will be held to fill all council's offices in 2023; and
2. the number of council's offices appropriate to meet the needs of the district of the Shire of Williams is seven (7).

Officer's Alternative Recommendation
That Council advise the Department of Local Government, Sport and Cultural Industries (DLGSC) that, in relation to the proposed Local Government Reforms: Election Transitions Arrangements, it intends to:

1. proceed with the Voluntary Pathway, including a plan outlining the potential changes to be implemented for the ordinary elections in 2023 (and in 2025, if applicable); and
2. initiate a Ward and Representation Review to determine the specific changes to the structure of Council for the 2023 ordinary elections (and 2025 ordinary elections, if applicable) to be completed by 14 February 2023.

Hon John Carey MLA
Minister for Housing; Lands; Homelessness; Local Government

Our Ref: 78-08502 (Category 5)

20 September 2022

Dear Local Government Chief Executive Officers

MEMORANDUM TO CHIEF EXECUTIVE OFFICERS
LOCAL GOVERNMENT REFORMS: ELECTION TRANSITION ARRANGEMENTS (CHANGES TO COUNCIL SIZE)

On 3 July 2022, I announced the final package of proposed local government reforms, following a review of public submissions. As part of the reforms to strengthen local democracy and increase community engagement, new requirements will be introduced to provide for:

- The introduction of optional preferential voting;
- Directly elected Mayors and Presidents for band 1 and 2 local governments;
- Councillor numbers based on population; and
- The removal of wards for band 3 and 4 local governments.

Work on a Bill to amend the *Local Government Act 1995* (the Act) is ongoing, and a Bill is expected to be introduced into Parliament in early 2023.

Many of the reform proposals related to council representation are based on recent trends, and are intended to provide greater consistency between districts. Accordingly, for more than half of all local governments, the reforms will not require any specific change to the size or structure of the council.

However, the reform proposals do require some local governments to:

- Reduce the number of elected members on council in accordance with population thresholds; or
- Change from a council elected mayor or president to a directly elected mayor or president (this reform affects only band 1 and 2 local governments); or
- Abolish wards (for band 3 and 4 local governments with wards); or
- Implement more than one of the above.

The Amendment Act will also provide that optional preferential voting will apply for all local government elections. As you may know, optional preferential voting means that all electors have the choice to number preferences for as many or as few candidates as they wish to.

I appreciate the significant interest in the reform proposals, and transitional arrangements for the upcoming 2023 ordinary elections. Many councils have expressed a proactive intent to implement reforms as early as possible.

Level 7, Dumas House, 2 Havelock Street, West Perth, WA, 6005
Telephone: +61 8 6552 5300 Facsimile: +61 8 6552 5301 Email: minister.carey@dpc.wa.gov.au

I also acknowledge that, for some local governments, it may be desirable to implement changes to the size of the elected council over two ordinary election cycles.

The Department of Local Government, Sport and Cultural Industries (DLGSC) has completed an initial review, and identified that your local government may need to reduce the number of council members under the proposed reforms.

As you would know, the Act already provides that local governments may initiate proposals to change the size or structure of the council. Accordingly, I write to advise of two pathways your local government may consider for making these election transition arrangements.

Voluntary Pathway
Your local government may decide to implement these changes on a voluntary basis. This pathway will require the council to make the steps outlined below, and could involve staging any larger changes in the number of councillors over two ordinary elections. This pathway provides the greatest possible lead time to plan for next year's ordinary elections.

If your council wishes to undertake this process, it should, by 28 October 2022:

- Advise the DLGSC of its intention to undertake a voluntary process. This advice should include a high-level plan outlining the potential changes to be implemented for the ordinary elections to be held in 2023 (and in 2025, if applicable); and
- Initiate a Ward and Representation Review to determine the specific changes to the structure of the council for the 2023 and 2025 ordinary elections, to be completed by 14 February 2023.

I appreciate that significant effort is required to complete a Ward and Representation Review. The Ward and Representation Review would need to be initiated ahead of the 28 October 2022 date, and finalised by 14 February 2023, to ensure that the timeframes set out in the Act can be practically met. While the Ward and Representation Review can consider the size of the council, and any wards, any changes should not diverge from the proposed reforms.

Further information is attached to this letter to assist with this process.

Reform Election Pathway
Alternatively, it is intended that the Amendment Act will provide for all changes to be implemented through reform elections in 2023. This pathway would provide that all of the council's offices can be declared vacant, all wards can be abolished (if applicable), and the number of council offices would be set based on the reform proposals.

Elections would then be held to fill all council offices, with a split between two and four year terms as might be necessary to re-establish an ordinary election cycle. For local governments in band 1 or 2, the newly-elected council would then be able to consider whether to establish new wards through a future Ward and Representation Review.

Your local government may specifically decide to follow the Reform Election Pathway. If this is the council's intention, I request that you advise the DLGSC by 28 October 2022.

It is also intended that the Amendment Act will contain provisions for the Reform Election Pathway to apply if a local government:

- Does not advise of an intention to follow the Voluntary Pathway, or
- Decides to follow the Voluntary Pathway, but does not suitably complete a Ward and Representation Review by the dates outlined in this letter.

Next Steps

In line with the above, I request that your council considers these matters, and provides formal written advice on the preferred pathway to the DLGSC by 28 October 2022. Given the timeframes already established in the Act, no extension to the dates specified in this letter will be possible.

The DLGSC is available to assist with these election transition arrangements. If you require any assistance, please contact Ms Julie Craig, Strategy and Research Officer, on 6552 7300 or at advisoryboard@dlgsc.wa.gov.au.

I have also written a formal letter to the Mayor or President of your local government, which contains the same information as this memorandum. That letter should be received shortly.

Yours sincerely

HON JOHN CAREY MLA
MINISTER FOR LOCAL GOVERNMENT

Att: Timeline and steps – local government ward and representation reviews

Timeline and steps – local government ward and representation reviews

The following steps will need to occur to allow all required local governments to meet the **30 June 2023** timeframe of publication in the Government Gazette of any proposed ward and representation review changes, ahead of the October 2023 local government elections. Please note that all stages that are currently followed for 'regular' reviews are included below.

Table 1 includes suggested timeframes which will need to be considered by all local governments that will be required to undertake a review ahead of the October 2023 elections.

All local governments should aim to have their completed reviews submitted to the Local Government Advisory Board (the Advisory Board) by no later than **14 February 2023**.

Table 1 – proposed timeframes for local government actions

Due date (latest possible)	Requirements/actions
28 October 2022	Council resolves to undertake a ward and representation review A comprehensive discussion paper is developed
December 2022	Completion of six-week consultation period
December 2022 - January 2023	Draft review report is prepared, considered and adopted by council
14 February 2023	Formal review report is submitted to the Advisory Board

Please note that the above dates are suggestions only, as each council will have to consider their own calendars for their monthly meetings. It is also possible that some affected councils will have an earlier meeting in December 2022, and then no meeting in January 2023. This is why mid to late December 2022 is suggested as the date by which the draft review report should be considered by council.

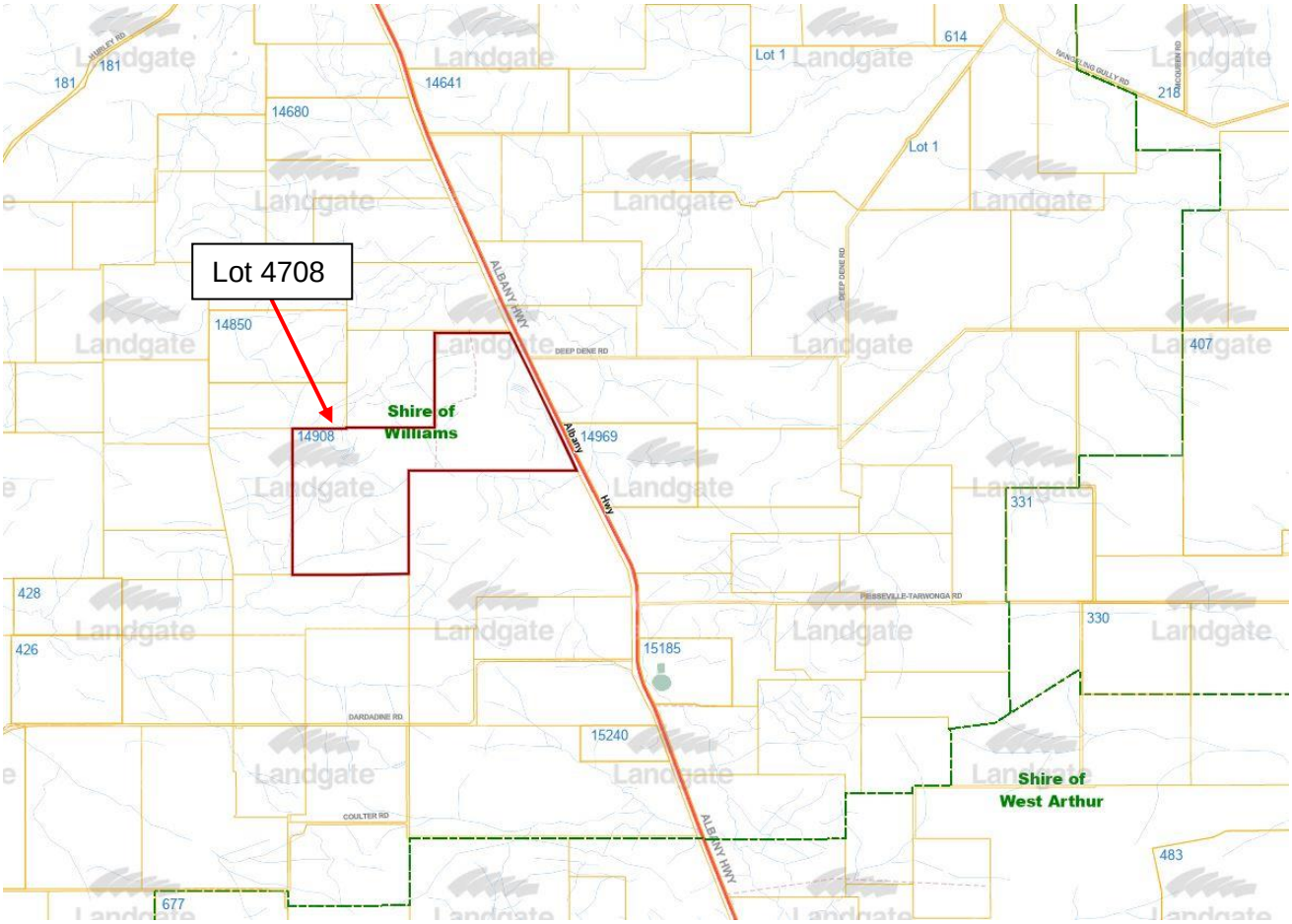
Table 2 - Ward and representation review process – for local governments

	Existing requirements/actions	Timeframe
1	The council resolves to undertake a ward and representation review	Variable
2	A comprehensive discussion paper is developed	Variable
3	Council advertises that it is conducting a review and the associated public submission period opens (minimum 6 weeks)	6 weeks
4	The discussion paper is made available to the community for consideration, and public submissions are invited on the matter	
5	Public submission period closes	
6	The Council assesses all submissions, considers options for change against the relevant factors to be considered, and drafts a report, which includes their decision, for the Local Government Advisory Board (the Advisory Board)	Variable
7	The formal report is presented to Council on the outcome of the public submissions and the proposed ward and/or boundary changes	Variable
8	Council resolves to adopt the report to the Advisory Board	Variable
9	The preferred option is submitted to the Advisory Board via the formal report, for the Board's consideration and recommendation	Variable
10	The Advisory Board considers the council's review report, and a recommendation is submitted to the Minister, which can either be accepted or rejected	Variable

8.2.3 Proposed Telecommunications Infrastructure – Lot 4708 (14908) 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 6 October 2022
Attachments	Nil

Background
Lot 4708 is used for agricultural purposes and has an approximate area of 218 hectares.



Above: Location Plan

Comment

- **Proposed Development**

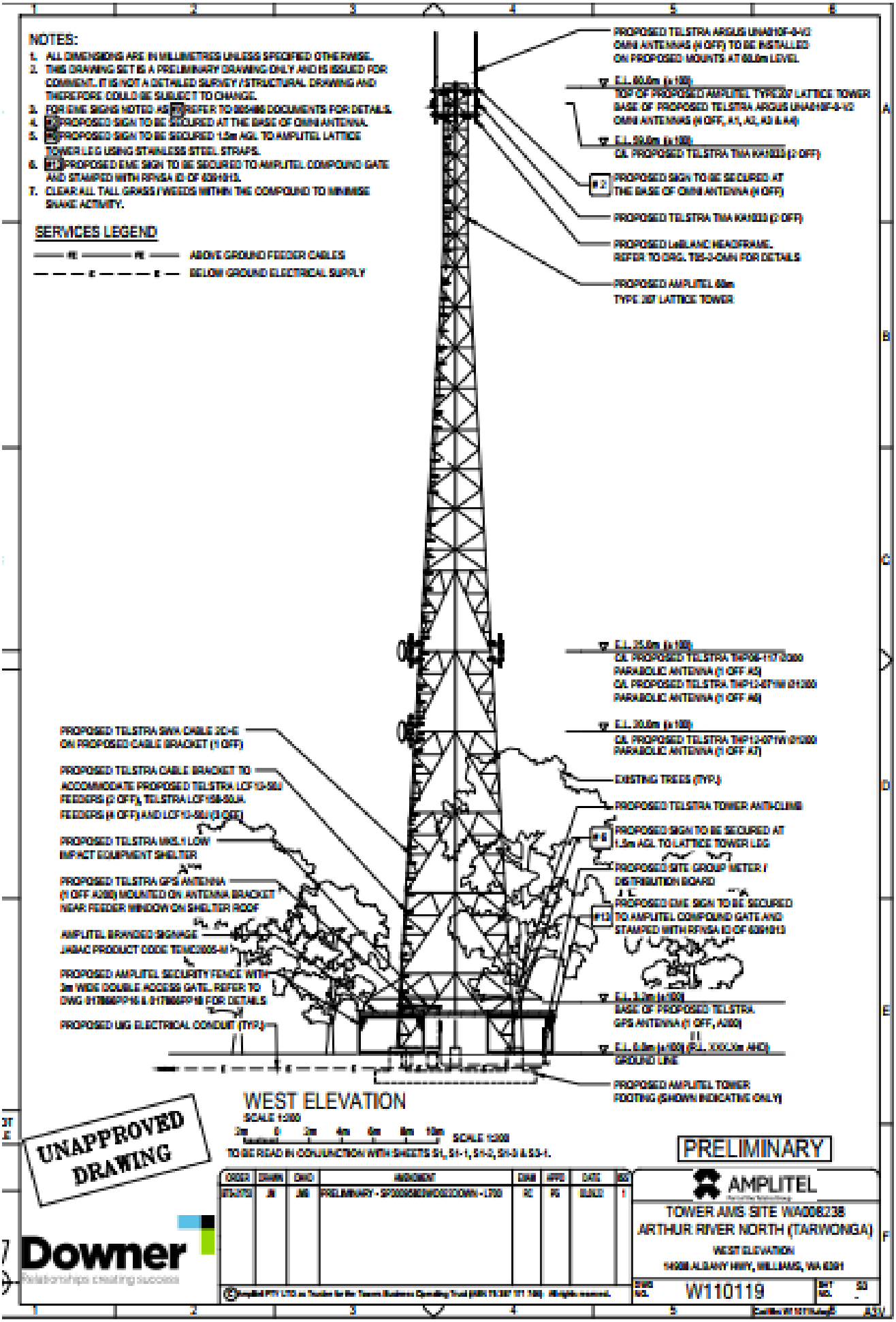
An application has been lodged by Acquirecomm Pty Ltd on behalf of Telstra.

The proposal is to develop a 60 metre high lattice communication tower, antennas, ground mounted equipment and fencing. The proposal forms part of the Government Regional Connectivity Program which is a grants funding program aimed at improving digital connectivity across regional, rural and remote Australia.

The infrastructure is proposed to be located approximately 594 metres from the eastern lot boundary fronting Albany Highway, and 188 metres from the southern lot boundary – refer site plan below.

Site Plan

An elevation is included over page for ease of reference.


NOTES:
1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS SPECIFIED OTHERWISE.
2. THIS DRAWING SET IS A PRELIMINARY DRAWING ONLY AND IS ISSUED FOR COMMENT. IT IS NOT A DETAILED SURVEY / STRUCTURAL DRAWING AND THEREFORE COULD BE SUBJECT TO CHANGE.
3. FOR EME SIGNS NOTED AS #3 REFER TO BSHM8 DOCUMENTS FOR DETAILS.
4. #2 PROPOSED SIGN TO BE SECURED AT THE BASE OF OMNI ANTENNA.
5. #8 PROPOSED SIGN TO BE SECURED 1.5m AGL TO AMPLITEL LATTICE TOWER LEG USING STAINLESS STEEL STRAPS.
6. #12 PROPOSED EME SIGN TO BE SECURED TO AMPLITEL COMPOUND GATE AND STAMPED WITH RFNSA ID OF 6261013.
7. CLEAR ALL TALL GRASS / WEEDS WITHIN THE COMPOUND TO MINIMISE SNAKE ACTIVITY.
SERVICES LEGEND
ABOVE GROUND FEEDER CABLES
BELOW GROUND ELECTRICAL SUPPLY
PROPOSED TELSTRA ARGUS LHA810F-8-V2 OMNI ANTENNAS (4 OFF) TO BE INSTALLED ON PROPOSED MOUNTS AT 60.0m LEVEL
T.O.S. 60.0m (±100)
TOP OF PROPOSED AMPLITEL TYPE 207 LATTICE TOWER
BASE OF PROPOSED TELSTRA ARGUS LHA810F-8-V2 OMNI ANTENNAS (4 OFF, A1, A2, A3 & A4)
T.O.S. 59.0m (±100)
C/L PROPOSED TELSTRA TMA KA1833 (2 OFF)
#2 PROPOSED SIGN TO BE SECURED AT THE BASE OF OMNI ANTENNA (4 OFF)
PROPOSED TELSTRA TMA KA1833 (2 OFF)
PROPOSED LeBLANC HEADFRAME. REFER TO DRG. TSS-3-OMN FOR DETAILS
PROPOSED AMPLITEL 60m TYPE 207 LATTICE TOWER
T.O.S. 25.0m (±100)
C/L PROPOSED TELSTRA TMP08-117-2000 PARABOLIC ANTENNA (1 OFF A5)
C/L PROPOSED TELSTRA TMP13-07YW-01000 PARABOLIC ANTENNA (1 OFF A6)
T.O.S. 30.0m (±100)
C/L PROPOSED TELSTRA TMP13-07YW-01000 PARABOLIC ANTENNA (1 OFF A7)
EXISTING TREES (TYP.)
PROPOSED TELSTRA TOWER ANTI-CLIMB
#8 PROPOSED SIGN TO BE SECURED AT 1.5m AGL TO LATTICE TOWER LEG
PROPOSED SITE GROUP METER / DISTRIBUTION BOARD
#12 PROPOSED EME SIGN TO BE SECURED TO AMPLITEL COMPOUND GATE AND STAMPED WITH RFNSA ID OF 6261013
T.O.S. 3.3m (±100)
BASE OF PROPOSED TELSTRA GPS ANTENNA (1 OFF, A200)
T.O.S. 0.0m (±100) (E.L. 100.0m AHD)
GROUND LINE
PROPOSED AMPLITEL TOWER FOOTING (SHOWN INDICATIVE ONLY)
PROPOSED TELSTRA SWA CABLE 2CH-E ON PROPOSED CABLE BRACKET (1 OFF)
PROPOSED TELSTRA CABLE BRACKET TO ACCOMMODATE PROPOSED TELSTRA LCF13-50J FEEDERS (2 OFF), TELSTRA LCF158-50JA FEEDERS (4 OFF) AND LCF13-50J (3 OFF)
PROPOSED TELSTRA MRL1 LOW IMPACT EQUIPMENT SHELTER
PROPOSED TELSTRA GPS ANTENNA (1 OFF A200) MOUNTED ON ANTENNA BRACKET NEAR FEEDER WINDOW ON SHELTER ROOF
AMPLITEL BRANDED SIGNAGE
JABAC PRODUCT CODE: TEMC2005-M
PROPOSED AMPLITEL SECURITY FENCE WITH 3m WIDE DOUBLE ACCESS GATE. REFER TO DWG 81788677-16 & 81788677-18 FOR DETAILS
PROPOSED U/G ELECTRICAL CONDUIT (TYP.)
WEST ELEVATION
SCALE 1:200
2m 0 2m 4m 6m 8m 10m SCALE 1:200
TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1, S1-2, S1-3 & S3-1.
UNAPPROVED DRAWING
PRELIMINARY
ISSUED | DRAWN | CHKD | AMENDMENT | DWN | APPD | DATE | ISS
PRELIMINARY - SP20000827WDSEDOWN - LT00 | RZ | PG | 6/10/22 | 1
AMPLITEL
TOWER AMS SITE WA0008238
ARTHUR RIVER NORTH (TARWONGA)
WEST ELEVATION
14508 ALBANY HWY, WILLIAMS, WA 6391
DWG NO. W110119
SHT NO. 03
Downer
Relationships creating success

- **Landuse Permissibility**

Lot 4708 is zoned 'Rural' under the Shire of Williams Town Planning Scheme No 2 ('the Scheme').
The proposal is construed as 'telecommunications infrastructure' which is not defined in the Shire's Scheme or listed in 'Table 1-Zoning Table' of the Scheme.

In accordance with Clause 4.3.2 of the Scheme, as the use of the land for telecommunications infrastructure is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the other existing use categories the Council may:

Option 1: Determine that the telecommunication infrastructure use is not consistent with the objectives and purposes of the Rural zone and is therefore not permitted; or

Option 2: Determine by Absolute Majority that the proposed telecommunication use may be consistent with the objectives and purpose of the Rural zone and thereafter follow the advertising procedures of Clause 2.6 in considering an application for planning consent.

It should be noted that there are no specific objectives listed in the Scheme for the Rural zone. The proposed development will allow for continued agricultural use of the land.

Town Planning Innovations recommends pursuing Option 2 which requires the proposal to be advertised for public comment.

- **Advertising**

It is compulsory to advertise the application for 28 days if Council pursues Option 2 as outlined in the 'legislative requirements' section of this report.

To expedite processing of the application, Shire Administration has organised advertising of the proposal by writing to adjacent landowners and publishing a notice on the Shire website.

As the development is on land that abuts Albany Highway, the application has been referred to Main Roads WA. Access to the proposed tower is via an existing crossover from Albany Highway.

POLICY REQUIREMENTS

There is no local planning policy applicable to the development. There is a Western Australian Planning Commission State Planning Policy 5.2 on Telecommunications Infrastructure.

Adequate and reliable telecommunications are essential for all aspects of contemporary community life, from supporting the State's economy to creating and maintaining connected and cohesive social networks.

The State planning policy aims to balance the need for effective telecommunications services and effective roll-out of networks, with the community interest in protecting the visual character of local areas.

The objectives of the policy are to:

- facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs
- manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure
- ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons
- promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.

This policy applies throughout Western Australia in respect to above- and below-ground telecommunications infrastructure other than those facilities exempted under the *Commonwealth Telecommunications Act 1997* (Telecommunications Act).

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.

- **Advertising**

As the application is being processed as a 'Use Not Listed', it is classified as a 'complex application' under the revised Regulations. Advertising must be for a minimum of 28 days.

The compulsory advertising requirements for a 'complex application' are more onerous under the current Regulations and include:

(a) Publication of a Notice with copies of the proposed plans on the Shire website; and
(b) Make a copy of the plans available to the public for viewing at the Shire office; and
(c) Writing to the owners and occupiers of lots within 200 metres of the proposed development; and
(d) Erecting a sign in a conspicuous place on Lot 4708 to advertise the proposal.

The Western Australian Planning Commission has permanently exempted the Shire from having to meet some of the abovementioned advertising requirements if it is not practical to achieve (such as erecting a sign on site).

- **Matters to be considered by Council**

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 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
The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for advice. In addition, a planning fee is payable for consideration of this application.

Voting Requirements
Absolute Majority

Officer's (Consultant Planner) Recommendation
That Council;

1. In accordance with Clause 4.3.2 of the Town Planning Scheme No.2, determine by Absolute Majority that the proposed 'telecommunications infrastructure' use may be consistent with the objectives and purpose of the Rural zone and thereafter follow the advertising procedures of Clause 2.6 of the Scheme, and Clause 64 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, in considering an application for planning consent.
2. Note that:
   (a) the application is being publicly advertised until the 9 November 2022 as required by the *Planning and Development (Local Planning Schemes) Regulations 2015*.
   (b) the application has been referred to Main Roads WA for comment. The Shire is required to provide MRWA with 42 days to comment, however has sought their comments as soon as practical.
3. 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 telecommunications tower on Lot 4708 (14908) Albany Highway, Williams.
4. Note that the Western Australian Planning Commission has granted an ongoing exemption to the Shire which provides the Shire with flexibility over the methods of advertising for any complex application.

8.2.4 Swimming Pool Contract Management

File Reference	11.20.20
Statutory Ref.	Local Government Act 1995, section 3.57 and Local Government (Functions and general) Regulations 1996, r 11
Author & Date	Geoff McKeown 14 October 2022
Attachments	Nil

Background
The current contract for operation of the Williams Swimming Pool expired with the conclusion of the 2021/22 pool season on the 31 March 2022. Contract Aquatic Services has been providing this service to the Shire of Williams for several years.

The Chief Executive Officer invited tenders for a five (5) year period commencing with the 2022-23 pool season. This was done under Delegation 1.1.16 where authority to call tenders can be actioned by the Chief Executive Officer where there is an adopted budget for the proposed goods and services.

Comment
A statement of objectives contained in the tender specifications include the following:

1. To promote, enhance, maintain and improve the Williams Swimming Pool Complex facilities for the benefit of the community.
2. To provide efficient, accountable and quality management of a community asset and infrastructure.
3. To operate the Williams Swimming Pool Complex in a financially prudent and ethical manner.
4. To ensure the provision of a comfortable and aesthetically pleasant complex for the enjoyment of the public.
5. To ensure delivery of a high level of service to the community in a friendly and courteous manner.
6. To ensure that services are delivered by principles of best practice and standards.

The current model, where the operation of the swimming pool is contracted, offers the Shire best practice management and value for money.

A tender specification was prepared and advertised in The West Australian on the 5 October 2022. One (1) information package was issued.

At the closing date of the 14 October 2022, only one tender was received from Contract Aquatic Services.

As there were no other tenders received it has not been possible to evaluate the Contract Aquatic Services' tender against an alternative tender.

Contract Aquatic Services has provided swimming pool management services to the Shire since the 2011 pool season. It has been delivered to a high standard and the Pool Managers engaged by Contract Aquatic Services are well liked by the community.

Income from pool admissions has remained steady over the last five years, as have attendance numbers, albeit that the COVD-19 pandemic has had an impact, as indicated below:

Pool Season	Income	Attendance
2011/12	$7,413.27	
2012/13	$8,698.43	
2013/14	$9,102.31	
2014/15	$9,433.34	4,356
2015/16	$10,427.66	5,389
2016/17	$11,595.81	6,234
2017/18	$16,067.42	7,539
2018/19	$13,350.26	5,212
2019/20	$14,639.89	4,685
2020/21	$13,775.37	3,965
2021/22	$14,830.92	5,861

Included in the tender package is a Price Schedule. This has been completed by Contract Aquatic Services in its tender submission and is summarised below.

Line No	Service Description	Tender Unit	Price Tendered (ex GST)	GST Component	Price Tendered (inc GST)
1	Year 1 - Season 2022/23	Annual	65,000.00	6,500.00	71,500.00
2	Year 2 - Season 2023/24	Annual	65.000.00	6.500.00	71,500.00
3	Year 3 - Season 2024/25	Annual	65,000.00	6,500.00	71,500.00
4	Year 4 – Season 2025/26	Annual	65,000.00	6,500.00	71,500.00
5	Year 5 – Season 2026/27	Annual	65,500.00	6,500.00	71,500.00
6	Additional hours outside of contract (by agreement)	per hour	60.00	6.00	66.00
7	Off-season turnovers 13 site visits in total (1 per fortnight – Apr 15th to Oct 15th)	per time	Included		
8	Season Extension offered	per week	2.500.00	250.00	2,750.00

Previous season fees were $66,000, including GST and off-season turnovers were $275, including GST, per visit. The proposed fee structure reflects an increase; however it is a fixed price for the duration of the contract and includes the of-season turnover visits.

Outside this contract, the Shire provides a one-bedroom unit for the Pool Manager as accommodation during the pool season. Contract Aquatic Services currently pays $100 per week while it is occupied.

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
SCD 1.4 Implement strategies that will support increased usage of the Williams Recreation Ground facilities (including swimming pool)
CL 4.4 Monitor and ensure compliance with regulatory framework for local government business

Financial Implications
The provision of contract swimming pool management is an ongoing cost to the Shire and needs to be included in the Budget each year.

Voting Requirements
Simple Majority

Officer's Recommendation
That Council accept the tender submitted by Contract Aquatic Services for provision of Swimming Pool Contract Management to the Shire of Williams for a period of five (5) years commencing in the 2022-23 financial year.

8.2.5 Annual Meeting of Fire Control Officers

File Reference	4.50.60
Statutory Ref.	Local Government Act 1995, Bush Fires Act 1954, etc.
Author & Date	Geoff McKeown 12 October 2022
Attachments	Attachment 3 – Fire Control Order

Background
At the Annual Meeting of Fire Control Officers held on the 11 October 2022 various resolutions were passed, including recommending the appointment of Fire Control Officers and Dual Registered Fire Control Officers for the coming Fire Season.

Comment
The recommendation below includes an updated list of Fire Control Officers to reflect the most recent changes. Under the *Bush Fire Act 1954* local governments may appoint Fire Control Officers.

Other recommendations follow regarding the appointment of a Fire weather Officer and adoption of a Fire Control Order. Background information on these matters precedes the recommendation from the Fire Control Officers.

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
Nil

Voting Requirements
Simple Majority

Fire Control Officers' Recommendation
That Council appoint the following persons as Bush Fire Control Officers in accordance with the *Bush Fires Act 1954* hereunder, effective immediately:

Chief Bush Fire Control Officer	Geoff McKeown
Deputy Chief Bush Fire Control Officers	David Carter & Jarrad Logie (proxy)

Bush Fire Control Officers

Boraning	George Lavender
Congelin	Philip Martin & Andrew Rintoul
Glenfield	Nicholas Panizza & Jarrad Logie
Narrakine	Ashley Chadwick
Tarwonga	Justin Duff
West Culbin	Wayne Duffield
Williams Townsite	Lester Fawcett (Williams Gazetted Fire District only)

Dual Registered Bush Fire Control Officers
The following are appointed as Dual Registered Bush Fire Control Officers with neighbouring local governments:

Shire of West Arthur	Justin Duff & Wayne Duffield
Shire of Wagin	Justin Duff
Shire of Wandering	Philip Martin & Andrew Rintoul
Shire of Cuballing	Philip Martin & Andrew Rintoul
Shire of Narrogin	Nicholas Panizza & Geoff McKeown
Shire of Boddington	Ashley Chadwick

Dual Bush Fire Control Officers
The following are appointed as Dual Bush Fire Control Officers from neighbouring local governments:

Shire of West Arthur	Duncan South
Shire of Wagin	Chris Piesse
Shire of Wandering	Jon Hardie & Graham Treasure
Shire of Cuballing	Nelson Young
Shire of Narrogin	Barry Hardie & Murray Saunders
Shire of Boddington	Brad Morgan & Brad Hardie

Fire Weather Officer

Changes to the Australian Fire Danger Rating System (AFDRS) will affect the way that bushfire risks are managed, including the issuing and cancelling of permits to burn. A Fire Weather Officer will need to be appointed. This person will be responsible for providing detailed information on weather forecasts, fire danger ratings and fire behaviour, and making the final call on the cancellation of permits if necessary.

Previously all permits to burn were automatically cancelled when the fire danger rating reached 'Very High'. Under the new AFDRS this rating no longer exists.

As the weather conditions move from 'high' to 'extreme' someone must be tasked with making the call on permits. The same approach that is used to impose Harvest and Movement of Vehicle Bans could be used, where a call-up of available Fire Control Officers occurs and based on their advice the Chief Bush Fire Control Officer makes the call.

Fire Control Officers' Recommendation
That Council appoint the Chief Bush Fire Control Officer as the Shire's Fire Weather Officer to make determinations on the imposing of Harvest and Movement of Vehicle Bans, and the continuation or cancellation of Burning Permits during Restricted and Prohibited Burning Periods. Further, it is expected that the Chief Bush Fire Control Officer will take advice from Fire Control Officers in making these determinations.

Fire Control Order

At the time of adopting the Bush Fire Brigades Local Law 2022, Council repealed the local law for firebreaks as it is not a requirement to have a local law for this purpose.

It is preferable, and more flexible, to adopt a Fire Control Order, which can be reviewed regularly and amended more easily. A draft Fire Control Order was reviewed by the Fire Control Officers and is recommended to Council for adoption, see Attachment 3.

Fire Control Officers' Recommendation
That Council adopt the Fire Control Notice for the 2022/23 Fire Season, as presented.

Shire of Williams

Fire Control Order

Pursuant to the *Bush Fires Act 1954* section 33, owners or occupiers of land situated within the Shire of Williams are required by to comply with the prescribed Fire Control Order here within.

1. Interpretation

In this Fire Control Order unless the context otherwise requires —

"Authorised Officer" an officer appointed as a Shire of Williams Fire Control Officer.

"Building protection zone" means a low fuel area immediately surrounding a habitable building and is designed to minimise the likelihood of flame contact with other buildings, and must fulfil the following conditions:

(i) bush fire fuels must be maintained below 10 centimetres in height;

(ii) trees and branches that may fall onto a house must be removed; and

(iii) lower branches of the remaining trees must be trimmed.

"District" means the whole local government area of the Shire of Williams.

"Fire Control Order period" means the period from 1st day of November to the 29th day of March in the following year within the district.

"Fire Weather Officer" means a person appointed by the local government in accordance with section 38 (8) of the *Bush Fires Act 1954*.

"Flammable material" includes bush (as defined in the *Bush Fires Act 1954*), timber, boxes, cartons, paper and any combustible material or rubbish, but does not include green standing trees, growing bushes and plants in gardens or lawns.

"Prohibited Burning Period" this period commences on 1 November of each year until and including 14 February of the following year. This time may be amended, subject to prevailing seasonal conditions.

"Restricted Burning Period" this period commences on 29 September until and including 31 October and recommences on 15 February until and including 29 March of any year. This time may be amended, subject to the prevailing seasonal conditions.

"Townsite land" means all the land within the boundaries of townsites in the district.

"Rural land" means all the land not defined as townsites within the district.

2. Rural Land

(1) During the conduct of any harvesting/baling operations, stone raking and slashing activities, an operational independent firefighting unit containing not less than 400 litres of water with a motorised pump and at least 15 metres of 19-millimetre diameter hose is to be provided in the same paddock or within 50 metres of that paddock.

(2) All flammable material is to be removed from around buildings and stacks in hay and straw processing plants to a width of 20 metres.

3. Townsite Land

(1) Where the area of land is 2,024 square metres (or half an acre) or less, all flammable material is to be removed, and the grass is to be maintained to a height no greater than 10 centimetres.

(2) Where the area of land exceeds 2,024 square metres (or half an acre), all flammable material likely to be conductive to an outbreak, spread or extension of fire is to be removed, and the grass is to be maintained to a height no greater than 10 centimetres.

(3) All flammable material is to be removed from around buildings, fuel dumps and liquid fuel containers to a width of 20 metres.

(4) All habitable buildings are to include a building protection zone of 20 metres in width.

4. Open Air Fires

(1) Open air fires are permitted during the Restricted Burning period, subject to compliance with the provisions of a permit issued by an Authorised Officer.

(2) Open air fires are not permitted at all during the Prohibited Burning period (including garden refuse).

(3) No fires in the open air are permitted on any day when determined by a Fire Weather Officer.

5. Properties with Fire Management Plans

All properties with approved fire management plans shall comply with the plan and or this notice whichever is the greater.

6. General

(1) If the requirements of this Fire Control Order are carried out by burning, such burning must be in accordance with the relevant provisions of the *Bush Fires Act 1954*. A permit to burn is required during the Restricted Burning periods from an Authorised Officer.

(2) If it is impracticable for any reason to remove flammable material from the land or any other provisions required by this Fire Control Order, an owner or occupier may apply to the Shire or its duly Authorised Officer not later than 31 October in that year, for permission to take alternative action to manage fire hazards on the land. If permission is not granted by the Shire or its duly Authorised Officer, the owner or occupier shall comply with the requirements of this order.

(3) Penalties apply to persons who fail to comply with the requirements of this Fire Control Order.

(4) A person who fails to comply with the order is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this order if it is not carried out by the owner or occupier by the date required.

Fire Control Order Enquiries

Shire of Williams email: shire@williams.wa.gov.au

9 Brooking Street, Williams WA 6391 Phone: 9885 1005

Visit the Shire Office between 8.00 am – 5.00 pm, Monday to Friday

A Standard Australian Fire Danger Ratings System (AFDRS) was implemented Australia wide on 1 September 2022.

Details are available on the Shire Website https://www.williams.wa.gov.au/community/our-community/bush-fire-information.aspx.

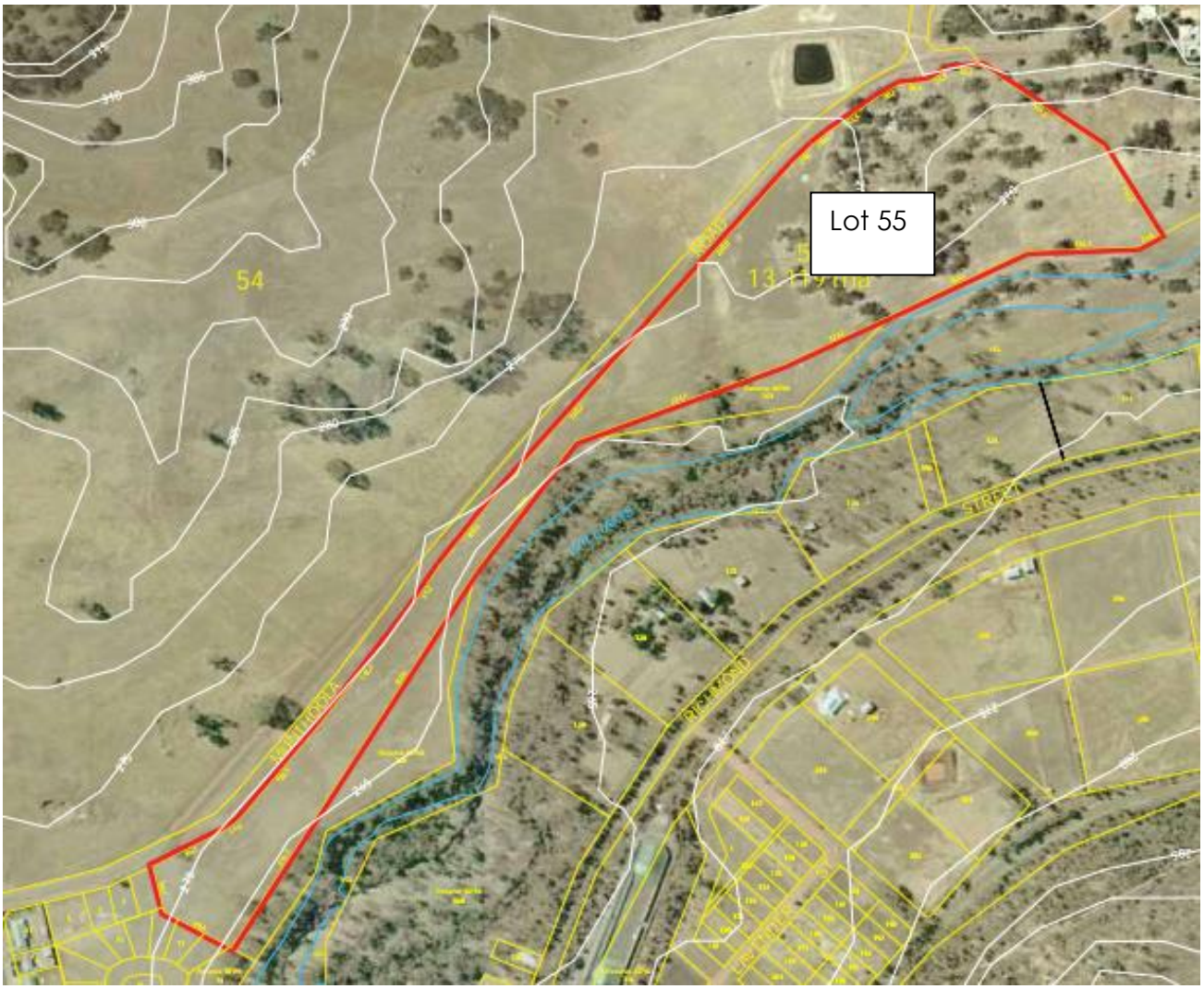
8.2.6 Proposed Subdivision Application – Lot 55 Munthoola Road, Williams

File Reference	10.64.20
Statutory Ref.	Shire of Williams Town Planning Scheme No.2
Author & Date	Liz Bushby, Town Planning Innovations 12 October 2022
Attachments	Attachment 4 -Lot 55 Munthoola Road, Williams - Cover Letter

Background

- ***Zoning and Location***

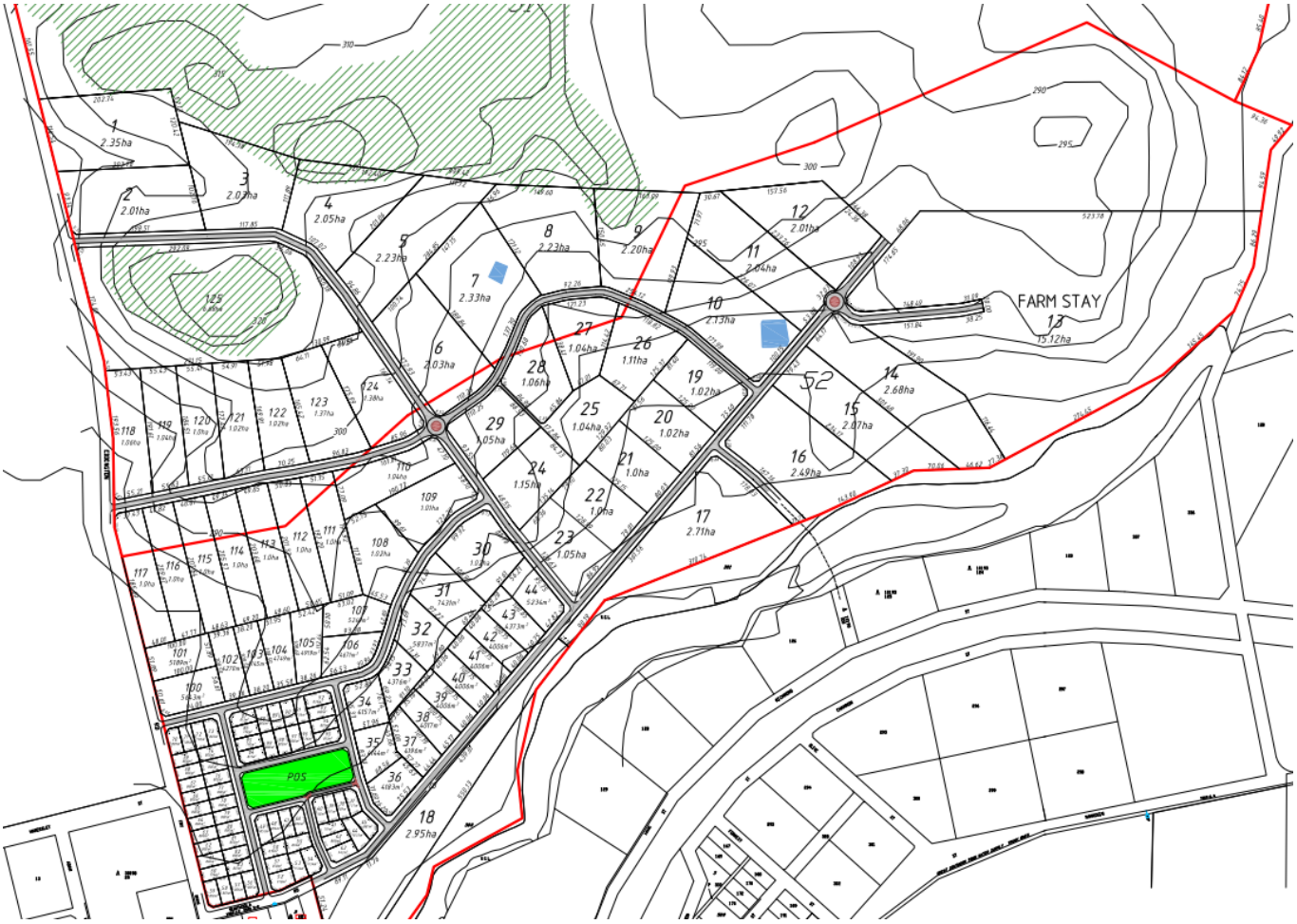
Lot 55 is zoned 'Rural Residential' under the Shire of Williams Town Planning Scheme No 2 ('the Scheme'). The majority of the lot is cleared with scattered trees in the north east portion.



Above: Aerial Location Plan

- ***Subdivision Guide Plan/ Historic Subdivision***

There is a Subdivision Guide Plan that applies to the area, see below.



Above: Extract of Subdivision Guide Plan

Subdivision Guide Plans are now referred to Structure Plans. Some 'super lots' have been created in accordance with the Subdivision Guide Plan, including Lot 55.

The Subdivision Guide Plan shows 5 potential lots (No 14 to 18) within Lot 55, and a short road to the south east.

- ***Relevant Council decision***

The owners of Lot 55 liaised with the Shire over this proposed subdivision in 2021 and sought support for use of Munthoola Road in its current gravel form (without upgrading).

Council resolved as follows at its Ordinary Meeting held on the 18 August 2021:

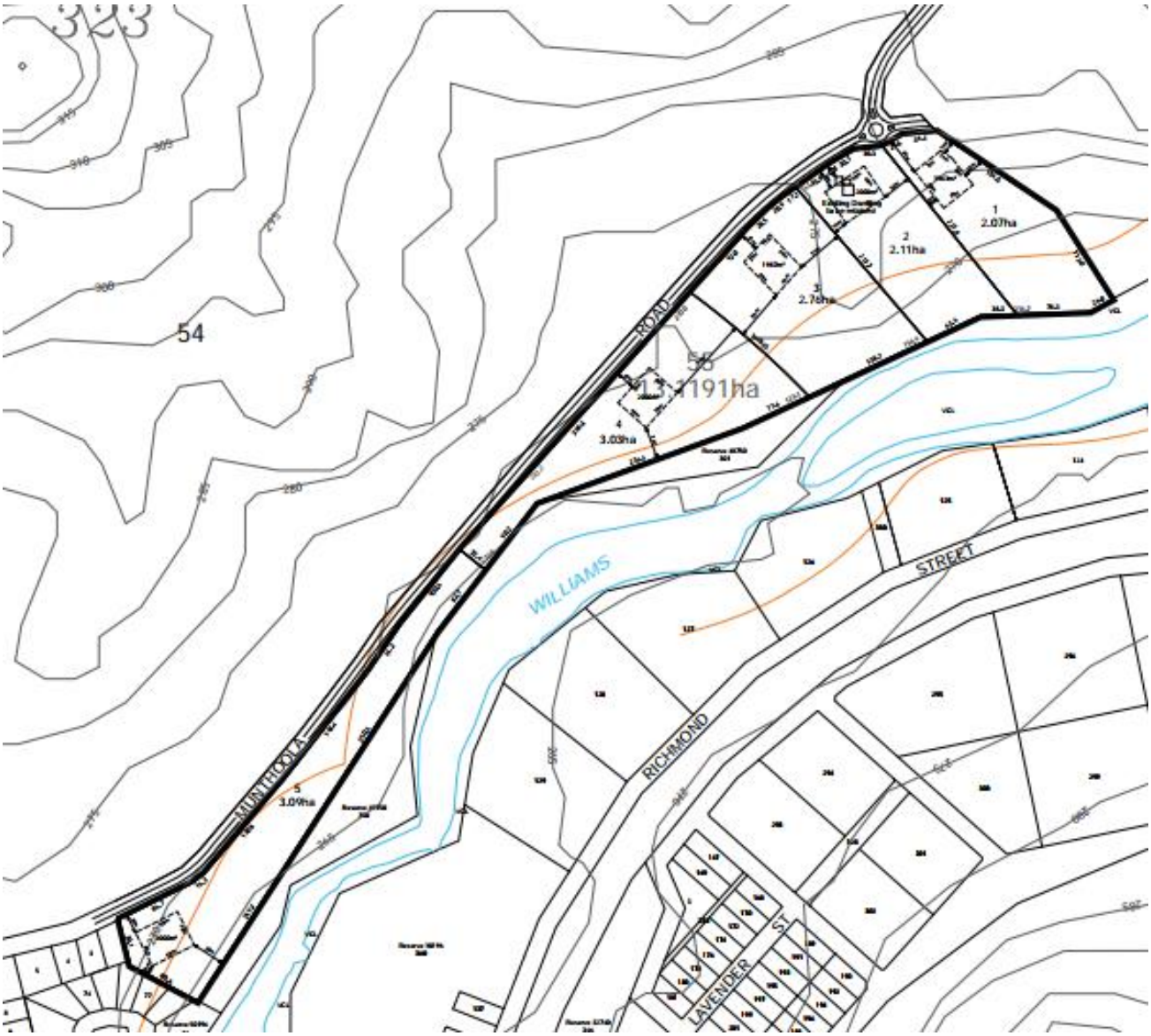
(a) The Shire supports their request and considers that the existing gravel road fronting Lot 55 Munthoola Road is sufficient to service the small number of proposed lots and low traffic volumes; and

(b) Any subdivision application will be determined by the Western Australian Planning Commission. If a formal application is received the Shire will not recommend that the WAPC impose any conditions requiring upgrading or sealing of Munthoola Road.

Comment

- ***Description of Application***

The Western Australian Planning Commission has received an application proposing to subdivide Lot 55 into 5 lots ranging in size from 2.07 hectares to 3.09 hectares. Each lot is proposed to include a building envelope.



Above: Extract of Subdivision Plan

The application has been referred to the Shire for recommendation and comment.

The Western Australian Planning Commission (WAPC) is the determining authority for all subdivision applications.

The proposed subdivision generally aligns with the Subdivision Guide Plan (SGP). A new road to the south east is no longer proposed, however it is not necessary as all lots will have direct access to Munthoola Road.

Some minor changes to the proposed lot boundaries are being sought to better suit the natural land features and avoid small rocky outcrops where new dividing fencing would be difficult to construct.

- ***Supporting Information***

The applicant has lodged a letter of support which is included as Attachment 4.

The new lots are proposed to be provided with services such as electricity and telecommunication infrastructure.

On site effluent disposal is proposed as there is no reticulated sewerage available.

The Shire provided written advice to the owners of Lot 55 on the 8 March 2022, that a Soil and Site Evaluation needs to be conducted and lodged as part of the separate development application stage for each lot.

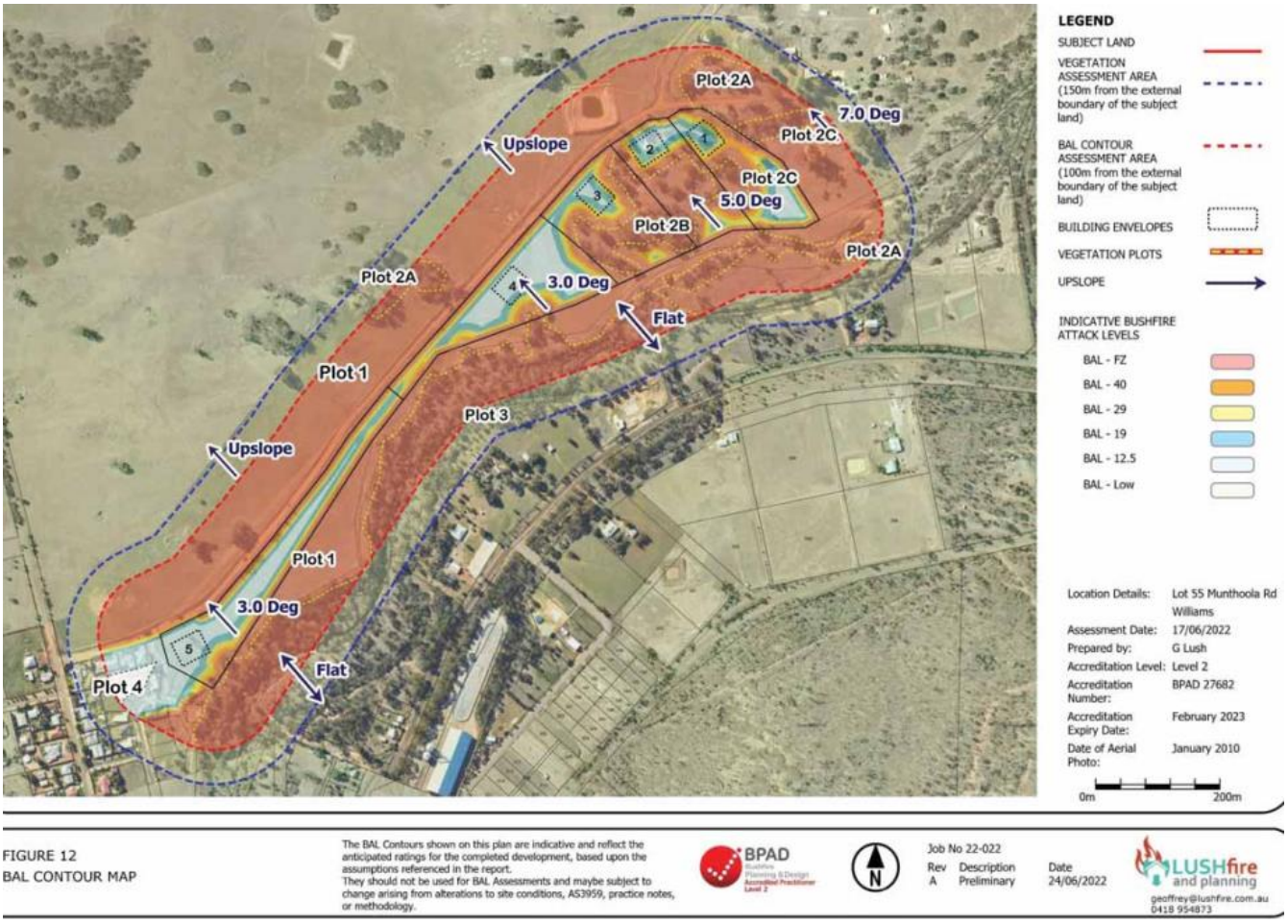
- ***Bushfire Management***

A Bushfire Management Plan (BMP) has been lodged in support of the application, as a significant portion of Lot 55 is within a declared bushfire prone area.

The relevant Western Australian Bushfire Policy (No 3.7) and associated guidelines require that BAL-29 or less be achieved.

The BMP includes a Bushfire Attack Level (BAL) map that illustrates that future dwellings within the proposed building envelopes can achieve an acceptable BAL rating between BAL-12.5 to BAL-29, depending on the exact house location.

The Bushfire Attack Level map is included.



Above: Bushfire Attack Level Map

The BAL rating will determine the level of construction standards to apply (for bushfire mitigation) to any new dwelling as part of the separate building permit application process. The higher the BAL, the higher the level of construction standards that will apply for new dwellings.

The BMP identifies that each future dwelling will need to provide a 10,000 litre tank as a water source for dedicated fire fighting.

The BMP also states that the subdivision proposal does not meet the acceptable solution for access, and seeks a variation to the current WAPC Guidelines as:

(a) There is a requirement for two access routes. This allows owners two egress evacuation routes to two different destinations in the event of a fire;
(b) Munthoola Road is a dead-end road, so there is only one ingress and egress point to the proposed subdivision. If a fire is coming from a south west direction, property owners may not be able to evacuate via Munthoola Road.

Whilst the BMP does not strictly comply with the current WAPC Bushfire Guidelines, the applicant seeks a concession based on the history of the land, consistency with the approved Subdivision Guide Plan, and the proximity of the land to Williams townsite.

Whilst TPI is not in position to support the BMP, there is a clear history of strategic planning for subdivision to occur in this location, as per the existing Subdivision Guide Plan.

TPI therefore advises that Council has the option of supporting the subdivision and allowing the WAPC to undertake their own assessment of the Bushfire Management Plan.

As the BMP is not fully compliant, it is recommended that an Emergency Evacuation Plan be required and that it identify whether there is a safe place to shelter on site in the event that evacuation is not feasible in a fire emergency event.

- ***Consultation***

The Western Australian Planning Commission has referred the application to Western Power, Water Corporation, Department of Health, Telstra, Department of Mines Industry, Regulations and Safety, Department of Biodiversity, Conservation and Attractions, Department of Education, Department of Jobs, Tourism, Science and Innovation and the Shire for comment.

Comments have been requested by the 9 November 2022.

- ***Conclusion***

Council has historically expressed general support for the proposed subdivision.

Whilst the Bushfire Management Plan seeks a variation to use a single road for access, from a practical perspective it is recognised that the road already exists, and the land is suitably zoned for subdivision. Ultimately the Bushfire Management Plan will be independently assessed by the WAPC.

POLICY REQUIREMENTS

Not Applicable

LEGISLATIVE REQUIREMENTS

Planning and Development Act 2005 – Section 142, Part 10, Division 2 sets out the consultation requirements for subdivision.

Section 143, Part 10, Division 2 sets out the Commissions duties when dealing with a plan of subdivision.

Planning and Development (Local Planning Schemes) Regulations 2015

Under the *Planning and Development (Local Planning Schemes) Regulations 2015* structure plans have an effect for ten years.

Where the Structure Plan was approved prior to commencement of the Regulations in 2015, it will expire 10 years from the commencement date of the Regulations (i.e. 19 October 2025), in accordance with Schedule 2, Part 4 clause 28(2) or Part 5 clause 44(2) or Part 6 clause 57(2) of the Regulations.

Shire of Williams Town Planning Scheme No 2 (the Scheme) – Lot 55 is zoned Rural Residential under the Scheme.

Specific scheme provisions apply to the lot under Schedule 4 of the Scheme, including:

Requirement of the zone (applies specifically to Munthoola)
Subdivision shall be in accordance with an outline development plan (subdivision guide plan) that is to be prepared and adopted in accordance with clause 5.9 - 'Outline Development Plan'.
Building envelopes shall be no larger than 2,000m^2 and all buildings and effluent disposal systems are to be confined to the building envelope. The location of the building envelope shall avoid any native vegetation.
Clearing of vegetation is not permitted unless a) it is within the approved building envelope; b) it is to establish strategic firebreaks in accordance with the Bushfires Act 1954 (as amended); or c) it is to enable vehicular access to the building envelope.
The keeping or breeding of livestock (including horses) shall not be permitted without the prior written approval of the local government.
Any fencing shall comprise non-electrified stock proof wire or ring lock fencing to a minimum height of 1.2 metres above the natural surface of the land
No dam or artificial lake shall be developed on any lot without the prior written approval of the Council.
The colour and style of any improvements shall be visually compatible with the area.
These conditions are to be read in conjunction with the Scheme requirements for the Rural Residential zone, including Clause 2.22 - 'Rural Residential zone'. Where conflict exists, the conditions of this Schedule will prevail.

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):

ED 1.3 Promote land availability within the Shire for residential, industrial and commercial development

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

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

Voting Requirements
Simple Majority

Officer's (Consultant Planner) Recommendation
That Council

A. Recommend that the Western Australian Planning Commission approve the application (WAPC Reference: 162834) to subdivide Lot 55 Munthoola Road, Williams into five lots subject to the following conditions:

1. Lodgement of an Emergency Evacuation Plan that identifies:
- Munthoola Road as the only evacuation point;
- Early evacuation triggers for relocation of occupants during bushfire warnings;
- Options to shelter in place as a last resort.

2. A restrictive covenant to the benefit of the local government, pursuant to section 129BA of the *Transfer of Land Act 1893*, is to be placed on the certificate(s) of title of the proposed lot(s), advising of the existence of a restriction on the use of the land within areas that have been assessed as BAL-40 or BAL-Flame Zone. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan).

The restrictive covenant is to state as follows: "No buildings are to be built within areas identified as BAL-40 or BAL-Flame Zone".

3. A restrictive covenant, to the benefit of the local government, pursuant to section 129BA of the *Transfer of Land Act 1893* is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a restriction on the use of the land. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan).

The restrictive covenant is to state as follows: "No buildings and effluent disposal systems are to take place outside the defined building envelope(s), unless otherwise approved by the local government.

4. A notification, pursuant to Section 70A of the *Transfer of Land Act 1893* is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan).

The notification is to state as follows: "A reticulated sewerage service is not available to the lot(s)."

5. Uniform fencing being constructed along the boundaries of all of the proposed lots abutting Reserve 48750 and Williams River.

6. The landowner/applicant shall provide a written undertaking to the satisfaction of the Western Australian Planning Commission to advise prospective purchasers of the

provisions of the local government's local planning scheme that relate to the use and management of the land.

7. The landowner/applicant shall provide a written undertaking to the satisfaction of the Western Australian Planning Commission to advise prospective purchasers that Munthoola Road is currently gravel and will not be upgraded / sealed.

B. Advise the Western Australian Planning Commission that;

(i) the owners of Lot 55 have had ongoing liaison with the Shire in regards to this subdivision approval, and Council has generally supported the proposal;

(ii) The Shire has advised the owners in writing that no upgrading of Munthoola Road is required by the local government, and on-site effluent disposal systems are acceptable.

(iii) The Shire acknowledges that the design does not strictly meet all bushfire access requirements and understands that the Western Australian Planning Commission is the determining authority. The Shire is prepared to support alterative solutions such as 'sheltering on site'.

15 September 2022

Western Australian Planning Commission
Locked Bag 2506
Perth WA 6001

Dear Sir / Madam,

SUBDIVISION APPLICATION (FREEHOLD)
LOT 55 ON DEPOSITED PLAN 69073 MUNTHOOLA ROAD, WILLIAMS
SHIRE OF WILLIAMS

We hereby submit, on behalf of the current landowners, an application for approval to subdivide the abovementioned landholding to create five (5) new separately titled rural residential lots immediately adjacent to the northern boundary of the Williams townsite.

Please find enclosed the following information to assist the Commission's consideration and processing of the application:

- A completed and signed 'Form 1A' application form;
- A recently sourced copy of the land's Certificate of Title, Deposited Plan and two (2) Section 70A notifications;
- A previously endorsed Subdivision Guide Plan / Outline Development Plan;
- A series of suitably scaled plans including a proposed subdivision plan;
- A Bushfire Management Plan prepared by an accredited bushfire planning practitioner; and
- Correspondence from the Shire of Williams confirming its position regarding road upgrade works and on-site effluent disposal.

When considering the application we request that the Commission and all referral agencies have due regard for the following key points:

1. Lot 55 is currently classified 'Rural Residential' zone in the Shire of Williams Town Planning Scheme No.2 (TPS No.2).

2. Provisions governing the future development and use of Lot 55 are provided in Clause 2.22 in Part 2, Clause 4.6(2) in Part 4 and Schedule 4 of TPS No.2 under the entry 'Portion of Lots 51 & 52 Eddington Road, Williams ('Munthoola')'. Lot 55 was created from portion of parent Lot 52 following a previously approved 'superlot' subdivision.

3. The subdivision of Lot 55 as proposed by this application generally accords with the design layout depicted on the endorsed Subdivision Guide Plan / Outline Development Plan for Lots 51 & 52 Eddington Road, Williams (i.e. 'Munthoola' estate) and the conditional subdivision approval previously granted by the Commission on 8 July 2013 which was never acted upon and has now expired.

   Some minor changes to the common boundary between proposed Lots 1, 2 and 3 have been made to account for the land's natural features (i.e. lot boundaries have been reconfigured to avoid some small rocky outcrops likely to pose a significant constraint and added cost to the installation of boundary fencing).

PO Box 1695 WANGARA DC WA 6947
Tel: 9303 2532 / Email: joe@urp.com.au
Exurban Pty Ltd ATF Vista Trust ABN 94 794 308 323

The proposed road reserve between Lots 16 and 17 on the current endorsed Subdivision Guide Plan / Outline Development Plan has also been removed in its entirety given advice previously received from the Shire confirming this road reserve is unnecessary, will add to ongoing road maintenance costs with little public benefit and is not therefore required.

Given the minor nature of these proposed variations to the current endorsed Subdivision Guide Plan / Outline Development Plan for the land and the basis for the proposed changes, modifications to the Subdivision Guide Plan / Outline Development Plan prior to determination of this application by the Commission are considered unnecessary.

4. Regular shaped building envelopes ranging in size from 1,963 to 2,000m^2 have been designated on the proposed subdivision plan and sited in a location on each lot to avoid all existing native vegetation insofar as possible, account for existing built form improvements proposed to be retained and ensure a sufficient separation distance to the Williams River in terms of on-site effluent disposal requirements and any future potential flood risk.

5. Access to all proposed lots will be facilitated via the land's direct frontage to Munthoola Road which is local road that has been constructed to a suitable gravel standard and is capable of accommodating the traffic volumes likely to be generated following the development of each lot for rural living purposes. The Shire has confirmed in correspondence to the landowners dated 19 August 2021 that it does not require any upgrading and/or sealing of the road carriageway as part of the proposed subdivision development (see copy attached)

6. Suitable electricity supply infrastructure will be provided to all proposed lots in accordance with Western Power's standard requirements.

7. Suitable reticulated water supply infrastructure will be provided to all proposed lots in accordance with the Water Corporation's standard requirements.

8. Suitable telecommunication services will be provided to all proposed lots in accordance with the relevant service provider/s standard requirements.

9. As the Williams townsite is not served by reticulated gas supply infrastructure this service will not be provided as part of the proposed subdivision development. It is anticipated each individual landowner will make their own arrangements regarding the supply of gas if this service is required.

10. Given that reticulated sewerage is not available and not required to be provided, all effluent disposal will be managed on-site using suitable effluent disposal systems to be installed by each individual landowner when undertaking any future built form development.

    The Shire has provided written confirmation of the land's general suitability for on-site effluent disposal subject to site specific Site and Soil Evaluations being undertaken with the findings required to be submitted to the Shire as part of the development approval processes (see copy attached).

    As mentioned previously above, a building envelope has been designated in a suitable location on each proposed lot to ensure a sufficient separation distance to the Williams River in terms of on-site effluent disposal requirements and any future potential flood risk. The type of effluent disposal system to be used will be determined by the owner of each new lot at the time of development, approval for which will be sought from the local government or the Executive Director of Public Health pursuant to the specific requirements of the *Health (Treatment of Sewage and Disposal of*

Effluent and Liquid Waste) Regulations 1974 prior to lodgement of a building permit application.

11. The Bushfire Management Plan prepared in support of this application confirms as follows:

    - The majority portion of the subject land has been designated by the Fire and Emergency Services Commissioner under the *Fire and Emergency Services Act 1998 (as amended)* as being bushfire prone;
    - All new lots proposed to be created will have a BAL rating of BAL-29 or less provided that part of the Woodland area within and adjoining the proposed building envelopes is modified to be low threat vegetation by removing any lower branches (under pruning) within 2 metres of the ground and reducing grassland areas to less than 100mm in height; and
    - The proposed subdivision complies with the Bushfire Protection Criteria in the Guidelines for Planning in Bushfire Prone Areas except for acceptable solution 'A3.2a - Multiple access routes' and 'A3.3 - Through-roads' due to the fact Munthoola Road is a no through road. It is contended, given the subdivision history of the subject land and the endorsed Subdivision Guide Plan / Outline Development Plan, that the "legacy" provisions in Section 2.7 of the Guidelines are applicable.

In light of the above key points and various information attached, we now look forward to the Commission's favourable consideration and final determination of the application in due course.

Should you have any queries or require any additional information please do not hesitate to contact the undersigned of this office on 0429 303 100 or joe@urp.com.au.

Yours faithfully,

Joe Douglas
Director / Principal Town Planner
Exurban Rural & Regional Planning

Encl.
- Completed and signed 'Form 1A' application form;
- Certificate of Title, Deposited Plan & Two (2) Section 70A Notifications;
- Previously endorsed Subdivision Guide Plan / Outline Development Plan;
- Proposed Subdivision Plan;
- Bushfire Management Plan including BAL Assessment; and
- Correspondence from the Shire of Williams

cc: Mr JN Genders & Ms JA Taylor – Landowners

8.2.7 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 13 October 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.

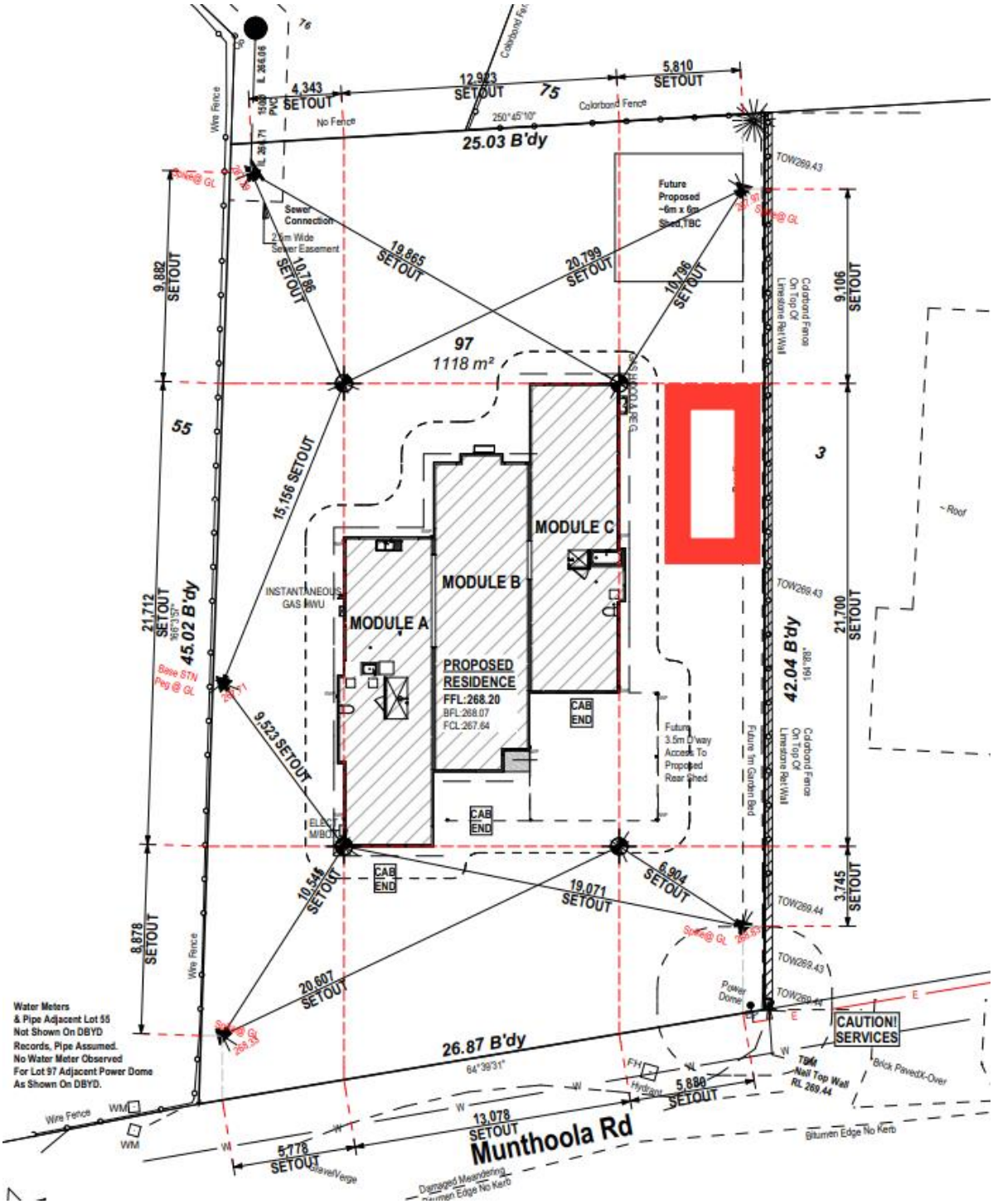
Above: Location Plan

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.

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. 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 application for a shed on Lot 97 (14) Munthoola Road, Williams.

8.2.8 Use of Common Seal and Actions Performed Under Delegated Authority

File Reference	4.50.60
Statutory Ref.	Sections 5.42 and 9.49A *Local Government Act 1995*
Author & Date	Geoff McKeown 14 October 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 September 2022:

Permit Number	Owner	Address	Description
486	Linkforce Engineering	238 Roccis Road, Meeking	Communications Tower
487	Sharon Hawkesford	18 Growse Street, Williams	Dwelling

- **Tender for Goods and Services – Call Tenders – Delegation 1.1.16**

Delegation - Authority to call tenders where there is an adopted budget for the proposed goods and services.

Action - The Chief Executive Officer called tenders for suitably qualified and experienced aquatic facility managers to undertake the management of the Williams Swimming Pool Complex.

- **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.

- **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. $1,243,000.00 from the Cash Management Account to a Term Deposit to earn interest on the 30 September 2022.

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

Delegation - The CEO is delegated authority to determine development applications that fully comply with all requirements of the Act and Regulations, and the Town Planning Scheme.

Action – The Chief Executive Officer determined the following development applications under delegated authority approved by Council:

1. *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.

   Clause 60 of the 'deemed provisions' requires that a person must not commence or carry out works on, or use, land in the Scheme area unless the person has obtained the development approval of the local government, or it is exempt from the requirement for planning approval.

   Clause 61 includes a specific list of development and works that are exempt from the need for planning approval. The Regulations only exempts ancillary outbuildings from requiring planning approval on a residential zoned lot, and where the outbuilding complies with the Residential Design Codes.

   There is no exemption for any agricultural sheds within a Rural zone under the Regulations, therefore the development requires planning approval.

   The Chief Executive Officer has determined that the development application for the construction of a 40m (L) x 18m (W) x 6.5m (H) Machinery Storage Shed with three enclosed walls and fully open front, to be constructed on 3211 Quindanning-Darkan Road, Meeking, fully complies with all requirements of the Act and Regulations, and the Town Planning Scheme.

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 September 2022.

9.0 Elected Members' Motions of which Notice has been given

Nil

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

10.1 Elected Members

Nil

10.2 Officers

Nil

11.0 Application for Leave of Absence

Nil

12.0 Closure of Meeting